



Gwasanaeth Democraidd
Democratic Service
Swyddfa'r Cyngor
CAERNARFON
Gwynedd
LL55 1SH

Cyfarfod / Meeting

PWYLLGOR IAITH
LANGUAGE COMMITTEE

10.30AM, DYDD IAU, 10 HYDREF, 2013

10.30AM, THURSDAY, 10 OCTOBER, 2013

Lleoliad / Location

***SIAMBR HYWEL DDA, SWYDDFA'R CYNGOR,
CAERNARFON**

*Nodwch y lleoliad ogydd / *Please note venue

Pwynt Cyswllt / Contact Point

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(DOSBARTHWYD / DISTRIBUTED 2/10/13)

PWYLLGOR IAITH LANGUAGE COMMITTEE

AELODAETH/MEMBERSHIP (15)

Plaid Cymru (8)

Y Cynghorwyr/Councillors

Craig ab Iago

Elwyn Edwards

Alan Jones Evans

Dyfrig Jones

Liz Saville Roberts

Mair Rowlands

Gareth Thomas

Mandy Williams-Davies

Annibynnol/Independent (4)

Y Cynghorwyr/Councillors

Tom Ellis

Eric M.Jones

Eirwyn Williams

Elfed Williams

Llais Gwynedd (3)

Y Cynghorwyr/Councillors

Gweno Glyn

Alwyn Gruffydd

Gruffydd Williams

Aelodau Ex-officio/Ex-officio Members

Cadeirydd ac Is-gadeirydd y Cyngor / Council Chairman and Vice-chairman

Aelod Arall a Wahoddir / Other Invited Member

Y Cynghorydd / Councillor Ioan Thomas – Aelod Cabinet Gofal Cwsmer / Cabinet Member Customer Care

RHAGLEN

1. IS-GADEIRYDD

Ethol Is-gadeirydd am 2013/14.

2. YMDDIHEURIADAU

Derbyn unrhyw ymddiheuriadau am absenoldeb.

3. DATGAN BUDDIANT PERSONOL

Derbyn unrhyw ddatganiad o fuddiant personol.

4. MATERION BRYD

Nodi unrhyw eitemau sy'n fater bryd ym marn y Cadeirydd fel y gellir eu hystyried.

5. COFNODION

Bydd y Cadeirydd yn cynnig y dylid llofnodi cofnodion y cyfarfod diwethaf o'r pwyllgor hwn a gynhaliwyd ar 27 Mehefin, 2013 fel rhai cywir (copi ynghlwm).

6. RHAGLEN WAITH Y PWYLLGOR

Ystyried adroddiad y Swyddog Cydraddoldeb ac Iaith (copi ynghlwm).

7. YMATEB COMISIYNYDD Y GYMRAEG I ADRODDIAD MONITRO BLYNYDDOL CYNGOR GWYNEDD 2012-2013

Ystyried adroddiad y Swyddog Cydraddoldeb ac Iaith (copi ynghlwm).

8. CYNLLUNIO A'R IAITH GYMRAEG

Ystyried adroddiad y Pennaeth Adran Rheoleiddio (copi ynghlwm).

9. CWYNIION IAITH

Ystyried adroddiad y Swyddog Cydraddoldeb ac Iaith (copi ynghlwm).

AGENDA

1. VICE-CHAIRMAN

To elect a Vice-Chairman for 2013/14.

2. APOLOGIES

To receive apologies for absence.

3. DECLARATION OF PERSONAL INTEREST

To receive any declaration of personal interest.

4. URGENT BUSINESS

To note any items that are a matter of urgency in the view of the Chairman for consideration.

5. MINUTES

The Chairman shall propose that the minutes of the last meeting of this committee held on 27 June, 2013 be signed as a true record (copy attached).

6. THE COMMITTEE'S WORK PROGRAMME

To consider the report of the Equality and Language Officer (copy attached).

7. WELSH LANGUAGE COMMISSIONER'S RESPONSE TO GWYNEDD COUNCIL'S ANNUAL LANGUAGE MONITORING REPORT 2012/13

To consider the report of the Equality and Language Officer (copy attached).

8. PLANNING AND THE WELSH LANGUAGE

To consider the report of the Head of the Regulatory Department (copy attached).

9. LANGUAGE COMPLAINTS

To consider the report of the Equality and Language Officer (copy attached).

LANGUAGE COMMITTEE, 27.06.13

Present: Councillor Gweno Glyn (appointed to preside in the absence of the Chair).

Councillors: Elwyn Edwards, Tom Ellis, Alan Jones Evans, Eric Merfyn Jones, Mair Rowlands, Gareth Thomas, Eirwyn Williams, Elfed Williams, Gruffydd Williams and Mandy Williams-Davies.

Officers: Sion Huws (Compliance and Language Manager) and Eirian Roberts (Member Support and Scrutiny Officer).

Ex-officio Member: Councillor Huw Edwards (Council Chairman)

Observer: Councillor Ioan Thomas (Cabinet Member – Customer Care).

Apologies: Councillors Alwyn Gruffydd, Dyfrig Jones, Liz Saville Roberts

1. ELECTION OF CHAIR

RESOLVED to elect Councillor Liz Saville Roberts as Chair of this committee for 2013/14.

In the absence of the Chair, Councillor Gweno Glyn was appointed to preside over the meeting.

2. ELECTION OF VICE-CHAIR

This item was deferred until the next meeting because, should the committee wish to re-elect Councillor Gweno Glyn as vice-chair, it would not be possible to do so at this meeting as she could not preside over her own election.

3. DECLARATION OF PERSONAL INTEREST

No declarations of personal interest were received from any members present.

4. MINUTES

The Chair signed the minutes of the previous meeting of this committee held on 16 April, 2013 as a true record, conditional on noting that there had been consensus to formally invite the Cabinet Member for Customer Care to every meeting of the Language Committee.

5. WELSH LANGUAGE SCHEME MONITORING REPORT 2012/13

Submitted – the report of the Compliance and Language Manager, inviting the committee to submit observations and to approve the Welsh Language Scheme Monitoring Report 2012/13 before its submission to the Welsh Language Commissioner.

It was noted that the first bullet point in the Introduction should be corrected to note that it was in July 2012, not 2013, that the task group formed to draw up the observations on the draft Language Standards had met.

The Chair emphasised the importance of following the objectives in order to see that they were updated.

It was noted that it was encouraging to see that Council staff were willing to submit internal language complaints as that was advantageous in terms of highlighting weaknesses and improving the Council's arrangements in terms of the Welsh language.

With reference to Objective CH2 – a request was made to see the content of the letter which would be sent to the person seeking to change the name of a house from Welsh. The Compliance and Language Manager agreed to enquire about a copy of the letter.

RESOLVED to approve the report and submit it to the Welsh Language Commissioner.

6. GWYNEDD COUNCIL'S WELSH LANGUAGE SCHEME

Submitted – the report of the Compliance and Language Manager, inviting the committee to approve extending the period of the Council's Welsh Language Scheme until such time when the language standards would come into effect.

The Chair emphasised the importance of ensuring that there would be no deterioration in the Council's high standards in relation to the Welsh language as a result of the introduction of the new standards.

RESOLVED to approve extending the period of the Council's Welsh Language Scheme until such time when the language standards come into effect.

7. THE LANGUAGE COMMITTEE'S WORK PROGRAMME

Submitted – the report of the Compliance and Language Manager asking the committee to consider a series of issues which could be placed on the committee's work programme, including matters which had been raised at the last meeting and also to suggest any other matters that they would wish to see included in the work programme.

The Chair emphasised the importance of the same issues not being raised time after time, year on year and that the committee should succeed to resolve the problems.

A question was asked regarding how it was intended to fill the gap as a result of the secondment of the Welsh Language Promotion Officer to another post for a year. The Cabinet Member for Customer Care noted that it was intended for an officer or officers to replace her and that he would update the members when the situation was clearer. He also emphasised that it should be ensured that the standards which already existed within the Council did not deteriorate as a result of losing the existing officer for a year.

It was suggested that the matters on the draft work programme should be placed in priority order. The Compliance and Language Manager responded and said that he would discuss further with the Equality and Language Officer and would submit a report to the next meeting suggesting a priority order for the items.

It was suggested that the committee could look at how the language skills requirements of a post were set, what the conditions were and how that was monitored etc.

It was also noted that there was a need to look at those employees who were able to speak Welsh but, due to a lack of confidence, chose to speak English with people who were Welsh-speakers, also looking at raising confidence levels amongst staff in terms of corresponding and e-mailing through the medium of Welsh.

RESOLVED

(a) To place the following matters on the work programme and to leave the door open for members to add new matters at any time:-

- **Welsh Language Scheme Monitoring Report**
- **The Welsh Language Commissioner's response to the Monitoring Report**
- **Language Complaints**
- **To respond to the consultation on the proposed Language Standards**
- **Developing the Gwynedd Council Language Standards**
- **The use of Welsh by third parties using the Council's assets**
- **Staff language skills (conditions relating to learning Welsh etc)**
- **The use of Welsh within the Council's departments (on an individual basis)**
- **The use of Welsh at the Bangor, Tywyn and Dolgellau Leisure Centres**
- **Language Centres – progress report**
- **Matters to be considered by the Committee in its consultative role on strategies promoting the Welsh Language within the county**
- **How the language skills requirements of posts are set, what the conditions are and how that is monitored etc, also how to raise the confidence levels of those officers who are able to use the Welsh language in their everyday work.**

(b) To ask the Compliance and Language Manager to submit a report to the next meeting suggesting a priority order for these items.

8. LANGUAGE COMPLAINTS

Submitted – the report of the Compliance and Language Manager detailing a language complaint which had been received against the Council.

RESOLVED to note the information.

The meeting commenced at 10.30am and concluded at 11.05am.

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|-------------------------------|---|
| MEETING: | LANGUAGE COMMITTEE |
| DATE: | OCTOBER 10 2013 |
| TITLE: | THE COMMITTEE'S WORK PROGRAMME |
| AUTHOR: | EQUALITY AND LANGUAGE OFFICER |
| PURPOSE OF THE REPORT: | TO AGREE THE PROGRAMME. ADDING TO IT AS REQUIRED |

1. Background

- 1.1. In the Committee meeting of June 27, the Committee's work programme over the coming months was discussed. See below the draft programme agreed by the Committee Chair and Vice-Chair.
- 1.2. Further items will obviously arise at subsequent meetings, and so the following programme is only a basic outline.

2. Draft Programme 2013-2014

| 10/10/13 | 15/01/14 | 04/04/14 | June 14 |
|--|---|--|---|
| <ul style="list-style-type: none"> * Language Commissioner's response to the Monitoring Report * Planning and the Welsh language * Complaints | <ul style="list-style-type: none"> * Update on Language Standards (if appropriate) * Departmental presentation-Human Resources (promoting use of the Welsh language) * Presentation by Hunaniaith * Complaints | <ul style="list-style-type: none"> * Update on Language Champions and the use of Welsh language in Tywyn, Bangor and Dolgellau Leisure Centres (Departmental presentation?) * Language Centres * Complaints | <ul style="list-style-type: none"> * Annual Monitoring Report * Departmental presentation-Social Services * Departmental presentation-Regulatory * 3ydd party use of Council facilities * Complaints |

3. Work Programme Priorities

- 3.1. Priority will be given to any developments linked to the establishment of Language Standards and the Council's response to their requirements.
- 3.2. We will report annually to the Commissioner on our compliance, and discuss any feedback with the Commissioner's office. This currently entails the submission of a Monitoring Report before the end of June and discussion of the Commissioner's comments at the next Committee meeting.
- 3.3. Following the monitoring requirements, we will present complains regarding non-compliance with our Language Scheme (and later, Language Standards) at each Committee meeting.
- 3.4. Over the following months, we will receive reports from each Council Department on how they promote the Welsh language and ensure compliance.
- 3.5. The Committee may obviously add to the Work Programme at any time.

4. Recommendation

- 4.1. Approve the Work Programme and add to it as necessary.

| | |
|-------------------------------|--|
| MEETING: | LANGUAGE COMMITTEE |
| DATE: | OCTOBER 10 2013 |
| TITLE: | WELSH LANGUAGE COMMISSIONER'S RESPONSE TO GWYNEDD COUNCIL'S ANNUAL LANGUAGE MONITORING REPORT 2012-13 |
| AUTHOR: | EQUALITY AND LANGUAGE OFFICER |
| PURPOSE OF REPORT: | TO PRESENT THE RESPONSE AND OUR COMMENTS TO THE COMMITTEE |

1. LANGUAGE MONITORING REPORT

- 1.1. Further to our Welsh Language Monitoring Report, which was presented to the Language Sub-Committee in June, here are the comments received from the Welsh Language Commissioner.
- 1.2. We were required to respond to some of these comments within 20 working days, and our response was sent to the Commissioner within this timetable.

2. RESPONSE TO THE WELSH LANGUGAE COMMISSIONER'S COMMENTS

- 2.1. Note that the Commissioner requests written and oral information, with some enquiries earmarked for specific attention as part of our feedback meeting. For the purpose of this report, and to provide information for the Language Committee Members, a written response is provided for all the matters raised by the Commissioner.

3. RECOMMENDATION

- 3.1. Accept the Welsh Language Commissioner's response to our Report and our response to the request for further information.

GWYNEDD COUNCIL'S RESPONSE TO THE WELSH LANGUAGE COMMISSIONER'S COMMENTS ON OUR ANNUAL REPORT 2012/13

Complying with the Welsh Language Scheme

| COMMISSIONER'S COMMENTS | MEANS OF RESPONSE | GWYNEDD COUNCIL'S RESPONSE |
|---|---|---|
| Provide a copy of the report [review of the Derwen service] when completed | Provide further information for the Welsh Language Commissioner | The matter is about to go before the Derwen Management Board, and a copy of the report will be sent to the Commissioner as soon as it is ready |
| Please provide a copy of one of the reports [Service Heads' monitoring reports] | Provide further information for the Welsh Language Commissioner | <p>Each Department is contacted as part of the language monitoring process, but there is no template or standard form for response. According to the monitoring requirements, more information is received from some Departments than others.</p> <p>The process of receiving feedback on compliance will be formalised from October 2013, following the Language Committee's decision to receive a formal presentation at meeting from each Department in turn. We will report fully on this as part of our Annual Report for 2013/14.</p> |

| COMMISSIONER'S COMMENTS | MEANS OF RESPONSE | GWYNEDD COUNCIL'S RESPONSE |
|---|--|---|
| <p>Please explain why the random check [of the Council's compliance with its Welsh Language Scheme]. Has the Council taken steps to arrange this in 2013?</p> | <p>Provide further information for the Welsh Language Commissioner</p> | <p>From evidence gleaned from past random checks, complaints and internal monitoring, we feel that we have sound evidence regarding areas of risk and that our priority is to address these areas.</p> <p>Rather than conduct a general check, the Council has commissioned work on specific areas in order to identify any problems and offer solutions. e.g. During 2013 a Review of Gwynedd Council's requirements and practice in providing care Services (Residential and Nursing) and Home Care was commissioned from the Welsh Centre for Language Planning and the Department is in the process of putting the recommendations of these reports in action.</p> <p>We will re-consider the need for an independent random check as part of the process of drawing up an interim action plan to be implemented before the language Standards come into force.</p> |

| COMMISSIONER'S COMMENTS | MEANS OF RESPONSE | GWYNEDD COUNCIL'S RESPONSE |
|--|---|--|
| Please provide an update on the e-learning programme in the next monitoring report | As part of our Annual Monitoring Report 2013/14 | We will report on this comment as part of our Annual Monitoring Report 2013/14 |

Frontline Services

| COMMISSIONER'S COMMENTS | MEANS OF RESPONSE | GWYNEDD COUNCIL'S RESPONSE |
|--|---|---|
| Please provide the number and percentage of Welsh speakers in the main reception areas | Provide further information for the Welsh Language Commissioner | <p>The main Council reception areas are in the headquarters, Penrallt (Caernarfon), Town Hall (Bangor), Siop Gwynedd, Ffordd y Cob (Pwllheli) and Penarllog (Dolgellau).</p> <ul style="list-style-type: none"> • Total reception staff is 13 • 13 of them speak Welsh (100%) • Welsh is essential for all 13 posts (100%) <p>[This information was not provided fully within our Monitoring Report]</p> |

Management and administration of the Scheme

| COMMISSIONER'S COMMENTS | MEANS OF RESPONSE | GWYNEDD COUNCIL'S RESPONSE |
|---|--|---|
| <p>Following one complaint, it is noted that the Economy and Community Department will consider how to enhance the linguistic conditions of grants. We would like to discuss this further in our feedback meeting</p> | <p>To be discussed further as part of the feedback meeting between the Equality and Language Officer and the Commissioner's office</p> | <p>The original complaint centred upon our powers as a Council to impose Welsh names on businesses receiving grants. It was noted that this would not be legally possible.</p> <p>It was acknowledged however that there was a need to review our terms in order to strengthen the language element and promote the Welsh language to the limit of our ability.</p> <p>The specific grant under consideration and many other projects are either fully allocated or about to end. The Economy and Community Department await further guidance from the European Commission regarding new projects.</p> <p>In the meantime, preliminary discussions are being held on how to ensure and/or improve Welsh language terms within any future grant schemes.</p> |

| COMMISSIONER'S COMMENTS | MEANS OF RESPONSE | GWYNEDD COUNCIL'S RESPONSE |
|---|--|---|
| <p>What action is the Council taking in relation to those bodies that are not complying [with the requirements of Social Care contracts]? We would like to discuss this further at our feedback meeting</p> | <p>To be discussed further as part of the feedback meeting between the Equality and Language Officer and the Commissioner's office</p> | <p>Where there is concern about compliance, the contractual quality and compliance process ensures that a work/improvement plan be drawn up. Any company or organisation is expected to work towards what has been agreed in the improvement plan. For example, this could include:</p> <ul style="list-style-type: none"> • Attending free language training through Gwynedd Workforce Partnership • Encouragement and targets for recruiting bilingual staff within a specific timetable • Ensure that there is adequate Welsh-speaking staff for each shift within home care • Ensure that home care workers can address the language needs of service users- this results from social workers noting users' language needs as part of the care plan • Social Services have raised the language awareness of providers by commissioning work from the Language Planning Centre to look at our practices and suggest improvement • Strengthening clauses within our contracts in relation to users' language needs in response to the Language Planning Centre's recommendations. |

Welsh language skills

| COMMISSIONER'S COMMENTS | MEANS OF RESPONSE | GWYNEDD COUNCIL'S RESPONSE |
|--|--|---|
| <p>Reference is made to the Framework [Language Framework] in the Council's Annual Improvement Report (April 2013). When will be revised Framework be introduced?</p> | <p>Provide further information for the Welsh Language Commissioner</p> | <p>With the Language Standards imminent and the need to draw up an interim Action Plan to bridge the period between the end of the current Plan and the standards coming into force, we will revisit this area of work. We would appreciate further discussion with the Commissioner's Office as we embark upon this</p> |
| <p>The Council participated in a pilot to test the language Indicators recently introduced by WJEC in order to facilitate the process of measuring language skills in the workplace. We would like to discuss this at our feedback meeting</p> | <p>To be discussed further as part of the feedback meeting between the Equality and Language Officer and the Commissioner's office</p> | <p>37 members of staff participated in the pilot. The Workforce Development Officer has contacted the Council's Personnel Officers to highlight the advantages of using this tool to determine language levels as part of the appointment process</p> |
| <p>How many members of staff have received language awareness training during the reporting period?</p> | <p>Provide further information for the Welsh Language Commissioner</p> | <p>A specific language awareness session was provided for 20 staff within the Youth Justice Team in June 2012. Between May 2012 and September 2013 A session on language awareness was provided to 142 Staff as part of the induction process</p> <p>In November 2013, we will be offering a language awareness session for elected Members</p> |

| COMMISSIONER'S COMMENTS | MEANS OF RESPONSE | GWYNEDD COUNCIL'S RESPONSE |
|--|--|--|
| <p>How does the Council support these members of staff [non-Welsh speakers], for example, by targeting them for Welsh language training?</p> | <p>Provide further information for the Welsh Language Commissioner</p> | <p>Line Managers are asked to identify language needs as part of the Performance Review process, staff are then referred to the Workforce Development Officer to assess their language level and needs. Following this, the Council can offer the following as required:</p> <ul style="list-style-type: none"> • lessons at the correct level for the learner • external courses • Language Mentors • Monitor improvement (based upon bi-annual report from the Line Manager) • Support through prize-giving for staff who are starting to learn Welsh, those who are more experienced and for special achievement at the <i>Cyngor ar ei Orau</i> Meeting through the <i>Dafydd Orwig Memorial Prize</i>. This meeting is given a high profile • Note any particular successes e.g. awards from external providers in the staff magazine, <i>Gair o Gyngor</i> |

| | |
|------------------------------|--|
| MEETING: | LANGUAGE SUB-COMMITTEE |
| DATE: | 10 OCTOBER 2013 |
| TITLE: | PLANNING AND THE WELSH LANGUAGE |
| AUTHOR: | ALED DAVIES, HEAD OF THE REGULATORY DEPARTMENT |
| PURPOSE OF THE REPORT | <p>TO SUBMIT INFORMATION ON HOW THE WELSH LANGUAGE AND CULTURE ARE ADDRESSED IN RELATION TO:</p> <ul style="list-style-type: none"> • PLANNING APPLICATIONS; • PREPARING THE JOINT LOCAL DEVELOPMENT PLAN |

1 Introduction

- 1.1 The Planning and Environment Service of the Regulatory Department were requested to submit a report to the Sub-committee in order to raise awareness of how the land use planning system addresses the Welsh language and culture at a local level. This report is in two parts, with:

Part 1 referring to the current planning policy context and how it is applied; and Part 2 referring to how the Welsh language is addressed as the Joint Local Development Plan is developed.

2 Part 1 – the current context and how it is applied

The current planning policy context

- 2.1 It is a requirement that planning applications are determined in accordance with the development plan unless relevant planning considerations dictate otherwise. This is the statutory test. Relevant planning considerations include National Planning Policy together with Technical Advice Notes (TAN). Those who make the decision have to come to a clear and coherent conclusion regarding how much weight is placed on relevant planning considerations. When there is variance between the assessment of the development plan and the assessment of the relevant planning consideration, a clear and coherent conclusion must be reached whether or not the weight is sufficient to outweigh the development plan.
- 2.2 The Gwynedd Unitary Development Plan (2009) (UDP) is the relevant development plan. It is available in: www.gwynedd.gov.uk/cdu
- 2.3 The Council has adopted a series of Supplementary Planning Guidance which explain relevant policies in the UDP. The Guidance is not a series of documents which create policy. The Supplementary Planning Guidance: Planning and the Welsh Language provides guidance on how to apply Policy A2 of the UDP. It is available in: <http://www.gwynedd.gov.uk/upload/public/attachments/1178/ccacynllunioariaithgymraeg.pdf>

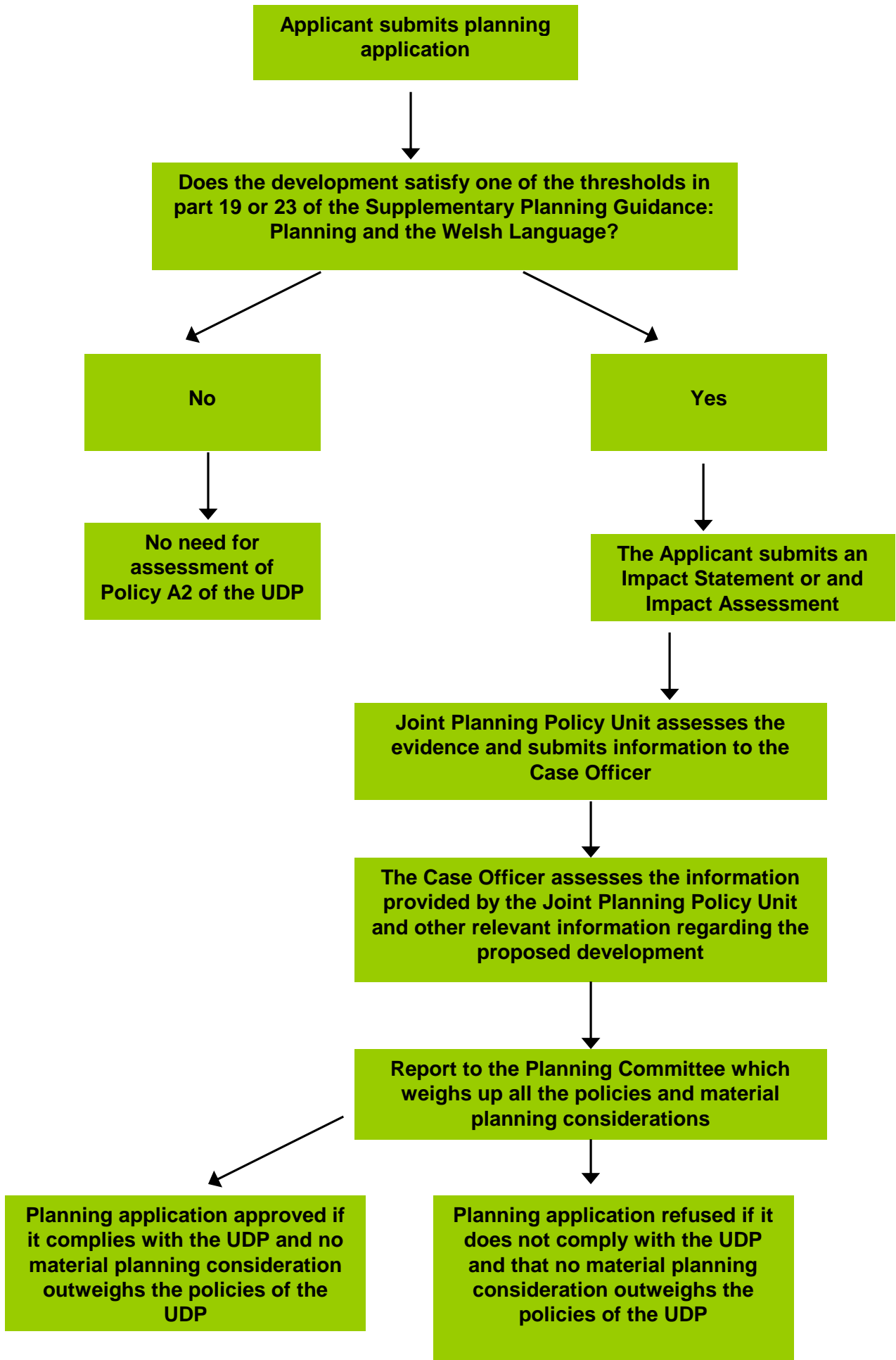
- 2.4 Planning Policy Wales (2012) is a Welsh Government land use policy. The document, along with the supporting guidance in Technical Advice Note (TAN) 20 on the Welsh Language (2000), states that the future well-being of the language will depend on a broad range of factors, in particular: education, demographic changes, community activities and a firm economic basis to maintain prosperous sustainable communities (paragraph 4.13.1 Planning Policy Wales). The land use planning system should also consider the needs and interests of the Welsh language and, in doing so, contribute to its well-being. However, TAN 20 also states that planning policies should not attempt to introduce any element of discrimination between individuals on the basis of their linguistic ability. The planning policy should not attempt to control the occupancy of houses for linguistic reasons (paragraph 9, TAN 20).
- 2.5 It should be remembered that dealing with planning applications involves the need to consider a number of different planning considerations, and that the weight afforded to those considerations will vary on a case by case basis. If the assessment of the development plan and the assessment of the material planning considerations arrive at the same conclusion then the decision maker can either allow or refuse in accordance with that conclusion. In some cases the assessment process will arrive at differing views. Bearing in mind the statutory test, if there is a conflict between the assessment of the development plan and the assessment of the material planning considerations, the decision maker will have to arrive at a clear and reasoned decision about whether the weight afforded to material planning considerations outweigh the weight afforded to the development plan.

Preparing the Unitary Development Plan

- 2.6 The aim of the Strategy is to encourage and facilitate a development which satisfies the needs of communities in a sustainable manner. A formal Sustainability Appraisal or a formal Linguistic Impact Assessment of the UDP was not required. However, evidence of the features and social aspects of areas in Gwynedd influenced the development of the UDP policies. For example, the pattern of house purchase and the existence of second/ holiday homes were examined to decide which settlements could cope best with open market housing development. Where there was more of a risk that new housing would be occupied by non-Welsh speaking incomers or would be used as second/holiday homes, land for open market housing was not designated in settlements such as Abersoch, Llanbedrog and Clynog.

Applying Policy A2 and the Supplementary Planning Guidance: Planning and the Welsh Language

- 2.7 The following chart shows the process.



3 Part 2 – preparing the Joint Local Development Plan (JLDP)

Context

- 3.1 Many statutory steps have to be undertaken prior to being able to adopt the Joint LDP. The Delivery Agreement gives details regarding how it is intended to go through the steps and when. The Delivery Agreement can be seen on the Council's website: http://www.gwynedd.gov.uk/gwy_doc.asp?cat=7073&doc=26553&Language=2. The table in Appendix A of this report shows the main steps and the current timetable for achieving the individual steps. The bold print shows where we are at present, i.e. working towards publishing the Deposit Plan for public consultation in May 2014.
- 3.2 Robustness test C2, which the Joint LDP Inspector will address, states that the work of preparing the local development plan should consider national policy.
- 3.3 In 2011, an amended draft of TAN 20 was published for public consultation. That referred to the need for local development plans to be subject to a Welsh Language Impact Assessment and it would not be a requirement to undertake an assessment when submitting a planning application. It has been mentioned recently that the final TAN 20 will be published during October 2013.

How will consideration be given to the Welsh language when preparing the Joint LDP?

The Sustainability Appraisal

- 3.4 The Joint LDP has to ensure that the developments are economically, socially and environmentally sustainable. In order to do so, the Planning and Compulsory Purchase Act 2004 states that the Joint LDP must be the subject of a Sustainability Assessment (SA) and to report on the findings of this work throughout the process of preparing the Plan.
- 3.5 The Joint LDP will deal with linguistic and cultural matters, equality matters and health matters. The SA process will assess the effect of the Joint LDP on these matters.
- 3.6 The SA process involves establishing a SA Framework which means developing sustainability objectives and indicators. The SA Framework of objectives is used to systematically identify, describe and evaluate the positive and negative environmental effects of a plan or programme. These objectives are distinct from the plan objectives, though they will often overlap with them. The SA Framework has identified 11 objectives dealing with environmental, social and socio-economic aspects thus far. Each sustainability objective is supported by many sub-objectives which will facilitate the assessment of policies and proposals in the Joint LDP and will help with interpreting the general main objective. A set of proposed indicators have also been drawn up to monitor the performance of the Joint LDP and these have been included in the framework. These indicators have been chosen to focus on the key issues arising. This element of the SA process has recognised the significance of the Welsh language in the lives of people and children in the Joint LDP area. The table below notes the relevant sustainability objective. An Initial SA Report which includes the draft AS Framework can be seen on the Council website in:

**4. Protect, promote and improve the experience of the Welsh language
(SEA Topics: Cultural Heritage)**

Will the plan...

- Protect and improve the opportunities to promote and develop the Welsh language?

Proposed Indicators:

- Number / % of Welsh speakers

- 3.7 This aspect of the SA process will be informed by information which will come to hand as a result of undertaking the Welsh Language Impact Assessment at key stages in the process of preparing the Joint LDP.

The Linguistic Impact Assessment (LIA)

- 3.8 The LIA of the Plan is a repetitive process and the assessment will have to be reviewed when aspects of the Plan change as it moves towards creating a Deposit Plan. The Impact Report on the Welsh Language (May 2013) describes the methodology used, records statistical evidence thus far and records the conclusions of the assessment thus far. This document can be seen by clicking on the following:
http://www.gwynedd.gov.uk/upload/public/attachments/1183/1_asesiad_effaith_ar_yr_iath_gymraeg.pdf As the process is repetitive and as the evidence base develops, the document will be changed over the coming months.
- 3.9 The following table summarises the process which will be followed:

| KEY STAGES OF ASSESSMENT PROCESS | COMMENTS |
|---|--|
| <pre> graph TD A[Baseline Analysis of the Welsh Language] --> B[Current position of the Welsh language] A --> C[Monitored Planning Developments / Amendments] B --> D[Linguistic Changes over Specific Periods] C --> D D --> E[Cross-tabulation Analysis] E --> F[Draw attention to the Main Issues which arise from the Baseline Analysis] F --> G[Linguistic Impact Assessment of the Preferred Strategy] G --> H[Assessment of the Selected Proposed Sites against Specific Criteria] H --> I[Linguistic Impact Assessment of the Deposit Plan] </pre> | <ul style="list-style-type: none"> ▪ Collection of data covering the 5 themes outlined in Planning and the Welsh Language (2005) - Ward and LHMA level profiles. These will form the basis for decision-making in the assessment. ▪ Collection of monitored development e.g. number of houses built. ▪ Trend analysis will show how potential drivers of change have developed over time. ▪ Cross-tabulation assessment of data as part of baseline analysis will demonstrate relationships between variables. ▪ Identification of main issues arising from baseline analysis. ▪ Qualitative assessment based on quantitative analysis using 18 pre-determined specific criteria. ▪ Assessment of sites using 12 criteria based questions as basis for making decisions. Sites which are deemed likely to have an adverse impact on the Welsh language will be filtered out based on subjective analysis using quantitative data. ▪ Qualitative assessment based on quantitative analysis using 18 pre-determined specific criteria. |

3.10 Appendix 5 of the Linguistic Impact Assessment Report on the Welsh Language (May 2013) records the conclusions of the assessment of the draft Preferred Strategy. The questions contained in Appendix B of this report were used to facilitate the assessment.

The work thus far – the Preferred Strategy document (May 2013)

- 3.11 The Preferred Strategy document (May 2013), which was the subject of public consultation until 27 June 2013, provides the vision and the strategic aims which is the foundation of the Joint LDP strategy. The strategy aims to achieve four strategic outputs. The strategy will be achieved by implementing a series of strategic policies, detailed policies and proposals. The current strategic policies can be seen in the Preferred Strategy document and the Deposit Plan will include the detailed policies and proposals. The Preferred Strategy document can be seen on the Council's website in: http://www.gwynedd.gov.uk/upload/public/attachments/1182/hoff_strategaeth_mai_2013_1.pdf. Appendix C includes a copy of the vision, the relevant strategic aims and the Strategic Policy regarding the Welsh Language. However, if the remainder of the Strategic Policies are examined, a series of policies can be seen which will facilitate the infrastructure which vibrant communities require: various housing types; appropriate accessible employment opportunities; accessible community facilities and services.

The evidence and its development

- 3.12 Appendix 2 and Appendix 4 of the Linguistic Impact Report on the Welsh Language (May 2013) summarise the evidence base thus far. More information is available in Subject Paper 10: The Welsh Language (May 2013) for the planning policy context and it provides an overview of the situation thus far regarding the Welsh language. The Subject Paper can be seen on the Council's Website in: http://www.gwynedd.gov.uk/upload/public/attachments/1182/Papur_Testun_10_LIA_Report_Terfynol_C_Census_2011.pdf
- 3.13 The Topic Paper will be updated after more evidence has been gathered. The additional information sources include:
- 2011 Census. Appendix CH of this report lists the Census tables which provide a picture of the position in 2011.
 - The Housing and Language Project. Questionnaires are being sent out to: (a) houses purchased during 2008 – 2012 in the wards of Llanrug, Clynnog, Hirael, Diffwys a Maenofferen, South Dolgellau and Abersoch (b) houses constructed in Gwynedd during 2007-2012. The purpose of the questionnaire is to obtain a picture of the households and then to see whether there is a correlation between this and the position of the Welsh language. This Project is part of a wider project under the Council's Strategic Plan;
 - Local Market Housing Project. This project looks for, and analyses evidence to ascertain whether a policy which promotes housing to satisfy specific local needs for open market housing can be justified. This type of housing, along with other infrastructure, could enable residents to remain in specific rural communities.
 - The use of the language in primary schools, namely evidence on pupils' standards; the language used during play time and so on; the language of meetings of Governing Bodies.
 - Local Action, namely a tool developed by the Welsh Language Board to undertake research to obtain a picture of the nature of an area: information regarding social aspects and characteristics; measuring the viability of the Welsh language locally in terms of its visual status, the use made of spoken Welsh and the value given to the Welsh language by residents. Mapping the

information on a county level and receive information from communities which have used the tool locally.

4. Next steps

- Until the Joint LDP's adoption, continue to operate in accordance within the existing planning policy context i.e. the Gwynedd UDP, Supplementary Planning Guidance, Planning Policy Wales, TAN 20
- Analyse and apply the new TAN 20 when it is published.
- Work with other planning authorities
- Bring all the research information referred to in 3 above together, and continue to develop the evidence base for the Joint LDP, which will eventually replace the UDP.
- Present a report to the Joint LDP Panel about the development of various policies that will facilitate the development of the community infrastructure required to maintain active communities between October 2013 and January 2014
- Report to Gwynedd Council's cabinet about the Deposit Plan in February 2014
- Report to the Joint Planning Policy Committee in March 2014
- Consult about the Deposit Plan in May 2014

Appendix A

Joint LDP preparation timetable

| Stage in the preparation process | | Revised timetable |
|----------------------------------|---|-----------------------------|
| 1. | Preparation and publication of the final Delivery Agreement (<i>Regulation 5 - 10</i>) | January to November 2011 |
| 2. | Review and develop the evidence base | July 2010 - October 2012 |
| 3. | Participation Pre-deposit – prepare the pre-deposit documents that will outline the key objectives and preferred strategy (<i>Regulation 14</i>). This will not be a full draft of the Joint LDP | January 2011 - October 2012 |
| 4. | Pre-Deposit Consultation - 6 week period (<i>Regulation 15</i>). Formal consultation on the Preferred Strategy and the sustainability appraisal report | May - June 2013 |
| 5. | Participation - further develop the evidence base and prepare the Deposit Joint LDP (full draft plan) which is based on the evidence base, including the response to the Preferred Strategy documents | July 2013 - March 2014 |
| 6. | Placing the Joint LDP and associated documents on deposit - 6 week consultation period (<i>Regulation 17</i>) | May - June 2014 |
| 7. | Consideration of comments about the Deposit Joint LDP (<i>Regulations 18 & 19</i>) | July 2014 - January 2015 |
| 8. | Publish comments on alternative sites, consulting upon them - a period of 6 weeks (<i>Regulations 20 & 21</i>) | September - October 2014 |
| 9. | Submitting the Joint LDP to the Welsh Government for Examination (<i>Regulation 22</i>) | February 2015 |
| 10. | Independent Public Examination (<i>Regulation 23</i>) | June 2015 |
| 11. | Publication of the Inspector's Report (<i>Regulation 24</i>) | March 2016 |
| 12. | Adoption of the Joint LDP (<i>Regulation 25</i>) | May 2016 |
| 13. | Monitoring and Reviewing | Annual report |

Appendix B Questions used to assess the Preferred Strategy document's preparation

LANGUAGE IMPACT ASSESSMENT OF 1) OPTIONS / PREFERRED STRATEGY AND 2) DEPOSIT DRAFT

- i) Is the policy / plan / programme / project likely to lead to a population increase / decrease that might i) affect the balance of English / Welsh speakers or ii) lead to a decline in the number of Welsh speakers?
- ii) Is the policy / plan / programme / project likely to lead to increased in-migration?
- iii) Is the policy / plan / programme / project likely to lead to increased out-migration? Is the process of out-migration likely to result in a loss of Welsh speaking households?
- iv) Is the policy / plan / programme / project likely to lead to a changing age structure of the community?
- v) Is the policy / plan / programme / project likely to have an impact on the health of local people?
- vi) Is the policy / plan / programme / project likely to have an impact on the amenity of the local area?
- vii) Is the policy / plan / programme / project likely to lead to the threat of increased crime or violence in the community?
- viii) Is the policy / plan / programme / project likely to have a detrimental impact on local businesses?
- ix) Is the policy / plan / programme / project likely to have a detrimental impact on local jobs?
- x) Is the policy / plan / programme / project likely to lead to greater economic diversity?
- xi) Is the policy / plan / programme / project likely to have an impact on local wage/salary levels
- xii) Is the plan likely to have an impact on the average cost of housing?
- xiii) Is the plan likely to have an impact on local schools?

- xiv) Is the plan likely to have an impact on health care provision?
- xv) Is the plan likely to have an impact on the provision of local services?
- xvi) Will the plan potentially lead to social tensions, conflict or serious divisions within the Welsh speaking community?
- xvii) Will the plan potentially lead to changes in local Welsh traditions / culture?
- xviii) Is the plan likely to have a potential impact on local voluntary / activity / youth groups?

Appendix C Excerpts out of the Preferred Strategy document (2013)

Joint Local Development Plan Vision

By 2026, Anglesey and Gwynedd will be recognised for their **vibrant and prosperous communities** that celebrate their unique **culture, heritage** and **environment** and will be a **place of choice**.

This means that the Joint Local Development Plan area will be one:

- where the housing needs of local communities in the area are better addressed in terms of supply, type, quality, energy efficiency, location and affordability
- where its residents and businesses are able to grasp new economic opportunities in order to thrive and prosper
- which boasts an appropriately skilled workforce and has a varied, well connected, sustainable and broad economic base that makes the best use of local strengths and opportunities where the benefits deriving from them are kept local
- that is home to vibrant networks of inclusive communities where residents enjoy good health and well-being
- where the Welsh language is an integral part of communities
- which adapts and responds positively to the challenges of climate change
- where the unique character of its built and cultural heritage, its countryside and landscape, and its environment is valued, protected and enhanced
- where people want to live, work and visit

Selection of the Joint Local Development Plan's objectives

| | |
|-----|---|
| SO1 | ensure an adequate and appropriate range of housing sites is available in sustainable locations, |
| SO2 | enable a balanced housing supply ensuring that all housing is of good quality, affordable, covers a range of types and tenures to meet the housing requirements of all sections of the population |
| SO3 | secure a stable and balanced population within communities |
| SO5 | ensure that settlements are sustainable, accessible and meet the range of needs of their communities |

| | |
|------|---|
| SO7 | ensure that an adequate supply of land and premises is safeguarded and allocated in sustainable locations to attract investment, retain and increase the number of indigenous jobs, support the development of economic activity in higher value sectors, secure opportunities for improving the skills and education of the workforce, and promoting working from home where appropriate |
| SO8 | diversify the rural and urban economic base of the JLDP area to enable a prosperous mixed economy that builds on opportunities, including those presented by the low-carbon and renewable energy sectors and knowledge-based industries |
| SO24 | safeguard and strengthen the Welsh language and culture and promote its use as an essential part of community life |

Strategic Policy PS19 Welsh language and culture

The Councils will promote and support the use of the Welsh Language in the Plan area. This will be achieved by:

- 1. Using appropriate mechanisms to ensure that suitable measures that mitigate negative impacts are provided or a contribution is made towards them;**
- 2. Refusing development that due to its size, scale or its location, would cause significant harm to the character and language balance of a community;**
- 3. Encouraging all signage by public bodies and by commercial and business companies to be bilingual;**
- 4. Encouraging the use of Welsh place names for new developments, house and street names**

Appendix CH Relevant tables in the 2011 Census

| Release schedule | Type | 2011 Table title |
|---------------------|-----------------------|---|
| | Detailed | |
| Third release | Characteristics | Family type by Welsh language; families; adults; children |
| | Detailed | |
| Third release | Characteristics | Sex by age and ability in Welsh |
| | Detailed | |
| Third release | Characteristics | Number of Welsh speakers by household size |
| | Detailed | |
| Third release | Characteristics | Family type by Welsh speakers by ability to speak Welsh and age |
| | Detailed | |
| Third release | Characteristics | Extended Welsh household composition by ability to speak Welsh and age |
| | Detailed | |
| Third release | Characteristics | Extended Welsh household composition by Welsh speaking adults by age of youngest dependent child |
| | Detailed | |
| Third release | Characteristics | Household Reference Person's (HRP's) NS-SeC and HRP's approximated social grade by dependent children speaking Welsh by Welsh speaking households |
| | Detailed | |
| Third release | Characteristics | National identity by sex, age and ability to speak Welsh |
| | Detailed | |
| Third release | Characteristics | Sex and age by country of birth and knowledge of Welsh |
| | Detailed | |
| Third release | Characteristics | Age of Household Reference Person (HRP) and tenure by knowledge of Welsh of Household Reference Person (HRP) |
| | Detailed | |
| Third release | Characteristics | Sex and age and long-term health problem or disability and general health by knowledge of Welsh |
| | Detailed | |
| Third release | Characteristics | Sex and occupation by knowledge of Welsh |
| | Detailed | |
| Third release | Characteristics | Welsh speakers and economic activity and year last worked by age |
| | Detailed | |
| Third release | Characteristics | Sex and industry by knowledge of Welsh |
| | Detailed | |
| Third release | Characteristics | Sex and NS-SeC by knowledge of Welsh |
| | Detailed | |
| Third release | Characteristics | Age and highest level of qualification by knowledge of Welsh |
| | Detailed | |
| Third release | Characteristics | Children speaking Welsh in Welsh speaking households |
| | Detailed | |
| Third release | Characteristics | Welsh speaking adults in households by age of youngest dependent child |
| | Detailed | |
| Third release | Characteristics | Type of Communal establishment by knowledge of Welsh |
| | Detailed | |
| Third release | Characteristics | Age of Household Reference Person (HRP) and tenure by ability to speak Welsh of HRP |
| | Detailed | |
| Third release | Characteristics | Type of Communal establishment by ability to speak Welsh |
| | | |
| Third release | Theme | Theme table on main language |
| Third release | Theme | Theme table on households with Welsh speakers |
| Third release | Theme | Theme table on persons in households with Welsh speakers |
| Third release | Theme | Theme table on persons in households who speak Welsh |
| Third release | Theme | Theme table on Welsh language |
| Third release | Theme | Theme table on ability to speak Welsh |
| | | |
| Fourth release | Local Characteristics | Sex and age by knowledge of Welsh |
| Fourth release | Local Characteristics | Type of Communal establishment by knowledge of Welsh |
| Fourth release | Local Characteristics | Sex and age by ability to speak Welsh |
| Fourth release | Local Characteristics | Type of Communal establishment by ability to speak Welsh |
| Fourth release | Local Characteristics | Welsh-speaking ability of children age 3 to 4 only, couple household types only |
| Fourth release | Local Characteristics | Ability to speak Welsh by ethnic national identity |
| Fourth release | Local Characteristics | Ability to speak Welsh by national identity |
| | | |
| Subsequent releases | Detailed | |
| | Characteristics | Sex and knowledge of Welsh and age by migration within Wales |
| Subsequent releases | Detailed | |
| | Characteristics | Migration of Welsh speaking households within Wales by age of HRP and presence of dependent children |

Subsequent
releases

Detailed
Characteristics

Sex and ability to speak Welsh and age by migration within Wales

| | |
|--------------------------|---|
| MEETING: | LANGUAGE SUB-COMMITTEE |
| DATE: | 10 OCTOBER 2013 |
| TITLE: | LANGUAGE COMPLAINTS |
| AUTHOR: | EQUALITY AND LANGUAGE OFFICER |
| PURPOSE OF REPORT | PRESENT RECENT COMPLAINTS AND UPDATE THE COMMITTEE |

COMPLAINTS RELATING TO THE COUNCIL, PARTNERS OR THIRD PARTY ORGANISATIONS

| DATE | COMPLAINT | RESPONSE |
|--------------------|---|---|
| August 2013 | Planning Officers presenting their case at a planning appeal through the medium of English, and supplementary documentation also produced in English only | <p>The appeal was presented to the Planning Inspectorate through the medium of English. An appeal in the form of a hearing is synonymous with a tribunal or legal hearing, and in this context, it is believed that the <i>Bilingual Policy in Courts</i> is relevant. The Policy states that "Gwynedd Council will deal with cases begun by or against individuals.... In the language choice of those individuals, be that Welsh or English". It also states that "those who represent the Council present the case orally in the language of the case." As a result, the hearing was held in English, with simultaneous translation available.</p> <p>The Council's written documents were prepared in English as this was the language choice of the agent presenting the appeal. In such cases, the timetable is very tight and so appeal documents are first of all prepared in the language choice of the appellant. It is believed that there is room to improve arrangements in terms of documents, so that Council documents on the publically available appeal file are bilingual, accepting that there are cost implications related to achieving this.</p> |

| DATE | COMPLAINT | RESPONSE |
|-----------------------|---|---|
| August 2013 | Complaint by a Member that a data report from the Transportation and Street Service (which was free to share with constituents) was only available in English, with the Welsh version not available until later | The initial document was prepared in English, with the Welsh version available later. The English version was distributed before the Welsh to the Member in an attempt to facilitate discussion on matters of considerable local interest. The Department acknowledges that the work of translation and distributing the Welsh version took more time than it should in this case. The complaint provided a spur to the Department to ensure a Welsh version was distributed and to remind Officers of the need to have English and Welsh versions ready at the same time |
| August 2013 | Change of building use application by the Economy and Community Department made through the medium of English only | It would appear that the application was submitted by an architect working for the Council, without passing it to the Department first. It was noted that the timetable for this application was also a very tight one. The Department states that a Welsh version has now been submitted and that they are confident that this case has been an exception. |
| September 2013 | Complaint regarding the standard of Welsh in an e-mail from the Council regarding the Register of Electors | Apology and amended version sent from the Department |