

FODC102



Fermanagh & Omagh
District Council
Comhairle Ceantair
Fhear Manach agus na hÓmaí

**Local Development Plan 2030
Equality Impact Screening Report:
Draft Plan Strategy**
October 2018





CONSULTATION

This Equality Impact Screening Report is issued for consultation purposes alongside the Fermanagh and Omagh Local Development Plan Draft Plan Strategy 2030 for an 8-week period commencing on Friday 26th October 2018 and closing at 12 noon on Friday 21st December 2018.

We welcome your comments on any aspects of the Report, and any comments received will be considered to help further drafting of policies or may lead to revisions or updated versions of this Report prior to an Independent Examination conducted by the Planning Appeals Commission (PAC) or other appointed Independent Examiner.

Commenting on the Equality Impact Screening Report

To make comments on the document, you can:

By mail

- Write to the Development Plan Team, Planning Department, Strule House, 16 High Street, Omagh, BT78 1BQ

By email

- E-mail the Development Plan Team at developmentplan@fermanaghomagh.com
(Please ensure the subject line says 'Draft Plan Strategy – Equality Impact Screening Report')



CONTENTS

Consultation	3
1.0 Introduction	5
2.0 Background	7
3.0 The Local Development Plan	9
Figure 1 - Strategic Objectives	10
4.0 Equality Screening	14
Table 1: Preliminary identification of potential impact of LDP policies on Section 75 Groups	15
Table 2: An initial assessment of the Preliminary equality screening of policies on Groups detailed in Table 1	16
5.0 Conclusion	24
Appendix 1: Section 75 Equality of Opportunity Screening Form	25

1.0 INTRODUCTION

- 1.** The Planning Act (Northern Ireland) 2011 Act (the 2001 Act) transferred responsibility for the preparation of Local Development Plans (LDPs) from the Department of Environment (DOE) (now known as Department for Infrastructure (DfI)) to councils and established a plan-led system which gives priority to the LDPs in the determination of planning applications.
- 2.** LDPs guide the future use of land in their respective areas and inform developers, members of the general public, communities, government, public bodies, representative organisations and other interests of the policy framework.
- 3.** There are three stages in the development of the LDP:
 1. First stage in the LDP process is the publication on the Preferred Options Paper.
 2. Second Stage is the preparation of the LDP Plan Strategy (PS)
 3. Third Stage is the preparation of the LDP Local Policies Plan (LPP)
- 4.** The Preferred Options Paper identified key issues in the plan area and formulated a series of options for dealing with them. Fermanagh and Omagh District Council (the Council) published its Preferred Options Paper (POP) on 3rd October 2016. The Preferred Options Paper outlined the vision, objectives and key planning issues affecting the Council area, possible approaches to new development and planned growth, and the justification for the Council's Preferred Option.
- 5.** These preferred options were developed to support the aspirations and vision set out in the Draft Community Plan for the Council area which was published for consultation at the same time. The Council issued a Statement on Equality Impact Assessment to accompany the POP which referred to the series of topic papers used to inform the policy approach options contained within the document and an indication of the policy areas likely to impact on Section 75 groups was summarized in Table 17 of Position Paper One: Population and Growth. As the options were policy approaches and not policies, the Council stated that it would screen its policies at the draft Plan Strategy stage to determine if a fuller equality analysis was required in the form of an impact assessment.





- 6.** The POP provided the Council with the opportunity to consult with the public and stakeholders over an 8-week period to encourage inclusive engagement thereby stimulating discussion on key planning issues in a more meaningful way at this early stage of the LDP preparation process. It is considered that the joint consultation events, with the general public and with specific Section 75 groups, for the Preferred Options Paper and the Community Plan have further contributed to the understanding of the potential impact of the new Local Development Plan on Section 75 groups.
- 7.** In response to the POP consultation, the Council received over 870 public and stakeholder comments and these have been taken into account in formulating the draft LDP - Plan Strategy.

2.0 BACKGROUND

2.1 Local development plans apply regional policies at the appropriate local level and inform the general public, statutory authorities, developers and other interested bodies of the policy framework and land use proposals that will guide development decisions within a specified area.

Legislative Context

2.2 Part 2 of the 2011 Act provides for the preparation of a local development plan by Fermanagh and Omagh for its district, which will (when adopted) replace the current development plans the Fermanagh Area Plan 2007 and the Omagh Area Plan 2002. The LDP will comprise of two development plan documents:

- The Plan Strategy (PS); and
- The Local Policies Plan (LPP).

2.3 Public participation and engagement in formulating the LDP and progress through to adoption is facilitated through a Statement of Community Involvement (SCI) and Timetable which is agreed between Fermanagh and Omagh District Council and the Department for Infrastructure (DfI). The SCI was agreed in May 2016. A Revised Timetable was agreed on 9th July 2018.

2.4 The LDP will fulfil the following functions:

- provide a 15-year plan framework to support the economic and social needs of a council's district in line with regional strategies and policies, while providing for the delivery of sustainable development;
- facilitate sustainable growth by co-ordinating public and private investment to encourage development where it can be of most benefit to the well-being of the community;
- allocate sufficient land to meet society's needs;
- provide an opportunity for all stakeholders, including the public, to have a say about where and how development within their local area should take place;
- provide a plan-led framework for rational and consistent decision-making by the public, private and community sectors and those affected by development proposals; and
- deliver the spatial aspects of a council's current community plan.





- 2.5** Section 75 of the Northern Ireland Act 1998 requires all public authorities in carrying out their functions relating to Northern Ireland to have due regard to the need to promote equality of opportunity between :
- persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation;
 - men and women generally;
 - persons with a disability and persons without; and
 - persons with dependants and persons without.

- 2.6** In addition, without prejudice to the above obligation, public authorities must, in carrying out their functions relating to Northern Ireland, have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group.

- 2.7** The Disability Discrimination (NI) Order 2006 introduced new duties requiring all public authorities in carrying out their functions relating to Northern Ireland, to have due regard to the need to –
- promote positive attitudes towards disabled people; and
 - encourage participation by disabled people in public life.

- 2.8** The main purpose of this screening is to identify any planning issues relating to our Local Development Plan and planning policy contained within it that are likely to have an impact on equality of opportunity and/or good relations. Screening will enable us to ensure that we consider Section 75 equality and good relations duties in our plan as it develops.

3.0 THE LOCAL DEVELOPMENT PLAN

The Local Development Plan Process

- 3.1** The Local Development Plan (LDP) will apply regional policies at the appropriate local level and inform the general public, statutory authorities, developers and other interested bodies of the planning policy framework and land use proposals that will guide development decisions within the Council area up to 2030.
- 3.2** The publication of the Council's Draft Plan Strategy is the first of two development plan documents which will form the Local Development Plan. It details the Council's Vision, Strategic Objectives, Spatial Strategy and detailed policies for the delivery of sustainable development in the Council area up to 2030. These are interconnected with the aspirations of the Council's Corporate Plan and the outcomes identified in the Community Plan 2030.
- 3.3** The Council prepared a series of 15 topic-related discussion papers to inform the POP. These included Paper One: Population and Growth, which provides the evidential context for the Council area's population in respect of religious belief, political opinion, racial group, age, marital status, sexual orientation, gender, disability and dependents. Most of these have been updated and alongside the Draft Plan Strategy Sustainability Appraisal (incorporating Strategic Environmental Assessment) Report and other supporting documents are available to view or online at: www.fermanaghomagham.com

Vision, Objectives and Spatial Growth Strategy of the Fermanagh and Omagh Local Development Plan 2030

- 3.4** The Vision adopts the Community Plan and Corporate Vision for the District. The LDP gives the spatial interpretation and direction to the delivery of this vision, setting the place shaping framework for the District up to 2030. This vision has been informed by extensive consultation with the local community and targeted workshops with stakeholders.
- 3.5** The Vision for the District is:

"Our Vision is of a welcoming, shared and inclusive Fermanagh and Omagh district, where people and places are healthy, safe, connected and prosperous, and where our outstanding natural, built and cultural heritage is cherished and sustainably managed."





3.6 The Vision is a positive statement of how the Council would like the Council area to be in 2030. It reflects the desire for the District to be an active place with a strong community and which recognises that the rural area is a home to many people. By 2030, quality of life for Fermanagh and Omagh people will have significantly improved and the District will have become a better place in which to live and work.

3.7 The Vision is supported by strategic objectives which provide the broad direction for our spatial approach and the individual policies that make up the Plan Strategy. They have taken account of the Community Plan’s themes and outcomes to ensure that the LDP and the Community Plan will effectively embed an integrated place shaping approach across our district. The 18 objectives are aligned under the three sustainability themes of social, economic and environmental (Figure 1). This table also identifies the linkages to the Community Plan’s themes and outcomes.

Figure 1 – Strategic Objectives

Plan Strategy Objectives		Link to Community Plan
Social		People and Communities
1	Develop the roles of Enniskillen and Omagh as economic, transportation and cultural hubs providing the main focus for new housing, employment, shops, leisure activities, public administrative and community services including health and education.	Aim: To improve the wellbeing of our citizens and develop thriving rural and urban communities
2	Protect and sustain the role of local towns and villages so that they act as local centres for shops and community services meeting the daily needs of their rural hinterlands.	1. Our people are healthy and well – physically, mentally and emotionally
3	Provide for vibrant rural communities whilst protecting the countryside in which they live by accommodating sustainable development.	2. Older people lead more independent, engaged and socially connected lives.
4	Provide for 5,190 ¹ new homes by 2030 across a range of housing types and tenures capable of meeting the needs of all sections of the community at locations accessible to existing and new community (including education) services, employment, leisure and recreational facilities.	

¹The Revised Housing Growth Indicator for FODC for the period 2012-2025 is 4,500. This translates to 6,230 dwellings up to 2030 and 5,190 dwellings for the period 2015-2030.

Plan Strategy Objectives		Link to Community Plan
Social		People and Communities
5	Facilitate the development of new social, community and recreational services at locations accessible to existing communities and new housing developments, through a variety of modes of transportation e.g. public, active ² and community.	3. Our communities are inclusive, safe, resilient and empowered
6	Provide for environments that are safe, healthy and connected and which enhance opportunities for shared space for all.	4. Our people have the best start in life with lifelong opportunities to fulfil their potential
Economic		Economy, Infrastructure and Skills
7	Promote sustainable economic development and growth by facilitating the creation of 4,875 new jobs by 2030 and providing a sufficient supply of economic development land through a range and choice of sites, taking into account accessibility by public transport and active travel modes.	Aim: To improve employment opportunities for all by supporting the development and growth of a more sustainable local economy and better connected area.
8	Promote inward investment, diversify the local economy, assist with economic regeneration and physical renewal, and help generate skilled, well paid employment opportunities and improve employability in the most deprived areas.	
9	Recognise and accommodate the micro-business base including rural entrepreneurship, self-employment and home working	5. Our economy is thriving, expanding and outward looking
10	Support the provision of an accessible, integrated, safe and sustainable transport network and locate development to improve accessibility by public transport, cycling and walking, help reduce car dependency and the impact of traffic on local communities and the environment.	
11	Improve digital connectivity which both meets the needs of business and private households whilst reducing the need to travel.	6. Our district is a connected place
12	Develop FODC as a destination for quality leisure visits and sustainable tourism by enabling the provision of new, as well as enhancement of existing tourism infrastructure in appropriate locations.	



² Active travel is defined as personal travel involving some element of physical activity, mainly walking and cycling.



Environmental		Environment
13	Conserve, sustain and enhance the area's environmental qualities, local distinctiveness including special landscapes, and sites of environmental importance in terms of biodiversity, wildlife and habitats, local landscape character, townscape, traditional settlement patterns, and historic environment.	<p>Aim: To promote positive action on climate change, sustainable management and enhancement of the natural, built and cultural environment.</p> <p>7. Our outstanding natural environment and built and cultural heritage is sustainably managed and, where possible, enhanced.</p> <p>8. Our district is an attractive and accessible place.</p>
14	Follow the principles of sustainability and high quality design standards in all developments to assist with meeting Climate Change targets and place-making.	
15	Sustainably manage and safeguard where appropriate our natural resources including minerals and water, protecting the environment and providing sustainable services including effective and sustainable waste management to meet population needs.	
16	Support renewables infrastructure whilst affording protection to the environment including landscape impacts of wind energy.	
17	Prevent inappropriate new development in areas known to be at risk of flooding or that may increase the flood risk elsewhere and put in place measures to assist in flood risk management.	
18	Protect and enhance the local green infrastructure network such as open space and green wildlife corridors whilst contributing to the enhancement of community health and well-being.	

3.8 The Plan's Spatial Growth Strategy is based on the Regional Development Strategy (RDS) which aims to achieve balanced and sustainable growth and recognises that outside of Belfast and Derry/Londonderry, the Main (and Local) Hubs have a strategic role as centres of growth and investment facilitated by their position on key transportation corridors. Both Enniskillen and Omagh are identified as Hubs with Enniskillen also identified as the South West Gateway with strategic links to Sligo.

3.9 Outside of the Hubs is the Rural Area comprising local towns, villages and small settlements and the countryside. The RDS supports the development of a strong, diversified and competitive rural economy and a living, working countryside. The Spatial Growth Strategy seeks to:-

- manage growth based on sustainable patterns of development balanced across Fermanagh and Omagh, with settlement limits defined for all settlements to provide compact urban forms and to protect the setting of individual settlements;
- focus major population and economic growth within the two main hubs of Enniskillen and Omagh and strengthen their roles as the main administrative, trade, employment and residential centres within the district;
- sustain the role of the small towns of Carrickmore, Dromore, Fintona, Irvinestown and Lisnaskea as important local service centres for their rural hinterlands providing appropriate development opportunities for housing, retail, employment and leisure/cultural activities, in keeping with the scale and character of these settlements;
- sustain the role of the villages as small, local service centres to meet the daily needs of the rural area providing opportunity for housing, employment and leisure activities in keeping with the scale and character of individual settlements;
- sustain small settlements which act as focal points for the rural community by providing development opportunities appropriate to their size and scale, allowing for single houses and/or small groups of houses (no more than 6) and small rural businesses;
- support and sustain vibrant, rural communities by accommodating appropriate development which is sensitive to the environment and safeguards our natural and built heritage;
- promote a balanced approach to transport infrastructure and encourage improvements to public and private transportation provision;
- facilitate the protection of vulnerable landscapes and conservation interests from inappropriate and over dominant development while promoting adequate provision of open space and landscaping integrated with broader green and blue infrastructure.



4.0 EQUALITY SCREENING



- 4.1** An Equality Screening has been carried out on the Draft Plan Strategy and as our plan progresses, we will continue to screen our proposals and carry out a full EQIA (if required) to ensure that the impact of our proposals on Section 75 groups are continually assessed. The next stage in the plan process is the Local Policies Plan (LPP).
- 4.2** The purpose of screening is to identify if any of the policy groupings or policies are likely to have a negative impact on equality of opportunity and/or good relations on any Section 75 Group. Screening will enable us to ensure that we consider Section 75 equality and good relations duties in our plan as it develops.
- 4.3** In this Progress Report, we have carried out an assessment of those Section 75 groups who have the likely potential to be impacted (positively or negatively) upon by the policy group or individual planning policy identified. This is set out in Table 1.
- 4.4** Table 2 sets out an initial assessment of the Council's draft policies in relation to the highlighted Section 75 groups indicated in Table 1.
- 4.5** The Council's policy is to formally screen each policy document and a copy of the formal screening is attached in Appendix 1 of this document for further information.

Table 1:- Preliminary identification of potential impact of LDP policies on Section 75 Groups.

Policy Topic Area	Religious Belief	Political Opinion	Racial Group	Age	Marital Status	Sexual Orientation	Gender	Disability	Dependency
Spatial Growth Strategy	√	√		√				√	√
Settlements	√	√		√				√	√
Sustainable Development	√	√	√	√			√	√	√
Strategic Housing Allocation	√	√	√	√				√	√
Strategic Industry and Business Land Allocation	√	√	√	√			√	√	√
Development and Design				√			√	√	√
Housing in Settlements	√	√	√	√	√			√	√
Housing in the Countryside	√	√	√	√	√			√	√
Community Facilities	√	√	√	√				√	√
Open Space & Recreation	√	√	√	√				√	√
Rural Community Areas	√	√							
Industry & Business	√	√	√	√			√	√	√
Town Centres & Retailing	√	√	√	√				√	√
Tourism	√	√							
Minerals	√	√							
Historic Environment	√	√							
Natural Environment	√	√							

Policy Topic Area	Religious Belief	Political Opinion	Racial Group	Age	Marital Status	Sexual Orientation	Gender	Disability	Dependency
Landscape	√	√							
Flood Risk	√	√							
Renewable Energy	√	√							
Transportation	√	√		√			√	√	
Public Utilities	√	√		√				√	√
Waste Management	√	√		√				√	√

√ = May have a differential impact (positive/negative)

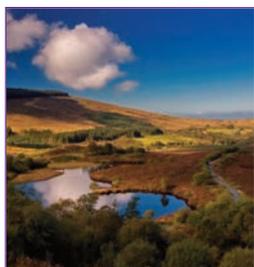
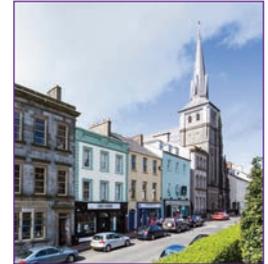


Table 2:- An initial assessment of the Preliminary equality screening of policies on Groups detailed in Table 1.

Policy Group/Type	Policies	Comments on likely Impacts
Spatial Growth Strategy	Spatial Growth Strategy	<p>Our Growth Strategy focuses on growing the two main towns, while sustaining the small towns, villages, small settlements and countryside. This in line with the RDS. This should encourage more sustainable transport modes and access to health, education, employment and other services and facilities. This may impact on religious/political beliefs due to the spatial distribution of such groups. However, given the geographical spread of settlements across the District, it is not anticipated that there will be any negative impact on this Section 75 group.</p> <p>The identification of development opportunities may also impact on age, disability and dependency when these are brought forward in the Local Policies Plan.</p> <p>No evidence of differential impact on other Section 75 groups.</p>
Sustainable Development	SP 01: Furthering Sustainable Development	<p>Sustainable development means 'meeting the needs of the present without compromising the ability of future generations to meet their own needs'. Furthering sustainable development is in the long term interest of everyone and requires the integration and balancing of complex social, economic and environmental factors when plan-making and decision-taking.</p> <p>As such, this strategic policy which applies to all development, should have positive benefits for all Section 75 groups.</p>

Policy Group/Type	Policies	Comments on likely Impacts
Settlements	SP 02: Settlement Policy	The Draft Plan Strategy's settlement hierarchy is the outcome of a review which resulted in some settlements being reclassified from village to small settlement. Whilst this may impact on religious/political beliefs, age, disability and dependency groups due to their spatial distribution, it is not anticipated that this will be a negative impact. Moreover, the identification of development opportunities and limits will not be carried out until the Local Policies Plan (LPP) stage.
Strategic Housing Allocation	SP 03: Strategic Allocation and Management of Housing Supply	At this draft Plan Strategy (PS) stage, only a broad allocation of housing across the settlement hierarchy is proposed. The majority of remaining zoned housing sites will be retained along with existing commitments on white land and the council is satisfied that the quantum of housing land will cater for all Section 75 groups. Therefore, at this stage, no adverse impact on any Section 75 group is identified.
Strategic Industry and Business Land Allocation	SP 04: Strategic Allocation of Land for Industry and Business	At this draft PS stage, only a broad allocation of zoned industry and business land is proposed in the main and local towns. Most of this is existing zoned land. Where a need for additional land is required, the identification of specific sites will be carried out at the LPP stage. Therefore, the policy is unlikely to have an adverse impact on these equality groups.
Development and Design	DE 01: General Amenity Requirements DE 02: Design Quality DE 03: Sustaining Rural Communities DE 04: Integration and Design of Buildings in the Countryside DE 05: Rural Character DE 06: The Setting of Settlements DE07: Advertisements DE08: Advertisements and the Historic Environment	The policies within this group are aimed at protecting amenity, improving the quality of design of new development and contributing to place-making. Within DE02, there are specific requirements such as integrating walkways/cycleways and public transport into the design of developments, improving accessibility to buildings etc. For those with mobility problems, incorporating measures to reduce social exclusion, promote safety and use sustainable building practices should have a positive effect on all Section 75 groups but particularly those with a disability, older people or those who have dependants.





Policy Group/Type	Policies	Comments on likely Impacts
Housing in Settlements	HOU 01: Housing in Settlements HOU 02: Protection of Land Zoned for Housing HOU 03: Affordable Housing in Settlements HOU 04: Traveller Accommodation HOU 05: Shaping Our Houses and Homes HOU 06: Public Open Space in New Residential Development HOU 07: Conversion / Change of Use of Existing Building to Self-Contained Flats HOU 8: Annex Living	<p>The council is satisfied that the proposed housing policies meet the needs of all in terms of ensuring the creation of safe and accessible housing developments, and ensuring a range of house types to meet the needs of families, the elderly and disabled and single people and will therefore positively impact on the following Section 75 groups:</p> <p>Age The policies provide for a range of house types, sizes and tenures including affordable housing. This should be beneficial to all age groups, smaller families and households.</p> <p>Disability In conjunction with the Development and Design policies, HOU 05 is to create quality residential developments in urban areas, promoting a range of house types and sizes which should improve housing choice and accessibility for this group.</p> <p>Dependency In conjunction with the Development and Design policies, HOU 05 is to create quality residential developments in urban areas, promoting a range of house types and sizes which should improve housing choice and accessibility for this group. Suggested minimum public and private open spaces for developments may be beneficial to this group.</p> <p>Racial Group Whilst no Traveller Accommodation needs have been identified by the Northern Ireland Housing Executive in the District, a policy is included should this need arise over the plan period and may therefore be beneficial to this group.</p>

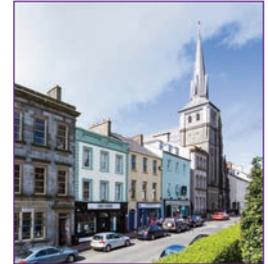
Policy Group/Type	Policies	Comments on likely Impacts
Housing in the Countryside	<p>HOU 9: Rural Replacement Dwellings</p> <p>HOU 10: Replacement of Other Rural Buildings</p> <p>HOU 11: Redevelopment of former site for dwelling</p> <p>HOU 12: Dwelling on a Farm Business</p> <p>HOU 13: Dwelling in assoc. with the keeping & breeding of horses</p> <p>HOU 14: Rounding Off and Infilling</p> <p>HOU 15: Dwelling to serve an Existing non-agricultural business</p> <p>HOU 16: Personal and domestic circumstances</p> <p>HOU 17: Affordable Housing in the Countryside</p> <p>HOU 18: Residential Caravans and Mobile Homes</p>	<p>These policies are aimed at addressing the different housing needs of people living in the countryside.</p> <p>They will apply equally across the whole district and as such no discernable negative impact on any Section 75 group is identified.</p>
Community Facilities	CF 01: Community Facilities	The policy is likely to have a positive effect on all Section 75 groups as it supports the provision of such facilities where a local need is identified.
Open Space & Recreation	<p>OSR 01: Protection of Open Space</p> <p>OSR 02: Intensive Sports Facilities</p> <p>OSR 03: Outdoor Recreation in the Countryside</p> <p>OSR 04: Protection of Lough Shore</p> <p>OSR 05: Development Adjacent to a Main River</p> <p>OSR 06: Safeguarding of the Ulster Canal</p> <p>OSR 07: The Floodlighting of Sports and Outdoor Recreation Facilities</p>	The policies are aimed at protecting the loss of existing open space and facilitating the provision of additional sports and recreation facilities within settlements or in the countryside. It is likely that all groups may benefit from them. Policies OSR 04 and OSR 05 may have a differential impact on religious belief/political opinion due to their locations. However, it is considered that that there is significant balance in terms of impact upon all religious groups given their possible spatial distribution.





Policy Group/Type	Policies	Comments on likely Impacts
Rural Community Areas	RCA 01 – Rural Community Areas	<p>This is a specific policy to address rural community needs where there is a strong community identity and recognised focal point for community activity.</p> <p>There may be a differential impact on religious/political beliefs, age, disability and dependency due to the spatial distribution of such groups.</p>
Industry & Business	IB 01: Industry and Business Development in Settlements IB 02: Loss of Industry and Business Development IB 03: Development incompatible with Industry and Business Development Uses IB 03: Industry and Business Development in the Countryside IB 05: Farm Diversification IB 06: Agricultural and Forestry Development	<p>The policies include protection of existing industry and business lands and supporting new proposals within settlements and in the countryside. As such, the policies are likely to support Section 75 groups in general by ensuring all areas have appropriate employment opportunities. The identification of specific additional zoned sites will not be undertaken until the LPP stage when further consideration will be given to any likely impact on Section 75 groups.</p>
Town Centres & Retailing	TCR 01: Town Centres TCR 02: Primary Retail Frontages TCR 03: Local Neighbourhood Centres TCR 04: Villages and Small Settlements TCR 05: Petrol Filling Stations	<p>The Draft PS recognises the importance of adopting a town centre first approach for retail and other uses. Whilst additional designations of Primary Retail Core are proposed in the two main towns, and town centre boundaries proposed for the local towns of Carrickmore, Dromore and Fintona where previously there were none, there are no discernable adverse impacts anticipated upon Section 75 groups.</p> <p>The Council is satisfied that the proposed retail strategy will not disadvantage any Section 75 group as the town centres are considered neutral spaces.</p>
Tourism	TOU 01: Protection of Tourism Assets and Tourism Accommodation TOU 02: Tourism Development TOU 03: New Build Hotel, Guest House and Tourist Hostel outside Settlement Boundaries TOU 04: Holiday Parks, Touring Caravan and Camping Sites	<p>The draft policies follow a hierarchical approach to the location of new tourist development from settlements, edge of settlement, tourism hubs and the countryside.</p> <p>As no land is identified for this purpose, there are no predicted impacts on Section 75 groups.</p>

Policy Group/Type	Policies	Comments on likely Impacts
Minerals	MIN 01: Minerals Development MIN 02: Restoration and Aftercare MIN 03: Mineral Safeguarding Areas MIN 04: Unconventional Hydrocarbon Extraction	<p>The plan policies introduce Areas of Constraint on Minerals Development to protect our most vulnerable and special landscapes.</p> <p>This could have differential impacts on religious/political beliefs due to the restrictive nature of this policy. However, there are exceptions permitted within these areas and the protection of them could provide benefits for religious/political belief groups in respect of the quality of their local environment.</p>
Historic Environment	HE 01: Historic Environment Overarching HE 02: Archaeology HE 03: Listed Buildings HE 04: Conservation Areas HE 05: ATCs and AVCs HE 06: Historic Parks, Gardens and Demesnes HE 07: Local Landscape Policy Areas HE 08: Enabling Development HE 09: Change of Use/Conversion/ Re-use of an Unlisted Locally Important / Vernacular	<p>These policies are aimed at protecting and enhancing our historic environment. Given their geographical spread, it is considered that they will equally impact on the two religious groups.</p> <p>The draft PS proposes two candidate ASAs which may have differential impacts, positive or negative for different religion/political groups. New or revised Local Landscape Policy Areas will be identified at the LPP stage and these may have a differential impact on religious/political beliefs due to the spatial distribution of these areas.</p>
Natural Environment	NE 01: Nature Conservation NE 02: Protected Species NE 03: Biodiversity	<p>The draft PS does not propose any new designations at this stage relating to nature conservation and there are no predicted impacts on Section 75 groups relating to existing designations. However, new Sites of Local Nature Conservation Interest may be identified at the LPP stage and may have an impact on religious/political beliefs due to the spatial distribution of these areas.</p>
Landscape	L 01: Development within the Sperrin AONB L 02: Special Countryside Areas (SCAs) L 03: Areas of High Scenic Value (AoHSV)	<p>The location of areas protected for their landscape quality could have differential impacts on religious/political beliefs but given the spatial distribution of these groups, it is likely that there will be significant balance in terms of impact.</p>





Policy Group/Type	Policies	Comments on likely Impacts
Flood Risk	FLD 01: Development in Floodplains FLD 02: Development affected by Surface Water Flooding FLD 03: Sustainable Drainage Systems (SuDs) FLD 04: Protection of Flood Defences and Drainage Infrastructure FLD 05: Artificial Modifications of Watercourses FLD 06: Development in Proximity to Reservoirs	Due to the spatial distribution of rivers and areas of flood risk, some of these policies may have a differential impact on religious/political beliefs.
Renewable Energy	RE 01: Renewable and Low Carbon Energy Generation	The Draft PS recognises the importance of renewable energy and the positive benefits of using different forms of it. However, given the varying capacity of the landscape to absorb wind energy developments, there may be more limited opportunity for this type of renewable energy in some areas as set out in the Council's Wind Strategy. This may have a differential impact on religious/political groups due to their spatial distribution. However, it is likely that there will be significant balance in terms of any impact.
Transportation	TR 01: Land Use, Transport and Accessibility TR 02: Car Parks and Service Provision TR 03: Provision of Park and Ride and Park and Share TR 04: Protected Routes TR 05: Safeguarding New Transport Schemes TR 06: Disused Transport Routes	The draft policies for transportation are likely to benefit all equality groups with improved accessibility and physical connectivity through new road schemes and improved road safety.

Policy Group/Type	Policies	Comments on likely Impacts
Public Utilities	PU 01: Telecommunications PU 02: Overhead Electricity Lines PU 03: Accommodating Future Broadband and Other Public Services PU 04: Development Relying on Non-Mains Sewerage	These policies are not predicted to have any adverse impacts on any Section 75 Group.
Waste Management	WM 01: Waste Management Facilities WM 02: Waste Water Treatment Works WM 03: Development in the vicinity of Waste Management Facilities WM 04: Facilities for the Recycling of Construction, Demolition and Extraction Waste	The location of waste management recycling centres may have a differential impact on those with mobility difficulties such as the disabled, elderly and people with young children.



5.0 CONCLUSION



5.1

In conclusion, it is anticipated that the Draft Plan Strategy will have no adverse impact with regards to equality and is likely to have a positive impact on all Section 75 groups, both directly and indirectly, by helping to address economic and social needs. Moreover, some areas of development may have a differential impact on a number of Section 75 groups in a positive manner by addressing specific or recognised needs. This includes policies to improve accessibility to housing, employment, transport and services for disabled people, older people and people with dependants; policies to help reduce social exclusion. It is therefore been concluded that the Draft Plan Strategy has been screened out and does not require an Equality Impact Assessment.

5.2

The potential impacts of the LDP will only be realised when the Plan is fully developed. Equality Assessment will be undertaken at each stage of the LDP process.

APPENDIX 1:

SECTION 75 EQUALITY OF OPPORTUNITY SCREENING FORM





Screening Matrix.

Statement of Intent. The Council intends to screen its policies, in accordance with Paragraphs 5 and 6 of the Equality Scheme, to determine which would require a fuller equality analysis in the form of an impact assessment

Part 1: Policy Scoping

The first stage of the screening process involves scoping the policy or policy area. 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.

You 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 or policy area:

Fermanagh and Omagh District Council Local Development Plan 2030 - Draft Plan

Is this an existing, revised or a new policy/policy area?

Existing	Revised	New
		√

Brief Description

The Draft Plan Strategy (PS) is one of two development plan documents which will comprise the LDP which provides a plan framework for the delivery of sustainable development in the Fermanagh and Omagh District up to 2030.

It includes a vision, strategic plan objectives and a spatial growth strategy for the district and policies and proposals relating to a range of topic areas including housing, industry and business, transportation, renewable energy, minerals development, tourism and town centres.

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

The aims of the policy are:

- To guide the future development and use of land in the towns, villages, small settlements and rural areas of the District;
- Allocate sufficient land to meet the needs of the District;
- Provide a plan-led framework for rational and consistent decision making by the public, private and community sectors and those affected by development proposals; and
- Deliver the spatial aspects of the Community Plan.

The Plan Strategy has a statutory basis provided by Part Two of The Planning Act (Northern Ireland) 2011 and has been prepared under The Planning (Local Development Plan) Regulations (Northern Ireland) 2015. Through the Plan Strategy, most existing regional planning policy contained in Planning Policy Statements will be replaced. Policies contained within the PS will therefore apply to the whole District.

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

Yes	No	N?A
X		

If YES, explain how.

In general, all Section 75 categories will have the potential to benefit from the LDP as it is the spatial land use response to the identified needs of the District and a spatial reflection of any spatial aspects identified in the Community Plan. The plan will also be subject to a Sustainability Appraisal which assesses the social, environmental and economic impacts of our proposals and will provide mitigation measures to address any potential identified negative impacts.

Who initiated or wrote the policy?

The Planning Department of Fermanagh and Omagh District Council (FODC)

Who owns and who implements each element of the policy?

The LDP-PS is owned by Fermanagh and Omagh District Council and will be primarily implemented by FODC.





Implementation factors

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

Yes	No	N?A
	X	

If YES, are they

Financial:

Legislative:

Other, please specify:

Main stakeholders affected

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

Service users:

Applicants submitting a planning application/citizens

Other public sector organisations:

Statutory Consultees, Government Departments etc

Voluntary/community/trade unions:

All users of, and with an interest in, the planning system

Other, please specify:

Staff (in implementing the PS)

All users, and those with an interest in, the planning system

Other policies with a bearing on this policy

What are they?

Draft programme for Government (NI Executive)
The Regional Development Strategy (RDS) 2035
Sustainable Development Strategy 2010 – Everyone’s Involved
Strategic Planning Policy Statement 2015 (DfI)
Ensuring a Sustainable Transport Future: A New Approach to Regional Transportation (DfI) 2012
Sustainable Water - a Long Term Water Strategy for NI (2015-2040) (DfI)
Planning Policy Statements (PPS) (DfI)
A Planning Strategy for Rural Northern Ireland (PRSNI) 1993 (DfI)
FODC Corporate Plan Update 2017-2019
Fermanagh and Omagh Community Plan 2030
FODC – All related Council Strategies
Omagh Area Plan (2002)
Fermanagh Area Plan (2007)
Neighbouring Council plans and policies (Mid Ulster District Council; Derry City and Strabane District Council; Cavan, Donegal, Leitrim and Monaghan County Councils)

Who owns them?

DfI; DEARA, and other NI Government Departments;
Neighbouring Council authorities (Derry City & Strabane District; Mid Ulster District; Cavan, Donegal, Leitrim and Monaghan County Councils)

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.

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





Section 75 Category	Details of Evidence/Information
Religious Belief	64.23% belong to or were brought up in the Catholic religion and 33.08% belong to or were brought up in a 'Protestant and Other Christian (including Christian related)' religion
Political Opinion	<p>The current political opinion of the Council's elected members is as follows:</p> <ul style="list-style-type: none"> Sinn Féin - 16 Seats UUP - 8 Seats SDLP - 6 seats DUP - 6 seats Independent - 4 seats
Race	<p>This breakdown is taken as an approximate representation of the political opinion among people within the Fermanagh and Omagh District Council area.</p> <p>On Census day 2011, 13.4% of the population of the Fermanagh and Omagh District was not born in Northern Ireland.</p> <p>0.84% of the District population were from an ethnic minority population and the remaining 99.16% were white (including Irish Traveller).</p> <p>To date Council has received no requests for signage in a minority ethnic language.</p>
Age	<p>Below is the age profile of the Fermanagh and Omagh District Council area:</p> <ul style="list-style-type: none"> • 0 – 15 years: 24,808 people • 16 – 39 years: 35,897 people • 40 – 64 years: 36,517 people • 65 – 84 years: 13,972 people • 85+ years: 1,967 people
Marital Status	<p>On Census Day 2011 the marital status profile of the Fermanagh and Omagh District Council area was:</p> <ul style="list-style-type: none"> • Single (never married or never registered a same-sex civil partnership) [Aged 16+ years]: 31,598 people. • Married [Aged 16+ years]: 44,296 people. • In a registered same-sex civil partnership [Aged 16+ years]: 48 people. • Separated (but still legally married or still legally in a same-sex civil partnership) [Aged 16+ years]: 2,851 people. • Divorced or formerly in a same-sex civil partnership which is now legally dissolved [Aged 16+ years]: 3,573 people. • Widowed or surviving partner from a same-sex civil partnership [Aged 16+ years]: 5,987 people.

Section 75 Category	Details of Evidence/Information
Gender	<p>On Census Day 2011 the gender breakdown of the Fermanagh and Omagh District Council area was:</p> <p>Males: 56,649 (50.06%) Females: 56,512 (49.94%)</p>
Disability	<p>20.75% of residents in the Fermanagh and Omagh District Council area have a long term health problem or disability, split as follows:</p> <ul style="list-style-type: none"> • Long-term health problem or disability (Day-to-day activities limited a lot): 13, 304 people. • Long-term health problem or disability (Day-to-day activities limited a little): 10, 178 people. • Long-term health problem or disability (Day-to-day activities not limited): 89, 679
Dependants	<ul style="list-style-type: none"> • Families in households with no dependent children: 14,962 families. • Families in households with one dependent child: 5,571 families. • Families in households with two dependent children: 5,068 families. • Families in households with three or more dependent children: 3,871 families.



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 for each of the Section 75 categories.



Section 75 Category	Details of Needs/Experiences/Priorities
Religious Belief	Access to employment, education and training facilities. Access to housing. Access to healthcare.
Political Opinion	Access to business, retail and leisure facilities. Feeling of safety and security in public environments.
Race	Access to public transport. Access to healthcare/community facilities.
Disability	Access to play facilities/recreation and open space (for children and all generations).
Age	
Marital Status	
Sexual Orientation	
Gender	Access to health/community/educational facilities.
Dependants	

Part 2: Screening Questions

Introduction

1. If the conclusion is **none** in respect of all of the Section 75 categories, then you may decide to screen the policy out. If a policy is 'screened out', you should give details of the reasons for the decision taken.
2. If the conclusion is **major** in respect of one or more of the Section 75 categories, then consideration should be given to subjecting the policy to an EQIA.
3. If the conclusion is **minor** in respect of one or more of the Section 75 categories, then consideration should still be given to proceeding with an EQIA, or to measures to mitigate the adverse impact; or an alternative policy.

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 hence it would be appropriate to conduct an EQIA;
- 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 among 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.

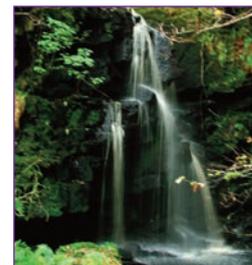
Taking into account the earlier evidence, consider and comment on the likely impact on equality of opportunity / good relations for those affected by this policy, by applying the following screening questions and the impact on the group i.e. minor, major or none.

Screening questions

1 What is the likely impact on equality of opportunity for those affected by this policy, for each of the Section 75 grounds? Minor/Major/None		
Section 75 Category	Details of Policy Impact	Level of Impact? Minor/Major/None
Religious belief Political opinion Racial / ethnic group Age Marital status Sexual orientation Men and women generally Disability Dependants	See main document "Equality Screening Report: LDP Draft Plan Strategy"	Minor positive

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

Section 75 Category	If YES, provide details	If NO, provide reasons
Religious belief Political opinion Racial / ethnic group Age Marital status Sexual orientation Men and women generally Disability Dependants		None identified ahead of public consultation. Any Section 75 issues raised during consultation will be considered as part of the local development plan process.



3 To what extent is the policy likely to impact on good relations between people of different religious belief, political opinion or racial group? Minor/Major/None

Good Relations Category	Details of policy impact	Level of impact Minor/Major/None
Religious belief Political opinion Racial group		None identified ahead of public consultation. Any Section 75 issues raised during consultation will be considered.

4 Are there opportunities, without prejudice to the equality of opportunity duty to better promote good relations between people of different religious belief, political opinion or racial group?

Good Relations Category	If YES, provide details	If NO, provide reasons
Religious Belief Political Opinion Race		As above (3)



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?

(For example; disabled minority ethnic people; disabled women; young Protestant men; and young lesbians, gay and bisexual people).

None identified. However, the Local Development Plan 2030 will be subject to another extensive consultation process. Any further impacts (on any Section 75 group) identified as part of this consultation will be taken into consideration.

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

None identified. However, the Local Development Plan 2030 will be subject to another extensive consultation process. Any further impacts (on any Section 75 group) identified as part of this consultation will be taken into consideration as part of the ongoing local development plan process.

5. Is there an opportunity to better promote positive attitudes towards people with disabilities by altering the policy or working with others in government or the wider community? Yes / ~~No~~

It is anticipated that the Local Development Plan will contain policies for access for all, thereby contributing to the promotion of positive attitudes towards people with disabilities. The Local Development Plan, as outlined previously, will also be subject to a further period of public consultation. Any other opportunities identified will be given additional consideration.

6. Is there an opportunity to encourage people with disabilities to participate in public life by altering the policy or working with others in government or the wider community? Yes / ~~No~~

It is anticipated that the Local Development Plan will contain policies for access for all thereby enabling participation in public life through access to facilities.

Part 3: Screening Decision

In light of your answers to the previous questions, do you feel that the policy should: (please indicate one):

- 1. Not be subject to an EQIA (with no mitigating measures required)**
2. Not be subject to an EQIA (with mitigating measures /alternative policies)
3. Not be subject to an EQIA at this time
4. Be subject to an EQIA

If 1. or 2. (i.e. not be subject to an EQIA), please provide details of the reasons why:

The draft Plan Strategy is a strategic document containing policies which will apply across the whole District. These policies are based on existing policies contained in Planning Policy Statements and are considered to be in line with the Strategic Planning Policy Statement. As such, there are no likely negative or adverse impacts anticipated on groups relevant to the Section 75 categories. Overall, the policies are likely to have either a positive or neutral effect. Where a policy has spatial implications e.g. protection of designated national conservation sites or landscape or countryside designations, there may be a potential for differential impact on religious/political opinion groups. However, due to the wide spread location of these designations, it is considered that there is significant balance in terms of impact upon religious groups and as these designations are based on environmental criteria, mitigation would be limited.

The preparation of the Local Development Plan 2030 has already been subject to an extensive period of public consultation. There will be further opportunities for public consultation going forward and any additional impacts identified will be given further consideration as part of the ongoing local development plan process.

If 2. (i.e. not be subject to an EQIA), in what ways can identified adverse impacts attaching to the policy be mitigated or an alternative policy be introduced?

See Above.





In light of these revisions, is there a need to re-screen the revised/alternative policy at a future date? ~~YES~~/ NO

If 3. or 4. (i.e. to conduct an EQIA), please provide details of the reasons:

Timetabling and Prioritising EQIA

If 3. or 4., is the policy affected by timetables established by other relevant public authorities? ~~YES~~/ NO

If YES, please provide details:

Please answer the following questions to determine priority for timetabling the EQIA. 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 EQIA.

Priority criterion	Rating (1-3)
Effect on equality of opportunity and good relations	
Social need	
Effect on people's daily lives	
Relevance to a public authority's functions	

Note: The Total Rating Score should be used to prioritise the policy in rank order with other policies screened in for EQIA. This list of priorities will assist you in timetabling the EQIA. Details of your EQIA timetable should be included in the quarterly Section 75 report.

Proposed date for commencing EQIA:

Any further comments on the screening process and any subsequent actions?

N/A

Part 4: Monitoring

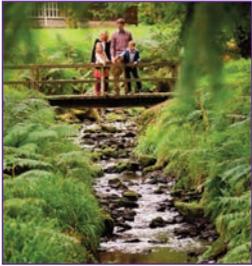
Effective monitoring will help identify any future adverse impacts arising from the policy which may lead you to conduct an EQIA, as well as help with future planning and policy development. You should consider the guidance contained in the Commission's Monitoring Guidance for Use by Public Authorities (July 2007). The Commission recommends that where the policy has been amended or an alternative policy introduced, then you should monitor more broadly than for adverse impact (See Benefits, P.9-10, paras 2.13 – 2.20 of the Monitoring Guidance).

Please detail proposed monitoring arrangements below:

The LDP will be subject to further Equality Screening during the preparation of the Draft Local Policies Plan document which will be prepared following adoption of the Plan Strategy.

In addition the Draft Plan Strategy includes a Monitoring Framework and the LDP will be subject to review at least every five years. This will allow continued monitoring of the policies of the draft Plan Strategy in terms of their effectiveness and potential impacts.





Part 5: Approval and Authorisation

Screened By:	Position / Job Title	Date:
Deirdre McSorley	Head of Planning, Planning	11th October, 2018
Approved By:	Position / Job Title	Date:
Alison McCullagh	Director of Regeneration and Planning	11th October, 2018

