
STATUTORY INSTRUMENTS

1997 No. 977

HOUSING, ENGLAND AND WALES

The Housing Renewal Grants (Amendment) Regulations 1997

<i>Made</i>	- - - -	<i>20th March 1997</i>
<i>Laid before Parliament</i>		<i>21st March 1997</i>
<i>Coming into force</i>	- -	<i>14th April 1997</i>

The Secretary of State for the Environment, as respects England, and the Secretary of State for Wales, as respects Wales, in exercise of the powers conferred upon them by sections 3(3) and (4), 30, 31(5) and 146(1) and (2) of the Housing Grants, Construction and Regeneration Act 1996⁽¹⁾ and of all other powers enabling them in that behalf, and with the consent of the Treasury, hereby make the following Regulations—

Citation and commencement

1. These Regulations may be cited as the Housing Renewal Grants (Amendment) Regulations 1997 and shall come into force on 14th April 1997.

Amendments

2. The Housing Renewal Grants Regulations 1996⁽²⁾ (“the principal Regulations”) are amended in accordance with the following regulations.

Amendment of regulation 5

3. For regulation 5 (definition of relevant person), substitute—

“5.—(1) Subject to paragraph (3), in respect of any one application, other than an application for a disabled facilities grant, a relevant person is any person who—

(a) is an applicant, or

(b) is not an applicant but is entitled to make the application and lives or intends to live in the dwelling or, as the case may be, a flat in the building,

provided that a young person shall not be a relevant person except where he is the only applicant.

(1) 1996 c. 53.

(2) S.I.1996/2890, to which there are amendments not relevant to these Regulations.

(2) Subject to paragraph (3), in respect of any one application for a disabled facilities grant a relevant person is any person who—

- (a) is the disabled occupant, or one of the disabled occupants, of the dwelling or the flat in the building and is not a child or young person for whom a relevant person is responsible by virtue of sub-paragraph (c); or
- (b) is the partner, or a partner, of the disabled occupant or of one of the disabled occupants and is not a child or young person for whom a relevant person is responsible by virtue of regulation 8; or
- (c) where the disabled occupant or any of the disabled occupants is a child or young person, is responsible for him within the meaning of regulation 8 (circumstances in which a person is to be treated as responsible or not responsible for another).

(3) Where sub-paragraph (a) or (b) of paragraph (1), or any of sub-paragraphs (a), (b) and (c) of paragraph (2), applies to both members of a couple or to more than one member of a polygamous marriage, one member only of that couple or of that polygamous marriage shall be a relevant person in respect of that application.”.

Amendment of regulation 12

4. In regulation 12 (reduction in amount of grant)—

- (a) in sub-paragraph (1)(a), for “18.46”, substitute “18.17”;
- (b) for sub-paragraphs (1)(b) to (d), substitute—
 - “(b) by multiplying by 36.33 such part of that excess as is greater than £47.95 but not more than £95.90;
 - (c) by multiplying by 145.32 such part of that excess as is greater than £95.90 but not more than £191.80; and
 - (d) by multiplying by 363.30 such part of that excess as is greater than £191.80.”;
- (c) in sub-paragraph (2)(a), for “10.77”, substitute “10.67”; and
- (d) for sub-paragraphs (2)(b) to (d), substitute—
 - “(b) by multiplying by 21.34 such part of that excess as is greater than £47.95 but not more than £95.90;
 - (c) by multiplying by 85.35 such part of that excess as is greater than £95.90 but not more than £191.80; and
 - (d) by multiplying by 213.38 such part of that excess as is greater than £191.80.”.

Amendment of regulation 19

5. In regulation 19(4) (treatment of child care charges: definitions), in the definition of “relevant child care charges”,—

- (a) for “who is under the age of 11 years”, substitute “who either is under the age of 11 years or has not reached the first Monday in September following his eleventh birthday”; and
- (b) in sub-paragraph (b), for “aged 8 and over but under 11”, substitute “who are aged 8 and over but have not reached the first Monday in September following their eleventh birthday”.

Amendment of Schedule 1

6. In Schedule 1 (applicable amounts),—

- (a) for paragraph 1 substitute—

“1. The amounts specified in column (2) below in respect of each person or couple specified in column (1) shall be the amounts specified for the purposes of regulations 14(a) and 15(a) and (b)—

<i>(1)</i> <i>Person or couple</i>	<i>(2)</i> <i>Amount</i>
(1) Single person aged—	(a) £38.90
(a) less than 25	
(b) not less than 25	(b) £49.15
(2) Lone parent aged—	(a) £38.90
(a) less than 18	
(b) not less than 18	(b) £49.15
(3) Couple—	(a) £58.70
(a) where both members are aged less than 18	
(b) where at least one member is aged not less than 18	(b) £77.15”;

(b) for paragraph 2, substitute—

“2. The amounts specified in column (2) below in respect of each person specified in column (1) shall, for the relevant period specified in column (1), be the amounts specified for the purposes of regulations 14(b) and 15(c)—

<i>(1)</i> <i>Child or Young Person</i>	<i>(2)</i> <i>Amount</i>
Person in respect of the period—	(a) £16.90
(a) beginning on that person’s date of birth and ending on the day preceding the first Monday in September following that person’s eleventh birthday	
(b) beginning on the first Monday in September following that person’s eleventh birthday and ending on the day preceding the first Monday in September following that person’s sixteenth birthday	(b) £24.75
(c) beginning on the first Monday in September following that person’s sixteenth birthday and ending on the day preceding that person’s nineteenth birthday	(c) £29.60.”;

(c) in paragraph 3, for “£10.55”, substitute—

- “(a) where the claimant is a lone parent and no premium is applicable under paragraph 8, 9, 10 or 11, £22.05;
(b) in any other case, £10.80”;

- (d) in paragraph 4, for “paragraphs 7”, substitute “paragraphs 8”;
(e) paragraph 7 (lone parent premium) shall be omitted; and
(f) for Part IV, substitute—

“PART IV

AMOUNTS OF PREMIUMS SPECIFIED IN PART III

<i>Premium</i>	<i>Amount</i>	
18. —	(a)	£19.65
(1) Pensioner premium for persons aged under 75—		
(a) where the relevant person satisfies the condition in paragraph 8(a)		
(b) where the relevant person satisfies the condition in paragraph 8(b)	(b)	£29.65
(2) Pensioner premium for persons aged 75 and over—		
(a) where the relevant person satisfies the condition in paragraph 9(a)		
(b) where the relevant person satisfies the condition in paragraph 9(b)	(b)	£32.75
(3) Higher pensioner premium—	(a)	£26.55
(a) where the relevant person satisfies the condition in paragraph 10(1)(a) or (b)		
(b) where the relevant person satisfies the condition in paragraph 10(2)(a) or (b)	(b)	£38.00
(4) Disability premium—	(a)	£20.95
(a) where the relevant person satisfies the condition in paragraph 11(a)		
(b) where the relevant person satisfies the condition in paragraph 11(b)	(b)	£29.90
(5) Severe disability premium—	(a)	£37.15
(a) where the relevant person satisfies the condition in paragraph 13(2)(a)		

<i>Premium</i>	<i>Amount</i>
(b) where the relevant person satisfies the condition in paragraph 13(2)(b)—	(b)
(i) in a case where there is someone in receipt of an invalid care allowance or if he or any partner satisfies that condition only by virtue of paragraph 13(4)	(i) £37.15
(ii) in a case where there is no-one in receipt of such an allowance	(ii) £74.30
(6) Disabled child premium	(6) £20.95 in respect of each child or young person in respect of whom the condition specified in paragraph 14 is satisfied.
(7) Carer premium	(7) £13.35 in respect of each person who satisfies the condition specified in paragraph 15.”.

Amendment of Schedule 2

7. In Schedule 2 (sums to be disregarded in the determination of earnings), in paragraph 4 (disregard of certain sums in the calculation of a lone parent’s earnings), for “lone parent premium under”, substitute “family premium under paragraph 3(a) of”.

Amendment of Schedule 3

8. In Schedule 3 (sums to be disregarded in the determination of income other than earnings),—
- (a) in paragraph 31, for “paragraphs 13 and 14”, substitute “paragraphs 12 and 13”; and
 - (b) in paragraph 45(1) (disregard of maintenance in the calculation of income other than earnings), for “the family premium”, substitute “a family premium”.

Transitional provisions: children and young persons

- 9.—(1) Where, in relation to an application for a grant,—
- (a) a relevant person’s applicable amount includes a personal allowance in respect of one or more children or young persons who on 13th April 1997 are aged 11, 16 or 18, and
 - (b) the financial resources of the applicant or applicants fall to be assessed as at a relevant date as defined by paragraph (2),

the principal Regulations shall have effect as if the following were substituted for paragraph 2 of Schedule 1 to those Regulations:—

“2. The amounts set out in column (2) below in respect of each person referred to in column (1) shall be the amounts specified under paragraph (1) for the purposes of regulations 14(b) and 15(c)—

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)</i> <i>Dependent children or young persons with protected rates</i>	<i>(2)</i> <i>Amount</i>
Person aged—	(a) £24.75
(a) 11 before 14th April 1997	
(b) 16 before 14th April 1997	(b) £29.60
(c) 18 before 14th April 1997	(c) £38.90.”.

- (2) A relevant date for the purposes of paragraph (1) means a date which—
- (a) in a case where a relevant person’s applicable amount includes a personal allowance in respect of a child or young person who is aged 11 or 16 on 13th April 1997, falls within the period beginning on 14th April 1997 and ending on 31st August 1997;
 - (b) in a case where a relevant person’s applicable amount includes a personal allowance in respect of a young person who is aged 18 on 13th April 1997, falls within the period beginning on 14th April 1997 and ending on the day preceding the day on which that young person ceases to be a person of a prescribed description for the purposes of regulation 13 of the Housing Benefit (General) Regulations 1987⁽³⁾.

Application

10. These Regulations shall not have effect in relation to applications for grant made before these Regulations come into force.

Signed by authority of the Secretary of State

17th March 1997

David Curry
Minister of State, Department of the Environment

17th March 1997

Jonathan Evans
Parliamentary Under Secretary of State for
Wales

We consent,

20th March 1997

Richard Ottway
Roger Knapman
Two of the Lords Commissioners of Her
Majesty’s Treasury

(3) S.I. 1987/1971; regulation 13 was amended by S.I. 1990/546.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Housing Renewal Grants Regulations 1996 (“the principal Regulations”), which provide (in Part I) for housing renewal grants generally, and (in Part II) for the amount of renovation grant and disabled facilities grant which may be paid by local housing authorities in respect of applications by owner-occupiers and tenants, under Chapter I of Part I of the Housing Grants, Construction and Regeneration Act 1996. The amendments, which are to Part II of the principal Regulations, reflect recent changes to housing benefit rules and in addition make minor and drafting changes.

Regulations 3 to 8 contain the amendments. In particular:

regulation 3 substitutes new regulation 5 of the principal Regulations (definition of relevant person) which is changed with particular reference to applications for disabled facilities grant;

regulation 4 changes the multipliers and amounts in regulation 12 of the principal Regulations (reduction in amount of grant);

regulation 6(a), (b), (c) and (f) amend Schedule 1 to the principal Regulations (applicable amounts) by uprating the applicable amounts and premiums, subject to transitional provisions for certain children and young persons, contained in regulation 9;

regulation 7 substitutes, in Schedule 2 to the principal Regulations (sums to be disregarded in the determination of earnings), for “lone parent premium”, references to “family premium”.

Regulation 9 makes transitional provision in respect of certain children’s and young persons’ personal allowances.

Regulation 10 stops the Regulations applying to applications for grant made before they come into force.