



RENEWABLE HEAT
INCENTIVE INQUIRY

WIT-198522

RHI Inquiry

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David Robinson
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23 Strahulter Rd
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By post and email: info@rsbiomass.com

7 September 2018

Dear Sir

Re: The Independent Public Inquiry into the Non Domestic Renewable Heat Incentive (RHI) Scheme
Provision of a Section 21 Notice requiring the provision of evidence in the form of a written statement

I am writing to you in my capacity as Solicitor to the Independent Public Inquiry into the Non Domestic Renewable Heat Incentive (RHI) Scheme (known as 'the RHI Inquiry') which has been set up under the Inquiries Act 2005 ('the Act').

The Inquiry is grateful for the witness statement you have provided to it.

There are a number of further matters that the Inquiry would be grateful for your assistance with.

Therefore, please find enclosed with this letter a further Section 21 Notice requiring you to provide evidence to the RHI Inquiry Panel in the form of a written statement addressing the matters identified in the Schedule to the Section 21 Notice.

As the text of the Section 21 Notice explains, you are required by law to comply with it.

It is vital that the witness statement you provide to the Inquiry is your own evidence, absent the influence of others; that it is comprehensive; and that it fully explains your involvement in the matters about which you have been asked.

I also refer you to Restriction Order No 2 made by the Chairman of the RHI Inquiry on 22 June 2017, a copy of which is enclosed for your convenience. This restriction order prohibits you from publishing any documentation received from the RHI Inquiry (save that you may show it to your legal representative) unless you first obtain the consent in writing of the Inquiry Chairman.

In addition to the four restriction orders made by the Chairman of the RHI Inquiry (which you will find published on the Inquiry website) receipt of this correspondence and its enclosures also places you under a duty of confidentiality to the RHI Inquiry in respect of them. You may share the correspondence and the enclosed Notice and documents with your legal representative(s), but neither you nor they may show, communicate the contents of, nor provide this correspondence or the Notice or documents to any other person or organisation without the express permission of the RHI Inquiry. Any breach of this duty of confidentiality is actionable at the suit of the Inquiry Chairman.

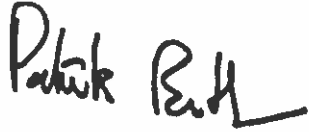
You will also find attached to the Section 21 Notice a Guidance Note explaining the nature of a Section 21 Notice and the procedures that the RHI Inquiry has adopted in relation to such a notice. In particular, you are asked to provide your evidence in the form of the template witness statement which is also enclosed with this correspondence.

Given the tight time-frame within which the RHI Inquiry must operate, the Chairman of the Inquiry would be grateful if you would comply with the requirements of the Section 21 Notice as soon as possible and, in any event, by the date set out for compliance in the Notice itself.

Finally, I would be grateful if you could acknowledge receipt of this correspondence and the enclosed notice by email to Patrick.Butler@rhiinquiry.org.

Please do not hesitate to contact me to discuss any matter arising.

Yours faithfully

A handwritten signature in black ink that reads "Patrick Butler". The signature is written in a cursive style with a long horizontal stroke at the end.

Patrick Butler

Solicitor to the RHI Inquiry

02890408928

SCHEDULE

[No 178 of 2018]

You have explained that your company installed between 350 and 400 installations that are on the Northern Ireland Non Domestic RHI Scheme (the RHI Scheme).

You have also explained that you had a trade stand at CAFRE events at Greenmount and Enniskillen over a period of years.

1. As to this:

- a. When did you first learn or realise that the RHI Scheme provided a perverse incentive to scheme members to generate heat in order to make a profit?
- b. What knowledge about the profit that could be earned by scheme members from the RHI Scheme, if any, did you learn from participating at events such as those held by CAFRE? Please give any examples that you can, and when they arose.

It has been said to the Inquiry that there were practices occurring amongst RHI Scheme members such as poultry farmers heating empty sheds in order to maximise their return from the RHI Scheme.

2. As to this:

- a. Were you aware of practices such as poultry farmers heating empty sheds in order to maximise their return from the RHI Scheme?
- b. If the answer is yes then: please set out when you became of practices of this kind, and how you became so aware.

Andrew Crawford has said to the Inquiry that he had a conversation with you in July 2015 when you were carrying out work at his brother's biomass installation.

3. As to this:

- a. Please give an account of your relationship with Andrew Crawford, including when you first met him.
- b. Did you have a conversation with Andrew Crawford in July 2015 at premises belonging to his brother?
- c. If the answer to the above question is yes, then please give an account of that conversation.

NOTE:

It is important for the efficiency of the RHI Inquiry that the issues identified above are addressed as fully as possible and by reference, where available, to the dates and locations of specific incidents to which reference is made. The statement should be broken down into paragraphs, which should be numbered sequentially from '1' to the end. The use of appropriate section headings or sub-headings is also encouraged. A template witness statement is provided with this Notice for your assistance and should be used as the format for your response.



INQUIRY INTO THE RENEWABLE HEAT INCENTIVE SCHEME

RHI REF: Notice 178 of 2018

DATE:

Witness Statement of:

I, David Robinson, will say as follows: -

You have explained that your company installed between 350 and 400 installations that are on the Northern Ireland Non Domestic RHI Scheme (the RHI Scheme).

You have also explained that you had a trade stand at CAFRE events at Greenmount and Enniskillen over a period of years.

1. As to this:

- a. When did you first learn or realise that the RHI Scheme provided a perverse incentive to scheme members to generate heat in order to make a profit?

I have been involved in biomass boiler installation for 12 years and my initial thought about the scheme when launched was that it was something similar to the approach in the UK to encourage early adopters as you are undoubtedly aware the tariff was initially high. It was my impression that the scheme would be subject to degeneration as in UK when a threshold number had come into the scheme so to answer your question I honestly cannot say that I ever thought the scheme offered a perverse incentive.

- b. What knowledge about the profit that could be earned by scheme members from the RHI Scheme, if any, did you learn from participating at events such



as those held by CAFRE? Please give any examples that you can, and when they arose.

We as several other installers used the Cafre event as a PR event where we could meet potential buyers. When I was at the event I was on the stand to meet potential customers or interested parties and did not attend any presentations. As a biomass boiler installer we are aware of costs to install, maintain and operate biomass boilers.

It has been said to the Inquiry that there were practices occurring amongst RHI Scheme members such as poultry farmers heating empty sheds in order to maximise their return from the RHI Scheme. As to this:

2. As to this:

- a. Were you aware of practices such as poultry farmers heating empty sheds in order to maximise their return from the RHI Scheme?

I am not personally aware of any specific individuals who are / were doing this.

- b. If the answer is yes then: please set out when you became of practices of this kind, and how you became so aware.

N/A

Andrew Crawford has said to the Inquiry that he had a conversation with you in July 2015 when you were carryout out work at his brother's biomass installation.

3. As to this:

- a. Please give an account of your relationship with Andrew Crawford, including when you first met him.



The first and only time I recall meeting Andrew Crawford was on site at James Crawford's site in 2015. I can say that I know Andrew Crawford to speak to but do not and never have had any planned meetings or any other socialising activity.

- b. Did you have a conversation with Andrew Crawford in July 2015 at premises belonging to his brother?

Yes I vaguely recollect meeting Andrew at the premises as stated above but am not sure what month this was never mind the date.

- c. If the answer to the above question is yes, then please give an account of that conversation.

As stated above I have a vague recollection of meeting with Andrew but cannot recall discussing anything out of the ordinary. The honest truth is that I cannot remember anything to note.

Statement of Truth

I believe that the facts stated in this witness statement are true.

Signed: _____

Dated: 17/09/2018