STATUTORY INSTRUMENTS

2017 No. 900

SOCIAL SECURITY

The Income-related Benefits (Subsidy to Authorities) Amendment Order 2017

Made - - - -	*6th September 2017*
Laid before Parliament	*12th September 2017*
Coming into force - -	*26th October 2017*

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), 140C(1) and (3), 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 2017 and comes into force on 26th October 2017.

(2) Article 2(3) and Schedule 1 have effect for the purpose of determining subsidy payable for the relevant year beginning with 1st April 2016.

(3) Articles 2(2)(a) and (4) 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 2017.

(**1**) 1992 c.5. Sections 140B, 140C 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"). Section 189(1) and (4) was amended by paragraph 109 of Schedule 7 to the Social Security Act 1998 (c.14). 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. Sections 140B, 140F and 189 were repealed, to the extent they relate to council tax benefit, by section 147 of, and paragraph 1 of Schedule 14 to, the Welfare Reform Act 2012 (c.5) with effect from 1st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.

(**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 relates 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.

(4) Articles 2(2)(b) and (5), 4 and 5 have effect from 1st April 2017.

(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) In article 12(1) (amount of subsidy)(**5**)—

(a) after sub-paragraph (b), insert—

"(ba) for an authority which is a participating authority for the purposes of Schedule 1ZA (additional amount of subsidy: right benefit initiative), the additional amount specified by that Schedule; and".

(b) omit sub-paragraph (c).

(3) For Schedule 1 (sums to be used in the calculation of subsidy)(**6**) substitute the Schedule 1 set out in Schedule 1 to this Order.

(4) After the substituted Schedule 1 insert the Schedule 1ZA set out in Schedule 2 to this Order.

(5) Omit Schedule 1A (additional amount of subsidy: activities to reduce fraud and error)(**7**).

Rent rebate deductions from an authority's subsidy

3.—(1) Schedule 4A to the 1998 Order (rent rebate limitation deductions (Housing Revenue Account Dwellings))(**8**) is amended as follows.

(2) In Part 2 (England), in paragraph 3 (amount of deduction), for sub-paragraph (3)(**9**) substitute —

"(3) The rebate proportion for 2017-18 is 0.739.".

(3) For Part 3 (weekly rent limits for purposes of Part 2: authorities in England)(**10**), 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)(**11**), substitute the Part 5 set out in Schedule 4 to this Order.

Amendment relating to requirement of audit

4. In article 6(1) of the 1998 Order (requirement of audit), before sub-paragraph (ia)(**12**) insert—

"(iza) shall, in the case of an authority in England, inform the Secretary of State in writing of the identity of the authority's auditor by 1st March in the year before the relevant year;".

(**4**) S.I. 1998/562.
(**5**) Article 12(1) was substituted by S.I. 2015/1784.
(**6**) Schedule 1 was substituted by S.I. 2016/986.
(**7**) Schedule 1A was inserted by S.I. 2015/1784 and substituted by S.I. 2016/986.
(**8**) Schedule 4A was inserted by S.I. 2004/646.
(**9**) In Part 2 of Schedule 4A, paragraph 3(3) was substituted by S.I. 2016/986.
(**10**) Part 3 of Schedule 4A was substituted by S.I. 2016/986.
(**11**) Part 5 of Schedule 4A was substituted by S.I. 2016/986.
(**12**) Article 6(1)(ia) was inserted by S.I. 2004/646.

Amendments relating to the removal of the temporary accommodation management fee

5.—(1) In article 17A of the 1998 Order (subsidy in respect of self-contained licensed accommodation, and leased accommodation, provided by an authority as temporary or short term accommodation)(**13**), for paragraph (3) substitute—

> "(3) The maximum amount referred to in paragraph (2) is 90% of the local housing allowance for January 2011 for the category specified in paragraphs 1(1)(b) to (f) of Schedule 3B to the Rent Officers Order (as in force on 1st January 2011) which applies to the accommodation and is applicable to the broad rental market area in which the accommodation is situated.".

(2) In article 17C of the 1998 Order (subsidy in respect of self-contained accommodation, or owned or leased accommodation, made available by a registered housing association as temporary or short-term accommodation) (**14**), for paragraph (3) substitute—

> "(3) The maximum amount referred to in paragraph (2) is 90% of the local housing allowance for January 2011 for the category specified in paragraphs 1(1)(b) to (f) of Schedule 3B to the Rent Officers Order (as in force on 1st January 2011) which applies to the accommodation and is applicable to the broad rental market area in which the accommodation is situated.".

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

Caroline Dinenage
Minister of State
Department for Work and Pensions

3.00 p.m. on 6th September 2017

We consent.

Guto Bebb
Heather Wheeler
Two of the Lords Commissioners of Her Majesty's Treasury

4.30 p.m. on 6th September 2017

(**13**) Article 17A was inserted by S.I. 2009/2580. Relevant amendments were made by S.I. 2010/2509 and 2011/2957.
(**14**) Article 17C was inserted by S.I. 2010/2509. Relevant amendments were made by S.I. 2011/2957.

SCHEDULE 1 Article 2(3)

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 2016-2017

Local authority	*Administration subsidy (£)*
England	
Adur	239,361
Allerdale	388,617
Amber Valley	436,268
Arun	594,152
Ashfield	568,445
Ashford	456,560
Aylesbury Vale	554,905
Babergh	270,772
Barking and Dagenham	1,487,728
Barnet	1,983,571
Barnsley	1,200,666
Barrow in Furness	314,070
Basildon	860,228
Basingstoke and Deane	570,840
Bassetlaw	452,184
Bath and North East Somerset	657,627
Bedford	697,134
Bexley	921,470
Birmingham	6,967,023
Blaby	234,242
Blackburn with Darwen	728,947
Blackpool	1,132,344
Bolsover	336,288
Bolton	1,437,004
Boston	317,754

Local authority	*Administration subsidy (£)*
Bournemouth	1,011,463
Bracknell Forest	407,212
Bradford	2,508,702
Braintree	533,398
Breckland	466,381
Brent	2,570,544
Brentwood	211,522
Brighton and Hove	1,598,023
Bristol	2,331,174
Broadland	303,472
Bromley	1,166,348
Bromsgrove	227,442
Broxbourne	401,944
Broxtowe	355,545
Burnley	518,704
Bury	800,499
Calderdale	971,253
Cambridge	458,426
Camden	1,889,807
Cannock Chase	405,344
Canterbury	547,372
Carlisle	419,173
Castle Point	317,074
Central Bedfordshire	770,267
Charnwood	452,903
Chelmsford	517,186
Cheltenham	420,437
Cherwell	478,755
Cheshire East	1,110,396
Cheshire West and Chester	1,186,465
Chesterfield	536,945
Chichester	428,924
Chiltern	262,400
Chorley	348,649