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STATUTORY INSTRUMENTS

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**2008 No. 1190**

**The Housing Renewal Grants  
(Amendment) (England) Regulations 2008**

**Amendment of the 1996 Regulations**

4.—(1) For regulation 5 (definition of relevant person) substitute—

**“Definition of relevant person**

5.—(1) Subject to paragraph (2), in respect of any application for a grant a relevant person is any person who—

- (a) is the disabled occupant or one of the disabled occupants of the dwelling; or
- (b) is the partner, or a partner, of the disabled occupant or one of the disabled occupants of the dwelling,

and is not a young person or child or the partner of a young person.

(2) Where—

- (a) both members of a couple or
- (b) two or more members of a polygamous marriage

fall within the definition of a relevant person in paragraph (1), only one member of that couple or marriage will be the relevant person in respect of that application.”.

(2) For regulation 10 (the applicable amount) substitute—

“10.—(1) The applicable amount in respect of any one application shall be—

- (a) the aggregate of the total of the weekly applicable amounts of all those persons who are relevant persons in the case of that application; and
- (b) £61.30.

(2) For the purposes of paragraph (1), the weekly applicable amount as regards any of the persons listed in paragraph (3) is £1.

(3) The persons mentioned in paragraph (2) are—

- (a) a relevant person who is in receipt of, and entitled to be in receipt of—
  - (i) income support;
  - (ii) income-based job-seeker’s allowance;
  - (iii) housing benefit; or
  - (iv) council tax benefit;
- (b) a relevant person who—
  - (i) is in receipt of guarantee credit; or
  - (ii) is a member of a couple, and the other member is in receipt of guarantee credit; or

- (c) a relevant person—
  - (i) who is in receipt of working tax credit or child tax credit; and
  - (ii) whose annual income for the purposes of assessing his entitlement to working tax credit or child tax credit has been calculated as being less than £15,050.
- (3) As regards any other relevant person the weekly applicable amount is the amount determined in his case in accordance with regulation 14 (applicable amounts).”.
- (3) In regulation 12 (reduction in amount of grant)—
  - (a) in paragraph (1)(a), for “19.37” substitute “18.85”;
  - (b) in paragraph (1)(b), for “38.73” substitute “37.69”;
  - (c) in paragraph (1)(c), for “154.93” substitute “150.77”;
  - (d) in paragraph (1)(d), for “387.33” substitute “376.93”;
  - (e) in paragraph (2)(a), for “11.21” substitute “11.04”;
  - (f) in paragraph (2)(b), for “22.41” substitute “22.09”;
  - (g) in paragraph (2)(c), for “89.66” substitute “88.34”;
  - (h) in paragraph (2)(d), for “224.15” substitute “220.86”.
- (4) In regulation 31 (notional income), after paragraph (2) insert—
  - “(2A) For the purposes of paragraphs (1) and (2), a person is not to be regarded as depriving himself of income where—
    - (a) his rights to benefits under a registered pension scheme are extinguished and in consequence of this he receives a payment from the scheme, and
    - (b) that payment is a trivial commutation lump sum within the meaning given by paragraph 7 of Schedule 29 to the Finance Act 2004<sup>(1)</sup>.
  - (2B) in paragraph (2A) “registered pension scheme” has the meaning given in section 150(2) of the Finance Act 2004.”.
- (5) Schedule 1 (applicable amounts) is amended as follows—
  - (a) in paragraph 1 in the column headed “(2) Amount”—
    - (i) in sub-paragraph (1)(a), for “£44.50” substitute “£47.95”;
    - (ii) in sub-paragraph (1)(b), for “£56.20” substitute “£60.50”;
    - (iii) in sub-paragraph (2)(a) for “£44.50” substitute “£47.95”;
    - (iv) in sub-paragraph (2)(b), for “£56.20” substitute “£60.50”;
    - (v) in sub-paragraph (3)(a), for “£67.15” substitute “£72.35”;
    - (vi) in sub-paragraph (3)(b), for “£88.15” substitute “£94.95”;
  - (b) in paragraph 2, in the column headed “(2) Amount”, in sub-paragraphs (a) and (b) for “£43.88” substitute “£52.59”;
  - (c) in paragraph 3—
    - (i) in sub-paragraph (1), for “£16.10” substitute “£16.75”;
    - (ii) in sub-paragraph (3) for “£10.45” substitute “£10.50”;
  - (d) in paragraph 13A—
    - (i) in sub-paragraph (1), omit the words “Subject to sub-paragraph (2)”; and

- (ii) omit sub-paragraph (2);
- (e) in paragraph 14(1)(a), omit the words “except as provided in regulation 32(5) (modifications in respect of children and young persons)”;
- (f) in paragraph 18, in the column headed “*Amount*”—
  - (i) in each of sub-paragraphs (1)(a), (2)(a) and (3)(a), for “£53.25” substitute “£63.55”;
  - (ii) in each of sub-paragraphs (1)(b), (2)(b) and 3(b), for “£78.90” substitute “£94.40”;
  - (iii) in sub-paragraph (3A), for “£25.85” substitute “£26.80”;
  - (iv) in sub-paragraph (4)(a), for “£23.95” substitute “£25.85”;
  - (v) in sub-paragraph (4)(b), for “£34.20” substitute “£36.85”;
  - (vi) in sub-paragraph (5)(a), for “£45.50” substitute “£50.35”;
  - (vii) in sub-paragraph (5)(b)(i), for “£45.50” substitute “£50.35”;
  - (viii) in sub-paragraph (5)(b)(ii), for “£91.00” substitute “£100.70”;
  - (ix) in sub-paragraph (6), for “£43.89” substitute “£48.72”;
  - (x) in sub-paragraph (7) for “£25.80” substitute “£27.75”;
  - (xi) in sub-paragraph (8)(a) for “£17.71” substitute “£19.60”;
  - (xii) in sub-paragraph (8)(b), for “£11.70” substitute “£12.60”; and
  - (xiii) in sub-paragraph (8)(c), for “£16.90” substitute “£18.15”.
- (6) Schedule 2 is amended as follows—
  - (a) in paragraph 18, in sub-paragraphs (1) and (3)(c), for “£14.50” substitute “£14.90”;
  - (b) in paragraph 12, in sub-paragraph (a), omit “or” in the first place where it occurs, and after the words “guarantee credit” insert “, housing benefit or council tax benefit”; and
  - (c) after paragraph 12 insert—
    - “**12A.** Where a relevant person is in receipt of—
      - (a) working tax credit or child tax credit; and
      - (b) whose annual income for the purposes of assessing his entitlement to working tax credit or child tax credit has been calculated as being less than £15,050, his earnings.”.
- (7) Schedule 3 is amended as follows—
  - (a) in paragraph 4, in sub-paragraph (a), omit “or” in the first place where it occurs, and after the words “guarantee credit” insert “, housing benefit or council tax benefit”;
  - (b) after paragraph 4 insert—
    - “**4A.** Where a relevant person is in receipt of—
      - (a) working tax credit or child tax credit; and
      - (b) whose annual income for the purposes of assessing his entitlement to working tax credit or child tax credit has been calculated as being less than £15,050, the whole of his income.”; and
  - (c) in paragraph 13 after sub-paragraph (f) insert—
    - “(g) a guaranteed income payment made under article 14(1)(b) or article 21(1)(a) of the Armed Forces and Reserve Forces (Compensation Scheme) Order 2005(2)

(8) Schedule 4 is amended as follows—

- (a) In paragraph 6, in sub-paragraph (a), after the words “guarantee credit” omit “or” in the first place where it occurs, and insert “, housing benefit or council tax benefit”;
- (b) After paragraph 6 insert—
  - “**6A.** Where a relevant person is in receipt of—
    - (a) working tax credit or child tax credit; and
    - (b) whose annual income for the purposes of assessing his entitlement to working tax credit or child tax credit has been calculated as being less than £15,050, the whole of his capital.”.