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STATUTORY INSTRUMENTS

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**2005 No. 535**

**SOCIAL SECURITY**

**The Income-related Benefits (Subsidy to Authorities) Amendment (No. 2) Order 2005**

<i>Made</i>	- - - -	<i>3rd March 2005</i>
<i>Laid before Parliament</i>		<i>10th March 2005</i>
<i>Coming into force</i>	- -	<i>1st April 2005</i>

The Secretary of State for Work and Pensions, with the consent of the Treasury, in exercise of the powers conferred upon him by sections 140B, 140F(2) and 189(1) and (4),(5) and (7) of the Social Security Administration Act 1992(1), and of all other powers enabling him in that behalf, with the consent of the Treasury(2) and after consultation with organisations appearing to him to be representative of the authorities concerned (3), hereby makes the following Order:

**Citation, commencement, interpretation and extent**

1.—(1) This Order may be cited as the Income-related Benefits (Subsidy to Authorities) Amendment (No. 2) Order 2005 and shall come into force on 1st April 2005.

(2) In this Order, “the 1998 Order” means the Income-related Benefits (Subsidy to Authorities) Order 1998(4).

(3) This Order extends to England and Wales.

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- (1) 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) 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.
- (2) See section 189(8) of the Social Security Administration Act 1992, as amended by paragraph 3(5) of Schedule 13 to the Housing Act 1996, paragraph 10 of Schedule 3 to the Social Security (Recovery of Benefits) Act 1997 (c. 27), paragraph 57(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).
- (3) See section 176(1) of the Social Security Administration Act 1992; a relevant amendment is made by paragraph 3(4) of Schedule 13 to the Housing Act 1996.
- (4) S.I.1998/562. The relevant amending instrument is the Income-related Benefits (Subsidy to Authorities) Amendment Order 2004 (S.I. 2004/646).

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**Amendment of the 1998 Order**

2. Schedule 4A to the 1998 Order (rent rebate limitation deductions) is amended in accordance with the Schedule to this Order.

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

3 March 2005

*Malcolm Wicks*  
Minister of State,  
Department for Work and Pensions

We consent

3 March 2005

*Jim Murphy*  
*John Heppell*  
Two of the Lords Commissioners of Her  
Majesty's Treasury

SCHEDULE

Article 2

AMENDMENTS TO SCHEDULE 4A TO THE 1998 ORDER

1. In paragraph 2 (England – liability to deduction), for sub-paragraphs (6) and (7) there shall be substituted—

“(6) The GDP deflator for the period beginning with the year 2001-02 and ending with the year 2005-06 is 1.1010.

(7) The annual factor for 2005-06 is 0.6.”.

2. In paragraph 3 (amount of deduction), for sub-paragraph (3) there shall be substituted —

“(3) The rebate proportion in England for 2005—6 is 0.61”.

3. For Part 3 there shall be substituted—

“PART 3

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

**TABLE**

RELEVANT YEAR 2005-06

<i>Authority</i>	<i>Weekly rent limit</i>
Adur	£58.56
Alnwick	£44.75
Arun	£65.08
Ashfield	£42.58
Ashford	£61.33
Aylesbury Vale	£61.25
Babergh	£55.97
Barking and Dagenham	£55.42
Barnet	£68.44
Barnsley	£44.13
Barrow in Furness	£51.30
Basildon	£54.10
Bassetlaw	£46.59
Berwick upon Tweed	£42.49
Birmingham	£51.95
Blaby	£47.05
Blackpool	£44.55
Blyth Valley	£41.01

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<i>Authority</i>	<i>Weekly rent limit</i>
Bolsover	£45.18
Bolton	£45.03
Bournemouth	£55.37
Bracknell Forest	£62.14
Braintree	£56.82
Brent	£75.77
Brentwood	£62.77
Bridgnorth	£52.84
Brighton and Hove	£55.74
Bristol	£49.00
Broxbourne	£63.14
Broxtowe	£45.24
Bury	£50.24
Cambridge	£60.05
Camden	£77.27
Cannock Chase	£51.22
Canterbury	£59.48
Caradon	£49.00
Carrick	£46.84
Castle Morpeth	£45.53
Castle Point	£63.42
Charnwood	£45.86
Cheltenham	£55.83
Chester-le-Street	£44.89
Chesterfield	£46.98
Chorley	£44.52
City of London	£71.39
City of York	£51.84
Colchester	£56.13
Corby	£46.13
Crawley	£61.01
Croydon	£74.66
Dacorum	£61.37
Darlington	£46.02

<i>Authority</i>	<i>Weekly rent limit</i>
Dartford	£56.98
Daventry	£52.20
Derby	£48.91
Derwentside	£47.66
Doncaster	£44.18
Dover	£59.99
Dudley	£51.86
Durham	£46.50
Ealing	£73.25
Easington	£45.66
East Devon	£50.50
East Riding	£47.77
Eastbourne	£51.39
Ellesmere Port and Neston	£45.87
Enfield	£66.47
Epping Forest	£62.45
Exeter	£48.00
Fareham	£56.66
Fenland	£53.70
Gateshead	£46.11
Gedling	£45.83
Gloucester	£53.16
Gosport	£57.42
Gravesham	£59.19
Great Yarmouth	£45.93
Greenwich	£64.00
Guildford	£69.15
Hackney	£69.55
Halton	£47.82
Hammersmith and Fulham	£70.86
Harborough	£52.60
Haringey	£71.31
Harlow	£57.19
Harrogate	£55.73

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<i>Authority</i>	<i>Weekly rent limit</i>
Harrow	£78.80
Havering	£58.44
High Peak	£48.29
Hillingdon	£78.50
Hinckley and Bosworth	£47.73
Hounslow	£67.47
Hyndburn	£47.77
Ipswich	£50.42
Isles of Scilly	£56.99
Islington	£74.69
Kensington and Chelsea	£83.53
Kettering	£49.89
Kings Lynn and West Norfolk	£50.63
Kingston upon Hull	£45.51
Kingston upon Thames	£77.19
Kirklees	£47.79
Lambeth	£67.99
Lancaster	£49.05
Leeds	£45.58
Leicester	£47.89
Lewes	£57.75
Lewisham	£59.89
Lincoln	£41.94
Liverpool	£49.80
Luton	£53.59
Macclesfield	£52.86
Manchester	£54.84
Mansfield	£45.31
Medway Towns	£54.02
Melton	£46.61
Merton	£68.09
Mid Devon	£52.05
Mid Suffolk	£53.62
Milton Keynes	£51.39

<i>Authority</i>	<i>Weekly rent limit</i>
Mole Valley	£65.39
New Forest	£63.32
Newark and Sherwood	£48.24
Newcastle upon Tyne	£46.58
Newham	£60.30
Northampton	£50.89
North Cornwall	£50.38
North East Derbyshire	£45.87
North East Lincolnshire	£46.56
North Kesteven	£48.16
North Lincolnshire	£45.59
North Norfolk	£50.62
North Shropshire	£49.02
North Somerset	£60.58
North Tyneside	£44.75
North Warwickshire	£51.18
North West Leicestershire	£48.10
Norwich	£49.40
Nottingham	£46.16
Nuneaton and Bedworth	£47.61
Oadby and Wigston	£47.75
Oldham	£44.91
Oswestry	£49.48
Oxford	£63.38
Pendle	£46.17
Plymouth	£43.37
Poole	£55.68
Portsmouth	£53.39
Preston	£49.72
Reading	£70.57
Redbridge	£77.21
Redditch	£49.97
Ribble Valley	£48.20
Richmondshire	£50.96

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<i>Authority</i>	<i>Weekly rent limit</i>
Rochdale	£46.79
Rochford	£56.86
Rossendale	£46.55
Rotherham	£43.30
Rugby	£52.28
Runnymede	£70.46
Rutland	£53.48
Salford	£50.90
Salisbury	£61.70
Sandwell	£54.66
Sedgefield	£43.94
Sedgemoor	£54.01
Sefton	£51.86
Selby	£51.01
Sheffield	£43.78
Shepway	£55.50
Slough	£67.20
Solihull	£53.29
South Bedfordshire	£60.48
South Cambridgeshire	£61.26
South Derbyshire	£49.27
South Gloucestershire	£55.86
South Holland	£46.98
South Kesteven	£47.08
South Lakeland	£54.09
South Northants	£59.16
South Tyneside	£43.98
Southampton	£53.31
Southend-on-Sea	£54.83
Southwark	£66.02
St Albans	£67.04
Stafford	£45.74
Stevenage	£63.18
Stockport	£45.30



<i>Authority</i>	<i>Weekly rent limit</i>
Stockton on Tees	£48.03
Stoke-on-Trent	£47.59
Stroud	£54.95
Sutton	£64.63
Swindon	£50.49
Tamworth	£52.39
Tandridge	£60.77
Taunton Deane	£51.84
Teesdale	£47.07
Tendring	£53.05
Thanet	£55.73
Three Rivers	£64.64
Thurrock	£54.35
Torridge	£46.29
Tower Hamlets	£65.32
Trafford	£51.82
Uttlesford	£63.83
Wakefield	£46.07
Waltham Forest	£61.77
Wandsworth	£77.99
Wansbeck	£40.64
Warrington	£47.07
Warwick	£56.88
Watford	£62.75
Waveney	£50.10
Waverley	£66.78
Wealden	£54.62
Wear Valley	£45.99
Wellingborough	£47.59
Welwyn Hatfield	£61.53
West Lancashire	£48.50
Westminster	£82.14
Wigan	£46.32
Winchester	£64.53

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<i>Authority</i>	<i>Weekly rent limit</i>
Wirral	£54.68
Woking	£71.10
Wokingham	£67.95
Wolverhampton	£47.79
Wycombe	£69.95”

4. In paragraph 5 (Wales – amount of deduction), for sub-paragraph (2) there shall be substituted—

“(2) The rebate proportion for Wales for each relevant year commencing with 2005-06 is 0.66.”.

5. For Part 5 there shall be substituted—

## “PART 5

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

**TABLE**

RELEVANT YEAR 2005-06

<i>Authority</i>	<i>(1) Specified amount “O”</i>	<i>(2) Guideline rent increase</i>
Blaenau Gwent	45.90	1.22
Caerphilly	50.13	1.92
Cardiff	54.86	2.50
Carmarthenshire	46.16	2.08
Ceredigion	50.39	1.76
Conwy	47.54	2.66
Denbighshire	45.16	1.99
Flintshire	46.75	2.29
Gwynedd	46.50	2.30
Isle of Anglesey	45.74	1.98
Merthyr Tydfil	43.99	1.45
Monmouthshire	54.40	1.89
Neath Port Talbot	46.29	1.60
Newport	51.07	2.15
Pembrokeshire	46.27	2.31
Powys	49.07	2.59

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<i>Authority</i>	<i>(1) Specified amount "O"</i>	<i>(2) Guideline rent increase</i>
Rhondda, Cynon, Taff	46.14	1.83
Swansea	48.02	1.93
Torfaen	52.28	1.97
Vale of Glamorgan	54.03	1.89
Wrexham	44.43	2.36"

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#### **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, 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 GDP deflator, 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 2005-06 (paragraphs 1 and 3). It also substitutes a rebate proportion for that year for the purpose of calculating the amount of the deduction (paragraph 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 2005-06 (paragraph 5). It also substitutes a rebate proportion for that year for the purpose of calculating the amount of the deduction (paragraph 4).

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