
STATUTORY INSTRUMENTS

2016 No. 876

**The Social Fund Cold Weather Payments
(General) (Amendment) Regulations 2016**

Amendments to the Social Fund Cold Weather Payments (General) Regulations 1988

2.—(1) The Social Fund Cold Weather Payments (General) Regulations 1988(1) are amended as follows.

(2) In regulation 1(2) (citation, commencement and interpretation)—

(a) for the definition of “the Meteorological Office” substitute—

““the Met Office” means the Met Office of the Department for Business, Energy and Industrial Strategy;”;

(b) in the definitions of “forecast” and “station”, for “Meteorological” substitute “Met”.

(3) In regulation 1A (prescribed descriptions of persons), in paragraph (6)(b), for “Meteorological” substitute “Met”.

(4) In regulation 2 (prescribed circumstances)—

(a) for paragraph (1)(a) substitute—

“(a) subject to paragraphs (1A), (1B) and (3) to (6)—

(i) there is a recorded period of cold weather at a primary station, or

(ii) there is a forecasted period of cold weather at a primary station, and”;

(b) in paragraph (1)(b) after “(2)” omit “(b)”;

(c) for paragraph (1A) substitute—

“(1A) For the purposes of paragraph (1)(a)(i), where a primary station is unable to provide temperature information in respect of a particular day, the mean daily temperature on that day—

(a) at the secondary station, or

(b) where there is no secondary station designated, or where the secondary station is unable to provide temperature information in respect of that day, at the alternative station,

is to be used to determine whether or not there is a recorded period of cold weather at the primary station.”;

(d) for paragraph (1B) substitute—

“(1B) For the purposes of paragraph (1)(a)(ii), where the Met Office is unable to produce a forecast in respect of a particular period at a primary station, the forecast in respect of that period produced—

(a) at the secondary station, or

- (b) where there is no secondary station designated, or where the secondary station is unable to produce a forecast in respect of that period, at the alternative station, is to be used to determine whether or not there is a forecasted period of cold weather at the primary station.”;
 - (e) for paragraph (2) substitute—
 - “(2) For the purposes of this regulation, where the home of the claimant is not situated within a postcode district for which a primary station is designated, it is to be treated as situated within a postcode district—
 - (a) which, in the opinion of the Met Office, is the most geographically and climatologically representative of that postcode district, and
 - (b) for which a primary station is designated.”;
 - (f) after paragraph (6) insert—
 - “(7) For the purposes of this regulation—
 - “alternative station” means a station—
 - (a) which, in the opinion of the Met Office, is the most geographically and climatologically representative for the postcode district in which the home of the claimant is situated, and
 - (b) is able to provide temperature information—
 - (i) for the purposes of paragraph (1A), for the relevant day, or
 - (ii) for the purposes of paragraph (1B), for the production of a forecast for the relevant period;
 - “primary station” means a station designated for a postcode district in accordance with regulation 2A(1);
 - “secondary station” means a station designated for a postcode district in accordance with regulation 2A(2).”.
- (5) After regulation 2 insert—

“Designation of primary and secondary stations

- 2A.**—(1) The Secretary of State must designate a primary station for each postcode district.
- (2) The Secretary of State may designate a secondary station for each postcode district.

Publication of designations

- 2B.**—(1) The Secretary of State must publish details of a designation under regulation 2A.
- (2) Publication under paragraph (1) may be in such manner as the Secretary of State considers appropriate.

Review and variation of designations

- 2C.**—(1) The Secretary of State must, in accordance with paragraph (2), review a designation under regulation 2A to determine if it remains appropriate.
- (2) Each designation must be reviewed every 12 months, in the period beginning with 1st November and ending with 31st October.
- (3) If, on review, or at any other time, the Secretary of State is of the opinion that a designation is no longer appropriate, the Secretary of State must—

- (a) vary the designation in such manner as the Secretary of State considers expedient, and
 - (b) publish details of the varied designation.
- (4) Publication under paragraph (3)(b) may be in such manner as the Secretary of State considers appropriate.
- (5) When determining whether to vary a designation, the Secretary of State must have regard to any recommendation made by the Met Office.
- (6) For the purposes of this regulation, whether a designation is appropriate includes, in particular, whether the station designated—
- (a) is geographically and climatologically representative for the relevant postcode district, and
 - (b) provides accurate temperature information.”.
- (6) Schedules 1 and 2 are revoked.