Changes to legislation: *The Housing Benefit (Permitted Totals) Order 1996 is up to date with all changes known to be in force on or before 09 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

STATUTORY INSTRUMENTS

1996 No. 677

SOCIAL SECURITY

The Housing Benefit (Permitted Totals) Order 1996

Made - - - -	*7th March 1996*
Laid before Parliament	*11th March 1996*
Coming into force - -	*1st April 1996*

The Secretary of State for Social Security, in exercise of powers conferred on him by sections 134(12) and 189(1) and (3) to (6) of the Social Security Administration Act 1992[M1] and of all other powers enabling him in that behalf, after consultation with organisations appearing to him to be representative of the authorities concerned[M2], hereby makes the following Order:

Marginal Citations

M1 1992 c.5.

M2 *See* section 176(1)(b) of the Social Security Administration Act 1992.

Citation, commencement and interpretation E+W+S

1.—(1) This Order may be cited as the Housing Benefit (Permitted Totals) Order 1996 and shall come into force on 1st April 1996.

(2) In this Order—

"the Act" means the Social Security Administration Act 1992 [M3];

"housing benefit" means either rent rebate or rent allowance as the circumstances may require;

"the Housing Benefit Regulations" means the Housing Benefit (General) Regulations 1987 [M4];

"increase in housing benefit" means the difference between—

(a) the amount of housing benefit granted in a case in which an authority makes a determination under regulation 61(2) of the Housing Benefit Regulations (increase in the appropriate maximum housing benefit) [M5], and

(b) the amount of housing benefit which would have been granted in that case if the authority had not made a determination under regulation 61(2) of those Regulations; and

"increase above maximum rent" means the difference between—

(a) the amount of housing benefit granted in a case in which an authority makes a determination under regulation 61(3) of the Housing Benefit Regulations [M6], and

(b) the amount of housing benefit which would have been granted in that case if the authority had not made a determination under regulation 61(3) of those Regulations.

Marginal Citations

M3 1992 c.5.
M4 S.I. 1987/1971.
M5 Regulation 61(2) was added by S.I. 1994/578.
M6 Regulation 61(3) was added by S.I. 1995/1644.

Permitted total of benefit awarded in exercise of a discretion E+W+S

2. For the purpose of section 134(11) of the Act, the permitted total of housing benefit

[F1(a)**]** for the year commencing on 1st April 1996 in relation to an authority shall be the total of the amounts obtained by the calculations set out in articles 3 and 4 below.

[F2(b) for the year commencing on 1st April 1997 in relation to an authority shall be the total of the amounts obtained by the calculations set out in articles 3 and 4 below; and

(c) for any year commencing on or after 1st April 1998 in relation to an authority shall be the total of the amount obtained by the calculation in article 3 below and the amount specified in the Schedule to this Order.**]**

Textual Amendments

F1 Words in art. 2(a) renumbered as art. 2(a) (31.3.1998) by The Housing Benefit (Permitted Totals) (Amendment) Order 1998 (S.I. 1998/566), **art. 2(1)**reg. 1(1)
F2 Art. 2(b)(c) inserted (31.3.1998) by The Housing Benefit (Permitted Totals) (Amendment) Order 1998 (S.I. 1998/566), **art. 2(1)**reg. 1(1)

Increase in housing benefit E+W+S

3. The calculation referred to in article 2 above shall be the amount obtained by deducting 100% of any increases in housing benefit in cases in which that authority has during that year made a determination under regulation 61(2) of the Housing Benefit Regulations from the total housing benefit granted by that authority during that year, after deduction of any increase above maximum rent, and multiplying the resulting figure by **[**F3100.025%**]**.

Textual Amendments

F3 Words in art. 3 substituted (1.4.2001) by The Housing Benefit (Permitted Totals) (Amendment) Order 2001 (S.I. 2001/1129), **art. 2**reg. 1

Increase above maximum rent E+W+S

4.—(1) The calculation referred to in article 2 above shall be the amount obtained by deducting 100% of any increases above maximum rent in cases in which that authority has during that year made a determination under regulation 61(3) of the Housing Benefit Regulations from the total housing benefit granted by that authority during that year, less the deductions specified in paragraph (2) below, and multiplying the resulting figure by **[**F4101.08%**]**.

(2) The deductions referred to in paragraph (1) above are—

(a) all rent rebates granted during that year;

(b) subject to paragraph (3) below, all rent allowances granted during that year in cases where the local authority did not refer a claim for housing benefit, in relation to the dwelling in respect of which that allowance was granted, to the rent officer pursuant to regulation 12A of the Housing Benefit Regulations [M7]; and

(c) any increase in housing benefit.

(3) No rent allowance shall be deducted pursuant to paragraph (2)(b) above, if that case was not referred to the rent officer by reason of paragraph (2)(a) of regulation 12A of those Regulations.

Textual Amendments

F4 Word in art. 4(1) substituted (7.10.1996) by The Housing Benefit (Permitted Totals) (Amendment) Order 1996 (S.I. 1996/2326), **art. 2**reg. 1

Marginal Citations

M7 Regulation 12A was added by S.I. 1990/546 and amended by S.I. 1993/317, 1995/560/1644 and 2868.

Permitted total of benefit in modified schemes E+W+S

5. For the purpose of section 134(9) of the Act (modifications other than war disablement pension or war widows pension within the Act), the permitted total of housing benefit for **[**[F5]any year commencing on or after**]** on 1st April 1996 in relation to an authority shall be the total of the amounts obtained by deducting 100% of any housing benefit awarded as a consequence of any determination to disregard made by that authority during that year pursuant to a modification adopted by them under section 134(8)(b) of the Act (power to modify housing benefit schemes as prescribed) and regulation 7 of the Income-related Benefits Schemes Amendment (No. 2) Regulations 1995 [M8] (power to modify in respect of certain pensions to war widows) from the total housing benefit granted by that authority during that year and multiplying the resulting figure by 100.7%.

Textual Amendments

F5 Words in art. 5 substituted (31.3.1998) by The Housing Benefit (Permitted Totals) (Amendment) Order 1998 (S.I. 1998/566), **art. 3**reg. 1(1)

Marginal Citations

M8 S.I. 1995/2792 as amended by S.I. 1995/3282.

Revocation E+W+S

6. The Housing Benefit (Permitted Totals) Order 1995 [M9] is hereby revoked.

Marginal Citations

M9 S.I. 1995/1954 as amended by S.I. 1995/2793 and 3151.

Signed by authority of the Secretary of State for Social Security.

Roger Evans
Parliamentary Under-Secretary of State,
Department of Social Security

[F6SCHEDULE E+W+S

Article 2

TOTALS FOR INCREASES ABOVE MAXIMUM RENT

Textual Amendments

F6 Sch. substituted (1.4.2001) by The Housing Benefit (Permitted Totals) (Amendment) Order 2001 (S.I. 2001/1129), art. 3, reg. 1, **Sch.**

Authority	*Permitted Total* £
England	
Adur	11,073
Allerdale	14,001
Alnwick	2,832
Amber Valley	12,361
Arun	41,402
Ashfield	12,423
Ashford	12,112
Aylesbury Vale	13,412
Babergh	10,044
Barking	38,065
Barnet	133,375
Barnsley	31,155
Barrow in Furness	23,278
Basildon	21,576
Basingstoke and Deane	12,982
Bassetlaw	14,013
Bath and NE Somerset	31,322
Bedford	25,697
Berwick upon Tweed	3,833
Bexley	49,763
Birmingham	198,165
Blaby	4,376
Blackburn with Darwen	33,307
Blackpool	117,965
Blyth Valley	8,004
Bolsover	13,007

Authority	*Permitted Total* £
Bolton	46,138
Boston	5,138
Bournemouth	95,696
Bracknell Forest	13,822
Bradford	123,752
Braintree	14,434
Breckland	12,774
Brent	193,395
Brentwood	7,087
Bridgnorth	4,120
Brighton and Hove	180,857
Bristol	96,138
Broadland	8,928
Bromley	50,991
Bromsgrove	4,359
Broxbourne	13,260
Broxtowe	11,299
Burnley	25,828
Bury	29,838
Calderdale	28,108
Cambridge	16,167
Camden	132,750
Cannock Chase	6,657
Canterbury	33,324
Caradon	20,600
Carlisle	13,889
Carrick	24,764
Castle Morpeth	3,056
Castle Point	21,278
Charnwood	17,868
Chelmsford	14,838
Cheltenham	24,155
Cherwell	23,520
Chester	16,699

Authority	*Permitted Total* £
Chester le Street	5,524
Chesterfield	14,802
Chichester	15,367
Chiltern	4,842
Chorley	9,480
Christchurch	6,318
City of London	1,439
Colchester	28,238
Congleton	4,887
Copeland	12,193
Corby	12,013
Cotswold	9,367
Coventry	67,163
Craven	6,118
Crawley	7,786
Crewe and Nantwich	13,121
Croydon	145,919
Dacorum	13,429
Darlington	19,355
Dartford	15,715
Daventry	4,365
Derby	48,483
Derbyshire Dales	3,813
Derwentside	10,221
Doncaster	39,071
Dover	36,954
Dudley	21,784
Durham	5,937
Ealing	158,493
Easington	10,063
East Cambridgeshire	7,026
East Devon	18,050
East Dorset	6,974
East Hampshire	11,956

Authority	*Permitted Total* £
East Hertfordshire	10,036
East Lindsey	32,105
East Northamptonshire	8,204
East Riding of Yorkshire	57,413
East Staffordshire	12,968
Eastbourne	42,495
Eastleigh	12,311
Eden	5,083
Ellesmere Port and Neston	5,910
Elmbridge	22,072
Enfield	109,407
Epping Forest	20,508
Epsom and Ewell	9,885
Erewash	13,294
Exeter	35,462
Fareham	9,844
Fenland	17,307
Forest Heath	6,146
Forest of Dean	10,316
Fylde	17,760
Gateshead	27,463
Gedling	12,914
Gloucester	38,822
Gosport	11,207
Gravesham	21,343
Great Yarmouth	40,174
Greenwich	56,280
Guildford	17,990
Hackney	159,737
Halton	17,626
Hambleton	8,380
Hammersmith and Fulham	92,023
Harborough	4,066
Haringey	254,022

Authority	*Permitted Total* £
Harlow	10,481
Harrogate	24,943
Harrow	74,970
Hart	6,633
Hartlepool	20,158
Hastings	70,070
Havant	15,981
Havering	36,693
Herefordshire	31,035
Hertsmere	10,520
High Peak	11,583
Hillingdon	48,018
Hinckley and Bosworth	6,864
Horsham	11,381
Hounslow	81,898
Huntingdonshire	12,412
Hyndburn	23,110
Ipswich	23,448
Isle of Wight	48,692
Isles of Scilly	112
Islington	75,538
Kennet	6,553
Kensington and Chelsea	95,011
Kerrier	23,573
Kettering	11,336
Kings Lynn and West Norfolk	19,448
Kingston upon Hull	61,181
Kingston upon Thames	23,020
Kirklees	61,583
Knowsley	24,691
Lambeth	166,917
Lancaster	52,083
Leeds	161,079
Leicester	51,758

Authority	*Permitted Total* £
Lewes	24,395
Lewisham	118,483
Lichfield	3,550
Lincoln	20,575
Liverpool	201,524
Luton	63,742
Macclesfield	16,110
Maidstone	17,903
Maldon	18,921
Malvern Hills	7,025
Manchester	195,674
Mansfield	14,897
Medway	108,499
Melton	3,109
Mendip	21,594
Merton	57,194
Mid Bedfordshire	8,266
Mid Devon	12,064
Mid Suffolk	6,806
Mid Sussex	13,107
Middlesbrough	30,388
Milton Keynes	30,589
Mole Valley	6,461
New Forest	19,869
Newark and Sherwood	12,775
Newcastle under Lyme	8,317
Newcastle upon Tyne	75,679
Newham	236,456
North Cornwall	22,078
North Devon	33,937
North Dorset	5,647
North East Derby	5,846
North East Lincoln	42,198
North Hertfordshire	15,823

Authority	*Permitted Total* £
North Kesteven	6,418
North Lincolnshire	20,707
North Norfolk	19,096
North Shropshire	6,383
North Somerset	58,091
North Tyneside	49,049
North Warwickshire	3,801
North West Leicester	5,509
North Wiltshire	9,457
Northampton	32,163
Norwich	26,986
Nottingham	59,030
Nuneaton and Bedworth	14,606
Oadby and Wigston	4,630
Oldham	34,150
Oswestry	4,760
Oxford	48,078
Pendle	19,716
Penwith	23,242
Peterborough	41,089
Plymouth	95,680
Poole	29,167
Portsmouth	67,055
Preston	23,230
Purbeck	7,603
Reading	51,780
Redbridge	142,324
Redcar and Cleveland	22,464
Redditch	5,822
Reigate and Banstead	13,661
Restormel	32,194
Ribble Valley	5,025
Richmond upon Thames	34,918
Richmondshire	4,019

Authority	*Permitted Total* £
Rochdale	43,229
Rochford	10,624
Rossendale	11,986
Rother	22,310
Rotherham	23,596
Rugby	7,523
Runnymede	9,170
Rushcliffe	9,619
Rushmoor	11,126
Rutland	1,986
Ryedale	5,138
Salford	77,097
Salisbury	19,512
Sandwell	31,220
Scarborough	37,313
Sedgefield	7,215
Sedgemoor	21,337
Sefton	84,267
Selby	6,559
Sevenoaks	10,096
Sheffield	52,222
Shepway	51,579
Shrewsbury and Atcham	12,479
Slough	36,269
Solihull	11,316
South Bedfordshire	10,573
South Bucks	3,586
South Cambridgeshire	8,860
South Derbyshire	11,106
South Gloucestershire	20,227
South Hams	19,260
South Holland	5,045
South Kesteven	13,603
South Lakeland	15,835

Authority	*Permitted Total* £
South Norfolk	9,469
South Northants	5,306
South Oxfordshire	19,106
South Ribble	6,160
South Shropshire	6,168
South Somerset	22,317
South Staffordshire	4,463
South Tyneside	32,453
Southampton	73,593
Southend on Sea	97,336
Southwark	90,007
Spelthorne	10,818
St Albans	9,953
St Edmundsbury	8,585
St Helens	23,507
Stafford	7,452
Staffordshire Moorlands	7,006
Stevenage	9,376
Stockport	51,884
Stockton on Tees	28,021
Stoke on Trent	34,205
Stratford on Avon	11,053
Stroud	14,432
Suffolk Coastal	17,852
Sunderland	53,243
Surrey Heath	7,169
Sutton	34,929
Swale	41,749
Swindon	23,721
Tameside	36,307
Tamworth	9,172
Tandridge	7,092
Taunton Deane	21,426
Teesdale	2,865

Authority	*Permitted Total* £
Teignbridge	29,864
Telford and Wrekin	18,049
Tendring	44,271
Test Valley	6,818
Tewkesbury	8,100
Thanet	88,716
Three Rivers	8,128
Thurrock	24,684
Tonbridge and Malling	9,546
Torbay	85,563
Torridge	18,849
Tower Hamlets	45,003
Trafford	35,417
Tunbridge Wells	14,206
Tynedale	3,800
Uttlesford	6,206
Vale of White Horse	9,747
Vale Royal	7,303
Wakefield	27,358
Walsall	18,945
Waltham Forest	158,176
Wandsworth	121,014
Wansbeck	6,844
Warrington	13,911
Warwick	15,350
Watford	16,358
Waveney	51,698
Waverley	13,121
Wealdon	21,509
Wear Valley	7,507
Wellingborough	10,445
Welwyn Hatfield	9,713
West Berkshire	10,976
West Devon	12,775

Authority	*Permitted Total* £
West Dorset	11,805
West Lancashire	13,010
West Lindsey	9,532
West Oxfordshire	11,866
West Somerset	10,899
West Wiltshire	20,797
Westminster	189,131
Weymouth and Portland	23,141
Wigan	26,933
Winchester	8,637
Windsor and Maidenhead	17,452
Wirral	104,453
Woking	10,638
Wokingham	11,843
Wolverhampton	28,921
Worcester	24,231
Worthing	33,956
Wychavon	6,710
Wycombe	12,804
Wyre	22,173
Wyre Forest	11,956
York	29,336
Scotland	
Aberdeen	17,118
Aberdeenshire	15,810
Angus	10,333
Argyll and Bute	17,435
Comhairle Nan Eilean Sair	2,249
Clackmannanshire	3,067
Dumfries and Galloway	19,846
Dundee	23,135
East Ayrshire	8,128
East Dunbartonshire	5,812
East Lothian	12,140

Authority	*Permitted Total* £
East Renfrewshire	5,656
Edinburgh	116,558
Falkirk	8,674
Fife	43,080
Glasgow	122,279
Highland	18,909
Inverclyde	9,892
Midlothian	5,423
Moray	9,487
North Ayrshire	17,642
North Lanarkshire	12,042
Orkney	2,857
Perth and Kinross	21,140
Renfrewshire	14,138
Scottish Borders	7,350
Shetland	775
South Ayrshire	22,019
South Lanarkshire	17,803
Stirling	7,290
West Dunbartonshire	5,438
West Lothian	12,617
Wales	
Blaenau Gwent	10,753
Bridgend	25,789
Caerphilly	24,394
Cardiff	60,004
Carmarthenshire	32,572
Ceredigion	18,702
Conwy	37,048
Denbighshire	30,347
Flintshire	16,400
Gwynedd	31,422
Isle of Anglesey	18,958
Merthyr Tydfil	9,430

Authority	*Permitted Total* £
Monmouthshire	9,465
Neath and Port Talbot	20,810
Newport	22,985
Pembrokeshire	26,943
Powys	16,586
Rhondda Cynon Taff	38,661
Swansea	52,344
Torfaen	7,729
Vale of Glamorgan	30,658
Wrexham	14,500]

EXPLANATORY NOTE

(This note is not part of the Order)
This Order sets out the basis for calculating the permitted totals of rebates or allowances for the year 1996/1997 for authorities granting rebates or allowances under Part VIII of the Social Security Administration Act 1992. The Order limits the amount by which the housing benefit payments may be increased on the exercise of the discretions provided by regulation 61(2) and (3) of the Housing Benefit (General) Regulations 1987, and to war widows through modified schemes.
This Order does not impose a charge on businesses.

Changes to legislation:
The Housing Benefit (Permitted Totals) Order 1996 is up to date with all changes known to be in force on or before 09 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.
View outstanding changes

Changes and effects yet to be applied to :

- Sch. substituted by S.I. 1999/642 art.2Sch.
- Sch. substituted by S.I. 2000/533 art.2Sch.
- Schedule subst by S.I. 2001/1129 art 3 Schedule
- art.4 amended by S.I. 1996/2326 art.2