

**DYDD MAWRTH 27AIN CHWEFROR 2024**

**AT: HOLL AELODAU'R CABINET**

YR WYF DRWY HYN YN EICH GALW I FYNYCHU CYFARFOD **AML-LEOLIAD O'R CABINET** A GYNHELIR YN **Y SIAMBR, NEUADD Y SIR, CAERFYRDDIN AC O BELL AM 10.00 Y.B. AR DDYDD LLUN, 4YDD MAWRTH, 2024** ER MWYN CYFLAWNI'R MATERION A AMLINELLIR AR YR AGENDA SYDD YNGHLWM

*Wendy Walters*

**PRIF WEITHREDWR**

Swyddog Democraidd:	Michelle Evans Thomas
Ffôn (Ilinell uniongyrchol):	01267 224470
E-bost:	MEEvansThomas@sirgar.gov.uk

Cyfarfod aml-leoliad yw hwn. Gall aelodau'r pwyllgor fynychu'n bersonol yn y lleoliad a nodir uchod neu o bell drwy'r ddolen Zoom a ddarperir ar wahân.

Gellir gwylio'r cyfarfod ar wefan y cyngor drwy'r ddolen canlynol:-  
<https://carmarthenshire.public-i.tv/core/portal/home>

Wendy Walters Prif Weithredwr, *Chief Executive*,  
Neuadd y Sir, Caerfyrddin. SA31 1JP  
County Hall, Carmarthen. SA31 1JP

# **Y CABINET**

## **AELODAETH – 10 AELOD**

<b>CYNGHORYDD</b>	<b>PORTFFOLIO</b>
<b>Cynghorydd Darren Price</b>	<b>Arweinydd</b>
<b>Cynghorydd Linda Evans</b>	<b>Dirprwy Arweinydd ac Aelod Cabinet dros Gartrefi</b>
<b>Cynghorydd Glynog Davie</b>	<b>Addysg a'r Gymraeg</b>
<b>Cynghorydd Ann Davies</b>	<b>Materion Gwledig, Cydlyniant Cymunedol a Pholisi Cynllunio</b>
<b>Cynghorydd Hazel Evans</b>	<b>Adfywio, Hamdden, Diwylliant a Thwristiaeth</b>
<b>Cynghorydd Philip Hughes</b>	<b>Trefniadaeth a'r Gweithlu</b>
<b>Cynghorydd Alun Lenny</b>	<b>Adnoddau</b>
<b>Cynghorydd Edward Thomas</b>	<b>Gasanaethau Trafnidiaeth, Gwastraff a Seilwaith</b>
<b>Cynghorydd Jane Tremlett</b>	<b>Iechyd a Gwasanaethau Cymdeithasol</b>
<b>Cynghorydd Aled Vaughan Owen</b>	<b>Newid Hinsawdd, Datgarboneiddio a Chynaliadwyedd</b>

# AGENDA

1. YMDDIHEURIADAU AM ABSENOLDEB
2. DATGANIADAU O FUDDIANNAU PERSONOL
3. I LOFNODI FEL COFNOD CYWIR COFNODION CYFARFOD Y CABINET A GYNHALIWDYD AR Y 19EG CHWEFROR 2024 5 - 10
4. CWESTIYNAU Â RHYBUDD GAN YR AELODAU
5. CWESTIYNAU A RHYBYDD GAN Y CYHOEDD
6. LLAWLYFR CYNNAL A CHADW Y CYNLLUN RHEOLI ASEDAU PRIFFYRDD - RHAN 4.8 - CYNLLUN GWASANAETH DROS Y GAEAF A THYWYDD GARW PRIFFYRDD 11 - 38
7. POLISI CODI TÂL - TALIADAU GOFAL CYMDEITHASOL - DIWYGIADAU I'R POLISI PRESENNOL 39 - 66
8. NODI BOD Y GRWP LLAFUR WEDI ENWEBU'R CYNGHORYDD MARTYN PALFREMAN I GYMRYD LLE'R CYNGHORYDD DERYK CUNDY AR GRWP LLYWODRAETHU LLESIANT DELTA WELLBEING CYF
9. UNRHYW FATER ARALL Y GALL Y CADEIRYDD OHERWYDD AMGYLCHIADAU ARBENNIG BENDERFYNU EI YSTYRIED YN FATER BRYD YN UNOL AG ADRAN 100B(4)(B) O DDEDDF LLYWODRAETH LEOL, 1972.
10. GORCHYMYN I'R CYHOEDD ADAEL Y CYFARFOD  
NI DDYLID CYHOEDDI'R ADRODDIAD SY'N YMWNEUD Â'R MATER CANLYNOL GAN EI FOD YN CYNWYS GWYBODAETH EITHRIEDIG FEL Y'I DIFFINIWDYD YM MHARAGRAFF 14 O RAN 4 O ATODLEN 12A I DDEDDF LLYWODRAETH LEOL 1972 FEL Y'I DIWYGIWDYD GAN ORCHYMYN LLYWODRAETH LEOL (MYNEDIAD AT WYBODAETH) (AMRYWIO) (CYMRU) 2007. OS BYDD Y CABINET AR ÔL CYNNAL PRAWF LLES Y CYHOEDD YN PENDERFYNU YN UNOL Â'R DDEDDF, I YSTYRIED Y MATER HYN YN BREIFAT, GORCHMYNNIR I'R CYHOEDD ADAEL Y CYFARFOD YN YSTOD TRAFODAETH O'R FATH.
11. CAIS GRANT TWF BUSNES FFYNIANT A RENNIR GAN LISA FEARN LTD T/A Y SIED 67 - 74

Mae'r dudalen hon yn wag yn fwriadol

## CABINET

### DYDD LLUN 19EG CHWEFROR 2024

**YN BRESENNOL:** Y Cyngorydd D. Price [Cadeirydd] (Yn y Siambr)

**Cynghorwyr (Yn y Siambr):**

C.A. Davies

G. Davies

H.A.L. Evans

L.D. Evans

P.M. Hughes

A. Lenny

E.G. Thomas

A. Vaughan-Owen

**Hefyd yn bresennol fel sylwedydd (o bell):**

Y Cyngorydd D.M. Cundy

**Hefyd yn bresennol (Yn y Siambr):**

W. Walters – Prif Weithredwr

J. Morgan – Cyfarwyddwr Gwasanaethau Cymunedol

C. Moore – Cyfarwyddwr Gwasanaethau Corfforaethol

G. Morgans – Cyfarwyddwr Addysg & Gwasanaethau Plant

A. Williams - Cyfarwyddwr Lle & Cynladwyedd

L. Rees-Jones - Pennaeth Gweinyddiaeth a'r Gyfraith

C. Higginson - Rheolwr y Cyfryngau

L. Jenkins - Swyddog Cymorth y Cabinet

J. Owen - Swyddog Gwasanaethau Democraidd

R. Morris - Swyddog Cymorth i'r Aelodau

S. Rees – Cyfieithydd ar y Pryd

**Hefyd yn bresennol (o bell)**

R. Griffiths - Pennaeth Lle & Cynladwyedd

M. Evans Thomas, Prif Swyddog Gwasanaethau Democraidd

M. Runeckles - Swyddog Cymorth i'r Aelodau

**Y Siambr, Neuadd Y Sir, Caerfyrddin ac o bell : 10.00 yb - 10.56 yb**

**1. YMDDIHEURIADAU AM ABSENOLDEB**

Cafwyd ymddiheuriad am absenoldeb gan y Cyngorydd J. Tremlett.

**2. DATGANIADAU O FUDDIANNAU PERSONOL**

Y Cyngorydd / Swyddog	Rhif y Cofnod	Y Math o Fuddiant
Y Cyngorydd G. Davies	11 - Penodi Llywodraethwr ALL	Ef yw Cadeirydd y Corff Llywodraethu yn Ysgol Brynaman.

Sylwer: Mae'r cofnodion hyn yn amodol ar gael eu cadarnhau yn y cyfarfod nesaf

### 3. I LOFNODI FEL COFNOD CYWIR COFNODION CYFARFOD Y CABINET A GYNHALIWYD AR Y 29 IONAWR 2024

Cyfeiriwyd at gofnod rhif 7 o gofnodion y cyfarfod diwethaf – Strategaeth y Rhaglen Moderneiddio Addysg, a nodwyd y dylai'r penderfyniad ddarllen fel a ganlyn:-

“PENDERFYNWYD YN UNFRYDOL gymeradwyo Strategaeth y Rhaglen Moderneiddio Addysg at ddibenion ymgynghori.”

**PENDERFYNWYD, ar yr amod y byddai'r newid a nodwyd uchod yn cael ei gynnwys, lofnodi cofnodion cyfarfod y Cabinet oedd wedi'i gynnal ar 29 Ionawr, 2024, i nodi eu bod yn gywir.**

### 4. CWESTIYNAU Â RHYBUDD GAN YR AELODAU

Dywedodd y Cadeirydd nad oedd dim cwestiynau â rhybudd wedi cael eu cyflwyno gan yr Aelodau.

### 5. CWESTIYNAU A RHYBYDD GAN Y CYHOEDD

Dywedodd y Cadeirydd nad oedd dim cwestiynau wedi dod i law gan y cyhoedd.

### 6. STRATEGAETH CYLLIDEB REFENIW 2024/25 i 2026/27

Bu'r Cabinet yn ystyried adroddiad a oedd yn dwyn ynghyd y cynigion diweddaraf ynghylch Cyllideb Refeniw 2024/25 a'r ffigurau mynegiannol ar gyfer blynyddoedd ariannol 2025/26 a 2026/27. Roedd yr adroddiad yn crynhoi'r sefyllfa ddiweddaraf o ran y gyllideb, gan roi'r wybodaeth ddiweddaraf am ddilysu'r gyllideb, y gwasgfeydd o ran gwariant, setliad terfynol Llywodraeth Cymru, a'r ymatebion o'r ymgynghoriad ynghylch y gyllideb.

Wrth gyflwyno'r adroddiad, dywedodd yr Aelod Cabinet dros Adnoddau byddai mabwysiadu'r cynigion yn yr adroddiad yn galluogi'r Cabinet i gyflwyno cyllideb deg a chytbwys i'r Cyngor Sir, a oedd yn ymateb i'r sylwadau oedd wedi deillio o'r broses ymgynghori. Fodd bynnag, roedd yn teimlo bod dyletswydd arno i dynnu sylw at risgiau'r strategaeth, yn ogystal â'r ansicrwydd yn y dyfodol ynghylch codiadau cyflog a chwyddiant, y mae'n rhaid i ni ei dderbyn fel rhan arferol o'n proses pennu'r gyllideb. Nodai'r adroddiad nifer o risgiau o ganlyniad i ansicrwydd ynghylch ariannu pensiynau athrawon a diffoddwyr tân, y risg o ran cyflawni ein buddsoddiad yn y Gwasanaethau Plant, a'r risg oedd ynghlwm wrth ostyngiadau yn y gyllideb ar draws pob rhan o wasanaethau'r Cyngor.

Cadarnhaodd y gallwn o hyd, os yw'r holl gynigion a amlinellir yn yr adroddiad yn cael eu gweithredu, ddarparu Strategaeth Gyllideb sy'n:-

- ymateb i'r ymgynghoriad;
- sicrhau hyd y gellid fod lefelau a safonau'r gwasanaethau'n cael eu cynnal;

Sylwer: Mae'r cofnodion hyn yn amodol ar gael eu cadarnhau yn y cyfarfod nesaf

- cydnabod bod pobl Sir Gaerfyrddin yn ei chael hi'n anodd yn yr hinsawdd bresennol ac sydd felly'n sicrhau bod gwasanaethau craidd yn cael eu diogelu; ac
- yn paratoi'r Awdurdod hwn, i'r graddau mwyaf posibl, ar gyfer unrhyw ansicrwydd a allai ddigwydd yn y dyfodol.

Cyfeiriwyd at ddifrifoldeb y sefyllfa y mae'r Awdurdod yn ei hwynebu ac at y ffaith ein bod yn gwneud ein gorau glas dros drigolion Sir Gaerfyrddin yn ystod cyfnod heriol iawn. Mae'r Adran Addysg yn wynebu'r ergyd fwyaf yn ei hanes gan ei bod yn arfer cael ei diogelu yn y gorffennol. Fodd bynnag, nid ydym yn gallu gwneud hynny bellach ac mae'n wynebu toriadau fel pob adran arall. Mynegwyd siom eto nad yw cyflogau athrawon wedi eu hariannu'n llawn am y ddwy flynedd nesaf, sydd wedi cael effaith fawr ar y gyllideb.

Diolchodd y Cadeirydd i'r swyddogion a'r Aelod Cabinet dros Adnoddau am eu gwaith ar y gyllideb dros y misoedd diwethaf. Mynegodd ei bryder fod hwn yn gyfnod heriol iawn, pan oedd Awdurdodau Lleol yn y sefyllfa amhosibl o geisio darparu gwasanaethau rheng flaen tra'n parhau i wynebu toriadau gan y llywodraeth ganolog. Teimlai fod pwynt yn dod pan oedd yn rhaid gofyn rhai cwestiynau sylfaenol am ddyfodol gwasanaethau cyhoeddus yn y wlad hon. Ychwanegodd fod dyletswydd arnom ni i gyd dros y misoedd nesaf i wneud achos dros bwysigrwydd gwasanaethau cyhoeddus a llywodraeth leol yn gyffredinol, a thros yr angen am ragor o fuddsoddiad gan nad yw'r hyn sydd gennym ar hyn o bryd yn gynaliadwy. Pwysleisiodd ein bod, wrth bennu'r gyllideb, wedi ceisio diogelu gwasanaethau rheng flaen gan gadw unrhyw gynnydd yn y Dreth Gyngor i isafswm ar yr un pryd, ac er bod 7.5% yn uwch na'r hyn a ddymunir, roedd yn llawer gwell na rhai Awdurdodau Lleol eraill, sy'n wynebu codiadau oedd mewn ffigurau dwbwl yn y dreth gyngor, tra bo rhai'n wynebu methdalwriaeth.

## **PENDERFYNWYD YN UNFRYDOL ARGYMELL I'R CYNGOR**

- 6.1 cymeradwyo'r Strategaeth Gyllideb ar gyfer 2024/25, sy'n cynnwys y newidiadau ym mharagraff 25;**
- 6.2 cymeradwyo Treth Gyngor Band D o £1,602.80 am 2024/25 (cynnydd o 7.5%);**
- 6.3 cymeradwyo dileu cynigion arbedion penodol fel y nodir ym mharagraff 3.2.7;**
- 6.4 cymeradwyo'r defnydd o £3m o gronfa wrth gefn y Grant Cynnal Refeniw, sef £2m i gefnogi costau dros dro lleoliadau preswyl a gomisiynir i blant, ac £1m i gefnogi'r gyllideb ysgolion dirprwyedig, fel yr amlinellir ym mharagraff 5.2.3;**
- 6.5 cymeradwyo'r Cynllun Ariannol Tymor Canolig a fydd yn sylfaen i gynllunio ar gyfer y blynyddoedd sydd i ddod;**
- 6.6 bod Cyfarwyddwr y Gwasanaethau Corfforaethol, mewn ymgynghoriad â'r Prif Weithredwr, yr Arweinydd a'r Aelod Cabinet dros Adnoddau, yn cael awdurdod dirprwyedig i wneud unrhyw newid sy'n angenrheidiol o ganlyniad i setliad terfynol Llywodraeth Cymru a oedd i'w gyhoeddi ar 27 Chwefror 2024.**

Sylwer: Mae'r cofnodion hyn yn amodol ar gael eu cadarnhau yn y cyfarfod nesaf

## **7. RHAGLEN GYFALAF PUM MLYNEDD (CRONFA'R CYNGOR) 2024/25 - 2028/29**

Bu'r Cabinet yn ystyried adroddiad a oedd yn dwyn ynghyd y cynigion diweddaraf am raglen gyfalaf bum mlynedd 2024/25 hyd at 2028/29. Roedd yr adroddiad yn cymryd i ystyriaeth yr ymgynghoriad a gynhaliwyd a'r goblygiadau refeniw oedd yn deillio o'r rhaglen.

Y gwariant gros arfaethedig ar y rhaglen gyfalaf ar gyfer 2024/25 yw £86.930m, a'r bwriad oedd i'r Cyngor Sir gyllido £50.374m o'i adnoddau ei hun drwy ddefnyddio benthyciadau, arian wrth gefn, ariannu drwy refeniw uniongyrchol, derbyniadau cyfalaf a grant cyfalaf cyffredinol, a bod y £36.556m o gyllid oedd yn weddill yn dod o ffynonellau allanol.

Roedd y rhaglen gyfalaf newydd yn cael ei hariannu'n llawn dros y pum mlynedd, ond cynigiwyd tanymrwymo peth o'r cyllid oedd ar gael i roi hyblygrwydd ar draws y rhaglen i dalu am unrhyw gostau ychwanegol. Mae strategaeth gyfalaf yr Awdurdod, sy'n ofynnol gan y Côt Darbodaeth ar gyfer Cyllid Cyfalaf mewn Awdurdodau Lleol, wedi'i diweddarau ac mae'n nodi'r cyd-destun hirdymor y gwneir penderfyniadau gwariant cyfalaf a buddsoddi ynddo. Mae'n rhoi ystyriaeth briodol i risg a gwobrwyo a'r effaith ar gyflawni canlyniadau blaenoriaethol. Mae'r strategaeth gyfalaf yn cwmpasu gwariant ar Gronfa'r Cyngor a chyfalaf HRA a chafodd ei chynnwys fel Atodiad C i'r adroddiad.

### **PENDERFYNWYD YN UNFRYDOL ARGYMELL I'R CYNGOR**

- 7.1 bod y Rhaglen Gyfalaf bum mlynedd a'r cyllid, fel y'u nodwyd yn Atodiad A yr adroddiad, gyda chyllideb 2024/25 yn gyllideb bendant a chyllidebau 2025/26 tan 2028/29 yn gyllidebau amhendiant/dangosol yn cael eu cymeradwyo;**
- 7.2 bod y rhaglen yn cael ei hadolygu, yn ôl yr arfer, oni lwyddir i gael y cyllid Cyngor Sir neu allanol disgwylidig;**
- 7.3 bod y Strategaeth Gyfalaf, fel y'i nodir yn Atodiad C o'r adroddiad, yn cael ei chymeradwyo;**
- 7.4 bod Cyfarwyddwr y Gwasanaethau Corfforaethol, mewn ymgynghoriad â'r Prif Weithredwr, yr Arweinydd a'r Aelod Cabinet dros Adnoddau, yn cael awdurdod dirprwyedig i wneud unrhyw newidiadau sy'n angenrheidiol o ganlyniad i setliad terfynol Llywodraeth Cymru a oedd i'w gyhoeddi ar 27 Chwefror 2024.**

## **8. POLISI RHEOLI'R TRYSORLYS A STRATEGAETH 2024-25**

Atgoffwyd y Cabinet fod y Cyngor, yn unol â gofynion Côt Ymarfer diwygiedig CIPFA ynghylch Rheoli'r Trysorlys, wedi cytuno i gynnal Polisi Rheoli'r Trysorlys a oedd yn manylu ar bolisiâu ac amcanion gweithgareddau'r Awdurdod o ran Rheoli'r Trysorlys, a hefyd i gymeradwyo Strategaeth Rheoli'r Trysorlys yn flynyddol cyn dechrau'r flwyddyn ariannol yr oedd yn ymwneud â hi.

Sylwer: Mae'r cofnodion hyn yn amodol ar gael eu cadarnhau yn y cyfarfod nesaf



Yn ogystal, dan ddarpariaethau Deddf Llywodraeth Leol 2003, roedd yn ofynnol i'r Cyngor gymeradwyo Dangosyddion Rheoli'r Trysorlys ar gyfer y flwyddyn i ddod. Yn unol â'r gofynion uchod, rhoddodd y Cabinet ystyriaeth i Bolisi a Strategaeth y Cyngor ynghylch Rheoli'r Trysorlys ar gyfer blwyddyn ariannol 2024-25 cyn eu rhoi gerbron y Cyngor yn ffurfiol ar gyfer eu mabwysiadu'n derfynol.

## **PENDERFYNWYD YN UNFRYDOL ARGYMELL I'R CYNGOR**

- 8.1 bod y Polisi a'r Strategaeth Rheoli'r Trysorlys ar gyfer 2024-25 a'r argymhellion ynddynt yn cael eu cymeradwyo;**
- 8.2 bod Dangosyddion Rheoli'r Trysorlys, y Dangosyddion Darbodaeth, y Datganiad ynghylch y Ddarpariaeth Isafswm Refeniw, y Strategaeth Fuddsoddi, a'r argymhellion yn cael eu cymeradwyo.**

## **9. ADRODDIAD CHWARTEROL YNGYLCH RHEOLI'R TRYSORLYS A DANGOSYDD DARBODAETH EBRILL 1AF 2023 I RHAGFYR 31AIN 2023**

Bu'r Cabinet yn ystyried Adroddiad ynghylch y Dangosyddion Darbodaeth a Rheoli'r Trysorlys a oedd yn rhoi'r wybodaeth ddiweddaraf am weithgareddau rheoli'r trysorlys o 1 Ebrill hyd at 31 Rhagfyr 2023.

### **PENDERFYNWYD YN UNFRYDOL gymeradwyo'r adroddiad.**

## **10. STRATEGAETH LEOL RHEOLI PERYGL LLIFOGYDD AC ERYDU ARFORDIROL**

Atgoffwyd y Cabinet fod Adran 10.7 o Deddf Rheoli Llifogydd a Dŵr 2010 yn ei gwneud yn ofynnol i bob Awdurdod Lleol gyhoeddi eu strategaeth a'u cynllun rheoli perygl llifogydd lleol. Bydd y strategaeth, a gefnogir gan gynllun mwy tactegol, yn egluro ein sefyllfa bresennol o ran rheoli perygl llifogydd ac erydu arfordirol, ein nodau ar gyfer 2030 a sut y byddwn yn eu cyflawni. Y ddogfen hon oedd y strategaeth leol a bydd y cynllun yn cael ei lunio yn chwarter 4.

### **PENDERFYNWYD YN UNFRYDOL ARGYMELL I'R CYNGOR gymeradwyo'r Strategaeth Leol Rheoli Perygl Llifogydd ac Erydu Arfordirol.**

## **11. PENODI LLYWODRAETHWR AR RAN YR AWDURDOD LLEOL**

[NODER: Roedd y Cynghorydd G. Davies wedi datgan buddiant yn yr eitem hon yn gynharach.]

Rhoddwyd gwybod i'r Cabinet fod lle gwag fel Llywodraethwr ALI ar Gorff Llywodraethu Ysgol Gynradd Brynaman. Mae'r Cynghorydd Glynog Davies (Cadeirydd y Corff Llywodraethu) a'r Pennaeth yn enwebu Miss Gabriella Robinson, sydd eisoes wedi gwasanaethu am gyfnod fel rhiant-lywodraethwr. Roeddent o'r farn y byddai'r Corff Llywodraethu ar ei ennill o gael ei harbenigedd fel Llywodraethwr ALI.

Sylwer: Mae'r cofnodion hyn yn amodol ar gael eu cadarnhau yn y cyfarfod nesaf

O dan amgylchiadau arferol, penodir Llywodraethwr yr Awdurdod Lleol gan y Cynghorydd Glynog Davies yn ei rôl fel Aelod Cabinet dros Addysg, Pobl Ifanc a'r Gymraeg. Fodd bynnag, o ystyried yr amgylchiadau, roedd yn cael ei ddwyn gerbron y Cabinet i'w ystyried.

**PENDERFYNWYD YN UNFRYDOL benodi Miss Gabriella Robinson i swydd Llywodraethwr yr Awdurdod Lleol yn Ysgol Gynradd Brynaman.**

**12. UNRHYW FATER ARALL Y GALL Y CADEIRYDD OHERWYDD AMGYLCHIADAU ARBENNIG BENDERFYNU EI YSTYRIED YN FATER BRYN YN UNOL AG ADRAN 100B(4)(B) O DDEDDF LLYWODRAETH LEOL, 1972.**

Dywedodd y Cadeirydd nad oedd unrhyw eitemau eraill o fater brys.

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**CADEIRYDD**

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**DYDDIAD**

Sylwer: Mae'r cofnodion hyn yn amodol ar gael eu cadarnhau yn y cyfarfod nesaf

**Y CABINET  
4YDD MAWRTH 2024**

**LLAWLYFR CYNNAL A CHADW Y CYNLLUN RHEOLI ASED AU PRIFFYRDD  
RHAN 4.8 – CYNLLUN GWASANAETH DROS Y GAEAF A THYWYDD GARW  
PRIFFYRDD**

**Pwrpas:** Mabwysiadu Rhan 4.8 o'r Llawlyfr Cynnal a Chadw i gefnogi'r Cynllun Rheoli Asedau Priffyrdd (HAMP).

Mae'r Llawlyfr Cynnal a Chadw yn ffurfio Rhan 4 o'r Cynllun Rheoli Asedau Priffyrdd ac mae'n cael ei ddatblygu fel portffolio o lawlyfrau penodol sy'n ymdrin â rheoli ystod o gategoriâu o asedau priffyrdd. Mae rhannau 4.1 hyd nes 4.7 wedi'u mabwysiadu yn y gorffennol. Mae'r adroddiad hwn yn ymwneud â'r Rhan 4.8 arfaethedig sy'n ymdrin â Chynllun Gwasanaeth dros y Gaeaf a Thywydd Garw Priffyrdd. Caiff adrannau pellach eu cyflwyno yn y dyfodol.

**Yr argymhellion / penderfyniadau allweddol sydd eu hangen:**

Mabwysiadu Rhan 4.8 o Lawlyfr Cynnal a Chadw y Cynllun Rheoli Asedau Priffyrdd fel y nodir.

**Y Rhesymau:**

Sicrhau bod y rhwydwaith priffyrdd yn cael ei gynnal yn unol â dyletswyddau statudol, yn cefnogi amcanion corfforaethol ac yn cydymffurfio â'r côd ymarfer cenedlaethol diwygiedig *'Isadeiledd Priffyrdd sy'n cael ei reoli'n dda.'*

Angen i'r Cabinet wneud penderfyniad

OES

Angen i'r Cyngor wneud penderfyniad

NAC OES

YR AELOD CABINET SY'N GYFRIFOL AM Y PORTFFOLIO:- Y Cynghorydd Edward Thomas, yr Aelod Cabinet dros Wasanaethau Trafnidiaeth, Gwastraff a Seilwaith

**Y Gyfarwyddiaeth: Lle a Seilwaith**

**Pennaeth y Gwasanaeth:  
Dan John**

**Awdur yr Adroddiad:**

Richard Waters  
Darren King  
Chris Nelson

**Swyddi:**

**Pennaeth Seilwaith  
Amgylcheddol**

Rheolwr y Gwasanaethau  
Priffyrdd a Thrafnidiaeth  
Rheolwr y Gwasanaethau  
Priffyrdd  
Rheolwr Asedau Priffyrdd

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**EXECUTIVE SUMMARY**  
**CABINET**  
**4<sup>TH</sup> MARCH 2024**

Highway Asset Management Plan  
Maintenance Manual  
Parts 4.8 – Adverse Weather & Winter Service Plan

In 2018 Council adopted the Highway Asset Management Plan (HAMP) to ensure that the County Council manages and maintains the highway network in accordance with its statutory duties and to comply with best practice. The HAMP is in line with national codes of practice and adopts a risk-based approach which targets limited resources to areas where they are most needed and where our investment will derive greatest value.

This does mean that difficult decisions have to be made and the HAMP sets out the overarching policies and methodology to ensure that those decisions are evidence led and based on an equitable and objective analysis which reduces the authority's exposure to risk and provides best value for the long-term integrity of the highway asset.

There are four parts to the HAMP:

Part 1	Explained the supporting role of the highway network in the wider policy context.
Part 2	Set out the highway network policies which are in place or being developed and our objectives adopted in managing the highway network utilising a risk-based approach.
Part 3	Comprises an Annual Statement which informs on the condition of the asset.
Part 4	A Maintenance Manual consisting of a portfolio of topic specific manuals setting out how particular elements of the highway asset are managed in line with the risk-based approach.

Cabinet has previously approved the following parts of the Maintenance Manual:

- Part 4.1 Highway Maintenance Management
- Part 4.2 Highway Network Hierarchy
- Part 4.3 Highway Safety Inspections & Repairs
- Part 4.4 Road Conditions Assessment and Investment Prioritisation
- Part 4.5. Highway Drainage Management.
- Part 4.6. Geotechnical Management.
- Part 4.7. Highway Emergency Response

The proposed Part 4.8 continues the HAMP risk-based methodology with policies based on the adopted Highway Network Hierarchy. Part 4.8 is discussed below with a full copy provided as a supporting document.

**Part 4.8 Adverse Weather & Winter Service Plan**

Part 4.8 sets out the County Council's approach to managing the highway network during adverse weather events.

The Highway's operational approach to winter weather has been long-established but the growing frequency and severity of prolonged and intense rainfall, extreme winds and prolonged high temperatures are new policy areas recognised within the Part 4.8 of the Maintenance Manual.

The operational objective during these events is to maintain an accessible highway network as far as is reasonably practicable and to minimise the risk to the travelling public.

The term '*as far as is reasonably practicable*' is an important qualification recognised within the Highways Act 1980 which acknowledges that the resources of a Highway Authority are finite and maintaining the whole highway network during an adverse weather event would be an unrealistic task.

This limitation is particularly pertinent to Carmarthenshire which has the second largest highway network in Wales. Therefore, in order to make the best possible use of the resources available our highway operations are focused on the most important routes within the County.

The routes of key important are set out within the Highway Network Hierarchy which was contained within Part 4.2 of the Maintenance Manual and adopted by the County Council in November 2021.

The Highway Network Hierarchy is defined in accordance with the following table:

Carriageways	
Category	Description (approximate daily traffic volume)
CHSR	Route enabling travel between locations of regional significance (NA, Strategic routes are identified based on their importance regionally rather than their traffic volume)
CH1	Travel between locations (traffic volume 10,000 - 20,000)
CH2	Travel between locations (5,000 - 10,000)
CH3	Travel between locations (1,000 - 5,000)
CH4	Access to housing (200 – 1,000)
CH5a	Access to properties (housing and farms) (< 200)
CH5b	Access to isolated properties <20
CH5c	Unsuitable for vehicles
CH5d	Disused/impassable

### Weather Information

The Maintenance Manual explains the many sources of information used by the County Council to enable an appropriate response to an adverse weather event. These include information from the Flood Forecasting Centre, Met Office, Natural Resources.

## **Resource Management**

The efficient deployment and management of resources is a critical component of the Council's response to an adverse weather event. Resources are finite and Carmarthenshire has an extensive highway network. As a consequence resources have to be prioritised towards the areas of greatest risk.

## **Flooding**

The Maintenance Manual recognises that there are a number of agencies with flooding responsibilities. During adverse weather events roads can become impassable and often this is due to flooding from adjacent watercourses or run-off from adjacent land. In these circumstances it may be necessary to close a road until the weather event subsides and the floodwater recedes. In normal operating conditions the focus of the highway drainage system is to take surface water off the highway as efficiently as possible. This is normally through a system of road gullies, pipe, culverts and grips to roadside ditches and the management of this is set out in Section 4.5 of this Manual.

## **High Winds & Gales**

The main impact from high winds and gales on the highway occurs where trees fall onto the road below. During adverse weather events highway crews are equipped to deal with fallen trees and have specialist sub-contractors available where necessary. This does not absolve the adjacent landowner of responsibility for the trees on their land and this includes boundary trees.

## **Extreme Heat**

The impacts of extreme heat are becoming more pronounced as the Met Office advise that climate change is making the UK heatwaves more frequent, intense and long-lasting. The Maintenance Manual sets out the impacts of extreme heat on highway infrastructure and the reactive measures taken to ensure road surfaces remain safe.

## **Winter Service Plan**

Carmarthenshire County Council has had a Winter Service Plan in place for many years and has well-rehearsed procedures for treating roads ahead of forecast snow and ice. An Annual Winter Service Plan is being replaced by Part 4.8 of the Maintenance Manual which will be supported by information available on the County Council's website.

Part 4.8 explains the management of the winter service operations, how services are delivered in response to forecast weather conditions, the training regimes in place and the networks treated.

These networks are based on the Highway Network Hierarchy and consist of:

- Primary Network - A network of strategically important routes normally treated in advance of freezing weather.
- Resilience Network - A reduced core of strategic routes should treatment of the Primary Network become unsustainable.
- Secondary Network - A supplementary network of secondary routes treated in certain instances.

The current Primary, Strategic and Secondary Network would be reviewed and revised to align with the adopted Highway Network Hierarchy.

In the case of the Primary Network, the routes forming the network would consist of roads within the classes CHSR, CH1 and CH2 with the addition of specific roads necessary to ensure access to key facilities throughout the county.

These networks are treated in parallel with the Trunk Road Network in the area which is treated by Carmarthenshire County Council's Highways Service under the instruction of South Wales Trunk Road Agency.

Part 4.8 of the Maintenance Manual also sets out how the County Council manages snow events, our approach to treating footways & cycleways, car parks, the deployment and management of grit bins, and how we suspend gritting operations at level crossings.

The Winter Service section of Part 4.8 concludes by setting out how resources are managed in terms of plant and vehicles, operational personnel and salt stocks.

<b>DETAILED REPORT ATTACHED?</b>	<b>YES</b>
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# IMPLICATIONS

## ALL IMPLICATIONS REQUIRE SIGN OFF BY THE DIRECTOR OR HEAD OF SERVICE

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report:

Signed: Dan John

Head of Environmental Infrastructure

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets	Bio-diversity & Climate Change
<b>NONE</b>	<b>YES</b>	<b>YES</b>	<b>NONE</b>	<b>YES</b>	<b>NONE</b>	<b>YES</b>	<b>YES</b>

## 2. Legal

The County Council has a statutory duty under the Highways Act 1980 Section 41 to maintain the highway and to ensure, as far as reasonably practicable, that safe passage is not endangered by snow or ice.

Through the adoption of the HAMP and its associated Maintenance Manual, the County Council will discharge this statutory duty and operate in accordance with the national Codes of Practice 'Well-managed Highway Infrastructure'.

## 3. Finance

The budgets available to local authorities to manage the highway asset are finite and under considerable pressure.

**The Maintenance Manual adopts a risk-based approach to make best use of available funding.**



## **5. Risk Management Issues**

The HAMP and Maintenance Manual adopt risk management as a core theme and this is discussed in detail within the report.

## **6. Physical Assets**

The report discusses the operational maintenance of the road network during adverse weather events.

## **8. Biodiversity and Climate Change**

Highways asset management and routine maintenance programmes/activities such as mowing, hedgerow maintenance, safety cuts can disturb roadside habitats and directly impact plant and animal populations. To minimise habitat disturbance, maintenance schedules are adjusted to avoid critical times for nesting/migration and through selective mowing by leaving buffer zones of vegetation impacts are mitigated as far as practically possible to provide habitat for wildlife and biodiversity promotion.

Climate change and associated extreme weather events such as floods, storms, and freezing temperatures have a detrimental impact on our highway infrastructure. Our Asset management plans incorporate climate resilience strategies to adapt to these changes and prioritise our maintenance programmes based upon this. This involves maintaining infrastructure as far as is practicable to mitigate as far as is reasonable against extreme weather events, improving drainage systems to mitigate flooding, and using climate-resilient materials in construction.

Integrating biodiversity conservation and climate resilience into highway asset management plans is essential for minimising environmental impacts, enhancing ecosystem services, and ensuring the long-term sustainability of transportation infrastructure.

# CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below:

Signed: Dan John

Head of Environmental Infrastructure

Please specify the outcomes of consultations undertaken where they arise against the following headings

<b>1. Scrutiny Committee request for pre-determination</b>	YES
<b>If yes include the following information: -</b>	
<b>Scrutiny Committee</b>	The report was considered by the Place, Sustainability & Climate Change Scrutiny Committee on Thursday, 23rd November.
<b>Date the report was considered:-</b>	<b>23<sup>rd</sup> November 2023</b>
<b>Scrutiny Committee Outcome/Recommendations:-</b>	
UNANIMOUSLY RESOLVED TO RECOMMEND TO CABINET that the Highway Asset Management Plan – Maintenance Mangual Part 4.8 – Highways Adverse Weather and Winter Service Plan be endorsed.	

**2. Local Member(s)**

N/A

**3. Community / Town Council**

N/A

**4. Relevant Partners**

N/A

**5. Staff Side Representatives and other Organisations**

N/A



**CABINET MEMBER PORTFOLIO  
HOLDER(S) AWARE/CONSULTED**

YES

**Section 100D Local Government Act, 1972 – Access to Information  
List of Background Papers used in the preparation of this report:**

**THESE ARE DETAILED BELOW**

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Highway Asset Management Plan (2018)		<a href="#">(Public Pack)Agenda Document for Executive Board, 02/07/2018 14:00 (gov.wales)</a>
Highway Asset Management Plan - Maintenance Manual Parts 4.1 to 4.4		<a href="#">(Public Pack)Agenda Document for Cabinet, 06/12/2021 10:00 (gov.wales)</a>
Highway Asset Management Plan - Maintenance Manual Parts 4.5 to 4.7		<a href="#">(Public Pack)Agenda Document for Cabinet, 13/02/2023 10:00 (gov.wales)</a>

Mae'r dudalen hon yn wag yn fwriadol

## 4.8 Highways Adverse Weather & Winter Service Plan

### 4.8.1 Adverse Weather Overview

The highway network is of vital importance to ensure Carmarthenshire continues to function during adverse weather events. From facilitating blue light services responding to emergencies or helping learners get to school, ensuring people get to work or food gets to shelves, the highway network provides a vital lifeline for local our communities. Keeping this lifeline as open and accessible as possible during adverse weather is a key role undertaken by the County Council's Highways & Transportation Team.

Carmarthenshire has the second largest highway network in Wales, and it is not always possible to ensure all 3,500Km of highway are open and accessible at all times. A risk-based approach has therefore been adopted utilising the Highway Network Hierarchy to focus operational resources towards the most important arterial routes.

The Highways & Transportation Team's operational response to adverse weather is scaled up or down in accordance with the forecast weather impacts. Where the weather event is particularly significant, a multi-agency response may be triggered in accordance with the Council's Emergency Planning (Civil Contingencies) procedures. This Highways Adverse Weather & Winter Service Plan may be mobilised as part of this to support either a multi-agency approach, to respond to a Highways Emergency (see 4.7.2,4.7.3) or activated singularly.

The objective of the Highways Adverse Weather & Winter Service Plan is to ensure a resilient highway network during hazardous weather events. In line with the Code of Practice "*Well-Managed Highways Infrastructure*" the Adverse Weather & Winter Service Plan now covers all weather impacts on the highway network. This is an expansion on the traditional approach which concentrated on operations to tackle the risk of snow and ice and reflects the wider impacts of climate change on our weather.

This wider remit of weather related impacts include:

- Heavy rain and Storms events
- Tidal, Surface water and River flooding
- Extreme winds
- Prolonged High Temperatures / Heatwaves
- Extreme winter weather

The impacts of these events are increasingly evident and can significantly influence the lives of our residents and highway users. The different weather events require specific responses designed in accordance with the risk presented. As a result our approach has been expanded with a greater focus on weather forecasting and information, resource management and operational planning for the particular weather event forecast or experienced.

## 4.8.2 Weather Information

Timely and accurate information is a vital component in managing the operational response to unfolding weather events. The weather in the UK is subject to a very complex and dynamic set of variables and forecasts are developed to provide the best possible understanding of likely weather conditions. It is, however, important to acknowledge that these are only forecast and actual weather conditions can differ from those expected.

The County Council's Highways & Transportation Team work closely with a number of agencies to share information and coordinate responses. The greater the detail of information we can provide for Carmarthenshire enables forecasters to enhance the details of their forecast which helps with our response.

The authority will usually be warned of severe weather impacts in advance by means of the following services:

- National Flood Forecasting Centre.
- Met Office Civil Contingencies Advisor.
- Natural Resources Wales Flood Warnings.
- Met Office weather alerts (Yellow/Amber/Red Warnings).
- Dedicated local road weather forecasts for winter hazards.
- Roadside weather monitoring sites and alert systems within Carmarthenshire and the surrounding area.

Carmarthenshire County Council provides information to our partner agencies and weather forecasters from a series of weather stations strategically placed around the County to provide the best possible representation of local weather conditions. There are currently 13 such dedicated weather stations which provide a wide range of weather data throughout the year including information on road surface temperature, air temperature, humidity, wind and rainfall data plus real-time up to date camera images.

The stations are remotely linked to a weather information system which collates data that is accessed by our partners and is available to staff within the highways division at all times including out of hours. Links with the system are also provided to the weather forecasting organisation enabling a more detailed and tailored local monitoring and forecasting service. The system is monitored 24 hours/day by our weather forecasters and County Council Duty Officers are alerted when critical situations are detected. This is also particularly beneficial when managing extreme adverse weather.

The locations of the current weather stations are shown on the plan below.



**LOCATION PLAN  
REGIONAL WEATHER STATIONS**

### 4.8.3 Resource Management

The operational response to weather events is managed proportionally in response to the expected severity of the event and the likely risks the event will present. Where an event is severe or is expected to be prolonged it may be necessary to focus resources towards key areas of risk and operational decisions will need to be made on this basis.

As an example, this has previously been the case with severe winter weather where due to limitations of salt supplier or gritter drivers it became necessary to reduce the normal winter treatment network to a Resilient Network of routes which focused on maintaining the key strategic roads only. Alternatively, during a prolonged period of snowfall in 2018, having ensured the Primary Network was satisfactorily treated, it was possible to treat a number of minor roads which provided access to the more isolated villages.

As set out in part 4.7 of this manual, during periods of high demand, including adverse weather events, resources are managed and additional resources may be deployed in proportion to the risk presented or forecast. This is generally agreed in advance with Senior Managers following official Weather and Flood warnings. Typically this will involve having additional highway operatives on stand-by and ready to deal with the impacts of a weather event and this response is scaled in accordance with the risk.

Where the risk is significant additional external resources may also be engaged to assist highway teams through commercial contracts for services such as high pressure pumping, jetting and gulley cleaning in response to flooding, sweeping to clear debris from roads, JCBs to remove fallen trees, specialist arborist services for tree removal and traffic management companies to assist with road closures, and diversions.








### 4.8.4 Storm Events

The Highway response to forecast storm events is managed in proportion to the magnitude and severity of the forecast weather event. Particularly impactful weather events may trigger a wider multi-agency response in accordance with Emergency Planning procedures.

### 4.8.5 Flooding

Overall responsibility for managing flooding sits with a number of public bodies in Wales including Natural Resources Wales (Main Rivers, Coastal and Tidal), Water Authority (Sewer flooding), Ordinary watercourses (CCC Flood Defence), Ground Water and Surface Water (CCC Flood Defence).

Flooding alerts are normally issued by Natural Resources Wales and the types of alert issued are shown in the table below which also indicates the likely organisational or multi-agency response as referenced in Part 4.7 of this Manual.

Weather/ flooding forecast		Response																																		
Natural Resources Wales (NRW) Flood alerts and warnings	Met Office Severe Weather Warning Service	Suggested Carmarthenshire County Council response	Expected multiagency and LRF response																																	
 <p><b>FLOOD ALERT</b> FLOODING IS POSSIBLE. BE PREPARED.</p>	<table border="1"> <tr><td rowspan="4">Likelihood</td><td>High</td><td></td><td>✓</td><td></td><td></td></tr> <tr><td>Medium</td><td></td><td>✓</td><td></td><td></td></tr> <tr><td>Low</td><td></td><td></td><td></td><td></td></tr> <tr><td>Very low</td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td>Very low</td><td>Low</td><td>Medium</td><td>High</td></tr> <tr><td colspan="6">Impact</td></tr> </table>	Likelihood	High		✓			Medium		✓			Low					Very low							Very low	Low	Medium	High	Impact						Consider the need for a <b>Bronze</b> Group	Consider a multiagency Teams meeting
Likelihood	High			✓																																
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 <p><b>FLOOD WARNING</b> IMMEDIATE ACTION REQUIRED FLOODING IS EXPECTED</p>	<table border="1"> <tr><td rowspan="4">Likelihood</td><td>High</td><td></td><td></td><td>✓</td><td></td></tr> <tr><td>Medium</td><td></td><td></td><td>✓</td><td></td></tr> <tr><td>Low</td><td></td><td></td><td>✓</td><td></td></tr> <tr><td>Very low</td><td></td><td></td><td>✓</td><td>✓</td></tr> <tr><td></td><td></td><td>Very low</td><td>Low</td><td>Medium</td><td>High</td></tr> <tr><td colspan="6">Impact</td></tr> </table>	Likelihood	High			✓		Medium			✓		Low			✓		Very low			✓	✓			Very low	Low	Medium	High	Impact						Consider the need for a <b>Bronze</b> and <b>Silver</b> Group	Consider a multiagency Teams meeting and Tactical Coordinating Group (TCG)
Likelihood	High				✓																															
	Medium				✓																															
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Impact																																				
 <p><b>SEVERE FLOOD WARNING</b> SEVERE FLOODING. DANGER TO LIFE.</p>	<table border="1"> <tr><td rowspan="4">Likelihood</td><td>High</td><td></td><td></td><td></td><td>✓</td></tr> <tr><td>Medium</td><td></td><td></td><td></td><td>✓</td></tr> <tr><td>Low</td><td></td><td></td><td></td><td>✓</td></tr> <tr><td>Very low</td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td>Very low</td><td>Low</td><td>Medium</td><td>High</td></tr> <tr><td colspan="6">Impact</td></tr> </table>	Likelihood	High				✓	Medium				✓	Low				✓	Very low							Very low	Low	Medium	High	Impact						Activate a <b>Bronze, Silver</b> and <b>Gold</b> Group	Activate a Tactical Coordinating Group (TCG). Consider a Strategic Coordinating Group (SCG)
Likelihood	High					✓																														
	Medium					✓																														
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		Very low	Low	Medium	High																															
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Where roads are flooded by extremely high tides, adjacent watercourses breaching their banks or from surface water from adjacent land, it may be necessary to ensure public safety by closing roads until the flood waters recede and allow the roads to safely be reopened again.



Unclassified Road U4172 Cynghordy, September 2023.

The highways authority is responsible for the management of water that naturally falls onto the highway surface. Our main focus is to remove surface water from the highway as effectively as possible to reduce the risk to motorists. The regular cleaning of road gullies and the management of interconnecting pipes and culverts is a key method of reducing the risk of water standing on the road surface. The methodology for this is set out in Section 4.5. The risk of gullies blocking due to fallen leaves is at its greatest during the autumn.

In advance of forecast periods of high rainfall Highway Teams will check known flood risk locations on the network to remove any obvious blockages in addition to advance clearing of trash grids on priority flood risk assets.

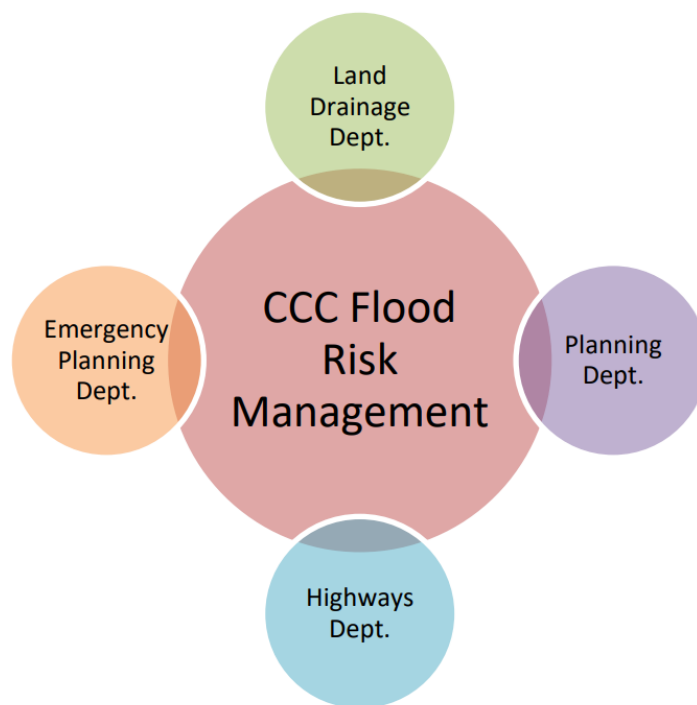
It is understood that an increasing intensity of rainfall is being experienced more frequently due to climate change. These periods of high intensity rainfall can quickly create a volume of surface water which is, for a period of time, above the capacity of the highway drainage systems. As a consequence, surface water ponding may occur for a time. This ponding will normally dissipate as the rainfall eases and the highway drains clear away the water, provided the receiving watercourse levels have receded.

Where the risk of property flooding is forecast the authority may use sandbags where they can be effective on a temporary emergency basis during flood events to redirect shallow water primarily in connection with or relating to its own highway and infrastructure assets. Property owners are encouraged to take practical steps to protect their property, and further details are contained in Carmarthenshires latest Sandbag Policy (see website).

Where appropriate sandbags will be deployed at strategic locations across the County immediately preceding a storm event. Statements will be issued by our Press Office when this occurs.

The Council should not be wholly relied upon to provide help and assistance during a flooding incident. However, there will be occasions where flooding is unexpected, or affects new areas, and the Council will help as far as its resources allow.

In more rural areas the highway drainage consists of drainage ditches alongside the roads. Roadside ditches are normally the responsibility of the adjacent landowner and should be regularly inspected and maintained by the landowner. The Highway Authority will normally have a right to discharge surface water into the roadside ditch or watercourse. Where necessary the Highway Authority may require the adjacent landowner to undertake maintenance works on a ditch to prevent a nuisance being caused on the highway (Adjacent Landowners and the Public Highway.gov.wales).



*Flood risk management in Carmarthenshire*



## 4.8.6 High Winds & Gales

High winds and gales can cause disruption on the highway network. Often this is due to trees, or tree branches, either from the highway verge or from adjacent land, being blown down and falling on the highway.

Highway verge trees are included within the scheduled highway safety inspection regime and diseased or unstable trees are identified and remedial works undertaken to remove the risk to the travelling public. Adjacent landowners should also have in place a regular inspection regime to ensure that their trees do not present a risk to the travelling public.

Where the Authority identifies trees on adjacent land which appear to be a risk to the highway the adjacent landowner will be required to take appropriate action. This does not absolve the landowner from their duty to inspect and maintain trees on their own land, including boundary trees which are the landowners responsibility.

In the event that trees fall from adjacent land onto the highway the Authority may be required to remove the obstruction and will recover costs from the landowner.

Where strong winds or gales are forecast the Highways operation is scaled-up to ensure sufficient resources are available to manage the event as far as is reasonably practicable. This will include as appropriate:

- Additional chainsaw gangs made available.
- Specialist tree sub-contractors made available to assist with clearance works.
- Additional plant to remove fallen trees from the highway.
- Additional traffic management available should roads need to be closed and diversions put in place.
- Ensure any highway construction sites are properly secured.



A484 Carmarthen to Cynwyl Elfed Fallen Tree

## 4.8.7 Extreme Heat

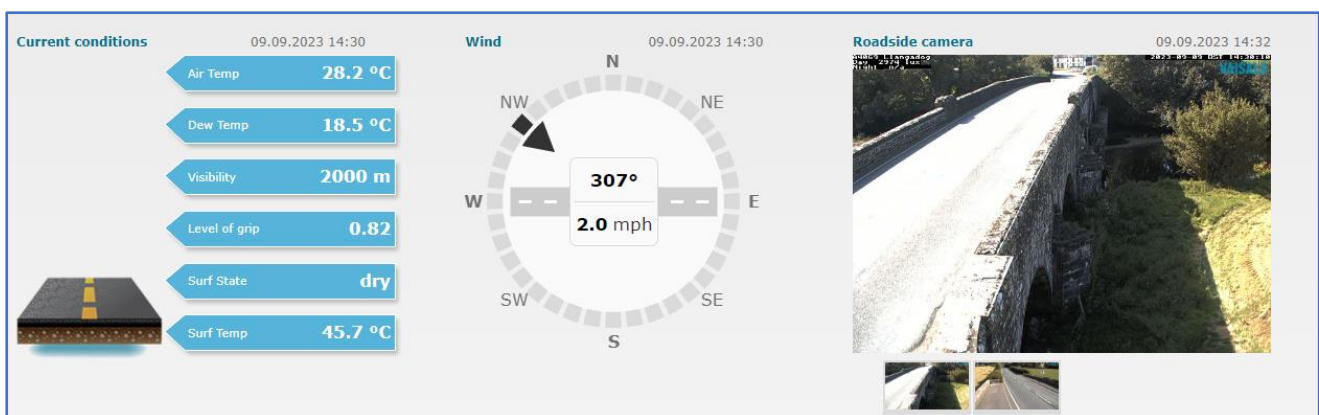
The impact of extreme heat on the highway asset is a relatively new but growing concern. In July 2022 the Met Office reported temperatures over 40°C recorded for the first time in the UK as thermometers in Lincolnshire reached 40.3°C and 46 weather stations across the UK exceeded the previous UK record of 38.7°C. This led to the Met Office issuing its first ever Red Warning for extreme heat.

It is also notable that of the 30 hottest days in the UK by area averages, 14 have occurred this century and the Met Office advise that climate change is making UK heatwaves more frequent, intense and long-lasting. Extreme heat events can have an adverse impact on road surfaces as the dark asphalt absorbs heat through the day and whilst air temperatures may be above 20°C, road surface temperatures can exceed 50°C.

The development of high temperatures in the asphalt surfacing can cause viscoelastic behaviour, thermal deformation and change the stiffness of the surface. These effects can also cause traffic loading to have a detrimental impact on the surface, such as by causing 'rutting' of the surface and, in addition to inducing cracking within the surface, reduce the skid-resistance which has a direct impact on vehicle stopping distances and hence road safety.

During extreme heat events highway surfaces are monitored and areas where surfaces become soft or appear 'fatty' or 'polished' remedial measures can be taken. Identified sites can be dusted with stone dust or sharp sand which may be dispensed through the gritter fleet. The application of small aggregates helps to restore the skidding resistance of the surface and protect it from direct sunlight as the aggregates settle and are tracked into the surface.

Prolonged periods of high temperature can also have an impact on the underlying subsoils causing materials to shrink and crack as they 'dry-out'. These cracks can then be reflected up through the pavement to the surface of the road. Damage of this type will require a more invasive intervention to repair.



#### 4.8.8 Winter Service Plan

The County Council aims to provide a Winter Service which, as far as is reasonably practicable, will facilitate the safe movement of vehicular traffic on the strategically important sections of the highway network and keep to a minimum delays and accidents due to adverse weather conditions.

Carmarthenshire has the second largest highway network in Wales and when winter conditions are forecast, pre-salting of our Primary network is undertaken ahead of freezing temperatures.

Our duty (Highways Act 1980 S41 (1A)) is to:

*'...ensure, as far as is reasonably practicable, that safe passage along the highway is not endangered by snow or ice.'*

The phrase '*reasonably practicable*' is an important qualification which recognises that the duty is not absolute, Highway Authorities cannot treat an entire road network when adverse weather is forecast, and that Highway Authorities will need to adopt a balanced approach of reasonableness and practicability within the resources available.

All winter service operations on public highways within Carmarthenshire are predominantly undertaken by the County Council's Highways and Transportation Service within the Place and Infrastructure Department. This includes working in partnership with the Welsh Government which is the Highway Authority for Trunk Roads within Carmarthenshire. We also work closely with neighbouring authorities with reciprocal cross-boundary arrangements in place on a small number of roads to ensure a consistent level of service for the travelling public.

Organisational responsibilities and operational procedures are documented in the Departments ISO 9001 Winter Service Quality Plan.

The County Council's approach to Winter Service recognises recommendations contained in the national Code of Practice *Well Managed Highway Infrastructure* and the detailed guidance provided by the National Winter Service Research Group '*A Practical Guide for Winter Service*'.

One of the key risks for road users during the winter is that of ice forming on the road surface. Water will freeze to form ice at 0°C but the presence of road salt in the solution lowers the freezing point to prevent ice forming. When temperatures fall below -7°C the salt becomes less effective.

A key element of the Winter Service is based on the efficient spreading of salt on the road surface ahead of freezing temperatures. This is undertaken by a fleet of gritting vehicles which are strategically based across the County. Approximately 140 tonnes of salt can be spread onto the Primary Network on a single treatment. The County Council is mindful of its sustainability obligations, financial responsibilities and safety duties and aims to ensure that gritting treatments are efficient, effective and necessary in relation to forecast weather conditions.

The gritting fleet are equipped with GPS tracking devices to enable accurate monitoring of their location on the gritting route and track which roads have been treated. Gritting route navigation devices are fitted to vehicles to improve driver information and routing. Precautionary treatments are normally completed in less than 3 hours for each route and at least 1hr in advance of forecast road hazards forming.

Every endeavour is made to ensure that roads on the Primary Network are treated ahead of ice and snow being

forecast. This treatment provides a de-bonding layer to minimise the adhesion of snow and ice to the carriageway surface and helps to make any necessary snow clearance more efficient. All of our gritter fleet can be fitted with snow ploughs, should snow clearance be required, and our operations will have a key focus on the strategic highway routes.

Further details can be found on the Councils webpage which will be updated at the start of each winter season.

#### 4.8.9 Winter Service Management

Overall direction of the Winter Service Operations is the responsibility of the Head of Environmental Infrastructure, with duties delegated to authorised officers (see table below).

Job Title	Delegated Management Role
Highways and Transportation Services Manager	Winter Service Direction
Highway Services Manager	Winter Service Operations
Highways Asset Manager	Planning and Systems management
Highway Duty Officers (x9 - Rota)	Daily winter action decision making & monitoring
Winter Service Supervisors (x18 - Rota)	Supervision of gritting operations

The County Council also provides a service to Welsh Government in treating selected Trunk Roads. The gritting action for the Trunk Road Agency is distributed via email to the County Duty Officers each day. The gritting action for County roads are normally entered by the Duty Officers onto the management system's 'Decision board' before 14.00 hours each day. A log of the daily action is then generated and e-mailed to key organisations including Emergency Services, neighbouring authorities and the Welsh Government. Control room staff monitor the logged actions daily to ensure that information has been circulated to the appropriate parties.

The levels of winter service action are as follows:

Level	Action description
0	<b>No action – Drivers stood down</b>
1	<b>Review Pending</b> - Drivers retained on call to await further instructions - forecast to be monitored by duty officer - potential for gritting action
2	<b>Patrol</b> - undertaken by drivers in gritting vehicles on specified routes to apply salt selectively as may be indicated by conditions e.g. icy patches
3	<b>Pre-salt</b> - undertaken by drivers in gritting vehicles to apply salt at the specified rate of spread for the complete length of the scheduled routes, normally in advance of forecast ice formation
4	<b>Pre-salt with plough</b> - Applications of salt for dealing with snow conditions, combined if necessary with snow ploughing

In a major adverse weather event, the County Councils Emergency Planning protocols may be brought into operation (Section 5.4 Carmarthenshire Emergency Response Plan).

#### 4.8.10 Service response

The Winter Service is dependent on the efficient and effective spreading of salt from purpose-built vehicles. The use of salt or grit or mixtures of both minimises the effects of ice and packed snow.

From the 1st October to the 30th April each year, the County Council subscribes to a specialist roads weather forecasting service. This service is generally procured via an all-Wales framework contract and provides a common weather forecast service across neighbouring regional authorities including Pembrokeshire, Ceredigion, Powys, Swansea and Neath Port Talbot. The service takes the form of a rolling 36-hour forecast normally transmitted daily at 12 noon, supplemented by morning and evening updates and a rolling longer range 2-10 day forecast which is updated daily. The service also provides out of office hours forecaster consultancy facilities.

Forecasts are provided on an individual route by route basis allowing Duty Officers to access up to date route-based forecasts and detailed weather information via a web-based management system.

During evenings and weekends the Duty Officer will be alerted directly by the forecaster when required to advise of any forecast changes or severe conditions. The Duty Officer can contact the forecaster at any time to discuss weather conditions in addition to the information available via the web-based management system.

Three distinct periods for winter service are typically identified and are as follows: -

MARGINAL PERIOD – Severe weather not expected	End of September to start of October and mid April to end of April
LOW PERIOD – Severe weather may occur	End of September to start of October and mid April to end of April
HIGH PERIOD - Severe weather reasonably expected	Middle of October to end of March

A stand-by Duty Officer will be on duty each day throughout the 'High period' (Mid-October to end of March) and is responsible for deciding on the daily winter service action appropriate to the forecast received and prevailing conditions on the County Roads. Outside of office hours the Duty Officer may be contacted on a dedicated emergency line by means of an automatic call forwarding system.

Duty Officers are required to review the weather forecasts received and determine the appropriate action to be taken with reference to the prevailing weather and road conditions. The treatment decisions are cross-referenced as updated forecasts are received. The required treatment on a particular route is selected in accordance with the forecasters predicted road hazards and in line with spread rate guidance published by the National Winter Service Research Group (NWSRG).

Duty officers will also be informed in their operational management and decision making by data provided by the weather stations located within the County and may take account of existing salt levels on the road surface (following periods of repeat gritting). The information from the weather stations is interrogated by the Duty Officer via a hosted web bureau service. The weather stations also include cameras to provide live images of actual road and weather conditions.



The Duty Officer will be mindful of the duty to manage risk whilst also making best use of resources. Duty Officers will also be aware that the over-use of salt may have a detrimental impact on the environment.

The County Council works closely with the South Wales Trunk Road Agency and the Western Area Partnership (WAP) to treat the Trunk Roads within Carmarthenshire. Forecasting and decision making for winter treatment of Trunk Roads is undertaken by SWTRA with the Highways and Transportation team then undertaking treatment of the Trunk Road Network within specified timeframes. This is undertaken with a combination of Welsh Government and County Council gritting vehicles operating from depots at Carmarthen, Cross Hands, Pont Abraham and Llandovery and Pembrokeshire County Council Gritters as part of the WAP.

#### 4.8.11 Training

Our Winter Duty officers are experienced in winter service provision and are subject to regular training and review. All Duty Officers undergo initial training with our specialist weather forecasters to ensure a sound understanding of winter weather, road hazards and the use of precautionary treatments before building on their knowledge through a period of shadowing experienced Duty Officers. Refresher training is carried out at 3 yearly intervals for all Duty Officers.

Duty Officers have access to a wide range of on-line resources and are provided with guidance on a the main types of issues that may be encountered out of hours. A detailed Duty Officer Guidance document is provided and updated on a regular basis. The document contains up to date operational guidance including advice on appropriate salt spread rates as recommended by the National Winter Service Research Group (NWSRG).

All gritter drivers are trained to achieve a City and Guilds qualification in Winter Service Operations.

#### 4.8.12 Winter service treatment routes

In common with the County Council's approach to other adverse weather events, the response to winter weather is managed proportionally in response to the severity of the expected weather conditions, or the actual weather being realised, and the risks presented.

Our approach to the selection of treatment routes accords with the National Code of Practice and is founded on a risk-based approach as set out in Part 4.1 and 4.2 of this Manual. This approach utilises the adopted Highway Network Hierarchy to guide all aspects of highway management and maintenance and ensure that finite resources are directed towards areas where they are most needed to minimise the risk to the travelling public.

Carmarthenshire County Council has adopted the following treatment networks:

<b>Primary Network</b>	A network of strategically important routes. These routes will normally be treated in advance of forecast freezing temperatures and will be the key focus during adverse weather.
<b>Secondary Network</b>	A supplementary network of secondary routes which support the Primary Network. These routes will only be treated during prolonged or severe winter weather, if resources permit, after the Primary Network is treated.

<b>Resilience Network</b>	A reduced 'core' strategic network. Winter Service operations will be reduced to focus on a Resilience Network for treatment if resources or weather conditions are such that the continued treatment of the Primary Network is unsustainable.
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Note: The above routes are treated in addition to Trunk Roads and Motorways.

## Primary Network

Carmarthenshire's Primary Network for winter service is derived from the road network hierarchy, prioritising the busiest and most critical routes. This consists of CHSR, CH1 and CH2 routes and where necessary are extended to include critical facilities as shown below:

Road Hierarchy	Descriptor	Type of road	Description (approximate daily traffic volume)
<b>CHSR</b>	Strategic Route	Trunk and some Principal 'A' class roads between Primary Destinations	Route enabling travel between locations of regional significance (Strategic routes are identified based on their importance regionally rather than their traffic volume).
<b>CH1</b>	Main Distributor	Major Urban Network and Inter-Primary Links. Short - medium distance traffic	Travel between locations (traffic volume 10,000 - 20,000)
<b>CH2</b>	Secondary Distributor	B and C class roads and some unclassified urban routes carrying bus, HGV and local traffic with frontage access and frequent junctions	Travel between locations (5,000 - 10,000)
<b>Critical Facilities</b>	<ul style="list-style-type: none"> <li>• Hospitals and Ambulance Stations</li> <li>• Fire Stations</li> <li>• Main Police Stations</li> <li>• Key Public Transport Routes</li> <li>• Main Schools &amp; Colleges</li> <li>• Train Stations and Bus Interchanges</li> <li>• Ferry Ports (Trunk)</li> </ul>		

## Secondary Network

The County Council's Highways Team will have a main focus during adverse weather on the County's Primary Network. Following satisfactory treatment of the Primary Network, if weather conditions dictate and resources allow, treatment may be carried out on a Secondary Network which will include selected bus routes, routes to smaller villages, settlements and steep gradients.

In addition to the highway network, we may treat other key locations including main car parks. Treatment will be carried out as resources permit and in response to local priorities and emerging conditions. First priority will always be given to keeping trunk roads and Primary Network clear. Secondary routes largely consist of hierarchy level CH3 and many CH4 routes. Other roads may be treated as resources allow.

## **Resilience Network**

The resilience network is defined as a reduced strategic network which will be treated if resources or weather conditions do not allow the continued treatment of the entire Primary Network. Restricted resources may include fuel, salt/grit, vehicles or personnel. Priority will be given to maintaining treatment of the Trunk Road network on behalf of Welsh Government and the South Wales Trunk Road Agency.

On the directions of the Director of Place and Infrastructure, in extreme circumstances it may be necessary to reduce service provision and withdraw certain aspects of the service. This may potentially apply during prolonged periods of severe weather where salt stocks are reaching a critical point and the forecast predicts further spells of cold weather, or other factors that disrupt service provision.

### **4.8.13 Snow Events**

During severe and prolonged snowfall conditions normal highway operations are generally suspended to divert additional resources to clearing roads. Priority is always given to Trunk roads and Primary routes and with a focus on strategic facilities and population centres. Maintaining access to Emergency, medical and welfare centres are a priority. Secondary routes may be treated where resources allow, particularly during prolonged snow events. Additional resources may be deployed to assist the highways teams during severe conditions on the direction of the Departments Director or Chief officers. Resources may include:

- Redeployment of staff from other services including Refuse, Grounds maintenance and Public rights of way.
- Framework contractors – Operatives and plant support

### **4.8.14 Footways / Cycleways**

Our winter service operation is primarily focused towards ensuring safe passage along the highway as far as is reasonably practicable with the resources we have available. During winter conditions our resources are normally fully focused on treating and clearing the primary highway network and this does mean that we are unlikely to be able to also treat footways. If resources permit and weather conditions dictate, then we will consider treating footways / cycleways in high priority locations.

### **4.8.15 Car Parks.**

There is no statutory requirement to grit car parks and there are a number of local authorities in Wales who do not or have ceased to grit car parks. Traffic in Car parks is generally traveling at lower speeds compared to traffic on the main routes and restricted resources limit our ability to provide precautionary treatment. Where conditions dictate and resources allow, we may treat Car parks as part of Secondary routes.

### **4.8.16 Grit bins**

Across the county we have around 1,100 grit bins located in known trouble spots such as steep hills and bends

prone to icy conditions and not normally treated as part of the primary routes. There is a limit on resources and currently we are unable to provide additional grit bins on request. We do work with town and community councils and residents' associations to review the locations of grit bins. We inspect and fill all of our grit bins in the autumn. If there is snow, the bins will only be re-filled if staff and equipment become available to undertake the work.

Residents are advised that the salt should be used very sparingly, as it does not aid grip but is supplied to assist in preventing the formation of ice and melting of snow. It is provided for use only on public roads and pavements and should not be used or transported anywhere else. We do not refill grit bins on demand.

#### **4.8.17 Railway level crossings**

On request of Network Rail, our gritters are instructed to suspend the application of salt 12m either side of any level crossings.

"For railway purposes salt must not be used to clear level crossing surfaces due to the risk of wrong sided track circuit failures.

#### **4.8.18 Winter Service Resources**

##### **Plant and Vehicles**

The authority has in place its own fleet of specialist vehicles and salt spreading equipment. Vehicles are in readiness each winter allowing rapid deployment and spreading of salt on the highway when required. The fleet is managed and maintained with vehicles replaced when funds permit, with investment in state-of-the-art equipment to ensure accurate and efficient spreading of road salt.

Typically, the fleet consists of around 19 vehicles, these may be Swap body or Unibody gritters. In addition, the authority has a tractor mounted snowblower which may be deployed during severe conditions.

##### **Operational personnel**

The authority has a significant pool of staff resources in place each winter to provide a 24hr operation when required. Typically, we have around 78 operatives fully trained at the start of each winter season, however this number may fluctuate each year in line with required service levels.

In addition to gritter drivers, the authorities fleet management team are in place to support the highways division in the maintenance and upkeep of its gritting fleet, providing servicing and attending to faults and breakdowns. Approximately 8 trained mechanics are in place throughout the season.

##### **Salt Stocks**

Local Authorities are directed by Welsh Government to hold in store a minimum salt stock at the start of the winter season to ensure each highway authority can provide a resilient response to prolonged winter weather. This is calculated on a 1.5 times multiple of a 6 years average use. Carmarthenshire County Council normally

holds approximately 12,600 tonnes of salt in stock at the start of the season, most of which is stored under cover in salt barns. Our aim is to then replenish stock levels to maintain a capability and resilience in coordination with Welsh Government and other local authorities across Wales. Carmarthenshire uses 6mm rock salt purchased through the Welsh Governments all Wales framework tender for salt supply and is part of the Wales Salt Cell which determines deliveries to local authorities on a priority basis during difficult times.

County Road Salt Storage capacities are as follows:

Depot Location	Type of Storage		Total (tonnes)
	In Barn (tonnes)	Sheeted stockpile (tonnes)	
Carmarthen	2500	400	2900
Cross-Hands	5700		5700
Llandovery	4000		4000
<b>Total</b>	<b>12200</b>	<b>400</b>	<b>12600</b>

Mae'r dudalen hon yn wag yn fwriadol

## Y CABINET

4 MAWRTH 2024

**POLISI CODI TÂL – TALIADAU GOFAL CYMDEITHASOL  
DIWYGIADAU I'R POLISI PRESENNOL**

**Y Pwrpas:**

- Adolygu'r "Polisi Codi Tâl – Gofal Cymdeithasol" presennol ac ymgynghori ar y newidiadau allweddol arfaethedig i'r polisi.

**Yr argymhellion / penderfyniadau allweddol sydd eu hangen:**

Mae'r newidiadau allweddol sy'n cael eu cynnig fel a ganlyn:

1. Cyflwyno ffi Rheolaeth Flynyddol ar gyfer Rheoli Dirprwyaethau, Penodeiaethau, ac achosion Diogelu Eiddo. Mae'r baich gweinyddol sy'n gysylltiedig â'r gwaith hwn yn sylweddol. Taliadau cymedrol yw'r rhain, sydd ar gyfer Dirprwyaethau wedi'u nodi gan y Llys Gwarchod. Byddai'r ffioedd hyn o leiaf yn adennill rhai costau a ysgwyddwyd a byddent yn llai na'r hyn a godir gan ddirprwy broffesiynol i unigolion.

**Effaith Ariannol Bosibl:**

Ceisiadau dirprwyaeth = 15 y flwyddyn am £745.00

**= £11,175.00 y flwyddyn**

Penodeiaethau Gofal Preswyl = 183 am £260.00 y flwyddyn, ond byddai'r mwyafrif yn gymwys i gael gwariant sy'n gysylltiedig ag anabledd, gan leihau'r incwm ychwanegol i oddeutu

**= £12,480.00 y flwyddyn**

Penodeiaethau cymunedol = 99 am £260.00 y flwyddyn. = £25,740.00 (ond byddai rhai yn cael gwariant sy'n gysylltiedig ag anabledd, sy'n golygu y byddai eu cyfraniad yn lleihau. Byddai 88 yn talu tâl ychwanegol am Benodeiaeth

**= £22,882.08 y flwyddyn**

Achosion Eiddo = 17 y flwyddyn yn barhaus, 6 y flwyddyn yn atgyfeiriadau newydd.

Achosion parhaus = tâl o £520.00 y flwyddyn

**= £8,840.00 y flwyddyn**

Atgyfeiriadau Newydd = tâl o £100.00

**= £600 y flwyddyn**

**Cyfanswm = £56,000 y flwyddyn**

**Sylwer: Mae gan cyngor Sir Benfro daliadau a chyfraddau tebyg ar gyfer 2023-24**

**Atodiad 2 - Ffioedd a Thaliadau - Cyngor Sir Penfro**

2. Codi'r tâl llawn ar ddefnyddwyr gwasanaeth mewn cartrefi gofal am wyliau, arosiadau byr i ffwrdd o'r Cartref Gofal. O dan y polisi presennol nid oes tâl am hyn, ond mae'r awdurdod yn talu'r Cartref Gofal yn llawn.

**Effaith Ariannol Bosibl:**

Yn seiliedig ar oddeutu 10 defnyddiwr gwasanaeth, sy'n cael arosiadau rheolaidd i ffwrdd o'r cartref gofal yn rheolaidd.

**Cyfanswm = £5,000**

3. Codi tâl llawn am dderbyniadau i'r ysbyty neu absenoldebau dros dro o'r Cartref Gofal am uchafswm gyfnod o 4 wythnos.

Ar hyn o bryd mae'r Awdurdod yn lleihau'r tâl pan fydd yna absenoldeb dros dro i "Gyfradd pensiwn yn unig", sy'n golled refeniw i'r awdurdod, gan ein bod yn dal i dalu'n llawn am y lleoliad. Byddai'r awdurdod yn edrych ar unrhyw gostau absenoldeb ychwanegol fesul achos o fewn paramedrau'r Asesiad Ariannol.

**Effaith Ariannol Bosibl:**

Yn seiliedig ar 150 o achosion y flwyddyn am uchafswm o 4 wythnos ar dâl asesedig wythnosol, heb fudd-daliadau DWP sy'n cael eu codi o dan y polisi cyfredol.

**£44,000 y flwyddyn**

4. Codi ffi weinyddol benodol ar gyfer preswylwyr Hunangyllidedig sy'n gofyn i'r awdurdod drefnu eu lleoliad cartref gofal ar eu rhan.

**Effaith Ariannol Bosibl:**

Yn seiliedig ar 188 o ddefnyddwyr gwasanaeth (sydd â chyfalaf rhydd uwchben y trothwy cyfalaf/heb ei ddatguddio) ac yn contractio trwy CSC. Byddai ffi weinyddol unwaith yn unig o £520 yn rhoi incwm o:

= £97,760.00 y flwyddyn.

Sylwch y gallai ffi weinyddol leihau niferoedd lleoliadau 'Hunangyllido' yn unig, a pheidio â chynhyrchu incwm ychwanegol, felly rydym wedi lleihau'r amcangyfrif 50%.

**= £49,000 y flwyddyn**

Sylwer: Mae cyngor Ceredigion wedi codi tâl amdano yn yr amgylchiadau hyn ers sawl blwyddyn:

**Tudalen 12 - [Charging for Residential Care and Support \(ceredigion.gov.uk\)](https://ceredigion.gov.uk)**



### 13.1 Administration Charge Self-funders (Permanent Placements Only)

Administration charge (Self-funders)	Charge per annum	£710.00
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5. Cyflwyno ffi reoli ar gyfer Taliadau Gohiriedig ffurfiol, a lle delir taliadau yn erbyn eiddo. Nid yw hyn yn y polisi codi tâl ar hyn o bryd, ac eto byddai'n helpu i adennill costau.

#### Effaith Ariannol Bosibl:

Tua 20 achos o Gytundebau Taliadau Gohiriedig/Pridiannau Cyfreithiol y flwyddyn, byddai ffi o £200 yr achos yn cynhyrchu

**= £4,000 y flwyddyn**

Sylwer: Mae cyngor Ceredigion wedi codi tâl amdano yn yr amgylchiadau hyn ers sawl blwyddyn:

**Tudalen 12 - [Charging for Residential Care and Support \(ceredigion.gov.uk\)](https://ceredigion.gov.uk)**

### 13.2 Administration Charge Deferred Payments

Administration charge (Deferred Payments)	Charge per annum	£710.00
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6. Newid sail y cyfrifiad ar gyfer "Costau Ychwanegol" ar gyfer Lleoliadau y Tu Allan i'r Sir. Ar hyn o bryd mae'r gost yn cael ei chyfrifo ar sail cyfraddau safonol y sir lle'r ydym yn lleoli unigolyn, byddem yn newid hynny i gost gomisiynu arferol Sir Gaerfyrddin. Yn bennaf, byddai hyn yn symleiddio'r broses, ac ni fyddai'r awdurdod yn gorfod talu costau lleoli a bennir gan Awdurdodau Lleol eraill.

#### Effaith Ariannol Bosibl:

Yn seiliedig ar 64 o achosion y flwyddyn, y gwahaniaeth rhwng cyfradd contract safonol CSC a'r swm a godir gan gartrefi Gofal OOC. Bydd y newid hwn yn sicrhau bod yr awdurdod yn fwy cyson, ac unwaith eto'n gallu lleihau'r galw am leoliadau cartrefi gofal, a pheidio â chynyddu incwm. Mae hyn yn debygol o achosi osgoi costau, yn hytrach na chynyddu incwm.

**= £100,000 y flwyddyn\* (Nodyn 1)**

7. Diwygio'r polisi i gynnwys elfen y nos ar gyfer y Lwfans Gweini neu Lwfans Byw i'r Anabl neu Daliad Annibyniaeth Personol i'r Asesiad Ariannol, gan fod hyn yn

## cael ei ddiystyru ar hyn o bryd ar gyfer gwasanaethau dibreswyl dros nos yn Sir Gaerfyrddin.

Y maes gwasanaeth yr effeithir arno'n sylweddol yw Llety â Chymorth. Ar hyn o bryd nid yw Sir Gaerfyrddin yn cyd-fynd ag awdurdodau eraill ar yr elfen hon o'r polisi, a byddem yn edrych ar newid trosiannol i liniaru caledi i unrhyw unigolyn. Bydd yr awdurdod lleol yn parhau i ganiatáu diystyru Gwariant ar Sail Anabledd ar 25%, ac yn edrych ar unigolion fesul achos.

### Effaith Ariannol Bosibl:

Llety â Chymorth: Yn seiliedig ar y sampl gyfredol o ddefnyddwyr gwasanaeth a'u Hasesiadau Ariannol, rydym yn rhagweld y gallai 30% o ddefnyddwyr gwasanaeth Llety â Chymorth dalu mwy.

= **£100,000** y flwyddyn

Cysylltu Bywydau: Yn seiliedig ar y sampl gyfredol o ddefnyddwyr gwasanaeth a'u Hasesiadau Ariannol, rydym yn rhagweld y gallai 30% o ddefnyddwyr gwasanaeth Cysylltu Bywydau dalu mwy.

= **£12,000** y flwyddyn

**Nodyn 1: \*Mae £100,000 yn osgoi costau, yn hytrach nag incwm ychwanegol.**

## Y rhesymau:

I adennill yr incwm mae Cyngor Sir Gaerfyrddin yn ei gasglu o'r gwasanaethau gofal a ddarperir gennym. Bydd y taliadau sy'n cael eu codi ond yn seiliedig ar reolau'r Asesiad Ariannol, a'r hyn y gall unigolion fforddio ei dalu.

Bydd y newidiadau uchod yn effeithio ar unigolion sy'n gallu fforddio talu yn unol â Rhan 4 a Rhan 5 o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014.

Bydd y newidiadau yn alinio'r adran yn agosach â'r polisi incwm a chodi tâl corfforaethol.

Angen i'r Cabinet wneud penderfyniad

OES - 4 Mawrth 2024

Angen i'r Cyngor wneud penderfyniad

NAC OES

YR AELOD CABINET SY'N GYFRIFOL AM Y PORTFFOLIO:-

Y Cynghorydd J. Jane Tremlett, Aelod Cabinet dros Iechyd a Gwasanaethau Cymdeithasol

<p>Y Gyfarwyddiaeth:</p> <p>Cymunedau</p> <p>Enw Pennaeth y Gwasanaeth:</p> <p>Chris Harrison</p> <p>Awdur yr Adroddiad: Rhys Page</p>	<p>Swyddi:</p> <p>Pennaeth Comisiynu Strategol ar y Cyd</p> <p>Uwch-reolwr Cymorth Busnes</p>	<p>Cyfeiriadau e-bost:</p> <p><a href="mailto:chris.harrison@pembrokeshire.gov.uk">chris.harrison@pembrokeshire.gov.uk</a></p> <p><a href="mailto:rjpage@sirgar.gov.uk">rjpage@sirgar.gov.uk</a></p>
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**EXECUTIVE SUMMARY**  
**CABINET**  
**4<sup>TH</sup> MARCH 2024**

**CHARGING POLICY - SOCIAL CARE CHARGES**  
**AMENDMENTS TO CURRENT POLICY**

**1. Introduction**

The current charging policy was last updated in April 2019; therefore, it is now timely to review the policy, and consider any changes that are needed. Therefore, based on a high-level review within the operational team, and in consultation with other officers, several changes have been identified, and due to the nature of these changes it will require the authority to formally consult on the proposed key changes within the policy.

This paper sets out the suggested proposed revisions and seeks authority to consult on the amendments to the policy.

**2. Main Body of the report**

The department has been actively looking at various options to try and close the gap in funding that the department has due to the reduction in funding from Welsh Government from the Workforce Grant (£600k), and a real terms reduction to the department funding due to the challenges from the growth in activity for 2024-25.

One of the options considered; is to increase income recovery within Social Care. Therefore, the Business Support team has been reviewing the current charging policy to support with the recovery of costs and trying to support the department to balance the Social Care budget in Carmarthenshire.

The division currently collects income from more than 1000 residential placements, and over 2600 non-residential packages. The charging policy was originally consulted on in detail back in 2014, when there were several changes made. More recently the policy was reviewed again in 2019.

Therefore, it is timely that the Charging Policy is reviewed post pandemic, as it has been operating in the same way for the last 4 years. The team have looked at the Social Services and Well-being (Wales) Act 2014, and consulted with other local authorities in identifying changes that the department would need to make to improve the administration of charging within Social Care, and identifying areas where the authority can increase cost recovery.

The department is focused on working towards full cost recovery where possible in line with the Corporate Income and Charging Policy. There are limits to this in Social Care based on the legislative rules, and maximum charges set by Welsh Government.

Under the "Social Services and Well-being (Wales) Act 2014" (The Act) which came into force on 6 April 2016, there is comprehensive rules on how Local Authorities must operate a charging policy for Care charges, and there is a cap on charging for non-residential services. This cap has remained at £100 a week for several years. There is no such cap in place for Care Home charges, residents will pay the full cost of the placement if they have sufficient means to do so.

The high-level review of the current policy identified that the Communities Department is not charging in some areas and should look to align itself with other Local Authorities by making some changes to the policy. All suggested changes are permissible within the Act, but not currently stipulated within Carmarthenshire's Policy.

Therefore, the department has set out the key areas of change above but will also take the opportunity to make other small amendments and add clarification to other parts of the document as required.

The changes above will impact on a small proportion of service users; therefore, we will consult on the revised document when it is agreed. We therefore seek permission to consult on the Key changes with all stakeholders.

If accepted, the department would suggest that the next steps would be:

- Cabinet: 4<sup>th</sup> March
- Full Council: 8<sup>th</sup> May 2024

**DETAILED REPORT ATTACHED?**

**NO – Attached –  
Carmarthenshire County Council Charging Policy  
for Social Care Services (April 2019)**





<p><b>CABINET MEMBER PORTFOLIO HOLDER(S) AWARE/CONSULTED</b></p> <p>YES – Meeting held with Cllr. Tremlett on the 26<sup>th</sup> January, 2024.</p>	<p><b>Include any observations here:</b></p> <p>The proposals have been discussed. Cllr. Tremlett understood the financial pressures and was supportive of putting forward the suggested changes.</p>
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**Section 100D Local Government Act, 1972 – Access to Information**  
**List of Background Papers used in the preparation of this report:**  
**THESE ARE DETAILED BELOW**

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Social Services and Well-being (Wales) Act 2014 Part 4 and 5 Code of Practice (Charging and Financial Assessment)		<a href="http://gov.wales">Social Services and Well-being (Wales) Act 2014 (gov.wales)</a>
Charging Policy 2019		Attached





# CARMARTHENSHIRE COUNTY COUNCIL CHARGING POLICY FOR SOCIAL CARE SERVICES

Final Document – April 2019

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# **POLICY FOR CHARGING ADULTS FOR CARE AND SUPPORT AND PREVENTATIVE SERVICES**

## **1. INTRODUCTION**

This document sets out the policy for charging persons who are eligible to receive care and support services, support to adult carers, or those who receive certain preventative services (referred to as 'person(s)' within this policy), which are provided or commissioned by Carmarthenshire County Council (referred to as 'Carmarthenshire').

## **2. LEGAL BACKGROUND**

The Social Services and Well-being (Wales) Act 2014 ('the Act') together with Regulations and codes of practice came in to force on the 6<sup>th</sup> of April 2016.

Part 4 (Direct payments and choice of accommodation) and Part 5 (Charging and Financial Assessments) of the Act relate to charging for services.

Part 5 of the Act (Charging and Financial Assessments) provides the legal framework for charging for Care and Support services and this part of the Act is supported by regulations and a code of practice. This legislation covers charging for all types of care including the provision of care and support and/or Direct Payments to a person in their own home and/or in a care home. It also covers charges for support to carers. In addition, further technical issues are covered including choice of accommodation and debt recovery.

Charging for services is set out in Social Services and Well-being (Wales) Act 2014, the regulations and code of practice made under the Act which are amended from time to time and these will be referred to as 'legislation' throughout this policy.

## **3. OPERATING GUIDELINES**

Carmarthenshire will apply the legislation as set out by the Welsh Government together with amendments and revisions as announced from time to time.

Where Carmarthenshire has discretion on the application of certain aspects of the legislation, then this document sets out how these will be applied.

The overarching principle is that people who are asked to pay a charge will only be required to pay what they can afford.

Carmarthenshire will charge for all services set out in this policy and periodically review the services it charges for.

Where a charge is levied, then Carmarthenshire will collect these charges in accordance with the legislation to ensure fairness and equity for all to ensure that services are not unfairly subsidised by the public purse.

Operational rules for commencing or terminating packages of care are outlined in “Appendix 1”. The rules for varying charges to the person with care and support needs are also defined.

#### **4. SETTING OF CHARGES FOR SERVICES**

Carmarthenshire will normally review its charges annually as part of the budget setting process, but may review them more often, where appropriate or necessary.

#### **5. MAXIMUM WEEKLY CHARGE**

In charging for non-residential services Carmarthenshire will apply the maximum weekly charge (known as the ‘Cap’) as announced by the Welsh Government. The maximum charge will apply to those services a person is assessed to receive. The maximum charge (Cap) will exclude those services that are charged as a flat rate or considered as ordinary living costs and these charges will be levied as an additional charge.

For care home placements the maximum weekly charge will be the full cost of the placement.

#### **6. SERVICES WHERE NO CHARGES ARE MADE**

Carmarthenshire will not charge for the following:

- Care and Support Services for a child under 18 years of age
- Care and Support provided to those with Creutzfeldt Jacob Disease where that disease has been clinically diagnosed by a registered medical practitioner
- Care and Support Services offered, arranged or provided for a person as part of a package of aftercare services in accordance with Section 117 of the Mental Health Act 1983
- The provision of transport to a day service where the transport is provided as part of meeting a person’s assessed needs.
- To undertake an assessment of needs, care planning and care plans and Information and Advice for these functions
- Undertaking a financial assessment, provision of a statement of charge and undertaking a review of a determination of charge and Information and Advice for these functions under the legislation.
- Reablement for service users for up to 6 weeks, (e.g. Reablement at home, in a care home, etc.) with provision for extended periods where the assessment of needs supports an extension.
- Independent Professional Advocacy where a local authority has arranged for this in accordance with the legislation.

Carmarthenshire will also not charge for:

- Equipment/aids to daily living
- Services not included in the care and support plan and/or unplanned services.

\*Meals on wheels – Following the removal of MOW service in Carmarthenshire this will no longer apply

- Employment Services and Day Opportunities – attending a centre for employment training, and/or personal development and support to gain employment.
- Supported Employment – providing care and /or support to a disabled person in a work place
- Support in an educational setting – providing care and/or support to a disabled person in a recognised educational setting, and whilst attending a recognised educational course.
- Services delivered solely by volunteers.

## **7. SERVICES FOR WHICH A CHARGE IS A MADE**

Carmarthenshire will charge for the following services which it arranges or provides;

- Services provided in a Care Home – Any services provided to a resident whether the placement is permanent or temporary e.g. Residential Care, Nursing Care and Respite care (excluding residential reablement for up to 6 weeks)
- Domiciliary Care and Support, including extra care – provision of personal care, non-personal care and support at home
- Direct Payments – a payment made to a person to enable him/her to purchase their own care
- Day Care – covers a range of services whilst attending a centre or any other setting outside of a person's own home
- Supported Living – Care and support for a person from paid carers within a person's own home (other than Home Care)
- Adult Placement – where an adult lives with an approved carer who is paid to support them
- Replacement Care – where the informal carer is temporarily replaced by a care worker to provide care and/or support to a person in their own home
- One to One Support in the Community (Community Support) – bespoke services for individuals (other than Domiciliary Care or Day Care).
- Telecare – Assistive technology which supports independent living

## **8. FLAT RATE CHARGES**

Carmarthenshire will also charge for the following services which are considered to be a substitute for ordinary daily living costs or would be considered as preventative services. These services will be charged at a flat rate and the charge will not be subject to a financial assessment.

- Meals on wheels\*
- Meals at an establishment
- Laundry

Financial assessments will not ordinarily be undertaken on the above services, but where the council has reason to believe that the cumulative effect of flat rate charges is or may be unaffordable, then it will offer a financial assessment.

\*Meals on wheels – Following the removal of MOW service in Carmarthenshire this will no longer apply

The charge for these services will not be included in the maximum weekly charge (Cap) in determining how much someone pay for services.

## **9. RESIDENTIAL PLACEMENTS**

Carmarthenshire will charge for all placements into a care home, irrespective of service or duration, unless the service is defined in the legislation as being one where a charge cannot be applied.

The charge that will be applied, will be the full cost of the placement cost per night for placements into a care home. Carmarthenshire will charge for each night that the person with care and support needs is assessed to access the service. Accessing a service for part of a day will be charged at the full day rate. Person with care and support needs will be charged for the day of admission but will not be charged for the day of discharge.

Carmarthenshire will vary the charge to a person with care and support needs in the following circumstance:

- Hospital admission - Where a person with care and support needs is admitted to hospital, and the care home placement is retained, then the charge to the person with care and support needs during the absence will be set at a rate equal to the Department of Work and pensions benefits entitlements of the individual person with care and support needs only.
- Holidays/ Short Stays with families by prior agreement - A person with care and support needs will not be charged for their care home placement whilst on holidays/short stays and staying with family or in any other setting for the first 21 days of absence in any financial year. Where the absence exceeds 21 days the Carmarthenshire reserves the right to reassess that person's needs and/or terminate the care home placement. Where a person with care and support needs receives alternative services when absent from the care home, that person will be required to pay the appropriate charge for these services

Carmarthenshire has further discretion to disregard a main or only home and does so in the following circumstances:

- Where it is occupied by a carer who has given up his/her home to live with a service user for the main purpose of caring for that person and he/she does not own/have an interest in another property.
- Where a relative as defined in the legislation or a close friend/companion has lived in the home of the person with care and support needs' home all/for the major part of their adult life, and does not own any other property. The disregard only applies for the period of time that the relative or close friend/companion continues to live at the property. What constitutes a 'close friend/companion' and 'all or major part of their adult life' in this paragraph is at the sole discretion of Carmarthenshire County Council.

\*Meals on wheels – Following the removal of MOW service in Carmarthenshire this will no longer apply

## **10. SHORT TERM/RESPITE STAYS AT A CARE HOME**

Where a person with care and support needs is a short term resident in a care home, and at the point of admission the placement is planned to be less than 8 weeks, then this placement will be financially assessed as if that person was receiving Non Residential care. A person with care and support needs can have multiple stays in any period which are classed as short term which cumulatively add up to more than 8 weeks.

The charge per night for all short term placements will be based on the full cost of the placement. For placements into a Carmarthenshire care homes, the charge will be, the published weekly charge for the care homes it operates, and for placements into an Independent Sector care home the charge will be the contracted amount.

The non-residential assessment rules will be applied to short term stays which are assessed at the outset as not exceeding 8 weeks on any one occasion. Temporary placements or permanent placements which for any reason last for 8 weeks or less will be financially assessed using the residential charging rules.

Short term stays that extend beyond 8 weeks on any one occasion will be charged as though the resident is subject to the residential charging rules as appropriate from the first day of the 9<sup>th</sup> week.

Where a short term stay extends beyond 8 weeks and the extension is due to the non-availability of an assessed service and a direct payment is not the preferred choice or will not meet the person's assessed outcomes, then the short stay charging rules can be extended beyond 8 weeks where the resident cannot be discharged solely because the assessed services remain unavailable. In such instances the person with care and support needs will be charged for the services they actually receive.

## **11. DIRECT PAYMENTS**

A person with care and support needs receiving a direct payment in place of a service will be financially assessed and charged in the same way as though they were provided with the equivalent service.

## **12. FINANCIAL ASSESSMENT**

All persons with care and support needs who receive a chargeable service other than services provided at a flat rate fee, will be invited to have a financial assessment to determine how much he/she can afford to pay for their assessed package of Care and Support commissioned or provided by the local authority.

Persons with care and support needs can decide not to declare their financial assets. In such cases, that person will be charged the appropriate charge for the services they are assessed to receive up to the maximum charge for a non-residential service and the full cost for a residential care home placement.

When a person with care and support needs declares their assets, expenditure, expenses etc., they will be asked to provide documentation to support and enable verification of financial and other information declared for the financial assessment. In

\*Meals on wheels – Following the removal of MOW service in Carmarthenshire this will no longer apply

the event that the documentation requested is not provided then that person will be assessed as if they have chosen not to declare their assets or any other information.

A person with care and support needs will normally be expected to return the completed financial assessment information within 15 working days. A person with care and support needs can request an extension, and Carmarthenshire will consider any reasonable request and where an extension is refused then it will explain the reasons for the refusal.

Carmarthenshire will undertake the financial assessment and will confirm the result, together with a breakdown of the calculation in writing to the person with care and support needs or any other person nominated by them.

All charges will be applied from the first day that the service(s) are received. Where any service(s) changes or a person's financial circumstances change, then any revised charges will be applied from the date the change occurred.

Carmarthenshire will normally review the financial assessment annually or sooner if further relevant information becomes available or if it is notified of changes to someone's financial circumstances.

The financial assessment will not impact in any way on the assessment of a person's care or support needs.

The weekly charge for services runs from a Monday to Sunday.

The authority will charge based on the assessed level of service of the person shown in the care and support plan and variations to the charge will apply as set out in Appendix 1. Variations to the assessed level of service will not necessarily mean that the charge to the person with care and support needs will reduce for that week because the person may have been financially assessed to pay less than the charge for the reduced service.

### **13. BENEFITS ADVICE**

As part of the financial assessment Carmarthenshire will offer advice on benefits and/or will refer a person with care and support needs, with their agreement, to partner agencies or other organisations who will offer welfare benefits advice and help to submit applications where appropriate.

### **14. MINIMUM INCOME AMOUNT (MIA)**

Carmarthenshire will apply the Minimum Income Amount at levels set by Welsh Government each year for all placements in to a care home.

Carmarthenshire will apply the Minimum Income Amount (referred to as the buffer) at levels set by Welsh Government each year to all service users assessed to receive Non-residential services.

In addition to the Minimum Income Amount set by Welsh Government for non-residential services only, and in order to avoid intrusive questions about a person with care and support need's disability and disability expenditure, Carmarthenshire will also

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allow an additional allowance/disregard for disability expenditure. The additional amount will be applied as follows when the person with care and support needs receives one of the benefits below:

- An amount of 25% of the day time component of Attendance Allowance (AA), Disability Living Allowance Care Component (DLA) and Personal Independence Payment Daily Living (PIP).

Carmarthenshire will also allow as an expense, any expenditure which a person with care and support needs expends to purchase non-residential care directly from a registered care provider. Payments made through a direct payments scheme are excluded from this provision.

## **15. NIGHT TIME SERVICES**

Carmarthenshire will charge for assessed services included in the care and support plan which are provided during the night.

However, within the financial assessment, Carmarthenshire will not include the night time component of Attendance Allowance (AA) or Disability Living Allowance care component (DLA) or Personal Independence Payment Daily Living (PIP) whether a night time service is received or not. Normally, the difference between Attendance Allowance higher rate and lower rate and the difference between Disability Living Allowance care component higher rate and middle rate and the difference between Personal Independence Payment daily living enhanced and daily living basic is treated as the element paid for night time care.

## **16. TREATMENT OF INCOME**

Carmarthenshire will include in the financial assessment all income unless it has to be specifically disregarded within the legislation together with any changes as announced by Welsh Government from time to time.

## **17. TREATMENT OF CAPITAL**

Carmarthenshire will include in the financial assessment all capital unless it has to be specifically disregarded within the legislation together with any changes as announced by Welsh Government from time to time.

Carmarthenshire will also apply the Capital limits for both non-residential and residential financial assessments as announced by Welsh Government from time to time.

## **18. PEOPLE WHO LACK CAPACITY**

Where a person lacks mental capacity Carmarthenshire will communicate and/or work with a person that has the legal authority to make financial decisions on behalf of the person with care and support needs. Where such legal authority does not exist, then wherever possible the Authority will engage with family members. In all cases

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Carmarthenshire will apply the principles of the Mental Capacity Act 2005 and the code of practice.

### Deputyship for property and financial affairs

Carmarthenshire will not normally apply to the Court of Protection to become Deputy for Property and Financial affairs for a person with care and support needs. Such action will only be taken as a last resort, and only for those persons who are receiving services from Carmarthenshire to meet their care and support needs, and where it is considered in the person's best interest to do so.

In the event that Carmarthenshire applies to become Deputy, then it will recover any costs it incurs for its role as deputy. An application to become deputy will only occur where the council believes that there are sufficient funds that require management, and also funds available to cover the costs of the deputy's role.

## **19. ADVOCACY**

Carmarthenshire will engage with the person with care and support needs or their representative to complete the financial assessment and charging process. Where a person is identified as needing support to engage in this process then Carmarthenshire will, through that person's social worker, seek to identify someone who can help to advocate on behalf of that person.

Carmarthenshire will also inform people with care and support needs who are receiving a chargeable service of their right to obtain independent financial advice.

## **20. DEFERRED PAYMENTS**

Where a person with care and support needs has a property that is included in their financial assessment, then in certain circumstances they are able to enter into a deferred payment agreement with Carmarthenshire. Where a deferred payment is agreed then it will enable them to defer or delay paying some or all of their care costs until a later date, so they are not required to sell their property immediately upon entering a care home. This arrangement can provide additional flexibility of how and when the person with care and support needs pays their care costs.

The amount that can be deferred each week will be determined from the financial assessment. Carmarthenshire will obtain a professional valuation of a property, and will defer an amount up to the value of the person's interest in a property less an allowance for selling costs as set out in the legislation. Where appropriate the property will be revalued periodically for the purposes of determining the amount which can be deferred.

Persons seeking or being offered deferred payments will be advised to seek independent financial and or legal advice to ensure that persons or their representatives understand the terms of a deferred payment agreement and the commitment they are agreeing to.

Carmarthenshire will charge interest on sums deferred at the interest rates set within the legislation.

The person with care and support needs will be liable for any costs incurred by them e.g. legal fees, financial advice, etc. to enable them to enter into the deferred payment agreement. These costs will be in addition to any fees and charges levied by the local authority.

The legislation sets out in detail the eligibility criteria that needs to be met, for a person to enter in to a deferred payment agreement and Carmarthenshire will apply that eligibility criteria as set out in the legislation.

In agreeing to enter into a deferred payment agreement. Carmarthenshire will directly contract for the placement, or must do so with a partner agency. Deferred payment agreements will not be available for people with care and support needs who contract for themselves or through a 3<sup>rd</sup> party or any other agency.

Where the Carmarthenshire is unable to create a charge that takes priority over, and ranking before any other interest or charge on the property. Carmarthenshire may consider a lower ranking charge where it is satisfied that the debt that may accrue is adequately secured, but this is at the sole discretion of Carmarthenshire.

Where for any reason Carmarthenshire cannot create a charge over the property which the person occupies, or used to occupy, as their main or only home and it is satisfied that the asset(s) offered as security as an alternative are sufficient to meet the value of the debt accrued for the time the person with care and support needs will be in the care home, then Carmarthenshire may at its sole discretion consider applying a charge to an alternative property or land.

Where a person with care and support needs does not meet the requirements of the scheme then a request for a deferred payment will be refused.

Carmarthenshire can refuse to defer any further care costs even where a deferred payment agreement is in place and in certain circumstances it will do so. Where such a decision is implemented it will be in accordance with the legislation and/or the terms and conditions of the deferred payment agreement and Carmarthenshire will explain the basis of its decision.

## **21. NON PAYMENT OF CHARGES AND DEBT**

Carmarthenshire will pursue outstanding charges and debts through the most appropriate channels including recovery action through the courts where appropriate. In such instances Carmarthenshire will also recover all costs and apply for interest on the amount to be recovered.

Carmarthenshire will not withdraw services when a person with care and support needs refuses or is unable to pay their assessed charge.

## **22. DEPRIVATION OF ASSETS**

\*Meals on wheels – Following the removal of MOW service in Carmarthenshire this will no longer apply

Where deprivation of an asset may have occurred then Carmarthenshire will make thorough enquiries to ascertain the facts. Where deprivation has occurred Carmarthenshire will take the appropriate steps to protect the public purse.

## **23. SETTING THE ADDITIONAL COST (AC) FOR PERMANENT ADMISSIONS TO A CARE HOME**

For the purposes of setting the additional cost the choice of accommodation offered to a person with care and support needs in Carmarthenshire will initially be based on two care homes of the same type at Carmarthenshire's normal commissioning rate, anywhere within the county, and where both care homes can meet that person's assessed needs. Where 2 care homes at the normal commissioning rate are **not** available, then the next cheapest care homes within the county will form the basis of the calculation.

Where accommodation which is more expensive than the options offered at the time of placement is chosen then the additional cost will be calculated from the higher of the 2 rates charged by the two care homes which were offered.

Where an additional cost is to be funded by a 3<sup>rd</sup> party on behalf of the person with care and support needs, then Carmarthenshire will make reasonable enquiries to satisfy itself that the additional cost is affordable and that such costs would not fall on Carmarthenshire in the future.

In these circumstances the person with care and support needs will be required to evidence that they have the financial ability to meet the additional costs over the anticipated term of the placement.

In the event that the third party is unwilling to provide such evidence or does not have the financial ability to meet the additional costs over the anticipated term of the placement then Carmarthenshire will not contract for the placement at the chosen care home.

Where a placement will be made out of county then the same rules will apply except that the standard rates that will apply will be the rates appropriate in the county of placement.

Where a person with care and support needs, in accordance with the legislation, is able to pay for the full cost of their placement, then they can choose any care home and will be required to pay the full cost of their placement as Carmarthenshire will treat such a contract as outside its usual commissioning rate because it is a bespoke contract and thus the Care and Support (Choice of Accommodation) (Wales) Regulations 2015 do not apply.

## **24. APPLICATION OF THE RULES TO INDIVIDUAL CASES**

The Director of Community Services or their successor will make decisions in individual cases where the legislation allows discretion or is unclear and that he/she may delegate this responsibility to a suitable senior officer as appropriate. In reaching a decision, he/she will endeavour to ensure that the decision is fair and consistent and will result in all persons with care and support needs being treated fairly. Such

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decisions will not prevent a person with care and support needs from requesting a review of the decision through the appropriate process.

## **25. REVIEWS AND METHODS OF APPEAL**

Carmarthenshire will always endeavour to undertake a financial assessment in an accurate and professional way. Some financial assessments will appear complex and this will always give rise to queries and in some cases formal reviews.

Where a person with care and support needs believes that the result of a financial assessment is incorrect for any reason, then they will be able to contact the authority by telephone, email or in writing.

Where a query is received it will normally be looked at by the staff member who is responsible for the case. If the issue is not resolved to the person with care and support needs satisfaction, then another officer from within the team will review the query and the initial response.

Should the matter still be unresolved, then the person with care and support needs will have the right to request a formal review, but only where the basis of their request complies with the requirements of the legislation.

Where a formal review is requested, then it will undertake the review in accordance with the legislation.

All persons with care and support needs have the right to access the authority's complaints procedure if they are unhappy with our services or about the way they have been treated. Requesting a review will not prevent a person from accessing the complaints procedure.

**Appendix 1**

**VARIATIONS/ADJUSTMENTS TO CHARGES FOR FINANCIALLY ASSESSED SERVICES**

	<b>All Charged Services</b>
Start of a service	Charge from the 1 <sup>st</sup> day the service is received - as per 'Operational Rules for Commencement and Termination of Packages'
Permanent termination of a service	For person with care and support needs that pass away, no charge in the week that the service terminates (charge ceases previous Sunday). For other permanent terminations the charge is applied up to and including the day prior to termination date - as per 'Operational Rules for Commencement and Termination of Packages'
Missed call – provider/carer's fault	Service reduction is applied (actual or average as appropriate) and charge is recalculated (charge may not change) - as per 'Operational Rules for Commencement and Termination of Packages'
Cancelled call/service – person with care and support needs' request/fault, e.g. person with care and support needs on holiday	If person with care and support needs gives reasonable advance notice to the service provider then service reduction is applied (actual or average as appropriate) and the charge is recalculated (charge may not change) - as per 'Operational Rules for Commencement and Termination of Packages'
Inclement weather reduced service – missed calls	Service reduction is applied (actual or average as appropriate) and the charge is recalculated (charge may not change) - as per 'Operational Rules for Commencement and Termination of Packages'
Person with care and support needs is admitted to respite and paying respite charge/Receives residential respite and NRSS in the same week	Ensure no duplicate charge. No Non Residential charge for the period in respite (residential care charge is applied). Service reduction is applied to Non Residential service (actual or average as appropriate) and the charge is recalculated (charge may not change for reduced week) - as per 'Operational Rules for Commencement and Termination of Packages'
Service not available	Service reduction applied (actual or average as appropriate) and the charge is recalculated (charge may not change) - as per

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	'Operational Rules for Commencement and Termination of Packages'
Person with care and support needs is admitted to hospital	Service reduction applied (actual or average as appropriate) and the charge is recalculated (charge may not change) - as per 'Operational Rules for Commencement and Termination of Packages'
One service stops during the week but others carry on	Service reduction is applied (actual or average as appropriate) and the charge is recalculated (charge may not change) - as per 'Operational Rules for Commencement and Termination of Packages'
Additional Unplanned service(s) received	No charge until the service becomes part of the Care and Support Plan. Charge is applied from the 1 <sup>st</sup> day the assessed service is received - as per 'Operational Rules for Commencement and Termination of Packages'
Hospital Stays – Residential Care	A charge is applied when a person with care and support needs is admitted to hospital and the placement is retained. The charge is set at a rate equal to the Department of Work and Pensions benefits entitlement of the individual person with care and support needs only
Holidays/short stays with families by prior agreement – Residential Care	The person with care and support needs is not charged for short holidays/stays with families for the first 21 days of absence in any financial year. The basis being that the person with care and support needs will need their income/finances to meet any expenses whilst they are absent from the care home

## OPERATIONAL RULES FOR COMMENCEMENT AND TERMINATION OF PACKAGES

### 1. Commencements

**Domiciliary Care – Packages Commissioned in Hours/Minutes and Visits** – the total hours per week will be divided by 7 and the result will be multiplied by the number of days remaining in the week including the commencement day.

**Hours Commissioned per Week (No Visits)** – the total hours per week will be divided by 7 and the result will be multiplied by the number of days remaining in the week including the commencement day.

**Hours Commissioned Per Day** - the total hours per week will be divided by 7 and the result will be multiplied by the number of days remaining in the week including the commencement day.

**Services Commissioned in Sessions/Days** – charge the actual sessions/days received including the commencement day.

**Telecare** – A charge will be applied for the number of days remaining in the week including the commencement day.

### 2. Terminations

**Domiciliary Care – Packages Commissioned in Hours/Minutes and Visits** – the total hours per week will be divided by 7 and the result will be multiplied by the number of elapsed days in the week up to the day previous to termination day.

**Hours Commissioned per Week (No Visits)** – the total hours per week will be divided by 7 and the result will be multiplied by the number of elapsed days in the week up to the day previous to termination day.

**Hours Commissioned Per Day** – the total hours per week will be divided by 7 and the result will be multiplied by the number of elapsed days in the week up to the day previous to termination day.

**Services Commissioned in Sessions/Days** – charge the actual sessions/days received up to and including the termination day.

**Telecare** – A charge will be applied for the number of days elapsed in the week up to the day previous to termination day.

### 3. Missed Visits/Service

**Domiciliary Care – Packages Commissioned in Hours/Minutes and Visits** - Total hours divided by visits and multiplied by the number of visits missed - to be deducted from package.



**Hours Commissioned Per Week (No Visits)** – Total hours per week divided by 7 and multiplied by the number of days missed or service amended as advised by provider.

**Hours Commissioned Per Day** - Total hours per week divided by 7 and multiplied by the number of days missed or service amended as advised by provider.

**Services Commissioned in Sessions/Days** – Deduct the actual session/days missed.

**Telecare** – Service is not amended and is charged throughout.

#### **4. Day Care Sessions**

A day care session is defined as:

If a service is received before 1pm on any day and for any length of time then it will count as one session

If a service is received between 1pm and 6pm on any day and for any length of time then it will count as one session

If a service is received after 6pm on any day and for any length of time then it will count as one session

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