

[^{F1}SCHEDULE 4A

Article 20A

RENT REBATE LIMITATION DEDUCTIONS
(HOUSING REVENUE ACCOUNT DWELLINGS)

Textual Amendments

- F1** Sch. 4A inserted (1.4.2004) by [Income-related Benefits \(Subsidiary to Authorities\) Amendment Order 2004 \(S.I. 2004/646\)](#), art. 1(1), **Sch. 1 para. 7**

PART 1

INTERPRETATION

1. In this Schedule—

[^{F2}“Affordable Rent” means the rent payable to an authority in respect of a tenancy of a dwelling where the rent is set on the same basis as would have been case if the amount of rent were subject to a standard set by the Regulator of Social Housing under section 194 of the Housing and Regeneration Act 2008 (which requires the initial rent to be set at no more than 80% of local market rent (including service charges));

“Affordable Rent dwelling” means a dwelling which the authority has let on a tenancy for which it charges an Affordable Rent, and in relation to which either of the following applies—

- (a) the authority has entered into an agreement with a relevant party that the dwelling is one for which the authority will charge an Affordable Rent; or
- (b) the authority has received a written notice from a relevant party that the dwelling is one for which the authority charges an Affordable Rent;]

[^{F3}“dwelling” has the same meaning it bears in the determination made under section 80(1) of the Local Government and Housing Act 1989,]

“ HRA ” means the Housing Revenue Account of the authority the amount of whose subsidy is under consideration,

“new service” means—

- (a) a service provided in the relevant year that was not provided in 2001–02,
- (b) [^{F4}an extension to a service, where the service is provided in the relevant year to a greater extent than in 2001-02, or]
- (c) a service provided in the relevant year for which a charge is imposed which is a service which was previously provided without charge because it was funded by a specific grant or subsidy (other than subsidy),

[^{F5}“relevant party” means—

- (a) the Homes and Communities Agency;
- (b) the Greater London Authority; or
- (c) the Secretary of State;]

“rent”, in relation to a dwelling, means the total of the payments in respect of the dwelling specified in [^{F6}regulation 12(1) of the Housing Benefit Regulations or, as the case may be, regulation 12(1) of the Housing Benefit (State Pension Credit) Regulations], other than a payment specified in regulation [^{F7}regulation 12(1)(e)],

Status: Point in time view as at 09/11/2015.

Changes to legislation: There are currently no known outstanding effects for the The Income-related Benefits (Subsidy to Authorities) Order 1998, SCHEDULE 4A. (See end of Document for details)

F8 ...

F9 ...

“void dwelling” means a dwelling that is unoccupied,

“2001–02” means the year beginning with 1st April 2001 (and any corresponding expression in which two years are similarly mentioned is to be read in the same way).

Textual Amendments

- F2** Words in Sch. 4A Pt. 1 inserted (with effect in accordance with art. 1(3) of the commencing S.I.) by [The Income-related Benefits \(Subsidy to Authorities\) Amendment Order 2013 \(S.I. 2013/266\)](#) , arts. 1(1) , **4(2)(a)**
- F3** Words in Sch. 4A Pt. 1 inserted (with effect in accordance with art. 1(2) of the commencing S.I.) by [Income-related Benefits \(Subsidy to Authorities\) Amendment Order 2006 \(S.I. 2006/54\)](#) , arts. 1(1) , **4(5)(a)**
- F4** Words in Sch. 4A Pt. 1 substituted (with effect in accordance with art. 1(2) of the commencing S.I.) by [Income-related Benefits \(Subsidy to Authorities\) Amendment Order 2006 \(S.I. 2006/54\)](#) , arts. 1(1) , **4(5)(b)**
- F5** Words in Sch. 4A Pt. 1 inserted (with effect in accordance with art. 1(3) of the commencing S.I.) by [The Income-related Benefits \(Subsidy to Authorities\) Amendment Order 2013 \(S.I. 2013/266\)](#) , arts. 1(1) , **4(2)(b)**
- F6** Words in Sch. 4A para. 1 substituted (6.3.2006) by [The Housing Benefit and Council Tax Benefit \(Consequential Provisions\) Regulations 2006 \(S.I. 2006/217\)](#) , reg. 1(1) , **Sch. 2 para. 13(11)(a)** (with regs. 2 , 3 , Schs. 3 , Sch. 4)
- F7** Words in Sch. 4A para. 1 substituted (with effect in accordance with art. 1(2) of the commencing S.I.) by [Income-related Benefits \(Subsidy to Authorities\) Amendment \(No.2\) Order 2009 \(S.I. 2009/2564\)](#) , art. 1(1) , **Sch. para. 2**
- F8** Words in Sch. 4A para. 1 omitted (with effect in accordance with art. 1(3) of the commencing S.I.) by virtue of [The Income-related Benefits \(Subsidy to Authorities\) Amendment Order 2011 \(S.I. 2011/2957\)](#) , arts. 1(1) , **6(2)**
- F9** Words in Sch. 4A para. 1 omitted (with effect in accordance with art. 1(3) of the commencing S.I.) by virtue of [The Income-related Benefits \(Subsidy to Authorities\) Amendment Order 2011 \(S.I. 2011/2957\)](#) , arts. 1(1) , **6(2)**

PART 2

ENGLAND

Liability to deduction

2.—(1) This paragraph applies in the case of an authority in England in relation to the relevant year if the authority is specified in the Table in Part 3 of this Schedule for that year and the weekly rent limit for a dwelling that is so specified for the authority is less than the subsidy limitation rent.

[^{F10}(2) The subsidy limitation rent for an authority is equal to the average weekly rent for a dwelling for the authority for the relevant year, calculated in accordance with sub-paragraph (3).]

[^{F11}(3) For the purposes of sub-paragraph (2), the average weekly rent for a dwelling for the authority for the relevant year is calculated by dividing the total rent charged for all dwellings in the HRA in that year by the total number of weeks for which rent was charged for all dwellings in the HRA.]

^{F12}(4)

(5) For the purposes of [^{F13}sub-paragraph (3)], void dwellings [^{F14}and dwellings which are Affordable Rent dwellings] are disregarded.

^{F15}(6)

^{F16}(7)

[^{F17}(8) For the purposes of calculating the total number of weeks for which rent is charged in [^{F18}sub-paragraph (3)] rent free periods shall be included.]

Textual Amendments

- F10** Sch. 4A para. 2(2) substituted (with effect in accordance with art. 1(3) of the commencing S.I.) by [The Income-related Benefits \(Subsidy to Authorities\) Amendment Order 2011 \(S.I. 2011/2957\)](#) , arts. 1(1) , **6(3)(a)**
- F11** Sch. 4A para. 2(3) substituted (1.4.2006) by [Income-related Benefits \(Subsidy to Authorities\) Amendment \(No.2\) Order 2006 \(S.I. 2006/559\)](#) , art. 1(1) , **Sch. 1 para. 2(a)**
- F12** Sch. 4A para. 2(4) omitted (with effect in accordance with art. 1(3) of the commencing S.I.) by virtue of [The Income-related Benefits \(Subsidy to Authorities\) Amendment Order 2011 \(S.I. 2011/2957\)](#) , arts. 1(1) , **6(3)(b)**
- F13** Words in Sch. 4A para. 2(5) substituted (with effect in accordance with art. 1(3) of the commencing S.I.) by [The Income-related Benefits \(Subsidy to Authorities\) Amendment Order 2011 \(S.I. 2011/2957\)](#) , arts. 1(1) , **6(3)(c)**
- F14** Words in Sch. 4A para. 2(5) inserted (with effect in accordance with art. 1(3) of the commencing S.I.) by [The Income-related Benefits \(Subsidy to Authorities\) Amendment Order 2013 \(S.I. 2013/266\)](#) , arts. 1(1) , **4(3)**
- F15** Sch. 4A para. 2(6) omitted (with effect in accordance with art. 1(3) of the commencing S.I.) by virtue of [The Income-related Benefits \(Subsidy to Authorities\) Amendment Order 2011 \(S.I. 2011/2957\)](#) , arts. 1(1) , **6(3)(d)**
- F16** Sch. 4A para. 2(7) omitted (with effect in accordance with art. 1(3) of the commencing S.I.) by virtue of [The Income-related Benefits \(Subsidy to Authorities\) Amendment Order 2011 \(S.I. 2011/2957\)](#) , arts. 1(1) , **6(3)(d)**
- F17** Sch. 4A para. 2(8) inserted (with effect in accordance with art. 1(4) of the commencing S.I.) by [Income-related Benefits \(Subsidy to Authorities\) \(Miscellaneous Amendments and Electronic Communications\) Order 2007 \(S.I. 2007/26\)](#) , arts. 1(1) , **4(3)(b)**
- F18** Words in Sch. 4A para. 2(8) substituted (with effect in accordance with art. 1(3) of the commencing S.I.) by [The Income-related Benefits \(Subsidy to Authorities\) Amendment Order 2011 \(S.I. 2011/2957\)](#) , arts. 1(1) , **6(3)(c)**

Amount of deduction

3.—(1) The amount of the deduction from subsidy referred to in article 20A(2) shall be calculated as follows.

Step 1

Divide the amount of rebates paid by the authority in the relevant year in respect of dwellings in the by the income of the authority for that year from rent and service charges (including rent and charges remitted by way of rebate) in respect of such dwellings.

Step 2

Status: Point in time view as at 09/11/2015.

Changes to legislation: There are currently no known outstanding effects for the *The Income-related Benefits (Subsidy to Authorities) Order 1998, SCHEDULE 4A*. (See end of Document for details)

If the result of step 1 does not exceed the rebate proportion in England for the relevant year (see sub-paragraph (3))—

- (a) divide the weekly rent limit for a dwelling for the authority for the relevant year as specified in Part 3 of this Schedule by the subsidy limitation rent (see paragraph 2(2)),
- (b) subtract the result of paragraph (a) from the number 1, and
- (c) multiply the amount of the subsidy (apart from any deduction to be calculated under this Schedule) by the result of paragraph (b).

If the result of step 1 exceeds the rebate proportion in England for the relevant year—

- (i) multiply the amount by which the subsidy limitation rent exceeds the weekly rent limit for a dwelling for the authority for the relevant year as specified in Part 3 of this Schedule by the rebate proportion in England for the relevant year,
- (ii) multiply the subsidy limitation rent by the result of step 1,
- (iii) divide the result of paragraph (i) by the result of paragraph (ii), and
- (iv) multiply the amount of the subsidy (apart from any deduction to be calculated under this Schedule) by the result of paragraph (iii).

(2) For the purposes of the calculation in sub-paragraph (1), void dwellings are to be disregarded.

[^{F19}(3) The rebate proportion for 2015-16 is 0.746.]

Textual Amendments

F19 Sch. 4A para. 3(3) substituted (with effect in accordance with art. 1(4) of the commencing S.I.) by [The Income-related Benefits \(Subsidy to Authorities\) Amendment Order 2015 \(S.I. 2015/1784\)](#), arts. 1(1), 4(2)(a)

[^{F20}PART 3

WEEKLY RENT LIMITS FOR PURPOSES OF PART 2: AUTHORITIES IN ENGLAND

Textual Amendments

F20 Pt. III Pt. 3 Sch. 4A substituted (with effect in accordance with art. 1(4) of the commencing S.I.) by [The Income-related Benefits \(Subsidy to Authorities\) Amendment Order 2015 \(S.I. 2015/1784\)](#), art. 1(1), Sch. 3

RELEVANT YEAR 2015-2016

<i>Authority</i>	<i>Weekly rent limit (£)</i>
Adur	96.11
Arun	93.35
Ashfield	70.31
Ashford	91.47
Babergh	91.80
Barking & Dagenham	101.67

<i>Authority</i>	<i>Weekly rent limit (£)</i>
Barnet	118.30
Barnsley	76.97
Barrow in Furness	77.12
Basildon	89.52
Bassetlaw	74.46
Birmingham	85.11
Blackpool	73.10
Bolsover	84.21
Bournemouth	85.28
Brent	119.20
Brentwood	97.05
Brighton and Hove	86.74
Bristol	83.44
Broxtowe	76.34
Bury	78.90
Cambridge	105.62
Camden	124.21
Cannock Chase	75.58
Canterbury	90.97
Castle Point	91.10
Central Bedfordshire	104.71
Charnwood	76.56
Cheltenham	82.61
Cheshire West and Chester	84.83
Chesterfield	81.96
City of London	111.81
City of York	81.61
Colchester	89.95
Corby	81.13
Cornwall	72.94
Crawley	106.04
Croydon	109.11
Dacorum	111.70
Darlington	72.92

Status: Point in time view as at 09/11/2015.**Changes to legislation:** There are currently no known outstanding effects for the *The Income-related Benefits (Subsidy to Authorities) Order 1998, SCHEDULE 4A.* (See end of Document for details)

<i>Authority</i>	<i>Weekly rent limit (£)</i>
Dartford	92.05
Derby	80.82
Doncaster	75.26
Dover	86.71
Dudley	85.19
Durham	72.38
Ealing	105.47
East Devon	83.42
East Riding of Yorkshire	81.37
Eastbourne	79.65
Enfield	104.23
Epping Forest	102.18
Exeter	77.41
Fareham	92.61
Gateshead	78.70
Gloucester	80.07
Gosport	86.34
Gravesham	92.04
Great Yarmouth	77.12
Greenwich	105.93
Guildford	113.82
Hackney	102.62
Hammersmith and Fulham	119.12
Haringey	108.58
Harlow	94.96
Harrogate	82.99
Harrow	116.96
Havering	99.27
High Peak	75.32
Hillingdon	111.71
Hinckley and Bosworth	80.55
Hounslow	105.77
Hull	77.22
Ipswich	87.84

<i>Authority</i>	<i>Weekly rent limit (£)</i>
Islington	122.41
Kensington	131.74
Kettering	84.03
Kingston upon Thames	115.33
Kirklees	71.87
Lambeth	111.49
Lancaster	79.50
Leeds	75.87
Leicester	74.27
Lewes	92.17
Lewisham	98.92
Lincoln	70.77
Luton	89.27
Manchester	75.10
Mansfield	75.30
Medway	84.29
Melton	79.18
Mid Devon	80.68
Mid Suffolk	84.49
Milton Keynes	88.18
New Forest	102.26
Newark and Sherwood	80.49
Newcastle upon Tyne	77.45
Newham	99.46
North East Derbyshire	83.59
North Kesteven	78.82
North Tyneside	78.72
North Warwickshire	91.02
North West Leicestershire	81.14
Northampton	85.67
Northumberland	70.22
Norwich	81.72
Nottingham	77.20
Nuneaton and Bedworth	80.06

Status: Point in time view as at 09/11/2015.**Changes to legislation:** There are currently no known outstanding effects for the The Income-related Benefits (Subsidy to Authorities) Order 1998, SCHEDULE 4A. (See end of Document for details)

<i>Authority</i>	<i>Weekly rent limit (£)</i>
Oadby and Wigston	81.66
Oldham	72.17
Oxford	112.63
Poole	87.82
Portsmouth	87.33
Reading	107.52
Redbridge	105.85
Redditch	80.74
Richmondshire	79.81
Rotherham	78.12
Rugby	88.93
Runnymede	112.72
Salford	77.14
Sandwell	83.83
Sedgemoor	79.75
Selby	80.51
Sheffield	74.05
Shepway	86.46
Shropshire	84.16
Slough	109.05
Solihull	84.59
South Cambridgeshire	109.65
South Derbyshire	81.60
South Holland	77.98
South Kesteven	81.15
South Tyneside	77.22
Southampton	87.29
Southend on Sea	88.62
Southwark	111.00
St Albans	116.38
Stevenage	100.93
Stockport	77.05
Stoke on Trent	72.52
Stroud	84.84

<i>Authority</i>	<i>Weekly rent limit (£)</i>
Sutton	110.16
Swindon	85.38
Tamworth	82.56
Tandridge	101.26
Taunton Deane	84.87
Tendring	85.95
Thanet	83.39
Thurrock	88.37
Tower Hamlets	114.00
Uttlesford	102.48
Waltham Forest	105.26
Wandsworth	128.34
Warwick	96.72
Waveney	81.44
Waverley	116.95
Wealden	87.53
Welwyn Hatfield	110.99
West Lancashire	78.24
Westminster	128.49
Wigan	80.26
Wiltshire	90.39
Winchester	104.12
Woking	106.44
Wokingham	117.21
Wolverhampton	82.23.]

PART 4

WALES

Liability to deduction

4. This paragraph applies in the case of an authority in Wales in relation to the relevant year if the authority is specified in the Table in Part 5 of this Schedule for that year and

O+Pis less than Q,

where—

O is the amount specified in column 1 of that Table for the authority,

Status: Point in time view as at 09/11/2015.

Changes to legislation: There are currently no known outstanding effects for the *The Income-related Benefits (Subsidy to Authorities) Order 1998, SCHEDULE 4A. (See end of Document for details)*

- P is the guideline rent increase specified in column 2 of that Table for the authority, and
 Q is the average weekly rent for a dwelling for the authority for the relevant year (see paragraph 2(3)) [^{F21}and (5)].

Textual Amendments

F21 Words in Sch. 4A para. 4 added (1.4.2008) by [Income-related Benefits \(Subsidy to Authorities\) Amendment \(No.2\) Order 2008 \(S.I. 2008/695\)](#) , art. 1(1) , **Sch. para. 3**

Amount of deduction

5.—(1) The amount of the deduction from subsidy referred to in article 20A(2) shall be calculated as follows.

Step 1

Divide the amount of rebates granted by the authority in the relevant year in respect of dwellings in the by the income of the authority for that year from rent (including rent remitted by way of rebate) in respect of such dwellings.

Step 2

If the result of step 1 does not exceed the rebate proportion for the relevant year (see sub-paragraph (2))—

- (a) deduct (O + P) from Q (see paragraph 4),
- (b) divide the result of paragraph (a) by Q,
- (c) multiply the amount of the subsidy (apart from any deduction to be calculated under this Schedule) by the result of paragraph (b).

If the result of step 1 exceeds the rebate proportion for the relevant year—

- (i) deduct (O + P) from Q (see paragraph 4),
- (ii) divide the result of paragraph (i) by Q,
- (iii) divide the rebate proportion for Wales (see sub-paragraph (2)) by the result of step 1,
- (iv) multiply the result of paragraph (ii) by the result of paragraph (iii),
- (v) multiply the amount of the subsidy (apart from any deduction to be calculated under this Schedule) by the result of paragraph (iv).

[^{F22}(2) The rebate proportion for Wales for each relevant year commencing with 2006-07 is 0.66.]

Textual Amendments

F22 Sch. 4A para. 5(2) substituted (1.4.2006) by [Income-related Benefits \(Subsidy to Authorities\) Amendment \(No.2\) Order 2006 \(S.I. 2006/559\)](#) , art. 1(1) , **Sch. 1 para. 5**

[^{F23}PART 5

AMOUNTS FOR PURPOSES OF PART 4, PARAGRAPH 4: AUTHORITIES IN WALES

Textual Amendments

F23 Sch. 4A Pt. 5 substituted (with effect in accordance with art. 1(4) of the commencing S.I.) by [The Income-related Benefits \(Subsidy to Authorities\) Amendment Order 2015 \(S.I. 2015/1784\)](#), art. 1(1), [Sch. 4](#)

RELEVANT YEAR 2015-2016

<i>Local authority</i>	<i>(1) Specified amount "O" (£)</i>	<i>(2) Guideline rent increase "P" (£)</i>
Caerphilly	74.09	4.82
Cardiff	84.91	4.27
Carmarthenshire	74.55	3.97
Denbighshire	72.40	3.89
Flintshire	75.34	3.29
Isle of Anglesey	71.25	3.90
Pembrokeshire	76.31	3.78
Powys	76.31	4.04
Swansea	73.27	3.97
Vale of Glamorgan	81.95	4.26
Wrexham	74.52	4.01.]]

Status:

Point in time view as at 09/11/2015.

Changes to legislation:

There are currently no known outstanding effects for the The Income-related Benefits (Subsidy to Authorities) Order 1998, SCHEDULE 4A.