

2008 No. 695

SOCIAL SECURITY

**The Income-related Benefits (Subsidy to Authorities)
Amendment (No.2) Order 2008**

<i>Made</i>	- - - -	<i>10th March 2008</i>
<i>Laid before Parliament</i>		<i>11th March 2008</i>
<i>Coming into force</i>	- -	<i>1st April 2008</i>

The Secretary of State for Work and Pensions makes the following Order in exercise of the powers conferred by sections 140B, 140F(2) and 189(1), (4), (5) and (7) of the Social Security Administration Act 1992(a)

In accordance with section 189(8) of the Social Security Administration Act 1992 the Secretary of State has sought the consent of the Treasury(b).

In accordance with section 176(1) of that Act the Secretary of State has consulted with organisations appearing to him to be representative of the authorities concerned(c).

Citation, commencement, interpretation and extent

1.—(1) This Order may be cited as the Income-related Benefits (Subsidy to Authorities) Amendment (No. 2) Order 2008 and shall come into force 1st April 2008.

(2) In this Order, “the 1998 Order” means the Income-related Benefits (Subsidy to Authorities) Order 1998(d).

(3) This Order extends to England and Wales.

-
- (a) 1992 c.5 Sections 140B and 140F were inserted by paragraph 4 of Schedule 12 to the Housing Act 1996 (c.52). Section 140B was amended by section 10 of, and paragraph 7 of Schedule 1 to, the Social Security Administration (Fraud) Act 1997 (c.47), paragraph 36 of Schedule 7 to the Local Government Act 2003 (c.26) and paragraph 9 of Schedule 5 to the Welfare Reform Act 2007 (c.5). Section 189(1), (4) and (5) was amended by paragraph 109 of Schedule 7 to the Social Security Act 1998 (c.14); section 189(1) was amended by paragraph 57(2) of Schedule 3 to the Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c.2) and Schedule 6 to the Tax Credits Act 2002 (c.21); section 189(7) was amended by paragraph 24 of Schedule 9 to the Local Government Finance Act 1992 (c.14) and paragraph 10 of Schedule 1 to the Social Security Administration (Fraud) Act 1997.
- (b) Section 189(8) was amended by paragraph 3(5) of Schedule 13 to the Housing Act 1996 and paragraph 29 of part 5 of Schedule 1 to the Pensions Act 2007 (c.22) and paragraph 57(1) and (3) of Schedule 3 to the Social Security Contributions (Transfer of Functions, etc.) Act 1999 and paragraph 3 of Schedule 4 to the Tax Credits Act 2002 (c.21).
- (c) Section 176(1) was amended by paragraph 23 of Schedule 9 to the Local Government Finance Act 1992 (c.14) and section 69(6) of the Child Support, Pensions and Social Security Act 2000 (c.19) and paragraph 3(4) of Schedule 13 to the Housing Act 1996.
- (d) S.I.1998/562. The relevant amending instruments are S.I. 2004/646, S.I. 2005/535, S.I.2006/559, S.I 2007/26, and S.I. 2007/731.

Amendment of the 1998 Order

2. Schedule 4A to the 1998 Order (Rent rebate limitation deductions (Housing Revenue Account dwellings)) is amended in accordance with the Schedule to this Order.

Signed by authority of the Secretary of State for Work and Pensions.

8th March 2008

James Plaskitt
Parliamentary Under-Secretary of State,
Department for Work and Pensions

We consent

10th March 2008

Frank Roy
Dave Watts
Two of the Lords Commissioners of Her Majesty's Treasury

THE SCHEDULE

Article 2

AMENDMENTS TO SCHEDULE 4A TO THE 1998 ORDER

1. In paragraph 2 of Schedule 4A to the 1998 Order (England – liability to deduction), for subparagraphs (6) and (7) substitute—

“(6) The RPI figure for the period beginning with September 2001 and ending with September of the year prior to the relevant year is 1.2124.

(7) The annual factor for 2008-09 is 0.3.”.

2. For Part 3 substitute—

“PART 3

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

TABLE
RELEVANT YEAR 2008-09

<i>Authority</i>	<i>Weekly rent limit</i>
Adur	£70.12
Alnwick	£54.63
Arun	£73.85
Ashfield	£51.41
Ashford	£70.61
Babergh	£67.42
Barking and Dagenham	£68.78
Barnet	£81.49
Barnsley	£54.95
Barrow in Furness	£59.74
Basildon	£65.50
Bassetlaw	£55.79
Berwick upon Tweed	£52.50
Birmingham	£62.91
Blaby	£57.70
Blackpool	£53.71
Blyth Valley	£50.18
Bolsover	£58.09
Bolton	£55.42
Bournemouth	£64.34
Bracknell Forest	£76.67
Braintree	£69.74
Brent	£87.94
Brentwood	£73.57
Bridgnorth	£63.48
Brighton and Hove	£66.72
Bristol	£61.43

<i>Authority</i>	<i>Weekly rent limit</i>
Broxtowe	£55.61
Bury	£59.44
Cambridge	£74.73
Camden	£92.04
Cannock Chase	£59.09
Canterbury	£69.39
Caradon	£56.46
Carrick	£54.78
Castle Morpeth	£54.36
Castle Point	£71.94
Charnwood	£56.00
Cheltenham	£64.44
Chesterfield	£58.50
Chester-le-Street	£54.45
Chorley	£51.34
City of London	£83.88
City of York	£61.37
Colchester	£67.04
Corby	£58.09
Crawley	£75.46
Croydon	£85.22
Dacorum	£78.06
Darlington	£54.83
Dartford	£69.61
Daventry	£66.26
Derby	£59.51
Doncaster	£54.48
Dover	£68.10
Dudley	£62.81
Durham	£55.09
Ealing	£83.58
Easington	£52.36
East Devon	£61.09
East Riding	£58.64
Eastbourne	£60.62
Ellesmere Port and Neston	£58.96
Enfield	£78.35
Epping Forest	£74.97
Exeter	£57.44
Fareham	£69.15
Fenland	£63.88
Gateshead	£56.71
Gedling	£56.13
Gloucester	£62.24
Gosport	£66.31
Gravesham	£69.76
Great Yarmouth	£56.22
Greenwich	£77.02
Guildford	£82.92
Hackney	£79.90

<i>Authority</i>	<i>Weekly rent limit</i>
Hammersmith and Fulham	£87.19
Harborough	£62.68
Haringey	£82.71
Harlow	£69.25
Harrogate	£64.14
Harrow	£89.25
Havering	£71.94
High Peak	£57.23
Hillingdon	£88.24
Hinckley and Bosworth	£58.95
Hounslow	£79.89
Ipswich	£61.54
Islington	£88.42
Kensington and Chelsea	£98.23
Kettering	£61.17
Kings Lynn and West Norfolk	£61.11
Kingston upon Hull	£56.13
Kingston upon Thames	£88.75
Kirklees	£55.45
Lambeth	£82.12
Lancaster	£58.96
Leeds	£55.64
Leicester	£56.73
Lewes	£69.01
Lewisham	£73.33
Lincoln	£51.34
Liverpool	£60.40
Luton	£65.39
Manchester	£61.84
Mansfield	£55.84
Medway Towns	£63.61
Melton	£57.32
Merton	£81.58
Mid Devon	£61.12
Mid Suffolk	£63.59
Milton Keynes	£63.46
Mole Valley	£79.56
New Forest	£75.65
Newark and Sherwood	£58.83
Newcastle upon Tyne	£56.65
Newham	£72.75
North Cornwall	£57.83
North East Derbyshire	£58.42
North Kesteven	£57.31
North Shropshire	£60.65
North Tyneside	£56.07
North Warwickshire	£64.24
North West Leicestershire	£58.95
Northampton	£62.26
Norwich	£60.02

<i>Authority</i>	<i>Weekly rent limit</i>
Nottingham	£56.43
Nuneaton and Bedworth	£58.64
Oadby and Wigston	£58.89
Oldham	£55.12
Oswestry	£60.05
Oxford City	£77.85
Plymouth	£51.63
Poole	£65.86
Portsmouth	£64.68
Reading	£82.49
Redbridge	£85.02
Redditch	£59.77
Ribble Valley	£56.15
Richmondshire	£60.13
Rochdale	£56.00
Rochford	£68.20
Rotherham	£54.87
Rugby	£64.11
Runnymede	£83.65
Rutland	£63.52
Salford	£59.74
Salisbury	£71.30
Sandwell	£64.20
Sedgefield	£53.84
Sedgemoor	£62.19
Selby	£60.57
Sheffield	£53.41
Shepway	£65.14
Slough	£80.32
Solihull	£63.27
South Bedfordshire	£74.36
South Cambridgeshire	£76.72
South Derbyshire	£60.13
South Holland	£56.78
South Kesteven	£58.24
South Lakeland	£66.16
South Northants	£73.02
South Tyneside	£55.03
Southampton	£64.28
Southend-on-Sea	£67.11
Southwark	£80.34
St Albans	£82.47
Stevenage	£75.31
Stockport	£56.04
Stockton on Tees	£59.59
Stoke-on-Trent	£55.82
Stroud	£64.53
Sutton	£78.58
Swindon	£61.86
Tamworth	£62.14

<i>Authority</i>	<i>Weekly rent limit</i>
Tandridge	£73.60
Taunton Deane	£62.34
Tendring	£63.83
Thanet	£64.63
Three Rivers	£77.88
Thurrock	£64.99
Torridge	£55.91
Tower Hamlets	£80.85
Uttlesford	£75.94
Waltham Forest	£75.38
Wandsworth	£94.15
Wansbeck	£50.39
Warrington	£58.65
Warwick	£69.73
Watford	£80.05
Waveney	£60.19
Waverley	£82.29
Wealden	£64.86
Wear Valley	£54.82
Wellingborough	£60.12
Welwyn Hatfield	£77.82
West Lancashire	£58.33
Westminster	£96.08
Wigan	£57.65
Winchester	£76.24
Woking	£82.10
Wokingham	£83.06
Wolverhampton	£59.82
Wycombe	£81.88

3. In paragraph 4 (Wales – liability to deduction) in the definition of Q (average weekly rent for a dwelling for the authority for the relevant year), after “(see paragraph 2(3))” add “and (5)”.

4. For Part 5 substitute—

“PART 5

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

TABLE

RELEVANT YEAR 2008-09

<i>Authority</i>	<i>(1) Specified Amount “O”</i>	<i>(2) Guideline rent increase</i>
Blaenau Gwent	50.17	2.04
Caerphilly	56.78	3.05
Cardiff	63.45	3.06
Carmarthenshire	53.63	3.26
Ceredigion	56.56	2.77

<i>Authority</i>	<i>(1) Specified Amount "O"</i>	<i>(2) Guideline rent increase</i>
Conwy	56.53	3.87
Denbighshire	51.93	2.98
Flintshire	54.68	3.60
Gwynedd	54.34	3.46
Isle of Anglesey	52.22	2.74
Merthyr Tydfil	50.21	2.50
Monmouthshire	-	-
Neath Port Talbot	51.83	2.58
Newport	58.46	3.33
Pembrokeshire	53.69	3.39
Powys	56.47	2.77
Rhondda, Cynon, Taff	-	-
Swansea	54.74	3.05
Torfaen	59.24	3.17
Vale of Glamorgan	60.66	2.97
Wrexham	52.68	3.75"

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Income-related Benefits (Subsidy to Authorities) Order 1998 (“the 1998 Order”), which provides for the calculation and payment of housing benefit subsidy to local authorities in England and Wales. This Order amends the 1998 Order only in respect of rent rebates for dwellings within the authorities’ Housing Revenue Accounts.

With respect to authorities in England, the Schedule to this Order amends Schedule 4A to the 1998 Order to substitute the RPI figure, the annual factor and the weekly rent limit for the purposes of determining whether or not an authority is liable to a deduction from subsidy payable for 2008-09 (paragraphs 1 and 2).

With respect to authorities in Wales, the Schedule to this Order amends Schedule 4A to the 1998 Order to substitute the specified amount “O” and the guideline rent increase for the purposes of determining whether or not an authority is liable to a deduction from subsidy payable for 2008-09 (paragraph 4). The Schedule also amends Schedule 4A to clarify that in the method used in England and Wales to calculate the average weekly rent for a dwelling for the authority for the relevant year, void dwellings are to be disregarded in the calculation used in Wales (paragraph 3), as they are in England.

A full impact assessment has not been produced for this instrument as it has no impact on the private or voluntary sectors. There is no additional impact on the public sector.

STATUTORY INSTRUMENTS

2008 No. 695

SOCIAL SECURITY

**The Income-related Benefits (Subsidy to Authorities)
Amendment (No.2) Order 2008**

£3.00

© Crown copyright 2008

Printed and published in the UK by The Stationery Office Limited
under the authority and superintendence of Carol Tullo, Controller of Her Majesty's
Stationery Office and Queen's Printer of Acts of Parliament.

E2182 3/2008 182182T 19585