

Consultation on Policy Proposal for Section 9 Review of Decisions - Islands (Scotland) Act 2018

Thank you for giving us the opportunity to feedback on this paper.

Before addressing the specific question raised in the consultation, we have two general points to make in relation to the paper.

1. It was unclear to us whether a Gaelic version of this paper was available. We are of the view and in support of delivering the Scottish Government's Gaelic Language Plan 2016-21, that all publications linked to the Island Act should be available in Gaelic and that you will pro-actively encourage people to undertake the review process through the medium of Gaelic.
2. We felt that the language in the paper was overly complicated and that a simplified version should be prepared, once the process has been agreed.

The definition in the Act of island communities refers to individuals (bodies are not included). How wide should the review process be and, in particular, who should be entitled to call for a review?

Our view is that both individuals and organisations should be able to call for a review.

Are the grounds for review of a relevant authority's decision sufficient?

No. Our view is that the existing grounds are appropriate but that the potential impact on the

Co-chomhairleachadh air Moladh Poileasaidh airson Earrann 9, Lèirmheas air co-dhùnaidhean – Achd nan Eilean (Alba) 2018

Mòran taing airson cothrom a thoirt dhuinn beachdan a thoirt seachad air a' chuspair seo.

Mus tèid sinn air adhart gus na ceistean sònraichte a chaidh a thogail anns a' cho-chomhairle, tha dà phuing choitcheann againn ri thogail mu dheidhinn a' phàipeir.

1. Cha robh e soilleir dhuinn an robh am pàipear seo ri fhaighinn anns a' Ghàidhlig. Tha sinn den bheachd, agus gus plana Gàidhlig Riaghaltas na h-Alba 2016-21 a chur an gnìomh, gum bu chòir foillseachaidhean sam bith co-cheangailte ri Achd nan Eilean a bhith rim faighinn sa Ghàidhlig agus gum bu chòir dhuibh daoine a bhrosnachadh gus am pròiseas lèirmheis a leantainn tro mheadhan na Gàidhlig
2. Bhathas den bheachd gun robh am briathrachas Beurla anns a' phàipear gu math toinnte agus gum bu chòir ath-sgrìobhadh nas simplidh a bhith ann airson sgaoileadh aig deireadh a' phròiseis seo.

Tha sinn den bheachd gum bu chòir cead a bhith aig daoine fa leth no aig buidhnean iarraidh gun tèid leirmheas a chumail.

Chan eil. Tha sinn den bheachd gu bheil na h-adhbharan mar a tha iad freagarrach ach bu

language and culture of an island should be another of the grounds. We propose in that the impact on Gaelic usage should be a part of all Island Community Impact Assessments, particularly those in the jurisdictions of Comhairle nan Eilean Siar, Highland Council and Argyll and Bute Council. If this assessment has not been undertaken and / or has not been undertaken well enough, we are of the view that this should be another ground to apply for a review by a public authority and / or Scottish Ministers. The process of Island Community Impact Assessments should aim to progress the Gaelic Language (Scotland) Act 2005 at both national level (National Gaelic Language Plan) and at individual public authority level (statutory Gaelic language plans)

chòir buaidh air cànan is cultar nan eilean a bhith mar adhbhar sònraichte eile. Tha sinn a' moladh gu sònraichte gum bu choir measadh air a' bhuidh air cleachdadh na Gàidhlig a bhith mar phàirt de gach Measadh Buaidh air Coimhearsnachdan nan Eilean, gu sònraichte am measg nan eileanan anns na sgìrean aig Comhairle nan Eilean Siar, Comhairle na Gàidhealtachd agus Comhairle Earra-Ghàidheal is Bhòid. Mura bheil am measadh seo a' tachairt agus / no mura bheil e ga dhèanamh mar bu choir, tha sinn den bheachd gur e adhbhar eile a bu chòir a bhith ann an seo airson lèirmheas iarraidh bho ùghdarrasan poblach agus / no bho Mhinistearan na h-Alba. Bu chòir am pròiseas Measadh Buaidh air Coimhearsnachdan nan Eilean amas air Achd na Gàidhlig (Alba) 2005 a chur air adhart, an dà chuid aig ìre nàiseanta (Plana Cànan Nàiseanta Gàidhlig) agus aig ìre gach ùghdarrais phoblaich (planaichean Gàidhlig reachdail)

Is 6 months sufficient time for a relevant authority to make a decision from the date of validation of the application?

We agree that 6 months is appropriate. We have a question though about what will happen with regard progressing the proposed policy, strategy, or service over this 6-month period? We would expect that the process would be paused until the review was completed but clarification on this point would be useful.

Tha sinn den bheachd gu bheil 6 mìosan iomchaidh. Tha ceist againn ge-tà, dè bhios a' tachairt le cuir an gnìomh a' phoileasaidh, ro-innleachd no seirbheis thairis air na 6 mìosan seo? Bhiomaid an dùil nach biodh iad a' dol air adhart gus am biodh an leirmheas seachad ach bhiodh soilleireachadh air a' phuing seo feumail.

What would be a suitable timeframe for making an application, particularly where there is no published decision of an ICIA?

Where a public authority publishes a decision not to undertake an Island Community Impact Assessment, we are of the view that 12 weeks would be an appropriate timescale to request a review.

Far a bheil ùghdarras poblach a' foillseachadh co-dhùnadh nach bi iad a' dol air adhart le Measadh Buaidh air Coimhearsnachdan nan Eilean, tha sinn den bheachd gum biodh 12 seachdain freagarrach gus iarrrtas airson lèirmheas a chur a-steach.

Where a public authority does not publish their decision, we are of the view that up to 2 years would be a suitable timescale.

Ann an suidheachadh far nach fhoillsich ùghdarras poblach an co-dhùnadh aca, tha sinn

den bheachd gum biodh suas ri 2 bhliadhna
freagarrach.