

MISREPRESENTED SOIL SAMPLES TASK AND FINISH GROUP

20 NOVEMBER 2025 (BY TEAMS)

PRESENT:

██████████

Rosemary Daly

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APOLOGIES:

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1. Report of previous meeting held on 20 October 2025 were agreed as an accurate record.
2. No matters arising
3. **LG Update** – Protocol and terms of Reference have been forwarded to ██████████
██████████, the meeting in November has been rescheduled and will be considered on 5 December but to date ██████████ haven't raised any issues of nete but await formal feedback.
Dfl Update - Nothing further to add from last meeting
NIEA Update – Nothing further from last meeting, however, ██████████ queried if protocol deals with NIAO recommendations. It was agreed this had been adequately covered as lessons learnt from the report had influenced the protocol design. NIAO report had conflated fraud and planning implications. TFG had maintained a clear separation but dealt effectively with both elements. ██████████ reported positive experience of subsequent reports and data being properly verified. ██████████ advised this demonstrated that mitigation and safeguarding checks were working.
4. **Protocol and Terms of Ref update**
Both documents were agreed as final draft 24/10/25 as per agreement at last meeting. The group agreed the final draft.

5. Next steps

- (i) Final draft version to be presented to HoP on 28 Nov 2025
- (ii) [REDACTED] to consider final documents on 5 December 2025
- (iii) Pending successful outcome to (i) and (ii) final proposals to be presented to 9 January SOLACE meeting
- (iv) Dfl to update Permanent Secretary on progress and proposed timeline
- (v) Dfl to share final documents with PAC, NIAO and other Statutory Consultees.

6. Date of next meeting

It was agreed to provisionally book further meeting for 10 December 3.30pm to review progress etc. on above.

Planning Fraud Regional Response Team - Terms of Reference

Background

The Northern Ireland Audit Office (NIAO) undertook a review and published a report in July 2024 (*Public Bodies' Response to Misrepresented Soil Sample Analysis*).

The Department for Infrastructure (DfI), the Society of Local Authority Chief Executives (SOLACE) and the Northern Ireland Environment Agency (NIEA) agreed to establish a Task and Finish Group (TFG) to consider the recommendations from the NIAO report that apply to the two-tier planning system and to consider lessons learned and next steps.

In considering how best to address issues of potential fraud in planning and simultaneously responding to the recommendations of the NIAO report, the TFG developed a Protocol to manage fraud risk in planning at a regional or sub-regional level. One of the key outcomes of the TFG was the establishment of a 'Planning Fraud Regional Response Team' (PFRRT) to address this, should the issue of potential fraud be deemed to be a regional or sub-regional issue.

Role of the Planning Fraud Regional Response Team

The role of the PFRRT is to come to an agreed position in relation to whether the issue of potential fraud is of a local nature **or** of a regional or sub-regional nature. The Regional Response Protocol for managing fraud risk in planning establishes a process for the PFRRT to follow in the event of relevant suspected cases of fraud. A copy of the protocol is attached at Appendix 1.

The PFRRT will build on existing partnership arrangements, to seek to: -

1. Agree if the alleged fraud is specific to one or more planning authorities (PAs) **or** is of a wider regional or sub-regional nature and impacting on the broader/entire planning system e.g. falsified soil sample reports which were the subject of NIAO report July 2024.
2. Agree a plan of action (and assign responsibilities) to support a consistent, robust and efficient approach by planning authorities (PAs) and other public bodies such as DfI, NIEA, the Planning Appeals Commission statutory consultees etc. to address any regional wide issues of this nature.
3. Record / register cases formally agreed by the PFRRT to be of regional or sub-regional interest/impact and also record nil returns biannually.

[NOTE: As information to be considered by the PFRRT may be associated with planned or ongoing investigations, the PFRRT and its members/attendees will be required to treat the information in confidence so as not to prejudice potential investigations/prosecutions. Additionally, individual organisations must continue to consider and apply their established anti-fraud policies and procedures.]

Membership

The PFRRT shall comprise members from: -

- SOLACE to agree local government representation on a rotational basis.
- Where an incident is identified, representative from the public body that raised the concern, where applicable or from the local planning authority/authorities (LPAs) that first identified the potential fraud issue.
- DFI officials with responsibility in planning and/or governance.
- Statutory consultee officials in the subject area of concern.
- If a member is unable to attend a meeting, then the Chair/Secretary should be advised in advance, and a representative can attend in their place. Further representatives of organisations may be nominated to receive papers. Ad hoc attendees may be invited by the Chair or Secretary (on the Chair's behalf) if there is a requirement for specialist input.

Quorum

A **minimum** of four members (two from the Department and two from SOLACE/LPAs) are required to enable a meeting to be held.

Meetings

The PFRRT shall convene within six months of the official end of the Task and Finish Group and thereafter it shall meet twice a year, or as often as necessary, sufficient to:-

- consider all relevant information submitted by LPAs and any relevant public bodies in relation to cases of suspected regional or sub-regional fraud;
- identify and manage areas of collective responsibility;
- assign responsibilities; and
- develop findings, recommendations, lessons learned and next steps.

Where a case of potential fraud is suspected to be a regional or sub-regional issue the PFRRT can be convened if it is considered prudent rather than wait for the next scheduled PFRRT meeting.

Meetings may be in-person, online or a mixture of both suitable to the needs of participants and will be matter for the Chair.

Chair and Secretary Support

Unless exceptional circumstances require;

- The PFRRT shall be chaired on a rotation basis.
- The Chair shall arrange and host the relevant meeting (and it will be matter for the Chair whether the meeting is in person or online).
- A draft agenda should be circulated for comment at least one week before the proposed date of a meeting to allow for consideration and comment.
- A draft note of the meeting shall be issued from the Chair of the meeting within 5 working days of the meeting taking place for comment. Comments should be returned within the following 3 working days and the meeting note finalised promptly and circulated to PFRRT members.

Agreed - 24 October 2025