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TUESDAY 27TH FEBRUARY 2024

TO: ALL MEMBERS OF THE CABINET

I HEREBY SUMMON YOU TO ATTEND A **MULTI LOCATION** MEETING OF THE **CABINET** WHICH WILL BE HELD IN THE **CHAMBER**, **COUNTY HALL, CARMARTHEN AND REMOTELY AT 10.00 A.M. ON MONDAY**, **4TH MARCH, 2024** FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA

Wendy Walters

CHIEF EXECUTIVE

Democratic Officer:	Michelle Evans Thomas
Telephone (direct line):	01267 224470
E-Mail:	MEEvansThomas@carmarthenshire.gov.uk

This is a multi-location meeting. Members can attend in person at the venue detailed above or remotely via the Zoom link which is provided separately.

The meeting can be viewed on the authority's website via the following link:-<u>https://carmarthenshire.public-i.tv/core/portal/home</u>

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

CABINET MEMBERSHIP – 10 MEMBERS

COUNCILLOR	PORTFOLIO
Councillor Darren Price	Leader
Councillor Linda Evans	Deputy Leader and Cabinet Member for Homes
Councillor Glynog Davies	Education and Welsh Language
Councillor Ann Davies	Rural Affairs, Community Cohesion and Planning Policy
Councillor Hazel Evans	Regeneration, Leisure, Culture and Tourism
Councillor Philip Hughes	Organisation and Workforce
Councillor Alun Lenny	Resources
Councillor Edward Thomas	Transport, Waste and Infrastructure Services
Councillor Jane Tremlett	Health and Social Services
Councillor Aled Vaughan Owen	Climate Change, Decarbonisation and Sustainability

AGENDA

- 1. APOLOGIES FOR ABSENCE
- 2. DECLARATIONS OF PERSONAL INTEREST
- 3. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE5 10MEETING OF THE CABINET HELD ON THE 19TH FEBRUARY,
2024.5 10
- 4. QUESTIONS ON NOTICE BY MEMBERS
- 5. PUBLIC QUESTIONS ON NOTICE
- 6. HIGHWAY ASSET MANAGEMENT PLAN MAINTENANCE 11 38 MANUAL PART 4.8 - HIGHWAYS ADVERSE WEATHER & WINTER SERVICE PLAN.
- 7. CHARGING POLICY SOCIAL CARE CHARGES AMENDMENTS 39 66 TO CURRENT POLICY
- 8. TO NOTE THAT THE LABOUR GROUP HAS NOMINATED COUNCILLOR MARTYN PALFREMAN TO REPLACE COUNCILLOR DERYK CUNDY ON THE LLESIANT DELTA WELLBEING LTD GOVERNANCE GROUP
- 9. ANY OTHER ITEMS OF BUSINESS THAT BY REASONS OF SPECIAL CIRCUMSTANCES THE CHAIR DECIDES SHOULD BE CONSIDERED AS A MATTER OF URGENCY PURSUANT TO SECTION 100B(4)(B) OF THE LOCAL GOVERNMENT ACT, 1972.
- **10. EXCLUSION OF THE PUBLIC**

THE REPORT RELATING TO THE FOLLOWING ITEM IS NOT FOR PUBLICATION AS IT CONTAINS EXEMPT INFORMATION AS DEFINED IN PARAGRAPH 14 OF PART 4 OF SCHEDULE 12A TO THE LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) (WALES) ORDER 2007. IF, FOLLOWING THE APPLICATION OF THE PUBLIC INTEREST TEST, THE CABINET RESOLVES PURSUANT TO THE ACT TO CONSIDER THIS ITEM IN PRIVATE, THE PUBLIC WILL BE EXCLUDED FROM THE MEETING DURING SUCH CONSIDERATION.

11. BUSINESS GROWTH GRANT LISA FERN T/A Y SIED67 - 74

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Agenda Item 3

CABINET

MONDAY 19TH FEBRUARY 2024

PRESENT: Councillor D. Price (Chair) (In Person)

Councillors (In Person):

C.A. Davies	G. Davies	H.A.L. Evans	L.D. Evans
P.M. Hughes	A. Lenny	E.G. Thomas	A. Vaughan-Owen

Also in attendance as an observer (Remotely):

Councillor D.M. Cundy

Also Present (In Person):

- W. Walters Chief Executive
- J. Morgan Director of Community Services
- C. Moore Director of Corporate Services
- G. Morgans Director of Education & Children's Services
- A. Williams Director of Place & Infrastructure
- L. Rees-Jones Head of Administration and Law
- C. Higginson Media Manager
- L. Jenkins Cabinet Support Officer
- J. Owen Democratic Services Officer
- R. Morris Member Support Officer
- S. Rees Simultaneous Translator

Also Present (Remotely):

- R. Griffiths Head of Place & Sustainability
- M. Evans Thomas, Principal Democratic Services Officer
- M. Runeckles Member Support Officer

Chamber, County Hall, Carmarthen and remotely : 10:00 am - 10:56 am

1. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor J. Tremlett.

2. DECLARATIONS OF PERSONAL INTEREST

Councillor / Officer	Minute Number	Nature of Interest	
Councillor G. Davies	11 – LA Governor Appointment	He is the Chair of the Governing Body at Ysgol Brynaman.	



3. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE CABINET HELD ON THE 29^{TH} JANUARY 2024

Reference was made to minute no. 7 of the minutes of the last meeting – Modernising Education Programme Strategy and it was pointed out that the resolution should read as follows:-

"UNANIMOUSLY RESOLVED to approve the MEP Strategy for consultation."

UNANIMOUSLY RESOLVED that, subject to the inclusion of the abovementioned amendment, the minutes of the meeting of the Cabinet held on the 29th January, 2024 be signed as a correct record.

4. QUESTIONS ON NOTICE BY MEMBERS

The Chair advised that no questions on notice had been submitted by members.

5. PUBLIC QUESTIONS ON NOTICE

The Chair advised that no public questions had been received.

6. REVENUE BUDGET STRATEGY 2024/25 TO 2026/27

Cabinet considered a report which brought together the latest proposals for the Revenue Budget 2024/25 with indicative figures for the 2025/26 and 2026/27 financial years. The report summarised the latest budgetary position, providing an update on the budget validation, spending pressures, the Welsh Government final settlement and the responses from the budget consultation.

In presenting the report, the Cabinet Member for Resources stated that adopting the proposals detailed in the report would allow the Cabinet to present a fair and balanced budget to County Council, which responded to the views fed back from the consultation process. However, he felt it was incumbent upon him to point out the inherent risks within the strategy in addition to the uncertainties over future pay awards and inflation which we must accept as a normal part of our budget setting. The report identified a number of risks as a consequence of the unresolved funding of both teachers' and firefighters' pensions, the delivery risk of our investment into Children's Services and the delivery risk of the budget reductions across all areas of council services.

He confirmed that, if all the proposals outlined in the report are implemented, we can still provide a Budget Strategy which:-

- responds to the consultation;
- ensures, as far as possible, that service levels and standards are maintained;
- recognises that the people of Carmarthenshire are finding it hard in the current climate and so ensures that core services are protected; and



• as far as possible, prepares the Authority for the uncertainties that may lie ahead.

Reference was made to the seriousness of the situation that the Authority is facing and to the fact that we are trying to do our very best for the residents of Carmarthenshire during a very challenging period. The Education Department is facing the biggest hit ever as it used to be protected in the past but we are unable to do that any longer and it is facing cuts like all other departments. Disappointment was again expressed that teachers' salaries have not been fully funded for the next two years which has had a major impact on the budget.

The Chair thanked officers and the Cabinet Member for Resources for their work on the budget over the past few months. He voiced his concern that it is a very challenging time with Local Authorities being put in the impossible position of trying to deliver frontline services whilst continuing to put up with cuts from central government. He felt that there comes a point when some fundamental questions have to be asked about the future of public services in this country. He added that there was a duty on us all over the next few months to make the case about the importance of local government and public services generally and the need for additional investment because what we have at the moment is just not sustainable. He pointed out that, in setting the budget, we have tried to protect front line services whilst trying to keep any Council Tax increase to a minimum and whilst 7.5% was higher than desired it was much better than some other Local Authorities who are facing double digit rises in council tax and some are facing bankruptcy.

UNANIMOUSLY RESOLVED TO RECOMMEND TO COUNCIL

- 6.1 that the Budget Strategy for 2024/25, which includes the amendments at paragraph 4.1.5, be approved;
- 6.2 to approve the Band D Council Tax for 2024/25 of £1,602.80 (an increase of 7.5%);
- 6.3 to approve the removal of specific savings proposals as identified in paragraph 3.2.7;
- 6.4 to approve the use of £3m from the RSG reserve, being £2m to support temporary costs of commissioned residential children's placements and £1m to support the delegated schools budget, as outlined in paragraph 5.2.3;
- 6.5 to approve the Medium Term Financial Plan which will form the basis of future years' planning;
- 6.6 that authority be delegated to the Director of Corporate Services, in consultation with the Chief Executive, Leader and Cabinet Member for Resources, to make any amendments necessary as a consequence of the WG final settlement due on 27th February 2024.

7. FIVE YEAR CAPITAL PROGRAMME (COUNCIL FUND) 2024/25 TO 2028/29

The Cabinet considered a report which brought together the latest proposals for the five-year capital programme 2024/25 to 2028/29, taking account of the consultation exercise undertaken and the revenue implications arising from the programme.



The proposed gross expenditure on the capital programme for 2024/25 is \pounds 86.930m with the projected funding being \pounds 50.374m from the County Council's own resources through the application of borrowing, reserves, direct revenue financing, capital receipts and general capital grant, with the balance of \pounds 36.556m coming from external sources.

The new capital programme is fully funded over the five years, however, it was proposed to under commit some of the available funding to give flexibility across the programme to cover any unexpected additional costs. The Authority's capital strategy, required by the prudential code for capital finance in Local Authorities, has been updated and sets out the long-term context in which capital expenditure and investment decisions are made. It gives due consideration to both risk and reward and impact on the achievement of priority outcomes. The capital strategy covers expenditure on both Council Fund and HRA capital and was included as Appendix C to the report.

UNANIMOUSLY RESOLVED TO RECOMMEND TO COUNCIL

- 7.1 that the five-year Capital Programme and funding as detailed in Appendix A to the report, with 2024/25 being a hard budget and 2025/26 to 2028/29 soft/indicative budgets be approved;
- 7.2 that the programme be reviewed, as is usual, if anticipated external or County Council funding does not materialise;
- 7.3 that the Capital Strategy, as detailed in Appendix C to the report, be approved;
- 7.4 that authority be delegated to the Director of Corporate Services, in consultation with the Chief Executive, Leader and Cabinet Member for Resources, to make any amendments necessary as a consequence of the WG final settlement due on 27th February 2024.

8. TREASURY MANAGEMENT POLICY AND STRATEGY 2024-25

Cabinet was reminded that as part of the requirements of the revised CIPFA Code of Practice on Treasury Management, the Council had agreed to maintain a Treasury Management Policy detailing the policies and objectives of the Authority's treasury management activities and to also approve a Treasury Management Strategy annually before the start of the financial year to which it related.

In addition, under the Local Government Act 2003, the Council was required to approve the Treasury Management Indicators for the coming year. In accordance with the above requirements, the Cabinet considered the Council's Treasury Management Policy and Strategy for the 2024-25 financial year prior to its formal submission to Council for final adoption.

UNANIMOUSLY RESOLVED TO RECOMMEND TO COUNCIL

8.1 that the Treasury Management Policy and Strategy for 2024-25 and the recommendations contained therein be approved;



8.2 that the Treasury Management Indicators, Prudential Indicators, Minimum Revenue Provision Statement, the Investment Strategy and recommendations therein be approved.

9. TREASURY MANAGEMENT AND PRUDENTIAL INDICATOR REPORT 1ST APRIL 2023 TO 31ST DECEMBER 2023

Cabinet considered the Treasury Management and Prudcential Indicator Report which provided an update on the treasury management activities from 1st April to 31st December 2023.

UNANIMOUSLY RESOLVED that the report be approved.

10. FLOOD AND COASTAL EROSION RISK MANAGEMENT (FCERM) LOCAL STRATEGY

Cabinet was reminded that S10.7 of the Flood and Water Management Act 2010 requires all Local Authorities to publish their local flood risk management strategy and plan. The strategy, supported by a more tactical plan, will clarify where we are now in terms of flood and coastal erosion risk management, where we want to be in 2030 and how we will get there. This document was the local strategy and the plan will be produced in quarter 4.

UNANIMOUSLY RESOLVED TO RECOMMEND TO COUNCIL that the Flood and Coastal Erosion Risk Management (FCERM) Local Strategy be approved.

11. LA GOVERNOR APPOINTMENT

[NOTE: Councillor G. Davies had earlier declared an interest in this item.]

Cabinet was informed that there is an LA Governor vacancy on the Governing Body of Brynaman Primary School. Cllr. Glynog Davies (Chairperson of the Governing Body) and the Headteacher are nominating Miss Gabriella Robinson, who has already served a term of office as parent governor. They felt that the Governing Body would benefit from her expertise as an LA Governor.

Under normal circumstances, LA Governor appointments are made by Cllr. Glynog Davies in his role as Cabinet Member for Education, Young People & the Welsh Language. However, in view of the circumstances, it was being brought before Cabinet for consideration.

UNANIMOUSLY RESOLVED that Miss Gabriella Robinson be appointed to the post of LA Governor at Brynamman Primary School.



12. ANY OTHER ITEMS OF BUSINESS THAT BY REASONS OF SPECIAL CIRCUMSTANCES THE CHAIR DECIDES SHOULD BE CONSIDERED AS A MATTER OF URGENCY PURSUANT TO SECTION 100B(4)(B) OF THE LOCAL GOVERNMENT ACT, 1972

The Chair advised that there were no items of urgent business.

CHAIR

DATE



Agenda Item 6

CABINET 4TH MARCH 2024

HIGHWAY ASSET MANAGEMENT PLAN – MAINTENANCE MANUAL PART 4.8 – HIGHWAYS ADVERSE WEATHER & WINTER SERVICE PLAN

Purpose: To adopt Part 4.8 of the Maintenance Manual in support of the Highway Asset Management Plan (HAMP).

The Maintenance Manual forms Part 4 of the HAMP and is being developed as a portfolio of specific manuals covering the management of a range of highway asset categories. Parts 4.1 to 4.7 have been adopted previously. This report relates to the proposed Part 4.8 that covers the Highways Adverse Weather & Winter Service Plan. Further sections will be brought forward in future years.

Recommendations / key decisions required:

That Part 4.8 of the Highway Asset Management Plan - Maintenance Manual be adopted as detailed.

Reasons:

To ensure the highway network is maintained in accordance with statutory duties, supports corporate objectives and complies with the revised national code of practice '*Well Managed Highway Infrastructure*'.

Cabinet Decision Required

YES

NO

Council Decision Required

CABINET MEMBER PORTFOLIO HOLDER:- Councillor Edward Thomas, Cabinet Member for Transport, Waste and Infrastructure Services.

Directorate: Place & Infrastructure	Designations:	
Head of Service: Dan John Report Author: Richard Waters Darren King Chris Nelson	Head of Environmental Infrastructure H&T Services Manager Highway Services Manager Highway Asset Manager	dwjohn@carmarthenshire.gov.uk rwaters@carmarthenshire.gov.uk dking@carmarthenshire.gov.uk CNelson@carmarthenshire.gov.uk



EXECUTIVE SUMMARY CABINET 4TH 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	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	Category Description (approximate daily traffic volume)						
01100	Route enabling travel between locations of regional significance (NA, Strategic routes are identified						
CHSR	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 though 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.

DETAILED REPORT ATTACHED?	VEQ
DETAILED REPORT ATTACHED?	fE5



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 Manage- ment Issues	Staffing Implications	Physical Assets	Bio- diversity & Climate Change
NONE	YES	YES	NONE	YES	NONE	YES	YES

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 ha below:	ve taken in place and the o	outcomes are as detailed				
Signed: Dan John	Head of Environmental Infrastructure					
Please specify the outcomes of consult the following headings	tations undertaken wh	nere they arise against				
1. Scrutiny Committee request for pre	e-determination	YES				
If yes include the following informatio	n: -					
Scrutiny Committee The report was considered by the Place, Sustainability & Climate Change Scrutiny Committee on Thursday, 23rd November.						
Date the report was considered:-	23 rd November 2023					
	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 N/A	Organisations					



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)		(Public Pack)Agenda Document for Executive Board, 02/07/2018 14:00 (gov.wales)
Highway Asset Management Plan - Maintenance Manual Parts 4.1 to 4.4		(Public Pack)Agenda Document for Cabinet, 06/12/2021 10:00 (gov.wales)
Highway Asset Management Plan - Maintenance Manual Parts 4.5 to 4.7		(Public Pack)Agenda Document for Cabinet, 13/02/2023 10:00 (gov.wales)



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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 ley 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.



Carmarthenshire County Council - HAMP Part 4 - Highway Maintenance Manual - Page | 47

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.

Weath	Weather/ flooding forecast					Response		
Natural Resources Wales (NRW) Flood alerts and warnings	Met Office Severe Weather Warning Service					er	Suggested Carmarthenshire County Council response	Expected multiagency and LRF response
	Likelihood	High Medium Low Very low		✓ ✓			Consider the need for a Bronze Group	Consider a multiagency Teams meeting
FLOOD ALERT FLOODING IS POSSIBLE. BE PREPARED.			Very low	Low Impact	Medium	High		
FLOOD WARNING ROODING IS EXPECTED	Likelhood	High Medium Low Very low	Very low	Low Impact	✓ ✓ ✓ Medium	√ High	Consider the need for a Bronze and Silver Group	Consider a multiagency Teams meeting and Tactical Coordinating Group (TCG)
SEVERE FLOOD WARNING	Likelihood	High Medium Low Very low	Very low	Low	Medium	✓ ✓ ✓ High	Activate a Bronze, Silver and Gold Group	Activate a Tactical Coordinating Group (TCG). Consider a Strategic Coordinating Group (SCG)

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.

Carmarthenshire County Council - HAMP Part 4 - Highway Maintenance Manual - Page | 50 Page 26 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

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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

Carmarthenshire County Council - HAMP Part 4 - Highway Maintenance Manual - Page | 54 Page 30 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	No action – Drivers stood down			
1	Review Pending - Drivers retained on call to await further instructions - forecast to be monitored by duty officer - potential for gritting action			
2	Patrol - undertaken by drivers in gritting vehicles on specified routes to apply salt selectively as may be indicated by conditions e.g. icy patches			
3	Pre-salt - 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	Pre-salt with plough - 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).

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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 routebased 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:

Primary Network	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.		
Secondary Network	A supplementary network of secondary routes which support the Primary Network.		
	These routes will only be treated during prolonged or severe winter weather, if		
	These routes will only be treated during prolonged or severe winter weather, if resources permit, after the Primary Network is treated.		

Resilience Network	A reduced 'core' strategic network. Winter Service operations will be reduced to	
	focus on a Resilience Network for treatment if resources or weather conditions	
	such that the continued treatment of the Primary Network is unsustainable.	

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)
CHSR	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).
CH1	Main Distributor	Major Urban Network and Inter-Primary Links. Short - medium distance traffic	Travel between locations (traffic volume 10,000 - 20,000)
CH2	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)
Critical Facilities	 Junctions Hospitals and Ambulance Stations Fire Stations Main Police Stations Key Public Transport Routes Main Schools & Colleges Train Stations and Bus Interchanges Ferry Ports (Trunk) 		

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

Carmarthenshire County Council - HAMP Part 4 - Highway Maintenance Manual - Page | 59 Page 35 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

Carmarthenshire County Council - HAMP Part 4 - Highway Maintenance Manual - Page | 60 Page 36 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)	In Barn (tonnes) Sheeted stockpile	
		(tonnes)	
Carmarthen	2500	400	2900
Cross-Hands	5700		5700
Llandovery	4000		4000
Total	12200	400	12600

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Agenda Item 7

CABINET

4TH MARCH 2024

CHARGING POLICY – SOCIAL CARE CHARGES AMENDMENTS TO CURRENT POLICY

Purpose:

To review the current "Charging Policy – Social Care" and consult on the proposed key changes to policy.

Recommendations / key decisions required:

The key changes being proposed are as follows:

1. To introduce an Annual Management fee for Managing Deputyship, Appointeeships, and Protection of Property cases. The administrative burden involved with this work is substantial. These are modest charges, which for Deputyships are set out by the Court of Protection. These fees would at least recover some costs incurred and would be less than that charged by a professional deputy to individuals.

Potential Financial impact:

Deputyship applications = 15 p.a. @ £745.00

= £11,175.00 per annum

Residential Care appointeeships = 183 @ £260.00 p a, but the majority would qualify for disability related expenditure, therefore reducing the additional income to approx.

= £12,480.00 per annum

Community appointeeships = 99 @ £260.00 p a. = £25,740.00 (but DRE for some, meaning their contribution would reduce. 88 would pay extra for Appointeeship

= £22,882.08 per annum

Protection of Property Cases = 17 p.a. on-going, 6 p.a. new referrals.

On-going cases = charge of £520.00 p.a.

= £8,840.00 per annum

New Referrals = charge of £100.00

= £600 per annum

Total = £56,000 per annum

Note: Pembrokeshire CC have similar charges and rates for 2023-24 Appendix 2 - Fees and Charges - Pembrokeshire County Council



2. To charge Service Users in Care Homes the <u>full charge</u> for Holidays, short stays away from the Care Home. Under the current policy there is no charge for this, but the authority pays the Care Home in full.

Potential Financial impact:

Based on approx.10 Service user's, who have regular stays away from the care home.

Total = £5,000

3. To charge in full for Hospital admissions or Temporary absences from the Care Home for a maximum period of 4 weeks.

The Authority currently reduces the charge when there is temporary absence to "Pension only rate", which is a loss of revenue to the authority, as we still pay in full for the placement. The authority would look at any additional costs of absence on a caseby-case basis within the parameters of the Financial Assessment.

Potential Financial impact:

Based on 150 cases per annum x maximum of 4 weeks x weekly assessed charge, less DWP benefits which is charged under current policy.

£44,000 per annum

4. To charge a set admin fee for Self-Funded residents who ask the authority to arrange their Care Home placement on their behalf.

Potential Financial impact:

Based on 188 service users (who have liquid capital above capital threshold/not disclosed) and contract via CCC. A one-off admin fee of £520 would give an income of:

= £97,760.00 per annum.

Please note that an admin fee may just reduce numbers of 'Self-funding' placements, and not generate additional income, therefore we have reduced the estimate by 50%.

= £49,000 per annum

Note: Ceredigion CC have charged for in these circumstances for several years:

Page 12 - Charging for Residential Care and Support (ceredigion.gov.uk)



LAUTHUSTATION COALOR LSPITT	inders) Charge per annum	£710.00			
To introduce a man charges are held ag	•	Deferred Payments, and where			
This is not currently in	n the charging policy, an	d again would help with cost reco			
Potential Financial i	mpact:				
Approx 20 DPA/Lega generate.	l Charge cases per ann	um a fee of £200 per case would			
-64.000 per appum					
= £4.000 per annum					
= £4,000 per annum					
· ·	ged for in these circumstar	ices for several years:			
Ceredigion CC have char		-			
Ceredigion CC have char	ged for in these circumstar	digion.gov.uk)			
Ceredigion CC have char	ged for in these circumstai	digion.gov.uk)			
Ceredigion CC have char 12 - <u>Charging for Residen</u> 13.2 Administration C Administration charge	ged for in these circumstar tial Care and Support (cere Charge Deferred Payment	digion.gov.uk)			

Potential Financial impact:

Based on 64 cases per annum, difference between CCC's standard contract rate and the amount charged by the OOC Care homes. This change will ensure the authority is more consistent, and again may reduce demand for Care Home placements, and not increase income. This is likely to drive cost avoidance, rather than increase income.

= £100,000 per annum* (Note 1)

7. To amend the policy to include the Night-Time component of Attendance Allowance (AA) or Disability Living Allowance (DLA) or Personal Independence



Payment (PIP) into the Financial Assessment, as this is currently disregarded for Non-Residential services overnight in Carmarthenshire.
The significant service area affected is Supported Accommodation. Carmarthenshire are currently not in line with other authorities on this element of the policy, and we would look at a transitional change to mitigate hardship to any individual. The local authority will continue to allow Disability Related Expenditure (DRE) disregard at 25% and look at individuals on a case by cases basis.
Potential Financial impact:
Supported Accommodation: Based on the current sample of service users, and their Financial Assessments we anticipate that 30% of Supported Accommodation service users could pay more. = £100,000 per annum
Shared Lives: Based on the current sample of service users, and their Financial Assessments we anticipate that 30% of Shared Lives service users could pay more. = £12,000 per annum
Note 1: *£100,000 is cost avoidance, rather than additional income.
Reasons:
Reasons: To recover the income that Carmarthenshire County Council is allowed to collect from the care services we provide. The charges being levied will only be based on the Financial
Reasons: To recover the income that Carmarthenshire County Council is allowed to collect from the care services we provide. The charges being levied will only be based on the Financial Assessment rules, and what individuals can afford to pay. The changes above will impact on individuals who can afford to pay in line with the Part 4 and
Reasons: To recover the income that Carmarthenshire County Council is allowed to collect from the care services we provide. The charges being levied will only be based on the Financial Assessment rules, and what individuals can afford to pay. The changes above will impact on individuals who can afford to pay in line with the Part 4 and Part 5 of the Social Services and Well-being (Wales) Act 2014. The changes will align the department more closely with the corporate income and charging



CABINET MEMBER PORTFOLIO HOLDER:- Cllr. J. Tremlett, Cabinet Member for Health & Social Services				
Directorate: Communities:	Designations:	Email addresses:		
Name of Head of Service:				
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EXECUTIVE SUMMARY CABINET 4TH 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 (\pounds 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: 4th March
- Full Council: 8th May 2024

DETAILED REPORT ATTACHED?	NO – Attached – Carmarthenshire County Council Charging Policy for Social Care Services (April 2019)
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IMPLICATIONS

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: Chris Harrison Head of Strategic Joint Commissioning

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Manage- ment Issues	Staffing Implications	Physical Assets	Bio- diversity & Climate Change
NONE	YES	YES	NONE	NONE	NONE	NONE	NONE

2. Legal

The changes being suggested are all in accordance with the Part 4 and Part 5 of the Social Services and Well-being (Wales) Act 2014.

3. Finance

There is no cost implication to the department as the proposed policy revisions would be accommodated within the existing infrastructure of support. The increased revenue from charging cannot be accurately modelled due to several unknown impacts from the changes to the policy. The authority is likely to see a reduction of Self-Funded individuals asking the authority to place Care Home contracts on their behalf, therefore in is anticipated that this would be cost avoidance rather than income. (Approx. £100,000 per annum)

The estimated additional income per annum from the proposed changes is:

£270,000 per annum.



CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below:				
Signed:	Chris Harrison	Head of Strategic Join	at Commissioning	
1. Scruti	nv Committee reau	uest for pre-determination	NO	
Scrutiny	Committee			
Date the	report was conside	ered:-		
Scrutiny	Committee Outcor	ne/Recommendations:-		
2.Local Mo	ember(s) - N/A			
3.Community / Town Council – N/A				
4.Relevan	t Partners - N/A			
5.Staff Sid	le Representatives	and other Organisations - N	/Α	



CABINET MEMBER PORTFOLIO HOLDER(S) AWARE/CONSULTED	Include any observations here:
YES – Meeting held with Cllr. Tremlett on the 26 th January, 2024.	The proposals have been discussed. Cllr. Tremlett understood the financial pressures and was supportive of putting forward the suggested changes.

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)		Social Services and Well-being (Wales) Act 2014 (gov.wales)
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 6th 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.

OPERATING GUIDELINES 3.

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.

SETTING OF CHARGES FOR SERVICES 4.

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 Creuzfeldt 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.

- 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.

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.

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 9th week.

Where a short term stay extends beyond 8 weeks and the extension is due to the nonavailability 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

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 form 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 nonresidential 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 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

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 3rd 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

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 3rd 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

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 gueries 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 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 guery 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 FINACIALLY ASSESSED SERVICES

	All Charged Services
Start of a service	Charge from the 1 st 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

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

	'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 st 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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By virtue of paragraph(s) 14 of Part 4 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007.

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