STATUTORY INSTRUMENTS

2006 No. 54

SOCIAL SECURITY

The Income-related Benefits (Subsidy to Authorities) Amendment Order 2006

Made - - - -	*11th January 2006*
Laid before Parliament	*19th January 2006*
Coming into force -	*9th February 2006*

The Secretary of State for Work and Pensions makes the following regulations in exercise of the powers conferred upon him by sections 140B, 140C(1), (3) 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 he has sought the consent of Treasury(**b**). In accordance with section 176(1) of that Act he has consulted with organisations appearing to him to be representative of the authorities concerned(**c**).

Citation, commencement, effect and interpretation

1.—(1) This Order may be cited as the Income-related Benefits (Subsidy to Authorities) Amendment Order 2006, and shall come into force on 9th February 2006.

(2) This Order shall have effect from 1st April 2004.

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

Amendment of Part II of the principal Order

2.—(1) Part II of the principal Order (claims for and payment of subsidy) shall be amended in accordance with the following paragraphs.

(2) In article 2 (interpretation of Parts II and IV) in the definition of "final subsidy", after "interim subsidy" insert "or an amount paid, withheld or deducted pursuant to article 8A".

(**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) and paragraph 36 of Schedule 7 to the Local Government Act 2003 (c.26). Section 189(1) and (4) to (6) 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) is amended by paragraph 3(5) of Schedule 13 to the Housing Act 1996 and paragraph 3 of Schedule 4 to the Tax Credits Act 2002 (c.21).

(**c**) Section 176(1) is amended by paragraph 3(4) of Schedule 14 to the Housing Act 1996.

(**d**) S.I. 1998/562. Relevant amending instruments are S.I. 1998/2865, 1999/550, 2000/1091, 2000/2340, 2001/2350, 2002/1859, 2002/3116, 2003/3179, 2004/646, 2005/369 and 2005/535.

(3) In article 4 (requirement of claim), in paragraphs (2)(c) and (3) for "31st July" substitute "30th June"; and

(4) After article 8, insert—

"8A Payment of subsidy before audit complete

(1) Where an authority has submitted the final claim by the due date in accordance with article 4(2)(c) but the claim has not yet been audited in accordance with article 6 and–

(a) the Secretary of State estimates that the final subsidy will exceed the amount of interim subsidy that was paid to the authority in the relevant year, taking account of any withholding, reducing or deducting of subsidy by him, following the audit of that authority's final claim, he may pay subsidy in accordance with paragraph (2); or

(b) the Secretary of State estimates that the interim subsidy that was paid to the authority in the relevant year will exceed the amount of final subsidy, taking account of any withholding, reducing or deducting of subsidy by him, following the audit of that authority's final claim, he may withhold or deduct subsidy in accordance with paragraph (2).

(2) The amounts that may be paid to, withheld or deducted from an authority under paragraph (1) shall be equal to the amount which the Secretary of State estimates is likely to be payable by way of final subsidy, taking account of any withholding, reducing or deducting of subsidy by him, following the audit of that authority's final claim.".

(5) In article 9 (payment of subsidy for the relevant year)—

(a) for paragraph (2), substitute—

"(2) Any payment pursuant to paragraph (1) shall only be in respect of the balance of subsidy due after the Secretary of State—

(a) has deducted any interim subsidy paid during or in respect of the relevant year;

(b) has added or deducted, as the case may be, any amount paid, recovered or withheld pursuant to article 8A in respect of the relevant year;

(c) has added any amount pursuant to article 9A(3); and

(d) has deducted any amount pursuant to article 9A(4).".

(b) After paragraph (4), insert–

"(5) In paragraph (1), a reference to paying final subsidy calculated in accordance with Part III may also be a reference to deducting or withholding subsidy, as the case may be.".

(6) After article 9, insert–

"9A Transitional Protection Adjustments

(1) After 1st September in the year after the following year the Secretary of State shall calculate an authority's final subsidy in accordance with Part III.

(2) The Secretary of State shall compare the final subsidy in respect of a relevant year with the nominal subsidy calculated in accordance with paragraph (6).

(3) Where, in accordance with paragraph (2), the final subsidy that an authority would receive is less than the nominal subsidy, the Secretary of State may add such amounts to any payment made pursuant to article 9(1) to ensure that the difference between the final subsidy and the nominal subsidy will be limited to–

(a) 0.5 per cent in the year 2004/05;

(b) 1 per cent in the year 2005/06, but only if sub-paragraph (a) applied to the authority; and

(c) 2 per cent in the year 2006/07, but only if sub-paragraphs (a) and (b) applied to the authority.

(4) Where, in accordance with paragraph (2), the final subsidy is greater than the nominal subsidy then the Secretary of State may deduct such amounts from any payment made pursuant to article 9(1) as he considers appropriate, taking into account–

(a) the circumstances of the case; and

(b) the amount of subsidy other authorities will receive pursuant to this article,

but the amount deducted shall not result in a final subsidy which is less than the nominal subsidy.

(5) If an authority has not complied with any condition specified in this Part by 1st September in the year after the following year the Secretary of State may estimate the amount of any subsidy, including any nominal subsidy and any additions or deductions which may be made as a result of paragraphs (3) and (4), payable to that authority and he may take into account for that purpose such information as he considers relevant.

(6) For the purpose of this article the Secretary of State shall calculate the nominal subsidy by–

(a) calculating the authority's final subsidy as if that authority's final subsidy had been calculated at 31st March 2004; and

(b) adding an amount equivalent to that part of the revenue support grant that would have been paid to the Authority in relation to Housing Benefit and Council Tax Subsidy for the relevant year**.**

(7) In paragraph (6)(b) above, "revenue support grant" means a grant that was paid under section 78 of the Local Government Finance Act 1988(**e**) or, for Scotland, section 191 of the Housing (Scotland) Act 1973(**f**).".

Amendment of Part III of the principal Order

3.—(1) Part III of the principal Order (calculation of subsidy) shall be amended in accordance with the following paragraphs.

(2) In article 11 (interpretation of Part III) —

(a) in paragraph (1) omit the definition of "X percent"; and

(b) in paragraph (2) in the definition of "qualifying expenditure", after the words "article 15" insert "or 15A".

(3) In article 12 (amount of subsidy)—

(a) for sub-paragraph (1)(b) substitute–

"(b) for the purposes of section 140B(4A)(a) of the Act (subsidy in respect of costs of administering relevant benefits) shall include, for an authority identified in column (1) of Schedule 1, the sum specified in column (2) of the Schedule for that authority; and

(c) shall include an additional amount calculated in accordance with paragraph (4), if the authority has modified any part of a scheme it administers in recognition of the operation of a local scheme under sections 134(8) (arrangements for housing benefit) or 139(6) (arrangements for council tax benefit) of the Act(**g**).."; and

(b) after paragraph (3) insert–

"(4) For the purposes of sub-paragraph (1)(c), the additional amount will be 0.2 per cent of the amount or total of amounts calculated in accordance with article 13 but will not exceed 75 per cent of the cost of the total of relevant benefit paid under the scheme.".

(4) In article 13 (relevant benefit)—

(a) in heads (1)(a)(i) and (1)(b)(i) for "95 per cent" substitute "100 per cent";

(**e**) 1998 c.41.
(**f**) 1987 c.26.
(**g**) A relevant amendment was made by Schedule 9 of the Local Government Finance Act (c.14).

(b) in heads (1)(a)(ii) and (1)(b)(ii) for "X per cent" substitute "100 per cent"; and

(c) omit paragraph (3).

(5) In article 14 (backdated benefit) —

(a) in sub-paragraph (1)(b) for "50 per cent" substitute "100 per cent".

(6) In article 16 (treatment of high rents in rent allowance cases)—

(a) in paragraph (1) omit "(3)";

(b) in paragraph (2) for "paragraphs 3, 10, 11 or 11A" substitute "paragraphs 3 and 5 to 11A"; and

(c) omit paragraph (3).

(7) In article 17 (subsidy in respect of homeless and short lease rebate cases) —

(a) In paragraphs (2) and (3) for "95 per cent" substitute "100 per cent, wherever it occurs; and

(b) omit paragraph (7).

(8) In article 18 (additions to subsidy) —

(a) in head (1)(b)(i) for "95 per cent" substitute "100 per cent";

(b) in head (1)(b)(ii) for "X per cent" substitute "100 per cent";

(c) in paragraph (1) after sub-paragraph (d), insert—

"(e) where, during the relevant year, it is discovered that an overpayment in respect of which a deduction is to be made under article 19 is an authority error overpayment, where the proportion of total authority error overpayments as a percentage of the total specified subsidy is —

(aa) less than or equal to 0.48 per cent, the addition shall be 100 per cent of the total authority error overpayment;

(bb) greater than 0.48 per cent but less than or equal to 0.54 per cent, the addition shall be 40 per cent of the total authority error overpayment; and

(cc) greater than 0.54 per cent, the addition shall be nil.";

(d) in paragraph (5) for "112(1)" substitute "112";

(e) in paragraph (6) for "In paragraph (2)(a)," substitute "In paragraphs (1)(e) and (2)(a)";

(f) after paragraph (6), insert—

"(6A) In paragraph (1)(e), "total specified subsidy" means the total amount of housing benefit and council tax benefit that attracts 100 per cent subsidy for the relevant year, including any subsidy paid pursuant to article 14.".

(g) omit paragraph (9); and

(h) after paragraph (10), insert—

"(11) Where the addition payable under this article would be greater than a sum equivalent to the appropriate amount under article 17(2)(b)(i), (2)(b)(ii) and (3)(b)(ii) had the expenditure been qualifying expenditure, then the addition will be a sum equivalent to the appropriate amount.

(12) Where, during the relevant year, an overpayment that has been classified as an overpayment under one of paragraphs (4), (4ZA) (4A), (5), (6) or (7) is reclassified, the addition referred to in article 13(1) shall be the amount payable under paragraph (1) for the final classification of the overpayment.".

(9) In article 19 (deductions to be made in calculating subsidy) omit sub-paragraph (1)(d).

(10) In article 21 (additions to subsidy in respect of security against fraud and error)—

(a) in sub-paragraph (1)(a) for "Circulars specified in paragraph (2)" substitute "Housing Benefit and Council Tax Benefit Security Manual and Circular HB/CTB F10/2004";

(b) in sub-paragraph (1)(b) for the words "those Circulars", wherever they occur, substitute "the Housing Benefit and Council Tax Benefit Security Manual and Circular HB/CTB F10/2004"; and

(c) omit paragraph (2).

Amendment of Schedules to the principal Order

4.—(1) For Schedule 1 to the principal Order (sums to be used in the calculation of subsidy) substitute the Schedule set out in Schedule 1 to this Order.

(2) Omit Schedule 2 to the principal Order (adjustment for the prioritisation of claims).

(3) Omit Schedule 3 to the principal Order (calculation of deductions from subsidy in respect of period overruns).

(4) In Schedule 4 to the principal Order (high rents and rent allowances)–

(a) omit Part 1;

(b) for paragraph 6, substitute–

"Except where paragraph 5 applies, this Part also applies in a case where an authority is required under regulation 12A of the Housing Benefit Regulations (requirement to refer to rent officer) to apply for a determination in relation to a dwelling, but the appropriate amount shall be nil if the authority fails to apply for that determination–

(a) during the relevant year; or

(b) as soon as possible thereafter but before the date of the due date for the submission of the final subsidy claim for the relevant year."; and

(c) omit paragraph 14.

(5) In Part 1 of Schedule 4A to the principal Order (rent rebate limitation deductions (housing revenue account dwellings))–

(a) after "In this Schedule–" insert—

""dwelling" has the same meaning it bears in the determination made under section 80(1) of the Local Government and Housing Act 1989,"; and

(b) for paragraph (b) of the definition of "new service" substitute–

"(b) an extension to a service, where the service is provided in the relevant year to a greater extent than in 2001-02, or".

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

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

9th January 2006

We consent

Tom Watson
Gillian Merron
Two of the Lords Commissioners of Her Majesty's Treasury

11th January 2006

SCHEDULE 1

Article 4

SCHEDULE TO BE SUBSTITUTED FOR SCHEDULE 1 TO THE PRINCIPAL ORDER

"SCHEDULE 1

Articles 12(1)(b) and 17(1) and (8)

SUMS TO BE USED IN THE CALCULATION OF SUBSIDY

(1)	*(2)*	*(3)*	*(4)*
Authority	*Administration Subsidy*	*Homeless Threshold*	*Homeless Cap*
	(£)	*(£)*	*(£)*
ENGLAND			
Adur	362,087	117.63	196.42
Allerdale	726,203	94.42	157.37
Alnwick	185,494	81.85	137.03
Amber Valley	1,520,469	94.89	158.33
Arun	852,164	123.12	205.20
Ashfield	645,549	89.10	148.67
Ashford	508,620	116.91	195.05
Aylesbury Vale	519,441	113.05	189.06
Babergh	368,877	108.20	180.52
Barking and Dagenham	1,577,552	223.51	335.25
Barnet	2,040,274	223.51	335.25
Barnsley	2,053,049	79.15	132.99
Barrow in Furness	567,357	98.76	164.78
Basildon	1,159,101	114.95	191.79
Basingstoke and Deane	683,686	117.07	195.12
Bassetlaw	630,003	99.33	165.73
Bath and North East Somerset	1,119,296	100.71	167.85
Bedford	911,385	93.24	155.96
Berwick upon Tweed	175,607	88.60	147.81
Bexley	1,362,370	223.51	335.25
Birmingham	11,036,430	95.47	159.73
Blaby	217,378	85.08	142.25
Blackburn with Darwen	1,572,370	108.94	181.57
Blackpool	1,513,451	90.73	155.39
Blyth Valley	604,121	75.02	125.49
Bolsover	561,856	77.36	131.78
Bolton	2,400,122	81.72	137.58
Boston	402,364	85.21	142.33
Bournemouth	1,442,116	102.41	170.86
Bracknell Forest	501,709	127.20	215.68
Bradford	4,340,891	86.20	143.81

Braintree	698,587	104.64	174.58
Breckland	607,880	107.01	178.99
Brent	2,812,257	223.51	354.56
Brentwood	369,449	118.62	197.91
Bridgnorth	672,038	96.45	162.12
Brighton and Hove	2,305,864	105.84	176.60
Bristol	3,118,108	93.23	156.53
Broadland	492,674	107.01	178.99
Bromley	1,665,282	223.51	335.25
Bromsgrove	254,287	99.45	173.39
Broxbourne	489,241	126.48	211.02
Broxtowe	607,522	81.36	136.90
Burnley	827,267	96.75	161.24
Bury	1,095,654	94.23	157.22
Calderdale	1,610,635	83.75	139.82
Cambridge	532,805	111.41	185.88
Camden	3,423,879	223.51	352.95
Cannock Chase	489,228	99.89	172.35
Canterbury	1,292,482	112.34	187.41
Caradon	462,849	94.69	157.98
Carlisle	721,913	92.14	153.72
Carrick	622,431	107.83	179.90
Castle Morpeth	197,609	88.89	148.31
Castle Point	413,521	122.30	204.04
Charnwood	547,647	85.61	142.85
Chelmsford	772,211	119.70	200.44
Cheltenham	584,912	121.58	202.83
Cherwell	506,428	117.87	196.93
Chester	778,061	89.00	148.33
Chester le Street	388,509	82.28	137.71
Chesterfield	829,883	81.69	136.29
Chichester	558,328	118.48	197.46
Chiltern	358,678	117.07	195.12
Chorley	467,932	83.82	140.62
Christchurch	250,812	100.71	167.85
City of London	101,767	223.51	335.25
Colchester	826,972	110.25	185.44
Congleton	362,643	94.42	157.37
Copeland	992,944	88.71	149.62
Corby	329,485	91.42	157.62
Cotswold	439,320	100.71	167.85
Coventry	2,991,802	81.21	135.34
Craven	270,129	100.12	167.04
Crawley	491,215	126.74	212.22
Crewe and Nantwich	691,699	99.90	173.62
Croydon	3,874,721	223.51	348.25

Dacorum	635,293	110.97	187.48
Darlington	766,737	86.96	145.09
Dartford	412,648	114.85	191.61
Daventry	242,633	91.32	152.36
Derby	1,800,228	90.19	150.49
Derbyshire Dales	294,985	91.57	153.11
Derwentside	765,145	89.71	149.67
Doncaster	1,971,337	82.28	139.59
Dover	743,566	116.94	195.10
Dudley	2,615,765	95.78	162.15
Durham	483,688	84.71	143.22
Ealing	2,213,207	223.51	339.32
Easington	930,519	87.21	145.50
East Cambridgeshire	347,154	107.01	178.99
East Devon	575,811	91.41	152.50
East Dorset	347,190	100.71	167.85
East Hampshire	540,673	117.07	195.12
East Hertfordshire	487,407	127.90	214.16
East Lindsey	917,391	87.82	146.68
East Northamptonshire	368,264	98.10	163.86
East Riding of Yorkshire	1,537,756	87.66	150.16
East Staffordshire	584,354	85.52	142.53
Eastbourne	782,435	105.32	175.74
Eastleigh	471,570	117.07	195.12
Eden	212,359	94.42	157.37
Ellesmere Port and Neston	393,506	73.57	126.92
Elmbridge	554,355	133.53	222.53
Enfield	2,216,111	223.51	335.25
Epping Forest	561,327	113.34	189.63
Epsom and Ewell	227,846	117.07	195.12
Erewash	640,373	83.97	140.40
Exeter	655,190	88.54	147.73
Fareham	393,614	110.95	188.84
Fenland	579,651	100.56	167.79
Forest Heath	206,080	99.04	165.24
Forest of Dean	489,034	96.52	161.03
Fylde	347,183	82.51	137.50
Gateshead	2,531,737	87.29	145.65
Gedling	526,101	83.14	139.31
Gloucester	680,261	105.41	175.86
Gosport	381,139	108.81	181.54
Gravesham	595,005	111.04	185.27
Great Yarmouth	820,148	83.55	139.40
Greenwich	2,925,523	223.51	335.25
Guildford	484,861	134.07	223.69
Hackney	4,184,813	223.51	335.73

Halton	1,250,726	86.83	150.07
Hambleton	363,934	83.08	138.68
Hammersmith and Fulham	2,172,197	223.51	335.25
Harborough	322,385	103.09	171.99
Haringey	2,572,130	223.51	335.25
Harlow	558,524	109.42	182.55
Harrogate	632,981	106.57	177.81
Harrow	1,224,145	223.51	368.40
Hart	543,349	117.07	195.12
Hartlepool	950,249	90.16	150.43
Hastings	1,018,078	117.07	195.12
Havant	672,250	117.07	195.12
Havering	1,196,058	223.51	335.25
Herefordshire	1,176,473	89.64	149.56
Hertsmere	503,454	107.01	178.99
High Peak	432,067	96.94	161.73
Hillingdon	1,462,941	223.51	370.42
Hinckley and Bosworth	352,716	93.60	156.17
Horsham	468,751	138.41	230.67
Hounslow	1,967,483	223.51	335.25
Huntingdonshire	634,135	115.92	193.90
Hyndburn	635,113	93.45	155.75
Ipswich	1,258,091	99.72	166.36
Isle of Wight	1,116,039	117.07	195.12
Isles of Scilly	7,951	104.08	173.65
Islington	2,735,790	223.51	347.36
Kennet	360,318	100.71	167.85
Kensington and Chelsea	1,773,991	223.51	382.76
Kerrier	749,580	100.71	167.85
Kettering	356,393	90.21	151.75
Kings Lynn and West Norfolk	899,979	87.62	154.03
Kingston upon Hull	2,830,573	90.63	156.89
Kingston upon Thames	613,265	223.51	360.00
Kirklees	2,764,950	91.86	153.27
Knowsley	1,839,529	102.02	170.21
Lambeth	4,034,387	223.51	335.25
Lancaster	955,100	90.85	151.57
Leeds	5,260,596	83.41	139.51
Leicester	2,381,115	92.52	154.21
Lewes	478,128	113.59	190.82
Lewisham	3,632,286	223.51	335.25
Lichfield	453,812	92.82	154.71
Lincoln	724,971	87.56	146.08
Liverpool	6,163,179	93.12	155.39
Luton	1,306,690	114.55	191.12
Macclesfield	596,421	103.10	186.67

Maidstone	691,984	116.30	194.03
Maldon	315,900	107.01	178.99
Malvern Hills	374,898	92.82	154.71
Manchester	6,262,477	109.17	182.14
Mansfield	748,132	93.71	156.18
Medway	1,494,389	114.85	191.61
Melton	151,840	84.14	144.18
Mendip	593,622	99.23	165.39
Merton	1,051,883	223.51	335.25
Mid Bedfordshire	499,320	106.32	178.03
Mid Devon	370,789	94.27	157.29
Mid Suffolk	320,156	100.56	167.79
Mid Sussex	1,178,236	117.07	195.12
Middlesbrough	1,468,236	98.66	164.61
Milton Keynes	1,123,426	114.35	191.59
Mole Valley	270,219	113.82	189.90
New Forest	712,219	126.10	210.40
Newark and Sherwood	658,457	87.56	146.07
Newcastle under Lyme	742,167	78.70	131.18
Newcastle upon Tyne	3,305,160	85.76	143.08
Newham	3,235,945	223.51	335.25
North Cornwall	843,813	95.06	158.59
North Devon	631,894	109.95	183.25
North Dorset	438,753	100.71	167.85
North East Derbyshire	507,199	79.87	136.67
North East Lincoln	1,411,414	85.81	148.17
North Hertfordshire	657,344	115.06	197.73
North Kesteven	362,269	87.53	146.02
North Lincolnshire	975,458	83.07	139.10
North Norfolk	765,747	92.45	154.44
North Shropshire	290,435	86.90	145.92
North Somerset	1,062,193	115.92	193.40
North Tyneside	1,766,129	80.25	134.62
North Warwickshire	349,725	91.58	155.27
North West Leicestershire	369,574	86.63	144.54
North Wiltshire	621,488	100.71	167.85
Northampton	1,198,260	113.90	190.02
Norwich	1,129,697	90.26	151.11
Nottingham	2,478,683	83.96	140.09
Nuneaton and Bedworth	659,842	88.81	149.68
Oadby and Wigston	167,153	85.39	143.26
Oldham	1,713,618	83.75	147.95
Oswestry	192,670	89.56	149.42
Oxford	855,372	122.71	206.70
Pendle	800,467	87.23	145.54
Penwith	652,228	94.58	157.64

Peterborough	1,045,443	114.08	190.33
Plymouth	1,926,881	92.07	153.60
Poole	919,837	104.52	174.20
Portsmouth	1,336,619	111.09	185.33
Preston	959,615	94.99	158.47
Purbeck	205,924	116.19	193.84
Reading	921,702	135.67	226.35
Redbridge	1,567,763	223.51	340.83
Redcar and Cleveland	1,313,745	94.34	157.39
Redditch	503,162	100.51	167.70
Reigate and Banstead	490,190	131.92	220.09
Restormel	744,490	108.16	180.26
Ribble Valley	155,389	81.96	136.73
Richmond upon Thames	1,003,958	223.51	335.25
Richmondshire	178,111	97.21	162.18
Rochdale	1,861,435	87.10	145.32
Rochford	343,890	103.82	173.20
Rossendale	452,142	88.21	147.02
Rother	734,288	117.07	195.12
Rotherham	1,825,576	73.64	128.04
Rugby	550,857	94.15	158.08
Runnymede	312,490	138.57	231.20
Rushcliffe	386,072	96.48	162.48
Rushmoor	372,251	117.07	195.12
Rutland	99,367	102.90	171.69
Ryedale	953,760	83.08	138.68
Salford	2,339,074	96.36	160.76
Salisbury	452,961	121.97	208.79
Sandwell	2,725,516	103.71	174.53
Scarborough	964,252	98.94	165.07
Sedgefield	820,237	85.26	142.64
Sedgemoor	559,458	106.66	177.95
Sefton	2,331,213	98.01	163.76
Selby	636,370	92.79	154.82
Sevenoaks	816,154	117.07	195.12
Sheffield	4,748,092	83.75	139.85
Shepway	703,176	107.33	179.06
Shrewsbury and Atcham	640,828	95.11	158.69
Slough	857,004	122.26	206.16
Solihull	983,102	99.57	166.13
South Bedfordshire	469,645	119.67	200.83
South Bucks	246,428	117.07	195.12
South Cambridgeshire	437,577	119.89	200.03
South Derbyshire	341,189	94.21	157.17
South Gloucestershire	1,049,575	102.68	174.70
South Hams	467,653	100.71	167.85

South Holland	326,270	89.35	149.09
South Kesteven	517,320	92.28	155.88
South Lakeland	455,204	106.13	182.32
South Norfolk	439,113	97.21	162.18
South Northamptonshire	201,639	106.08	178.38
South Oxfordshire	474,551	117.07	195.12
South Ribble	491,289	94.42	157.37
South Shropshire	225,279	92.82	154.71
South Somerset	791,334	100.71	167.85
South Staffordshire	548,008	92.82	154.71
South Tyneside	1,760,323	78.12	132.05
Southampton	1,705,195	98.03	163.54
Southend on Sea	1,335,631	106.44	177.59
Southwark	4,466,939	223.51	335.25
Spelthorne	413,095	117.07	195.12
St Albans	465,246	118.06	198.41
St Edmundsbury	485,440	106.04	177.57
St Helens	1,659,427	100.64	167.90
Stafford	501,509	92.82	154.71
Staffordshire Moorlands	416,105	90.27	150.45
Stevenage	523,649	116.92	195.06
Stockport	1,637,412	85.47	142.90
Stockton on Tees	1,333,142	89.51	150.70
Stoke on Trent	2,008,836	89.33	149.02
Stratford on Avon	563,261	92.82	154.71
Stroud	591,842	107.03	178.56
Suffolk Coastal	580,086	97.13	162.46
Sunderland	3,256,902	97.04	161.74
Surrey Heath	253,457	117.07	195.12
Sutton	898,165	223.51	335.25
Swale	914,762	117.07	195.12
Swindon	882,002	95.38	160.92
Tameside	2,033,359	99.17	165.27
Tamworth	398,998	97.36	163.57
Tandridge	252,328	116.83	196.56
Taunton Deane	625,620	94.94	158.40
Teesdale	128,860	87.05	145.23
Teignbridge	732,670	112.26	187.30
Telford and Wrekin	1,211,855	92.82	154.71
Tendring	923,430	98.00	163.51
Test Valley	452,592	113.80	189.65
Tewkesbury	386,739	92.87	154.78
Thanet	1,379,246	106.35	177.43
Three Rivers	333,751	120.56	202.68
Thurrock	1,028,711	113.49	189.33
Tonbridge and Malling	556,895	117.07	195.12

Torbay	1,271,105	103.66	172.76
Torridge	418,611	102.57	171.12
Tower Hamlets	3,488,741	223.51	361.72
Trafford	1,545,949	95.94	160.06
Tunbridge Wells	632,906	117.07	195.12
Tynedale	302,703	93.57	155.95
Uttlesford	314,478	117.32	195.81
Vale of White Horse	427,904	117.07	195.12
Vale Royal	771,291	94.94	158.41
Wakefield	2,439,693	83.83	142.12
Walsall	2,603,525	95.48	159.31
Waltham Forest	2,411,652	223.51	355.43
Wandsworth	2,444,360	223.51	377.36
Wansbeck	478,265	74.07	123.58
Warrington	1,215,003	95.33	159.04
Warwick	560,019	101.13	170.98
Watford	454,491	117.41	195.86
Waveney	1,109,866	92.30	153.99
Waverley	401,523	127.22	212.03
Wealden	507,110	99.81	166.51
Wear Valley	617,018	86.22	143.84
Wellingborough	346,326	93.99	156.81
Welwyn Hatfield	530,165	110.25	186.84
West Berkshire	1,000,784	117.07	195.12
West Devon	302,723	100.71	167.85
West Dorset	538,110	100.71	167.85
West Lancashire	719,660	89.13	149.97
West Lindsey	472,611	86.71	144.84
West Oxfordshire	364,844	112.22	187.04
West Somerset	278,278	100.71	167.85
West Wiltshire	664,767	115.04	191.73
Westminster	2,137,041	223.51	414.32
Weymouth and Portland	436,328	104.29	173.81
Wigan	2,045,908	89.41	149.17
Winchester	381,169	117.53	196.09
Windsor and Maidenhead	587,153	117.07	195.12
Wirral	2,901,142	104.37	174.12
Woking	323,437	151.40	252.61
Wokingham	273,335	118.29	202.91
Wolverhampton	2,277,093	86.71	145.57
Worcester	537,239	89.41	150.77
Worthing	607,606	117.07	195.12
Wychavon	543,886	116.85	194.73
Wycombe	571,398	134.52	224.43
Wyre	656,423	94.80	157.99
Wyre Forest	708,179	96.56	160.93

York	817,621	98.23	163.87
WALES			
Blaenau Gwent	626,174	91.65	152.89
Bridgend	940,817	93.01	155.19
Caerphilly	1,250,336	98.31	164.02
Cardiff	2,202,898	103.42	173.51
Carmarthenshire	1,241,842	89.75	149.74
Ceredigion	373,007	98.37	164.12
Conwy	725,581	86.52	150.91
Denbighshire	660,945	84.15	141.76
Flintshire	762,005	89.49	149.50
Gwynedd	753,835	89.13	148.69
Isle of Anglesey	435,637	87.88	146.61
Merthyr Tydfil	672,562	89.17	148.77
Monmouthshire	374,274	103.25	173.44
Neath and Port Talbot	1,111,867	90.39	150.81
Newport	1,010,564	97.89	165.39
Pembrokeshire	747,409	87.86	146.57
Powys	725,789	92.14	153.96
Rhondda Cynon Taff	1,733,323	87.70	146.32
Swansea	1,711,178	93.70	156.34
Torfaen	644,177	101.74	171.30
Vale of Glamorgan	628,140	105.59	176.17
Wrexham	780,512	83.92	140.45
SCOTLAND			
Aberdeen	1,334,962	79.65	134.32
Aberdeenshire	1,009,627	75.09	128.89
Angus	740,504	70.27	122.47
Argyll and Bute	606,884	85.63	142.88
Clackmannanshire	415,837	75.46	134.53
Comhairle nan Eilean Siar	194,132	88.56	149.63
Dumfries and Galloway	1,452,887	80.33	136.45
Dundee	1,816,625	87.31	147.15
East Ayrshire	1,045,938	76.85	128.33
East Dunbartonshire	398,029	82.14	140.54
East Lothian	1,241,299	73.87	123.25
East Renfrewshire	389,945	78.82	139.70
Edinburgh	5,219,730	100.39	167.49
Falkirk	1,090,122	80.03	142.11
Fife	2,508,878	76.13	131.77
Glasgow	10,822,146	101.72	169.71
Highland	1,362,585	93.42	155.85
Inverclyde	889,077	95.55	164.70
Midlothian	508,811	66.98	111.75
Moray	449,823	67.74	113.00
North Ayrshire	1,347,099	71.99	123.15

North Lanarkshire	2,930,234	83.85	141.65
Orkney	94,955	78.51	130.98
Perth and Kinross	776,586	71.28	118.92
Renfrewshire	1,727,655	87.13	153.52
Scottish Borders	835,858	75.83	126.50
Shetland	82,241	102.20	170.50
South Ayrshire	876,165	78.20	130.45
South Lanarkshire	2,609,349	85.82	143.17
Stirling	543,203	80.89	134.93
West Dunbartonshire	1,115,481	80.57	134.44
West Lothian	1,390,984	82.78	163.69”

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Income-related Benefits (Subsidy to Authorities) Order 1998 (S.I. 1998/562) (“the principal Order”) which provides for subsidy to be payable to authorities administering housing benefit and council tax benefit.

Sections 140C(4) and 140F(2) of the Social Security Administration Act 1992(c.5) 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 2004.

Article 2 amends Part II of the principal Order which is concerned with claiming and paying subsidy. Article 8A is inserted by article 2(4) to make provision for balancing what has been paid by way of interim subsidy with what it is estimated will be the amount of final subsidy before the claim has been audited. Article 2(5) amends article 9 to provide that the payment of final subsidy should take into account the amounts paid or recovered pursuant to the new articles 8A and 9A, as well as interim subsidy that has been paid. Article 2(6) inserts a new article 9A, which provides a new transitional protection scheme of subsidy rates and rules effective from 1st April 2004.

Article 3 amends Part III of the principal Order which is concerned with the calculation of subsidy. Article 3(3) also amends article 12, to provide an addition to subsidy in recognition of the operation by local authorities of schemes under s134(8) and 139(6) of the Social Security Administration Act 1992 to disregard the income of those who receive war disablement and war widow’s pensions. Article 3(4) provides for a new rate of subsidy of 100 per cent of qualifying expenditure attributable to housing benefit and council tax benefit in article 13. Articles 3(5) and 3(7) increase the rates of subsidy for backdated benefits in article 14 and for homeless and short lease rebate cases in Article 17 to 100 percent. Article 16 has been amended by article 3(6) in order to abolish regulated rent allowance thresholds.

Article 3(8) provides for increases to rates of subsidy in Article 18 where there has been a departmental error overpayment. Article 3(8)(c) provides for variable rates of subsidy to be paid where there has been a local authority error overpayment. New paragraphs are inserted in article 18 clarify how much subsidy is payable when where there has been an overpayment and that authorities can reclassify overpayments in-year. Article 21 is amended by article 3(10) to refer to the Housing Benefit and Council Tax Benefit Security Manual, which encompasses those circulars which were previously listed in article 21. A number of other minor and consequential changes have been made to Part III of the principal Order.

Article 4 amends the Schedules to the principal Order. Article 4(1) substitutes the figures to be used in the calculation of subsidy which are outlined in Schedule 1 to this Order for those in Schedule 1 to the principal Order. Schedule 2 (adjustment for the prioritisation of claims) and Schedule 3 (calculation of subsidy in respect of period overruns) are omitted. Paragraph 6 of schedule 4 (rent officer determinations) has been amended to clarify that subsidy will be payable in certain circumstances where the local authority has not referred to the rent officer. Article 4(5)

provides that for the purposes of this schedule the definition of "dwelling" in Schedule 4A (rent rebate limitation deductions) is the same definition as is used in the Housing Revenue Account Subsidy Determination. A number of other minor changes are made to the Schedules to the principal Order.

A full regulatory impact assessment has not been produced for this instrument as it has no impact on the cost of business.

£3.00

© Crown copyright 2006

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.

E0025 1/2006 160025T 19585