

At: Aelodau'r Cyngor Sir

Dyddiad: 24 Ionawr 2018

Rhif Union: 01824706141

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Annwyl Gynghorydd

Fe'ch gwahoddir i fynychu cyfarfod y **CYNGOR SIR, DYDD MAWRTH, 30 IONAWR 2018** am **10.00 am** yn **SIAMBR Y CYNGOR, NEUADD Y SIR, RHUTHUN LL15 1YN.**

Yn gywir iawn

G Williams

Pennaeth Gwasanaethau Cyfreithiol, AD a Democrataidd

## **AGENDA**

### **RHAN 1 – GWAHODDIR Y WASG A'R CYHOEDD I FOD YN BRESENNOL AR GYFER Y RHAN HON O'R CYFARFOD**

#### **1 YMDDIHEURIADAU**

#### **2 DATGANIADAU O FUDDIANT**

Dylai'r Aelodau ddatgan unrhyw gysylltiad personol neu gysylltiad sy'n rhagfarnu ag unrhyw fater a nodwyd fel un i'w ystyried yn y cyfarfod hwn.

#### **3 MATERION BRYD FEL Y'U CYTUNWYD GAN Y CADEIRYDD**

Rhybudd o eitemau y dylid, ym marn y Cadeirydd, eu hystyried yn y cyfarfod fel materion brys yn unol ag Adran 100B (4) Deddf Llywodraeth Leol, 1972.

#### **4 DYDDIADUR Y CADEIRYDD (Tudalennau 5 - 6)**

Nodi ymrwymadau dinesig a ymgwymerwyd gan Gadeirydd y Cyngor (copi ynghlwm).

#### **5 COFNODION**

Derbyn cofnodion cyfarfod y Cyngor Sir a gynhaliwyd ar 5 Rhagfyr 2017 (i ddilyn)

**6 CYLLIDEB 2018/19 – CYNIGION TERFYNOL** (Tudalennau 7 - 44)

Ystyried adroddiad gan Bennaeth Cyllid (copi ynghlwm) i ddarparu trosolwg o broses y gyllideb ac effaith y Setliad Llywodraeth Leol a chymeradwyo'r gyllideb ar gyfer 2018/19, gan gynnwys lefel Treth y Cyngor.

**7 CYNLLUN GOSTYNGIADAU TRETH Y CYNGOR 2018/19** (Tudalennau 45 - 86)

Ystyried adroddiad gan y Rheolwr Cyflenwi Gwasanaeth a'r Prif Gyfrifydd (copi ynghlwm) i fabwysiadu'r Cynlluniau Gostyngiadau Treth Y Cyngor Cymru gyfan a Rheoliadau Gofynion Rhagnodedig (Cymru) 2013, a'r Rheoliadau Diwygiadau Gofynion Rhagnodedig (Cymru) 2018, mewn perthynas â blwyddyn ariannol 2018/19.

**8 RHYBUDD O GYNNIG**

Cyflwynodd y Cynghorydd Graham Timms (ar ran y Grŵp Llafur) y Rhybudd o Gynnig canlynol ar gyfer sylw'r Cyngor Llawn:

*“Mae Cyngor Sir Ddinbych yn anelu at fod yn gyflogwr Cyflog Byw erbyn mis Ebrill 2020. Mae'r Cyngor yn gofyn i Swyddogion baratoi papur, yn amlinellu sut y gellid gweithredu hyn, i'w drafod gan y Cyngor Llawn ar 11 Medi 2018”.*

**9 RHYBUDD O GYNNIG** (Tudalennau 87 - 88)

Cyflwynodd y Cynghorydd Mabon ap Gwynfor (ar ran Grŵp Plaid Cymru) y Rhybudd o Gynnig canlynol ar gyfer sylw'r Cyngor Llawn:

*“Mae'r Cyngor hwn yn galw:*

- 1. Ar Lywodraeth y DU i oedi cyn cyflwyno'r Credyd Cynhwysol*
- 2. Ar Lywodraeth Cymru i fynnu pwerau datganoli i amrywio sut y telir Credyd Cynhwysol yng Nghymru.*

**10 AELODAU SY'N GEFNOGWYR** (Tudalennau 89 - 92)

Ystyried adroddiad gan y Rheolwr Gwasanaethau Democraidaidd (copi ynghlwm) i benodi Cyngorwyr i'r pedwar rôl “Aelod Sy'n Gefnogwr”.

**11 PENODI AELOD LLEYG ANNIBYNNOL I'R PWYLLGOR SAFONAU** (Tudalennau 93 - 96)

Ystyried adroddiad gan y Swyddog Monitro (Copi ynghlwm) i'r Cyngor gymeradwyo penodi Aelod Lleyg Annibynnol i'r Pwyllgor Safonau.

**12 RHAGLEN GWAITH I'R DYFODOL Y CYNGOR SIR** (Tudalennau 97 - 100)

Ystyried Rhaglen Gwaith i'r Dyfodol y Cyngor (copi ynghlwm).

## **AELODAETH**

### **Y Cynghorwyr**

Y Cynghorydd Pete Prendergast  
(Cadeirydd)

Mabon ap Gwynfor  
Brian Blakeley  
Joan Butterfield  
Jeanette Chamberlain-Jones  
Ellie Chard  
Ann Davies  
Gareth Davies  
Meirick Davies  
Peter Arnold Evans  
Hugh Evans  
Bobby Feeley  
Rachel Flynn  
Tony Flynn  
Huw Hilditch-Roberts  
Martyn Holland  
Hugh Irving  
Alan James  
Brian Jones  
Huw Jones  
Pat Jones  
Tina Jones  
Gwyneth Kensler  
Geraint Lloyd-Williams

Richard Mainon  
Christine Marston  
Barry Mellor  
Melvyn Mile  
Bob Murray  
Merfyn Parry  
Paul Penlington  
Arwel Roberts  
Anton Sampson  
Peter Scott  
Glenn Swingler  
Thomas  
Andrew Thomas  
Rhys Thomas  
Julian Thompson-Hill  
Graham Timms  
Joe Welch  
Cheryl Williams  
David Williams  
Eryl Williams  
Huw Williams  
Emrys Wynne  
Mark Young

### **COPIAU I'R:**

Y Wasg a'r Llyfrgelloedd  
Cynghorau Tref a Chymuned

Mae tudalen hwn yn fwriadol wag

# Eitem Agenda 4

## Digwyddiadau wedi eu mynychu gan y Cadeirydd / Events attended by Chairman

<u>Dyddiad/Date</u>	<u>Digwyddiad/Event</u>	<u>Lleoliad/Location</u>
28/11/17	Noson Caws a Gwin Maer Rhuthun Mayor of Ruthin Cheese and Wine Evening	Rhuthun / Ruthin
01/12/17	Ymweliad i safle ysgol newydd yng Nglasdir Visit to new School Site at Glasdir (Is-Gadeirydd wedi mynychu/ Vice-Chairman attended)	Rhuthun / Ruthin
04/12/17	Lansiad Cystadleuaeth arlunio Launch of Art Competition	Rhuthun / Ruthin
04/12/17	Seremoni Ddinasyddiaeth Citizenship Ceremony	Y Rhyl / Rhyl
04/12/17	Gwasanaeth Carolau Sir Ddinbych Denbighshire's Carol Service	Y Rhyl / Rhyl
07/12/17	Ymweliad Ysgol i Neuadd y Sir School Visit to County Hall	Rhuthun / Ruthin
14/12/17	Ymweliad I Ysgol caer Drewyn I gyflwyno Tocyn Llyfrau Visit to Ysgol Caer Drewyn - Book token presentation	Corwen
18/12/17	Dathlu pen-blwydd Mr William John Pritchard yn 100oed 100th birthday celebrations of Mr William John Pritchard (Is-Gadeirydd wedi mynychu/ Vice-Chairman attended)	Rhuthun / Ruthin
19/12/17	"Gadewch i ni Ddathlu" – Menter Darllen Sir Ddinbych "Lets Celebrate" – Denbighshire Reading Initiative	Amrywiol/Various
12/01/18	Digwyddiad Lloyd George Event	Llanystumdwy
18/01/18	Seremoni Ddinasyddiaeth Citizenship Ceremony	Rhuthun / Ruthin
19/01/18	Dathliad Gweithgaredd Cynnig Cynnig Activity Celebration	Dinbych / Denbigh

Mae tudalen hwn yn fwriadol wag

Adroddiad i'r:	Cyngor Sir
Dyddiad y Cyfarfod:	30 Ionawr 2018
Aelod Arweiniol / Swyddog:	Julian Thompson-Hill/ Richard Weigh
Awdur yr Adroddiad:	Richard Weigh, Pennaeth Cyllid
Teitl:	Cyllideb 2018/19 – Cynigion Terfynol

## 1. **Am beth mae'r adroddiad yn sôn?**

1.1 Mae'r adroddiad yn nodi goblygiadau Setliad Llywodraeth Leol 2018/19 a chynigion i gwblhau'r gyllideb ar gyfer 2018/19.

## 2. **Beth yw'r rheswm dros lunio'r adroddiad hwn?**

2.1 Mae'n ofynnol yn ôl y gyfraith i'r Cyngor bennu cyllideb gytbwys y gellir ei chyflawni cyn dechrau pob blwyddyn ariannol a gosod lefel sy'n deillio o Dreth y Cyngor i ganiatáu i filiau gael eu hanfon at breswylwyr.

2.2 Darparu trosolwg o broses y gyllideb ac effaith y Setliad Llywodraeth Leol a chymeradwyo'r gyllideb ar gyfer 2018/19, gan gynnwys lefel Treth y Cyngor.

## 3. **Beth yw'r argymhellion?**

3.1 Nodi effaith Setliad Llywodraeth Leol 2018/19.

3.2 Cymeradwyo'r gyllideb a amlinellir yn Atodiad 1, sy'n cyd-fynd â'r rhagdybiaethau a gyflwynwyd i aelodau yng nghyfarfodydd briffio'r gyllideb a gynhaliwyd ym mis Tachwedd 2017.

3.3 Cymeradwyo'r arbedion, sy'n dod i gyfanswm o £411k ac sydd wedi'u rhestru yn Atodiad 2, fel rhan o'r pecyn cyllideb.

3.4 Cymeradwyo'r cynnydd cyfartalog o 4.75% yn Nhreth y Cyngor, sy'n cydnabod y pwysau cynyddol o ran costau ar wasanaethau gofal cymdeithasol plant ac oedolion ac yn cefnogi'r dyraniad o £1.5m o gyllid ychwanegol ar draws y ddau wasanaeth.

3.5 Bod y Cyngor yn cadarnhau ei fod wedi darllen, deall ac ystyried yr Asesiadau o Effaith ar Les a gyflwynwyd fel rhan o broses y gyllideb.

## 4. **Manylion yr Adroddiad**

4.1 Derbyniwyd y Setliad Llywodraeth Leol Terfynol ar gyfer 2018/19 ar 20 Rhagfyr ac fe arweiniodd at ostyngiad arian parod o -0.2% (cyfartaledd Cymru yw +0.2%). Roedd y Setliad Dros Dro a dderbyniwyd ym mis Hydref yn nodi gostyngiad o -0.9% (cyfartaledd Cymru yw 0.5%). Er mwyn i'r sefyllfa ariannu fod yn niwtral, o ran y pwysau *lleiaf posibl*

ar gyllid yn y Cynllun Ariannol Tymor Canolig, byddai'r Setliad wedi gorfod bod yn +3.6% fan lleiaf.

- 4.2 Mae'r newid rhwng y ddau yn adlewyrchu'r £20m ychwanegol a ddyrannwyd i lywodraeth leol fel rhan o gynigion cyllideb terfynol Llywodraeth Cymru. Mae hyn yn dilyn cyllid ychwanegol a ddyrannwyd i Gymru o ganlyniad i gyllideb Llywodraeth y DU ym mis Tachwedd a mae'n lliniaru effaith cynnig tâl diweddaraf y cyflogwr, a oedd yn uwch na'r disgwyl ac yn adlewyrchu'r camau a gymerwyd oddi wrth y polisi o gap o 1% ar gyflogau.

Mae 'trosglwyddiadau i mewn' (eitemau a ariannwyd drwy grantiau yn flaenorol) gwerth £2.9m hefyd wedi'u cynnwys yn y Setliad. Maent fel a ganlyn:

• Elfen wastraff o'r Grant Amgylcheddol Sengl	£1.2m
• Grant Byw'n Annibynnol Cymru	£0.8m
• Grant Gweithlu Gofal Cymdeithasol	£0.6m
• Plant sy'n Derbyn Gofal	£0.2m
• Grant Gofal Seibiant i Ofalwyr	£0.1m

- 4.4 Dylid nodi bod swm y Grant Amgylcheddol Sengl wedi cael ei ostwng o 10%.

- 4.5 Mae cyfrifoldebau newydd hefyd wedi'u cynnwys yn y Setliad a bydd y rhain yn cael eu trosglwyddo'n uniongyrchol i'r gwasanaeth perthnasol. Y rhain yw:

- Cefnogaeth i Atal Digartrefedd  
£0.155m
- Cynnydd yn y Terfyn Cyfalaf ar gyfer Ffioedd Gofal Preswyl  
£0.251m

- 4.6 Mae'r cynigion terfynol i gydbwyso cyllideb 2018/19 i'w gweld yn y detholiad o Gynllun Ariannol Tymor Canolig y Cyngor yn Atodiad 1. Mae'r penawdau, ar y cyfan, wedi'u gosod fel y cawsant eu cyflwyno i'r aelodau ym mis Tachwedd, y prif newid yw bod y toriad i'r Setliad yn llai ond mae'r pwysau o ran costau wedi cynyddu. Y pwyntiau cyffredinol yw:

- Gostyngiad o 0.2% yn nhermau arian parod i'r Setliad (GCR -£276k)
- Ariennir pwysau cyflogau, pensiynau a'r Cyflog Byw Cenedlaethol (£1.6m)
- Chwyddiant pris ac ynni (£250k)
- Cynnydd o 1% i ardoll y gwasanaeth tân (£44k)
- Lle ar gyfer cynnydd i gostau'r Cynllun Gostyngiadau i Dreth y Cyngor, gostyngiad i Grant Gweinyddu yr Adran Gwaith a Phensiynau a chronfeydd wrth gefn canolog (£740k)

- 4.7 Yn ychwanegol, mae'r cyngor yn parhau i gefnogi ysgolion drwy ariannu tâl a chwyddiant cysylltiedig ac unrhyw newid mewn perthynas â nifer y disgyblion. Mae hyn yn cyfateb â chynnydd o ran arian parod o £1.792m i ysgolion (cyfanswm o 2.7%). Bydd dyraniad y cyngor o gymorth i sicrhau bod y sefyllfa sefydlog o ran balansau ysgolion yn parhau. Fodd bynnag, mae Llywodraeth Cymru wedi cyhoeddi y bydd y Grant Gwella Addysg yn wynebu toriad o 11% a bydd hyn yn effeithio ar gyllidebau ysgolion.



- 4.8 Mae'r cynigion ar gyfer 2018/19 yn cynnwys buddsoddiad cyllideb refeniw ychwanegol o £500k mewn Blaenoriaethau Corfforaethol. Mae hyn yn ychwanegol i'r £1m o arian parod a nodwyd a chymeradwywyd yn 2017/18.
- 4.9 Er mwyn ariannu'r pwysau a nodwyd, bu'n rhaid canfod arbedion o £4.6m. Mae'r rhain yn cynnwys:
- Newidiadau i bolisi Isafswm Darpariaeth Refeniw'r Cyngor (cytunwyd gan y Cyngor Llawn ym mis Medi 2017), cynhyrchu arbedion parhaus o £2m a darparu clustog ariannol yn 2018/19.
  - Arbedion corfforaethol a nodwyd yn 2017/18 (£1m)
  - Arbedion effeithlonrwydd gwasanaeth (£1.2m)
  - Arbedion gwasanaeth (£0.4m)
- 4.10 Roedd proses y gyllideb ar gyfer 2018/19 yn ei gwneud yn ofynnol i'r holl wasanaethau, ac eithrio ysgolion, ganfod arbedion effeithlonrwydd o 1% ac i wasanaethau, ac eithrio Gwasanaethau Cymorth Cymunedol a Gwasanaethau Addysg a Phlant, ganfod arbedion pellach o hyd at 2.8%. Roedd y targedau hyn yn seiliedig ar ragdybiaethau'r Cynllun Ariannol Tymor Canolig fis Ebrill diwethaf. Cynhaliwyd proses yn yr hydref i adolygu'r holl gynigion gwasanaeth gyda'r Tîm Gweithredol Corfforaethol, Aelodau Arweiniol a Chyllid. Roedd y broses hefyd yn cynnwys dadansoddiad manwl o gyllidebau gwasanaeth, incwm a chronfeydd arian parod wrth gefn. Canlyniad y broses oedd cadarnhau arbedion effeithlonrwydd o £1.2m i'w cymeradwyo a'u gweithredu gan y Pennaeth Gwasanaeth perthnasol. Dosbarthwyd y manylion am yr arbedion ymysg yr aelodau ac mae'r manylion hefyd wedi'u cofnodi yn llyfrgell yr aelodau ar-lein. Ystyriwyd bod arbedion pellach o £411k yn effeithio ar ddarpariaeth gwasanaeth neu newid i'r dull darparu. Mae'r rhain wedi'u rhestru yn Atodiad 2 ac mae Asesiadau o Effaith ar Les wedi'u hatodi ar gyfer pob cynnig.
- 4.11 Adolygwyd rhagdybiaethau Cynllun Ariannol Tymor Canolig y Cyngor ym mis Gorffennaf ac ailaseswyd y pwysau o ran costau. Er i'r mwyafrif o ragdybiaethau'r Cynllun Ariannol Tymor Canolig brofi'n gywir, gwelwyd cynnydd i lefel y pwysau costau mewn perthynas â darpariaeth gofal cymdeithasol plant ac oedolion o gymharu ag asesiadau blaenorol. Gwelwyd cynnydd ym mhwysau costau o fewn y ddau faes darparu hyn yn y blynyddoedd diwethaf ond mae'r cyngor wedi llwyddo i reoli'r pwysau drwy ddefnyddio cronfeydd arian parod wrth gefn penodol, mewn modd rheoledig i esmwytho'r effaith. Mae costau iechyd meddwl a darpariaeth i oedolion iau wedi cynyddu y tu hwnt i ddisgwyliadau hyd yma yn 2017/ 18, sy'n golygu y bydd cyfanswm yr arian parod sydd ar gael i leihau'r pwysau yn llai yn y dyfodol. Mae'r un peth yn wir am leoliadau preswyl arbenigol i blant, ac mae'r galw am leoliadau wedi cynyddu'n sylweddol yn ystod y flwyddyn ddiwethaf.
- 4.12 Gan fod natur y pwysau hwn yn barhaus, nid yw'n gynaliadwy i reoli'r pwysau hyn heb gynyddu sail cyllid y cyngor yn barhaol. Wrth i gefnogaeth ariannol gan Lywodraeth Cymru leihau yn flynyddol, mae'n rhaid ysgwyddo'r baich yn lleol ac felly cynnig cynnydd yn Nhreth y Cyngor sydd yn uwch nag y cynlluniwyd yn wreiddiol.
- 4.13 Bydd codi Treth y Cyngor o 4.75% yn codi £945k yn ychwanegol o gymharu â'r cynnig gwreiddiol o 2.75%. Bydd y swm ychwanegol hwn yn cael ei ddefnyddio fel rhan o'r

pecyn cyffredinol, sy'n cynnwys dyraniad ychwanegol i ofal cymdeithasol o £1.5m. Byddai'r cynnydd arfaethedig yn ychwanegu £56.58 y flwyddyn at ffi gyffredinol eiddo Band D (£1.08 yr wythnos) ac mae hyn yn £23.82 (46c yr wythnos) yn uwch y flwyddyn na'r cynnig gwreiddiol. Nodir hyn yn Atodiad 3.

4.14 Mae cynigion y gyllideb yn parhau i gynnwys elfen o gyllid i gefnogi'r sefyllfa gyffredinol. Nid yw hon yn sefyllfa ddelfrydol ac mae'n adlewyrchu'r sefyllfa ariannol anodd a pharhaus sy'n wynebu'r cyngor. Mae'r arian parod a nodwyd ar gyfer 2018/19 wedi'i gynhyrchu o adolygiad polisi Isafswm Darpariaeth Refeniw ac yn caniatáu i arian parod, a nodwyd ar gyfer 2018/19 yn flaenorol, gael ei gario ymlaen i 2019/20. Bydd hyn o gymorth i esmwytho effaith gostyngiadau pellach i gyllid yn 2019/20, pan fydd y bwlch cyllidol, yn seiliedig ar ragdybiaethau presennol, yn £6.4m.

## 5. **Sut mae'r penderfyniad yn cyfrannu at Flaenoriaethau Corfforaethol?**

5.1 Mae rheolaeth effeithiol o gyllidebau'r cyngor a chyflawni'r strategaeth gyllidebol a gytunwyd yn sylfaen i weithgareddau ym mhob maes, gan gynnwys blaenoriaethau corfforaethol. Mae'r cynigion yn cynnwys dyraniadau i gefnogi'r blaenoriaethau newydd.

## 6. **Faint fydd yn gostio a sut fydd yn effeithio ar y gwasanaethau eraill?**

6.1 Fel y nodwyd uchod.

## 7. **Beth yw prif ganlyniadau'r Asesiad o Effaith ar Les?**

7.1 Mae asesiadau o effaith ar les ar gyfer y cynigion ar gyfer arbedion yn Atodiad 2 a'r cynnydd yn Nhreth y Cyngor wedi'u hatodi. Roedd asesiad ar gyfer y newid i bolisi Isafswm Darpariaeth Refeniw hefyd wedi'i gynnwys yn yr adroddiad i'r Cyngor ym mis Medi.

## 8. **Pa ymgynghoriadau sydd wedi'u cyflawni gyda'r Pwyllgor Archwilio ac eraill?**

8.1 Cafodd Aelodau eu briffio ar y sefyllfa ariannol ym mis Medi ac yn dilyn cyhoeddi'r setliad dros dro ym mis Hydref. Cynhaliwyd dau gyfarfod penodol briffio'r gyllideb ym mis Tachwedd. Mae'r Uwch Dîm Arweinyddiaeth wedi bod yn rhan o broses y gyllideb. Mae sesiynau briffio gyda grwpiau gwleidyddol wedi cael eu cynnig gan yr Aelod Arweiniol.

## 9. **Datganiad y Prif Swyddog Cyllid**

9.1 Nod y broses gyllidebol yw sicrhau bod y cyngor yn cyflwyno cyllideb gytbwys. Mae'r ansicrwydd dros lefel y setliadau ariannol yn y blynyddoedd diwethaf wedi gwneud cynllunio ariannol o dan amgylchiadau sydd eisoes yn anodd hyd yn oed yn fwy heriol.

Mae'n fwy tebygol bellach y bydd gostyngiadau cyllid i awdurdodau lleol yng Nghymru yn parhau yn y tymor canolig ac er y bydd y cyngor bob amser yn ymdrechu i fod yn fwy effeithlon er mwyn arbed arian, efallai na fydd hyn ynddo' i hun yn ddigonol yn y dyfodol. Mae'r detholiad o Gynllun Ariannol Tymor Canolig cyfredol y Cyngor yn nodi

gofyniad arbedion o dros £6m y flwyddyn am y ddwy flynedd nesaf. Bydd hyn yn cael effaith sylweddol ar y cyngor a'r gwasanaethau y mae'n ddarparu.

Mae'r gyllideb sydd wedi'i chynnig ar gyfer 2018/19 yn caniatáu amser i'r cyngor lunio rhaglen gyllideb a chynigion ar gyfer y ddwy flynedd ariannol nesaf. Bydd y Cynllun Ariannol Tymor Canolig yn cael ei ddiweddarau ar ddechrau 2019 a bydd yn ategu'r broses gyllidebol ar gyfer y ddwy flynedd nesaf.

Mae pwysau gofal cymdeithasol yn risg barhaus ar gyfer y cyngor hwn a phob cyngor arall. Mae'r cynigion yn 2018/19 o gymorth i liniaru'r galw a'r pwysau o ran costau ond nid yw'n ddigonol i ariannu'r holl bwysau sylfaenol yn llawn ac yn barhaol. Mae'r pwysau o ran costau o fewn meysydd gwasanaeth eraill yn cael eu rheoli ond gallai fod yn risg mewn blynyddoedd i ddod.

Os nad yw'r cynigion yn yr adroddiad hwn yn cael eu derbyn, mae'n rhaid cyflwyno cynigion eraill i gydbwyso'r gyllideb.

10. **Pa risgiau sydd yn bodoli ac a oes unrhyw beth y gallwn ei wneud i'w lleihau?**
  - 10.1 Mae proses y gyllideb ynddi ei hun yn fesur ar gyfer rheoli risg, gyda'r nod o ddynodi, asesu a chytuno ar gynigion y gyllideb mewn modd cynlluniedig ac amserol.
  - 10.2 Byddai methu a chytuno ar y cynigion hyn, heb gynnig cynigion posibl eraill, yn peryglu ein bwriad o gyflawni cyllideb gytbwys ar gyfer 2018/19.
11. **Pŵer i wneud y Penderfyniad**
  - 11.1 Dan Adran 151 Deddf Llywodraeth Leol 1972, mae'n ofynnol i awdurdodau lleol wneud trefniadau ar gyfer gweinyddu eu materion ariannol yn briodol.

Mae tudalen hwn yn fwriadol wag

## Appendix 1 Financial Projection - as at December 2017 - Final

	2017/18 £'000	2018/19 £'000	2019/20 £'000	2020/21 £'000
<b>Funding</b>				
Revenue Support Grant & NNDR (RSG)	140,474	143,119	140,972	138,858
Council Tax	46,656	49,299	51,019	52,486
<b>SSA / Budget Requirement</b>	<b>187,130</b>	<b>192,418</b>	<b>191,992</b>	<b>191,343</b>
<b>Use of Balances</b>	2,122	2,000	1,378	
<b>Total Funding</b>	<b>189,252</b>	<b>194,418</b>	<b>193,370</b>	<b>191,343</b>
<b>Expenditure</b>				
<b>Base Budget</b>	<b>185,062</b>	<b>189,252</b>	<b>194,418</b>	<b>199,842</b>
<b>Inflation / Pressures:</b>				
Pay	519	1,611	1,587	519
Pensions	350		350	350
National Insurance	-		-	-
Living Wage	500			500
Price - targeted	125	100	100	100
Price - NSI Energy	395	150	150	150
CTRS / Contingency	350	740	350	350
Fire Levy	161	44	100	100
Social Services	750	750	500	500
Childrens Service		750		
Transport	300			
Apprenticeship Levy	500			
Schools Protection	1,246	1,502	1,000	1,000
Schools Demography Adjustment	656	290	787	787
Contingency				
<b>Other known items:</b>				
Investment in Priorities	200	500	500	500
Transfers into/out of Settlement	68	2,934		
New Responsibilities	327	406		
<b>EFFICIENCIES / SAVINGS:</b>				
Capital and Corporate Savings	(1,355)	(2,000)		
Other Corporate Savings		(1,000)		
Service Efficiency Target	(902)	(1,200)		
Service Savings Target		(411)		
<b>Total Expenditure</b>	<b>189,252</b>	<b>194,418</b>	<b>199,842</b>	<b>204,698</b>
<b>Funding Shortfall / (Available)</b>	<b>(0)</b>	<b>(0)</b>	<b>6,472</b>	<b>13,354</b>
<b>Annual increase/(decrease) in shortfall</b>	<b>0</b>	<b>0</b>	<b>6,473</b>	<b>6,883</b>
<b>Key Assumptions</b>				
Settlement %	0.62%	-0.20%	-1.50%	-1.50%
Council Tax Increase % Band D	2.75%	4.75%	2.75%	2.75%
Schools Protection	1.93%	N/A	N/A	N/A

Mae tudalen hwn yn fwriadol wag

## Appendix 2 Summary of Saving Proposals - December 2017

Ref	OLD REF	RAYG	Service	Saving Title	Category	Further Description	2018/19 £000
BIM SP001	BIM SP006	Yellow	Business Improvement and Modernisation	ICT - revisions to staffing structure	Efficiency - no negative effect on service levels but may impact on staffing	Reduction in capacity will have an impact on the delivery capability of the service	-52
HES SP001	HES SP001	Yellow	Highways and Environmental Services	Deliver Trade Waste service via external contractor	Efficiency - no negative effect on service levels but may impact on staffing	This service is at best breakeven and potentially loss making due to lack of volume. Building volume is a slow, costly process that runs at a loss in the short to medium term. Proposal is for DCC to retain the customers but outsource the service to the private sector to retain the recycling percentage.	-252
HES SP001	HES SP002	Yellow	Highways and Environmental Services	Deletion of Archaeologist post following retirement	Alternative commissioning / procurement / service delivery	This means that there will be no support for the Authority for Archaeology from April 2018 because the service will cease. Performance in this area will reduce. Archaeological advice and guidance is a county-wide function, so this reduction in service will have an impact on several services, including: Planning; Property; Highways; Tourism; and Heritage. Expertise will be lost, and we may have to bring in consultants in certain circumstances because the authority will need to ensure its Archaeology and Heritage responsibilities are given due consideration. CADW will expect important and protected sites are conserved and managed.	-42
LHD SP001	LHD SP001	Yellow	Legal, HR & Democratic Services	End additional funding for external events from Civic budget (£4.5k)	Service Reduction/withdrawal	The Civic budget, has, for several years, supported/sponsored an evening concert at Llangollen Eisteddfod (£3,500) and has also supported the annual North Wales International Musical Festival in St Asaph (£1,000) p.a. The tickets provided to us as part of the sponsorship package at Llangollen Eisteddfod are used mainly to invite civic dignitaries from the other North Wales authorities. Despite previous efforts, we have been unable to use the tickets to enhance business or tourism opportunities for DCC. Denbighshire County Council already provides substantial financial support to the Llangollen Eisteddfod via the Facilities Management Team who provide an array of services at the site (up to £65,000 - total amount to be confirmed)	-5
PPP SP001	PPP SP002	Green	Planning and Public Protection	Reduce Small Business Development Grant Budget	Alternative commissioning / procurement / service delivery	The Small Business Grant Scheme was introduced by the former Economic Ambition Board in 2015/16 to support the then Corporate Priority of developing the economy. £120k of revenue was annually committed to the grant. Given the need for further corporate savings and the adoption of new Priorities within the latest Corporate Plan retaining this grant is now difficult to justify. It is proposed to take £60k from the grant towards 18/19 savings. The remaining £60k will be reallocated to support similar, but new priorities in the Corporate Plan (e.g. assist young people to gain employment)	-60
<b>TOTAL</b>							<b>-411</b>

Mae tudalen hwn yn fwiadol wag



Appendix 3

2018/19	Increase	Increase in Band D	Proposed Band D	Total Funding	Inc/Dec in Funding
	%	£	£	£000	£000
	0.00%	0.00	1,191.26	46,990	-1,296
	0.50%	5.96	1,197.22	47,226	-1,060
	1.00%	11.91	1,203.17	47,461	-825
	1.50%	17.87	1,209.13	47,697	-589
	1.75%	20.85	1,212.11	47,815	-471
	2.00%	23.83	1,215.09	47,933	-353
	2.25%	26.80	1,218.06	48,050	-236
	2.50%	29.78	1,221.04	48,168	-118
<b>Original Assumption in MTFP</b>	<b>2.75%</b>	<b>32.76</b>	<b>1,224.02</b>	<b>48,286</b>	<b>0</b>
	3.00%	35.74	1,227.00	48,404	118
	3.25%	38.72	1,229.98	48,522	236
	3.50%	41.69	1,232.95	48,639	353
	3.75%	44.67	1,235.93	48,757	471
	4.00%	47.65	1,238.91	48,875	589
	4.25%	50.63	1,241.89	48,993	707
	4.50%	53.61	1,244.87	49,111	825
<b>Revised Proposal November</b>	<b>4.75%</b>	<b>56.58</b>	<b>1,247.84</b>	<b>49,228</b>	<b>942</b>
	5.00%	59.56	1,250.82	49,346	1,060

Judalen 17

Mae tudalen hwn yn fwiadol wag

# ICT Savings proposal 2018/19

## Wellbeing Impact Assessment Report

This report summarises the likely impact of a proposal on the social, economic, environmental and cultural well-being of Denbighshire, Wales and the world.

Assessment Number:	340
Brief description:	A proposal to reduce the staffing in ICT to deliver a financial saving
Date Completed:	30/11/2017 14:50:30 Version: 2
Completed by:	Alan Smith
Responsible Service:	Business Improvement & Modernisation
Localities affected by the proposal:	Whole County,

# IMPACT ASSESSMENT SUMMARY AND CONCLUSION

Before we look in detail at the contribution and impact of the proposal, it is important to consider how the proposal is applying the sustainable development principle. This means that we must act "in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs."

## Score for the sustainability of the approach

Does it need more thought?



(1 out of 4 stars)

Actual score : 7 / 24.

## Summary of impact

Wellbeing Goals



A prosperous Denbighshire	Negative
A resilient Denbighshire	Neutral
A healthier Denbighshire	Neutral
A more equal Denbighshire	Negative
A Denbighshire of cohesive communities	Neutral
A Denbighshire of vibrant culture and thriving Welsh language	Neutral
A globally responsible Denbighshire	Neutral

## Main conclusions

This proposal is intended to create a financial saving for the Council, in order that other services can be sustained. It will mean a reduction in the capacity of ICT to deliver its service, which may impact the plans of other areas, but the service itself will not be fundamentally threatened. The proposal will entail a small reduction in job opportunities for Denbighshire residents.

# THE LIKELY IMPACT ON DENBIGHSHIRE, WALES AND THE WORLD

## A prosperous Denbighshire

Overall Impact	Negative
Justification for impact	There will be a reduction in employment opportunities within DCC

### **Positive consequences identified:**

### **Unintended negative consequences identified:**

Will impact on jobs available at DCC  
Will reduce opportunities for skills development in DCC

### **Mitigating actions:**

## A resilient Denbighshire

Overall Impact	Neutral
Justification for impact	This change will have no real impact on the external environment

### **Positive consequences identified:**

### **Unintended negative consequences identified:**

### **Mitigating actions:**

## A healthier Denbighshire

Overall Impact	Neutral
Justification for impact	This change is likely to have no perceivable impact on the overall health of the community

### **Positive consequences identified:**

### **Unintended negative consequences identified:**

### **Mitigating actions:**

## A more equal Denbighshire

Overall Impact	Negative
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Justification for impact	There will, be fewer job opportunities for Denbighshire residents
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**Positive consequences identified:**

**Unintended negative consequences identified:**

Reduced employment opportunities in Denbighshire

**Mitigating actions:**

### A Denbighshire of cohesive communities

Overall Impact	Neutral
Justification for impact	

**Positive consequences identified:**

**Unintended negative consequences identified:**

**Mitigating actions:**

### A Denbighshire of vibrant culture and thriving Welsh language

Overall Impact	Neutral
Justification for impact	

**Positive consequences identified:**

**Unintended negative consequences identified:**

**Mitigating actions:**

### A globally responsible Denbighshire

Overall Impact	Neutral
Justification for impact	

**Positive consequences identified:**

**Unintended negative consequences identified:**

**Mitigating actions:**

# Council Tax 2018/19

## Wellbeing Impact Assessment Report

This report summarises the likely impact of a proposal on the social, economic, environmental and cultural well-being of Denbighshire, Wales and the world.

Assessment Number:	360
Brief description:	It is a proposed rise in Council Tax of 4.75% in order to support the 2018/19 budget.
Date Completed:	16/01/2018 12:39:14 Version: 1
Completed by:	Richard Weigh
Responsible Service:	Finance
Localities affected by the proposal:	Whole County,

# IMPACT ASSESSMENT SUMMARY AND CONCLUSION

Before we look in detail at the contribution and impact of the proposal, it is important to consider how the proposal is applying the sustainable development principle. This means that we must act "in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs."

## Score for the sustainability of the approach

Could some small changes in your thinking produce a better result?

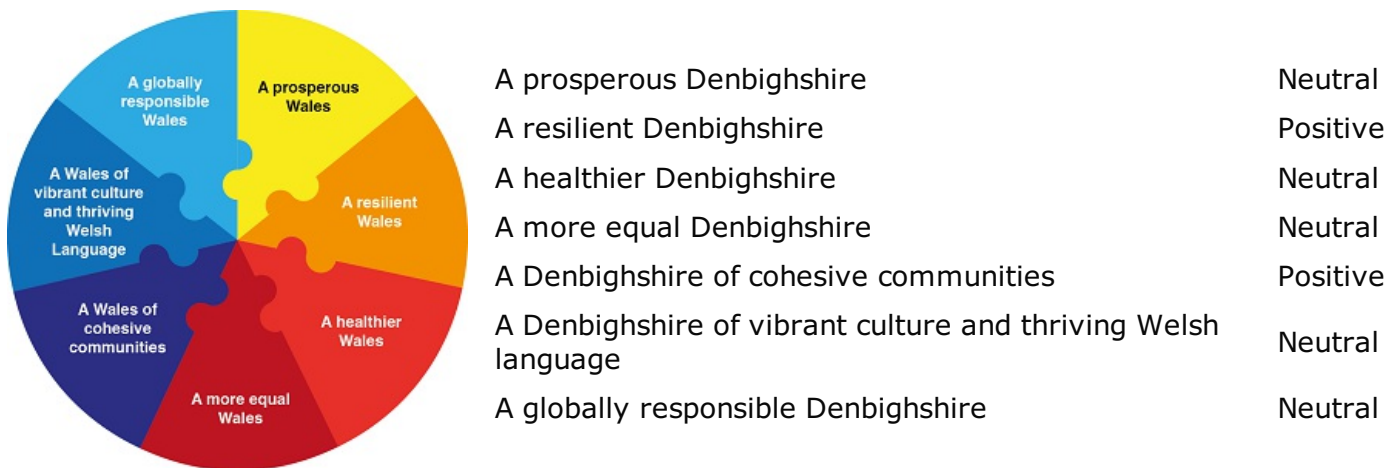


(3 out of 4 stars)

Actual score : 20 / 24.

## Summary of impact

Wellbeing Goals



## Main conclusions

The focus of the proposal is on the short-medium term to maintain vital services in 2018/19. The impacts are broadly neutral. This is because the Council Tax rise proposed supports a budget that protects existing service levels and increases investment in social care, schools and in new priorities. Clearly the impact is the increased tax paid by residents. The main mitigation is that around 25% of tax payers receive financial support through the Council Tax Reduction Scheme. However, it is recognised that for some taxpayers, the proposed rise will create an additional financial burden, particularly for those with relatively fixed incomes or little disposable income. For such residents, the Council works closely and proactively with Citizens Advice to offer support with personal budgeting and benefit maximisation.



# THE LIKELY IMPACT ON DENBIGHSHIRE, WALES AND THE WORLD

## **A prosperous Denbighshire**

Overall Impact	Neutral
Justification for impact	Whilst the Council Tax rise will increase the amount paid, it also allows the council to increase funding to provision in key areas such as social care and schools and maintain service levels generally throughout other areas during 2018/19. The impact on our local economy, skills and employment is considered to be neutral.

### **Positive consequences identified:**

Allows the council to continue existing financial provision in 2018/19.

### **Unintended negative consequences identified:**

### **Mitigating actions:**

There will be an impact on the personal budgets of those who will not qualify for support: residents will pay more Council Tax - however there is support via the Council Tax reduction scheme for those who qualify for such support.

## **A resilient Denbighshire**

Overall Impact	Positive
Justification for impact	The Council Tax rise proposed supports a budget that includes investment in key areas highlighted such as biodiversity and flood risk management.

### **Positive consequences identified:**

The Council Tax rise supports a budget that includes new priorities, including enhancing biodiversity, the natural environment and flood risk management.

### **Unintended negative consequences identified:**

### **Mitigating actions:**

Residents will pay more Council Tax - however there is support via the Council Tax Reduction Scheme for those who qualify for such support. For those who do not qualify for Council Tax Reduction Scheme support, the Council works closely and proactively with Citizens Advice to provide help and support with personal budgeting to those residents who may require it. Flexible payment options are available over ten or twelve months.

## **A healthier Denbighshire**

Overall Impact	Neutral
Justification for impact	The proposal to raise Council Tax supports a budget that allows service levels to be maintained in 2018/19. Not implementing the proposed rise would inevitably lead to reductions in service provision.

**Positive consequences identified:**

The Council Tax proposal supports a budget that maintains activity and service levels in 2018/19 and provides increased funding for social care.

**Unintended negative consequences identified:**

In some circumstances, where residents have relatively fixed incomes or little disposable income and do not qualify for support, the additional cost may cause a degree of anxiety or stress.

**Mitigating actions:**

Residents will pay more Council Tax - however there is support via the Council Tax reduction scheme for those who qualify for such support. Help to those who do not qualify for Council Tax Reduction Scheme support, flexible payment options are available. Also, the Council works closely and proactively with Citizens Advice to provide help and support with personal budgeting to those residents who may require it.

**A more equal Denbighshire**

Overall Impact	Neutral
Justification for impact	The proposal to raise Council Tax supports a budget that allows service levels to be maintained in 2018/19 without cutting important services. There are no known negative impacts on people with protected characteristics, there is an assumption that some people with protected characteristics will be eligible for council tax relief

**Positive consequences identified:**

The proposals allow for additional funding to be allocated to social care budgets. There are no known negative impacts on people with protected characteristics, there is an assumption that some people with protected characteristics will be eligible for council tax relief.

**Unintended negative consequences identified:**

Residents will pay more Council Tax. Those who qualify will be supported by the Council Tax reduction scheme. There will be some residents who do not qualify and for whom the tax rise will be an additional burden.

**Mitigating actions:**

Residents will pay more Council Tax - however there is support via the Council Tax Reduction Scheme for those who qualify for such support. If someone is eligible for Council Tax support, the support applies immediately and so there would be no delay in accessing the support. For those who do not qualify for Council Tax Reduction Scheme support, the Council works closely and proactively

with Citizens Advice to provide help and support with personal budgeting to those residents who may require it. Flexible payment options are available over ten or twelve months.

## A Denbighshire of cohesive communities

Overall Impact	Positive
Justification for impact	The proposal to raise Council Tax supports a budget that allows service levels to be maintained in 2018/19 and for investment in new priority areas to enhance community resilience.

### Positive consequences identified:

The proposal allows for service levels to be maintained during 2018/19 and builds in priority investment in connecting communities and resilience as part of the priority funding for 2018/19.

### Unintended negative consequences identified:

### Mitigating actions:

Residents will pay more Council Tax - however there is support via the Council Tax Reduction Scheme for those who qualify for such support. For those who do not qualify for Council Tax Reduction Scheme support, the Council works closely and proactively with Citizens Advice to provide help and support with personal budgeting to those residents who may require it. Flexible payment options are available over ten or twelve months.

## A Denbighshire of vibrant culture and thriving Welsh language

Overall Impact	Neutral
Justification for impact	The proposal to raise Council Tax supports a budget that allows service levels to be maintained in 2018/19 so should not have any negative impact on the Welsh Language.

### Positive consequences identified:

### Unintended negative consequences identified:

### Mitigating actions:

## A globally responsible Denbighshire

Overall Impact	Neutral
Justification for impact	The proposal to raise Council Tax supports a budget that allows service levels to be maintained in 2018/19 and so should not impact supply chains or service provision.

### Positive consequences identified:

The proposal allows for service levels to be maintained during 2018/19.

**Unintended negative consequences identified:****Mitigating actions:**

Residents will pay more Council Tax - however there is support via the Council Tax Reduction Scheme for those who qualify for such support. For those who do not qualify for Council Tax Reduction Scheme support, the Council works closely and proactively with Citizens Advice to provide help and support with personal budgeting to those residents who may require it. Flexible payment options are available over ten or twelve months.

# Outsourcing Commercial Waste Operations

## Wellbeing Impact Assessment Report

This report summarises the likely impact of a proposal on the social, economic, environmental and cultural well-being of Denbighshire, Wales and the world.

Assessment Number:	329
Brief description:	Outsourcing operation of commercial waste collection (currently 2 members of staff perform this duty).
Date Completed:	21/11/2017 13:34:07 Version: 1
Completed by:	Jim Espley
Responsible Service:	Highways & Environmental Services
Localities affected by the proposal:	Whole County,

# IMPACT ASSESSMENT SUMMARY AND CONCLUSION

Before we look in detail at the contribution and impact of the proposal, it is important to consider how the proposal is applying the sustainable development principle. This means that we must act "in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs."

## Score for the sustainability of the approach

Does it need more thought?

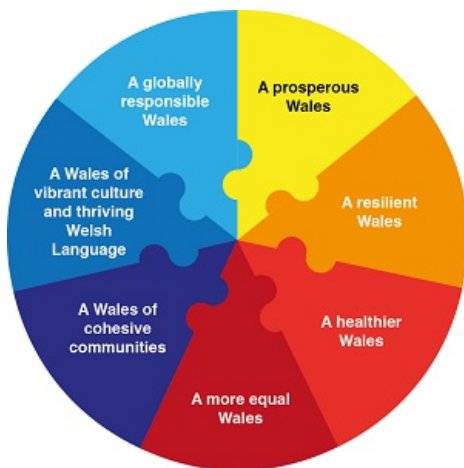


(1 out of 4 stars)

Actual score : 7 / 24.

## Summary of impact

Wellbeing Goals



A prosperous Denbighshire	Neutral
A resilient Denbighshire	Neutral
A healthier Denbighshire	Neutral
A more equal Denbighshire	Neutral
A Denbighshire of cohesive communities	Neutral
A Denbighshire of vibrant culture and thriving Welsh language	Neutral
A globally responsible Denbighshire	Neutral

## Main conclusions

The outsourcing of commercial waste operations has no material impacts on the wellbeing factors (the same operation will be undertaken, same waste will be collected, same amount of fuel will be used etc) - the procurement purely involves switching an operation from one provider to another,

# THE LIKELY IMPACT ON DENBIGHSHIRE, WALES AND THE WORLD

## A prosperous Denbighshire

Overall Impact	Neutral
Justification for impact	The procurement is to contract out the operation of the commercial waste collections. The carbon impact, jobs etc will be the same regardless of whether Denbighshire undertakes the service or it is contracted out

**Positive consequences identified:**

**Unintended negative consequences identified:**

**Mitigating actions:**

## A resilient Denbighshire

Overall Impact	Neutral
Justification for impact	The procurement is to contract out the operation of the commercial waste collections. The impact of the operation is the same regardless of whether Denbighshire undertakes the service or it is contracted out

**Positive consequences identified:**

**Unintended negative consequences identified:**

**Mitigating actions:**

## A healthier Denbighshire

Overall Impact	Neutral
Justification for impact	The procurement of outsourcing commercial waste operations does not relate to this category

**Positive consequences identified:**

**Unintended negative consequences identified:**

**Mitigating actions:**

## A more equal Denbighshire

Overall Impact	Neutral
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Justification for impact	The procurement of outsourcing commercial waste operations does not relate to this category
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**Positive consequences identified:**

**Unintended negative consequences identified:**

**Mitigating actions:**

**A Denbighshire of cohesive communities**

Overall Impact	Neutral
Justification for impact	The procurement of outsourcing commercial waste operations does not relate to this category

**Positive consequences identified:**

**Unintended negative consequences identified:**

**Mitigating actions:**

**A Denbighshire of vibrant culture and thriving Welsh language**

Overall Impact	Neutral
Justification for impact	The procurement of outsourcing commercial waste operations does not relate to this category

**Positive consequences identified:**

**Unintended negative consequences identified:**

**Mitigating actions:**

**A globally responsible Denbighshire**

Overall Impact	Neutral
Justification for impact	The procurement of outsourcing commercial waste operations does not relate to this category

**Positive consequences identified:**

**Unintended negative consequences identified:**

**Mitigating actions:**



# Savings Proposal: Non-replacement of County Archaeologist following retirement

## Wellbeing Impact Assessment Report

This report summarises the likely impact of a proposal on the social, economic, environmental and cultural well-being of Denbighshire, Wales and the world.

Assessment Number:	330
Brief description:	The County Archaeologist is currently on flexible retirement and will be leaving the Authority on 31/03/2018. The salary has been put forward as a budget saving for 2018-19. This WIA will consider the impacts of this proposal.
Date Completed:	24/11/2017 09:34:05 Version: 2
Completed by:	Huw Rees
Responsible Service:	Highways & Environmental Services
Localities affected by the proposal:	Whole County,

# IMPACT ASSESSMENT SUMMARY AND CONCLUSION

Before we look in detail at the contribution and impact of the proposal, it is important to consider how the proposal is applying the sustainable development principle. This means that we must act "in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs."

## Score for the sustainability of the approach

Could you do more to make your approach more sustainable?

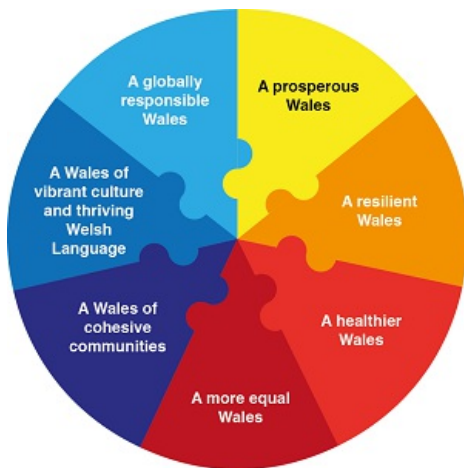


(2 out of 4 stars)

Actual score : 9 / 24.

## Summary of impact

Wellbeing Goals



A prosperous Denbighshire	Negative
A resilient Denbighshire	Negative
A healthier Denbighshire	Negative
A more equal Denbighshire	Negative
A Denbighshire of cohesive communities	Negative
A Denbighshire of vibrant culture and thriving Welsh language	Negative
A globally responsible Denbighshire	Negative

## Main conclusions

This proposal would result in the loss of a post that has a specific role and represents wholly the authority's delivery of that role. Any analysis of this will inevitably produce a negative impact. It is a loss of service. However, it should be recognised that Denbighshire is one of only a few Local Authorities [LAs] in Wales that have a County Archaeologist [CA] and the only one in North Wales [Snowdonia National Park has a similar post]. This results in our historic landscape being well promoted, protected and embedded in our planning, countryside, economic and tourism activities. Some of this would still be present when the post is gone but inevitably the focus will not be as strong. Other LAs manage to protect their historic environment but not to the degree that Denbighshire has. The County has used it to bring in grants [Heritage Lottery Fund being the most notable], engage communities, support the success of the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty [AONB] and Pontcysyllte Aqueduct and Llangollen Canal World Heritage Site and underpin tourism and economic regeneration, particularly in the rural areas. However, given the tough economic climate and the pressure for savings, there is a bigger picture. The retirement of the post holder provides an opportunity to make a saving and prevent the potential redundancy of other staff in the Countryside Service.

# THE LIKELY IMPACT ON DENBIGHSHIRE, WALES AND THE WORLD

## A prosperous Denbighshire

Overall Impact	Negative
Justification for impact	The County Archaeologist role makes a positive contribution to the economic wellbeing of the County and the wider area, in terms of tourism, conservation of the historic and cultural environment and landscape projects. This expertise may be found elsewhere but will be less easy to access and probably cost more if it is removed from the Authority.

### Positive consequences identified:

The retirement of the CA provides an opportunity to make obligatory savings for the Countryside and Heritage Service. Taking this opportunity means that other staff may be protected from redundancy [for at least another year].

### Unintended negative consequences identified:

The CA is constantly aiming to improve the condition and knowledge of the County's Historic Environment. A better quality historic environment is intrinsically good, but also good for residents and tourists alike. Examples of projects which have achieved this are Castell Dinas Brân, Clive Engine House, Dyserth, Gop cairn (in the AONB), Jubilee Tower, Moel Famau, several of the areas hillforts in both public and private ownership. Following on from projects such as the Heather and Hillforts project, there have been a number of archaeological excavations in the area, particularly at Penycloddiau, Moel y Gaer Bodfari and on the slopes outside Moel Arthur. The historic environment is good for tourism and rural economic regeneration. Having that expertise in the Authority raises the profile and embeds it into the work of the Authority. The CA was strongly involved in the World Heritage Site in the Dee Valley.

This proposal involves a retirement and a loss of a service/role for the Authority. The expertise will be lost and over time the focus on archaeology that currently exists in the County will wane. As part of the role, the CA was involved with volunteers, school placements and university projects in the County.

### Mitigating actions:

Arrangements could be made with CPAT [Clwyd Powys Archaeological Trust] to provide some services as replacements. These would be under SLAs or specific project briefs and would, by their nature, be less flexible. Certainly planning application consultations will need to be undertaken as archaeology is a 'material consideration' in the planning process.

## A resilient Denbighshire

Overall Impact	Negative
Justification for impact	The CA is instrumental in maintaining a high profile for all aspects of the protection and enhancement of the historic environment. When the post is gone, there will be less of an emphasis on this work and resilience will be diminished.

**Positive consequences identified:** Tudalen 35

The saving from the retirement will protect other staff in the Service who also have a strong role in protecting and enhancing biodiversity.

### **Unintended negative consequences identified:**

Currently the CA is involved in the protection and enhancement of the historic landscape of Denbighshire - ruined castles [Dinas Bran] ,Iron Age Hillforts, parkland and caves for example. Any reduction in their protection will possibly result in a negative impact on biodiversity as a natural progression.

Historic buildings and structures are , by their nature, closely associated with wildlife and often provide ideal habitat for protected species. The CA is involved in the protection of these types of buildings and structures. This work, by default helps biodiversity and wildlife. The bats at Nant Clwyd y Dre is a good example and there have been many other incidents of this connection. If this type of work reduces there is likely to be a negative impact on biodiversity, habitats and species.

The role of County Archaeologist inputs into interpretation of the historic environment in the County and the AONB, leaflets about particular sites (Dinas Bran, Gop, Hillforts) as well as contributions to other more general information eg. Limestone Legacy leaflet, Community Miles, panels on sites like Hillforts, Dinas Bran soon to be OPL projects If this expertise is lost the information for interpretation material will take longer to find and potentially will be more generalised. The CA is involved in publicity for the historic environment, event organisation, walks, talks and written materials. This is likely to be 'light touch' in the future.

### **Mitigating actions:**

CPAT can be contracted to complete various aspects of the role and other ecological contractors can be engaged to undertake specific activities but this work will be infrequent and limited in its scope.

## **A healthier Denbighshire**

Overall Impact	Negative
Justification for impact	The proposal will inevitably reduce the opportunities for engagement with the historic landscape.

### **Positive consequences identified:**

### **Unintended negative consequences identified:**

Currently, in the county, the historic landscape is promoted and is relatively accessible for recreation. Walks and events are also held in the historic environment. This gives opportunities to encourage residents' health and wellbeing. Protection of the intrinsic value of the historic landscape has benefits for peoples' health/ wellbeing. The CA is involved in all this activity

As above in health and wellbeing. The CA organised archaeological 'digs' open to the public and volunteers as well as other walks and events. Archaeology is popular with older people and the events and walks are very well attended by that demographic.

There is a proven strong link between engagement with the outdoors and green environment and individuals' emotional and mental health- eco therapy. Opportunities to visit the historic environment of the county contributed to that agenda.

### **Mitigating actions:**

The countryside service can continue to offer opportunities to engage with the historic environment and landscape but it will not have quite the focus that it currently has.

Overall Impact	Negative
Justification for impact	The proposal may have a negative impact on access to green outdoor space and the natural environment and consequently reduce the opportunities for people with protected characteristics..

**Positive consequences identified:**

**Unintended negative consequences identified:**

The proposal may have a negative impact on access to green outdoor space and the natural environment.

**Mitigating actions:**

Ensure that any remaining or new opportunities for the public to engage with the historic environment are accessible to all as is reasonably possible.

**A Denbighshire of cohesive communities**

Overall Impact	Negative
Justification for impact	The CA is active in numerous communities throughout the County and local communities have an interest in their local history. This support and expertise will be reduced.

**Positive consequences identified:**

**Unintended negative consequences identified:**

The proposal reduces engagement and volunteering opportunities for residents and visitors. The CA is involved in the protection of the historic environment- landscape, houses, monuments etc. This improves the look and appearance of the County[ the work at Dinas Bran is a good example- led by the CA] and contributes to resilient communities and tourism.

**Mitigating actions:**

The Countryside Service will continue to work to improve the historic landscape of the County and engage communities to protect their local environment, through community volunteering and support.

**A Denbighshire of vibrant culture and thriving Welsh language**

Overall Impact	Negative
Justification for impact	As an important aspect of the culture and heritage of the County, the historic landscape will be less well considered as a result of this proposal.

**Positive consequences identified:**

**Unintended negative consequences identified:**

The Welsh language is synonymous with the landscape and protecting and enhancing the latter improves the former. History and culture are interwoven in place names and landscape descriptions. The CA's work helps the conservation of the Welsh language. The CA is primarily involved in conserving and enhancing culture and heritage - buildings of cultural or historical importance, special sites, monuments and landmarks.

**Mitigating actions:**

Countryside and Heritage services will endeavour to continue to protect and enhance the heritage of the county where it is able.

**A globally responsible Denbighshire**

Overall Impact	Negative
Justification for impact	The historic environment and landscape has intrinsic worth. Its protection benefits the County, Wales and contributes to global historic diversity. The proposal might reduce our ability to contribute to that diversity.

**Positive consequences identified:**

**Unintended negative consequences identified:**

Planning Services may be less able to find information about the historic landscape to help with planning decisions and to protect the historic environment. The AONB has objectives to protect and enhance the historic landscape of the protected area. These objectives might be more difficult to fulfil when the CA leaves.

**Mitigating actions:**

Develop a robust SLA with CPAT to deliver the Planning aspects of the CA's current work. This will help to protect the historic environment under threat from development.

# Proposed 100% cut to Small Business Development Grant Scheme

## Wellbeing Impact Assessment Report

This report summarises the likely impact of a proposal on the social, economic, environmental and cultural well-being of Denbighshire, Wales and the world.

Assessment Number:	339
Brief description:	It is proposed that the current £120k Small Business Development Grant Scheme is removed from the range of services offered by the Council to support local business growth and employment creation
Date Completed:	Version: 0
Completed by:	
Responsible Service:	Planning & Public Protection
Localities affected by the proposal:	Whole County,

# IMPACT ASSESSMENT SUMMARY AND CONCLUSION

Before we look in detail at the contribution and impact of the proposal, it is important to consider how the proposal is applying the sustainable development principle. This means that we must act "in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs."

## Score for the sustainability of the approach

Does it need more thought?

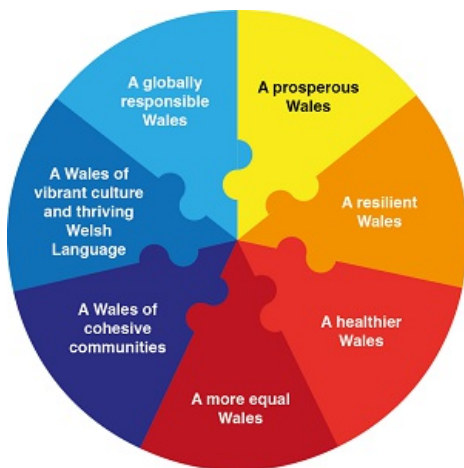


(1 out of 4 stars)

Actual score : 7 / 24.

## Summary of impact

Wellbeing Goals



A globally responsible Wales	A prosperous Denbighshire	Negative
A Wales of vibrant culture and thriving Welsh Language	A resilient Denbighshire	Neutral
A Wales of cohesive communities	A healthier Denbighshire	Negative
A more equal Wales	A more equal Denbighshire	Negative
A healthier Wales	A Denbighshire of cohesive communities	Negative
A globally responsible Wales	A Denbighshire of vibrant culture and thriving Welsh language	Negative
A globally responsible Wales	A globally responsible Denbighshire	Negative

## Main conclusions



# THE LIKELY IMPACT ON DENBIGHSHIRE, WALES AND THE WORLD

## A prosperous Denbighshire

Overall Impact	Negative
Justification for impact	Grants Approved since 2016: 56 Local businesses supported Grants Paid: £147,264.62 Private Sector Investment levered into local economy: £189,028.44 Jobs Created to date: 31 local jobs Jobs to be created in next 6 months from grants approved but not yet claimed: 8 part time, 1 apprentice Average cost to the council per job created to date is £4,750.45. Average total cost of creating a job through the scheme has been £10,848.16 per job created. This is a significantly lower cost to the public purse than sustaining a local person on benefit. The impact will result in lost future potential to create similar economic / employment impact to that listed above

### Positive consequences identified:

lower business growth may mean less carbon produced locally in the manufacture / delivery of goods & services  
residents may seek better paid jobs in other counties / North West England  
fewer local businesses / reduced economic activity reduces vehicular traffic

### Unintended negative consequences identified:

businesses may not be supported to implement more efficient production methods which results in higher than necessary local carbon emissions  
fewer businesses start up locally fewer local businesses expand private sector investment is not levered local businesses unable to secure investment stagnate Welsh Government match funds not levered Business confidence is lowered Denbighshire loses its main current competitive advantage as a better place to do business than other counties because it does not offer financial incentives to investors Business Wales choose other counties as first port of call EBD Team receive fewer enquiries from businesses that reduce opportunities to cross promote support from other service areas e.g. Planning, Public Protection Negative response from wider business community  
fewer local job opportunities for local residents greater reliance on non-local sources of employment increases risk to families Potential increased benefit claims  
reduced investment in developing skills within local businesses local business skills stagnate local businesses do not achieve quality marks that enable them to win orders e.g. ISO9000/1  
fewer local jobs require more commuting to find work, increasing congestion  
loss of demand for childcare locally as parents travel further afield to find work fewer local jobs requires less local childcare provision

### Mitigating actions:

Promote other ways in which the council provides support to business / local employment creation  
Replace the scheme with a business loans scheme that recycles the investment Work closely with local business organisations (FSB, WCNWCC) to help them understand the financial pressures faced by the council and the alternatives to cutting business grant support

## A resilient Denbighshire

Overall Impact	Neutral
Justification for impact	Positives may balance out negatives

**Positive consequences identified:**

less locally produced product will result in less local waste  
 lower rates of economic activity will involve less consumption locally

**Unintended negative consequences identified:**

Businesses less likely to invest in higher risk / more efficient processing operations without assistance from grant monies  
 Local residents will travel further afield to find work Local businesses will continue to outsource supply of goods and services rather than expand into producing them locally, resulting in greater delivery miles

**Mitigating actions:**

Promote efficient business operations and links for local businesses to other support organisations that offer advice. Provide more information / case study examples of local businesses that have achieved a positive return on investment from waste / energy reduction initiatives.

**A healthier Denbighshire**

Overall Impact	Negative
Justification for impact	A number of local businesses have approached the scheme to date with significant business issues that we have been able to help them with - either by referring to more appropriate sources of help and advice or by working with them to develop proposals to grow the business to a point where it is sustainable. The proposal to cut business grant support will in these instances make it harder for local businesses to survive by removing a source of last resort funding.

**Positive consequences identified:**

**Unintended negative consequences identified:**

The majority of businesses in the county are micro businesses that have one owner who is responsible for all aspects of the business. Those supported by the Small Business Grants Scheme have already been denied other sources of financial support e.g. bank loans and the council is the funder of last resort. Removing support for businesses at this stage will reduce our opportunity to engage with and help - on a wider range of topics - small business owners under considerable pressure.

**Mitigating actions:**

Promote sources of mental health support for local business owners Encourage business owners to network, share experiences and develop supportive relationships with a wider range of business support providers

Overall Impact	Negative
Justification for impact	Jobs further afield are harder to obtain and financially less viable when travel is required. This is particularly so for low income families. Local employment supported by the Small Business Development Grant Scheme offers accessible local opportunity. When businesses apply to the scheme they are linked up with Employment Support Agencies in order to try and secure the jobs / apprenticeships created for people on low incomes / unemployed - this opportunity will be lost.

**Positive consequences identified:**

**Unintended negative consequences identified:**

Opportunity to access local employment as a route out of poverty is reduced.

**Mitigating actions:**

**A Denbighshire of cohesive communities**

Overall Impact	Negative
Justification for impact	Businesses facing significant change / competition will not be able to access match funding that supports them to adapt more rapidly or to take advantage of opportunities presented to them that may build their resilience e.g. local businesses have benefitted through the scheme from support to export their products in the face of dwindling local markets, enabling them to be more resilient.

**Positive consequences identified:**

**Unintended negative consequences identified:**

Businesses will be less resilient to change

**Mitigating actions:**

Signpost businesses looking to adapt to change towards other agencies for practical (though non financial) support

**A Denbighshire of vibrant culture and thriving Welsh language**

Overall Impact	Negative
Justification for impact	Grants are provided to enable Small Businesses to develop their use of Welsh in the business and as a sales and marketing tool e.g. bilingual signage, bilingual staff development, point of sale material, menus, bilingual website and social media operations etc. This offers people the opportunity to shop and work through the medium of Welsh. Because many businesses see the financial returns of investing in Welsh as too low the Business Development Grant Scheme has provided an incentive.

**Positive consequences identified:****Unintended negative consequences identified:**

Reduced council influence on opportunities for people to speak Welsh  
 Reduced promotion of Welsh in business  
 Reduced visibility of the Welsh language in town centres

**Mitigating actions:**

Reduce the level of the proposed cut from 100% to 90% in order to retain funds for incentivising the use of Welsh in Business

**A globally responsible Denbighshire**

Overall Impact	Negative
Justification for impact	<p>The Small Business Grants Scheme is widely promoted and attracts a good level of enquiries from local businesses - it acts as an incentive to contact the council. These enquiries are in turn shared with Business Wales who provide a business planning support service that results in better, more viable business plans. Removing a major incentive to engage with the council will reduce business contact and the subsequent level of referrals to business Wales that enable other aspects of business support to be delivered to business in the county. Where Business Wales are able to access finance to support some small business ventures this must be match funded - reducing available match funding limits the extent to which WG money can be drawn down by local businesses.</p>

**Positive consequences identified:****Unintended negative consequences identified:**

Reduced effectiveness of Business Wales in Denbighshire  
 Reduced Welsh Government Investment in Denbighshire  
 A less attractive region in which to do business

**Mitigating actions:**

<b>Adroddiad i'r:</b>	Cyngor Llawn
<b>Dyddiad y Cyfarfod:</b>	30 Ionawr 2018
<b>Aelod Arweiniol / Swyddog:</b>	Julian Thompson-Hill / Richard Weigh, Prif Swyddog Cyllid
<b>Awdur yr Adroddiad:</b>	Dawn Davies, Rheolwr Darpariaeth Gwasanaeth / Steve Gadd, Prif Gyfrifydd
<b>Teitl:</b>	<b>Cynllun Lleihau Treth y Cyngor 2018/19</b>

## 1. **Am beth mae'r adroddiad yn sôn?**

Mabwysiadu Cynlluniau Lleihau Treth y Cyngor Cymru Gyfan a Rheoliadau Gofynion Rhagnodedig (Cymru) 2013 a Chynlluniau Lleihau Treth y Cyngor Cymru Gyfan a Rheoliadau Diwygiadau Gofynion Rhagnodedig (Cymru) 2018.

## 2. **Beth yw'r rheswm dros wneud yr adroddiad hwn?**

Roedd Deddf Diwygio Lles 2012 yn cynnwys darpariaethau i ddiddymu budd-dal treth y cyngor yn ei ffurf bresennol ar draws y DU. O 31 Mawrth 2013 daeth budd-dal treth y cyngor i ben ac mae'r cyfrifoldeb am ddarparu cefnogaeth ar gyfer treth y cyngor a'r arian sy'n gysylltiedig, wedi cael ei basio i Lywodraeth Cymru. Roedd Llywodraeth Cymru, mewn partneriaeth ag awdurdodau lleol yng Nghymru, wedi cyflwyno cynllun newydd i ddarparu cymorth treth y cyngor a fabwysiadwyd gan y Cyngor ym mis Ionawr 2013.

Mae Llywodraeth Cymru wedi cwblhau'r ddau set o reoliadau ar 9 Ionawr 2018 ac mae angen mabwysiadu'r Cynlluniau Lleihau Treth y Cyngor newydd a'r Rheoliadau Gofynion Rhagnodedig (Cymru) 2013, a Rheoliadau diwygiadau 2018 erbyn 31 Ionawr 2018.

## 3. **Beth yw'r argymhellion?**

Aelodau i fabwysiadu'r Cynlluniau Lleihau Treth y Cyngor a'r Rheoliadau Gofynion Rhagnodedig (Cymru) 2013, a'r Rheoliadau Diwygiadau i Ofynion Rhagnodedig (Cymru) 2018, o ran blwyddyn ariannol 2018/19.

Bod yr aelodau'n cymeradwyo'r 3 elfen ddewisol o'r cynllun, a ddangosir yn adran 4.2, ar gyfer 2018/19.

## 4. **Manylion yr Adroddiad**

### 4.1 **Y Cynllun Arfaethedig 2018/19**

Wrth ystyried datblygu cynllun newydd ar gyfer 2018/19 fe gytunodd Llywodraeth Cymru y dylai'r cynllun diwygiedig archwilio'r paramedrau canlynol:

- Parhau gydag un cynllun a ddiffinnir yn genedlaethol i ddarparu lefel gyson o gymorth i hawlwy'r ar draws Cymru. Mae'r lefel uchaf o gefnogaeth wedi ei osod ar 100%.

- I barhau i ddarparu nifer fach o elfennau dewisol, yn debyg i'r rhai sydd ar gael o dan y cynllun presennol, gan alluogi awdurdodau lleol i ymateb i'w hamgylchiadau lleol gwahanol (ar yr amod bod costau unrhyw amrywiad lleol yn cael eu hariannu'n lleol).
- Parhau i fod yn seiliedig ar ddiwygio'r system Budd-dal Treth y Cyngor flaenorol, tan 2019-20 fel bod y risgiau gweithredol yn cael eu rheoli ac y gellir parhau i ddarparu cymorth.

## **Uwchraddio ar gyfer 2018-19**

Mae Rheoliadau CTRS 2013 yn cael eu diwygio er mwyn uwchraddio ffigyrau ariannol penodol ar gyfer 2018-19 a ddefnyddir i gyfrifo hawl i ostyngiad ar gyfer ymgeiswyr nad ydynt yn gymwys i gael budd-dal.

Caiff nifer o ffigyrau eraill a gynhwysir yn Rheoliadau CTRS 2013 eu diwygio, mae'r rhain yn cynnwys:

- **Lwfansau personol mewn perthynas â phreimiymau oedran gweithio, gofalywr ac anabled.**  
Mae'r ffigyrau ariannol mewn perthynas â'r lwfansau hyn wedi cael eu diwygio ac wedi cynyddu yn unol â chostau byw cynyddol. Y confensiwn yw uwchraddio yn unol â ffigwr Mynegai Prisiau Defnyddwyr mis Medi o'r flwyddyn flaenorol (sef 3.0% ar gyfer 2018-19). Gan fod Deddf Diwygio'r Gyfundrefn Les a Gwaith wedi rhewi uwchraddio'r lwfansau oedran gweithio o fewn y budd-daliadau nawdd cymdeithasol, effaith cynyddu'r lwfansau hyn o fewn CTRS yw na fyddant mwyach ochr yn ochr ag elfennau tebyg ym maes Budd-dal Tai.
- **Lwfansau personol mewn perthynas ag ymgeiswyr sy'n bensiynwyr**  
Mae'r ffigyrau ariannol mewn perthynas â chyfraddau pensiynwyr wedi eu diwygio ac yn cyd-fynd â Budd-dal Tai. Mae'r rhain wedi cael eu cyfrifo gyda chymorth gan yr Adran Gwaith a Phensiynau yn dilyn Datganiad yr Hydref y Canghellor yn 2017, ac maent wedi cael eu huwchraddio drwy wahanol dechnegau. Er enghraifft, caiff gwarant safonol lleiaf y Credyd Pensiwn ei uwchraddio gan enillion, tra bod y Pensiwn Ychwanegol a'r cynyddrannau yn cael eu huwchraddio gan brisiau.
- **Didyniadau annibynyddion**  
Bydd y ffigyrau ariannol mewn perthynas â bandiau incwm a didyniadau a wnaed mewn perthynas ag 'annibynyddion' yn cael eu huwchraddio. Os na chaiff diwygiadau eu gwneud, ni fyddai didyniadau priodol yn cael eu gwneud o ddyfarniadau CTRS, gan na fyddai'r trothwyon incwm yn adlewyrchu enillion cyfartalog mwyach, ac ni fyddai'r didyniad yn adlewyrchu cost gyffredinol y dreth gyngor mwyach.

## **Diwygiadau Ychwanegol**

Yn ogystal ag uwchraddio'r ffigyrau ariannol, mae angen nifer o ddiwygiadau yn dilyn hynny i Reoliadau CTRS 2013 i sicrhau fod Rheoliadau 2013 yn parhau'n gyfredol ac yn addas i'r diben.

- Caiff diwygiadau eu gwneud mewn perthynas â'r Lwfans Cymorth Cyflogaeth. Cafodd yr elfen Gweithgaredd Cysylltiedig Â Gwaith gaiff ei dalu i'r rhai sy'n derbyn Lwfans Cymorth Cyflogaeth (Grŵp Gweithgaredd Cysylltiedig Â Gwaith) ei ddiddymu ar gyfer Ceisiadau Newydd o 3.4.2017 a bydd yr elfen gyfatebol yn y Credyd Cynhwysol hefyd yn cael ei ddiddymu. Ond fe fydd yna rai achosion a fydd yn parhau i gael mynediad i'r Grŵp Gweithgaredd Cysylltiedig â Gwaith. Bydd diwygiadau testunol yn cael eu gwneud yn dilyn hynny i Reoliadau CTRS 2013 i sicrhau eu bod yn parhau'n gyfredol.
- Yn Ebrill 2018, bydd Rhan 1 Rheoleiddio ac Arolygu Deddf Gofal Cymdeithasol (Cymru) 2016 yn dechrau i bwrpasau penodol. Bydd Rhan 1 y Ddeddf yn disodli'r gyfundrefn ar gyfer rheoleiddio ac arolygu lleoliadau gofal cymdeithasol yng Nghymru. Pan fyddant yn cael eu gweithredu, bydd y darpariaethau hyn yn disodli rheoleiddio sefydliadau gofal cymdeithasol ac asiantaethau o dan Ddeddf Safonau Gofal 2000. Bydd Rhan 1 y Ddeddf yn dechrau mewn perthynas â'r lleoliadau canlynol o Ebrill 2018, gwasanaeth cartref gofal, gwasanaeth llety diogel, gwasanaeth teulu preswyl a gwasanaeth cefnogaeth yn y cartref. Caiff newidiadau eu gwneud i Reoliadau CTRS 2013 i adlewyrchu'r gwasanaeth newydd.
- Cyflwynwyd Taliad Cefnogaeth Mewn Galar ar gyfer gweddwon a phartneriaid sifil ddaeth yn weddwon wedi Ebrill 2017. Mae newidiadau wedi eu gwneud i reoliadau CTRS 2013 i sicrhau nad chaiff y taliadau hyn eu cynnwys yn y rhestr ddiystyru Cyfalaf ac Incwm.
- **Crëwyd dwy gronfa elusennol yn 2017 i helpu'r rhai ddioddefodd ymosodiadau terfysgol sef 'We Love Manchester Emergency Fund' a'r 'London Emergencies Trust'. Bydd newidiadau'n cael eu gwneud i Reoliadau CTRS 2013 i sicrhau fod y taliadau hyn yn cael eu cynnwys yn rhestr o'r hyn gaiff eu diystyru o ran incwm a chyfalaf.**
- Cafodd cynllun Gwaed Heintiedig Cymru ei gyflwyno yng Nghymru i ddarparu cymorth ariannol i bobl sydd wedi eu heintio â HIV neu Hepatitis C yn dilyn triniaeth o fewn y Gwasanaeth Iechyd gyda gwaed wedi ei heintio yn y 1970au a'r 1980au. Bydd rheoliadau CTRS 2013 yn cael eu newid i sicrhau fod y taliadau yn cael eu diystyru wrth gyfrif incwm a chyfalaf i bwrpas asesu hawl unigolyn i Ostyngiad yn Nhreth y Cyngor.
- O ran y CTRS yng Nghymru caiff £10 yr wythnos ei ddiystyru o ran y taliadau a wneir i ddioddefwyr erledigaeth Sosialaeth Genedlaethol gan Lywodraethau'r Almaen ac Awstria. Bydd Rheoliadau CTRS 2013 yn cael eu diwygio fel y bydd taliadau a wneir i ddioddefwyr erledigaeth Sosialaeth Genedlaethol gan Lywodraeth yr Iseldiroedd yn cael eu trin yn yr un modd.
- Mae'r Ymddiriedolaeth Thalidomide yn gweinyddu'r Grant Iechyd Thalidomide ar ran yr Adran Iechyd. Bwriad y taliadau gan yr Ymddiriedolaeth oedd cynorthwyo pobl yr achoswyd eu hanabledau gan y defnydd o Thalidomide i gwrdd â chostau'n ymwneud ag iechyd. Bydd rheoliadau CTRS 2013 yn cael eu diwygio i sicrhau fod taliadau o'r fath yn cael eu diystyru'n llawn wrth gyfrif cyfalaf i bwrpas asesu hawl unigolyn i ostyngiad yn Nhreth y Cyngor ac wrth benderfynu incwm yr annibynyddion.



#### 4.2 **Elfennau Dewisol ar gyfer penderfyniad y Cyngor**

- a) Y gallu i gynyddu'r cyfnod talu estynedig safonol o 4 wythnos a roddir i bobl ar ôl iddynt ddychwelyd i'r gwaith os ydynt wedi bod yn derbyn budd-dal cymwys perthnasol am o leiaf 26 wythnos
- b) Disgresiwn i ddiystyru rhan neu'r swm cyfan o Bensiynau Anabledd Rhyfel a Phensiynau Rhyfel Gwragedd Gweddwr wrth gyfrifo incwm.
- c) Y gallu i ôl-ddyddio, am hyd at 6 mis, unrhyw gais dyfarniadau Cymorth Treth y Cyngor ar gyfer cwsmeriaid oedran gweithio fwy na'r cyfnod safonol o 3 mis cyn y cais.

#### 4.3 Roedd Llywodraeth Cymru wedi cynnal ymarfer ymgynghori ffurfiol ar y cynllun presennol a'r newidiadau posibl, gan ei alluogi i fod yn gost niwtral i Awdurdodau Lleol. Cyflwynwyd sylwadau gan nifer o sefydliadau, gan gynnwys Cyngor Sir Ddinbych, gan awgrymu newidiadau i'r cynllun.

Ar ôl ystyriaeth briodol, penderfynwyd parhau â'r cynllun fel y mae, gydag unrhyw ddiffyg rhwng y lleihad a roddir a'r grant penodol a dderbynnir, yn cael ei feddu gan yr Awdurdod Lleol.

Yn anffodus, mae Llywodraeth Cymru hefyd wedi penderfynu bod y lefelau cyllid ar gyfer y cynllun i aros ar lefelau 2013/14, a greodd bwysau cyllidebol yn 2017/18 ac a fydd yn parhau i wneud hynny yn 2018/19.

#### 5. **Sut mae'r penderfyniad yn cyfrannu at y Blaenoriaethau Corfforaethol?**

Bydd mabwysiadu'r cynllun hwn yn helpu pobl ddiameddiffyn, gan sicrhau eu bod yn byw mor annibynnol ag sy'n bosibl.

#### 6. **Faint fydd yn gostio a sut fydd yn effeithio ar y gwasanaethau eraill?**

Mae £9.172 wedi ei nodi yn y cytundeb ar gyfer Sir Ddinbych ar gyfer Cefnogaeth Treth y Cyngor gan Lywodraeth Cymru. Fodd bynnag, y gwariant presennol yw £9.393, ac os byddai Treth y Cyngor Net yn cynyddu 4.46% (hy cynnydd arfaethedig y cyngor a lwfans ar gyfer newidiadau i argymhellion eraill sydd wedi'u cynnwys yng nghyfanswm y bil) mae'r gwariant a ragwelir ar gyfer 2018/19 oddeutu £9.812 miliwn. Mae hyn yn rhoi diffyg o tua £640k ar gyfer 2018/19 y mae darpariaeth gyllidebol wedi ei gwneud fel rhan o gynigion y gyllideb ar gyfer 2018/19.

#### 7. **Beth yw prif ganlyniadau'r Asesiad o Effaith ar Les?**

Nid oes Asesiad o Effaith ar Les wedi'i gwblhau ar gyfer yr adroddiad hwn gan fod y cynnig ar gyfer ymestyn y cynllun presennol yr ymgynghorwyd arno yn 2012. Nid oes unrhyw newidiadau materol arfaethedig (a dim newidiadau i'r elfennau dewisol), fodd bynnag, mae'n ofyniad cyfreithiol bod y cynllun yn cael ei gymeradwyo'n ffurfiol gan y Cyngor yn flynyddol.

#### 8. **Pa ymgynghoriadau sydd wedi'u cyflawni gyda'r Pwyllgor Archwilio ac eraill?**

Ddim yn berthnasol gan fod hyn yn ymestyniad o'r cynllun presennol yr ymgynghorwyd arno yn 2012.



**9. Datganiad y Prif Swyddog Cyllid**

Mae'n ofynnol i'r Cyngor fabwysiadu cynllun lleihau yn flynyddol. Gan fod cyllid ar gyfer CTRS wedi aros yn sefydlog ar draws Cymru am nifer o flynyddoedd mae effaith y cynnydd yn Nhreth y Cyngor ar y cynllun gostwng yn gorfod cael ei ariannu'n lleol. Mae'r cynigion yn yr adroddiad hwn wedi eu cynnwys fel rhan o gynigion y gyllideb ar gyfer 2018/19.

**10. Pa risgiau sydd yn bodoli ac a oes unrhyw beth y gallwn ei wneud i'w lleihau?**

Mae risgiau i'r Cyngor o beidio mabwysiadu'r cynllun hwn, gan y byddai'n rhaid i Gyngor Sir Ddinbych yn dilyn hynny fabwysiadu'r cynllun diofyn, a allai gynyddu cyfanswm y gost.

**11. Pŵer i wneud y Penderfyniad**

- Cynlluniau Gostyngiadau Treth y Cyngor a Rheoliadau Gofynion Rhagnodedig (Cymru) 2013.
- Rheoliadau Cynllun Lleihau Treth y Cyngor (Cynllun Diofyn) (Cymru) 2013.
- Rheoliadau Cynlluniau Gostyngiadau Treth y Cyngor (Gofynion Rhagnodedig a'r Cynllun Diofyn) (Cymru) (Diwygiad) 2018.

Mae tudalen hwn yn fwriadol wag

**Explanatory Memorandum to the Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Wales) (Amendment) Regulations 2018.**

This Explanatory Memorandum has been prepared by Local Government Strategic Finance Division and is laid before the National Assembly for Wales in conjunction with the above subordinate legislation and in accordance with Standing Order 27.1.

**Minister's Declaration**

In my view, this Explanatory Memorandum gives a fair and reasonable view of the expected impact of the Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Wales) (Amendment) Regulations 2018. I am satisfied that the benefits outweigh any costs.

**Mark Drakeford**  
**Cabinet Secretary for Finance**  
**27 November 2017**

## **Description**

1. Council Tax Reduction Schemes (CTRS) are the mechanism through which local authorities provide support to low income households in meeting their council tax liability.
2. This statutory instrument makes amendments to both the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013 and the Council Tax Reduction Schemes (Default Scheme) (Wales) Regulations 2013 (referred to collectively in this Explanatory Memorandum as “the 2013 CTRS Regulations”). It uprates certain figures used to calculate an applicant’s entitlement to a reduction under a Council Tax Reduction Scheme, and the subsequent level of reduction.
3. This instrument also makes consequential amendments as a result of changes to the wider welfare and tax system.

## **Matters of special interest to the Constitutional and Legislative Affairs Committee**

4. None.

## **Legislative background**

5. Section 10 of, and Schedule 4 to, the Local Government Finance Act 2012 inserted a new Section 13A and new Schedule 1B into the Local Government Finance Act 1992 (“the 1992 Act”). These provisions enabled the Welsh Ministers to introduce Council Tax Reduction Schemes (“CTRS”) in Wales via regulations.
6. The relevant provisions in the Local Government Finance Act 2012 were subject to a Legislative Consent Motion which was approved by the National Assembly for Wales on 26 June 2012. The Local Government Finance Act 2012 received Royal Assent on 1 November 2012.
7. This statutory instrument is laid and made under the new section 13A of, and the new Schedule 1B to, the Local Government Finance Act 1992. The instrument is subject to approval of the Assembly (the affirmative procedure).

## **Purpose and intended effect of the legislation**

8. This statutory instrument amends the 2013 CTRS Regulations to uprate certain figures used within those Regulations to calculate entitlement to a council tax reduction, and the amount of any reduction awarded to applicants in the 2018-19 financial year. It also makes a number of consequential and technical amendments to the 2013 CTRS Regulations to take account of related welfare benefits and ensure they remain fit for purpose.

## Background

9. The Welfare Reform Act 2012 contained provisions to abolish Council Tax Benefit from 31 March 2013. From 1 April 2013, responsibility for providing support for council tax devolved to local authorities in England. Fixed funding, reduced by 10% compared to 2012-13 costs, was passed to the Welsh Government and to the Scottish Government to allow the Devolved Administrations to develop replacement schemes.
10. Following the UK Government's decision, the Welsh Government sought provisions in the Local Government Finance Act 2012 which amended the Local Government Finance Act 1992 ("the 1992 Act"), to provide the Welsh Ministers with executive powers to introduce Council Tax Reduction Schemes in Wales via regulations.
11. The 2013 CTRS Regulations were approved by the National Assembly for Wales on 26 November 2013.
12. The Welsh Government provided £244m in the Local Government Settlement for CTRS for 2013-14. This was partly funded through the fixed budget of £222m which was transferred from the UK Government. The Welsh Government provided an additional £22m to enable local authorities to continue to provide all eligible applicants with their full entitlement to support. The Welsh Government has continued to provide £244m within the local government settlement each year since.

## 2013 CTRS Regulations

13. Aligned with the provisions in the 1992 Act, the 2013 CTRS Regulations govern the operation of CTRS in Wales. These regulations were closely based on the previous Council Tax Benefit rules and all eligible applicants were automatically transferred from Council Tax Benefit onto Council Tax Reduction Schemes from 1 April 2013.
14. If an applicant receives Income Support, Income Based JSA, Income Based ESA, Pension Credit, or Pension Credit Guarantee, they are entitled to the maximum reduction in their council tax liability. Approximately 70% of CTRS applicants in Wales receive the passported benefits.
15. If an applicant does not receive any of the passported benefits, the weekly amount of money which they are judged to need to live on is calculated. This is known as the 'applicable amount' and consists of two components:
  - The first is the personal allowance – the basic amount a person needs to live, which varies according to the household's circumstances. For example, the allowance for a couple with children is higher than for a single person without children. These allowances are also set at higher rates for those who have reached State Pension Age.

- The second component is the premium – additional amounts added to reflect any personal circumstances which increase the cost of living, such as a disability or carer’s responsibilities. Once the applicable amount has been determined, the applicant’s level of income is calculated.
16. Universal Credit (UC) recipients are treated in a similar way as non-passported applicants. However, instead of an ‘applicable amount’ being calculated, the ‘maximum amount’ (calculated within their UC application) is used instead.
  17. If the applicable amount (or maximum amount) is higher than an applicant’s calculated income, they are entitled to the maximum reduction in their council tax liability. If income exceeds the applicable amount, the weekly entitlement is reduced by 20p for each £1 of excess weekly income, until entitlement is withdrawn – this is known as the taper.
  18. Adjustments can be made to the maximum amount of reduction a person can receive to take account of adults living in the dwelling who are not dependants of the applicant and who are therefore assumed to make a financial contribution to the household (non-dependant deductions).
  19. Adjustments can also be made to take into account of savings. If an applicant has capital of £6,000 (or £10,000 for pension age claimants) or less, this will be ignored when working out whether they are entitled to CTR.
  20. If a working age applicant has capital of between £6,000 and £10,000, the local authority will treat it as income. This is known as tariff income. The local authority will assume an applicant has an income of £1 a week for each £500 of capital between £6,000 and £10,000. This will be added to other income to work out whether an applicant is entitled to CTR and how much they are entitled to.

#### Uprating figures for 2018-19

21. This statutory instrument amends the 2013 CTRS Regulations to uprate financial figures used to calculate entitlement to a reduction in line with Welsh Government policy.
22. The statutory instrument seeks to uprate a number of other figures included in the 2013 CTRS Regulations. These include:
  - Personal allowances in relation to working age, and carer and disabled premiums  
The financial figures in respect of these allowances have been amended and have increased in line with the cost of living rises. The convention is to uprate in line with the Consumer Price Index September figure from the previous year (2017), which is 3.0%.
  - Personal allowances in relation to pensioners  
The financial figures in respect of pensioner rates have been amended and are aligned with Housing Benefit. These have been calculated with

assistance from the Department of Work and Pensions following the Chancellor's Autumn Budget 2017 and have been uprated by different mechanisms. For example, the Pension Credit standard minimum guarantee is uprated by earnings, whereas the Additional Pension and increments are uprated by prices.

- Non-dependant deductions

The financial figures in relation to both the income bands and deductions made in relation to 'non-dependants' will be uprated. If amendments are not made, appropriate deductions would not be made from CTRS awards as the income thresholds would no longer reflect average earnings and the deduction would no longer reflect the overall cost of council tax.

#### Additional Consequential Amendments

23. In addition to the uprating of financial figures, this statutory instrument makes a number of consequential amendments to the 2013 CTRS Regulations. These will ensure the 2013 Regulations remain up-to-date and fit for purpose.

#### Changes to Employment Support Allowance (ESA)

24. ESA is an income-replacement benefit for people of working age and is currently the main income-replacement benefit for those who cannot work because of a health condition or disability. Universal Credit provides a new single system of means-tested support for people of working age who are either in or out of work. UC is gradually replacing income-related ESA as it is rolled out and becoming available in an increasing number of areas across Great Britain.

25. In the Summer Budget 2015, it was announced that the Work-Related Activity Component paid to those in the ESA (Work Related Activity Group) (WRAG) would be abolished for new claims from 3 April 2017. The equivalent element in Universal Credit will also be abolished. However, there will be some ESA cases after April which will continue to have access to the Work-Related Activity Component.

26. This statutory instrument will make consequential textual amendments to largely mirror changes made to the benefit system to the 2013 CTRS Regulations whilst maintaining reference to the Work-Related Activity Component which will continue to be payable to some applicants. This will ensure the 2013 CTRS Regulations remain up-to-date.

#### The Regulation and Inspection of Social Care (Wales) Act 2016

27. In April 2018, Part 1 of the Regulation and Inspection of Social Care (Wales) Act 2016 will be commenced for certain purposes. Part 1 of the Act will replace the regime for the regulation and inspection of social care settings in Wales. When fully implemented, these provisions will replace the regulation of social care establishments and agencies under the Care Standards Act 2000.

28. Part 1 of the 2016 Act will be commenced in respect of the following settings from April 2018:

- A care home service;
- A secure accommodation service;
- A residential family service; and
- A domiciliary support service.

29. This statutory instrument makes consequential changes to the 2013 CTRS Regulations to reflect the new services provision.

#### Change of Circumstances

30. Last year, consequential changes were made to the 2013 CTRS Regulations via the Council Tax Reduction Scheme (Prescribed Requirements and Default) Regulations 2017 to reflect an Upper Tribunal decision. The Tribunal found that, unless legislation provided otherwise, a person's earnings should only be attributed to them over the period following their receipt, rather than over the period for which they were earned. Amendments were made to the 2013 CTRS Regulations to address this and to enable earnings to be attributed to applicants over the period for which they were earned.

31. An anomaly has been identified in the wording of the amending provisions and their interaction with the change of circumstances provisions in the 2013 CTRS Regulations and this statutory instrument amends that anomaly.

#### Changes to income and capital disregards

32. A number of payments are disregarded for the purposes of calculating 'income' and/or 'capital'. This statutory instrument will ensure these references in the 2013 Regulations remain up-to-date for 2018-19.

#### Bereavement Support Payments

33. If a person's husband, wife or civil partner died before 6 April 2017, they would have been entitled to a Bereavement Payment or bereavement allowance. These payments are disregarded when calculating 'income' and 'capital' within the CTRS means test.

34. A new social security benefit called Bereavement Support Payment has been introduced for surviving spouses and civil partners who are widowed after April 2017. This statutory instrument will ensure changes are made to the 2013 CTRS Regulations to ensure these payments are not included in the list of capital and income disregards in respect of CTRS entitlement.

#### Manchester attack and compensation disregard and London Emergencies Trust

35. In 2017, two charitable funds were created to help victims of terrorist attacks:

- We Love Manchester Emergency Fund; and
- London Emergencies Trust.



36. This statutory instrument will ensure changes are made to the 2013 CTRS Regulations to ensure these payments are included in the list of income and capital disregards in calculating a person's entitlement to a council tax reduction.

Approved blood scheme (England), Scottish Infected Blood Support Scheme (Scotland) and Welsh Infected Blood Scheme (Wales).

37. Until recently, a UK-wide scheme provided financial support to people infected with HIV and/or hepatitis C following NHS treatment with contaminated blood in the 1970's and 80's. That scheme was administered by five individual bodies contracted by the Department of Health (the Skipton Fund, the Caxton Foundation, the Macfarlane Trust, the Eileen Trust and MFET Ltd). The scheme has been replaced in England by an approved blood scheme (schemes approved by the Secretary of State); in Scotland, by the Scottish Infected Blood Support Scheme; and in Wales, by the Welsh Infected Blood Scheme. Payments made from those schemes are exempt from tax and are not included in HMRC or DWP calculations for tax liability or benefits purposes.

38. This statutory instrument makes the changes to the 2013 CTRS Regulations so as to ensure that payments made from each of the above schemes are disregarded in the calculation of income or capital for the purpose of assessing a person's entitlement to a council tax reduction.

National Socialist Persecution payments

39. Currently, payments made to victims of National Socialist persecution by the Governments of Germany and Austria have a weekly £10 disregard applied from a number of UK welfare benefits, including CTRS in Wales. However, similar payments made by other governments are taken into account in full.

40. Following a Housing Benefit appeal, an Upper Tribunal held that payments made to victims of National Socialist persecution by the Netherlands Government should be treated in the same way as payments made by the Austrian and German Governments.

41. This statutory instrument makes necessary changes to the 2013 CTRS Regulations to ensure these payments are included in the list of income and capital disregards in respect of CTRS entitlement.

Thalidomide Health Grant

42. The Thalidomide Trust administers the Thalidomide Health Grant on behalf of the Department of Health. Payments from the Trust are intended to assist with meeting health-related costs of people whose disabilities were caused by Thalidomide use.

43. This statutory instrument amends the 2013 Regulations to make provision that such payments are to be disregarded in the calculation of capital for the

purposes of assessing a person's entitlement to a council tax reduction and when determining the income of non-dependants.

## **Regulatory Impact Assessment (RIA)**

### **Options**

#### Option 1 – Do nothing

44. If the financial figures used to assess the eligibility of households' allowances within the Council Tax Reduction means test remained static, the criteria used will be slightly less generous for non-passported applicants and lead to a small decrease in support in real terms.
45. The financial figures used to assess the eligibility of households with non-dependants would be out-of-date. The income thresholds would no longer reflect average earnings and the adjustment made to the final council tax reduction would no longer reflect overall cost of council tax.
46. It would also mean that consequential amendments would not be made to the 2013 CTRS Regulations to take account of changes to related welfare benefits and other legislation. This could disadvantage some applicants by reducing or stopping their entitlement to support and could also create confusion for applicants and increase the administrative burden for local authorities and advice providers.

#### Option 2 – Make amending Regulations

47. This option would mean that amendments would be made to uprate the financial figures in the 2013 CTRS Regulations according to Welsh Government policy.
48. The financial figures in relation to working age, disability or carer rates will continue to increase with the cost of living (3.0%, as measured by CPI) for 2018-19. The personal allowances for pensioners will be uprated to align with those for Housing Benefit and the benefit system. The increase would be aligned to the UK Government's Standard Minimum Guarantee and Savings Credit.
49. The financial figures used to calculate the adjustment for non-dependant deductions would be uprated. The income thresholds in relation to non-dependants would be uprated to reflect average earnings and the non-dependant deduction from CTRS would reflect the average increase in council tax.
50. In addition, consequential and technical amendments will be made to reflect wider welfare changes made by the UK Government. This ensures Council Tax Reduction Schemes reflect changes to interrelated social security benefits which often determine entitlement to a reduction.

## **Costs and Benefits**

### **Costs**

#### Option 1 – Do nothing

51. If the financial figures for working age and pensioner allowances do not increase with the cost of living (as measured by CPI) the CTRS recipients affected would be slightly worse off in real terms.
52. The financial figures used to assess the eligibility of households with non-dependants would also be out-of-date. The calculation would no longer make a fair assessment of the income of non-dependants or the overall cost of council tax. There is a risk that this aspect of the scheme would be viewed as unfair or inequitable.
53. If the technical and consequential amendments to the 2013 CTRS Regulations are not made, they would no longer align with Housing Benefit provisions or other related benefits. It would lead to references being out of sync with the overall benefits system and could disadvantage certain applicants by reducing their entitlement to support. This could potentially lead to additional administrative burden on local authorities and advice providers. It may also lead to confusion for some applicants who, as a result, could be treated significantly differently under benefit schemes.

### **Benefits**

54. Not uprating pensioner and working age figures would help to limit any increases in total reductions under Council Tax Reduction Schemes. However not uprating figures in relation to non-dependant deductions, would result in council tax reductions for relevant households being higher than they otherwise would be.

#### Option 2 – Make amending Regulations

### **Costs**

55. Uprating the financial figures in respect of pensioners and working age allowances would slightly increase total reductions under Council Tax Reduction Schemes. However, if the financial figures in relation to Non-Dependant Deductions were also uprated, this would mitigate some of the increase in total reductions. Consequently, total council tax reductions are not expected to rise significantly as a result of the uprating.

### **Benefits**

56. Uprating the financial figures in the 2013 CTRS Regulations will ensure that the personal allowance for working age applicants continues to increase in line

with the CPI (which is set at 3.0%). For example in 2018-19, the single person allowance would increase from £73.85 to £76.10 (an increase of £2.25).

57. Up-rating the financial figures in respect of the personal allowance for pensioners continues to increase in line with the standard minimum guarantee and savings credit. For example in 2018-19, the single person allowance would increase from £172.55 to £176.45 (an increase of £3.90).
58. If the financial figures in relation to non-dependant deduction rates are up-rated, this will ensure the calculation used to assess the eligibility of non-dependant households remains up-to-date. The calculation would continue to make a fair assessment of the income of non-dependants and the cost of council tax. This will ensure the system remains fair and equitable.
59. As part of these Regulations, consequential and technical amendments are made that are associated with wider welfare changes made by the UK government. This will ensure Council Tax Reduction Schemes reflect changes made to interrelated social security benefits which often determine entitlement to a reduction. It will also avoid any additional administrative burden for local authorities or advice providers.

## **Sectors**

60. Local government and the voluntary sector were consulted during the development of proposals to introduce Council Tax Reduction Schemes in Wales.
61. This legislation will not affect the business sector.

## **Duties**

62. In drafting these Regulations consideration has been given to the duty on Welsh Ministers to promote equality and eliminate discrimination.
63. An Equality Impact Assessment was completed for the introduction of the 2013 CTRS Regulations.
64. This statutory instrument is provided bilingually. Council Tax Reduction Schemes are implemented and operated by local authorities who are under general duties to comply with Welsh language and sustainable development duties.
65. Further consideration has been given as to whether CTRS could be used to improve the opportunities of persons to use the Welsh language treating the Welsh language no less favourably than the English language. As the sole purpose of CTRS is to provide support to low-income households in meeting their council tax liability, it is considered there are no such opportunities.
66. The policy supports the principles within the Well-being of Future Generations (Wales) Act 2015. Maintaining full entitlement to CTRS will continue to help

low income households in meeting their council tax liability and as such will help to contribute to the wellbeing objectives of: a prosperous Wales; and a more equal Wales.

### **Competition Assessment**

67. This has been scored against the competition filter test which indicated that there will be no detrimental effect on competition.

### **Consultation**

68. No consultation has been undertaken in respect of this statutory instrument. The 2013 CTRS Regulations were consulted upon and details are provided in the Regulatory Impact Assessments accompanying those Regulations.

### **Post implementation review**

69. Amendments are required on an annual basis to uprate the financial figures used to calculate entitlement to a reduction. This provides an opportunity to review the legislation.

Mae tudalen hwn yn fwriadol wag

*Draft Regulations laid before the National Assembly for Wales under section 13A(8) of the Local Government Finance Act 1992, for approval by resolution of the National Assembly for Wales.*

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DRAFT WELSH STATUTORY  
INSTRUMENTS

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**2018 No. (W.)**

**COUNCIL TAX, WALES**

**The Council Tax Reduction  
Schemes (Prescribed Requirements  
and Default Scheme) (Wales)  
(Amendment) Regulations 2018**

**EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations amend the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013 (“the Prescribed Requirements Regulations”) and the Council Tax Reduction Schemes (Default Scheme) (Wales) Regulations 2013 (“the Default Scheme Regulations”) made under section 13A(4) and (5) of, and Schedule 1B to, the Local Government Finance Act 1992.

The Prescribed Requirements Regulations require each billing authority in Wales to make a scheme specifying the reductions which are to apply to amounts of council tax payable by persons, or classes of persons, whom the authority considers are in financial need. The Prescribed Requirements Regulations also set out the matters that must be included within such a scheme.

The Default Scheme Regulations set out a scheme that will take effect, in respect of dwellings situated in the area of a billing authority, if the authority fails to make its own scheme.

These Regulations amend both the Prescribed Requirements Regulations and the Default Scheme Regulations.

The amendments to the Prescribed Requirements Regulations made by regulations 4(a)(i) to (v), 5, 9(a)(i) to (v) and 10(a), (c) and (e) increase certain figures that are used in calculating whether a person is

entitled to a reduction and the amount of that reduction. The uprated figures relate to non-dependant deductions (adjustments made to the maximum amount of reduction a person can receive to take account of adults living in the dwelling who are not dependants of the applicant); and the applicable amount in relation to an application for a reduction (the amount against which an applicant's income is compared in order to determine the amount of reduction to which the applicant is entitled). The same amendments are made in relation to the Default Scheme Regulations by regulations 17(a) to (e), 24 and 25(a), (c) and (e).

The amendments to the Prescribed Requirements Regulations made by regulations 3(a)(iii) and (c), 4(d)(ii), 6, 9(d)(ii) and (iii), 10(b) and (d) and 11 are made in consequence of provision in sections 15 and 16 of the Welfare Reform Act 2016. From 3 April 2017, generally entitlement to Employment and Support Allowance is based on whether or not a person has limited capability for work rather than receipt of the Employment and Support Allowance work-related activity component. Regulation 3(a)(iii) inserts a new definition into regulation 2 of the Prescribed Requirements Regulations namely, "member of a work-related activity group". The subsequent amendments introduce references to an applicant or applicant's partner being a member of a work-related activity group or having limited capability for work. The same amendments are made to the Default Scheme Regulations by regulations 16(a)(iii) and (c), 17(f), 22(b) and (c), 25(b) and (d), 26 and 28.

The amendments to the Prescribed Requirements Regulations made by regulations 3(b), 4(d)(i) and 9(d)(i) are made in consequence of provision in the Regulation and Inspection of Social Care (Wales) Act 2016 ("the 2016 Act"). Regulation 3(b) amends the definition of "care home" to include reference to a care home service within the meaning of Part 1 of the 2016 Act. Regulations 4(d)(i) and 9(d)(i) substitute the reference to a domiciliary care worker with reference to a person who is employed, or engaged under a contract for services, to provide care and support by the provider of a domiciliary support service within the meaning of Part 1 of the 2016 Act. Regulation 16(b) makes the same amendment to the definition of "care home" in the Default Scheme Regulations, and the substituted reference to domiciliary care home worker is inserted by regulation 22(a).

The amendment to the Prescribed Requirements Regulations made by regulation 4(b)(i) is made in consequence of the Pensions Act 2014 which replaces the bereavement allowance and payment with a bereavement support allowance. The reference to "bereavement payment" in the provision dealing with



the meaning of income in respect of pensioners has been replaced with “bereavement support payment”. The same amendment is made to the Default Scheme Regulations by regulation 18(a).

The amendments made to the Prescribed Requirements Regulations by regulations 3(a)(i), (ii), (iv), (v) and (d), 8(a), 9(a)(vii), (c), (e) and (f), 12(b), 13(a) and (b) and 14 define and add an approved blood scheme, the Scottish Infected Blood Support Scheme, the London Emergencies Trust and the We Love Manchester Emergency Fund to the list of schemes or trusts payments from which are to be disregarded in the calculation of income or capital for the purposes of assessing a person’s entitlement to a council tax reduction. The same amendments are made to the Default Scheme Regulations by regulations 16(a)(i), (ii), (iv), (v) and (d), 17(g), 21, 23, 29(b), 30(a) and 31(a) to (c).

The amendments made to the Prescribed Requirements Regulations by regulations 4(c) and 9(b) clarify the date on which an applicant’s earnings are taken into account where an applicant commences employment or an applicant’s earnings change in order to provide consistency with corresponding provision in the Regulations regarding a change of circumstances. The same amendments are made to the Default Scheme Regulations by regulations 19 and 20.

The amendments made to the Prescribed Requirements Regulations by regulations 4(a)(vii), 8(b), 9(a)(viii) and (ix) and 13(c) provide that payments made under or by certain trusts established for the purpose of giving relief and assistance to disabled people whose disabilities were caused by the fact that during their pregnancy their mother had taken the drug known as Thalidomide, are to be disregarded in the calculation of capital for the purposes of assessing a person’s entitlement to a council tax reduction, and when determining the income of non-dependents. The same amendments are made to the Default Scheme Regulations by regulations 17(i), 30(b) and 31(d).

The amendments made to the Prescribed Requirement Regulations by regulations 4(b)(ii), 7 and 12(a) amend the lists of income other than earnings when determining a persons eligibility for a reduction so that any payment made by a government to victims of National Socialist persecution is disregarded. The same amendments are made to the Default Scheme Regulations by regulations 18(b), 27 and 29(a).

The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these

Regulations. A copy can be obtained from the Local Government Finance and Public Services Performance Division, Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

*Draft Regulations laid before the National Assembly for Wales under section 13A(8) of the Local Government Finance Act 1992, for approval by resolution of the National Assembly for Wales.*

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DRAFT WELSH STATUTORY  
INSTRUMENTS

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**2018 No. (W.)**

**COUNCIL TAX, WALES**

**The Council Tax Reduction  
Schemes (Prescribed Requirements  
and Default Scheme) (Wales)  
(Amendment) Regulations 2018**

*Made*

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*Coming into force in accordance with  
regulation 1(2)*

The Welsh Ministers make the following Regulations in exercise of the powers conferred upon them by section 13A(4) and (5) of, and paragraphs 2 to 7 of Schedule 1B to, the Local Government Finance Act 1992(1).

In accordance with section 13A(8) of that Act, a draft of this instrument has been laid before and approved by resolution of the National Assembly for Wales.

**Title, commencement and interpretation**

**1.**—(1) The title of these Regulations is the Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Wales) (Amendment) Regulations 2018.

(2) These Regulations come into force the day after the day on which they are made.

(3) These Regulations apply in relation to a council tax reduction scheme made for a financial year beginning on or after 1 April 2018.

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(1) 1992 c. 14. Section 13A was substituted by section 10(1) of the Local Government Finance Act 2012 (c. 17) and Schedule 1B was inserted by section 10(2) of, and Schedule 4 to, that Act.

(4) In these Regulations “council tax reduction scheme” (“*cynllun gostyngiadau'r dreth gyngor*”) means a scheme made by a billing authority in accordance with the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013(1), or the scheme that applies in default by virtue of paragraph 6(1)(e) of Schedule 1B to the Local Government Finance Act 1992.

### **Amendments to the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013**

2. The Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013 are amended in accordance with regulations 3 to 14.

3. In regulation 2 (interpretation) in paragraph (1)—

(a) in the appropriate place insert—

(i) ““approved blood scheme” (“*cynllun gwaed cymeradwy*”) means—

(a) a scheme established or approved by the Secretary of State, or a trust established with funds provided by the Secretary of State, for the purpose of providing compensation in respect of a person having been infected from contaminated blood products; or

(b) a scheme established under sections 1 to 3 of the National Health Service (Wales) Act 2006(2) and administered by the Velindre Trust(3) for the purpose of making payments and providing support to, or in respect of, individuals infected with Hepatitis C, HIV or both, through contaminated blood or blood products used by the NHS;”;

(ii) ““the London Emergencies Trust” (“*Ymddiriedolaeth Argyfyngau Llundain*”) means the company of that name (number 09928465) incorporated on 23 December 2015 and the registered charity of that name (number 1172307) established on 28 March 2017;”;

(iii) ““member of the work-related activity group” (“*aelod o'r grŵp gweithgaredd perthynol i waith*”) means a person who

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(1) S.I. 2013/3029 (W. 301), as amended by S.I. 2014/66 (W. 6), S.I. 2014/825 (W. 83), S.I. 2015/44 (W. 3), S.I. 2015/971, S.I. 2016/50 (W. 21) and S.I. 2017/46 (W. 20).

(2) 2006 c. 42.

(3) The Velindre NHS Trust was established under article 2 of the Velindre National Health Service Trust (Establishment) Order 1993 (S.I. 1993/2838, amended by S.I. 1999/826).

has or is treated as having limited capability for work under either—

- (a) Part 5 of the Employment and Support Allowance Regulations 2008<sup>(1)</sup> other than by virtue of regulation 30 of those Regulations; or
  - (b) Part 4 of the Employment and Support Allowance Regulations 2013<sup>(2)</sup> other than by virtue of regulation 26 of those Regulations;”;
- (iv) ““the Scottish Infected Blood Support Scheme” (*“Cynllun Cymorth Gwaed Heintiedig yr Alban”*) means the scheme of that name administered by the Common Services Agency (constituted by section 10 of the National Health Service (Scotland) Act 1978<sup>(3)</sup>);”;
- (v) ““the We Love Manchester Emergency Fund” (*“Cronfa Argyfwng We Love Manchester”*) means the registered charity of that name (number 1173260) established on 30 May 2017;”;
- (b) for the definition of “care home” (*“cartref gofal”*) substitute—
- ““care home” (*“cartref gofal”*)—
- (a) in England has the meaning given by section 3 of the Care Standards Act 2000<sup>(4)</sup>;
  - (b) in Wales means a place at which a care home service, within the meaning of Part 1 of the Regulation and Inspection of Social Care (Wales) Act 2016<sup>(5)</sup>, is provided wholly or mainly to adults;
  - (c) in Scotland means a care home service within the meaning given by paragraph 2 of Schedule 12 to the Public Services Reform (Scotland) Act 2010<sup>(6)</sup>; and
  - (d) in Northern Ireland means a nursing home within the meaning of article 11 of the Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003<sup>(7)</sup> or a residential care home within the meaning of article 10 of that Order;”;

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(1) S.I. 2008/794.  
(2) S.I. 2013/379.  
(3) 1978 c. 29.  
(4) 2000 c. 14.  
(5) 2016 anaw 2.  
(6) 2010 asp 8.  
(7) 2003 No. 431 (N.I. 9).

- (c) for the definition of “main phase employment and support allowance” (“*lwfans cyflogaeth a chymorth prif wedd*”) substitute—

““main phase employment and support allowance” (“*lwfans cyflogaeth a chymorth prif wedd*”), except in Part 1 of Schedule 7, means an employment and support allowance where—

- (a) the calculation of the amount payable in respect of the applicant includes a component under section 2(1)(b) or 4(2)(b) of the Welfare Reform Act 2007; or

- (b) the applicant is a member of the work-related activity group;”;

- (d) in the definition of “qualifying person” (“*person cymwys*”), after “the Caxton Foundation” insert, “, an approved blood scheme, the Scottish Infected Blood Support Scheme, the London Emergencies Trust, the We Love Manchester Emergency Fund”.

**4. In Schedule 1 (determining eligibility for a reduction: pensioners)—**

- (a) in paragraph 3 (non-dependant deductions: pensioners)—

- (i) in sub-paragraph (1)(a) for “£12.70” substitute “£13.10”;

- (ii) in sub-paragraph (1)(b) for “£4.20” substitute “£4.35”;

- (iii) in sub-paragraph (2)(a) for “£200.00” substitute “£205.00”;

- (iv) in sub-paragraph (2)(b) for “£200.00”, “£346.00” and “£8.40” substitute “£205.00”, “£355.00” and “£8.70” respectively;

- (v) in sub-paragraph (2)(c) for “£346.00”, “£430.00” and “£10.60” substitute “£355.00”, “£440.00” and “£10.95” respectively;

- (vi) in sub-paragraph (8)(a) after “income related employment and support allowance” insert “and where the non-dependant is not a member of the work-related activity group”;

- (vii) for sub-paragraph (9) substitute—

“(9) In the application of sub-paragraph (2) there is to be disregarded from the non-dependant’s weekly gross income—

- (a) any attendance allowance, disability living allowance, personal independence payment or AFIP received by the non-dependant;

- (b) any payment made under or by a trust, established for the purpose of giving relief and assistance to disabled persons whose disabilities were caused by the fact that during their mother's pregnancy she had taken a preparation containing the drug known as Thalidomide, and which is approved by the Secretary of State.”;
- (b) in paragraph 10(1) (meaning of “income”: pensioners)—
  - (i) for paragraph (j)(xiii) substitute—
    - “(xiii) bereavement support payment under section 30 of the Pensions Act 2014(1)”;
  - (ii) for paragraph (m) substitute—
    - “(m) a pension paid by a government to victims of National Socialist persecution”;
- (c) in paragraph 11 (calculation of weekly income: pensioners)—
  - (i) in sub-paragraph (3A)—
    - (aa) in paragraph (a) for “regardless of whether those earnings were actually received in that reduction week” substitute “regardless of when those earnings were actually received”;
    - (bb) for paragraphs (b) and (c) substitute—
      - “(b) in the case of an application or a reduction under a scheme where the applicant commences employment, the day on which the applicant commences that employment, and the first day of each reduction week thereafter, regardless of when those earnings were actually received; or
      - (c) in the case of an application or a reduction under a scheme where the applicant's average weekly earnings from employment change, the day on which the applicant's earnings change, so as to require recalculation under this paragraph, and the first day of each reduction week thereafter, regardless of when

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(1) 2014 c. 19.

those earnings were actually received.”;

(ii) in sub-paragraph (4A)—

(aa) in paragraph (a) for “regardless of whether those earnings were actually received in that reduction week” substitute “regardless of when those earnings were actually received”;

(bb) for paragraphs (b) and (c) substitute—

“(b) in the case of an application or a reduction under a scheme where the applicant commences employment, the day on which the applicant commences that employment, and the first day of each reduction week thereafter, regardless of when those earnings were actually received; or

(c) in the case of an application or a reduction under a scheme where the applicant’s average weekly earnings from employment change, the day on which the applicant’s earnings from employment change and the first day of each reduction week thereafter, regardless of when those earnings were actually received.”;

(d) in paragraph 19 (treatment of child care charges: pensioners)—

(i) for sub-paragraph (8)(l) substitute—

“(1) by a person who is employed, or engaged under a contract for services, to provide care and support by the provider of a domiciliary support service, within the meaning of Part 1 of the Regulation and Inspection of Social Care (Wales) Act 2016;”;

(ii) in sub-paragraph (11)(c) after “having limited capability for work” the first time it appears, insert “or the other member of the couple would be a member of the work-related activity group”.

5. In Schedule 2 (applicable amounts: pensioners)—

(a) in column (2) of the Table in paragraph 1 (personal allowances)—

(i) in sub-paragraph (1) for “£159.35” and “£172.55” substitute “£163.00” and “£176.40” respectively;



- (ii) in sub-paragraph (2) for “£243.25” and “£258.15” substitute “£248.80” and “£263.80” respectively;
  - (iii) in sub-paragraph (3) for “£243.25” and “£83.90” substitute “£248.80” and “£85.80” respectively;
  - (iv) in sub-paragraph (4) for “£258.15” and “£85.60” substitute “£263.80” and “£87.40” respectively;
- (b) in the Table in Part 4 (amounts of premium specified in Part 3), in the second column—
- (i) in sub-paragraph (1) for “£62.45” in each place where it occurs substitute “£64.30” and for “£124.90” substitute “£128.60”;
  - (ii) in sub-paragraph (2) for “£24.78” substitute “£25.48”;
  - (iii) in sub-paragraph (3) for “£60.90” substitute “£62.86”;
  - (iv) in sub-paragraph (4) for “£34.95” substitute “£36.00”.

**6.** In Schedule 3 (sums disregarded from applicant’s earnings: pensioners), in paragraph 5(1)(d)(ii) for “or the work-related activity component arising” substitute “arises”.

**7.** In Schedule 4 (amounts to be disregarded in the calculation of income other than earnings: pensioners), for paragraph 1(g), substitute—

“(g) a pension paid by a government to victims of National Socialist persecution.”

**8.** In Schedule 5 (capital disregards: pensioners)—

- (a) in paragraph 16(1)(a), after “the Caxton Foundation,” insert “an approved blood scheme, the Scottish Infected Blood Support Scheme, the London Emergencies Trust, the We Love Manchester Emergency Fund”;
- (b) after paragraph 28A insert—

“**28B.** Any payment made under or by a trust, established for the purpose of giving relief and assistance to disabled persons whose disabilities were caused by the fact that during their mother’s pregnancy she had taken a preparation containing the drug known as Thalidomide, and which is approved by the Secretary of State.”

**9.** In Schedule 6 (determining eligibility for a reduction under an authority’s scheme, amount of reduction and calculation of income and capital: persons who are not pensioners)—

- (a) in paragraph 5 (non-dependant deductions: persons who are not pensioners)—

- (i) in sub-paragraph (1)(a) for “£12.70” substitute “£13.10”;
  - (ii) in sub-paragraph (1)(b) for “£4.20” substitute “£4.35”;
  - (iii) in sub-paragraph (2)(a) for “£200.00” substitute “£205.00”;
  - (iv) in sub-paragraph (2)(b) for “£200.00”, “£346.00” and “£8.40” substitute “£205.00”, “£355.00” and “£8.70” respectively;
  - (v) in sub-paragraph (2)(c) for “£346.00”, “£430.00” and “£10.60” substitute “£355.00”, “£440.00” and “£10.95” respectively;
  - (vi) in sub-paragraph (8)(a), after “income related employment and support allowance” insert “or where the non-dependent is not a member of the work-related activity group”;
  - (vii) in sub-paragraph (9)(b) after “the Caxton Foundation” insert “, an approved blood scheme, the Scottish Infected Blood Support Scheme, the London Emergencies Trust, the We Love Manchester Emergency Fund”;
  - (viii) at the end of sub-paragraph (9)(c) for “.” substitute “,”;
  - (ix) after sub-paragraph (9)(c) insert—
    - “(d) any payment made under or by a trust, established for the purpose of giving relief and assistance to disabled persons whose disabilities were caused by the fact that during their mother’s pregnancy she had taken a preparation containing the drug known as Thalidomide, and which is approved by the Secretary of State.”;
- (b) in paragraph 10A (date on which income consisting of earnings from employment as an employed earner are taken into account: persons who are not pensioners)—
- (i) in sub-paragraph (a) for “regardless of whether those earnings were actually received in that reduction week” substitute “regardless of when those earnings were actually received”;
  - (ii) for sub-paragraphs (b) and (c) substitute—
    - “(b) in the case of an application or a reduction under a scheme where the applicant commences employment, the day on which the applicant commences that employment, and the first day of

each reduction week thereafter, regardless of when those earnings were actually received; or

- (c) in the case of an application or reduction under a scheme where the applicant's average weekly earnings from employment change, the day on which the applicant's earnings from employment change, and the first day of each reduction week thereafter, regardless of when those earnings were actually received.”;
- (c) in paragraph 19(4)(a) (notional income: persons who are not pensioners), after “the Caxton Foundation” insert “, an approved blood scheme, the Scottish Infected Blood Support Scheme, the London Emergencies Trust, the We Love Manchester Emergency Fund”;
- (d) in paragraph 21 (treatment of child care charges)—
  - (i) for sub-paragraph (8)(l) substitute—

“(1) by a person who is employed, or engaged under a contract for services, to provide care and support by the provider of a domiciliary support service, within the meaning of Part 1 of the Regulation and Inspection of Social Care (Wales) Act 2016; or ”;
  - (ii) in sub-paragraph (11)(a) after “the work-related activity component” insert “or the other member would be a member of the work-related activity group”;
  - (iii) in sub-paragraph (11)(c) after “the work-related activity component” insert “or the other member would be a member of the work-related activity group”;
- (e) in paragraph 27(7) (income treated as capital: persons who are not pensioners), after “the Caxton Foundation,” insert “an approved blood scheme, the Scottish Infected Blood Support Scheme, the London Emergencies Trust, the We Love Manchester Emergency Fund,”;
- (f) in paragraph 30 (notional capital: persons who are not pensioners), in sub-paragraph (4)(a), after “the Caxton Foundation,” insert “an approved blood scheme, the Scottish Infected Blood Support Scheme, the London Emergencies Trust, the We Love Manchester Emergency Fund”.

**10.** In Schedule 7 (applicable amounts: persons who are not pensioners)—

- (a) in column (2) of the Table in paragraph 1 (personal allowances)—
  - (i) in sub-paragraph (1) for “£73.85” in each place in which it occurs substitute “£76.10” and for “£58.50” substitute “£60.25”;
  - (ii) in sub-paragraph (2) for “£73.85” substitute “£76.10”;
  - (iii) in sub-paragraph (3) for “£116.00” substitute “£119.50”;
- (b) in paragraph 2(a) after “the applicant” insert “or the applicant is a member of the work-related activity group”;
- (c) in the Table in Part 4 (amounts of premiums specified in Part 3), in the second column—
  - (i) in sub-paragraph (1) for “£32.55” and “£46.40” substitute “£33.55” and “£47.80” respectively;
  - (ii) in sub-paragraph (2) for “£62.45” in each place in which it occurs substitute “£64.30” and for “£124.90” substitute “£128.60”;
  - (iii) in sub-paragraph (3) for “£60.90” substitute “£62.86”;
  - (iv) in sub-paragraph (4) for “£34.95” substitute “£36.00”;
  - (v) in sub-paragraph (5) for “£24.78”, “£15.90” and “£22.85” substitute “£25.48”, “£16.40” and “£23.55” respectively;
- (d) in Part 5 (the components), in paragraph 18(c)(ii) omit “or the work-related activity component”;
- (e) in Part 6 (amount of components), in paragraph 24 (amount of support component), for “£36.55” substitute “£37.65”.

**11.** In Schedule 8 (sums disregarded in the calculation of earnings: persons who are not pensioners)—

- (a) in paragraph 4(2), after “Schedule 7 (applicable amounts: persons who are not pensioners)” insert “or where the applicant or the applicant’s partner is a member of the work-related activity group”;
- (b) in paragraph 18, in sub-paragraph (2)(b)(iv)—
  - (i) in paragraph (aa), for “respectively” substitute “, or the applicant or the applicant’s partner is a member of the work-related activity group”;
  - (ii) in paragraph (bb), for “and is engaged in remunerative work for on average not

less than 16 hours per week” substitute “, or at least one of the couple is a member of the work-related activity group”.

**12.** In Schedule 9 (sums disregarded in the calculation of income other than earnings: persons who are not pensioners)—

(a) for paragraph 20(g) substitute—

“(g) a pension paid by a government to victims of National Socialist persecution.”;

(b) in paragraph 41, in sub-paragraphs (1) and (7), after “the Caxton Foundation” insert “, an approved blood scheme, the Scottish Infected Blood Support Scheme, the London Emergencies Trust, the We Love Manchester Emergency Fund”.

**13.** In Schedule 10 (capital disregards: persons who are not pensioners)—

(a) in paragraph 29—

(i) in sub-paragraph (1), after “the Caxton Foundation” insert “, an approved blood scheme, the Scottish Infected Blood Support Scheme, the London Emergencies Trust, the We Love Manchester Emergency Fund”;

(ii) in sub-paragraph (7), after “the Caxton Foundation,” insert “an approved blood scheme, the Scottish Infected Blood Support Scheme, the London Emergencies Trust, the We Love Manchester Emergency Fund”;

(b) in paragraph 38, after “the Caxton Foundation” insert “, an approved blood scheme, the Scottish Infected Blood Support Scheme, the London Emergencies Trust, the We Love Manchester Emergency Fund”;

(c) after paragraph 63 insert—

“**64.** Any payment made under or by a trust, established for the purpose of giving relief and assistance to disabled persons whose disabilities were caused by the fact that during their mother’s pregnancy she had taken a preparation containing the drug known as Thalidomide, and which is approved by the Secretary of State.”

**14.** In Schedule 13 (all applicants: matters that must be included in an authority’s scheme—other matters), in paragraph 5(7)(a)(ii) (evidence and information), after “the Caxton Foundation” insert “, an approved blood scheme, the Scottish Infected Blood Support Scheme, the London Emergencies Trust, the We Love Manchester Emergency Fund”.

## Amendments to the Council Tax Reduction Schemes (Default Scheme) (Wales) Regulations 2013

15. The scheme set out in the Schedule to the Council Tax Reduction Schemes (Default Scheme) (Wales) Regulations 2013<sup>(1)</sup> is amended in accordance with regulations 16 to 33.

16. In paragraph 2 (interpretation), in sub-paragraph (1)—

- (a) in the appropriate place insert—
  - (i) ““approved blood scheme” (*“cynllun gwaed cymeradwy”*) means—
    - (a) a scheme established or approved by the Secretary of State, or a trust established with funds provided by the Secretary of State, for the purpose of providing compensation in respect of a person having been infected from contaminated blood products; or
    - (b) a scheme established under sections 1 to 3 of the National Health Service (Wales) Act 2006<sup>(2)</sup> and administered by Velindre Trust<sup>(3)</sup> for the purpose of making payments and providing support to, or in respect of, individuals infected with Hepatitis C, HIV or both, through contaminated blood or blood products used by the NHS;”;
  - (ii) ““the London Emergencies Trust” (*“Ymddiriedolaeth Argyfyngau Llundain”*) means the company of that name (number 09928465) incorporated on 23 December 2015 and the registered charity of that name (number 1172307) established on 28 March 2017;”;
  - (iii) ““member of the work-related activity group” (*“aelod o’r grŵp gweithgaredd perthynol i waith”*) means a person who has or is treated as having limited capability for work under either—
    - (a) Part 5 of the Employment and Support Allowance Regulations 2008 other than by virtue of regulation 30 of those Regulations; or
    - (b) Part 4 of the Employment and Support Allowance Regulations 2013 other than

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(1) S.I. 2013/3035 (W. 303), as amended by S.I. 2014/66 (W. 6), S.I. 2014/825 (W. 83), S.I. 2015/44 (W. 3), S.I. 2015/971, S.I. 2016/50 (W. 21) and S.I. 2017/46 (W. 20).

(2) 2006 c. 42.

(3) The Velindre NHS Trust was established under article 2 of the Velindre National Health Service Trust (Establishment) Order 1993 (S.I. 1993/2838, amended by S.I. 1999/826).

- by virtue of regulation 26 of those Regulations;”;
- (iv) ““the Scottish Infected Blood Support Scheme” (“*Cynllun Cymorth Gwaed Heintiedig yr Alban*”) means the scheme of that name administered by the Common Services Agency (constituted by section 10 of the National Health Service (Scotland) Act 1978);”;
- (v) ““the We Love Manchester Emergency Fund” (“*Cronfa Argyfwng We Love Manchester*”) means the registered charity of that name (number 1173260) established on 30 May 2017;”;
- (b) for the definition of “care home” (“*cartref gofal*”) substitute—
- ““care home” (“*cartref gofal*”)—
- (a) in England has the meaning given by section 3 of the Care Standards Act 2000;
- (b) in Wales means a place at which a care home service, within the meaning of Part 1 of the Regulation and Inspection of Social Care (Wales) Act 2016, is provided wholly or mainly to adults;
- (c) in Scotland means a care home service within the meaning given by paragraph 2 of Schedule 12 to the Public Services Reform (Scotland) Act 2010; and
- (d) in Northern Ireland means a nursing home within the meaning of article 11 of the Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003 or a residential care home within the meaning of article 10 of that Order;”;
- (c) for the definition of “main phase employment and support allowance” (“*lwfans cyflogaeth a chymorth prif wedd*”) substitute—
- ““main phase employment and support allowance (“*lwfans cyflogaeth a chymorth prif wedd*”), except in Part 1 of Schedule 3, means an employment and support allowance where—
- (a) the calculation of the amount payable in respect of the applicant includes a component under section 2(1)(b) or 4(2)(b) of the Welfare Reform Act 2007; or
- (b) the applicant is a member of the work-related activity group;”;

- (d) in the definition of “qualifying person” (“*person cymwys*”), after “the Caxton Foundation” insert “, an approved blood scheme, the Scottish Infected Blood Support Scheme, the London Emergencies Trust, the We Love Manchester Emergency Fund”.

17. In paragraph 28 (non-dependant deductions: pensioners and persons who are not pensioners)—

- (a) in sub-paragraph (1)(a) for “£12.70” substitute “£13.10”;
- (b) in sub-paragraph (1)(b) for “£4.20” substitute “£4.35”;
- (c) in sub-paragraph (2)(a) for “£200.00” substitute “£205.00”;
- (d) in sub-paragraph (2)(b) for “£200.00”, “£346.00” and “£8.40” substitute “£205.00”, “£355.00” and “£8.70” respectively;
- (e) in sub-paragraph (2)(c) for “£346.00”, “£430.00” and “£10.60” substitute “£355.00”, “£440.00” and “£10.95” respectively;
- (f) in sub-paragraph (8)(a) after “income-related employment and support allowance” insert “and where the non-dependant is not a member of the work- related activity group”;
- (g) in sub-paragraph (9)(b), after “the Caxton Foundation” insert “, an approved blood scheme, the Scottish Infected Blood Support Scheme, the London Emergencies Trust, the We Love Manchester Emergency Fund”;
- (h) in sub-paragraph (9)(c) for “.” substitute “; and”;
- (i) after sub-paragraph (9)(c) insert—
  - “(d) any payment made under or by a trust, established for the purpose of giving relief and assistance to disabled persons whose disabilities were caused by the fact that during their mother’s pregnancy she had taken a preparation containing the drug known as Thalidomide, and which is approved by the Secretary of State.”

18. In paragraph 36(1) (meaning of “income”: pensioners)—

- (a) for paragraph (j)(xiii) substitute—
  - “(xiii) bereavement support payment under section 30 of the Pensions Act 2014;”;
- (b) for paragraph (m) substitute—
  - “(m) a pension paid by a government to victims of National Socialist persecution;”.



**19.** In paragraph 37 (calculation of weekly income: pensioners)—

(a) in sub-paragraph (3A)—

(i) in paragraph (a) for “regardless of whether those earnings were actually received in that reduction week” substitute “regardless of when those earnings were actually received”;

(ii) for paragraphs (b) and (c) substitute—

“(b) in the case of an application or a reduction under a scheme where the applicant commences employment, the day on which the applicant commences that employment, and the first day of each reduction week thereafter, regardless of when those earnings were actually received; or

(c) in the case of an application or a reduction under a scheme where the applicant’s average weekly earnings from employment change, the day on which the applicant’s earnings from employment change, so as to require recalculation under this paragraph, and the first day of each reduction week thereafter, regardless of when those earnings were actually received.”;

(b) in sub-paragraph (4A)—

(i) in paragraph (a) for “regardless of whether those earnings were actually received in that reduction week” substitute “regardless of when those earnings were actually received”;

(ii) for paragraphs (b) and (c) substitute—

“(b) in the case of an application or a reduction under a scheme where the applicant commences employment, the day on which the applicant commences that employment, and the first day of each reduction week thereafter, regardless of when those earnings were actually received; or

(c) in the case of an application or a reduction under a scheme where the applicant’s average weekly earnings from employment change, the day on which the applicant’s earnings from employment change and the first day of each reduction week thereafter, regardless of when those earnings were actually received.”

**20.** For paragraph 44A (date on which income consisting of earnings from employment as an

employed earner are taken into account: persons who are not pensioners) substitute—

**“Date on which income consisting of earnings from employment as an employed earner are taken into account: persons who are not pensioners**

**44A.** An applicant’s average weekly earnings from employment estimated pursuant to paragraph 44 (average weekly earnings of employed earners: persons who are not pensioners) must be taken into account—

- (a) in the case of an application, on the date on which the application was made or treated as made, and the first day of each reduction week thereafter, regardless of when those earnings were actually received;
- (b) in the case of an application or a reduction under a scheme where the applicant commences employment, the day on which the applicant commences that employment and the first day of the reduction week thereafter, regardless of when those earnings were actually received; or
- (c) in the case of an application or reduction under a scheme where the applicant’s average weekly earnings from employment change, the day on which the applicant’s earnings from employment change and the first day of each reduction week thereafter, regardless of when those earnings were actually received.”

**21.** In paragraph 53 (notional income: persons who are not pensioners), in sub-paragraph (4)(a), after “the Caxton Foundation” insert “, an approved blood scheme, the Scottish Infected Blood Support Scheme, the London Emergencies Trust, the We Love Manchester Emergency Fund ”.

**22.** In paragraph 55 (treatment of child care charges)—

- (a) for sub-paragraph (8)(1) substitute—

“(1) by a person who is employed, or engaged under a contract for services, to provide care and support by the provider of a domiciliary support service, within the meaning of Part 1 of the Regulation and Inspection of Social Care (Wales) Act 2016; or”;
- (b) in sub-paragraph (11)(c), after “the work-related activity component” insert “or the

other member would be a member of the work-related activity group”;

- (c) in sub-paragraph (11)(e), after “work related activity component” insert “or the other member of the couple would be a member of the work-related activity group”.

**23.** In each of the following provisions, after “the Caxton Foundation” insert, “, an approved blood scheme, the Scottish Infected Blood Support Scheme, the London Emergencies Trust, the We Love Manchester Emergency Fund”—

- (a) paragraph 61(7) (income treated as capital: persons who are not pensioners);
- (b) paragraph 64(6)(a) (notional capital);
- (c) paragraph 111(7)(a)(ii) (evidence and information).

**24.** In Schedule 2 (applicable amounts: pensioners)—

- (a) in column (2) of the Table in paragraph 1 (personal allowances)—
- (i) in sub-paragraph (1) for “£159.35” and “£172.55” substitute “£163.00” and “£176.40” respectively;
- (ii) in sub-paragraph (2) for “£243.25” and “£258.15” substitute “£248.80” and “£263.80” respectively;
- (iii) in sub-paragraph (3) for “£243.25” and “£83.90” substitute “£248.80” and “£85.80” respectively;
- (iv) in sub-paragraph (4) for “£258.15” and “£85.60” substitute “£263.80” and “£87.40” respectively;
- (b) in the Table in Part 4 (amounts of premiums specified in Part 3), in the second column—
- (i) in sub-paragraph (1) for “£62.45” in each place in which it occurs substitute “£64.30” and for “£124.90” substitute “£128.60”;
- (ii) in sub-paragraph (2) for “£24.78” substitute “£25.48”;
- (iii) in sub-paragraph (3) for “£60.90” substitute “£62.86”;
- (iv) in sub-paragraph (4) for “£34.95” substitute “£36.00”.

**25.** In Schedule 3 (applicable amounts: persons who are not pensioners)—

- (a) In column (2) of the Table in paragraph 1 (personal allowances)—
- (i) in sub-paragraph (1) for “£73.85” in each place in which it occurs substitute

- “£76.10” and for “£58.50” substitute “£60.25”;
- (ii) in sub-paragraph (2) for “£73.85” substitute “£76.10”;
  - (iii) in sub-paragraph (3) for “£116.00” substitute “£119.50”;
- (b) in paragraph 2(a) after “the applicant” insert “or the applicant is a member of the work-related activity group”;
- (c) in the Table in Part 4 (amount of premiums specified in Part 3), in the second column—
- (i) in sub-paragraph (1) for “£32.55” and “£46.40” substitute “£33.55” and “£47.80” respectively;
  - (ii) in sub-paragraph (2) for “£62.45” in each place in which it occurs substitute “£64.30” and for “£124.90” substitute “£128.60”;
  - (iii) in sub-paragraph (3) for “£60.90” substitute “£62.86”;
  - (iv) in sub-paragraph (4) for “£34.95” substitute “£36.00”;
  - (v) in sub-paragraph (5) for “£24.78”, “£15.90” and “£22.85” substitute “£25.48”, “£16.40” and “£23.55” respectively;
- (d) in Part 5 (the components), in paragraph 18(c)(ii), omit “or the work related activity component”;
- (e) in Part 6 (amount of components), in paragraph 24 (amount of support component), for “£36.55” substitute “£37.65”.

**26.** In Schedule 4 (sums disregarded from applicant’s earnings: pensioners), in paragraph 5(1)(d)(ii) for “or the work-related activity component arising” substitute “arises”.

**27.** In Schedule 5 (amounts to be disregarded in the calculation of income other than earnings: pensioners), for paragraph 1(g) substitute—

“(g) a pension paid by a government to victims of National Socialist persecution.”

**28.** In Schedule 6 (sums disregarded in the calculation of earnings: persons who are not pensioners)—

- (a) in paragraph 4(2), after “Schedule 3 (applicable amounts: persons who are not pensioners)” insert “or where the applicant or the applicant’s partner is a member of the work-related activity group”;
- (b) in paragraph 18, in sub-paragraph (2)(b)(iv)—

- (i) in paragraph (aa), for “respectively” substitute “, or the applicant or the applicant’s partner is a member of the work-related activity group”;
- (ii) in paragraph (bb), for “and is engaged in remunerative work for on average not less than 16 hours per week” substitute “or at least one of the couple is a member of the work-related activity group”.

**29.** In Schedule 7 (sums disregarded in the calculation of income other than earnings: persons who are not pensioners)—

- (a) for paragraph 20(g) substitute—
  - “(g) a pension paid by a government to victims of National Socialist persecution.”;
- (b) in paragraph 41(1) and (7), after “the Caxton Foundation” insert “, an approved blood scheme, the Scottish Infected Blood Support Scheme, the London Emergencies Trust, the We Love Manchester Emergency Fund”.

**30.** In Schedule 8 (capital disregards: pensioners)—

- (a) in paragraph 16(1)(a), after “the Caxton Foundation,” insert “an approved blood scheme, the Scottish Infected Blood Support Scheme, the London Emergencies Trust, the We Love Manchester Emergency Fund”;
- (b) after paragraph 28A insert—
  - “**28B.** Any payment made under or by a trust, established for the purpose of giving relief and assistance to disabled persons whose disabilities were caused by the fact that during their mother’s pregnancy she had taken a preparation containing the drug known as Thalidomide, and which is approved by the Secretary of State.”

**31.** In Schedule 9 (capital disregards: persons who are not pensioners)—

- (a) in paragraph 29(1) after “the Caxton Foundation” insert “, an approved blood scheme, the Scottish Infected Blood Support Scheme, the London Emergencies Trust, the We Love Manchester Emergency Fund”;
- (b) in paragraph 29(8) after “the Caxton Foundation,” insert “an approved blood scheme, the Scottish Infected Blood Support Scheme, the London Emergencies Trust, the We Love Manchester Emergency Fund”;
- (c) in paragraph 38 after “the Caxton Foundation” insert “, an approved blood scheme, the Scottish Infected Blood Support Scheme, the London Emergencies Trust, the We Love Manchester Emergency Fund”;

(d) after paragraph 63 insert—

“**64.** Any payment made under or by a trust, established for the purpose of giving relief and assistance to disabled persons whose disabilities were caused by the fact that during their mother’s pregnancy she had taken a preparation containing the drug known as Thalidomide, and which is approved by the Secretary of State.”

Cabinet Secretary for Finance, one of the Welsh  
Ministers  
Date

## **Mae'r Cyngor hwn yn nodi gyda phryder:**

1. Bod Cynllun Credyd Cynhwysol Llywodraeth San Steffan yn achosi argyfwng cymdeithasol;
2. Bod cyflwyno'r Credyd Cynhwysol y tu allan i Gymru wedi achosi anawsterau ariannol difrifol;
3. Cyfrif Cyngor ar Bopeth Sir y Fflint yn amlinellu eu profiad o gynorthwyo hawlwr Credyd Cynhwysol ers Ebrill 2017, sy'n crynhoi bod:
  - a. Pobl yn aros hyd at 12 wythnos am eu taliad cyntaf heb unrhyw incwm;
  - b. Mae'r system Credyd Cynhwysol yn rhy gymhleth;
  - c. Nid yw pobl yn cael cymorth pan fydd y system yn eu methu;
4. Bod cael mynediad i Credyd Cynhwysol yn dibynnu ar
  - a. Derbynwyr gyda chyfrif banc personol;
  - b. Mynediad i'r rhyngrwyd;
5. O dan Credyd Cynhwysol, bydd costau tai yn cael eu talu i'r achwynydd ac nid y landlord
6. Bydd Credyd Cynhwysol yn cael ei dalu 5 wythnos mewn ôl-ddyledion;
7. Bydd Credyd Cynhwysol yn cael ei dalu fesul tŷ nid fesul unigolyn;
8. Bydd Credyd Cynhwysol yn cael ei gyflwyno i Sir Ddinbych gyfan erbyn Ebrill 2018.

## **Mae'r Cyngor hefyd yn nodi:**

1. Yr anhawster cael mynediad i'r rhyngrwyd i nifer o drigolion ar draws Sir Ddinbych;
2. Llawer o fanciau cymunedol yn cau ar draws Sir Ddinbych;
3. Y toriad yn yr arian grant bloc a dderbyniodd Sir Ddinbych gan Lywodraeth Cymru fydd yn rhoi pwysau ar wasanaethau nad ydynt wedi eu clustnodi, fel gwasanaethau bws a llyfrgelloedd;
4. Mae'r stoc tai cymharol fawr sydd gan Gyngor Sir Ddinbych yn golygu y gall effeithio ar incwm tai'r Cyngor;
5. Adroddiad Strategaeth Digartrefedd Cyngor Sir Ddinbych sy'n cynnwys pryderon am ddigartrefedd cynyddol yn y Sir;

## **Mae'r Cyngor yn nodi ymhellach:**

1. Bod Deddf yr Alban (2016) wedi rhoi pwerau i Lywodraeth yr Alban amrywio faint o Credyd Cynhwysol a delir yn yr Alban, y cyfeirir ato weithiau fel "Hyblygrwydd yr Alban".
2. Bod Hyblygrwydd yr Alban yn golygu bod pobl sy'n byw yn yr Alban sy'n gwneud cais Credyd Cynhwysol Newydd, mewn maes gwasanaeth llawn yn cael dewis:
  - a. Cael eu talu'n fisol neu ddwywaith y mis
  - b. Gyda'r costau tai perthnasol yn y dyfarniad Credyd Cynhwysol a delir iddynt eu hunain neu eu landlordiaid.

## **Mae'r Cyngor hwn yn galw:**

1. Ar Lywodraeth y DU i oedi cyn cyflwyno'r Credyd Cynhwysol
2. Ar Lywodraeth Cymru i fynnu pwerau datganoli i amrywio sut y telir Credyd Cynhwysol yng Nghymru.

Mae tudalen hwn yn fwriadol wag



Adroddiad i'r:	Cyngor
Dyddiad y Cyfarfod:	30 Ionawr 2018
Aelod Arweiniol/ Swyddog:	Cynghorydd Mark Young / Gary Williams, Pennaeth Gwasanaethau Democrataidd, Cyfreithiol ac AD
Awdur yr Adroddiad:	Steve Price, Rheolwr Gwasanaethau Democrataidd
Teitl:	Aelodau Sy'n Gefnogwyr

1. Am beth mae'r adroddiad yn sôn?

Gofynnir i'r Cyngor ystyried ail-benodi cynghorwyr i bedwar rôl 'aelod sy'n gefnogwr'.

2. Beth yw'r rheswm dros wneud yr adroddiad hwn?

Bu i'r Cyngor blaenrol osod y fframwaith ar gyfer aelodau sy'n gefnogwyr a phenodi cynghorydd i bob rôl. Dim ond dau o'r cynghorwyr a benodwyd sydd dal yn aelodau o'r cyngor sir, ac yn dilyn etholiadau'r cyngor ym mis Mai diwethaf, mae'n briodol i weld safbwyntiau'r Cyngor ar aelodau sy'n gefnogwyr.

3. Beth yw'r Argymhellion?

Bod y Cyngor yn ystyried gwybodaeth yn yr adroddiad hwn a:

- (i) Cadarnhau bod rolau'r cefnogwyr ar gyfer Pobl Hŷn, Digartrefedd, Gofalwyr ac Anableddau Dysgu yn cael eu cadw; a
- (ii) Ystyried unrhyw enwebiadau a gyflwynwyd gan y cynghorwyr i benodi i'r rolau.

4. Manylion yr Adroddiad

4.1 Mae Adran 19 o Gyfansoddiad y Cyngor yn nodi ar hyn o bryd pedwar rôl Cefnogwr. Y rhain yw:

- Cefnogwr Pobl Hŷn
- Cefnogwr Digartrefedd
- Cefnogwr Gofalwyr
- Cefnogwr Anableddau Dysgu

4.2 Ym mis Tachwedd 2012, penderfynodd y Cyngor bod y pedwar rôl Cefnogwr a nodir uchod yn cael eu penodi a bod disgrifiadau rôl yn cael eu datblygu i arwain y cefnogwyr hyn (wedi'i atodi yn Atodiad 1). Mi wnaeth y Cyngor blaenrol y penodiadau canlynol:

- Cefnogwr Pobl Hyn – y Cynghorydd Bobby Feeley
- Cefnogwr Gofalwyr – y Cynghorydd Ann Davies
- Cefnogwr Anableddau Dysgu – y Cynghorydd Ray Bartley
- Cefnogwr Digartrefedd – y Cynghorydd Bill Tasker

4.3 Mae rôl Cefnogwyr yn yr awdurdod hwn wedi datblygu o'r un penodiad 'Cefnogwr Pobl Hŷn' a oedd yn deillio o'r canllaw yn y Strategaeth i Bobl Hŷn a gyhoeddwyd gan Gynulliad Cymru, y dylai pob awdurdod lleol yng Nghymru gael Cefnogwr o'r fath. Roedd y Pwyllgor Llywodraethu Corfforaethol wedi ystyried yn 2013 i argymhell i gael rhagor o rolau Cefnogwyr, ac mae cofnodion trafodaeth y Pwyllgor wedi'u hatodi er gwybodaeth fel Atodiad 2. Roedd y Pwyllgor wedi penderfynu peidio ag argymhell creu rhagor o gefnogwyr. Fodd bynnag, gellir ychwanegu rolau 'cefnogwr' ychwanegol i bortffolio aelodau Cabinet, megis Cefnogwr y Lluoedd Arfog (Cynghorydd Mainon) neu'n cael ei gyfeirio'n gyffredinol fel rhan o ddyletswyddau'r aelod arweiniol. **Byddai Cadeirydd y Grŵp Cadeiryddion ac Is-Gadeiryddion Archwilio (Cynghorydd Irving) yn cyflawni'r rôl Cefnogwr Archwilio pan fo angen.**

4.4 Mae'r holl gynghorwyr wedi cael gwybodaeth am y 4 rôl ac wedi'u gwahodd i fynegi diddordeb os hoffent gael eu penodi gyda CV byr. Bydd y rhai hynny a fydd yn dod i law yn cael eu dosbarthu i'r aelodau cyn cyfarfod o'r Cyngor.

5. Sut mae'r penderfyniad yn cyfrannu at Flaenoriaethau Corfforaethol?

**Mae'r Cynllun Corfforaethol 2017-2022 yn cynnwys blaenoriaethau penodol i bobl ifanc a thai a digartrefedd, a chamau gweithredu i gefnogi pobl hŷn a gofalwyr o fewn ei flaenoriaeth cymunedau gwydn.** Bydd ail-benodi aelodau sy'n gefnogwyr yn cyflawni'r rolau a amlinellir yn y disgrifiadau rôl yn cynorthwyo amcanion y Cyngor i gefnogi'r meysydd hyn.

6. Faint fydd yn costio a sut bydd yn effeithio ar y gwasanaethau eraill?

Mae costau teithio achlysurol yn codi os yw aelod sy'n gefnogwr yn mynychu cyfarfodydd neu ddigwyddiadau sy'n berthnasol i'w rôl fel cefnogwr. Bydd y rhain yn cael eu cynnwys o fewn y cyllidebau presennol a ddyrennir i deithio aelodau, ac os oes angen, cynhaliaeth.

7. Beth yw'r prif ganlyniadau'r Asesiad o Effaith ar Les?

Nid oes angen asesiad o effaith ar les ar gyfer y penodiadau hyn.

8. Pa ymgynghoriadau sydd wedi'u cyflawni gyda'r Pwyllgor Archwilio ac eraill?

Yn ystod tymor diwethaf y Cyngor, roedd y Cyngor llawn a'r Pwyllgor Llywodraethu Corfforaethol wedi ystyried rolau'r cefnogwyr. Mae pob aelod wedi cael gwybodaeth am y rolau ac wedi'u gwahodd i gyflwyno enwebiadau a CV i'r Cyngor eu hystyried. Y Cyngor fydd yn penderfynu i ail-benodi aelodau sy'n gefnogwyr.

9. Datganiad y Prif Swyddog Cyllid

Mae effaith ariannol o ail-benodi cynghorwyr i rolau aelod sy'n gefnogwr yn ddibwys ac yn debygol o fod yn gyfyngedig i fodloni costau teithio a chynhaliaeth a gyflawnir yn y rolau yn achlysurol.

10. Pa risgiau sydd yn bodoli ac a oes unrhyw beth y gallwn ei wneud i'w lleihau?

Dull y Cyngor blaenorol oedd gwneud penodiadau i'r 4 rôl allweddol gan leihau'r risg y byddai creu rôl cefnogwr yn arwain at ddryswch o ran dyletswyddau, atebolrwydd a phwerau aelodau'r Cabinet a'r gweithgareddau sydd yn wahanol i aelodau sy'n gefnogwyr.

11. Pŵer i wneud y penderfyniad

Mae Adran 19 a 19.6 o Gyfansoddiad y Cyngor yn amlinellu'r rolau a swyddogaethau'r cynghorwyr, ac yn caniatáu enwebiad cynghorwyr fel cefnogwyr ar gyfer y 4 rôl a amlinellwyd yn yr adroddiad hwn.

Mae tudalen hwn yn fwriadol wag

<b>Adroddiad i'r:</b>	<b>Cyngor Sir</b>
<b>Dyddiad y Cyfarfod:</b>	<b>30 Ionawr 2018</b>
<b>Aelod Arweiniol / Swyddog:</b>	<b>Gary Williams, Swyddog Monitro</b>
<b>Awdur yr Adroddiad:</b>	<b>Gary Williams, Swyddog Monitro</b>
<b>Teitl:</b>	<b>Penodi Aelod Lleyg Annibynnol i'r Pwyllgor Safonau</b>

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## **1. Am beth mae'r adroddiad yn sôn?**

1.1 Mae'r adroddiad yn sôn am benodi aelod lleyg annibynnol i'r Pwyllgor Safonau.

## **2. Beth yw'r rheswm dros lunio'r adroddiad hwn?**

2.1 Mae penodiadau i'r Pwyllgor Safonau'n gofyn am gymeradwyaeth y Cyngor Llawn.

## **3. Beth yw'r argymhellion?**

3.1 Penodi Peter Lamb i'r Pwyllgor Safonau am gyfnod sy'n dod i ben ar ddyddiad yr Etholiadau Llywodraeth Leol nesaf yn 2022.

## **4. Manylion yr adroddiad.**

4.1 Mae Rheoliadau Pwyllgorau Safonau 2001, fel y'u diwygiwyd, (y Rheoliadau) yn llywodraethu aelodaeth a thrafodion y Pwyllgor Safonau. Nid oes angen i'r Pwyllgor Safonau fod yn wleidyddol gytbwys. Mae'n rhaid i Bwyllgor Safonau gael rhwng pump a naw aelod, sy'n cynnwys aelodau lleyg annibynnol, Cynghorwyr Sir a chynrychiolaeth o Gynghorau Dinas, Tref a Chymuned. Mae'n rhaid i Gadeirydd ac Is-gadeirydd y Pwyllgor fod yn aelodau lleyg annibynnol bob tro ac mae'n rhaid i'r mwyafrif o'r rhai sy'n bresennol fod yn aelodau lleyg annibynnol er mwyn i'r cyfarfod fod â chworwm.

4.2 Mae saith yn aelod o Bwyllgor Safonau'r Cyngor hwn, sy'n cynnwys y canlynol: dau Gynghorydd Sir; un Cynghorydd Cymuned; a phedwar aelod lleyg annibynnol.

4.3 Mae swydd ar gael i aelod lleyg annibynnol ar y Pwyllgor Safonau.

4.4 Mae'r Rheoliadau'n ei gwneud yn ofynnol i'r Cyngor gyhoeddi hysbyseb ar gyfer swydd aelod lleyg annibynnol a sefydlu panel o uchafswm o bum aelod (y Panel) i ystyried pob cais a dderbyniwyd a gwneud argymhelliad i'r Cyngor ar y penodiad. Rhaid i'r Panel gynnwys o leiaf un aelod lleyg ac un cynrychiolydd o Gynghorau Dinas, Tref a Chymuned. Yn ei gyfarfod ar 17

Hydref, penododd y Cyngor y Cyngorwyr Gareth Davies, Richard Mainon a Mark Young i'r Panel.

4.5 Roedd dau ymgeisydd am swydd yr aelod lleyg, ac fe gyfwelwyd y ddau gan y Panel ar 19 Ionawr 2018. Ystyriai'r Panel mai Mr Lamb oedd yr ymgeisydd mwyaf addas ac felly fe argymhellwyd y dylai'r Cyngor ei benodi.

4.6 Mae'r Rheoliadau'n nodi y gall aelod lleyg wasanaethu am gyfnod rhwng pedair a chwe blynedd yn y swydd. Ar ddiwedd y cyfnod hwnnw, mae'n bosib i'r aelod wasanaethu am un cyfnod arall os yw'n cael ei ailbenodi gan y Cyngor. Awgrymir y dylai Mr Lamb wasanaethu tan ddyddiad yr Etholiadau Llywodraeth Leol yn 2022.

## **5. Sut mae'r penderfyniad yn cyfrannu at y Blaenoriaethau Corfforaethol?**

5.1 Mae Pwyllgor Safonau cwbl weithredol a chynrychioliadol ac sy'n cynnal y safonau uchel a ddisgwylir gan Aelodau yn helpu i ategu gwaith y Cyngor i weithredu ei swyddogaethau democrataidd.

5.2 Mae'r angen sydd wedi'i nodi yn y Mesur i benodi aelod lleyg i fod ar y Pwyllgor yn orfodol. Byddai methu â phenodi aelod lleyg yn gwneud trafodion y Pwyllgor yn annilys.

## **6. Faint fydd yn gostio a sut fydd yn effeithio ar y gwasanaethau eraill?**

Bydd hawl gan yr aelod lleyg, o dan adroddiad Panel Annibynnol Cymru ar Gydabyddiaeth Ariannol, i dâl dyddiol ac i hawlio costau teithio fel y nodir yn y gyfraith o dro i dro.

## **7. Beth yw prif ganlyniadau'r Asesiad o Effaith ar Les?**

Nid oes unrhyw oblygiadau o ran lles o ganlyniad i'r penderfyniad hwn. Cynhaliwyd ymarfer recriwtio cyhoeddus, agored ar gyfer y penodiad hwn.

## **8. Pa ymgynghoriadau sydd wedi'u cyflawni gyda'r Pwyllgor Archwilio ac eraill?**

Nid oes unrhyw ofyn statudol am ymgynghori ar y penodiad a geisir drwy'r adroddiad hwn. Mae gofyn statudol i hysbysebu'n gyhoeddus am aelodau lleyg annibynnol ar y Pwyllgorau.

## **9. Datganiad y Prif Swyddog Cyllid**

Bychain yw'r costau sy'n gysylltiedig â'r penderfyniad ac fe fyddant yn cael eu talu o adnoddau sy'n bod eisoes.

**10. Pa risgiau sydd yn bodoli ac a oes unrhyw beth y gallwn ei wneud i'w lleihau?**

O ran y Pwyllgor Safonau, mae'n amod yng Nghyfansoddiad y Cyngor bod angen pedwar aelod lleyg. Y risg o beidio â phenodi aelodau i'r Pwyllgor Safonau yw y gall llai o aelodau gynyddu'r tebygolrwydd na fydd gan y Pwyllgor gworwm.

**11. Pŵer i wneud y Penderfyniad**

Rheoliadau Pwyllgorau Safonau (Cymru) 2001, fel y'u diwygiwyd.

Mae tudalen hwn yn fwriadol wag



RHAGLEN GWAITH I'R DYFODOL Y CYNGOR

Cyfarfod	Eitem (disgrifiad / teitl)		Pwrpas yr adroddiad	Angen penderfyniad gan y Cyngor (oes/nac oes)	Aelod Arweiniol a Swyddog Cyswllt
<b>20 Chwefror 2018</b>	1	Cynllun Lles Bwrdd Gwasanaethau Cyhoeddus Conwy a Sir Ddinbych	Cyflwyno'r adroddiad i'r Cyngor i geisio eu cymeradwyaeth – mae hwn yn ofyniad statudol dan Ddeddf Llesiant Cenedlaethau'r Dyfodol	Oes	Aelod Arweiniol – y Cynghorydd Hugh Evans. Nicola Kneale / Alan Smith (Swyddog Arweiniol – Prif Weithredwr)
	2	Treth y Cyngor 2017/18 a Materion Cysylltiedig	Gosod lefelau Treth y Cyngor ar gyfer 2018/19.	Oes	Y Cynghorydd Julian Thompson-Hill/ Richard Weigh
	3	Cynllun Cyfalaf 2017/18 - 2020/21 ac argymhellion y Grŵp Buddsoddi Strategol	Ystyried Cynllun Cyfalaf wedi'i ddiweddarau	Oes	Y Cynghorydd Julian Thompson-Hill / Richard Weigh / Richard Humphreys
	4	Datganiad Strategaeth Rheoli'r Trysorlys a Dangosyddion Darbodus (i'w gadarnhau)	Gofyn am gymeradwyaeth i'r Datganiad a dangosyddion darbodus	Oes	Y Cynghorydd Julian Thompson-Hill/ Richard Weigh
	5	Asesiad Poblogaeth Gogledd Cymru (ar gyfer gwasanaethau iechyd a gofal cymdeithasol)	Cynllun rhanbarthol ar weithio ar draws Gogledd Cymru i ddarparu gwasanaethau iechyd a gofal cymdeithasol yn seiliedig ar yr Asesiad hwn.	I'w gadarnhau	Y Cynghorydd Bobby Feeley/ Gary Major
<b>BRIFFIO'R CYNGOR 12 Mawrth 2018</b>	1	Moderneiddio a Phwysau ar y Gwasanaethau Cymorth Cymunedol	Gofynnwyd am friff i aelodau gan y Tîm Gweithredol Corfforaethol	Amh.	Y Cynghorydd Bobby Feeley / Phil Gilroy
	2	Dull Cyflogaeth Strategol Sir Ddinbych	Briffio aelodau.	Amh.	Y Cyng Hugh Evans / Nicola Stubbins / Mel Evans

RHAGLEN GWAITH I'R DYFODOL Y CYNGOR

<b>10 Ebrill 2018</b>	1	Amserlen y Pwyllgor ar gyfer 2019 ac Adolygiad Blynyddol o Gydbwysedd Gwleidyddol	Cymeradwyo amserlen y pwyllgorau tan ddiwedd 2019 ac adolygu cydbwysedd gwleidyddol y pwyllgorau	Oes	Steve Price
	2	Adroddiad Blynyddol Panel Annibynnol Cymru ar Gydnyddiaeth Ariannol	Mabwysiadu cynllun taliadau yn unol â gofynion adroddiad blynyddol y Panel	Oes	Y Cynghorydd Mark Young / Gary Williams / Steve Price
	3	Trefniadau ar Gyfer Ethol Cadeirydd ac Is-gadeirydd y Cyngor	Cytuno ar y broses a'r ymgeiswyr i'w hethol yn ffurfiol yng Nghyfarfod Blynyddol y Cyngor ym mis Mai	Nac oes	Gary Williams / Steve Price / Eleri Woolford
	4	Hyfforddiant a Datblygu Aelodau	Adolygu'r Polisi Hyfforddiant a Datblygu	Oes	Cyng Mark Young / Steve Price
<b>Y CYNGOR BLYNYDDOL 15 Mai 2018</b>	1	Penodi Cadeirydd ac Is-gadeirydd Cyngor Sir Ddinbych	Penodi'r penaethiaid dinesig ar gyfer blwyddyn y Cyngor 2018/19.	Oes	Gary Williams
	2	Adroddiad Blynyddol y Pwyllgorau Archwilio	Ystyried gweithgareddau'r Pwyllgorau Archwilio	Nac oes	Rhian Evans / Steve Price
<b>BRIFFIO'R CYNGOR 11 Mehefin 2018</b>					
<b>3 Gorffennaf 2018</b>					
<b>11 Medi 2018</b>					
<b>23 Hydref 2018</b>					

RHAGLEN GWAITH I'R DYFODOL Y CYNGOR

<b>4 Rhagfyr 2018</b>					

***Nodyn i Swyddogion – Dyddiad cau Adroddiadau'r Cyngor Llawn***

<i>Cyfarfod</i>	<i>Dyddiau Cau</i>	<i>Cyfarfod</i>	<i>Dyddiau Cau</i>	<i>Cyfarfod</i>	<i>Dyddiau Cau</i>
<i>Chwefror 2018</i>	<b>6 Chwefror 2018</b>	<i>Ebrill 2018</i>	<b>27 Mawrth 2018</b>	<i>Mai 2018</i>	<b>1 Mai 2018</b>
<i>Gorffennaf 2018</i>	<b>19 Mehefin 2018</b>	<i>Medi 2018</i>	<b>28 Awst 2018</b>	<i>Hydref 2018</i>	<b>9 Hydref 2018</b>
<i>Rhagfyr 2018</i>	<b>20 Tachwedd 2018</b>				

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Mae tudalen hwn yn fwiadol wag