



William Powell AM
Chair
The Petitions Committee
National Assembly for Wales
Cardiff Bay
Cardiff CF99 1NA

15/09/2015

Dear Mr Powell,

P-04-632 Mynyddoedd Pawb

Thank you for your letter asking for my opinion on the petition submitted by Mynyddoedd Pawb. Before responding, I'd like to outline my office's activity in relation to place names.

1. The Commissioner's main goal is to promote and facilitate the use of Welsh. This is done by highlighting the fact that the Welsh language has official status in Wales and by setting standards for organisations. This in turn will lead to establishing rights for Welsh speakers.

Two principles underpin the Commissioner's work:

- Welsh should be treated no less favourably than English in Wales;
- People in Wales should be able to live their lives through the medium of Welsh if they wish to do so.

Over time, new powers to set and enforce standards for organisations will come into force through subordinate legislation. Until that happens, the Commissioner will continue to inspect statutory language schemes through the powers she inherited from the 1993 Welsh Language Act.

The Commissioner's role was created by the Welsh Language (Wales) Measure 2011. The Commissioner may investigate failure to implement a language scheme; interference with the freedom to use Welsh in Wales and, in future, complaints about the failure of organisations to comply with standards.

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One of the Commissioner's strategic objectives is to influence the consideration given to the Welsh language in the development of policy and legislation. So, one of the Commissioner's main functions is to provide comments in line with these terms of reference, acting as an independent advocate for Welsh speakers in Wales who may be affected by the proposed changes. This approach is taken in order to avoid any potential compromise of the Commissioner's regulatory functions, and if the Commissioner were to formally review the performance of individual organisations or the Welsh Government in accordance with the provisions of the Measure.

2. The Commissioner's activity in relation to place names

A living language: a language for living, the Welsh Government's Welsh Language Strategy 2012-17, states that the Welsh Language Commissioner has responsibility for coordinating developments in relation to Welsh place names. The Welsh Language Commissioner is also responsible for providing advice on the standard forms of place names in Wales. This responsibility was inherited when the Welsh Language Board was disbanded in 2012. The Commissioner has no statutory powers in this area and her recommendations and advice have no legal force, but recommendations on the standard forms of place names are provided for all kinds of agencies, including the Welsh Government and local authorities. The Commissioner has a panel of experts, namely the Place Names Standardisation Panel, which supports the work of the Commissioner and advises on the standard forms of place names. The Commissioner's work in this area focuses on the names of settlements (towns, villages, etc.) rather than features of the landscape (mountains, rivers, etc.) or physical features of human activity, such as buildings etc.

3. I have no specific responsibility in relation to the protection or promotion of Welsh place names. However, I am aware of the concerns expressed in the petition and I would be supportive of the principles underlying the need to protect and respect our wealth of place names in order to:

1. *Stimulate interest in and respect for the Welsh language, and to ensure and increase its use*
2. *Increase the sense of identity among local communities by sharing our wealth of cultural heritage with others*
3. *Engage visitors' interest and awareness of our wealth of local heritage and thus bring educational and economic benefits to areas.*

One could argue that there is at least a moral responsibility on organisations to protect and respect Welsh place names because they are national institutions that have a duty to reflect the history and culture of the country. In principle, therefore, I wouldn't oppose any reasonable steps that could be taken by the organisations named in the petition to protect Welsh place names. As a minimum, the Welsh Government could provide specific guidance to the organisations that it funds directing them to use names in their correct form and to consult with a suitable organisation in determining those names. In a similar vein, I would support action to raise awareness of place names and local heritage in outdoor education and training courses at all levels.

4. I note that the petition specifically asks the Welsh Government to bring long-standing and traditional place names under planning control. In order to make that possible, there would need to be a method of deciding which names should come under planning control. For that to happen and in order to provide specific guidance to the agencies referred to in the petition, I assume a body would need to be established that would be responsible for deciding those names. That body would need to set very stringent criteria as to how it would determine these forms, and the official forms should be published in a public register. It could also determine the official names of other locations in Wales which could be of wider benefit in terms of mapping, transport, planning, addresses, emergency services, communication etc. This body could encourage the use of names by public bodies as well as individuals and organisations from the third sector and the private sector.
5. Since it is a matter of concern to so many, I think we need more research into possible methods of protecting Welsh place names and that can be done by taking account of similar activities in other countries. If, for example, you intend to consider establishing a body to facilitate bringing these names under planning control, I suggest that you look at what has happened as regards determining place names in other countries including Canada and Australia (including the states of New South Wales and Victoria). These countries have introduced legislation to establish specific boards that are responsible for setting standard name forms for the benefit of mapping activities, planning and infrastructure. These boards publish the name forms on a public database. In New South Wales, for example, it is an offense to use any names for particular locations in any kind of publication if they have not been published on the public database¹.
6. Recently in my response to the Communities, Equality and Local Government Committee consultation on the Historic Environment (Wales) Bill, I proposed an amendment to the Bill requiring that historic environment records, which local authorities will have a duty to publish, should contain the details of each area, site or other location in the authority area which has a name of historical and cultural interest. I have noted that the *name* of a physical feature of human activity should be a reason to protect the feature in the historic environment, thereby protecting the name of the feature. I have also noted that the Advisory Panel for the Welsh Historic Environment established by the Bill should include an expert on place names. I enclose a copy of my response to that consultation. At the Communities, Equality and Local Government Committee meeting on 8 July 2015, the Deputy Minister for Culture, Sport and Tourism, Kenneth Skates AM, said he would be willing to "take any suggestions and any recommendations and consider them with regard to the historic environment records"².

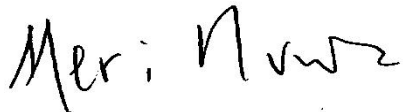
¹ http://www.austlii.edu.au/au/legis/nsw/consol_act/gna1966158/s15.html [accessed 31/07/2015]

² <http://abms/documents/s42561/8%20July%202015.pdf>

7. It should also be noted that during the Communities, Equality and Local Government Committee's deliberations on the above Bill on 2 July 2015, Rhodri Glyn Thomas AM asked whether it would be possible to consider "a consent regime for name changes" and asked for a legal note on the matter. The committee Chair, Christine Chapman AM, said that the Committee would look into the matter. I imagine that the results of that research could be useful to you in your consideration of this petition.

I thank you for this opportunity to comment on the above petition submitted by Mynyddoedd Pawb. I know it is a concern in communities across Wales that all kinds of place names are being changed, thereby losing an important link to the history and heritage of those areas. Usually, but not always, those names are ones that were originally Welsh. In line with the Welsh Language (Wales) Measure 2011, Welsh is now an official language in Wales. It is a matter of genuine concern that Welsh place names are being undermined and that Welsh is being treated less favourably on the ground at the exact same time as it becomes an official language in the eyes of the law. Positive action to prevent this from happening and protect place names would be an important step forward.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Meri Huws', written in a cursive style.

Meri Huws
Welsh Language Commissioner

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