

2008 No. 2569

SOCIAL SECURITY

**The Social Fund Cold Weather Payments (General) Amendment
Regulations 2008**

Made - - - - *2nd October 2008*

Laid before Parliament *6th October 2008*

Coming into force in accordance with regulation 1

The Secretary of State for Work and Pensions makes the following Regulations in exercise of the powers conferred upon him by sections 138(2) and (4) and 175(1), (3) and (4) of the Social Security Contributions and Benefits Act 1992(a).

The Social Security Advisory Committee has agreed that proposals in respect of these Regulations should not be referred to it(b).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Social Fund Cold Weather Payments (General) Amendment Regulations 2008.

(2) This regulation and regulation 2(1) and (3) come into force on 27th October 2008, immediately after the Employment and Support Allowance (Consequential Provisions) (No.2) Regulations 2008(c) come into force.

(3) The other provisions of these Regulations come into force on 1st November 2008.

(4) In these Regulations “the principal Regulations” means the Social Fund Cold Weather Payments (General) Regulations 1988(d).

Amendment of the principal Regulations

2.—(1) The principal Regulations are amended as follows.

(2) In regulation 1(2), in the definition of “forecast”(e), for “Department of Social Security” substitute “Department for Work and Pensions”.

(3) In regulation 1A(f) (prescribed description of persons)—

(a) 1992 c.4; section 138(4) is an interpretation provision and is cited because of the meaning ascribed to the word “prescribed”. Amendments not relevant to these Regulations have been made to section 175(1) and (4).

(b) See sections 170, 172 and 173(1)(b) of the Social Security Administration Act 1992 (c.5). Amendments not relevant to these Regulations have been made to section 170.

(c) S.I. 2008/1554.

(d) S.I. 1988/1724.

(e) The definition of “forecast” was inserted by S.I. 1991/2238 and amended by S.I. 1996/2544.

(f) Regulation 1A was inserted by S.I. 1991/2448. Paragraph (1) has been amended by S.I. 1996/2544, 2002/3019, 2003/1121, 2004/2600, 2005/2687 and 2008/1554.

(a) in paragraph (1)(id) (employment and support allowance premiums), for “paragraphs 5 to 8” substitute “paragraphs 5 to 7”;

(b) in paragraph (2) (persons in residential care), for “and (ib)”, substitute “, (ib), (id) and (ie)”.

(4) For Schedule 1(a) (identification of stations and postcode districts), substitute the Schedule set out in Schedule 1 to these Regulations.

(5) For Schedule 2(b) (specified alternative stations), substitute the Schedule set out in Schedule 2 to these Regulations.

Modification of the principal Regulations in respect of the 2008-09 winter

3. For the purpose of making a payment in respect of a period of cold weather which begins at any time after 31st October 2008 but before 1st April 2009, regulation 3 of the principal Regulations (prescribed amount) is applied as if the reference to £8.50 were to £25.00.

2nd October 2008

James Purnell
Secretary of State for Work and Pensions

SCHEDULE 1

Regulation 2(4)

The following Schedule is substituted for Schedule 1 to the principal Regulations—

“SCHEDULE 1

Regulation 2(1)(a) and (2)

IDENTIFICATION OF STATIONS AND POSTCODE DISTRICTS

<i>Column (1)</i>	<i>Column (2)</i>
<i>Meteorological Office Station</i>	<i>Postcode districts</i>
1. Aberporth	SA35-48, SA64-65.
2. Albemarle	DH1-7, DH9. DL4-5, DL14-17. NE1-13, NE15-18, NE20-21, NE23, NE25-43, NE44-46. SR1-7. TS21, TS28-29.
3. Andrewsfield	AL1-10. CB1-5, CB10-11, CB21-25. CM1-9, CM11-24, CM77. CO9. RM14-20. SG1-2, SG8-14.

(a) Schedule 1 was substituted by S.I. 2007/2912. (Schedule 1 had previously been substituted and amended by other statutory instruments the most recent being S.I. 2003/2605, 2003/3023, 2004/2600, 2005/2724 and 2006/2655.)
(b) Schedule 2 was substituted by S.I. 2007/2912. (Schedule 2 had previously been substituted by S.I. 1999/2781, 2003/2605, 2005/2724 and 2006/2655).

<i>Column (1)</i>	<i>Column (2)</i>
<i>Meteorological Office Station</i>	<i>Postcode districts</i>
4. Aultbea	IV21-22, IV26, IV40, IV52-54.
5. Aviemore	AB37. PH 19-26.
6. Bedford	LU1-7. MK1-19, MK40-46. NN1-16, NN29. PE19. SG3-7, SG15-19.
7. Bingley	BB1-12, BB18. BD1-24. DE4, DE45. DL8, DL11. HD1-9. HX1-7. LS21, LS27, LS29. OL1-5, OL11-16. S32-33, S35-36. SK13, SK17, SK22-23. ST13. WF15-17.
8. Bishopston	G1-5, G11-15, G20-23, G31-34, G40-46, G51-53, G60-62, G64-69, G71-78, G81-84. KA1-18, KA20-25, KA28-30. ML1-5. PA1-27, PA30, PA32.
9. Boscombe Down	BA12. RG28. SO20-23. SP1-5, SP7, SP9-11.
10. Boulmer	NE22, NE24, NE61-70. TD15.
11. Braemar	AB33-36. PH10-11, PH18.
12. Brize Norton	CV36. GL54-56. OX1-8, OX10-18, OX20, OX25-29, OX33, OX39, OX44, OX49. SN7.
13. Cardinham (Bodmin)	PL13-17, PL22-35. TR9.
14. Carlisle	CA1-8, CA13-15. DG12, DG16.
15. Cassley	IV27-28. KW11, KW13.
16. Charlwood	BN5-6, BN44. GU5-6. ME14-20. RH1-20. TN1-20, TN22, TN27.

<i>Column (1)</i>	<i>Column (2)</i>
<i>Meteorological Office Station</i>	<i>Postcode districts</i>
17. Charterhall	NE71. TD3-6, TD8, TD10-12.
18. Chivenor	EX22-23, EX31-34, EX39.
19. Coleshill	B1-21, B23-38, B40, B42-50, B60-80, B90-98. CV1-12, CV21-23, CV31-35, CV37, CV47. DY1-14. LE10. WS1-15. WV1-16.
20. Crosby	CH1-8, CH41-49, CH60-66. FY1-8. L1-40. LL11-14. PR1-9, PR25-26. SY14. WA1-2, WA4-12. WN1-6, WN8.
21. Culdrose	TR1-8, TR10-20, TR26-27.
22. Dundrennan	DG1-2, DG5-7.
23. Dunkeswell Aerodrome	DT6-8. EX1-15, EX24. TA21. TQ1-6, TQ9-14.
24. Dyce	AB10-16, AB21-25, AB30-32, AB39, AB41-43, AB51-54. DD8-11.
25. Edinburgh Gogarbank	EH1-42, EH47-49, EH51-55. FK1-17. G63. KY3, KY11-13. PH3-5. TD13-14.
26. Eskdalemuir	DG3-4, DG10-11, DG13-14. ML12. TD1-2, TD7, TD9.
27. Filton	BS1-11, BS13-16, BS20-24, BS29-32, BS34-37, BS39-41, BS48-49. GL11-13. NP16, NP26.
28. Heathrow	BR1-8. CR0, CR2-9. DA1-2, DA4-8, DA14-18. E1-18. E1W. EC1-4. EN1-11. HA0-9. IG1-11.

<i>Column (1)</i>	<i>Column (2)</i>
<i>Meteorological Office Station</i>	<i>Postcode districts</i>
	KT1-24.
	N1-22.
	NW1-11.
	RM1-13.
	SE1-28.
	SL0, SL3.
	SM1-7.
	SW1-20.
	TW1-20.
	UB1-10.
	W1-14.
	WC1-2.
	WD1-7, WD17-19, WD23-25.
29. Hereford-Credenhill	GL1-6, GL10, GL14-20, GL50-53.
	HR1-9.
	NP15, NP25.
	SY8.
	WR1-15.
30. Herstmonceux, West End	BN7-8, BN20-24, BN26-27.
	TN21, TN31-40.
31. High Wycombe	HP1-23, HP27.
	OX9.
	RG9.
	SL7-9.
32. Hurn (Bournemouth Airport)	BH1-25, BH31.
	DT1-2, DT11.
	SP6.
33. Isle of Portland	DT3-5.
34. Kinloss	AB38, AB44-45, AB55-56.
	IV1-3, IV5, IV7-20, IV30-32, IV36.
35. Kirkwall	KW15-17.
36. Lake Vyrnwy	LL20-21, LL23-25, LL41.
	SY10, SY15-17, SY19, SY21-22.
37. Leconfield	DN14. HU1-20. Y011-12, Y014-17, Y025.
38. Lerwick	ZE1-3.
39. Leuchars	DD1-7. KY1-2, KY4-10, KY14-16. PH1-2, PH7, PH12-14.
40. Linton on Ouse	DL1-3, DL6-7, DL9-10. HG1-5. LS1-20, LS22-26, LS28. S62-64, S70-75. TS9, TS15-16. WF1-14. YO1, YO7-8, YO10, YO19, YO23-24, YO26, YO30-32, YO41-43, YO51, YO60-62.

<i>Column (1)</i>	<i>Column (2)</i>
<i>Meteorological Office Station</i>	<i>Postcode districts</i>
41. Liscombe	EX16-21, EX35-38. TA22, TA24.
42. Loch Glascarnoch	IV4, IV6, IV23-24, IV63.
43. Loftus	SR8. TS1-8, TS10-14, TS17-20, TS22-27. YO13, Y018, Y021-22.
44. Lusa	IV41-49, IV51, IV55-56.
45. Lyneham	BA1-3, BA11, BA13-15. GL7-9. RG17. SN1-6, SN8-16, SN25-26.
46. Machrihanish	KA27. PA28-29, PA31, PA34, PA37, PA41-49, PA60-76. PH36, PH38-41.
47. Manston	CM0. CT1-21. DA3, DA9-13. ME1-13. SS0-17. TN23-26, TN28-30.
48. Marham	CB6-7. IP24-28. PE12-14, PE30-38.
49. Norwich Airport	NR1-35.
50. Nottingham	CV13. DE1-3, DE5-7, DE11-15, DE21-24, DE55- 56, DE65, DE72-75. LE1-9, LE11-14, LE16-19, LE65, LE67. NG1-22, NG25, NG31-34. S1-14, S17-18, S20-21, S25-26, S40-45, S60- 61, S65-66, S80-81. ST10, ST14.
51. Pembrey Sands	SA1-8, SA10-18, SA31-34, SA61-63, SA66- 73.
52. Plymouth	PL1-12, PL18-21. TQ7-8.
53. Redesdale	CA9. DH8. DL12-13. NE19, NE47-49.
54. Rhyl	LL15-19, LL22, LL26-32.
55. St. Athan	CF3, CF5, CF10-11, CF14-15, CF23-24, CF31-36, CF61-64, CF71-72. NP10, NP18-20.
56. St. Catherine's Point	PO30, PO38-41.
57. Salsburgh	EH43-46. ML6-11.
58. Scilly, St. Mary's	TR21-25.

<i>Column (1)</i>	<i>Column (2)</i>
<i>Meteorological Office Station</i>	<i>Postcode districts</i>
59. Sennybridge	CF37-48, CF81-83.
	LD1-8.
	NP4, NP7-8, NP11-13, NP22-24, NP44.
	SA9, SA19-20.
	SY7, SY9, SY18.
60. Shap	CA10-12, CA16-17.
	LA8-10, LA22-23.
61. Shawbury	ST1-9, ST11-12, ST15-21.
	SY1-6, SY11-13.
	TF1-13.
62. South Farnborough	GU1-4, GU7-35, GU46-47, GU51-52.
	RG1-2, RG4-8, RG10, RG12, RG14, RG18-27, RG29-31, RG40-42, RG45.
	SL1-2, SL4-6.
	SO24.
63. Stornoway Airport	HS1-9.
64. Thorney Island	BN1-3, BN9-18, BN25, BN41-43, BN45.
	PO1-22, PO31-37.
	SO14-19, SO30-32, SO40-43, SO45, SO50-53.
65. Tiree	PA77-78.
	PH42-44.
66. Trawsgoed	LL35-40.
	SY20, SY23-25.
67. Tulloch Bridge	FK18-21.
	PA33, PA35-36, PA38, PA40.
	PH6, PH8-9, PH15-17, PH30-35, PH37, PH49-50.
68. Valley	LL33-34, LL42-49, LL51-78.
69. Waddington	DN1-13, DN15-22, DN31-41.
	LN1-13.
	NG23-24.
	PE10-11, PE20-25.
70. Walney Island	CA18-28.
	LA1-7, LA11-21.
71. Wattisham	CB8-9.
	CO1-8, CO10-16.
	IP1-23, IP29-33.
72. West Freugh	DG8-9.
	KA19, KA26.
73. Wick Airport	IV25.
	KW1-3, KW5-10, KW12, KW14.
74. Wittering	LE15.
	NN17-18.
	PE1-9, PE15-17, PE26-29.
75. Woodford	BL0-9.
	CW1-12.
	M1-9, M11-35, M38, M40-41, M43-46, M50, M90.

<i>Column (1)</i>	<i>Column (2)</i>
<i>Meteorological Office Station</i>	<i>Postcode districts</i>
	OL6-10.
	SK1-12, SK14-16.
	WA3, WA13-16.
	WN7.
76. Yeovilton	BA4-10, BA16, BA20-22.
	BS25-28.
	DT9-10.
	SP8.
	TA1-20, TA23.”

SCHEDULE 2

Regulation 2(5)

The following Schedule is substituted for Schedule 2 to the principal Regulations—

“SCHEDULE 2

Regulation 2(1A)(a) and
2(1B)(a)

SPECIFIED ALTERNATIVE STATIONS

<i>Column (1)</i>	<i>Column (2)</i>
<i>Meteorological Office Station</i>	<i>Specified Alternative Station</i>
Charlwood	Kenley Airfield
Coleshill	Pershore
Hereford-Credenhill	Pershore
Kinloss	Lossiemouth
Leconfield	Loftus
Linton on Ouse	Church Fenton
Loftus	Leconfield
St. Athan	Mumbles
Shap	Keswick.”

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Social Fund Cold Weather Payments (General) Regulations 1988 (SI 1988/1724) (“the 1988 Regulations”) by:

- replacing an out-of-date reference to the Department of Social Security;
- correcting two errors made by the Employment and Support Allowance (Consequential Provisions) (No. 2) Regulations 2008 (S.I. 2008/1554); and
- substituting new Schedules to the 1988 Regulations in relation to the lists of weather stations and applicable postcode districts in Schedule 1, and alternative weather stations in Schedule 2.

They also provide for an increased rate of payment for winter 2008/9.

Regulation 2 amends the 1988 Regulations.

In the definition of “forecast” in regulation 1(2) the reference to the Department of Social Security is changed to the Department for Work and Pensions.

In regulation 1A(1)(id) (which was inserted by the Employment and Support Allowance (Consequential Provisions) (No. 2) Regulations 2008) the cross-reference to premiums in Schedule 4 to the Employment and Support Allowance Regulations 2008 is corrected as the reference to “paragraphs 5 to 8” should have read “paragraphs 5 to 7”. (The relevant premiums are pensioner, severe disability and enhanced disability premiums.)

In regulation 1A(2) references to paragraphs (1)(id) and (ie) are added as recipients of Employment and Support Allowance who are resident in care homes, independent hospitals and other similar establishments are not eligible for cold weather payments.

Schedule 1 to the 1988 Regulations specifies primary weather stations which are relevant to determining whether there is a recorded, or forecasted, period of cold weather. Schedule 2 to the 1988 Regulations specifies alternative stations used to determine this information where the primary station is unable to do so (where there is no specified alternative station for the relevant primary station, the nearest primary station able to provide this information is used).

Regulation 2(4) replaces Schedule 1 to the 1988 Regulations with Schedule 1 to these Regulations. The new Schedule largely re-enacts the list contained in the former Schedule 1, but it assigns postcodes from Great Malvern weather station (which is closing) to a new weather station (Hereford-Credenhill). The postcodes for Fylingdales weather station (which may be closing) have been assigned to an existing weather station (Loftus) and to a new weather station (Leconfield). Some of the postcodes currently linked to Waddington have also been assigned to the new Leconfield station.

Regulation 2(5) replaces Schedule 2 to the 1988 Regulations with Schedule 2 to these Regulations. The new Schedule largely re-enacts the list contained in the former Schedule 2. It omits Fylingdales, which is not being used, and includes Pershore which is a non-primary station as the specified alternative station for Coleshill and Hereford-Credenhill. It also includes the specified alternative stations for Leconfield and Loftus (Loftus and Leconfield respectively) as they are not the closest primary stations.

Regulation 3 provides that for winter 2008/09 a cold weather payment will be £25 instead of £8.50.

The Postcode Atlas of Great Britain and Northern Ireland and the postcode maps may be obtained from their publishers. A person may establish the current postcode for his or her address by contacting the Royal Mail Postcode Enquiries Office (telephone 08457 111222) or through the Royal Mail website at www.royalmail.com.

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

STATUTORY INSTRUMENTS

2008 No. 2569

SOCIAL SECURITY

The Social Fund Cold Weather Payments (General) Amendment
Regulations 2008

£5.00