

Statutory Instruments with Clear Reports

15 March 2017

SL(5)070 – The Size and Composition of Local Planning Authority Committees (Wales) Regulations 2017

Procedure: Affirmative

These Regulations prescribe requirements relating to the size and composition of relevant local planning authority committees and sub-committees in Wales by which a relevant function is discharged.

Parent Act: Town and Country Planning Act 1990

Date Laid: 27 February 2017

Coming into force date: 5 May 2017

SL(5)072 – The Care and Support (Choice of Accommodation, Charging and Financial Assessment) (Miscellaneous Amendments) (Wales) Regulations 2017

Procedure: Negative

These Regulations amend various Regulations made under Parts 4 and 5 of the Social Services and Well-being (Wales) Act 2014 (“the Act”).

Regulation 2 amends regulation 2 of the Care and Support (Choice of Accommodation) (Wales) Regulations 2015 to make it clear that the local authority’s duty to provide choice of accommodation does not apply where a person’s need for the provision of accommodation is short term. A definition of “short term” is then inserted in regulation 1(3) as meaning a period not exceeding 8 weeks.

Regulation 3 amends the Care and Support (Charging) (Wales) Regulations 2015. Paragraphs (b) and (h) amend the amount of the maximum weekly charge for non-residential care and support. This has been revised from £60 to £70. Paragraph (d) corrects a drafting error to make it clear that regulation 9 applies in relation to the charges for residential care and support. Paragraph (e) amends regulation 11 to



establish two different capital limits – one that will apply to charging for residential care which will increase to £30,000 and one that will apply to charging for non-residential care which will be maintained at the current level of £24,000. Paragraph (j) makes a consequential amendment to regulation 26 to reflect the fact that there are two capital limits. Paragraphs (f) and (k) amend regulations 13 and 28 respectively to increase the weekly minimum income amount where a person is provided with accommodation in a care home from £26.50 to £27.50. Paragraph (g) amends regulation 15 to make it clear that following a revised financial assessment, a further statement must be issued to the care recipient and the revised charge becomes payable (and may be backdated) from the date when the circumstance that gave rise to the revised determination arose. Paragraph (l) makes the same amendment to regulation 30 in respect of revised determinations of direct payments.

Regulation 4 amends the Care and Support (Financial Assessment) (Wales) Regulations 2015. Schedule 1 makes provision in respect of the sums that are to be disregarded when a local authority is calculating income for the purposes of the Act. Paragraphs (a) and (b) substitute paragraph 16 so that a full disregard will apply to charging for residential and non-residential care and support in respect of sums received under the War Disablement Pension.

Parent Act: Social Services and Well-being (Wales) Act 2014

Date Made: 27 February 2017

Date Laid: 28 February 2017

Coming into force date: 10 April 2017

