

SYLWADAU CYNGOR GWYNEDD – BIL CYNLLUNIO [YR IAITH GYMRAEG]

Fel rhan o'r broses ymgynghori ar y Bil Cynllunio, mae Cyngor Gwynedd o'r farn bod hyn wedi bod yn gyfle i bwysleisio'r angen i'r iaith Gymraeg chwarae rhan hanfodol yn y maes cynllunio yng Nghymru. Mewn amgylchiadau o'r fath, ac yn dilyn trafodaethau'n fewnol, gan gynnwys derbyn cyngor gan ein Hadran Gyfreithiol, rydym wedi ystyried diwygiadau posib i'r Bil i ymgorffori'r iaith Gymraeg fel ystyriaeth bwysig o fewn y Bil. Credwn y byddai'r diwygiadau hyn yn darparu'r sylfaen am ystyriaeth gyson, yn seiliedig ar dystiolaeth, o faterion sy'n ymwneud â'r iaith Gymraeg oddi mewn i ddeddfwriaeth gynllunio. Byddai hyn yn cyd-fynd â'r dull sydd ar waith gyda materion iaith mewn meysydd polisi eraill megis addysg, yn cydymffurfio ag amcanion y Llywodraeth o ran cymunedau cynaliadwy ac yn gymorth i ategu amcanion y Llywodraeth i gynnal, cefnogi a gwella defnydd yr iaith Gymraeg trwy Gymru gyfan. Darparwn yr awgrymiadau drafft a ganlyn:

As part of the consultation process in respect of the Planning Bill, Gwynedd Council are of the opinion that this presented an opportunity to emphasise the need for the Welsh language to play a vital role within planning in Wales. In such circumstances, and following discussions internally, including taking advice from our Legal Department, we have considered possible amendments to the Bill to encompass the Welsh language as an important consideration within the Bill. We believe that these amendments would provide the basis for consistent and evidenced consideration of issues relating to the Welsh Language within planning legislation. This would complement the approach taken with language issues in other policy areas such as education, conform with the Government's sustainable communities objectives and help underpin Government objectives to sustain, support and enhance the use of the Welsh Language across the whole of Wales. We provide the following draft suggestions:

"Rhan/Part 2

60 (2) (cymal newydd/ new clause)

(2) In preparing the Framework the Welsh Ministers must have regard to the effect of the policies of the Welsh ministers on the Welsh Language

60G (6) (f) (cymal newydd/ new clause)

(6) In preparing a strategic development plan, the strategic planning panel must have regard to -

(f) the Welsh Language and the effect of the of the strategic development plan on the character and social fabric of an area

60G (7) (a)

(7) The Panel must also –

(a) carry out an appraisal of the sustainability of the plan. The appraisal shall have regard to

(i) the Welsh Language

(ii)(bydd angen i'r llywodraeth ystyried ychwanegu materion eraill dylid eu hystyried/ Welsh government may wish to consider adding other matters)

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Rhan/Part 3

61ZA (3) (c) (ychwanegiad i ddiwedd y cymal/ addition to the end of the clause)

61 ZA (3) (e) (Cymal newydd/ new clause)

(3) Regulations under this section may (among other things) make provision –

(c) for information.....Welsh Ministers and such information and documents to be provided in both Welsh and English

(e) that pre-application services should be provided through the medium of Welsh if requested by the applicant”

Mae Cyngor Gwynedd yn pwysleisio mai cynigion drafft yn unig yw'r rhain, ac efallai y bydd gofyn cael newidiadau eraill yn y Bil er mwyn hwyluso unrhyw ddiwygiadau.

Hoffem ddatgan hefyd nad yw swyddogion Cynllunio a Chyfreithiol yng Ngwynedd yn ddrafftwr deddfwriaethol sydd wedi'u hyfforddi, ac o'r herwydd efallai y bydd angen diwygio'r awgrymiadau ar ôl i ddrafftwr Llywodraeth Cymru eu hystyried.

Fodd bynnag, credwn yn gryf fod yr uchod yn darparu sail ymarferol i sicrhau bod yr iaith Gymraeg yn chwarae rhan arwyddocaol yn ein cyfundrefn gynllunio newydd yng Nghymru.

Os caiff yr awgrymiadau hyn eu hymgorffori yn y Bil newydd, byddai Cyngor Gwynedd yn croesawu'r cyfle i weithio gyda'r Llywodraeth a Phwyllgor yr Amgylchedd a Chynladwyedd i ddatblygu'r cysyniad ac i sicrhau bod dogfennau a chanllawiau polisi pellach gan gynnwys Polisi Cynllunio Cymru, NCT 20 a hefyd y Fframwaith Cynllunio Cenedlaethol a'r canllaw ar gyfer Cynlluniau Datblygu Strategol newydd yn rhoi ystyriaeth lwyr i faterion sy'n ymwneud â'r iaith Gymraeg yn ystod eu paratoi.

Gwynedd Council emphasise that these are draft proposals only, and that other changes may be required within the Bill in order to facilitate any amendments.

We would also wish to state that Planning and Legal officers in Gwynedd are not trained legislative draftsmen and accordingly, there may be a need to amend the suggestions following consideration by Welsh Government draftsmen.

However, we firmly believe that the above provides a workable basis to ensure that the Welsh language plays a significant part within our new Welsh planning regime.

If these suggestions are incorporated into the new Bill, Gwynedd Council would welcome the opportunity to work with the Government and the Environment and Sustainability Committee to develop the concept and ensure that further policy documents and guidance including the Planning Policy Wales TAN 20 and also the National Planning Framework and the guidance for emerging Strategic Development Plans take full account of issues relating to the Welsh language in their preparation.