



Steven Phillips  
Chief Executive  
Civic Centre  
Port Talbot  
SA13 1PJ

Dear Chief Executive,

04/04/2017

Dear Chief Executive,

**Neath Port Talbot County Borough Council Compliance Notice: Determining an application by Neath Port Talbot County Borough Council [section 57 of the Welsh Language (Wales) Measure 2011]**

The purpose of this letter is to inform Neath Port Talbot County Borough Council of the determination by the Welsh Language Commissioner in relation to applications made by the Council and to inform the organisation of the next steps.

Applications were made in relation to 55 standards and this letter relates to 25 of them. The Commissioner has already consulted with the Council and it was given an opportunity to provide further information in relation to the application and by sharing the Welsh Language Commissioner's initial considerations with the Council on 6 June 2016. Neath Port Talbot County Borough Council responded to the Commissioner's letter and two meetings were held in order to take advantage of the opportunity to come to an agreement.

In its most recent letter to the Commissioner the Council noted that it now accepts that imposing the following standards on the Council is reasonable and proportionate: 30, 33, 52, 76, 77, 77A, 79, 80, 104, 124, 130 131, 132, 137, 137A, 137B 140, 141, 142, 143, 154. Standards 126, 128 and 129 will not be imposed. The Commissioner therefore determines as follows:

Comisiynydd y Gymraeg  
Siambrau'r Farchnad  
5-7 Heol Eglwys Fair  
Caerdydd CF10 1AT

0845 6033 221  
post@comisiynyddygyymraeg.org  
Croesewir gohebiaeth yn y Gymraeg a'r Saesneg

[comisiynyddygyymraeg.org](http://comisiynyddygyymraeg.org)

Welsh Language Commissioner  
Market Chambers  
5-7 St Mary Street  
Cardiff CF10 1AT

0845 6033 221  
post@welshlanguagecommissioner.org  
Correspondence welcomed in Welsh and English

[welshlanguagecommissioner.org](http://welshlanguagecommissioner.org)

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<b>Standard Number</b>	<b>Commissioner's Case number</b>	<b>Determination</b>	<b>Subsequent steps</b>
<b>30</b>	59-20160115-CBSCNP-30	That imposing the standard is reasonable and proportionate	No action
<b>33</b>	60-20160115-CBSCNP-33	That imposing the standard is reasonable and proportionate	No action
<b>52</b>	64-20160115-CBSCNP-52	That imposing the standard is reasonable and proportionate	No action
<b>76</b>	68-20160115-CBSCNP-76	That imposing the standard is not reasonable and proportionate	Provide a circumstance for the standard and extend the imposition day
<b>77</b>	69-20160115-CBSCNP-77	That imposing the standard is not reasonable and proportionate	Extend the imposition day
<b>77A</b>	70-20160115-CBSCNP-77A	That imposing the standard is not reasonable and proportionate	Extend the imposition day
<b>79</b>	71-20160115-CBSCNP-79	That imposing the standard is not reasonable and proportionate	Extend the imposition day
<b>80</b>	72-20160115-CBSCNP-80	That imposing the standard is not reasonable and proportionate	Extend the imposition day
<b>104</b>	80-20160115-CBSCNP-104	That imposing the standard is reasonable and proportionate	No action
<b>124</b>	90-20160115-CBSCNP-124	That imposing the standard is reasonable and proportionate	No action
<b>126</b>	91-20160115-CBSCNP-126	That imposing the standard is not reasonable and proportionate	Not to impose the standard
<b>128</b>	92-20160115-CBSCNP-128	That imposing the standard is not reasonable and proportionate	Not to impose the standard
<b>129</b>	93-20160115-CBSCNP-129	That imposing the standard is not reasonable and proportionate	Not to impose the standard



<b>130</b>	94-20160115-CBSCNP-130	That imposing the standard is reasonable and proportionate	No action
<b>131</b>	95-20160115-CBSCNP-131	That imposing the standard is reasonable and proportionate	No action
<b>132</b>	96-20160115-CBSCNP-132	That imposing the standard is reasonable and proportionate	No action
<b>137</b>	97-20160115-CBSCNP-137	That imposing the standard is not reasonable and proportionate	Extend the imposition day
<b>137A</b>	98-20160115-CBSCNP-137A	That imposing the standard is not reasonable and proportionate	Extend the imposition day
<b>137B</b>	99-20160115-CBSCNP-137B	That imposing the standard is not reasonable and proportionate	Extend the imposition day
<b>140</b>	101-20160115-CBSCNP-140	That imposing the standard is not reasonable and proportionate	Extend the imposition day
<b>141</b>	102-20160115-CBSCNP-141	That imposing the standard is reasonable and proportionate	No action
<b>142</b>	103-20160115-CBSCNP-142	That imposing the standard is reasonable and proportionate	No action
<b>143</b>	104-20160115-CBSCNP-143	That imposing the standard is reasonable and proportionate	No action
<b>144</b>	105-20160115-CBSCNP-144	That imposing the standard is not reasonable and proportionate	Provide a circumstance for the standard and extend the imposition day
<b>154</b>	108-20160115-CBSCNP-154	That imposing the standard is not reasonable and proportionate	Extend the imposition day



Comisiynydd y  
Gymraeg  
Welsh Language  
Commissioner

As a consequence of the determination on the standards noted above a revised compliance notice is attached for your attention. This was done under the provisions of section 57(6)(c) <sup>1</sup>.

The Commissioner notes the legal arguments that were tabled in relation to the standards agreed upon and which were varied or withdrawn in the Compliance Notice. The fact that the Commissioner has decided to agree to Neath Port Talbot County Borough Council's application does not mean that the Commissioner accepts the legal arguments presented by the organisation in order to justify the application nor does it affect the Commissioner's ability to refuse those arguments or similar in the future.

The Commissioner will consider the fact that these standards were challenged by the organisation if a complaint is received relating to a period when the standard was not in force.

After receiving this determination, if the Commissioner's determination is that the requirement to comply with a standard, or comply with a standard in a particular respect, is not unreasonable or disproportionate, you may appeal to the Welsh Language Tribunal (the Tribunal), requesting the Tribunal to determine whether the requirement to comply with a standard, or comply with a standard in a particular way, is unreasonable or disproportionate. A link to the Tribunal's website is included below:

<http://tribiwnllysygymraeg.llyw.cymru/?lang=cy>.

It should be noted, if the Commissioner has determined that the requirement to comply with a standard is not unreasonable or disproportionate, these standards will continue to be deferred until your rights to appeal have been exhausted. This means that the Compliance Notice attached to this letter will not be placed on the Welsh Language Commissioner's website until a period of 28 days has elapsed, which is the period for making an appeal, or until an appeal to the Tribunal or a further appeal has come to an end.

Yours faithfully,

**Gwenith Price**

On behalf of the Welsh Language Commissioner

CC: Beverly Austin, Secretary/ Personal Assistant to the Chief executive  
Rhian Headon, Equalities and Engagement Officer

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<sup>1</sup> It should be noted that sections 45(3), 46(3) and 47 do not apply in so far as the Commissioner and the organization have agreed the variation to the existing compliance notice.