

Minister Gordon Lyons
Department for Communities
1-7 Bedford St
Belfast BT2 7EG

Peter Holland
Flat 21
87 Fitzroy Avenue
Belfast BT7 1TL

20 August 2025

Dear Minister,

Your department's support for the installation of individual metered gas boiler/heaters by Registered Housing Associations (RHAs under your department's regulatory remit) is unlawful. This evades your department's obligations to reduce greenhouse gas emissions under *The Climate Change Act 2022 (NI)* by moving greenhouse gas emissions 'off the books' whilst increasing actual emissions.

Re: Choice Housing Ireland Ltd: On 30 November 2023 the DfC's Head of Housing Regulation, Trudy Creane wrote that, *"...these meters were forcibly installed without the tenants' agreement. Choice has confirmed that the meters were required to be installed in order to facilitate the change from a communal heating system to individual billing for each apartment."*

The Climate Change Act 2022 (NI) must be taken into account. In June 2025, *In the Matter of an Application by John Hamilton Hassard & Ors [2025] NIKB 42*, the NI High Court quashed the Department for Infrastructure's decision to proceed with the A5 dual carriageway upgrade, finding that the DfI's decision did not comply with Northern Ireland's statutory climate change targets.

Choice's fatal version of the scam

At a Choice sheltered housing scheme at 87 Fitzroy Court, Belfast BT7 1TL, Choice used deception to get tenants to agree to the installation of individual gas boiler/heaters. But contrary to best practice, Choice neither evacuated the Fitzroy Court building nor sectioned it off for heavy construction work to take place. The intolerable noise, vibration and dust led to the deaths of three Fitzroy Court tenants within ten weeks, **Brian Scullion** (deceased 26.03.2025) **George Broderick** (deceased 13.04.2025) and **Noreen Grego** (deceased 04.06.2025). The police attended all three unexpected deaths.

The Health and Safety Executive

Following these deaths, the HSE opened an investigation reference: CM202504-0032 but unfortunately, the legislation covers workers on a construction site not vulnerable and elderly persons living on a construction site.

Belfast City Council

Following the deaths, Environmental Health of Belfast City Council's City and Neighbourhood Services opened an investigation regarding Statutory Nuisance under *The Clean Neighbourhoods and Environment Act (Northern Ireland) 2011*.

MLA and The Police Ombudsman

Following the Fitzroy Court deaths, MLA Paula Bradshaw (Alliance) raised the issue with PSNI south Belfast command. the PSNI responded to her concerns. The PSNI response was unsatisfactory. There appears to be prima facie evidence that the deaths could have been the result of gross negligence manslaughter or an offence or offences under *The Corporate Manslaughter and Corporate Homicide Act 2007* and should have been so investigated. This failing led to a complaint to the **Police Ombudsman**, ongoing as Ref: 40168775-2025.

The High Court ref 24/113916/2

In December 2024 I sought an injunction (Chancery ref 24/113916/2) to stop Choice installing these individual gas boiler/heaters. This was unsuccessful and could not prevent the deaths but the action continues in review in the High Court on 22 September 2025 to determine the public interest aspect.

Regarding the public interest

- 1) The principle of compensation
- 2) Increased greenhouse gas emissions
- 3) The construction scheme at Fitzroy Court
- 4) Conceding liability
- 5) Permanent greenhouse gas emission increases
- 6) Further admission of liability
- 7) Previous DfC scams
- 8) Parliament and Claire Hanna M.P. (SDLP)

1) The principle of compensation

On 28 May 2025 Ofgem the regulator for England, Scotland and Wales found that Energy suppliers that did not follow the rules when installing prepayment meters to collect debt without household permission must pay £18.6 million in compensation and debt write off to at least 40,000 customers. As Choice (with the support of your department) is installing prepayment gas meters to evade the obligations of *The Climate Change Act 2022*, it follows that similar compensation should be paid.

2) Increased pollution from individual gas boiler/heaters

A 2025 study, published in the journal Environmental Science & Technology, led by Professor James Lee of the University of York found that smaller gas boilers like those installed in Fitzroy Court are likely to be more polluting than one large gas communal heating boiler of the same total capacity. On average a household gas boiler will emit greenhouse gases equivalent to approximately 2.2 tonnes of CO₂ per year.



Photo taken at 09:10 on 14 August 2025 of a gas boiler/heater at Fitzroy Court. The ambient air temperature was 19°C. The vapour is visible because the combustion is less efficient than a large boiler. The incomplete combustion exhausts CO₂, NO_x, CO and methane. As these are start-stop gas boil/heaters and Choice will install 25 at Fitzroy Court whilst retaining the communal boiler for communal areas, greenhouse gas emissions for the building will increase +30%.

3) The construction at Fitzroy Court

Choice ignored best practice by failing to evacuate the Fitzroy Court building or sectioning it off to allow safe working, thus causing the deaths of three persons.



4) Conceding liability

Ryan McAloon, site manager for McCusker Contracts, the lead constructor at the Fitzroy Court site, conceded that Choice was ignoring best practice by neither evacuating the Fitzroy Court building nor sectioning off the building. Mr McAloon conceded that, at a minimum, this deprived Fitzroy Court tenants of the peaceful enjoyment of their homes. Mr McAloon declined to answer questions about the three deaths on his construction site.

5) Permanent greenhouse gas emission increases

Rather than the usual practice of simply capping and draining the Fitzroy Court communal heating system, Choice is drilling these pipes out of the concrete fabric of the building. This ensures no communal renewable heating system can be installed in the future. This guarantees permanent customers for SSE Airtricity Gas Supply (NI) and Phoenix Gas and Choice and DfC officials can report these emissions as “removed from the record”. This is a well-engineered scam with the usual back-handers. Choice is on the record as paying gratuities for services rendered and Fusion Heating Ltd (SSE Airtricity’s subsidiary) was caught likely paying bribes.

6) Admission of guilt (2022)

At meetings on 11 and 18 October 2022 Fusion Heating Ltd managers admitted individual boilers were less efficient and more polluting than a communal one. Belfast City Councillor (now Lord Mayor) Tracy Kelly (DUP) was present at the meetings.

7) Previous DfC scams

Housing officials at the Department for Communities have form when it comes to fiddling the books. In 2023 DfC officials facilitated inflationary social housing rent increases (NIHE and RHA) by putting faux AME funding calls to the UK Treasury. The DfC official claimed this was because of retail inflation although retail inflation is largely a pass-through cost for social housing.

8) Parliament

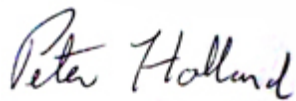
M.P. Claire Hanna (SDLP) put a question to the **Chancellor of the Exchequer** (*UIN 189089, tabled on 12 June 2023*) asking “*why an increase in Housing Benefit Annually Managed Expenditure was granted to the Department for Communities in February 2023*”? The Treasury replied to the effect that, its hands were tied as it has to take AME funding calls in good faith from officials in devolved administrations.

Minister

Dear Minister, this policy of your department's support for installing individual gas boiler/heaters predates your taking up the post of Minister. However, the actions of your officials in supporting this policy are unlawful as this evades your department's (and Choice's) obligations under *The Climate Change Act 2022 (NI)*.

I ask if you will now disavow this policy. This is not a pre-action protocol letter but if one is needed, it will look very like this.

Yours truly,

A handwritten signature in dark ink, reading "Peter Holland". The signature is written in a cursive style with a large initial 'P' and 'H'.

Peter Holland