Department of Justice | An Roinn Dlí agus Cirt | Männystrie o tha Laa

DOJ Section 75

EQUALITY SCREENING FORM

Title of Policy:

The Planning Fees (Deemed Planning Applications and Appeals) (Amendment) Regulations (Northern Ireland) 2026

The Legal Background – Under section 75 of the Northern Ireland Act 1998, the Department is required **to have due regard to the need to promote equality of opportunity:**

- between person of different religious belief, political opinion, racial group, age, marital status or sexual orientation;
- between men and women generally;
- between persons with a disability and persons without; and,
- between persons with dependants and persons without.

Without prejudice to the obligations set out above, the Department is also required to:

- **have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group; and**
- **meet legislative obligations under the Disability Discrimination Order.**

Introduction

Part 1. Policy scoping – asks public authorities to provide details about the policy, procedure, practice and/or decision being screened and what available evidence you have gathered to help make an assessment of the likely impact on equality of opportunity and good relations.

Part 2. Screening questions – asks about the extent of the likely impact of the policy on groups of people within each of the Section 75 categories. Details of the groups consulted and the level of assessment of the likely impact. This includes consideration of multiple identity and good relations issues.

Part 3. Screening decision – guides the public authority to reach a screening decision as to whether or not there is a need to carry out an equality impact assessment (EQIA), or to introduce measures to mitigate the

likely impact, or the introduction of an alternative policy to better promote equality of opportunity and/or good relations.

Part 4. Monitoring – provides guidance to public authorities on monitoring for adverse impact and broader monitoring.

Part 5. Approval and authorisation – verifies the public authority's approval of a screening decision by a senior manager responsible for the policy.

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:

The Planning Fees (Deemed Planning Applications and Appeals) Amendment Regulations (Northern Ireland) 2026.

Is this an existing, revised or a new policy?

This is an existing policy.

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

To uplift the fee structure concerning deemed planning applications and appeals.

Are there any Section 75 categories which might be expected to benefit from the intended policy?
If so, explain how.

No.

Who initiated or wrote the policy?

DoJ

Who owns and who implements the policy?

The Regulations are made by the Department of Justice after consultation. The implementation of the revised procedures and their operation is the responsibility of the Planning Appeals Commission (PAC), administered by the Northern Ireland Courts and Tribunals Service (NICTS).

Implementation factors

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

If yes, are they (please delete as appropriate)

financial

Main stakeholders affected

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

service users

Other policies with a bearing on this policy

- what are they?

N/A

- who owns them?

N/A

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.

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

Religious belief evidence / information:

No relevant data or research identified.

Political Opinion evidence / information:

No relevant data or research identified.

Racial Group evidence / information:

No relevant data or research identified.

Age evidence / information:

No relevant data or research identified.

Marital Status evidence / information:

No relevant data or research identified.

Sexual Orientation evidence / information:

No relevant data or research identified.

Men & Women generally evidence / information:

No relevant data or research identified.

Disability evidence / information:

No relevant data or research identified.

Dependants' evidence / information:

No relevant data or research identified.

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: No relevant data or research identified.

Political Opinion: No relevant data or research identified.

Racial Group: No relevant data or research identified.

Age: No relevant data or research identified.

Marital status: No relevant data or research identified.

Sexual orientation: No relevant data or research identified.

Men and Women Generally: No relevant data or research identified.

Disability: No relevant data or research identified.

Dependants: No relevant data or research identified.

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 detailed below.

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**: (insert text here)
   What is the level of impact? Minor / Major / None
   (Underline as appropriate)

   Details of the likely policy impacts on **Political Opinion**: (insert text here)
   What is the level of impact? Minor / Major / None
   (Underline as appropriate)

   Details of the likely policy impacts on **Racial Group**: (insert text here)
   What is the level of impact? Minor / Major / None
   (Underline as appropriate)

   Details of the likely policy impacts on **Age**: (insert text here)
   What is the level of impact? Minor / Major / None
   (Underline as appropriate)

   Details of the likely policy impacts on **Marital Status**: (insert text here)
   What is the level of impact? Minor / Major / None
   (Underline as appropriate)

   Details of the likely policy impacts on **Sexual Orientation**:
   What is the level of impact? Minor / Major / None
   (Underline as appropriate)

   Details of the likely policy impacts on **Men and Women**: (insert text here)
   What is the level of impact? Minor / Major / None
   (Underline as appropriate)

   Details of the likely policy impacts on **Disability**: (insert text here)
   What is the level of impact? Minor / Major / None
   (Underline as appropriate)

   Details of the likely policy impacts on **Dependants**:

What is the level of impact? Minor / Major / None (Underline as appropriate)

2. **Are there opportunities to better promote equality of opportunity for people within the Section 75 equalities categories?** ~~Yes~~/No

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

Religious Belief - If Yes, provide details:
If No, provide reasons: 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.

Political Opinion - If Yes, provide details: **If No, provide reasons:** 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.

Racial Group - If Yes, provide details:

If No, provide reasons: 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.

Age - If Yes, provide details:

If No, provide reasons: 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.

Marital Status - If Yes, provide details:

If No, provide reasons: 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.

Sexual Orientation - If Yes, provide details:

If No, provide reasons: 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.

Men and Women generally - If Yes, provide details:

If No, provide reasons: 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.

Disability - If Yes, provide details:

If No, provide reasons: 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.

Dependants - If Yes, provide details:

If No, provide reasons: 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.

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**: (insert text here)
   What is the level of impact? Minor / Major / None
   (Underline as appropriate)

   Details of the likely policy impacts on **Political Opinion**: (insert text here)
   What is the level of impact? Minor / Major / None
   (Underline as appropriate)

   Details of the likely policy impacts on **Racial Group**: (insert text here)
   What is the level of impact? Minor / Major / None
   (Underline as appropriate)

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 - If Yes, provide details:
   If No, provide reasons: None – The draft regulations will apply to anyone within scope equally. There is, therefore, no opportunity to better promote equality of opportunity.

   Political Opinion - If Yes, provide details:
   If No, provide reasons: None. As above.

   Racial Group - If Yes, provide details:
   If No, provide reasons: None. As 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?
(*For example; disabled minority ethnic people; disabled women; young Protestant men; and young lesbians, gay and bisexual people).*

None apparent.

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

None apparent.

Part 3. Screening decision

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

See below.

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.

-It is not expected that any section 75 categories would be adversely impacted by this proposed legislative change as the amendments are purely technical in nature.

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

- Not applicable

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?

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

- Not applicable. It is not expected that any section 75 categories would be adversely impacted by this proposed legislative change.

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 [Author pick 1, 2 or 3 if a full EQIA is to take place]

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 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.

Not applicable.

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.

Further advice on monitoring can be found at: ECNI Monitoring Guidance for Public Authorities

Part 5 - Approval and authorisation

Screened by: Ed Henry
Position/Job Title: DP
Date: 17/09/26

Approved by: Laura Davison
Position/Job Title: Grade 7
Date: 18/09/26