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STATUTORY INSTRUMENTS

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**2005 No. 369**

**SOCIAL SECURITY**

**The Income-related Benefits (Subsidy to Authorities) Amendment Order 2005**

*Made* - - - - 21st February 2005  
*Laid before Parliament* 25th February 2005  
*Coming into force* - - 20th March 2005

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

**Citation, commencement, effect and interpretation**

1.—(1) This Order may be cited as the Income-related Benefits (Subsidy to Authorities) Amendment Order 2005, and shall come into force on 20th March 2005.

(2) This Order shall—

- (a) for the purposes of articles 2, 3 (except for paragraph (3)(a)), 4(3), (7)(c) and (d) and (8) and 5(2), have effect from 1st April 2002;
- (b) for the purposes of article 4(5), have effect from 1st April 2004; and
- (c) for all other purposes, have effect from 1st April 2003 (4).

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- (1) See section 189(8) of the Social Security Administration Act 1992 (c. 5) (“the 1992 Act”), which was amended by paragraph 3(5) of Schedule 13 to the Housing Act 1996 (c. 52), 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 (c. 2) (“the 1999 Act”) and paragraph 3 of Schedule 4 to the Tax Credits Act 2002 (c. 21) (“the 2002 Act”).
  - (2) 1992 c. 5. Sections 140B and 140F were inserted by paragraph 4 of Schedule 12 to the Housing Act 1996. Section 140B(1) was amended by paragraph 7 of Schedule 1 to the Social Security Administration (Fraud) Act 1997 (c. 47) (“the 1997 Act”); section 140B(4) was substituted by section 10 of the 1997 Act; section 189(1) was amended by paragraph 57(2) of Schedule 3 to the 1999 Act and Schedule 6 to the 2002 Act; 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 1997 Act.
  - (3) See section 176(1)(b) of the 1992 Act; a relevant amendment was made by paragraph 3(4) of Schedule 13 to the Housing Act 1996.
  - (4) See section 140F of the 1992 Act.

(3) In this Order, “the principal Order” means the Income-related Benefits (Subsidy to Authorities) Order 1998 (5).

### **Amendment of article 1 of the principal Order**

2. In article 1(2) of the principal Order (interpretation) the definition of “new incentive scheme” shall be omitted.

### **Amendment of Part II of the principal Order**

3.—(1) Part II of the principal Order (claims for and payment of subsidy) shall be amended as follows.

(2) In article 2 (interpretation of Parts II and IV), the definitions of “benefit savings” and “fraud prosecution points” shall be omitted.

(3) In article 4 (requirement of claim)—

- (a) in paragraphs (2)(c) and (3) for “31<sup>st</sup> August” there shall be substituted “31<sup>st</sup> July”;
- (b) in paragraph (4), for the words from “benefit savings” to “points” (in both places where they appear) there shall be substituted “qualifying activities”; and
- (c) after that paragraph there shall be inserted—

“4ZA) In paragraph (4) above, “qualifying activities” means the activities referred to in article 21(1)(b).”.

### **Amendment of Part III of the principal Order**

4.—(1) Part III of the principal Order (calculation of subsidy) shall be amended as follows.

(2) In article 11(1) (interpretation of Part III), for the definition of “X per cent.” substitute—

““X per cent.” means 95 per cent.”.

(3) In article 13(1) (relevant benefit – calculation of subsidy) for the words from “articles 18” to the end there shall be substituted “articles 18 and 21, but subject, in each case, to the deductions, where applicable, under articles 20 and 20A.”.

(4) In article 14 (backdated benefit), in paragraph (2), for the words “in a case to which article 18(1)(b)(iii)” there shall be substituted “in relation to expenditure to which article 17(2)(a)(i) or (b)(i) or (3)(b)(ii) or 18(1)(b)(iii)”.

(5) After article 15, insert—

#### **“Disproportionate rent increase – Wales**

15A.—(1) Subject to paragraphs (5) to (7), in the case of an authority in Wales whose average rent increase differential, as calculated in accordance with paragraph (2) (“the proportion”), has a value greater than zero, the deduction from qualifying expenditure specified in article 11(2)(a) shall be the proportion multiplied by the sum calculated for that authority in accordance with paragraph (4).

(2) The average rent increase differential for each authority shall be calculated by applying the formula—

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(5) S.I. 1998/562. Relevant amending instruments are S.I. 1998/2865, 1999/550, 2000/1091, 2000/2340, 2001/2350, 2002/1859, 2002/3116 and 2003/3179.

$$(1 + A) \times \left( \frac{B}{C} \times \frac{D}{E} \right) - 1$$

where A, B, C, D and E each has the value determined in accordance with paragraph (3).

(3) For the purposes of paragraph (2)—

- (a) the value of A shall be the proportion calculated for that authority pursuant to that paragraph for the year immediately preceding the relevant year;
- (b) the value of B shall be the average rent charged by the authority in respect of Category 1 dwellings on the final date;
- (c) the value of C shall be the average rent charged by the authority in respect of Category 1 dwellings on the initial date;
- (d) the value of D shall be the average rent charged by the authority in respect of Category 2 dwellings on the initial date; and
- (e) the value of E shall be the average rent charged by the authority in respect of Category 2 dwellings on the final date.

(4) The sum referred to in paragraph (1) shall be that part of qualifying expenditure attributable to rebates granted during the relevant year before any deduction by reason of this article, but less any part of such expenditure to which article 13(1)(b)(iii) applies.

(5) This article shall not apply in the case of an authority—

- (a) which has—
  - (i) set the rent for the relevant year according to the type, condition, class or description of the dwellings and the services, facilities or rights provided to the tenants, where that rent is reasonable having regard to those matters,
  - (ii) not taken account of whether a tenant was a beneficiary when setting rents for the relevant year, and
  - (iii) not let dwellings, either in the relevant year or in either of the two previous years, to beneficiaries irrespective of their housing needs; or
- (b) where—
  - (i) any increases in rent between the initial date and 1st April in the following year were of the same percentage and applied on the same day to all tenants irrespective of whether they were beneficiaries, and
  - (ii) the average rent increase differential calculated in accordance with paragraph (2) for the year immediately preceding the relevant year, for that authority had a value which was zero or less than zero.

(6) Where the relevant year is the year beginning on 1st April 2004—

- (a) paragraph (3)(a) shall have effect as if, for the words from “the proportion” to “the relevant year” there were substituted “equal to the value of G calculated for that authority for the purposes of paragraph 6.5.1 of the 2003-04 Determination;”; and
- (b) paragraph (5)(b)(ii) shall have effect as if, for the words from “average” to “relevant year” there were substituted “value of G calculated for the purposes of paragraph 6.5.1 of the 2003-04 Determination”.

(7) This article shall not apply in a case to which article 17 (subsidy in respect of homeless and short lease rebate cases) applies.

(8) In this article—

“average” means the arithmetic mean;

“beneficiary” means a person who is entitled or likely to become entitled to a rebate;

“Category 1 dwellings” means dwellings rented out by the authority, on both the initial date and the final date, in respect of which, on the final date, the persons liable to pay such rent were in receipt of rebates;

“Category 2 dwellings” means dwellings rented out by the authority, on both the initial date and the final date, in respect of which, on the final date, the persons liable to pay such rent were not in receipt of rebates;

“2003-04 Determination” means the Housing Revenue Account Subsidy (Wales) Determination 2003-04(6);

“final date” means the last day of the relevant year;

“initial date” means the day before the first day of the relevant year; and

“rent” means either—

(a) the payments specified in sub-paragraphs (a) to (i) in paragraph (1) of regulation 10 of the Housing Benefit Regulations (rent); or

(b) the eligible rent,

as the authority may determine, provided that wherever the expression “rent” occurs in paragraph (3) it has the same meaning throughout in relation to that authority..”.

(6) In article 17 (subsidy in respect of homeless and short lease rebate cases), in paragraph (2) (a)(i) and (b)(i) and paragraph (3)(b)(ii) for “12.5 per cent.” substitute “10 per cent.”.

(7) In article 18 (additions to subsidy)—

(a) in paragraph (4), after “means” insert “an overpayment of a kind to which paragraph (4ZA) applies or”;

(b) after paragraph (4) insert—

“(4ZA) This paragraph applies to an overpayment where—

(a) the overpayment was made during the period beginning with 5th April 2003 and ending with 13th June 2003 (“the specified period”);

(b) the overpayment would, but for paragraph (4), fall to be regarded as an authority error overpayment on the ground that it was made as a result of a failure by the authority to take account of information about the amount of any tax credit payable to the claimant; and

(c) the Secretary of State is satisfied that the authority took reasonable steps to avoid making overpayments of the kind described in sub-paragraph (b) during the specified period.”;

(c) in paragraph (4A), for the words from “made by” to “the overpayment” there shall be substituted “which”; and

(d) in paragraph (5), for the words from “in article” to “Schedule 5” there shall be substituted “and in article 19(1)(f)”.

(8) For article 21 (additions to and deductions from subsidy in respect of benefit savings) there shall be substituted—

**“Additions to subsidy in respect of security against fraud and error**

**21.—**(1) The addition to subsidy referred to in article 13(1) is applicable in the case of an authority which—

- (a) is a participant in the scheme of arrangements for security against fraud and error (“SAFE”) in the administration of housing benefit and council tax benefit described in the Circulars (7) specified in paragraph (2); and
- (b) qualifies, by virtue of its performance of activities specified in those Circulars with a view to the prevention or reduction of fraud and error for additional payments in accordance with the terms of those Circulars.

(2) The Circulars referred to in paragraph (1) are—

HB/CTB F4/2002,  
HB/CTB F 22/2002,  
HB/CTB F 26/2002,  
HB/CTB F 27/2002,  
HB/CTB F 5/2003,  
HB/CTB F 6/2003,  
HB/CTB F 8/2003,  
HB/CTB F 17/2003.”.

**Amendment of Schedules to the principal Order**

**5.—**(1) For Schedule 1 to the principal Order (sums to be used in the calculation of subsidy) there shall be substituted the Schedule set out in the Schedule to this Order.

(2) Schedule 5 (benefit savings) to the principal Order shall be omitted.

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

21 February 2005

*Chris Pond*  
Parliamentary Under-Secretary of State,  
Department for Work and Pensions

We consent,

21 February 2005

*Jim Murphy*  
*Nick Ainger*  
Two of the Lords Commissioners of

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(7) Copies of these Circulars may be obtained from the Department for Work and Pensions, 5<sup>th</sup> Floor, Adelphi, John Adam Street, London WC2N 6HT.

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## SCHEDULE

Article 5(1)

Schedule to be substituted for Schedule 1 to the principal Order

## “SCHEDULE 1

Articles 12(1)(b) and 17(1) and (8)

## SUMS TO BE USED IN THE CALCULATION OF SUBSIDY

<i>(1)</i> <i>Authority</i>	<i>(2)</i> <i>Administration Subsidy</i> <i>(£)</i>	<i>(3)</i> <i>Homeless Threshold</i> <i>(£)</i>	<i>(4)</i> <i>Homeless Cap</i> <i>(£)</i>
<b>England</b>			
Adur	336,015	113.21	189.05
Allerdale	749,114	90.88	151.46
Alnwick	196,798	78.78	131.89
Amber Valley	660,408	91.33	152.39
Arun	790,793	118.50	197.50
Ashfield	693,816	85.76	143.09
Ashford	524,634	112.52	187.73
Aylesbury Vale	535,811	108.81	181.96
Babergh	358,578	104.14	173.74
Barking and Dagenham	1,715,387	215.12	322.67
Barnet	1,966,392	215.12	322.67
Barnsley	1,984,356	76.18	128.00
Barrow in Furness	564,350	95.05	158.59
Basildon	1,232,208	110.64	184.59
Basingstoke and Deane	674,215	112.68	187.80
Bassetlaw	671,035	95.60	159.51
Bath and North East Somerset	1,082,993	96.93	161.55
Bedford	962,164	89.74	150.11
Berwick upon Tweed	185,032	85.27	142.26
Bexley	1,344,084	215.12	322.67
Birmingham	9,997,873	91.89	153.73
Blaby	226,502	81.89	136.91
Blackburn with Darwen	1,367,527	104.85	174.75

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<i>(1)</i> <i>Authority</i>	<i>(2)</i> <i>Administration Subsidy (£)</i>	<i>(3)</i> <i>Homeless Threshold (£)</i>	<i>(4)</i> <i>Homeless Cap (£)</i>
Blackpool	1,638,940	87.32	149.56
Blyth Valley	631,255	72.20	120.78
Bolsover	560,230	74.46	126.83
Bolton	2,773,997	78.65	132.42
Boston	431,424	82.01	136.99
Bournemouth	1,399,219	98.57	164.45
Bracknell Forest	387,852	122.43	207.58
Bradford	3,740,671	82.96	138.41
Braintree	694,028	100.71	168.03
Breckland	579,639	102.99	172.27
Brent	2,602,436	215.12	341.25
Brentwood	258,281	114.17	190.48
Bridgnorth	503,991	92.83	156.03
Brighton and Hove	2,485,608	101.87	169.97
Bristol	3,236,394	89.73	150.65
Broadland	484,484	102.99	172.27
Bromley	1,624,856	215.12	322.67
Bromsgrove	266,278	95.72	166.88
Broxbourne	408,664	121.73	203.10
Broxtowe	552,645	78.31	131.76
Burnley	847,615	93.12	155.19
Bury	1,086,329	90.69	151.32
Calderdale	1,612,612	80.61	134.57
Cambridge	532,990	107.23	178.90
Camden	3,058,163	215.12	339.70
Cannock Chase	585,601	96.14	165.88
Canterbury	833,431	108.12	180.38
Caradon	481,126	91.14	152.05
Carlisle	622,856	88.68	147.95
Carrick	605,786	103.78	173.15
Castle Morpeth	272,212	85.55	142.74
Castle Point	406,217	117.71	196.38

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Charnwood	609,017	82.40	137.49
Chelmsford	763,838	115.21	192.92
Cheltenham	568,079	117.02	195.22
Cherwell	512,918	113.45	189.54
Chester	770,496	85.66	142.76
Chester le Street	345,994	79.19	132.54
Chesterfield	805,291	78.62	131.17
Chichester	637,646	114.03	190.05
Chiltern	356,068	112.68	187.80
Chorley	500,193	80.67	135.34
Christchurch	260,844	96.93	161.55
City of London	105,344	215.12	322.67
Colchester	855,075	106.11	178.48
Congleton	386,050	90.88	151.46
Copeland	714,861	85.38	144.00
Corby	321,789	87.99	151.70
Cotswold	393,637	96.93	161.55
Coventry	2,991,698	78.16	130.26
Craven	241,770	96.36	160.77
Crawley	505,732	121.98	204.25
Crewe and Nantwich	575,645	96.15	167.10
Croydon	2,266,229	215.12	335.18
Dacorum	628,032	106.80	180.44
Darlington	769,953	83.70	139.64
Dartford	408,357	110.54	184.42
Daventry	240,602	87.89	146.64
Derby	1,651,215	86.80	144.84
Derbyshire Dales	314,336	88.13	147.36
Derwentside	761,418	86.34	144.05
Doncaster	2,085,783	79.19	134.35
Dover	820,429	112.55	187.78
Dudley	2,104,329	92.18	156.06

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Durham	546,255	81.53	137.84
Ealing	2,095,493	215.12	326.58
Easington	988,557	83.94	140.04
East Cambridgeshire	351,453	102.99	172.27
East Devon	715,125	87.98	146.78
East Dorset	324,574	96.93	161.55
East Hampshire	484,345	112.68	187.80
East Hertfordshire	484,358	123.10	206.12
East Lindsey	946,460	84.52	141.17
East Northamptonshire	384,743	94.42	157.71
East Riding of Yorkshire	1,590,429	84.37	144.52
East Staffordshire	637,987	82.31	137.18
Eastbourne	768,808	101.37	169.14
Eastleigh	518,005	112.68	187.80
Eden	220,463	90.88	151.46
Ellesmere Port and Neston	514,605	70.81	122.16
Elmbridge	561,365	128.52	214.18
Enfield	2,015,997	215.12	322.67
Epping Forest	589,123	109.09	182.51
Epsom and Ewell	232,854	112.68	187.80
Erewash	611,233	80.82	135.13
Exeter	693,051	85.22	142.18
Fareham	289,279	106.79	181.75
Fenland	536,073	96.79	161.49
Forest Heath	213,024	95.32	159.04
Forest of Dean	388,503	92.90	154.99
Fylde	367,617	79.41	132.34
Gateshead	2,070,704	84.01	140.18
Gedling	509,370	80.02	134.08
Gloucester	697,329	101.45	169.26
Gosport	402,775	104.73	174.73

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Gravesham	581,248	106.87	178.32
Great Yarmouth	829,448	80.41	134.17
Greenwich	2,908,125	215.12	322.67
Guildford	481,291	129.04	215.29
Hackney	3,346,372	215.12	323.13
Halton	1,162,807	83.57	144.44
Hambleton	339,061	79.96	133.47
Hammersmith and Fulham	2,442,753	215.12	322.67
Harborough	217,423	99.22	165.53
Haringey	2,725,296	215.12	322.67
Harlow	597,151	105.31	175.70
Harrogate	635,033	102.57	171.14
Harrow	1,088,415	215.12	354.57
Hart	200,036	112.68	187.80
Hartlepool	1,004,446	86.78	144.78
Hastings	1,065,457	112.68	187.80
Havant	688,269	112.68	187.80
Havering	1,229,964	215.12	322.67
Herefordshire	1,069,489	86.28	143.95
Hertsmere	504,224	102.99	172.27
High Peak	451,857	93.30	155.66
Hillingdon	1,485,249	215.12	356.52
Hinckley and Bosworth	382,835	90.09	150.31
Horsham	486,512	133.21	222.01
Hounslow	2,236,167	215.12	322.67
Huntingdonshire	625,161	111.57	186.62
Hyndburn	651,901	89.94	149.90
Ipswich	928,698	95.98	160.12
Isle of Wight	1,047,600	112.68	187.80
Isles of Scilly	8,615	100.17	167.13
Islington	3,386,483	215.12	334.32

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Kennet	351,625	96.93	161.55
Kensington and Chelsea	1,776,850	215.12	368.39
Kerrier	674,545	96.93	161.55
Kettering	460,879	86.82	146.05
Kings Lynn and West Norfolk	821,213	84.33	148.25
Kingston upon Hull	2,918,733	87.23	151.00
Kingston upon Thames	627,601	215.12	346.49
Kirklees	2,769,184	88.41	147.52
Knowsley	1,631,551	98.19	163.82
Lambeth	3,445,764	215.12	322.67
Lancaster	927,168	87.44	145.88
Leeds	6,025,519	80.28	134.27
Leicester	2,265,219	89.05	148.42
Lewes	478,142	109.33	183.66
Lewisham	3,396,549	215.12	322.67
Lichfield	420,321	89.34	148.90
Lincoln	768,326	84.27	140.60
Liverpool	6,130,689	89.62	149.56
Luton	1,141,847	110.25	183.95
Macclesfield	628,884	99.23	179.66
Maidstone	633,387	111.93	186.75
Maldon	309,401	102.99	172.27
Malvern Hills	413,445	89.34	148.90
Manchester	5,957,020	105.07	175.30
Mansfield	774,010	90.19	150.32
Medway	1,641,323	110.54	184.42
Melton	165,695	80.98	138.77
Mendip	620,575	95.51	159.18
Merton	1,010,948	215.12	322.67
Mid Bedfordshire	511,351	102.33	171.35

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<i>(1)</i> <i>Authority</i>	<i>(2)</i> <i>Administration Subsidy</i> <i>(£)</i>	<i>(3)</i> <i>Homeless Threshold</i> <i>(£)</i>	<i>(4)</i> <i>Homeless Cap</i> <i>(£)</i>
Mid Devon	353,778	90.73	151.39
Mid Suffolk	351,519	96.79	161.49
Mid Sussex	477,322	112.68	187.80
Middlesbrough	1,527,089	94.96	158.43
Milton Keynes	1,150,639	110.06	184.40
Mole Valley	261,284	109.55	182.77
New Forest	775,992	121.37	202.50
Newark and Sherwood	589,970	84.27	140.59
Newcastle under Lyme	791,152	75.75	126.26
Newcastle upon Tyne	3,081,834	82.54	137.71
Newham	3,509,006	215.12	322.67
North Cornwall	702,548	91.49	152.64
North Devon	667,680	105.82	176.37
North Dorset	290,683	96.93	161.55
North East Derbyshire	535,744	76.87	131.54
North East Lincoln	1,379,041	82.59	142.61
North Hertfordshire	562,335	110.74	190.31
North Kesteven	367,352	84.24	140.54
North Lincolnshire	990,032	79.95	133.88
North Norfolk	742,152	88.98	148.64
North Shropshire	287,720	83.64	140.44
North Somerset	1,027,953	111.57	186.14
North Tyneside	1,829,018	77.24	129.57
North Warwickshire	365,275	88.14	149.44
North West Leicestershire	391,001	83.38	139.11
North Wiltshire	575,206	96.93	161.55
Northampton	963,555	109.62	182.89
Norwich	1,275,591	86.87	145.44
Nottingham	2,525,459	80.81	134.83
Nuneaton and Bedworth	802,852	85.48	144.06
Oadby and Wigston	184,526	82.18	137.88

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Oldham	1,703,754	80.61	142.40
Oswestry	197,040	86.20	143.81
Oxford	869,152	118.10	198.94
Pendle	649,593	83.96	140.08
Penwith	597,259	91.03	151.72
Peterborough	1,075,322	109.80	183.19
Plymouth	1,787,999	88.61	147.83
Poole	798,980	100.60	167.66
Portsmouth	1,389,239	106.92	178.37
Preston	952,781	91.42	152.52
Purbeck	214,436	111.83	186.56
Reading	933,433	130.58	217.85
Redbridge	1,606,861	215.12	328.04
Redcar and Cleveland	1,192,922	90.80	151.48
Redditch	437,319	96.74	161.41
Reigate and Banstead	488,325	126.97	211.83
Restormel	747,425	104.10	173.49
Ribble Valley	164,838	78.88	131.60
Richmond upon Thames	969,423	215.12	322.67
Richmondshire	212,749	93.56	156.09
Rochdale	1,755,484	83.83	139.87
Rochford	363,382	99.92	166.70
Rossendale	558,700	84.90	141.50
Rother	582,556	112.68	187.80
Rotherham	1,895,521	70.88	123.23
Rugby	415,981	90.62	152.15
Runnymede	306,558	133.37	222.52
Rushcliffe	316,153	92.86	156.38
Rushmoor	389,658	112.68	187.80
Rutland	105,881	99.04	165.25
Ryedale	287,883	79.96	133.47
Salford	2,335,634	92.74	154.73

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Salisbury	466,613	117.39	200.95
Sandwell	3,171,266	99.82	167.98
Scarborough	872,006	95.23	158.87
Sedgefield	841,576	82.06	137.29
Sedgemoor	583,870	102.66	171.27
Sefton	2,247,817	94.33	157.61
Selby	346,421	89.31	149.01
Sevenoaks	594,092	112.68	187.80
Sheffield	4,094,415	80.61	134.60
Shepway	717,419	103.30	172.34
Shrewsbury and Atcham	558,858	91.54	152.73
Slough	747,664	117.67	198.42
Solihull	936,868	95.83	159.89
South Bedfordshire	501,229	115.18	193.29
South Bucks	248,922	112.68	187.80
South Cambridgeshire	438,895	115.39	192.52
South Derbyshire	364,085	90.67	151.27
South Gloucestershire	884,817	98.83	168.14
South Hams	484,153	96.93	161.55
South Holland	352,683	86.00	143.49
South Kesteven	522,818	88.82	150.03
South Lakeland	439,974	102.15	175.48
South Norfolk	454,012	93.56	156.09
South Northamptonshire	214,179	102.10	171.68
South Oxfordshire	435,872	112.68	187.80
South Ribble	462,440	90.88	151.46
South Shropshire	236,010	89.34	148.90
South Somerset	832,988	96.93	161.55
South Staffordshire	579,796	89.34	148.90
South Tyneside	1,751,130	75.19	127.09
Southampton	1,847,016	94.35	157.40

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Southend on Sea	1,339,812	102.44	170.92
Southwark	3,748,036	215.12	322.67
Spelthorne	434,965	112.68	187.80
St Albans	473,688	113.63	190.96
St Edmundsbury	445,504	102.06	170.90
St Helens	1,495,923	96.86	161.60
Stafford	567,663	89.34	148.90
Staffordshire Moorlands	422,821	86.88	144.80
Stevenage	495,180	112.53	187.74
Stockport	1,702,893	82.26	137.54
Stockton on Tees	1,335,134	86.15	145.04
Stoke on Trent	1,917,498	85.98	143.43
Stratford on Avon	526,643	89.34	148.90
Stroud	473,723	103.01	171.86
Suffolk Coastal	605,361	93.48	156.36
Sunderland	3,440,097	93.40	155.67
Surrey Heath	259,378	112.68	187.80
Sutton	842,572	215.12	322.67
Swale	903,306	112.68	187.80
Swindon	954,457	91.80	154.88
Tameside	2,045,257	95.45	159.07
Tamworth	403,801	93.71	157.43
Tandridge	232,646	112.44	189.18
Taunton Deane	578,789	91.38	152.45
Teesdale	139,637	83.78	139.78
Teignbridge	655,555	108.05	180.27
Telford and Wrekin	1,586,841	89.34	148.90
Tendring	1,242,903	94.32	157.37
Test Valley	487,394	109.53	182.53
Tewkesbury	352,621	89.38	148.97
Thanet	1,352,885	102.36	170.77
Three Rivers	348,353	116.03	195.07

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Thurrock	880,824	109.23	182.22
Tonbridge and Malling	563,545	112.68	187.80
Torbay	1,238,379	99.77	166.28
Torridge	384,518	98.72	164.70
Tower Hamlets	3,382,615	215.12	348.14
Trafford	1,273,664	92.34	154.05
Tunbridge Wells	610,040	112.68	187.80
Tynedale	316,895	90.06	150.10
Uttlesford	235,288	112.92	188.46
Vale of White Horse	431,052	112.68	187.80
Vale Royal	554,501	91.38	152.46
Wakefield	2,491,806	80.68	136.79
Walsall	2,205,694	91.90	153.33
Waltham Forest	1,985,003	215.12	342.09
Wandsworth	2,373,971	215.12	363.20
Wansbeck	504,019	71.29	118.94
Warrington	1,110,459	91.75	153.07
Warwick	567,777	97.33	164.56
Watford	439,990	113.00	188.51
Waveney	1,014,923	88.84	148.21
Waverley	423,906	122.44	204.07
Wealden	556,733	96.06	160.26
Wear Valley	582,706	82.98	138.44
Wellingborough	367,197	90.46	150.92
Welwyn Hatfield	519,056	106.11	179.83
West Berkshire	642,939	112.68	187.80
West Devon	253,561	96.93	161.55
West Dorset	563,594	96.93	161.55
West Lancashire	723,237	85.78	144.34
West Lindsey	495,148	83.46	139.40
West Oxfordshire	367,752	108.01	180.02
West Somerset	292,127	96.93	161.55

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West Wiltshire	686,097	110.72	184.53
Westminster	2,132,089	215.12	398.77
Weymouth and Portland	446,207	100.38	167.29
Wigan	2,086,097	86.05	143.57
Winchester	448,893	113.12	188.73
Windsor and Maidenhead	574,024	112.68	187.80
Wirral	2,982,454	100.45	167.58
Woking	308,079	145.72	243.13
Wokingham	281,677	113.85	195.29
Wolverhampton	2,346,696	83.46	140.11
Worcester	507,417	86.05	145.11
Worthing	629,564	112.68	187.8
Wychavon	606,585	112.46	187.42
Wycombe	601,479	129.47	216.01
Wyre	643,677	91.24	152.06
Wyre Forest	658,593	92.94	154.89
York	870,236	94.54	157.72
<b>Wales</b>			
Blaenau Gwent	657,998	88.21	147.15
Bridgend	968,860	89.52	149.36
Caerphilly	1,327,227	94.62	157.86
Cardiff	2,218,143	99.54	167.00
Carmarthenshire	1,252,925	86.38	144.12
Ceredigion	392,980	94.68	157.96
Conwy	735,075	83.27	145.25
Denbighshire	642,621	80.99	136.44
Flintshire	756,559	86.13	143.89
Gwynedd	790,160	85.78	143.11
Isle of Anglesey	465,753	84.58	141.11
Merthyr Tydfil	545,916	85.82	143.19
Monmouthshire	416,727	99.37	166.93

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Neath and Port Talbot	1,148,997	87.00	145.15
Newport	1,027,551	94.22	159.18
Pembrokeshire	811,140	84.56	141.07
Powys	732,139	88.68	148.18
Rhondda Cynon Taff	1,847,905	84.41	140.83
Swansea	1,812,580	90.18	150.47
Torfaen	718,958	97.92	164.87
Vale of Glamorgan	634,485	101.63	169.56
Wrexham	825,082	80.77	135.18
<b>Scotland</b>			
Aberdeen	1,398,953	76.66	129.28
Aberdeenshire	921,754	72.27	124.05
Angus	755,976	67.63	117.87
Argyll and Bute	677,321	82.42	137.52
Clackmannanshire	434,492	72.63	129.48
Comhairle nan Eilean Siar	186,995	85.24	144.01
Dumfries and Galloway	1,143,327	77.31	131.33
Dundee	1,992,641	84.03	141.63
East Ayrshire	1,143,162	73.97	123.51
East Dunbartonshire	431,241	79.06	135.26
East Lothian	612,690	71.10	118.62
East Renfrewshire	365,857	75.86	134.46
Edinburgh	3,410,911	96.62	161.20
Falkirk	1,114,985	77.03	136.78
Fife	2,668,035	73.27	126.82
Glasgow	8,911,303	97.90	163.34
Highland	1,351,751	89.91	150.00
Inverclyde	887,584	91.96	158.52
Midlothian	599,740	64.47	107.56
Moray	481,033	65.20	108.76
North Ayrshire	1,257,331	69.29	118.53

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North Lanarkshire	3,018,537	80.70	136.33
Orkney	99,202	75.56	126.06
Perth and Kinross	726,555	68.60	114.46
Renfrewshire	1,698,237	83.86	147.76
Scottish Borders	727,684	72.98	121.75
Shetland	85,947	98.36	164.10
South Ayrshire	859,571	75.26	125.55
South Lanarkshire	2,664,472	82.60	137.80
Stirling	541,252	77.85	129.87
West Dunbartonshire	1,114,830	77.55	129.39
West Lothian	1,186,544	79.67	157.55”

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order amends the Income-related Benefits (Subsidy to Authorities) Order 1998 (“the principal Order”) which provides for subsidy to be payable to authorities administering housing benefit and council tax benefit.

Section 140F(2) of the Social Security Administration Act 1992 authorises the varying of an Order before, during or after the year to which it relates. Except where article 1(2)(a) and (b) provide that amendments are to have effect from 1st April 2002 or 1st April 2004 respectively, the amendments made by this Order have effect from 1st April 2003.

Article 4 amends Part III of the principal Order which is concerned with the calculation of subsidy. Article 14 is amended so that in a case where subsidy would fall to be calculated in accordance with that article and a specified provision of article 17, only the latter is to apply. A new article 15A is inserted to make provision for the amount to be deducted from qualifying expenditure, when calculating rent rebate subsidy for housing authorities in Wales, where the rent charged by the authority has increased by more than an amount determined in accordance with that article. Article 17 is amended to reduce from 12.5 per cent to 10 per cent of the relevant qualifying expenditure the appropriate amount which is included for the purposes of determining subsidy in relation to board and lodging accommodation. A new paragraph (4ZA) is inserted in article 18 so that certain overpayments which were made during a specified period in 2003 following the introduction of new tax credits are to be treated as ‘departmental error overpayments’ rather than ‘authority error overpayments’.

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Article 21 is amended to introduce with effect from 2002 new arrangements for additional amounts of subsidy to be payable where an authority has undertaken activities in accordance with Circulars specified in that article, and in consequence Schedule 5 (which set out the former arrangements for additional amounts of subsidy for that purpose) is omitted. A number of other minor and consequential changes are also made in Part II and Part III of the principal Order.

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