

---

**ARGYLL AND BUTE COUNCIL**  
**CUSTOMER SUPPORT SERVICES**

**COUNCIL**  
**23<sup>RD</sup> FEBRUARY 2023**

---

**COUNCIL GAELIC LANGUAGE PLAN**

---

**1.0 EXECUTIVE SUMMARY**

previously considered on 30<sup>th</sup> June 2022.

The recommendations are that Council:

Note that this matter was referred to Scottish Ministers in June 2022 under section 5(8) of the Gaelic Language (Scotland) Act 2005, as there was no agreement between the Council and Bòrd na Gàidhlig on the proposed amendment regarding the establishment of an all-Gaelic School;

Note that engagement between officers from the Council and from Scottish Government took place to inform the Scottish Ministers

---

ARGYLL AND BUTE COUNCIL

COUNCIL

CUSTOMER SUPPORT SERVICES

23<sup>RD</sup> FEBRUARY 2023

---

## COUNCIL GAELIC LANGUAGE PLAN

---

### 2.0 INTRODUCTION

2.1 At its meeting on 30<sup>th</sup> June 2022, Council considered proposals recommended agreed the following:

**1 - Notes the current status of the Council's Gaelic Language Plan.**

**2 - Notes that the majority of actions in the plan continue to be delivered.**

**3 - Agrees the amended Target recommended by Bòrd na Gaidhlig: Up to 90% of all primary schools in the Council area will offer Gaelic at L2 or L3.**

**4 - In respect of the proposed amendment to the Plan by Bòrd na Gaidhlig to establish a Gaelic School, agrees no further change to the Council's draft Plan as previously approved by the Community Services Committee.**

2.2 This report updates members on progress with Scottish Ministers, to whom this matter was referred under section 5(8) of the Gaelic Language (Scotland) Act 2005 in June 2022 and makes further recommendations to Council, which, if accepted, would enable final approval of an amended Gaelic Language Plan.

### 3.0 RECOMMENDATIONS

It is recommended that Council:

3.1 Note that this matter was referred to Scottish Ministers in June 2022 under section 5(5)(c) of the Gaelic Language (Scotland) Act 2005, as there was no



section 5(5)(c) of the Act, with a 6 month timeline for decision making. Officers position. Bòrd na Gàidhlig did the same.

4.5 The decision letter from Scottish Ministers under Section (5)(8) of the Act was issued to the Council on 16<sup>th</sup> December 2022. This imposes an alternative approach to the issue of a Gaelic School by way of modification to the Plan. This *to undertake a consultation within 2 years to ascertain the demand for an all-Gaelic school in the area.* This is to be carried out by engaging fully and constructively with Bòrd na Gàidhlig.

4.6 Officers have taken all relevant matters into account following the Scottish Council to ascertain the views of communities on this issue, without making an unbudgeted commitment to the establishment of a Gaelic school, which was the nature of the Bòrd na Gàidhlig proposal. The decision of the Scottish Ministers is one that, subject to any considerations in relation to judicial challenge is one that the Council is binding on the Council and BnG. It is not considered that there are arguable grounds for judicial challenge of the decision of Scottish Ministers.

## **5.0 CONCLUSION**

5.1 Members decided on 30<sup>th</sup> June 2022 not to agree an amendment to the

Council to establishing a Gaelic School. The Plan was therefore referred to Ministers for a final decision and officers engaged with representatives of

final decision letter was received from Scottish Ministers on 16<sup>th</sup> December 2022 with an alternative approach imposed on the Plan by way of a modification to it. This alternative approach offers a compromise position.

## **6.0 IMPLICATIONS**

6.1 Policy None from this report

6.2 Financial None from this report

6.3 Legal Scottish Ministers have power under the Gaelic Language (Scotland)

Act 2008(j)35(u)56(d)F2 12 Tf|CONCLUa72.1 308ET E1(( )-34(w)35( 423.55 388.1 Tm[t])TJ

6.7 Risk If the proposed modification made by Scottish Ministers is not accepted,