STATUTORY INSTRUMENTS

2009 No. 2564

SOCIAL SECURITY

The Income-related Benefits (Subsidy to Authorities) Amendment (No.2) Order 2009

Made - - - -	*21 September 2009*
Laid before Parliament	*25 September 2009*
Coming into force - -	*30th October 2009*

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

In accordance with section 189(8) of that Act 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 her 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 2009 and shall come into force on 30th October 2009.

(2) Article 2 shall have effect from 1st April 2009.

(3) In this Order "the 1998 Order" means the Income-related Benefits (Subsidy to Authorities) Order 1998(**d**).

(4) This Order extends to England and Wales.

(**a**) 1992 c.5 Sections 140B, 140C 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) were 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, paragraph 29 of Part 5 of Schedule 1 to the Pensions Act 2007 (c.22), 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**) Section 176(1) was amended by paragraph 23 of Schedule 9 to the Local Government Finance Act 1992, 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, 2005/535, 2006/559, 2007/26, 2007/731 and 2008/695.

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

Helen Goodman
Parliamentary Under-Secretary of State,
10th September 2009 Department for Work and Pensions

We consent

Steve McCabe
Bob Blizzard
21st September 2009 Two of the Lords Commissioners of Her Majesty's Treasury

THE SCHEDULE

Article 2

AMENDMENTS TO SCHEDULE 4A TO THE 1998 ORDER

1. Schedule 4A to the 1998 Order is amended as follows.

2. In paragraph 1 (Interpretation) in the definition of "rent", for "regulation 10(1)(e)" substitute "regulation 12(1)(e)".

3. In paragraph 2 (Liability to deduction), for sub-paragraphs (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 1.2729.

(7) The annual factor for 2009-10 is 0.2.".

4. In paragraph 3 (Amount of deduction), for sub-paragraph (3) substitute—

"(3) The rebate proportion for each year commencing with 2009-10 is 0.793.".

5. For Part 3 substitute—

"PART 3

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

TABLE

RELEVANT YEAR 2009-10

Authority	*Weekly rent limit*
Adur	£72.45
Arun	£75.59
Ashfield	£52.95
Ashford	£72.49
Babergh	£69.33
Barking and Dagenham	£73.01
Barnet	£83.77
Barnsley	£56.69
Barrow in Furness	£61.18
Basildon	£67.41
Bassetlaw	£57.31
Birmingham	£64.73
Blackpool	£55.23
Bolsover	£60.02
Bolton	£57.05
Bournemouth	£66.08
Brent	£90.49
Brentwood	£75.53
Brighton and Hove	£67.29
Bristol	£63.16
Broxtowe	£57.23
Bury	£61.03
Cambridge	£77.10
Camden	£94.66

Authority	*Weekly rent limit*
Cannock Chase	£60.50
Canterbury	£71.20
Castle Point	£73.62
Central Bedfordshire	£77.46
Charnwood	£57.64
Cheltenham	£65.99
Cheshire West and Chester	£60.96
Chesterfield	£60.36
City of London	£86.17
City of York	£63.03
Colchester	£68.90
Corby	£59.90
Cornwall	£57.72
Crawley	£77.80
Croydon	£87.29
Dacorum	£80.59
Darlington	£56.31
Dartford	£71.46
Derby	£61.23
Doncaster	£56.10
Dover	£69.67
Dudley	£64.58
Durham	£55.27
Ealing	£85.52
East Devon	£62.87
East Riding	£60.38
Eastbourne	£62.19
Enfield	£80.51
Epping Forest	£77.14
Exeter	£59.06
Fareham	£71.08
Gateshead	£58.40
Gloucester	£63.78
Gosport	£68.00
Gravesham	£71.37
Great Yarmouth	£57.87
Greenwich	£79.27
Guildford	£85.38
Hackney	£81.99
Hammersmith and Fulham	£89.86
Haringey	£85.04
Harlow	£73.43
Harrogate	£65.74
Harrow	£91.38
Havering	£74.33
High Peak	£58.74
Hillingdon	£90.32
Hinckley and Bosworth	£60.77
Hounslow	£82.09
Ipswich	£63.38

Authority	*Weekly rent limit*
Isles of Scilly	£65.02
Islington	£90.97
Kensington and Chelsea	£100.95
Kettering	£62.95
Kingston upon Hull	£57.75
Kingston upon Thames	£91.01
Kirklees	£56.84
Lambeth	£84.40
Lancaster	£60.59
Leeds	£57.43
Leicester	£58.18
Lewes	£70.89
Lewisham	£75.22
Lincoln	£52.97
Luton	£67.27
Manchester	£62.50
Mansfield	£57.39
Medway Towns	£65.35
Melton	£59.07
Merton	£83.88
Mid Devon	£62.74
Mid Suffolk	£65.31
Milton Keynes	£65.39
New Forest	£77.80
Newark and Sherwood	£60.55
Newcastle upon Tyne	£58.33
Newham	£74.83
North East Derbyshire	£60.32
North Kesteven	£60.80
North Tyneside	£57.69
North Warwickshire	£66.27
North West Leicestershire	£60.68
Northampton	£64.09
Northumberland	£52.59
Norwich	£61.76
Nottingham	£58.10
Nuneaton and Bedworth	£60.40
Oadby and Wigston	£60.67
Oldham	£56.69
Oxford City	£80.36
Plymouth	£53.04
Poole	£67.67
Portsmouth	£66.50
Reading	£84.60
Redbridge	£86.91
Redditch	£61.43
Richmondshire	£61.72
Rochdale	£57.50
Rotherham	£56.64
Rugby	£66.10

Authority	*Weekly rent limit*
Runnymede	£86.17
Rutland	£65.25
Salford	£61.27
Sandwell	£65.85
Sedgemoor	£63.71
Selby	£62.20
Sheffield	£55.38
Shepway	£66.89
Shropshire	£63.80
Slough	£82.57
Solihull	£65.02
South Cambridgeshire	£79.25
South Derbyshire	£61.87
South Holland	£58.33
South Kesteven	£60.02
South Lakeland	£68.16
South Tyneside	£56.75
Southampton	£66.11
Southend-on-Sea	£68.88
Southwark	£82.79
St Albans	£85.47
Stevenage	£77.37
Stockport	£57.69
Stockton on Tees	£61.43
Stoke-on-Trent	£57.22
Stroud	£66.23
Sutton	£81.53
Swindon	£63.73
Tamworth	£63.80
Tandridge	£75.64
Taunton Deane	£64.11
Tendring	£65.63
Thanet	£66.27
Thurrock	£67.27
Tower Hamlets	£83.35
Uttlesford	£78.11
Waltham Forest	£77.67
Wandsworth	£96.80
Warrington	£60.50
Warwick	£71.85
Waveney	£61.94
Waverley	£84.90
Wealden	£66.78
Welwyn Hatfield	£80.37
West Lancashire	£59.97
Westminster	£98.72
Wigan	£59.54
Wiltshire	£73.01
Winchester	£78.46
Woking	£84.14

Authority	*Weekly rent limit*
Wokingham	£85.61
Wolverhampton	£61.63
Wycombe	£84.08”

6. For Part 5 substitute—

“PART 5

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

TABLE

RELEVANT YEAR 2009-10

Authority	*(1)* *Specified Amount “O”*	*(2)* *Guideline rent increase*
Blaenau Gwent	52.21	1.90
Caerphilly	59.83	2.74
Cardiff	66.51	3.53
Carmarthenshire	56.89	3.25
Ceredigion	59.33	3.20
Denbighshire	54.90	2.91
Flintshire	58.28	3.02
Gwynedd	57.80	2.95
Isle of Anglesey	54.96	2.66
Merthyr Tydfil	52.71	2.40
Neath Port Talbot	54.41	2.51
Newport	61.79	3.22
Pembrokeshire	57.08	3.37
Powys	59.24	3.32
Swansea	57.79	2.88
Vale of Glamorgan	63.63	3.44
Wrexham	56.43	3.28”

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. Schedule 4A to the 1998 Order concerns rent rebates for dwellings within the authorities' Housing Revenue Accounts. The Schedule to this Order amends Schedule 4A. Sections 140C(4) and 140F(2) of the Social Security Administration Act 1992 authorise the making, revocation or varying of an Order before, during or after the year to which it relates. The amendments made by this Order have effect from 1st April 2009.

Paragraph 2 of the Schedule corrects an incorrect reference in the definition of rent in paragraph 1 of Schedule 4A.

With respect to authorities in England, paragraphs 3, 4 and 5 of the Schedule amend Schedule 4A to substitute the RPI figure, the annual factor, the rebate proportion and the weekly rent limit for the purposes of determining whether or not an authority is liable to a deduction from subsidy payable for 2009-10.

With respect to authorities in Wales, paragraph 6 of the Schedule amends Schedule 4A 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 2009-10.

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

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