

DEPARTMENT FOR INFRASTRUCTURE

SECTION 75 EQUALITY OF OPPORTUNITY SCREENING ANALYSIS FORM

The purpose of this form is to help you to consider whether a new policy (either internal or external) or legislation will require a full equality impact assessment (EQIA). Those policies identified as having significant implications for equality of opportunity must be subject to full EQIA.

The form will provide a record of the factors taken into account if a policy is screened out, or excluded for EQIA. It will provide a basis for quarterly consultation on the outcome of the screening exercise, and will be referenced in the biannual review of progress made to the Minister and in the Annual Report to the Equality Commission.

Further advice on completion of this form and the screening process including relevant contact information can be accessed via the Department for Infrastructure (DfI) Intranet site ([Equality Intranet page](#)).

HUMAN RIGHTS ACT - refer to the [Equality Intranet page](#)

When considering the impact of this policy you should also consider if there would be any Human Rights implications. Guidance is at:

- <https://www.executiveoffice-ni.gov.uk/articles/human-rights-and-public-authorities>

Should this be appropriate you will need to complete a Human Rights Impact Assessment. A template is at:

- <https://www.executiveoffice-ni.gov.uk/publications/human-rights-impact-assessment-proforma>

Don't forget to RURAL PROOF - refer to the [Equality Intranet page](#).

Part 1. Policy scoping

The first stage of the screening process involves scoping the policy under consideration. The purpose of policy scoping is to help prepare the background and context and set out the aims and objectives for the policy, being screened. At this stage, scoping the policy will help identify potential constraints as well as opportunities and will help the policy maker work through the screening process on a step by step basis.

Public authorities should remember that the Section 75 statutory duties apply to internal policies (relating to people who work for the authority), as well as external policies (relating to those who are, or could be, served by the authority).

Information about the policy

Name of the policy

Planning Applications for future mixed use and an enterprise centre/business units at Former Maghera High School Site, Tobermore Road, Maghera. The planning applications were submitted to Mid Ulster District Council on 21 December 2018 and then called in by the Department for its determination under section 29 of the Planning (NI) Act 2011 on 2 November 2020.

Is this an existing, revised or a new policy?

This is a decision to approve 2 planning applications which the Department's Planning Business Area is responsible for processing, it is not a policy. (Planning Application Refs: LA09/2019/0024/O & LA09/2019/0025/F)

What is it trying to achieve? (intended aims/outcomes)

Outline permission is sought by Mid Ulster District Council for a mixed use / enterprise centre containing business units on lands comprising the former Maghera High School on Tobermore Road, Maghera. Full planning permission is also sought for the infrastructure that is required for a business park including internal access road/footpaths, improvements to the access include a right hand turning lane, alteration of existing levels to provide platforms for future development, installation of utilities, 2.4m high panel mesh fencing around each plot, clearance of undergrowth vegetation and associated site works.

Are there any Section 75 categories which might be expected to benefit from the intended policy?

If so, explain how.

Opportunities to benefit from the enterprise centre (whether it be through establishing a business on the site or gaining employment from a new business or from the wider economic

benefits to the town and the community) should be experienced uniformly across the general population and all section 75 categories should therefore experience the opportunities to the same extent as the general population.

Who initiated or wrote the policy?

The applicant is Mid Ulster District Council.

Who owns and who implements the policy?

Mid Ulster District Council will construct the enterprise centre infrastructure and individual businesses will develop their own individual plots to meet their business needs.

Background

Outline planning permission is sought for an enterprise centre subdivided into plots to support business units and full permission is sought for the infrastructure which will support the development. The exact type of use is currently unknown as each plot will be subject to *Reserved Matters Planning Applications* submitted by individual purchasers of each plot. The outline application seeks to establish the principle of development for *Business, Light Industrial and Storage and Distribution* uses and includes a draft site layout with 7 plots of varying sizes and a single spine road through the middle of the site. The plot boundaries are indicative and can be revised subject to the purchaser's requirements. The supporting statement suggests workspace units would range from 4 - 20,000 sq ft. Internal plot boundaries will be marked by 2.4m high mesh paladin fencing. Existing boundary vegetation will be retained and supplemented by additional native species and a connective woodland will be planted along the south western edge of the development. The development will involve a general levelling out of the site with the central spine road cut through the highest ground in the centre of the site and levels sloping gently from north to south. The formation of the platforms will necessitate some excavation in places and some infilling in others, particularly around the edges of the site close to the boundaries.

The applications were advertised in the local press as per The Planning Act (NI) 2011 and the Planning (General Development Procedure) Order (NI) 2015. The press advertisement included details of where the applications could be viewed. A statutory period of time was given in which representations could be made. The applications were re-advertised following receipt of further information. There have been almost 1500 letters of objection in total to the proposal.

The principal concerns raised by objectors were:

- Loss of trees and impact on visual amenity and character of area
- Impact on ecology & biodiversity within the site
- Loss of open space and amenity and consequential impact on physical and mental health and wellbeing
- Flood risk – site within the floodplain and will lead to increase in more flooding in surrounding area
- No need for the proposal – vacant sites within Maghera & failure to consider alternative sites
- Economic benefits are speculative and questionable

- Traffic impact – will lead to congestion and increase noise and air pollution
- Site should be retained/developed as a public park
- No support for compensatory open space on adjoining lands which is within the floodplain

There were no section 75 or equality issues raised through any representations received in response to the public consultation on the planning applications, either to the Council or the Department. The responses received suggest the primary areas of concern were loss of open space, and impacts on health, ecology, visual amenity, traffic and flooding that might impact on one or multiple identities, however there is no specific s75 evidence to illustrate that.

The grant of planning permission will be subject to the applicant entering a planning agreement under section 76 of the Planning Act (NI) 2011 which requires them to provide compensatory open space on adjoining lands. This open space will compensate for the loss of existing zoned open space within the site comprising 1.4 ha, albeit that this open space is currently not accessible to or available for the public for use. The applicant proposes to provide a wetlands park over 10ha which will be the subject of a separate planning application.

The above issues are considered as part of the Development Management Report which is available through the public register <https://planningregister.planningsystemni.gov.uk/simple-search> using the reference numbers LA09/2019/0024/O and LA09/2019/0025/F and on the Department's own website <https://www.infrastructure-ni.gov.uk/articles/planning-ref-la0920190024o-la0920190025f-maghera-high-school>.

Implementation factors

Are there any factors which could contribute to/detract from the intended aim/outcome of the policy/decision?

No. The funding for the project is a matter for the applicant.

If yes, are they (please delete as appropriate)

financial

legislative

other, please specify _____

Main stakeholders affected

Who are the internal and external stakeholders (actual or potential) that the policy will impact upon?

- Staff/employees within businesses which will occupy the enterprise park
- service users/customers of those businesses
- local residents/local community

Other policies with a bearing on this policy

- what are they?

Magherafelt Area Plan 2015

Local Development Plan 2030– Plan Strategy (Draft)

Strategic Planning Policy Statement

Planning Policy Statements

Council's own economic/open space policies

- who owns them?

Department for Infrastructure

Mid Ulster District Council

Available evidence

Evidence to help inform the screening process may take many forms. Public authorities should ensure that their screening decision is informed by relevant data. The Commission has produced this guide to [signpost to S75 data](#). Also refer to the [Equality Intranet page](#) for some evidence sources.

What evidence/information (both qualitative and quantitative) have you gathered to inform this policy? Specify details for each of the Section 75 categories.

The Council, who are the applicant, have submitted that there is a need for investment to support a growing young population in Maghera and encourage economic growth and job creation, particularly given higher than average unemployment and levels of deprivation within the town. They also refer to knock-on economic benefits with construction costs of approximately £1.86m and income through sales and possibly rates which would accrue to the Council. It is evident therefore that the provision of opportunities for enterprise and business units in Maghera will have economic benefits for the town and surrounding area with the possible creation of over 300 jobs.

Religious belief evidence / information:

The proposal lies within the town of Maghera. 75% of the population were recorded in the 2021 Census as Catholic and 16% were recorded as Protestant or other Christian.

No evidence has been presented through the various consultations carried out on the proposal that approval or refusal of the planning applications would affect groups with different religious belief. In the absence of more robust data outside of that referenced during the consideration stages of the proposals it is difficult to determine the impact(s) on this group of this planning decision. However, as the scheme itself is to improve the economy of the area, and therefore potentially benefit society, the Department does understand that if religious belief is part of a person's multiple identity that this decision may positively impact on this Section 75 group.

Political Opinion evidence / information:

As stated above, Maghera is predominantly occupied by the Catholic community which represent a particular political opinion. 75% of the population were recorded in the 2021 Census as Catholic and 16% were recorded as Protestant or other Christian.

No evidence has been presented through the various consultations carried out on the proposal that approval or refusal of the applications would affect different groups with different political opinions. In the absence of more robust data outside of that referenced during the consideration stages of the proposals it is difficult to determine the impact(s) on this group of this planning decision. However, as the scheme itself is to improve the economy of the area, and therefore potentially benefit society, the Department does understand that if political opinion is part of a person's multiple identity that this decision may positively impact on this Section 75 group.

Racial Group evidence / information:

98.7% of the Maghera population were recorded in the 2021 Census as white.

No evidence has been presented through the various consultations carried out on the proposal that approval or refusal of the applications would affect different racial groups. In the absence of more robust data outside of that referenced during the consideration stages of the proposals it is difficult to determine the impact(s) on this group of this planning decision. However, as the scheme itself is to improve the economy of the area, and therefore potentially benefit society, the Department does understand that if people from ethnic groups are part of a person's multiple identity that this decision may positively impact on this Section 75 group.

Age evidence / information:

21.5% of the Maghera population were recorded in the 2021 Census as 0-14 years and 16.6% were recorded as 65 years and over. 15-39 years accounted for 31.7% of the population and 40-64 years for 30.1% of the population.

No evidence has been presented through the various consultations carried out on the proposal that approval or refusal of the applications would affect different age groups. In the absence of more robust data outside of that referenced during the consideration stages of the proposals it is difficult to determine the impact(s) on this group of this planning decision. However, as the scheme itself is to improve the economy of the area, and therefore potentially benefit society, the Department does understand that if people within the age groups is part of a person's multiple identity that this decision may positively impact on this Section 75 group.

Marital Status evidence / information:

51.3% of the Maghera population were recorded in the 2021 Census as married or in a civil partnership and 48.7% were recorded as single, divorced or widowed.

No evidence has been presented through the various consultations carried out on the proposal that approval or refusal of the applications would affect groups of differing marital status. In the absence of more robust data outside of that referenced during the consideration stages of the proposals it is difficult to determine the impact(s) on this group of this planning decision. However, as the scheme itself is to improve the economy of the area, and therefore potentially benefit society, the Department does understand that if marital status is part of a person's multiple identity that this decision may positively impact on this Section 75 group.

Sexual Orientation evidence / information:

91.6% of the Maghera population were recorded in the 2021 Census as heterosexual, and 1.4% as gay, lesbian or other sexual orientation with 7% preferring not to say.

No evidence has been presented through the various consultations carried out on the proposal that approval or refusal of the applications would affect different groups of differing sexual orientation. In the absence of more robust data outside of that referenced during the consideration stages of the proposals it is difficult to determine the impact(s) on this group of this planning decision. However, as the scheme itself is to improve the economy of the area, and therefore potentially benefit society, the Department does understand that if sexual orientation is part of a person's multiple identity that this decision may positively impact on this Section 75 group.

Men & Women generally evidence / information:

The population for Maghera was recorded in the 2021 Census as 51.2% female and 48.8% as male.

No evidence has been presented through the various consultations carried out on the proposal that approval or refusal of the applications would affect men and women differently. In the absence of more robust data outside of that referenced during the consideration stages of the proposals it is difficult to determine the impact(s) on this group of this planning decision. However, as the scheme itself is to improve the economy of the area, and therefore potentially benefit society, the Department does understand that if gender is part of a person's multiple identity that this decision may positively impact on this Section 75 group.

Disability evidence / information:

47.2% of households in Maghera were recorded in the 2021 Census as having one or more persons in that household with a limiting life long health problem or disability.

No evidence has been presented through the various consultations carried out on the proposal that approval or refusal of the applications would affect people with disabilities. In the absence of more robust data outside of that referenced during the consideration stages of the proposals It is difficult to determine the impact(s) on this group of this planning decision. However, as the scheme itself is to improve the economy of the area, and therefore potentially benefit society, the Department does understand that if people with disabilities is part of a person's multiple identity that this decision may positively impact on this Section 75 group.

Dependants evidence / information:

67.8% of households in Maghera were recorded in the 2021 Census as having no dependent children and 32.2% has having one or more dependent children up the age of 18.

No evidence has been presented through the various consultations carried out on the proposal that approval or refusal of the applications would affect people with dependents differently. In the absence of more robust data outside of that referenced during the consideration stages of the proposals it is difficult to determine the impact(s) on this group of this planning decision. However, as the scheme itself is to improve the economy of the area, and therefore potentially benefit society, the Department does understand that if people who fall under the dependants groups is part of a person's multiple identity that this decision may positively impact on this Section 75 group.

Needs, experiences and priorities

Taking into account the information referred to above, what are the different needs, experiences and priorities of each of the following categories, in relation to the particular policy/decision?

(Specify details of the needs, experiences and priorities for each of the Section 75 categories below).

Religious belief

This decision will support Mid Ulster District Council's aim to redevelop the site to create a new Enterprise Centre and Business Park for a range of industrial and economic uses that will support the economic growth of the area.

As noted in the background there have been objections to this development in particular to the loss of open space. Planning permission is granted subject to the applicant entering a planning agreement to provide compensatory open space on adjoining lands. This open space will compensate for the loss of existing zoned open space within the site. The applicant proposes to provide a wetlands park over 10ha which will be the subject of a separate planning application. That said no other specific needs have been identified for people within this group.

Political Opinion

As outlined above

Racial Group

As outlined above

Age

As outlined above

Marital status

As outlined above

Sexual orientation

As outlined above

Men and Women Generally

As outlined above

Disability

As outlined above

Dependants

As outlined above

Part 2. Screening questions

Introduction

In making a decision as to whether or not there is a need to carry out an equality impact assessment, the public authority should consider its answers to the questions 1-4 which are given on pages 66-68 of this Guide.

If the public authority's conclusion is **none** in respect of all of the Section 75 equality of opportunity and/or good relations categories, then the public authority may decide to screen the policy out. If a policy is 'screened out' as having no relevance to equality of opportunity or good relations, a public authority should give details of the reasons for the decision taken.

If the public authority's conclusion is **major** in respect of one or more of the Section 75 equality of opportunity and/or good relations categories, then consideration should be given to subjecting the policy to the equality impact assessment procedure.

If the public authority's conclusion is **minor** in respect of one or more of the Section 75 equality categories and/or good relations categories, then consideration should still be given to proceeding with an equality impact assessment, or to:

- measures to mitigate the adverse impact; or
- the introduction of an alternative policy to better promote equality of opportunity and/or good relations.

In favour of a 'major' impact

- a) The policy is significant in terms of its strategic importance;
- b) Potential equality impacts are unknown, because, for example, there is insufficient data upon which to make an assessment or because they are complex, and it would be appropriate to conduct an equality impact assessment in order to better assess them;
- c) Potential equality and/or good relations impacts are likely to be adverse or are likely to be experienced disproportionately by groups of people including those who are marginalised or disadvantaged;
- d) Further assessment offers a valuable way to examine the evidence and develop recommendations in respect of a policy about which there are

concerns amongst affected individuals and representative groups, for example in respect of multiple identities;

- e) The policy is likely to be challenged by way of judicial review;
- f) The policy is significant in terms of expenditure.

In favour of 'minor' impact

- a) The policy is not unlawfully discriminatory and any residual potential impacts on people are judged to be negligible;
- b) The policy, or certain proposals within it, are potentially unlawfully discriminatory, but this possibility can readily and easily be eliminated by making appropriate changes to the policy or by adopting appropriate mitigating measures;
- c) Any asymmetrical equality impacts caused by the policy are intentional because they are specifically designed to promote equality of opportunity for particular groups of disadvantaged people;
- d) By amending the policy there are better opportunities to better promote equality of opportunity and/or good relations.

In favour of none

- a) The policy has no relevance to equality of opportunity or good relations.
- b) The policy is purely technical in nature and will have no bearing in terms of its likely impact on equality of opportunity or good relations for people within the equality and good relations categories.

Taking into account the evidence presented above, consider and comment on the likely impact on equality of opportunity and good relations for those affected by this policy, in any way, for each of the equality and good relations categories, by applying the screening questions given overleaf and indicate the level of impact on the group i.e. minor, major or none.

Screening questions

1. What is the likely impact on equality of opportunity for those affected by this policy, for each of the Section 75 equality categories?

(Please provide details of the likely policy impacts and determine the level of impact for each S75 categories below i.e. either minor, major or none).

Details of the likely policy impacts on **Religious belief**:

We do not know at this time how or in what way this proposal will affect the equality of opportunity for this group. As noted in the background there have been objections to this development though none from a s75 perspective. That said, no members of any s75 group should be prohibited from establishing a business on one of the plots or benefitting from employment opportunities within the development or accessing any of the facilities proposed.

What is the level of impact? Potentially a minor positive impact.

Details of the likely policy impacts on **Political Opinion**: As outlined above at religious belief.

What is the level of impact? Potentially a minor positive impact.

Details of the likely policy impacts on **Racial Group**: As outlined above at religious belief.

What is the level of impact? Potentially a minor positive impact.

Details of the likely policy impacts on **Age**: As outlined above at religious belief.

What is the level of impact? Potentially a minor positive impact.

Details of the likely policy impacts on **Marital Status**: As outlined above at religious belief.

What is the level of impact? Potentially a minor positive impact.

Details of the likely policy impacts on **Sexual Orientation**: As outlined above at religious belief.

What is the level of impact? Potentially a minor positive impact.

Details of the likely policy impacts on **Men and Women**: As outlined above at religious belief.

What is the level of impact? Potentially a minor positive impact.

Details of the likely policy impacts on **Disability**: As outlined at above at religious belief.

What is the level of impact? Potentially a minor positive impact.

Details of the likely policy impacts on **Dependants**: As outlined at religious belief.

What is the level of impact? Potentially a minor positive impact.

2. Are there opportunities to better promote equality of opportunity for people within the Section 75 equalities categories?

(Detail opportunities of how this policy could promote equality of opportunity for people within each of the Section 75 Categories below).

Religious Belief - No. The proposal may disproportionately benefit members of the Catholic community, if the applications are approved, due to the composition of the population of Maghera and its geographical proximity to the new development opportunities. As noted in the background there have been objections to this development though none from a s75 perspective. That said, no members of any group of particular religious belief should be prohibited from establishing a business on one of the plots or benefitting from employment opportunities within the development or accessing any of the facilities proposed.

Political Opinion – No. As outlined above.

Racial Group – No – as outlined above in religious belief.

Age – No - as outlined above in religious belief.

Marital Status – No - as outlined above in religious belief.

Sexual Orientation – No - as outlined above in religious belief.

Men and Women generally – No - as outlined above in religious belief.

Disability – No - as outlined above in religious belief.

Dependants – No - as outlined above in religious belief.

3. **To what extent is the policy likely to impact on good relations between people of different religious belief, political opinion or racial group?**

Please provide details of the likely policy impact and determine the level of impact for each of the categories below i.e. either minor, major or none.

Details of the likely policy impacts on **Religious belief**:

The proposal provides opportunities for economic development which will benefit all sections of the community. It is not anticipated that other than positive economic impacts for society it will not impact on good relations between groups of different religious belief.

What is the level of impact? None

Details of the likely policy impacts on **Political Opinion**: As outlined above.

What is the level of impact? None

Details of the likely policy impacts on **Racial Group**: As outlined above at religious belief.

What is the level of impact? None

4. **Are there opportunities to better promote good relations between people of different religious belief, political opinion or racial group?**

Detail opportunities of how this policy could better promote good relations for people within each of the Section 75 Categories below:

Religious Belief – No. The proposal is designed to improve the economy of the area and benefit all of society in the Mid Ulster region. There are no opportunities to promote good relations between these groups.

Political Opinion - No. As outlined above.

Racial Group - No. As outlined above.

Additional considerations

Multiple identity

Generally speaking, people can fall into more than one Section 75 category. Taking this into consideration, are there any potential impacts of the policy/decision on people with multiple identities?

(Every citizen belongs to more than one group - For example: disabled minority ethnic people; disabled women; young Protestant men; and young lesbians, gay and bisexual people).

Each Section 75 identity combines to make society in general. Introducing a proposal to assist with the economic development of this area will potentially improve the economic needs for all s75 groups in Mid Ulster in the first instance.

Provide details of data on the impact of the policy on people with multiple identities. Specify relevant Section 75 categories concerned.

As above

Part 3. Screening decision

If the decision is not to conduct an equality impact assessment, please provide details of the reasons.

The proposal has not been found likely to impact differently on any section 75 groups and therefore a full equality impact assessment is not considered necessary.

If the decision is not to conduct an equality impact assessment the public authority should consider if the policy should be mitigated or an alternative policy be introduced - please provide details of this consideration.

These proposals have the potential to positively impact society in general and as such an EQIA is not required.

If the decision is to subject the policy to an equality impact assessment, please provide details of the reasons.

N/A

All public authorities' equality schemes must state the authority's arrangements for assessing and consulting on the likely impact of policies adopted or proposed to be adopted by the authority on the promotion of equality of opportunity. The Commission recommends screening and equality impact assessment as the tools to be utilised for such assessments. Further advice on equality impact assessment may be found in a separate Commission publication: Practical Guidance on Equality Impact Assessment.

Mitigation

When the public authority concludes that the likely impact is 'minor' and an equality impact assessment is not to be conducted, the public authority may consider mitigation to lessen the severity of any equality impact, or the introduction of an alternative policy to better promote equality of opportunity or good relations.

Can the policy/decision be amended or changed or an alternative policy introduced to better promote equality of opportunity and/or good relations?

N/A

If so, **give the reasons** to support your decision, together with the proposed changes/amendments or alternative policy.

Timetabling and prioritising

Factors to be considered in timetabling and prioritising policies for equality impact assessment.

If the policy has been ‘**screened in**’ for equality impact assessment, then please answer the following questions to determine its priority for timetabling the equality impact assessment.

On a scale of 1-3, with 1 being the lowest priority and 3 being the highest, assess the policy in terms of its priority for equality impact assessment.

Priority criterion [choose 1 2 or 3 if a full EQIA is to take place]

Effect on equality of opportunity and good relations **Rating 1, 2 or 3**

Social need **Rating 1, 2 or 3**

Effect on people’s daily lives **Rating 1, 2 or 3**

Relevance to a public authority’s functions **Rating 1, 2 or 3**

Note: The Total Rating Score should be used to prioritise the policy in rank order with other policies screened in for equality impact assessment. This list of priorities will assist the public authority in timetabling. Details of the Public Authority’s Equality Impact Assessment Timetable should be included in the quarterly Screening Report.

Is the policy affected by timetables established by other relevant public authorities?

If yes, please provide details.

Part 4. Monitoring

Public authorities should consider the guidance contained in the Commission's Monitoring Guidance for Use by Public Authorities (July 2007).

The Commission recommends that where the policy has been amended or an alternative policy introduced, the public authority should monitor more broadly than for adverse impact (See Benefits, P.9-10, paras 2.13 – 2.20 of the Monitoring Guidance).

Effective monitoring will help the public authority identify any future adverse impact arising from the policy which may lead the public authority to conduct an equality impact assessment, as well as help with future planning and policy development.

Part 5 - Approval and authorisation

Screened by: Nicole Thompson
Position/Job Title: Senior Planning Officer
Date: 06/05/25

Approved by: Kathryn McFerran
Position/Job Title: Director, Regional Planning Policy and Casework
Date: 15/05/25

Note: A copy of the Screening Template, for each policy screened should be 'signed off' and approved by a senior manager responsible for the policy, made easily accessible on the public authority's website as soon as possible following completion and made available on request.

For Equality Team Completion:

Date Received: 10.02.25
Amendments Requested: Yes
Date Returned to Business Area: 12.02.25
Date Final Version Received / Agreed: 30.07.26
Date Published on DfI's Section 75 webpage: 31.07.26

