



AIGHNEACHT

ó

CONRADH NA GAEILGE

maidir le

GRINNSCRÚDÚ RÉAMHREACHTACH

den

DRÉACHT-BHILLE
UM PHLEANÁIL AGUS FHORBAIRT 2023

Feabhra 2023

EOLAS FÚINN

Is é Conradh na Gaeilge fóram daonlathach phobal na Gaeilge agus saothraíonn an eagraíocht ar son na teanga ar fud na hÉireann agus timpeall na cruinne. Is í príomhaidhm na heagraíochta an Ghaeilge a athréimniú mar ghnáth-theanga na hÉireann. Ó bunaíodh é ar 31 Iúil 1893 tá baill an Chonartha gníomhach ag cur chun cinn na Gaeilge i ngach gné de shaol na tíre, ó chúrsaí dlí agus oideachais go forbairt meán cumarsáide agus seirbhísí Gaeilge.

Tá Conradh na Gaeilge roghnaithe ag Foras na Gaeilge, an foras uile oileánda ag feidhmiú ar son an dá Rialtas thuaidh agus theas leis an nGaeilge a chur chun cinn, mar cheann de na sé cheanneagraíocht atá maoinithe acu leis an nGaeilge a fhorbairt ar oileán na hÉireann. Go príomha, tá Conradh na Gaeilge roghnaithe le tabhairt faoi chosaint teanga, ionadaíocht agus ardú feasachta ar an nGaeilge. Tá 180 craobh agus iomaí ball aonair ag Conradh na Gaeilge, agus bíonn baill uile an Chonartha ag saothrú go dian díograiseach chun úsáid na Gaeilge a chur chun cinn ina gceantair féin. Tá breis eolais faoi obair an Chonartha le fáil ag www.cnag.ie.

Conradh na Gaeilge is the democratic forum of the Irish language community and the organisation works to promote the language throughout Ireland and around the world. The main aim of the organisation is to re-establish Irish as the ordinary language of Ireland. Since its establishment on 31 July 1893, the members of the Conradh have been active in promoting the Irish language in all aspects of life in the country, from legal and educational matters to the development of Irish language media and services.

Conradh na Gaeilge has been selected by Foras na Gaeilge, the all-island body representing both Governments north and south to promote the Irish language, as one of the six lead organisations they fund to develop the Irish language on the island of Ireland. Primarily, Conradh na Gaeilge looks after language protection, representation and awareness raising for the Irish language. Conradh na Gaeilge has 180 branches and many individual members, and all members of the Conradh work hard and diligently to promote the use of Irish in their areas. Further info on the work of the Conradh is available at www.cnag.ie.

INTREOIR

Cuireann Conradh na Gaeilge fáilte roimh an deis seo aighneacht a chur faoi bhráid an Chomhchoiste um Thithíocht, Rialtas Áitiúil agus Oidhreacht maidir leis an ngrinnscrúdú réamhrechtach den *Dréacht-Bhille um Phleanáil agus Fhorbairt 2023*.

Tá tábhacht nach beag ag an mBille seo do chaomhnú, do chosaint agus do chur chun cinn na Gaeilge agus na Gaeltachta. Tá dul chun cinn (píosa ar píosa, ach dul chun cinn suntasach) déanta le blianta beaga anuas ar an aitheantas agus ar an gcosaint a thugann polasaithe agus

Conradh na Gaeilge welcomes the opportunity to make this submission before the Comhchoiste um Thithíocht, Rialtas Áitiúil agus Oidhreacht regarding the pre-legislative scrutiny of the *Dréacht-Bhille um Phleanáil agus Fhorbairt 2023*.

This Bill is of huge importance to the conservation, the protection and the promotion of an Ghaeilge and an Ghaeltacht. Progress (in a piece-meal manner, but significant progress) has been made over the last number of years on the recognition and protection that government

reachtaíocht an rialtais don Ghaeilge agus don Ghaeltacht i gcomhthéacs pleanála agus forbartha. Faraor, is céim chun siar ó thaobh na Gaeilge agus na Gaeltachta de atá sa Bhille seo mar atá faoi láthair, i gcomparáid leis an reachtaíocht reatha. Ba dhearmad ollmhór é dá n-achtófaí an Bille seo le forálacha Gaeilge agus Gaeltachta (nó easpa forálacha, mar a tharlaíonn sé) níos laige agus níos easnamhaí ná an méid atá bainte amach go dtí seo. Tá deis sa *Bhille um Phleanáil agus Fhorbairt 2023* an dul chun cinn agus an obair atá déanta le tréimhse anuas a chomhtháthú agus a neartú le forálacha níos láidre i ndáil le cosaint teanga, i gcomhréir leis an *Straitéis 20 Bliain don Ghaeilge* agus an próiseas pleanála teanga faoi *Acht na Gaeltachta 2012*.

Tabharfaidh an aighneacht seo léiriú ar an staid sochtheangeolaíochta reatha sa Ghaeltacht agus tionchar na pleanála agus na forbartha uirthi, an reachtaíocht reatha i gcomhthéacs na teanga, an próiseas pleanála teanga, agus na príomhmholtaí atá ag Conradh na Gaeilge don Bhille.

Ceanglaítear in AGUISÍN A liosta cuimsitheach de na leasuithe atá á moladh againn.

legislation and policies give to an Ghaeilge and an Ghaeltacht in the context of planning and development. Unfortunately, this Bill as it stands is a step backwards in comparison to the current legislation. It would be a grave mistake if this Bill was enacted with provisions (or lack thereof, as the case may be) which are weaker and more deficient than those that have been achieved so far. The *Bille um Phleanáil agus Fhorbairt 2023* provides an opportunity to integrate and strengthen the progress made and work done in recent years regarding language protection, in alignment with the *Straitéis 20 Bliain don Ghaeilge* and the language planning process under *Acht na Gaeltachta 2012*.

This submission will outline the current sociolinguistic situation sa Ghaeltacht and the effects of planning and development there, the current legislation in the context of the language, the language planning process, and Conradh na Gaeilge's main recommendations for amendments to the Bill.

A comprehensive list of all recommended amendments is attached in AUISÍN A.

COMHTHÉACS SOCHTHEANGEOLAÍOCHTA

Feictear sna figiúirí Daonáirimh is déanaí a bhfuil teacht orthu, Daonáireamh 2016, go bhfuil creimeadh leanúnach ag tarlú do labhairt na Gaeilge sa Ghaeltacht:

Tuairiscíodh i nDaonáireamh 2016 go raibh Gaeilge labhartha ag 66.3% de na daoine a raibh cónaí orthu i Limistéir Ghaeltachta an bhliain sin. As na daoine a raibh Gaeilge acu sna limistéir Ghaeltachta i 2016, ba chainteoirí laethúla iad 20,586 duine. Is ionann é seo agus laghdú 11.2% ar líon na gcainteoirí laethúla a bhí sa Ghaeltacht i nDaonáireamh 2011 (23,175).¹

Tá eolas beacht ar leochaileacht na gceantar

The latest available census figures, Census 2016, show that spoken Irish is being steadily eroded in sa Ghaeltacht:

Census 2016 reported that 66.3% of the people living in a Limistéir Gaeltachta that year had spoken Irish. Of the people in the limistéir Ghaeltachta in 2016, 20,586 of them were daily speakers of the language. This amounts to an 11.2% fall in the number of daily speakers that were in sa Ghaeltacht in Census 2011 (23,175).

There is precise information on the vulnerability

¹ An Phríomh-Oifig Staidrimh, Daonáireamh 2011, 'Cainteoirí Gaeilge' ([ar fáil ag an nasc seo](#))

Gaeltachta ar fáil sa *Staidéar Cuimsitheach Teangeolaíoch ar Úsáid na Gaeilge sa Ghaeltacht* (SCT) a d'ullmhaigh Acadamh na hOllscolaíochta Gaeilge, Ollscoil na hÉireann Gaillimh, i gcomhar leis an Institiúid Náisiúnta um Anailís Réigiúnach agus Spásúil Ollscoil na hÉireann, Má Nuad, sa bhliain 2007.² Rinneadh nuashonrú ar an SCT sa bhliain 2015, mar a tuairiscíodh 'go bhfuil an creimeadh atá á dhéanamh ar bhonn sóisialta na Gaeilge sa Ghaeltacht ag titim amach ag ráta níos tapúla ná mar a bhí á thuar san SCT.'³ Léiríodh go lom 'nach bhfuil an Ghaeltacht, mar atá sí, inmharthana, más pobal urlabhra Gaeilge a shamhlaítear leis an nGaeltacht.'⁴

Tá tionchar suntasach le himirt ag cúrsaí pleanála agus forbartha ar an inmharthanacht seo. Bíonn deacrachtaí móra ag daoine áitiúla cead pleanála a fháil chun a dtithe féin a thógaint sa Ghaeltacht. Tá praghas na dtithe atá ar díol á mbrú in airde i gcónaí, go hiondúil toisc go mbíonn an-éileamh orthu ó phobail lasmuigh den Ghaeltacht – a fhágann nach bhfuil sé d'acmhainn ag muintir na háite na tithe atá ar fáil a cheannach. Go minic, ceannaítear na tithe sin ar mhaithe le tithe saoire – a fhágann go mbíonn siad folamh, don chuid is mó, ó cheann ceann na bliana, agus nuair atá daoine iontu, ní hí an Ghaeilge teanga an tí. Ceal polasáí náisiúnta do thithíocht sa Ghaeltacht, ceal srian ar fhorbairtí sa Ghaeltacht gan choinníollacha teanga, ceal forálacha láidre sa Bhille seo, leanfar leis an gcreimeadh ar an nGaeilge sa Ghaeltacht ar bhonn sistéamach.

of Gaeltacht areas in the *Staidéar Cuimsitheach Teangeolaíoch ar Úsáid na Gaeilge sa Ghaeltacht* (SCT), prepared by Acadamh na hOllscolaíochta Gaeilge, Ollscoil na hÉireann Gaillimh with the National Institute for Spatial and Regional Analysis, Ollscoil na hÉireann, Má Nuad, in 2007. The SCT was updated in 2015, where it was shown that 'the erosion happening to the social basis of an Ghaeilge sa Ghaeltacht is happening at a quicker rate than was predicted in the SCT.' It was starkly shown that 'an Ghaeltacht, as she is, is not viable, if an Irish speaking community is what is imagined with an Ghaeltacht.'

Planning and development matters have a significant role to play on this viability. Local people have huge difficulty getting planning permission to build their own houses sa Ghaeltacht. The price of houses for sale are being increased continuously, often due to the high demand for them from communities outside of an Ghaeltacht – which means that the local community don't have the resources to buy the houses that are available for sale. Often, these houses are bought as holiday homes – which means that they are empty, for the most part, from one end of the year to the other, and where there are people in them, an Ghaeilge is not the language of the house. Without a national policy for housing sa Ghaeltacht, without a limit on developments sa Ghaeltacht that don't have language conditions imposed on them, without strong provisions in this Bille, the erosion of an Ghaeilge sa Ghaeltacht will continue on a systemic level.

² Acadamh na hOllscolaíochta Gaeilge, Ollscoil na hÉireann Gaillimh, i gcomhar leis an Institiúid Náisiúnta um Anailís Réigiúnach agus Spásúil Ollscoil na hÉireann, Má Nuad, *Staidéar Cuimsitheach Teangeolaíoch ar Úsáid na Gaeilge sa Ghaeltacht*, 2007 ([ar fáil ag an nasc seo](#))

³ Ollscoil na hÉireann, Gaillimh i gcomhar leis an Institiúid Náisiúnta um Anailís Réigiúnach agus Spásúil Ollscoil na hÉireann, Má Nuad, *Nuashonrú ar an Staidéar Cuimsitheach Teangeolaíoch ar Úsáid na Gaeilge sa Ghaeltacht: 2006 –2011*, 2015 lch 6 ([ar fáil ag an nasc seo](#))

⁴ Feic fonóta 4, lch 7

REACHTAÍOCHT REATHA: AN TACHT UM PLEANÁIL AGUS FORBAIRT 2000

Faoin *Acht um Pleanáil agus Forbairt 2000*, (an Príomh-Acht) mar atá leasaithe, déantar ‘oidhreacht teanga agus chultúrtha na Gaeltachta’ a chosaint le forálacha éagsúla ag leibhéil éagsúla:

Under the *Acht um Pleanáil agus Forbairt 2000* (an Príomh-Acht), as amended, the ‘linguistic and cultural heritage of the Gaeltacht’ is protected with various provisions at various levels:

Straitéis Réigiúnach Spásúil agus Eacnamaíoch / Regional Spatial and Economic Strategies

23.(7)(b) *Le linn treoirínite pleanála réigiúnacha a fhearfaidh ar an nGaeltacht a dhéanamh, beidh aird ag an tionól réigiúnach ar an ngá atá ann oidhreacht teanga agus chultúrtha na Gaeltachta a chosaint. / When making a regional spatial and economic strategy which affects the Gaeltacht, the regional assembly shall have regard to the need to protect the linguistic and cultural heritage of the Gaeltacht.*

Pleananna Forbartha

1. Foráiltear le halt 10 den Phríomh-Acht, mar atá leasaithe, mar seo a leanas:

10.(2) *Gan dochar do ghinearáltacht fho-alt (1), folóidh plean forbartha cuspóirí maidir leis na nithe seo a leanas—/ Without prejudice to the generality of subsection (1), a development plan shall include objectives for—*

(m) *oidhreacht teanga agus chultúrtha na Gaeltachta a chosaint, lena n-áirítear an Ghaeilge a chur chun cinn mar theanga an phobail, i gcás ina mbeidh limistéar Gaeltachta i limistéar an phlean forbartha. / the protection of the linguistic and cultural heritage of the Gaeltacht including the promotion of Irish as the community language, where there is a Gaeltacht area in the area of the development plan*

2. De bhun alt 28 den Phríomh-Acht, mar atá leasaithe, is féidir leis an Aire treoirínite a eisiúint chuig údaráis phleanála maidir le haon cheann dá bhfeidhmeanna faoin bPríomh-Acht. Tá roinnt treoirínite glactha ag an Aire faoi alt 28, ina measc, Treoirínite Uimhir 15, *Development Plans: Guidelines for Planning Authorities*, mar a deirtear an méid seo a leanas faoin teideal ‘Mandatory Objective 12: Gaeltacht Areas’ maidir le forbairt i limistéir Ghaeltachta:

Development Plans

1. Section 10 of the Príomh-Acht as amended provides as follows:

2. Pursuant to section 28 of the Príomh-Acht as amended, the Minister can issue guidelines to the planning authorities regarding any of his functions under the Príomh-Acht. The Minister has issued several guidelines under section 28, including Guidelines No. 15, *Development Plans: Guidelines for Planning Authorities* where the following is said under the title ‘Mandatory Objective 12: Gaeltacht Areas’ regarding development sa Ghaeltacht:

Gaeltacht areas form a unique part of the Irish cultural and linguistic heritage. Development plans have a role to play in their protection and development. Policies to be considered for inclusion in a plan should ensure that:

- (i) *Development proposals in Gaeltacht areas have a positive impact on the linguistic and cultural heritage - some forms or scales of development may have to be discouraged;*⁵

Aithníonn **polasaí reatha an rialtais** maidir le pleananna forbartha gur gá a chinntiú go rachaidh an fhorbairt chun leasa oidhreacht teanga agus chultúir na Gaeltachta – agus gur gá cur in aghaidh forbairtí áirithe.

Current government policy in relation to development plans recognises the need that a development must have a positive impact on the linguistic and cultural heritage of an Ghaeltacht – and that certain developments ‘may have to be discouraged’ as a result

AN PHLEANÁIL TEANGA

Tugann **Acht na Gaeltachta 2012** feidhm don **Straitéis 20 Bliain don Ghaeilge 2010-2030**, agus leagtar amach san Acht struchtúr don phróiseas pleanála teanga. Is é an sprioc atá leis an bpróiseas pleanála teanga ná an Ghaeilge a láidriú mar theanga teaghlaigh agus mar theanga pobail. Tagann Pleananna Teanga ar bhonn reachtúil ó **Acht na Gaeltachta 2012**, agus is faoin Aire Gaeltachta a cheadaítear na Pleananna. Baineann an próiseas pleanála teanga le Limistéir Phleanála Teanga (LPT) Ghaeltachta, le Bailte Seirbhíse Gaeltachta (BSG), agus le Líonraí Gaeilge araon.

Ní raibh an próiseas pleanála teanga ar an bhfód nuair a achtaíodh an *tAcht um Pleanáil agus Forbairt 2000*, mar sin níl tagairtí sonracha do phleananna teanga sna forálacha reatha maidir leis an nGaeltacht. Anois, tá na pleananna teanga ceadaithe do gach uile LPT Gaeltachta agus d’fhorhmór na mBailte Seirbhíse Gaeltachta,⁶ agus tá 5 Líonra ag feidhmiú ar an oileán (ceann amháin acu ó thuaidh).⁷ Tá na blianta caite ag na pobail éagsúla ag ullmhú na bpleananna seo, agus tá Oifig Phleanála Teanga agus coistí deonacha ag obair go dian ar an talamh chun na pleananna céanna a chur i bhfeidhm chun an

Acht na Gaeltachta 2012 gives statutory footing to the **Straitéis 20 Bliain don Ghaeilge 2010-2030**, and the Act sets out the structure for the language planning process. The objective of the language planning process is to strengthen an Ghaeilge as a family language and as a community language. Language Plans come on a statutory basis from **Acht na Gaeltachta 2012**, and are allowed by an tAire Gaeltachta. The language planning process includes Limistéir Phleanála Teanga (LPT) Ghaeltachta, Bailte Seirbhíse Gaeltachta (BSG), and Líonraí Gaeilge.

The language planning process had not been established when an *tAcht um Pleanáil agus Forbairt 2000* was enacted, therefore the current provisions relating to an Ghaeltacht do not make specific reference to the language plans. Now, however, language plans have been allowed for every single LPT Gaeltachta and the majority of the Bailte Seirbhíse Gaeltachta, and there are 5 Líonraí functioning on the island (one in the north). The various communities have spent years preparing these plans, and Oifig Phleanála Teanga and voluntary committees are working very hard on the ground to implement

⁵ Treoirlínte Uimhir 15, *Development Plans: Guidelines for Planning Authorities 2007*

⁶ Eolas ar fáil ó Údarás na Gaeltachta maidir leis na [LPT Gaeltachta](#) agus [BSG sa Ghaeltacht](#). Eolas ar fáil ó Foras na Gaeilge maidir leis [na BSG lasmuigh den Ghaeltacht](#).

⁷ Eolas ar fáil ó Foras na Gaeilge maidir leis na [Líonraí](#)

Ghaeilge a neartú ina bpobail. Ba bhocht an scéal é mura dtugtar aitheantas, tacaíocht agus cosaint do na pleananna teanga nuair a achtófar an Bille seo. Ní hamháin go ndéanfadh sé beag den obair atá ar bun, ach mar atá, rachadh sé i gcoinne na mbeartas atá sa *Straitéis 20 Bliain don Ghaeilge 2010-2030* agus na forálacha in *Acht na Gaeltachta 2012* do chur chun cinn na teanga. Tá moltaí ag Conradh na Gaeilge chun an Bille a thabhairt i gcomhréir le *hAcht na Gaeltachta* agus leis an bpróiseas pleanála teanga.

those plans to strengthen an Ghaeilge in their communities. It would be a sorry state if the language plans are not given recognition, support and protection when this Bill is enacted. Not only would it belittle the work that is being done, but as it stands, the Bill goes against the policies of *Straitéis 20 Bliain don Ghaeilge 2010-2030* agus the provisions in *Acht na Gaeltachta 2012* for the promotion of the language. Conradh na Gaeilge has recommendations to bring the Bill in alignment with *Acht na Gaeltachta* and the language planning process.

PRÍOMH-MHOLTAÍ

Tá liosta cuimsitheach de na leasuithe molta ceangailte in AUGISÍN A, ach tabharfar breac-chuntas anseo ar na príomh-mholtaí atá againn.

A comprehensive list of our recommended amendments is attached in AUGISÍN A, but there is a brief account of our main recommendations given here.

CREAT NÁISIÚNTA PLEANÁLA

Mar a léiríodh thuas, tá treoirínite an Aire de bhun alt 28 den Phríomh-Acht reatha an-láidir maidir leis an nGaeltacht, ach níl siad á gcur i bhfeidhm sna pleananna forbartha. Tá difríochtaí suntasacha i bpolasaithe idir na húdarais áitiúla maidir le tithíocht sna pobail Ghaeltachta. Tá gá le foráil a chuireann an Ghaeilge agus an Ghaeltacht san áireamh sa Chreat Náisiúnta Pleanála agus a leagan amach cuspóir sonracha ina dtaobh, ionas nach féidir neamh-aird a dhéanamh ar na dualgais ag leibhéal reigiúnach nó áitiúil:

NATIONAL PLANNING FRAMEWORK

As demonstrated above, the Minister's guidelines pursuant to section 28 of the current Acht are very strong in relation to an Ghaeltacht, but they are not being implemented in the development plans. There are significant differences in policy between the local authorities in relation to housing in Gaeltacht communities. A provision which includes an Ghaeilge and an Ghaeltacht in the National Planning Framework and sets out specific objectives on the matter is necessary so that responsibilities cannot be ignored at regional or local level:

18.(1) (c) tacú le cur i bhfeidhm pleananna teanga i Limistéir Phleanála Teanga Ghaeltachta, i mBailte Seirbhíse Gaeltachta agus i Líonraí Gaeilge, de bhun Acht na Gaeltachta 2012 / supporting the implementation of language plans in Limistéir Phleanála Teanga Ghaeltachta, in Bailte Seirbhíse Gaeltachta and in Líonraí Gaeilge, pursuant to Acht na Gaeltachta 2012; ...

18.(2) (f) oidhreacht teanga agus chultúrtha phobal na Gaeilge agus na Gaeltachta a chosaint, lena n-áirítear an Ghaeilge a chur chun cinn mar theanga an phobail, go sonracha trí thacú le cur i bhfeidhm pleananna teanga i Limistéir Phleanála Teanga Ghaeltachta, i mBailte Seirbhíse Gaeltachta agus i Líonraí Gaeilge, de bhun Acht na Gaeltachta 2012 / protection of the linguistic and cultural heritage of Irish language and Gaeltacht communities including the promotion of Irish as the community

language, specifically by supporting the implementation of language plans in Limistéir Phleanála Teanga Ghaeltachta, in Bailte Seirbhíse Gaeltachta and in Lónraí Gaeilge, pursuant to Acht na Gaeltachta 2012.

Maidir leis na ‘policies and proposals’ atá le bheith sa Chreat Náisiúnta Pleanála, **tá éileamh déanta ag Conradh na Gaeilge cheana féin go mbeadh Polasaí Náisiúnta don Phleanáil Tithíochta sa Ghaeltacht curtha le chéile ag an rialtas.** Tá Dréacht-Pholasaí⁸ curtha le chéile againn, leis na moltaí seo a leanas san áireamh:

1. Go ndéanfar measúnú tionchair teanga neamhspleách

Molaimid go mbeadh gá le measúnacht tionchar teanga neamhspleách i gcás gach tí atá beartaithe (seachas teach do dhuine arb as an toghroinn Ghaeltachta sin ó dhúchas iad) agus i gcás gach saghas forbartha beartaithe eile i gceantar Gaeltachta.

Is gá gur **cainteoir Gaeilge neamhspleách atá cáilithe sa phleanáil teanga** a chuirfeadh le chéile í agus go **gcruthódh an mheasúnacht sin go rachadh an fhorbairt sin chun socair labhairt na Gaeilge go háitiúil nó ní thacófar leis an bhforbairt sin.** Molaimid caighdeán agus treoirlínte náisiúnta maidir le Ráitis Tionchar Teanga a thabhairt isteach, a léireoidh conas iad a ullmhú, conas iad a mheas agus conas athbhreithniú a dhéanamh orthu. Tá foirm shamplach do mheasúnacht tionchair teanga ullmhaithe ag Conradh na Gaeilge, agus ceangailte in AUIGISÍN B.

Ní mholaimid, áfach, go gcuirfeadh coinníollacha teanga isteach ar dhaoine a dhéanann iarratas ar chead pleanála chun teach a thógáil sa toghroinn Ghaeltachta arb aisti ó dhúchas iad ach go mbeadh an gnáthshrian ar an teach sin a dhíol ar aghaidh mar a bhaineann le tithe faoin tuath.

In relation to the ‘policies and proposals’ that are to be included in the National Planning Framework, **Conradh na Gaeilge has previously, and continues to, call on the government to establish a National Policy for Housing Planning sa Ghaeltacht.** We have put together a Draft-Policy, with the following recommendations included:

1. That an independent language impact assessment be carried out

We recommend that an independent language impact assessment would be needed in the case of every proposed house, except a house for person who is a native of that Gaeltacht electoral division, and every other type of proposed development in a Gaeltacht area.

This must be compiled by **an independent Irish speaker, with a qualification in language planning, and this assessment must prove that this development would benefit the speaking of Irish locally or such development will not be supported.** We recommend that national standards and guidelines for Language Impact Assessments be brought in, that demonstrate how to prepare them, how to assess them, and how to review them. An sample form for language impact assessment prepared by Conradh na Gaeilge is attached in AUIGISÍN B.

We do not, however, recommend that language conditions infringe upon people who make an application for planning permission to build a house in the Gaeltacht electoral division of which they are natives but that the usual restriction would apply to selling on that house as pertains to houses in the countryside.

⁸ Conradh na Gaeilge, *Moltaí do Pholasaí Náisiúnta don Phleanáil Tithíochta*, ([ar fáil ag an nasc seo](#))

2. Go mbeidh caighdeán TEG B2 Gaeilge ag an duine ag long cead pleanála

Molaimid inniúlacht ag TEG B2⁹ nó níos airde sa Ghaeilge labhartha mar chaighdeán inghlactha do dhaoine ó lasmuigh den toghroinn Ghaeltachta. Tá glactha le híoschaighdeán TEG B2 mar riachtanas go forleathan ó achtaíodh *Acht na dTeangacha Oifigiúla (Leasú) 2021*.

Ní mholaimid go mbeadh gá do dhaoine arb as an toghroinn Ghaeltachta ó dhúchas iad cumas Gaeilge a léiriú maidir le hiarratas pleanála sa toghroinn sin.

3. Go mbeidh srianta ar eastáit tithíochta agus ar thithe saoire

Molaimid go gcaithfí a chruthú go gcuirfeadh an t-eastát go mór le cur chun cinn na Gaeilge mar phríomhtheanga an phobail, .i. go mbeadh an Ghaeilge á labhairt mar theanga an tí i mbreis is 90% de thithe in eastát tithíochta i limistéir Ghaeltachta i gcatagóirí A agus B agus ag 35% de na tithe i limistéir Ghaeltachta i gcatagóir C.

Molaimid go gcuirfear srian ar aonad a dhíol ar aghaidh ach le cainteoir Gaeilge, srian a sheasfadh ar feadh 15 bliain ar a laghad agus a choiscfeadh an teach a ligean go fad téarmach (níos faide ná 3 mhí in aon bhliain amháin) ach amháin le cainteoirí Gaeilge.

Molaimid go gcuirfear cosc ar ró-fhorbairt tithe saoire chun a chinntiú nach mbeidh níos mó ná 10% de na tithe in aon toghroinn Ghaeltachta ar leith ina dtithe saoire. Má tá níos mó ná 10% de na tithe in aon toghroinn Ghaeltachta ar leith ina dtithe saoire, nach bhfaighfí cead pleanála i gcomhair a thuilleadh tithe saoire ann.

4. Go mbeidh tithe sóisialta ar fáil do phobal na Gaeltachta

2. That the person seeking planning permission has TEG B2 standard of Gaeilge

We recommend competence at TEG B2 or higher in spoken Irish as an acceptable standard for people from outside the Gaeltacht electoral division. TEG B2 is widely accepted as the minimum required standard since the enactment of *Acht na dTeangacha Oifigiúla (Leasú) 2021*.

People who are natives of the Gaeltacht electoral division *need not* demonstrate an ability in Irish in relation to a planning application in that electoral division.

3. That there be restrictions on housing estates and on holiday homes

We recommend that it would need to be proven that the estate would greatly enhance the promotion of Irish as the main language of the community, i.e. that Irish would be the language spoken at home in more than 90% of the houses in a housing estate in category A and B Gaeltacht districts and in 35% of the houses in category C Gaeltacht districts.

We recommend that a restriction be placed on the sale of a unit to anyone other than an Irish speaker, a restriction that would last for 15 years at least and that would prevent the house from being let out long-term (longer than 3 months in any one year) to anyone other than an Irish speaker.

We recommend that the overdevelopment of holiday homes be prevented to ensure that no more than 10% of the houses in any particular Gaeltacht electoral division are holiday homes. If more than 10% of the houses in any particular Gaeltacht electoral division are holiday homes, planning permission for further holiday homes should not be obtained.

4. That social houses be provided for Gaeltacht communities

⁹ Feic Teastas Eorpach na Gaeilge, Ollscoil Mhá Nuad ag TEG.ie

Tá géar-gá le polasaí rialtais maidir le soláthar tithe sóisialta sa Ghaeltacht. Níl treoir ar bith ann faoi láthair do na húdaráis phleanála chun teacht ar réiteach do riachtanais tithíochta agus riachtanais teanga i gcás tithe sóisialta sa Ghaeltacht – deacracht atá tagtha chun cinn le déanaí le oll-fhorbairt bheartaithe i nDaingean Uí Chúis,¹⁰ agus a thiocfaidh chun cinn arís níos minice as seo amach.

5. Go dtiocfaidh an phleanáil fhisiciúil i gcomhréir leis an bpleanáil teanga

RÁITEAS NÁISIÚNTA PLEANÁLA

Seasann an argóint chéanna maidir leis an gCreat Náisiúnta Pleanála don Ráiteas Náisiúnta Pleanála – agus Ráiteas Náisiúnta Pleanála á eisiúint ag an Aire de bhun alt 23 den Dréacht-Bhille, is gá go mbeadh an Ghaeilge agus an phleanáil teanga san áireamh ag leibhéal polasaí náisiúnta ionas go dtabharfar treoir náisiúnta do na húdaráis phleanála:

Government policy is urgently needed regarding the supply of social housing sa Ghaeltacht. There is currently no guidance at all for the planning authorities to make decisions around housing needs and language needs when it comes to social housing sa Ghaeltacht – a difficulty that has come to the fore recently for a proposed major development i nDaingean Uí Chúis, and which will come to the fore more often in the future.

5. That physical planning be done in tandem with language planning

NATIONAL PLANNING STATEMENT

The same argument stands for the National Planning Statement as the National Planning Framework – where the Minister is issuing a statement pursuant to section 23 of the Draft-Bille, an Ghaeilge and language planning must be included at a national policy level to provide guidance to the planning authorities:

24.(1) (g) oidhreacht teanga agus chultúrtha phobal na Gaeilge agus na Gaeltachta a chosaint, lena n-áirítear an Ghaeilge a chur chun cinn mar theanga an phobail, go sonrach trí thacú le cur i bhfeidhm pleananna teanga i Limistéir Phleanála Teanga Ghaeltachta, i mBailte Seirbhíse Gaeltachta agus i Líonraí Gaeilge, de bhun Acht na Gaeltachta 2012 / the protection of the linguistic and cultural heritage of Irish language and Gaeltacht communities, including the promotion of Irish as the community language, specifically by supporting the implementation of language plans in Limistéir Phleanála Teanga Ghaeltachta, in Bailte Seirbhíse Gaeltachta and in Líonraí Gaeilge, pursuant to Acht na Gaeltachta 2012; ...

STRAITÉIS RÉIGIÚNACH SPÁSÚIL AGUS EACNAMÍOCH

De bhun alt 23.(7)(b) den Acht reatha, beidh aird ag an tionól réigiúnach ‘ar an ngá atá ann oidhreacht teanga agus chultúrtha na Gaeltachta a chosaint’ agus straitéisí réigiúnacha á ndearadh acu. Níl foráil ar bith dá leithéid sa Dréacht-Bhille seo:

REGIONAL SPATIAL AND ECONOMIC STRATEGY

Pursuant to section 23.(7)(b) of the current Act, the regional assembly ‘shall have regard to the need to protect the linguistic and cultural heritage of the Gaeltacht.’ There is no such provision in the Draft-Bill:

¹⁰ An Bord Pleanála, Uimhir Thagartha PL08.315615 ([ar fáil ag an nasc seo](#))

27.(5) (d) i gcás Limistéar Pleanála Teanga, Baile Seirbhíse Gaeltachta nó Lónra Gaeilge a bheith sa réigiún, aon Phlean Teanga ábhartha a aontaíodh de bhun Acht na Gaeltachta 2012 / where the region includes a Limistéar Pleanála Teanga, a Baile Seirbhíse Gaeltachta or a Lónra Gaeilge, any relevant Language Plan agreed pursuant to Acht na Gaeltachta 2012

28.(1) (e) i gcás Limistéar Pleanála Teanga, Baile Seirbhíse Gaeltachta nó Lónra Gaeilge a bheith sa réigiún, straitéis i ndáil le cur chun cinn agus úsáid na Gaeilge mar theanga an phobail i gcomhréir le haon Phlean Teanga ábhartha a aontaíodh de bhun Acht na Gaeltachta 2012 / where the region includes a Limistéar Pleanála Teanga, a Baile Seirbhíse Gaeltachta or a Lónra Gaeilge, a strategy relating to the promotion and use of Irish as a language of the community consistent with any relevant Language Plan agreed pursuant to Acht na Gaeltachta 2012,

30.(1)(b) (IV) i gcás Limistéar Pleanála Teanga, Baile Seirbhíse Gaeltachta nó Lónra Gaeilge a bheith sa réigiún, Roinn na Gaeltachta, Údarás na Gaeltachta nó Foras na Gaeilge, de réir mar is cuí / where the region includes a Limistéar Pleanála Teanga, a Baile Seirbhíse Gaeltachta or a Lónra Gaeilge Roinn na Gaeltachta, Údarás na Gaeltachta or Foras na Gaeilge, as appropriate,

31(2)(b)(iv) i gcás straitéis réigiúnach spásúil agus eacnamaíoch a fhearfaidh ar Limistéir Phleanála Teanga Ghaeltachta, ar Bhailte Seirbhíse Gaeltachta agus ar Lónraí Gaeilge, an gá le hoidhreacht teanga agus chultúrtha phobal na Gaeilge agus na Gaeltachta a chosaint, lena n-áirítear an Ghaeilge a chur chun cinn mar theanga an phobail, go sonrach trí thacú le cur i bhfeidhm pleananna teanga de bhun Acht na Gaeltachta 2012 / where a regional spatial and economic strategy affects a Limistéir Phleanála Teanga Ghaeltachta, a Baile Seirbhíse Gaeltachta a Lónra Gaeilge, the need to protect the linguistic and cultural heritage of Irish language and Gaeltacht communities, including the promotion of Irish as the community language, specifically by supporting the implementation of language plans pursuant to Acht na Gaeltachta 2012

PLEANANNA FORBARTHA

De bhun alt 10(2)(m) den Acht reatha, tá dualgas reachtúil ar údarás áitiúil a bhfuil limistéar Gaeltachta faoina chúram aige cuspóirí sonracha a bheith san áireamh ina Phlean Forbartha chun an teanga a chosaint ag leibhéal an phobail. Níl tagairt ar bith don Ghaeilge ná don Ghaeltacht i bhforálacha maidir le comhdhéanamh na bPleananna Forbartha sa Bhille seo:

DEVELOPMENT PLANS

Pursuant to section 10(2)(m) of the current Act, local authorities which have a Gaeltacht area in their functional area to which the Development Plan relates have a legislative obligation to include specific objectives to protect the language at community level. There is no reference to an Ghaeilge or to an Ghaeltacht in the provisions regarding the contents of Development Plans in this Bill:

41.(8)(b) (iii) i gcás Limistéar Pleanála Teanga, Baile Seirbhíse Gaeltachta nó Lónra Gaeilge a bheith i limistéar feidhme an údaráis phleanála, aon Phlean Teanga ábhartha a aontaíodh de bhun Acht na Gaeltachta 2012, / where the planning authority's functional area includes a Limistéar Pleanála Teanga, a Baile Seirbhíse Gaeltachta or a Lónra Gaeilge, any relevant Language Plan agreed pursuant to Acht na Gaeltachta 2012, ...

Dualgas ar an údarás pleanála straitéisí éagsúla a fhorbairt faoin bPlean Forbartha: / Obligation on planning authorities to develop various strategies under the Development Plan:

42(3) i gcás Limistéar Pleanála Teanga, Baile Seirbhíse Gaeltachta nó Lónra Gaeilge a bheith sa limistéar feidhme lena mbaineann an plean forbartha, forbairt a rialú, lena n-áirítear polasaithe agus caighdeáin bhainistíocht forbartha a rianú, chun críocha oidhreacht teanga agus chultúrtha phobal na Gaeilge agus na Gaeltachta a chosaint, lena n-áirítear an Ghaeilge a chur chun chinn mar theanga an phobail / where the functional area to which the development plan relates includes a Limistéar Pleanála Teanga, a Baile Seirbhíse Gaeltachta or a Lónra Gaeilge, the regulation of development, including the setting of appropriate development management policies and standards, for the purposes of protecting the linguistic and cultural heritage of Irish language and Gaeltacht communities, including the promotion of Irish as the community language;

45(3) (h) i gcás Limistéar Pleanála Teanga, Baile Seirbhíse Gaeltachta nó Lónra Gaeilge a bheith sa limistéar feidhme lena mbaineann an plean forbartha, spriocanna daonra agus tithíochta sna limistéir sin chun críocha oidhreacht teanga agus chultúrtha phobal na Gaeilge agus na Gaeltachta a chosaint, lena n-áirítear an Ghaeilge a chur chun chinn mar theanga an phobail / where the functional area to which the development plan relates includes a Limistéar Pleanála Teanga, a Baile Seirbhíse Gaeltachta or a Lónra Gaeilge, population and housing objectives for those areas for the purposes of protecting the linguistic and cultural heritage of Irish language and Gaeltacht communities, including the promotion of Irish as the community language;

48(2) (b) i gcás Limistéar Pleanála Teanga, Baile Seirbhíse Gaeltachta nó Lónra Gaeilge a bheith sa limistéar feidhme lena mbaineann an plean forbartha, oidhreacht teanga agus chultúrtha phobal na Gaeilge agus na Gaeltachta a chosaint, lena n-áirítear an Ghaeilge a chur chun chinn mar theanga an phobail / where the functional area to which the development plan relates includes a Limistéar Pleanála Teanga, a Baile Seirbhíse Gaeltachta or a Lónra Gaeilge, the protection the linguistic and cultural heritage of Irish language and Gaeltacht communities, including the promotion of Irish as the community language;

PLEANANNA LIMISTÉIR UIRBEACH AGUS PLEANANNA LIMISTÉIR TOSAÍOCHTA / COMH-PHEANANNA LIMISTÉIR / URBAN AREA PLANS AND PRIORITY AREA PLANS / JOINT AREA PLANS

68(2) (f) i gcás Limistéar Pleanála Teanga, Baile Seirbhíse Gaeltachta nó Lónra Gaeilge a bheith ar áireamh sa lonnaíocht nó cuid den lonnaíocht lena mbaineann an plean beartaithe, aon Phean Teanga ábhartha a aontaíodh de bhun Acht na Gaeltachta 2012 / where the settlement or part of the settlement to which the proposed plan relates includes a Limistéar Pleanála Teanga, a Baile Seirbhíse Gaeltachta or a Lónra Gaeilge, any relevant Language Plan agreed pursuant to Acht na Gaeltachta 2012.

69(2) (f) i gcás Limistéar Pleanála Teanga, Baile Seirbhíse Gaeltachta nó Lónra Gaeilge a bheith ar áireamh sa lonnaíocht nó cuid den lonnaíocht lena mbaineann an plean beartaithe, aon Phean Teanga ábhartha a aontaíodh de bhun Acht na Gaeltachta 2012 / where the settlement or part of the settlement to which the proposed plan relates includes a Limistéar Pleanála Teanga, a Baile Seirbhíse Gaeltachta or a Lónra Gaeilge, any relevant Language Plan agreed pursuant to Acht na Gaeltachta 2012.

70(2) (g) i gcás Limistéar Pleanála Teanga, Baile Seirbhíse Gaeltachta nó Lónra Gaeilge a bheith ar áireamh sa lonnaíocht nó cuid den lonnaíocht lena mbaineann an plean beartaithe, aon Phlean Teanga ábhartha a aontaíodh de bhun Acht na Gaeltachta 2012 / where the settlement or part of the settlement to which the proposed plan relates includes a Limistéar Pleanála Teanga, a Baile Seirbhíse Gaeltachta or a Lónra Gaeilge, any relevant Language Plan agreed pursuant to Acht na Gaeltachta 2012.

DUALGAIS AR ÚDARÁS PLEANÁLA AGUS AR AN GCOIMISIÚN / OBLIGATION ON PLANNING AUTHORITY AND ON THE COMMISSION

82(1)(c) i gcás forbartha nó forbartha beartaithe a bhaineann le talamh lonnaithe ina hiomláine nó i bpáirt, i Limistéar Pleanála Teanga, i mBaile Seirbhíse Gaeltachta nó i Lónra Gaeilge, tabharfar aird ar – / in the case of development or proposed development which relates to land, in whole or in part, situated in a Limistéar Pleanála Teanga, a Baile Seirbhíse Gaeltachta or a Lónra Gaeilge, have regard to –

(i) oidhreacht teanga agus chultúrtha phobal na Gaeilge agus na Gaeltachta a chosaint, lena n-áirítear an Ghaeilge a chur chun chinn mar theanga an phobail, / the protection of the linguistic and cultural heritage of Irish language and Gaeltacht communities including the promotion of Irish as the community language,

(ii) aon Phlean Teanga ábhartha a aontaíodh de bhun Acht na Gaeltachta 2012, agus / any relevant Language Plan agreed pursuant to Acht na Gaeltachta 2012, and

(iii) ráiteas tionchar teanga ullmhaithe ag saineolaí neamhspleách le cáilíocht chuí sa tsochtheangeolaíocht nó sa phleanáil teanga ar cheart go léireofaí ann go mbeidh tionchar dearfach ag forbairt bheartaithe ar chur chun cinn agus ar úsáid na Gaeilge mar theanga an phobail chun go dtacaófaí leis an bhforbairt / a language impact statement prepared by an independent expert suitably qualified in sociolinguistics or language planning which must demonstrate that a proposed development will have a positive impact upon the promotion and use of Irish as a language of the community in order for the development to be supported

AN COIMISIÚN PLEANÁLA

407(2) Cinnteoidh an tAire - / The Minister shall ensure that –

(a) gur daoine iad na Coimisinéirí Pleanála, a bhfuil, i dtuairim an Aire, taithí sásúil ar, nó meascán sásúil de thaithí agus eolas ar, seachadadh infreastruchtúir, tithíocht, pleanáil fhisiciúil, forbairt inbhuanaithe, ailtireacht, oidhreacht, an Ghaeilge, an Ghaeltacht, pleanáil teanga, gnóthaí pobail, gnóthaí sóisialta, dlí pleanála agus timpeallachta agus rialachas corparáideach, agus / the ordinary Planning Commissioners are persons who, in the opinion of the Minister, have satisfactory experience of, or a satisfactory mix of experience and knowledge of, infrastructure delivery, housing, physical planning, sustainable development, architecture, heritage, the Irish language, the Gaeltacht, language planning, community affairs, social affairs, planning and environmental law and corporate governance, and

407(2)(c) go bhfuil saineolas sa phleanáil teanga i gcomhthéacs Acht na Gaeltachta 2012 ag ar a laghad beirt Choimisinéirí Pleanála / that at least two ordinary Planning Commissioners have expertise in language planning in the context of Acht na Gaeltachta 2012

OIFIG AN RIALÁLAÍ PLEANÁLA / OFFICE OF THE PLANNING REGULATOR

433(4)(d) oidhreacht teanga agus chultúrtha phobal na Gaeilge agus na Gaeltachta a chosaint, lena n-áirítear an Ghaeilge a chur chun cinn mar theanga an phobail go sonrach trí thacú le cur i bhfeidhm pleananna teanga i Limistéir Phleanála Teanga Ghaeltachta, i mBailte Seirbhíse Gaeltachta agus i Líonraí Gaeilge, de bhun Acht na Gaeltachta 2012 / the protection of the linguistic and cultural heritage of Irish language and Gaeltacht communities including the promotion of Irish as the community language, specifically by supporting the implementation of language plans in Limistéir Phleanála Teanga Ghaeltachta, in Bailte Seirbhíse Gaeltachta and in Líonraí Gaeilge, pursuant to Acht na Gaeltachta 2012

Taighde, oideachas agus oiliúint / Research, education and training

435(1)(c) ról na n-údarás, na dtionól agus an Choimisiúin faoin Acht seo, i ndáil le tacú le cur i bhfeidhm pleananna teanga i Limistéir Phleanála Teanga Ghaeltachta, i mBailte Seirbhíse Gaeltachta agus i Líonraí Gaeilge, de bhun Acht na Gaeltachta 2012 / the role of such authorities, assemblies and the Commission under this Act, in respect of supporting the implementation of language plans in Limistéir Phleanála Ghaeltachta, in Bailte Seirbhíse Gaeltachta and in Líonraí Gaeilge pursuant to Acht na Gaeltachta 2012

CONCLÚID

Tá ról lárnach le himirt ag reachtaíocht phleanála agus fhorbartha ar chomhdhéanamh sochtheangeolaíochta sna LPT Ghaeltachta, sna Bailte Seirbhíse Gaeltachta agus sna Líonraí Gaeilge, agus d'fhéadfadh an Bille seo a bheith ar cheann de na Billí is cinniúnaí do thodhcaí na Gaeilge mar theanga labharta phobail le blianta.

Is gá imscrúdú géar a dhéanamh ar na forálacha sa Bhille seo, agus níos tábhachtaí fós, na forálacha atá in easnamh ón mBille seo, i ndáil le caomhnú, cosaint agus cur chun cinn na Gaeilge agus na Gaeltachta. Caitheann an reachtaíocht reatha níos fearr leis an teanga ná mar a chaitheann an Dréacht-Bhille seo agus tá deis á cailliúint dul chun cinn a dhéanamh. Molaimid go láidir go ndéantar na leasuithe thuas-luaite agus in AUGUISÍN A ar an mBille.

Tá Conradh na Gaeilge ar fáil i gcónaí le gné ar bith den aighneacht seo a phlé, agus ba bhreá linn teacht os comhair an Chomhchoiste chun amhlaidh a dhéanamh.

Planning and development legislation has a central role to play on the sociolinguistic make-up of the LPT Ghaeltachta, the Bailte Seirbhíse Gaeltachta, agus the Líonraí Gaeilge. This Bill could be one of the most decisive pieces of legislation in years for the future of an Ghaeilge as the spoken language of the community .

Close examination is needed of the provisions in this Bill, and more importantly, the provisions that are missing, regarding the preservation, the protection and the promotion of an Ghaeilge and an Ghaeltacht. The current legislation treats the language much more favourably than this Draft-Bill, and an opportunity for progress is being missed. We strongly recommend that the above-mentioned amendments and those in AUGUISÍN A be implemented.

Conradh na Gaeilge are available to discuss any element of this submission, and we wish to come before the Comhchoiste to do so.