
STATUTORY INSTRUMENTS

2016 No. 986

SOCIAL SECURITY

The Income-related Benefits (Subsidy to Authorities) Amendment Order 2016

<i>Made</i>	- - - -	<i>10th October 2016</i>
<i>Laid before Parliament</i>		<i>13th October 2016</i>
<i>Coming into force</i>	- -	<i>18th November 2016</i>

The Secretary of State for Work and Pensions makes the following Order in exercise of the powers conferred by sections 140B(1), (3), (4) and (4A), 140F(2) and 189(4) to (7) of the Social Security Administration Act 1992(1).

In accordance with section 189(8) of that Act(2), the Secretary of State has obtained the consent of the Treasury.

In accordance with section 176(1) of that Act(3), the Secretary of State has consulted with organisations appearing to the Secretary of State to be representative of the authorities concerned.

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Income-related Benefits (Subsidy to Authorities) Amendment Order 2016 and comes into force on 18th November 2016.

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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) (“the Fraud Act”). Sections 140B and 140F were repealed, to the extent they related to council tax benefit, by section 147 of, and paragraph 1 of Schedule 14 to, the Welfare Reform Act 2012 (c.5) with effect from 1st April 2013 and subject to savings and transitional provisions in articles 9 and 10 of S.I. 2013/358. Section 189(1) and (4) 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) (“the Transfer of Functions Act”) and paragraph 1 of Schedule 6 to the Tax Credits Act 2002 (c.21). Section 189(4) was amended by S.I. 2013/252. 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 Fraud Act. Section 189 was repealed, to the extent it related to council tax benefit, by section 147 of, and paragraph 1 of Schedule 14 to, the Welfare Reform Act 2012 with effect from 1st April 2013 and subject to savings and transitional provisions in articles 9 and 10 of S.I. 2013/358.
- (2) Section 189(8) was amended by paragraph 3(5) of Schedule 13 to the Housing Act 1996, paragraph 10 of Schedule 4 to the Social Security (Recovery of Benefits) Act 1997 (c.27), paragraph 3 of Schedule 4 to the Tax Credits Act 2002 (c.21), paragraph 29 of Schedule 1 to the Pensions Act 2007 (c.22) and paragraph 57(3) of Schedule 3 to the Transfer of Functions Act.
- (3) Section 176(1)(b) was amended by paragraph 3(4) of Schedule 13 to the Housing Act 1996 and was repealed, to the extent it related to council tax benefit, by section 147 of, and paragraph 1 of Schedule 14 to, the Welfare Reform Act 2012 with effect from 1st April 2013 and subject to savings and transitional provisions in articles 9 and 10 of S.I. 2013/358.

(2) Article 2(2) and Schedule 1 have effect for the purpose of determining subsidy payable for the relevant year beginning with 1st April 2015.

(3) Articles 2(3) and 3, and Schedules 2, 3 and 4 have effect for the purpose of determining subsidy payable for the relevant year beginning with 1st April 2016.

(4) Article 4 has effect from 1st April 2016.

(5) In this Order—

“the 1998 Order” means the Income-related Benefits (Subsidy to Authorities) Order 1998⁽⁴⁾;

“relevant year” means the period of a year beginning on 1st April in any calendar year in respect of which a claim for subsidy is made.

The amount of an authority’s subsidy

2.—(1) The 1998 Order is amended as follows.

(2) For Schedule 1 (sums to be used in the calculation of subsidy)⁽⁵⁾ substitute the Schedule 1 set out in Schedule 1 to this Order.

(3) For Schedule 1A (additional amount of subsidy: activities to reduce fraud and error)⁽⁶⁾ substitute the Schedule 1A set out in Schedule 2 to this Order.

Rent rebate deductions from an authority’s subsidy

3.—(1) Schedule 4A to the 1998 Order (rent rebate limitation deductions (Housing Revenue Account Dwellings))⁽⁷⁾ is amended as follows.

(2) In Part 2 (England), in paragraph 3 (amount of deduction), for sub-paragraph (3)⁽⁸⁾ substitute

—
“(3) The rebate proportion for 2016-17 is 0.752.”.

(3) For Part 3 (weekly rent limits for purposes of Part 2: authorities in England)⁽⁹⁾, substitute the Part 3 set out in Schedule 3 to this Order.

(4) For Part 5 (amounts for purposes of Part 4, paragraph 4: authorities in Wales)⁽¹⁰⁾, substitute the Part 5 set out in Schedule 4 to this Order.

Amendments relating to the Housing (Wales) Act 2014

4.—(1) The 1998 Order is amended as follows.

(2) In article 17(1)(c) (subsidy in respect of non self-contained licensed accommodation etc. provided by an authority as temporary or short-term accommodation)⁽¹¹⁾—

(a) in paragraph (i), after “Housing Act 1996” insert “, Part 2 of the Housing (Wales) Act 2014”;

(b) in paragraph (ii)—

(i) for “or (in Scotland)” substitute “, Part 2 of the Housing (Wales) Act 2014 or”;

(ii) after “1987” insert “, as the case may be”.

(4) [S.I. 1998/562](#).

(5) Schedule 1 was substituted by [S.I. 2015/1784](#).

(6) Schedule 1A was inserted by [S.I. 2015/1784](#).

(7) Schedule 4A was inserted by [S.I. 2004/646](#).

(8) In Part 2 of Schedule 4A, paragraph 3(3) was substituted by [S.I. 2015/1784](#).

(9) Part 3 of Schedule 4A was substituted by [S.I. 2015/1784](#).

(10) Part 5 of Schedule 4A was substituted by [S.I. 2015/1784](#).

(11) Article 17 is substituted by [S.I. 2009/2580](#) and amended by [S.I. 2010/2509](#).

(3) In article 17A(1)(c) (subsidy in respect of self-contained licensed accommodation etc. provided by an authority as temporary or short-term accommodation)(12)—

(a) in paragraph (i), after “Housing Act 1996” insert “, Part 2 of the Housing (Wales) Act 2014”;

(b) in paragraph (ii)—

(i) for “or (in Scotland)” substitute, “, Part 2 of the Housing (Wales) Act 2014 or”;

(ii) after “1987” insert “, as the case may be”.

(4) In article 17B(1)(c) (subsidy in respect of non self-contained licensed accommodation etc. made available by a registered housing association as temporary or short-term accommodation)(13)—

(a) in paragraph (i), after “Housing Act 1996” insert “, Part 2 of the Housing (Wales) Act 2014”;

(b) in paragraph (ii)—

(i) for “or (in Scotland)” substitute, “, Part 2 of the Housing (Wales) Act 2014 or”;

(ii) after “1987” insert “, as the case may be”.

(5) In article 17C(1)(c) (subsidy in respect of self-contained licensed accommodation etc. made available by a registered housing association authority as temporary or short-term accommodation)(14)—

(a) in paragraph (i), after “Housing Act 1996” insert “, Part 2 of the Housing (Wales) Act 2014”;

(b) in paragraph (ii)—

(i) for “or (in Scotland)” substitute, “, Part 2 of the Housing (Wales) Act 2014 or”;

(ii) after “1987” insert “, as the case may be”.

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

10th October 2016

Caroline Nokes
Parliamentary Under Secretary of State,
Department for Work and Pensions

(12) Article 17A is inserted by [S.I. 2009/2580](#) and amended by [S.I. 2010/2509](#).

(13) Article 17B is inserted by [S.I. 2010/2509](#).

(14) Article 17C is inserted by [S.I. 2010/2509](#).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

We consent.

10th October 2016

David Evennett
Guy Opperman
Two of the Lords Commissioners of Her
Majesty's Treasury

SCHEDULE 1

Article 2(2)

Schedule to be substituted for Schedule 1 to the 1998 Order

“SCHEDULE 1

Article 12(1)(b)

Sums to be used in the calculation of subsidy

RELEVANT YEAR 2015-2016

<i>Local authority</i>	<i>Administration subsidy (£)</i>
England	
Adur	280,003
Allerdale	440,716
Amber Valley	535,340
Arun	724,476
Ashfield	674,613
Ashford	545,396
Aylesbury Vale	613,196
Babergh	322,649
Barking and Dagenham	1,506,125
Barnet	2,418,387
Barnsley	1,408,476
Barrow in Furness	360,111
Basildon	1,078,409
Basingstoke and Deane	710,506
Bassetlaw	563,576
Bath and North East Somerset	769,034
Bedford	838,965
Bexley	1,058,826
Birmingham	7,392,503
Blaby	266,431
Blackburn with Darwen	858,859
Blackpool	1,408,191
Bolsover	418,611
Bolton	1,684,004
Boston	385,053
Bournemouth	1,256,143

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<i>Local authority</i>	<i>Administration subsidy (£)</i>
Bracknell Forest	453,505
Bradford	3,208,653
Braintree	679,728
Breckland	597,097
Brent	2,809,151
Brentwood	256,434
Brighton and Hove	1,809,919
Bristol	2,878,572
Broadland	359,622
Bromley	1,464,979
Bromsgrove	269,804
Broxbourne	489,492
Broxtowe	435,338
Burnley	676,544
Bury	909,675
Calderdale	1,259,702
Cambridge	555,377
Camden	2,336,563
Cannock Chase	513,417
Canterbury	642,731
Carlisle	456,409
Castle Point	372,000
Central Bedfordshire	935,192
Charnwood	557,221
Chelmsford	623,301
Cheltenham	517,630
Cherwell	522,368
Cheshire East	1,441,218
Cheshire West and Chester	1,527,298
Chesterfield	660,548
Chichester	491,834
Chiltern	263,639
Chorley	434,080
Christchurch	204,184

<i>Local authority</i>	<i>Administration subsidy (£)</i>
City of London	114,000
Colchester	815,600
Copeland	340,179
Corby	437,376
Cornwall	2, 672,483
Cotswold	288,852
Coventry	1,895,430
Craven	185,225
Crawley	722,672
Croydon	2,647,451
Dacorum	680,305
Darlington	629,590
Dartford	428,262
Daventry	251,414
Derby	1,473,576
Derbyshire Dales	234,009
Doncaster	1,893,838
Dover	630,933
Dudley	1,568,960
Durham	3,462,583
Ealing	2,541,077
East Cambridgeshire	318,214
East Devon	498,549
East Dorset	275,771
East Hampshire	400,965
East Hertfordshire	491,657
East Lindsey	727,761
East Northamptonshire	297,184
East Riding of Yorkshire	1,405,701
East Staffordshire	493,261
Eastbourne	630,990
Eastleigh	405,112
Eden	179,445
Elmbridge	446,279

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<i>Local authority</i>	<i>Administration subsidy (£)</i>
Enfield	2,521,581
Epping Forest	498,283
Epsom and Ewell	245,972
Erewash	505,296
Exeter	642,917
Fareham	297,894
Fenland	521,718
Forest Heath	279,351
Forest of Dean	381,908
Fylde	326,402
Gateshead	1,412,026
Gedling	486,176
Gloucester	726,321
Gosport	509,726
Gravesham	540,696
Great Yarmouth	744,187
Greenwich	2,481,711
Guildford	494,308
Hackney	3,330,468
Halton	933,097
Hambleton	305,283
Hammersmith and Fulham	1,664,377
Harborough	207,174
Haringey	2,762,678
Harlow	679,661
Harrogate	472,361
Harrow	1,371,534
Hart	194,884
Hartlepool	846,252
Hastings	714,532
Havant	524,766
Havering	1,134,406
Herefordshire	736,435
Hertsmere	531,321

<i>Local authority</i>	<i>Administration subsidy (£)</i>
High Peak	420,017
Hillingdon	1,604,114
Hinckley and Bosworth	343,649
Horsham	414,247
Hounslow	1,601,337
Huntingdonshire	669,981
Hyndburn	553,378
Ipswich	878,877
Isle of Wight	844,402
Isles of Scilly	2,522
Islington	2,650,412
Kensington and Chelsea	1,415,458
Kettering	406,506
King's Lynn and West Norfolk	697,340
Kingston upon Hull	2,343,946
Kingston upon Thames	635,331
Kirklees	2,234,054
Knowsley	1,295,608
Lambeth	3,302,601
Lancaster	675,124
Leeds	4,533,552
Leicester	2,335,869
Lewes	392,854
Lewisham	3,421,141
Lichfield	317,141
Lincoln	607,502
Liverpool	4,651,182
Luton	1,243,161
Maidstone	655,887
Maldon	226,503
Malvern Hills	273,449
Manchester	4,862,750
Mansfield	630,201
Medway	1,409,696

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<i>Local authority</i>	<i>Administration subsidy (£)</i>
Melton	162,371
Mendip	498,119
Merton	1,035,397
Mid Devon	312,899
Mid Suffolk	281,584
Mid Sussex	412,153
Middlesbrough	1,248,581
Milton Keynes	1,413,423
Mole Valley	279,423
New Forest	560,881
Newark and Sherwood	475,008
Newcastle under Lyme	561,630
Newcastle upon Tyne	2,018,395
Newham	2,865,022
North Devon	512,738
North Dorset	244,125
North East Derbyshire	437,592
North East Lincolnshire	1,124,950
North Hertfordshire	604,398
North Kesteven	337,794
North Lincolnshire	889,000
North Norfolk	464,516
North Somerset	1,045,252
North Tyneside	1,201,738
North Warwickshire	253,951
North West Leicestershire	351,936
Northampton	1,188,080
Northumberland	1,682,289
Norwich	1,196,895
Nottingham	2,593,838
Nuneaton and Bedworth	660,066
Oadby and Wigston	170,069
Oldham	1,350,632
Oxford	768,262

<i>Local authority</i>	<i>Administration subsidy (£)</i>
Pendle	546,849
Peterborough	1,203,533
Plymouth	1,783,310
Poole	649,011
Portsmouth	1,552,452
Preston	821,039
Purbeck	181,559
Reading	948,870
Redbridge	1,431,254
Redcar and Cleveland	930,425
Redditch	447,292
Reigate and Banstead	514,126
Ribble Valley	157,438
Richmond upon Thames	639,770
Richmondshire	223,335
Rochdale	1,366,578
Rochford	256,823
Rossendale	351,745
Rother	389,431
Rotherham	1,508,682
Rugby	421,315
Runnymede	288,425
Rushcliffe	305,356
Rushmoor	483,861
Rutland	114,863
Ryedale	208,132
Salford	2,084,075
Sandwell	2,347,861
Scarborough	710,435
Sedgemoor	619,340
Sefton	1,672,193
Selby	293,721
Sevenoaks	424,597
Sheffield	3,218,963

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<i>Local authority</i>	<i>Administration subsidy (£)</i>
Shepway	633,867
Shropshire	1,230,362
Slough	881,639
Solihull	796,348
South Bucks	184,945
South Cambridgeshire	392,546
South Derbyshire	318,878
South Gloucestershire	1,015,645
South Hams	342,018
South Holland	342,602
South Kesteven	552,878
South Lakeland	348,455
South Norfolk	455,935
South Northamptonshire	189,541
South Oxfordshire	372,689
South Ribble	371,619
South Somerset	750,697
South Staffordshire	374,071
South Tyneside	1,161,219
Southampton	1,542,981
Southend-on-Sea	1,160,648
Southwark	3,296,845
Spelthorne	371,582
St.Albans	451,620
St.Edmundsbury	453,730
St.Helens	1,199,969
Stafford	484,372
Staffordshire Moorlands	328,878
Stevenage	534,409
Stockport	1,161,375
Stockton-on-Tees	1,243,988
Stoke-on-Trent	1,768,056
Stratford-on-Avon	456,049
Stroud	385,596

<i>Local authority</i>	<i>Administration subsidy (£)</i>
Suffolk Coastal	442,535
Sunderland	2,025,040
Surrey Heath	254,367
Sutton	982,406
Swale	761,420
Swindon	1,035,681
Tameside	1,418,884
Tamworth	373,399
Tandridge	285,212
Taunton Deane	528,115
Teignbridge	591,868
Telford and Wrekin	1,128,734
Tendring	888,599
Test Valley	431,641
Tewkesbury	293,426
Thanet	1,102,515
Three Rivers	344,544
Thurrock	902,300
Tonbridge and Malling	470,872
Torbay	1,057,573
Torridge	313,005
Tower Hamlets	3,539,581
Trafford	1,069,876
Tunbridge Wells	463,137
Uttlesford	235,771
Vale of White Horse	366,060
Wakefield	2,004,012
Walsall	1,938,992
Waltham Forest	1,913,048
Wandsworth	2,431,086
Warrington	937,681
Warwick	436,227
Watford	515,708
Waveney	683,706

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<i>Local authority</i>	<i>Administration subsidy (£)</i>
Waverley	388,439
Wealden	413,771
Wellingborough	387,752
Welwyn Hatfield	588,086
West Berkshire	534,240
West Devon	236,841
West Dorset	408,109
West Lancashire	494,240
West Lindsey	389,854
West Oxfordshire	329,255
West Somerset	213,311
Westminster	2,147,504
Weymouth and Portland	411,611
Wigan	1,694,508
Wiltshire	1,864,188
Winchester	393,698
Windsor and Maidenhead	465,938
Wirral	2,153,890
Woking	348,201
Wokingham	299,278
Wolverhampton	1,966.315
Worcester	479,074
Worthing	451,127
Wychavon	406,888
Wycombe	614,292
Wyre	557,114
Wyre Forest	502,170
York	767,771
Wales	
Blaenau Gwent	531,765
Bridgend	821,349
Caerphilly	971,286

<i>Local authority</i>	<i>Administration subsidy (£)</i>
Cardiff	1,947,796
Carmarthenshire	918,363
Ceredigion	344,344
Conwy	581,710
Denbighshire	556,308
Flintshire	642,094
Gwynedd	598,702
Isle of Anglesey	317,411
Merthyr Tydfil	478,042
Monmouthshire	339,661
Neath Port Talbot	873,648
Newport	972,837
Pembrokeshire	622,578
Powys	583,518
Rhondda Cynon Taf	1,479,359
Swansea	1,474,168
Torfaen	600,932
Vale of Glamorgan	541,898
Wrexham	679,300
Scotland	
Aberdeen	977,933
Aberdeenshire	889,685
Angus	582,623
Argyll and Bute	509,556
Clackmannanshire	351,523
Comhairle nan Eilean Siar	164,140
Dumfries and Galloway	903,857
Dundee	1,336,398
East Ayrshire	864,567
East Dunbartonshire	347,389
East Lothian	465,841
East Renfrewshire	265,115

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<i>Local authority</i>	<i>Administration subsidy (£)</i>
Edinburgh	2,620,391
Falkirk	855,661
Fife	2,033,128
Glasgow	5,722,990
Highland	1,154,053
Inverclyde	688,469
Midlothian	508,255
Moray	396,173
North Ayrshire	1,047,408
North Lanarkshire	2,156,586
Orkney	100,577
Perth and Kinross	697,353
Renfrewshire	1,268,203
Scottish Borders	619,928
Shetland	92,569
South Ayrshire	677,692
South Lanarkshire	1,624,948
Stirling	375,833
West Dunbartonshire	871,501
West Lothian	1,028,022.”

SCHEDULE 2

Article 2(3)

Schedule to be substituted for Schedule 1A to the 1998 Order

“SCHEDULE 1A

Article 12(1)(c)

Additional amount of subsidy: Activities to reduce fraud and error

Interpretation**1.** In this Schedule—

“participating authority” means an authority which notified the Secretary of State on or before 29th February 2016 that it is participating in the Fraud and Error Reduction Incentive Scheme in the administration of housing benefit described in the Housing Benefit Circular HB A17/2014(15) and extended as described in the Housing Benefit Circular HB A2/2016(16);

(15) <https://www.gov.uk/government/collections/housing-benefit-for-local-authorities-circulars-2014>.

(16) <https://www.gov.uk/government/collections/housing-benefit-for-local-authorities-circulars-2016>.

“performance”, in relation to any participating authority and any period, means the amount by which payments of housing benefit by the authority are reduced in that period as a result of relevant activities;

“performance period” means the period of 3 months beginning with any of 1st April 2016, 1st July 2016, 1st October 2016 or 1st January 2017;

“relevant activities” means activities carried out by a participating authority in order to reduce fraud and error in payments of housing benefit.

Additional amount: relevant year beginning with 1st April 2016

2.—(1) This paragraph and paragraphs 3 and 4 have effect for the purpose of determining the additional amount of subsidy, if any, payable to a participating authority under article 12(1)(c) for the relevant year beginning with 1st April 2016.

(2) The additional amount is determined as follows—

Step 1

Calculate the percentage (“the out-performance percentage”), if any, by which the performance of the authority exceeds its baseline performance in the performance period beginning with 1st April 2016 (see paragraph 3 for the meaning of “baseline performance”).

Step 2

Work out which band in column (1) of the following Table the authority falls into in accordance with paragraph 4.

Step 3

Look up the percentage (“the additional amount percentage”) specified in column (2) of the following Table in the row applicable to the authority’s band.

Step 4

Multiply the additional amount percentage by the administration subsidy for the authority.

Step 5

Repeat Steps 1 to 4 for each of the other three performance periods.

Step 6

Add the amounts determined for each performance period under Step 4.

Table

<i>Band (1)</i>	<i>Additional amount percentage (2)</i>
Band 1	0 per cent.
Band 2	0.45 per cent.
Band 3	0.59 per cent.
Band 4	0.74 per cent.
Band 5	0.90 per cent.
Band 6	1.25 per cent.
Band 7	1.65 per cent.
Band 8	2.10 per cent.
Band 9	2.60 per cent.

<i>Band (1)</i>	<i>Additional amount percentage (2)</i>
Band 10	3.15 per cent.
Band 11	3.75 per cent.

(3) In this paragraph, “administration subsidy” in relation to an authority, means the amount specified in relation to that authority in—

- (a) the Annex to HB Subsidy Circular S9/2015 for authorities in England⁽¹⁷⁾
- (b) the Annex to HB Subsidy Circular S10/2015 for authorities in Scotland⁽¹⁸⁾;
- (c) the Annex to HB Subsidy Circular S11/2015 for authorities in Wales⁽¹⁹⁾.

Baseline performance

3.—(1) For the purposes of paragraph 2, a reference to the “baseline performance” of a participating authority in a performance period is to the amount determined in accordance with subparagraphs (2) to (5).

(2) For the performance period beginning with 1st April 2016 the baseline performance is the higher of the following amounts—

- (a) the amount by which, in the Secretary of State’s opinion, the total payments of housing benefit made by the authority in the period of 3 months beginning with 1st April 2014 were reduced as a result of relevant activities; and
- (b) the average of—
 - (i) the amount specified in paragraph (a); and
 - (ii) the amount by which, in the Secretary of State’s opinion, the total payments of housing benefit made by the authority in the period of 3 months beginning with 1st April 2013 were reduced as a result of relevant activities.

(3) For the performance period beginning with 1st July 2016 the baseline performance is the higher of the following amounts—

- (a) the amount by which, in the Secretary of State’s opinion, the total payments of housing benefit made by the authority in the period of 3 months beginning with 1st July 2014 were reduced as a result of relevant activities; and
- (b) the average of—
 - (i) the amount specified in paragraph (a); and
 - (ii) the amount by which, in the Secretary of State’s opinion, the total payments of housing benefit made by the authority in the period of 3 months beginning with 1st July 2013 were reduced as a result of relevant activities.

(4) For the performance period beginning with 1st October 2016 the baseline performance is the higher of the following amounts—

- (a) the amount by which, in the Secretary of State’s opinion, the total payments of housing benefit made by the authority in the period of 3 months beginning with 1st October 2013 were reduced as a result of relevant activities; and
- (b) the average of—
 - (i) the amount specified in paragraph (a); and

⁽¹⁷⁾ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/487602/s9-2015.pdf

⁽¹⁸⁾ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/487606/s10-2015.pdf

⁽¹⁹⁾ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/487607/s11-2015.pdf

- (ii) the amount by which, in the Secretary of State’s opinion, the total payments of housing benefit made by the authority in the period of 3 months beginning with 1st October 2012 were reduced as a result of relevant activities.
- (5) For the performance period beginning with 1st January 2017 the baseline performance is the higher of the following amounts—
- (a) the amount by which, in the Secretary of State’s opinion, the total payments of housing benefit made by the authority in the period of 3 months beginning with 1st January 2014 were reduced as a result of relevant activities; and
 - (b) the average of—
 - (i) the amount specified in paragraph (a); and
 - (ii) the amount by which, in the Secretary of State’s opinion, the total payments of housing benefit made by the authority in the period of 3 months beginning with 1st January 2013 were reduced as a result of relevant activities.

Determination of out-performance percentages

4.—(1) A participating authority falls into the band set out in column (2) of the relevant Table in the row applicable to the authority’s out-performance percentage.

(2) The “relevant Table” in relation to a participating authority means whichever of Tables 1 to 6 in sub-paragraphs (6) to (11) the Secretary of State determines applies to the authority in the relevant year.

(3) The determination in sub-paragraph (2) is based on the caseload management information percentage relating to the authority for the relevant year beginning with 1st April 2014 (20).

(4) For the purpose of sub-paragraph (3), “caseload management information percentage” is calculated in accordance with the following formula—

$$\left(\frac{A}{B}\right) \times 100$$

where—

A is the amount by which payments of housing benefit made by the authority were reduced in that relevant year;

B is the amount by which, in the Secretary of State’s opinion, payments of housing benefit made by the authority should have been reduced in that relevant year.

- (5) The Secretary of State’s opinion in sub-paragraph (4) is based on—
- (a) the size of the authority’s individual housing benefit caseload;
 - (b) the types of housing benefit claimants in that caseload; and
 - (c) the value of the housing benefit reductions that tend to occur in that caseload in the normal course of events, given the rent levels found in the authority’s area and other relevant factors.
- (6) Table 1 is as follows—

(20) Authorities to which Table 1 applies had the greatest caseload management information percentage and authorities to which Table 6 applies, conversely, had the least. See <https://www.gov.uk/government/statistics/housing-benefit-entitlement-reductions-2015-to-2016-experimental>. Hard copies are available from the Department for Work and Pensions, Caxton House, Tothill Street, London SW1H 9NA.

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<i>Authority's out-performance percentage (1)</i>	<i>Band (2)</i>
Less than 2.5 per cent.	Band 1
At least 2.5 per cent. but less than 3.5 per cent.	Band 2
At least 3.5 per cent. but less than 4.5 per cent.	Band 3
At least 4.5 per cent. but less than 5.5 per cent.	Band 4
At least 5.5 per cent. but less than 7.5 per cent.	Band 5
At least 7.5 per cent. but less than 9.5 per cent.	Band 6
At least 9.5 per cent. but less than 11.5 per cent.	Band 7
At least 11.5 per cent. but less than 13.5 per cent.	Band 8
At least 13.5 per cent. but less than 15.5 per cent.	Band 9
At least 15.5 per cent. but less than 17.5 per cent.	Band 10
At least 17.5 per cent.	Band 11

(7) Table 2 is as follows—

<i>Authority's out-performance percentage (1)</i>	<i>Band (2)</i>
Less than 3 per cent.	Band 1
At least 3 per cent. but less than 4 per cent.	Band 2
At least 4 per cent. but less than 5 per cent.	Band 3
At least 5 per cent. but less than 6 per cent.	Band 4
At least 6 per cent. but less than 8 per cent.	Band 5
At least 8 per cent. but less than 10 per cent.	Band 6
At least 10 per cent. but less than 12 per cent.	Band 7
At least 12 per cent. but less than 14 per cent.	Band 8
At least 14 per cent. but less than 16 per cent.	Band 9
At least 16 per cent. but less than 18 per cent.	Band 10
At least 18 per cent.	Band 11

(8) Table 3 is as follows—

<i>Authority's out-performance percentage (1)</i>	<i>Band (2)</i>
Less than 3.5 per cent.	Band 1
At least 3.5 per cent. but less than 4.5 per cent.	Band 2
At least 4.5 per cent. but less than 5.5 per cent.	Band 3
At least 5.5 per cent. but less than 6.5 per cent.	Band 4
At least 6.5 per cent. but less than 8.5 per cent.	Band 5
At least 8.5 per cent. but less than 10.5 per cent.	Band 6
At least 10.5 per cent. but less than 12.5 per cent.	Band 7

<i>Authority's out-performance percentage (1)</i>	<i>Band (2)</i>
At least 12.5 per cent. but less than 14.5 per cent.	Band 8
At least 14.5 per cent. but less than 16.5 per cent.	Band 9
At least 16.5 per cent. but less than 18.5 per cent.	Band 10
At least 18.5 per cent.	Band 11

(9) Table 4 is as follows—

<i>Authority's out-performance percentage (1)</i>	<i>Band (2)</i>
Less than 4 per cent.	Band 1
At least 4 per cent. but less than 5 per cent.	Band 2
At least 5 per cent. but less than 6 per cent.	Band 3
At least 6 per cent. but less than 7 per cent.	Band 4
At least 7 per cent. but less than 9 per cent.	Band 5
At least 9 per cent. but less than 11 per cent.	Band 6
At least 11 per cent. but less than 13 per cent.	Band 7
At least 13 per cent. but less than 15 per cent.	Band 8
At least 15 per cent. but less than 17 per cent.	Band 9
At least 17 per cent. but less than 19 per cent.	Band 10
At least 19 per cent.	Band 11

(10) Table 5 is as follows—

<i>Authority's out-performance percentage (1)</i>	<i>Band (2)</i>
Less than 4.5 per cent.	Band 1
At least 4.5 per cent. but less than 5.5 per cent.	Band 2
At least 5.5 per cent. but less than 6.5 per cent.	Band 3
At least 6.5 per cent. but less than 7.5 per cent.	Band 4
At least 7.5 per cent. but less than 9.5 per cent.	Band 5
At least 9.5 per cent. but less than 11.5 per cent.	Band 6
At least 11.5 per cent. but less than 13.5 per cent.	Band 7
At least 13.5 per cent. but less than 15.5 per cent.	Band 8
At least 17.5 per cent. but less than 19.5 per cent.	Band 9
At least 17.5 per cent. but less than 19.5 per cent.	Band 10
At least 19.5 per cent.	Band 11

(11) Table 6 is as follows—

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<i>Authority's out-performance percentage (1)</i>	<i>Band (2)</i>
Less than 5 per cent.	Band 1
At least 5 per cent. but less than 6 per cent.	Band 2
At least 6 per cent. but less than 7 per cent.	Band 3
At least 7 per cent. but less than 8 per cent.	Band 4
At least 8 per cent. but less than 10 per cent.	Band 5
At least 10 per cent. but less than 12 per cent.	Band 6
At least 12 per cent. but less than 14 per cent.	Band 7
At least 14 per cent. but less than 16 per cent.	Band 8
At least 16 per cent. but less than 18 per cent.	Band 9
At least 18 per cent. but less than 20 per cent.	Band 10
At least 20 per cent.	Band 11.”

SCHEDULE 3

Article 3(3)

Part to be substituted for Part 2 of Schedule 4A to the 1998 Order

“PART 3

WEEKLY RENT LIMITS FOR THE PURPOSES
OF PART 2: AUTHORITIES IN ENGLAND**RELEVANT YEAR 2016-2017**

<i>Authority (1)</i>	<i>Weekly rent limit (£)</i>
Adur	95.05
Arun	92.39
Ashfield	69.55
Ashford	90.66
Babergh	90.78
Barking and Dagenham	99.58
Barnet	109.13
Barnsley	76.19
Barrow in Furness	76.39
Basildon	88.60
Bassetlaw	73.68
Birmingham	84.26

<i>Authority (1)</i>	<i>Weekly rent limit (£)</i>
Blackpool	72.86
Bolsover	83.34
Bournemouth	83.85
Brent	118.16
Brentwood	95.78
Brighton and Hove	85.89
Bristol	82.60
Broxtowe	75.86
Bury	78.07
Cambridge	104.82
Camden	123.43
Cannock Chase	76.79
Canterbury	89.85
Castle Point	90.04
Central Bedfordshire	103.86
Charnwood	75.75
Cheltenham	81.83
Cheshire West and Chester	83.96
Chesterfield	81.14
City of London	110.18
City of York	80.77
Colchester	89.06
Corby	80.28
Cornwall	72.19
Crawley	104.81
Croydon	108.02
Dacorum	110.54
Darlington	72.38
Dartford	91.40
Derby	80.21
Doncaster	74.53
Dover	85.81
Dudley	84.30
Ealing	103.37

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<i>Authority (1)</i>	<i>Weekly rent limit (£)</i>
East Devon	82.96
East Riding of Yorkshire	80.78
Eastbourne	81.00
Enfield	103.32
Epping Forest	101.12
Exeter	76.67
Fareham	92.75
Gateshead	77.99
Gosport	85.62
Gravesham	91.29
Great Yarmouth	76.33
Greenwich	105.03
Guildford	112.82
Hackney	102.47
Hammersmith and Fulham	118.12
Haringey	108.28
Harlow	94.17
Harrogate	82.14
Harrow	115.97
Havering	98.34
High Peak	74.50
Hillingdon	110.60
Hinckley and Bosworth	79.89
Hounslow	104.74
Ipswich	83.71
Islington	122.15
Kensington and Chelsea	130.53
Kettering	82.99
Kingston upon Hull	76.54
Kingston upon Thames	114.74
Kirklees	71.18
Lambeth	110.21
Lancaster	78.69
Leeds	75.29

<i>Authority (1)</i>	<i>Weekly rent limit (£)</i>
Leicester City	73.33
Lewes	91.07
Lewisham	98.19
Lincoln	70.07
Luton	88.37
Manchester	74.57
Mansfield	74.45
Medway Towns	83.38
Melton	78.68
Mid Devon	80.00
Mid Suffolk	83.78
Milton Keynes	87.41
New Forest	101.17
Newark and Sherwood	79.75
Newcastle upon Tyne	76.70
Newham	98.69
North East Derbyshire	82.85
North Kesteven	77.98
North Tyneside	77.97
North Warwickshire	89.24
North West Leicestershire	80.28
Northampton	84.86
Northumberland	69.69
Norwich	80.87
Nottingham	76.49
Nuneaton and Bedworth	79.70
Oadby and Wigston	80.80
Oldham	74.74
Oxford City	111.21
Poole	86.87
Portsmouth	86.51
Reading	106.85
Redbridge	104.99
Redditch	80.03

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<i>Authority (1)</i>	<i>Weekly rent limit (£)</i>
Richmondshire	79.03
Rotherham	77.24
Rugby	88.45
Runnymede	111.95
Salford	76.32
Sandwell	83.01
Sedgemoor	79.01
Selby	79.70
Sheffield	73.30
Shepway	83.13
Shropshire	82.94
Slough	107.89
Solihull	83.70
South Cambridgeshire	109.20
South Derbyshire	81.19
South Holland	77.26
South Kesteven	80.30
South Tyneside	76.50
Southampton	86.69
Southend-on-Sea	87.66
Southwark	110.06
St.Albans	115.38
Stevenage	99.81
Stockport	76.17
Stoke-on-Trent	71.79
Stroud	83.93
Sutton	109.18
Swindon	84.53
Tamworth	81.85
Tandridge	100.09
Taunton Deane	83.97
Tendring	84.96
Thanet	82.46
Thurrock	87.48

<i>Authority (1)</i>	<i>Weekly rent limit (£)</i>
Tower Hamlets	112.90
Uttlesford	101.05
Waltham Forest	104.13
Wandsworth	127.45
Warwick	95.80
Waveney	79.52
Waverley	115.80
Wealden	85.62
Welwyn Hatfield	108.07
West Lancashire	77.91
Westminster	126.30
Wigan	78.52
Wiltshire	89.50
Winchester	103.21
Woking	105.98
Wokingham	117.89
Wolverhampton	81.37.”

SCHEDULE 4

Article 3(4)

Part to be substituted for Part 5 of Schedule 4A to the 1998 Order

“PART 5

AMOUNTS FOR THE PURPOSES OF PART 4,
PARAGRAPH 4: AUTHORITIES IN WALES**RELEVANT YEAR 2016-2017**

<i>Local authority</i>	<i>(1) Specified amount “O” (£)</i>	<i>(2) Guideline rent increase “P” (£)</i>
Caerphilly	78.91	3.08
Cardiff	89.18	3.22
Carmarthenshire	78.52	3.07
Denbighshire	76.29	3.05
Flintshire	79.35	3.10
Isle of Anglesey	75.15	3.03

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<i>Local authority</i>	<i>(1) Specified amount "O" (£)</i>	<i>(2) Guideline rent increase "P" (£)</i>
Pembrokeshire	80.09	2.97
Powys	80.35	3.09
Swansea	77.24	3.08
Vale of Glamorgan	86.21	3.19
Wrexham	78.53	3.08."

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Income-related Benefits (Subsidy to Authorities) Order 1998 (S.I. 1998/562) ("the 1998 Order") which provides for the calculation and payment of housing benefit subsidy to local authorities in England, Wales and Scotland which administer housing benefit. Section 140F(2) of the Social Security Administration Act 1992 (c.5) authorises the making, revocation or varying of an Order before, during or after the year to which it relates.

Article 2(2) substitutes Schedule 1 to the 1998 Order with a new Schedule 1 prescribing the sums to be used in the calculation of subsidy for the year beginning 1st April 2015.

Article 2(3) and Schedule 2 have effect for the purposes of determining additional amounts of subsidy payable for the year beginning with 1st April 2016. In particular, it prescribes a system for the making of additional payments of subsidy to be made in certain circumstances to local authorities who participate in the Fraud and Error Reduction Incentive Scheme ("the FERIS Scheme"), as notified by the Secretary of State to local authorities originally in November 2014 and again in February 2016.

In that scheme, participating authorities are given funding to carry out activities with a view to reducing fraud and error in relation to the payment of housing benefit. The Secretary of State then sets a threshold for expected performance in reducing fraud and error in a specified period for each such authority based on the authority's performance in making such reductions in a previous equivalent period. Additional payments are then made to the authority, the amounts depending on the extent to which the authority exceeds the threshold for reducing housing benefit payments in each such period by virtue of those activities. The substituted Schedule 1A to the 1998 Order, which is inserted by article 2(3), sets out how the additional payments of subsidy in respect of the FERIS Scheme are to be calculated for that year. Authorities are placed in groups based on their caseload management information percentage for the relevant year beginning with 1st April 2014 and different amounts of the additional subsidy payments relate to each of those groups.

Hard copies of the circulars setting out the scheme and the amounts of the administration subsidy on which payments are based are available from the Department for Work and Pensions, Caxton House, Tothill Street, London SW1H 9NA.

Article 3 has effect for the purposes of determining subsidy payable for the year beginning with 1st April 2016. Article 3(2) amends paragraph 3 of Schedule 4A to provide that the rebate proportion figure for 2016/2017 is 0.752. Article 3(3) substitutes Part 3 of Schedule 4A to the 1998 Order in respect of weekly rent limits for authorities in England. With respect to authorities in Wales, article 3(4) substitutes Part 5 of Schedule 4A to the 1998 Order which sets out the specified amount "O"

and the guideline rent increase “P” used when calculating deductions from subsidy under paragraph 4 in Part 4 of that Schedule.

Article 4 amends the provisions in the 1998 Order relating to subsidy in respect of certain temporary accommodation so as to deal with the fact that Part 2 of the Housing (Wales) Act 2014 (anaw 7) now covers homelessness responsibilities in Wales.

An impact assessment has not been produced for this instrument as it has no impact on business or civil society organisations.