

SCHEDULE 9

Articles 13 and 21

BENEFIT SAVINGS

PART I

GENERAL INTERPRETATION

1.—(1) The additions to or deductions from, as the case may be, housing benefit subsidy or council tax benefit subsidy referred to in articles 13 and 21 shall be calculated in accordance with this Schedule.

(2) In this Schedule, unless the context otherwise requires—

A is equal to $(B + C) \times 32$;

B is the total sum of housing benefit savings made by a relevant authority;

C is the total sum of housing benefit related savings made by a relevant authority;

D is equal to $(E + F) \times 32$;

E is the total sum of council tax benefit savings made by a relevant authority;

F is the total sum of council tax benefit related savings made by a relevant authority;

G, in the case of a relevant authority, is the figure prescribed in column (2) of the Table in Part IV for that authority;

H is 0.75 of the value of G;

I is 0.5 of the value of G;

J is 0.25 of the value of G;

“authorised person” means

- (i) an officer of a relevant authority; or
- (ii) an employee of a relevant authority’s contractor,

where that individual has been designated by that authority for the investigation of fraud;

“council tax benefit savings” means any amount which would have been allowed by way of council tax benefit to a claimant during a benefit week, but for the investigation and intervention of one or more authorised persons, and which would, had that amount been allowed as council tax benefit, have been fraudulent excess benefit, within the meaning of article 18(7), or in a case where only a proportion of that non-allowance was due to that investigation and intervention the amount shall be that proportion;

“council tax benefit related savings” means—

- (i) where council tax benefit savings have been established and that investigation has also led to a determination by an adjudication officer that no relevant benefit, or less relevant benefit is payable any amount of relevant benefit that would, but for that investigation and consequent determination, have been paid to that claimant in a payment week; and
- (ii) in a case where the council tax benefit savings were less than the total council tax benefit not allowed, the council tax benefit related savings shall be an amount determined by applying to the total of relevant benefit not paid a percentage equal to the percentage which those council tax benefit savings bear to the total council tax benefit not allowed,

except that in neither case shall it include any amount which has been included in the housing benefit related savings for that authority;

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

“housing benefit savings” means any amount which would have been paid by way of housing benefit to a claimant during a benefit week, but for the investigation and intervention of one or more authorised persons, and which would, had that amount been paid as housing benefit, have been a fraudulent overpayment, within the meaning of article 10(5), or, in a case where only a proportion of that non-payment was due to that investigation and intervention, the amount shall be that proportion;

“housing benefit related savings” means—

- (i) where housing benefit savings have been established and that investigation has also led to a determination by an adjudication officer that no relevant benefit or less relevant benefit is payable, any amount of relevant benefit that would, but
- (ii) for that investigation and consequent determination, have been paid to that claimant in a payment week; and in a case where the housing benefit savings were less than the total housing benefit not paid, the housing benefit related savings shall be an amount determined by applying to the total of relevant benefit not paid a percentage equal to the percentage which those housing benefit savings bear to the total housing benefit not paid;

“a payment week” means—

- (i) in the case of income support, a benefit week within the meaning prescribed therefore in regulation 2(1) of the Income Support (General) Regulations 1987(1);
- (ii) in the case of invalidity benefit, severe disablement allowance or sickness benefit, the week in advance in which such benefit is to be paid pursuant to regulation 24(1) of the Social Security (Claims and Payments) Regulations 1987(2) or, in a case where that regulation does not apply, would be so paid if that regulation did apply;
- (iii) in the case of retirement pension, the week in arrears in which such benefit is to be paid pursuant to regulation 22(1) of the Social Security (Claims and Payments) Regulations 1987(3) or, in a case where that regulation does not apply, would be so paid if that regulation did apply;

“a relevant authority” is an authority identified in column (1) of the Table in Part IV, and

“relevant benefit” means income support, invalidity benefit, retirement pension, severe disablement allowance or sickness benefit, in a case where a claimant who is in receipt of housing benefit or council tax benefit, as the case may be, is also in receipt of income support.

PART II

HOUSING BENEFIT SAVINGS

Addition to housing benefit subsidy

2.—(1) Subject to sub-paragraph (2) below, in the case of a relevant authority where the savings which are the sum of (A + D) are greater than H, the addition for that authority shall be 10 per cent. of the sum calculated by applying the following formula—

$$\{(A + D) - H\} \times \frac{A}{(A + D)}.$$

(1) S.I. 1987/1967; the definition of “benefit week” was added by S.I. 1988/1445.

(2) S.I. 1987/1968.

(3) The relevant amendment is S.I. 1991/2741.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(2) In the case of an authority where the savings which are the sum of (A + D) are greater than G, the addition for that authority shall be the sum calculated for that authority in sub-paragraph (1) above plus 10 per cent. of the sum calculated by applying the following formula—

$$\{(A + D) - G\} \times \frac{A}{(A + D)}.$$

3. In the case of a relevant authority where the savings which are the sum of (A + D) do not exceed H, but do exceed I, there shall be no addition or deduction under this Part for that authority.

Deduction from housing benefit subsidy

4.—(1) Subject to sub-paragraphs (2) and (3) below, in the case of a relevant authority where the savings which are the sum of (A + D) are less than I, the deduction for that authority shall be 20 per cent. of the sum calculated by applying the following formula—

$$\{(A + D) - I\} \times \frac{A}{(A + D)}.$$

(2) Subject to sub-paragraph (3) below, in the case of an authority where the savings which are the sum of (A + D) are less than J, the deduction for that authority shall be the sum calculated for that authority in sub-paragraph (1) above together with a further amount of 30 per cent. of the sum calculated by applying the following formula—

$$\{(A + D) - J\} \times \frac{A}{(A + D)}.$$

(3) In a case where the value of G for a relevant authority is less than £60,000, there shall be no deduction for that authority.

PART III

COUNCIL TAX BENEFIT SAVINGS

Council tax benefit savings

5.—(1) Subject to sub-paragraph (2) below, in the case of an authority where the savings which are the sum of (A + D) are greater than H, the addition for that authority shall be 10 per cent. of the sum calculated by applying the following formula—

$$\{(A + D) - H\} \times \frac{D}{(A + D)}.$$

(2) In the case of an authority where the savings which are the sum of (A + D) are greater than G, the addition for that authority shall be the sum calculated for that authority in sub-paragraph (1) above plus 10 per cent. of the sum calculated by applying the following formula—

$$\{(A + D) - G\} \times \frac{D}{(A + D)}.$$

6. In the case of an authority where the savings which are the sum of (A + D) do not exceed H, but do exceed I, there shall be no addition or deduction under this Part for that authority.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Deduction from council tax benefit subsidy

7.—(1) Subject to sub-paragraphs (2) and (3) below, in the case of an authority where the savings which are the sum of (A + D) are less than I, the deduction for that authority shall be 20 per cent. of the sum calculated by applying the following formula—

$$\{(A + D) - I\} \times \frac{D}{(A + D)}.$$

(2) Subject to sub-paragraph (3) below, in the case of an authority where the savings which are the sum of (A + D) are less than J, the deduction for that authority shall be the amount calculated for that authority in sub-paragraph (1) above, together with a further amount of 30 per cent. of the sum calculated by applying the following formula—

$$\{(A + D) - J\} \times \frac{D}{(A + D)}.$$

(3) In a case where the value of G for a relevant authority is less than £60,000, there shall be no deduction for that authority.

PART IV

TABLE

8. The Table referred to in this Schedule is as follows:

<i>(1) Authority</i>	<i>(2) Sum £</i>
ENGLAND	
Adur	90,743
Allerdale	115,809
Alnwick	31,007
Amber Valley	95,095
Arun	243,863
Ashfield	94,054
Ashford	117,720
Aylesbury Vale	120,644
Babergh	86,200
Barking and Dagenham	249,345
Barnet	611,904
Barnsley	292,726
Barrow-in-Furness	125,366
Basildon	163,001
Basingstoke and Deane	166,666
Bassetlaw	110,863
Bath	184,357
Bedford	210,586

<i>(1) Authority</i>	<i>(2) Sum £</i>
Berwick-upon-Tweed	22,292
Beverley	63,629
Bexley	341,852
Birmingham	2,479,278
Blaby	33,437
Blackburn	227,908
Blackpool	494,342
Blyth Valley	86,860
Bolsover	85,492
Bolton	399,088
Boothferry	63,831
Boston	58,440
Bournemouth	553,139
Bracknell Forest	122,405
Bradford	883,148
Braintree	145,310
Breckland	124,806
Brent	1,223,135
Brentwood	60,634
Bridgnorth	39,078
Brighton	476,323
Bristol	885,476
Broadland	89,929
Bromley	428,246
Bromsgrove	48,537
Broxbourne	90,205
Broxtowe	104,450
Burnley	184,091
Bury	194,083
Calderdale	283,800
Cambridge	178,213
Camden	1,201,737
Cannock Chase	83,310
Canterbury	242,834

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>(1) Authority</i>	<i>(2) Sum £</i>
Caradon	120,319
Carlisle	117,226
Carrick	154,127
Castle Morpeth	31,662
Castle Point	74,548
Charnwood	98,632
Chelmsford	156,053
Cheltenham	153,737
Cherwell	155,312
Chester	140,781
Chester-le-Street	54,883
Chesterfield	140,235
Chichester	136,608
Chiltern	101,296
Chorley	94,218
Christchurch	51,073
City of London	27,957
Cleethorpes	92,082
Colchester	202,599
Congleton	47,692
Copeland	87,439
Corby	74,679
Cotswold	87,282
Coventry	634,861
Craven	50,201
Crawley	76,172
Crewe and Nantwich	99,378
Croydon	990,487
Dacorum	147,548
Darlington	146,703
Dartford	114,188
Daventry	47,461
Derby	384,859
Derbyshire Dales	41,038

<i>(1) Authority</i>	<i>(2) Sum £</i>
Derwentside	122,006
Doncaster	370,755
Dover	237,840
Dudley	341,359
Durham	74,757
Ealing	1,042,482
Easington	138,566
East Cambridgeshire	55,054
East Devon	146,402
East Dorset	75,823
East Hampshire	110,001
East Hertfordshire	89,442
East Lindsey	199,723
East Northamptonshire	63,730
East Staffordshire	95,248
East Yorkshire	155,280
Eastbourne	196,515
Eastleigh	97,882
Eden	42,673
Ellesmere Port and Neston	56,823
Elmbridge	177,183
Enfield	662,725
Epping Forest	144,095
Epsom and Ewell	70,520
Erewash	112,408
Exeter	195,688
Fareham	66,723
Fenland	121,759
Forest Heath	50,720
Forest of Dean	73,906
Fylde	66,989
Gateshead	401,304
Gedling	104,435
Gillingham	177,028

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>(1) Authority</i>	<i>(2) Sum £</i>
Glanford	49,385
Gloucester	190,951
Gosport	110,740
Gravesham	138,375
Great Grimsby	173,606
Great Yarmouth	213,818
Greenwich	717,273
Guildford	173,354
Hackney	1,431,478
Halton	215,033
Hambleton	61,356
Hammersmith and Fulham	895,252
Harborough	48,076
Haringey	1,661,691
Harlow	119,612
Harrogate	179,929
Harrow	372,046
Hart	72,104
Hartlepool	200,632
Hastings	264,426
Havant	158,811
Havering	294,040
Hereford	99,197
Hertsmere	94,267
High Peak	94,579
Hillingdon	409,959
Hinckley and Bosworth	62,450
Holderness	50,811
Horsham	108,578
Hounslow	542,193
Hove	364,697
Huntingdon	132,204
Hyndburn	134,517
Ipswich	233,257

<i>(1) Authority</i>	<i>(2) Sum £</i>
Isle of Wight	329,601
Isles of Scilly	1,237
Islington	1,018,207
Kennet	70,967
Kensington and Chelsea	855,416
Kerrier	153,386
Kettering	90,766
Kings Lynn and West Norfolk	135,531
Kingston-upon-Hull	540,468
Kingston-upon-Thames	231,801
Kingswood	83,017
Kirklees	567,707
Knowsley	335,060
Lambeth	1,396,689
Lancaster	264,810
Langbaugh-on-Tees	217,697
Leeds	1,319,090
Leicester	568,236
Leominster	32,553
Lewes	141,914
Lewisham	989,644
Lichfield	62,072
Lincoln	148,715
Liverpool	1,575,548
Luton	316,351
Macclesfield	109,771
Maidstone	127,422
Maldon	48,841
Malvern Hills	82,641
Manchester	2,108,360
Mansfield	162,013
Melton	31,469
Mendip	141,699
Merton	403,118

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>(1) Authority</i>	<i>(2) Sum £</i>
Mid Bedfordshire	95,759
Mid Devon	87,496
Mid Suffolk	67,141
Mid Sussex	131,307
Middlesbrough	340,350
Milton Keynes	295,895
Mole Valley	62,803
New Forest	186,301
Newark and Sherwood	102,123
Newbury	143,668
Newcastle-under-Lyme	96,286
Newcastle-upon-Tyne	720,323
Newham	1,150,746
North Cornwall	132,413
North Devon	208,627
North Dorset	45,203
North East Derbyshire	70,082
North Hertfordshire	153,626
North Kesteven	60,589
North Norfolk	119,137
North Shropshire	57,220
North Tyneside	349,777
North Warwickshire	50,286
North West Leicestershire	62,534
North Wiltshire	109,027
Northampton	266,295
Northavon	109,688
Norwich	272,250
Nottingham	728,161
Nuneaton and Bedworth	134,524
Oadby and Wigston	28,661
Oldham	343,754
Oswestry	37,580
Oxford	372,944

<i>(1) Authority</i>	<i>(2) Sum £</i>
Pendle	123,907
Penwith	189,619
Peterborough	295,843
Plymouth	534,236
Poole	212,576
Portsmouth	544,876
Preston	205,146
Purbeck	56,137
Reading	387,269
Redbridge	678,135
Redditch	84,188
Reigate and Banstead	126,527
Restormel	177,164
Ribble Valley	22,683
Richmond-upon-Thames	329,509
Richmondshire	33,130
Rochdale	375,472
Rochester-upon-Medway	318,399
Rochford	75,561
Rossendale	86,133
Rother	146,132
Rotherham	282,457
Rugby	84,590
Runnymede	87,062
Rushcliffe	79,766
Rushmoor	123,141
Rutland	22,964
Ryedale	79,155
Salford	605,017
Salisbury	161,093
Sandwell	547,329
Scarborough	181,738
Scunthorpe	181,738
Sedgefield	106,369

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>(1) Authority</i>	<i>(2) Sum £</i>
Sedgemoor	160,075
Sefton	454,228
Selby	54,235
Sevenoaks	136,564
Sheffield	867,879
Shepway	170,162
Shrewsbury and Atcham	100,580
Slough	263,541
Solihull	187,190
South Bedfordshire	120,313
South Bucks	65,442
South Cambridgeshire	78,853
South Derbyshire	55,811
South Hams	110,197
South Herefordshire	39,632
South Holland	50,169
South Kesteven	110,886
South Lakeland	104,805
South Norfolk	82,574
South Northamptonshire	50,722
South Oxfordshire	122,772
South Ribble	79,843
South Shropshire	44,934
South Somerset	209,132
South Staffordshire	61,354
South Tyneside	310,306
Southampton	552,083
Southend-on-Sea	478,192
Southwark	972,886
Spelthorne	90,928
St Albans	137,921
St Edmundsbury	93,962
St Helens	241,344
Stafford	83,154

<i>(1) Authority</i>	<i>(2) Sum £</i>
Staffordshire Moorlands	53,494
Stevenage	145,007
Stockport	324,024
Stockton-on-Tees	240,320
Stoke-on-Trent	368,252
Stratford-on-Avon	99,018
Stroud	115,363
Suffolk Coastal	97,391
Sunderland	519,514
Surrey Heath	74,442
Sutton	250,272
Swale	188,018
Tameside	373,452
Tamworth	79,806
Tandridge	57,197
Taunton Deane	163,365
Teesdale	17,322
Teignbridge	181,068
Tendring	258,967
Test Valley	90,601
Tewkesbury	61,952
Thamesdown	264,121
Thanet	384,102
The Wrekin	206,489
Three Rivers	76,051
Thurrock	189,338
Tonbridge and Malling	117,328
Torbay	385,733
Torridge	109,256
Tower Hamlets	687,789
Trafford	295,608
Tunbridge Wells	154,207
Tynedale	39,115
Uttlesford	61,504

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>(1) Authority</i>	<i>(2) Sum £</i>
Vale of White Horse	82,054
Vale Royal	81,656
Wakefield	405,444
Walsall	332,336
Waltham Forest	925,784
Wandsworth	1,066,873
Wansbeck	70,454
Wansdyke	69,222
Warrington	197,076
Warwick	134,435
Watford	121,847
Waveney	286,166
Waverley	121,822
Wealden	100,387
Wear Valley	92,404
Wellingborough	79,390
Welwyn Hatfield	121,625
West Devon	50,321
West Dorset	98,511
West Lancashire	116,252
West Lindsey	59,775
West Oxfordshire	97,592
West Somerset	72,946
West Wiltshire	130,539
Westminster	1,361,786
Weymouth and Portland	158,289
Wigan	356,365
Winchester	110,152
Windsor and Maidenhead	153,196
Wirral	749,997
Woking	81,507
Wokingham	97,739
Wolverhampton	419,126
Woodspring	312,285

<i>(1) Authority</i>	<i>(2) Sum £</i>
Worcester	109,801
Worthing	240,230
Wychavon	118,495
Wycombe	159,438
Wyre	108,149
Wyre Forest	106,697
York	193,318
WALES	
Aberconwy	83,807
Alyn and Deeside	61,396
Arfon	69,215
Blaenau Gwent	118,116
Brecknock	36,353
Cardiff	650,901
Carmarthen	65,503
Ceredigion	99,790
Colwyn	104,635
Cynon Valley	96,567
Delyn	72,172
Dinefwr	50,037
Dwyfor	34,996
Glyndwr	35,095
Islwyn	72,800
Llanelli	105,908
Lliw Valley	71,650
Meirionnydd	29,831
Merthyr Tydfil	103,202
Monmouth	76,160
Montgomeryshire	40,774
Neath	79,489
Newport	241,839
Ogwr	184,704
Port Talbot	73,249
Preseli Pembrokeshire	91,027
Radnorshire	22,420

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>(1) Authority</i>	<i>(2) Sum £</i>
Rhondda	124,644
Rhuddlan	94,995
Rhymney Valley	136,473
South Pembrokeshire	74,253
Swansea	351,038
Taff Ely	98,831
Torfaen	120,923
Vale of Glamorgan	171,294
Wrexham Maelor	125,752
Ynys Môn	121,845
SCOTLAND	
Aberdeen	137,112
Angus	64,236
Annandale and Eskdale	25,200
Argyll and Bute	74,121
Badenoch and Strathspey	14,419
Banff and Buchan	58,300
Bearsden and Milngavie	11,701
Berwickshire	16,117
Borders	9,763
Caithness	20,465
Central	38,940
Clackmannan	35,477
Clydebank	47,222
Clydesdale	31,044
Cumbernauld and Kilsyth	37,118
Cumnock and Doon Valley	33,452
Cunninghame	142,491
Dumbarton	71,608
Dumfries and Galloway	17,008
Dundee	257,258
Dunfermline	110,735
East Kilbride	16,457
East Lothian	77,268
Eastwood	21,784

<i>(1) Authority</i>	<i>(2) Sum £</i>
Edinburgh	852,242
Ettrick and Lauderdale	23,323
Falkirk	101,387
Fife	53,793
Glasgow	1,614,436
Gordon	31,404
Grampian	42,628
Hamilton	79,944
Highland	24,323
Inverclyde	106,617
Inverness	58,097
Kilmarnock and Loudoun	69,581
Kincardine and Deeside	16,703
Kirkcaldy	168,289
Kyle and Carrick	109,298
Lochaber	17,140
Lothian	114,105
Midlothian	48,516
Monklands	93,201
Moray	55,061
Motherwell	120,360
Nairn	7,759
Nithsdale	48,945
North East Fife	49,259
Orkney Islands	15,757
Perth and Kinross	103,845
Renfrew	191,623
Ross and Cromarty	43,371
Roxburgh	30,502
Shetland Islands	10,638
Skye and Lochalsh	12,180
Stewartry	17,592
Stirling	68,839
Strathclyde	445,852

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>(1) Authority</i>	<i>(2) Sum £</i>
Strathkelvin	44,921
Sutherland	9,312
Tayside	56,105
Tweeddale	11,776
West Lothian	97,413
Western Isles	24,127
Wigtown	44,852
NEW TOWNS	
Cumbernauld	18,946
East Kilbride (DC)	30,439
Glenrothes (DC)	19,807
Irvine (DC)	11,906
Livingstone (DC)	24,237
Rural Wales	2,983
Scottish Homes	207,687