

**EXPLANATORY MEMORANDUM TO THE
SOCIAL FUND COLD WEATHER PAYMENTS (GENERAL) AMENDMENT
REGULATIONS 2005**

2005 No. 2724

1. This explanatory memorandum has been prepared by the Department for Work and Pensions and is laid before Parliament by Command of Her Majesty.
2. **Description**
 - 2.1 This instrument amends the Social Fund Cold Weather Payments (General) Regulations 1988.
 - 2.2 Its provisions make minor technical changes to the scheme, following advice from the Meteorological Office, to ensure that postcodes are linked to the most appropriate weather station.
 - 2.3 Its provisions also remove some unnecessary definitions, expand upon the definition of “claimant” and insert a definition for “state pension credit”.
3. **Matters of special interest to the Joint Committee on Statutory Instruments**
 - 3.1 None
4. **Legislative Background**
 - 4.1 Cold Weather Payments provide help to vulnerable people receiving Pension Credit, Income Support or income based Jobseeker’s Allowance to meet heating costs incurred, or likely to be incurred, in cold weather. That is when the average of the daily temperature for a period of seven consecutive days at a given weather station is recorded as, or is forecast to be, 0 degrees Celsius or below.
 - 4.2 Every residential postcode in the country is linked to one of the 73 weather stations used in the scheme. The Meteorological Office uses data from these weather stations to calculate a rolling seven day average temperature. DWP is then notified of any “triggers” so that payments can be made to eligible customers. The payment is currently £8.50 for each period of cold weather.
 - 4.3 Every year the Cold Weather Payment legislation is amended following expert advice from the Meteorological Office about the continued availability of any weather station and whether any new stations are more suitable and should be introduced into the scheme.

The Meteorological Office also consider the effect of any changes to the postcode system made by the Royal Mail and consider any representations from MPs made since the previous winter about the suitability of postcode to weather station links affecting their constituents.

- 4.4 Regulation 4 and Schedule 1 of the instrument detail the revised postcode to weather station links. Regulation 5 and Schedule 2 detail the revised specified alternative weather stations.
- 4.5 Regulation 3 of the instrument removes a number of definitions for terms that are no longer used in the Regulations, amends the definition of “claimant” by adding references to “state pension credit” and “income-based jobseeker’s allowance” and adds a definition of “state pension credit”.

5. Extent

- 5.1 This instrument applies to Great Britain.

6. European Convention on Human Rights

- 6.1 As the instrument is subject to a negative resolution and does not amend primary legislation it does not come within a category in respect of which a Minister’s view is required to be given.

7. Policy background

- 7.1 Cold Weather Payments provide help for vulnerable groups in receipt of Pension Credit, Income Support or income based Jobseeker’s Allowance when the temperature criteria is met for their postcode.
- 7.2 Each year the scheme is reviewed, expert advice sought from the Meteorological Office, and changes made where necessary prior to the following winter to ensure that postcodes are linked to the most appropriate weather station.
- 7.3 These regulations detail the revised postcode to weather station links and the revised specified alternative weather stations. They also make a number of amendments to the interpretation provisions.
- 7.4 No formal consultation has taken place. The Social Security Advisory Committee did, however, consider the proposed amendments in September 2005 and agreed that they need not be formally referred to it.

8. Impact

8.1 A Regulatory Impact Assessment has not been prepared for this instrument as it has no impact on business or voluntary bodies.

8.2 The impact on the Public sector is Nil.

9. Contact

9.1 Chris Etty at the Business Design Directorate of the Department for Work and Pensions Tel: 0113 23 24811 or e-mail: chris.etty@jobcentreplus.gsi.gov.uk can answer any queries regarding the instrument.