

Cabinet

Agenda

Monday 19 January 2026 at 7.00 pm

Clockwork Building (Ground Floor), 45 Beavor Lane, W6 9AR

Watch live on YouTube: youtube.com/hammersmithandfulham

MEMBERSHIP

Administration

Councillor Stephen Cowan, Leader (Chair)
Councillor Alex Sanderson, Deputy Leader (responsible for Children and Education)
Councillor Bora Kwon, Cabinet Member for Adult Social Care and Health
Councillor Wesley Harcourt, Cabinet Member for Climate Change and Ecology
Councillor Andrew Jones, Cabinet Member for the Economy
Councillor Rowan Ree, Cabinet Member for Finance and Reform
Councillor Frances Umeh, Cabinet Member for Housing and Homelessness
Councillor Florian Chevoppe-Verdier, Cabinet Member for Public Realm
Councillor Rebecca Harvey, Cabinet Member for Social Inclusion and Community Safety
Councillor Zarar Qayyum, Cabinet Member for Enterprise and Skills

Contact Officer: David Abbott
Governance and Scrutiny
Email: david.abbott@lbhf.gov.uk
Web: www.lbhf.gov.uk/councillors-and-democracy

Members of the public are welcome to attend but spaces are limited. To register for a place please contact: david.abbott@lbhf.gov.uk. The building has disabled access.

Access to information notice

The Cabinet gives notice of its intention that it may want to hold part of this meeting in private to consider the exempt elements of item 5 which are exempt under paragraph 3 of Schedule 12A to the Local Government Act 1972, in that they relate to the financial or business affairs of any particular person, including the authority holding the information.

The Cabinet has received no representations as to why the relevant part of the meeting should not be held in private.

Deputations

Members of the public may submit a request for a deputation to the Cabinet on reports on this agenda using the Council's Deputation Request Form. Completed forms must be signed by at least ten registered electors of the Borough and will be subject to the Council's procedures on the receipt of deputations. Forms must be sent to david.abbott@lbhf.gov.uk by: Wednesday 14 January 2026

Call-in

A draft decision list regarding items on this agenda will be published the day after the meeting. Decision reports may be called in to the relevant Policy and Accountability Committee. The deadline for receipt of call-in requests from councillors is: Friday 23 January 2026 at 3.00pm. If no valid call-in requests are received by the deadline, a confirmed decision list will be published and the decisions can be implemented.

Cabinet agenda

19 January 2026

<u>Item</u>	<u>Pages</u>
1. APOLOGIES FOR ABSENCE	
2. DECLARATION OF INTERESTS	
<p>If a Councillor has a disclosable pecuniary interest in a particular item, whether or not it is entered in the Authority's register of interests, or any other significant interest which they consider should be declared in the public interest, they should declare the existence and, unless it is a sensitive interest as defined in the Member Code of Conduct, the nature of the interest at the commencement of the consideration of that item or as soon as it becomes apparent.</p>	
<p>At meetings where members of the public are allowed to be in attendance and speak, any Councillor with a disclosable pecuniary interest or other significant interest may also make representations, give evidence or answer questions about the matter. The Councillor must then withdraw immediately from the meeting before the matter is discussed and any vote taken.</p>	
<p>Where Members of the public are not allowed to be in attendance and speak, then the Councillor with a disclosable pecuniary interest should withdraw from the meeting whilst the matter is under consideration. Councillors who have declared other significant interests should also withdraw from the meeting if they consider their continued participation in the matter would not be reasonable in the circumstances and may give rise to a perception of a conflict of interest.</p>	
<p>Councillors are not obliged to withdraw from the meeting where a dispensation to that effect has been obtained from the Standards Committee.</p>	
3. MINUTES OF THE PREVIOUS MEETING	5 - 8
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5. COUNCIL TAX BASE AND COLLECTION RATE 2026/27 AND DELEGATION OF THE BUSINESS RATE ESTIMATE	166 - 174
6. FUTURE RESIDENT FACING ENERGY PROPOSALS	175 - 252
7. PROCUREMENT STRATEGY FOR EDWARD WOODS TOWERS EXTERNAL FACADE AND WINDOW REPLACEMENT WORKS	253 - 274

This item includes appendices that contain exempt information. Discussion of the appendices will require passing the proposed resolution at the end of the agenda to exclude members of the public

and press.

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|---|-----------|
| 8. FORWARD PLAN OF KEY DECISIONS (TO NOTE) | 275 - 335 |
| 9. DISCUSSION OF EXEMPT ELEMENTS (IF REQUIRED) | |

Proposed resolution

Under Section 100A (4) of the Local Government Act 1972, that the public and press be excluded from the meeting during the consideration of an item of business, on the grounds that it contains the likely disclosure of exempt information, as defined in paragraph 3 of Schedule 12A of the said Act, and that the public interest in maintaining the exemption currently outweighs the public interest in disclosing the information.

London Borough of Hammersmith & Fulham

Cabinet

Minutes



Monday 8 December 2025

PRESENT

Executive Members

Councillor Stephen Cowan, Leader of the Council
Councillor Florian Chevoppe-Verdier, Cabinet Member for Public Realm
Councillor Wesley Harcourt, Cabinet Member for Climate Change and Ecology
Councillor Rebecca Harvey, Cabinet Member for Social Inclusion and Community Safety
Councillor Bora Kwon, Cabinet Member for Adult Social Care and Health
Councillor Zarar Qayyum, Cabinet Member for Enterprise and Skills
Councillor Rowan Ree, Cabinet Member for Finance and Reform
Councillor Frances Umeh, Cabinet Member for Housing and Homelessness

Other Councillors

Councillor Adronie Alford
Councillor Paul Alexander
Councillor Trey Campbell-Simon
Councillor Callum Nimmo

Officers

Bram Kainth, Executive Director – Place
Grant Deg, Director of Legal Services
David Abbott, Head of Governance

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Alex Sanderson, Councillor Andrew Jones, and Sharon Lea.

2. DECLARATION OF INTERESTS

There were no declarations of interest.

3. MINUTES OF THE PREVIOUS MEETING

The minutes of the previous meeting held on 10 November 2025 were agreed as an accurate record.

4. REVENUE BUDGET REVIEW 2025/26 - MONTH 6 (SEPTEMBER 2025)

Councillor Rowan Ree (Cabinet Member for Finance and Reform) introduced the report which presented the financial performance review at Month 6 (September 2025), following the previous update provided at Month 2 (May 2025). The outcomes of the review continued to reflect the challenging macro-economic conditions and were based on a pragmatic assessment of the Council's financial performance. The estimated financial position incorporates known and emerging budget pressures and potential risks. Councillor Ree noted that the Housing Revenue Account (HRA) was in a better position than previous years, with a balanced budget set for 2025/26 (without the use of balances). He noted that a prudent approach had been adopted in the forecasts for 2025/26, with an in-year pressure projected due to historical disrepair claims and works. He said a number of mitigations had been implemented to manage the projected pressure.

Councillor Adronie Alford asked for an explanation of why garden waste income was lower than expected, suggesting it could be due to the high price. Councillor Stephen Cowan (Leader of the Council) recounted the history of garden waste in the borough, noting previous approaches had been unsuccessful and a previous administration had withdrawn the service entirely. He explained that the new service was aligned with the Council's goal to be the most environmentally positive local authority in the Country - and it aimed to compete with more expensive private sector offerings. He said the Council was planning a marketing push to increase take-up.

Councillor Alford asked why reported parking income was lower than expected. The Leader said the Council had put a lot of effort into deterring traffic from using the borough as a cut-through to improve air quality and protect residents' health. He added that the success of active-travel schemes with more people walking and cycling, and fewer young people driving, had also contributed.

Councillor Alford raised concerns that traffic schemes were also deterring people from shopping and impacting the viability of some local shops. The Leader said the Council was not trying to stop people who need cars from driving, but rather encourage people who were able to walk and cycle. Regarding shop closures, he noted that while the high-street had faced challenges across the Country, the areas of the borough with the most serious restrictions such as the South Fulham Clean Air Neighbourhood had seen an increase in shops. He also highlighted new cafes and shops on Wandsworth Bridge Road since it had become more pedestrian friendly, and the success of the traffic-free North End Road market.

Councillor Alford noted the continued strain of temporary-accommodation on the HRA budget and asked if the Council had a plan to address it. The Leader agreed that it was an important problem for all local authorities. He paid tribute to Councillors Rowan Ree and Frances Umeh who had seen the problem early and had taken serious measures to address it, including 17,000 new properties being built in the borough with over 35% of them being affordable homes. He said the scale of demand was a genuine problem and the Council was speaking with the Government about this issue. Councillor Ree added that the purpose of the newly created

Housing Company, agreed at the previous Cabinet meeting, was partly to address this issue and provide additional temporary accommodation.

The report and recommendations were unanimously approved.

RESOLVED

1. That Cabinet noted the General Fund financial forecast variance at Month 6 (Table 1 and Appendix 1).
2. That Cabinet noted progress on delivering the 2025/26 agreed budget savings (Appendix 3).
3. That Cabinet noted the HRA forecast (paragraph section 24 to 26 and Appendix 2).
4. That Cabinet noted and approved the budget movements (Appendix 4).

The reasons for decision and alternative options are set out in the report.

There were no declarations of interest and no dispensations in respect of any declared conflict of interest.

5. CAPITAL PROGRAMME MONITOR AND BUDGET VARIATIONS 2025/26 (SECOND QUARTER)

Councillor Rowan Ree (Cabinet Member for Finance and Reform) introduced the report which detailed the forecast capital programme for the financial year 2025/26 (including the financing of the programme for the year) and the future years. He highlighted some of the key areas of spend that were helping to build a better borough, including economic regeneration projects, more affordable and greener homes, and an expansion of CCTV infrastructure to prevent and deter crime.

The report and recommendations were unanimously approved.

RESOLVED

1. That Cabinet noted the overall forecast of £270.9m for 2025/26 capital expenditure which is a net decrease of 9.8m in comparison to the revised budget of £280.731m at Q1 2025/26.
2. That Cabinet approved a total additional investment of £34.5m (of which £33m is s106 funded) across the revised four year programme, including new additional borrowing, the details of this investment are set out in Appendix 1.
3. That Cabinet approved the updated four-year capital programme for 2025-2029 of £714.325m, as detailed in the report. This is a net increase of £34.5m in comparison to the forecast four-year programme as at Q1 2025/26 (£679.9m).

The reasons for decision and alternative options are set out in the report.

There were no declarations of interest and no dispensations in respect of any declared conflict of interest.

6. TREASURY MANAGEMENT STRATEGY: MID-YEAR REVIEW 2025/26

Councillor Rowan Ree (Cabinet Member for Finance and Reform) introduced the report which provided an update on the implementation of the 2025/26 Treasury Management Strategy, approved by Full Council on 26 February 2025, and presented the Treasury Management Strategy 2025/26 mid-year review.

The report and recommendations were unanimously approved.

RESOLVED

1. That Cabinet noted:

- the Treasury Management Strategy 2025/26 mid-year review;
- the forecast capital financing requirement (CFR) for the General Fund and the Housing Revenue Account (HRA);
- the current split between external and internal borrowing.

7. KEY DECISIONS LIST (TO NOTE)

The Key Decision List was noted.

Meeting started: 7.00 pm
Meeting ended: 7.20 pm

Chair

Agenda Item 4

LONDON BOROUGH OF HAMMERSMITH & FULHAM

Report to: Cabinet

Date: 19/01/2026

Subject: Council Tax Support Scheme 2026/27

Report of: Cabinet Member for Finance and Reform – Councillor Rowan Ree

Report author: Kirsty Brooksmith, Assistant Director Benefits

Responsible Director: Sukvinder Kalsi – Executive Director for Finance & Corporate Services

SUMMARY

With residents across Hammersmith & Fulham continuing to struggle with the cost of living, we will continue to provide 100% support for the most vulnerable residents through the Council Tax Support Scheme. We are one of the few councils who have maintained this despite central government reducing the funding for this through the Revenue Support Grant.

This administration has gone beyond what was previously provided by exempting care leavers and foster carers from Council Tax entirely. This year, in recognition of the brave service of our nation's Armed Forces, and to mark 80 years since VE Day, we will provide an addition 25% discount for veterans living in the borough.

Since 2013, every council has been required to set its own Council Tax Support Scheme, setting out how it wants to help those on low income pay their council tax. The administration continues to be committed to ensuring that not only are residents no worse off than they would have been had the original Council Tax benefit regulations stayed in place but are also determined to try and reverse some of the regressive elements of Council Tax, by ensuring that lower income families are supported by the council. This constitutes a £10.27m investment, based on the 2025/26 Council Tax charge, by the Council to support the borough's lowest income families for 2026/27.

Pre-2013, funding for the Council Tax Support Scheme was originally provided directly from the Government to cover the full cost of the scheme. Since then, funding has been absorbed and aggregated within other central government grants given to local authorities. The funding that the Council receives each year towards the cost of the scheme expenditure is contained within the Revenue Support Grant. Grant funding from Central Government has reduced by £36m (54% in real terms) from 2010/11 to 2025/26.

We know many of our residents are still feeling the squeeze from the increased cost of energy, petrol, and food prices, as such, we have invested more than £12m to provide much-needed cost-of-living support to our residents which includes dedicated support for older and vulnerable residents in need in H&F.

We continue to be the only council in the country to provide free home care to older and disabled residents. It's part of our work to build a stronger, safer, and kinder borough.

Since April 2025 we have issued financial support vouchers to more than 830 local pensioners not receiving pension credit and have supported a national campaign to ensure our local pensioners, who may have missed out on pension credit, to claim through advice and support provided by our cost-of-living team.

We have worked with more than 100 voluntary and community organisations and partners, making sure our help, advice, support, and financial assistance reach as many residents as possible. In the last year we provided preventative support for residents including free meals for children taking part in our holiday activities like Summer in the City and Spooktacular and on hardship relief including support for pensioners, young people with care experience and residents struggling with debt and essential living costs.

In 2025/26, we have continued to provide Hardship Prevention Payments and Local Support Payments to ensure that residents facing financial crisis—particularly those struggling with energy or water arrears, have access to vital support when they need it most.

These payments are designed not only to assist those on low incomes, but also to support working families and individuals not in receipt of benefits who are experiencing financial hardship and have nowhere else to turn to. We've been able to maintain this crucial safety net by ensuring that the government's extension of the Household Support Fund is effectively targeted to those most in need across our borough.

To ensure that we do not add any further burden to our residents, and to continue our commitment to being a compassionate council we have once again chosen for 2026/27 not to introduce changes to our local council tax support scheme, and we remain committed to offering the most help to the lowest income families in our borough. We therefore remain committed to providing the maximum support to our residents with 100% support available to those on the lowest incomes.

In April 2013 when local council tax schemes were introduced, we were one of only 34 Councils out of 326 across England that retained a scheme providing up to 100% support to our residents. We have continued to provide this and 2026/2027 will be the 14th year that we have consistently provided up to 100% support to our residents.

The latest research published on Council Tax Support schemes indicates that in 2025/6, 28 councils reduced their local council tax support schemes, and just over 40% of all schemes in place are now income-banded, which often means partial rather than full support.

We are committed to providing the best possible service to our residents facing financial hardship and in 2025 our Benefits Service was awarded a national performance award by the Institute of Revenues Rating and Valuation for the Most Improved Team.

This report is therefore not proposing to make any changes to the Council Tax Support Scheme for 2026/27 other than the application of the annual uprating, as part of our commitment to creating a compassionate and inclusive council.

The annual uprating will apply to the allowances, applicable amounts, and income for both pensioners and working age Department of Work and Pensions (DWP) benefits, as per the Housing Benefit uprating circular issued to local authorities in late November 2025. This circular advises the new rates from April 2026. All local authorities have a duty to apply uprating to their Housing Benefit Scheme, and we propose to continue to reflect this uprating within our Council Tax Support Scheme to mirror the original intention of the default scheme. This will ensure transparency, ease of administration and clarity for our residents.

Hammersmith & Fulham introduced an ethical debt approach to collecting Council Tax in 2018. Our council's ethical debt policy is designed to balance financial responsibility with compassion. By ensuring recovery practices are fair, respectful, and sensitive to individual circumstances, we create an inclusive environment where vulnerable residents are supported rather than excluded. Accessible options such as payment plans and hardship schemes help households manage debt sustainably, reducing the risk of long-term poverty cycles. Through early engagement and flexible repayment options, we help residents manage their commitments in a way that works for them, reducing stress and avoiding unnecessary enforcement action. By focusing on support rather than pressure, we promote financial stability and give households the confidence to stay on track. This approach not only protects residents from hardship but also strengthens our community by enabling people to participate fully in local life and contribute to shared prosperity. By not changing our scheme for 2026/27 it remains the most effective scheme for ensuring we provide the maximum support available to our residents.

RECOMMENDATIONS

That Cabinet agree the following recommendations to be approved by Full Council:

1. That the Council Tax Support Scheme in operation in 2025/2026 (included at Appendix 1) shall continue in 2026/2027.
 2. That the Council shall apply the annual uprating of allowances, applicable amounts and income, set out in the DWP Housing Benefit circular, to the Council Tax Support scheme for 2026/2027.
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Wards Affected: All

Our Values	Summary of how this report aligns to the H&F Corporate Plan and the H&F Values
Building shared prosperity	We will support our low-income residents by ensuring our scheme gives

	them the maximum benefit of up to 100%, contributing to keeping their living costs, including their council tax, affordable
Creating a compassionate and inclusive council	We are continuing to deliver our local Council Tax Support Scheme to the most vulnerable amongst us, so we know they are supported financially.
Doing things with local residents, not to them	We will continue to listen to and work with our residents by offering financial support to them. We will continue to monitor the impacts of economic and welfare changes on our residents, ensuring we understand their needs. This will allow us to continue to target our help to support them where they say it is needed the most.
Being ruthlessly financially efficient	We want our residents to know we are working to protect and maintain policies that protect our most vulnerable

Financial Impact

The Council Tax Support Scheme operates by offering a discount to residents who need help paying their Council Tax. The cost of the scheme is shared between Hammersmith & Fulham Council and the Greater London Authority based on their respective Council Tax charges. The scheme cost is estimated at £14.67m in 2026/27, based on current Council Tax levels, of which the Hammersmith and Fulham share will be £10.27m. This estimate is allowed for within the 2026/27 Council Tax Base report and the Council's Medium-Term Financial Strategy.

Up until 2013, funding for the Council Tax Support Scheme (known as the Council Tax Benefit Scheme) was originally provided specifically through the Revenue Support Grant (RSG) from the Government. The Government abolished the national Council Tax Benefit scheme from 1 April 2013 and allowed local councils to develop their own local replacement schemes for working age residents. Government grant funding has reduced by £36m (54% in real terms) from 2010/11 to 2025/26.

Verified by James Newman, Assistant Director of Finance

Legal Implications

Each financial year the Council must consider whether it wants to revise its Council Tax Support Scheme, leave as is or replace it. The Council must make this decision no later than 31 January in the financial year preceding when the scheme is to take effect.

The Council has a statutory duty to set the council tax each year, and this report is part of this process. The Council can only vary or set council tax discounts or higher amounts as legally empowered to do so. The relevant regulations and legislation are

the Local Government Finance Act 1992, the Local Authorities (Calculation of Council Tax Base) Regulations 2012, and the Council Tax (Prescribed Classes of Dwellings) (England)Regulations 2003, as amended in 2012. The Council Tax base has been calculated in accordance with the relevant Acts and regulations.

The appended Council Tax Reduction Scheme has been considered in accordance with The Council Tax Reduction Schemes (Prescribed/Requirements) (England) (Amendment) Regulations 2025' The Secretary of State makes these Regulations in exercise of the powers conferred by section 113(1) and (2) of, and paragraph 2 of Schedule 1A to, the Local Government Finance Act 1992(1).

Grant Deg, Director for Legal Services

Background Papers Used in Preparing This Report

None.

DETAILED ANALYSIS

Proposals and Analysis of Options

1. In our review of our Council Tax Support Scheme, in 2024/25 we compared schemes across neighbouring London authorities. 45% of those authorities had a banded income scheme and the remaining 55% had a scheme based on the previous Council Tax Benefit scheme (default scheme) which was like ours. The lowest level of support available was 15% of council tax liability, only three councils offered 100% as we do, and the majority offered 90%.
2. We modelled a variety of changes to our schemes, including changes to capital limits, changes to non-dependant charges and the introduction of banded income schemes. When considering the capital limits, we also looked at the treatment of capital as income, and we also considered changing the deductions for non- dependants in the household.
3. The overarching objective of the modelling was to ensure that we continued to provide maximum support (100%) for those who needed the most support. However, there was also a focus on making the scheme simpler for residents and simpler for the Council to administer.
4. The options were considered by the Section 151 Officer and the Cabinet Member for Finance and Reform. In all the options modelled some residents would be negatively impacted.
5. None of the options modelled provided significant financial benefits in reducing administrative costs. One of the reasons for this was that we would need to maintain our scheme as is for residents of pension age as this is required by law. The operation of two different schemes applying one to working age and one to pensioners would likely increase complexity in administration.

6. Given the findings of our comprehensive review none of the options are recommended for adoption and it is recommended that we continue with our current scheme.

Supporting Our Veterans

7. This year, we have gone further in recognising the service and sacrifice of our Armed Forces community by proposing a new Council Tax discount, effective from April 2026. Under this initiative, veterans living in our borough who hold an HM Armed Forces Veteran Card will receive an additional 25% reduction on their Council Tax. This measure reflects our deep gratitude to those who have served our country and ensures that our brave service veterans receive meaningful financial support as part of our commitment to an inclusive and compassionate borough.

Equality Implications

8. There are no anticipated negative implications for groups with protected characteristics, under the Equality Act 2010 by the approval of these proposals.

Risk Management Implications

9. Over the last decade, local authorities have received significant real terms cuts to budgets, in addition the Government's Universal Credit Scheme has posed challenges to the poorest and most vulnerable in society. Council tax benefit was a UK-wide benefit that provided support for council tax to low-income families. This was abolished in April 2013 and local authorities in England were charged with designing their own council tax support schemes in its place. Although these must maintain support for pensioners at its previous level, local authorities have wide discretion to design their own schemes for working-age families. Options have been considered but none provide any significant financial benefits by reducing administrative costs. The Council's scheme contributes positively to our residents, meeting their needs and expectations. It also contributes to our council values most specifically being a compassionate council, so the most vulnerable among us are looked after.

Implications verified by Moira Mackie, Head of Internal Audit, 4 November 2025

Climate and Ecological Emergency Implications

10. There are no anticipated climate or ecological implications as a result of the approval of this recommendation.

Consultation

11. There is no requirement to consult this year as we are not proposing any changes to our scheme.

LIST OF APPENDICES

Appendix 1 – Council Tax Support Scheme 2025/26

Appendix 2 – <https://www.entitledto.co.uk/blog/2025/may/20/council-tax-reduction-schemes-in-england-202526>

**London Borough of Hammersmith and
Fulham
Council Tax Reduction Scheme
2025/26**

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PART 1 - Introduction

1.— Citation, commencement, and application

- (1) This scheme may be cited as the London Borough of Hammersmith and Fulham Council Tax Reduction Scheme 2025/26 and comes into effect on 1 April 2025.
- (2) This scheme applies in relation to the billing authority in England known as the London Borough of Hammersmith and Fulham.
- (3) This Council Tax Reduction Scheme for working age applicants has been determined by the Council and is intended to assist people in financial need, by the award of a reduction in their council tax liability. It is a local scheme determined in respect of a decision made by full Council. Central Government has prescribed that the reduction given to pensioners.
- (4) The scheme in respect of pension age applicants is defined by Central Government within the following:
 - (a) Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012;
 - (b) Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (England) (Amendment) Regulations 2012;
 - (c) Council Tax Reduction Schemes (Transitional Provision) (England) Regulations 2013;
 - (d) Council Tax Reduction Schemes (Detection of Fraud and Enforcement) (England) Regulations 2013;
 - (e) Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2013;
 - (f) The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) (No. 2) Regulations 2014
 - (g) The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2015;
 - (h) The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2016;
 - (i) The Council Tax Reduction Schemes (Amendment) (England) Regulations 2017;
 - (j) The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2018;
 - (k) The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2020;
 - (l) The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2021;
 - (m) The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2022;
 - (n) The Council Tax (Demand Notices and Reduction Schemes) (England) (amendment) Regulations 2022;
 - (o) The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2023;
 - (p) The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2024;
 - (q) The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2025; and
 - (r) Local Government Finance Act 1992 (as amended by the Local Government Finance Act 2012)
- (5) Whilst the scheme for those who have reached the qualifying age for state pension credit is set by Central Government, the Council has resolved to enhance the government scheme (as defined by the Council Tax Reduction Scheme (Prescribed Requirements) (England) Regulations 2012) to disregard in full the following:
 - (a) a war disablement pension;
 - (b) a war widow's pension or war widower's pension;
 - (c) a pension payable to a person as a widow, widower or surviving civil partner under any power of Her Majesty otherwise than under an enactment to make provision about pensions for or in respect of persons who have been disabled or have died in consequence of service as members of the armed forces of the Crown;
 - (d) a guaranteed income payment;
 - (e) a payment made to compensate for the non-payment of such a pension or payment as is mentioned in any of the preceding sub-paragraphs;
 - (f) a pension paid by the government of a country outside Great Britain which is analogous to any of the pensions or payments mentioned in sub-paragraphs (a) to (d) above;

- (g) pension paid to victims of National Socialist persecution under any special provision made by the law of the Federal Republic of Germany, or any part of it, or of the Republic of Austria.

The provisions outlined above, enhance the Central Government's scheme for Pension age applicants.

- (6) The incomes outlined within paragraph (6) shall also be disregarded in full for all persons who are not pensioners. Both this and the enhancement to the pensioner's scheme meets the authority's commitment to the Armed Forces Covenant.
- (7) Except where otherwise stated, an uprating will be applied to the Council Tax Reduction Schemes to reflect national changes to the amounts of pensions, tax credits, income related and non-income related social security benefits and allowances, component parts, applicable amounts, premiums, and deductions.

PART 2 Interpretation

2.—(1) In this scheme—

“the 1992 Act” means the Local Government Finance Act 1992;

“Abbeyfield Home” means an establishment run by the Abbeyfield Society including all bodies corporate or unincorporated which are affiliated to that society;

“adoption leave” means a period of absence from work on ordinary or additional adoption leave by virtue of section 75A or 75B of the Employment Rights Act 1996;

“adult disability payment” ;as the meaning given in regulation 2 of the DAWAP Regulations;

“an AFIP” means an armed forces independence payment payable in accordance with an armed and reserve forces compensation scheme established under section 1(2) of the Armed Forces (Pensions and Compensation) Act 2004;

“alternative maximum council tax reduction” means the amount determined in accordance with paragraph 30 and Schedule 4;

“applicable amount” means—

(a) in relation to a pensioner, the amount calculated in accordance with paragraph 24 and Schedule 2, and

(b) in relation to a person who is not a pensioner, the amount calculated in accordance with—

(i) paragraph 25 and Schedule 3; or

(ii) paragraph 27,

as the case may be;

“applicant” means a person applying for a reduction under this scheme;

“application” means an application for a reduction under this scheme;

“appropriate DWP office” means an office of the Department for Work and Pensions dealing with state pension credit or an office which is normally open to the public for the receipt of claims for income support, a jobseeker's allowance or an employment and support allowance;

“approved blood scheme” means a scheme established or approved by the Secretary of State, or trust established with funds provided by the Secretary of State, for the purpose of providing compensation in respect of a person having been infected from contaminated blood products;

“assessment period” means the period determined—

(a) in relation to pensioners—

(i) in relation to the earnings of a self-employed earner, in accordance with paragraph 42 of this scheme for the purpose of calculating the weekly earnings of the applicant;

or

(ii) in relation to any other income, in accordance with paragraph 39 of this scheme for the purpose of calculating the weekly income of the applicant;

(b) in relation to persons who are not pensioners, such period as is set out in paragraphs 46 to 48 of this scheme over which income falls to be calculated;

“attendance allowance” means—

(a) an attendance allowance under Part 3 of the SSCBA(3);

(b) an increase of disablement pension under section 104 or 105 of that Act;

(c) a payment under regulations made in exercise of the power conferred by paragraph 7(2)(b) of Part 2 of Schedule 8 to that Act;

(d) an increase of an allowance which is payable in respect of constant attendance under paragraph 4 of Part 1 of Schedule 8 to that Act;

(e) a payment by virtue of article 14, 15, 16, 43 or 44 of the Personal Injuries (Civilians) Scheme 1983 or any analogous payment; or

(f) any payment based on need for attendance which is paid as part of a war disablement pension;

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“the authority” means the billing authority in whose area this scheme has effect by virtue of paragraph 4 of Schedule 1A to the 1992 Act;

“basic rate” has the meaning given by the Income Tax Act 2007;

“the benefit Acts” means the SSCBA, the Jobseekers Act 1995, the State Pension Credit Act 2002, and the Welfare Reform Act 2007;

“board and lodging accommodation” means accommodation provided to a person or, if he is a member of a family, to him or any other member of his family, for a charge which is inclusive of the provision of that accommodation and at least some cooked or prepared meals which both are cooked or prepared (by a person other than the person to whom the accommodation is provided or a member of his family) and are consumed in that accommodation or associated premises;

“care home” has the meaning given by section 3 of the Care Standards Act 2000 and in Scotland means a care home service within the meaning given by section 2(3) of the Regulation of Care (Scotland) Act 2001 and in Northern Ireland means a nursing home within the meaning of Article 11 of the Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003 or a residential care home within the meaning of Article 10 of that Order;

“the Caxton Foundation” means the charitable trust of that name established on 28th March 2011 out of funds provided by the Secretary of State for the benefit of certain persons suffering from hepatitis C and other persons eligible for payment in accordance with its provisions;

“child” means a person under the age of 16;

“child benefit” has the meaning given by section 141 of the SSCBA;

“child disability payment” has the meaning given by regulation 2 of the DACYP Regulations;

“child care costs element” has the meaning given by regulation 27 of the Universal Credit Regulations 2012;

“child tax credit” means a child tax credit under section 8 of the Tax Credits Act 2002;

“close relative” means a parent, parent-in-law, son, son-in-law, daughter, daughter-in-law, step-parent, step-son, step-daughter, brother, sister, or if any of the preceding persons is one member of a couple, the other member of that couple;

“concessionary payment” means a payment made under arrangements made by the Secretary of State with the consent of the Treasury which is charged either to the National Insurance Fund or to a Departmental Expenditure Vote to which payments of benefit or tax credits under the benefit Acts or the Tax Credits Act 2002 are charged;

“contributory employment and support allowance” means a contributory allowance under Part 1 of the Welfare Reform Act 2007 as amended by the provisions of Schedule 3, and Part 1 of Schedule 14, to the Welfare Reform Act 2012 that remove references to an income-related allowance and a contributory allowance under Part 1 of the Welfare Reform Act 2007 as that Part has effect apart from those provisions;

“council tax benefit” means council tax benefit under Part 7 of the SSCBA;

“couple” has the meaning given by paragraph 4 of this scheme;

“DACYP Regulations” means the Disability Assistance for Children and Young People (Scotland) Regulations 2021;

“the DAWAP Regulations” means the Disability Assistance for Working Age People (Scotland) Regulations 2022;

“designated office” means the office of the authority designated by it for the receipt of applications—

- (a) by notice upon or with a form supplied by it for the purpose of making an application; or
- (b) by reference upon or with such a form to some other document available from it and sent by electronic means or otherwise on application and without charge; or
- (c) by any combination of the provisions set out in paragraphs (a) and (b);

“disability living allowance” means a disability living allowance under section 71 of the SSCBA;

“dwelling” has the meaning given by section 3 of the 1992 Act;

“earnings” has the meaning given by paragraph 40, 42, 43 or 50 of this scheme as the case may be;

“the Eileen Trust” means the charitable trust of that name established on 29th March 1993 out of funds provided by the Secretary of State for the benefit of persons eligible for payment in accordance with its provisions;

“electronic communication” has the same meaning as in section 15(1) of the Electronic Communications Act 2000;

“employed earner” is to be construed in accordance with section 2(1)(a) of the SSCBA and also includes a person who is in receipt of a payment which is payable under any enactment having effect in Northern Ireland and which corresponds to statutory sick pay or statutory maternity pay;

“the Employment, Skills and Enterprise Scheme” means a scheme under section 17A (schemes for assisting persons to obtain employment: ““work for your benefit”” schemes etc.) of the Jobseekers Act 1995 known by that name and provided pursuant to arrangements made by the Secretary of State that is designed to assist claimants for job-seekers allowance to obtain employment, including self-
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employment, and which may include for any individual work-related activity (including work experience or job search);

“employment zone” means an area within Great Britain designated for the purposes of section 60 of the Welfare Reform and Pensions Act 1999 and an “employment zone programme” means a programme established for such an area or areas designed to assist claimants for a jobseeker’s allowance to obtain sustainable employment;

“enactment” includes an enactment comprised in, or in an instrument made under, an Act of the Scottish Parliament or the National Assembly for Wales;

“extended reduction” means a reduction under this scheme for which a person is eligible under Part 12 (extended reductions);

“extended reduction period” means the period for which a person is in receipt of an extended reduction in accordance with paragraph 87, 94 or 99;

“extended reduction (qualifying contributory benefits)” means a reduction under this scheme for which a person is eligible in accordance with paragraph 87 or 98;

“family” has the meaning given by paragraph 6 of this scheme;

“the Fund” means moneys made available from time to time by the Secretary of State for the benefit of persons eligible for payment in accordance with the provisions of a scheme established by him on 24th April 1992 or, in Scotland, on 10th April 1992;

“Grenfell Tower support payment” means a payment made for the purpose of providing compensation or support in respect of the fire on 14th June 2017 at Grenfell Tower;

“guarantee credit” is to be construed in accordance with sections 1 and 2 of the State Pension Credit Act 2002;

“a guaranteed income payment” means a payment made under article 15(1)(c) (injury benefits) or 29(1)(a) (death benefits) of the Armed Forces and Reserve Forces (Compensation Scheme) Order 2011;

“historical child abuse payment” means a payment made under:

- (a) Part 1 of the Historical Institutional Abuse (Northern Ireland) Act 2019;
- (b) Part 4 of the Redress for Survivors (Historical Child Abuse in Care) (Scotland) Act 2021;

“the Horizon system” means any version of the computer system used by the Post Office known as Horizon, Horizon Legacy, Horizon Online or HNG-X;

“housing benefit” means housing benefit under Part 7 of the SSCBA;

“housing costs element” has the meaning given by regulation 21 of the Universal Credit Regulations 2012;

“an income-based jobseeker’s allowance” and “a joint-claim jobseeker’s allowance” have the meanings given by section 1(4) of the Jobseekers Act 1995;

“income-related employment and support allowance” means an income-related allowance under Part 1 of the Welfare Reform Act 2007;

“independent hospital”—

- (a) in England means a hospital as defined by section 275 of the National Health Service Act 2006 that is not a health service hospital as defined by that section;
- (b) in Wales has the meaning given by section 2 of the Care Standards Act 2000; and
- (c) in Scotland means an independent health care service as defined by section 10F of the National Health Service (Scotland) Act 1978;

“the Independent Living Fund (2006)” means the Trust of that name established by a deed dated 10th April 2006 and made between the Secretary of State for Work and Pensions of the one part and Margaret Rosemary Cooper, Michael Beresford Boyall and Marie Theresa Martin of the other part;

“invalid carriage or other vehicle” means a vehicle propelled by a petrol engine or by electric power supplied for use on the road and to be controlled by the occupant;

“local authority” means a local authority in England within the meaning of the Local Government Act 1972

“the London Bombings Relief Charitable Fund” means the company limited by guarantee number 5505072), and registered charity of that name established on 11th July 2005 for the purpose of (amongst other things) relieving sickness, disability, or financial need of victims (including families or dependants of victims) of the terrorist attacks carried out in London on 7th July 2005;

“the London Emergencies Trust” means the company of that name (number 09928465) incorporated on 23rd December 2015 and the registered charity of that name (number 1172307) established on 28th March 2017

“lone parent” means a person who has no partner and who is responsible for and a member of the same household as a child or young person;

“the Macfarlane (Special Payments) Trust” means the trust of that name, established on 29th January 1990 partly out of funds provided by the Secretary of State, for the benefit of certain persons suffering from haemophilia;

“the Macfarlane (Special Payments) (No. 2) Trust” means the trust of that name, established on 3rd May 1991 partly out of funds provided by the Secretary of State, for the benefit of certain persons suffering from haemophilia and other beneficiaries;

“the Macfarlane Trust” means the charitable trust, established partly out of funds provided by the Secretary of State to the Haemophilia Society, for the relief of poverty or distress among those suffering from haemophilia;

“main phase employment and support allowance” means an employment and support allowance where the calculation of the amount payable in respect of the applicant includes a component under section 2(1)(b) or 4(2)(b) of the Welfare Reform Act 2007 or the applicant is a member of the work-related activity group except in Part 1 of Schedule 3;

“maternity leave” means a period during which a woman is absent from work because she is pregnant or has given birth to a child, and at the end of which she has a right to return to work either under the terms of her contract of employment or under Part 8 of the Employment Rights Act 1996;

“main phase employment and support allowance” means an employment and support allowance where the calculation of the amount payable in respect of the applicant includes a component under section 2(1)(b) or 4(2)(b) of the Welfare Reform Act 2007 or the applicant is a member of the work-related activity group except in Part 1 of Schedule 3

“member of a couple” means a member of a married or unmarried couple;

“MFET Limited” means the company limited by guarantee (number 7121661) of that name, established for the purpose in particular of making payments in accordance with arrangements made with the Secretary of State to persons who have acquired HIV as a result of treatment by the NHS with blood or blood products;

“mobility supplement” means—

(a) in relation to pensioners, a supplement to which paragraph 5(1)(a)(vi) of Schedule 5 to this scheme refers;

(b) in relation to persons who are not pensioners, a supplement to which paragraph 13 of Schedule 8 refers;

“mover” means an applicant who changes the dwelling in which the applicant is resident, and in respect of which the applicant is liable to pay council tax, from a dwelling in the area of the authority to a dwelling in the area of a second authority;

“the National Emergencies Trust” means the registered charity of that name (number 1182809) established on 28th March 2019;

“net earnings” means such earnings as are calculated in accordance with paragraph 41 or 51 of this scheme, as the case may be;

“net profit” means such profit as is calculated in accordance with paragraph 60 of this scheme;

“new dwelling” means, for the purposes of the definition of “second authority” and paragraphs 89, 96 and 101, the dwelling to which an applicant has moved, or is about to move, in which the applicant will be resident;

“non-dependant” has the meaning given by paragraph 9 of this scheme;

“occasional assistance” means any payment or provision made by a local authority, the Welsh Ministers, or the Scottish Ministers for the purposes of—

(a) meeting, or helping to meet an immediate short-term need—

(i) arising out of an exceptional event or exceptional circumstances, or

(ii) that needs to be met to avoid a risk to the well-being of an individual, and

(b) enabling qualifying individuals to establish or maintain a settled home, and—

(i) “local authority” has the meaning given by section 270(1) of the Local Government Act 1972; and

(ii) “qualifying individuals” means individuals who have been, or without the assistance might otherwise be—

(aa) in prison, hospital, an establishment providing residential care or other institution, or

(bb) homeless or otherwise living an unsettled way of life;

“occupational pension” means any pension or other periodical payment under an occupational pension scheme but does not include any discretionary payment out of a fund established for relieving hardship in particular cases;

“occupational pension scheme” has the same meaning as in section 1 of the Pension Schemes Act 1993;

“parental bereavement leave” means leave under section 80EA of the Employment Rights Act 1996;

“partner”, in relation to a person, means—

(a) where that person is a member of a couple, the other member of that couple; or

(b) where that person is polygamously married to two or more members of his household, any such member to whom he is married;

“paternity leave” means a period of absence from work on ordinary paternity leave by virtue of section 80A or 80B of the Employment Rights Act 1996 or on additional paternity leave by virtue of section 80AA or 80BB of that Act;

“pension fund holder” means with respect to a personal pension scheme or an occupational pension scheme, the trustees, managers, or scheme administrators, as the case may be, of the scheme concerned;

“pensionable age” has the meaning given by the rules in paragraph 1 of Schedule 4 to the Pensions Act 1995;

“pensioner” has the meaning given by paragraph 3(2)(a) of this scheme;

“person on income support” means a person in receipt of income support;

“person who is not a pensioner” has the meaning given by paragraph 3(2)(b) of this scheme;

“persons treated as not being in Great Britain” has the meaning given by paragraph 21 of this scheme;

“personal independence payment” has the meaning given by Part 4 of the Welfare Reform Act 2012;

“personal pension scheme” means—

- (a) a personal pension scheme as defined by section 1 of the Pension Schemes Act 1993;
- (b) an annuity contract or trust scheme approved under section 620 or 621 of the Income and Corporation Taxes Act 1988 or a substituted contract within the meaning of section 622(3) of that Act which is treated as having become a registered pension scheme by virtue of paragraph 1(1)(f) of Schedule 36 to the Finance Act 2004;
- (c) a personal pension scheme approved under Chapter 4 of Part 14 of the Income and Corporation Taxes Act 1988 which is treated as having become a registered pension scheme by virtue of paragraph 1(1)(g) of Schedule 36 to the Finance Act 2004;

“policy of life insurance” means any instrument by which the payment of money is assured on death (except death by accident only) or the happening of any contingency dependent on human life, or any instrument evidencing a contract which is subject to payment of premiums for a term dependent on human life;

“polygamous marriage” means any marriage to which paragraph 5 of this scheme applies;

“the Post Office” means Post Office Limited (registered number 02154540)

“Post Office compensation payment” means a payment made by the Post Office or the Secretary of State for the purpose of providing compensation or support which is—

- (a) in connection with the failings of the Horizon system; or
- (b) otherwise, payable following the judgment in *Bates and Others v Post Office Ltd* ((No. 3) “Common Issues;

“public authority” includes any person certain of whose functions are functions of a public nature;

“qualifying age for state pension credit” means (in accordance with section 1(2)(b) and (6) of the State Pension Credit Act 2002-

- (a) in the case of a woman, pensionable age; or
- (b) in the case of a man, the age which is pensionable age in the case of a woman born on the same day as the man;

“qualifying contributory benefit” means—

- (a) severe disablement allowance;
- (b) incapacity benefit;
- (c) contributory employment and support allowance;

“qualifying income-related benefit” means—

- (a) income support;
- (b) income-based jobseeker’s allowance;
- (c) income-related employment and support allowance;

“qualifying person” means—

- (a) a person in respect of whom a Grenfell Tower support payment has been made or payment has been made from the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation, the Scottish Infected Blood Support Scheme, an approved blood scheme, the London Emergencies Trust, the We Love Manchester Emergency Fund, Discretionary Fund, a Windrush payment, a Post Office compensation payment or a vaccine damage payment Scheme National Emergencies Trust or the London Bombings Relief Charitable Fund;

“reduction week” means a period of seven consecutive days beginning with a Monday and ending with a Sunday;

“relative” means a close relative, grandparent, grandchild, uncle, aunt, nephew, or niece;

“relevant week”, in relation to any particular day, means the week within which the day in question falls;

“remunerative work” has the meaning given by paragraph 10 of this scheme;

“rent” means “**eligible rent**” to which regulation 12 of the Housing Benefit (Persons who have acquired the qualifying age for state pension credit) Regulations 2006 refer, less any deductions in

respect of non-dependants which fall to be made under paragraph 29 (non-dependant deductions) of this scheme;

“resident” has the meaning given by Part 1 of the 1992 Act;

“savings credit” is to be construed in accordance with sections 1 and 3 of the State Pension Credit Act 2002;

“the Scottish Infected Blood Support Scheme” means the scheme of that name administered by the Common Services Agency (constituted under section 10 of the National Health Service (Scotland) Act 1978(b))

“Scottish basic rate” means the rate of income tax of that name calculated in accordance with section 6A of the Income Tax Act 2007;

“Scottish taxpayer” has the same meaning as in Chapter 2 of Part 4A of the Scotland Act 1998(f);

“second authority” means the authority to which a mover is liable to make payments for the new dwelling;

“self-employed earner” is to be construed in accordance with section 2(1)(b) of the SSCBA;

“self-employment route” means assistance in pursuing self-employed earner’s employment whilst participating in—

- (a) an employment zone programme;
- (b) a programme provided by or under arrangements made pursuant to section 2 of the Employment and Training Act 1973 (functions of the Secretary of State) or section 2 of the Enterprise and New Towns (Scotland) Act 1990 (functions in relation to training for employment, etc.); or
- (c) the Employment, Skills, and Enterprise Scheme;

‘Service User’ references in this scheme to an applicant participating as a service user are to

- a person who is being consulted by or on behalf of—
 - (i) the Secretary of State in relation to any of the Secretary of State’s functions in the field of social security or child support or under section 2 of the Employment and Training Act 1973; or
 - (ii) a body which conducts research or undertakes monitoring for the purpose of planning or improving such functions in their capacity as a person affected or potentially affected by the exercise of those functions or the carer of such a person; or
 - the carer of a person consulted as described in sub-paragraph (a) where the carer is not being consulted as described in that sub-paragraph;

“single applicant” means an applicant who neither has a partner nor is a lone parent;

“the Skipton Fund” means the ex-gratia payment scheme administered by the Skipton Fund Limited, incorporated on 25th March 2004, for the benefit of certain persons suffering from hepatitis C and other persons eligible for payment in accordance with the scheme’s provisions;

“sports award” means an award made by one of the Sports Councils named in section 23(2) of the National Lottery etc. Act 1993 out of sums allocated to it for distribution under that section;

“the SSCBA” means the Social Security Contributions and Benefits Act 1992;

“state pension credit” means state pension credit under the State Pension Credit Act 2002;

“statutory parental bereavement pay” means a payment to which a person is entitled in accordance with section 171ZZ6 of the Social Security Contribution and Benefits Act 1992

“tax year” means a period beginning with 6th April in one year and ending with 5th April in the next;

“training allowance” means an allowance (whether by way of periodical grants or otherwise) payable—

- (a) out of public funds by a Government department or by or on behalf of the Secretary of State, Skills Development Scotland, Scottish Enterprise or Highlands and Islands Enterprise, the Chief Executive of Skills Funding, or the Welsh Ministers;
- (b) to a person for his maintenance or in respect of a member of his family; and
- (c) for the period, or part of the period, during which he is following a course of training or instruction provided by, or in pursuance of arrangements made with, that department or approved by that department in relation to him or so provided or approved by or on behalf of the Secretary of State, Skills Development Scotland, Scottish Enterprise or Highlands and Islands Enterprise or the Welsh Ministers, but it does not include an allowance paid by any Government department to or in respect of a person by reason of the fact that he is following a course of full-time education, other than under arrangements made under section 2 of the Employment and Training Act 1973, or is training as a teacher;

“the Trusts” (except where the context otherwise requires) means the Macfarlane Trust, the Macfarlane (Special Payments) Trust and the Macfarlane (Special Payments) (No. 2) Trust and “Trustees” is to be construed accordingly;

“universal credit” has the meaning given by section 1 of the Welfare Reform Act 2012;

“voluntary organisation” means a body, other than a public or local authority, the activities of which are carried on otherwise than for profit;

“Vaccine damage payment” means a payment made under the Vaccine Damage Payments Act 1979;

“the Victims of Overseas Terrorism Compensation Scheme” means the scheme of that name established by the Ministry of Justice in 2012 under section 47 of the Crime and Security Act 2010

“war disablement pension” means any retired pay or pension or allowance payable in respect of disablement under an instrument specified in section 639(2) of the Income Tax (Earnings and Pensions) Act 2003;

“war pension” means a war disablement pension, a war widow’s pension, or a war widower’s pension;

“war widow’s pension” means any pension or allowance payable to a woman as a widow under an instrument specified in section 639(2) of the Income Tax (Earnings and Pensions) Act 2003 in respect of the death or disablement of any person;

“war widower’s pension” means any pension or allowance payable to a man as a widower or to a surviving civil partner under an instrument specified in section 639(2) of the Income Tax (Earnings and Pensions) Act 2003 in respect of the death or disablement of any person;

“water charges” means—

(a) as respects England and Wales, any water and sewerage charges under Chapter 1 of Part 5 of the Water Industry Act 1991,

(b) as respects Scotland, any water and sewerage charges established by Scottish Water under a charges scheme made under section 29A of the Water Industry (Scotland) Act 2002, in so far as such charges are in respect of the dwelling which a person occupies as his home;

“the We Love Manchester Emergency Fund” means the registered charity of that name (number 1173260) established on 30th May 2017;

“the Windrush Compensation Scheme” means—

(a)the scheme of that name operated by the Secretary of State for the purpose of compensating individuals who have suffered loss in connection with being unable to demonstrate their lawful status in the United Kingdom; and

(b)the policy entitled “Windrush Scheme: Support in urgent and exceptional circumstances” which was operated by the Secretary of State for the purpose of compensating individuals who, for urgent and exceptional reasons, required support in advance of the scheme referred to in paragraph (a) of this definition becoming operational;

“Windrush payment” means a payment made under the Windrush Compensation Scheme (Expenditure) Act 2020

“working tax credit” means a working tax credit under section 10 of the Tax Credits Act 2002;

“young person” means a person who falls within the definition of qualifying young person in section 142 of the SSCBA.

(2) In this scheme, where an amount is to be rounded to the nearest penny, a fraction of a penny must be disregarded if it is less than half a penny and must otherwise be treated as a whole penny.

(3) For the purpose of this scheme, a person is on an income-based jobseeker’s allowance on any day in respect of which an income-based jobseeker’s allowance is payable to him and on any day—

(a) in respect of which he satisfies the conditions for entitlement to an income-based jobseeker’s allowance but where the allowance is not paid in accordance with regulation 27A of the Jobseeker’s Allowance Regulations 1996 or section 19 or 20A or regulations made under section 17A of the Jobseekers Act 1995 (circumstances in which a jobseeker’s allowance is not payable); or

(b) which is a waiting day for the purposes of paragraph 4 of Schedule 1 to that Act and which falls immediately before a day in respect of which an income-based jobseeker’s allowance is payable to him or would be payable to him but for regulation 27A of the Jobseeker’s Allowance Regulations 1996 or section 19 or 20A or regulations made under section 17A of that Act;

(c) in respect of which he is a member of a joint-claim couple for the purposes of the Jobseekers Act 1995 and no joint-claim jobseeker’s allowance is payable in respect of that couple as a consequence of either member of that couple being subject to sanctions for the purposes of section 20A of that Act;

(d) in respect of which an income-based jobseeker’s allowance or a joint-claim jobseeker’s allowance would be payable but for a restriction imposed pursuant to section 6B, 7, 8 or 9 of the Social Security Fraud Act 2001 (loss of benefit provisions).

(4) For the purposes of this scheme, a person is on an income-related employment and support allowance on any day in respect of which an income-related employment and support allowance is payable to him and on any day—

- (a) in respect of which he satisfies the conditions for entitlement to an income-related employment and support allowance but where the allowance is not paid in accordance with section 18 of the Welfare Reform Act 2007 (disqualification); or
- (b) which is a waiting day for the purposes of paragraph 2 of Schedule 2 to that Act and which falls immediately before a day in respect of which an income-related employment and support allowance is payable to him or would be payable to him but for section 18 of that Act.
- (5) For the purposes of this scheme, two persons must be taken to be estranged only if their estrangement constitutes a breakdown of the relationship between them.
- (6) In this scheme, references to any person in receipt of state pension credit includes a person who would be in receipt of state pension credit but for regulation 13 of the State Pension Credit Regulations 2002 (small amounts of state pension credit).
- (7) In this scheme, references to any person participating as a service user are to –
- (a) a person who is being consulted by or on behalf of –
 - (i) a body which has a statutory duty to provide services in the field of health, social care, or social housing; or
 - (ii) a body which conducts research or undertakes monitoring for the purpose of planning or improving services, in their capacity as a user, potential user, carer of a user or person otherwise affected by the provision of those services;
 - (aa) a person who is being consulted by or on behalf of
 - (a) the Secretary of State in relation to any of the Secretary of State's functions in the field of social security or child support or under section 2 of the Employment and Training Act 1973; or
 - (b) a body which conducts research or undertakes monitoring for the purpose of planning or improving such functions, in their capacity as a person affected or potentially affected by the exercise of those functions or the carer of such a person; or
 - (b) the carer of a person consulted as described in sub-paragraph (a) or (aa) where the carer is not being consulted as described in that sub-paragraph.

Application of scheme: pensioners and persons who are not pensioners.

- 3 - (1) In this scheme—**
- (a) a person is a “pensioner” if—
 - (i) he has attained the qualifying age for state pension credit; and
 - (ii), he is not and, if he has a partner, his partner is not—
 - (aa) a person on income support, on an income-based jobseeker’s allowance or on an income-related employment and support allowance, or
 - (bb) a person with an award of universal credit; and
 - (b) a person is a “person who is not a pensioner” if—
 - (i) he has not attained the qualifying age for state pension credit; or
 - (ii) he has attained the qualifying age for state pension credit and he, or if he has a partner, his partner, is—
 - (aa) a person on income support, on an income-based jobseeker’s allowance or on an income-related employment and support allowance, or
 - (bb) a person with an award of universal credit.
 - (2) For the purposes of sub-paragraphs (a)(ii)(bb) and (b)(ii)(bb) in paragraph (1) an award of universal credit is to be disregarded during:
 - (a) during the relevant period; or
 - (b) where regulation 60A of the Universal Credit (Transitional Provisions) Regulations 2014 applies in respect of the award the relevant period.
 - (3) In this regulation—
 - “assessment period” has the same meaning as in the Universal Credit Regulations 2013;
 - “relevant period” means the period beginning with the day on which P and each partner of P has attained the qualifying age for state pension credit and ending with the day on which the last assessment period for universal credit ends.

Meaning of “couple”

- 4.—(1) In this scheme “couple” means—
- (a) a man and woman who are married to each other and are members of the same household;
 - (b) a man and woman who are not married to each other but are living together as if they were a married couple or civil partners;
 - (c) two people of the same sex who are civil partners of each other and are members of the same household; or
 - (d) two people of the same sex who are not civil partners of each other but are living together as if they were civil partners.
- (2) Two people of the same sex who are not civil partners of each other are to be regarded as living together as if they were civil partners if, but only if, they would be regarded as living together as husband and wife were they instead two people of the opposite sex.

Polygamous marriages

- 5.—(1) This paragraph applies to any case where—
- (a) a person is a husband or wife by virtue of a marriage entered into under a law which permits polygamy; and
 - (b) either party to the marriage has for the time being any spouse additional to the other party.
- (2) For the purposes of paragraph 4 neither party to the marriage is to be taken to be a member of a couple.

Meaning of “family”

- 6.—(1) In this scheme “family” means—
- (a) a couple;
 - (b) a couple and a member of the same household for whom one of them is or both are responsible and who is a child or a young person; or
 - (c) a person who is not a member of a couple and a member of the same household for whom that person is responsible and who is a child or a young person.
- (2) The references to a child or young person in sub-paragraph (1)(b) and (c) include a child or young person in respect of whom section 145A of the SSCBA applies for the purposes of entitlement to child benefit, but only for the period prescribed under section 145A(1).
- (3) The references to a young person in sub-paragraph (1)(b) and (c) do not include a young person who is—
- (a) on income support, an income-based jobseeker’s allowance or an income-related employment and support allowance, or has an award of universal credit;
 - (b) a person to whom section 6 of the Children (Leaving Care) Act 2000 (exclusion from benefits) applies;

Circumstances in which a person is to be treated as responsible or not responsible for another.

- 7.—(1) A person is to be treated as responsible for a child or young person who is normally living with him, including a child or young person to whom paragraph 6(2) applies.
- (2) Where a child or young person spends equal amounts of time in different households, or where there is a question as to which household he is living in, the child or young person must be treated for the purposes of sub-paragraph (1) as normally living with—
- (a) the person who is receiving child benefit in respect of that child or young person, or
 - (b) if there is no such person—
 - (i) where only one claim for child benefit has been made in respect of him, the person who made that claim, or
 - (ii) in any other case the person who has the primary responsibility for him.
- (3) For the purposes of this scheme a child or young person is the responsibility of only one person in any reduction week and any person other than the one treated as responsible for the child or young person under this paragraph is to be treated as not so responsible.

Households

- 8.—(1) Subject to sub-paragraphs (2) and (3), an applicant and any partner and, where the applicant or his partner is treated (by virtue of paragraph 7) as responsible for a child or young person, that child or young person and any child of that child or young person, are to be treated as members of the same household notwithstanding that any of them is temporarily absent from that household.
- (2) A child or young person is not to be treated as a member of the applicant's household where he is—
- (a) placed with the applicant or his partner by a local authority under section 22C or 23(2)(a) of the Children Act 1989 or by a voluntary organisation under section 59(1)(a) of that Act, or section 81(2) of the Social Services and Well-being (Wales) Act 2014 (ways in which looked after children are to be accommodated and maintained)”.
 - or in Scotland boarded out with the applicant or his partner under a relevant enactment; or
 - (b) placed, or in Scotland boarded out, with the applicant or his partner prior to adoption; or
 - (c) placed for adoption with the applicant or his partner in accordance with the Adoption and Children Act 2002 or the Adoption Agencies (Scotland) Regulations 2009 or the Adoption (Northern Ireland) Order 1987.
- (3) Subject to sub-paragraph (4), sub-paragraph (1) does not apply to a child or young person who is not living with the applicant and who—
- (a) is being looked after by, or in Scotland is in the care of, a local authority under a relevant enactment; or
 - (b) has been placed, or in Scotland boarded out, with a person other than the applicant prior to adoption; or
 - (c) has been placed for adoption in accordance with the Adoption and Children Act 2002 or the Adoption Agencies (Scotland) Regulations 2009.
- (4) The authority must treat a child or young person to whom sub-paragraph (3)(a) applies as being a member of the applicant's household in any reduction week where—
- (a) that child or young person lives with the applicant for part or all of that reduction week; and
 - (b) the authority considers that it is reasonable to do so taking into account the nature and frequency of that child's or young person's visits.
- (5) In this paragraph “relevant enactment” means—
- (a) the Army Act 1955;
 - (b) the Air Force Act 1955;
 - (c) the Naval Discipline Act 1957;
 - (d) the Matrimonial Proceedings (Children) Act 1958;
 - (e) the Social Work (Scotland) Act 1968;
 - (f) the Family Law Reform Act 1969;
 - (g) the Children and Young Persons Act 1969;
 - (h) the Matrimonial Causes Act 1973;
 - (i) the Children Act 1975;
 - (j) the Domestic Proceedings and Magistrates' Courts Act 1978;
 - (k) the Adoption and Children (Scotland) Act 2007;
 - (l) the Family Law Act 1986;
 - (m) the Children Act 1989;
 - (n) the Children (Scotland) Act 1995; the Children's Hearings (Scotland) Act 2011; and;
 - (na) the Children's Hearings (Scotland) Act 2011; and
 - (o) the Legal Aid, Sentencing and Punishment of Offenders Act 2012.

Non-dependants

- 9.—(1) In this scheme, “non-dependant” means any person, except someone to whom subparagraph (2) applies, who normally resides with an applicant or with whom an applicant normally resides.
- (2) This paragraph applies to—
- (a) any member of the applicant's family;
 - (b) if the applicant is polygamously married,

- (i) where the applicant has (alone or jointly with his partner) an award of universal credit, any—
- (aa) party to such a marriage other than the applicant's partner; and
 - (bb) any child or young person who is a member of his household and for whom he or his partner or another party to the polygamous marriage is responsible; or
- (ii) in any other case, any partner of his and any child or young person who is a member of his household and for whom he or one of his partners is responsible;
- (c) a child or young person who is living with the applicant but who is not a member of his household by virtue of paragraph 8 (households);
 - (d) subject to sub-paragraph (3), any person who, with the applicant, is jointly and severally liable to pay council tax in respect of a dwelling for any day under section 6 or 7 of the 1992 Act (persons liable to pay council tax);
 - (e) subject to sub-paragraph (3), any person who is liable to make payments on a commercial basis to the applicant or the applicant's partner in respect of the occupation of the dwelling;
 - (f) a person who lives with the applicant in order to care for him or a partner of his and who is engaged by a charitable or voluntary organisation which makes a charge to the applicant or his partner for the services provided by that person.
- (3) Excepting persons to whom sub-paragraph (2)(a) to (c) and (f) refer, a person to whom any of the following paragraphs applies is a non-dependant—
- (a) a person who resides with the person to whom he is liable to make payments in respect of the dwelling and either—
 - (i) that person is a close relative of his or his partner; or
 - (ii) the tenancy or other agreement between them is other than on a commercial basis;
 - (b) a person whose liability to make payments in respect of the dwelling appears to the authority to have been created to take advantage of a council tax reduction scheme except someone who was, for any period within the eight weeks prior to the creation of the agreement giving rise to the liability to make such payments, otherwise liable to make payments of rent in respect of the same dwelling;
 - (c) a person who becomes jointly and severally liable with the applicant for council tax in respect of a dwelling and who was, at any time during the period of eight weeks prior to his becoming so liable, a non-dependant of one or more of the other residents in that dwelling who are so liable for the tax, unless the change giving rise to the new liability was not made to take advantage of a council tax reduction scheme.

Remunerative work

- 10.—(1) Subject to the following provisions of this paragraph, a person must be treated for the purposes of this scheme as engaged in remunerative work if he is engaged, or, where his hours of work fluctuate, he is engaged on average, for not less than 16 hours a week, in work for which payment is made or which is done in expectation of payment.
- (2) Subject to sub-paragraph (3), in determining the number of hours for which a person is engaged in work where his hours of work fluctuate, regard must be had to the average of hours worked over—
- (a) if there is a recognisable cycle of work, the period of one complete cycle (including, where the cycle involves periods in which the person does no work, those periods but disregarding any other absences);
 - (b) in any other case, the period of 5 weeks immediately prior to the date of claim, or such other length of time as may, in the particular case, enable the person's weekly average hours of work to be determined more accurately.
- (3) Where, for the purposes of sub-paragraph (2)(a), a person's recognisable cycle of work at a school, other educational establishment or other place of employment is one year and includes periods of school holidays or similar vacations during which he does not work, those periods and any other periods not forming part of such holidays or vacations during which he is not required to work must be disregarded in establishing the average hours for which he is engaged in work.
- (4) Where no recognisable cycle has been established in respect of a person's work, regard must be had to the number of hours or, where those hours will fluctuate, the average of the hours, which he is expected to work in a week.

- (5) A person must be treated as engaged in remunerative work during any period for which he is absent from work referred to in sub-paragraph (1) if the absence is either without good cause or by reason of a recognised, customary, or other holiday.
- (6) A person on income support, an income-based jobseeker's allowance or an income-related employment and support allowance for more than 3 days in any reduction week is to be treated as not being in remunerative work in that week.
- (7) A person must not be treated as engaged in remunerative work on any day on which the person is on maternity leave, paternity leave, shared parental leave", parental bereavement leave or adoption leave, or is absent from work because he is ill.
- (8) A person must not be treated as engaged in remunerative work on any day on which he is engaged in an activity in respect of which—
 - (a) a sports award has been made, or is to be made, to him; and
 - (b) no other payment is made or is expected to be made to him.

PART 3 Procedural matters

Procedure for reduction applications and appeals against reduction decisions.

- 11. Schedule 1 contains provisions about the procedure—
 - (a) by which a person may apply for a reduction under this scheme;
 - (b) by which a person may make an appeal against certain decisions of the authority;
 - (c) by which a person can apply to the authority for a reduction under section 13A(1)(c) of the 1992 Act.

PART 4 Classes of person entitled to a reduction under this scheme.

- 12.—(1) The classes of person described in paragraphs 13 to 18 are entitled to a reduction under this scheme.
- (2) In those paragraphs, references to the applicant's income or capital include, in a case where that income or capital cannot accurately be determined, references to the applicant's estimated income or capital.

Class A: pensioners whose income is no greater than the applicable amount.

- 13. On any day class A consists of any person who is a pensioner—
 - (a) who is for that day liable to pay council tax in respect of a dwelling of which he is a resident;
 - (b) who, subject to paragraph 19, is not absent from the dwelling throughout the day;
 - (c) in respect of whom a maximum council tax reduction amount can be calculated;
 - (d) who does not fall within a class of person not entitled to a reduction under this scheme;
 - (e) whose income (if any) for the relevant week does not exceed his applicable amount calculated in accordance with paragraph 24 and Schedule 2, and
 - (f) who has made an application for a reduction under this scheme.

Class B: pensioners whose income is greater than the applicable amount.

- 14. On any day class B consists of any person who is a pensioner—
 - (a) who is for that day liable to pay council tax in respect of a dwelling of which he is a resident;
 - (b) who, subject to paragraph 19, is not absent from the dwelling throughout the day;
 - (c) in respect of whom a maximum council tax reduction amount can be calculated;
 - (d) who does not fall within a class of person not entitled to a reduction under this scheme;
 - (e) whose income for the relevant week is greater than his applicable amount calculated in accordance with paragraph 24 and Schedule 2;
 - (f) in respect of whom amount A exceeds amount B where—
 - (i) amount A is the maximum council tax reduction in respect of the day in the applicant's case; and
 - (ii) amount B is 2 6/7 per cent of the difference between his income for the relevant week and his applicable amount, and

(g) who has made an application for a reduction under this scheme.

Class C: alternative maximum council tax reduction - pensioners

- 15.—(1) On any day class C consists of any person who is a pensioner—
(a) who is for that day liable to pay council tax in respect of a dwelling of which he is a resident;
(b) who, subject to paragraph 19, is not absent from the dwelling throughout the day;
(c) in respect of whom a maximum council tax reduction amount can be calculated;
(d) who does not fall within a class of person not entitled to a reduction under this scheme;
(e) who has made an application for a reduction under this scheme; and
(f) in relation to whom the condition in sub-paragraph (2) is met.
- (2) The condition referred to in sub-paragraph (1)(f) is that no other resident of the dwelling is liable to pay rent to the applicant in respect of the dwelling and there is an alternative maximum council tax reduction in respect of the day in the case of that person which is derived from the income, or aggregate income, of one or more residents to whom this sub-paragraph applies.
- (3) Sub-paragraph (1) applies to any other resident of the dwelling who—
(a) is not a person who, in accordance with Schedule 1 to the 1992 Act, falls to be disregarded for the purposes of discount;
(b) is not a person who is liable for council tax solely in consequence of the provisions of section 9 of the 1992 Act (spouse's or civil partner's joint and several liability for tax);
(c) is not a person who is residing with a couple or with the members of a polygamous marriage where the applicant is a member of that couple or of that marriage and—
(i) in the case of a couple, neither member of that couple is a person who, in accordance with Schedule 1 to the 1992 Act, falls to be disregarded for the purposes of discount;
or
(ii) in the case of a polygamous marriage, two or more members of that marriage are not persons who, in accordance with Schedule 1 to the 1992 Act, fall to be disregarded for the purposes of discount;
(d) is not a person who jointly with the applicant falls within the same paragraph of section 6(2)(a) to (e) of the 1992 Act (persons liable to pay council tax) as applies in the case of the applicant; or
(f) is not a person who is residing with two or more persons both or all of whom fall within the same paragraph of section 6(2)(a) to (e) of the 1992 Act where two or more of those persons are not persons who, in accordance with Schedule 1 to the 1992 Act, fall to be disregarded for the purposes of discount.

Class D: persons who are not pensioners whose income is less than the applicable amount.

16. On any day class D consists of any person who is not a pensioner—
(a) who is for that day liable to pay council tax in respect of a dwelling of which he is a resident;
(b) who, subject to paragraph 19, is not absent from the dwelling throughout the day;
(c) in respect of whom a maximum council tax reduction amount can be calculated;
(d) who does not fall within a class of person not entitled to a reduction under this scheme;
(e) whose income (if any) for the relevant week is less than his applicable amount calculated in accordance with paragraph 25 and Schedule 3, and
(f) who has made an application for a reduction under this scheme.

Class E: persons who are not pensioners whose income is greater than the applicable amount.

17. On any day class E consists of any person who is not a pensioner—
(a) who is for that day liable to pay council tax in respect of a dwelling of which he is a resident;
(b) who, subject to paragraph 19, is not absent from the dwelling throughout the day;
(c) in respect of whom a maximum council tax reduction amount can be calculated;
(d) who does not fall within a class of person not entitled to a reduction under this scheme;
(e) whose income for the relevant week is greater than his applicable amount calculated in accordance with paragraph 25 and Schedule 3;
(f) in respect of whom amount A exceeds amount B where—
(i) amount A is the maximum council tax reduction in his case; and

- (ii) amount B is 2 6/7 per cent of the difference between his income for the relevant week and his applicable amount, and
- (g) who has made an application for a reduction under this scheme.

Class F: alternative maximum council tax reduction - persons who are not pensioners.

- 18.—(1) On any day class F consists of any person who is not a pensioner—
- (a) who is for that day liable to pay council tax in respect of a dwelling of which he is a resident;
 - (b) who, subject to paragraph 19 (periods of absence from a dwelling), is not absent from the dwelling throughout the day;
 - (c) in respect of whom a maximum council tax reduction amount can be calculated;
 - (d) who does not fall within a class of person not entitled to a reduction under this scheme;
 - (e) who has made an application; and
 - (f) in relation to whom the condition in sub-paragraph (2) is met.
- (2) The condition referred to in sub-paragraph (1)(f) is that no other resident of the dwelling is liable to pay rent to the person in question in respect of the dwelling and there is an alternative maximum council tax reduction in respect of the day in the case of that person which is derived from the income, or aggregate incomes, of one or more residents to whom this sub-paragraph applies.
- (3) Sub-paragraph (2) applies to any other resident of the dwelling who—
- (a) is not a person who, in accordance with Schedule 1 to the 1992 Act, falls to be disregarded for the purposes of discount; and
 - (b) is not a person who is liable for council tax solely in consequence of the provisions of section 9 of the 1992 Act (spouse's or civil partner's joint and several liability for tax);
 - (c) is not a person who is residing with a couple or with the members of a polygamous marriage where the applicant for the reduction is a member of that couple or of that marriage and—
 - (i) in the case of a couple, neither member of that couple is a person who, in accordance with Schedule 1 to the 1992 Act, falls to be disregarded for the purposes of discount; or
 - (ii) in the case of a polygamous marriage, two or more members of that marriage are not persons who, in accordance with Schedule 1 to the 1992 Act, fall to be disregarded for the purposes of discount;
 - (d) is not a person who jointly with the applicant for reduction falls within the same paragraph of section 6(2)(a) to (e) of the 1992 Act (persons liable to pay council tax) as applies in the case of the applicant; or
 - (e) is not a person who is residing with two or more persons both or all of whom fall within the same paragraph of section 6(2)(a) to (e) of the 1992 Act where two or more of those persons are not persons who, in accordance with Schedule 1 to the 1992 Act, fall to be disregarded for the purposes of discount.

Periods of absence from a dwelling - pensioners and persons who are not pensioners.

- 19.—(1) A person is not absent from a dwelling in relation to any day which falls within a period of temporary absence from that dwelling.
- (2) In sub-paragraph (1), a “period of temporary absence” means—
- (a) a period of absence not exceeding 13 weeks, beginning with the first whole day on which a person resides in residential accommodation in Great Britain where and for so long as—
 - (i) the person resides in that accommodation;
 - (ii) the part of the dwelling in which he usually resided is not let or sub-let; and
 - (iii) that period of absence does not form part of a longer period of absence from the dwelling of more than 52 weeks, where he has entered the accommodation for the purpose of ascertaining whether it suits his needs and with the intention of returning to the dwelling if it proves not to suit his needs;
 - (b) subject to sub-paragraph (2B), a period of absence within Great Britain not exceeding 13 weeks, beginning with the first whole day of absence from the dwelling, where and for so long as—
 - (i) the person intends to return to the dwelling;
 - (ii) the part of the dwelling in which he usually resided is not let or sub-let; and
 - (iii) that period is unlikely to exceed 13 weeks;
 - (c) a period of absence not exceeding 52 weeks, beginning with the first whole day of that absence, where and for so long as—
 - (i) the person intends to return to the dwelling;

- (ii) the part of the dwelling in which he usually resided is not let or sub-let;
- (iii) the person is a person to whom sub-paragraph (3) applies; and
- (iv) subject to sub-paragraph (2D), a period of absence within Great Britain is unlikely to exceed 52 weeks or, in exceptional circumstances, is unlikely substantially to exceed that period and;
- (d) subject to sub-paragraphs (2F), (3C), (3E) and (3G) and where sub-paragraph (2E) applies, a period of absence outside Great Britain not exceeding 4 weeks, beginning with the first day of that absence from Great Britain where and for so long as— (i) the person intends to return to the dwelling; (ii) the part of the dwelling in which he usually resides is not let or sub-let; and (iii) the period of absence from Great Britain is unlikely to exceed 4 weeks;

(2A) The period of 13 weeks referred to in sub-paragraph (2)(b) shall run or continue to run during any period of absence from Great Britain.

(2B) Where—

- (a) a person returns to Great Britain after a period of absence from Great Britain (period A);
 - (b) that person has been absent from the dwelling, including any absence within Great Britain, for less than 13 weeks beginning with the first day of absence from that dwelling; and
 - (c) at the outset of, or during, period A, period A ceased to be treated as a period of temporary absence,
- then any day that follows period A and precedes the person's return to the dwelling, shall not be treated as a period of temporary absence under sub-paragraph (2)(b).

(2C) The period of 52 weeks referred to in sub-paragraph (2)(c) shall run or continue to run during any period of absence from Great Britain.

(2D) Where —

1. a person returns to Great Britain after a period of absence from Great Britain (period A);
 2. that person has been absent from the dwelling, including any absence within Great Britain, for less than 52 weeks beginning with the first day of absence from that dwelling; and
 3. at the outset of, or during, period A, period A ceased to be treated as a period of temporary absence,
- then, any day that follows period A and precedes the person's return to the dwelling, shall not be treated as a period of temporary absence under sub-paragraph (2)(c).

(2E) This sub-paragraph applies where—

1. a person is temporarily absent from Great Britain;
2. immediately before that period of absence from Great Britain, the person was not absent from the dwelling.

(2F) If the temporary absence referred to in sub-paragraph (2)(d) is in connection with the death of—

1. the person's partner or a child or young person for whom the person or the person's partner is responsible;
2. the person's close relative;
3. the close relative of the person's partner; or
4. the close relative of a child or young person for whom the person or the person's partner is responsible,

then the period of 4 weeks in the opening words of sub-paragraph (2)(d) may be extended by up to 4 further weeks if the relevant authority considers it unreasonable to expect the person to return to Great Britain within the first 4 weeks (and the reference in subparagraph (iii) of that paragraph to a period of 4 weeks shall, where the period is extended, be taken as referring to the period as so extended).";

(3) This sub-paragraph applies to a person who—

- (a) is a person to whom sub-paragraph (3A) applies;
 - (i) in a dwelling, other than the dwelling referred to in sub-paragraph (1), or
 - (ii) in premises approved under section 13 of the Offender Management Act 2007, or is detained in custody pending sentence upon conviction;
- (b) is resident in a hospital or similar institution as a patient;
- (c) is undergoing, or whose partner or dependent child is undergoing medical treatment, or medically approved convalescence, in accommodation other than residential accommodation;

(d) is following a training course;
(e) is undertaking medically approved care of a person;
(f) is undertaking the care of a child whose parent or guardian is temporarily absent from the dwelling normally occupied by that parent or guardian for the purpose of receiving medically approved care or medical treatment;
(g) is receiving medically approved care provided in accommodation other than residential accommodation;
(h) is a student;
(i) is receiving care provided in residential accommodation and is not a person to whom subparagraph (2)(a) applies; or
(j) has left the dwelling he resides in through fear of violence, in that dwelling, or by a person who was formerly a member of the family of the person first mentioned.

(3A) This sub-paragraph applies to a person (“P”) who is—

- (a) detained in custody on remand pending trial;
- (b) detained pending sentence upon conviction; or
- (c) as a condition of bail required to reside—
 - (i) in a dwelling, other than a dwelling P occupies as P’s home; or
 - (ii) in premises approved under section 13 of the Offender Management Act 2007(a), and who is not also detained in custody following sentence upon conviction.

(3B) This sub-paragraph applies where—

- (a) a person is temporarily absent from Great Britain;
- (b) the person is a member of Her Majesty’s forces posted overseas, a mariner or a continental shelf worker;
- (c) immediately before that period of absence from Great Britain, the person was not absent from the dwelling.

(3C) Where sub-paragraph (3B) applies, a period of absence from Great Britain not exceeding 26 weeks, beginning with the first day of absence from Great Britain, shall be treated as a period of temporary absence where and for so long as—

- (a) the person intends to return to the dwelling;
- (b) the part of the dwelling in which he usually resided is not let or sub-let;
- (c) the period of absence from Great Britain is unlikely to exceed 26 weeks.

(3D) This sub-paragraph applies where—

- (a) a person is temporarily absent from Great Britain;
- (b) the person is a person described in any of paragraphs (b), (c), (g) or (j) of subparagraph (3);
- (c) immediately before that period of absence from Great Britain, the person was not absent from the dwelling.

(3E) Where sub-paragraph (3D) applies, a period of absence from Great Britain not exceeding 26 weeks, beginning with the first day of absence from Great Britain, shall be treated as a period of temporary absence where and for so long as—

- (a) the person intends to return to the dwelling;
- (b) the part of the dwelling in which he usually resided is not let or sub-let;
- (c) the period of absence is unlikely to exceed 26 weeks, or in exceptional circumstances, is unlikely substantially to exceed that period.

(3F) This sub-paragraph applies where—

- (a) a person is temporarily absent from Great Britain;
- (b) the person is a person described in any of paragraphs (a), (d), (e), (f), (h) or (i) of subparagraph (3);
- (c) immediately before that period of absence from Great Britain, the person was not absent from the dwelling.

(3G) Where sub-paragraph (3F) applies, a period of absence from Great Britain not exceeding 4 weeks, beginning with the first day of absence from Great Britain, shall be treated as a period of temporary absence where and for so long as—

- (a) the person intends to return to the dwelling;
- (b) the part of the dwelling in which he usually resided is not let or sub-let;
- (c) the period of absence is unlikely to exceed 4 weeks, or in exceptional circumstances, is unlikely substantially to exceed that period.

- (4) This sub-paragraph applies to a person who is—
- (a) detained in custody pending sentence upon conviction or under a sentence imposed by a court (other than a person who is detained in hospital under the provisions of the Mental Health Act 1983, or, in Scotland, under the provisions of the Mental Health (Care and Treatment) (Scotland) Act 2003 or the Criminal Procedure (Scotland) Act 1995; and
 - (b) on temporary release from detention in accordance with Rules made under the provisions of the Prison Act 1952 or the Prisons (Scotland) Act 1989.
- (5) Where sub-paragraph (4) applies to a person, then, for any day when he is on temporary release—
- (a) if such temporary release was immediately preceded by a period of temporary absence under sub-paragraph (2)(b) or (c), he must be treated, for the purposes of sub-paragraph (1), as if he continues to be absent from the dwelling, despite any return to the dwelling;
 - (b) for the purposes of sub-paragraph (3)(a), he must be treated as if he remains in detention;
 - (c) if he does not fall within paragraph (a), he is not to be considered to be a person who is liable to pay council tax in respect of a dwelling of which he is a resident.
- (6) In this paragraph—
- “continental shelf worker” means a person who is employed, whether under a contract of service or not, in a designated area or a prescribed area in connection with any of the activities mentioned in section 11(2) of the Petroleum Act 1998(a);
 - “designated area” means any area which may from time to time be designated by Order in Council under the Continental Shelf Act 1964(b) as an area within which the rights of the United Kingdom with respect to the seabed and subsoil and their natural resources may be exercised;
 - “mariner” means a person who is employed under a contract of service either as a master or member of the crew of any ship or vessel, or in any other capacity on board any ship or vessel, where—
 - (a) the employment in that capacity is for the purposes of that ship or vessel or its crew or any passengers or cargo or mails carried by the ship or vessel; and
 - (b) the contract is entered into in the United Kingdom with a view to its performance (in whole or in part) while the ship or vessel is on its voyage;
 - “medically approved” means certified by a medical practitioner;
 - “member of Her Majesty’s forces posted overseas” means a person who is a member of the regular forces or the reserve forces (within the meaning of section 374 of the Armed Forces Act 2006(c)), who is absent from the main dwelling because the person has been posted outside of Great Britain to perform the duties of a member of Her Majesty’s regular forces or reserve forces;”; and
 - “patient” means a person who is undergoing medical or other treatment as an in-patient in any hospital or similar institution;
 - “prescribed area” means any area over which Norway or any member State (other than the United Kingdom) exercises sovereign rights for the purpose of exploring the seabed and subsoil and exploiting their natural resources, being an area outside the territorial seas of Norway or such member State, or any other area which is from time to time specified under section 10(8) of the Petroleum Act 1998;
 - “residential accommodation” means accommodation which is provided in—
 - (a) a care home;
 - (b) an independent hospital;
 - (c) an Abbeyfield Home; or
 - (d) an establishment managed or provided by a body incorporated by Royal Charter or constituted by Act of Parliament other than a local social services authority;
 - “training course” means a course of training or instruction provided wholly or partly by or on behalf of or in pursuance of arrangements made with, or approved by or on behalf of, Skills Development Scotland, Scottish Enterprise, Highlands and Islands Enterprise, a government department, or the Secretary of State.

Transitional provision

- 19A** (1) Subject to paragraph (2), the amendments made by regulation 2(3)(a), shall not apply in respect of a person who is temporarily absent from Great Britain on 1st April 2017 until the day that person returns to Great Britain.
- (2) Paragraph (1) does not apply to a person who, on 1st April 2017, is temporarily absent from Great Britain and is—

- (a) a member of Her Majesty's forces posted overseas;
- (b) absent in the capacity of a continental shelf worker; or
- (c) absent in the capacity of a mariner.

(3) In this regulation—

“continental shelf worker” means a person who is employed, whether under a contract of service or not, in a designated area or a prescribed area in connection with any of the activities mentioned in section 11(2) of the Petroleum Act 1998;

“designated area” means any area which may from time to time be designated by Order in Council under the Continental Shelf Act 1964 as an area within which the rights of the United Kingdom with respect to the seabed and subsoil and their natural resources may be exercised;

“mariner” means a person who is employed under a contract of service either as a master or member of the crew of any ship or vessel, or in any other capacity on board any ship or vessel, where—

- (a) the employment in that capacity is for the purposes of that ship or vessel or its crew or any passengers or cargo or mails carried by the ship or vessel; and
- (b) the contract is entered into in the United Kingdom with a view to its performance (in whole or in part) while the ship or vessel is on its voyage;

“member of Her Majesty's forces posted overseas” means a person who is a member of the regular forces or the reserve forces (within the meaning of section 374 of the Armed Forces Act 2006), who is absent from the dwelling that the person normally occupies as his home because the person has been posted outside of Great Britain to perform the duties of a member of Her Majesty's regular forces or reserve forces; and

“prescribed area” means any area over which Norway or any member State (other than the United Kingdom) exercises sovereign rights for the purpose of exploring the seabed and subsoil and exploiting their natural resources, being an area outside the territorial seas of Norway or such member State, or any other area which is from time to time specified under section 10(8) of the Petroleum Act 1998.

PART 5 Classes of person excluded from this scheme.

Classes of person excluded from this scheme.

20. The classes of person described in paragraphs 21 to 24 are not entitled to a reduction under this scheme.

Class of person excluded from this scheme: persons treated as not being in Great Britain

21.—(1) The class of person described in this paragraph consists of any person treated as not being in Great Britain.

(2) Except where a person falls within sub-paragraph (5) or (6), a person is to be treated as not being in Great Britain if the person is not habitually resident in the United Kingdom, the Channel Islands, the Isle of Man, or the Republic of Ireland.

(3) A person must not be treated as habitually resident in the United Kingdom, the Channel Islands, the Isle of Man, or the Republic of Ireland unless the person has a right to reside in one of those places.

(4) For the purposes of sub-paragraph (3), a right to reside does not include a right which exists by virtue of, or in accordance with—

- (a) regulation 13 of the EEA Regulations;
- (aa) regulation 14 of the EEA Regulations but only in a case where the right exists under that regulation where the person is—
 - (i) a jobseeker for the purpose of the definition of a ‘qualified person’ in regulation 6(1) of those regulations, or,
 - (ii) a family member (within the meaning of regulation 7 of those regulations) of such a jobseeker

(b) regulation 16 of the EEA Regulations, but only in a case where the right exists under that regulation because the applicant satisfies the criteria in paragraph 5 of that regulation.

(4A) For the purposes of paragraph (3), a right to reside does not include a right which exists by virtue of a person having been granted limited leave to enter, or remain in, the United Kingdom under the Immigration Act 1971 by virtue of—

- (a) (removed)

- (b) Appendix EU to the immigration rules made under section 3(2) of that Act;
- (c) being a person with a Zambrano right to reside as defined in Annex 1 of Appendix EU to the immigration rules made under section 3(2) of that Act; or
- (d) having arrived in the United Kingdom with an entry clearance that was granted under Appendix EU (Family Permit) to the immigration rules made under section 3(2) of that Act;
- “(4B) Paragraph (4A)(b) does not apply to a person who—
- (a) has a right to reside granted by virtue of being a family member of a relevant person of Northern Ireland; and
 - (b) would have a right to reside under the EEA Regulations(6) if the relevant person of Northern Ireland were an EEA national, provided that the right to reside does not fall within paragraph (4)(a) or (b);
- (5) A person falls within this sub-paragraph if the person is—
- (za) a person granted leave in accordance with the immigration rules made under section 3(2) of the Immigration Act 1971, where such leave is granted by virtue of—
 - (i) the Afghan Relocations and Assistance Policy; or
 - (ii) the previous scheme for locally employed staff in Afghanistan (sometimes referred to as the ex-gratia scheme);
 - (zb) a person in Great Britain not coming within sub-paragraph (za) or (e) who left Afghanistan in connection with the collapse of the Afghan government that took place on 15th August 2021;
 - (zc) a person in Great Britain who was residing in Ukraine immediately before 1st January 2022, left Ukraine in connection with the Russian invasion which took place on 24th February 2022 and—
 - (i) has been granted leave in accordance with immigration rules made under section 3(2) of the Immigration Act 1971;
 - (ii) has a right of abode in the United Kingdom within the meaning given in section 2 of that Act; or
 - (iii) does not require leave to enter or remain in the United Kingdom in accordance with section 3ZA of that Act;
 - (zd) a person who was residing in Israel, the West Bank, the Gaza Strip, East Jerusalem, the Golan Heights, or Lebanon immediately before 7th October 2023, left Israel, the West Bank, the Gaza Strip, East Jerusalem, the Golan Heights, or Lebanon in connection with the Hamas terrorist attack in Israel on 7th October 2023 or the violence which rapidly escalated in the region following the attack and—
 - (i) has been granted leave in accordance with immigration rules made under section 3(2) of the Immigration Act 1971,
 - (ii) has a right of abode in the United Kingdom within the meaning given in section 2 of that Act, or
 - (iii) does not require leave to enter or remain in the United Kingdom in accordance with section 3ZA of that Act;
 - (ze) a person who was residing in Sudan before 15th April 2023, left Sudan in connection with the violence which rapidly escalated on 15th April 2023 in Khartoum and across Sudan and—
 - (i) has been granted leave in accordance with immigration rules made under section 3(2) of the Immigration Act 1971;
 - (ii) has a right of abode in the United Kingdom within the meaning given in section 2 of that Act; or
 - (iii) does not require leave to enter or remain in the United Kingdom in accordance with section 3ZA of that Act
 - (a) a qualified person for the purposes of regulation 6 of the EEA Regulations as a worker or a self-employed person;
 - (b) a family member of a person referred to in sub-paragraph (a);
 - (c) a person who has a right to reside permanently in the United Kingdom by virtue of regulation 15(1)(c), (d) or (e) of the EEA Regulations;
 - (ca) a family member of a relevant person of Northern Ireland, with a right to reside which falls within paragraph (4A)(b), provided that the relevant person of Northern Ireland falls within paragraph (5)(a), or would do so but for the fact that they are not an EEA national;
 - (cb) a frontier worker within the meaning of regulation 3 of the Citizens' Rights (Frontier Workers) (EU Exit) Regulations 2020;
 - (cc) a family member of a person referred to in sub-paragraph (cb), who has been granted limited leave to enter, or remain in, the United Kingdom by virtue of Appendix EU to the immigration rules made under section 3(2) of the Immigration Act 1971

- | | |
|------|--|
| (d) | a person recorded by the Secretary of State as a refugee within the definition in Article 1 of the Convention relating to the Status of Refugees done at Geneva on 28th July 1951, as extended by Article 1(2) of the Protocol relating to the Status of Refugees done at New York on 31st January 1967; |
| (e) | a person who has been granted, or who is deemed to have been granted, leave outside the rules made under section 3(2) of the Immigration Act 1971 |
| (f) | a person who has humanitarian protection granted under those rules; |
| (g) | a person who is not a person subject to immigration control within the meaning of section 115(9) of the Immigration and Asylum Act 1999 and who is in the United Kingdom as a result of his deportation, expulsion, or other removal by compulsion of law from another country to the United Kingdom; |
| (h) | in receipt of income support or on an income-related employment and support allowance; or |
| (ha) | in receipt of an income-based jobseeker's allowance and has a right to reside other than a right to reside falling within paragraph (4) |
- (6) A person falls within this sub-paragraph if the person is a Crown servant or member of Her Majesty's forces posted overseas.
- (7) A person mentioned in sub-paragraph (6) is posted overseas if the person is performing overseas the duties of a Crown servant or member of Her Majesty's forces and was, immediately before the posting or the first of consecutive postings, habitually resident in the United Kingdom.
- (8) In this paragraph—
- “claim for asylum” has the same meaning as in section 94(1) of the Immigration and Asylum Act 1999;
 - “EEA Regulations” means the Immigration (European Economic Area) Regulations 2016 and references to the EEA Regulations are to be read with Schedule 4 to the Immigration and Social Security Co-ordination (EU Withdrawal) Act 2020 (Consequential, Saving, Transitional and Transitory Provisions) Regulations 2020;
 - “EEA national” has the meaning given in regulation 2(1) of the EEA Regulations;”;
 - “family member” has the meaning given in regulation 7(1)(a), (b) or (c) of the EEA Regulations, except that regulation 7(4) of the EEA Regulations does not apply for the purposes of paragraphs (4B) and (5)(ca);”;
 - “relevant person of Northern Ireland” has the meaning given in Annex 1 of Appendix EU to the immigration rules made under section 3(2) of the Immigration Act 1971.

Class of person excluded from this scheme: persons subject to immigration control.

- 22.—(1) Persons subject to immigration control are not entitled to a reduction under this scheme.
- (2) “Person subject to immigration control” has the meaning given in section 115(9) of the Immigration and Asylum Act 1999.
- (2A) A person who is a national of a state which has ratified the European Convention on Social and Medical Assistance (done in Paris on 11th December 1953) or a state which has ratified the Council of Europe Social Charter (signed in Turin on 18th October 1961) and who is lawfully present in the United Kingdom and is not a person subject to immigration control for the purpose of paragraph (1)dc

Class of person excluded from this scheme: capital limit.

- 23.—(1) The class of person described in this paragraph consists of any person whose capital exceeds £16,000.
- (2) Capital for the purposes of sub-paragraph (1) is to be calculated in accordance with Part 10 of this scheme.

Class of person excluded from this scheme: students.

24. The class of person described in this paragraph consists of any student to whom paragraph 75(1) applies (except to the extent that a student may be entitled to an alternative maximum council tax reduction by virtue of paragraph 18).

PART 6 Applicable amounts

Applicable amounts: pensioners

- 25.- (1) The applicable amount for a pensioner for a week is the aggregate of such of the following amounts as apply in his case—
- (a) an amount in respect of his personal allowance, determined in accordance with paragraph 1 of Schedule 2 (personal allowance);
 - (b) an amount determined in accordance with paragraph 2 of that Schedule in respect of up to two individuals who are either children or young persons and who are members of his family.
 - (c) if he is a member of a family of which at least one member is a child or young person, an amount determined in accordance with paragraph 3 of that Schedule (family premium);
 - (d) the amount of any premiums which may be applicable to him, determined in accordance with Parts 3 and 4 of that Schedule (premiums).
- (1A) For the purposes of sub-paragraph (1)(b) as it applies apart from sub-paragraph (1C), where the family includes more than two individuals who are either children or young persons and under paragraph 2 of that Schedule a different amount applies to different individuals, the two amounts to be included in the applicable amount shall be those that result in the greatest possible total amount.
- (1B) Sub-paragraph (1C) applies where—
- (a) (whether or not as part of a tax credit couple as defined in section 3(5A) of the Tax Credits Act 2002) the applicant has an award of child tax credit (whether or not any amount is payable by way of such credit) in respect of a child or young person who is a member of his family; and
 - (b) the total amount to be included in the applicable amount under sub-paragraph (1)(b) as substituted by sub-paragraph (1C) would be higher than the total amount that would be included under paragraph (1)(b) apart from sub-paragraph (1C).
- (1C) Where this paragraph applies, for sub-paragraph (1)(b) substitute—
- (b) an amount determined in accordance with paragraph 2 of that Schedule in respect of any child or young person who is a member of his family and in respect of whom the individual element of child tax credit has been included in the determination of the maximum rate of that credit;”
- (2) In Schedule 2—
- “additional spouse” means a spouse of either party to the marriage who is additional to the other party to the marriage;
- “patient” means a person (other than a person who is serving a sentence of imprisonment or detention in a youth custody institution) who is regarded as receiving free in-patient treatment within the meaning of regulation 2(4) and (5) of the Social Security (Hospital In-Patients) Regulations 2005

Applicable amounts: persons who are not pensioners.

- 26.—(1) Subject to paragraphs 27 and 28, the applicable amount for a week for a person who is not a pensioner is the aggregate of such of the following amounts as may apply in his case—
- (a) an amount in respect of himself or, if he is a member of a couple, an amount in respect of both of them, determined in accordance with paragraph 1 of Schedule 3;
 - (b) an amount in respect of any child or young person who is a member of his family, determined in accordance with paragraph 3 of that Schedule;
 - (c) if he is a member of a family of which at least one member is a child or young person, an amount determined in accordance with Part 2 of that Schedule (family premium);

- (d) the amount of any premiums which may be applicable to him, determined in accordance with Parts 3 and 4 of that Schedule (premiums);
- (e) the amount of either the—
 - (i) work-related activity component; or
 - (ii) support component,
- (f) which may be applicable to him in accordance with Parts 5 and 6 of that Schedule (the components));
- (g) the amount of any transitional addition which may be applicable to him in accordance with Parts 7 and 8 of that Schedule (transitional addition).

(2) In Schedule 2—

“additional spouse” means a spouse of either party to the marriage who is additional to the other party to the marriage;

“patient” means a person (other than a person who is serving a sentence of imprisonment or detention in a youth custody institution) who is regarded as receiving free in-patient treatment within the meaning of regulation 2(4) and (5) of the Social Security (Hospital In-Patients) Regulations 2005

(3) In Schedule 3—

“additional spouse” means a spouse by the party to the marriage who is additional to the party to the marriage;

“converted employment and support allowance” means an employment and support allowance which is not income-related and to which a person is entitled as a result of a conversion decision within the meaning of the Employment and Support Allowance (Existing Awards) Regulations 2008;

“patient” means a person (other than a person who is serving a sentence of imprisonment or detention in a youth custody institution) who is regarded as receiving free in-patient treatment within the meaning of regulation 2(4) and (5) of the Social Security (Hospital In-Patients) Regulations 2005.

Polygamous marriages: persons who are not pensioners.

27.—(1) This paragraph applies where an applicant who is not a pensioner is a member of a polygamous marriage and does not have (alone or jointly with a party to a marriage), an award of universal credit.

(2) The applicable amount for a week of an applicant where this paragraph applies is the aggregate of such of the following amounts as may apply in his case—

- (a) the amount applicable to him and one of his partners determined in accordance with paragraph 1(3) of Schedule 3 as if he and that partner were a couple;
- (b) an amount equal to the difference between the amounts specified in sub-paragraphs (3) and (1)(b) of paragraph 1 of that Schedule in respect of each of his other partners;
- (c) an amount determined in accordance with paragraph 2 of that Schedule (main phase employment and support allowance) in respect of any child or young person for whom he or a partner of his is responsible and who is a member of the same household;
- (d) if he or another partner of the polygamous marriage is responsible for a child or young person who is a member of the same household, the amount specified in Part 2 of that Schedule (family premium);
- (e) the amount of any premiums which may be applicable to him determined in accordance with Parts 3 and 4 of that Schedule (premiums);
- (f) the amount of either the—
 - a. (i) work-related activity component; or
 - b. (ii) support component,

which may be applicable to him in accordance with Parts 5 and 6 of that Schedule (the components);
- (g) the amount of any transitional addition which may be applicable to him in accordance with Parts 7 and 8 of that Schedule (transitional addition).

Applicable amount: persons who are not pensioners who have an award of universal credit.

28.—(1) Subject to sub-paragraph (2), in determining the applicable amount for a week of an applicant who is not a pensioner—

- (a) who has, or
 (b) who (jointly with his partner) has,
 an award of universal credit, the authority must use the calculation or estimate of the maximum amount of the applicant, or the applicant and his partner jointly (as the case may be), subject to the adjustment described in sub-paragraph (3).
- (2) In determining the applicable amount for a week of an applicant who is a member of a polygamous marriage, the fact that two people are husband and wife is to be disregarded if—
 (a) one of them is a party to an earlier marriage that still subsists; and
 (b) the other party to that earlier marriage is living in the same household.
- (3) The adjustment referred to in sub-paragraph (1) is to multiply the maximum amount by 12 and divide the product by 52.
- (4) In this paragraph “maximum amount” means the maximum amount calculated by the Secretary of State in accordance with section 8(2) of the Welfare Reform Act 2012.

PART 7 Maximum council tax reduction for the purposes of calculating eligibility for a reduction under this scheme and amount of reduction.

Maximum council tax reduction amount under this scheme: pensioners and persons who are not pensioners.

- 29.—(1) Subject to sub-paragraphs (2) to (4), the maximum council tax reduction payable to a pensioner in respect of a day is 100 per cent of the amount A/B where—
 (a) A is the amount set by the authority as the council tax for the relevant financial year in respect of the dwelling in which he is a resident and for which he is liable, subject to any discount which may be appropriate to that dwelling under the 1992 Act; and
 (b) B is the number of days in that financial year less any deductions in respect of non-dependants which fall to be made under paragraph 29 (non-dependant deductions: pensioners and persons who are not pensioners).
- (2) In calculating a person’s maximum council tax reduction under this scheme any support in the amount that person is liable to pay in respect of council tax, which is made in consequence of any enactment in, or made under, the 1992 Act (other than a support under this scheme), is to be taken into account.
- (3) Subject to sub-paragraph (5), where an applicant is jointly and severally liable for council tax in respect of a dwelling in which he is resident with one or more other persons, in determining the maximum council tax reduction in his case in accordance with sub-paragraph (1), the amount A is to be divided by the number of persons who are jointly and severally liable for that tax.
- (4) Where an applicant is jointly and severally liable for council tax in respect of a dwelling with only his partner, sub-paragraph (4) does not apply in his case.
- (5) The reference in sub-paragraph (4) to a person with whom an applicant is jointly and severally liable for council tax does not include a student to whom paragraph 73(2) applies.
- (6) In this paragraph “relevant financial year” means, in relation to any particular day, the financial year within which the day in question falls.

Non-dependant deductions: pensioners and persons who are not pensioners.

- 30.—(1) Subject to the following provisions of this paragraph, the non-dependant deductions in respect of a day referred to in section 29 (maximum council tax reduction) shall be;
 (a) in respect of a non-dependant aged 18 or over in remunerative work, £15.35 x 1/7;
 (b) in respect of a non-dependant aged 18 or over to whom sub-paragraph (a) does not apply, £5.00 x 1/7.
- (2) In the case of a non-dependant aged 18 or over to whom paragraph 30.1(a) applies, where it is shown to the appropriate authority that his normal gross weekly income is—
 (a) less than £266.00, the deduction to be made under this paragraph shall be that specified in paragraph 30.1(b);
 (b) not less than £266.00, but less than £463.00, the deduction to be made under this section

- shall be £10.20 x 1/7;
- (c) not less than £463.00, but less than £577.00, the deduction to be made under this section shall be £12.80 x 1/7.
- (3) Only one deduction is to be made under this paragraph in respect of a couple or, as the case may be, members of a polygamous marriage (other than where there is an award of universal credit) and, where, but for this paragraph, the amount that would fall to be deducted in respect of one member of a couple or polygamous marriage is higher than the amount (if any) that would fall to be deducted in respect of the other, or any other, member, the higher amount is to be deducted.
- (4) In applying the provisions of sub-paragraph (2) in the case of a couple or, as the case may be, a polygamous marriage, regard must be had, for the purpose of that sub-paragraph, to the couple's or, as the case may be, all members of the polygamous marriage's joint weekly gross income.
- (5) Where in respect of a day—
- (a) a person is a resident in a dwelling but is not himself liable for council tax in respect of that dwelling and that day;
 - (b) other residents in that dwelling (the liable persons) have joint and several liability for council tax in respect of that dwelling and that day otherwise than by virtue of section 9 of the 1992 Act (liability of spouses and civil partners); and
 - (c) the person to whom paragraph (a) refers is a non-dependent of two or more of the liable persons,
the deduction in respect of that non-dependent must be apportioned equally between those liable persons.
- (6) No deduction is to be made in respect of any non-dependants occupying an applicant's dwelling if the applicant or his partner is—
- (a) blind or treated as blind by virtue of paragraph 10 of Schedule 3 (additional condition for the disability premium); or
 - (b) receiving in respect of himself—
 - (i) attendance allowance, or would be receiving that allowance but for—
 - (aa) a suspension of benefit in accordance with regulations under section 113(2) of the SSCBA; or
 - (bb) an abatement as a result of hospitalisation; or
 - (ii) the care component of the disability living allowance, or would be receiving that component but for—
 - (aa) a suspension of benefit in accordance with regulations under section 113(2) of the SSCBA; or
 - (bb) an abatement as a result of hospitalisation; or
 - (iii) the daily living component of personal independence payment, or would be receiving that allowance but for a suspension of benefit in accordance with regulations under section 86 of the Welfare Reform Act 2012 (hospital in-patients); or
 - (iv) an AFIP or would be receiving that payment but for a suspension of it in accordance with any terms of the armed and reserve forces compensation scheme which allows for a suspension because a person is undergoing medical treatment in a hospital or similar institution.
- (7) No deduction is to be made in respect of a non-dependent if—
- (a) although he resides with the applicant, it appears to the authority that his normal home is elsewhere; or
 - (b) he is in receipt of a training allowance paid in connection with youth training established under section 2 of the Employment and Training Act 1973 or section 2 of the Enterprise and New Towns (Scotland) Act 1990; or
 - (c) he is a full-time student within the meaning of Part 11 (students); or
 - (d) he is not residing with the applicant because he has been a patient for a period in excess of 52 weeks, and for these purposes—
 - (i) "patient" has the meaning given in paragraph 19(6), and
 - (ii) where a person has been a patient for two or more distinct periods separated by one or more intervals each not exceeding 28 days, he is to be treated as having been a patient continuously for a period equal in duration to the total of those distinct periods.
- (8) No deduction is to be made in respect of a non-dependent—
- (a) who is on income support, state pension credit, an income-based jobseeker's allowance or an income-related employment and support allowance?

- (b) to whom Schedule 1 to the 1992 Act applies (persons disregarded for purposes of discount) but this paragraph does not apply to a non-dependent who is a student to whom paragraph 4 of that Schedule refers, or
 - (c) is entitled to an award of Universal Credit where the award is calculated on the basis that the person does not have any earned income.
- (9) In the application of sub-paragraph (2) there is to be disregarded from the non-dependent's weekly gross income—
- (a) any attendance allowance, disability living allowance, personal independence payment or an AFIP received by him;
 - (b) any payment made under or by the Trusts, the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation, or the Independent Living Fund (2006), the Windrush Compensation Scheme or the National Emergencies Trust, the Victims of Overseas Terrorism Compensation Scheme which, had his income fallen to be calculated under paragraph 54 (calculation of income other than earnings: persons who are not pensioners), would have been disregarded under paragraph 28 of Schedule 8 (income in kind); and
 - (c) any payment which, had his income fallen to be calculated under paragraph 54, would have been disregarded under paragraph 41 of Schedule 8 (payments made under certain trusts and certain other payments).
 - (d) any Post Office compensation payment;
 - (e) (ae)any vaccine damage payment;
 - (f) any payment out of the estate of a person to that person's son, daughter, step-son, or step-daughter, which derives from a payment to meet the recommendation of the Infected Blood Inquiry in its interim report published on 29th July 2022 made under or by the Scottish Infected Blood Support Scheme or an approved blood scheme.

PART 8 Alternative maximum council tax reduction for the purposes of calculating eligibility for a reduction under this scheme and amount of reduction.

Alternative maximum council tax reduction under this scheme: pensioners and persons who are not pensioners.

- 31.—(1) Subject to sub-paragraphs (2) and (3), the alternative maximum council tax reduction in respect of a day where the conditions set out in paragraph 15 (alternative maximum council tax reduction: pensioners) or 18 (alternative maximum council tax reduction: persons who are not pensioners) are fulfilled, is the amount determined in accordance with Schedule 4 (amount of alternative council tax reduction).
- (2) Subject to sub-paragraph (3), where an applicant is jointly and severally liable for council tax in respect of a dwelling in which he is resident with one or more other persons, in determining the alternative maximum council tax reduction in his case, the amount determined in accordance with Schedule 4 must be divided by the number of persons who are jointly and severally liable for that tax.
- (3) Where an applicant is jointly and severally liable for council tax in respect of a dwelling with only his partner, solely by virtue of section 9 of the 1992 Act (liability of spouses and civil partners), sub-paragraph (2) does not apply in his case.

PART 9 Amount of reduction under this scheme

Amount of reduction under this scheme: Classes A to F

- 32.—(1) Where a person is entitled to a reduction under this scheme in respect of a day, the amount of the reduction to which he is entitled is as follows.
- (2) Where the person is within class A or D, that amount is the amount which is the maximum council tax reduction in respect of the day in the applicant's case.
- (3) Where the person is within class B or E, that amount is the amount found by deducting amount B from amount A, where "amount A" and "amount B" have the meanings given in paragraph 14(f) or 17(f), as the case may be.
- (4) Where the person is within class C or F, that amount is the amount which is the alternative maximum council tax reduction in respect of the day in the applicant's case.

- (5) Sub-paragraph (6) applies where both—
 (a) sub-paragraph (2) or sub-paragraph (3), and
 (b) sub-paragraph (4),
 apply to a person.
- (6) Subject to the maximum reduction specified by paragraph 12 and 28, the amount of the reduction to which the person is entitled is whichever is the greater of—
 (a) the amount of the reduction given by sub-paragraph (2) or sub-paragraph (3), as the case may be, and
 (b) the amount of the reduction given by sub-paragraph (4).

PART 10 Income and capital for the purposes of calculating eligibility for a reduction under this scheme and amount of reduction.

CHAPTER 1 Income and capital: general

Calculation of income and capital: applicant's family and polygamous marriages

- 33.—(1) The income and capital of—
 (a) an applicant; and
 (b) any partner of that applicant,
 (c) is to be calculated in accordance with the provisions of this Part.
- (2) The income and capital of any partner of the applicant is to be treated as income and capital of the applicant, and in this Part any reference to the applicant applies equally to any partner of that applicant.
- (3) Except where paragraph 37 applies, where an applicant or the partner of an applicant is married polygamously to two or more members of his household—
 (a) the applicant must be treated as possessing capital and income belonging to each such member; and
 (b) the income and capital of that member is to be calculated in accordance with the following provisions of this Part in like manner as for the applicant.

Circumstances in which income and capital of non-dependent is to be treated as applicants.

- 34.—(1) Sub-paragraph (2) applies where it appears to the authority that a non-dependent and an applicant have entered into arrangements in order to take advantage of this scheme and the non-dependent has more income and capital than the applicant.
- (2) Except where—
 (a) the applicant is a pensioner and is on a guarantee credit, or
 (b) the applicant is not a pensioner and is on income support, an income-based jobseeker's allowance or an income-related employment and support allowance,
 the authority must treat the applicant as possessing income and capital belonging to that non-dependent and, in such a case, any income and capital which the applicant does possess is to be disregarded.
- (3) Where an applicant is treated as possessing income and capital belonging to a non-dependent under sub-paragraph (2) the income and capital of that non-dependent must be calculated in accordance with the following provisions of this Part in like manner as for the applicant and, except where the context otherwise requires, any reference to the “applicant” is to be construed for the purposes of this Part as if it were a reference to that non-dependent.

CHAPTER 2 Income and capital: pensioners in receipt of guarantee credit or savings credit

Applicant in receipt of guarantee credit: pensioners

35. In the case of an applicant who is a pensioner and who is in receipt, or whose partner is in receipt, of a guarantee credit, the whole of his capital and income must be disregarded.

Calculation of applicant's income and capital in savings credit only cases: pensioners.

- 36.—(1) In determining the income and capital of an applicant who is a pensioner and who has, or whose partner has, an award of state pension credit comprising only the savings credit, subject to the following provisions of this paragraph, the authority must use the calculation or estimate of the applicant's or as the case may be, the applicant's partner's income and capital made by the Secretary of State for the purpose of determining the award of state pension credit.
- (2) Where the calculation or estimate provided by the Secretary of State includes the amount taken into account in that determination in respect of net income, the authority may only adjust that amount so far as necessary to take into account—
- (a) the amount of any savings credit payable;
 - (b) in respect of any dependent children of the applicant, child care charges taken into account under paragraph 57(1)(c) (calculation of income on a weekly basis);
 - (c) the higher amount disregarded under this scheme in respect of—
 - (i) lone parent's earnings; or
 - (ii) payments of maintenance, whether under a court order or not, which is made or due to be made by—
 - (aa) the applicant's former partner, or the applicant's partner's former partner; or
 - (bb) the parent of a child or young person where that child or young person is a member of the applicant's family except where that parent is the applicant or the applicant's partner;
 - (d) any amount to be disregarded by virtue of paragraph 10(1) of Schedule 5 (sums disregarded from applicant's earnings: pensioners);
 - (e) the income and capital of any partner of the applicant who is treated as a member of the applicant's household under paragraph 8, to the extent that it is not taken into account in determining the net income of the person claiming state pension credit;
 - (f) paragraph 34 (circumstances in which capital and income of a non-dependent is to be treated as applicant's), if the authority determines that that provision applies in the applicant's case;
 - (g) such further reduction (if any) as the authority thinks fit under section 13A(1)(c) of the 1992 Act (power of billing authority to reduce amount of council tax payable);
 - (h) (h) any amount to be disregarded by virtue of paragraph 6 of Schedule 5 (exempt work).
- (3) Paragraphs 39 to 46 (calculation of income: pensioners) and 57 to 61 (calculation of income: pensioners and persons who are not pensioners) do not apply to the amount of the net income to be taken into account under sub-paragraph (1) but do apply (so far as relevant) for the purpose of determining any adjustments to that amount which the authority makes under sub-paragraph (2).
- (4) If sub-paragraph (5) applies, the authority must calculate the applicant's capital in accordance with paragraphs 63, 65 to 68 and 70 (calculation of capital: pensioners).
- (5) This sub-paragraph applies if—
- (a) the Secretary of State notifies the authority that the applicant's capital has been determined as being £16,000 or less or the authority determines his capital as being £16,000 or less;
 - (b) subsequent to that determination the applicant's capital rises to more than £16,000; and
 - (c) the increase occurs whilst there is in force an assessed income period within the meaning of sections 6 and 9 of the State Pension Credit Act 2002.

CHAPTER 3 Income and capital where there is an award of universal credit.

Calculation of income and capital: persons who are not pensioners who have an award of universal credit.

- 37.—(1) In determining the income of an applicant—
- (a) who has, or
 - (b) who (jointly with his partner) has,
- an award of universal credit the authority must, subject to the following provisions of this paragraph, use the calculation or estimate of the amount of the income of the applicant, or the applicant and his partner jointly (as the case may be), made by the Secretary of State for the purpose of determining the award of universal credit. For the avoidance of doubt the award of Universal Credit shall be determined **before** any deduction, sanction, advance etc.

- (2) The authority must adjust the amount of the income referred to in sub-paragraph (1) by multiplying the amount by 12 and dividing the product by 52.
- (3) The authority may only adjust the amount of the income as adjusted in accordance with sub-paragraph (2) so far as necessary to take into account—
 (a) the amount of the award of universal credit **before** any deduction, sanction, advance etc;
 (b) paragraph 34 (circumstances in which income and capital of non-dependent is to be treated as applicant's), if the authority determines that the provision applies in the applicant's case;
 (c) such further reduction (if any) as the authority thinks fit under section 13A(1)(c) of the 1992 Act (power of billing authority to reduce amount of council tax payable).
- (4) The amount for the award of universal credit to be taken into account for the purposes of sub-paragraph (3)(a) is to be determined by multiplying the amount of the award of universal credit by 12 and dividing the product by 52.
- (5) Paragraph 34 (income and capital of non-dependent to be treated as applicant's) applies for the purpose of determining any adjustments which fall to be made to the figure for income under sub-paragraph (3).
- (6) In determining the capital of an applicant—
 (a) who has, or
 (b) who (jointly with his partner) has, an award of universal credit, the authority must use the calculation or estimate of the capital of the applicant, or the applicant and his partner jointly (as the case may be), made by the Secretary of State for the purpose of determining the award of universal credit.
- (7) In this paragraph “maximum amount” means the maximum amount calculated by the Secretary of State in accordance with section 8(2) of the Welfare Reform Act 2012.

Tolerance of cases where Universal Credit is in payment.

- (8) Where the authority receives any notification from the Secretary of State for Work and Pensions that a person who is awarded Universal Credit has a change in that award of less than £5, no adjustment shall be made to the applicant's Council Tax Reduction.

CHAPTER 4 Income: other pensioners

Calculation of income and capital where state pension credit is not payable: pensioners.

38. Where neither paragraph 35 (applicant in receipt of guarantee credit: pensioners) nor 36 (applicant in receipt of savings credit only: pensioners) applies in the applicant's case, his income and capital is to be calculated or estimated in accordance with paragraphs 39 to 46 and 57 to 62 (calculation of income) and Chapter 7 of this Part (calculation of capital).

Meaning of “income”: pensioners

- 39.—(.—(1) For the purposes of classes A to C in this scheme, “income” means income of any of the following descriptions—
 (a) earnings;
 (b) working tax credit;
 (c) retirement pension income within the meaning of the State Pension Credit Act 2002;
 (d) income from annuity contracts (other than retirement pension income);
 (e) a war disablement pension or war widow's or widower's pension;
 (f) a foreign war disablement pension or war widow's or widower's pension;
 (g) a guaranteed income payment;
 (h) a payment made under article 29(1)(c) of the Armed Forces and Reserve Forces (Compensation Scheme) Order 2011, in any case where article 31(2)(c) applies;
 (zi) Universal Credit;
 (i) income from capital other than capital disregarded under Part 1 of Schedule 9;
 (j) social security benefits, other than retirement pension income or any of the following benefits—
 (i)disability living allowance;
 (ii)personal independence payment;
 (iii)an AFIP;
 (iiia)the daily living component of adult disability payment;

- (iv) attendance allowance payable under section 64 of the SSCBA (entitlement to attendance allowance);
- (v) an increase of disablement pension under section 104 (increase for constant attendance) or 105 of that Act (increase for exceptionally severe disablement);
- (vi) child benefit;
- (vii) any guardian's allowance payable under section 77 of the SSCBA (guardian's allowance);
- (viii) any increase for a dependent, other than the applicant's partner, payable in accordance with Part 4 of that Act (increases for dependants);
- (ix) any—
 - (aa) social fund payment made under Part 8 of the SSCBA (the social fund), or
 - (bb) occasional assistance;
- (x) Christmas bonus payable under Part 10 of that Act (Christmas bonus for pensioners);
- (xi) housing benefit;
- (xii) council tax benefit;
- (xiii) bereavement payment;
- (xiv) statutory sick pay;
- (xv) statutory maternity pay;
- (xvi) ordinary statutory paternity pay payable under Part 12ZA of the SSCBA;
- (xvii) statutory shared parental pay under Part 12ZC of that Act;
- (xviii) statutory parental bereavement pay under Part 12ZD of the SSCBA;
- (xix) additional statutory paternity pay payable under Part 12ZA of the SSCBA;
- (xx) statutory adoption pay payable under Part 12ZB of that Act (statutory adoption pay);
- (xxi) Removed
- (xxii) carer's allowance supplement payable under section 81 of the Social Security (Scotland) Act 2018;
- (xxiii) early years assistance given in accordance with section 32 of the Social Security (Scotland) Act 2018;
- (xxiv) funeral expense assistance given in accordance with section 34 of that Act;
- (xxv) any Scottish child payment assistance given in accordance with section 79 of that Act;
- (xxvi) any assistance given in accordance with the Carer's Assistance (Young Carer Grants) (Scotland) Regulations 2019(11);
- (xxvii) short-term assistance given in accordance with regulations under section 36 of the Social Security (Scotland) Act 2018(12);
- (xxviii) winter heating assistance given in accordance with regulations under section 30 of that Act;
- (xxix) any benefit similar to those mentioned in the preceding provisions of this paragraph payable under legislation having effect in Northern Ireland
- (k) all foreign social security benefits which are similar to the social security benefits mentioned above;
- (l) a payment made—
 - (i) under article 30 of the Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 2006 (award for children who have reached the child's age limit), in any case where article 30(1)(b) applies; or
 - (ii) under article 12(8) of that Order (unemployability allowances: children who have reached the child's age limit), in any case where sub-paragraph (b) of that article applies;
- (m) a pension paid to victims of National Socialist persecution under any special provision made by the law of the Federal Republic of Germany, or any part of it, or of the Republic of Austria;
- (n) payments under a scheme made under the Pneumoconiosis etc. (Worker's Compensation) Act 1979;
- (o) payments made towards the maintenance of the applicant by his spouse, civil partner, former spouse, or former civil partner or towards the maintenance of the applicant's partner by his spouse, civil partner, former spouse, or former civil partner, including payments made—
 - (i) under a court order;
 - (ii) under an agreement for maintenance; or
 - (iii) voluntarily;
- (p) payments due from any person in respect of board and lodging accommodation provided by the applicant;
- (q) royalties or other sums paid as a consideration for the use of, or the right to use, any copyright, design, patent, or trade mark;
- (r) any payment in respect of any—

- (i)book registered under the Public Lending Right Scheme 1982; or
 - (ii)work made under any international public lending right scheme that is analogous to the Public Lending Right Scheme 1982;
 - (s) any payment, other than a payment ordered by a court or made in settlement of a claim, made by or on behalf of a former employer of a person on account of the early retirement of that person on grounds of ill-health or disability;
 - (t) any sum payable by way of pension out of money provided under—
 - (i)the Civil List Act 1837,
 - (ii)the Civil List Act 1937,
 - (iii)the Civil List Act 1952,
 - (iv)the Civil List Act 1972, or
 - (v)the Civil List Act 1975;
 - (u) any income in lieu of that specified in paragraphs (a) to (r);
 - (v) any payment of rent made to an applicant who—
 - (i)owns the freehold or leasehold interest in any property or is a tenant of any property;
 - (ii)occupies part of the property; and
 - (iii)has an agreement with another person allowing that person to occupy that property on payment of rent;
 - (w) any payment made at regular intervals under an equity release scheme;
 - (x) PPF periodic payments within the meaning of section 17(1) of the State Pension Credit Act 2002.
- (2) Where the payment of any social security benefit referred to in sub-paragraph (1) or retirement pension income to which section 16(1)(za) to (e) of the State Pension Credit Act 2002 applies is subject to any deduction (other than an adjustment specified in sub-paragraph (4)) the amount to be taken into account under sub-paragraph (1) is to be the amount before the deduction is made.
- (3) Where an award of any working tax credit or child tax credit is subject to a deduction by way of recovery of an overpayment of working tax credit or child tax credit which arose in a previous tax year the amount to be taken into account under sub-paragraph (1) is to be the amount of working tax credit or child tax credit awarded less the amount of that deduction.
- (4) The adjustments specified in this sub-paragraph are those made in accordance with—
- (a) the Social Security (Overlapping Benefits) Regulations 1979;
 - (b) the Social Security (Hospital In-Patients) Regulations 1975;
 - (c) section 30DD or section 30E of the SSCBA (reductions in incapacity benefit in respect of pensions and councillor's allowances);
 - (d) section 3 of the Welfare Reform Act 2007 (deductions from contributory employment and support allowance in respect of pensions and councillor's allowances) and regulations made under it;
 - (e) section 14 of the Pensions Act 2014 (pension sharing: reduction in sharer's section 4 pension);
 - (f) section 45B or 55B of the Social Security Contributions and Benefits Act 1992 (reduction in additional pension in Category A retirement pension and shared additional pension: pension sharing).
- (5) In sub-paragraph (1)(w), “equity release scheme” means a loan—
- (a) made between a person (“the lender”) and the applicant;
 - (b) by means of which a sum of money is advanced by the lender to the applicant by way of payments at regular intervals; and
 - (c) which is secured on a dwelling in which the applicant owns an estate or interest and which he occupies as his home?

Calculation of weekly income: pensioners

- 40.—(1) Except in a case within sub-paragraph (2), (3A), (4A) or (5), for the purposes of calculating the weekly income of an applicant who is a pensioner, where the period in respect of which a payment is made—
- (a) does not exceed a week, the whole of that payment is to be included in the applicant's weekly income;
 - (b) exceeds a week, the amount to be included in the applicant's weekly income is to be determined—

- (i) in a case where that period is a month, by multiplying the amount of the payment by 12 and dividing the product by 52;
- (ii) in a case where that period is three months, by multiplying the amount of the payment by 4 and dividing the product by 52;
- (iii) in a case where that period is a year, by dividing the amount of the payment by 52;
- (iv) in any other case, by multiplying the amount of the payment by 7 and dividing the product by the number of days in the period in respect of which it is made.

(2) Sub-paragraph (3) applies where—

- (a) the applicant's regular pattern of work is such that he does not work the same hours every week; or
- (b) the amount of the applicant's income fluctuates and has changed more than once.

(3) The weekly amount of that applicant's income is to be determined—

- (a) if, in a case to which sub-paragraph (2)(a) applies, there is a recognised cycle of work, by reference to his average weekly income over the period of the complete cycle (including, where the cycle involves periods in which the applicant does no work, those periods but disregarding any other absences); or
- (b) in any other case, on the basis of—
 - (i) the last two payments if those payments are one month or more apart;
 - (ii) the last four payments if the last two payments are less than one month apart; or
 - (iii) calculating or estimating such other payments as may, in the particular circumstances of the case, enable the applicant's average weekly income to be determined more accurately.

(3A) Income calculated pursuant to sub-paragraphs (2) and (3) must be taken into account—

- (a) in the case of an application, on the date on which the application was made or treated as made, and the first day of each reduction week thereafter;
- (b) in the case of an application or a reduction under a scheme where the applicant commences employment, the first day of the reduction week following the date the applicant commences that employment, and the first day of each reduction week thereafter; or
- (c) in the case of an application or a reduction under a scheme where the applicant's average weekly earnings from employment change, the first day of the reduction week following the date the applicant's earnings from employment change so as to require recalculation under this paragraph, and the first day of each reduction week thereafter, regardless of whether those earnings were actually received in that reduction week.

(4) For the purposes of sub-paragraph (3)(b) the last payments are the last payments before the date the application was made or treated as made.

(4A) An applicant's earnings from employment as an employed earner not calculated pursuant to sub-paragraphs (2) and (3) must be taken into account—

- (a) in the case of an application, on the date on which the application was made or treated as made, and the first day of each reduction week thereafter;
- (b) in the case of an application or a reduction under a scheme where the applicant commences employment, the first day of the reduction week following the date the applicant commences that employment, and the first day of each reduction week thereafter; or
- (c) in the case of an application or a reduction under a scheme where the applicant's average weekly earnings from employment change, the first day of the reduction week following the date of the change, and the beginning of each reduction week thereafter, regardless of whether those earnings were actually received in that reduction week.

(5) If the applicant is entitled to receive a payment to which sub-paragraph (6) applies, the amount of that payment is to be treated as if made in respect of a period of a year.

(6) This sub-paragraph applies to—

- (a) royalties or other sums paid as a consideration for the use of, or the right to use, any copyright, design, patent, or trade mark;
- (b) any payment in respect of any—
 - (i) book registered under the Public Lending Right Scheme 1982; or

- (ii) work made under any international public lending right scheme that is analogous to the Public Lending Right Scheme 1982; and
- (c) any payment which is made on an occasional basis.
- (7) The period under which any benefit under the benefit Acts is to be taken into account is to be the period in respect of which that benefit is payable.
- (8) Where payments are made in a currency other than Sterling, the value of the payment is to be determined by taking the Sterling equivalent on the date the payment is made.
- (9) The sums specified in Schedule 5 are to be disregarded in calculating—
 (a) the applicant's earnings; and
 (b) any amount to which sub-paragraph (6) applies where the applicant is the first owner of the copyright, design, patent or trademark, or an original contributor to the book or work referred to in sub-paragraph (6)(b).
- (10) For the purposes of sub-paragraph (9)(b), and for that purpose only, the amounts specified in sub-paragraph (6) is to be treated as though they were earnings.
- (11) Income specified in Schedule 6 is to be disregarded in the calculation of the applicant's income.
- (12) Schedule 9 (capital disregards: pensioners) has effect so that—
 (a) the capital specified in Part 1 is disregarded for the purpose of determining an applicant's income; and
 (b) the capital specified in Part 2 is disregarded for the purpose of determining an applicant's income under paragraph 71 (calculation of tariff income from capital: pensioners).
- (13) In the case of any income taken into account for the purpose of calculating a person's income any amount payable by way of tax is disregarded.

Earnings of employed earners: pensioners

- 41.—(1) Subject to sub-paragraph (2), “earnings”, in the case of employment as an employed earner who is a pensioner, means any remuneration or profit derived from that employment and includes—
 (a) any bonus or commission;
 (b) any payment in lieu of remuneration except any periodic sum paid to an applicant on account of the termination of his employment by reason of redundancy;
 (c) any payment in lieu of notice;
 (d) any holiday pay;
 (e) any payment by way of a retainer;
 (f) any payment made by the applicant's employer in respect of expenses not wholly, exclusively, and necessarily incurred in the performance of the duties of the employment, including any payment made by the applicant's employer in respect of—
 (i) travelling expenses incurred by the applicant between his home and place of employment;
 (ii) expenses incurred by the applicant under arrangements made for the care of a member of his family owing to the applicant's absence from home;
 (g) the amount of any payment by way of a non-cash voucher which has been taken into account in the computation of a person's earnings in accordance with Part 5 of Schedule 3 to the Social Security (Contributions) Regulations 2001;
 (h) statutory sick pay and statutory maternity pay payable by the employer under the SSCBA;
 (i) statutory paternity pay payable under Part 12ZA of that Act;
 (j) statutory adoption pay payable under Part 12ZB of that Act;
 (k) any sums payable under a contract of service—
 (i) for incapacity for work due to sickness or injury; or
 (ii) by reason of pregnancy or confinement.
- (2) Earnings does not include—
 (a) subject to sub-paragraph (3), any payment in kind;
 (b) any payment in respect of expenses wholly, exclusively, and necessarily incurred in the performance of the duties of the employment;
 (c) any occupational pension;
 (d) any lump sum payment made under the Iron and Steel Re-adaptation Benefits Scheme;

- (e) any payment of compensation made pursuant to an award by an employment tribunal established under the Employment Tribunals Act 1996 in respect of unfair dismissal or unlawful discrimination;
 - (f) any payment in respect of expenses arising out of the applicant's participation in a service user group.
- (3) Sub-paragraph (2)(a) does not apply in respect of any non-cash voucher referred to in sub-paragraph (1)(g).

Calculation of net earnings of employed earners: pensioners

- 42.—(1) For the purposes of paragraph 57 (calculation of income on a weekly basis), the earnings of an applicant who is a pensioner derived or likely to be derived from employment as an employed earner to be taken into account must, subject to paragraph 40(5) and Schedule 5 (sums to be disregarded from earnings: pensioners), be his net earnings.
- (2) For the purposes of sub-paragraph (1) net earnings must, except where sub-paragraph (5) applies, be calculated by taking into account the gross earnings of the applicant from that employment over the assessment period, less—
- (a) any amount deducted from those earnings by way of—
 - (i) income tax;
 - (ii) primary Class 1 contributions under the SSCBA;
 - (b) one-half of any sum paid by the applicant by way of a contribution towards an occupational pension scheme;
 - (c) one-half of the amount calculated in accordance with sub-paragraph (4) in respect of any qualifying contribution payable by the applicant; and
 - (d) where those earnings include a payment which is payable under any enactment having effect in Northern Ireland and which corresponds to statutory sick pay, statutory maternity pay, ordinary or additional statutory paternity pay or statutory adoption pay, any amount deducted from those earnings by way of any contributions which are payable under any enactment having effect in Northern Ireland and which correspond to primary Class 1 contributions under the SSCBA.
- (3) In this paragraph “qualifying contribution” means any sum which is payable periodically as a contribution towards a personal pension scheme.
- (4) The amount in respect of any qualifying contribution is to be calculated by multiplying the daily amount of the qualifying contribution by the number equal to the number of days in the assessment period; and for the purposes of this paragraph the daily amount of the qualifying contribution is to be determined—
- (a) where the qualifying contribution is payable monthly, by multiplying the amount of the qualifying contribution by 12 and dividing the product by 365;
 - (b) in any other case, by dividing the amount of the qualifying contribution by the number equal to the number of days in the period to which the qualifying contribution relates.
- (5) Where the earnings of an applicant are determined under paragraph 40(2)(b) (calculation of weekly income: pensioners) his net earnings is to be calculated by taking into account those earnings over the assessment period, less—
- (a) an amount in respect of income tax equivalent to an amount calculated by applying to those earnings the basic rate of tax applicable to the assessment period less only the personal relief to which the applicant is entitled under sections 35 to 37 the Income Tax Act 2007 (personal allowances) as is appropriate to his circumstances but, if the assessment period is less than a year, the earnings to which the basic rate of tax is to be applied and the amount of the personal relief deductible under this sub-paragraph is to be calculated on a pro rata basis;
 - (b) an amount equivalent to the amount of the primary Class 1 contributions that would be payable by him under the SSCBA in respect of those earnings if such contributions were payable; and
 - (c) one-half of any sum which would be payable by the applicant by way of a contribution towards an occupational or personal pension scheme if the earnings so estimated were actual earnings.

Calculation of earnings of self-employed earners: pensioners

- 43.—(1) Where the earnings of an applicant who is a pensioner consist of earnings from employment as a self-employed earner, the weekly amount of his earnings is to be determined by reference to his average weekly earnings from that employment—
- (a) over a period of one year; or
 - (b) where the applicant has recently become engaged in that employment or there has been a change which is likely to affect the normal pattern of business, over such other period (“computation period”) as may, in the particular case, enable the weekly amount of his earnings to be determined more accurately.
- (2) For the purposes of determining the weekly amount of earnings of an applicant to whom sub-paragraph (1)(b) applies, his earnings over the computation period are to be divided by the number equal to the number of days in that period and the product multiplied by 7.
- (3) The period over which the weekly amount of an applicant’s earnings is calculated in accordance with this paragraph is to be his assessment period.

Earnings of self-employed earners: pensioners

- 44.—(1) Subject to sub-paragraph (2), “earnings”, in the case of employment as a self-employed earner who is a pensioner, means the gross income of the employment.
- (2) “Earnings” in the case of employment as a self-employed earner does not include—
- (a) where an applicant occupies a dwelling as his home and he provides in that dwelling board and lodging accommodation for which payment is made, those payments;
 - (b) any payment made by a local authority to an applicant
 - (i) with whom a person is accommodated by virtue of arrangements made under section 22C or 23(2)(a) of the Children Act 1989 or, as the case may be, section 26(1) of the Children (Scotland) Act 1995; or
 - (ii) with whom a local authority fosters a child under the Looked After Children (Scotland) Regulations 2009 or who is a kinship carer under those Regulations;
 - (c) any payment made by a voluntary organisation in accordance with section 59(1)(a) of the Children Act 1989 (provision of accommodation by voluntary organisations);
 - (d) any payment made to the applicant or his partner for a person (“the person concerned”) who is not normally a member of the applicant’s household but is temporarily in his care, by
 - (i) a local authority but excluding payments of housing benefit made in respect of the person concerned;
 - (ii) a voluntary organisation;
 - (iii) the person concerned pursuant to section 26(3A) of the National Assistance Act 1948;
 - (iv) the National Health Service Commissioning Board or a clinical commissioning group established under section 14D of the National Health Service Act 2006; or
 - (v) a Local Health Board established under section 11 of the National Health Service (Wales) Act 2006;
 - (vi) the persons concerned where the payment is for the provision of accommodation to meet that person’s needs for care and support under section 35 or 36 of the Social Services and Well-being (Wales) Act 2014 (respectively, duty and power to meet care and support needs of an adult);
 - (da) any payment or part of a payment made by a local authority in accordance with section 26A of the Children (Scotland) Act 1995 (duty to provide continuing care) to a person (“A”) which A passes on to the applicant where A—
 - (i) was formerly in the applicant’s care;
 - (ii) is aged 16 or over; and
 - (iii) continues to live with the applicant;
 - (db) any payments made to an applicant under section 73(1)(b) of the Children and Young People (Scotland) Act 2014 (kinship care assistance: further provisions)
 - (e) any sports award.

Notional income: pensioners

- 45.—(1) An applicant who is a pensioner is to be treated as possessing—
- (a) subject to sub-paragraph (2), the amount of any retirement pension income—
 - (i) for which no claim has been made; and
 - (ii) to which he might expect to be entitled if a claim for it were made;
 - (b) income from an occupational pension scheme which the applicant elected to defer.

- (2) Sub-paragraph (1)(a) does not apply to the following where entitlement has been deferred—
 (a) a Category A or Category B retirement pension payable under sections 43 to 55 of the SSCBA;
 (b) a shared additional pension payable under section 55A of the SSCBA;
 (c) graduated retirement benefit payable under sections 36 and 37 of the National Insurance Act 1965.
- (3) For the purposes of sub-paragraph (2), entitlement has been deferred—
 (a) in the case of a Category A or Category B pension, in the circumstances specified in section 55(3) of the SSCBA;
 (b) in the case of a shared additional pension, in the circumstances specified in section 55C(3) of the SSCBA; and
 (c) in the case of graduated retirement benefit, in the circumstances specified in section 36(4) and (4A) of the National Insurance Act 1965.
- (4) This sub-paragraph applies where a person who has attained the qualifying age for state pension credit—
 (a) is entitled to money purchase benefits under an occupational pension scheme or a personal pension scheme;
 (b) fails to purchase an annuity with the funds available in that scheme; and
 (c) either—
 (i) defers in whole or in part the payment of any income which would have been payable to him by his pension fund holder, or
 (ii) fails to take any necessary action to secure that the whole of any income which would be payable to him by his pension fund holder upon his applying for it, is so paid, or
 (iii) income withdrawal is not available to him under that scheme.
- (5) Where sub-paragraph (4) applies, the amount of any income foregone is to be treated as possessed by that person, but only from the date on which it could be expected to be acquired were an application for it to be made.
- (6) The amount of any income foregone in a case where sub-paragraph (4)(c)(i) or (ii) applies is to be the maximum amount of income which may be withdrawn from the fund and must be determined by the authority, taking account of information provided by the pension fund holder.
- (7) The amount of any income foregone in a case where sub-paragraph (4)(c)(iii) applies is to be the income that the applicant could have received without purchasing an annuity had the funds held under the relevant scheme been held under a personal pension scheme or occupational pension scheme where income withdrawal was available and is to be determined in the manner specified in sub-paragraph (6).
- (8) In sub-paragraph (4), “money purchase benefits” has the same meaning as in the Pension Schemes Act 1993.
- (9) Subject to sub-paragraphs (10) and (12), a person is to be treated as possessing income of which he has deprived himself for the purpose of securing entitlement to a reduction under this scheme or increasing the amount of the reduction.
- (10) Sub-paragraph (9) does not apply in respect of the amount of an increase of pension or benefit where a person, having made an election in favour of that increase of pension or benefit under Schedule 5 or 5A to the SSCBA or under Schedule 1 to the Social Security (Graduated Retirement Benefit) Regulations 2005, changes that election in accordance with regulations made under Schedule 5 or 5A to that Act in favour of a lump sum.
- (11) In sub-paragraph (10), “lump sum” means a lump sum under Schedule 5 or 5A to the SSCBA or under Schedule 1 to the Social Security (Graduated Retirement Benefit) Regulations 2005.
- (12) Sub-paragraph (9) does not apply in respect of any amount of income other than earnings, or earnings of an employed earner, arising out of the applicant’s participation in a service user group.
- (13) Where an applicant is in receipt of any benefit under the benefit Acts and the rate of that benefit is altered with effect from a date on or after 1st April in any year but not more than 14 days thereafter, the authority must treat the applicant as possessing such benefit at the altered rate

from either 1st April or the first Monday in April in that year, whichever date the authority selects to apply, to the date on which the altered rate is to take effect.

- (14) In the case of an applicant who has, or whose partner has, an award of state pension credit comprising only the savings credit, where the authority treats the applicant as possessing any benefit at the altered rate in accordance with sub-paragraph (13), the authority must—
- (a) determine the income and capital of that applicant in accordance with paragraph 36(1) (calculation of applicant's income in savings credit only cases: pensioners) where the calculation or estimate of that income and capital is altered with effect from a date on or after 1st April in any year but not more than 14 days thereafter; and
 - (b) treat that applicant as possessing such income and capital at the altered rate by reference to the date selected by the relevant authority to apply in its area, for the purposes of establishing the period referred to in sub-paragraph (13).
- (15) For the purposes of sub-paragraph (9), a person is not to be regarded as depriving himself of income where—
- (a) his rights to benefits under a registered pension scheme are extinguished and in consequence of this he receives a payment from the scheme, and
 - (b) that payment is a trivial commutation lump sum within the meaning given by paragraph 7 of Schedule 29 to the Finance Act 2004.
- (16) In sub-paragraph (15), “registered pension scheme” has the meaning given in section 150(2) of the Finance Act 2004.

Income paid to third parties: pensioners.

- 46.—(1) Any payment of income, other than a payment specified in sub-paragraph (2) or (3), to a third party in respect of an applicant who is a pensioner is to be treated as possessed by the applicant.
- (2) Sub-paragraph (1) does not apply in respect of a payment of income made under an occupational pension scheme, in respect of a pension or other periodical payment made under a personal pension scheme or a payment made by the Board of the Pension Protection Fund where—
- (a) a bankruptcy order has been made in respect of the person in respect of whom the payment has been made or, in Scotland, the estate of that person is subject to sequestration or a judicial factor has been appointed on that person's estate under section 41 of the Solicitors (Scotland) Act 1980;
 - (b) the payment is made to the trustee in bankruptcy or any other person acting on behalf of the creditors; and
 - (c) the person referred to in paragraph (a) and his partner does not possess, or is not treated as possessing, any other income apart from that payment.
- (3) Sub-paragraph (1) does not apply in respect of any payment of income other than earnings, or earnings derived from employment as an employed earner, arising out of the applicant's participation in a service user group.

CHAPTER 5 Income: persons who are not pensioners.

Average weekly earnings of employed earners: persons who are not pensioners.

- 47.—(1) Where the income of an applicant who is not a pensioner consists of earnings from employment as an employed earner his average weekly earnings must be estimated by reference to his earnings from that employment—
- (a) over a period immediately preceding the reduction week in which the application is made or treated as made and being a period of—
 - (i) 5 weeks, if he is paid weekly; or
 - (ii) 2 months, if he is paid monthly; or
 - (b) whether or not paragraph (a)(i) or (ii) applies, where an applicant's earnings fluctuate, over such other period preceding the reduction week in which the application is made or treated as made as may, in any particular case, enable his average weekly earnings to be estimated more accurately.
- (2) Where the applicant has been in his employment for less than the period specified in sub-paragraph (1)(a)(i) or (ii)—

- (a) if he has received any earnings for the period that he has been in that employment and those earnings are likely to represent his average weekly earnings from that employment his average weekly earnings must be estimated by reference to those earnings;
- (b) in any other case, the authority must estimate the applicant's average weekly earnings.
- (3) Where the amount of an applicant's earnings changes the authority must estimate his average weekly earnings by reference to his likely earnings from the employment over such period as is appropriate in order that his average weekly earnings may be estimated accurately but the length of the period must not in any case exceed 52 weeks.
- (3A) Income calculated pursuant to sub-paragraphs (2) and (3) must be taken into account---
- (a) in the case of an application, on the date on which the application was made or treated as made, and the first day of each reduction week thereafter;
 - (b) in the case of an application or a reduction under a scheme where the applicant commences employment, the first day of each reduction week following the date the applicant commences that employment and the first day of each reduction week thereafter; or
 - (c) in the case of an application or a reduction under a scheme where the applicant's average weekly earnings from employment change, the first day of the reduction week following the date the applicant's earnings from employment change so as to require calculation under this paragraph, and the first day of each reduction week thereafter, regardless of whether those earnings were actually received in that reduction week thereafter,
- (4) For the purposes of this paragraph the applicant's earnings are to be calculated in accordance with paragraphs 51 and 52 (earnings of employed earners: persons who are not pensioners).
- (4A) An applicant's earnings from employment as an employed earner not calculated pursuant to sub-paragraphs (2) and (3) must be taken into account---
- (a) in the case of an application, on the date on which the application was made or treated as made, and the first day of each reduction week thereafter;
 - (b) in the case of an application or a reduction under a scheme where the applicant commences employment, the first day of the reduction week following the date the applicant commences that employment and the first day of each reduction week thereafter; or
 - (c) in the case of an application or a reduction under a scheme where the applicant's average weekly earnings from employment change, the first day of the reduction week following the date of the change, and the beginning of each reduction week thereafter, regardless of whether those earnings were actually received in that reduction week.

Average weekly earnings of self-employed earners: persons who are not pensioners.

- 48.-(1) Where the income of an applicant who is not a pensioner consists of earnings from employment as a self-employed earner his average weekly earnings must be estimated by reference to his earnings from that employment over such period as is appropriate in order that his average weekly earnings may be estimated accurately but the length of the period must not in any case exceed a year.
- (2) For the purposes of this paragraph the applicant's earnings must be calculated in accordance with paragraphs 53, 61 and 62 (earnings, and net profit, of self-employed earners).

Average weekly income other than earnings: persons who are not pensioners.

- 49.-(1) The income of an applicant who is not a pensioner which does not consist of earnings must, except where sub-paragraph (2) applies, be estimated over such period as is appropriate in order that his average weekly income may be estimated accurately but the length of the period must not in any case exceed 52 weeks; and nothing in this paragraph authorises an authority to disregard any such income other than that specified in Schedule 8 (sums disregarded in the calculation of income other than earnings: persons who are not pensioners).
- (2) The period over which any benefit under the benefit Acts is to be taken into account is to be the period in respect of which that benefit is payable.
- (3) For the purposes of this paragraph income other than earnings is to be calculated in accordance with paragraph 54 (calculation of income other than earnings: persons who are not pensioners).

Calculation of weekly income of employed earners: persons who are not pensioners.

- 50.—(1) For the purposes of paragraphs 47 (average weekly earnings of employed earners), 49 (average weekly income other than earnings) and 59 (calculation of average weekly income from tax credits), where the period in respect of which a payment is made—
- (a) does not exceed a week, the weekly amount is to be the amount of that payment;
 - (b) exceeds a week, the weekly amount is to be determined—
 - (i) in a case where that period is a month, by multiplying the amount of the payment by 12 and dividing the product by 52;
 - (ii) in any other case, by dividing the amount of the payment by the number equal to the number of days in the period to which it relates and multiplying the product by 7.
- (2) For the purposes of paragraph 48 (average weekly earnings of self-employed earners) the weekly amount of earnings of an applicant is to be determined by dividing his earnings over the assessment period by the number equal to the number of days in that period and multiplying the product by 7.

Earnings of employed earners: persons who are not pensioners.

- 51.—(1) Subject to sub-paragraph (2), “earnings”, in the case of employment as an employed earner of a person who is not a pensioner, means any remuneration or profit derived from that employment and includes—
- (a) any bonus or commission;
 - (b) any payment in lieu of remuneration except any periodic sum paid to an applicant on account of the termination of his employment by reason of redundancy;
 - (c) any payment in lieu of notice or any lump sum payment intended as compensation for the loss of employment but only in so far as it represents loss of income;
 - (d) any holiday pay except any payable more than 4 weeks after termination or interruption of the employment;
 - (e) any payment by way of a retainer;
 - (f) any payment made by the applicant’s employer in respect of expenses not wholly, exclusively, and necessarily incurred in the performance of the duties of the employment, including any payment made by the applicant’s employer in respect of—
 - (i) travelling expenses incurred by the applicant between his home and place of employment;
 - (ii) expenses incurred by the applicant under arrangements made for the care of a member of his family owing to the applicant’s absence from home;
 - (g) any award of compensation made under section 112(4) or 117(3)(a) of the Employment Rights Act 1996 (remedies and compensation for unfair dismissal);
 - (h) any payment or remuneration made under section 28, 34, 64, 68 or 70 of the Employment Rights Act 1996 (right to guarantee payments, remuneration on suspension on medical or maternity grounds, complaints to employment tribunals);
 - (i) any such sum as is referred to in section 112 of the SSCBA (certain sums to be earnings for social security purposes);
 - (j) any statutory sick pay, statutory maternity pay, statutory paternity pay or statutory adoption pay, or a corresponding payment under any enactment having effect in Northern Ireland;
 - (k) any remuneration paid by or on behalf of an employer to the applicant who for the time being is on maternity leave, paternity leave or adoption leave or is absent from work because he is ill;
 - (l) the amount of any payment by way of a non-cash voucher which has been taken into account in the computation of a person’s earnings in accordance with Part 5 of Schedule 3 to the Social Security (Contributions) Regulations 2001.
- (2) Earnings does not include—
- (a) subject to sub-paragraph (3), any payment in kind;
 - (b) any payment in respect of expenses wholly, exclusively, and necessarily incurred in the performance of the duties of the employment;
 - (c) any occupational pension;
 - (d) any payment in respect of expenses arising out of the applicant’s participation in a service user group.
- (3) Sub-paragraph (2)(a) does not apply in respect of any non-cash voucher referred to in sub-paragraph (1)(l).

Calculation of net earnings of employed earners: persons who are not pensioners.

- 52.—(1) For the purposes of paragraph 47 (average weekly earnings of employed earners: persons who are not pensioners), the earnings of an applicant who is not a pensioner derived or likely to be derived from employment as an employed earner to be taken into account must, subject to sub-paragraph (2), be his net earnings.
- (2) There is to be disregarded from an applicant's net earnings, any sum, where applicable, specified in paragraphs 1 to 16 of Schedule 7 (sums disregarded in the calculation of earnings: persons who are not pensioners).
- (3) For the purposes of sub-paragraph (1) net earnings must, except where sub-paragraph (6) applies, be calculated by taking into account the gross earnings of the applicant from that employment over the assessment period, less—
- (a) any amount deducted from those earnings by way of—
 - (i) income tax;
 - (ii) primary Class 1 contributions under the SSCBA;
 - (b) one-half of any sum paid by the applicant by way of a contribution towards an occupational pension scheme;
 - (c) one-half of the amount calculated in accordance with sub-paragraph (5) in respect of any qualifying contribution payable by the applicant; and
 - (d) where those earnings include a payment which is payable under any enactment having effect in Northern Ireland and which corresponds to statutory sick pay, statutory maternity pay, statutory paternity pay or statutory adoption pay, any amount deducted from those earnings by way of any contributions which are payable under any enactment having effect in Northern Ireland and which correspond to primary Class 1 contributions under the SSCBA.
- (4) In this paragraph “qualifying contribution” means any sum which is payable periodically as a contribution towards a personal pension scheme.
- (5) The amount in respect of any qualifying contribution is to be calculated by multiplying the daily amount of the qualifying contribution by the number equal to the number of days in the assessment period; and for the purposes of this paragraph the daily amount of the qualifying contribution is to be determined—
- (a) where the qualifying contribution is payable monthly, by multiplying the amount of the qualifying contribution by 12 and dividing the product by 365;
 - (b) in any other case, by dividing the amount of the qualifying contribution by the number equal to the number of days in the period to which the qualifying contribution relates.
- (6) Where the earnings of an applicant are estimated under paragraph 47(2)(b) (average weekly earnings of employed earners: classes D to H), his net earnings is to be calculated by taking into account those earnings over the assessment period, less—
- (a) an amount in respect of income tax equivalent to an amount calculated by applying to those earnings the basic rate or in the case of a Scottish taxpayer, the Scottish basic rate of tax applicable to the assessment period less only the personal relief to which the applicant is entitled under section 35, 36 or 37 of the Income Tax Act 2007 as is personal reliefs to which the applicant is entitled under Chapters 2, 3 and 3A of Part 3 of the Income Tax Act 2007 as are; (personal allowances) as is appropriate to his circumstances but, if the assessment period is less than a year, the earnings to which the basic rate or in the case of a Scottish taxpayer, the Scottish basic rate of tax is to be applied and the amount of the personal relief deductible under this sub-paragraph is to be calculated on a pro rata basis;
 - (b) an amount equivalent to the amount of the primary Class 1 contributions that would be payable by him under the SSCBA in respect of those earnings if such contributions were payable; and
 - (c) one-half of any sum which would be payable by the applicant by way of a contribution towards an occupational or personal pension scheme, if the earnings so estimated were actual earnings

Earnings of self-employed earners: persons who are not pensioners.

- 53.—(1) Subject to sub-paragraph (2), “earnings”, in the case of employment as a self-employed earner of a person who is not a pensioner, means the gross income of the employment.

- (2) "Earnings" does not include any payment to which paragraph 31 or 32 of Schedule 8 refers (payments in respect of a person accommodated with the applicant under arrangements made by a local authority or voluntary organisation and payments made to the applicant by a health authority, local authority, or voluntary organisation in respect of persons temporarily in the applicant's care) nor does it include any sports award.
- (3) This paragraph applies to—
- (a) royalties or other sums paid as a consideration for the use of, or the right to use, any copyright, design, patent, or trade mark; or
 - (b) any payment in respect of any—
 - (i) book registered under the Public Lending Right Scheme 1982; or
 - (ii) work made under any international public lending right scheme that is analogous to the Public Lending Right Scheme 1982,

where the applicant is the first owner of the copyright, design, patent or trade mark, or an original contributor to the book or work concerned.
- (4) Where the applicant's earnings consist of any items to which sub-paragraph (3) applies, those earnings must be taken into account over a period equal to such number of weeks as is equal to the number obtained (and any fraction is to be treated as a corresponding fraction of a week) by dividing the earnings by—
- (a) the amount of reduction under this scheme to which the applicant would have been entitled had the payment not been made, plus;
 - (b) an amount equal to the total of the sums which would fall to be disregarded from the payment under Schedule 7 (sums disregarded in the calculation of earnings: persons who are not pensioners) as appropriate in the applicant's case.

Calculation of income other than earnings: persons who are not pensioners.

- 54.—(1) For the purposes of paragraph 49 (average weekly income other than earnings: persons who are not pensioners), the income of an applicant who is not a pensioner which does not consist of earnings to be taken into account must, subject to sub-paragraphs (2) to (8), be his gross income and any capital treated as income under paragraph 55 (capital treated as income: persons who are not pensioners).
- (2) There is to be disregarded from the calculation of an applicant's gross income under sub-paragraph (1), any sum, where applicable, specified in Schedule 8.
- (3) Where the payment of any benefit under the benefit Acts is subject to any deduction by way of recovery the amount to be taken into account under sub-paragraph (1) must be the gross amount payable.
- (4) Where the applicant or, where he is a member of a couple, his partner is receiving a contributory employment and support allowance and that benefit has been reduced under regulation 63 of the Employment and Support Allowance Regulations 2008, the amount of that benefit to be taken into account is the amount as if it had not been reduced.
- (5) Where an award of any working tax credit or child tax credit under the Tax Credits Act 2002 is subject to a deduction by way of recovery of an overpayment of working tax credit or child tax credit which arose in a previous tax year the amount to be taken into account under sub-paragraph (1) is to be the amount of working tax credit or child tax credit awarded less the amount of that deduction.
- (6) Sub-paragraphs (7) and (8) apply where—
- (a) a relevant payment has been made to a person in an academic year; and
 - (b) that person abandons, or is dismissed from, his course of study before the payment to him of the final instalment of the relevant payment.
- (7) Where a relevant payment is made quarterly, the amount of a relevant payment to be taken into account for the assessment period for the purposes of sub-paragraph (1) in respect of a person to whom sub-paragraph (7) applies, is to be calculated by applying the formula—
- $$(A - (B \times C)) / D$$
- Where;

- A = the total amount of the relevant payment which that person would have received had he remained a student until the last day of the academic term in which he abandoned, or was dismissed from, his course, less any deduction under paragraph 81(5) (costs of travel, books, and equipment);
- B = the number of reduction weeks from the reduction week immediately following that which includes the first day of that academic year to the reduction week which includes the day on which the person abandoned, or was dismissed from, his course;
- C = the weekly amount of the relevant payment, before the application of the £10 disregard, which would have been taken into account as income under paragraph 81(2) (treatment of student loans) had the person not abandoned or been dismissed from, his course and, in the case of a person who was not entitled to a reduction under this scheme immediately before he abandoned or was dismissed from his course, had that person, at that time, been entitled to housing benefit;
- D = the number of reduction weeks in the assessment period.

- (8) Where a relevant payment is made by two or more instalments in a quarter, the amount of a relevant payment to be taken into account for the assessment period for the purposes of sub-paragraph (1) in respect of a person to whom sub-paragraph (7) applies, is to be calculated by applying the formula in sub-paragraph (8) but as if—
 A = the total amount of relevant payments which that person received, or would have received, from the first day of the academic year to the day the person abandoned the course, or was dismissed from it, less any deduction under paragraph 81(5).

- (9) In this paragraph—
 “academic year” and “student loan” have the same meanings as in Part 11 (students);
 “assessment period” means—
 (a) in a case where a relevant payment is made quarterly, the period beginning with the reduction week which includes the day on which the person abandoned, or was dismissed from, his course and ending with the reduction week which includes the last day of the last quarter for which an instalment of the relevant payment was payable to that person;
 (b) in a case where the relevant payment is made by two or more instalments in a quarter, the period beginning with the reduction week which includes the day on which the person abandoned, or was dismissed from, his course and ending with the reduction week which includes—
 (i) the day immediately before the day on which the next instalment of the relevant payment would have been due had the payments continued; or
 (ii) the last day of the last quarter for which an instalment of the relevant payment was payable to that person,
 whichever of those dates is earlier;

“quarter” in relation to an assessment period means a period in that year beginning on—
 1st January and ending on 31st March;
 1st April and ending on 30th June;
 1st July and ending on 31st August; or
 1st September and ending on 31st December;

“relevant payment” means either a student loan or an amount intended for the maintenance of dependants referred to in paragraph 76(7) or both.

- (10) For the avoidance of doubt there must be included as income to be taken into account under sub-paragraph (1)—
 (a) any payment to which paragraph 41(2) or 51(2) (payments not earnings) applies; or
 (b) in the case of an applicant who is receiving support under section 95 or 98 of the Immigration and Asylum Act 1999 including support provided by virtue of regulations made under Schedule 9 to that Act, the amount of such support provided in respect of essential living needs of the applicant and his dependants (if any) as is specified in regulations made under paragraph 3 of Schedule 8 to the Immigration and Asylum Act 1999.

Capital treated as income: persons who are not pensioners.

- 55.—(1) Any capital payable by instalments which are outstanding at the date on which the application is made or treated as made, or, at the date of any subsequent revision or supersession, must, if the aggregate of the instalments outstanding and the amount of the applicant’s capital otherwise calculated in accordance with Chapter 7 of this Part exceeds £16,000, be treated as income.

- (2) Any payment received under an annuity is to be treated as income.
- (3) Any earnings to the extent that they are not a payment of income is to be treated as income.
- (4) Any Career Development Loan paid pursuant to section 2 of the Employment and Training Act 1973 is to be treated as income.
- (5) Where an agreement or court order provides that payments must be made to the applicant in consequence of any personal injury to the applicant and that such payments are to be made, wholly or partly, by way of periodic payments, any such periodic payments received by the applicant (but not a payment which is treated as capital by virtue of this Part), is to be treated as income.

Notional income: persons who are not pensioners.

- 56.—(1) An applicant who is not a pensioner is to be treated as possessing income of which he has deprived himself for the purpose of securing entitlement to a reduction under a council tax reduction scheme or increasing the amount of the reduction.
- (2) Except in the case of—
 - (a) a discretionary trust;
 - (b) a trust derived from a payment made in consequence of a personal injury;
 - (c) a personal pension scheme, occupational pension scheme or a payment made by the Board of the Pension Protection Fund where the applicant has not attained the qualifying age for state pension credit;
 - (d) any sum to which paragraph 50(2)(a) of Schedule 10 (capital disregards: persons who are not pensioners) applies which is administered in the way referred to in paragraph 50(1)(a);
 - (e) any sum to which paragraph 51(a) of Schedule 10 refers;
 - (f) rehabilitation allowance made under section 2 of the Employment and Training Act 1973;
 - (g) child tax credit;
 - (h) working tax credit, or
 - (i) any sum to which sub-paragraph (11) applies,
 - (j) any income which would become available to the applicant upon application being made, but which has not been acquired by him, is to be treated as possessed by the applicant but only from the date on which it could be expected to be acquired were an application made.
 - (3) Any payment of income, other than a payment of income specified in sub-paragraph (4), made—
 - (a) to a third party in respect of a single applicant or a member of the family (but not a member of the third party's family) must, where that payment is a payment of an occupational pension, a pension or other periodical payment made under a personal pension scheme or a payment made by the Board of the Pension Protection Fund, be treated as possessed by that single applicant or, as the case may be, by that member;
 - (b) to a third party in respect of a single applicant or in respect of a member of the family (but not a member of the third party's family) must, where it is not a payment referred to in paragraph (a), be treated as possessed by that single applicant or by that member to the extent that it is used for the food, ordinary clothing or footwear, household fuel or rent of that single applicant or, as the case may be, of any member of that family or is used for any council tax or water charges for which that applicant or member is liable;
 - (c) to a single applicant or a member of the family in respect of a third party (but not in respect of another member of that family) must be treated as possessed by that single applicant or, as the case may be, that member of the family to the extent that it is kept or used by him or used by or on behalf of any member of the family.
 - (4) Sub-paragraph (3) does not apply in respect of a payment of income made—
 - (a) under or by the Macfarlane Trust, the Macfarlane (Special Payments) Trust, the Macfarlane (Special Payments) (No. 2) Trust, the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation, or the Independent Living Fund (2006);
 - (b) pursuant to section 19(1)(a) of the Coal Industry Act 1994 (concessionary coal);
 - (c) pursuant to section 2 of the Employment and Training Act 1973 in respect of a person's participation—
 - (i) in an employment programme specified in regulation 75(1)(a)(ii) of the Jobseeker's Allowance Regulations 1996(144);
 - (ii) in a training scheme specified in regulation 75(1)(b)(ii) of those Regulations;
 - (iii) in the Intense Activity Period specified in regulation 75(1)(a)(iv) of those Regulations;

- (iv) in a qualifying course within the meaning specified in regulation 17A(7) of those Regulations; or
- (v) in the Flexible New Deal specified in regulation 75(1)(a)(v) of those Regulations;
- (d) in respect of a person's participation in the Work for Your Benefit Pilot Scheme;
- (e) in respect of a person's participation in the Mandatory Work Activity Scheme;
- (f) in respect of an applicant's participation in the Employment, Skills, and Enterprise Scheme;
- (g) under an occupational pension scheme, in respect of a pension or other periodical payment made under a personal pension scheme or a payment made by the Board of the Pension Protection Fund where—
- (i) a bankruptcy order has been made in respect of the person in respect of whom the payment has been made or, in Scotland, the estate of that person is subject to sequestration or a judicial factor has been appointed on that person's estate under section 41 of the Solicitors (Scotland) Act 1980;
- (ii) the payment is made to the trustee in bankruptcy or any other person acting on behalf of the creditors; and
- (iii) the person referred to in sub-paragraph (i) and any member of his family does not possess, or is not treated as possessing, any other income apart from that payment.
- (5) Where an applicant is in receipt of any benefit under the benefit Acts and the rate of that benefit is altered with effect from a date on or after 1st April in any year but not more than 14 days thereafter, the authority must treat the applicant as possessing such benefit at the altered rate from either 1st April or the first Monday in April in that year, whichever date the authority selects, to the date on which the altered rate is to take effect.
- (6) Subject to sub-paragraph (7), where—
- (a) an applicant performs a service for another person; and
- (b) that person makes no payment of earnings or pays less than that paid for a comparable employment in the area,
- the authority must treat the applicant as possessing such earnings (if any) as is reasonable for that employment unless the applicant satisfies the authority that the means of that person are insufficient for him to pay or to pay more for the service.
- (7) Sub-paragraph (6) does not apply—
- (a) to an applicant who is engaged by a charitable or voluntary organisation or who is a volunteer if the authority is satisfied in any of those cases that it is reasonable for him to provide those services free of charge; or
- (b) in a case where the service is performed in connection with—
- (i) the applicant's participation in an employment or training programme in accordance with regulation 19(1)(q) of the Jobseeker's Allowance Regulations 1996, other than where the service is performed in connection with the applicant's participation in the Intense Activity Period specified in regulation 75(1)(a)(iv) of those Regulations; or
- (ii) the applicant's or the applicant's partner's participation in an employment or training programme as defined in regulation 19(3) of those Regulations for which a training allowance is not payable or, where such an allowance is payable, it is payable for the sole purpose of reimbursement of travelling or meal expenses to the person participating in that programme; or
- (c) to an applicant who is participating in a work placement approved by the Secretary of State (or a person providing services to the Secretary of State) before the placement starts.
- (8) In sub-paragraph (7)(c) "work placement" means practical work experience which is not undertaken in expectation of payment.
- (9) Where an applicant is treated as possessing any income under any of sub-paragraphs (1) to (8), the foregoing provisions of this Part apply for the purposes of calculating the amount of that income as if a payment had actually been made and as if it were actual income which he does possess.
- (10) Where an applicant is treated as possessing any earnings under sub-paragraph (6) the foregoing provisions of this Part apply for the purposes of calculating the amount of those earnings as if a payment had actually been made and as if they were actual earnings which he does possess except that paragraph 42(2) or 52(3) (calculation of net earnings of employed earners: pensioners and persons who are not pensioners, respectively) do not apply and his net earnings are to be calculated by taking into account those earnings which he is treated as possessing, less—

- (a) an amount in respect of income tax equivalent to an amount calculated by applying to those earnings the basic rate of tax applicable to the assessment period less only the personal relief to which the applicant is entitled under sections 35 to 37 of the Income Tax Act 2007 (personal allowances) as is appropriate to his circumstances; but, if the assessment period is less than a year, the earnings to which the basic rate of tax is to be applied and the amount of the personal relief deductible under this sub-paragraph is to be calculated on a pro rata basis;
 - (b) an amount equivalent to the amount of the primary Class 1 contributions that would be payable by him under the SSCBA in respect of those earnings if such contributions were payable; and
 - (c) one-half of any sum payable by the applicant by way of a contribution towards an occupational or personal pension scheme.
- (11) Sub-paragraphs (1), (2), (3) and (6) do not apply in respect of any amount of income other than earnings, or earnings of an employed earner, arising out of the applicant participating as a service user.

CHAPTER 6 Income: further provisions applying to pensioners and persons who are not pensioners.

Calculation of income on a weekly basis

- 57.—(1) Subject to paragraph 60 (disregard of changes in tax, etc.), the income of an applicant is to be calculated on a weekly basis—
- (a) by estimating the amount which is likely to be his average weekly income in accordance with this Part;
 - (b) by adding to that amount, the weekly income calculated—
 - (c) if the applicant is a pensioner, under paragraph 71 (tariff income: pensioners);
 - a. (ii) if the applicant is a person who is not a pensioner, under paragraph 72 (tariff income: persons who are not pensioners); and
 - (d) deducting from the sum of paragraphs (a) and (b) any relevant child care charges to which paragraph 58 (treatment of child care charges) applies from any earnings which form part of the average weekly income or, in a case where the conditions in sub-paragraph (2) are met, from those earnings plus whichever credit specified in paragraph (b) of that sub-paragraph is appropriate, up to a maximum deduction in respect of the applicant's family of whichever of the sums specified in sub-paragraph (3) applies in his case.
- (2) The conditions of this paragraph are that—
- (a) the applicant's earnings which form part of his average weekly income are less than the lower of either his relevant child care charges or whichever of the deductions specified in sub-paragraph (3) otherwise applies in his case; and
 - (b) that applicant or, if he is a member of a couple either the applicant or his partner, is in receipt of either working tax credit or child tax credit.
- (3) The maximum deduction to which sub-paragraph (1)(c) above refers is to be—
- (a) where the applicant's family includes only one child in respect of whom relevant child care charges are paid, £175.00 per week;
 - (b) where the applicant's family includes more than one child in respect of whom relevant child care charges are paid, £300 per week.

Treatment of child care charges

- 58.—(1) This paragraph applies where an applicant (within the meaning in this paragraph) is incurring relevant child care charges and—
- (a) is a lone parent and is engaged in remunerative work;
 - (b) is a member of a couple both of whom are engaged in remunerative work; or
 - (c) is a member of a couple where one member is engaged in remunerative work and the other—
 - (i) is incapacitated;
 - (ii) is an in-patient in hospital; or
 - (iii) is in prison (whether serving a custodial sentence or remanded in custody awaiting trial or sentence).
- (2) For the purposes of sub-paragraph (1) and subject to sub-paragraph (4), a person to whom sub-paragraph

(3) applies must be treated as engaged in remunerative work for a period not exceeding 28 weeks during which he—

- (a) is paid statutory sick pay;
- (b) is paid short-term incapacity benefit at the lower rate under sections 30A to 30E of the SSCBA;
- (c) is paid an employment and support allowance;
- (d) is paid income support on the grounds of incapacity for work under regulation 4ZA of, and paragraph 7 or 14 of Schedule 1B to, the Income Support (General) Regulations 1987; or
- (e) is credited with earnings on the grounds of incapacity for work or limited capability for work under regulation 8B of the Social Security (Credits) Regulations 1975.

This sub-paragraph applies to a person who was engaged in remunerative work immediately before—

- (a) the first day of the period in respect of which he was first paid statutory sick pay, short-term incapacity benefit, an employment and support allowance or income support on the grounds of incapacity for work; or
- (b) the first day of the period in respect of which earnings are credited, as the case may be.

(4) In a case to which sub-paragraph (2)(d) or (e) applies, the period of 28 weeks begins on the day on which the person is first paid income support or on the first day of the period in respect of which earnings are credited, as the case may be.

(5) Relevant child care charges are those charges for care to which sub-paragraphs (6) and (7) apply and are to be calculated on a weekly basis in accordance with sub-paragraph (10).

(6) The charges are paid by the applicant for care which is provided—

- (a) in the case of any child of the applicant's family who is not disabled, in respect of the period beginning on that child's date of birth and ending on the day preceding the first Monday in September following that child's fifteenth birthday; or
- (b) in the case of any child of the applicant's family who is disabled, in respect of the period beginning on that person's date of birth and ending on the day preceding the first Monday in September following that person's sixteenth birthday.

(7) The charges are paid for care which is provided by one or more of the care providers listed in sub-paragraph (8) and are not paid—

- (a) in respect of the child's compulsory education;
- (b) by an applicant to a partner or by a partner to an applicant in respect of any child for whom either or any of them is responsible in accordance with paragraph 7 (circumstances in which a person is treated as responsible or not responsible for another); or
- (c) in respect of care provided by a relative of the child wholly or mainly in the child's home.

(8) The care to which sub-paragraph (7) refers may be provided—

- (a) (out of school hours, by a school on school premises or by a local authority—
 - (i) for children who are not disabled in respect of the period beginning on their eighth birthday and ending on the day preceding the first Monday in September following their fifteenth birthday; or
 - (ii) for children who are disabled in respect of the period beginning on their eighth birthday and ending on the day preceding the first Monday in September following their sixteenth birthday; or
- (b) by a child care provider approved in accordance with the Tax Credit (New Category of Child Care Provider) Regulations 1999; or
- (c) by persons registered under Part 2 of the Children and Families (Wales) Measure 2010; or
- (d) by a person who is excepted from registration under Part 2 of the Children and Families (Wales) Measure 2010 because the child care that person provides is in a school or establishment referred to in article 11, 12 or 14 of the Child Minding and Day Care Exceptions (Wales) Order 2010; or
- (e) by—
 - (i) persons registered under section 59(1) of the Public Services Reform (Scotland) Act 2010; or
 - (ii) local authorities registered under section 83(1) of that Act, where the care provided is child minding or day care of children within the meaning of that Act; or

- (f) by a person prescribed in regulations made pursuant to section 12(4) of the Tax Credits Act 2002; or
 - (g) by a person who is registered under Chapter 2 or 3 of Part 3 of the Childcare Act 2006; or
 - (h) by any of the schools mentioned in section 34(2) of the Childcare Act 2006 in circumstances where the requirement to register under Chapter 2 of Part 3 of that Act does not apply by virtue of section 34(2) of that Act; or
 - (i) by any of the schools mentioned in section 53(2) of the Childcare Act 2006 in circumstances where the requirement to register under Chapter 3 of Part 3 of that Act does not apply by virtue of section 53(2) of that Act; or
 - (j) by any of the establishments mentioned in section 18(5) of the Childcare Act 2006 in circumstances where the care is not included in the meaning of “childcare” for the purposes of Part 1 and Part 3 of that Act by virtue of that subsection; or
 - (k) by a foster parent or kinship carer under the Fostering Services Regulations 2011, the Fostering Services (Wales) Regulations 2003 or the Looked After Children (Scotland) Regulations 2009 in relation to a child other than one whom the foster parent is fostering or kinship carer is looking after; or
 - (l) by a provider of personal care within the meaning of paragraph 1 of Schedule 1 to the Health and Social Care Act 2008 (Regulated Activities) Regulations 2010 and being a regulated activity prescribed by those Regulations or by a person who is employed, or engaged under a contract for services, to provide care and support by the provider of a domiciliary support service within the meaning of Part 1 of the Regulation and Inspection of Social Care (Wales) Act 2016; or
 - (m) by a person who is not a relative of the child wholly or mainly in the child’s home.
- (9) In sub-paragraphs (6) and (8)(a), “the first Monday in September” means the Monday which first occurs in the month of September in any year.
- (10) Relevant child care charges must be estimated over such period, not exceeding a year, as is appropriate in order that the average weekly charge may be estimated accurately having regard to information as to the amount of that charge provided by the child minder or person providing the care.
- (11) For the purposes of sub-paragraph (1)(c) the other member of a couple is incapacitated where—
- (a) the applicant is a pensioner and the other member of the couple is aged not less than 80;
 - (b) the applicant is a pensioner and the other member of the couple is aged less than 80, and—
 - (i) the additional condition specified in paragraph 10 of Schedule 3 (additional condition for the disability premium) to this scheme is treated as applying in his case; and
 - (ii) he satisfies that conditions or would satisfy it but for his being treated as capable of work by virtue of a determination made in accordance with regulations made under section 171E of the SSCBA;
 - (c) the applicant is not a pensioner, the applicant’s applicable amount includes a disability premium on account of the other member’s incapacity or the support component or the work-related activity component on account of his having limited capability for work;
 - (d) the applicant is not a pensioner, the applicant’s applicable amount would include a disability premium on account of the other member’s incapacity but for that other member being treated as capable of work by virtue of a determination made in accordance with regulations made under section 171E of the SSCBA;
 - (e) the applicant’s applicable amount would include the support component or the work-related activity component on account of the other member having limited capability for work but for that other member being treated as not having limited capability for work by virtue of a determination made in accordance with the Employment and Support Allowance Regulations 2008;
 - (f) he is, or is treated as, incapable of work and has been so incapable, or has been so treated as incapable, of work in accordance with the provisions of, and regulations made under, Part 12A of the SSCBA (incapacity for work) for a continuous period of not less than 196 days; and for this purpose, any two or more separate periods separated by a break of not more than 56 days must be treated as one continuous period;
 - (g) he is, or is treated as having, limited capability for work and has had, or been treated as having, limited capability for work in accordance with the Employment and Support Allowance Regulations 2008 for a continuous period of not less than 196 days and for this purpose any two or more separate periods separated by a break of not more than 84 days must be treated as one continuous period;
 - (h) there is payable in respect of him one or more of the following pensions or allowances—

- (i) long-term incapacity benefit or short-term incapacity benefit at the higher rate under Schedule 4 to the SSCBA;
- (ii) attendance allowance under section 64 of the SSCBA;
- (iii) severe disablement allowance under section 68 of the SSCBA;
- (iv) disability living allowance under section 71 of the SSCBA;
- (v) personal independence payment;
- (vi) an AFIP;
- (vii) increase of disablement pension under section 104 of the SSCBA;
- (viii) a pension increase paid as part of a war disablement pension or under an industrial injuries scheme which is analogous to an allowance or increase of disablement pension under sub-paragraph (ii), (iv), (v) or (vii) above;
- (ix) main phase employment and support allowance;
- (x) adult disability payment
- (i) a pension or allowance to which sub-paragraph (vii) or (viii) of paragraph (h) above refers was payable on account of his incapacity but has ceased to be payable in consequence of his becoming a patient, which in this paragraph means a person (other than a person who is serving a sentence of imprisonment or detention in a youth custody institution) who is regarded as receiving free in-patient treatment within the meaning of regulation 2(4) and (5) of the Social Security (Hospital In-Patients) Regulations 2005;
- (j) an attendance allowance under section 64 of the SSCBA or disability living allowance would be payable to that person but for—
- (i) a suspension of benefit in accordance with regulations under section 113(2) of the SSCBA; or
- (ii) an abatement as a consequence of hospitalisation;
- (k) the daily living component of personal independence payment would be payable to that person but for a suspension of benefit in accordance with regulations under section 86 of the Welfare Reform Act 2012 (hospital in-patients);
- (l) an AFIP would be payable to that person but for any suspension of payment in accordance with any terms of the armed and reserve forces compensation scheme which allow for a suspension because a person is undergoing medical treatment in a hospital or similar institution;
- (m) paragraph (h), (i), (j) or (k) would apply to him if the legislative provisions referred to in those paragraphs were provisions under any corresponding enactment having effect in Northern Ireland; or
- (n) he has an invalid carriage or other vehicle provided to him by the Secretary of State or a clinical commissioning group under paragraph 9 of Schedule 1 to the National Health Service Act 2006 or under section 46 of the National Health Service (Scotland) Act 1978 or provided by the Department of Health, Social Services and Public Safety in Northern Ireland under Article 30(1) of the Health and Personal Social Services (Northern Ireland) Order 1972.
- (12) For the purposes of sub-paragraph (11), once sub-paragraph (11)(f) applies to the person, if he then ceases, for a period of 56 days or less, to be incapable, or to be treated as incapable, of work, that sub-paragraph is, on his again becoming so incapable, or so treated as incapable, of work at the end of that period, immediately thereafter to apply to him for so long as he remains incapable, or is treated as remaining incapable, of work.
- (13) For the purposes of sub-paragraph (11), once sub-paragraph (11)(g) applies to the person, if he then ceases, for a period of 84 days or less, to have, or to be treated as having, limited capability for work, that paragraph is, on his again having, or being treated as having, limited capability for work at the end of that period, immediately thereafter to apply to him for so long as he has, or is treated as having, limited capability for work.
- (14) For the purposes of sub-paragraphs (6) and (8)(a), a person is disabled if he is a person—
- (a) to whom an attendance allowance or the care component of disability allowance is payable or would be payable but for—
- (i) a suspension of benefit in accordance with regulations under section 113(2) of the SSCBA; or
- (ii) an abatement as a consequence of hospitalisation;
- (b) to whom the daily living component of personal independence payment is payable or would be payable but for a suspension of benefit in accordance with regulations under section 86 of the Welfare Reform Act 2012 (hospital in-patients);
- (ba) in respect of whom adult disability payment is payable or has ceased to be payable solely by virtue of regulation 28 (effect of admission to hospital on ongoing entitlement to Adult Disability Payment) of the DAWAP Regulations

- (c) who is registered as blind in a register compiled under section 29 of the National Assistance Act 1948 (welfare services) or, in Scotland, has been certified as blind and in consequence he is registered as blind in a register maintained by or on behalf of a council constituted under section 2 of the Local Government (Scotland) Act 1994; or
- (d) who ceased to be registered as blind in such a register within the period beginning 28 weeks before the first Monday in September following that person's fifteenth birthday and ending on the day preceding that person's sixteenth birthday.
- (15) For the purposes of sub-paragraph (1) a person on maternity leave, paternity leave or adoption leave is to be treated as if he is engaged in remunerative work for the period specified in sub-paragraph (16) ("the relevant period") provided that—
- (a) in the week before the period of maternity leave, paternity leave or adoption leave began he was in remunerative work;
 - (b) the applicant is incurring relevant child care charges within the meaning of sub-paragraph (5); and
 - (c) he is entitled to either statutory maternity pay under section 164 of the SSCBA, ordinary statutory paternity pay by virtue of section 171ZA or 171ZB of that Act, additional statutory paternity pay by virtue of section 171ZEA or 171ZEB of that Act, statutory adoption pay by section 171ZL of that Act, maternity allowance under section 35 of that Act or qualifying support.
- (16) For the purposes of sub-paragraph (15) the relevant period begins on the day on which the person's maternity, paternity leave or adoption leave commences and ends on—
- (a) the date that leave ends;
 - (b) if no child care element of working tax credit is in payment on the date that entitlement to maternity allowance, qualifying support, statutory maternity pay, ordinary or additional statutory paternity pay or statutory adoption pay ends, the date that entitlement ends; or
 - (c) if a child care element of working tax credit is in payment on the date that entitlement to maternity allowance or qualifying support, statutory maternity pay, ordinary or additional statutory paternity pay or statutory adoption pay ends, the date that entitlement to that award of the child care element of the working tax credit ends,
- whichever occurs first.
- (17) In sub-paragraphs (15) and (16)—
- (a) "qualifying support" means income support to which that person is entitled by virtue of paragraph 14B of Schedule 1B to the Income Support (General) Regulations 1987; and
 - (b) "child care element" of working tax credit means the element of working tax credit prescribed under section 12 of the Tax Credits Act 2002 (child care element).
- (18) In this paragraph "applicant" does not include an applicant—
- (a) who has, or
 - (b) who (jointly with his partner) has,
 - (c) an award of universal credit.

Calculation of average weekly income from tax credits

- 59.—(1) This paragraph applies where an applicant receives a tax credit.
- (2) Where this paragraph applies, the period over which a tax credit is to be taken into account is the period set out in sub-paragraph (3).
- (3) Where the instalment in respect of which payment of a tax credit is made is—
- (a) a daily instalment, the period is 1 day, being the day in respect of which the instalment is paid;
 - (b) a weekly instalment, the period is 7 days, ending on the day on which the instalment is due to be paid;
 - (c) a two weekly instalment, the period is 14 days, commencing 6 days before the day on which the instalment is due to be paid;
 - (d) a four weekly instalment, the period is 28 days, ending on the day on which the instalment is due to be paid.
- (4) For the purposes of this paragraph "tax credit" means child tax credit or working tax credit.

Disregard of changes in tax, contributions etc.

60. In calculating the applicant's income the authority may disregard any legislative change—
- (a) in the basic or other rates of income tax;
 - (b) in the amount of any personal tax relief;
 - (c) in the rates of social security contributions payable under the SSCBA or in the lower earnings limit or upper earnings limit for Class 1 contributions under that Act, the lower or upper limits applicable to Class 4 contributions under that Act or the amount specified in section 11(4) of that Act (small profits threshold in relation to Class 2 contributions);
 - (d) in the amount of tax payable as a result of an increase in the weekly rate of Category A, B, C or D retirement pension or any addition thereto or any graduated pension payable under the SSCBA;
 - (e) in the maximum rate of child tax credit or working tax credit, for a period not exceeding 30 reduction weeks beginning with the reduction week immediately following the date from which the change is effective.

Calculation of net profit of self-employed earners

- 61.—(1) For the purposes of paragraphs 48 (average weekly earnings of self-employed earners: persons who are not pensioners) and 57 (calculation of income on a weekly basis) the earnings of an applicant to be taken into account must be—
- (a) in the case of a self-employed earner who is engaged in employment on his own account, the net profit derived from that employment;
 - (b) in the case of a self-employed earner who is a pensioner whose employment is carried on in partnership, his share of the net profit derived from that employment, less—
 - (i) an amount in respect of income tax and of social security contributions payable under the SSCBA calculated in accordance with paragraph 62 (deduction of tax and contributions of self-employed earners); and
 - (ii) one-half of the amount calculated in accordance with sub-paragraph (11) in respect of any qualifying premium;
 - (c) in the case of a self-employed earner who is not a pensioner whose employment is carried on in partnership or is that of a share fisherman within the meaning of the Social Security (Mariners' Benefits) Regulations 1975, his share of the net profit derived from that employment, less—
 - (i) an amount in respect of income tax and of social security contributions payable under the SSCBA calculated in accordance with paragraph 62 (deduction of tax and contributions for self-employed earners); and
 - (ii) one-half of the amount calculated in accordance with sub-paragraph (11) in respect of any qualifying premium.
- (2) There must be disregarded from the net profit of an applicant who is not a pensioner, any sum, where applicable, specified in paragraphs 1 to 16 of Schedule 7 (sums disregarded in the calculation of earnings: persons who are not pensioners).
- (3) For the purposes of sub-paragraph (1)(a) the net profit of the employment must, except where sub-paragraph (9) applies, be calculated by taking into account the earnings of the employment over the assessment period less—
- (a) subject to sub-paragraphs (5) to (8), any expenses wholly and exclusively incurred in that period for the purposes of that employment;
 - (b) an amount in respect of—
 - (i) income tax; and
 - (ii) social security contributions payable under the SSCBA, calculated in accordance with paragraph 62 (deduction of tax and contributions for self-employed earners); and
 - (c) one-half of the amount calculated in accordance with sub-paragraph (11) in respect of any qualifying premium.
- (4) For the purposes of sub-paragraph (1)(b) the net profit of the employment is to be calculated by taking into account the earnings of the employment over the assessment period less, subject to sub-paragraphs (5) to (8), any expenses wholly and exclusively incurred in that period for the purposes of the employment.
- (5) Subject to sub-paragraph (6), no deduction is to be made under sub-paragraph (3)(a) or (4), in respect of—

- (a) any capital expenditure;
 - (b) the depreciation of any capital asset;
 - (c) any sum employed or intended to be employed in the setting up or expansion of the employment;
 - (d) any loss incurred before the beginning of the assessment period;
 - (e) the repayment of capital on any loan taken out for the purposes of the employment;
 - (f) any expenses incurred in providing business entertainment; and
 - (g) in the case of an applicant who is not a pensioner, any debts, except bad debts proved to be such, but this paragraph does not apply to any expenses incurred in the recovery of a debt.
- (6) A deduction is to be made under sub-paragraph (3)(a) or (4) in respect of the repayment of capital on any loan used for—
- (a) the replacement in the course of business of equipment or machinery; or
 - (b) the repair of an existing business asset except to the extent that any sum is payable under an insurance policy for its repair.
- (7) The authority must refuse to make a deduction in respect of any expenses under sub-paragraph (3)(a) or (4) where it is not satisfied given the nature and the amount of the expense that it has been reasonably incurred.
- (8) For the avoidance of doubt—
- (a) a deduction must not be made under sub-paragraph (3)(a) or (4) in respect of any sum unless it has been expended for the purposes of the business;
 - (b) a deduction must be made thereunder in respect of—
 - (i) the excess of any value added tax paid over value added tax received in the assessment period;
 - (ii) any income expended in the repair of an existing business asset except to the extent that any sum is payable under an insurance policy for its repair;
 - (iii) any payment of interest on a loan taken out for the purposes of the employment.
- (9) Where an applicant is engaged in employment as a child minder the net profit of the employment is to be one-third of the earnings of that employment, less—
- (a) an amount in respect of—
 - (i) income tax; and
 - (ii) social security contributions payable under the SSCBA,
 - (iii) calculated in accordance with paragraph 62 (deduction of tax and contributions for self-employed earners); and
 - (b) one-half of the amount calculated in accordance with sub-paragraph (11) in respect of any qualifying premium.
- (10) For the avoidance of doubt where an applicant is engaged in employment as a self-employed earner and he is also engaged in one or more other employments as a self-employed or employed earner any loss incurred in any one of his employments must not be offset against his earnings in any other of his employments.
- (11) The amount in respect of any qualifying premium is to be calculated by multiplying the daily amount of the qualifying premium by the number equal to the number of days in the assessment period; and for the purposes of this paragraph the daily amount of the qualifying premium must be determined—
- (a) where the qualifying premium is payable monthly, by multiplying the amount of the qualifying premium by 12 and dividing the product by 365;
 - (b) in any other case, by dividing the amount of the qualifying premium by the number equal to the number of days in the period to which the qualifying premium relates.
- (12) In this paragraph, “qualifying premium” means any premium which is payable periodically in respect of a personal pension scheme and is so payable on or after the date of application.

Calculation of deduction of tax and contributions of self-employed earners

- 62.—(1) The amount to be deducted in respect of income tax under paragraph 61(1)(b)(i), (3)(b)(i) or (9)(a)(i) (calculation of net profit of self-employed earners) must be calculated—
- (a) on the basis of the amount of chargeable income, and

- (b) as if that income were assessable to income tax at the basic rate or in the case of a Scottish taxpayer the Scottish basic rate of tax applicable to the assessment period less only the personal relief to which the applicant is entitled under sections 35 to 37 of the Income Tax Act 2007 (personal allowances) as is appropriate to his circumstances.
- (2) But, if the assessment period is less than a year, the earnings to which the basic rate of tax is to be applied and the amount of the personal reliefs deductible under this paragraph must be calculated on a pro rata basis.
- (3) The amount to be deducted in respect of social security contributions under paragraph 60(1)(b)(i), (3)(b)(ii) or (9)(a)(ii) is the total of—
- (a) the amount of Class 2 contributions payable under section 11(2) or, as the case may be, 11(8) of the SSCBA at the rate applicable to the assessment period except where the applicant's chargeable income is less than the amount specified in section 11(4) of that Act (small earnings exception) for the tax year applicable to the assessment period; but if the assessment period is less than a year, the amount specified for that tax year must be reduced pro rata; and
 - (b) the amount of Class 4 contributions (if any) which would be payable under section 15 of the SSCBA (Class 4 contributions recoverable under the Income Tax Acts) at the percentage rate applicable to the assessment period on so much of the chargeable income as exceeds the lower limit but does not exceed the upper limit of profits and gains applicable for the tax year applicable to the assessment period; but if the assessment period is less than a year, those limits must be reduced pro rata.
- (4) In this paragraph “chargeable income” means—
- (a) except where paragraph (b) applies, the earnings derived from the employment less any expenses deducted under sub-paragraph (3)(a) or, as the case may be, (5) of paragraph 61;
 - (b) in the case of employment as a child minder, one-third of the earnings of that employment.

CHAPTER 7 Capital Calculation of capital

- 63.—(1) The capital of an applicant to be taken into account must be, subject to sub-paragraph (2), the whole of his capital calculated in accordance with this Part and (in the case of persons who are not pensioners) any income treated as capital under paragraph 64 (income treated as capital: persons who are not pensioners).
- (2) There must be disregarded from the calculation of an applicant's capital under sub-paragraph (1), any capital, where applicable, specified in—
- (a) Schedule 9, in relation to pensioners;
 - (b) Schedule 10, in relation to persons who are not pensioners.
- (3) In the case of an applicant who is a pensioner, his capital is to be treated as including any payment made to him by way of arrears of—
- (i) child tax credit;
 - (ii) working tax credit;
 - (iii) state pension credit,
- if the payment was made in respect of a period for the whole or part of which a reduction under this scheme was allowed before those arrears were paid.
- (4) The capital of a child or young person who is a member of the family of an applicant who is not a pensioner must not be treated as capital of the applicant.

Income treated as capital: persons who are not pensioners.

- 64.—(1) This paragraph applies in relation to persons who are not pensioners.
- (2) Any bounty derived from employment to which paragraph 9 of Schedule 7 (sums disregarded in the calculation of earnings: persons who are not pensioners) applies and paid at intervals of at least one year is to be treated as capital.
- (3) Any amount by way of a refund of income tax deducted from profits or emoluments chargeable to income tax under Schedule D or E is to be treated as capital.

- (4) Any holiday pay which is not earnings under paragraph 41(1)(d) or 51(1)(d) (earnings of employed earners) is to be treated as capital.
- (5) Except any income derived from capital disregarded under paragraphs 4, 5, 7, 11, 17, 30 to 33, 50 or 51 of Schedule 10 (capital disregards: persons who are not pensioners), any income derived from capital is to be treated as capital but only from the date it is normally due to be credited to the applicant's account.
- (6) In the case of employment as an employed earner, any advance of earnings or any loan made by the applicant's employer is to be treated as capital.
- (7) Any charitable or voluntary payment which is not made or due to be made at regular intervals, other than a payment which is made under or by the Trusts, the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation, the Independent Living Fund (2006) or the London Bombings Charitable Relief Fund, is to be treated as capital.
- (8) There is to be treated as capital the gross receipts of any commercial activity carried on by a person in respect of which assistance is received under the self-employment route, but only in so far as those receipts were payable into a special account during the period in which that person was receiving such assistance.
- (9) Any arrears of subsistence allowance which are paid to an applicant as a lump sum must be treated as capital.
- (10) Any arrears of working tax credit or child tax credit must be treated as capital.

Calculation of capital in the United Kingdom

65. Capital which an applicant possesses in the United Kingdom is to be calculated at its current market or surrender value less—
- (a) where there would be expenses attributable to the sale, 10 per cent; and
 - (b) the amount of any encumbrance secured on it.

Calculation of capital outside the United Kingdom

66. Capital which an applicant possesses in a country outside the United Kingdom must be calculated—
- (a) in a case where there is no prohibition in that country against the transfer to the United Kingdom of an amount equal to its current market or surrender value in that country, at that value;
 - (b) in a case where there is such a prohibition, at the price which it would realise if sold in the United Kingdom to a willing buyer,
- less, where there would be expenses attributable to sale, 10 per cent and the amount of any encumbrances secured on it.

Notional capital

- 67.—(1) An applicant is to be treated as possessing capital of which he has deprived himself for the purpose of securing entitlement to a reduction or increasing the amount of that reduction except to the extent that that capital is reduced in accordance with paragraph 68 (diminishing notional capital rule).
- (2) A person who is a pensioner who disposes of capital for the purpose of—
- (a) reducing or paying a debt owed by the applicant; or
 - (b) purchasing goods or services if the expenditure was reasonable in the circumstances of the applicant's case,
- is to be regarded as not depriving himself of it.
- (3) Sub-paragraphs (4) to (6) apply in relation to applicants who are not pensioners.
- (4) Except in the case of—
- (a) a discretionary trust; or

- (b) a trust derived from a payment made in consequence of a personal injury; or
- (c) any loan which would be obtained only if secured against capital disregarded under Schedule 9; or
- (d) a personal pension scheme, occupational pension scheme or a payment made by the Board of the Pension Protection Fund; or
- (e) any sum to which paragraph 50(2)(a) of Schedule 10 (capital disregards: persons who are not pensioners) applies which is administered in the way referred to in paragraph 50(1)(a); or
- (f) any sum to which paragraph 51(a) of Schedule 10 refers; or
- (g) child tax credit; or
- (h) working tax credit,
- any capital which would become available to the applicant upon application being made, but which has not been acquired by him, is to be treated as possessed by him but only from the date on which it could be expected to be acquired were an application made.
- (5) Any payment of capital, other than a payment of capital specified in sub-paragraph (6), made—
- (a) to a third party in respect of a single applicant or a member of the family (but not a member of the third party's family) must, where that payment is a payment of an occupational pension, a pension or other periodical payment made under a personal pension scheme or a payment made by the Board of the Pension Protection Fund, be treated as possessed by that single applicant or, as the case may be, by that member;
- (b) to a third party in respect of a single applicant or in respect of a member of the family (but not a member of the third party's family) must, where it is not a payment referred to in paragraph (a), be treated as possessed by that single applicant or by that member to the extent that it is used for the food, ordinary clothing or footwear, household fuel or rent of that single applicant or, as the case may be, of any member of that family or is used for any council tax or water charges for which that applicant or member is liable;
- (c) to a single applicant or a member of the family in respect of a third party (but not in respect of another member of the family) must be treated as possessed by that single applicant or, as the case may be, that member of the family to the extent that it is kept or used by him or used by or on behalf of any member of the family.
- (6) Sub-paragraph (5) does not apply in respect of a payment of capital made—
- (a) under or by any of the Trusts, the Fund, the Eileen Trust, MFET Limited, the Independent Living Fund (2006), the Skipton Fund, the Caxton Foundation, or the London Bombings Relief Charitable Fund;
- (b) pursuant to section 2 of the Employment and Training Act 1973 in respect of a person's participation—
- (i) in an employment programme specified in regulation 75(1)(a)(ii) of the Jobseeker's Allowance Regulations 1996;
- (ii) in a training scheme specified in regulation 75(1)(b)(ii) of those Regulations;
- (iii) in the Intense Activity Period specified in regulation 75(1)(a)(iv) of those Regulations;
- (iv) in a qualifying course within the meaning specified in regulation 17A(7) of those Regulations; or
- (v) in the Flexible New Deal specified in regulation 75(1)(a)(v) of those Regulations;
- (c) in respect of a person's participation in the Work for Your Benefit Pilot Scheme;
- (d) in respect of a person's participation in the Mandatory Work Activity Scheme;
- (e) in respect of an applicant's participation in the Employment, Skills, and Enterprise Scheme;
- (f) under an occupational pension scheme, in respect of a pension or other periodical payment made under a personal pension scheme or a payment made by the Board of the Pension Protection Fund where—
- (i) a bankruptcy order has been made in respect of the person in respect of whom the payment has been made or, in Scotland, the estate of that person is subject to sequestration or a judicial factor has been appointed on that person's estate under section 41 of the Solicitors (Scotland) Act 1980;
- (ii) the payment is made to the trustee in bankruptcy or any other person acting on behalf of the creditors; and
- (iii) the person referred to in sub-paragraph (i) and any member of his family does not possess, or is not treated as possessing, any other income apart from that payment.
- (7) Where an applicant stands in relation to a company in a position analogous to that of a sole owner or partner in the business of that company, he may be treated as if he were such sole owner or partner and in such a case—

- (a) the value of his holding in that company must, notwithstanding paragraph 63 (calculation of capital) be disregarded; and
 - (b) he must, subject to sub-paragraph (8), be treated as possessing an amount of capital equal to the value or, as the case may be, his share of the value of the capital of that company and the foregoing provisions of this Chapter apply for the purposes of calculating that amount as if it were actual capital which he does possess.
- (8) For so long as the applicant undertakes activities in the course of the business of the company, the amount which he is treated as possessing under sub-paragraph (7) is to be disregarded.
- (9) Where an applicant is treated as possessing capital under any of sub-paragraphs (1), (4) or (5) the foregoing provisions of this Chapter apply for the purposes of calculating its amount as if it were actual capital which he does possess.

Diminishing notional capital rule: pensioners

- 68.—(1) Where an applicant who is a pensioner is treated as possessing capital under paragraph 67(1) (notional capital), the amount which he is treated as possessing—
- (a) in the case of a week that is subsequent to—
 - (i) the relevant week in respect of which the conditions set out in sub-paragraph (2) are satisfied; or
 - (ii) a week which follows that relevant week and which satisfies those conditions, is to be reduced by an amount determined under sub-paragraph (3);
 - (b) in the case of a week in respect of which sub-paragraph (1)(a) does not apply but where—
 - (i) that week is a week subsequent to the relevant week; and
 - (ii) that relevant week is a week in which the condition in sub-paragraph (4) is satisfied, is to be reduced by the amount determined under sub-paragraph (5).
- (2) This sub-paragraph applies to a reduction week where the applicant satisfies the conditions that—
- (a) he is in receipt of a reduction under this scheme; and
 - (b) but for paragraph 67(1), he would have received a greater reduction in council tax under this scheme in that week.
- (3) In a case to which sub-paragraph (2) applies, the amount of the reduction in the amount of capital he is treated as possessing for the purposes of sub-paragraph (1)(a) must be equal to the aggregate of—
- (a) an amount equal to the additional amount of the reduction in council tax to which sub-paragraph (2)(b) refers;
 - (b) where the applicant has also claimed state pension credit, the amount of any state pension credit or any additional amount of state pension credit to which he would have been entitled in respect of the reduction week to which sub-paragraph (2) refers but for the application of regulation 21(1) of the State Pension Credit Regulations 2002 (notional capital);
 - (c) where the applicant has also claimed housing benefit, the amount of any housing benefit or any additional amount of housing benefit to which he would have been entitled in respect of the whole or part of the reduction week to which sub-paragraph (2) refers but for the application of regulation 47(1) of the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006 (notional capital);
 - (d) where the applicant has also claimed a jobseeker's allowance, the amount of an income-based jobseeker's allowance to which he would have been entitled in respect of the reduction week to which sub-paragraph (2) refers but for the application of regulation 113 of the Jobseeker's Allowance Regulations 1996 (notional capital); and
 - (e) where the applicant has also claimed an employment and support allowance, the amount of an income-related employment and support allowance to which he would have been entitled in respect of the reduction week to which sub-paragraph (2) refers but for the application of regulation 115 of the Employment and Support Allowance Regulations 2008 (notional capital).
- (4) Subject to sub-paragraph (7), for the purposes of sub-paragraph (1)(b) the condition is that the applicant is a pensioner and would have been entitled to a reduction in council tax under this scheme in the relevant week but for paragraph 67(1).
- (5) In such a case the amount of the reduction in the amount of capital he is treated as possessing for the purposes of sub-paragraph (1)(b) is equal to the aggregate of—
- (a) the amount of the reduction in council tax to which the applicant would have been entitled in the relevant week but for paragraph 67(1);

- (b) if the applicant would, but for regulation 21 of the State Pension Credit Regulations 2002, have been entitled to state pension credit in respect of the benefit week, within the meaning of regulation 1(2) of those Regulations (interpretation), which includes the last day of the relevant week, the amount to which he would have been entitled;
 - (c) if the applicant would, but for regulation 47(1) of the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006, have been entitled to housing benefit or to an additional amount of housing benefit in respect of the benefit week which includes the last day of the relevant week, the amount which is equal to—
 - (i) in a case where no housing benefit is payable, the amount to which he would have been entitled; or
 - (ii) in any other case, the amount equal to the additional amount of housing benefit to which he would have been entitled;
 - (d) if the applicant would, but for regulation 113 of the Jobseeker's Allowance Regulations 1996, have been entitled to an income-based jobseeker's allowance in respect of the benefit week, within the meaning of regulation 1(3) of those Regulations (interpretation), which includes the last day of the relevant week, the amount to which he would have been entitled; and
 - (e) if the applicant would, but for regulation 115 of the Employment and Support Allowance Regulations 2008, have been entitled to an income-related employment and support allowance in respect of the benefit week, within the meaning of regulation 2(1) of those Regulations (interpretation), which includes the last day of the relevant week, the amount to which he would have been entitled.
- (6) But if the amount mentioned in paragraph (a), (b), (c), (d) or (e) of sub-paragraph (5) ("the relevant amount") is in respect of a part-week, the amount that is to be taken into account under that paragraph is to be determined by—
- (a) dividing the relevant amount by the number equal to the number of days in that part-week, and
 - (b) multiplying the result of that calculation by 7.
- (7) The amount determined under sub-paragraph (5) is to be re-determined under that sub-paragraph if the applicant makes a further application and the conditions in sub-paragraph (8) are satisfied, and in such a case—
- (a) paragraphs (a) to (e) of sub-paragraph (5) apply as if for the words "relevant week" there were substituted the words "relevant subsequent week"; and
 - (b) subject to sub-paragraph (9), the amount as re-determined has effect from the first week following the relevant subsequent week in question.
- (8) The conditions are that—
- (a) a further application is made 26 or more weeks after—
 - (i) the date on which the applicant made an application in respect of which he was first treated as possessing the capital in question under paragraph 67(1);
 - (ii) in a case where there has been at least one re-determination in accordance with sub-paragraph (11), the date on which he last made an application which resulted in the weekly amount being re-determined, or
 - (iii) the date on which he last ceased to be entitled to a reduction under this scheme, whichever last occurred; and
 - (b) the applicant would have been entitled to a reduction under this scheme but for paragraph 67(1).
- (9) The amount as re-determined pursuant to sub-paragraph (7) must not have effect if it is less than the amount which applied in that case immediately before the re-determination and in such a case the higher amount must continue to have effect.
- (10) For the purposes of this paragraph—
"part-week"—
- (a) in relation to an amount mentioned in sub-paragraph (5)(a), means a period of less than a week for which a reduction in council tax under this scheme is allowed;
 - (b) in relation to an amount mentioned in sub-paragraph (5)(b), means a period of less than a week for which housing benefit is payable;
 - (c) in relation to an amount mentioned in sub-paragraph (5)(c), (d) or (e), means—
 - (i) a period of less than a week which is the whole period for which income support, an income-related employment and support allowance or, as the case may be, an income-based jobseeker's allowance is payable; and
 - (ii) any other period of less than a week for which it is payable;

“relevant week” means the reduction week or part-week in which the capital in question of which the applicant has deprived himself within the meaning of paragraph 67(1)—

- (a) was first taken into account for the purpose of determining his entitlement to a reduction; or
- (b) was taken into account on a subsequent occasion for the purpose of determining or re-determining his entitlement to a reduction on that subsequent occasion and that determination or re-determination resulted in his beginning to receive, or ceasing to receive, a reduction;

and where more than one reduction week is identified by reference to paragraphs (a) and (b) of this definition, the later or latest such reduction week or, as the case may be, the later or latest such part-week is the relevant week;

“relevant subsequent week” means the reduction week or part-week which includes the day on which the further application or, if more than one further application has been made, the last such application was made.

Diminishing notional capital rule: persons who are not pensioners.

69.—(1) Where an applicant who is not a pensioner is treated as possessing capital under paragraph 67(1) (notional capital), the amount which he is treated as possessing—

- (a) in the case of a week that is subsequent to—
 - (i) the relevant week in respect of which the conditions set out in sub-paragraph (2) are satisfied; or
 - (ii) a week which follows that relevant week and which satisfies those conditions,is to be reduced by an amount determined under sub-paragraph (3);
- (b) in the case of a week in respect of which sub-paragraph (1)(a) does not apply but where—
 - (i) that week is a week subsequent to the relevant week; and
 - (ii) that relevant week is a week in which the condition in sub-paragraph (4) is satisfied,is to be reduced by the amount determined under sub-paragraph (5).

(2) This sub-paragraph applies to a reduction week (or, in the case of persons who are not pensioners, part-week) where the applicant satisfies the conditions that—

- (a) he is in receipt of a reduction in council tax under this scheme; and
- (b) but for paragraph 67(1), he would have received a greater reduction in council tax under this scheme in that week.

(3) In a case to which sub-paragraph (2) applies, the amount of the reduction in the amount of capital he is treated as possessing for the purposes of sub-paragraph (1)(a) is equal to the aggregate of—

- (a) an amount equal to the additional amount of the reduction in council tax to which sub-paragraph (2)(b) refers;
- (b) where the applicant has also claimed housing benefit, the amount of any housing benefit or any additional amount of that benefit to which he would have been entitled in respect of the whole or part of the reduction week to which sub-paragraph (2) refers but for the application of regulation 49(1) of the Housing Benefit Regulations 2006 (notional capital);
- (c) where the applicant has also claimed income support, the amount of income support to which he would have been entitled in respect of the whole or part of the reduction week to which sub-paragraph (2) refers but for the application of regulation 51(1) of the Income Support (General) Regulations 1987 (notional capital);
- (d) where the applicant has also claimed a jobseeker’s allowance, the amount of an income-based jobseeker’s allowance to which he would have been entitled in respect of the whole or part of the reduction week to which sub-paragraph (2) refers but for the application of regulation 113 of the Jobseeker’s Allowance Regulations 1996 (notional capital); and
- (e) where the applicant has also claimed an employment and support allowance, the amount of an income-related employment and support allowance to which he would have been entitled in respect of the whole or part of the reduction week to which sub-paragraph (2) refers but for the application of regulation 115 of the Employment and Support Allowance Regulations 2008 (notional capital).

(4) Subject to sub-paragraph (7), for the purposes of sub-paragraph (1)(b) the condition is that the applicant is not a pensioner and would have been entitled to a reduction in council tax in the relevant week but for paragraph 67(1).

- (5) In such a case the amount of the reduction in the amount of capital he is treated as possessing must be equal to the aggregate of—
- (a) the amount of council tax benefit to which the applicant would have been entitled in the relevant week but for paragraph 67(1);
 - (b) if the applicant would, but for regulation 49(1) of the Housing Benefit Regulations 2006, have been entitled to housing benefit or to an additional amount of housing benefit in respect of the benefit week which includes the last day of the relevant week, the amount which is equal to—
 - a. (i) in a case where no housing benefit is payable, the amount to which he would have been entitled; or
 - b. (ii) in any other case, the amount equal to the additional amount of housing benefit to which he would have been entitled;
 - (c) if the applicant would, but for regulation 51(1) of the Income Support (General) Regulations 1987, have been entitled to income support in respect of the benefit week, within the meaning of regulation 2(1) of those Regulations (interpretation), which includes the last day of the relevant week, the amount to which he would have been entitled;
 - (d) if the applicant would, but for regulation 113 of the Jobseeker's Allowance Regulations 1996, have been entitled to an income-based jobseeker's allowance in respect of the benefit week, within the meaning of regulation 1(3) of those Regulations (interpretation), which includes the last day of the relevant week, the amount to which he would have been entitled; and
 - (e) if the applicant would, but for regulation 115 of the Employment and Support Allowance Regulations 2008, have been entitled to an income-related employment and support allowance in respect of the benefit week, within the meaning of regulation 2(1) of those Regulations (interpretation), which includes the last day of the relevant week, the amount to which he would have been entitled.
- (6) But if the amount mentioned in paragraph (a), (b), (c), (d) or (e) of sub-paragraph (5) ("the relevant amount") is in respect of a part-week, the amount that is to be taken into account under that paragraph is to be determined by—
- (a) dividing the relevant amount by the number equal to the number of days in that part-week, and
 - (b) multiplying the result of that calculation by 7.
- (7) The amount determined under sub-paragraph (5) is to be re-determined under the appropriate sub-paragraph if the applicant makes a further application and the conditions in sub-paragraph (8) are satisfied, and in such a case—
- (a) paragraphs (a) to (e) of sub-paragraph (5) apply as if for the words "relevant week" there were substituted the words "relevant subsequent week"; and
 - (b) subject to sub-paragraph (9), the amount as re-determined has effect from the first week following the relevant subsequent week in question.
- (8) The conditions are that—
- (a) a further application is made 26 or more weeks after—
 - (i) the date on which the applicant made an application for a reduction under this scheme in respect of which he was first treated as possessing the capital in question under paragraph 67(1);
 - (ii) in a case where there has been at least one re-determination in accordance with sub-paragraph (7), the date on which he last made an application under this scheme which resulted in the weekly amount being re-determined, or
 - (iii) the date on which he last ceased to be entitled to a reduction under this scheme, whichever last occurred; and
 - (b) the applicant would have been entitled to a reduction under this scheme but for paragraph 67(1).
- (9) The amount as re-determined pursuant to sub-paragraph (6) must not have effect if it is less than the amount which applied in that case immediately before the re-determination and in such a case the higher amount must continue to have effect.
- (10) For the purposes of this paragraph—
- "part-week"—
- (a) in relation to an amount mentioned in sub-paragraph (5)(a), means a period of less than a week for which a reduction under this scheme is allowed;
 - (b) in relation to an amount mentioned in sub-paragraph (5)(b), means a period of less than a week for which housing benefit is payable;

(c) in relation to an amount mentioned in sub-paragraph (5)(c), (d) or (e), means—
 (a) a period of less than a week which is the whole period for which income support, an income-related employment and support allowance or, as the case may be, an income-based jobseeker's allowance is payable; and
 (b) any other period of less than a week for which it is payable;
 “relevant week” means the reduction week or part-week in which the capital in question of which the applicant has deprived himself within the meaning of paragraph 67(1)—
 (a) was first taken into account for the purpose of determining his entitlement to a reduction; or
 (b) was taken into account on a subsequent occasion for the purpose of determining or re-determining his entitlement to a reduction on that subsequent occasion and that determination or re-determination resulted in his beginning to receive, or ceasing to receive, a reduction,
 and where more than one reduction week is identified by reference to paragraphs (a) and (b) of this definition, the later or latest such reduction week or, as the case may be, the later or latest such part-week is the relevant week;
 “relevant subsequent week” means the reduction week or part-week which includes the day on which the further application or, if more than one further application has been made, the last such application was made.

Capital jointly held.

70. Except where an applicant possesses capital which is disregarded under paragraph 67(7) (notional capital), where an applicant and one or more persons are beneficially entitled in possession to any capital asset they must be treated, in the absence of evidence to the contrary, as if each of them were entitled in possession to the whole beneficial interest therein in an equal share and the foregoing provisions of this Chapter apply for the purposes of calculating the amount of capital which the applicant is treated as possessing as if it were actual capital which the applicant does possess.

Calculation of tariff income from capital: pensioners

71. The capital of an applicant who is a pensioner, calculated in accordance with this Part, is to be treated as if it were a weekly income of—
 (a) £1 for each £500 in excess of £10,000 but not exceeding £16,000; and
 (b) £1 for any excess which is not a complete £500.

Calculation of tariff income from capital: persons who are not pensioners.

72. The capital of an applicant who is not a pensioner, calculated in accordance with this Part, is to be treated as if it were a weekly income(169) of—
 (a) £1 for each £250 in excess of £6,000 but not exceeding £16,000;
 (b) £1 for any excess which is not a complete £250.

PART 11 Students CHAPTER 1 General Interpretation

- 73.—(1) In this Part—

“academic year” means the period of twelve months beginning on 1st January 1st April 1st July or 1st September according to whether the course in question begins in the winter, the spring, the summer, or the autumn respectively but if students are required to begin attending the course during August or September and to continue attending through the autumn, the academic year of the course is to be considered to begin in the autumn rather than the summer;

“access funds” means—
 (a) grants made under section 68 of the Further and Higher Education Act 1992 for the purpose of providing funds on a discretionary basis to be paid to students;
 (b) grants made under sections 73(a) and (c) and 74(1) of the Education (Scotland) Act 1980;
 (c) grants made under Article 30 of the Education and Libraries (Northern Ireland) Order 1993 or grants, loans or other payments made under Article 5 of the Further Education (Northern Ireland) Order 1997 in each case being grants, or grants, loans or other payments as the case may be, for the purpose of assisting students in financial difficulties;

- (d) discretionary payments, known as “learner support funds”, which are made available to students in further education by institutions out of funds provided by the Secretary of State under section 14 of the Education Act 2002 or the Chief Executive of Skills Funding under sections 100 and 101 of the Apprenticeships, Skills, Children and Learning Act 2009; or
- (e) Financial Contingency Funds made available by the Welsh Ministers;

“college of further education” means a college of further education within the meaning of Part 1 of the Further and Higher Education (Scotland) Act 1992;

“contribution” means—

- (a) any contribution in respect of the income of a student or any person which the Secretary of State, the Scottish Ministers or an education authority takes into account in ascertaining the amount of a student’s grant or student loan; or
- (b) any sums, which in determining the amount of a student’s allowance or bursary in Scotland under the Education (Scotland) Act 1980, the Scottish Ministers or education authority takes into account being sums which the Scottish Ministers or education authority considers that it is reasonable for the following persons to contribute towards the holder’s expenses—
 - (i) the holder of the allowance or bursary;
 - (ii) the holder’s parents;
 - (iii) the holder’s parent’s spouse, civil partner or a person ordinarily living with the holder’s parent as if he or she were the spouse or civil partner of that parent; or
 - (iv) the holder’s spouse or civil partner;

“course of study” means any course of study, whether or not it is a sandwich course and whether or not a grant is made for attending or undertaking it;

“covenant income” means the gross income payable to a full-time student under a Deed of Covenant by his parent;

“education authority” means a government department, a local authority as defined in section 579 of the Education Act 1996 (interpretation), a local education authority as defined in section 123 of the Local Government (Scotland) Act 1973, an education and library board established under Article 3 of the Education and Libraries (Northern Ireland) Order 1986, any body which is a research council for the purposes of the Science and Technology Act 1965 or any analogous government department, authority, board or body, of the Channel Islands, Isle of Man or any other country outside Great Britain;

“full-time course of study” means a full-time course of study which—

- (a) is not funded in whole or in part by the Secretary of State under section 14 of the Education Act 2002, the Chief Executive of Skills Funding or by the Welsh Ministers or a full-time course of study which is not funded in whole or in part by the Scottish Ministers at a college of further education or a full-time course of study which is a course of higher education and is funded in whole or in part by the Scottish Ministers;
- (b) is funded in whole or in part by the Secretary of State under section 14 of the Education Act 2002, the Chief Executive of Skills Funding or by the Welsh Ministers if it involves more than 16 guided learning hours per week for the student in question, according to the number of guided learning hours per week for that student set out—
 - (i) in the case of a course funded by the Secretary of State under section 14 of the Education Act 2002 or the Chief Executive of Skills Funding, in the student’s learning agreement signed on behalf of the establishment which is funded by either of those persons for the delivery of that course; or
 - (ii) in the case of a course funded by the Welsh Ministers, in a document signed on behalf of the establishment which is funded by that Council for the delivery of that course; or
- (c) is not higher education and is funded in whole or in part by the Scottish Ministers at a college of further education and involves—
 - (i) more than 16 hours per week of classroom-based or workshop-based programmed learning under the direct guidance of teaching staff according to the number of hours set out in a document signed on behalf of the college; or
 - (ii) 16 hours or less per week of classroom-based or workshop-based programmed learning under the direct guidance of teaching staff and additional hours using structured learning packages supported by the teaching staff where the combined total of hours exceeds 21 hours per week, according to the number of hours set out in a document signed on behalf of the college;

“full-time student” means a person attending or undertaking a full-time course of study and includes a student on a sandwich course;

“grant” (except in the definition of “access funds”) means any kind of educational grant or award and includes any scholarship, studentship, exhibition, allowance, or bursary but does not include a payment from access funds or any payment to which paragraph 16 of Schedule 8 or paragraph 55 of Schedule 10 (allowances and payments for courses of study) applies;

“grant income” means—

- (a) any income by way of a grant;
- (b) any contribution whether or not it is paid;

“higher education” means higher education within the meaning of Part 2 of the Further and Higher Education (Scotland) Act 1992;

“last day of the course” means—

- (a) in the case of a qualifying course, the date on which the last day of that course falls or the date on which the final examination relating to that course is completed, whichever is the later;
- (b) in any other case, the date on which the last day of the final academic term falls in respect of the course in which the student is enrolled;

“period of study” means—

- (a) in the case of a course of study for one year or less, the period beginning with the start of the course and ending with the last day of the course;
- (b) in the case of a course of study for more than one year, in the first or, as the case may be, any subsequent year of the course, other than the final year of the course, the period beginning with the start of the course or, as the case may be, that year’s start and ending with either—
 - (i) the day before the start of the next year of the course in a case where the student’s grant or loan is assessed at a rate appropriate to his studying throughout the year or, if he does not have a grant or loan, where a loan would have been assessed at such a rate had he had one; or
 - (ii) in any other case, the day before the start of the normal summer vacation appropriate to his course;
- (c) in the final year of a course of study of more than one year, the period beginning with that year’s start and ending with the last day of the course;

“periods of experience” means periods of work experience which form part of a sandwich course;

“qualifying course” means a qualifying course as defined for the purposes of Parts 2 and 4 of the Jobseeker’s Allowance Regulations 1996;

“sandwich course” has the meaning prescribed in regulation 2(9) of the Education (Student Support) Regulations 2008, regulation 4(2) of the Education (Student Loans) (Scotland) Regulations 2007 or regulation 2(8) of the Education (Student Support) Regulations (Northern Ireland) 2007, as the case may be;

“standard maintenance grant” means—

- (a) except where paragraph (b) or (c) applies, in the case of a student attending or undertaking a course of study at the University of London or an establishment within the area comprising the City of London and the Metropolitan Police District, the amount specified for the time being in paragraph 2(2)(a) of Schedule 2 to the Education (Mandatory Awards) Regulations 2003 (“the 2003 Regulations”) for such a student;
- (b) except where paragraph (c) applies, in the case of a student residing at his parent’s home, the amount specified in paragraph 3 thereof;
- (c) in the case of a student receiving an allowance or bursary under the Education (Scotland) Act 1980, the amount of money specified as “standard maintenance allowance” for the relevant year appropriate for the student set out in the Student Support in Scotland Guide issued by the Student Awards Agency for Scotland, or its nearest equivalent in the case of a bursary provided by a college of further education or a local education authority;
- (d) in any other case, the amount specified in paragraph 2(2) of Schedule 2 to the 2003 Regulations other than in sub-paragraph (a) or (b) thereof;

“student” means a person, other than a person in receipt of a training allowance, who is attending or undertaking—

- (a) a course of study at an educational establishment; or
- (b) a qualifying course;

“student loan” means a loan towards a student’s maintenance pursuant to any regulations made under section 22 of the Teaching and Higher Education Act 1998, section 73 of the Education (Scotland) Act 1980 or Article 3 of the Education (Student Support) (Northern Ireland) Order 1998 and includes, in Scotland, a young student’s bursary paid under regulation 4(1)(c) of the Students’ Allowances (Scotland) Regulations 2007.

- (2) For the purposes of the definition of “full-time student” in sub-paragraph (1), a person must be regarded as attending or, as the case may be, undertaking a full-time course of study or as being on a sandwich course—
 - (a) subject to sub-paragraph (3), in the case of a person attending or undertaking a part of a modular course which would be a full-time course of study for the purposes of this Part, for the period beginning on the day on which that part of the course starts and ending—
 - (i) on the last day on which he is registered with the educational establishment as attending or undertaking that part as a full-time course of study; or
 - (ii) on such earlier date (if any) as he finally abandons the course or is dismissed from it;
 - (b) in any other case, throughout the period beginning on the date on which he starts attending or undertaking the course and ending on the last day of the course or on such earlier date (if any) as he finally abandons it or is dismissed from it.
- (3) For the purposes of paragraph (a) of sub-paragraph (2), the period referred to in that paragraph includes—
 - (a) where a person has failed examinations or has failed successfully to complete a module relating to a period when he was attending or undertaking a part of the course as a full-time course of study, any period in respect of which he attends or undertakes the course for the purpose of retaking those examinations or that module;
 - (b) any period of vacation within the period specified in that paragraph or immediately following that period except where the person has registered with the educational establishment to attend or undertake the final module in the course and the vacation immediately follows the last day on which he is required to attend or undertake the course.
- (4) In sub-paragraph (2), “modular course” means a course of study which consists of two or more modules, the successful completion of a specified number of which is required before a person is considered by the educational establishment to have completed the course.

Treatment of students

74. This scheme has effect in relation to students who are not pensioners subject to the following provisions of this Part.

Students who are excluded from entitlement to a reduction under this scheme.

- 75.—(1) The students who are excluded from entitlement to a reduction under this scheme are, subject to sub-paragraphs (2) and (7)—
 - (a) full-time students, and
 - (b) students who are persons treated as not being in Great Britain.
- (2) Sub-paragraph (1)(b) does not apply to a student—
 - (a) who is a person on income support, an income-based jobseeker’s allowance or an income-related employment and support allowance;
 - (b) who is a lone parent;
 - (c) whose applicable amount would, but for this paragraph, include the disability premium or severe disability premium;
 - (d) whose applicable amount would include the disability premium but for his being treated as capable of work by virtue of a determination made in accordance with regulations made under section 171E of the SSCBA;
 - (e) who is, or is treated as, incapable of work and has been so incapable, or has been so treated as incapable, of work in accordance with the provisions of, and regulations made under, Part 12A of the SSCBA (incapacity for work) for a continuous period of not less than 196 days; and

- for this purpose, any two or more separate periods separated by a break of not more than 56 days must be treated as one continuous period;
- (f) who has, or is treated as having, limited capability for work and has had, or been treated as having, limited capability for work in accordance with the Employment and Support Allowance Regulations 2008 for a continuous period of not less than 196 days, and for this purpose any two or more separate periods separated by a break of not more than 84 days must be treated as one continuous period;
- (g) who has a partner who is also a full-time student, if he or that partner is treated as responsible for a child or young person;
- (h) who is a single applicant with whom a child is placed by a local authority or voluntary organisation within the meaning of the Children Act 1989 or, in Scotland, boarded out within the meaning of the Social Work (Scotland) Act 1968;
- (i) who is—
- a. (i)aged under 21 and whose course of study is not a course of higher education,
 - b. (ii)aged 21 and attained that age during a course of study which is not a course of higher education, or
 - c. (iii)a qualifying young person or child within the meaning of section 142 of the SSCBA (child and qualifying young person);
- (j) in respect of whom—
- (i)a supplementary requirement has been determined under paragraph 9 of Part 2 of Schedule 2 to the Education (Mandatory Awards) Regulations 2003;
 - (ii)an allowance, or as the case may be, bursary has been granted which includes a sum under paragraph (1)(d) of regulation 4 of the Students' Allowances (Scotland) Regulations 1999 or, as the case may be, under paragraph (1)(d) of regulation 4 of the Education Authority (Bursaries) (Scotland) Regulations 1995, in respect of expenses incurred;
 - (iii)a payment has been made under or by virtue of regulations made under the Teaching and Higher Education Act 1998;
 - (iv)a grant has been made under regulation 13 of the Education (Student Support) Regulations 2005 or under regulation 13 of the Education (Student Support) Regulations (Northern Ireland) 2000; or
 - (v)a supplementary requirement has been determined under paragraph 9 of Schedule 6 to the Students Awards Regulations (Northern Ireland) 1999 or a payment has been made under Article 50(3) of the Education and Libraries (Northern Ireland) Order 1986, on account of his disability by reason of deafness.
- (3) Sub-paragraph (2)(i)(ii) only applies to an applicant until the end of the course during which the applicant attained the age of 21.
- (4) For the purposes of sub-paragraph (2), once sub-paragraph (2)(e) applies to a full-time student, if he then ceases, for a period of 56 days or less, to be incapable, or to be treated as incapable, of work, that sub-paragraph must, on his again becoming so incapable, or so treated as incapable, of work at the end of that period, immediately thereafter apply to him for so long as he remains incapable or is treated as remaining incapable, of work.
- (5) In sub-paragraph (2)(i) the reference to a course of higher education is a reference to a course of any description mentioned in Schedule 6 to the Education Reform Act 1988.
- (6) A full-time student to whom sub-paragraph (2)(i) applies must be treated as satisfying that sub-paragraph from the date on which he made a request for the supplementary requirement, allowance, bursary, or payment as the case may be.
- (7) Sub-paragraph (1)(b) does not apply to a full-time student for the period specified in sub-paragraph (8) if—
- (a) at any time during an academic year, with the consent of the relevant educational establishment, he ceases to attend or undertake a course because he is—
 - (i)engaged in caring for another person; or
 - (ii)ill;
 - (b) he has subsequently ceased to be engaged in caring for that person or, as the case may be, he has subsequently recovered from that illness; and
 - (c) he is not eligible for a grant or a student loan in respect of the period specified in sub-paragraph (8).

- (8) The period specified for the purposes of sub-paragraph (7) is the period, not exceeding one year, beginning on the day on which he ceased to be engaged in caring for that person or, as the case may be, the day on which he recovered from that illness and ending on the day before—
(a) the day on which he resumes attending or undertaking the course; or
(b) the day from which the relevant educational establishment has agreed that he may resume attending or undertaking the course,
whichever first occurs.

CHAPTER 2

Income

Calculation of grant income

- 76.—(1) The amount of a student's grant income to be taken into account in assessing his income must, subject to sub-paragraphs (2) and (3), be the whole of his grant income.
- (2) There must be excluded from a student's grant income any payment—
(a) intended to meet tuition fees or examination fees;
(b) in respect of the student's disability;
(c) intended to meet additional expenditure connected with term time residential study away from the student's educational establishment;
(d) on account of the student maintaining a home at a place other than that at which he resides during his course;
(e) on account of any other person but only if that person is residing outside the United Kingdom and there is no applicable amount in respect of him;
(f) intended to meet the cost of books and equipment;
(g) intended to meet travel expenses incurred as a result of his attendance on the course;
(h) intended for the child care costs of a child dependent;
(i) of higher education bursary for care leavers made under Part 3 of the Children Act 1989.
- (3) Where a student does not have a student loan and is not treated as possessing such a loan, there must be excluded from the student's grant income—
(a) the sum of £303 per academic year in respect of travel costs; and
(b) the sum of £390 per academic year towards the costs of books and equipment, whether or not any such costs are incurred.
- (4) There must also be excluded from a student's grant income the grant for dependants known as the parents' learning allowance paid pursuant to regulations made under Article 3 of the Education (Student Support) (Northern Ireland) Order 1998 or section 22 of the Teaching and Higher Education Act 1998.
- (5) Subject to sub-paragraphs (6) and (7), a student's grant income must be apportioned—
(a) subject to sub-paragraph (8), in a case where it is attributable to the period of study, equally between the weeks in that period beginning with the reduction week, the first day of which coincides with, or immediately follows, the first day of the period of study and ending with the reduction week, the last day of which coincides with, or immediately precedes, the last day of the period of study;
(b) in any other case, equally between the weeks in the period beginning with the reduction week, the first day of which coincides with, or immediately follows, the first day of the period for which it is payable and ending with the reduction week, the last day of which coincides with, or immediately precedes, the last day of the period for which it is payable.
- (6) Any grant in respect of dependants paid under section 63(6) of the Health Services and Public Health Act 1968 (grants in respect of the provision of instruction to officers of hospital authorities) and any amount intended for the maintenance of dependants under Part 3 of Schedule 2 to the Education (Mandatory Awards) Regulations 2003 must be apportioned equally over the period of 52 weeks or, if there are 53 reduction weeks (including part-weeks) in the year, 53.
- (7) In a case where a student is in receipt of a student loan or where he could have acquired a student loan by taking reasonable steps but had not done so, any amount intended for the maintenance of dependants to which neither sub-paragraph (6) nor paragraph 80(2) (other amounts to be disregarded) applies, must be apportioned over the same period as the student's loan is apportioned or, as the case may be, would have been apportioned.

- (8) In the case of a student on a sandwich course, any periods of experience within the period of study must be excluded and the student's grant income must be apportioned equally between the weeks in the period beginning with the reduction week, the first day of which immediately follows the last day of the period of experience and ending with the reduction week, the last day of which coincides with, or immediately precedes, the last day of the period of study.

Calculation of covenant income where a contribution is assessed.

77.—(1) Where a student is in receipt of income by way of a grant during a period of study and a contribution has been assessed, the amount of his covenant income to be taken into account for that period and any summer vacation immediately following must be the whole amount of the covenant income less, subject to sub-paragraph (3), the amount of the contribution.

- (2) The weekly amount of the student's covenant must be determined—
(a) by dividing the amount of income which falls to be taken into account under sub-paragraph (1) by 52 or 53, whichever is reasonable in the circumstances; and
(b) by disregarding £5 from the resulting amount.
- (3) For the purposes of sub-paragraph (1), the contribution must be treated as increased by the amount (if any) by which the amount excluded under paragraph 76(2)(g) falls short of the amount specified in paragraph 7(2) of Schedule 2 to the Education (Mandatory Awards) Regulations 2003 (travel expenditure).

Covenant income where no grant income or no contribution is assessed.

78.—(1) Where a student is not in receipt of income by way of a grant the amount of his covenant income must be calculated as follows—

- (a) any sums intended for any expenditure specified in paragraph 76(2)(a) to (e) necessary as a result of his attendance on the course must be disregarded;
(b) any covenant income, up to the amount of the standard maintenance grant, which is not so disregarded, must be apportioned equally between the weeks of the period of study;
(c) there must be disregarded from the amount so apportioned the amount which would have been disregarded under paragraph 76(2)(f) and (3) had the student been in receipt of the standard maintenance grant; and
(d) the balance, if any, must be divided by 52 or 53 whichever is reasonable in the circumstances and treated as weekly income of which £5 must be disregarded.
- (2) Where a student is in receipt of income by way of a grant and no contribution has been assessed, the amount of his covenanted income must be calculated in accordance with paragraphs (a) to (d) of sub-paragraph (1), except that—
(a) the value of the standard maintenance grant must be abated by the amount of such grant income less an amount equal to the amount of any sums disregarded under paragraph 76(2)(a) to (e); and
(b) the amount to be disregarded under sub-paragraph (1)(c) must be abated by an amount equal to the amount of any sums disregarded under paragraph 76(2)(f) and (g) and (3).

Relationship with amounts to be disregarded under Schedule 8

79. No part of a student's covenant income or grant income is to be disregarded under paragraph 19 of Schedule 8 (disregard of certain charitable and voluntary, etc., payments).

Other amounts to be disregarded.

- 80.—(1) For the purposes of ascertaining income other than grant income, covenant income and loans treated as income in accordance with paragraph 81 (treatment of student loans), any amounts intended for any expenditure specified in paragraph 76(2) (calculation of grant income), necessary as a result of his attendance on the course must be disregarded.
- (2) But sub-paragraph (1) applies only if, and to the extent that, the necessary expenditure exceeds or is likely to exceed the amount of the sums disregarded under paragraph 76(2) or (3), 77(3), 78(1)(a) or (c) or 81(5) (calculation of grant income, covenant income and treatment of student loans) on like expenditure.

Treatment of student loans

- 81.—(1) A student loan is to be treated as income.
- (2) In calculating the weekly amount of the loan to be taken into account as income—
- (a) in respect of a course that is of a single academic year's duration or less, a loan which is payable in respect of that period is to be apportioned equally between the weeks in the period beginning with—
 - (i) except in a case where sub-paragraph (ii) applies, the reduction week, the first day of which coincides with, or immediately follows, the first day of the single academic year;
 - (ii) where the student is required to start attending the course in August or where the course is less than an academic year's duration, the reduction week, the first day of which coincides with, or immediately follows, the first day of the course, and ending with the reduction week, the last day of which coincides with, or immediately precedes, the last day of the course;
 - (b) in respect of an academic year of a course which starts other than on 1st September, a loan which is payable in respect of that academic year is to be apportioned equally between the weeks in the period—
 - (i) beginning with the reduction week, the first day of which coincides with or immediately follows, the first day of that academic year, and
 - (ii) ending with the reduction week, the last day of which coincides with or immediately precedes, the last day of that academic year, but excluding any reduction weeks falling entirely within the quarter during which, in the opinion of the authority, the longest of any vacation is taken and for the purposes of this paragraph, “quarter” has the same meaning as for the purposes of the Education (Student Support) Regulations 2005;
 - (c) in respect of the final academic year of a course (not being a course of a single year's duration), a loan which is payable in respect of that final academic year is to be apportioned equally between the weeks in the period beginning with—
 - (i) except in a case where sub-paragraph (ii) applies, the reduction week, the first day of which coincides with, or immediately follows, the first day of that academic year;
 - (ii) where the final academic year starts on 1st September, the reduction week, the first day of which coincides with, or immediately follows, the earlier of 1st September or the first day of the autumn term,
 - and ending with the reduction week, the last day of which coincides with, or immediately precedes, the last day of the course;
 - (d) in any other case, the loan is to be apportioned equally between the weeks in the period beginning with the earlier of—
 - (i) the first day of the first reduction week in September; or
 - (ii) the reduction week, the first day of which coincides with, or immediately follows the first day of the autumn term,
 - and ending with the reduction week, the last day of which coincides with, or immediately precedes, the last day of June,
 - and, in all cases, from the weekly amount so apportioned £10 is to be disregarded.
- (3) A student is to be treated as possessing a student loan in respect of an academic year where—
- (a) a student loan has been made to him in respect of that year; or
 - (b) he could acquire such a loan in respect of that year by taking reasonable steps to do so.
- (4) Where a student is treated as possessing a student loan under sub-paragraph (3), the amount of the student loan to be taken into account as income must be, subject to sub-paragraph (5)—
- (a) in the case of a student to whom a student loan is made in respect of an academic year, a sum equal to—
 - (i) the maximum student loan he is able to acquire in respect of that year by taking reasonable steps to do so; and
 - (ii) any contribution whether or not it has been paid to him;
 - (b) in the case of a student to whom a student loan is not made in respect of an academic year, the maximum student loan that would be made to the student if—
 - (i) he took all reasonable steps to obtain the maximum student loan he is able to acquire in respect of that year; and
 - (ii) no deduction in that loan was made by virtue of the application of a means test.
- (5) There must be deducted from the amount of income taken into account under sub-paragraph (4)—
- (a) the sum of £303 per academic year in respect of travel costs; and

- (b) the sum of £390 per academic year towards the cost of books and equipment, whether or not any such costs are incurred.
- (6) A loan for fees, known as a fee loan or a fee contribution loan, made pursuant to regulations made under Article 3 of the Education (Student Support) (Northern Ireland) Order 1998, section 22 of the Teaching and Higher Education Act 1998 or section 73(f) of the Education (Scotland) Act 1980, shall be disregarded as income.

Treatment of payments from access funds

- 82.—(1) This paragraph applies to payments from access funds that are not payments to which paragraph 85(2) or (3) (income treated as capital) applies.
- (2) A payment from access funds, other than a payment to which sub-paragraph (3) applies, must be disregarded as income.
- (3) Subject to sub-paragraph (4) of this paragraph and paragraph 40 of Schedule 8 (disregards in the calculation of income other than earnings: persons who are not pensioners)—
- (a) any payments from access funds which are intended and used for an item of food, ordinary clothing or footwear, household fuel, or rent of a single applicant or, as the case may be, of the applicant or any other member of his family, and
 - (b) any payments from access funds which are used for any council tax or water charges for which that applicant or member is liable, must be disregarded as income to the extent of £20 per week.
- (4) Where a payment from access funds is made—
- (a) on or after 1st September or the first day of the course, whichever first occurs, but before receipt of any student loan in respect of that year and that payment is intended for the purpose of bridging the period until receipt of the student loan; or
 - (b) before the first day of the course to a person in anticipation of that person becoming a student, that payment must be disregarded as income.

Disregard of contribution

83. Where the applicant or his partner is a student and, for the purposes of assessing a contribution to the student's grant or student loan, the other partner's income has been taken into account, an amount equal to that contribution must be disregarded for the purposes of assessing that other partner's income.

Further disregard of student's income

84. Where any part of a student's income has already been taken into account for the purposes of assessing his entitlement to a grant or student loan, the amount taken into account must be disregarded in assessing that student's income.

Income treated as capital.

- 85.—(1) Any amount by way of a refund of tax deducted from a student's covenant income must be treated as capital.
- (2) An amount paid from access funds as a single lump sum must be treated as capital.
- (3) An amount paid from access funds as a single lump sum which is intended and used for an item other than food, ordinary clothing or footwear, household fuel or rent, or which is used for an item other than any council tax or water charges for which that applicant or member is liable, must be disregarded as capital but only for a period of 52 weeks from the date of the payment.

Disregard of changes occurring during summer vacation

86. In calculating a student's income the authority must disregard any change in the standard maintenance grant, occurring in the recognised summer vacation appropriate to the student's course if that vacation does not form part of his period of study from the date on which the change occurred to the end of that vacation.

PART 12 Extended reductions
CHAPTER 1 Extended reductions: pensioners

Extended reductions: pensioners

87. Paragraphs 88 to 93 apply in relation to applicants who are pensioners.

Extended reductions (qualifying contributory benefits): pensioners

- 88.—(1) Except in the case of an applicant who is in receipt of state pension credit, an applicant who is entitled to a reduction under this scheme by virtue of falling within any of classes A to C is entitled to an extended reduction (qualifying contributory benefits) where—
- (a) the applicant or the applicant’s partner was entitled to a qualifying contributory benefit;
 - (b) entitlement to a qualifying contributory benefit ceased because the applicant or the applicant’s partner—
 - (i)commenced employment as an employed or self-employed earner;
 - (ii)increased their earnings from such employment; or
 - (iii)increased the number of hours worked in such employment,and that employment is or, as the case may be, those increased earnings or increased number of hours are expected to last five weeks or more;
 - (c) the applicant or the applicant’s partner had been entitled to and in receipt of a qualifying contributory benefit or a combination of qualifying contributory benefits for a continuous period of at least 26 weeks before the day on which the entitlement to a qualifying contributory benefit ceased; and
 - (d) the applicant or the applicant’s partner was not entitled to and not in receipt of a qualifying income-related benefit in the last reduction week in which the applicant, or the applicant’s partner, was entitled to a qualifying contributory benefit.
- (2) An applicant must be treated as entitled to a reduction under this scheme by virtue of falling within any of classes A to C where—
- (a) the applicant ceased to be entitled to a reduction under this scheme because the applicant vacated the dwelling in which the applicant was resident;
 - (b) the day on which the applicant vacated the dwelling was either in the week in which entitlement to a qualifying contributory benefit ceased, or in the preceding week; and
 - (c) entitlement to the qualifying contributory benefit ceased in any of the circumstances listed in sub-paragraph (1)(b).

Duration of extended reduction period (qualifying contributory benefits): pensioners

- 89.—(1) Where an applicant is entitled to an extended reduction (qualifying contributory benefits), the extended reduction period starts on the first day of the reduction week immediately following the reduction week in which the applicant, or the applicant’s partner, ceased to be entitled to a qualifying contributory benefit.
- (2) For the purpose of sub-paragraph (1), an applicant or an applicant’s partner ceases to be entitled to a qualifying contributory benefit on the day immediately following the last day of entitlement to that benefit.
- (3) The extended reduction period ends—
- (a) at the end of a period of four weeks; or
 - (b) on the date on which the applicant who is receiving the extended reduction (qualifying contributory benefits) has no liability for council tax if that occurs first.

Amount of extended reduction (qualifying contributory benefits): pensioners

- 90.—(1) For any week during the extended reduction period the amount of the extended reduction (qualifying contributory benefits) the applicant is entitled to is the greater of—
- (a) the amount of council tax reduction to which the applicant was entitled by virtue of falling within any of classes A to C in the last reduction week before the applicant or the applicant’s partner ceased to be entitled to a qualifying contributory benefit;
 - (b) the amount of reduction under this scheme to which the applicant would be entitled under by virtue of falling within any of classes A to C for any reduction week during the extended

- reduction period, if paragraph 88 (extended reductions (qualifying contributory benefits): pensioners) did not apply to the applicant; or
- (c) the amount of reduction under this scheme to which the applicant's partner would be entitled by virtue of falling within any of classes A to C if paragraph 88 did not apply to the applicant.

(2) Sub-paragraph (1) does not apply in the case of a mover.

(3) Where an applicant is in receipt of an extended reduction (qualifying contributory benefits) under this paragraph and the applicant's partner makes an application for a reduction under this scheme, the authority must not award a reduction in pursuance of that application during the extended reduction period.

Extended reductions (qualifying contributory benefits)—movers: pensioners

91.—(1) This paragraph applies—

- (a) to a mover; and
- (b) from the Monday following the day of the move.

(2) The amount of the extended reduction (qualifying contributory benefits) awarded from the Monday from which this paragraph applies until the end of the extended reduction period is to be the amount of reduction under this scheme which was payable to the mover for the last reduction week before the mover, or the mover's partner, ceased to be entitled to a qualifying contributory benefit.

(3) Where a mover's liability to pay council tax in respect of the new dwelling is to a second authority, the extended reduction (qualifying contributory benefits) may take the form of a payment from this authority to—

(a) the second authority; or

(b) the mover directly.

Relationship between extended reduction (qualifying contributory benefits) and entitlement to a reduction by virtue of classes A to C

92.—(1) Where an applicant's reduction under this scheme would have ended when the applicant ceased to be entitled to a qualifying contributory benefit in the circumstances listed in paragraph 88(1)(b), that reduction does not cease to have effect until the end of the extended reduction period.

(2) Part 13 (when entitlement begins and change of circumstances) does not apply to any extended reduction (qualifying contributory benefits) payable in accordance with paragraph 90(1)(a) or paragraph 91(2) (amount of extended reduction — movers: pensioners).

Continuing reductions where state pension credit claimed: pensioners.

93.—(1) This paragraph applies where—

- (a) the applicant is entitled to a reduction under this scheme;
- (b) sub-paragraph (2) is satisfied; and
- (c) either—
- (i) the applicant has attained the qualifying age for state pension credit or, if his entitlement to income-based jobseeker's allowance or income-related employment and support allowance continued beyond that age, has attained the age of 65; or
- (ii) the applicant's partner has actually claimed state pension credit.

(2) This sub-paragraph is only satisfied if the Secretary of State has certified to the authority that the applicant's partner has actually claimed state pension credit or that—

- (a) the applicant's award of—
- (i) income support has terminated because the applicant has attained the qualifying age for state pension credit; or
- (ii) income-based jobseeker's allowance or income-related employment and support allowance has terminated because the applicant has attained the qualifying age for state pension credit or the age of 65; and

- (b) the applicant has claimed or is treated as having claimed or is required to make a claim for state pension credit.
- (3) Subject to sub-paragraph (4), in a case to which this paragraph applies, a person continues to be entitled to a reduction under this scheme for the period of 4 weeks beginning on the day following the day the applicant's entitlement to income support or, as the case may be, income-based jobseeker's allowance, income-related employment and support allowance, ceased, if and for so long as the applicant otherwise satisfies the conditions for entitlement to a reduction under this scheme.
- (4) Where a reduction under this scheme is awarded for the period of 4 weeks in accordance with sub-paragraph (3) above, and the last day of that period falls on a day other than the last day of a reduction week, then a reduction under this scheme must continue to be awarded until the end of the reduction week in which the last day of that period falls.
- (5) Throughout the period of 4 weeks specified in sub-paragraph (3) and any further period specified in sub-paragraph (4)–
 - (a) the whole of the income and capital of the applicant is to be disregarded;
 - (b) the maximum council tax reduction amount of the applicant is to be that which was applicable in his case immediately before that period commenced.
- (6) The maximum reduction is to be calculated in accordance with paragraph 29(1) if, since the date it was last calculated–
 - (a) the applicant's council tax liability has increased; or
 - (b) a change in the deduction under paragraph 30 falls to be made.

CHAPTER 2 Extended reductions: persons who are not pensioners.

Extended reductions: persons who are not pensioners.

94. Paragraphs 95 to 104 apply in relation to applicants who are not pensioners.

Extended reductions: persons who are not pensioners.

- 95.–(1) An applicant who is entitled to a reduction under this scheme by virtue of falling within any of classes D to F is entitled to an extended reduction where–
 - (a) the applicant or the applicant's partner was entitled to a qualifying income-related benefit;
 - (b) entitlement to a qualifying income-related benefit ceased because the applicant or the applicant's partner–
 - (i)commenced employment as an employed or self-employed earner;
 - (ii)increased their earnings from such employment; or
 - (iii)increased the number of hours worked in such employment, and that employment is or, as the case may be, those increased earnings or increased number of hours are expected to last five weeks or more; and
 - (c) the applicant or the applicant's partner had been entitled to and in receipt of a qualifying income-related benefit, jobseeker's allowance, or a combination of those benefits for a continuous period of at least 26 weeks before the day on which the entitlement to a qualifying income-related benefit ceased.
- (2) For the purpose of sub-paragraph (1)(c), an applicant or an applicant's partner is to be treated as having been entitled to and in receipt of a qualifying income-related benefit or jobseeker's allowance during any period of less than five weeks in respect of which the applicant or the applicant's partner was not entitled to any of those benefits because the applicant or the applicant's partner was engaged in remunerative work as a consequence of their participation in an employment zone programme.
- (3) For the purpose of this paragraph, where an applicant or an applicant's partner is entitled to and in receipt of joint-claim jobseeker's allowance they must be treated as being entitled to and in receipt of jobseeker's allowance.
- (4) An applicant must be treated as entitled to a reduction under this scheme by virtue of falling within any of classes D to F where–

- (a) the applicant ceased to be entitled to a reduction under this scheme because the applicant vacated the dwelling in which the applicant was resident;
 - (b) the day on which the applicant vacated the dwelling was either in the week in which entitlement to a qualifying income-related benefit ceased, or in the preceding week; and
 - (c) entitlement to the qualifying income-related benefit ceased in any of the circumstances listed in sub-paragraph (1)(b).
- (5) This paragraph does not apply where, on the day before an applicant's entitlement to income support ceased, regulation 6(5) of the Income Support (General) Regulations 1987 (remunerative work: housing costs) applied to that applicant.

Duration of extended reduction period: persons who are not pensioners.

- 96.-(1) Where an applicant is entitled to an extended reduction, the extended reduction period starts on the first day of the reduction week immediately following the reduction week in which the applicant, or the applicant's partner, ceased to be entitled to a qualifying income-related benefit.
- (2) For the purpose of sub-paragraph (1), an applicant or an applicant's partner ceases to be entitled to a qualifying income-related benefit on the day immediately following the last day of entitlement to that benefit.
- (3) The extended reduction period ends—
 (a) at the end of a period of eight weeks; or
 (b) on the date on which the applicant to whom the extended reduction is payable has no liability for council tax if that occurs first.

Amount of extended reduction: persons who are not pensioners.

- 97.-(1) For any week during the extended reduction period the amount of the extended reduction to which an applicant is entitled is to be the higher of—
 (a) the amount of the reduction under this scheme to which the applicant was entitled by virtue of falling within any of classes D to F in the last reduction week before the applicant or the applicant's partner ceased to be entitled to a qualifying income-related benefit;
 (b) the amount of reduction under this scheme to which the applicant would be entitled by virtue of falling within any of classes D to F for any reduction week during the extended reduction period, if paragraph 95 (extended reductions: persons who are not pensioners) did not apply to the applicant; or
 (c) the amount of reduction under this scheme to which the applicant's partner would be entitled by virtue of falling within any of classes D to F if paragraph 95 did not apply to the applicant.
- (2) Sub-paragraph (1) does not apply in the case of a mover.
- (3) Where an applicant is in receipt of an extended reduction under this paragraph and the applicant's partner makes an application for a reduction under this scheme, no amount of reduction under this scheme is to be awarded by the authority during the extended reduction period.

Extended reductions—movers: persons who are not pensioners.

- 98.-(1) This paragraph applies—
 (a) to a mover; and
 (b) from the Monday following the day of the move.
- (2) The amount of the extended reduction awarded from the Monday from which this paragraph applies until the end of the extended reduction period is to be the amount of reduction under this scheme to which the mover would have been entitled had they, or their partner, not ceased to be entitled to a qualifying income-related benefit.
- (3) Where a mover's liability to pay council tax in respect of the new dwelling is to a second authority, the extended reduction (qualifying contributory benefits) may take the form of a payment from this authority to—
 (a) the second authority; or
 (b) the mover directly.

Relationship between extended reduction and entitlement to a reduction by virtue of classes D to F

- 99.—(1) Where an applicant's entitlement to a reduction under this scheme would have ended when the applicant ceased to be entitled to a qualifying income-related benefit in the circumstances listed in paragraph 95(1)(b), that entitlement does not cease until the end of the extended reduction period.
- (2) Paragraphs 106 and 107 do not apply to any extended reduction payable in accordance with paragraph 95(1)(a) or 98(2) (amount of extended reduction—movers: persons who are not pensioners).

Extended reductions (qualifying contributory benefits): persons who are not pensioners.

- 100.—(1) An applicant who is entitled to a reduction under this scheme by virtue of falling within any of classes D to F is entitled to an extended reduction (qualifying contributory benefits) where—
- (a) the applicant or the applicant's partner was entitled to a qualifying contributory benefit;
 - (b) entitlement to a qualifying contributory benefit ceased because the applicant or the applicant's partner—
 - (i)commenced employment as an employed or self-employed earner;
 - (ii)increased their earnings from such employment; or
 - (iii)increased the number of hours worked in such employment, and that employment is or, as the case may be, those increased earnings or increased number of hours are expected to last five weeks or more;
 - (c) the applicant or the applicant's partner had been entitled to and in receipt of a qualifying contributory benefit or a combination of qualifying contributory benefits for a continuous period of at least 26 weeks before the day on which the entitlement to a qualifying contributory benefit ceased; and
 - (d) the applicant or the applicant's partner was not entitled to and not in receipt of a qualifying income-related benefit in the last reduction week in which the applicant, or the applicant's partner, was entitled to a qualifying contributory benefit.
- (2) An applicant must be treated as entitled to a reduction under this scheme by virtue of falling within any of classes D to F where—
- (a) the applicant ceased to be entitled to a reduction under this scheme because the applicant vacated the dwelling in which the applicant was resident;
 - (b) the day on which the applicant vacated the dwelling was either in the week in which entitlement to a qualifying contributory benefit ceased, or in the preceding week; and
 - (c) entitlement to the qualifying contributory benefit ceased in any of the circumstances listed in sub-paragraph (1)(b).

Duration of extended reduction period (qualifying contributory benefits): persons who are not pensioners.

- 101.—(1) Where an applicant is entitled to an extended reduction (qualifying contributory benefits), the extended reduction period starts on the first day of the reduction week immediately following the reduction week in which the applicant, or the applicant's partner, ceased to be entitled to a qualifying contributory benefit.
- (2) For the purpose of sub-paragraph (1), an applicant or an applicant's partner ceases to be entitled to a qualifying contributory benefit on the day immediately following the last day of entitlement to that benefit.
- (3) The extended reduction period ends—
- (a) at the end of a period of four weeks; or
 - (b) on the date on which the applicant entitled to the extended reduction (qualifying contributory benefits) has no liability for council tax if that occurs first.

Amount of extended reduction (qualifying contributory benefits): persons who are not pensioners.

- 102.—(1) For any week during the extended reduction period the amount of the extended reduction (qualifying contributory benefits) payable to an applicant is to be the greater of—

- (a) the amount of reduction under this scheme to which the applicant was entitled by virtue of falling within any of classes D to F in the last reduction week before the applicant or the applicant's partner ceased to be entitled to a qualifying contributory benefit;
- (b) the amount of reduction under this scheme to which the applicant would be entitled by virtue of falling within any of classes D to F for any reduction week during the extended reduction period, if paragraph 100 (extended reductions (qualifying contributory benefits): persons who are not pensioners) did not apply to the applicant; or
- (c) the amount of reduction under this scheme to which the applicant's partner would be entitled by virtue of falling within any of classes D to F if paragraph 100 did not apply to the applicant.

(2) Sub-paragraph (1) does not apply in the case of a mover.

(3) Where an applicant is in receipt of an extended reduction (qualifying contributory benefits) under this paragraph and the applicant's partner makes an application for a reduction under this scheme, no amount of reduction may be allowed by the appropriate authority during the extended reduction period.

Extended reductions (qualifying contributory benefits)—movers: persons who are not pensioners.

103.—(1) This paragraph applies—

- (a) to a mover; and
- (b) from the Monday following the day of the move.

(2) The amount of the extended reduction (qualifying contributory benefit) payable from the Monday from which this paragraph applies until the end of the extended reduction period is to be the amount of reduction under this scheme which was awarded to the mover for the last reduction week before the mover, or the mover's partner, ceased to be entitled to a qualifying contributory benefit.

(3) Where a mover's liability to pay council tax in respect of the new dwelling is to a second authority, the extended reduction (qualifying contributory benefits) may take the form of a payment from this authority to—

- (a) the second authority; or
- (b) the mover directly.

Relationship between extended reduction (qualifying contributory benefits) and entitlement to reduction by virtue of classes D to F

104.—(1) Where an applicant's reduction under this scheme would have ended when the applicant ceased to be entitled to a qualifying contributory benefit in the circumstances listed in paragraph 100(1)(b), that reduction does not cease until the end of the extended reduction period.

(2) Paragraphs 106 and 107 (dates on which entitlement begins and change of circumstances take effect) do not apply to any extended reduction (qualifying contributory benefits) payable in accordance with paragraph 102(1)(a) or 103(2) (amount of extended reduction—movers: persons who are not pensioners).

CHAPTER 3 Extended reductions: movers in the authority's area

Extended reductions: applicant moving into the authority's area.

105. Where—

- (a) an application is made to the authority ("the current authority") for a reduction under this scheme, and
 - (b) the applicant, or the partner of the applicant, is in receipt of an extended reduction from—
 - (i) another billing authority in England; or
 - (ii) a billing authority in Wales,
- the current authority must reduce any reduction to which the applicant is entitled under this scheme by the amount of that extended reduction.

PART 13 When entitlement begins and change of circumstances.**Date on which entitlement begins.**

- 106.—(1) Subject to sub-paragraph (2), any person by whom or in respect of whom an application for a reduction under this scheme is made and who is otherwise entitled to that reduction is so entitled from the reduction week following the date on which that application is made or is treated as made.
- (2) Where a person is otherwise entitled to a reduction under this scheme and becomes liable for the first time for the authority's council tax in respect of a dwelling of which he is a resident in the reduction week in which his application is made or is treated as made, he is so entitled from that reduction week.

Date on which change of circumstances is to take effect.

- 107.—(1) Except in cases where paragraph 60 (disregard of changes in tax, contributions, etc.) applies and subject to the following provisions of this paragraph and (in the case of applicants who are pensioners) paragraph 108 (change of circumstance where state pension credit in payment), a change of circumstances which affects entitlement to, or the amount of, a reduction under this scheme ("change of circumstances"), takes effect from the first day of the reduction week following the date on which the change actually occurs.
- (2) Where that change is cessation of entitlement to any benefit under the benefit Acts, the date on which the change actually occurs is the day immediately following the last day of entitlement to that benefit.
- (3) Subject to sub-paragraph (4), where the change of circumstances is a change in the amount of council tax payable, it takes effect from the day on which it actually occurs.
- (4) Where the change of circumstances is a change in the amount a person is liable to pay in respect of council tax in consequence of regulations under section 13 of the 1992 Act (reduced amounts of council tax) or changes in the discount to which a dwelling may be subject under section 11 or 11A of that Act(discounts), it takes effect from the day on which the change in amount has effect.
- (5) Where the change of circumstances is the applicant's acquisition of a partner, the change takes effect on the day on which the acquisition takes place.
- (6) Where the change of circumstances is the death of an applicant's partner or their separation, it takes effect on the day the death or separation occurs.
- (7) If two or more changes of circumstances occurring in the same reduction week would, but for this paragraph, take effect in different reduction weeks in accordance with sub-paragraphs (1) to (6) they take effect from the day to which the appropriate sub-paragraph from (3) to (6) above refers, or where more than one day is concerned, from the earlier day.
- (8) Where the change of circumstances is that income, or an increase in the amount of income, other than a benefit or an increase in the amount of a benefit under the SSCBA, is paid in respect of a past period and there was no entitlement to income of that amount during that period, the change of circumstances takes effect from the first day on which such income, had it been paid in that period at intervals appropriate to that income, would have fallen to be taken into account for the purposes of this scheme.
- (9) Without prejudice to sub-paragraph (8), where the change of circumstances is the payment of income, or arrears of income, in respect of a past period, the change of circumstances takes effect from the first day on which such income, had it been timeously paid in that period at intervals appropriate to that income, would have fallen to be taken into account for the purposes of this scheme.
- (10) Sub-paragraph (11) applies if—
(a) the applicant or his partner has attained the age of 65; and
(b) either—
(i) a non-dependent took up residence in the applicant's dwelling; or

- (ii)there has been a change of circumstances in respect of a non-dependent so that the amount of the deduction which falls to be made under paragraph 30 increased.
- (11) Where this sub-paragraph applies, the change of circumstances referred to in sub-paragraph (10)(b) takes effect from the effective date.
- (12) In sub-paragraph (11), but subject to sub-paragraph (13), “the effective date” means—
- (a) where more than one change of a kind referred to in sub-paragraph (10)(b) relating to the same non-dependent has occurred since—
 - (i)the date on which the applicant’s entitlement to a reduction under this scheme first began; or
 - (ii)the date which was the last effective date in respect of such a change, whichever is the later, the date which falls 26 weeks after the date on which the first such change occurred;
 - (b) where paragraph (a) does not apply, the date which falls 26 weeks after the date on which the change referred to in sub-paragraph (10)(b) occurred.
- (13) If in any particular case the date determined under sub-paragraph (12) is not the first day of a reduction week, the effective date in that case is to be the first day of the next reduction week to commence after the date determined under that sub-paragraph.
- Change of circumstances where state pension credit in payment**
- 108.—(1) Sub-paragraphs (2) and (3) apply where—
- (a) the applicant is in receipt of state pension credit;
 - (b) the amount of state pension credit awarded to him is changed in consequence of a change in the applicant’s circumstances or the correction of an official error; and
 - (c) the change in the amount of state pension credit payable to the applicant results in a change in the amount of a reduction he receives under this scheme.
- (2) Where the change of circumstance is that an increase in the amount of state pension credit payable to the applicant results in—
- (a) an increase in the reduction he receives under this scheme, the change takes effect from the first day of the reduction week in which state pension credit becomes payable at the increased rate; or
 - (b) a decrease in the reduction he receives under this scheme, the change takes effect from the first day of the reduction week next following the date on which—
 - (i)the local authority receives notification from the Secretary of State of the increase in the amount of state pension credit; or
 - (ii)state pension credit is increased, whichever is the later.
- (3) Where the change of circumstance (“the relevant change”) is that the applicant’s state pension credit has been reduced and in consequence the reduction the applicant receives under this scheme reduces—
- (a) in a case where the applicant’s state pension credit has been reduced because the applicant failed to notify the Secretary of State timeously of a change of circumstances, the relevant change takes effect from the first day of the reduction week from which state pension credit was reduced; or
 - (b) in any other case the relevant change takes effect from the first day of the reduction week next following the date on which—
 - (i)the authority receives notification from the Secretary of State of the reduction in the amount of state pension credit; or
 - (ii)state pension credit is reduced, whichever is the later.
- (4) Where the change of circumstance is that state pension credit is reduced and in consequence of the change, the amount of a reduction he receives under this scheme is increased, the change takes effect from the first day of the reduction week in which state pension credit becomes payable at the reduced rate.
- (5) Where a change of circumstance occurs in that an award of state pension credit has been made to the applicant or his partner and this would result in a decrease in the amount of reduction he

- receives under this scheme, the change takes effect from the first day of the reduction week next following the date on which—
- (a) the authority receives notification from the Secretary of State of the award of state pension credit; or
 - (b) entitlement to state pension credit begins, whichever is the later.
- (6) Where, in the case of an applicant who, or whose partner, is or has been awarded state pension credit comprising only the savings credit, there is—
- (a) a change of circumstances of a kind described in any of sub-paragraphs (2) to (5) which results from a relevant calculation or estimate; and
 - (b) a change of circumstances which is a relevant determination, each of which results in a change in the amount of reduction the applicant receives under this scheme, the change of circumstances referred to in sub-paragraph (b) takes effect from the day specified in sub-paragraph (2), (3), (4) or (5) as the case may be, in relation to the change referred to in paragraph (a).
- (7) Where a change of circumstance occurs in that a guarantee credit has been awarded to the applicant or his partner and this would result in an increase in the amount of a reduction the applicant receives under this scheme, the change takes effect from the first day of the reduction week next following the date in respect of which the guarantee credit is first payable.
- (8) Where a change of circumstances would, but for this sub-paragraph, take effect under the preceding provisions of this paragraph within the 4 week period specified in paragraph 93 (continuing reductions where state pension credit claimed), that change takes effect on the first day of the first reduction week to commence after the expiry of the 4 week period.
- (9) In this paragraph—
- “official error” means an error made by—
- (a) the authority or a person—
 - (i)authorised to carry out any function of the authority relating to this scheme; or
 - (ii)providing services relating to this scheme directly or indirectly to the authority; or
 - (b) an officer of—
 - (i)the Department for Work and Pensions; or
 - (ii)the Commissioners of Inland Revenue,
acting as such,
- but excludes any error caused wholly or partly by any person or body not specified in paragraph (a) or (b) of this definition and any error of law which is shown to have been an error only by virtue of a subsequent decision of the court;
- “relevant calculation or estimate” means the calculation or estimate made by the Secretary of State of the applicant’s or, as the case may be, the applicant’s partner’s income and capital for the purposes of the award of state pension credit;
- “relevant determination” means a change in the determination by the authority of the applicant’s income and capital using the relevant calculation or estimate, in accordance with paragraph 36(1).

PART 14 Applications (including duties to notify authority of change of circumstances)

Making an application

- 109.—(1) In the case of—
- (a) a couple or (subject to paragraph (b)) members of a polygamous marriage an application is to be made by whichever one of them they agree should so apply or, in default of agreement, by such one of them as the authority determines; or
 - (b) in the case of members of a polygamous marriage to whom paragraph 37 (income and capital: award of universal credit) applies, an application is to be made by whichever one of the parties to the earliest marriage that still subsists they agree should so apply or, in default of agreement, by such one of them as the authority determines.
- (2) Where a person who is liable to pay council tax in respect of a dwelling is unable for the time being to act, and—

- (a) a deputy has been appointed by the Court of Protection with power to claim, or as the case may be, receive benefit on his behalf; or
 - (b) in Scotland, his estate is being administered by a judicial factor or any guardian acting or appointed under the Adults with Incapacity (Scotland) Act 2000 who has power to apply or, as the case may be, receive benefit on his behalf; or
 - (c) an attorney with a general power or a power to apply or, as the case may be, receive benefit, has been appointed by that person under the Powers of Attorney Act 1971, the Enduring Powers of Attorney Act 1985, or the Mental Capacity Act 2005 or otherwise, that deputy, judicial factor, guardian, or attorney, as the case may be, may make an application on behalf of that person.
- (3) Where a person who is liable to pay council tax in respect of a dwelling is unable for the time being to act and sub-paragraph (2) does not apply to him, the authority may, upon written application made to them by a person who, if a natural person, is over the age of 18, appoint that person to exercise on behalf of the person who is unable to act, any right to which that person might be entitled under this scheme and to receive and deal on his behalf with any sums payable to him.
- (4) Where a person who is liable to pay council tax in respect of a dwelling is for the time being unable to act and the Secretary of State has appointed a person to act on his behalf under regulation 33 of the Social Security (Claims and Payments) Regulations 1987 (persons unable to act), the authority may if that person agrees, treat him as if he had been appointed by them under sub-paragraph (3).
- (5) Where the authority has made an appointment under sub-paragraph (3) or treated a person as an appointee under sub-paragraph (4)–
- (a) it may at any time revoke the appointment;
 - (b) the person appointed may resign his office after having given 4 weeks notice in writing to the authority of his intention to do so;
 - (c) any such appointment must terminate when the authority is notified of the appointment of a person mentioned in sub-paragraph (2).
- (6) Anything required by this scheme to be done by or to any person who is for the time being unable to act may be done by or to the persons mentioned in sub-paragraph (2) above or by or to the person appointed or treated as appointed under this paragraph and the receipt of any such person so appointed shall be a good discharge to the authority for any sum paid.
- (7) The authority must–
- (a) inform any person making an application of the duty imposed by paragraph 115(1)(a);
 - (b) explain the possible consequences (including prosecution) of failing to comply with that duty; and
 - (c) set out the circumstances a change in which might affect entitlement to the reduction or its amount.

Date on which an application is made.

110.—(1) Subject to sub-paragraph (7), the date on which an application is made is—

- (a) in a case where–
 - (i)an award of state pension credit which comprises a guarantee credit has been made to the applicant or his partner, and
 - (ii)the application is made within one month of the date on which the claim for that state pension credit which comprises a guarantee credit was received at the appropriate DWP office,
 - the first day of entitlement to state pension credit which comprises a guarantee credit arising from that claim;
- (b) in a case where–
 - (i)an applicant or his partner is a person in receipt of a guarantee credit,
 - (ii)the applicant becomes liable for the first time to pay council tax in respect of the dwelling which he occupies as his home, and
 - (iii)the application to the authority is received at the designated office within one month of the date of the change,
 - the date on which the change takes place;
- (c) in a case where–

- (i) an award of income support, an income-based jobseeker's allowance or an income-related employment and support allowance or an award of universal credit has been made to the applicant or his partner, and
- (ii) the application is made within one month of the date on which the claim for that income support, jobseeker's allowance, employment and support allowance or universal credit was received,
- the first day of entitlement to income support, an income-based jobseeker's allowance, an income-related employment and support allowance or universal credit arising from that claim;
- (d) in a case where—
- (i) an applicant or his partner is a person on income support, an income-based jobseeker's allowance or an income-related employment and support allowance or has an award of universal credit,
- (ii) the applicant becomes liable for the first time to pay council tax in respect of the dwelling which he occupies as his home, and
- (iii) the application to the authority is received at the designated office within one month of the date of the change,
- the date on which the change takes place;
- (e) in a case where—
- (i) the applicant is the former partner of a person who was, at the date of his death or their separation, entitled to a reduction under this scheme, and
- (ii) where the applicant makes an application for a reduction under this scheme within one month of the date of the death or the separation,
- the date of the death or separation;
- (f) except where paragraph (a), (b) or (e) is satisfied, in a case where a properly completed application is received within one month (or such longer period as the authority considers reasonable) of the date on which an application form was issued to the applicant following the applicant first notifying, by whatever means, the authority of an intention to make an application, the date of first notification;
- (g) In any other case, the date on which the application is received at the designated office.
- (2) For the purposes only of sub-paragraph (1)(c) a person who has been awarded an income-based jobseeker's allowance or an income-related employment and support allowance is to be treated as entitled to that allowance for any days which immediately precede the first day in that award and on which he would, but for regulations made under—
- (a) in the case of income-based jobseeker's allowance, paragraph 4 of Schedule 1 to the Jobseekers Act 1995 (waiting days); or
- (b) in the case of income-related employment and support allowance, paragraph 2 of Schedule 2 to the Welfare Reform Act 2007 (waiting days),
- have been entitled to that allowance.
- (3) Where the defect referred to in paragraph 7 of Schedule 1 to this scheme (application by telephone)—
- (a) is corrected within one month (or such longer period as the authority considers reasonable) of the date the authority last drew attention to it, the authority must treat the application as if it had been duly made in the first instance;
- (b) is not corrected within one month (or such longer period as the authority considers reasonable) of the date the authority last drew attention to it, the authority must treat the application as if it had been duly made in the first instance where it considers it has sufficient information to decide on the application.
- (4) The authority is to treat a defective application as if it had been validly made in the first instance if, in any particular case, the conditions specified in sub-paragraph (5)(a), (b) or (c) are satisfied.
- (5) The conditions are that—
- (a) where paragraph 4(a) of Schedule 1 (incomplete form) applies, the authority receives at its designated office the properly completed application or the information requested to complete it or the evidence within one month of the request, or such longer period as the authority may consider reasonable; or
- (b) where paragraph 4(b) of Schedule 1 (application not on approved form or further information requested by authority) applies—
- (i) the approved form sent to the applicant is received at the designated office properly completed within one month of it having been sent to him; or, as the case may be,

- (ii)the applicant supplies whatever information or evidence was requested under paragraph 4 of that Schedule within one month of the request,
or, in either case, within such longer period as the authority may consider reasonable; or
 - (c) where the authority has requested further information, the authority receives at its designated office the properly completed application or the information requested to complete it within one month of the request or within such longer period as the authority considers reasonable.
- (6) Except in the case of an application made by a person treated as not being in Great Britain, where a person has not become liable for council tax to the authority but it is anticipated that he will become so liable within the period of 8 weeks (the relevant period), he may apply for a reduction under this scheme at any time in that period in respect of that tax and, provided that liability arises within the relevant period, the authority is to treat the application as having been made on the day on which the liability for the tax arises.
- (7) Except in the case of an application made by a person treated as not being in Great Britain, where the applicant is not entitled to a reduction under this scheme in the reduction week immediately following the date of his application but the authority is of the opinion that unless there is a change of circumstances, he will be entitled to a reduction under this scheme for a period beginning not later than—
- (a) in the case of an application made by—
 - (i)a pensioner, or
 - (ii)a person who has attained, or whose partner has attained, the age which is 17 weeks younger than the qualifying age for state pension credit,
the seventeenth reduction week following the date on which the application is made, or
 - (b) in the case of an application made by a person who is not a pensioner, the thirteenth reduction week following the date on which the application is made,
the authority may treat the application as made on a date in the reduction week immediately preceding the first reduction week of that period of entitlement and award a reduction accordingly.
- (8) In this paragraph “appropriate DWP office” means an office of the Department for Work and Pensions dealing with state pension credit or an office which is normally open to the public for the receipt of claims for income support, a jobseeker’s allowance or an employment and support allowance.

Applications where an applicant’s Universal Credit ceases an award of Council Tax Reduction

- (9) Where a council tax reduction claim has stopped due to the level of the applicant’s Universal Credit and associated income, that claim will remain valid from the date that Council Tax Reduction has stopped for a period of six calendar months.

Joint claims for Housing Benefit and Council Tax Reduction.

- (10) Where an applicant is entitled to Housing Benefit and notifies the authority of a wish to claim Council Tax Reduction, the authority will assess Council Tax Reduction without the need for a separate claim form
- (11) The effective date of the applicant shall be the date the request is made to the authority (in any format).

Backdating of applications: pensioners

- 111.—(1) Subject to sub-paragraph (2), the time for the making of an application under this scheme by a pensioner is as regards any day on which, apart from satisfying the condition of making an application, the applicant is entitled to such a reduction, that day and the period of three months immediately following it.
- (2) In any case where paragraph 110(1)(a) applies, sub-paragraph (1) does not entitle a person to apply for a reduction under this scheme in respect of any day earlier than three months before the date on which the claim for state pension credit is made (or treated as made by virtue of any provision of the Social Security (Claims and Payments) Regulations 1987).

Backdating of applications: persons who are not pensioners.

112.—(1) Where an applicant who is a person who is not a pensioner—

- (a) makes an application under this scheme which includes (or which he subsequently requests should include) a period before the application is made; and
 - (b) from a day in that period, up to the date he made the application (or subsequently requested that the application should include a past period), the applicant had continuous good cause for failing to make an application (or request that the application should include that period), the application is to be treated as made on the date determined in accordance with subparagraph (2).
- (2) That date is the latest of—
- (a) the first day from which the applicant had continuous good cause;
 - (b) the day 1 month before the date the application was made;
 - (c) the day 1 month before the date when the applicant requested that the application should include a past period.

Information and evidence

113.—(1) Subject to sub-paragraph (3), a person who makes an application for a reduction under this scheme must satisfy sub-paragraph (2) in relation both to himself and to any other person in respect of whom he is making the application.

(2) This sub-paragraph is satisfied in relation to a person if—

- (a) the application is accompanied by—
 - (i)a statement of the person's national insurance number and information or evidence establishing that that number has been allocated to the person; or
 - (ii)information or evidence enabling the authority to ascertain the national insurance number that has been allocated to the person; or
- (b) the person has made an application for a national insurance number to be allocated to him and the application for the reduction is accompanied by—
 - (i)evidence of the application for a national insurance number to be so allocated; and
 - (ii)the information or evidence enabling it to be so allocated.

(3) Sub-paragraph (2) does not apply—

- (a) in the case of a child or young person in respect of whom an application for a reduction is made;
- (b) to a person who—
 - (i)is a person treated as not being in Great Britain for the purposes of this scheme;
 - (ii)is subject to immigration control within the meaning of section 115(9)(a) of the Immigration and Asylum Act 1999; and
 - (iii)has not previously been allocated a national insurance number.

(4) Subject to sub-paragraph (5), a person who makes an application, or a person to whom a reduction under this scheme has been awarded, must furnish such certificates, documents, information and evidence in connection with the application or the award, or any question arising out of the application or the award, as may reasonably be required by the authority in order to determine that person's entitlement to, or continuing entitlement to a reduction under this scheme and must do so within one month of the authority requiring him to do so or such longer period as the authority may consider reasonable.

(5) Nothing in this paragraph requires a person to furnish any certificates, documents, information, or evidence relating to a payment to which sub-paragraph (7) applies.

(6) Where a request is made under sub-paragraph (4), the authority must—

- (i) inform the applicant or the person to whom a reduction under this scheme has been awarded of his duty under paragraph 115 (duty to notify change of circumstances) to notify the authority of any change of circumstances; and
- (ii) without prejudice to the extent of the duty owed under paragraph 115, indicate to him either orally or by notice or by reference to some other document available to him on application and without charge, the kind of change of circumstances which is to be notified.

(7) This sub-paragraph applies to any of the following payments—

- (a) a payment which is—

- (i)disregarded under paragraph 28 of Schedule 8 (sums disregarded in the calculation of income other than earnings: persons who are not pensioners) or paragraph 38 of Schedule 10 (capital disregards: persons who are not pensioners); or
 - (ii) made under or by the Trusts, the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation, the Caxton Foundation" insert “, the London Emergencies Trust, the We Love Manchester Emergency Fund, the Grenfell Tower charitable funds, the Grenfell Tower Residents' Discretionary Fund, the Windrush Compensation Scheme or the London Bombings Relief Charitable Fund;
 - (aa) a Grenfell Tower support payment
 - (b) a payment which is disregarded under paragraph 16 of Schedule 9 (payments made under certain trusts and certain other payments), other than a payment under the Independent Living Fund (2006);
 - (c) a payment which is disregarded under paragraph 30(9)(b) or (c) (payment made under certain trusts etc.) or paragraph 2(b) or (c) of Schedule 4 (payments made under certain trusts etc.) other than a payment under the Independent Living Fund (2006).
- (8) Where an applicant or a person to whom a reduction under this scheme has been awarded or any partner has attained the qualifying age for state pension credit and is a member of, or a person deriving entitlement to a pension under, a personal pension scheme, he must where the authority so requires furnish the following information—
- (a) the name and address of the pension fund holder;
 - (b) such other information including any reference or policy number as is needed to enable the personal pension scheme to be identified.

Amendment and withdrawal of application

- 114.—(1) A person who has made an application may amend it at any time before a decision has been made on it by a notice in writing delivered or sent to the designated office.
- (2) Where the application was made by telephone in accordance with Part 1 of Schedule 1, the amendment may also be made by telephone.
- (3) Any application amended in accordance with sub-paragraph (1) or (2) is to be treated as if it had been amended in the first instance.
- (4) A person who has made an application may withdraw it by notice to the designated office at any time before a decision has been made on it.
- (5) Where the application was made by telephone in accordance with Part 1 of Schedule 1, the withdrawal may also be made by telephone.
- (6) Any notice of withdrawal given in accordance with sub-paragraph (4) or (5) has effect when it is received.
- (7) Where a person, by telephone, amends or withdraws an application the person must (if required to do so by the authority) confirm the amendment or withdrawal by a notice in writing delivered or sent to the designated office.

Duty to notify changes of circumstances.

- 115.—(1) Subject to sub-paragraphs (3), (6) and (7), the applicant (or any person acting on his behalf) must comply with sub-paragraph (2) if there is a relevant change of circumstances at any time—
- (a) between the making of an application and a decision being made on it, or
 - (b) after the decision is made (where the decision is that the applicant is entitled to a reduction under this scheme) including at any time while the applicant is in receipt of such a reduction.
- (2) The applicant (or any person acting on his behalf) must notify any change of circumstances which the applicant (or that person) might reasonably be expected to know might affect his entitlement to, or the amount of, a reduction under this scheme (a “relevant change of circumstances”) by giving notice to the authority—
- (a) in writing; or
 - (b) by telephone—

- (i)where the authority has published a telephone number for that purpose or for the purposes of Part 1 of Schedule 1 unless the authority determines that in any particular case or class of case notification may not be given by telephone; or
- (ii)in any case or class of case where the authority determines that notice may be given by telephone; or
- (c) by any other means which the authority agrees to accept in any particular case, within a period of 21 days beginning with the day on which the change occurs, or as soon as reasonably practicable after the change occurs, whichever is later.
- (3) The duty imposed on a person by sub-paragraph (1) does not extend to notifying—
- (a) changes in the amount of council tax payable to the authority;
 - (b) changes in the age of the applicant or that of any member of his family;
 - (c) in the case of an applicant in receipt of a relevant benefit, changes in circumstances which affect the amount of the benefit but not the amount of the reduction under this scheme to which he is entitled, other than the cessation of that entitlement to the benefit.
- (4) For the purposes of sub-paragraph (3)(c) “relevant benefit” means income support, an income-based jobseeker’s allowance or an income-related employment and support allowance or universal credit.
- (5) Notwithstanding sub-paragraph (3)(b) or (c) an applicant is required by sub-paragraph (1) to notify the authority of any change in the composition of his family arising from the fact that a person who was a member of his family is now no longer such a person because he has ceased to be a child or young person.
- (6) The duty imposed on a person by sub-paragraph (1) includes—
- (a) in the case of a person falling within class C (pensioners: alternative maximum council tax reduction) giving written notice to the authority of changes which occur in the number of adults in the dwelling or in their total gross incomes and, where any such adult ceases to be in receipt of state pension credit, the date when this occurs;
 - (b) in the case of a person falling within class F (persons who are not pensioners: alternative maximum council tax reduction) giving written notice to the authority of changes which occur in the number of adults in the dwelling or in their total gross incomes and, where any such adult ceases to be in receipt of income support, an income-based jobseeker’s allowance or an income-related employment and support allowance, the date when this occurs.
- (7) A person who has been awarded a reduction under this scheme who is also on state pension credit must report—
- (a) changes affecting the residence or income of any non-dependent normally residing with the applicant or with whom the applicant normally resides;
 - (b) any absence from the dwelling which exceeds or is likely to exceed 13 weeks or where the absence is from Great Britain, which exceeds or is likely to exceed 4 weeks.
- (8) In addition to the changes required to be reported under sub-paragraph (7), a person whose state pension credit comprises only the savings credit must also report—
- (a) changes affecting a child living with him which may result in a change in the amount of reduction under this scheme allowed in his case, but not changes in the age of the child;
 - (b) any change in the amount of the applicant’s capital to be taken into account which does or may take the amount of his capital to more than £16,000;
 - (c) any change in the income or capital of—
 - (i)a non-dependent whose income and capital are treated as belonging to the applicant in accordance with paragraph 34 (circumstances in which income of a non-dependent is to be treated as applicant’s); or
 - (ii)a person to whom paragraph 36(2)(e) (partner treated as member of the household under paragraph 8) refers,

and whether such a person or, as the case may be, non-dependent stops living or begins or resumes living with the applicant.
- (9) A person who is entitled to a reduction under this scheme and on state pension credit need only report to the authority the changes specified in sub-paragraphs (7) and (8).

PART 15 Decisions by authority

Decision by authority

116. The authority must make a decision on an application for a reduction under this scheme within 14 days of paragraphs 110 and 113 and Part 1 of Schedule 1 being satisfied, or as soon as reasonably practicable thereafter.

Notification of decision

117.—(1) The authority must notify in writing any person affected by a decision made by it under this scheme—

- in the case of a decision on an application, forthwith or as soon as reasonably practicable thereafter;
- in any other case, within 14 days of that decision or as soon as reasonably practicable thereafter.

(2) Where the decision is to award a reduction the notification under sub-paragraph (1) must include a statement—

- informing the person affected of the duty imposed by paragraph 115(1)(b);
- explaining the possible consequences (including prosecution) of failing to comply with that duty; and
- setting out the circumstances a change in which might affect entitlement to the reduction or its amount.

(3) Where the decision is to award a reduction, the notification under sub-paragraph (1) must include a statement as to how that entitlement is to be discharged.

(4) In any case, the notification under sub-paragraph (1) must inform the person affected of the procedure by which an appeal may be made and must refer the person to the provisions in this scheme relating to the procedure for making an appeal.

(5) A person affected to whom the authority sends or delivers a notification of decision may, within one month of the date of the notification of that decision request in writing the authority to provide a written statement setting out the reasons for its decision on any matter set out in the notice.

(6) The written statement referred to in sub-paragraph (5) must be sent to the person requesting it within 14 days or as soon as reasonably practicable thereafter.

(7) For the purposes of this paragraph a person is to be treated as a person affected by a decision of the authority under this scheme where the rights, duties or obligations of that person are affected by that decision and the person falls within sub-paragraph (8).

(8) This sub-paragraph applies to—

- the applicant;
- in the case of a person who is liable to pay council tax in respect of a dwelling and is unable for the time being to act—
 - (i)a deputy appointed by the Court of Protection with power to claim, or as the case may be, receive benefit on his behalf; or
 - (ii)in Scotland, a judicial factor or any guardian acting or appointed under the Adults with Incapacity (Scotland) Act 2000 who has power to apply or, as the case may be, receive benefit on the person's behalf; or
 - (iii)an attorney with a general power or a power to apply or, as the case may be, receive benefit, has been appointed by that person under the Powers of Attorney Act 1971, the Enduring Powers of Attorney Act 1985, or the Mental Capacity Act 2005 or otherwise,
- a person appointed by the authority under paragraph 109(3).

PART 16 Circumstances in which a payment may be made.

Payment where there is joint and several liability.

118.—(1) Where—

- (a) a person is entitled to a reduction under this scheme in respect of his liability for the authority's council tax as it has effect in respect of a financial year;
- (b) the person entitled to the reduction is jointly and severally liable for the council tax; and

- (c) the authority determines that discharging his entitlement by reducing the amount of his liability to which regulation 20(2) of the Council Tax (Administration and Enforcement) Regulations 1992 refers would be inappropriate, it may make a payment to him of the amount of reduction to which he is entitled, rounded where necessary to the nearest penny.
- (2) Subject to sub-paragraph (3), any payment made under sub-paragraph (1) must be made to the person who is entitled to the reduction.
- (3) Where a person other than the person who is entitled to the reduction under this scheme made the application for the reduction and that first person is a person acting pursuant to an appointment under paragraph 109(3) (persons appointed to act for a person unable to act) or is treated as having been so appointed by virtue of paragraph 109(5), the amount of the reduction may be paid to that person.

PART 17

Award or payment of reduction.

Time and manner of granting reduction under this scheme.

- 119.—(1) Subject to paragraph 122 (payments on death), where a person is entitled to a reduction under this scheme in respect of his liability for the authority's council tax as it has effect in respect of the financial year, the authority must discharge his entitlement—
- (a) by reducing, so far as possible, the amount of his liability to which regulation 20(2) of the Council Tax (Administration and Enforcement) Regulations 1992 refers; or
- (b) where—
- (i) such a reduction is not possible; or
- (ii) such a reduction would be insufficient to discharge the entitlement to a reduction under this scheme; or
- (iii) the person entitled to the reduction is jointly and severally liable for the council tax and the authority determines that such a reduction would be inappropriate, by making payment to him of the amount of reduction to which he is entitled, rounded where necessary to the nearest penny.
- (2) The authority must notify the person entitled to a reduction under this scheme of the amount of that reduction and how his entitlement is to be discharged in pursuance of sub-paragraph (1).
- (3) In a case to which sub-paragraph (1)(b) refers—
- (a) if the amount of the council tax for which he remains liable in respect of the financial year, after any reduction to which sub-paragraph (1)(a) refers has been made, is insufficient to enable his entitlement to a reduction under this scheme in respect thereof to be discharged, upon the final instalment of that tax becoming due any outstanding reduction—
- (i) must be paid to that person if he so requires; or
- (ii) in any other case must (as the authority determines) either be repaid or credited against any subsequent liability of the person to make a payment in respect of the authority's council tax as it has effect for any subsequent year;
- (b) if that person has ceased to be liable for the authority's council tax and has discharged the liability for that tax, the outstanding balance (if any) of the reduction under this scheme in respect thereof must be paid within 14 days or, if that is not reasonably practicable, as soon as practicable thereafter
- (c) in any other case, the reduction under this scheme must be paid within 14 days of the receipt of the application at the offices of the authority or, if that is not reasonably practicable, as soon as practicable thereafter.
- (4) For the purposes of this paragraph "instalment" means any instalment of the authority's council tax to which regulation 19 of the Council Tax (Administration and Enforcement) Regulations 1992 refers (council tax payments).

Person to whom reduction is to be paid.

- 120.—(1) Subject to paragraph 122 (payment on death) and sub-paragraph (2), any payment of the amount of a reduction under paragraph 116(1)(b) must be made to the person who is entitled to the reduction.

- (2) Where a person other than the person who is entitled to the reduction under this scheme made the application for the reduction and that first person is a person acting pursuant to an appointment under paragraph 107(3) (persons appointed to act for a person unable to act) or is treated as having been so appointed by virtue of paragraph 107(5), the amount of the reduction may be paid to that person.

Shortfall in reduction

- 121.** Where, on the revision of a decision allowing a reduction under this scheme to a person, it is determined that the amount allowed was less than the amount to which that person was entitled, the authority must either—

- (a) make good any shortfall in reduction which is due to that person, by reducing so far as possible the next and any subsequent payments he is liable to make in respect of the council tax of the authority as it has effect for the financial year until that shortfall is made good; or
- (b) where this is not possible or the person concerned so requests, pay the amount of any shortfall in reduction due to that person within 14 days of the revision of the decision being made or if that is not reasonably practicable, as soon as possible afterwards.

Payment on the death of the person entitled.

- 122.** Where the person entitled to any reduction under this scheme has died and it is not possible to award the reduction which is due in the form of a reduction of the council tax for which he was liable, the authority must make payment of the amount of the reduction to his executor or administrator in accordance with regulation 58(4) of the Council Tax (Administration and Enforcement) Regulations 1992.

- (2) Where an Act of Parliament or subordinate legislation repeals and re-enacts, with or without modification, a previous enactment (including a previous regulation) then, unless the contrary intention appears.

Transitional provisions for restrictions on amounts for children and young persons (pensioners)

- 123 (1)** This regulation applies where—

- (a) on 31st March 2018, a person is liable to pay council tax at a reduced rate by virtue of a council tax reduction under an authority's scheme established under section 13A(2) of the Local Government Finance Act 1992 ("a section 13A(2) scheme"); and
- (b) the person is, or the person and the person's partner are between them, responsible for more than two individuals who are either children or young persons and who are members of the same household (each such individual is referred to as a protected individual").

- (2) Where this regulation applies, the amendments made by regulation 7 do not apply to the person entitled to a council tax reduction referred to in paragraph (1) until—

- (a) the person makes a new application for a reduction under an authority's section 13A(2) scheme; or
- (b) the person or the person's partner (if any) becomes responsible for a new individual, whichever is the first to occur.

- (3) Paragraphs (4) to (8) apply where—

- (a) the amendments made by regulation 7 apply by virtue of paragraph (2)(b);
- (b) the child tax credit provisions do not apply; and
- (c) the person has not made a new application for a reduction under an authority's scheme for a reduction under an authority's section 13A(2) scheme.

- (4) Notwithstanding the default provisions, a child amount shall be included in the applicable amount in relation to any protected individual, in relation to any time when the person or the person's partner (if any) is responsible for the individual and the individual is a member of the same household.

- (5) Paragraph (6) applies where—

- (a) the person or the person's partner (if any) is responsible for one or more protected individuals who are members of the same household; and
- (b) either of them is responsible for one or more new individuals who are members of the same household.

- (6) Where this paragraph applies, any protected individual for whom the person or the person's partner is responsible is to be counted for the purpose of deciding whether, under the default provisions, an additional child amount is to be included in the applicable amount with respect to the new individual or individuals referred to in paragraph (5)(b).
- (7) Paragraph (8) applies where—
(a) the number of protected individuals for whom either the person or the person's partner (if any) is responsible, and who are members of the same household, is one;
(b) the number of new individuals for whom either the person or the person's partner is responsible, and who are members of the same household, is two or more; and
(c) a different child amount would apply to different individuals.
- (8) Where this paragraph applies, the child amounts to be included in the applicable amount shall be—
(a) the child amount in relation to the protected individual; and
(b) a child amount in relation to such one of the new individuals as will result in the greatest possible total amount.
- (9) Under paragraph (3), for the purposes of determining whether the child tax credit provisions apply, by virtue of paragraph 6(1B) of Schedule 1 to the 2012 Regulations, where the person or the person's partner is responsible for one or more protected individuals, the total amount that would be included in the applicable amount under the default provisions shall be taken to be the total that would be included under paragraphs (4), (6) and (8).
- (10) For the purposes of this regulation—
(a) “the 2012 Regulations” means the Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012;
(b) “applicable amount”, “child”, “partner” and “young person” have the same meanings as in the 2012 Regulations;
(c) “child amount” means the amount determined under paragraph 2 of Schedule 2 to the 2012 Regulations;
(d) “child tax credit provisions” means the provisions of paragraph 6(1)(b) of Schedule 1 to the 2012 Regulations (as substituted by paragraph 6(1C) of that Schedule);
(e) “default provisions” means the provisions of paragraph 6(1)(b) of Schedule 1 to the 2012 Regulations (as substituted by paragraph 6(1C) of that Schedule);
(f) “new individual” means a child or young person who is not a protected individual;
(g) any reference to an individual being part of the same household means being part of the same household with the person who is entitled to a reduction under an authority's section 13A(2) scheme and the person's partner (if any);
(h) a person is to be treated as responsible for a child or young person in the circumstances set out in regulation 7 of the 2012 Regulations

SCHEDULE 1 Procedural matters

Paragraph 11

PART 1 Procedure for an application for a reduction under this scheme

Procedure by which a person may apply for a reduction under this scheme;

1. Paragraphs 2 to 7 apply to an application for a reduction under this scheme.
2. An application may be made—
 - (a) in writing,
 - (b) by means of an electronic communication in accordance with Part 4 of this Schedule, or
 - (c) where the authority has published a telephone number for the purpose of receiving such applications, by telephone;
 - (d) Any notification from the Secretary of State for Work and Pensions which informs the authority that any applicant has been awarded Universal Credit shall be treated as an application for reduction.
- 3.—(1) An application which is made in writing must be made to the designated office on a properly completed form.
 - (2) The form must be provided free of charge by the authority for the purpose.
4. - (1)Where an application made in writing is defective because—
 - (a) it was made on the form supplied for the purpose but that form is not accepted by the authority as being properly completed; or
 - (b) it was made in writing but not on the form supplied for the purpose and the authority does not accept the application as being in a written form which is sufficient in the circumstances of the case having regard to the sufficiency of the written information and evidence, the authority may, in a case to which sub-paragraph (a) applies, request the applicant to complete the defective application or, in the case to which sub-paragraph (b) applies, supply the applicant with the approved form or request further information and evidence.
- (2) An application made on a form provided by the authority is properly completed if completed in accordance with the instructions on the form, including any instructions to provide information and evidence in connection with the application.
- 5.—(1) If an application made by electronic communication is defective the authority must provide the person making the application with an opportunity to correct the defect.
 - (2) An application made by electronic communication is defective if the applicant does not provide all the information the authority requires.
6. In a particular case the authority may determine that an application made by telephone is only valid if the person making the application approves a written statement of his circumstances provided by the authority.
- 7.—(1) If an application made by telephone is defective the authority must provide the person making the application with an opportunity to correct the defect.
 - (2) An application made by telephone is defective if the applicant does not provide all the information the authority requests during the telephone call.

PART 2 Procedure for making an appeal.

Procedure by which a person may make an appeal against certain decisions of the authority.

8. A person who is aggrieved by a decision of the authority which affects—
 - (a) the person's entitlement to a reduction under this scheme, or
 - (b) the amount of any reduction under this scheme,
may serve a written notice on the authority stating the matter by which, and the grounds on which, he is aggrieved.
9. The authority must—

- (a) consider the matter to which the notice relates;
 - (b) notify the aggrieved person in writing—
 - (i) that the ground is not well founded, giving reasons for that belief; or
 - (ii) that steps have been taken to deal with the grievance, stating the steps taken.
10. Where, following notification under paragraph 9(b)(i) or (ii), the person is still aggrieved, or if the authority fails to notify the person aggrieved in accordance with paragraph 9(b) within two months of the service of his notice, he may appeal to a valuation tribunal under section 16 of the 1992 Act.

PART 3 Procedure for applying for a discretionary reduction.

Procedure for an application to the authority for a reduction under section 13A(1)(c) of the 1992 Act

- 11.—(1) An application to the authority for a reduction under section 13A(1)(c) of the 1992 Act may be made—
- (a) in writing;
 - (b) by means of an electronic communication in accordance with Part 4 of this Schedule; or
 - (c) where the authority has published a telephone number for the purposes of receiving such applications, by telephone.
- (2) Where—
- (a) the authority has made a determination under section 13A(1)(c) in relation to a class of case in which liability is to be reduced; and
 - (b) a person in that class would otherwise be entitled to a reduction under this scheme,
- that person's application for a reduction under this scheme may also be treated as an application for a reduction under section 13A(1)(c).

PART 4 Electronic communication

Interpretation

12. In this Part—
- “information” includes an application, certificate, notice or other evidence;
- “official computer system” means a computer system maintained by or on behalf of the authority for the sending, receiving, processing, or storing of any information.
- Conditions for the use of electronic communication

- 13.—(1) The authority may use an electronic communication in connection with applications for, and awards of, reductions under this scheme.
- (2) A person other than the authority may use an electronic communication in connection with the matters referred to in sub-paragraph (1) if the conditions specified in sub-paragraphs (3) to (6) are satisfied.
- (3) The first condition is that the person is for the time being permitted to use an electronic communication by an authorisation given by means of a direction of the Chief Executive of the authority.
- (4) The second condition is that the person uses an approved method of—
- (a) authenticating the identity of the sender of the communication;
 - (b) electronic communication;
 - (c) authenticating any application or notice delivered by means of an electronic communication; and
 - (d) subject to sub-paragraph (7), submitting to the authority any information.
- (5) The third condition is that any information sent by means of an electronic communication is in a form supplied for the purposes of this Part of this Schedule.
- (6) The fourth condition is that the person maintains such records in written or electronic form as may be specified in a direction given by the Chief Executive of the authority.

- (7) Where the person uses any method other than the method approved of submitting any information, that information is to be treated as not having been submitted.
- (8) In this paragraph “approved” means approved by means of a direction given by the Chief Executive of the authority for the purposes of this Part of this Schedule.

Use of intermediaries

14. The authority may use intermediaries in connection with—
 (a) the delivery of any information by means of an electronic communication; and
 (b) the authentication or security of anything transmitted by such means,
 and may require other persons to use intermediaries in connection with those matters.

Effect of delivering information by means of electronic communication.

- 15.—(1) Any information which is delivered by means of an electronic communication is to be treated as having been delivered in the manner or form required by any provision of this scheme, on the day the conditions imposed—
 (a) by this Part; and
 (b) by or under an enactment,
 are satisfied.
- (2) The authority may determine that any information is to be treated as delivered on a different day (whether earlier or later) from the day provided for in sub-paragraph (1).
- (3) Information must not be taken to have been delivered to an official computer system by means of an electronic communication unless it is accepted by the system to which it is delivered.

Proof of identity of sender or recipient of information

16. If it is necessary to prove, for the purpose of any legal proceedings, the identity of—
 (a) the sender of any information delivered by means of an electronic communication to an official computer system; or
 (b) the recipient of any such information delivered by means of an electronic communication from an official computer system,
 the sender or recipient, as the case may be, is to be presumed to be the person whose name is recorded as such on that official computer system.

Proof of delivery of information

- 17.—(1) If it is necessary to prove, for the purpose of any legal proceedings, that the use of an electronic communication has resulted in the delivery of any information this must be presumed to have been the case where—
 (a) any such information has been delivered to the relevant authority, if the delivery of that information has been recorded on an official computer system; or
 (b) any such information has been delivered by the relevant authority if the delivery of that information has been recorded on an official computer system.
- (2) If it is necessary to prove, for the purpose of any legal proceedings, that the use of an electronic communication has resulted in the delivery of any such information, this must be presumed not to be the case if that information delivered to the relevant authority has not been recorded on an official computer system.
- (3) If it is necessary to prove, for the purpose of any legal proceedings, when any such information sent by means of an electronic communication has been received, the time and date of receipt must be presumed to be that recorded on an official computer system.

Proof of content of information

18. If it is necessary to prove, for the purpose of any legal proceedings, the content of any information sent by means of an electronic communication, the content must be presumed to be that recorded on an official computer system.

SCHEDULE 2 Applicable amounts:

PART 1 Persons who are pensioners Paragraph 25

The amount specified in column (2) below in respect of each person or couple specified in column (1) is the amount specified for the purposes of paragraph 25(1)(a) is;

(a) on or after 1st April 2021, the amount specified in column (2) of Table 1 below in respect of each person or couple referred to in column (1) of that Table.

(1A) For the purposes of sub-paragraph (1)(b) as it applies apart from sub-paragraph (1C), where the family includes more than two individuals who are either children or young persons and under paragraph 2 of that Schedule a different amount applies to different individuals, the two amounts to be included in the applicable amount shall be those that result in the greatest possible total amount.

(1B) Sub-paragraph (1C) applies where—

(a) whether or not as part of a tax credit couple as defined in section 3(5A) of the Tax Credits Act 2002) the applicant has an award of child tax credit (whether or not any amount is payable by way of such credit) in respect of a child or young person who is a member of his family; and (b) the total amount to be included in the applicable amount under sub-paragraph (1)(b) as substituted by sub-paragraph (1C) would be higher than the total amount that would be included under paragraph (1)(b) apart from sub-paragraph (1C).

(1C) Where this paragraph applies, for sub-paragraph (1)(b) substitute—

(b) an amount determined in accordance with paragraph 2 of that Schedule in respect of any child or young person who is a member of his family and in respect of whom the individual element of child tax credit has been included in the determination of the maximum rate of that credit;

Transitional provisions for restrictions on amounts for children and young persons

(1) This regulation applies where—

(a) on 31st March 2018, a person is liable to pay council tax at a reduced rate by virtue of a council tax reduction under an authority's scheme established under section 13A(2) of the Local Government Finance Act 1992 ("a section 13A(2) scheme"); and

(b) the person is, or the person and the person's partner are between them, responsible for more than two individuals who are either children or young persons and who are members of the same household (each such individual is referred to as a "protected individual").

(2) Where this regulation applies, the amendments made by regulation 7 do not apply to the person entitled to a council tax reduction referred to in paragraph (1) until—

(a) the person makes a new application for a reduction under an authority's section 13A(2) scheme; or

(b) the person or the person's partner (if any) becomes responsible for a new individual, whichever is the first to occur.

(3) Paragraphs (4) to (8) apply where—

(a) the amendments made by regulation 7 apply by virtue of paragraph (2)(b);

(b) the child tax credit provisions do not apply; and

(c) the person has not made a new application for a reduction under an authority's scheme for a reduction under an authority's section 13A(2) scheme.

(4) Notwithstanding the default provisions, a child amount shall be included in the applicable amount in relation to any protected individual, in relation to any time when the person or the person's partner (if any) is responsible for the individual and the individual is a member of the same household.

(5) Paragraph (6) applies where—

(a) the person or the person's partner (if any) is responsible for one or more protected individuals who are members of the same household; and

(b)either of them is responsible for one or more new individuals who are members of the same household.

(6) Where this paragraph applies, any protected individual for whom the person or the person's partner is responsible is to be counted for the purpose of deciding whether, under the default provisions, an additional child amount is to be included in the applicable amount with respect to the new individual or individuals referred to in paragraph (5)(b).

(7) Paragraph (8) applies where—

(a)the number of protected individuals for whom either the person or the person's partner (if any) is responsible, and who are members of the same household, is one;
(b)the number of new individuals for whom either the person or the person's partner is responsible, and who are members of the same household, is two or more; and
(c)a different child amount would apply to different individuals.

(8) Where this paragraph applies, the child amounts to be included in the applicable amount shall be—

(a)the child amount in relation to the protected individual; and
(b)a child amount in relation to such one of the new individuals as will result in the greatest possible total amount.

(9) Under paragraph (3), for the purposes of determining whether the child tax credit provisions apply, by virtue of paragraph 6(1B) of Schedule 1 to the 2012 Regulations, where the person or the person's partner is responsible for one or more protected individuals, the total amount that would be included in the applicable amount under the default provisions shall be taken to be the total that would be included under paragraphs (4), (6) and (8).

(10) For the purposes of this regulation—

(a)“the 2012 Regulations” means the Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012;
(b)“applicable amount”, “child”, “partner” and “young person” have the same meanings as in the 2012 Regulations;
(c)“child amount” means the amount determined under paragraph 2 of Schedule 2 to the 2012 Regulations;
(d)“child tax credit provisions” means the provisions of paragraph 6(1)(b) of Schedule 1 to the 2012 Regulations (as substituted by paragraph 6(1C) of that Schedule);
(e)“default provisions” means the provisions of paragraph 6(1)(b) of Schedule 1 to the 2012 Regulations (as substituted by paragraph 6(1C) of that Schedule);
(f)“new individual” means a child or young person who is not a protected individual;
(g)any reference to an individual being part of the same household means being part of the same household with the person who is entitled to a reduction under an authority's section 13A(2) scheme and the person's partner (if any);
(h)a person is to be treated as responsible for a child or young person in the circumstances set out in regulation 7 of the 2012 Regulations.

Table 1

<i>Column (1) Person, couple, or polygamous marriage</i>	<i>Column (2) Amount</i>
(1) Single applicant or lone parent who has attained pensionable age before 1 st April 2021	£244.40
(2) Couple one or both members before 1 st April 2021	£366.00
(3) If the applicant is a member of a polygamous marriage and one or more members of the marriage have attained pensionable age before 1 st April 2021 (a) for the applicant and the other party to the marriage; (b) for each additional spouse who is a member of the same household as the applicant.	(a) 366.00 (b) £121.60
(4) Single applicant or lone parent who has attained pensionable age on or after 1 st April 2021	£227.10

(5) Couple where both members have attained pensionable age on or after 1st April 2021	£346.60
(6) If the applicant is a member of a polygamous marriage and all members of the marriage have attained pensionable age on or after 1st April 2021— (a) for the applicant and the other party to the marriage; (b) for each additional spouse who is a member of the same household as the applicant	£346.60 £119.50

2. Child or young person amounts

- (1) The amounts specified in column (2) below in respect of each person specified in column (1) are the amounts, for the relevant period specified in column (1), specified for the purposes of paragraph 25(1)(b).

Column (1)	Column (2)
Child or young Person	Amount
Person in respect of the period— (a) beginning on that person's date of birth and ending on the day preceding the first Monday in September following that person's sixteenth birthday; (b) beginning on the first Monday in September following that person's sixteenth birthday and ending on the day preceding that person's twentieth birthday.	(a) £84.66; (b) £84.66.

- (2) In column (1) of the table “the first Monday in September” means the Monday which first occurs in the month of September in any year.

PART 2 Family premium

3. Family premium

The amount for the purposes of paragraph 6(1)(c) of Schedule 1 in respect of a family of which at least one member is a child or young person—

- (a) is £19.48 in respect of a reduction week which begins in the period beginning with 1st April 2015 and ending with 30th April 2016;
- (b) is nil in respect of a reduction week which begins after 1st May 2016.

Transitional provision

(1) The amendment in regulation Part 2-3 (Family Premium) of this policy (or 2(4)(b) for the purposes of SI2014/2015) does not apply to a person who, on 30th April 2016, is liable to pay council tax at a reduced rate by virtue of a council tax reduction under an authority's scheme established under section 13A (2) of the Act and is—

- (a) a member of a family of which at least one member is a child or young person; or
- (b) a partner in a polygamous marriage, where he or she, or another partner of the polygamous marriage, is responsible for a child or young person who is a member of the same household.

(2) Paragraph (1) does not apply if—

- (a) sub-paragraph (a) or (b) of that paragraph ceases to apply; or
- (b) the person makes a new application for a reduction under an authority's scheme under section 13A (2) of the Act.

(3) For the purposes of this regulation—

- (a) “the Act” means the Local Government Finance Act 1992;
- (b) “child”, “family”, “partner”, “polygamous marriage” and “young person” have the meanings given by regulation 2 of the Council Tax Reduction Schemes (Prescribed

PART 3 - Premiums

4. The premiums specified in Part 4 shall, for the purposes of paragraph 24(1)(d), be applicable to an applicant who satisfies the condition specified in this Part in respect of that premium.

5.—(1) Subject to sub-paragraph (2), for the purposes of this Part of this Schedule, once a premium is applicable to an applicant under this Part, a person shall be treated as being in receipt of any benefit for—

- (a) in the case of a benefit to which the Social Security (Overlapping Benefits) Regulations 1979 applies, any period during which, apart from the provision of those Regulations, he would be in receipt of that benefit; and
 - (b) any period spent by a person in undertaking a course of training or instruction provided or approved by the Secretary of State under section 2 of the Employment and Training Act 1973, or by Skills Development Scotland, Scottish Enterprise or Highland and Islands Enterprise under section 2 of the Enterprise and New Towns (Scotland) Act 1990 or for any period during which he is in receipt of a training allowance.
- (2) For the purposes of the carer premium under paragraph 9, a person is to be treated as being in receipt of a carer's allowance by virtue of sub-paragraph (1)(a) only if and for so long as the person in respect of whose care the allowance has been claimed remains in receipt of—
- (a) attendance allowance;
 - (b) the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the SSCBA;
 - (c) the care component of child disability payment at the highest or middle rate in accordance with regulation 11(5) of the DACYP Regulations;
 - (d) the daily living component of personal independence payment paid at either rate prescribed in accordance with Part 4 of the Welfare Reform Act 2012;
 - (e) the daily living component of adult disability payment at the standard or enhanced rate in accordance with regulation 5 of the DAWAP Regulations; or
 - (f) an AFIP.

Severe disability premium

6.—(1) The condition is that the applicant is a severely disabled person.

(2) For the purposes of sub-paragraph (1), an applicant shall be treated as being a severely disabled person if, and only if—

- a. in the case of a single applicant, a lone parent or an applicant who is treated as having no partner in consequence of sub-paragraph (3)—
 - (i) he is in receipt of—
 - (aa)attendance allowance;
 - (bb)the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the SSCBA;
 - (cc)the daily living component of personal independence payment paid at either rate prescribed in accordance with Part 4 of the Welfare Reform Act 2012;
 - (dd)the daily living component of adult disability payment at the standard or enhanced rate in accordance with regulation 5 of the DAWAP Regulations; or
 - (ee)an AFIP; and
 - (ii) subject to sub-paragraph (6), he has no non-dependants aged 18 or over normally residing with him or with whom he is normally residing; and
 - (iii) no person is entitled to, and in receipt of, a carer's allowance under section 70 of the SSCBA or has an award of universal credit which includes the carer element under regulation 29 of the Universal Credit Regulations 2013 in respect of caring for him;
- b. in the case of an applicant who has a partner—
 - (i) the applicant is in receipt of—
 - (aa)attendance allowance;
 - (bb)the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the SSCBA;
 - (cc)the daily living component of personal independence payment paid at either rate prescribed in accordance with Part 4 of the Welfare Reform Act 2012;

- (dd)the daily living component of adult disability payment at the standard or enhanced rate in accordance with regulation 5 of the DAWAP Regulations; or
- (ee)an AFIP;
- (ii) his partner is also in receipt of such an allowance or, if he is a member of a polygamous marriage, each other member of that marriage is in receipt of such an allowance; and
- (iii) subject to sub-paragraph (6), the applicant has no non-dependants aged 18 or over normally residing with him or with whom he is normally residing, and either a person is entitled to and in receipt of a carer's allowance or has an award of universal credit that includes the carer element in respect of caring for only one of the couple or, if he is a member of a polygamous marriage, for one or more but not all the members of the marriage, or as the case may be, no person is entitled to and in receipt of such an allowance or has such an award of universal credit in respect of caring for either member of a couple or any of the members of the marriage.
- (3) Where an applicant has a partner who does not satisfy the condition in sub-paragraph (2)(b)(ii), and that partner is blind or is treated as blind within the meaning of sub-paragraph (4), that partner shall be treated for the purposes of sub-paragraph (2) as if he were not a partner of the applicant.
- (4) For the purposes of sub-paragraph (3), a person is blind if he is registered in a register compiled by a local authority under section 29 of the National Assistance Act 1948 (welfare services) or, in Scotland, has been certified as blind and in consequence he is registered in a register maintained by or on behalf of a council constituted under section 2 of the Local Government (Scotland) Act 1994.
- (5) For the purposes of sub-paragraph (4), a person who has ceased to be registered as blind on regaining his eyesight shall nevertheless be treated as blind and as satisfying the additional condition set out in that sub-paragraph for a period of 28 weeks following the date on which he ceased to be so registered.
- (6) (6) For the purposes of sub-paragraph (2)(a)(ii) and (2)(b)(iii) no account shall be taken of—
- (a) a person receiving—
- (i) attendance allowance;
- (ii) the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the SSCBA;
- (iii) the daily living component of personal independence payment paid at either rate prescribed in accordance with Part 4 of the Welfare Reform Act 2012;
- (iv) the daily living component of adult disability payment at the standard or enhanced rate in accordance with regulation 5 of the DAWAP Regulations; or
- (v) an AFIP; or
- (b) a person who is blind or is treated as blind within the meaning of sub-paragraphs (4) and (5).
- (7) For the purposes of sub-paragraph (2)(b) a person shall be treated—
- (a) as being in receipt of attendance allowance, or the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the SSCBA, if he would, but for his being a patient for a period exceeding 28 days, be so in receipt;
- (b) as being in receipt of the daily living component of personal independence payment paid at the rate prescribed in accordance with Part 4 of the Welfare Reform Act 2012 if he would, but for his being a patient for a period exceeding 28 days, be so in receipt, notwithstanding section 86 of that Act and regulations made there under;
- (c) as being entitled to and in receipt of a carer's allowance or having an award of universal credit which includes the carer element if he would, but for the person for whom he was caring being a patient in hospital for a period exceeding 28 days, be so entitled and in receipt or have such an award of universal credit.
- (8) For the purposes of sub-paragraph (2)(a)(iii) and (2)(b)—
- (a) no account shall be taken of an award of carer's allowance to the extent that payment of such an award is back-dated for a period before the date on which the award is first paid; and
- (b) references to a person being in receipt of a carer's allowance or as having an award of universal credit which includes the carer element shall include reference to a person who

would have been in receipt of that allowance or had such an award of universal credit but for the application of a restriction under section 6B or 7 of the Social Security Fraud Act 2001 (loss of benefit).

Enhanced disability premium

7(1) The condition is that—

- (a) the care component of disability living allowance is, or would, but for a suspension of benefit in accordance with regulations under section 113(2) of the SSCBA or but for an abatement as a consequence of hospitalisation, be payable at the highest rate prescribed under section 73(2) of that Act;
- (aa) the care component of child disability payment is payable at the highest rate in accordance with regulation 11(5) of the DACYP Regulations;
- (ab) the daily living component of adult disability payment is payable, or has ceased to be payable by virtue of regulation 28 (effect of admission to hospital on ongoing entitlement to Adult Disability Payment) of the DAWAP Regulations, at the enhanced rate in accordance with regulation 5 of those Regulations or
- (b) (as the case may be) the daily living component of personal independence payment is, or would, but for a suspension of benefit in accordance with regulations under section 86 of the Welfare Reform Act 2012, be payable at the enhanced rate prescribed in accordance with section 78(2) of that Act,

in respect of a child or young person who is a member of the applicant's family.

(2) Where the condition in sub-paragraph (1) ceases to be satisfied because of the death of a child or young person, the condition is that the applicant or partner is entitled to child benefit in respect of that person under section 145A of the SSCBA (entitlement after death of child or qualifying young person).

Disabled child premium

8. The condition is that a child or young person for whom the applicant or a partner of his is responsible and who is a member of the applicant's household—

- (a) is in receipt of disability living allowance, personal independence payment or is no longer in receipt of such allowance or payment because he is a patient, provided that the child or young person continues to be a member of the family;
- (aa) is in receipt of child disability payment; or
- (b) is blind within the meaning of paragraph 6(4) or treated as blind in accordance with paragraph 6(5); or
- (c) is a child or young person in respect of whom section 145A of the SSCBA (entitlement after death of child or qualifying young person) applies for the purposes of entitlement to child benefit but only for the period prescribed under that section, and in respect of whom a disabled child premium was included in the applicant's applicable amount immediately before the death of that child or young person, or ceased to be included in the applicant's applicable amount because of that child or young person's death; or
- (d) is a young person who is in receipt of adult disability payment or who would, but for payment ceasing by virtue of regulation 28 (effect of admission to hospital on ongoing entitlement to Adult Disability Payment) of the DAWAP Regulations be so in receipt, provided that the young person continues to be a member of the family; or
- (e) is a young person who is in receipt of an AFIP.

Carer premium

9.—(1) The condition is that the applicant or his partner is, or both of them are, entitled to a carer's allowance.

(2) Where a carer premium has been awarded but—

- (a) the person in respect of whose care the carer's allowance has been awarded dies; or
- (b) the person in respect of whom the premium was awarded ceases to be entitled, or ceases to be treated as entitled, to a carer's allowance, this paragraph shall be treated as satisfied for a period of eight weeks from the relevant date specified in sub-paragraph (3).

(3) The relevant date for the purposes of sub-paragraph (2) is—

- (a) in a case within sub-paragraph (2)(a), the Sunday following the death of the person in respect of whose care the carer's allowance has been awarded (or beginning with the date of death if the date occurred on a Sunday);

- (b) in a case within sub-paragraph (2)(b), the date on which that person who was entitled to a carer's allowance ceases to be entitled to it.
- (4) For the purposes of this paragraph, a person shall be treated as being entitled to and in receipt of a carer's allowance for any period not covered by an award but in respect of which a payment is made in lieu of an award.

Persons in receipt of concessionary payments

10. For the purpose of determining whether a premium is applicable to a person under paragraphs 6 to 9 of this Schedule, any concessionary payment made to compensate that person for the non-payment of any benefit mentioned in those paragraphs shall be treated as if it were a payment of that benefit.

Person in receipt of benefit

11. For the purposes of this Part of this Schedule, a person shall be regarded as being in receipt of any benefit if, and only if, it is paid in respect of him and shall be so regarded only for any period in respect of which that benefit is paid.

PART 4 - Amounts of premium specified in Part 3

<i>Provision</i>	<i>Amount</i>
(1) Severe Disability Premium—	(a) £82.90;
(a) where the applicant satisfies the condition in paragraph 6(2)(a);	(b)
(b) where the applicant satisfies the condition in paragraph 6(2)(b)—	(i) £82.90;
	(ii) £165.80.
(2) Enhanced disability premium	(2) £32.75 in respect of each child or young person in respect of whom the conditions specified in paragraph 7 are satisfied.
(3) Disabled Child Premium.	(3) £81.37 in respect of each child or young person in respect of whom the condition specified in paragraph 8 is satisfied
(4) Carer Premium.	(4) £46.40 in respect of each person who satisfies the condition specified in paragraph 9.

Applicable amounts: persons who are not pensioners Paragraph 26

PART 1 Personal allowances

Personal allowances

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 paragraphs 25(1)(a) and 26(1)(a) and (b)–

Column 1 Person or Couple	Column 2
1. A Single applicant who;	
a) is entitled to main phase employment and support allowance	£92.05
b) is aged not less than 25	£92.05
c) is aged not less than 18 but less than 25	£72.90
2. Lone Parent	£92.05
3. Couple;	£144.65
a) Where the applicant is entitled to the main phase of employment and support allowance	
b) Where one member is aged not less than 18	£144.65
c) For each additional spouse who is a member of the same household as the claimant	£52.60

2. For the purposes of paragraph 1 of this Schedule an applicant is entitled to main phase employment and support allowance if—

- (a) paragraph 18 of this Schedule is satisfied in relation to the applicant; or
- (b) the applicant is entitled to a converted employment and support allowance.

- 3.—(1) 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 paragraphs 25(1)(b) and 26(1)(c) of this scheme:

Column (1)	Column (2)
Child or Young person	Amount
Person in respect of the period— (a) beginning on that person's date of birth and ending on the day preceding the first Monday in September following that person's sixteenth birthday; (b) beginning on the first Monday in September following that person's sixteenth birthday and ending on the day preceding that person's twentieth birthday.	£84.66 £84.66

(2) In column (1) of the table in sub-paragraph (1), “the first Monday in September” means the Monday which first occurs in the month of September in any year.

PART 2 - Family premium

4. Family premium

The amount for the purposes of paragraph 6(1)(c) of Schedule 1 in respect of a family of which at least one member is a child or young person is £19.48.

PART 3 - Premiums

5. Except as provided in paragraph 6 of this Schedule, the premiums specified in Part 4 of this Schedule shall, for the purposes of paragraphs 25(1)(d) and 26(1)(e) of this scheme, be applicable to an applicant who satisfies the condition specified in paragraphs 9 to 14 of this Schedule in respect of that premium.

6. Subject to paragraph 7 of this Schedule, where an applicant satisfies the conditions in respect of more than one premium in this Part of this Schedule, only one premium shall be applicable to him and, if they are different amounts, the higher or highest amount shall apply.

7. The following premiums, namely—

- (a) a severe disability premium to which paragraph 11 of this Schedule applies;
- (b) an enhanced disability premium to which paragraph 12 of this Schedule applies;
- (c) a disabled child premium to which paragraph 13 of this Schedule applies; and
- (d) a carer premium to which paragraph 14 of this Schedule applies, may be applicable in addition to any other premium which may apply under this Schedule.

8.—(1) Subject to sub-paragraph (2), for the purposes of this Part of this Schedule, once a premium is applicable to an applicant under this Part, a person shall be treated as being in receipt of any benefit for—

- (a) in the case of a benefit to which the Social Security (Overlapping Benefits) Regulations 1979 applies, any period during which, apart from the provisions of those Regulations, he would be in receipt of that benefit; and
- (b) any period spent by a person in undertaking a course of training or instruction provided or approved by the Secretary of State under section 2 of the Employment and Training Act 1973 or by Skills Development Scotland, Scottish Enterprise or Highlands and Islands Enterprise under section 2 of the Enterprise and New Towns (Scotland) Act 1990 for any period during which he is in receipt of a training allowance.

(2) For the purposes of the carer premium under paragraph 14 of this Schedule, a person shall be treated as being in receipt of carer's allowance by virtue of sub-paragraph (1)(a) only if and for so long as the person in respect of whose care the allowance has been claimed remains in receipt of attendance allowance, or the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the SSCBA or the daily living component of personal independence payment payable under Part 4 of the Welfare Reform Act 2012.

Disability premium

9. The condition is that—

- (a) where the applicant is a single applicant or a lone parent, he has not attained the qualifying age for state pension credit and the additional condition specified in paragraph 10 of this Schedule is satisfied; or
- (b) where the applicant has a partner, either—
 - (i) the applicant has not attained the qualifying age for state pension credit and the additional condition specified in paragraph 10(1)(a) or (b) is satisfied by him; or
 - (ii) his partner has not attained the qualifying age for state pension credit and the additional condition specified in paragraph 10(1)(a) is satisfied by his partner.

Additional condition for the disability premium

10.—(1) Subject to sub-paragraph (2) and paragraph 8 of this Schedule, the additional condition referred to in paragraph 9 of this Schedule is that either—

- (a) the applicant or, as the case may be, his partner—
 - (i) is in receipt of one or more of the following benefits: attendance allowance, disability living allowance, personal independence payment, the disability element or the severe disability element of working tax credit as specified in regulation 20(1)(b) and (f) of the Working Tax Credit (Entitlement and Maximum Rate) Regulations 2002, mobility supplement, long-term incapacity benefit under Part 2 of the SSCBA or severe disablement allowance under Part 3 of that Act but, in the case of long-term incapacity benefit or severe disablement allowance, only where it is paid in respect of him; or
 - (ii) was in receipt of long-term incapacity benefit under Part 2 of the SSCBA when entitlement to that benefit ceased on account of the payment of a retirement

pension under that Act and the applicant has since remained continuously entitled to council tax benefit and, if the long-term incapacity benefit was payable to his partner, the partner is still a member of the family; or

(iii) was in receipt of attendance allowance or disability living allowance but payment of benefit has been suspended in accordance with regulations made under section 113(2) of the SSCBA or otherwise abated as a consequence of the applicant or his partner becoming a patient within the meaning of paragraph 57(11)(i) (treatment of child care charges); or

(iv) was in receipt of personal independence payment, but payment of that benefit has been suspended in accordance with section 86 of the Welfare Reform Act 2012 as a consequence of the applicant becoming a patient within the meaning of paragraph 57(11)(i) (treatment of child care charges); or

(v) is provided by the Secretary of State with an invalid carriage or other vehicle under section 5(2) of the National Health Service Act 1977 (other services) or, in Scotland, under section 46 of the National Health Service (Scotland) Act 1978 (provision of services by Scottish Ministers) or receives payments by way of grant from the Secretary of State under paragraph 2 of Schedule 2 to the Act of 1977 (additional provisions as to vehicles) or, in Scotland, by Scottish Ministers under section 46 of the Act of 1978; or

(vi) is blind and in consequence registered in a register compiled by a local authority under section 29 of the National Assistance Act 1948 (welfare services) or, in Scotland, has been certified as blind and in consequence he is registered in a register maintained by or on behalf of a council constituted under section 2 of the Local Government (Scotland) Act 1994; or

(b) the applicant—

(i) is, or is treated as, incapable of work in accordance with the provisions of, and regulations made under, Part 12A of the SSCBA (incapacity for work); and

(ii) has been incapable, or has been treated as incapable, of work for a continuous period of not less than—

(aa) in the case of an applicant who is terminally ill within the meaning of section 30B(4) of the SSCBA, 196 days;

(bb) in any other case, 364 days.

(2) For the purposes of sub-paragraph (1)(a)(vi), a person who has ceased to be registered as blind on regaining his eyesight shall nevertheless be treated as blind and as satisfying the additional condition set out in that sub-paragraph for a period of 28 weeks following the date on which he ceased to be so registered.

(3) For the purposes of sub-paragraph (1)(b), once the disability premium is applicable to an applicant by virtue of his satisfying the additional condition specified in that provision, if he then ceases, for a period of 8 weeks or less, to be treated as incapable of work or to be incapable of work he shall, on again becoming so incapable of work, immediately thereafter be treated as satisfying the condition in sub-paragraph (1)(b).

(4) For the purposes of sub-paragraph (1)(b), once the disability premium is applicable to an applicant by virtue of his satisfying the additional condition specified in that provision, he shall continue to be treated as satisfying that condition for any period spent by him in undertaking a course of training provided under section 2 of the Employment and Training Act 1973 or section 2 of the Enterprise and New Towns (Scotland) Act 1990 or for any period during which he is in receipt of a training allowance.

(5) For the purposes of sub-paragraph (1)(b), where any two or more periods of incapacity are separated by a break of not more than 56 days, those periods shall be treated as one continuous period.

(6) For the purposes of this paragraph, a reference to a person who is or was in receipt of long term incapacity benefit includes a person who is or was in receipt of short-term incapacity benefit at a rate equal to the long-term rate by virtue of section 30B(4)(a) of the Act (short-term incapacity benefit for a person who is terminally ill), or who would be or would have been in receipt of short term incapacity benefit at such a rate but for the fact that the rate of short-term incapacity benefit already payable to him is or was equal to or greater than the long-term rate.

(7) In the case of an applicant who is a welfare to work beneficiary (a person to whom regulation 13A(1) of the Social Security (Incapacity for Work) (General) Regulations 1995 applies, and who again becomes incapable of work for the purposes of Part 12A of the SSCBA)—

(a) the reference to a period of 8 weeks in sub-paragraph (3); and
(b) the reference to a period of 56 days in sub-paragraph (5),
shall in each case be treated as a reference to a period of 104 weeks.

(8) The applicant is not entitled to the disability premium if he has, or is treated as having, limited capability for work.

Severe disability premium

11.—(1) The condition is that the applicant is a severely disabled person.

(2) For the purposes of sub-paragraph (1), an applicant shall be treated as being a severely disabled person if, and only if—

(a) in the case of a single applicant, a lone parent or an applicant who is treated as having no partner in consequence of sub-paragraph (3)—

(i) he is in receipt of attendance allowance, or the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the SSCBA or the daily living component of personal independence payment payable at either rate under Part 4 of the Welfare Reform Act 2012; and
(ii) subject to sub-paragraph (4), he has no non-dependants aged 18 or over normally residing with him or with whom he is normally residing; and
(iii) no person is entitled to, and in receipt of, a carer's allowance under section 70 of the SSCBA or has an award of universal credit which includes the carer element under regulation 29 of the Universal Credit Regulations 2013 in respect of caring for him ;

(b) in the case of an applicant who has a partner—

(i) the applicant is in receipt of attendance allowance, or the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the SSCBA or the daily living component of personal independence payment payable at either rate under Part 4 of the Welfare Reform Act 2012; and

(ii) his partner is also in receipt of such an allowance or, if he is a member of a polygamous marriage, all the partners of that marriage are in receipt of such an allowance; and

(iii) subject to sub-paragraph (4), the applicant has no non-dependants aged 18 or over normally residing with him or with whom he is normally residing, and either a person is entitled to and in receipt of a carer's allowance or has an award of universal credit which includes the carer element in respect of caring for only one of a couple or, in the case of a polygamous marriage, for one or more but not all the partners of the marriage, or as the case may be, no person is entitled to and in receipt of such an allowance or has such an award of universal credit in respect of caring for either member of a couple or any partner of a polygamous marriage.

(3) Where an applicant has a partner who does not satisfy the condition in sub-paragraph (2)(b)(ii), and that partner is blind or is treated as blind within the meaning of paragraph 10(1)(a)(v) and (2), that partner shall be treated for the purposes of sub-paragraph (2)(b)(ii) as if he were not a partner of the applicant.

(4) For the purposes of sub-paragraph (2)(a)(ii) and (2)(b)(iii) no account shall be taken of—

(a) a person receiving attendance allowance, or disability living allowance by virtue of the care component at the highest or middle rate prescribed in accordance with section 72(3) of the SSCBA; or

(b) a person who is blind or is treated as blind within the meaning of paragraph 10(1)(a)(v) and (2).

(5) For the purposes of sub-paragraph (2)(b) a person shall be treated—

(a) as being in receipt of attendance allowance, or the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the SSCBA or the daily living component of personal independence payment payable at either rate under Part 4 of the Welfare Reform Act 2012, if he would, but for his being a patient for a period exceeding 28 days, be so in receipt;

(b) as being entitled to and in receipt of a carer's allowance if he would, but for the person for whom he was caring being a patient in hospital for a period exceeding 28 days, be so entitled and in receipt.

(6) For the purposes of sub-paragraph (2)(a)(iii) and (2)(b), no account shall be taken of an award of carer's allowance to the extent that payment of such an award is back-dated for a period before the date on which the award is first paid.

(7) In sub-paragraph (2)(a)(iii) and (b), references to a person being in receipt of a carer's allowance or an award of universal credit which include the carer element shall include references to a person who would have been in receipt of that allowance but for the application of a restriction under section 6B or 7 of the Social Security Fraud Act 2001 (loss of benefit provisions)

Enhanced disability premium

12.—(1) Subject to sub-paragraph (2), the condition is that—

- (a) the Secretary of State has decided that the applicant has, or is to be treated as having, limited capability for work-related activity; or
- (b) the care component of disability living allowance is, or would be payable at the highest rate prescribed under section 72(3) of the SSCBA, but for a suspension of benefit in accordance with regulations made under section 113(2) of the SSCBA or but for an abatement as a consequence of hospitalisation be payable at the highest rate prescribed under section 72(3) of the SSCBA in respect of—
 - (i) the applicant; or
 - (ii) a member of the applicant's family, who has not attained the qualifying age for state pension credit; or
- (c) the daily living component of personal independence payment is, or would be payable at either rate under Part 4 of the Welfare Reform Act 2012, but for a suspension of benefit in accordance with section 86 of the Welfare Reform Act 2012 in respect of—
 - (i) the applicant; or
 - (ii) a member of the applicant's family, who has not attained the qualifying age for state pension credit.

(2) Where the condition in sub-paragraph (1) ceases to be satisfied because of the death of a child or young person, the condition is that the applicant or partner is entitled to child benefit in respect of that person under section 145A of the SSCBA (entitlement after death of child or qualifying young person).

(3) The condition is not satisfied if the person to whom sub-paragraph (1) refers is—

- (a) an applicant who—
 - (i) is not a member of a couple or a polygamous marriage; and
 - (ii) is a patient within the meaning of paragraph 57(11)(e) of this scheme (treatment of child care charges) and has been for a period of more than 52 weeks; or
- (b) a member of a couple or a polygamous marriage where each member is a patient within the meaning of paragraph 57(11)(e) and has been for a period of more than 52 weeks.

Disabled child premium

13. The condition is that a child or young person for whom the applicant or a partner of his is responsible and who is a member of the applicant's household—

- (a) is in receipt of disability living allowance or personal independence payment or is no longer in receipt of such allowance because he is a patient, provided that the child or young person continues to be a member of the family; or
- (b) is blind or treated as blind within the meaning of paragraph 10 of this Schedule; or
- (c) is a child or young person in respect of whom section 145A of the SSCBA (entitlement after death of child or qualifying young person) applies for the purposes of entitlement to child benefit but only for the period prescribed under that section, and in respect of whom a disabled child premium was included in the applicant's applicable amount immediately before the death of that child or young person, or ceased to be included in the applicant's applicable amount because of that child or young person's death.

Carer premium

14.—(1) The condition is that the applicant or his partner is, or both of them are, entitled to a carer's allowance under section 70 of the SSCBA.

(2) Where a carer premium is awarded but—

- (a) the person in respect of whose care the carer's allowance has been awarded dies; or

- (b) in any other case the person in respect of whom a carer premium has been awarded ceases to be entitled to a carer's allowance, the condition for the award of the premium shall be treated as satisfied for a period of eight weeks from the relevant date specified in sub-paragraph (3).
- (3) The relevant date for the purposes of sub-paragraph (2) shall be—
 (a) where sub-paragraph (2)(a) applies, the Sunday following the death of the person in respect of whose care a carer's allowance has been awarded or the date of death if the death occurred on a Sunday;
 (b) in any other case, the date on which the person who has been entitled to a carer's allowance ceases to be entitled to that allowance.
- (4) Where a person who has been entitled to a carer's allowance ceases to be entitled to that allowance and makes an application for a reduction, the condition for the award of the carer premium shall be treated as satisfied for a period of eight weeks from the date on which—
 (a) the person in respect of whose care the carer's allowance has been awarded dies;
 (b) in any other case, the person who has been entitled to a carer's allowance ceased to be entitled to that allowance.

Persons in receipt of concessionary payments

15. For the purpose of determining whether a premium is applicable to a person under paragraphs 10 to 14 of this Schedule, any concessionary payment made to compensate that person for the non-payment of any benefit mentioned in those paragraphs shall be treated as if it were a payment of that benefit.

Persons in receipt of benefit for another

16. For the purposes of this Part of this Schedule, a person shall be regarded as being in receipt of any benefit if, and only if, it is paid in respect of him and shall be so regarded only for any period in respect of which that benefit is paid.

PART 4

Amounts of Premiums Specified in Part 3

Premium	Amount
Disability Premium a. where the applicant satisfies the condition in paragraph 12(a) of Schedule 3 Housing Benefit Regulations 2006	£43.20
b. where the applicant satisfies the condition in paragraph 12(b) of Schedule 3 Housing Benefit Regulations 2006	£61.65
Severe Disability Premium a. where the applicant satisfies the condition in paragraph 14(2)(a) of Schedule 3 Housing Benefit Regulations 2006	£82.90
b. where the applicant satisfies the condition in paragraph 14(2)(b) of Schedule 3 Housing Benefit Regulations 2006 i. in a case where there is someone in receipt of carer's allowance or if he or any partner satisfies that condition only by virtue of paragraph 14(5); ii. in a case where there is no one in receipt of such an allowance	£82.90 £165.80
Disabled Child Premium	£81.37 in respect of each child or young person in respect of whom the condition specified in paragraph 16 of Part 3 of Schedule 3 Housing Benefit Regulations 2006

Premium	Amount
Carer Premium	£46.40 in respect of each person who satisfies the condition specified in paragraph 17 of Part 3 of Schedule 3 Housing Benefit Regulations 2006
Enhanced Disability Premium	(a) £32.75 in respect of each child or young person in respect of whom the conditions specified in paragraph 15 of Part 3 of Schedule 3 Housing Benefit Regulations 2006 are satisfied; (b) £21.20 in respect of each person who is neither— (i) a child or young person; nor (ii) a member of a couple or a polygamous marriage, in respect of whom the conditions specified in paragraph 15 are satisfied; (c) £30.25 where the applicant is a member of a couple or a polygamous marriage and the conditions specified in paragraph 15 of Part 3 of Schedule 3 Housing Benefit Regulations 2006 are satisfied in respect of a member of that couple or polygamous marriage.

PART 5 - The components

18. Subject to paragraph 20 of this Schedule the applicant is entitled to one, but not both, of the components in paragraph 21 or 22 of this Schedule if—

- (a) the applicant or the applicant's partner has made a claim for employment and support allowance;
- (b) the Secretary of State has decided that the applicant or the applicant's partner has, or is to be treated as having, limited capability for work or limited capability for work-related activity; and
- (c) either—
 - (i) the assessment phase as defined in section 24(2) of the Welfare Reform Act has ended; or
 - (ii) regulation 7 of the Employment and Support Allowance Regulations 2008 (circumstances where the condition that the assessment phase has ended before entitlement to the support component or the work related activity component arises does not apply) applies.

19. Subject to paragraph 20, the applicant is entitled to one, but not both, of the components in paragraphs 21 and 22 if the applicant or his partner is entitled to a converted employment and support allowance.

20.—(1) The applicant has no entitlement under paragraph 21 or 22 if the applicant is entitled to the disability premium under paragraphs 9 and 10 of this Schedule.

(2) Where the applicant and the applicant's partner each satisfies paragraph 21 or 22, the component to be included in the applicant's applicable amount is that which relates to the applicant.

The work-related activity component

21. The applicant is entitled to the work-related activity component if the Secretary of State has decided that the applicant or the applicant's partner has, or is to be treated as having, limited capability for work.

The support component

22. The applicant is entitled to the support component if the Secretary of State has decided that the applicant or the applicant's partner has, or is to be treated as having, limited capability for work-related activity.

PART 6 - Amount of Components

23. The amount of the work-related activity component is £36.55.

24. The amount of the support component is. £48.50

PART 7 - Transitional Addition

25.—(1) The applicant is entitled to the transitional addition calculated in accordance with paragraph 28 where the applicant or the applicant's partner ("the relevant person")—

- (a) is entitled to a converted employment and support allowance; or
- (b) is appealing a conversion decision as described in regulation 5(2)(b) of the Employment and Support Allowance (Transitional Provisions, Housing Benefit and Council Tax Benefit) (Existing Awards) (No. 2) Regulations 2008 and—
 - (i) is treated as having limited capability for work by virtue of regulation 30 of the Employment and Support Allowance Regulations 2008 as modified by the Employment and Support Allowance (Transitional Provisions, Housing Benefit and Council Tax Benefit) (Existing Awards) (No. 2) Regulations 2008; and
 - (ii) is not in receipt of an income-related employment and support allowance, unless the amount of the transitional addition calculated in accordance with paragraph 28 of this Schedule would be nil.

(2) The applicant's entitlement to a transitional addition by virtue of this paragraph ends on any of the following—

- (a) the reduction of the transitional addition to nil in accordance with paragraph 29 of this Schedule;
- (b) the termination of the applicant's award of reduction under this scheme;
- (c) the relevant person ceasing to meet the requirements of sub-paragraph (1)(a) or (b), as the case may be;
- (d) the applicant or the applicant's partner becoming entitled to an income-related employment and support allowance, an income-based jobseeker's allowance, or income support;
- (e) 5th April 2020.

26.—(1) This paragraph applies where—

- (a) the applicant's entitlement to a transitional addition ends, by virtue of the termination of the applicant's award of reduction, under—
 - (i) paragraph 25(2)(b) of this Schedule;
 - (ii) sub-paragraph (3)(b) of this paragraph; or
 - (iii) paragraph 27(3)(b) of this Schedule;
- (b) within 104 weeks of that termination but before 5th April 2020 the applicant again becomes entitled to a reduction under this scheme;
- (c) in the reduction week in which the applicant again becomes entitled to a reduction under this scheme the relevant person is entitled to an employment and support allowance which is not income-related;
- (d) if the period between the events mentioned in paragraphs (a) and (b) is more than 12 weeks, the intervening period is one to which regulation 145(2) (linking period where applicant is a work or training beneficiary) of the Employment and Support Allowance Regulations 2008 applies in respect of the relevant person; and
- (e) at the date on which the applicant again becomes entitled to a reduction under this scheme, neither the applicant nor the applicant's partner is entitled to an income-related employment and support allowance, an income-based jobseeker's allowance, or income support.

(2) Where this paragraph applies, the applicant is entitled, with effect from the day on which the applicant again becomes entitled to a reduction under this scheme, to a transitional addition of the amount of the transitional addition that would have applied had the applicant's entitlement to a transitional addition not ended (but taking account of the effect which any intervening change of circumstances would have had by virtue of paragraph 29), unless the amount of the transitional addition would be nil.

(3) The applicant's entitlement to a transitional addition by virtue of this paragraph ends on any of the following—

- (a) the reduction of the transitional addition to nil in accordance with paragraph 29 of this Schedule;
- (b) the termination of the applicant's award of a reduction under this scheme;
- (c) the relevant person no longer being entitled to the employment and support allowance referred to in sub-paragraph (1)(c);
- (d) the applicant or the applicant's partner becoming entitled to an income-related employment and support allowance, an income-based jobseeker's allowance, or income support;
- (e) 5th April 2020.

27.—(1) This paragraph applies where—

- (a) the applicant's entitlement to a transitional addition ends, by virtue of the relevant person ceasing to be entitled to an employment and support allowance, under—
 - (i) paragraph 25(2)(c);
 - (ii) paragraph 26(3)(c); or
 - (iii) sub-paragraph (3)(c);
- (b) before 5th April 2020 the relevant person again becomes entitled to an employment and support allowance which is not income-related;
- (c) either—
 - (i) at the date on which the relevant person again becomes entitled to an employment support allowance which is not income-related regulation 145(1) of the Employment and Support Allowance Regulations 2008 applies to the relevant person; or
 - (ii) the period between the events mentioned in paragraphs (a) and (b) is one to which regulation 145(2) of the Employment and Support Allowance Regulations 2008 applies in respect of the relevant person; and
- (d) at the date on which the relevant person again becomes entitled to an employment support allowance which is not income-related, neither the applicant nor the applicant's partner is entitled to an income-related employment and support allowance, an income-based jobseeker's allowance, or income support.

(2) Where this paragraph applies, the applicant is entitled, with effect from the day that the relevant person's entitlement to employment and support allowance takes effect for the purposes of a reduction under this scheme, to a transitional addition of the amount of the transitional addition that would have applied had the applicant's entitlement to a transitional addition not ended (but taking account of the effect which any intervening change of circumstances would have had by virtue of paragraph 29 of this Schedule), unless the amount of the transitional addition would be nil.

(3) The applicant's entitlement to a transitional addition by virtue of this paragraph ends on any of the following—

- (a) the reduction of the transitional addition to nil in accordance with paragraph 29 of this Schedule;
- (b) the termination of the applicant's award of a reduction under this scheme;
- (c) the relevant person no longer being entitled to the employment and support allowance referred to in sub-paragraph (1)(b);
- (d) the applicant or the applicant's partner becoming entitled to an income-related employment and support allowance, an income-based jobseeker's allowance, or income support;
- (e) 5th April 2020.

PART 8 - Amount of Transitional Addition

28.—(1) Subject to paragraph 29 of this Schedule, the amount of the transitional addition is the amount by which Amount A exceeds Amount B.

(2) Where a conversion decision as described in regulation 5(2)(a) of the Employment and Support Allowance (Transitional Provisions, Housing Benefit and Council Tax Benefit) (Existing Awards) (No. 2) Regulations 2010 (“the 2010 Regulations”) is made in respect of the relevant person—

- (a) Amount A is the basic amount that would have applied on the day that decision took effect had that decision not been made; and
- (b) Amount B is the basic amount that applied on that day as a result of that decision.

(3) Where the relevant person is appealing a conversion decision as described in regulation 5(2)(b) of the 2010 Regulations and is treated as having limited capability for work by virtue of regulation 30 of the Employment and Support Allowance Regulations 2008 as modified by the 2010 Regulations—

- (a) Amount A is the basic amount that would have applied on the day the relevant person was first treated as having limited capability for work if the relevant person had not been so treated; and
- (b) Amount B is the basic amount that applied on that day as a result of the relevant person being so treated.

(4) In this paragraph and paragraph 29, “basic amount” means the aggregate of such amounts as may apply in the applicant’s case in accordance with paragraph 25(1)(a) to (e) or paragraph 26(1)(a) to (f) of this scheme.

29.—(1) Subject to sub-paragraph (2), where there is a change of circumstances which leads to an increase in the applicant’s basic amount, the transitional addition that applies immediately before the change of circumstances shall be reduced by the amount by which Amount C exceeds Amount D.

(2) If Amount C exceeds Amount D by more than the amount of the transitional addition that applies immediately before the change of circumstances, that transitional addition shall be reduced to nil.

(3) Amount C is the basic amount that applies as a result of the increase.

(4) Amount D is the basic amount that applied immediately before the increase.

SCHEDULE 3 Amount of alternative maximum council tax reduction: pensioners and persons who are not pensioners.

Paragraph 31

1.—(1) Subject to paragraphs 2 and 3, the alternative maximum council tax reduction in respect of a day for the purpose of paragraph 30 is determined in accordance with the following Table and in this Table—

- (a) “second adult” means any person or persons residing with the applicant to whom paragraph 15(2) of this scheme applies; and
- (b) “persons to whom paragraph 71(1) of this scheme applies” includes any person to whom that paragraph would apply were they, and their partner if they had one, below the qualifying age for state pension credit.

(2) In this Schedule “council tax due in respect of that day” means the council tax payable under section 10 of the 1992 Act less—

- (a) any reductions made in consequence of any enactment in, or under, the 1992 Act (other than a reduction under this scheme); and
- (b) in a case to which sub-paragraph (c) in column (1) of the table below applies, the amount of any discount which may be appropriate to the dwelling under the 1992 Act.

<i>(1) Second adult</i>	<i>(2) Alternative maximum council tax support</i>
(a) Where the second adult or all second adults are in receipt of income support, an income-related employment and support allowance or state pension credit or are persons on an income-based jobseeker’s allowance, or are under the age of 25 and in receipt of Universal Credit where the award is calculated on the basis that the second adult does not have any earned income (as given in regulation 52 of the Universal Credit Regulations 2013)	(a) 25 per cent of the council tax due in respect of that day;
(b) where the gross income of the second adult or, where there is more than one second adult, their aggregate gross income disregarding any income of persons on income support, an income-related employment and support allowance, state pension credit or an income-based jobseeker’s allowance—	(b)
(i) is less than £276.00 per week;	(i) 15 per cent of the council tax due in respect of that day;
(ii) is not less than £276.00 per week but less than £358.00 per week;	(ii) 7.5 per cent of the council tax due in respect of that day;
(c) where the dwelling would be wholly occupied by one or more persons to whom paragraph 71(1) of this scheme applies but for the presence of one or more second adults who are in receipt of income support, state pension credit, an income-related employment and support allowance or are persons on an income-based jobseeker’s allowance.	(c) 100 per cent of the council tax due in respect of that day.

2. In determining a second adult’s gross income for the purposes of this Schedule, there shall be disregarded from that income—

- (a) any attendance allowance, any disability living allowance under section 71 of the SSCBA, or any personal independence payment under Part 4 of the Welfare Reform Act 2012;
- (b) any payment made under or by the Trusts, the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation, or the Independent Living Fund (2006) which, had his income fallen to be calculated under paragraph 53 (calculation of income other than earnings: persons who are not pensioners), would have been disregarded under paragraph 28 of Schedule 8 (income in kind); and

(c) any payment which, had his income fallen to be calculated under paragraph 53, would have been disregarded under paragraph 41 of Schedule 8 (payments made under certain trusts and certain other payments).

3. Where there are two or more second adults residing with the applicant for a reduction under this scheme and any such second adult falls to be disregarded for the purposes of discount in accordance with Schedule 1 to the 1992 Act, his income shall be disregarded in determining the amount of any alternative maximum council tax reduction, unless that second adult is a member of a couple and his partner does not fall to be disregarded for the purposes of discount.

SCHEDULE 4 Sums disregarded from applicant's earnings: pensioners.

Paragraph 40

1. Where two or more of paragraphs 2 to 5 apply in any particular case the overall maximum sum which falls to be disregarded in that case under those paragraphs is restricted to—

- (a) £25 in the case of a lone parent;
- (b) £20 in any other case.

2. In a case where an applicant is a lone parent, £25 of earnings.

3.—(1) In a case of earnings from any employment or employments to which sub-paragraph (2) applies, £20.

(2) This paragraph applies to employment—

- (a) as a part-time fire-fighter employed by a fire and rescue authority constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 or a scheme to which section 4 of that Act applies;
- (b) a part-time fire-fighter employed by the Scottish Fire and Rescue Service established under section 1A of the Fire (Scotland) Act 2005 as an auxiliary coastguard in respect of coast rescue activities;
- (d) in the manning or launching of a lifeboat if the employment is part-time;
- (e) as a member of any territorial or reserve force prescribed in Part I of Schedule 6 to the Social Security (Contributions) Regulations 2001.

(3) If—

- (a) any of the earnings of the applicant or, if he has a partner, his partner, or both of them, are disregarded under sub-paragraph (1); and
- (b) either of them has, or both of them have, other earnings, so much of those other earnings as would not, in the aggregate with the earnings disregarded under that sub-paragraph, exceed £20.

4.—(1) If the applicant or, if he has a partner, his partner is a carer, or both are carers, £20 of any earnings received from his or their employment.

(2) Where the carer premium is awarded in respect of the applicant and of any partner of his, their earnings shall for the purposes of this paragraph be aggregated, but the amount to be disregarded in accordance with sub-paragraph (1) shall not exceed £20 of the aggregated amount.

(3) In this paragraph the applicant or his partner is a carer if paragraph 14 of Part 3 of Schedule 3 (amount applicable for carers) is satisfied in respect of him.

5.—(1) £20 is disregarded if the applicant or, if he has a partner, his partner—

- (a) is in receipt of—

- (i) long-term incapacity benefit under section 30A of the SSCBA;
- (ii) severe disablement allowance under section 68 of that Act;
- (iii) attendance allowance under sections 64 to 76 of that Act;
- (iv) disability living allowance under section 71 to 76 of that Act;
- (v) personal independence payment under Part 4 of the Welfare Reform Act 2012;
- (vi) any mobility supplement under article 20 of the Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 2006 (including such a supplement by virtue of any other scheme or order) or under article 25A of the Personal Injuries (Civilians) Scheme 1983;
- (vii) the disability element or the severe disability element of working tax credit under Schedule 2 to the Working Tax Credit (Entitlement and Maximum Rate) Regulations 2002; or
- (viii) main phase employment and support allowance; or

- (b) is or are registered as blind in a register compiled by a local authority under section 29 of the National Assistance Act 1948 (welfare services) or, in Scotland, has been certified as blind and in consequence is registered in a register maintained by or on behalf of a council constituted under section 2 of the Local Government (Scotland) Act 1994; or

- (c) is, or is treated as, incapable of work in accordance with the provisions of, and regulations made under, Part 12A of the SSCBA (incapacity for work), and has been incapable, or has been treated as incapable, of work for a continuous period of not less than—
- (i) in the case of an applicant who is terminally ill within the meaning of section 30B(4) of the Act, 196 days;
 - (ii) in any other case, 364 days; or
- (d) has, or is treated as having, limited capacity for work within the meaning of section 1(4) of the Welfare Reform Act 1997 or limited capability for work-related activity within the meaning of section 2(5) of that Act and either—
- (i) the assessment phase as defined in section 24(2) of the Welfare Reform Act has ended; or (ii) regulation 7 of the Employment and Support Allowance Regulations 2008 or regulation 7 of the Employment and Support Regulations 2013; (circumstances where the condition that the assessment phase has ended before entitlement to the support component or the work-related activity component arising does not apply) applies.

(2) Subject to sub-paragraph (3), £20 is disregarded if the applicant or, if he has a partner, his partner has, within a period of 8 weeks ending on the day in respect of which the applicant or his partner attains the qualifying age for state pension credit, had an award of housing benefit or council tax benefit or been in receipt of a reduction under this scheme and—

- (a) £20 was disregarded in respect of earnings taken into account in that award; and
- (b) the person whose earnings qualified for the disregard continues in employment after the termination of that award.

(3) The disregard of £20 specified in sub-paragraph (2) applies so long as there is no break, other than a break which does not exceed 8 weeks, in a person's—

- (a) entitlement to housing benefit; or
- (b) receipt of a reduction under a council tax reduction scheme; or
- (c) employment, following the first day in respect of which that benefit is awarded under this scheme.

(4) £20 is the maximum amount which may be disregarded under this paragraph, notwithstanding that, where the applicant has a partner, both the applicant and his partner satisfy the requirements of this paragraph.

6.—(1) Where—

- (a) the applicant (or if the applicant is a member of a couple, at least one member of that couple) is a person to whom sub-paragraph (5) applies;
 - (b) the Secretary of State is satisfied that that person is undertaking exempt work as defined in sub-paragraph (6); and
 - (c) paragraph 34 does not apply,
- the amount specified in sub-paragraph (7) (“the specified amount”).

(2) Where this paragraph applies, paragraphs 1 to 5 and 8 do not apply; but in any case, where the applicant is a lone parent, and the specified amount would be less than the amount specified in paragraph 2, then paragraph 2 applies instead of this paragraph.

(3) Notwithstanding paragraph 26 (calculation of income and capital of members applicant's family and of a polygamous marriage), if sub-paragraph (1) applies to one member of a couple (“A”) it shall not apply to the other member of that couple (“B”) except to the extent provided in sub-paragraph (4).

(4) Where A's earnings are less than the specified amount, there shall also be disregarded so much of B's earnings as would not when aggregated with A's earnings exceed the specified amount; but the amount of B's earnings which may be disregarded under this sub-paragraph is limited to a maximum of £20 unless the Secretary of State is satisfied that B is also undertaking exempt work.

(5) This sub-paragraph applies to a person who is—

- (a) in receipt of a contributory employment and support allowance;
- (b) in receipt of incapacity benefit;
- (c) in receipt of severe disablement allowance;
- (d) being credited with earnings on the grounds of incapacity for work or limited capability for work under regulation 8B of the Social Security (Credits) Regulations 1975.

- (6) "Exempt work" means work of the kind described in—
 (a) regulation 45(2), (3) or (4) of the Employment and Support Allowance Regulations 2008 or regulation 39 (1)(a), (b) or (c) of the Employment and Support Allowance Regulations 2013; or (as the case may be); or
 (b) regulation 17(2), (3) or (4) of the Social Security (Incapacity for Work) (General) Regulations 1995,
 and, in determining for the purposes of this paragraph whether an applicant or a member of a couple is undertaking any type of exempt work, it is immaterial whether that person or their partner is also undertaking other work.
- (7) The specified amount is the amount of money from time to time mentioned in any provision referred to in sub-paragraph (6) by virtue of which the work referred to in sub-paragraph (1) is exempt (or, where more than one such provision is relevant and those provisions mention different amounts of money, the highest of those amounts).
7. Any amount or the balance of any amount which would fall to be disregarded under paragraph 18 or 19 of Schedule 6 had the applicant's income which does not consist of earnings been sufficient to entitle him to the full amount disregarded there under.
8. Except where the applicant or his partner qualifies for a £20 disregard under the preceding provisions of this Schedule—
 (a) £5 shall be disregarded if an applicant who has no partner has earnings;
 (b) £10 shall be disregarded if an applicant who has a partner has earnings.
9. Any earnings, other than earnings referred to in paragraph 39(8)(b), derived from employment which ended before the day in respect of which the applicant first satisfies the conditions for entitlement to a reduction under this scheme.
- 10.—(1) In a case where the applicant is a person who satisfies at least one of the conditions set out in sub-paragraph (2), and his net earnings equal or exceed the total of the amounts set out in sub-paragraph (3), the amount of his earnings that falls to be disregarded under this Schedule shall be increased by £17.10.
- (2) The conditions of this sub-paragraph are that—
 (a) the applicant, or if he has a partner, either the applicant or his partner, is a person to whom regulation 20(1)(c) of the Working Tax Credit (Entitlement and Maximum Rate) Regulations 2002 applies; or
 (b) the applicant—
 (i) is, or any partner of his is, aged at least 25 and is engaged in remunerative work for on average not less than 30 hours per week; or
 (ii) if he is a member of a couple—
 (aa) at least one member of that couple is engaged in remunerative work for on average not less than 16 hours per week; and
 (bb) his family includes at least one child or young person;
 (iii) is a lone parent who is engaged in remunerative work for on average not less than 16 hours per week; or
 (iv) is, or if he has a partner, one of them is, engaged in remunerative work for on average not less than 16 hours per week and paragraph 5(1) above is satisfied in respect of that person.
- (3) The following are the amounts referred to in sub-paragraph (1)—
 (a) any amount disregarded under this Schedule;
 (b) the amount of child care charges calculated as deductible under paragraph 56(1)(c); and
 (c) £17.10.
- (4) The provisions of paragraph 10 of this scheme shall apply in determining whether or not a person works for on average not less than 30 hours per week, but as if the reference to 16 hours in sub-paragraph (1) of that paragraph was a reference to 30 hours.
11. Where a payment of earnings is made in a currency other than Sterling, any banking charge or commission payable in converting to that payment into Sterling.

SCHEDULE 5 Amounts to be disregarded in the calculation of income other than earnings: pensioners.

Paragraph 40

- 1.(1) 100% of any of the following—**
- (a) a war disablement pension (except insofar as such a pension falls to be disregarded under paragraph 2 or 3);
 - (b) a war widow's pension or war widower's pension;
 - (c) a pension payable to a person as a widow, widower or surviving civil partner under any power of Her Majesty otherwise than under an enactment to make provision about pensions for or in respect of persons who have been disabled or have died in consequence of service as members of the armed forces of the Crown;
 - (d) a guaranteed income payment and, if the amount of that payment has been abated to less than £10 by a pension or payment falling within article 39(1)(a) or (b) of the Armed Forces and Reserve Forces (Compensation Scheme) Order 2011, so much of that pension or payment as would not, in aggregate with the amount of any guaranteed income payment disregarded, exceed £10;
 - (e) a payment made to compensate for the non-payment of such a pension or payment as is mentioned in any of the preceding sub-paragraphs;
 - (f) a pension paid by the government of a country outside Great Britain which is analogous to any of the pensions or payments mentioned in sub-paragraphs (a) to (d) above;
 - (g) a pension paid by a government to victims of National Socialist persecution.

(2) The amounts to be disregarded under paragraph 1 include any amount included in a pension to which this paragraph relates in respect of the applicant's need for constant attendance or the applicant's exceptionally severe disablement

2. Any mobility supplement under article 20 of the Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 2006 (including such a supplement by virtue of any other scheme or order) or under article 25A of the Personal Injuries (Civilians) Scheme 1983 or any payment intended to compensate for the non-payment of such a supplement.

3. Any supplementary pension under article 23(2) of the Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 2006 (pensions to surviving spouses and surviving civil partners) and any analogous payment made by the Secretary of State for Defence to any person who is not a person entitled under that Order.

4. In the case of a pension awarded at the supplementary rate under article 27(3) of the Personal Injuries (Civilians) Scheme 1983 (pensions to widows, widowers or surviving civil partners), the sum specified in paragraph 1(c) of Schedule 4 to that Scheme.

5 Not used.

6.—(1) Any payment which is—

- (a) made under any of the Dispensing Instruments to a widow, widower or surviving civil partner of a person—
 - (i) whose death was attributable to service in a capacity analogous to service as a member of the armed forces of the Crown; and
 - (ii) whose service in such capacity terminated before 31st March 1973; and
- (b) equal to the amount specified in article 23(2) of the Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 2006.

(2) In this paragraph “the Dispensing Instruments” means the Order in Council of 19th December 1881, the Royal Warrant of 27th October 1884 and the Order by His Majesty of 14th January 1922 (exceptional grants of pay, non-effective pay and allowances).

7. £15 of any widowed parent's allowance to which the applicant is entitled under section 39A of the SSCBA.

8. £15 of any widowed mother's allowance to which the applicant is entitled under section 37 of the SSCBA.

9. Where the applicant occupies a dwelling as his home and he provides in that dwelling board and lodging accommodation, an amount, in respect of each person for whom such accommodation is provided for the whole or any part of a week, equal to—

- (a) where the aggregate of any payments made in respect of any one week in respect of such accommodation provided to such person does not exceed £20, 100 per cent. of such payments; or
- (b) where the aggregate of any such payments exceeds £20, £20 and 50 per cent. of the excess over £20.

10. If the applicant—

- (a) owns the freehold or leasehold interest in any property or is a tenant of any property; and
- (b) occupies a part of that property; and
- (c) has an agreement with another person allowing that person to occupy another part of that property on payment of rent and—
 - (i) the amount paid by that person is less than £20 per week, the whole of that amount; or
 - (ii) the amount paid is £20 or more per week, £20.

11. Where an applicant receives income under an annuity purchased with a loan, which satisfies the following conditions—

- (a) that the loan was made as part of a scheme under which not less than 90 per cent. of the proceeds of the loan were applied to the purchase by the person to whom it was made of an annuity ending with his life or with the life of the survivor of two or more persons (in this paragraph referred to as “the annuitants”) who include the person to whom the loan was made;
- (b) that at the time the loan was made the person to whom it was made or each of the annuitants had attained the age of 65 or if it was higher at the time, pensionable age;
- (c) that the loan was secured on a dwelling in Great Britain and the person to whom the loan was made or one of the annuitants owns an estate or interest in that dwelling;
- (d) that the person to whom the loan was made or one of the annuitants occupies the dwelling on which it was secured as his home at the time the interest is paid; and
- (e) that the interest payable on the loan is paid by the person to whom the loan was made or by one of the annuitants, the amount, calculated on a weekly basis, equal to—
 - (i) where, or insofar as, section 369 of the Income and Corporation Taxes Act 1988 (mortgage interest payable under deduction of tax) applies to the payments of interest on the loan, the interest which is payable after deduction of a sum equal to income tax on such payments at the applicable percentage of income tax within the meaning of section 369(1A) of that Act;
 - (ii) in any other case, the interest which is payable on the loan without deduction of such a sum.

12.—(1) Any payment, other than a payment to which sub-paragraph (2) applies, made to the applicant by Trustees in exercise of a discretion exercisable by them.

(2) This sub-paragraph applies to payments made to the applicant by Trustees in exercise of a discretion exercisable by them for the purpose of—

- (a) obtaining food, ordinary clothing or footwear or household fuel;
- (b) the payment of rent, council tax or water charges for which that applicant or his partner is liable;
- (c) meeting housing costs of a kind specified in Schedule 2 to the State Pension Credit Regulations 2002.

(3) In a case to which sub-paragraph (2) applies, £20 or—

- (a) if the payment is less than £20, the whole payment;
- (b) if, in the applicant's case, £10 is disregarded in accordance with paragraph 1(a) to (g), £10 or the whole payment if it is less than £10; or
- (c) if, in the applicant's case, £15 is disregarded under paragraph 7 or paragraph 8 and—
 - (i) he has no disregard under paragraph 1(a) to (g), £5 or the whole payment if it is less than £5;
 - (ii) he has a disregard under paragraph 1(a) to (g), nil.

(4) For the purposes of this paragraph, “ordinary clothing or footwear” means clothing or footwear for normal daily use, but does not include school uniforms, or clothing and footwear used solely for sporting activities.

13. Any increase in pension or allowance under Part 2 or 3 of the Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 2006 paid in respect of a dependent other than the pensioner's partner.

14. Any payment ordered by a court to be made to the applicant or the applicant's partner in consequence of any accident, injury or disease suffered by the person or a child of the person to or in respect of whom the payments are made.

15. Periodic payments made to the applicant or the applicant's partner under an agreement entered into in settlement of a claim made by the applicant or, as the case may be, the applicant's partner for an injury suffered by him.

16. Any income which is payable outside the United Kingdom for such period during which there is a prohibition against the transfer to the United Kingdom of that income.

17. Any banking charges or commission payable in converting to Sterling payments of income made in a currency other than Sterling.

18. Where the applicant makes a parental contribution in respect of a student attending a course at an establishment in the United Kingdom or undergoing education in the United Kingdom, which contribution has been assessed for the purposes of calculating—

- (a) under, or pursuant to regulations made under powers conferred by, section 1 or 2 of the Education Act 1962 or section 22 of the Teaching and Higher Education Act 1998, that student's award;
- (b) under regulations made in exercise of the powers conferred by section 49 of the Education (Scotland) Act 1980, that student's bursary, scholarship, or other allowance under that section or under regulations made in exercise of the powers conferred by section 73 of that Act of 1980, any payment to that student under that section; or
- (c) the student's student loan, an amount equal to the weekly amount of that parental contribution, but only in respect of the period for which that contribution is assessed as being payable.

19.—(1) Where the applicant is the parent of a student aged under 25 in advanced education who either—

- (a) is not in receipt of any award, grant, or student loan in respect of that education; or
- (b) is in receipt of an award under section 2 of the Education Act 1962 (discretionary awards) or an award bestowed by virtue of the Teaching and Higher Education Act 1998, or regulations made there under, or a bursary, scholarship or other allowance under section 49(1) of the Education (Scotland) Act 1980, or a payment under section 73 of that Act of 1980, and the applicant makes payments by way of a contribution towards the student's maintenance, other than a parental contribution falling within paragraph 18, an amount specified in subparagraph (2) in respect of each week during the student's term.

(2) For the purposes of sub-paragraph (1), the amount shall be equal to—

- (a) the weekly amount of the payments; or
- (b) the amount by way of a personal allowance for a single applicant under 25 less the weekly amount of any award, bursary, scholarship, allowance, or payment referred to in subparagraph (1)(b), whichever is less.

20.—(1) Where an applicant's family includes at least one child or young person £15 of any payment of maintenance, whether under a court order or not, which is made or due to be made by the applicant's spouse, civil partner, former spouse or former civil partner or the applicant's partner's spouse, civil partner, former spouse, or former civil partner.

(2) For the purposes of sub-paragraph (1), where more than one maintenance payment falls to be taken into account in any week, all such payments shall be aggregated and treated as if they were a single payment.

- 21.** Except in a case which falls under paragraph 10 of Schedule 5, where the applicant is a person who satisfies any of the conditions of sub-paragraph (2) of that paragraph, any amount of working tax credit up to £17.10.
- 22.** Where the total value of any capital specified in Part 2 (capital disregarded only for the purposes of determining deemed income) of Schedule 9 does not exceed £10,000, any income actually derived from such capital.
- 23.** Except in the case of income from capital specified in Part 2 of Schedule 9, any actual income from capital.
- 24.** Where the applicant, or the person who was the partner of the applicant on 31st March 2003, was entitled on that date to income support or an income-based jobseeker's allowance but ceased to be so entitled on or before 5th April 2003 by virtue only of regulation 13 of the Housing Benefit (General) Amendment (No. 3) Regulations 1999 as in force at that date, the whole of his income.
- 25.** Any victims' payment under the Victims' Payments Regulations 2020.
- 26. Provision for all applicants: Homes for Ukraine scheme**
- (1) Any payment made in connection with the Homes for Ukraine scheme is to be disregarded in determining—
- (a) an applicant's entitlement to a reduction under the scheme; or
- (b) the amount of any reduction to which the applicant is entitled.
- (2) In this regulation—
- “the Homes for Ukraine scheme” means the Homes for Ukraine sponsorship scheme which was announced in Parliament by the Secretary of State for Levelling Up, Housing and Communities on 14th March 2022

SCHEDULE 6 Sums disregarded in the calculation of earnings: persons who are not pensioners.

Paragraph 53

1. In the case of an applicant who has been engaged in remunerative work as an employed earner or, had the employment been in Great Britain, would have been so engaged—
 - (a) where—
 - (i) the employment has been terminated because of retirement; and
 - (ii) on retirement he is entitled to a retirement pension under the Act, or is not so entitled solely because of his failure to satisfy the contribution conditions, any earnings paid or due to be paid in respect of that employment, but only for a period commencing on the day immediately after the date on which the employment was terminated;
 - (b) where before the first day of entitlement to a reduction under this scheme the employment has been terminated otherwise than because of retirement, any earnings paid or due to be paid in respect of that employment except—
 - (i) any payment of the nature described in—
 - (aa) paragraph 51(1)(e) (retainer), or
 - (bb) section 28, 64 or 68 of the Employment Rights Act 1996 (guarantee payments, suspension from work on medical or maternity grounds); and
 - (ii) any award, sum or payment of the nature described in—
 - (aa) paragraph 51(1)(g) or (i) (compensation etc. relating to employment), or
 - (bb) section 34 or 70 of the Employment Rights Act 1996 (guarantee payments and suspension from work: complaints to employment tribunals), including any payment made following the settlement of a complaint to an employment tribunal or of court proceedings;
 - (c) where before the first day of entitlement to a reduction under this scheme—
 - (i) the employment has not been terminated, but
 - (ii) the applicant is not engaged in remunerative work, any earnings paid or due to be paid in respect of that employment except any payment or remuneration of the nature described in paragraph (b)(i) or (ii)(bb) or paragraph 51(1)(j) (statutory sick pay etc.).
 2. In the case of an applicant who, before the first day of entitlement to a reduction under this scheme—
 - (a) has been engaged in part-time employment as an employed earner or, where the employment has been outside Great Britain, would have been so engaged had the employment been in Great Britain; and
 - (b) has ceased to be engaged in that employment, whether or not that employment has been terminated, any earnings paid or due to be paid in respect of that employment except—
 - (i) where that employment has been terminated, any payment of the nature described in paragraph 1(b)(i) or (ii)(bb);
 - (ii) where that employment has not been terminated, any payment or remuneration of the nature described in paragraph 1(b)(i) or (ii)(bb) or paragraph 51(1)(j) (statutory sick pay etc.).
 3. In the case of an applicant who has been engaged in remunerative work or part-time employment as a self-employed earner or, had the employment been in Great Britain, would have been so engaged and who has ceased to be so employed, from the date of the cessation of his employment, any earnings derived from that employment except earnings to which paragraph 53(3) and (4) (earnings of self-employed earners) apply.
 - 4.—(1) In a case to which this paragraph applies and paragraph 5 does not apply, £20; but notwithstanding paragraph 33 (calculation of income and capital of members of an applicant's family and of a polygamous marriage) if this paragraph applies to an applicant, it does not apply to his partner except where, and to the extent that, the earnings of the applicant which are to be disregarded under this paragraph are less than £20.
 - (2) This paragraph applies where the applicant's applicable amount includes an amount by way of the disability premium, severe disability premium, work-related activity component or support component under Schedule 3 (applicable amounts: persons who are not pensioners).

- (3) This paragraph applies where—
- (a) the applicant is a member of a couple and his applicable amount includes an amount by way of the disability premium under Schedule 3; and
 - (b) he or his partner has not attained the qualifying age for state pension credit and at least one is engaged in employment.
5. In a case where the applicant is a lone parent, £25.
- 6.—(1) In a case to which neither paragraph 4 nor paragraph 5 applies to the applicant and, subject to sub-paragraph (2), where the applicant's applicable amount includes an amount by way of the carer premium under Schedule 3 (applicable amounts: persons who are not pensioners), £20 of the earnings of the person who is, or at any time in the preceding eight weeks was, in receipt of carer's allowance or treated in accordance with paragraph 14(2) of that Schedule as being in receipt of carer's allowance.
- (2) Where the carer premium is awarded in respect of the applicant and of any partner of his, their earnings must for the purposes of this paragraph be aggregated, but the amount to be disregarded in accordance with sub-paragraph (1) must not exceed £20 of the aggregated amount.
7. Where the carer premium is awarded in respect of an applicant who is a member of a couple and whose earnings are less than £20, but is not awarded in respect of the other member of the couple, and that other member is engaged in an employment—
- (a) specified in paragraph 9(1), so much of the other member's earnings as would not when aggregated with the amount disregarded under paragraph 6 exceed £20;
 - (b) other than one specified in paragraph 9(1), so much of the other member's earnings from such other employment up to £10 as would not when aggregated with the amount disregarded under paragraph 5 exceed £20.
8. In a case where paragraphs 4, 6, 7 and 9 do not apply to the applicant and he is one of a couple and a member of that couple is in employment, £10; but, notwithstanding paragraph 33 (calculation of income and capital of members of applicant's family and of a polygamous marriage), if this paragraph applies to an applicant it must not apply to his partner except where, and to the extent that, the earnings of the applicant which are to be disregarded under this paragraph are less than £10.
- 9.—(1) In a case where paragraphs 4, 6, 7 and 9 do not apply to the applicant, £20 of earnings derived from one or more employments as—
- (a) a part-time fire-fighter employed by a fire and rescue authority constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 or a scheme to which section 4 of that Act applies;
 - (b) a part-time fire-fighter employed by a fire and rescue authority (as defined in section 1 of the Fire (Scotland) Act 2005) or a joint fire and rescue board constituted by an amalgamation scheme made under section 2(1) of that Act;
 - (c) an auxiliary coastguard in respect of coast rescue activities;
 - (d) a person engaged part-time in the manning or launching of a life boat;
 - (e) a member of any territorial or reserve force prescribed in Part I of Schedule 6 to the Social Security (Contributions) Regulations 2001;
- but, notwithstanding paragraph 33 (calculation of income and capital of members of applicant's family and of a polygamous marriage), if this paragraph applies to an applicant, it must not apply to his partner except to the extent specified in sub-paragraph (2).
- (2) If the applicant's partner is engaged in employment—
- (a) specified in sub-paragraph (1), so much of his earnings as would not in aggregate with the amount of the applicant's earnings disregarded under this paragraph exceed £20;
 - (b) other than one specified in sub-paragraph (1), so much of his earnings from that employment up to £10 as would not in aggregate with the applicant's earnings disregarded under this paragraph exceed £20.
10. Where the applicant is engaged in one or more employments specified in paragraph 9(1), but his earnings derived from such employments are less than £20 in any week and he is also engaged in any other employment, so much of his earnings from that other employment, up to £5 if he is a single applicant, or up to £10 if he has a partner, as would not in aggregate with the amount of his earnings disregarded under paragraph 9 exceed £20.
11. In a case to which none of the paragraphs 4 to 10 applies, £5.

12.—(1) Where—

- (a) the applicant (or if the applicant is a member of a couple, at least one member of that couple) is a person to whom sub-paragraph (5) applies;
 - (b) the Secretary of State is satisfied that that person is undertaking exempt work as defined in sub-paragraph (6); and
 - (c) paragraph 14 does not apply,
- the amount specified in sub-paragraph (7) (“the specified amount”).

(2) Where this paragraph applies, paragraphs 4 to 11 do not apply; but in any case, where the applicant is a lone parent, and the specified amount would be less than the amount specified in paragraph 5, then paragraph 5 applies instead of this paragraph.

(3) Notwithstanding paragraph 33 (calculation of income and capital of members of applicant’s family and of a polygamous marriage), if sub-paragraph (1) applies to one member of a couple (“A”) it does not apply to the other member of that couple (“B”) except to the extent provided in sub-paragraph (4).

(4) Where A’s earnings are less than the specified amount, there must also be disregarded so much of B’s earnings as would not when aggregated with A’s earnings exceed the specified amount; but the amount of B’s earnings which may be disregarded under this sub-paragraph is limited to a maximum of £20 unless the Secretary of State is satisfied that B is also undertaking exempt work.

(5) This sub-paragraph applies to a person who is—

- (a) in receipt of a contributory employment and support allowance;
- (b) in receipt of incapacity benefit;
- (c) in receipt of severe disablement allowance; or
- (d) being credited with earnings on the grounds of incapacity for work or limited capability for work under regulation 8B of the Social Security (Credits) Regulations 1975.

(6) “Exempt work” means work of the kind described in—

- (a) regulation 45(2), (3) or (4) of the Employment and Support Allowance Regulations 2008; or (as the case may be)
- (b) regulation 17(2), (3) or (4) of the Social Security (Incapacity for Work) (General) Regulations 1995,

and, in determining for the purposes of this paragraph whether an applicant or a member of a couple is undertaking any type of exempt work, it is immaterial whether that person or their partner is also undertaking other work.

(7) The specified amount is the amount of money from time to time mentioned in any provision referred to in sub-paragraph (6) by virtue of which the work referred to in sub-paragraph (1) is exempt (or, where more than one such provision is relevant and those provisions mention different amounts of money, the highest of those amounts).

13. Any amount or the balance of any amount which would fall to be disregarded under paragraph 23 or 24 of Schedule 8 had the applicant’s income which does not consist of earnings been sufficient to entitle him to the full disregard thereunder.

14. Where an applicant is on income support, an income-based jobseeker’s allowance or an income-related employment and support allowance, his earnings.

15. Any earnings derived from employment which are payable in a country outside the United Kingdom for such period during which there is a prohibition against the transfer to the United Kingdom of those earnings.

16. Where a payment of earnings is made in a currency other than Sterling, any banking charge or commission payable in converting that payment into Sterling.

17. Any earnings of a child or young person.

18.—(1) In a case where the applicant is a person who satisfies at least one of the conditions set out in sub-paragraph (2), and his net earnings equal or exceed the total of the amounts set out in sub-paragraph (3), the amount of his earnings that falls to be disregarded under paragraphs 4 to 12 must be increased by £17.10.

- (2) The conditions of this sub-paragraph are that—
- (a) the applicant, or if he is a member of a couple, either the applicant or his partner, is a person to whom regulation 20(1)(c) of the Working Tax Credit (Entitlement and Maximum Rate) Regulations 2002 applies; or
 - (b) the applicant—
 - (i) is, or if he is a member of a couple, at least one member of that couple is aged at least 25 and is engaged in remunerative work for on average not less than 30 hours per week; or
 - (ii) is a member of a couple and—
 - (aa) at least one member of that couple, is engaged in remunerative work for on average not less than 16 hours per week; and
 - (bb) his applicable amount includes a family premium under paragraph 4 of Schedule 3; or
 - (iii) is a lone parent who is engaged in remunerative work for on average not less than 16 hours per week; or
 - (iv) is, or if he is a member of a couple, at least one member of that couple is engaged in remunerative work for on average not less than 16 hours per week; and—
 - (aa) the applicant's applicable amount includes a disability premium under paragraph 9, the work-related activity component under paragraph 21 or the support component under paragraph 22 of Schedule 3 respectively;
 - (bb) where he is a member of a couple, at least one member of that couple satisfies the qualifying conditions for the disability premium or either of the components referred to in paragraph (aa) above and is engaged in remunerative work for on average not less than 16 hours per week; or

- (3) The following are the amounts referred to in sub-paragraph (1)—
- (a) (a) the amount calculated as disregardable from the applicant's earnings under paragraphs 4 to 12;
 - (b) (b) the amount of child care charges calculated as deductible under paragraph 57(1)(c); and
 - (c) (c) £17.10.

- (4) The provisions of paragraph 10 (remunerative work) apply in determining whether or not a person works for on average not less than 30 hours per week, but as if the reference to 16 hours in sub-paragraph (1) of that paragraph were a reference to 30 hours.

19. In this Schedule “part-time employment” means employment in which the person is engaged on average for less than 16 hours a week.

SCHEDULE 7 Sums disregarded in the calculation of income other than earnings: persons who are not pensioners.

Paragraph 54

1. Any payment made to the applicant in respect of any child care, travel or other expenses incurred, or to be incurred, by him in respect of his participation in the Work for Your Benefit Pilot Scheme.
2. Any payment made to the applicant in respect of any travel or other expenses incurred, or to be incurred, by him in respect of his participation in the Mandatory Work Activity Scheme.
3. Any payment made to the applicant in respect of any travel or other expenses incurred, or to be incurred, by him in respect of his participation in the Employment, Skills, and Enterprise Scheme.
4. Any amount paid by way of tax on income which is to be taken into account under regulation 30 (calculation of income other than earnings).
5. Any payment in respect of any expenses incurred or to be incurred by an applicant who is—
 - (a) engaged by a charitable or voluntary organisation, or
 - (b) a volunteer, if he otherwise derives no remuneration or profit from the employment and is not to be treated as possessing any earnings under paragraph 56(5) (notional income: persons who are not pensioners).
6. Any payment in respect of expenses arising out of the applicant's participation in a service user group.
7. In the case of employment as an employed earner, any payment in respect of expenses wholly, exclusively, and necessarily incurred in the performance of the duties of the employment.
8. Where an applicant is on income support, an income-based jobseeker's allowance or an income-related employment and support allowance, the whole of his income.
9. Where the applicant is a member of a joint-claim couple for the purposes of the Jobseekers Act and his partner is on an income-based jobseeker's allowance, the whole of the applicant's income.
10. Where the applicant, or the person who was the partner of the applicant on 31st March 2003, was entitled on that date to income support or an income-based jobseeker's allowance but ceased to be so entitled on or before 5th April 2003 by virtue only of regulation 13 of the Housing Benefit (General) Amendment (No. 3) Regulations 1999 as in force at that date, the whole of his income.
11. Any disability living allowance, personal independence payment or an AFIP.
12. Any concessionary payment made to compensate for the non-payment of—
 - (a) any payment specified in paragraph 11 or 14;
 - (b) income support;
 - (c) an income-based jobseeker's allowance;
 - (d) an income-related employment and support allowance.
13. Any mobility supplement under article 20 of the Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 2006 (including such a supplement by virtue of any other scheme or order) or under article 25A of the Personal Injuries (Civilians) Scheme 1983 or any payment intended to compensate for the non-payment of such a supplement.
14. Any attendance allowance.
15. Any payment to the applicant as holder of the Victoria Cross or of the George Cross or any analogous payment.
- 16.—(1) Any payment—
 - (a) by way of an education maintenance allowance made pursuant to—
 - (i) regulations made under section 518 of the Education Act 1996 (payment of school expenses; grant of scholarships etc.);

- (ii) regulations made under section 49 or 73(f) of the Education (Scotland) Act 1980 (power to assist persons to take advantage of educational facilities);
 (iii) directions made under section 73ZA of the Education (Scotland) Act 1980 and paid under section 12(2)(c) of the Further and Higher Education (Scotland) Act 1992;
- (b) corresponding to such an education maintenance allowance, made pursuant to—
 (i) section 14 or section 181 of the Education Act 2002 (power of Secretary of State and the Welsh Ministers to give financial assistance for purposes related to education or childcare, and allowances in respect of education or training); or
 (ii) regulations made under section 181 of that Act; or
- (c) in England, by way of financial assistance made pursuant to section 14 of the Education Act 2002.
- (2) Any payment, other than a payment to which sub-paragraph (1) applies, made pursuant to—
 (a) regulations made under section 518 of the Education Act 1996;
 (b) regulations made under section 49 of the Education (Scotland) Act 1980; or
 (c) directions made under section 73ZA of the Education (Scotland) Act 1980 and paid under section 12(2)(c) of the Further and Higher Education (Scotland) Act 1992,
 in respect of a course of study attended by a child or a young person or a person who is in receipt of an education maintenance allowance or other payment made pursuant to any provision specified in sub-paragraph (1).
17. Any payment made to the applicant by way of a repayment under regulation 11(2) of the Education (Teacher Student Loans) (Repayment etc.) Regulations 2002.
- 18.—(1) Any payment made pursuant to section 2 of the 1973 Act or section 2 of the Enterprise and New Towns (Scotland) Act 1990 except a payment—
 (a) made as a substitute for income support, a jobseeker's allowance, incapacity benefit, severe disablement allowance or an employment and support allowance;
 (b) of an allowance referred to in section 2(3) of the Employment and Training Act 1973 or section 2(5) of the Enterprise and New Towns (Scotland) Act 1990; or
 (c) intended to meet the cost of living expenses which relate to any one or more of the items specified in sub-paragraph (2) whilst an applicant is participating in an education, training, or other scheme to help him enhance his employment prospects unless the payment is a Career Development Loan paid pursuant to section 2 of the 1973 Act and the period of education or training or the scheme, which is supported by that loan, has been completed.
- (2) The items specified in this sub-paragraph for the purposes of sub-paragraph (1)(c) are food, ordinary clothing or footwear, household fuel or rent of the applicant or, where the applicant is a member of a family, any other member of his family, or any council tax or water charges for which that applicant or member is liable.
- 19.—(1) Subject to sub-paragraph (2), any of the following payments—
 (a) a charitable payment;
 (b) a voluntary payment;
 (c) a payment (not falling within paragraph (a) or (b) above) from a trust whose funds are derived from a payment made in consequence of any personal injury to the applicant;
 (d) a payment under an annuity purchased—
 (i) pursuant to any agreement or court order to make payments to the applicant; or
 (ii) from funds derived from a payment made,
 in consequence of any personal injury to the applicant; or
 (e) a payment (not falling within paragraphs (a) to (d)) received by virtue of any agreement or court order to make payments to the applicant in consequence of any personal injury to the applicant.
- (2) Sub-paragraph (1) does not apply to a payment which is made or due to be made by—
 (a) a former partner of the applicant, or a former partner of any member of the applicant's family; or
 (b) the parent of a child or young person where that child or young person is a member of the applicant's family.
20. Subject to paragraph 40, any of the following, namely—
 (a) a war disablement pension (except insofar as such a pension falls to be disregarded under paragraph 13 or 14);
 (b) a war widow's pension or war widower's pension;

- (c) a pension payable to a person as a widow, widower or surviving civil partner under any power of Her Majesty otherwise than under an enactment to make provision about pensions for or in respect of persons who have been disabled or have died in consequence of service as members of the armed forces of the Crown;
- (d) a guaranteed income payment and, if the amount of that payment has been abated to less than £10 by a pension or payment falling within article 31(1)(a) or (b) of the Armed Forces and Reserve Forces (Compensation Scheme) Order 2005, so much of that pension or payment as would not, in aggregate with the amount of any guaranteed income payment disregarded, exceed £10;
- (e) a payment made to compensate for the non-payment of such a pension or payment as is mentioned in any of the preceding sub-paragraphs;
- (f) a pension paid by the government of a country outside Great Britain which is analogous to any of the pensions or payments mentioned in paragraphs (a) to (d) above;
- (g) pension paid to victims of National Socialist persecution under any special provision made by the law of the Federal Republic of Germany, or any part of it, or of the Republic of Austria.
21. Subject to paragraph 40, £15 of any—
- (a) widowed mother's allowance paid pursuant to section 37 of the SSCBA;
 - (b) widowed parent's allowance paid pursuant to section 39A of the SSCBA.
- 22.—(1) Any income derived from capital to which the applicant is or is treated under paragraph 70 (capital jointly held) as beneficially entitled but, subject to sub-paragraph (2), not income derived from capital disregarded under paragraphs 4, 5, 7, 11, 17 or 30 to 33 of Schedule 10.
- (2) Income derived from capital disregarded under paragraphs 5, 7 or 30 to 33 of Schedule 10 but only to the extent of—
- (a) any mortgage repayments made in respect of the dwelling or premises in the period during which that income accrued; or
 - (b) any council tax or water charges which the applicant is liable to pay in respect of the dwelling or premises and which are paid in the period during which that income accrued.
- (3) The definition of “water charges” in paragraph 2(1) (interpretation) applies to sub-paragraph (2) of this paragraph with the omission of the words “in so far as such charges are in respect of the dwelling which a person occupies as his home”.
23. Where the applicant makes a parental contribution in respect of a student attending a course at an establishment in the United Kingdom or undergoing education in the United Kingdom, which contribution has been assessed for the purposes of calculating—
- (a) under, or pursuant to regulations made under powers conferred by, section 22 of the Teaching and Higher Education Act 1998, that student's award;
 - (b) under regulations made in exercise of the powers conferred by section 49 of the Education (Scotland) Act 1980, that student's bursary, scholarship, or other allowance under that section or under regulations made in exercise of the powers conferred by section 73 of that Act of 1980, any payment to that student under that section; or
 - (c) the student's student loan,
- an amount equal to the weekly amount of that parental contribution, but only in respect of the period for which that contribution is assessed as being payable.
- 24.—(1) Where the applicant is the parent of a student aged under 25 in advanced education who either—
- (a) is not in receipt of any award, grant, or student loan in respect of that education; or
 - (b) is in receipt of an award bestowed by virtue of the Teaching and Higher Education Act 1998, or regulations made thereunder, or a bursary, scholarship, or other allowance under section 49(1) of the Education (Scotland) Act 1980, or a payment under section 73 of that Act of 1980, and the applicant makes payments by way of a contribution towards the student's maintenance, other than a parental contribution falling within paragraph 23, an amount specified in sub-paragraph (2) in respect of each week during the student's term.
- (2) For the purposes of sub-paragraph (1), the amount must be equal to—
- (a) the weekly amount of the payments; or
 - (b) the amount by way of a personal allowance for a single applicant under 25 less the weekly amount of any award, bursary, scholarship, allowance, or payment referred to in sub-paragraph (1)(b), whichever is less.

25. Any payment made to the applicant by a child or young person or a non-dependent.
26. Where the applicant occupies a dwelling as his home and the dwelling is also occupied by a person other than one to whom paragraph 25 or 27 refers and there is a contractual liability to make payments to the applicant in respect of the occupation of the dwelling by that person or a member of his family—
- (a) where the aggregate of any payments made in respect of any one week in respect of the occupation of the dwelling by that person or a member of his family, or by that person and a member of his family, is less than £20, the whole of that amount; or
 - (b) where the aggregate of any such payments is £20 or more per week, £20.
27. Where the applicant occupies a dwelling as his home and he provides in that dwelling board and lodging accommodation, an amount, in respect of each person for which such accommodation is provided for the whole or any part of a week, equal to—
- (a) where the aggregate of any payments made in respect of any one week in respect of such accommodation provided to such person does not exceed £20, 100 per cent of such payments;
 - (b) where the aggregate of any such payments exceeds £20, £20 and 50 per cent of the excess over £20.
- 28.—(1) Any income in kind, except where paragraph 54(10)(b) (provision of support under section 95 or 98 of the Immigration and Asylum Act 1999 in the calculation of income other than earnings) applies.
- (2) The reference in sub-paragraph (1) to “income in kind” does not include a payment to a third party made in respect of the applicant which is used by the third party to provide benefits in kind to the applicant.
29. Any income which is payable in a country outside the United Kingdom for such period during which there is a prohibition against the transfer to the United Kingdom of that income.
- 30.—(1) Any payment made to the applicant in respect of a person who is a member of his family—
- (a) pursuant to regulations under section 2(6)(b), 3 or 4 of the Adoption and Children Act 2002 or in accordance or with a scheme approved by the Scottish Ministers under section 51A of the Adoption (Scotland) Act 1978(200) (schemes for payments of allowances to adopters) or in accordance with an adoption allowance scheme made under section 71 of the Adoption and Children (Scotland) Act 2007 (adoption allowances schemes);
 - (b) which is a payment made by a local authority in pursuance of section 15(1) of, and paragraph 15 of Schedule 1 to, the Children Act 1989 (local authority contribution to a child’s maintenance where the child is living with a person as a result of a residence order) or in Scotland section 50 of the Children Act 1975 (payments towards maintenance of children);
 - (c) which is a payment made by an authority, as defined in Article 2 of the Children (Northern Ireland) Order 1995, in pursuance of Article 15 of, and paragraph 17 of Schedule 1 to, that Order (contribution by an authority to child’s maintenance);
 - (d) in accordance with regulations made pursuant to section 14F of the Children Act 1989 (special guardianship support services);
- (2) Any payment, other than a payment to which sub-paragraph (1)(a) applies, made to the applicant pursuant to regulations under section 2(6)(b), 3 or 4 of the Adoption and Children Act 2002.
31. Any payment made to the applicant with whom a person is accommodated by virtue of arrangements made—
- (a) by a local authority under—
 - (i) section 23(2)(a) of the Children Act 1989 (provision of accommodation and maintenance for a child whom they are looking after),
 - (ii) section 26 of the Children (Scotland) Act 1995 (manner of provision of accommodation to child looked after by local authority), or
 - (iii) regulations 33 or 51 of the Looked After Children (Scotland) Regulations 2009 (fostering and kinship care allowances and fostering allowances); or
 - (b) by a voluntary organisation under section 59(1)(a) of the Children Act 1989 (provision of accommodation by voluntary organisations).
32. Any payment made to the applicant or his partner for a person (“the person concerned”), who is not normally a member of the applicant’s household but is temporarily in his care, by—
- (a) a health authority;

- (b) a local authority but excluding payments of housing benefit made in respect of the person concerned;
- (c) a voluntary organisation;
- (d) the person concerned pursuant to section 26(3A) of the National Assistance Act 1948;
- (e) a primary care trust established under section 16A of the National Health Service Act 1977 or established by an order made under section 18(2)(c) of the National Health Service Act 2006; or
- (f) a Local Health Board established under section 11 of the National Health Service (Wales) Act 2006.

33. Any payment made by a local authority in accordance with section 17, 23B, 23C or 24A of the Children Act 1989 or, as the case may be, section 12 of the Social Work (Scotland) Act 1968 or section 22, 29 or 30 of the Children (Scotland) Act 1995 (provision of services for children and their families and advice and assistance to certain children).

34.—(1) Subject to sub-paragraph (2), any payment (or part of a payment) made by a local authority in accordance with section 23C of the Children Act 1989 or section 29 of the Children (Scotland) Act 1995 (local authorities' duty to promote welfare of children and powers to grant financial assistance to persons in, or formerly in, their care) to a person ("A") which A passes on to the applicant.

- (2) Sub-paragraph (1) applies only where A—
- (a) was formerly in the applicant's care, and
 - (b) is aged 18 or over, and
 - (c) continues to live with the applicant.

35.—(1) Subject to sub-paragraph (2), any payment received under an insurance policy taken out to insure against the risk of being unable to maintain repayments—

- (a) on a loan which is secured on the dwelling which the applicant occupies as his home; or
- (b) under a regulated agreement as defined for the purposes of the Consumer Credit Act 1974(201) or under a hire-purchase agreement or a conditional sale agreement as defined for the purposes of Part 3 of the Hire-Purchase Act 1964.

(2) A payment referred to in sub-paragraph (1) is only to be disregarded to the extent that the payment received under that policy does not exceed the amounts, calculated on a weekly basis, which are used to—

- (a) maintain the repayments referred to in sub-paragraph (1)(a) or, as the case may be, (1)(b); and
- (b) meet any amount due by way of premiums on—
 - (i) that policy; or
 - (ii) in a case to which sub-paragraph (1)(a) applies, an insurance policy taken out to insure against loss or damage to any building or part of a building which is occupied by the applicant as his home and which is required as a condition of the loan referred to in sub-paragraph (1)(a).

36. Any payment of income which by virtue of paragraph 64 (income treated as capital: persons who are not pensioners) is to be treated as capital.

37. Any—

- (a) social fund payment made pursuant to Part 8 of the SSCBA (the social fund); or
- (b) occasional assistance.

38. Any payment under Part 10 of the SSCBA (Christmas bonus for pensioners).

39. Where a payment of income is made in a currency other than sterling, any banking charge or commission payable in converting that payment into sterling.

40. The total of an applicant's income or, if he is a member of a family, the family's income and the income of any person which he is treated as possessing under paragraph 33(3) (calculation of income and capital of members of applicant's family and of a polygamous marriage) to be disregarded under paragraph 77(2)(b) and paragraph 78(1)(d) (calculation of covenant income where a contribution assessed, covenant income where no grant income or no contribution is assessed), paragraph 81(2) (treatment of student loans), paragraph 82(3) (treatment of payments from access funds) and paragraphs 20 and 21 must in no case exceed £20 per week.

41.—(1) Any payment made under or by any of the Trusts, the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation, or the Independent Living Fund (2006).

(2) Any payment by or on behalf of a person who is suffering or who suffered from haemophilia or who is or was a qualifying person, which derives from a payment made under or by any of the Trusts to which sub-paragraph (1) refers and which is made to or for the benefit of—

- (a) that person's partner or former partner from whom he is not, or where that person has died was not, estranged or divorced or with whom he has formed a civil partnership that has not been dissolved or, where that person has died, had not been dissolved at the time of that person's death;
- (b) any child who is a member of that person's family or who was such a member and who is a member of the applicant's family; or
- (c) any young person who is a member of that person's family or who was such a member and who is a member of the applicant's family.

(3) Any payment by or on behalf of the partner or former partner of a person who is suffering or who suffered from haemophilia or who is or was a qualifying person provided that the partner or former partner and that person are not, or if either of them has died were not, estranged or divorced or, where the partner or former partner and that person have formed a civil partnership, the civil partnership has not been dissolved or, if either of them has died, had not been dissolved at the time of the death, which derives from a payment made under or by any of the Trusts to which sub-paragraph (1) refers and which is made to or for the benefit of—

- (a) the person who is suffering from haemophilia or who is a qualifying person;
- (b) any child who is a member of that person's family or who was such a member and who is a member of the applicant's family; or
- (c) any young person who is a member of that person's family or who was such a member and who is a member of the applicant's family.

(4) Any payment by a person who is suffering from haemophilia or who is a qualifying person, which derives from a payment under or by any of the Trusts to which sub-paragraph (1) refers, where—

- (a) that person has no partner or former partner from whom he is not estranged or divorced or with whom he has formed a civil partnership that has not been dissolved, nor any child or young person who is or had been a member of that person's family; and
- (b) the payment is made either—
 - (i) to that person's parent or step-parent, or
 - (ii) where that person at the date of the payment is a child, a young person or a student who has not completed his education and has no parent or step-parent, to his guardian, but only for a period from the date of the payment until the end of two years from that person's death.

(5) Any payment out of the estate of a person who suffered from haemophilia or who was a qualifying person, which derives from a payment under or by any of the Trusts to which sub-paragraph (1) refers, where—

- (a) that person at the date of his death (the relevant date) had no partner or former partner from whom he was not estranged or divorced or with whom he has formed a civil partnership that has not been dissolved, nor any child or young person who was or had been a member of his family; and
- (b) the payment is made either—
 - (i) to that person's parent or step-parent, or
 - (ii) where that person at the relevant date was a child, a young person or a student who had not completed his full-time education and had no parent or step-parent, to his guardian, but only for a period of two years from the relevant date.

(6) In the case of a person to whom or for whose benefit a payment referred to in this paragraph is made, any income which derives from any payment of income or capital made under or deriving from any of the Trusts.

(7) For the purposes of sub-paragraphs (2) to (6), any reference to the Trusts is to be construed as including a reference to the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation, and the London Bombings Relief Charitable Fund.

42. Any housing benefit.

43. Any payment made by the Secretary of State to compensate for the loss (in whole or in part) of entitlement to housing benefit.

44. Any payment to a juror or witness in respect of attendance at a court other than compensation for loss of earnings or for the loss of a benefit payable under the benefit Acts.

45. Any payment in consequence of a reduction of council tax under section 13 of the 1992 Act (reduction of liability for council tax).

46.-(1) Any payment or repayment made—

- (a) as respects England, under regulation 5, 6 or 12 of the National Health Service (Travel Expenses and Remission of Charges) Regulations 2003 (travelling expenses and health service supplies);
- (b) as respects Wales, under regulation 5, 6 or 11 of the National Health Service (Travelling Expenses and Remission of Charges) (Wales) Regulations 2007 (travelling expenses and health service supplies);
- (c) as respects Scotland, under regulation 3, 5 or 11 of the National Health Service (Travelling Expenses and Remission of Charges) (Scotland) (No. 2) Regulations 2003 (travelling expenses and health service supplies).

(2) Any payment or repayment made by the Secretary of State for Health, the Scottish Ministers or the Welsh Ministers which is analogous to a payment or repayment mentioned in sub-paragraph (1).

47. Any payment made to such persons entitled to receive benefits as may be determined by or under a scheme made pursuant to section 13 of the Social Security Act 1988 in lieu of vouchers or similar arrangements in connection with the provision of those benefits (including payments made in place of healthy start vouchers, milk tokens or the supply of vitamins).

48. Any payment made by either the Secretary of State for Justice or by the Scottish Ministers under a scheme established to assist relatives and other persons to visit persons in custody.

49.-(1) Where an applicant's applicable amount includes an amount by way of family premium, £15 of any payment of maintenance, other than child maintenance, whether under a court order or not, which is made or due to be made by the applicant's former partner, or the applicant's partner's former partner.

(2) For the purpose of sub-paragraph (1) where more than one maintenance payment falls to be taken into account in any week, all such payments must be aggregated and treated as if they were a single payment.

(3) A payment made by the Secretary of State in lieu of maintenance must, for the purpose of sub-paragraph (1), be treated as a payment of maintenance made by a person specified in sub-paragraph (1).

50.-(1) Any payment of child maintenance made or derived from a liable relative where the child or young person in respect of whom the payment is made is a member of the applicant's family, except where the person making the payment is the applicant or the applicant's partner.

(2) In sub-paragraph (1)—

“child maintenance” means any payment towards the maintenance of a child or young person, including any payment made voluntarily and payments made under—

- (a) the Child Support Act 1991(202);
- (b) the Child Support (Northern Ireland) Order 1991;
- (c) a court order;
- (d) a consent order;
- (e) a maintenance agreement registered for execution in the Books of Council and Session or the sheriff court books;

“liable relative” means a person listed in regulation 54 (interpretation) of the Income Support (General) Regulations 1987, other than a person falling within sub-paragraph (d) of that definition.

51. Any payment (other than a training allowance) made, whether by the Secretary of State or any other person, under the Disabled Persons (Employment) Act 1944(203) to assist disabled persons to obtain or retain employment despite their disability.

52. Any guardian's allowance.

53.—(1) If the applicant is in receipt of any benefit under Part 2, 3 or 5 of the SSCBA, any increase in the rate of that benefit arising under Part 4 (increases for dependants) or section 106(a) (unemployability supplement) of that Act, where the dependent in respect of whom the increase is paid is not a member of the applicant's family.

(2) If the applicant is in receipt of any pension or allowance under Part 2 or 3 of the Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 2006, any increase in the rate of that pension or allowance under that Order, where the dependent in respect of whom the increase is paid is not a member of the applicant's family.

54. Any supplementary pension under article 23(2) of the Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 2006 (pensions to surviving spouses and surviving civil partners) and any analogous payment made by the Secretary of State for Defence to any person who is not a person entitled under that Order.

55. In the case of a pension awarded at the supplementary rate under article 27(3) of the Personal Injuries (Civilians) Scheme 1983 (pensions to widows, widowers or surviving civil partners), the sum specified in paragraph 1(c) of Schedule 4 to that Scheme.

56.—(1) Any payment which is—

- (a) made under any of the Dispensing Instruments to a widow, widower or surviving civil partner of a person—
 - (i)whose death was attributable to service in a capacity analogous to service as a member of the armed forces of the Crown; and
 - (ii)whose service in such capacity terminated before 31st March 1973; and
- (b) equal to the amount specified in article 23(2) of the Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 2006.

(2) In this paragraph “the Dispensing Instruments” means the Order in Council of 19th December 1881, the Royal Warrant of 27th October 1884 and the Order by His Majesty of 14th January 1922 (exceptional grants of pay, non-effective pay and allowances).

57. Any council tax benefit to which the applicant is entitled.

58. Except in a case which falls under sub-paragraph (1) of paragraph 18 of Schedule 7, where the applicant is a person who satisfies any of the conditions of sub-paragraph (2) of that paragraph, any amount of working tax credit up to £17.10.

59. Any payment made under section 12B of the Social Work (Scotland) Act 1968, or under sections 12A to 12D of the National Health Service Act 2006 (direct payments for health care) or under regulations made under section 57 of the Health and Social Care Act 2001 (direct payments).

60.—(1) Subject to sub-paragraph (2), in respect of a person who is receiving, or who has received, assistance under the self-employment route, any payment to that person—

- (a)to meet expenses wholly and necessarily incurred whilst carrying on the commercial activity;
 - (b)which is used or intended to be used to maintain repayments on a loan taken out by that person for the purpose of establishing or carrying on the commercial activity,
- in respect of which such assistance is or was received.

(2) Sub-paragraph (1) applies only in respect of payments which are paid to that person from the special account.

61.—(1) Any payment of a sports award except to the extent that it has been made in respect of any one or more of the items specified in sub-paragraph (2).

(2) The items specified for the purposes of sub-paragraph (1) are food, ordinary clothing or footwear, household fuel or rent of the applicant or where the applicant is a member of a family, any other member of his family, or any council tax or water charges for which that applicant or member is liable.

(3) For the purposes of sub-paragraph (2) “food” does not include vitamins, minerals or other special dietary supplements intended to enhance the performance of the person in the sport in respect of which the award was made.

62. Where the amount of subsistence allowance paid to a person in a reduction week exceeds the amount of income-based jobseeker's allowance that person would have received in that reduction week had it been payable to him, less 50p, that excess amount.

63. In the case of an applicant participating in an employment zone programme, any discretionary payment made by an employment zone contractor to the applicant, being a fee, grant, loan or otherwise.

64. Any discretionary housing payment paid pursuant to regulation 2(1) of the Discretionary Financial Assistance Regulations 2001(204).

65.—(1) Any payment made by a local authority or by the Welsh Ministers, to or on behalf of the applicant or his partner relating to a service which is provided to develop or sustain the capacity of the applicant or his partner to live independently in his accommodation.

(2) For the purposes of sub-paragraph (1) “local authority” includes, in England, a county council.

66. Any payment of child benefit.

67. Any payment made under the Energy Rebate Scheme 2022 is to be disregarded in determining:

(a) an applicant's entitlement to a reduction under the scheme; or

(b) the amount of any reduction to which the applicant is entitled.

“The Energy Rebate Scheme 2022” means the scheme to provide financial support in respect of energy bills which was announced in Parliament by the Chancellor of the Exchequer on 3rd February 2022

68. Provision for all applicants: Homes for Ukraine scheme

(1) Any payment made in connection with the Homes for Ukraine scheme is to be disregarded in determining—

(a) an applicant's entitlement to a reduction under the scheme; or

(b) the amount of any reduction to which the applicant is entitled.

(2) In this regulation—

“the Homes for Ukraine scheme” means the Homes for Ukraine sponsorship scheme which was announced in Parliament by the Secretary of State for Levelling Up, Housing and Communities on 14th March 2022

SCHEDULE 8 Capital disregards: pensioners
Paragraph 63

PART 1 Capital to be disregarded.

1. Any premises acquired for occupation by the applicant which he intends to occupy as his home within 26 weeks of the date of acquisition or such longer period as is reasonable in the circumstances to enable the applicant to obtain possession and commence occupation of the premises.
2. Any premises which the applicant intends to occupy as his home, and in respect of which he is taking steps to obtain possession and has sought legal advice, or has commenced legal proceedings, with a view to obtaining possession, for a period of 26 weeks from the date on which he first sought such advice or first commenced such proceedings whichever is the earlier, or such longer period as is reasonable in the circumstances to enable him to obtain possession and commence occupation of those premises.
3. Any premises which the applicant intends to occupy as his home to which essential repairs or alterations are required in order to render them fit for such occupation, for a period of 26 weeks from the date on which the applicant first takes steps to effect those repairs or alterations, or such longer period as is necessary to enable those repairs or alterations to be carried out.
4. Any premises occupied in whole or in part—
 - (a) by a person who is a relative of the applicant or his partner as his home where that person has attained the qualifying age for state pension credit or is incapacitated;
 - (b) by the former partner of the applicant as his home; but this provision shall not apply where the former partner is a person from whom the applicant is estranged or divorced or with whom he had formed a civil partnership that has been dissolved.
5. Any future interest in property of any kind, other than land or premises in respect of which the applicant has granted a subsisting lease or tenancy, including sub-leases or sub-tenancies.
6. Where an applicant has ceased to occupy what was formerly the dwelling occupied as the home following his estrangement or divorce from his former partner or the dissolution of a civil partnership with his former partner, that dwelling for a period of 26 weeks from the date on which he ceased to occupy that dwelling or, where the dwelling is occupied as the home by the former partner who is a lone parent, for so long as it is so occupied.
7. Any premises where the applicant is taking reasonable steps to dispose of the whole of his interest in those premises, for a period of 26 weeks from the date on which he first took such steps, or such longer period as is reasonable in the circumstances to enable him to dispose of those premises.
8. All personal possessions.
9. The assets of any business owned in whole or in part by the applicant and for the purposes of which he is engaged as a self-employed earner or, if he has ceased to be so engaged, for such period as may be reasonable in the circumstances to allow for disposal of those assets.
10. The assets of any business owned in whole or in part by the applicant if—
 - (a) he is not engaged as a self-employed earner in that business by reason of some disease or bodily or mental disablement; but
 - (b) he intends to become engaged (or, as the case may be, re-engaged) as a self-employed earner in that business as soon as he recovers or is able to become engaged, or reengaged, in that business,for a period of 26 weeks from the date on which the application for a reduction under this scheme is made or, if it is unreasonable to expect him to become engaged or re-engaged in that business within that period, for such longer period as is reasonable in the circumstances to enable him to become so engaged or re-engaged.
11. The surrender value of any policy of life insurance.
12. The value of any funeral plan contract; and for this purpose, “funeral plan contract” means a contract under which—
 - (a) the applicant makes one or more payments to another person (“the provider”);

- (b) the provider undertakes to provide, or secure the provision of, a funeral in the United Kingdom for the applicant on his death; and
- (c) the sole purpose of the plan is to provide or secure the provision of a funeral for the applicant on his death.

13. Where an ex-gratia payment has been made by the Secretary of State on or after 1st February 2001 in consequence of the imprisonment or internment of—

- (a) the applicant;
- (b) the applicant's partner;
- (c) the applicant's deceased spouse or deceased civil partner; or
- (d) the applicant's partner's deceased spouse or deceased civil partner, by the Japanese during the Second World War, an amount equal to that payment.

14.—(1) Subject to sub-paragraph (2), the amount of any trust payment made to an applicant or an applicant's partner who is—

- (a) a diagnosed person;
- (b) a diagnosed person's partner or was a diagnosed person's partner at the time of the diagnosed person's death; or
- (c) a parent of a diagnosed person, a person acting in place of the diagnosed person's parents or a person who was so acting at the date of the diagnosed person's death.

(2) Where a trust payment is made to—

- (a) a person referred to in sub-paragraph (1)(a) or (b), that sub-paragraph shall apply for the period beginning on the date on which the trust payment is made and ending on the date on which that person dies;
- (b) a person referred to in sub-paragraph (1)(c), that sub-paragraph shall apply for the period beginning on the date on which the trust payment is made and ending two years after that date.

(3) Subject to sub-paragraph (4), the amount of any payment by a person to whom a trust payment has been made or of any payment out of the estate of a person to whom a trust payment has been made, which is made to an applicant or an applicant's partner who is—

- (a) the diagnosed person;
- (b) a diagnosed person's partner or was a diagnosed person's partner at the date of the diagnosed person's death; or
- (c) a parent of a diagnosed person, a person acting in place of the diagnosed person's parents or a person who was so acting at the date of the diagnosed person's death.

(4) Where a payment such as referred to in sub-paragraph (3) is made to—

- (a) a person referred to in sub-paragraph (3)(a) or (b), that sub-paragraph shall apply for the period beginning on the date on which the payment is made and ending on the date on which that person dies;
- (b) a person referred to in sub-paragraph (3)(c), that sub-paragraph shall apply for the period beginning on the date on which the payment is made and ending two years after that date.

(5) In this paragraph, a reference to a person—

- (a) being the diagnosed person's partner;
- (b) acting in place of the diagnosed person's parents, at the date of the diagnosed person's death shall include a person who would have been such a person or a person who would have been so acting, but for the diagnosed person residing in a care home or an independent hospital.

(6) In this paragraph—

“diagnosed person” means a person who has been diagnosed as suffering from, or who, after his death, has been diagnosed as having suffered from, variant Creutzfeldt-Jakob disease;

“relevant trust” means a trust established out of funds provided by the Secretary of State in respect of persons who suffered, or who are suffering, from variant Creutzfeldt-Jakob disease for the benefit of persons eligible for payments in accordance with its provisions;

“trust payment” means a payment under a relevant trust.

15. The amount of any payment, other than a war pension, to compensate for the fact that the applicant, the applicant's partner, the applicant's deceased spouse or civil partner or the applicant's partner's deceased spouse or civil partner—

- (a) was a slave labourer or a forced labourer;

- (b) had suffered property loss or had suffered personal injury; or
- (c) was a parent of a child who had died, during the Second World War.

16.— Any payment made under or by—

- (a) the Macfarlane Trust, the Macfarlane (Special Payments) Trust, the Macfarlane (Special Payments) (No. 2) Trust, the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation, “the Scottish Infected Blood Support Scheme, an approved blood scheme, the London Emergencies Trust, the We Love Manchester Emergency Fund, the Grenfell Tower charitable funds, the Grenfell Tower Residents’ Discretionary Fund, the Windrush Compensation Scheme, the Victims of Overseas Terrorism Compensation Scheme or the London Bombings Relief Charitable Fund (collectively referred to in this paragraph as “the Trusts”); or
- (aa) a Grenfell Tower support payment;
- (b) the Independent Living Fund (2006);
- (c) Any historical child abuse payment ;
- (d) Any Windrush payment;
- (e) Any Post Office compensation payment;
- (f) Any vaccine damage payment;
- (g) Any payment out of the estate of a person, which derives from a payment to meet the recommendation of the Infected Blood Inquiry in its interim report published on 29th July 2022 made under or by the Scottish Infected Blood Support Scheme or an approved blood support scheme to the estate of the person, where the payment is made to the person’s son, daughter, step-son, or step-daughter.

(2) Any payment by or on behalf of a person who is suffering or who suffered from haemophilia or who is or was a qualifying person, which derives from a payment made under or by any of the Trusts or from a Grenfell Tower support payment, a historical child abuse payment or a Windrush payment and which is made to or for the benefit of that person’s partner or former partner—

- (a) from whom he is not, or where that person has died was not, estranged or divorced, or
- (b) with whom he has formed a civil partnership that has not been dissolved or, where that person has died, had not been dissolved at the time of that person’s death.

(3) Any payment by or on behalf of the partner or former partner of a person who is suffering or who suffered from haemophilia or who is or was a qualifying person which derives from a payment made under or by any of the Trusts or from a Grenfell Tower support payment, a historical child abuse payment or a Windrush payment, a Post Office compensation payment or a vaccine damage payment and which is made to or for the benefit of the person who is suffering from haemophilia or who is a qualifying person.

(4) Sub-paragraph (3) does not apply if—

- (a) the partner or former partner and that person are not, or if either of them has died were not, estranged or divorced, or
- (b) where the partner or former partner and that person have formed a civil partnership, the civil partnership has not been dissolved or, if either of them has died, had not been dissolved at the time of the death.

(5) Any payment by a person who is suffering from haemophilia or who is a qualifying person, which derives from a payment under or by any of the Trusts or from a Grenfell Tower support payment, a historical child abuse payment or a Windrush payment, a Post Office compensation payment, or a vaccine damage payment where—

- (a) that person has no partner or former partner from whom he is not estranged or divorced or with whom he has formed a civil partnership that has not been dissolved, nor any child who is or had been a member of that person’s household; and
- (b) the payment is made either—

- (i) to that person’s parent or step-parent; or
- (ii) where that person at the date of the payment is a child or a student who has not completed his full-time education and has no parent or step-parent, to any person standing in the place of his parent,

but only for a period from the date of the payment until the end of two years from that person’s death.

(6) Any payment out of the estate of a person who suffered from haemophilia or who was a qualifying person, which derives from a payment under or by any of the Trusts or from a

Grenfell Tower support payment, a historical child abuse payment or a Windrush payment, a Post Office compensation payment, or a vaccine damage payment, where—
(a) that person at the date of his death (“the relevant date”) had no partner or former partner from whom he was not estranged or divorced or with whom he had formed a civil partnership that had not been dissolved, nor any child who was or had been a member of his household; and
(b) the payment is made either—
(i) to that person's parent or step-parent; or
(ii) where that person at the relevant date was a child or a student who had not completed his full-time education and had no parent or step-parent, to any person standing in place of his parent, but only for a period of two years from the relevant date.

- (7) In the case of a person to whom or for whose benefit a payment referred to in this paragraph is made, any capital resource which derives from—
(a) any payment of income or capital made under or deriving from any of the Trusts; or
(b) a Grenfell Tower support payment, a historical child abuse payment or a Windrush payment, a Post Office compensation payment, or a vaccine damage payment.

16A- Any payment made under, or by, a trust which is approved by the Secretary of State and which is established for the purpose of giving relief and assistance to a disabled person whose disabilities were caused by their mother having taken a preparation containing the drug known as Thalidomide during her pregnancy.

16B Any payment made by the Child Migrants Trust (registered charity number 1171479) under the scheme for former British child migrants;

17.—(1) An amount equal to the amount of any payment made in consequence of any personal injury to the applicant or, if the applicant has a partner, to the partner.

(2) Where the whole or part of the payment is administered—

- (a) by the High Court or the County Court under Rule 21.11(1) of the Civil Procedure Rules 1998, or the Court of Protection, or on behalf of a person where the payment can only be disposed of by order or direction of any such court;
(b) in accordance with an order made under Rule 36.14 of the Ordinary Cause Rules 1993 or under Rule 128 of those Rules; or
(c) in accordance with the terms of a trust established for the benefit of the applicant or his partner,
the whole of the amount so administered.

18. Any amount specified in paragraph 19, 20, 21 or 25 of this Schedule for a period of one year beginning with the date of receipt.

19. Amounts paid under a policy of insurance in connection with the loss of or damage to the property occupied by the applicant as his home and to his personal possessions.

20. So much of any amounts paid to the applicant or deposited in the applicant's name for the sole purpose of—

- (a) purchasing premises which the applicant intends to occupy as his home; or
(b) effecting essential repairs or alterations to the premises occupied or intended to be occupied by the applicant as his home.

21.—(1) Subject to paragraph 22 any amount paid—

- (a) by way of arrears of benefit;
(b) by way of compensation for the late payment of benefit;
(c) in lieu of the payment of benefit;
(d) to rectify, or compensate for, an official error, as defined for the purposes of paragraph 22, being an amount to which that paragraph does not apply;
(e) by a local authority out of funds provided under either section 93 of the Local Government Act 2000 under a scheme known as “Supporting People” or section 91 of the Housing (Scotland) Act 2001.

(f) by way of occasional assistance including arrears and payments in lieu of occasional assistance (and in this paragraph “occasional assistance” has the same meaning as in paragraph 16 of Schedule 1);
(g) to rectify, or compensate for, an error made by an officer of the Department for Work and Pensions which was not caused or materially contributed to by any person outside the Department and which prevented or delayed an assessment of the applicant’s entitlement to contributory employment and support allowance, being an amount to which paragraph 22(1A) does not apply

(2) In sub-paragraph (1), “benefit” means—

- (a) attendance allowance under section 64 of the Act;
- (b) disability living allowance;
- (c) personal independence payment;
- (d) income support;
- (e) income-based jobseeker’s allowance;
- (f) state pension credit;
- (g) housing benefit;
- (h) council tax benefit;
- (i) child tax credit;
- (j) an increase of a disablement pension under section 104 of the SSCBA (increase where constant attendance is needed), and any further increase of such a pension under section 105 of the Act (increase for exceptionally severe disablement);
- (k) any amount included on account of the applicant’s exceptionally severe disablement or need for constant attendance in a war disablement pension or a war widow’s or widower’s pension;
- (l) any discretionary housing payment paid pursuant to regulation 2(1) of the Discretionary Financial Assistance Regulations 2001;
- (m) working tax credit;
- (n) income-related employment and support allowance,
- (o) social fund payments under Part 8 of the SSCBA,
- (p) universal credit,
- (q) maternity allowance under section 35 of the SSCBA (state maternity allowance for employed or self-employed earner);
- (r) early years assistance given in accordance with section 32 of the Social Security (Scotland) Act 2018;
- (s) funeral expense assistance given in accordance with section 34 of that Act;
- (t) any Scottish child payment assistance given in accordance with section 79 of that Act;
- (u) any assistance given in accordance with the Carer’s Assistance (Young Carer Grants) (Scotland) Regulations 2019;
- (v) short-term assistance given in accordance with regulations under section 36 of the Social Security (Scotland) Act 2018;
- (w) winter heating assistance given in accordance with regulations under section 30 of that Act; or
- (x) bereavement support payment under section 30 of the Pensions Act 2014

(3) In sub-paragraph (1) “contributory employment and support allowance” means an allowance under Part 1 of the Welfare Reform Act 2007 as amended by the provisions of Schedule 3, and Part 1 of Schedule 14, to the Welfare Reform Act 2012 that remove references to an income-related allowance

22.—(1) Subject to sub-paragraph (3), any payment of £5,000 or more which has been made to rectify, or to compensate for, an official error or an error on a point in law relating to a relevant benefit and which has been received by the applicant in full on or after the day on which he became entitled to benefit under the Council Tax Benefit Regulations 2006 or the Council Tax Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006.

(1A) Subject to paragraph (3), any payment of £5,000 or more received by the applicant in full on or after the day on which the applicant became entitled to a reduction under an authority’s scheme which has been made to rectify, or compensate for, an error made by an officer of the Department for Work and Pensions which was not caused or materially contributed to by any person outside the Department and which prevented or delayed an assessment of the applicant’s entitlement to contributory employment and support allowance.

(1B) In sub-paragraph (1A) “contributory employment and support allowance” has the meaning in paragraph 21(3)

(2) Subject to sub-paragraph (3), the total amount of any payments disregarded under—

- (a) paragraph 7(2) of Schedule 10 to the Income Support (General) Regulations 1987;
- (b) paragraph 12(2) of Schedule 8 to the Jobseeker's Allowance Regulations 1996;
- (c) paragraph 9(2) of Schedule 5 to the Council Tax Benefit Regulations 2006;
- (d) paragraph 20A of Schedule 5 to the State Pension Credit Regulations 2002,
- (e) paragraph 11(2) of Schedule 9 to the Employment and Support Allowance Regulations 2008,

where the award in respect of which the payments last fell to be disregarded under those Regulations either terminated immediately before the relevant date or is still in existence at that date.

- (f) regulations 10A to 10C of the Universal Credit (Transitional Provisions) Regulations 2014

(3) Any disregard which applies under sub-paragraph (1) (1A) or (2) shall have effect until the award comes to an end.

(4) In this paragraph—

“the award”, except in sub-paragraph (2), means—

- (a) the award of benefit under the Council Tax Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006 during which the relevant sum or, where it is paid in more than one instalment, the first instalment of that sum is received; and
- (b) where that award is followed by one or more further awards which, or each of which, begins immediately after the previous award ends, such further awards until the end of the last such award, provided that, for such further awards, the applicant—
 - (i) is the person who received the relevant sum;
 - (ii) is the partner of that person; or
 - (iii) was the partner of that person at the date of his death;

“official error”—

- (a) where the error relates to housing benefit, or council tax benefit (in respect of any period before 1st April 2013), has the meaning given by regulation 1(2) of the Housing Benefit and Council Tax Benefit (Decisions and Appeals) Regulations 2001; and
- (b) where the error relates to any other relevant benefit, has the meaning given by regulation 1(3) of the Social Security and Child Support (Decisions and Appeals) Regulations 1999;

“the relevant date” means—

- (a) in the case of an existing award of benefit under these Regulations or the Council Tax Benefit Regulations 2006, 6th October 2003; and
- (b) in any other case, the date on which the claim for benefit under these Regulations or the Council Tax Benefit Regulations 2006 was made;

“the relevant sum” means the total amount referred to in sub-paragraph (1).

22A. Any payment of a widowed parent's allowance made pursuant to section 39A of the SSCBA (widowed parent's allowance)—

- (a) to the survivor of a cohabiting partnership (within the meaning in section 39A(7) of the SSCBA) who is entitled to a widowed parent's allowance for a period before 9th February 2023 (2), and
- (b) in respect of any period of time during the period ending with the day before the survivor makes the claim for a widowed parent's allowance, but only for a period of 52 weeks beginning with the date of receipt of the payment or 1st April 2024, whichever is later.

22B.—(1) A payment of bereavement support payment in respect of the rate set out in regulation 3(2) or (5) of the Bereavement Support Payment Regulations 2017 (rate of bereavement support payment), but only for the period of 52 weeks from the date of receipt of the payment.

- (2) Where bereavement support payment under section 30 of the Pensions Act 2014 is paid to the survivor of a cohabiting partnership (within the meaning of section 30(6B) of that Act) in respect of a death occurring before 9th February 2023, any amount of that payment which is—
 - (a) in respect of the rate set out in regulation 3(1) of the Bereavement Support Payment Regulations 2017, and

- (b) paid as a lump sum for more than one monthly recurrence of the day of the month on which their cohabiting partner died, but only for a period of 52 weeks beginning with the date of receipt of the payment or 1st April 2024, whichever is later.

23. Where a capital asset is held in a currency other than Sterling, any banking charge or commission payable in converting that capital into Sterling.

24. The value of the right to receive income from an occupational pension scheme or a personal pension scheme.

25. Any arrears of supplementary pension which is disregarded under paragraph 4 of Schedule 6 (amounts to be disregarded in the calculation of income other than earnings) or of any amount which is disregarded under paragraph 5 or 6 of that Schedule.

26. The dwelling occupied as the home; but only one dwelling shall be disregarded under this paragraph.

27.—(1) Subject to sub-paragraph (2), where an applicant falls within class C (alternative maximum council tax reduction: pensioners), the whole of his capital.

(2) Sub-paragraph (1) does not apply where an applicant falls within class B and class C.

28. Where a person elects to be entitled to a lump sum under Schedule 5 or 5A to SSCBA or under Schedule 1 to the Social Security (Graduated Retirement Benefit) Regulations 2005, or is treated as having made such an election, and a payment has been made pursuant to that election, an amount equal to—

- (a) except where sub-paragraph (b) applies, the amount of any payment or payments made on account of that lump sum;
- (b) the amount of that lump sum, but only for so long as that person does not change that election in favour of an increase of pension or benefit.

29. - Any payments made by virtue of regulations made under—

- (a) section 57 of the Health and Social Care Act 2001 (direct payments);
 - (b) section 12B of the Social Work (Scotland) Act 1968 (direct payments in respect of community care services);
 - (c) sections 12A to 12C of the National Health Service Act 2006 (direct payments for health care);
 - (d) Article 15 of the Health and Personal Social Services (Northern Ireland) Order 1972 (general social welfare);
 - (e) section 8 of the Carers and Direct Payments Act (Northern Ireland) 2002 (direct payments);
- or
- (f) by virtue of regulations made under section 50 or 52 of the Social Services and Well-being (Wales) Act 2014 (direct payments)

29A.

- (1) Any payment made by a local authority in accordance with section 26A of the Children (Scotland) Act 1995 (duty to provide continuing care)(a).
- (2) Any payment or part of a payment made by a local authority in accordance with that section to a person (“A”) which A passes on to the applicant where A—
 - (a) was formerly in the applicant’s care;
 - (b) is aged 16 or over; and
 - (c) continues to live with the applicant.”.

29B. A payment made under the Age-Related payments regulations 2013.

29C Any payments to an applicant made under section 49 of the Children and Families Act 2014 (a) (personal budgets and direct payments)

29D. Any lump sum payment made in accordance with regulation 24 of the Victims’ Payments Regulations 2020.

29E. Any sum paid by means of assistance in accordance with the Carer’s Assistance (Young Carer Grants) (Scotland) Regulations 2019.

29F. Any sum paid by means of winter heating assistance in accordance with regulations under section 30 of the Social Security (Scotland) Act 2018

29G Provision for all applicants: Homes for Ukraine scheme

(1) Any payment made in connection with the Homes for Ukraine scheme is to be disregarded in determining—

- (a) an applicant's entitlement to a reduction under the scheme; or
- (b) the amount of any reduction to which the applicant is entitled.

(2) In this regulation—

“the Homes for Ukraine scheme” means the Homes for Ukraine sponsorship scheme which was announced in Parliament by the Secretary of State for Levelling Up, Housing and Communities on 14th March 2022

PART 2 - Capital disregarded only for the purposes of determining deemed income.

30. The value of the right to receive any income under a life interest or from a life rent.

31. The value of the right to receive any rent except where the applicant has a reversionary interest in the property in respect of which rent is due.

32. The value of the right to receive any income under an annuity or the surrender value (if any) of such an annuity.

33. Where property is held under a trust, other than—

- (a) a charitable trust within the meaning of the Charities Act 1993; or
- (b) a trust set up with any payment to which paragraph 16 of this Schedule applies, and under the terms of the trust, payments fall to be made, or the trustees have a discretion to make payments, to or for the benefit of the applicant or the applicant's partner, or both, that property.

34. Any payment made under the Energy Rebate Scheme 2022 is to be disregarded in determining:

- (a) an applicant's entitlement to a reduction under the scheme; or
- (b) the amount of any reduction to which the applicant is entitled.

“The Energy Rebate Scheme 2022” means the scheme to provide financial support in respect of energy bills which was announced in Parliament by the Chancellor of the Exchequer on 3rd February 2022

SCHEDULE 9 Capital disregards: persons who are not pensioners.**Paragraph 63**

1. Any payment made to the applicant in respect of any child care, travel or other expenses incurred, or to be incurred, by him in respect of his participation in the Work for Your Benefit Scheme but only for 52 weeks beginning with the date of receipt of the payment.
2. Any payment made to the applicant in respect of any travel or other expenses incurred, or to be incurred, by him in respect of his participation in the Mandatory Work Activity Scheme but only for 52 weeks beginning with the date of receipt of the payment.
3. Any payment made to the applicant in respect of any travel or other expenses incurred, or to be incurred, by him in respect of his participation in the Employment, Skills and Enterprise Scheme but only for 52 weeks beginning with the date of receipt of the payment.
4. The dwelling together with any garage, garden, and outbuildings, normally occupied by the applicant as his home including any premises not so occupied which it is impracticable or unreasonable to sell separately, but, notwithstanding paragraph 33 (calculation of income and capital of members of applicant's family and of a polygamous marriage), only one dwelling is to be disregarded under this paragraph.
5. Any premises acquired for occupation by the applicant which he intends to occupy as his home within 26 weeks of the date of acquisition or such longer period as is reasonable in the circumstances to enable the applicant to obtain possession and commence occupation of the premises.
6. Any sum directly attributable to the proceeds of sale of any premises formerly occupied by the applicant as his home which is to be used for the purchase of other premises intended for such occupation within 26 weeks of the date of sale or such longer period as is reasonable in the circumstances to enable the applicant to complete the purchase.
7. Any premises occupied in whole or in part—
 - (a) by a partner or relative of a single applicant or any member of the family as his home where that person has attained the qualifying age for state pension credit or is incapacitated;
 - (b) by the former partner of the applicant as his home; but this provision does not apply where the former partner is a person from whom the applicant is estranged or divorced or with whom he had formed a civil partnership that has been dissolved.
8. Where an applicant is on income support, an income-based jobseeker's allowance or an income-related employment and support allowance, the whole of his capital.
9. Where the applicant is a member of a joint-claim couple for the purposes of the Jobseekers Act 1995 and his partner is on income-based jobseeker's allowance, the whole of the applicant's capital.
10. Any future interest in property of any kind, other than land or premises in respect of which the applicant has granted a subsisting lease or tenancy, including sub-leases or sub-tenancies.
- 11.—(1) The assets of any business owned in whole or in part by the applicant and for the purposes of which he is engaged as a self-employed earner, or if he has ceased to be so engaged, for such period as may be reasonable in the circumstances to allow for disposal of any such asset.
(2) The assets of any business owned in whole or in part by the applicant where—
 - (a) he is not engaged as a self-employed earner in that business by reason of some disease or bodily or mental disablement; but
 - (b) he intends to become engaged or, as the case may be, re-engaged as a self-employed earner in that business as soon as he recovers or is able to become engaged or re-engaged in that business,
for a period of 26 weeks from the date on which the application for a reduction under this scheme is made, or is treated as made, or, if it is unreasonable to expect him to become engaged or re-engaged in that business within that period, for such longer period as is reasonable in the circumstances to enable him to become so engaged or re-engaged.
(3) In the case of a person who is receiving assistance under the self-employment route, the assets acquired by that person for the purpose of establishing or carrying on the commercial activity in respect of which such assistance is being received.

(4) In the case of a person who has ceased carrying on the commercial activity in respect of which assistance was received as specified in sub-paragraph (3), the assets relating to that activity for such period as may be reasonable in the circumstances to allow for disposal of any such asset.

12.—(1) Subject to sub-paragraph (2), any arrears of, or any concessionary payment made to compensate for arrears due to the non-payment of—

- (a) any payment specified in paragraphs 11, 13 or 14 of Schedule 8;
- (b) an income-related benefit under Part 7 of the SSCBA;
- (c) an income-based jobseeker's allowance;
- (d) any discretionary housing payment paid pursuant to regulation 2(1) of the Discretionary Financial Assistance Regulations 2001;
- (e) working tax credit and child tax credit;
- (f) an income-related employment and support allowance, but only for a period of 52 weeks from the date of the receipt of arrears or of the concessionary payment.

(2) In a case where the total of any arrears and, if appropriate, any concessionary payment referred to in sub-paragraph (1) relating to one of the specified payments, benefits or allowances amounts to £5,000 or more (referred to in this sub-paragraph and in sub-paragraph (3) as "the relevant sum") and is—

- (a) paid in order to rectify or to compensate for, an official error as defined in regulation 1(2) of the Housing Benefit and Council Tax Benefit (Decisions and Appeals) Regulations 2001; and
- (b) received by the applicant in full on or after 14th October 2001, sub-paragraph (1) has effect in relation to such arrears or concessionary payment either for a period of 52 weeks from the date of receipt, or, if the relevant sum is received in its entirety during the period of an award of a reduction under this scheme, for the remainder of that period if that is a longer period.

(3) For the purposes of sub-paragraph (2), "the period of an award of a reduction under this scheme" means—

- (a) the award in which the relevant sum is first received (or the first part thereof where it is paid in more than one instalment); and
- (b) where that award is followed by one or more further awards which, or each of which, begins immediately after the end of the previous award, such further award provided that for that further award the applicant—
 - (i) is the person who received the relevant sum; or
 - (ii) is the partner of the person who received the relevant sum or was that person's partner at the date of his death.

13. Any sum—

- (a) paid to the applicant in consequence of damage to, or loss of the home or any personal possession and intended for its repair or replacement; or
- (b) acquired by the applicant (whether as a loan or otherwise) on the express condition that it is to be used for effecting essential repairs or improvement to the home, which is to be used for the intended purpose, for a period of 26 weeks from the date on which it was so paid or acquired or such longer period as is reasonable in the circumstances to effect the repairs, replacement, or improvement.

14. Any sum—

- (a) deposited with a housing association as defined in section 1(1) of the Housing Associations Act 1985 as a condition of occupying the home;
- (b) which was so deposited and which is to be used for the purchase of another home, for the period of 26 weeks or such longer period as may be reasonable in the circumstances to enable the applicant to complete the purchase.

15. Any personal possessions except those which have been acquired by the applicant with the intention of reducing his capital in order to secure entitlement to a reduction under this scheme or to increase the amount of that reduction.

16. The value of the right to receive any income under an annuity or the surrender value (if any) of such an annuity.

17. Where the funds of a trust are derived from a payment made in consequence of any personal injury to the applicant or applicant's partner, the value of the trust fund and the value of the right to receive any payment under that trust.

18.—(1) Any payment made to the applicant or the applicant’s partner in consequence of any personal injury to the applicant or, as the case may be, the applicant’s partner.

(2) But sub-paragraph (1)–

- (a) applies only for the period of 52 weeks beginning with the day on which the applicant first receives any payment in consequence of that personal injury;
- (b) does not apply to any subsequent payment made to him in consequence of that injury (whether it is made by the same person or another);
- (c) ceases to apply to the payment or any part of the payment from the day on which the applicant no longer possesses it;
- (d) does not apply to any payment from a trust where the funds of the trust are derived from a payment made in consequence of any personal injury to the applicant.

(3) For the purposes of sub-paragraph (2)(c), the circumstances in which an applicant no longer possesses a payment or a part of it include where the applicant has used a payment or part of it to purchase an asset.

(4) References in sub-paragraphs (2) and (3) to the applicant are to be construed as including references to his partner (where applicable).

19. The value of the right to receive any income under a life interest or from a life rent.

20. The value of the right to receive any income which is disregarded under paragraph 15 of Schedule 7 or paragraph 29 of Schedule 8.

21. The surrender value of any policy of life insurance.

22. Where any payment of capital falls to be made by instalments, the value of the right to receive any outstanding instalments.

23. Any payment made by a local authority in accordance with section 17, 23B, 23C or 24A of the Children Act 1989 or, as the case may be, section 12 of the Social Work (Scotland) Act 1968 or sections 22, 29 or 30 of the Children (Scotland) Act 1995 (provision of services for children and their families and advice and assistance to certain children).

24.—(1) Subject to sub-paragraph (2), any payment (or part of a payment) made by a local authority in accordance with section 23C of the Children Act 1989 or section 29 of the Children (Scotland) Act 1995 (local authorities’ duty to promote welfare of children and powers to grant financial assistance to persons in, or formerly in, their care) to a person (“A”) which A passes on to the applicant.

(2) Sub-paragraph (1) applies only where A—

- 1. was formerly in the applicant’s care, and
- 2. is aged 18 or over, and
- 3. continues to live with the applicant.

25. Any—

- (a) social fund payment made pursuant to Part 8 of the SSCBA (the social fund); or
- (b) occasional assistance.

26. Any refund of tax which falls to be deducted under section 369 of the Income and Corporation Taxes Act 1988 (deduction of tax from certain loan interest) on a payment of relevant loan interest for the purpose of acquiring an interest in the home or carrying out repairs or improvements to the home.

27. Any capital which by virtue of paragraph 55 or 81 (capital treated as income: persons who are not pensioners, treatment of student loans) is to be treated as income.

28. Where any payment of capital is made in a currency other than sterling, any banking charge or commission payable in converting that payment into sterling.

29.—(1) Any payment made under or by the Trusts, the Fund, the Eileen Trust, MFET Limited, the Independent Living Fund (2006), the Skipton Fund, the Caxton Foundation, or the London Bombings Relief Charitable Fund.

(2) Any payment by or on behalf of a person who is suffering or who suffered from haemophilia or who is or was a qualifying person, which derives from a payment made under or by any of the Trusts to which sub-paragraph (1) refers and which is made to or for the benefit of—

that person's partner or former partner from whom he is not, or where that person has died was not, estranged or divorced or with whom he has formed a civil partnership that has not been dissolved or, where that person has died, had not been dissolved at the time of that person's death;
any child who is a member of that person's family or who was such a member and who is a member of the applicant's family; or
any young person who is a member of that person's family or who was such a member and who is a member of the applicant's family.

(3) Any payment by or on behalf of the partner or former partner of a person who is suffering or who suffered from haemophilia or who is or was a qualifying person which derives from a payment made under or by any of the Trusts to which sub-paragraph (1) refers and which is made to or for the benefit of—

the person who is suffering from haemophilia or who is a qualifying person;
any child who is a member of that person's family or who was such a member and who is a member of the applicant's family; or
any young person who is a member of that person's family or who was such a member and who is a member of the applicant's family.

(4) Sub-paragraph (3) does not apply if—

the partner or former partner and that person are not, or if either of them has died were not, estranged or divorced, or
where the partner or former partner and that person have formed a civil partnership, the civil partnership has not been dissolved or, if either of them has died, had not been dissolved at the time of the death.

(5) Any payment by a person who is suffering from haemophilia or who is a qualifying person, which derives from a payment under or by any of the Trusts to which sub-paragraph (1) refers, where—

that person has no partner or former partner from whom he is not estranged or divorced or with whom he has formed a civil partnership that has not been dissolved, nor any child or young person who is or had been a member of that person's family; and
the payment is made either—

(i)to that person's parent or step-parent; or
(ii)where that person at the date of the payment is a child, a young person or a student who has not completed his full-time education and has no parent or step-parent, to his guardian, but only for a period from the date of the payment until the end of two years from that person's death.

(6) Any payment out of the estate of a person who suffered from haemophilia or who was a qualifying person, which derives from a payment under or by any of the Trusts to which sub-paragraph (1) refers, where—

that person at the date of his death (the relevant date) had no partner or former partner from whom he was not estranged or divorced or with whom he had formed a civil partnership that had not been dissolved, nor any child or young person who was or had been a member of his family; and
the payment is made either—

(i)to that person's parent or step-parent; or
(ii)where that person at the relevant date was a child, a young person or a student who had not completed his full-time education and had no parent or step-parent, to his guardian, but only for a period of two years from the relevant date.

(7) In the case of a person to whom or for whose benefit a payment referred to in this paragraph is made, any capital resource which derives from any payment of income or capital made under or deriving from any of the Trusts.

(8) For the purposes of sub-paragraphs (2) to (6), any reference to the Trusts is to be construed as including a reference to the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation, and the London Bombings Relief Charitable Fund.

30.—(1) Where an applicant has ceased to occupy what was formerly the dwelling occupied as the home following his estrangement or divorce from, or dissolution of his civil partnership with, his former partner, that dwelling for a period of 26 weeks from the date on which he ceased to occupy

that dwelling or, where the dwelling is occupied as the home by the former partner who is a lone parent, for so long as it is so occupied.

(2) In this paragraph “dwelling” includes any garage, garden, and outbuildings, which were formerly occupied by the applicant as his home and any premises not so occupied which it is impracticable or unreasonable to sell separately, in particular, in Scotland, any croft land on which the dwelling is situated.

31. Any premises where the applicant is taking reasonable steps to dispose of those premises, for a period of 26 weeks from the date on which he first took such steps, or such longer period as is reasonable in the circumstances to enable him to dispose of those premises.

32. Any premises which the applicant intends to occupy as his home, and in respect of which he is taking steps to obtain possession and has sought legal advice, or has commenced legal proceedings, with a view to obtaining possession, for a period of 26 weeks from the date on which he first sought such advice or first commenced such proceedings whichever is the earlier, or such longer period as is reasonable in the circumstances to enable him to obtain possession and commence occupation of those premises.

33. Any premises which the applicant intends to occupy as his home to which essential repairs or alterations are required in order to render them fit for such occupation, for a period of 26 weeks from the date on which the applicant first takes steps to effect those repairs or alterations, or such longer period as is necessary to enable those repairs or alterations to be carried out.

34. Any payment made by the Secretary of State to compensate for the loss (in whole or in part) of entitlement to housing benefit.

35. The value of the right to receive an occupational or personal pension.

36. The value of any funds held under a personal pension scheme.

37. The value of the right to receive any rent except where the applicant has a reversionary interest in the property in respect of which rent is due.

38. Any payment in kind made by a charity or under or by the Trusts, the Fund, MFET Limited, the Skipton Fund, the Caxton Foundation, or the Independent Living Fund (2006).

39. Any payment made pursuant to section 2 of the Employment and Training Act 1973 or section 2 of the Enterprise and New Towns (Scotland) Act 1990, but only for the period of 52 weeks beginning on the date of receipt of the payment.

40. Any payment in consequence of a reduction of council tax under section 13 of the 1992 Act (reduction of liability for council tax), but only for a period of 52 weeks from the date of the receipt of the payment.

41. Any grant made in accordance with a scheme made under section 129 of the Housing Act 1988(209) or section 66 of the Housing (Scotland) Act 1988(210) (schemes for payments to assist local housing authority and local authority tenants to obtain other accommodation) which is to be used—

to purchase premises intended for occupation as his home; or

to carry out repairs or alterations which are required to render premises fit for occupation as his home,

for a period of 26 weeks from the date on which he received such a grant or such longer period as is reasonable in the circumstances to enable the purchase, repairs, or alterations to be completed and the applicant to commence occupation of those premises as his home.

42. Any arrears of supplementary pension which is disregarded under paragraph 54 of Schedule 8 (sums to be disregarded in the calculation of income other than earnings) or of any amount which is disregarded under paragraph 55 or 56 of that Schedule, but only for a period of 52 weeks from the date of receipt of the arrears.

43.—(1) Any payment or repayment made—

as respects England, under regulation 5, 6 or 12 of the National Health Service (Travel Expenses and Remission of Charges) Regulations 2003 (travelling expenses and health service supplies);

	<p>as respects Wales, under regulation 5, 6 or 11 of the National Health Service (Travelling Expenses and Remission of Charges) (Wales) Regulations 2007 (travelling expenses and health service supplies);</p> <p>as respects Scotland, under regulation 3, 5 or 11 of the National Health Service (Travelling Expenses and Remission of Charges) (Scotland) (No. 2) Regulations 2003 (travelling expenses and health service supplies),</p> <p>but only for a period of 52 weeks from the date of receipt of the payment or repayment.</p>
(2)	Any payment or repayment made by the Secretary of State for Health, the Scottish Ministers or the Welsh Ministers which is analogous to a payment or repayment mentioned in sub-paragraph (1), but only for a period of 52 weeks from the date of receipt of the payment or repayment.
44.	Any payment made to such persons entitled to receive benefits as may be determined by or under a scheme made pursuant to section 13 of the Social Security Act 1988 in lieu of vouchers or similar arrangements in connection with the provision of those benefits (including payments made in place of healthy start vouchers, milk tokens or the supply of vitamins), but only for a period of 52 weeks from the date of receipt of the payment.
45.	Any payment made under Part 8A of the SSCBA (entitlement to health in pregnancy grant).
46.	Any payment made either by the Secretary of State for Justice or by Scottish Ministers under a scheme established to assist relatives and other persons to visit persons in custody, but only for a period of 52 weeks from the date of the receipt of the payment.
47.	Any payment (other than a training allowance) made, whether by the Secretary of State or any other person, under the Disabled Persons (Employment) Act 1944(211) to assist disabled persons to obtain or retain employment despite their disability.
48.	Any payment made by a local authority under section 3 of the Disabled Persons (Employment) Act 1958(212) to homeworkers assisted under the Blind Homeworkers' Scheme.
49. –(1)	Subject to sub-paragraph (2), where an applicant falls within class F (alternative maximum council reduction: persons who are not pensioners), the whole of his capital.
(2)	Sub-paragraph (1) does not apply where an applicant falls within class E and class F.
50. –(1)	Any sum of capital to which sub-paragraph (2) applies and— which is administered on behalf of a person by the High Court or the County Court under Rule 21.11(1) of the Civil Procedure Rules 1998 or by the Court of Protection; which can only be disposed of by order or direction of any such court; or where the person concerned is under the age of 18, which can only be disposed of by order or direction prior to that person attaining age 18.
(2)	This sub-paragraph applies to a sum of capital which is derived from— an award of damages for a personal injury to that person; or compensation for the death of one or both parents where the person concerned is under the age of 18.
51.	Any sum of capital administered on behalf of a person in accordance with an order made under section 13 of the Children (Scotland) Act 1995, or under Rule 36.14 of the Ordinary Cause Rules 1993 or under Rule 128 of those Rules, where such sum derives from— award of damages for a personal injury to that person; or compensation for the death of one or both parents where the person concerned is under the age of 18.
52.	Any payment to the applicant as holder of the Victoria Cross or George Cross.
53.	In the case of a person who is receiving, or who has received, assistance under the self-employment route, any sum of capital which is acquired by that person for the purpose of establishing or carrying on the commercial activity in respect of which such assistance is or was received but only for a period of 52 weeks from the date on which that sum was acquired.
54. –(1)	Any payment of a sports award for a period of 26 weeks from the date of receipt of that payment except to the extent that it has been made in respect of any one or more of the items specified in sub-paragraph (2).

(2) The items specified for the purposes of sub-paragraph (1) are food, ordinary clothing or footwear, household fuel or rent of the applicant or, where the applicant is a member of a family, any other member of his family, or any council tax or water charges for which that applicant or member is liable.

(3) For the purposes of sub-paragraph (2) “food” does not include vitamins, minerals or other special dietary supplements intended to enhance the performance of the person in the sport in respect of which the award was made.

55.—(1) Any payment—

by way of an education maintenance allowance made pursuant to—
(i)regulations made under section 518 of the Education Act 1996;
(ii)regulations made under section 49 or 73(f) of the Education (Scotland) Act 1980;
(iii)directions made under section 73ZA of the Education (Scotland) Act 1980 and paid under section 12(2)(c) of the Further and Higher Education (Scotland) Act 1992;
)corresponding to such an education maintenance allowance, made pursuant to—
(i)section 14 or section 181 of the Education Act 2002 (power of Secretary of State and the Welsh Ministers to give financial assistance for purposes related to education or childcare, and allowances in respect of education or training); or
(ii)regulations made under section 181 of that Act; or
in England, by way of financial assistance made pursuant to section 14 of the Education Act 2002.

(2) Any payment, other than a payment to which sub-paragraph (1) applies, made pursuant to—
regulations made under section 518 of the Education Act 1996;
regulations made under section 49 of the Education (Scotland) Act 1980; or
directions made under section 73ZA of the Education (Scotland) Act 1980 and paid under section 12(2)(c) of the Further and Higher Education (Scotland) Act 1992,
in respect of a course of study attended by a child or a young person or a person who is in receipt of an education maintenance allowance or other payment made pursuant to any provision specified in sub-paragraph (1).

56. In the case of an applicant participating in an employment zone programme, any discretionary payment made by an employment zone contractor to the applicant, being a fee, grant, loan or otherwise, but only for the period of 52 weeks from the date of receipt of the payment.

57. Any arrears of subsistence allowance paid as a lump sum but only for the period of 52 weeks from the date of receipt of the payment.

58. Where an ex-gratia payment of £10,000 has been made by the Secretary of State on or after 1st February 2001 in consequence of the imprisonment or internment of—
the applicant;
the applicant’s partner;
the applicant’s deceased spouse or deceased civil partner; or
the applicant’s partner’s deceased spouse or deceased civil partner,
by the Japanese during the Second World War, £10,000.

59.—(1) Subject to sub-paragraph (2), the amount of any trust payment made to an applicant or a member of an applicant’s family who is—
a diagnosed person;
the diagnosed person’s partner or the person who was the diagnosed person’s partner at the date of the diagnosed person’s death;
a parent of a diagnosed person, a person acting in place of the diagnosed person’s parents or a person who was so acting at the date of the diagnosed person’s death; or
a member of the diagnosed person’s family (other than his partner) or a person who was a member of the diagnosed person’s family (other than his partner) at the date of the diagnosed person’s death.

(2) Where a trust payment is made to—

a person referred to in sub-paragraph (1)(a) or (b), that sub-paragraph applies for the period beginning on the date on which the trust payment is made and ending on the date on which that person dies;

a person referred to in sub-paragraph (1)(c), that sub-paragraph applies for the period beginning on the date on which the trust payment is made and ending two years after that date;

a person referred to in sub-paragraph (1)(d), that sub-paragraph applies for the period beginning on the date on which the trust payment is made and ending—

- (i)two years after that date; or
- (ii)on the day before the day on which that person—
- (aa)ceases receiving full-time education; or
- (bb)attains the age of 20, whichever is the latest.

(3) Subject to sub-paragraph (4), the amount of any payment by a person to whom a trust payment has been made or of any payment out of the estate of a person to whom a trust payment has been made, which is made to an applicant or a member of an applicant's family who is—

- the diagnosed person's partner or the person who was the diagnosed person's partner at the date of the diagnosed person's death;
-)a parent of a diagnosed person, a person acting in place of the diagnosed person's parents or a person who was so acting at the date of the diagnosed person's death; or
- a member of the diagnosed person's family (other than his partner) or a person who was a member of the diagnosed person's family (other than his partner) at the date of the diagnosed person's death,

but only to the extent that such payments do not exceed the total amount of any trust payments made to that person.

(4) Where a payment as referred to in sub-paragraph (3) is made to—

- a person referred to in sub-paragraph (3)(a), that sub-paragraph applies for the period beginning on the date on which that payment is made and ending on the date on which that person dies;
- a person referred to in sub-paragraph (3)(b), that sub-paragraph applies for the period beginning on the date on which that payment is made and ending two years after that date; or
- person referred to in sub-paragraph (3)(c), that sub-paragraph applies for the period beginning on the date on which that payment is made and ending—
- (i)two years after that date; or
- (ii)on the day before the day on which that person—
- (aa)ceases receiving full-time education; or
- (bb)attains the age of 20,

whichever is the latest.

(5) In this paragraph, a reference to a person—

- being the diagnosed person's partner;
- being a member of a diagnosed person's family;
- acting in place of the diagnosed person's parents,

at the date of the diagnosed person's death includes a person who would have been such a person or a person who would have been so acting, but for the diagnosed person residing in a care home, an Abbeyfield Home, or an independent hospital on that date.

(6) In this paragraph—

- “diagnosed person” means a person who has been diagnosed as suffering from, or who, after his death, has been diagnosed as having suffered from, variant Creutzfeld-Jakob disease;
- “relevant trust” means a trust established out of funds provided by the Secretary of State in respect of persons who suffered, or who are suffering, from variant Creutzfeld-Jakob disease for the benefit of persons eligible for payments in accordance with its provisions;
- “trust payment” means a payment under a relevant trust.

60. The amount of any payment, other than a war pension, to compensate for the fact that the applicant, the applicant's partner, the applicant's deceased spouse or deceased civil partner or the applicant's partner's deceased spouse or deceased civil partner—

- was a slave labourer or a forced labourer;
- had suffered property loss or had suffered personal injury; or
- was a parent of a child who had died,
during the Second World War.

61.—(1) Any payment made by a local authority, or by the Welsh Ministers, to or on behalf of the applicant or his partner relating to a service which is provided to develop or sustain the capacity of the applicant or his partner to live independently in his accommodation.

(2) For the purposes of sub-paragraph (1) “local authority” includes in England a county council.

62. Any payment made under regulations made under section 57 of the Health and Social Care Act 2001 or under section 12B of the Social Work (Scotland) Act 1968, or under sections 12A to 12D of the National Health Service Act 2006 (direct payments for health care).

63. Any payment made to the applicant pursuant to regulations under section 2(6)(b), 3 or 4 of the Adoption and Children Act 2002.

64. Any payment made to the applicant in accordance with regulations made pursuant to section 14F of the Children Act 1989 (special guardianship support services).

65. Any payment made under the Energy Rebate Scheme 2022 is to be disregarded in determining:

- (a) an applicant’s entitlement to a reduction under the scheme; or
- (b) the amount of any reduction to which the applicant is entitled.

“The Energy Rebate Scheme 2022” means the scheme to provide financial support in respect of energy bills which was announced in Parliament by the Chancellor of the Exchequer on 3rd February 2022

66. Provision for all applicants: Homes for Ukraine scheme

(1) Any payment made in connection with the Homes for Ukraine scheme is to be disregarded in determining—

- (a) an applicant’s entitlement to a reduction under the scheme; or
- (b) the amount of any reduction to which the applicant is entitled.

(2) In this regulation—

“the Homes for Ukraine scheme” means the Homes for Ukraine sponsorship scheme which was announced in Parliament by the Secretary of State for Levelling Up, Housing and Communities on 14th March 2022

Agenda Item 5

LONDON BOROUGH OF HAMMERSMITH & FULHAM

Report to: Cabinet

Date: 19/01/2026

Subject: Council Tax Base and Collection Rate 2026/27 and Delegation of the Business Rate Estimate

Report of: Cabinet Member for Finance and Reform – Councillor Rowan Ree

Report author: Jamie Mullins, Assistant Director, Revenues

Responsible Director: Sukvinder Kalsi, Executive Director for Finance & Corporate Services

SUMMARY

This report is a statutory requirement that sets the Council Tax base for the purposes of the 2026/27 revenue budget.

The proposed 2026/27 Council Tax base is 91,726. This is an increase of 3,422 on the figure agreed for 2025/26 and will result in an increased income, based on the 2025/26 Band D Council Tax charge, of £3.48m for Hammersmith & Fulham.

The report also delegates authority to the Executive Director for Finance & Corporate Services to determine the business rates tax base for 2026/27.

RECOMMENDATIONS

1. That Cabinet agrees to refer this report to Full Council and recommend approval by Full Council for the financial year 2026/27 of:
 - a. The estimated numbers of properties for each Valuation Band as set out in this report.
 - b. An estimated collection rate of 98.0%.
 - c. The Council Tax Base of 91,726 Band “D” equivalent properties.
 - d. The delegation of authority to the Executive Director for Finance & Corporate Services to determine the business rates tax base for 2026/27.
-

Wards Affected: All

Our Values	Summary of how this report aligns to the H&F Values
Building shared prosperity	Keeping the Council Tax low and providing Council Tax support help residents to maintain affordable living costs.
Creating a compassionate council	We continue to lead on Ethical Debt collection by working closely with vulnerable residents and advice agencies and not employing Enforcement Agents for the collection of Council Tax for those who claim Council Tax Support. Similarly, we have one of the most comprehensive Council Tax Support Schemes in the country, providing relief for those least able to pay.
Being ruthlessly financially efficient	The recommendations in this statutory report will ensure that the Council will continue to charge the premium on long term empty properties and second homes. These premiums will generate additional income and contribute to one of the lowest Council Tax rates in the country.
Taking pride in H&F	The Council's policy on charging the premiums on empty or second properties will also encourage landlords to bring these properties back in to use and creating safer and cleaner communities for residents and contributing to the prevention of homelessness.

Financial Impact

Council Tax Base

The Local Government Finance Act 1992 requires that the council set the tax base by 31 January each year. It is used within the overall Council Tax and budget setting process, due to be reported to Cabinet on the 09th of February 2026 and to Budget Council on the 24th of February 2026.

The proposed Council Tax Base for 2026/27 of 91,726 is 3,422 Band D equivalents, higher than the 88,304 agreed for 2025/26.

Council Tax base changes.

The main reasons for the tax base change are:

	Band D Equivalents	Paragraph
Change in actual Tax Base from September 24 to September 25	2,164	1
Forecast increase in new properties	1,410	8
Increase in collection rate from 97% to 98%	926	2
Forecast increase in Discounts & Exemptions (not including Council Tax Support) reducing tax base	(514)	9 - 12
Forecast reduction for increase in claims for Council Tax Support	(127)	13
Forecast reduction because of care leavers, foster carers, Veterans Scheme, special guardianship orders & other discounts	(437)	14
Increase from the 2025/26 tax base	3,422	

The financial implications of this report will be incorporated in the final version of the 2026/27 budget report and Council Tax calculations to be considered by the Cabinet and Full Council.

The movement in the taxbase and that of prior years will be analysed to inform the medium-term financial strategy for the Council and future years taxbase projections.

Prepared by Andre Mark, Head of Finance, Strategic Planning and Investment, 13 November 2025, Verified by James Newman, AD Finance, 13 November 2025.

Legal Implications

The Council has a statutory duty to set the Council Tax each year and this report is part of this process.

The relevant regulations and legislation together with the legal basis for agreeing the recommendations relating to the Council Tax base are found under section 31B of the Local Government Finance Act 1992 which imposes a duty on a billing authority to calculate its Council Tax by applying a formula laid down in that section. This relies on calculating a figure for the Council Tax base for the year. The Local Authority (Calculation of Council Tax Base) (England) Regulations 2012 require a billing authority to use a given formula to calculate the Council Tax base. The Council Tax (Prescribed Classes of Dwellings) (England) Regulations 2003, as amended in 2012 and Council Tax (Exempt Dwellings) (England) (Amendment) Order 2012 address the position of second and unoccupied homes.

Glen Egan, Assistant Director of legal Services, Email: glen.egan@lbhf.gov.uk, 04 November 2025

Background Papers Used in Preparing This Report

MHCLG Return CTB1 (October 2025)

DETAILED ANALYSIS

Discounts and Premiums

Changes to the Taxbase

1. Due to a Statutory legislative amendment which was passed in October 2024, we are charging an additional 100% premium on second homes from the 1st of April 2025. As of October 2025, there are 2,160 properties subject to the second home premium and 474 properties being charged a long-term empty premium, which are being closely monitored. Whilst the increase in the premiums has boosted the taxbase, as has the increase in the number of properties being built, there has also been an increase in the number of discounts and exemptions during the year, which has partially offset this amount, resulting in a net gain of **2,164** Band "D" equivalents.

Collection Rate

2. The long-term collection rate has been increased from 97% to **98%**, reflecting the investment in the service, which will facilitate further revenue collection. It must be noted that the 98% collection rate is over the lifetime of the debt, rather than 'in year' collection rates. There is a resulting net gain of **926** Band "D" equivalents.

Since 2018, LBHF has operated an Ethical Debt approach to the collection and recovery of Council Tax. Our policy ensures recovery practices are fair, respectful and sensitive to individual circumstances. It also promotes inclusion by providing accessible support options, such as payment plans, debt advice and hardship schemes so vulnerable residents are not excluded from essential services.

Early intervention and supportive repayment plans reduce costly enforcement and write-offs, improving collection rates over time. By preventing aggressive enforcement and supporting residents who really need help to manage debt sustainably, the policy helps maintain financial stability for households. This approach reduces long term poverty cycles, enabling residents to contribute to the local economy. We are on target to award another £250k in HSF to those residents who are not on full Council Tax Support but who evidenced hardship.

Council Tax Support

Under Council Tax support, Hammersmith & Fulham and the GLA absorb the full cost of the scheme. This mirrors the previous Council Tax benefit arrangements. For 2026/27, the Council has provided Council Tax support discounts that equate

to an estimated 10,095 Band 'D' equivalents. This is a small increase from the 2025/26 position, reflecting additional take up campaigns and caseload growth of 100 claims with a 127 Band D equivalent. Based on the 2025/26 Council Tax charges, this represents financial support of £14.49m (including the GLA precept).

The tax base regulations require the cost of the scheme to be treated as a discount and deducted from the Council's tax base calculation.

Valuation Band Properties

3. In previous years the latest information on the number of properties within each valuation band is contained within a return (CTB1), which the Council provided to the DLUHC on 10th October 2025. That return reflected the actual number of properties shown in the Valuation List as of 10 September 2025, and the Council's records as of 06th October 2025.

A detailed analysis of the properties in each valuation band is summarised below. There are 95,707 dwellings on the list with 30,033 properties estimated to receive a single person's discount.

Council Tax Base Return Summary (CTB1)

Band	Band Size	Total Dwellings	Total after Discounts, Premiums, Exemptions and Disabled Relief	Ratio	Band "D" Equivalent
A	Values not exceeding £40,000	4122	2387.6	6/9	1592
B	Values exceeding £40,000 but not exceeding £52,000	6635	3768.6	7/9	2931
C	Values exceeding £52,000 but not exceeding £68,000	14509	10378.5	8/9	9225
D	Values exceeding £68,000 but not exceeding £88,000	25924	20816	9/9	20816
E	Values exceeding £88,000 but not exceeding £120,000	17702	14986.4	11/9	18317
F	Values exceeding £120,000 but not exceeding £160,000	11601	10378.2	13/9	14991
G	Values exceeding £160,000 but not exceeding £320,000	12274	11630.8	15/9	19385
H	Values exceeding £320,000	2940	3004.7	18/9	6009
	Total	95707	77350.8		93266

Adjustments to the Valuation List

4. The above table shows the valuation band position on 07 October 2025, but the Council is also required to consider any likely changes that may arise for the financial year 2026/27. Therefore, the following adjustments need to be considered:

New Properties

5. There are likely to be several new properties, conversions etc added to the valuation list at some point during the year. There are approximately 620 units currently under construction on various sites in the borough that will be added to the tax base sometime during 2026/27. Additionally, there are circa 600 properties still to come in during 2025/26, of which 400 properties are dedicated student dwellings, which receive a 100% exemption. It is estimated after allowing for different completion dates that this will equate to an additional 1,220 properties and an increase of **1,410** Band 'D' equivalents.

Single Person Discounts (SPD)

6. Based on Sole Occupier Discount increases over the last year following, we are projecting that an additional **62.2** band D equivalents by 1st April 2027.

Student & other Exemptions

7. Dwellings wholly occupied by students are exempt from Council Tax. The projected Council Tax base needs to be adjusted to allow for students that have yet to prove their exemption for the new academic year. As there is no significant student building works in 2026/27 It is estimated that an adjustment of **21.7** Band D equivalents is required. However, there are still 400 student properties (**378.3** Band "D" equivalents) still to be valued in 2025/26, which will be 100% exempt from paying the Council Tax.
8. There will also be some additional disregard discounts and other exemptions within 2026/27, due to a changing base and for the new properties already mentioned. We estimate this will lead to a reduction of **51.8** Band "D" equivalents.
9. The total reduction for all categories of discounts and exemptions is 514 Band "D" equivalents, being $(62.2 + 21.7 + 378.3 + 51.8)$.

Council Tax Support

10. As at the end of October 2025, the cost of the scheme equates to 9,967.9 Band "D" equivalents, based on 2025/26 Council Tax levels, which are deducted from the tax base for 2025/26. The forecast for 2026/27 is 10,095.2 Band "D" equivalents, representing a small increase of **127** Band "D" equivalents from 2025/26. This is due to additional take up initiatives, including Pension Credit take up campaigns, increasing the number of claimants applying for a discount.

Care Leavers, Foster Carers, Veterans Scheme and Special Guardian Orders

11. For 2026/27, the Council proposes to maintain a 100% Local Discount for care leavers up to the age of 25, Foster Carers and Special Guardianships. We are also introducing a new 25% discount for Service Veterans from the 1st of April 2026. This is estimated at 306 Band D equivalents. However, LBHF only retain 70% of the Council Tax collected with the other 30% being passed across to the GLA. Therefore, the true cost of the schemes to the Council is **437.1** Band D equivalents, being $306 / 70 \times 100$ and this figure needs to be deducted from the council's tax base calculation.
12. The Council is required to set its tax base on the total of the relevant amounts for the year for each of the valuation bands shown or is likely to be shown for any day in the year in the authority's valuation list.
13. Based on the CTB1 calculation of 06th October 2025 and the proposed adjustments, the Council is requested to approve the estimated numbers of properties for each valuation band as set out in the following table:

2026/27 Council Tax Base Calculation

Band	Band 'D' Equivalents October 2025	New Dwellings (includes still to be brought in for 25/26)	Adjustments for Discounts, CTRS, Premiums, Exemptions and Disabled Relief	Local Discounts (Carers, Foster Care & Veterans)	Revised Band 'D' Equivalents
A	1592	3.3	1.7		1593
B	2931	38.9	27.39		2943
C	9225	191.1	163.06		9253
D	20816	300	195.13	437	20484
E	18317	397.2	129.1		18585
F	14991	426.1	114.8		15302
G	19385	33.3	7.4		19411
H	6009	20	2.2		6027
Total	93266	1409.9	640.78		93598

Collection Rate

14. The Council is also required to estimate its collection rate for 2026/27 at the same time as arriving at the estimated number of properties within the tax base. In arriving at a percentage collection rate for 2026/27, the Council considers the likely sum to be collected, previous collection experience and any other relevant factors.
15. The actual sum to be collected from local Council Taxpayers cannot be finally determined until the preceptor's requirements are known and the Council has approved its budget. The Council therefore must make an estimate of the sums

to be collected locally making estimated allowance for sums from Council Tax support and write-offs/non-collection.

16. It is suggested that the collection rate for 2026/27 is set at 98%.

The Tax Base

17. Under Section 31(B) of the Local Government Finance Act 1992 and the Regulations, the Council's tax base is calculated by multiplying the estimated number of Band "D" equivalents by the estimated collection rate.
18. Based on the number of Band "D" equivalents in the table in paragraph 9. Above and the estimated collection rate in paragraph 19 above, the calculation is as follows:

$$(\text{Band D equivalents}) \times (\text{Collection Rate}) = (\text{Tax Base})$$

$$93,598 * 98\% = 91,726$$

Business Rates Tax base

19. The Local Government Finance Act 2012 made it obligatory for authorities to formally calculate the estimated level of business rates (the business rates tax base) it anticipates collecting for the forthcoming financial year and passing this information to precepting authorities by 31 January. The Government continues to set the tax rate (known as the non-domestic multiplier).
20. The tax base is based on data from the Valuation Office with local allowance for the appropriate level of business rates appeals, the provision for bad debts, any discretionary reliefs and any forecast growth. This information is pulled together into a government return (NNDR1). The detailed guidance on completing the NNDR1 will be issued just before Christmas.

21. Non-Domestic Rating

For 2026/27, the temporary Retail Hospitality and Leisure (RHL) Relief scheme is being replaced by a series of additional multipliers, which will support those businesses. Details of the multipliers and new transitional relief schemes, supporting the revaluation in 2026, will be announced in the Autumn Statement.

Equality Implications

22. There are no anticipated negative implications for groups with protected characteristics, under the Equality Act 2010, by the approval of these proposals. In acknowledgement of the significant inequalities, discrimination and stigma faced by care leavers, this report exempts care leavers from Council Tax up to the age of 25.

23. From the 1st of April 2024, the Council has also provided an exemption for In-House foster carers and special guardians residing in the Borough.

Risk Management Implications

24. The report considers the implications required by the Council to meet its obligations under the Local Government Finance Act 2012 which made it obligatory for authorities to formally calculate the estimated level of business rates (the business rates tax base) it anticipates collecting for the forthcoming financial year and passing this information to precepting authorities by 31 January. The Council is also required to estimate its Collection Rate for 2026/27 at the same time as arriving at the estimated number of properties within the Tax Base. The Council is required Under Section 33(1) of the Local Government Finance Act 1992 and The Local Authorities (Calculations of Council Tax Base) (England) Regulations 2012, the Council (as billing authority) to calculate its Council Tax Base. The proposals are compliant with statutory duties and are provided in accordance with management of standing risk to manage the Council's finances. Changes in the recovery policy are anticipated to have a beneficial impact on the collection rate from 2026/27, which will further protect funding for essential frontline services. The Council has or will be taking steps to support specific groups through the use of discounts, including care leavers, in-house foster carers, veterans and special guardians.

Implications verified by, Moira Mackie, Head of Internal Audit, 4 November 2025

Agenda Item 6

LONDON BOROUGH OF HAMMERSMITH & FULHAM

Report to: Cabinet

Date: 19/01/2026

Subject: Future Resident Facing Energy Proposals

Report of: Councillor Wesley Harcourt, Cabinet Member for Climate Change and Ecology

Report author: Tim Pryce, Head of Clean Energy

Responsible Director: Bram Kainth, Executive Director of Place

SUMMARY

This report covers a package of programmes aimed at streamlining access to clean energy opportunities and technologies for H&F residents. At the heart of these is a proposed new 'Healthy Homes' service to guide residents through the design, funding and implementation of housing retrofit projects. While this service will be borough wide, two proposed Healthy Homes pilot areas will receive intensive hyper-localised community engagement to further drive and scale clean energy and sustainability measures. One of these is based around social housing and one around private housing. These proposals build on work underway in H&F to:

- work with the HFCE green energy co-op to install solar PV on selected H&F schools, enabling residents to invest in solar energy in the borough
- trial innovative green energy flex tariffs in social housing units
- support fuel poor residents to save energy and access government grants
- design clean heat networks for larger H&F Housing estates
- commission the innovative new clean energy network on the Civic Campus.

They form a vital part of the trajectory towards net zero with buildings accounting for over 80% of the carbon emissions in H&F, and will help residents affordably heat their homes, bring investment into the borough and improve air quality.

This strategy is a key component of the council's Climate and Ecology Strategy, supports the council's Industrial Strategy, and integrates with proposed new powers for local governments to procure and build clean energy infrastructure via Heat Network Zoning legislation. It also links to the H&F Council Housing Retrofit Strategy and the H&F Fuel Poverty Strategy.

RECOMMENDATIONS

1. To approve a new H&F service, as part of the H&F 'Healthy Homes' programme, to help residents design and install measures including insulation, solar PV, heat pumps and energy storage to their homes. A proposed small grant scheme, administered by H&F, is linked to this to help

less well-off residents to pay for measures.

2. To approve the selection of the portion of Wormholt and College Park & Old Oak wards that is H&F social housing as a social housing *place-based decarbonisation scheme*, including solar energy, batteries, heat pumps, insulation and innovative money saving energy tariffs.
3. To approve the selection of Wendell Park as a private housing *place-based decarbonisation scheme*, using intensive, targeted communications and engagement, alongside innovative measures such as thermal drone scans, to drive clean energy measures in the neighbourhood. The European Horizon 2020 programme, which covers leading innovative climate initiatives, has shown an interest in this. H&F proposes to work with an engagement partner who will support on research, development, implementation and measurement of this hyper-localised approach to engagement.
4. To note the other schemes already underway and expanding, including the HFCE green energy co-op, feasibility studies for large scale clean energy networks, support for residents in fuel poverty, and social housing retrofit projects in the West Kensington and White City estates among others.

Wards Affected: All

Our Values	Summary of how this report aligns to the H&F Values
Building shared prosperity	Retrofit is a green industrial sector which has been limited by stop-start subsidies in the past. Supporting residents will help build a pipeline of projects to support suppliers to invest in skills. Heat networks, low-carbon and renewable sectors are high-growth areas worked on by the borough's anchor institutions and start-ups, and the retrofit strategy supports our industrial strategy by advancing collaborations with these organisations.
Creating a compassionate council	By reducing fuel poverty and energy bills, households can better utilise their existing income. Retrofitting our homes to be energy efficient tackles fuel poverty, brings homes to a comfortable standard, helps prevent damp and mould and improves both indoor and outdoor air quality, reducing negative impacts on health. This is expected to have positive impacts in particular on older people, very young children, and disabled people.
Doing things with local residents, not to them	Private resident buy-in is essential to a successful retrofit programme, and resident engagement is an integral part of these proposals. We will carry out intensive engagement in the pilot areas, and carry out general communications to all residents in the borough to help them understand the benefits of retrofit and clean energy.

Our Values	Summary of how this report aligns to the H&F Values
Being ruthlessly financially efficient	The council will choose a partner for the service on a most economically advantageous tender basis, looking to minimise costs to the council and maximise financial input from the private sector.
Taking pride in H&F	The strategy confirms Hammersmith & Fulham as a leader in taking action on climate change. The focus of retrofit is to take pride in the neighbourhoods and buildings we have, investing in them to make them fit for the future. Projects will be aligned where possible with action to green the borough and improve the condition of the borough's housing.
Rising to the challenge of the climate and ecological emergency	This strategy is a cornerstone of the council's delivery on its net zero target. The Council aims to be net zero carbon by 2030.

Financial Impact

It is proposed to establish a clean energy and housing retrofit support service for residents, including two place-based decarbonisation schemes (one for social housing and one for private housing). This service is intended to help residents design and install energy efficiency measures in their homes (including insulation, solar PV, heat pumps and energy storage).

Three procurement exercises will be undertaken: one to secure a technical partner to carry out energy surveys and link residents to suppliers and funding opportunities, one to deliver engagement activities to support resident uptake in the programme, and one to support impact-driven communications and information-sharing. The cost of any resulting contracts will be considered as separate contract award decision reports. It is expected that these can be procured at no cost to the Council. It is expected that the engagement and communications contracts will be funded from secured developer funding (through the Carbon Offset Fund). It is expected that the technical partner costs (retrofit plans and support from a qualified retrofit coordinator) will be recharged to service users, although there may be an option for a small contribution from the Council (also to be funded from the Carbon Offset Fund).

Kellie Gooch, Head of Finance (Place), 8 July 2025

Verified by James Newman, Assistant Director of Finance (Deputy S.151 Officer)

Legal Implications

The Climate Change Act 2008 (as amended) imposes a legal obligation on the UK to achieve net zero by 2050. (This means that it is a requirement that the UK carbon account for that year is at least 100% lower than for the 1990 baseline.) The Council is committed to achieving this target by 2030. It is recognised that local authorities

have a major role to play in achieving net zero and engaging owners of private housing is an important element of this.

There are some risks to H&F in branding and supporting a retrofit service and standing behind a network of installers. To mitigate this risk, the Council will carry out a competitive procurement. This will need to comply with the requirements of the Procurement Act 2023 and the Council's Contract Standing Orders.

John Sharland, Special Projects Lawyer, Legal Services, 17 June 2025

Procurement Implications

Individual contracts for the retrofit support service, associated branding and communications activities, and an engagement partner will need to be subject to the competition requirements in the Procurement Act 2023 and the Council's Contract Standing Orders. A tender notice will need to be published on the governments Find a Tender Service (FTS) and suppliers invited to tender via the Council's e-tendering system (CapitalESourcing). A Procurement strategy will be developed and permission to proceed with the tender sought as per the CSO's prior to the commencement of the procurement exercise.

Joe Sardone Category Lead, Procurement and Commercial, 27th June 2025

Climate and Ecological Emergency Implications

This strategy directly supports the council's Climate and Ecology Strategy objective to ensure that 'all residents in the borough live in comfortably, affordably heated and well-adapted homes that are cost efficient and have zero carbon impact'. It sets out an approach to deliver this objective, which alongside measures to decarbonise council homes covers nearly half of the emissions in H&F.

Verified by: Hinesh Mehta, AD Climate and Transport, June 2025

Background Papers Used in Preparing This Report

None.

DETAILED ANALYSIS

Background

1. Hammersmith & Fulham Council declared a climate emergency in 2019, setting an ambition for the borough to reach net zero carbon emissions by 2030. While the primary focus for the council should be the assets under its control or ownership, especially social housing, these only account for 11% of the

borough's local greenhouse gas emissions.¹ To tackle the other 89%, H&F must work in partnership with the private sector, government, and residents and businesses to achieve the transformation needed.

2. The council published a Climate and Ecology Strategy in 2021, including an objective to implement whole house retrofit plans for all council homes to achieve net zero. It also approved a Fuel Poverty Strategy in 2023 setting out objectives to ensure that residents homes are well-insulated and affordable to heat, and a Council Housing Retrofit Strategy in 2025.
3. The proposals in this paper add a dedicated guidance service for owner occupier and privately rented homes not in fuel poverty, sometimes termed 'able to pay'. This group accounts for 90% of the private tenure households in H&F. In addition, deep and localised promotion of clean energy opportunities in two neighbourhoods, one based around H&F social housing in Wormholt and College Park & Old Oak, and another around ~300 homes in Wendell Park, mostly owner occupied. Wendell Park has been selected as similar housing types make replication and learning easier, H&F has recruited several energy champions in the neighbourhood, and there are existing community groups such as Wendell Primary School, a tennis club and a church.
4. Funding from the Warm Homes Social Housing Fund will be used to retrofit 516 street properties, of which 110 are in Wormholt and College Park & Old Oak. 52 homes in this area are planned to receive heat pumps, solar PV and battery storage, making them net zero ready. Additional opportunities to save money for both the Council and Council housing residents via innovative energy tariffs offered by providers such as Octopus are also being explored.
5. The council proposes to wrap all of this work under the '*H&F Healthy Homes*' banner, which will become the comprehensive umbrella programme for the promotion of services to help residents to reduce their energy use, save money on energy, and embrace new clean energy technologies. A dedicated H&F microsite for *H&F Healthy Homes* is under development to direct residents to the service most appropriate to them. More information on the fuel poverty service is available in Appendix 1, on the retrofit support service in Appendix 2, and the Council Housing retrofit plans in Appendix 3. A summary presentation is included at Appendix 4.
6. While private residents are anticipated to pay directly for the service, H&F proposes to catalyse action by making a small contribution to residents installing clean energy measures who earn below average incomes, using Carbon Offset funding.

Why a retrofit and clean energy support service for residents is needed

7. The UK has among the oldest and least efficient housing stocks in Europe, and a significant increase in the rate of installation of clean energy and energy efficiency measures, sometimes termed 'retrofit', is needed to meet even the

¹ Includes council scope 1 and 2 emissions, plus scope 3 emissions from council-owned housing and non-domestic buildings that are leased to others.

UK 2050 net zero target. This particularly applies to the decarbonisation of heat, which accounts for over three quarters of the carbon emissions in H&F. Additionally, energy costs are a key driver of the cost of living crisis, and measures to reduce energy waste are crucial to reducing the impact of this.

8. Retrofitting homes with energy efficiency and clean energy measures supports priority council agendas including:
 - i. Tackling the cost-of-living crisis
 - ii. Preventing damp and mould
 - iii. Compliance with future Minimum Energy Efficiency Standards
 - iv. Energy security for the council and residents
 - v. Improving air quality, as gas boilers are now the dominant source of NOx emissions in central London²
 - vi. Net zero
9. The barriers to housing retrofit are multifaceted and include financial, technical, and social challenges. Financially, the upfront costs of retrofitting are significant, and access to finance solutions is limited. While 'able to pay' households are not defined as fuel poor by government, many are still financially constrained. This financial barrier is compounded by the difficulty in finding trusted installers and the complexity of navigating and applying for various private and government funding options.
10. Technically, the lack of skilled professionals and the need for specialised knowledge pose significant challenges, as does the disruption caused by retrofit projects, and the high cost of some solutions for specific building types such as historic homes. Moreover, the need for comprehensive assessments and tailored solutions for each household adds to the complexity and cost of retrofitting, and post installation support is often lacking.
11. Socially, there are barriers related to awareness and trust. Many homeowners lack awareness of the benefits and options available for retrofitting, do not know where to go for independent and impartial advice, and may perceive Planning regulations as more restrictive than they actually are. Customer journeys are confusing with myriad government and private schemes, none of which fully overcome the barriers described here³. Awareness of the role that domestic energy use and particularly gas boilers play in UK carbon emissions is low, as are levels of trust in technologies such as wall insulation and heat pumps. A lack of confidence in using digital tools to access information presents obstacles for some residents. Additionally, complex ownership structures and the need for agreement from multiple parties, such as landlords and leaseholders, are entrenched barriers to retrofits in flats and rented properties.
12. A new Warm Homes plan is proposed by the UK government, while the GLA is launching a related Warmer Homes London scheme. The exact shape of the national plan is to be determined but no full retrofit support service exists. The GLA is focussing largely on fuel poor homes via the Warm Homes Local Grant.

² [Gas boilers are the top source of air pollution in London - NCAS](#)

³ [NRH-State-of-the-Nation-Review.pdf](#)

About the proposed retrofit support service

13. H&F Council has carried out extensive research into retrofit advice and ‘one stop shop’ services currently offered by other Councils and private providers in the UK, as well as into recommendations made by expert bodies such as the Energy Saving Trust⁴. The service should provide residents with an end-to-end retrofit customer journey, offering expert support at every stage—from initial assessment (whole house survey), project coordination to project completion and evaluation, signposting quality suppliers and financing options, providing help to resolve any installation issues, and maximising energy cost and carbon savings to residents. The key components that a service should include are set out in more detail in Appendix 2 but are also summarised below:
 - Clear information on the role of **domestic clean energy technologies** in the net zero transition. This should include technically sound, quantified whole house/ flat retrofit plans, signpost support for vulnerable and fuel-poor households, and provide referrals to financial support and trusted installers. It should cover all building and tenure types.
 - Advice on accessing **funding and finance**, including UK Government, energy company and private funding schemes. This approach aims to streamline the funding process and ensure that financial support is easily identifiable and accessible. The service should refer and support applications where possible subject to regulation on financial advice.
 - Advice on finding and managing **good quality installers**, including links to government accreditation schemes such as Microgeneration Certification Scheme and TrustMark, and a retrofit co-ordinator to help residents manage works to a good quality. More widely, policy certainty, training and clear project pipelines is needed to help the supply chain to provide a better quality service. This includes encouraging new entrants to the workforce and incentivising the existing workforce to retrain. The goal is to ensure that there are enough skilled professionals to carry out the necessary retrofit work.
 - Accelerate the deployment of **low carbon heat**; given the essential role of low carbon heating systems in net zero, the service should improve resident awareness and trust in these technologies. Households should be well-informed about their benefits and operation, and the options available including heat pumps and heat networks.

The role of impact-driven communications

14. As previously identified, social barriers related to awareness, perception, and accessible information play a significant role in preventing greater uptake in household clean energy measures.
15. Currently, there exists a plethora of websites, articles, energy companies and energy related organisations offering a wide range of advice, information, and

⁴ [What the UK needs from the Warm Homes Plan - Energy Saving Trust](#)

links to further support across the UK. Despite all this, many households continue to struggle navigating their way through the process, with technical jargon and abbreviations proving confusing and off-putting.⁵ Recent research finds that even for engaged, knowledgeable homeowners, accessing appropriate information is a significant retrofit barrier. Key issues include information overload, a lack of context-specific information, and a need for trustworthy, local information sources.

16. Research has identified that local authorities have significant potential to act as trusted intermediaries for structured, relevant retrofit information.⁶
17. Hence, in order for H&F Healthy Homes, and its composite services, to be impactful, it is vital that attention is paid to providing: (1) clear and compelling communications; (2) a context-specific approach to information-sharing; and (3) the establishment of the council as a trusted, leading voice in this sphere.
18. To this end, a technical partner will support on ensuring accessible communications and information-sharing with the development of key messaging guidelines, resident-focused visuals and comms, , a suite of assets to support amplification, and ultimately establishing *H&F Healthy Homes* as the trusted, comprehensive go-to service for resident-focused energy support.

Why pilot a place-based approach to decarbonisation

19. Researchers and campaigners have long made the case for an area or community based approach to retrofit. Approaching this issue street by street means we can better tailor resident engagement, guidance and support in a resource-effective way, as many of the households will have similar queries, especially where housing stock is similar.
20. Social opportunity is key motivator for behaviour change; once one neighbour gets something done, it gives others a sense and possible roadmap of what's possible for their home. Similarly, in a recent example of a place-based approach to engaging residents with retrofit, it was identified that going through the process as a street was appealing for residents as they felt it de-risked and legitimised the experience.⁷ By focussing on a particular neighbourhood we can better identify local energy champions and signpost to local examples modelling desired behaviours.
21. Beyond decarbonising energy across the borough, taking a place-based approach on this work will give us an opportunity to test the impact of innovative hyper-localised engagement strategies. Through measurement and evaluation, we can assess the behaviour change impact and consider how this approach can be used to further make progress on our wider climate and ecological goals. There is significant interest in this approach in the UK and

⁵ [Big Street Upgrade Impact Report](#) – Hubbub – March 2025

⁶ Retrofit information challenges and potential solutions: Perspectives of households, retrofit professionals and local policy makers in the United Kingdom, Energy Research & Social Science Volume 119, January 2025

⁷ [Big Street Upgrade Impact Report](#) – Hubbub – March 2025

more widely, and H&F has been invited to join a European Horizon 2020 consortium trialling this approach.

Options appraisal

22. The options considered are (1) to do nothing, (2) to provide H&F advice, comms and signposting to existing London and national handholding services, and (3) to partner with an expert service which would be cobranded with H&F and/or white-labelled providing a retrofit support service targets specifically for H&F residents.
23. Option 1 minimises the need for H&F time and resources, but ignores the vital role the Council can play in encouraging and supporting clean energy and energy efficiency technologies in private housing. This option is therefore not recommended.
24. Option 2 would signpost to the full range of private sector providers, as well as GLA and government grants. This has the advantage of offering choice to residents, but does not assess provider quality and is likely to lead to confusion and choice paralysis, already a known issue in the home retrofit market⁸.
25. Option 3 would mean H&F partnering with a PAS 2035 accredited provider of retrofit advice services. We have carried out extensive market research and held meetings with three potential providers, Furbnow, Ecofurb and RetrofitWorks, all of whom appear to have the relevant capabilities and experience to deliver the service. Other providers may also exist and would have the opportunity to bid. This partner will provide the support service as outlined above alongside the marketing and promotion of that service to H&F residents in conjunction with H&F staff and the proposed comms agency. This has the advantage of reducing confusion among H&F residents provided that any GLA supported service does not come into being.
26. The service providers we have met offer a similar end-to-end guiding service following PAS 2035, providing expert support to develop home retrofit plans and projects, a retrofit coordinator/ design service, and advice on finance and installers. RetrofitWorks achieved a conversion rate from plan to installation of 35% in the Oxfordshire cosy homes programme, and run a bulk purchase service claimed to secure up to a 25% discount on heat pumps, solar panels, and battery storage systems. Furbnow helped 500 customers to implement measures from a WHP within six months, while H&F worked with Ecofurb during 2023 to deliver a successful 100 Retrofit Plans pilot project. In Camden, Ecofurb's conversion rate from plan to installation was between 35% and 40%.
27. Options 2 and 3 would also mean working with an engagement partner and a communications partner to support the promotion of retrofit services across H&F, and in particular in the pilot low carbon neighbourhood Wendell Park.
28. We will offer neighbouring London boroughs the opportunity to join H&F once Option 3 is implemented. West London boroughs have a large amount of able

⁸ [Retrofit information challenges and potential solutions: Perspectives of households, retrofit professionals and local policy makers in the United Kingdom - ScienceDirect](#)

to pay residents, they will be incentivised to participate, as communications, marketing, and key messaging will already be in place—reducing administrative overhead. Local contractors would then be able to work across a larger neighbouring area, sustaining the demand for retrofitting.

Next steps

29. Rollout, promotion and delivery of the retrofit advice service, the SHF funded clean energy measures for social housing in Wormholt and College Park & Old Oak, hyper-localised engagement and exciting comms campaigns in Wendell Park, an engaging and informative H&F microsite, and a grant scheme for residents installing clean energy measures.
30. Previous work has established the importance of heat networks to decarbonising flats and larger buildings, especially in the denser parts of H&F⁹. It is therefore vital that we also continue work to develop feasibility studies into clean heat networks around the Bayonne, Margravine and White City estates, discussions with potential funders such as DESNZ and National Wealth Fund, and work to prepare for UK government heat network zoning implementation.
31. H&F will also continue delivery of wider social housing retrofit and decarbonisation programmes. A separate paper also proposes trialling energy flex tariffs from providers such as Octopus (Tenant Energy Power) once solar and battery installations in street properties reach scale. H&F will also continue to support HFCE, the borough's clean energy co-op, in installing solar PV on appropriate Council owned rooftops.
32. Note that local government cannot solve these entrenched problems alone and needs to work within the framework of regional and national policy, and public and private funding.

Reasons for Decision

33. Residents face multiple barriers to carrying out clean energy and energy efficiency works on their properties, and the Council can help by promoting expert support, advice on finance and advice on installers. Partnering with a single retrofit support service provider is likely to provide the simplest and most accessible service for residents. Option 3 is therefore recommended.

LIST OF APPENDICES

- Appendix 1 – Most recent contract and KPIs for the H&F fuel poverty service
- Appendix 2 – Proposed draft scope of work for the able to pay retrofit support service
- Appendix 3 – H&F Council Housing Retrofit Strategy
- Appendix 4 – Summary presentation of proposals

⁹ [Cross-borough energy masterplan | London Borough of Hammersmith & Fulham](#)

London Borough of Hammersmith and Fulham

Services Specification V2:

Fuel poverty with H&F (2025)

Public Procurement Excellence

VOLUME 2 THE SERVICES SPECIFICATION

Introduction

The London Borough of Hammersmith & Fulham (LBHF) is committed to becoming net zero by 2030 and is dedicated to tackling fuel poverty and ensuring every resident can stay warm and healthy.

Procuring a service targeting fuel poor residents will meet three key objectives in the Fuel Poverty Strategy (2023):

1. Reduce bills for residents by improving the energy efficiency of LBHF housing.
2. Develop services that help fuel poor residents through the council and other organisations.
3. Empower residents to access services and spread awareness of the help available.

Authority Priorities:

The successful contractor will support the delivery ambitions of [The H&F Vision](#) and [Climate Change and Ecology Strategy](#).

- **Creating a compassionate council** – We want to support the most vulnerable residents within LBHF to live in safe and comfortable home without causing financial hardship.
- **All residents in the borough live in comfortably, affordably heated and well-adapted homes that are cost efficient and have zero carbon impact.** We want to retrofit homes to alleviate fuel poverty and reduce carbon emissions.

Requirements:

The Climate team has secured additional funding to expand the existing London Borough of Hammersmith and Fulham (H&F) Healthy Homes. Additional Key Performance Indicators (KPI)s has been introduced for the second half of Year 1 and the first half of Year 2 which can be seen under programme outputs under page 4 (no 1 – 8) and 8 (no 16 – 22). Building on the original specifications outlined in the initial procurement, the core KPIs include:

- Support residents in maximising access to energy efficient and/ or fuel poverty related grants such as but not limited to the Energy Company Obligation and Great British Insulation schemes and forthcoming Greater London Authority (GLA) and national government schemes (when available) such as Warm Homes: Local grant in 2025 or any potential H&F microgrants (if applicable).
- To run online webinars at appropriate times to maximise attendance (such as evenings or afternoons) to create awareness, promote services, grants, and H&F microgrants to community organisations.
- To actively engage and raise awareness through calls or meetings about fuel poverty services, forging partnerships with established community organisations while also creating new relationships with organisations such as faith groups, community events, energy groups and others. The aim is to directly engage residents through these groups.
- Community outreach, to organise and attend in person community events (at least for 2 hours not including travel) to promote services, relevant grants, H&F microgrants (if applicable) and behavioural change.

- To provide in-depth guidance and support to residents, including applying for retrofit grants on their behalf. Also, to offer follow-up support to ensure progress on the retrofit grant or to address any additional support needed.
- To work with community groups to tailor services and provide targeted support.
- “Energy Drs” - Promote and attend home visits and phone consultations for residents experiencing or at risk of fuel poverty, covering advice on the following (based on demand with no cap):
 - Expert advice on reducing energy use/increasing energy efficiency at home.
 - Installing simple energy efficient installations such as draught proofing or changing light bulbs or pipe insulation.
 - Support with energy or water debt.
 - Support in applying for relevant grants on behalf of residents or discuss relevant grants available.
- Respond to online enquiries regarding fuel poverty and energy efficiency and offer phone consultation if required.
- Promote any LBHF microgrant (if applicable) such as a loft installation campaign or PV campaign and vet trust marked supply chains to deliver quality retrofits on behalf of residents.
- To produce and provide physical promotional materials for residents of H&F for community organisations to signpost.

Branding and Communications

- The supplier is expected to use Council approved branding which will be supplied by the contract manager as directed.
- All official correspondences (newsletters, website, case studies, etc) must go through official Council channels and should be signed off by the LBHF comms team prior to release.

Promotion of energy efficiency and fuel poverty services and engagement with community organisations

- The council will update its own website and promote the new partnership through various communication channels.
- The supplier is expected to strengthen existing relationships with community organisations while proactively establishing new partnerships to enhance the promotion of fuel poverty support and energy efficiency services and grants. Additionally, they should actively promote the H&F Healthy Homes programme—including events, webinars, and available grants—through their own communication channels, such as their website, targeted email campaigns, cold calling, and digital advertising, to maximise outreach and engagement.

Expected Outcomes and Outputs for year 1 service

Outcomes:

1. Strengthen relationships with community organisations.

2. Reach at least half of the fuel poor homes in LBHF by increasing awareness of fuel poverty services and grants.
3. Increased uptake of fuel poverty services and grants.
4. Increase energy efficiency in residential properties by increasing energy efficiency measures, thereby reducing the number of households experiencing fuel poverty to fewer than 6,000 homes according to the Low Income Low Energy Efficiency (LILEE) definition.
5. Alleviate fuel poverty by reducing energy bills and debt.
6. *Desirable* Increased uptake of zero local emission alternatives to carbon-based gas heating and cooking systems e.g. ASHP, electric cooking appliances.

Programme Outputs:

1. 4 online webinars held to promote services and grants targeted to community organisations.
2. 34 community outreach events attended to promote services and grants.
3. Maintain and build relationships with at least 40 community organisations within the borough.
4. At least 130 provision of home visits in need of support.
5. At least 35 phone consultations for residents in need of support.
6. 4000 physical promotional materials produced and provided to community organisations for distribution.
7. 40 Large (deep) retrofit grant uptake (submitted applications) including 1:1 follow up and support.
8. 2 recorded professional video case studies. 1st video targeted to the private housing residents - a resident who has completed a retrofit from either GBIS or BUS. The other video to be focused on fuel poor residents receiving debt support and simple energy efficient measures and/or deep retrofit from ECO/ECO Flex.

The table below outlines the original KPIs, the additional KPIs introduced, and the new total for Year 1, reflecting the impact of an additional £20,000 in funding.

Item	Baseline contract KPIs	Agreed additional KPIs	New total Year 1 KPIs
Fee	£38k	£20k	£58k
Online webinars (min 2 hours)	4	0	4
In-person Community Outreach	24	10	34
Stakeholder relationships (Indepth engagement)	20	20	40
Home visits	100	30	130
Phone Consultations	30	5	35
Large Retrofit uptake (Submitted Applications) & 1:1 grant recipient follow up	N/A	40	40
Leaflets printed and delivered	3,900	100	4,000
Good news stories/case studies	4 written	2 videos	4 written 2 videos

Expected Outcomes and Outputs for the Year 2 service

Outcome remains the same.

Programme outputs:

9. 4 online webinars held to promote services and grants targeted to community organisations.
10. 64 community outreach events attended to promote services and grants.

11. Maintain and build relationships through In-depth engagement with at least 100 community organisations within the borough.
12. At least 304 provision of home visits in need of support
13. At least 70 phone consultations for residents in need of support
14. 4000 physical promotional materials produced and provided to community organisations for distribution.
15. 200 Large (deep) retrofit grant uptake (submitted applications) including 1:1 follow up and support

With these numbers to be achieved by end of April 2026:

16. 2 online webinars held to promote services and grants targeted to community organisations.
17. 50 community outreach events attended to promote services and grants.
18. Maintain and build relationships through in-depth engagement with at least 100 community organisations within the borough.
19. At least 234 provision of home visits in need of support
20. At least 55 phone consultations for residents in need of support
21. 2800 physical promotional materials produced and provided to community organisations for distribution.
22. 160 Large (deep) retrofit grant uptake (submitted applications) including 1:1 follow up and support

The table below outlines the key KPIs projected by April 2026, incorporating an additional £70,000, alongside the original KPIs for Year 2.

Item	H&F proposed: Total Year 2 KPIs (Nov 25-Oct 26)	H&F proposed: Year 2 KPIs by end of April 2026 (Nov 25-Apr 26)
Online webinars	4	2
In-person Community Outreach (minimum 2hrs)	64	50
Stakeholder relationships (In-depth engagement)	100	80
Home visits	304	234
Phone Consultations	70	55
Large Retrofit uptake (Submitted Applications) & 1:1 grant recipient follow up	200 (inc. follow ups)	160
Leaflets printed and delivered	4,000	2,800
Good news stories/case studies	4 written	2 written

Added Value Outputs:

- Good news stories and case studies e.g., retrofits completed and impacts of the services (a year from service provided). At least four case studies a year.

Contract Management:

Reporting to: Fuel Poverty and Energy Efficiency Lead, Climate Change Team, Environment Department.

Location: Online via outlook and phone

Frequency:	Monthly reports to be provided in MS Word Format and numerical data reports in Microsoft Excel monitoring spreadsheet, annual evaluation. Payment is linked to the production of the reports and meeting the outcomes and outputs.
Meetings	Meeting between supplier and LBHF once a month to review progress and discuss operations. Weekly check in meeting where necessary to discuss progress and updates.
Monitoring	<p>Details of attendance and outcomes from webinar, outreach, and engagement events.</p> <p>Details of advice provided during home visits and phone consultations and quantity.</p> <p>Details of types of energy efficient measures installed and estimated emissions and money saved.</p> <p>Details of any uptake of grants</p> <p>Resident's EDI information captured such as age (senior), gender, ethnicity, disability, and health condition</p> <p>Results from Home visit and webinar surveys.</p> <p>Details of other funded home visits or outreach.</p> <ul style="list-style-type: none"> • 3-month review - Progress meeting KPIs • 6-month review – Progress meeting KPIs • 12 months – KPIs met including all lessons learnt and any final report findings.
Training review & debrief	<p>Supplier to review and debrief on the programme in the form of a report. This is to include:</p> <ul style="list-style-type: none"> • Evaluation of the programme. • Feedback on the service and outreach to H&F and potential next steps.

Key Performance Indicators (KPI):

Ratings	Description	Action taken
0.	Critical Failure	If more than 50% criteria scored "1", contract extension will not be considered, risk of early contract termination.
1.	Below Expectations	Authority will meet with supplier to rectify; warning letter will be issued if 30% of criteria rated 2
2.	Meeting Expectations	No remedial action required.
3.	Exceeding Expectations	No remedial action required.
Criteria	Description	

<p>Year 1</p> <p>4 - online webinars held to promote services and grants targeted to community organisations.</p> <p>34 - organised and attended community outreach events to promote services and grants.</p> <p>40 – continue to maintain current community organisation relationships and build new relationships within the borough.</p> <p>130/Uncapped home visits for residents in need of support.</p> <p>35/Uncapped phone consultation for residents in need of support.</p> <p>40 Large (deep) retrofit grant submitted with 1:1 support provided</p> <p>2 video case studies produced, filmed and edited.</p>	<p>0. Critical Failure</p> <p>Monitoring report consistently incomplete, underperforming, or inaccurate. Unable to organise and attend outreach events or proactively reschedule with community organisations without a reasonable and valid explanation. Unable to conduct home visits that fulfils the demand within the borough. Outputs of webinars, outreach, home visits, grant uptake and installations completed underperforming by at least 50% of the criteria. Unable to engage and promote within the borough to attract attendance for webinars. Issues affecting the project have not been reported/mitigated and are now causing project failure or bring the project into disrepute. Good news stories consistently not shared or promoted. Council branding not used. Communications sent out without approval.</p>
<p>Year 2</p> <p>4 - online webinars held to promote services and grants targeted to community organisations.</p> <p>64 - organised and attended community outreach events to promote services and grants.</p> <p>100 – continue to maintain current community organisation relationships and build new relationships within the borough.</p> <p>304/Uncapped home visits for residents in need of support.</p> <p>70/Uncapped phone consultation for residents in need of support.</p> <p>200 Large (deep) retrofit grant submitted with 1:1 support provided</p>	<p>1. Below Expectations</p> <p>Monitoring report occasionally incomplete and includes some EDI, outcome of home visits, uptake of grants, engagement and webinar outcomes data showing underperformance, or inaccurate. Sometimes unable to organise and attend outreach events or proactively reschedule with community organisations without a reasonable and valid explanation. Sometimes unable to conduct home visits that fulfils the demand within the borough. Outputs of webinars, outreach, home visits, grant uptake and installations completed underperforming by at least 30% of the criteria. Ineffective engagement and promotion within the borough to attract attendance for webinars. Some issues not been reported or has been mitigated. Council branding used infrequently. Some communications sent out without approval.</p>
<p>There are specific KPIs that is required to be achieved by end of April 2026 as written above.</p> <p>Physical promotional materials produced and provided to community organisations for distribution.</p> <p>Targeted outreach - Increase reach to at least half of the fuel poor homes in LBHF by increasing awareness of fuel poverty services and grants</p>	<p>2. Meeting Expectations</p> <p>Monitoring report is consistent and accurate and include information such as EDI, outcome of home visits, uptake of grants, engagement and webinar outcomes and performance targets achieved. Clear communication with community organisations in organising outreach events and attendance. Enthusiastic and knowledgeable staff conducting home visits that fulfils the demand within the borough. Outputs of webinars, outreach, home visits, grant uptake and installations meeting the targets or the borough's demand. Effective engagement and promotion within the borough to attract attendance for webinars. Issues affecting the project have been reported/mitigated and the project is successful in alleviating fuel poverty. Good news stories consistently shared or promoted. Value of successful tender achieved. Council branding always used. Communications is always council approved.</p>
	<p>3. Exceeding Expectations</p> <p>The monitoring report is not only consistent and accurate, but also comprehensive, featuring information on EDI, outcomes of home visits, grant uptake, engagement and webinar data, and performance target achievements that have been surpassed. Clear communication with community organisations in organising outreach events and attendance. Enthusiastic and knowledgeable staff conducting home visits that fulfils the demand within the borough. Outputs of webinars, outreach, home visits, grant uptake and installations exceeding the targets or meeting the borough's demand. Highly effective engagement and promotion within the borough to attract high attendance for webinars from established relationships and new partnerships. Issues affecting the project have been reported/mitigated and the project is successful in alleviating fuel poverty target all residents from different minority</p>

<p>Under 6000 fuel poor homes - Increase energy efficiency in residential properties by minimising energy consumption, thereby reducing the number of households experiencing fuel poverty to fewer than 6,000 homes according to the Low Income Low Energy Efficiency (LILEE) definition.</p> <p>100% = reporting of high-level advice provided during home visits and phone consultations.</p> <p>100% = reporting of types of energy efficient measures installed and estimated emissions and money saved.</p> <p>100% = Details of any uptake of grants</p> <p>100% = Resident's EDI information captured such as age (seniors), gender, ethnicity, disability, and health condition</p> <p>100% = Reporting of attendance and outcomes from webinar, outreach, and engagement events.</p>	<p>groups. Good news stories consistently shared or promoted, attracting London wide press. Value of successful tender achieved. Council branding always used. Communications is always council approved.</p>
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Signature of agreement and acknowledgement from H&F



Christine Chung, Fuel Poverty and Energy Efficiency Lead.

Signature of agreement and acknowledgement from Groundwork

London Borough of Hammersmith and Fulham

Services Specification:

Domestic Energy Efficiency and Clean Energy Retrofits Services for Residents

Public Procurement Excellence

VOLUME 2 THE SERVICES SPECIFICATION

Introduction

1. The London Borough of Hammersmith & Fulham (LBHF) is committed to achieving net zero emissions across the borough by 2030. Housing plays a crucial role in this transition, as it accounts for over a third of the borough's emissions. To reach net zero, retrofit will be needed in homes across the borough to make them more efficient, to electrify their heating systems, and to deploy renewable generation like rooftop solar PV where possible.
2. Uptake of retrofit by 'able-to-pay' residents has been slow. Reasons for this include:
 - **Unclear information:** Many households feel unsure where to start with retrofit, with a significant amount of confusing, and sometimes conflicting, information available online
 - **Navigating financing:** Many lower income able-to-pay households are unable or unwilling to fund retrofits themselves. A fragmented grant/subsidy landscape is challenging to navigate, while residents may be unsure what private financing products are available to support them
 - **Quality concerns:** Homeowners may be wary of poor quality, unreliable contractors and feel unsure which installers they can trust to do good work on their home
 - **Coordination challenges:** The retrofit process involves working with multiple types of contractors, which can be challenging to manage
3. The development of a Council service to guide and support 'able-to-pay' residents through installing retrofit measures aims to address these issues and increase uptake of domestic energy efficiency and clean energy retrofit technologies across the borough.
4. The service is primarily aimed at the 'able-to-pay' residents not eligible for government-funded schemes beyond the Boiler Upgrade Scheme. It is proposed to sit alongside the existing London Borough of Hammersmith and Fulham (LBHF) service for fuel poor residents provided by Groundwork London.
5. 'Able-to-pay' is a broadbrush market covering a wide range of financial circumstances. For example, it is typical for 'able-to-pay' to be defined as households who are above the eligibility limit for grants aimed at the fuel poor (£36,000 in 2025). But this defining point does not take into consideration the socioeconomic limitations some households might have, such as the number of people living in a household, their health needs, and other financial demands. This is especially important due to LBHF being London boroughs with a high cost of living, and upfront cost will be the primary barrier. This "lower income able to pay" group also needs to be helped by this service.
6. This service is being procured under a concession contract, with the successful concessionaire awarded the privilege of operating under LBHF's branding as part of its Healthy Homes Programme; LBHF will direct residents to the Concessionaire in its engagement and communications with residents.
6. This service aims to address these challenges for 'able-to-pay' residents, doing things with them not to them in line with H&F core values.
7. Other boroughs in the West London Alliance have shown interest in the service and may join the partnership in the future.

Authority Priorities

8. The successful contractor will support the delivery ambitions of The H&F Vision and Climate Change and Ecology Strategy.
 - **Building Shared Prosperity.** We aim to strengthen the green skills workforce, drive greater demand within the supply chain, and create more jobs and opportunities in the sector.
 - **Creating a compassionate council.** We want to support all private residents within LBHF to have access to support that allows them to live in safe and comfortable home without causing financial stress.
 - **All residents in the borough live in comfortably, affordably heated and well adapted homes that are cost efficient and have zero carbon impact.** We want to retrofit homes to reduce carbon emissions
 - **Our heat and power are supplied by renewable energy** and, where possible, efficient local sources

Aim

9. LBHF are seeking to award a concession contract to provide a comprehensive 'one-stop-shop' retrofit service to support the able-to-pay market in accelerating the uptake of domestic energy efficiency and clean energy measures across LBHF. The service, operated under a concession contract, will provide a trusted, accessible, and supportive pathway for residents, addressing key barriers and empowering households to make informed decisions that contribute to the borough's goal of achieving net zero emissions by 2030.

Objectives

10. The objectives of the service are:

- Streamline the retrofit journey: offer end-to-end guidance and coordination support to help residents manage the multiple stages and stakeholders involved in retrofit projects.
- Increase awareness and understanding provide clear, accessible, and tailored information to residents about the benefits, processes, and options for home retrofit, reducing confusion and misinformation.
- Ensure quality and trust: establish, or leverage an existing, vetted network of reliable contractors and installers to ensure high-quality retrofit work and build homeowner confidence in the process.
- Simplify access to financing: support residents in navigating the complex landscape of grants, subsidies, and financing products to make retrofit more financially accessible, especially for lower income able to pay households.

Requirements

11. Offer a trusted referral pathway on behalf of the council, enabling residents to procure professional services tailored to their individual needs, making the transition to energy-efficient living both seamless and effective.

12. Provide customers with a fully guided, end-to-end retrofit journey, offering expert support at every stage, from initial home visit assessment (whole house survey), project coordination to project completion and evaluation at no more than market price. Engage in survey or plan follow up discussions. The service should be available to all domestic buildings and tenure types in LBHF.
13. Ensure customers are given realistic cost and energy bill savings estimates for each retrofit measure proposed, along with guidance on how measures interact for example improving insulation could increase the efficiency of a heat pump. Also highlight potential risks such as insulation may cause damp and mould without increased ventilation.
14. The Council wants to ensure high-quality installations are delivered on customers' homes through the service, while also maintaining affordable prices for services. Therefore, full compliance with the PAS 2035 standard is not required for works overseen by the Concessionaire. Instead, the overall principles of PAS 2035 should be followed to ensure high quality works and to avoid unintended consequences like damp and mould on residents' homes.
15. Connect customers with trusted installers through a vetted network of certified professionals, ensuring high-quality installations. Installers should follow the overall principles of PAS 2035, and we encourage the use of Trustmark (PAS 2030/2035-certified) installers. However, installer PAS 2030/2035 certification is not a requirement. Heat pumps and solar panels must be delivered by MCS installers. Residents using the service should also have the option to use their own installers (at their own risk) if desired.
16. and solar panels must be delivered by MCS installers. Residents using the service should also have the option to use their own installers (at their own risk) if desired.
17. Provide customers with technical specifications for installers, handling of installer quote process and appointment of vetted installers, quality checks and approvals on installer works
18. Facilitate access to finance by guiding and supporting customers to apply to funding opportunities such as government grants, and signposting to innovative financing products such as green loans and mortgages.
19. Provide support to ensure that measures are installed and function correctly, and assistance in the event that problems occur. If installers are unresponsive, the Concessionaire should work with the resident to refer any issues to Trustmark, MCS, insurers or another appropriate body to ensure that measures receive the appropriate certification. If an installer goes into administration, the Concessionaire should support residents to recover lost funds via appropriate routes, such as insurance, Chargeback, credit cards/ section 75. The Concessionaire should be willing to assume ultimate responsibility for any issues experienced by customers using a recommended or accredited installer. It is expected that the Concessionaire will resolve all installation related issues with the installer and resident.
20. Work with all interested customers to provide this service, regardless of the type of home they live in such as flats or their housing tenure, ensuring inclusivity and equal access to retrofit support. LBHF recognise that leaseholder agreements may cause delays for some properties.

21. Increase green skills within the workforce by providing training opportunities to SME, apprenticeships, and upskilling initiatives for professionals in the retrofit sector, fostering a sustainable skills pipeline.
22. Cobranded landing page/website with relevant information and links for the service, fully integrated with council webpages where appropriate.
23. Development of tailored full home energy plans, with options to prioritise cheaper and more cost-effective measures.
24. A further breakdown of what is expected in a whole house survey that is carried by a retrofit assessor (exceptions may be made to remove specific assessments or surveys if they are deemed unsuitable for the dwelling or do not align with the customers' needs):
 - Retrofit assessment
 - Full RDSAP10
 - Pre/Post retrofit air permeability test for air tightness
 - Damp and mould survey
 - Borescope Survey
 - Measured building survey
 - Property details: information on the building's age, constraints, planning permissions required (if any), and any relevant documentation required.
 - Energy Usage: energy bills from the past year to understand consumption.
 - Occupancy: information from the residents about their priorities and how they use the property.
25. A further breakdown of what is expected in a Whole house retrofit plan carried by a retrofit coordinator
 - A tailored retrofit plan that states out the energy efficiency recommendations, low carbon energy systems and clean energy and details on ventilation and airtightness.
 - This should include cost and carbon savings to help the occupant plan
 - A phased approach with a staged sequence of works to help manage cost and ensure measures are implemented either logically or most efficiently
 - Identify potential risks and opportunities such as building specific constraints and future regulations, green finance options and grants available.
 - A plan for ongoing monitoring of retrofit after completion
 - Consider the occupant health, financial situation, regulatory compliance, and the property's specific condition and context.
26. A further breakdown of what is expected in retrofit coordination
 - Pre contract coordination (property assessment, planning and design, following PAS principles and stakeholder management)
 - Post contract coordination (installation execution, quality and risk management, compliance and evaluation)
 - Actioning the Party wall notification
 - Actioning the Trustmark lodgement
 - Planning application (excluding application fees)
 - Heritage impact assessment
 - Review and oversight of contractor designs
27. Upon request or if required, support customers with:

- Technical retrofit design
- Mechanical and Electrical design
- Solar PV Design
- Principal Designer (CDM & Building Regs)

28. *Desirable* Free online assessment tool to provide customers with an indication of their bill savings, emissions savings, and costs under different financing options based on high level household inputs

29. Ensure that there is in place and duly signed:

- A separate contract between the customer and the Organisation for the carrying out of a survey
- An appropriate JCT contract between the customer and the Installer.

30. Customers will have the flexibility to choose their own installers and explore green finance options, while still retaining full access to the retrofit coordination service and the associated quality checks subject to the retrofit coordination fee (if applicable). It is recognised that customers that choose to use their own installer may not be eligible to the same levels of guarantees and assurance from the Concessionaire. This should be made clear to customers by the Concessionaire.

31. Note that opportunities for customers to participate in bulk purchasing to reduce equipment costs as part of the service would be welcomed by LBHF.

Pricing:

33. LBHF will assess bids based on the greatest economic advantage providing the best service to the Council and its residents.

34. The Concessionaire will have permission to use LBHF branding in advertising its services.

35. LBHF will direct residents to the Concessionaire's services in communications and engagement.

36. The landing pages/websites and any high-level online assessment tool must be free to access for residents.

37. The Concessionaire may charge residents for its other services but should not charge above the market rate.

38. The Concessionaire may benefit from economies of scale through aggregated demand across participating boroughs. It is expected that increased service volumes will lead to more competitive pricing and better value for money for residents.

39. The Concessionaire may offer the Council a concession fee for the privileges awarded by the concession contract

Branding and Communications

40. The Concessionaire is expected to describe, market and brand the service as part of the H&F Healthy Homes programme.

41. All online and offline media and comms will need to be approved by LBHF and will be supplied by LBHF as directed.
42. If other London boroughs join in the future, the Concessionaire is expected to create subsites to promote the service for all participating boroughs.
43. All official correspondences (newsletters, website, case studies, etc) must go through official Council channels and should be signed off by the relevant LBHF comms team prior to release.
44. LBHF is trialling its first private housing *place-based decarbonisation scheme* in the Wendell Park area, using intensive, targeted communications and engagement to drive clean energy measures in the neighbourhood via an expert engagement agency. The Concessionaire should support these efforts by working with both LBHF and the agency.

Expected Outcomes and Outputs in H&F

Outcomes:

45. Provide a comprehensive whole house survey and provide sufficient information and support throughout the end-to-end retrofit process, helping residents prioritise measures with the best financial and carbon return.
46. Reduce energy consumption and energy costs for residents
47. Reduce GHG emissions measured as tCO2e pa, and improve air quality to deliver on net zero ambitions
48. Increased take up on retrofitting, and number of measures installed as a result of the service.
49. Provide clear signposting and tailored guidance to available retrofit grants to boost uptake, alongside other support to break down the barrier of upfront costs such as accessing green finance options. This includes clear communication that is accessible to various residents including different age groups, gender, ethnicity, disability, and health conditions.
50. Connect residents to trusted installers, ensuring high quality, compliant retrofit measures are carried out efficiently and effectively.
51. Accelerate the deployment of low carbon heat and reduce reliance on fossil fuels such as increase adoption of zero emission alternatives to carbon-based gas heating and cooking systems, such as air source heat pumps (ASHP) and electric cooking appliances.
52. Strengthen relationships with local SMEs and increase green skills by supporting workforce training, apprenticeships, and upskilling initiatives for professionals in the retrofit sector.

Programme Outputs:

53. Consolidate a coherent brand under H&F Healthy Homes in LBHF to increase awareness of the importance of retrofitting, including low carbon heat, to dispel myths and influence behavioural change. H&F Healthy Homes is already the brand used for the Council's services to fuel poor residents and will become the brand covering all of the Council's energy services to residents.
54. Create white labelling subsites to promote the service if required and for any further participating boroughs in the future.
55. Provide a comprehensive and affordable whole house survey and provide sufficient information and support throughout the end-to-end retrofit process, helping residents understand risks and the impact measures will have, including priorities by the best financial and carbon return.
56. Reduce energy demand and carbon emissions in LBHF
57. A very positive result (80%) from satisfaction surveys of end-to-end process or whole house plan, ensuring that all enquiries are responded to within three working days.
58. Support the supply chain to meet the increasing demand, for example by building relationships with local SMEs, and increase green skills by supporting workforce training, apprenticeships, and upskilling initiatives for professionals in the retrofit sector.

Added Value Outputs:

59. Good news stories and case studies e.g., whole house plan completed, and retrofits completed and impacts of the services. At least three case studies a year.

Contract Management:

60. A contract manager is required to manage this partnership directly with the council.

Key Performance Indicators (KPI):

Ratings	Description	Action taken
1.	Critical Failure	If more than 50% criteria scored "1", contract extension will not be considered, risk of early contract termination.
2	Below Expectations	Authority will meet with Concessionaire to rectify; warning letter will be issued if 30% of criteria rated 2
3	Meeting Expectations	No remedial action required.
4	Exceeding Expectations	No remedial action required.
KPI (per borough)	Description	

<p>45 whole house surveys per year in Hammersmith & Fulham (excluding the Wendell Park target area)</p> <p>10 whole house surveys per year in Wendell Park, H&F</p> <p>20% conversion from whole house survey to installation</p> <p>Estimated carbon emission savings of 12,000 kg CO₂e (or 12 tonnes) p.a.</p> <p>Estimated annual energy cost savings of at least 10% for each household installing measures</p> <p>40 Boiler upgrade scheme grants claimed as a result of the service</p> <p>80% or higher satisfaction survey from end to end retrofit service and/or whole house plan</p>	<p>1. Critical Failure</p> <ul style="list-style-type: none"> Monitoring and Reporting: Reports are consistently incomplete, inaccurate, or missing key performance data (e.g., retrofit uptake, carbon savings, types of retrofits, resident metrics). Service Delivery: Whole home survey and recommended installers are not following the PAS 2035 principles or causing unintended consequences such as damp and mould. Outputs such as whole house survey, financing support, recommendations to trusted installers and low conversion rate from whole house survey to retrofit installation, poor survey satisfaction are underperforming by 50% or more against agreed targets. Communication and Promotion: No promotion of good news stories or success cases. Council branding is not used consistently. Communications are sent without prior approval, risking reputational damage. Project Risk Management: Issues affecting delivery from the retrofit coordination are not reported or mitigated, resulting in significant delays, reputational harm, or potential project failure.
<p>Strengthen relationships with local SMEs and increase green skills by supporting workforce training, apprenticeships, and upskilling initiatives for professionals in the retrofit sector.</p> <p>100% = reporting of whole house survey delivered.</p> <p>100% = reporting of types of energy efficient measures or clean energy measures installed and estimated emissions and money saved.</p> <p>100% = Details of any uptake of grants</p> <p>100% = Resident's EDI information captured such as age (seniors), gender, ethnicity, disability, and health condition</p>	<p>2 Below Expectations</p> <ul style="list-style-type: none"> Monitoring and Reporting: Reports are occasionally incomplete, inaccurate, or missing key performance data (e.g., retrofit uptake, carbon savings, types of retrofits, resident metrics). Service Delivery: Whole home survey and recommended installers are sometimes not following the PAS 2035 principles or causing unintended consequences such as damp and mould. Outputs such as whole house survey, financing support, recommendations to trusted installers and low conversion rate from whole house survey to retrofit installation, poor survey satisfaction are underperforming by 30% or more against agreed targets. Communication and Promotion: Minimal promotion of good news stories or success cases. Council branding is sometimes not used consistently. Communications are sent without prior approval, risking reputational damage. Project Risk Management: Issues sometimes affecting delivery from the retrofit coordination are sometimes not reported or mitigated, resulting in delays, reputational harm, or potential project failure.

	<p>3 Meeting Expectations</p> <ul style="list-style-type: none">• Monitoring and Reporting: Reports are consistently accurate and include all key performance data (e.g., retrofit uptake, carbon savings, types of retrofits, resident metrics).• Service Delivery: Targeted and comprehensive whole home survey and recommended installers are following the PAS 2035 principles and installations are working as expected. Outputs such as whole house survey, financing support, recommendations to trusted installers and conversion rate from whole house survey to retrofit installation, poor survey satisfaction are meeting expectations.• Communication and Promotion: Promotion of good news stories or success cases. Council branding is used consistently. Communications are sent with prior approval.• Project Risk Management: Issues affecting delivery from the retrofit coordination are always reported or mitigated, not resulting in delays, reputational harm, or potential project failure.
	<p>4 Exceeding Expectations</p> <ul style="list-style-type: none">• Monitoring and Reporting: Reports is not only consistently accurate but comprehensive and include all key performance data (e.g., retrofit uptake, carbon savings, types of retrofits, resident metrics).• Service Delivery: Highly targeted and comprehensive whole home survey and recommended installers not only following the PAS 2035 principles but installations are working as expected. Outputs such as whole house survey, financing support, recommendations to trusted installers and conversion rate from whole house survey to retrofit installation, survey satisfaction are exceeding the KPIs.• Communication and Promotion: Promotion of good news stories or success cases. Council branding is used consistently. Communications are sent with prior approval.• Project Risk Management: Issues affecting delivery from the retrofit coordination are always reported and mitigated, not resulting in delays, reputational harm, or potential project failure.

Resident care

61. The Concessionaire is expected to treat all residents in line with established Resident care and equality principles. Resident care includes demonstrating respect, clear and accessible communication, responsiveness, empowerment, consistency, confidentiality, and a commitment to continuous improvement.

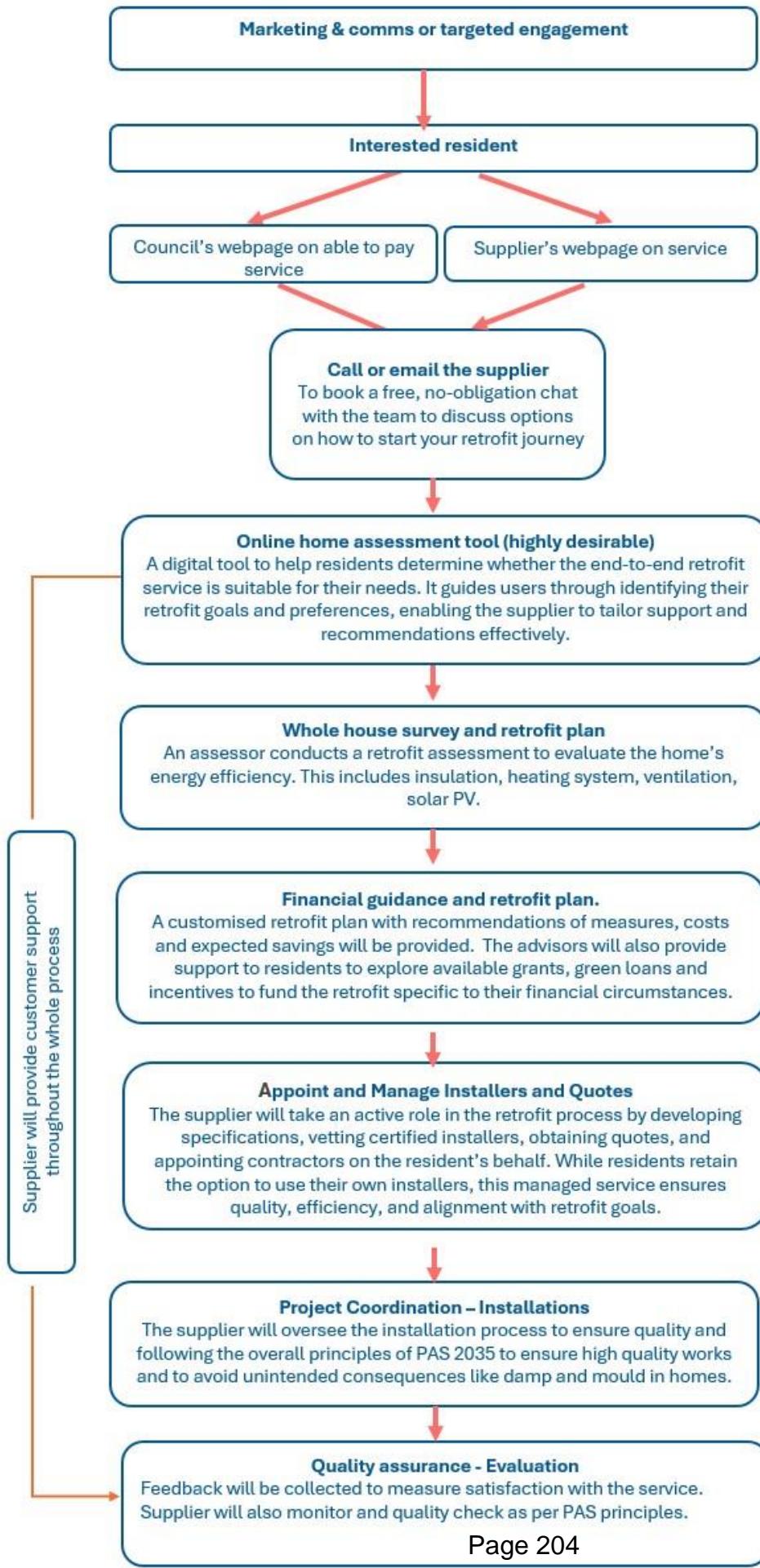
62. In addition, the Concessionaire must uphold equality principles by ensuring fair and inclusive access to services for all residents regardless of ethnicity, age, disability, or income ("lower income able to pay" households). All practices must comply with the Equality Act 2010.

63. The successful Concessionaire must also have a clear and accessible complaints procedure, enabling residents to raise concerns and receive timely, fair responses.

Payment

64. Customers and Installers will pay fees to the Concessionaire for its services. The Concessionaire will receive fees from Customers for carrying out surveys, retrofit plans, coordination and evaluation, and fees from Installers for referring Customers to the Installers. For this purpose, there shall be a contract between the Concessionaire and each Customer (for retrofit journey service), a contract between each Customer and the Installers (for the Works), and a contract between the Concessionaire and the Installers (for the referral fee).

Resident Resident journey



Reporting to:	Fuel Poverty and Energy Efficiency Lead, Climate and Transport Team, Place Department, Hammersmith & Fulham Council.
Location:	Online via outlook and phone
Frequency:	Monthly reports to be provided in MS Word Format and numerical data reports in Microsoft Excel monitoring spreadsheet, annual evaluation.
Meetings	Concessionaire and LBHF to review progress and updates monthly.
Monitoring	<ul style="list-style-type: none">• Number and type of retrofits completed• Number and type of retrofit grant uptake• Number of whole house survey completed• Satisfaction survey results• Energy bill savings• Carbon savings
Contract duration:	The Council proposes to enter into 1 (one) Contract for a minimum of 5 years, with a break clause included at the end of each year, allowing the council to terminate the contract should any significant issues arise with a one month notice period.

H&F Council-owned Housing Fabric Retrofit Strategy

DRAFT

22/04/2025

V.2.2

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Fabric Retrofit strategy, *in brief*

Vision

H&F's Fabric Retrofit Strategy sets out our approach to making our homes affordable, healthy, and in line with the council's climate and ecological emergency targets.

Its goal is to provide H&F's residents with comfortable, affordably-heated and well-adapted homes. These homes will reduce fuel poverty, be cost efficient and have net zero carbon impact.

Reduce bills and tackle climate change by:



Upgrading the fabric



Decarbonising heat



Adapting buildings to a changing climate

Deliver this via:



Capital Delivery



Mechanical and Electrical



Repairs and Voids

Enable and support this through:



Data Management



The business case



Archetypes and programmes

The need for retrofit

We need to fix our homes to use less and cleaner energy. Doing this helps our residents and environment by solving three major challenges we face:

- The climate crisis
- The cost-of-living crisis
- Healthy homes

This retrofit strategy sets out the need and context for upgrading our homes with energy efficiency measures and renewable energy, as well as the challenges and considerations for doing so. It then outlines the key approaches we will take to delivering retrofit, considering elements such as different archetypes of home, retrofit interventions, tenures, works programmes, and financing approaches.

The strategy takes a ‘fabric first’ approach to retrofitting its housing stock, focusing first on reducing energy use with cost-effective interventions that insulate our homes and stop them losing heat as quickly. A fabric first approach to retrofitting social housing is needed to reduce energy demand, lower running costs for residents, and enhance indoor comfort. Installing cost-effective fabric measures supports homes to ultimately move to lower carbon heating sources such as heat pumps.

Tackling the climate crisis

The world is in a climate emergency and urgent action is needed by everyone. H&F Council declared an emergency in 2019, pledging to reduce its carbon emissions and meet net zero carbon by 2030. Since then global temperatures continue to rise, with 2023 the hottest year ever recorded, and 2024 on track to top this.¹² With rising temperatures have come increasingly frequent and severe impacts, globally and locally.

The largest source of greenhouse gas emissions in the borough is from our buildings, with 40% of the borough’s local carbon footprint coming from its homes.³ As the largest landlord in the borough, H&F Council has a key role to play in tackling this. Besides procurement, the council’s housing also represents the largest proportion of the council’s own organisational carbon emissions, as seen in Figure 1. A key pathway to achieving net zero will be upgrading these homes to be more energy-efficient, with low-carbon heating and hot water.

¹ [2023 was the warmest year in the modern temperature record | NOAA Climate.gov](#)

² [State of the climate: 2024 off to a record-warm start - Carbon Brief](#)

³ [London Energy and Greenhouse Gas Inventory \(LEGGI\) - London Datastore](#)

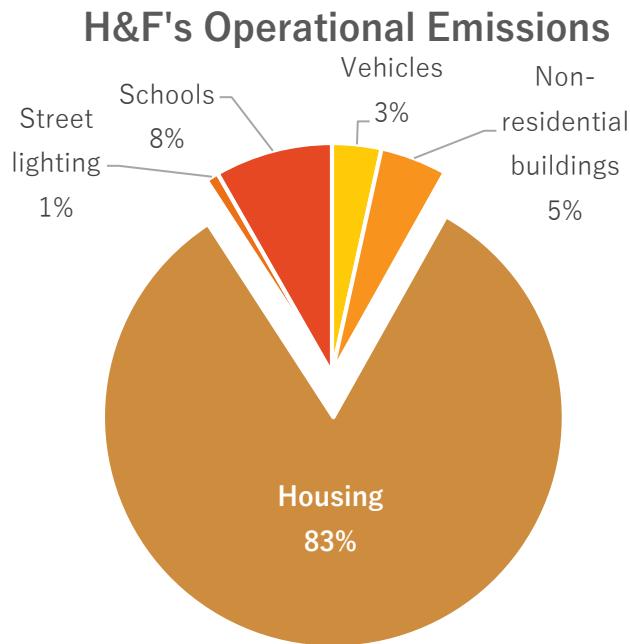


Figure 1. Split of H&F Council's operational carbon emissions⁴

In addition to reducing carbon emissions, we need to act to protect ourselves from increasingly frequent severe weather.

Due to our densely built urban setting our residents and buildings experience higher levels of risk. Most of H&F lies within flood risk zones due to the high levels of paved surfaces and lack of natural spaces for water to drain into. A forthcoming Climate Risk Assessment for the borough identifies extreme heat in housing as one of the most severe climate-related risks, with the density of buildings and dark surfaces meaning heatwaves are more intense and dangerous than in surrounding rural and suburban areas. Adapting H&F properties to be resilient in a changing climate is of growing importance. For example, heat related deaths hit their highest level in 2022 with over 4,500 people dying due to high temperatures.⁵

Tackling the cost-of-living crisis

The cost-of-living crisis has been acute, with inflation peaking at 11% in 2022, higher prices in London than beyond, and energy prices rising threefold between 2020 and 2023. Energy bills are a major outgoing and concern for residents. The cost of fuel increased sharply in the wake of the war in Ukraine, exposing the vulnerability of the UK to energy price shocks. Residents should be able to live in warm homes that they can heat affordably. Energy prices are unpredictable; using less energy puts money back in people's pockets and improves our resilience to any future crises. Retrofitting our homes with measures like insulation will help us achieve this.

⁴ Including the council's scope 1 and 2 emissions from its use of energy in buildings and vehicles it operates, plus emissions from housing where the council controls the building's fabric and heat source.

⁵ [Heat-related deaths in 2022 hit highest level on record in England | Extreme weather | The Guardian](https://www.theguardian.com/environment/2023/jul/10/heat-related-deaths-in-2022-hit-highest-level-on-record-in-england)

Healthy homes

We want our residents to be able to rely on their homes keeping them in the best of health. Cold homes, damp and mould, and poor ventilation combined with pollutants from cooking and other activities, can all take a toll on health. There is a strong relationship between cold temperatures and illness, including cardiovascular disease, respiratory illness, colds and flu, rheumatism and arthritis, and mental health.

With each 1C drop in temperature below 5C, GP consultations for respiratory illness in older people increase by 19%, and hospital admissions for Chronic Obstructive Pulmonary Disease (COPD), commonly linked with fuel poverty, are four times more likely to happen over winter.⁶ Countries with more energy efficient housing have lower excess winter deaths, which are almost three times higher in the coldest quarter of housing than in the warmest quarter.⁷

Retrofitting homes can address these issues, ensuring they can be kept warm affordably and are well ventilated, preventing cold and damp. Replacing our gas cooking and heating systems with low-carbon systems means residents breathe cleaner air inside and outside the home.

A challenging context for delivery

The context in which the council is delivering retrofit is challenging:

- Council budgets are not sufficient to fully decarbonise social homes unaided
- Inflation has hit construction hard, with costs at an all-time high
- Central government funding schemes have so far offered only a fraction of the funding required across the country's social housing and cover only a small portion of the true costs per home
- The funding has restrictive eligibility criteria that leave many homes in need
- A history of stop-start funding schemes has not given the retrofit market the certainty needed to invest in skills, leaving it under-resourced to meet the scale of delivery required
- There are cost implications and legal considerations for the majority of our buildings that include owner-occupying residents
- Delivering retrofit can be disruptive and the benefits for residents are not always widely understood

Retrofitting our housing requires innovative solutions to be brought forward by landlords, the market, and government. Challenges to be overcome include alternative funding models, solutions for hard-to-treat homes, planning restrictions, and approaches to leasehold properties.

⁶ National Energy Action, Under One Roof: [NEA-Under-One-Roof-FULL-REPORT-FINAL-Feb-19-1.pdf](https://www.underoneroof.org.uk/NEA-Under-One-Roof-FULL-REPORT-FINAL-Feb-19-1.pdf)

⁷ The Health Impacts of Cold Homes and Fuel Poverty: [Excess winter deaths and illness and the health risks associated with cold homes \(nice.org.uk\)](https://www.nice.org.uk/guidance/excess-winter-deaths-and-illness-and-the-health-risks-associated-with-cold-homes)

What is retrofit and how will it help?

Preventing homes from losing heat

Retrofitting means adding new components to an existing building. In the context of energy efficiency and net zero carbon this means adding components that make the buildings more energy efficient, generate or provide renewable energy, and make them well-adapted to our future climate.

H&F will take a 'fabric first' approach to retrofitting its housing stock. This means focusing first on reducing energy use with cost-effective interventions that insulate our homes and stop them losing heat as quickly. Focusing first on reducing heat demand reduces energy bills for residents, helps heat pumps operate more efficiently by smoothing peaks and troughs in demand, and supports national decarbonisation by reducing the additional demand placed on the electricity grid as a result of switching heating sources from gas to electricity.

Typical fabric energy efficiency measures include:

- Double glazing
- Loft insulation
- Floor insulation
- Cavity or solid wall insulation
- Draughtproofing

Every home is different, and the interventions for each will vary according to what's cost-effective and right for the property and resident.

Transitioning H&Fs heating source from gas to electricity is also needed to achieve net zero carbon. The UK's electricity is rapidly decarbonising, and heat pumps are suitable for most homes and offer a highly energy efficient source of heating by extracting renewable heat from the environment⁸. However further work is needed for the council to develop a viable strategic approach. Key actions are referenced in this document along with a decision tree to ensure any opportunities to upgrade buildings to low-carbon heat are not missed in the short term.

This approach allows us to reduce emissions, reduce residents' energy bills, and ready our homes for the transition to low-carbon heating. The benefits of this approach are:

1. Reducing carbon emissions from Hammersmith and Fulham's homes by reducing the amount of gas needed to heat them.
2. Reducing residents' energy bills.
3. Includes lower cost and cost-efficient interventions.

⁸ [UK Parliament POSTnote 699: Heat pumps](#)

4. Prepares buildings for low-carbon heat, which operates more efficiently when buildings are well-insulated.
5. Spreading the costs of decarbonisation.

Benefits of retrofit



Lower energy bills

By improving insulation and reducing energy demand, retrofit can reduce residents' energy bills and tackle fuel poverty.



Tackling climate change

Improving the energy efficiency of the building and heating via electricity will significantly reduce carbon emissions



Stopping damp and mould

By improving insulation and ventilation, retrofit reduces the risk of damp and mould.



Clean air

Transitioning away from polluting gas boilers and cookers improves health inside and outside the home. Measures such as green roofs can further improve local air quality.



Climate resilience

By adapting our homes to overheating, flooding, and drought risks as we retrofit, our residents and buildings will experience much lower risk from climate change impacts.



Building longevity

Measures such as insulation can reduce weathering and lengthen buildings' lifespans.

Figure 2. Benefits of retrofit

The benefits of retrofitting the council's stock are not only confined to reducing carbon emissions; it can also increase the standard of H&Fs housing, making them warmer, healthier and cheaper to run. H&F buildings also need to be adapted for a changing climate, such as rising summer temperatures. Retrofit measures can also make buildings more attractive, increase biodiversity, and provide more green space for people to enjoy. Three core benefits are outlined below.

Cost of living

Improving the energy efficiency of our homes is the most reliable and durable way to reduce residents' energy bills, ensuring that they are resilient to any future price volatility. Carrying out the interventions modelled for this strategy is projected to reduce the average heating bill from £433 to £291 per year.

Health

Retrofitting can help to tackle the strong links between cold, poorly ventilated homes, damp and mould, and poor health. Homes that are affordable to heat are less likely to present such issues. Studies have found that countries with more energy efficient

housing have lower excess winter deaths, and that these are almost three times lower in the warmest quarter of homes than the coldest quarter.⁹

Climate change

Retrofitting our council homes takes positive action on the borough's largest source of greenhouse gas emissions. Installing fabric energy efficiency measures will reduce our emissions by 6,971 tonnes CO₂e per year, with low-carbon heating and grid decarbonisation providing the remaining route to net zero carbon.

Our homes

Where we're starting from

H&F's 17,089 tenanted and leasehold properties are varied but can be separated into four main 'archetypes': houses, converted street properties, low- and mid-rise blocks, and high-rise blocks. These broad archetypes will be broken down into further typologies and analysed to guide a retrofit programme, a key next step in the action plan.

Archetype:	Houses	Converted street properties	Low and medium rise flats	High rise flats
<i>Number of homes:</i>	1,396	1,788	7,999	1,191
<i>Average EPC score:</i>	65	68	72	74

Our heating systems are less varied; the majority are individual gas boilers, while the rest are mostly communal heating systems, which are large gas boilers that serve a group of flats within a block or across multiple blocks.

Our homes have been built in different ways and vary in how energy efficient they are. Purpose-built flats in blocks are typically more energy efficient because they are more modern constructions that often have filled cavity walls and double-glazed windows, and share their walls with neighbouring properties, reducing heat loss. Older houses and converted street properties are the least energy efficient, because they often have uninsulated single-brick walls and single-glazed windows which lose a lot of heat in the winter.

The standard way of measuring energy efficiency is with SAP, the Standard Assessment Procedure: a government-approved method of determining the energy

⁹ The Health Impacts of Cold Homes and Fuel Poverty: [Excess winter deaths and illness and the health risks associated with cold homes \(nice.org.uk\)](https://www.nice.org.uk/guidance/ta47-health-impacts-cold-homes-and-fuel-poverty)

efficiency and environmental index of a building. It is based on a 100 point scale, with higher scores performing better. The outputs of SAP assessments are captured in Energy Performance Certificates (EPC) for individual homes. Across our whole stock our homes average a modelled EPC of grade C, SAP point 71.25.

A more specific measure for how quickly homes lose heat is space heating demand (SHD). It describes the amount of heat required to maintain the internal temperature at a comfortable level and is measured in kilowatt hours per meter squared per year (kWh/m²/y). The average across our stock is 76 kWh/m²/y.

These averages mask a variation in how energy efficient our homes are, and how much heating they require:

H&F building archetype	Heat demand (kWh/m ² /year)	Annual heating bill	Tonnes of CO ₂ e per year
Example Victorian house, single glazed	159	£755 (£8.07/m ²)	4.3
Example flat in 1970s tower block, double glazed	50	£288 (£4.05/m ²)	1.9

Table 1. Example homes owned by H&F and energy use

There are 3,500 H&F homes that are pre-1929 and 1,760 of these are in conservation areas. Pre-1929 homes are likely to be subject to restrictions by planners, and all homes in conservation areas will be subject to restrictions on what retrofit measures will be possible.

More information on our existing stock is in Appendix 3.

Making our homes warmer and more affordable to heat is not a new agenda to H&F. The council is already delivering energy efficiency schemes to its homes and is currently delivering a capital programme replacing old and leaky windows, doors and roofs. Recent pilot retrofit projects include:

- Innovative 'deep retrofit' of non-traditional houses on the West Kensington Estate
- Large scale insulation to blocks on the West Kensington estate
- Incorporating energy efficiency measures into our wider capital programme, with 3,214 measures including new windows, doors, roofs, wall insulation and loft insulation installed in 1,546 homes in the past 2 years
- Hybrid heat pumps for 10 sheltered housing schemes.
- Domestic air-source heat pumps for flats
- Feasibility studies for large scale heat networks in our estates

Where we want to get to

Fabric energy efficiency

We will take a 'fabric first' approach to retrofitting our homes, installing cost-effective measures that reduce heat demand before installing low-carbon heating.

Based on modelling of energy efficiency measures for our homes and guidance including the Retrofit London action plan, we aim to insulate properties to achieve a space heating demand of **64 kWh/m²**. This is considered a ‘sweet spot’ balancing ambition and deliverability, and is suitable for heat pump installation. Some homes already meet this, and the target may be higher or lower in practice for some homes depending on the constraints of each home. Applying energy efficiency measures to achieve this target across our stock is estimated to achieve the following benefits:

	Average heat demand (kWh/m ² /year)	Average annual heating bill	Average tonnes of CO ₂ e per year
Our homes now	76	£433.39	1.79
Our homes after retrofit	49	£291.44	0.07*

*after installing low-carbon heating

Table 2. Energy use improvements from retrofit in H&F homes

Some measures are more cost effective than others. Loft insulation, for instance, is cheaper and has a faster pay-back through bill savings. Some other measures such as solid wall insulation have a higher upfront cost. We aim to reach net zero in the most cost-effective way that is also right for our residents, installing fabric measures where these are the least cost approach to decarbonisation, but prioritising investment in decarbonising heat where the cost per tonne of carbon saved is significantly lower than installing further fabric energy efficiency measures. This will take into account both the cost to H&F and the energy bill implications for residents, and fabric measures will be installed before or at the same time as new heating systems so the systems are not oversized in future.

Low-carbon heating

Upgrading to low-carbon heating is needed across our stock to meet net zero, with electrification of heat being the most evidenced and efficient solution. Heat pumps are expected to be the preferred technology as they use energy highly efficiently. District heat networks, in which heat is shared between buildings in densely populated areas, are likely to play a significant role in the medium term; more information on this can be found in our Cross-Borough Energy Masterplan¹⁰.

Transitioning homes to low-carbon heating at scale across the council’s stock is extremely challenging. Low-carbon heating faces high capital costs with limited grant funding currently available. Installation can be limited by electrical grid capacity. The current high ratio of electricity-to-gas prices means that, although heat pumps are much more efficient than gas boilers, homes must be sufficiently insulated to avoid higher energy bills. A low-carbon heat strategy will be developed as part of the action plan attached to this strategy (see separate document).

Although this strategy focuses on fabric, we will pursue opportunities to install low-carbon heat immediately where possible. A decision tree for properties with domestic (individual) boilers has been developed that will be followed to ensure these projects

¹⁰ [Cross-borough energy masterplan | London Borough of Hammersmith & Fulham \(lbf.gov.uk\)](https://lbf.gov.uk/cross-borough-energy-masterplan/)

are captured (Appendix 6). Communal boilers, due to their size and the typically lower space heating demand of blocks, can be suitable for replacement with low-carbon heating now. Opportunities to upgrade these boilers to low-carbon heat are being explored and progressed, with the budget to replace these currently covered within the Climate Emergency fund (see finance section below).

Renewable Energy

Installing solar panels and battery storage has the potential to reduce carbon emissions, residents' bills, and reliance on the grid. The technology is complementary to electrification of heat and electric vehicle charging and offers a good return on investment. Opportunities to install solar panels will be considered on a case-by-case basis, taking account of the level of opportunity provided by the roof space, the electricity demand of the site, and any planning constraints. Opportunities for alternative financing models that provide energy bill savings to residents and payback to the council's investment will be explored for this technology.

Adapting to a changing climate

We need to adapt our homes to protect both the council's residents and the rest of the borough from flooding, overheating, and drought. Retrofit offers an ideal opportunity to install climate adaptation measures. These include nature-based solutions like green roofs, and non-nature based solutions like external shutters and window tinting to reduce impacts of overheating. Reducing leaks and water consumption in homes supports the resilience of our residents and London more widely to drought.

As part of our capital programme we will conduct overheating assessments (TM52 Thermal Comfort Survey) on each property. We will incorporate recommendations into project design as appropriate, and consider opportunities to:

- Disconnect downpipes and reroute stormwater to nearby green spaces.
- Install green roofs
- Install cool roofs where green roofs aren't structurally feasible.
- Install rainwater harvesting systems in gardens.
- Install solar shading (e.g. brise soleil)

Embodied carbon and the circular economy

This strategy focuses mainly on reducing the 'operational' greenhouse gas emissions of our homes, which means those occurring because of our residents' energy use. 'Embodied' emissions look beyond this at the emissions associated with physical products, in this case those associated with retrofit such as insulation boards and new windows. This includes emissions from extraction of materials, manufacturing, transport to site, and energy used to install them.

The high embodied carbon of construction is one reason why retrofitting rather than rebuilding homes is a positive move for climate change. However, H&F acknowledges the impact of embodied carbon even in these projects and will

develop a plan to reduce embodied carbon emissions in retrofit and other capital projects.

The ‘circular economy’ describes a range of approaches to reducing embodied carbon and wasteful use of materials. These include repairing what we already have, reusing and recycling existing materials, and sharing rather than individually owning resources (such as a car-sharing scheme).

H&F has a low-carbon procurement policy and sustainable supplier charter, which requires all H&F contractors to make reasonable efforts to improve the sustainability of their practices, including through minimising waste and promoting the circular economy. H&F also has schemes such as the reuse of furniture scheme when properties are void. The Asset Management team will continue to commit to circular economy principles in line with H&F’s climate and ecology strategy, and embed these with contractors.

For example, solar panels are typically guaranteed for 20-25 years, with a shelf life of more than 30 years, and contain rare metals. Opportunities to reuse panels removed from H&F assets before their end-of-life will be followed to ensure they are not recycled or otherwise disposed of by default. Where financial circumstances challenge this, the Asset Management team will consult with the Climate and Ecology team before any decision on disposal.

The journey to retrofit each home

The overarching steps from now to completed retrofits to each home are:

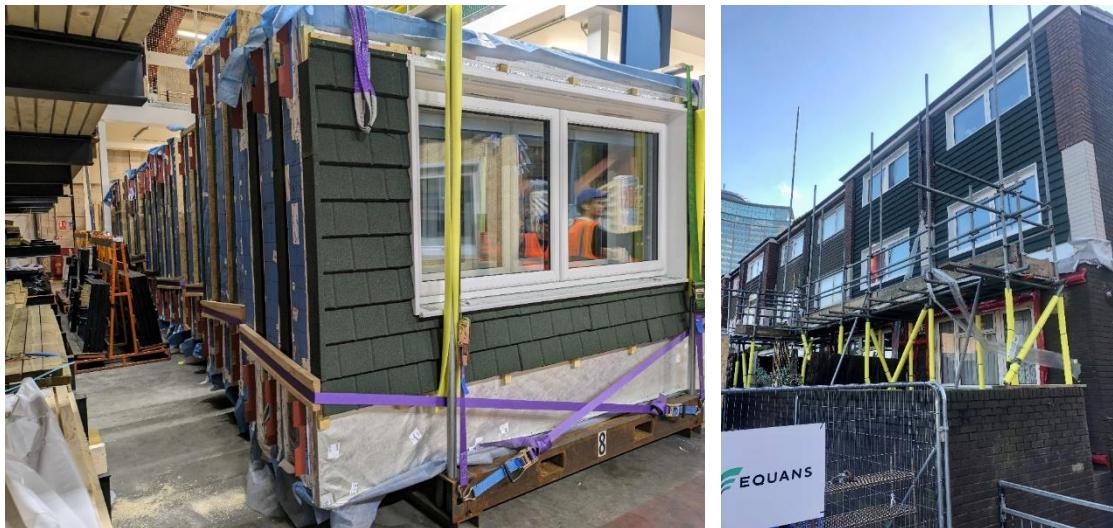
1. This retrofit strategy sets out our guiding approach
2. Stock condition surveys and our asset management strategy define which properties and works will be prioritised in each 5-year capital programme
3. In collaboration with residents, each property is surveyed to assess the right retrofit measures to install
4. Necessary ventilation and fabric energy efficiency measures are installed first
5. Low-carbon heating and renewable energy measures are installed alongside or after necessary ventilation and fabric measures
6. On completion residents are supported to get the most out of their newly upgraded, energy-efficient home

Pilot projects

H&F has completed early and pilot projects across various aspects of retrofit, as well as incorporating energy efficiency measures into its wider capital programme.

The Energiesprong ‘deep retrofit’ pilot in the West Kensington estate involved designing and off-site manufacturing bespoke external wall panels for 11 of our homes, which were then craned into place (see picture). These provide a warm envelope to the home, significantly reducing the need for heating, and are supplemented with loft insulation, solar panels and heat pumps to provide efficient, low-carbon heating. This was an innovative project part-funded by central government and undertaken as a partnership with the GLA and other boroughs. The result is warm, sustainable homes, and the project has provided the council with

valuable learning around delivering challenging retrofit projects, which will be carried into our future projects.



Bespoke insulated external wall panels with integrated windows for the West Kensington Energiesprong pilot, off-site in the factory and being installed.

Energy efficiency measures have also been incorporated into our mainstream housing capital programme. In the previous 2 years of the programme 1,546 homes received energy efficiency measures of various kinds, resulting in an estimated 390 tonnes of CO₂e being saved per year. An example is the West Kensington estate towers, which will benefit from a new energy efficient roof, cavity and external wall insulation, windows and enhanced ventilation to ensure good air quality and avoid damp.

Heat pumps have been installed in 9 communally heated blocks, currently operating alongside back-up gas boilers. As fabric energy efficiency measures to these blocks progress these can be moved over to be fully served by heat pumps.



Heat pumps in place in communally-heated blocks

The business case for retrofit

Retrofit can be complex and expensive, however there are multiple benefits and co-benefits. Many of these are touched on in the strategy, however quantifying them is not always straightforward. Areas such as impact on health and wellbeing are

priorities for the council and exploring ways to measure the impact and embedding them into the retrofit business will be important to justify ongoing investment.

Delivering retrofit

Having reviewed different approaches, H&F will focus most of its resources on methods that can deliver retrofit at a larger scale.

Services

The following services are involved in delivery:

Capital Delivery:

H&F's capital delivery function delivers various large scale capital projects according to the strategic needs of the community, council and housing stock. Retrofit projects are already being progressed through our capital programme, and retrofit will become a core function of the capital delivery team in order to deliver the first stage of upgrading the fabric. All capital projects will identify and progress retrofit opportunities, and the capital programme will be developed to support this strategic aim of the council.

Mechanical and Electrical team

The Mechanical and Electrical team (M+E) are responsible for managing the primary heating source in H&Fs housing. The Asset Management team will work closely with M+E to analyse heating needs on a case-by-case basis, using the decision tree reference in annex 2, and ensure that sites that are due for heating upgrades are prioritised for fabric retrofit.

Voids and Repairs

Retrofitting a vacant property presents an opportunity to carry out measures that would be disruptive while occupied. While purpose-built flats will generally need to be treated in a planned programme block-by-block, the voids process presents an opportunity for upgrading street properties, which need to be treated individually. Voids can also facilitate the move towards decarbonisation by updating the 'lettable standard', for instance to encourage moves towards electric cookers.

Whilst the repairs' function will not be a primary vehicle for upgrading the stock it can support decarbonisation through minor measures such as insulation to pipework, and energy efficient fittings such as low flow taps. The new repairs contract is due to be procured in 2025, and the asset management and climate teams will work with the repairs and procurement teams to understand what can be included.

Retrofit programme

Retrofit will be a core objective of our asset management strategy and capital programme. Two main approaches to delivering retrofit at scale are likely to be considered:

1. **Area-based approach.** Buildings will be prioritised in the capital programme based on a range of investment needs and retrofit will then be incorporated and applied to homes in this geographical area. This ensures investment is focused on buildings with the greatest need, helps with engaging residents, offers efficiencies from being based on one site, and can be aligned to local area energy planning along with other strategic priorities.
2. **Archetype-based approach.** This would focus delivery in sequence on different building archetypes such as pre-1919 solid wall houses or cavity wall blocks of flats. This allows less challenging archetypes to be addressed first, common solutions to be procured and rolled out at scale, and learnings from early projects to feed into subsequent ones.

Both approaches hold open the option to explore offering retrofit to local residents in other tenures. When the council is delivering a retrofit scheme for a particular archetype of neighbourhood, private homeowners in the area and in similar archetypes could be offered retrofit at cost. The benefits of this would include economies of scale, the possibility for it to be community led and more opportunities for joint funding.

Enabling Retrofit

Retrofit can be complex. As well as a clear approach and delivery mechanism several areas will be key to ensuring that it can be delivered to the time and scale required.

Finance

Retrofitting often involves substantial initial investment but can lead to cost reductions over time, as well as long-term durability of the stock and meeting the organisation's strategic objectives.

We are delivering retrofit in a challenging financial environment. Out of an estimated £100bn needed for social housing decarbonisation nationally, only £3.8bn has been committed to date by central government.

At the time of writing this strategy the council had made a strategic financial commitment of about £197 million up until 2032 that could contribute toward decarbonisation.¹¹ The current estimated cost of fabric retrofit, plus converting existing communal heating systems to heat pumps, and installing solar panels is £132,160,561. Further funding will be needed for the remaining conversion of gas boilers to low-carbon heating.

¹¹ In 2021 a strategic 'Capital Ask' paper was approved by Cabinet that lasted until 2032. This included £106.5 million for climate works, £70million for windows, £10million for communal boilers and £50million for White City, of which £11million was estimated for climate upgrades.

A breakdown of cost assumptions in the strategy is included in Appendix 5.

Given the current shortfall of funding when full heat decarbonisation is considered as well as fabric retrofit, it is necessary to keep exploring new financial models. As well as using the council's capital budget and bidding for grant funding, we will evaluate opportunities from public-private partnerships, competitive financing sources such as loans and bonds, and income from installing renewable energy.

Leaseholders

Leaseholders make up about 28% of H&Fs housing stock. Given the high costs of retrofit it is critical that costs are distributed fairly and leaseholders understand why they are being charged. Undertaking extensive resident engagement, communicating the overall goal of the strategy and its benefits will be crucial to achieving this goal.

The average cost per home for fabric upgrades is £6,488 based on modelling of our stock with software. It is important to note that this is an average, including some properties where minimal fabric retrofit is needed and some harder to treat properties where costs will be higher. These costs may change as there is high inflation in construction costs at present, with some quotes for projects coming back higher than estimated.

H&F recognise that charging leaseholders these amounts may place a financial burden on the leaseholders, and that leaseholders renting their property out could transfer these costs through increased rent. The council will ensure leaseholder costs for energy efficiency measures are reasonable, with these being approached on a case-by-case basis.

Resident engagement

Early, clear, and continuous engagement with residents will be a key part of delivering the strategy. Retrofit has a wide range of benefits and communicating these to residents will be essential to gaining the buy-in needed for successful delivery. Works can be disruptive, so we will engage with residents transparently to be clear on what they can expect and when.

This will involve general communication to all residents to promote the benefits, and project-specific communication.

Planning

Collaboration with the H&F Planning Team will be an integral part of the successful delivery of this strategy. Many homes are likely to be subject to restrictions on what interventions are possible, including historically and aesthetically important building types and all homes in conservation areas.

H&F has published a [Climate Change Supplementary Planning Document](#) (SPD). The SPD offers guidance to developers, planning officers, landowners and homeowners when preparing, assessing and reviewing planning applications, including for retrofit.

Further work will include:

1. **Develop a retrofit planning guide:** Aligned closely to the archetype approach, guidance will be developed around the types of windows, insulation, ventilation, and low-carbon heat and energy can be installed on chosen buildings.
2. **External Wall Insulation (EWI) case studies:** EWI can play a key role in reducing heat demand across our blocks, but poses challenges in terms of conservation. Work will continue with the Planning Team to find EWI solutions that meet planning requirements and allow wide-spread adoption of EWI systems.

Data management and smart technology

Good quality data is paramount in retrofit projects, enabling well-informed decision-making on which areas and buildings to prioritise, which measures to apply, what challenges and considerations must be taken into account, and ongoing maintenance needs.

H&F currently have an ongoing programme of stock condition surveys that collect key information on the condition of each building's components. We use an energy assessment tool to identify retrofit works needed and track progress on emissions reductions.

Energy efficiency retrofits can suffer from a 'performance gap' between expected and realised energy savings. Ongoing performance monitoring will allow evaluation of energy efficiency, environmental benefits, and the overall effectiveness of the retrofit measures. We will explore smart technology tools to support this work and help us understand the needs of our homes and residents in general.

Metrics for the performance of our homes can be found in Appendix 4.

Procurement and the supply chain

The council will be a significant purchaser, enabler and provider of housing decarbonisation work. This gives an opportunity to use procurement strategically in shaping the market, building supply chains for the future and working with partners to build the local skills base. Additionally, this can support supplier confidence through a 'pipeline' of work that give medium-term certainty for private sector investment decisions, supporting the consumer-oriented market that is needed.

Industrial strategy

This retrofit strategy aligns with the goals of H&F's [Upstream](#) Industrial Strategy by fostering economic growth, innovation, and sustainability within the borough. Investing in upgrading our housing stock stimulates local economic activity and creates jobs in high-growth and high-innovation sectors including low-carbon construction and renewable energy. These are areas of new development and

research by anchor institutions such as Imperial College and start-ups in the borough, and the council will develop opportunities for collaboration.

PAS 2035 Retrofit Specification

PAS 2035 is an approach and specification for retrofit that considers the requirements of the whole building, from the perspectives of technical requirements and occupants' health and comfort. It aims to avoid unintended consequences of poorly designed or installed retrofit. The PAS 2035 approach has been shown to reduce the risk of unintended consequences in retrofit projects.

H&F will embed PAS 2035 into its retrofit operations, to be decided on a case-by-case basis according to the complexity and combination of measures involved. For instance:

- Simple project not requiring PAS 2035 – solely upgrading the windows on a block.
- Complex project requiring PAS 2035 – the exterior of the block is insulated, along with new windows and loft insulation.

Action plan

An action plan has been co-developed between the relevant delivery teams within H&F, outlining the projects and actions needed to meet the targets and agreements outlined in the strategy- see Appendix 2. The actions are assigned to one or multiple teams within H&F. The action plan will be updated quarterly to track progress and highlight risk areas. The plan remains live and can be amended with approval of Asset Management and affected teams.

Key workstreams

With the development of this strategy and action plan, various priority workstreams have been identified in the short term that will be integral to the delivery and success of the strategy and its goals. The workstreams are as follows:

- 1. Develop low-carbon heating strategy.** Further work is needed around developing an approach to transition H&Fs properties away from fossil fuels.
- 2. Determine which communal boiler sites can be upgraded to low-carbon heat immediately.** Feasibility studies will need to be undertaken as soon as possible to identify the sites that can be upgraded.
- 3. Continue to undertake low-carbon heat pilot projects.** Continuing to develop the organisation's knowledge and understanding of different technologies and solutions for low-carbon heat will be important in the lead up to 2028. A clear, scalable solution will be needed for each archetype that can be rolled out at pace.

4. **Develop archetype approach and agree retrofit programme.** Work to further investigate the array of archetypes found in H&F's housing stock must be completed, assigning the range of retrofit works most likely to be applied to each archetype, allowing a full programme of works to be developed, costed and delivered.
5. **Develop a climate adaptation plan for the councils housing.** Overheating assessments, flood risk assessments, and adaptation measures are all relatively new to H&F's delivery process. Thus, it will be integral to develop a more detail action plan and costed action plan that can be delivered.
6. **Review planning policies and procedures.** Planning constraints pose a large barrier to wide-spread retrofit. It will be key to collaborate with the Planning Team to develop a set of guidelines and amend policies to enable retrofit while also respecting and maintaining the aesthetics and heritage elements of our housing.
7. **Develop in-depth resident engagement plan for retrofit works.** Residents are at the heart of this strategy and will be most impacted by retrofit works. Developing an in-depth resident engagement strategy will be key in ensuring residents are brought along the retrofit journey from the beginning.
8. **Continue to develop the business case around retrofit.** Retrofit can be expensive and complex. However, when it is done correctly there are many benefits, some that are challenging to quantify such as impact on health. Continuing to develop this understanding will be key in unlocking more resources.

Governance

Governance for the strategy plays a pivotal role in orchestrating its success. Key aspects of governance in this context include ensuring key objectives and metrics are followed as well as, allocating resources effectively, engaging stakeholders, and ensuring compliance. Furthermore, an inclusive and transparent approach fosters collaboration among various stakeholders to ensure that retrofit projects align with broader organisation goals. With that in mind a Retrofit Board will be set up to govern the progress of the strategy.

Appendix 1: Values and principles

Council Values

The development of this strategy has been guided by the councils core values and will continue to be guided by them.

Creating a compassionate council. Improving the safety, wellbeing and comfort of our residents is at the heart of this strategy. Improving the quality of our housing and its ability to protect our residents, especially considering our most vulnerable residents, is what drives this work.

Building shared prosperity. Retrofit projects will grow the economy with more jobs and training in green fields such as insulation and solar panel installation, as well as increasing the lifespan of our existing assets, making the most of the Council's budgets and doing so with our people and planet in mind.

Doing things with residents, not to them. Tenants and leaseholders have both inputted into the strategy and will continue to be involved as it progresses. Retrofit projects will involve residents from the start and a thorough engagement strategy is identified as a key action succeeding this work.

Taking pride in Hammersmith & Fulham. Retrofit not only improves energy efficiency and resilience in our homes, but also improves the look and feel. These projects will bring buildings up to a higher standard, giving all residents of H&F a nicer place to live and take pride in.

Rising to the challenge of the climate and ecological emergency. This strategy outlines how H&F will deliver on reducing emissions from the councils housing stock which accounts for over 85% of the council's operational emissions.

Being ruthlessly financially efficient. Financing retrofit poses a great challenge, and the programme will be built around value for money and maximizing grant funding availability. The strategy also prioritises an approach that is financially sustainable for the organisation given the high cost of decarbonising the stock.

Strategy Principles

The strategy will also follow a set of principles that will guide decision.

Just transition. The impacts of climate change and inadequate housing often fall disproportionately on the vulnerable. This strategy aims to ensure that action taken is equitable, taking action to protect the most vulnerable first, and bringing all residents to a comfortable standard of living.

Wider environmental benefit. While this strategy's actions focus on reaching net zero carbon by reducing carbon emissions, they also aim to increase biodiversity by increasing green spaces, improve air quality by removing polluting heating systems, and reduce the impacts of climate change through adaptation measures.

Ambition. H&F must remain ambitious when it comes to decarbonising and adapting the stock. Whilst the organisation can only work within the confines of its resources, continuing to push for new, more effective ways of achieving net zero will be critical to achieving the goal.

Innovation. The climate change retrofit industry is still in its infancy. Continuing to innovate not only with technology but the strategic approach will be critical to ensure the stock is decarbonised in the most effective way for everyone.

Partnership. Collaboration within the council and with our external partners, residents and wider communities will be integral to the successful delivery of this strategy.

Resilience. Retrofit is complex and there will be ongoing challenges at strategic level but also on the ground. Remaining resilient to these challenges may be the most important principle of the strategy.

Appendix 2: Context for the strategy

Strategy development

Industry consultants Turner & Townsend were appointed in 2022 to undertake an assessment of the stock and give recommendations on the best strategic approach, along with high-level cost estimates. This was using a housing stock assessment tool, which can model the impacts of different retrofit measures on our buildings' energy use and carbon emissions. The results of the analysis were then brought into a series of workshops with departments across the Council. Following this a strategic pathway was agreed by senior council leaders which forms the foundation of this document. It should be noted that given the changeable landscape in relation to retrofit including finance, technology, and government policy it has been decided to keep this strategy a live document. Remaining agile is likely to be critical to achieving net zero emissions in the most efficient way.

National policy context

The development of this strategy is aligned with various national policies, global agreements and UK legislation. The key drivers are listed below:

- **The UNFCCC Paris Agreement** Its central aim is to keep global temperature rise this century to well below 2°C above pre-industrial levels and to pursue efforts to limit the temperature increase to 1.5°C.
- **Climate Change Act 2008** Requires the Secretary of State to ensure that the net UK carbon account for the year 2050 is at least 100% lower than the 1990 baseline.
- **Government's Industrial Strategy** With clean growth at its heart, one of the 'Grand Challenges' driving it is to halve the energy use of new buildings by half by 2030.
- **Heat and Buildings Strategy** Launched in October 2021, it drives to make buildings more energy efficient, perform better, be healthier and more comfortable to occupy and live in. It calls for a systemic change in the way building performance is improved, leaning on the "no- and low-regrets" pathways mentioned in the retrofit quality standard PAS2035, which lead to a fabric-first retrofit approach.
- **Net Zero Strategy: Build Back Greener**, sets out policies and proposals for decarbonising all sectors of the UK economy to net zero by 2050. Section 3iv focuses on the way we heat and power our buildings and their decarbonisation plan.
- **The UK Environment Bill** Published in 2020, this bill inspired an ambitious package of measures to address the urgent need for greater natural preservation and recovery to adapt and mitigate climate risk.
- **Energy Act 2023** sets out a framework for urban areas to develop heat networks, and for the country to move to low-carbon heat sources.

Aligning with current H&F and local policies

H&F Council have already produced various strategies that address the wide range of issues presented. Additionally, there are various local London policies that guide retrofit action. This work is linked to these existing strategies and will further strengthen the Council's. The Asset Management Strategy is also being updated of which this strategy will also form a critical part. The latest version of this is now being updated following completion of the council's recent 'compliance' strategy.

- **[H&F Climate and Ecology Strategy](#)** Outlines an objective for Council-housing: *"Put in place and implement whole house retrofit plans for all council homes to achieve net zero, that include adaptation measures".*
- **[Fuel Poverty Strategy](#)** - In 2023, the Council published the H&F Fuel Poverty Strategy, aiming to tackle the cost-of-living crisis and increasing energy prices while also making progress on the climate emergency and net zero carbon goals. Retrofit is identified as a key solution to support achieve the strategic aims.
- **[H&F Housing Strategy](#)** Specific objective surrounding sustainability in housing: *"All homes should satisfy London Plan policy on sustainability design and construction and make the fullest contribution to the mitigation and adaptation to climate change".*
- **[H&F Air Quality Action Plan](#)** Aims to *"reduce emissions at source – through [...] controlling emissions from building and construction sites".*
- **[The London Plan](#)** Notes that London's existing domestic buildings contribute 36% of the region's CO₂e emissions and mandates that borough *"develop policies and proposals regarding the sustainable retrofitting of existing buildings".*
- **[Retrofit London Action Plan](#)** Launched in 2021, providing a detailed, cross-tenure approach to retrofitting London's 3.7 million homes to EPC B or equivalent by 2030. It sets out actions that can be taken forward, along with proposed metrics – including overall carbon emissions, space heating demand and energy use.
- **[Clean Heat Masterplan](#)** – This piece of work identifies potential 'heat networks' around the Hammersmith and Fulham. Heat networks will be a key approach to decarbonising heat around the borough.
- **[H&F Corporate Plan](#)** - This Corporate Plan for 2023-26 describes how we will work with our residents, businesses, voluntary and community sector and partners to rise to the challenges of our time. Net zero by 2030 is a key goal and retrofitting housing is a key action within this.

Appendix 3: Further stock analysis

As an inner London borough, the council has a varied housing stock and therefore there is no ‘one-size fits all’ solution. There is also a high amount of conservation areas where strict planning rules apply. Some buildings due to their age will require deeper retrofits, whereas the more modern buildings may only require a lighter touch. Understanding H&F’s stock, its environmental performance, and the required finance to upgrade it is therefore critical in developing a strategic approach.

Archetypes and approaches to retrofit

There are 17,089 properties within H&F’s council-housing stock. Of these, 12,375 are social housing properties and 4,723 are leasehold properties. Leasehold properties make up about 28% of H&F’s housing stock and are predominantly in converted street properties and low/medium rise blocks.

The split of properties across four main archetypes is depicted in Table 3. These will be broken down further to guide a retrofit programme.

Archetype:	Houses	Converted street properties	Low and medium rise flats	High rise flats
<i>Number of homes:</i>	1,396	1,788	7,999	1,191
<i>Average EPC score:</i>	65	68	72	74

Table 3. Archetype split across council-owned housing stock (not inc. leaseholders), current EPC scores

There are 3,500 H&F homes that are pre-1929 and 1,760 of these are in conservation areas. Pre-1929 homes are likely to be subject to restrictions by planners, and all homes in conservation areas will be subject to strict restrictions, reducing the level of retrofit that will be possible.

As can be seen in Figure 3 and Figure 4, the energy efficiency and emissions associated with each archetype vary.

The total annual emissions from H&F’s stock are 30,159 tonnes of carbon dioxide equivalent (tCO₂e), of which our tenanted properties make up 72%. The majority (62%) of emissions are from low and medium rise flats, followed by converted street properties (19%), houses (14%) and high-rise flats (5%). The highest average emissions are from houses at 2.94 tCO₂e per home, compared to high rise flats with the lowest average emissions of 1.20 tCO₂e per home.

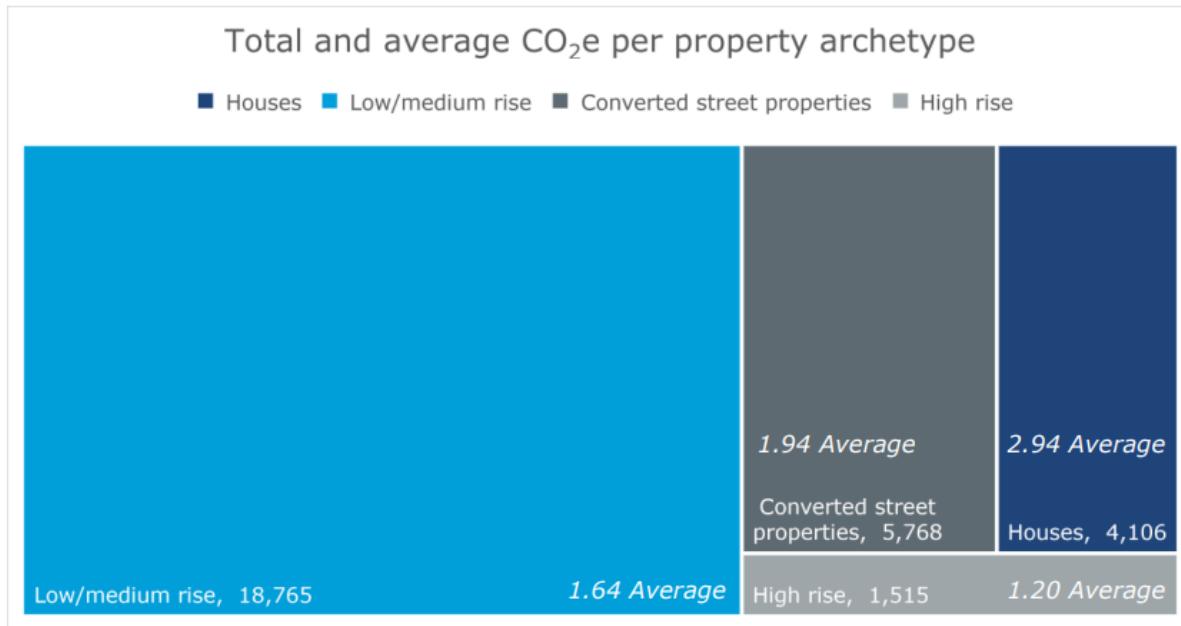


Figure 3. Tonnes of Co₂e per property archetype

The houses and converted street properties are the worst-performing properties in our stock. This is because they have single-brick walls that are uninsulated, as well as many of them having single-glazed windows, which cause the building envelope to be very leaky, losing a significant amount of heat in the winter. Our block properties (low-, medium-, and high-rise flats) are better performing in terms of energy efficiency because they are more modern constructions that often have cavity walls and double-glazed windows. Also, since flats in blocks share most of their walls with neighbouring properties, there is less heat loss.

Figure 4 shows that the average EPC across our stock is 71.25, which is a low C and the average space heating is 76kwh/m²/y, but that this differs significantly by archetype.

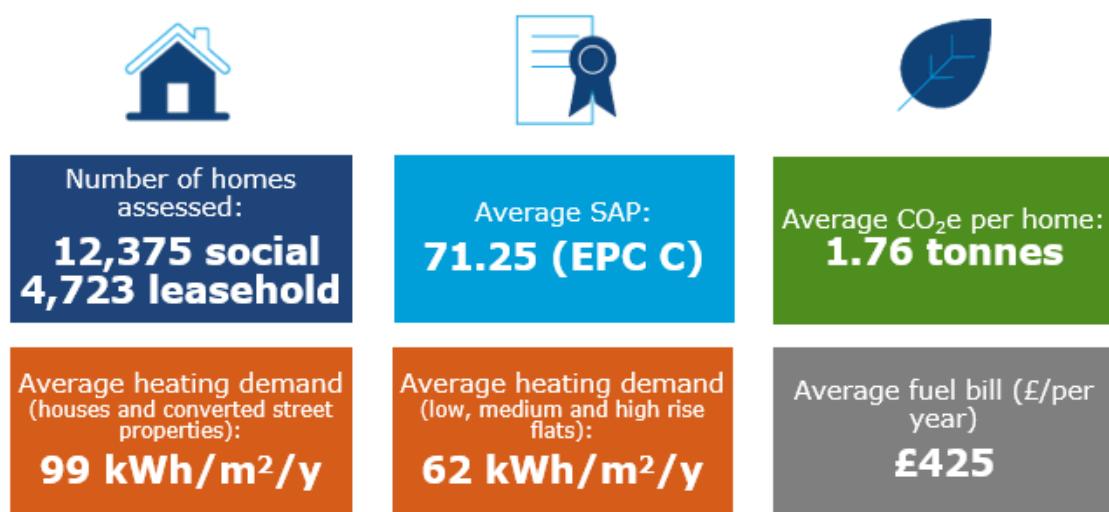


Figure 4. Summary of modelling results across H&F housing stock

With several types of buildings in our housing stock that have varying constraints, a range of energy efficiency targets is required. An archetype approach will be developed further, breaking our stock into common construction types, and identifying what retrofit measures and space heating targets may be applicable for each. This will support the development of a long-term capital works programme. An example of the different approaches to retrofit is outlined in Table 4; the final archetype approach will be more detailed.

	Deep retrofit	Good practice retrofit	Constrained retrofit
Space heating demand target (kWh/m²/y)	20-25 (EnerPHit standard).	64 (London Retrofit Action Plan 'sweet spot').	90-120 (see commentary below).
Overview	<p>Exemplar level of retrofit. High attention to detail on air tightness, removal of thermal bridges, and low U-value insulation.</p> <p>The benefits of this approach are that it reduces the need for a larger heat pump and in smaller homes direct electric maybe feasible.</p> <p>However, it is more costly and more disruptive whilst works are underway.</p>	<p>The recommended sweet spot between deep retrofit and constrained. This should be the default position for projects.</p> <p>This comes at a reduced cost, whilst being effective for heat pump installation.</p>	<p>Lower ambition of heat demand reduction. Should only be pursued where there are several constraints, e.g. conservation area heritage properties with limited internal space. Focus on air tightness, new windows, floor and loft/roof insulation.</p> <p>This will maintain the character of the heritage building and does not limit space internally.</p>

Table 4. Approaches to retrofit

Heating and hot water systems

Figure 5 shows that the majority of heating systems are individual gas boilers. The rest are mostly communal heating systems, which are large gas boilers that serve a group of flats within a block or across multiple blocks.

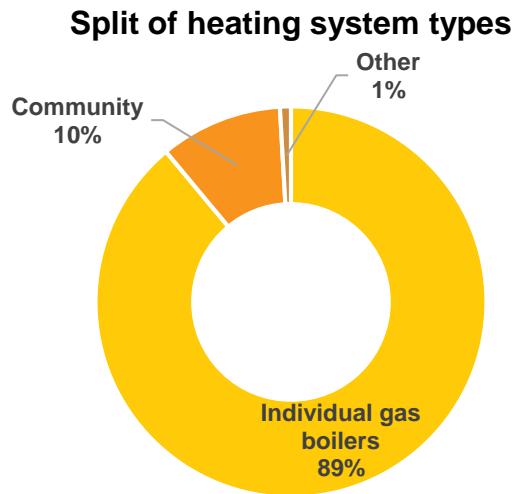


Figure 5. Split of heating system types across H&F housing stock

Climate vulnerability

Within the stock analysis, the level of climate risk our residents and council homes face currently and in the future was assessed. These risks involved overheating risk, flood risk, and drought risk.

Around 90% of existing homes in the UK are predicted to overheat in a 2C global-warming scenario¹². Overheating poses a great health and comfort risk to all residents, increasing instances of heat-related illnesses and deaths, but especially for our more vulnerable residents. Overheating in homes can be mitigated through two main areas: property-specific works that increase controllable ventilation and minimise unwanted solar gains, and borough-wide works that increase green-spaces and thus minimise the Urban Heat Island (UHI) effect. All homes, when developing the retrofit plan, will be assessed for thermal comfort and overheating mitigation measures that can be applied.

As mentioned, most of H&F is under some level of surface water flooding risk. Surface water flooding is caused when rainfall water cannot be absorbed by the ground or by drainage infrastructure. Among our Council-owned homes, there are 422 properties at high risk of surface water flooding, and 1,048 properties at medium risk of surface water flooding. These properties, when developing the retrofit plan, will be assessed for flood risk mitigation measures that can be applied. These measures range include disconnecting downpipes and re-routing flow to nearby green spaces or sustainable drainage solutions (SuDS), green roofs and blue roofs.

Drought is projected to be a growing problem, with summer rainfall projected to decrease by 12.4%-17.7% by the 2050s compared to the 1981-2010 average, which may lead to drought conditions. Actions may be required to reduce the impact of drought such as hosepipe bans within public residences and possible supply disruptions which can have an impact on sanitation. Low water pressure brought about by drought is likely to have worse impacts on supply to residents on higher

¹² [Addressing overheating risk in existing UK homes ARUP report \(theccc.org.uk\)](http://theccc.org.uk)

floors of tall buildings. Drought conditions can also result in subsidence, especially in the clay-rich soil common across London. Currently, in England, 142 litres of water per person are used every day¹³. Given this, the Royal Institute of British Architects (RIBA) recommend that water consumption is reduced to 95 litres per person per day by 2025 and to 75 litres per person per day by 2030. H&F will aim to reach these targets through the water efficiency strand of the Retrofit Strategy Action Plan.

¹³ <https://www.waterwise.org.uk/save-water/>

Appendix 4: Measurement

Key metrics are essential for evaluating the success and effectiveness of a retrofit strategy. These metrics help measure progress and ensure that objectives are met.

Stock level metrics

Metric	
Average space heating of the stock (kWh/m ² per year)	Main council metric for tracking progress against efficiency of stock and ability to install low-carbon heating. Also supports with fuel poverty.
Average EPC (SAP) rating of the stock	Key government metric used for grant funding.
% reduction carbon emissions of stock	Used to track environmental progress against timeline.
% of the stock retrofitted with fabric measures	Used to track progress against timeline
% of stock retrofitted with adaptation measures*	Basic metric to track progress on adaptation*

**Whilst adaptation will be monitored it is expected more detailed metrics will be introduced once an action plan is developed.*

Table 5. Stock-level metrics

Individual building metrics

To deliver at a stock level, metrics are also needed at a building level. These will be further refined as the archetype solutions are more clearly understood. Table 6 shows a breakdown of the metrics.

Target area	Unit/KPI	Description
Space heating demand (SHD)	kWh/m ² /year	H&F's space heating target which was modelled in Portfolio is 64 kWh/m²/y. This can go up and down depending on constraints and challenges of different archetypes. This is aligned to the London Retrofit Action Plan target, which is a recommended target for London's housing stock. It provides a balance between ambition and deliverability and is the 'sweet spot' for fabric retrofit as a way of balancing risks and costs. 28 previous studies have demonstrated that heat pumps perform best with a low SHD; below 85 kWh/m ² /year is suitable for heat pump installation.
Energy performance Certificate (EPC)	A-F	Target of average EPC B across the stock.
Hot water demand (HWD)	kWh/m ² /year	HWD is the amount of energy needed for hot water over a year. Insulation of hot water tanks and pipes, and reduction of flow rates from taps can reduce this.

		<p>The LETI benchmark for good practice HWD is 20 kWh/m²/y.</p> <p>If HWD cannot be modelled, LETI suggest setting a litres per person per day target to specify for low flow devices on showers and taps. Hot water tanks and pipework should also be insulated.</p>
Switch to low-carbon heating	Yes/No	Removal of fossil fuel burning boilers to heat pumps, low-carbon heat networks, or direct electrical heating.
Switch to appropriate ventilation system	Yes/No	A low energy whole house ventilation system is required to maintain indoor air quality when fabric measures are delivered.
Switch to low energy lighting	Yes/No	Lighting is included within the regulated electrical energy load which can be influenced by H&F.
Onsite PV maximised	% roof area maximised	The percentage achievable will vary by archetype. Solar Thermal should also be considered in some cases.

Table 6. Building-level metrics

Using smart technology

Homes that receive insulation, ventilation, and air tightness works should track:

- Indoor air temperature,
- Humidity levels,
- Carbon dioxide levels, and
- Comfort levels.

Appendix 5: Retrofit Measures and costs

This appendix provides details associated with the fabric element of retrofit. Costs are based on a price set developed by the housing assessment tool from data collected across Local Councils and other open sources. These costs only cover capital costs of measures so a 20% uplift is applied to cover contract management, prelims and other enabling costs required, based on benchmarks provided by several housing providers.

Costs provided are high-level figures that are designed to give an understanding of the expected investment required. These prices will be further validated when installers are engaged and provide quotes for specific works. Additionally, inflation has not been accounted for due to its unpredictable nature.

	Retrofit measure	No. of homes with measure	Cost	Tonnes CO ₂ e saved per year	Cost per tonne CO ₂ e saved per year
Fabric measures	Any conservatory is separate and not heated	2	£5,040	0.7	£7,474
	Cavity filled and internally insulated main walls	64	£903,251	18.2	£49,597
	Cavity filled alternate wall	114	£92,078	7.1	£13,034
	Cavity filled main walls	1,859	£2,257,035	595.9	£3,788
	Cavity filled party walls	527	£849,884	18.0	£47,220
	Exposed or semi exposed floors retrofitted	65	£828,919	18.8	£44,026
Structural measures	Externally insulated alternate walls	47	£417,625	15.2	£27,495
	Externally insulated main walls	2,533	£20,052,653	1,341.7	£14,945
	Flat roof retrofitted	509	£1,371,939	224.1	£6,123
	Fully draughtproofed fenestrations	1,695	£501,694	62.7	£7,997
	Glazing (double)	819	£6,168,035	131.9	£46,760
	Glazing (triple)	236	£1,705,572	21.7	£78,471
	Loft insulation 300mm	2,285	£3,399,719	1,326.1	£2,564
	Blocking open chimneys	29	£9,500	2.3	£4,051
	Part L doors	1,285	£3,256,668	89.9	£36,235
	Rafters retrofitted	3	£8,317	0.3	£26,330
	Secondary glazing throughout	1,887	£5,424,951	306.8	£17,681
	Solid floors retrofitted	648	£2,631,317	69.0	£38,135
	Suspended floors retrofitted	1,400	£5,841,427	166.5	£35,091

Appendix 6: Domestic boiler replacement decision tree

This is an indicative decision tree for the replacement of domestic boilers for individual properties which are approaching end of life. As referenced above in the strategy, communal boilers serving multiple properties will be upgraded proactively rather than reactively, with work starting on this right away.

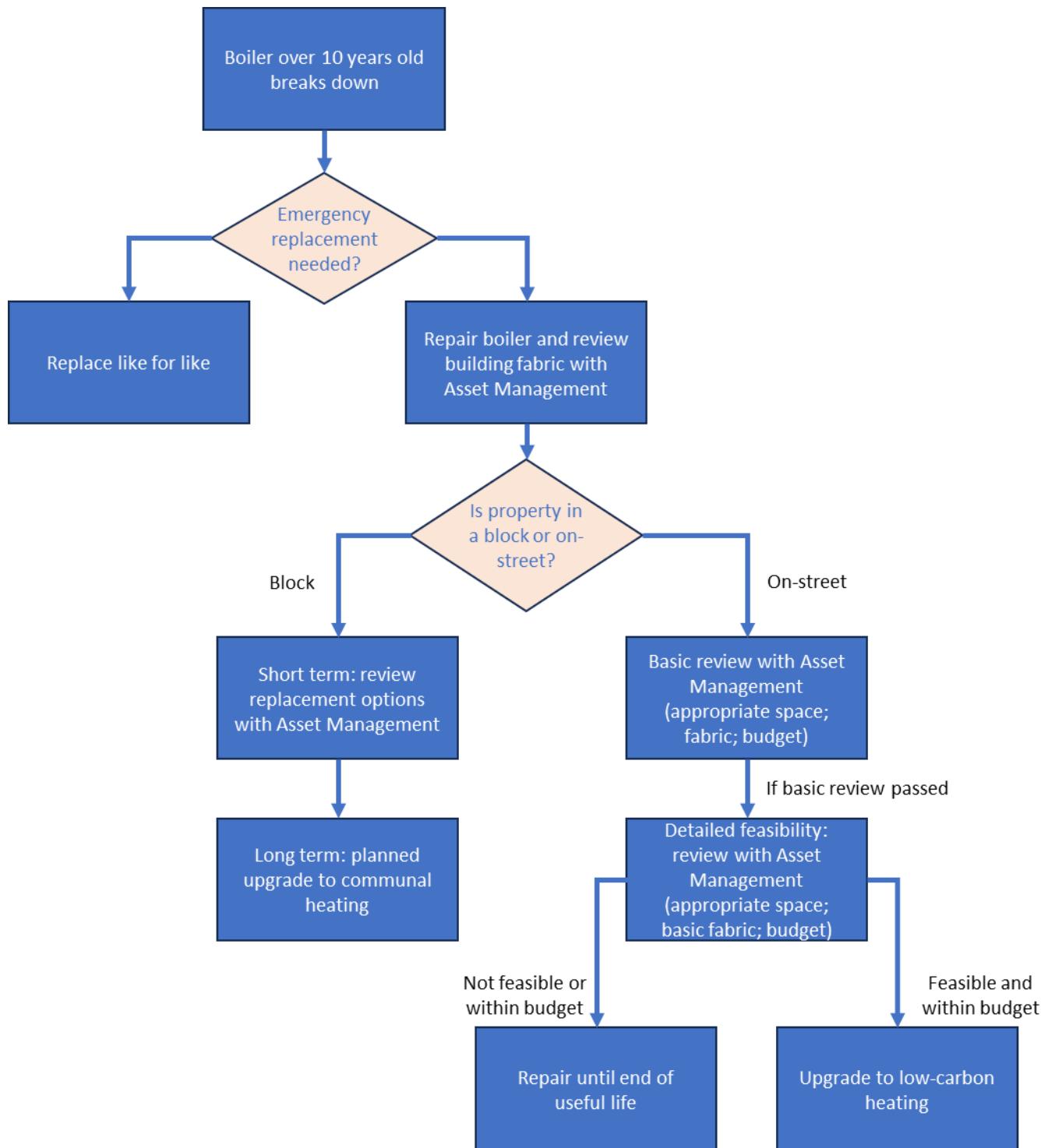


Figure 6: Domestic boiler replacement decision tree

Glossary

Archetype: A recurring form or design of building, used to categorize housing stock for retrofit analysis.

Carbon Emissions: The release of carbon dioxide (CO₂) into the atmosphere, primarily from burning fossil fuels, which contributes to climate change.

Circular Economy: An economic system aimed at eliminating waste and the continual use of resources through reducing disposal, recycling, reusing, and repairing.

Climate Resilience and Adaptation: The ability of a system or community to withstand and recover from climate-related impacts such as extreme weather events.

Decarbonisation: The process of reducing carbon dioxide emissions through the use of low-carbon technologies and practices.

Embodied Carbon: The total carbon emissions associated with the production, transport, and installation of building materials. This is as opposed to the 'operational' or 'in-use' emissions of a building, which relate to energy used to heat and power the finished building.

Energy Efficiency Measures: Interventions aimed at reducing energy consumption, such as insulation, double glazing, and draughtproofing.

Energy Performance Certificate (EPC): A certificate that rates the energy efficiency of a building on a scale from A (most efficient) to G (least efficient).

'Fabric First' Approach: A strategy that prioritises improving the building envelope (walls, roof, windows) to reduce energy demand before installing low-carbon heating systems.

Fuel Poverty: A situation where households are unable to afford to keep their homes adequately heated, often due to high energy costs and low incomes.

Green Roofs: Roofs covered with vegetation that provide insulation, reduce stormwater runoff, and improve air quality.

Heat Networks: Systems that distribute heat generated from a central source to multiple buildings, often used in densely populated urban areas.

Heat Pumps: Heating systems that efficiently transfer heat from the surrounding environment (often the air, ground or water) into a building using electricity. These are expected to be one of the main heating systems to replace gas boilers in order to decarbonise our homes.

Low-Carbon Heating: Heating systems that produce fewer carbon emissions compared to traditional fossil fuel-based systems, such as heat pumps or district heating networks.

Net Zero Carbon: Achieving a balance between the amount of greenhouse gas emissions produced and the amount removed from the atmosphere.

Operational Carbon Emissions: Emissions resulting from the day-to-day energy use of a building, such as heating, cooling, and electricity consumption.

PAS 2035: A specification for the retrofit of domestic buildings that considers the whole building approach, ensuring technical requirements and occupant health and comfort are met.

Performance Gap: The difference between expected and actual energy savings achieved through retrofit measures.

Renewable Energy: Energy generated from natural resources that are replenished naturally, such as solar, wind, and hydro power.

Retrofit: The addition of new technology or features to older systems or buildings to improve energy efficiency and reduce carbon emissions.

SAP (Standard Assessment Procedure): A government-approved method for assessing the energy performance of buildings, used to produce EPCs.

Smart Technology: Advanced technology used to monitor and manage building performance, such as sensors for tracking indoor air quality and energy use.

Space Heating Demand (SHD): The amount of heat required to maintain a comfortable indoor temperature, measured in kilowatt-hours per square meter per year (kWh/m²/y).

Sustainable Drainage Solutions (SuDS): Systems designed to manage surface water runoff sustainably, reducing flood risk and improving water quality.

Urban Heat Island (UHI) Effect: The phenomenon where urban areas experience higher temperatures than surrounding rural areas due to human activities and infrastructure.

Ventilation: Providing sufficient exchange of air between the home and outdoors to ensure good air quality and minimise the risk of damp and mould.

Voids: Vacant properties that present an opportunity for retrofit measures that would be disruptive if the property were occupied.

Streamlining clean energy for residents

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October 2025





CIVIC
CAMPUS

h&f
hammersmith & fulham



The Civic Campus energy network

- Restoration and extension of Town Hall, 204 new homes across 3 new blocks (over 50% affordable housing), cinema, offices, retail
- West King Street Renewal District Heat Network supplying heating and cooling across the site from the London Aquifer. £2.5m grant won from DESNZ, £5.5m for net zero heat in 14 other H&F buildings.



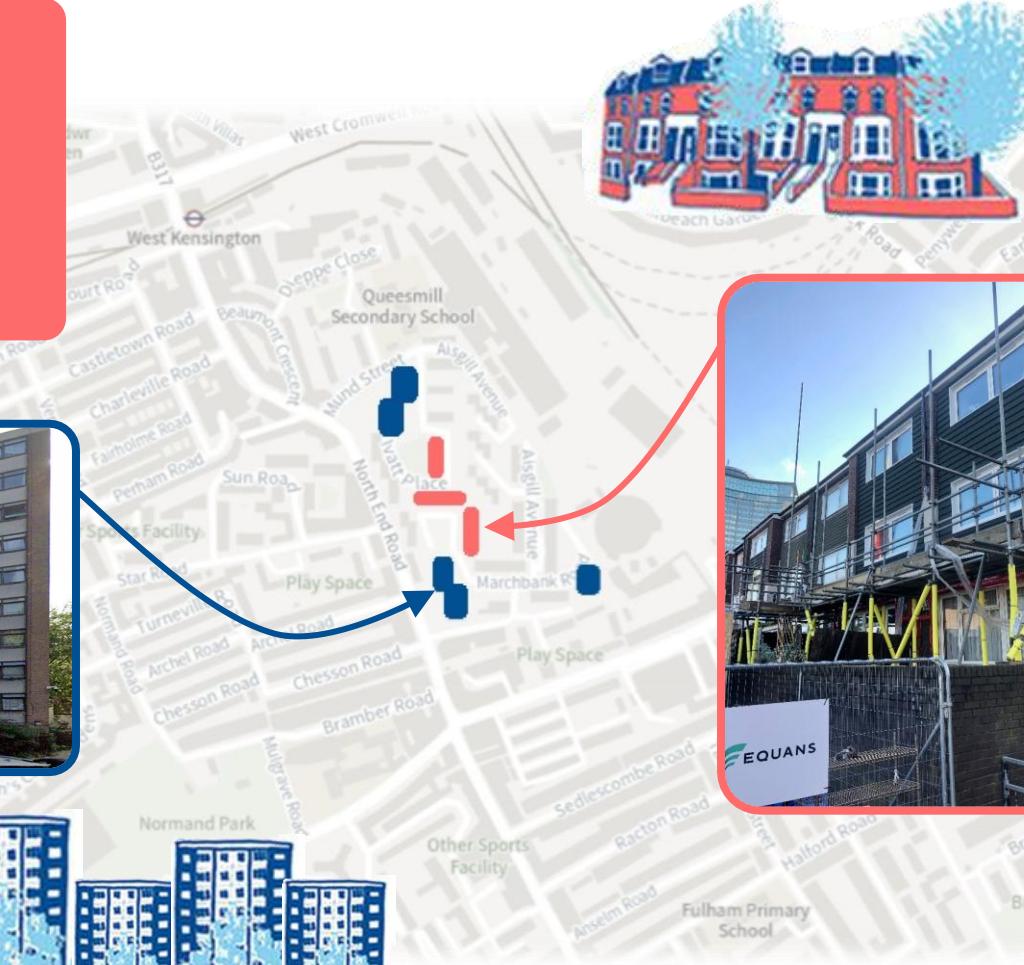
Social housing pilot – West Kensington



Overview:

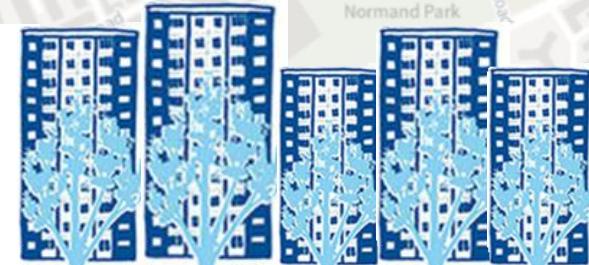
- 396 homes improved
- Over £59,000 in bill savings for residents
- Less damp & mould
- Healthier homes & better air quality

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Improvements made to 5 tower blocks: windows, cavity wall insulation,

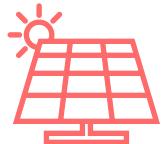
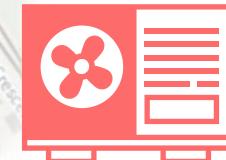
180 tCO2 pa



Bill saving - £154 p/a per home

Innovative EnergieSprong full future ready improvements to 11 properties

33 tCO2 pa



Potential for innovative clean heat network linked to ECDC

Social housing where's next?



52 solar panels & home batteries



Wormholt & Old Oak



110 street properties getting improvements such as loft insulation, cavity wall insulation & ventilation improvements



52 homes getting heat pumps



Partially funded through Social Housing Fund including **£20,000 per property** Low-Carbon Heat Incentive requiring **no match funding**



Selection criteria:

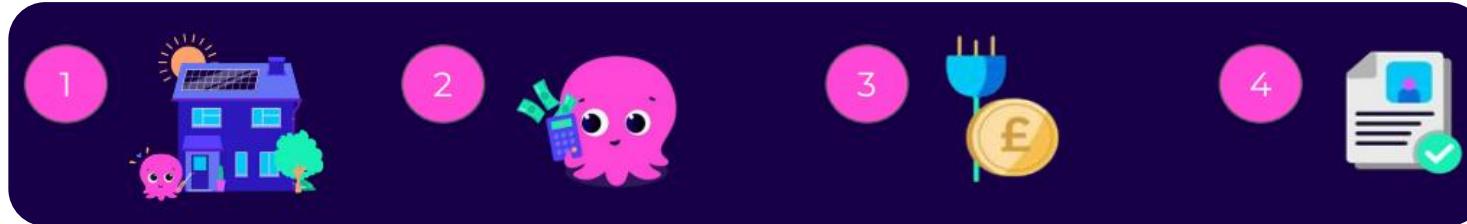
- Funding available to carry out works
- High density of council owned stock
- Similar housing type
- Large proportion of street properties
- Other options include White City Close, South Fulham, Hammersmith Central



Tenant Energy Power



How it works

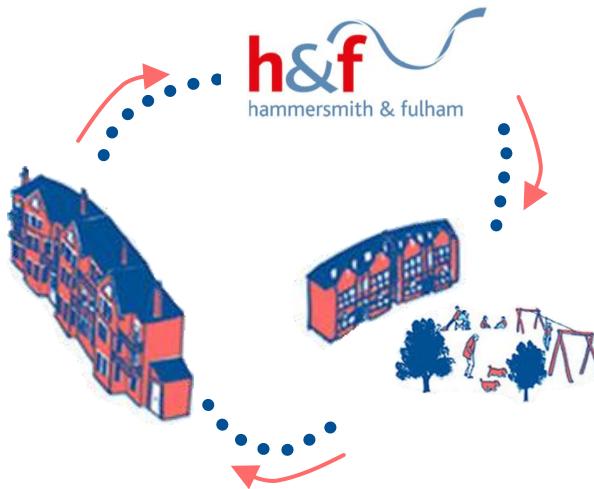


Council installs an approved solar & battery system on the home

Resident switches to 'Tenant Power' tariff

Resident receives Tenant Power discount (% to be agreed by council)

Monthly income report is shared with council



Benefits residents – Bill savings, clean heat, savings can be invested into further solar PV or energy saving
Benefits Council – Income generation potential from social housing
Octopus Energy is able to provide this service. H&F could be the first London borough to do this.

H&F Healthy Homes: cutting through confusion to guide residents through retrofit



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H&F Healthy Homes website

- Info on measures, benefits, case studies
- Links to services to guide residents through retrofitting journeys



Simple form to understand relevant service



Fuel Poor residents

Free Groundwork service:

- Home visits
- Simple energy measures
- Phone consultations
- Grant application support



Owner-occupiers

New hand-holding service:

- Home assessments
- Appoint installers
- Finance and bulk purchasing
- 100 retrofit plans pilot



Private renters

Additional information:

- MEES
- Simple energy measures
- Grants and advice

Healthy Homes 'hand-holding' service



Suppliers include

Retrofitworks,
EcoFurb, Furbnow

Retrofitworks service
shown below

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Common features

Accredited installer networks

Access to **finance** – green
loans, mortgages, grants

Cover fabric measures, PV, heat
pumps, and/or batteries

Unique features

Retrofitworks offers **bulk purchasing**
to save money

EcoFurb offers a simple **free online
assessment tool** prior to full home
assessment to indicate potential



Free & No Obligation
✓ Simple online registration
✓ No financial commitment
✓ Join a community reducing carbon

Effortless entry to clean energy

Collective Savings Power
✓ Suppliers compete via reverse auction
✓ Up to 25% discount through group-buying
✓ Democratic product selection

High quality products, better prices

Tailored Recommendations
✓ Custom "Power Up Plan"
✓ Projected energy & carbon savings
✓ £150 returnable deposit to proceed

Clarity with no-surprise pricing

Expert Guidance
✓ Initial consultation with expert advisor
✓ Professional in-home survey
✓ Expert grant handling (BUS £7,500)
✓ Carbon Cashback up to 25%*

Maximum financial support

Peace of Mind
✓ Review retrofit design & savings
✓ 25% deposit to confirm installation
✓ MCS-certified & RECC compliant
✓ Independent quality checks
Professional excellence

Sustainable Living
✓ Carbon Cashback released*
✓ Reduced energy bills year-round
✓ Generate your own clean energy
✓ Increased property value
Energy independence

H&F grants for less well-off residents to catalyse action

Healthy Homes pilot area – Wendell Park



Engagement with schools and trusted community organisations



Establishing community energy champions



Hyper-localised engagement with the community, targeted communications, door knocking



Comprehensive support for fuel poor residents

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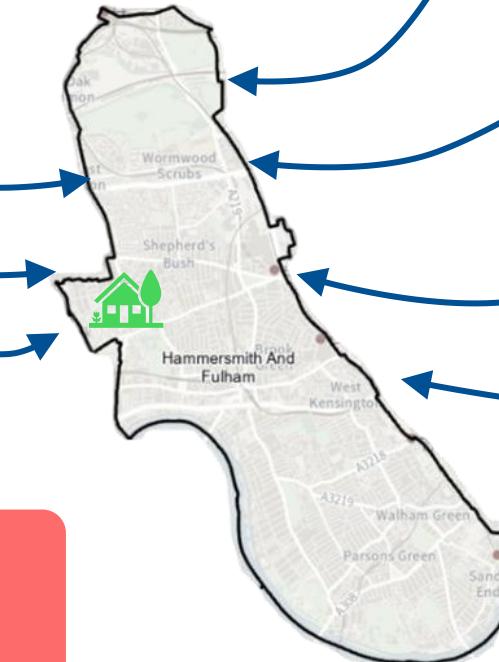
GROUNDWORK

Govt grants



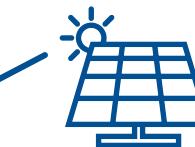
Selection criteria:

- Consistent and typical housing type
- Mainly houses
- High proportion of 'able to pay' residents
- Active resident association
- Previous engagement on Climate Action
- Nearby community spaces/ schools



Potential EU H2020 Positive Energy District programme

Complete journey hand-holding and finance



Exciting comms campaign on solar

Using drones to create street level heat loss maps to recommend measures to reduce energy bills

HFCE Green Energy co-op

H&F set up H&F Community Energy in 2024, allowing residents to **invest from £50** in clean energy projects.

Independent community benefit society

How can H&F help this to **expand and accelerate**?

- Offer roofs – especially maintained schools.
- Engage Academies, businesses and churches
- Promote Community Share offers (the first launched June 2025)



Jack Tizard School



Benefits residents – opportunity to invest in solar for everyone
Benefits council – reduces emissions with no upfront cost
Benefits schools – reduces energy bills

Clean heat is a strategic investment opportunity



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Heat Networks are:

Supported by UK government – Heat network zoning regulations expected 2026

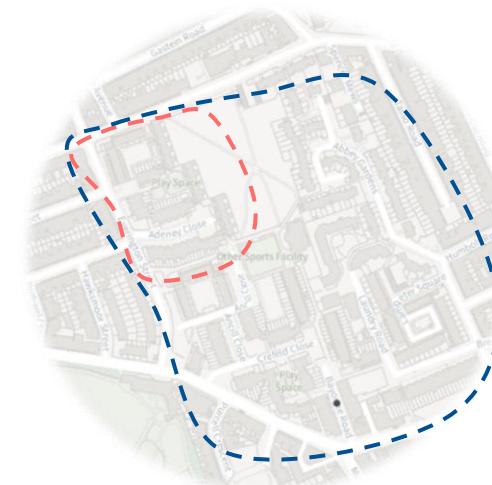
Proven to work – 66% of Danish homes connected to district heating systems

International interest – H&F Civic Campus heat network presented in Brussels

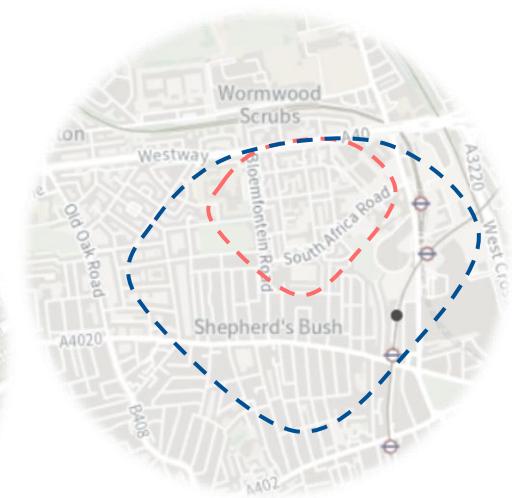
Investable – positive returns on investment, private finance interest, positive for Industrial Strategy

The cheapest way to decarbonise heat is often an area-based approach. **Heat networks** can unlock this in H&F - **we want more Civic Campuses**

Current Work:



Bayonne & Margravine
354 housing buildings, hospital, schools



White City Estate
1385 homes, university

Exploring GLA and government grants to expand to new areas

Agenda Item 7

LONDON BOROUGH OF HAMMERSMITH & FULHAM

Report to: Cabinet

Date: 19/01/2026

Subject: Procurement Strategy for Edward Woods Towers External Façade and Window Replacement Works

Report of: Councillor Frances Umeh, Cabinet Member for Housing and Homelessness

Report author: Vince Conway, Senior Programme Manager, Capital Delivery

Responsible Director: Sukvinder Kalsi, Executive Director Finance and Corporate Services

SUMMARY

London Borough of Hammersmith & Fulham (the “Council”) has commissioned a works programme at Edward Woods estate to refurbish the external facades and windows, and upgrade ventilation and smoke control systems of three 24-storey towers - Norland House, Poynter House and Stebbing House – to ensure they meet current Building Regulations. The works will protect the structure of the buildings from the elements, extending their design life, whilst further improving fire safety and thermal insulation for residents.

Between 2010 and 2013 the towers at Edward Woods underwent major works with the installation of a render cladding system on the north and south elevations, the installation of new cladding panels to the east and west (front and rear) elevations; and the installation of photovoltaic solar panels to the principal south-facing façade of each block. The electricity generated by the solar panels contributed to the powering of communal facilities such as lighting and lifts.

Following the Grenfell tragedy, the Council commissioned a proactive inspection of the original works and found areas of fire concern including the absence of cavity barriers to cladding panels, delamination of some cladding panels and absence of firestopping. The backing of the Photovoltaic (PV) panel arrays, stacked vertically from the 4th to the 24th floor, was found to be constructed from a highly combustible material.

In response to this investigation, the first part of this programme has seen the completion of works relating to the removal of PV panel arrays and internal PV equipment and the installation of hoists, mast climbers, scaffolding to facilitate the removal of existing cladding. The Council is now required to engage a contractor to undertake the remaining works which include: installation of a new A1-rated cladding system, replacement windows, and smoke control and ventilation improvement works. The A1 rating of the new components certifies that the materials used are non-combustible and achieve the highest fire safety standards.

This report seeks approval to run a procurement exercise to source a contractor to undertake the required works via a mini-competition using the Pretium- Building and Fire Safety Framework, Lot 8 – External Wall Works. The estimated value of this procurement is included in Exempt Appendix 1.

RECOMMENDATIONS

1. To note that Appendix 1 is not for publication on the basis that it contains information relating to the financial or business affairs of any particular person (including the authority holding that information) as set out in paragraph 3 of Schedule 12A of the Local Government Act 1972 (as amended).
 2. That Cabinet approves the procurement strategy proposing a mini-competition via the Pretium Building and Fire Safety Framework (Lot 8 – External Wall Works) to source a contractor to undertake external façade safety works at Norland House, Stebbing House, Poynter House Edward Woods estate W11.
 3. That Cabinet notes that the procurement will be a two-stage design and build process with the Council entering into a pre-construction services agreement (“PCSA”) with a preferred supplier. Following completion of the design phase the Council will seek to enter into a works contract with the preferred supplier.
-

Wards Affected: Shepherds Bush Green

Our Values	Summary of how this report aligns to the <u>H&F Corporate Plan</u> and the H&F Values
Building shared prosperity	Under the building shared prosperity objectives, the Council aim to: 'build more affordable, accessible, safe and sustainable housing.' 'deliver high quality housing services.' By undertaking these works, we are directly contributing to these objectives under this corporate plan.
Creating a compassionate council	Safe housing is a fundamental need to ensure residents health and wellbeing is safeguarded. Therefore, by instructing and completing these works, we are delivering in a manner that achieves health and well-being outcomes for our residents and makes Hammersmith and Fulham an inclusive place to live.

Our Values	Summary of how this report aligns to the <u>H&F Corporate Plan</u> and the H&F Values
Doing things with local residents, not to them	The residents are involved in the planning process. Residents also were included in the design process. We will factor in their feedback to the final design as much as practically possible to ensure that the design meets relevant regulation requirements.
Being ruthlessly financially efficient	We have instructed a cost consultant to estimate the cost of these works and provide solutions that achieve optimal value for money. Upon the completion of this project cost planning exercise, we will undertake a tendering exercise which will drive cost competition and therefore support the need to be ruthlessly financially efficient.
Taking pride in H&F	Under this objective we aim to make Hammersmith and Fulham 'a great place in which to live, work and thrive and make a safer borough for everyone.' This work programme aims to ensure that our buildings are compliant with safety regulations and therefore we are contributing to the priorities of safe housing for residents. The provision of this safe housing will make LBHF a great place to live.
Rising to the challenge of the climate and ecological emergency	The insulation and the new windows that will be installed have the potential to reduce carbon emissions because less heating consumption will be needed to maintain a suitable room temperature.

Financial Impact

This report is not intended to approve budgets but is seeking approval of the procurement strategy. A further report will be required to approve the appointment of a contractor and to set out the detailed financial implications. At this stage, the expectation is that the costs of the procurement will be funded from additional borrowing from the HRA, which will be subject to Cabinet approval as part of the quarterly Capital Programme Monitor and Budget Variations report. The Head of Home Ownership Services has confirmed that the costs of window replacement,

smoke control system, and ventilation improvement works are expected to be rechargeable to leaseholders, subject to consultation with leaseholders.

Additional finance comments are in the Exempt Appendix 1.

Completed by: Anjeli Chadha, Principal Accountant – Housing Capital, 8th August 2025

Legal Implications

The Council is obliged to maintain the safety and repair of these buildings as part of its duty as a landlord under the Landlord and Tenant Act 1985 and a local housing authority under the Housing Act 1985. The works need to be undertaken to ensure the safety of the residents living in them.

The likely value of the works means that the provisions of the Procurement Act 2023 apply. It is intended to use the Pretium framework (Building & Fire Safety). The proposed method of competition accords with the requirements of the framework which was let in accordance with the previous legislation governing public procurement, the Public Contracts Regulations 2015 (PCR) and which the Council is empowered to use. The requirements of the Procurement Act and the PCR are met. This is a high value contract for the purposes of the Council's Contract Standing Orders. The use of a suitable third-party framework in accordance with its terms is a compliant method of procuring a contract of this value. The requirements of the CSOs will therefore be met by this procurement strategy.

This is a key decision under the terms of the Council's constitution and therefore needs to be included in the key decision list on the Council's website.

John Sharland, Special Projects Lawyer, 30th July 2025

The Government is to impose statutory legal duty on landlords to complete cladding remediation for building 18m+ by end of 2029. Failure to comply without reasonable excuse will constitute a criminal offence, punishable by unlimited fines and/or imprisonment.

Richard Buckley, Assistant Director, Residents & Buildings Safety, 26th September 2025

Procurement Comments

The procuring officer must work with the Procurement and Commercial team to ensure the procurement is undertaken compliantly and in accordance with the PCR 2015, the Framework terms and the Council's own CSOs.

The framework proposed for use has been subject to full diligence checks by the Procurement and Commercial team, which have not identified any issues of concern. The framework is therefore compliant for use by the Council in procuring this requirement.

The procurement project must be set up on and undertaken using the capitalEsourcing eProcurement portal. All associated details and documents must be attached to the project, and all applicable legal notices must be published within their legislated deadlines.

Kiera May, Category Specialist – Procurement and Commercial, 5th August 2025

Background Papers Used in Preparing This Report

None.

DETAILED ANALYSIS

Background

1. The amended 'Approved document B' of the Building Regulations came into effect in 2022 and placed an increased onus on landlords to ensure that their buildings complied with new safety standards.
2. The three towers on Edward Woods estate (Norland House, Poynter House, and Stebbing House) provide a total of 540 homes and are the tallest blocks within the Council's housing portfolio.
3. Between 2010 and 2013 the towers underwent major works which included the overcladding of the north and south elevations with an insulated render system; the installation of new cladding panels to the east and west (front and rear) elevations; and the installation of an array of photovoltaic solar panels to the principal south-facing façade of each block.
4. Since April 2023 the Council's Responsive Capital Works contractor has been engaged to alleviate specific fire safety concerns on the towers. Works have included the removal of cladding on the North, West, and East elevations of each tower and the removal of vertical photovoltaic (PV) arrays on the South elevations. This initial phase was completed in November 2025.
5. The second phase of works incorporates:
 - The design, supply and installation of a new A1 rated cladding system;
 - The replacement of existing windows with new A1 rated double-glazed units;
 - Installation of new smoke control system;
 - Replacement ventilation to flats;
 - Replacement of spandrel panels to staircore curtain walling
 - Structural works as identified
6. Successful completion of the project will ensure the buildings achieve the highest levels of fire safety, benefiting from maintenance-free facades with a 30-year lifespan. The works will also significantly improve the thermal performance

of the buildings with the addition of non-combustible insulation and replacement windows.

Reasons for Decision

7. This procurement strategy is submitted for approval by Cabinet in accordance with paragraph 18 of CSOs.
8. A decision is required to initiate a procurement exercise to source a contractor to complete the necessary works.

Contract Specifications Summary

9. The scope of works will include the design, supply and installation of a new A1 rated cladding system, improved thermal insulation, replacement windows, new ventilation to flats, replacement spandrel panels to the staircore curtain walling, upgraded smoke control system and other associated works to Poynter House, Stebbing House and Norland House.
10. The proposed form of contract will be a two stage Design & Build (D&B) using a JCT Contract preceded by a Pre-Construction Services Agreement (PCSA). The first stage of process will involve Employers Requirements being issued to bidding contractors and selecting a preferred contractor following a quality assessment of bids combined with an assessment of design costs plus preliminaries, overhead and profit based on a notional contract sum. The technical design is then finalised during the PCSA period, and the supplier submits a firm proposal with the allowances for prelims and OHP applied accordingly. The second stage of the process sees the client and contractor negotiating the final contract terms and price based on the developed design and agreed scope. Following successful negotiations, a formal building contractor is entered into thus progressing to the construction stage.

Procurement Route Analysis of Options

11. The works being procured have been identified as falling within the scope of CPV codes 45262650 (Cladding works), 45300000 (Building Installation works) and 51700000 (installation services of fire protection equipment) and the estimated contract value will be as referenced in Appendix 1.
12. **Option1 – Decommission the service or requirement – Not Recommended**
It is essential that this work is completed to that ensure the properties are compliant with safety standards therefore doing nothing is not an option.
13. **Option 2 – Use an existing contract, established by the Council, to provide the supplies, services, and/or works – Not recommended**
A call-off from the Council's Responsive Capital contract may be permissible, subject to a review of existing commitments. However, due to the high value and complexity of the proposed works it is felt that a degree of market competition would be preferable and is likely to result in a better quality proposal which more clearly evidences value for money.

14. Option 3 – Undertake a full regulated procurement process, advertised to the market – Not recommended

Whilst it is recognised that a fully regulated competitive procurement process advertised to the market would deliver the greatest level of competition a significant driver in establishing this contract is for the works to be completed at the soonest opportunity. Typically, a full regulated competitive procurement process can take between 12-24 months to conclude and award a contract and for this reason it is not recommended for this requirement.

15. Option 4 – Procure using a compliant framework or Dynamic Purchasing System (DPS) – Recommended.

The recommended route to market is to undertake a mini-competition using the Premium- Building and Fire Safety Framework, Lot 8 – External Wall Works. The Framework went live on 24th April 2023 and runs for 4 years. This is a compliant route to the market in line with the Public Contracts Regulations 2015 (PCR 2015) and it suitable for use by the Council whilst offering a streamlined and efficient procurement route with suppliers that have been pre-assessed as suitable for social housing providers and the nature of works being procured.

Market Analysis and Engagement

16. Market engagement was not undertaken for this requirement. The procurement is being run via a compliant procurement framework and market engagement has not been identified as being critical to undertaking a successful procurement process.
17. The proposed framework offers a breadth of potential contractors with extensive experience in the social housing sector and a record of delivering compliant fire safety works. There are eight contractors on Lot 8 and expressions of interest will be sought from all suppliers prior to initiating the mini competition.

Conflicts of Interest

18. All officers and decision makers, including elected members (where appropriate), have been required to complete a Conflict of Interest Declaration form to record any actual, potential, and/or perceived conflicts, along with appropriate mitigations (as appropriate), on the Conflicts Assessment.
19. Approval of, by way of signing, this Procurement Strategy by the elected member constitutes their declaration that they do not have any actual, potential, and/or perceived conflicts, relevant to this procurement, except where a specific Conflict of Interest Declaration form has been completed and provided, advising differently.
20. The Conflicts Assessment will be kept under review and updated throughout the life of the project (from project inception to contract termination).

Local Economy and Social/Added Value

21. Suppliers will be required to provide robust proposals to deliver added value as part of their bids in line with the Council's Sourcing Strategy. The criterion will carry a 20% weighting within the quality assessment.
22. The contract has the potential to deliver significant added value, particularly via employment opportunities, the use of local supplies and supply chain, and contributions toward a reduction in carbon emissions.

Lot Considerations

23. The contract is not being split into lots as a single design solution is required for the three towers, and the Council is proposing use of a procurement framework that has already been lotted.

Duty to Consider Small and Medium-sized Enterprises (SMEs) and Voluntary, Community, and Social Enterprises (VCSEs)

24. Opportunities for SME's and VCSE's to participate were considered however, this procurement is proposed to take place using an established framework which does not provide further opportunities for SMEs or VCSEs to participate on this occasion.

People Based Considerations

25. The Transfer of Undertakings (Protection of Employment) Regulation 2006 (UKSI 2006/246) (TUPE) is not applicable to this contract.

Risk Assessment and Proposed Mitigations

26. This is a high value procurement which seeks to source a competent contractor with the necessary skills and experience to carry out major refurbishment works compliant with all aspects of the Building Safety regime. The use of a specialist framework mitigates the risk of not identifying a suitable contractor. A mini competition between the pre-qualified suppliers will provide a further opportunity for them to demonstrate their ability to deliver the works required and provide assurance that they possess a competent and accredited internal team and supply chain.
27. The proposed design and build approach provides a single point of contact for the Council and should ensure a high degree of cost certainty before starting works.
28. The JCT form of contract is clear in its definition of roles and responsibilities meaning disputes and misunderstandings can be avoided, thus preventing delays, poor workmanship, financial losses, and potential lawsuits.

Contract Duration Considerations

29. The PCSA will run for an estimated six months allowing the contractor to present a compliant design to the Building Safety Regulator. Following design

agreement, which is subject to sign-off by Building Safety Regulator, the term of the proposed PCSA may extend due to unknown timescales for the BSR sign-off (expected to be circa 20 weeks).

30. The term of the proposed construction works contract will be defined by the successful contractor's construction programme, however, is estimated to be 24-36 months.

Timetable

31. Table 1 below shows an estimated timetable of the competition process through to contract commencing.

Action	Date
1. Key Decision Entry (Strategy)	30 June 2025
2. Contracts Assurance Board (Strategy)	13 August 2025
3. Cabinet Sign off (Strategy)	19 January 2025
4. Preliminary Market Engagement Notice (expression of interest)	29 January 2026
5. Publish Mini Competition	23 February 2026
6. Closing Date for Clarifications	06 April 2026
7. Closing Date for Procurement Responses	20 April 2026
8. Evaluation of Procurement Responses	18 May 2026
9. Key Decision Entry (Award)	24 May 2026
10. Moderation	01 June 2026
11. CAB (Award)	06 July 2026
12. Cabinet Member (Award)	20 July 2026
13. PCSA Contract Award Notice (post-S20 consultation)	14 September 2026
14. Standstill Period Ends	24 September 2026
15. PCSA Contract Engrossment	15 October 2026
16. PCSA Contract Detail Notice	22 October 2026
17. PCSA Contract Mobilisation and Implementation	22 October 2026
18. PCSA Contract Commencement Date	19 November 2026
19. Works Contract commencement	September 2027
20. Works Contract practical completion	February 2030
21. Works Contract regulator sign-off	August 2030

Selection and Award Criteria

32. An evaluation panel will be identified to assess quality and price. The exact evaluation criteria are still being defined but will broadly be based on the following.
33. **Quality** – Assessed against responses to several method statements, that will also cover added value requirements.

Evaluation Criteria		Weighting	
Quality, including Added Value (60%)	Quality	Added Value	
	48%	12%	
Price (40%)	40%		
Total (100%)	100%		

34. Method Statements may link to the following criteria, but these remain subject to change as the procurement process develops.

Method Statement Headings		Weighting
1. Project Team: Personnel and Experience		9.00%
2. Planning, Programming and Resourcing of Works		9.00%
3. Quality Control		9.00%
4. Customer Care		9.00%
5. Sustainability		6.00%
6. Health and Safety and Building Safety Act Compliance		6.00%
7. Added Value Part 1 (Qualitative)		6.00%
8. Added Value Part 2 (Quantitative)		6.00%
Subtotal (Technical (Quality) Envelope)		60.00%

35. The added value criterion will be evaluated by the Social Value Portal (“SVP”). The successful supplier will report on Added Value delivery directly to SVP and it will also form part of contract progress meetings.
36. **Price** – The potential supplier with the lowest overall compliant Commercial (Price) Offer will be awarded the full Commercial (Price) Score (40%). All other procurement responses will be scored in accordance with the following calculation:

$$= \left(\frac{\text{Lowest Submitted Commercial (Price) Offer}}{\text{Potential Supplier's Submitted Commercial (Price) Offer}} \right) \times \text{Commercial (Price) Envelope Weighting}$$

37. Each potential supplier's overall combined score for price and quality will be used to identify the preferred supplier, who provided the Most Economically Advantageous Tender (MEAT), that being those with the highest overall score(s), being recommended for a contract award.

Contract Management

38. The Assistant Director for Residents and Building Safety is the strategic lead for this project. The Head of Capital Delivery will lead the operational team overseeing the appointed consultants and supplier.
39. The Head of Capital Delivery will manage the relationship with the multi-disciplinary consultants, Baily Garner. The consultant will have the role of contract administrator for the PCSA and works contract and will be responsible for issuing all instructions, variations, notices etc. to the successful supplier. They will also provide Quantity Surveyor services including budget estimate, detailed cost plans, cashflow forecasts, valuation of works, issue of interim contractor payments, and preparation of the final account.
40. The Council directly employs Project Managers and a clerk of works to monitor progress and quality of works on site.
41. A suite of Key Performance Indicators (KPIs) will be prepared for use under the contract to monitor, for example, cost, quality, safety standards, completions against programme, and resident satisfaction against pre-set targets. This will generally include:
 - Resident satisfaction of contractor performance
 - Defects – condition of each property/block in respect of number of defects at the point of handover
 - Safety – number of reportable accidents each month; average number of people on site
 - Construction time taken within properties/blocks
 - Percentage of properties/blocks completed to programme
 - Time to produce pre-construction cost information
 - Predictability of cost
 - Environmental impact, control of waste, noise, dust during construction process
 - Delivery on Social Value

Equality and Inclusion Implications

42. An Equalities Impact Assessment has been completed and is attached at Appendix 2. It is acknowledged that major refurbishment works are disruptive for residents generally and may have a disproportionate impact on protected characteristics such as age or disability who may be more likely to be present in their homes during works.
43. The delivery of works will be managed to mitigate disruption or inconvenience with welfare facilities provided for residents where required. The project team will liaise with housing management staff to identify vulnerable residents who

may require special assistance. A communication strategy will be developed to ensure information is accessible to all. Ultimately the project will have positive outcomes for residents as homes will benefit from the highest safety and energy efficiency standards.

Yvonne Okiyo, Strategic Lead for Equity, Diversity, and Inclusion (EDI), 6th August 2025

Risk Management Implications

44. There are no notable risks in addition to those noted above.

Jules Binney, Risk and Assurance Manager, 6th August 2025

Climate and Ecological Emergency Implications

45. The new cladding system and windows will significantly improve the energy efficiency of the flats in each block. Further details of specific improvements will be developed during the pre-construction design period and will be identified in the future award report. Given Government proposals to increase Minimum Energy Efficiency Standards for social rented homes to Energy Performance Certificate (EPC) C by 2030, the works should ensure that all flats meet at least this standard.

Tim Pryce, Head of Clean Energy, 8th August 2025

Local Economy and Social Value Implications

46. In line with the Council's Added Value Policy and Sourcing Strategy, this procurement will dedicate 20% of the quality envelope weighting to Added Value.
47. On award of the contract(s), the commissioner will ensure that the Added Value commitment offered at tender stage is stated as a contractual output.
48. Our standard contracts include clauses which refer to penalties for non-delivery against social value commitments.
49. It is recommended the Social Value Officer and commissioner meet at each stage of this procurement to ensure that the Added Value received is aligned with the 3 categories within the Added Value strategy and the Added Value Matrix (Inclusive Economy, Happier and Kinder H&F, Responding to the Climate Emergency), as well as being as localised as possible considering the nature of this contract and the impact on residents.
50. Social Value Portal will be used for evaluating the Added Value element of all tender submissions in compliance with the agreed corporate procurement approach. The commissioner will work closely with the Social Value Officer to ensure commitments are reported regularly on the Social Value Portal by their suppliers.

Harry Buck, Social Value Officer (Procurement), 1st August 2025

Consultation

51. There has been ongoing consultation with residents during the current works and this will continue as the next phase is developed. Residents will receive further correspondence prior to work starting on site, updating them regarding the programme, the scope of works and the level of support in place for residents from officers within the Capital Delivery Team.
52. As of end July 2025 there are 79 leaseholders across the three blocks, 25 in Norland and 27 in each of Poynter and Stebbing. The value of the works will necessitate Public Notice and the projected duration of the contract (i.e. over 12 months) will constitute a Qualifying Long-Term Agreement (QLTA). The procurement vehicle, which constitutes the QLTA, must therefore be consulted under Schedule 2 and the major works under Schedule 3 of the consultation regulations.
53. The QLTA will require two stages of consultation, a Notice of Intention and a Notice of Proposal. These will have to be carried out either side of the procurement process. As the works will be subject to Public Notice, leaseholders will not have an opportunity to nominate the name of an alternative contractor.
54. Before any major works can be carried out under the new QLTA, a Section 20 notice will have to be issued under Schedule 3.
55. It is presently expected that the following elements will be rechargeable to leaseholders: replacement windows, smoke control system, and the new ventilation.
56. The new cladding system and the replacement of spandrels to the staircore are not expected to be rechargeable to qualifying lessees under paragraph 8 of Schedule 8 of the Building Safety Act 2022.
57. Individual projections will not be known until works have been tendered.

Leasehold implications verified by Ciaran Maguire, Head of Leasehold Services, 6 August 2025

Digital Services and Information Management Implications

58. IT Implications: There are no IT implications resulting from this report.
59. IM Implications: The contents of this proposal do not refer to any personal data being held therefore there are no implications under the requirements of GDPR.

Implications completed by Vincen Arivannoor, Strategic Relationship Manager Digital Services, 4th August 2025

LIST OF APPENDICES

Exempt Appendix 1 – Project Financial Details
Exempt Appendix 2 – Indicative leaseholder charges
Appendix 3 – Equalities Impact Assessment

Appendix 3 - H&F Equality Impact Analysis

Overall Information	Details of Full Equality Impact Analysis
Financial Year and Quarter	2025-26 Q2
Name and details of policy, strategy, function, project, activity, or programme	<p>Title of EIA: Procurement Strategy for Edward Woods towers external façade and window replacement works</p> <p>Short summary: EIA in support of a proposal to engage a contractor to undertake major works to three tower blocks on the Edward Woods estate. Works include the installation of a new A1-rated cladding system, replacement windows, and smoke control and ventilation improvement works.</p>
Lead Officer	<p>Name: Vince Conway</p> <p>Position: Senior Programme Officer, Capital Delivery</p> <p>Email: vince.conway@lbfh.gov.uk</p> <p>Telephone No: 07776 672481</p>
Date of completion of final EIA	31 / 07 / 25

Section 02	Scoping of Full EIA
Plan for completion	Desktop exercise carried out by report author
Analyse the impact of the policy, strategy, function, project, activity, or programme	Analyse the impact of the policy on the protected characteristics (including where people / groups may appear in more than one protected characteristic). You should use this to determine whether the policy will have a positive, neutral, or negative impact on equality, giving due regard to relevance and proportionality.

	Protected characteristic	Analysis	Impact: Positive, Negative, Neutral
	Age	<p>Safe execution of the works will require the erection of scaffolding and/or other mobile works platforms which may affect routes of access and egress to the building. Therefore there may be some short-term negative impacts on this protected group. However, the contractor will use appropriately approved companies to design, erect and maintain scaffolds or other mobile work platforms and provide a fully developed access/egress strategy to minimise inconvenience. Older residents may be more likely to be at home for longer periods of time and so may be more susceptible to any disruption caused by the major works. However, the dedicated resident liaison team will be an additional point of contact that is not usually available. The team will be able to signpost other services provided by the council or external agencies and liaise with housing management to ensure that resident details are updated with the most current information.</p> <p>The works will significantly improve the energy performance and general safety of the buildings. The project is therefore analysed as having both positive and negative impacts, with the positive outweighing the short-term negative impacts.</p>	Positive and Negative
	Disability	<p>Safe execution of the works will require the erection of scaffolding and/or other mobile works platforms which may affect routes of access and egress to the building. Therefore there may be some short-term negative impacts on residents who identify as Disabled. However, the contractor will use appropriately approved companies to design, erect and maintain scaffolds or other mobile work platforms and provide a fully developed access/egress strategy to minimise inconvenience.</p>	Positive and Negative

		<p>The contractor and council resident liaison teams meet every resident, leaseholder or tenant of leaseholder face to face to carry out a “Resident Profile” survey. Bespoke communication strategies will be developed where required to ensure all residents are fully aware of project and understand implications e.g. using assistive technology or engaging additional specialist support.</p> <p>The works will significantly improve the energy performance and general safety of the buildings. The project is therefore analysed as having both positive and negative impacts, with the positive outweighing the short-term negative impacts.</p>	
	Gender reassignment	<p>The project does not contain any specific provisions for transitioning or transgender people. However, it is acknowledged that trans residents may have specific privacy or safety concerns around operatives working in their homes. Resident liaison officers will work with this protected group to put in place appropriate measures to mitigate these concerns.</p>	Neutral
	Marriage and Civil Partnership	<p>The project does not contain any specific provisions affecting marriage or civil partnership</p>	Neutral
	Pregnancy and maternity	<p>Safe execution of the works will require the erection of scaffolding and/or other mobile works platforms which may affect routes of access and egress to the building. Therefore, there may be some short-term negative impacts on residents who are pregnant or have young children. However, the contractor will use appropriately approved companies to design, erect and maintain scaffolds or other mobile work platforms and provide a fully developed access/egress strategy to minimise inconvenience. The resident liaison team and other site operatives will be on hand to provide additional assistance where required.</p>	Positive and Negative

		<p>The works will significantly improve the energy performance and general safety of the buildings. The project is therefore analysed as having both positive and negative impacts, with the positive outweighing the short-term negative impacts.</p>	
	Race	<p>The project does not contain any specific provisions regarding race, the works are physical in nature as they relate to the external fabric of the building, they will not be expected to impact cultural practices. As the works are physical in nature and do not affect service delivery or community interaction, no differential impact is expected</p> <p>Bespoke communication strategies will be developed where required to ensure all residents are fully aware of project and understand implications e.g. using translation services or scheduling works with due regard to cultural sensitivities.</p>	Neutral
	Religion/belief (including non-belief)	<p>The project does not contain any specific provisions regarding religion/belief, the works are physical in nature as they relate to the external fabric of the building, they will not be expected to impact religious practices. As the works are physical in nature and do not affect service delivery or community interaction, no differential impact is expected.</p> <p>Bespoke communication strategies will be developed where required to ensure all residents are fully aware of project and understand implications e.g. scheduling works with due regard to religious practices.</p>	Neutral
	Sex	<p>The project does not contain any specific provisions for men or women. However, it is acknowledged that lone female residents may have specific privacy or safety concerns around operatives working in their homes. Resident liaison officers will work with this protected group to put in place appropriate measures to mitigate these concerns.</p>	Neutral

	Sexual Orientation	The project does not contain any specific provisions for lesbian, gay, bisexual, or heterosexual people. As the works are physical in nature and do not affect service delivery or community interaction, no differential impact is expected.	Neutral
	Care-experience	The project does not contain any specific provisions for care-experienced residents. However, contractors will be aware of the council's commitment to supporting care-experienced individuals, particularly those aged 16-25, and specific needs will be addressed with sensitivity where identified as part of resident interaction.	Neutral

Human Rights or Children's Rights
 If your decision has the potential to affect Human Rights or Children's Rights, please contact your Equality Lead for advice

Will it affect Human Rights, as defined by the Human Rights Act 1998?
 No

Will it affect Children's Rights, as defined by the UNCRC (1992)?
 No

Section 03	Analysis of relevant data Examples of data can range from census data to customer satisfaction surveys. Data should involve specialist data and information and where possible, be disaggregated by different equality strands.
Documents and data reviewed	It is anticipated that there will be significant representation of groups that share protected characteristics although there is no evidence to suggest that representation in the subject blocks is significantly different from the rest of the estate. The primary driver for investment is the need to ensure the buildings comply with current safety standards. Resident profiling will be undertaken within the subject blocks to identify and assist vulnerable residents or those with specific needs and the successful contractor will be required to demonstrate a robust and inclusive resident liaison process.
New research	N/A

Section 04	Consultation
Consultation	Residents have been provided with regular communications about the project and this will continue throughout the duration of the project.
Analysis of consultation outcomes	The scheme has been informed by feedback from residents at consultation events and through the Section 20 leaseholder consultation process.

Section 05	Analysis of impact and outcomes
Analysis	Resident satisfaction surveys will be undertaken post-works. The resident consultation process is regularly reviewed and informed by the outcomes of previous schemes, e.g. recent changes have included introducing use of QR codes as an alternative to handwritten replies submitted via post. This is expected to generate greater coverage. Residents have the opportunity to submit subjective comments which are reviewed and followed up as required. Survey results will be analysed to identify trends and inform future procurement and resident engagement strategies

Section 06	Reducing any adverse impacts and recommendations
Outcome of Analysis	Customer care is a key criterion in the tender evaluation process. The preferred supplier will have dedicated resident liaison officers to reach out to residents, identify specific needs, and tailor works accordingly. Complaints or other communications will be analysed to ensure meaningful feedback can be produced around equality and diversity impacts.

Section 07	Action Plan												
Action Plan	Note: You will only need to use this section if you have identified actions as a result of your analysis												
	<table border="1"> <thead> <tr> <th>Issue identified</th> <th>Action (s) to be taken</th> <th>When</th> <th>Lead officer and department</th> <th>Expected outcome</th> <th>Date added to business/service plan</th> </tr> </thead> <tbody> <tr> <td>Temporary access</td> <td>Develop and communicate</td> <td>Pre-works</td> <td>Ken Lee, Senior</td> <td>Minimised disruption</td> <td></td> </tr> </tbody> </table>	Issue identified	Action (s) to be taken	When	Lead officer and department	Expected outcome	Date added to business/service plan	Temporary access	Develop and communicate	Pre-works	Ken Lee, Senior	Minimised disruption	
Issue identified	Action (s) to be taken	When	Lead officer and department	Expected outcome	Date added to business/service plan								
Temporary access	Develop and communicate	Pre-works	Ken Lee, Senior	Minimised disruption									

	issues for vulnerable residents	alternative access routes		Project Manager	and maintained accessibility	
	Lack of awareness or engagement amongst residents	Robust communication plan to be followed; close monitoring of access issues	Pre-works and during construction period	Anna Kalmikova, Senior Client Liaison Officer	100% access to flats and all homes receive proposed improvement works	
	Residents unaware of project	Ensure all communication materials are accessible (e.g., large print, translated versions).	Pre-works and during construction period	Anna Kalmikova, Senior Client Liaison Officer	All residents have the opportunity to access details of the project	
	Non-access	<i>Monitor and log all access issues during works to inform mid-project adjustments</i>	Pre-works and during construction period	Anna Kalmikova, Senior Client Liaison Officer	Access issues resolved	

Section 08 Senior Managers' sign-off	Agreement, publication and monitoring
	Name: Richard Buckley Position: Assistant Director, Resident and building safety Email: Richard.buckley@lbhf.gov.uk Telephone No: 07769882207

	Considered at relevant DMT:
Key Decision Report (if relevant)	Date of report to Cabinet : November 2025 Key equalities issues have been included:
Equalities Advice (where involved)	Name: Yvonne Okiyo Position: Strategic Lead Equity, Diversity and Inclusion Date advice / guidance given: 30 th September 2025 Email: Yvonne.okiyo@lbhf.gov.uk Telephone No: 07824 836 012

KEY DECISIONS LIST 155 – JANUARY 2026

Notice of consideration of Key Decisions

In accordance with paragraph 9 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the Authority gives notice of Key Decisions which the Cabinet, Cabinet Members or Chief Officers intend to consider. The list may change from the date of publication as further items may be entered.

All Key Decisions will be subject to a 3-day call-in before they can be implemented. If a decision is called-in by Councillors, it will not be implemented until a final decision is made.

A detailed report for all decisions going to Cabinet will be available at least five working days before the date of the meeting. Cabinet Member Decision and Officer Decision reports will be published at the start of the 3-day call-in.

Notice of the intention to conduct business in private

The Authority gives notice in accordance with paragraph 5 of Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 that it may meet in private to consider Key Decisions going to a Cabinet meeting which may contain confidential or exempt information.

Reports relating to Cabinet key decisions which may be considered in private are indicated in the list of Cabinet Key Decisions below, with the reasons for the decision being made in private.

Any person is able to make representations to the Cabinet if they believe the Cabinet decision should be made in public at the Cabinet meeting. If you want to make such representations, please e-mail: governance@lbhf.gov.uk. Both your representations and the response will be published on the Council's website at least 5 working days before the Cabinet meeting.

Information about Key Decisions

Key Decisions are decisions which are likely to result in one or more of the following:

- Any expenditure or savings greater than £300,000.
- Anything affecting communities living or working in an area comprising two or more wards in the borough.
- Anything affecting the budget and policy framework set by the Council.

Making your views heard

For more information on an item please contact the contact officer listed under each decision. You can also submit a deputation to the Cabinet related to Cabinet Key Decisions only. Find out more on our website: www.lbhf.gov.uk/councillors-and-democracy/councillors-committees-and-decisions/take-part-democratic-process

The Key Decisions List will be updated and published on the Council's website at least monthly. If you have any questions about this list, please contact:
governance@lbhf.gov.uk

KEY DECISIONS LIST

Cabinet

Decision maker(s): Cabinet

Earliest date the decision will be made: 19 Jan 2026

Proposed Key Decision: Council Tax Base and Collection Rate 2026/27 and Delegation of the Business Rate Estimate

This report is a statutory requirement that sets the Council Tax base for the purposes of the 2025/26 revenue budget.

Lead Member(s): Cabinet Member for Finance and Reform

Reason: Expenditure/Income over £5m & policies or new income, reserves use, overspend over £300K

Wards affected: All Wards

Contact officer: Jamie Mullins, Jamie.Mullins@lbhf.gov.uk

Decision maker(s): Cabinet

Earliest date the decision will be made: 19 Jan 2026

Proposed Key Decision: Council Tax Support Scheme 25/26

Since 2013, local authorities have been responsible for designing their own Council Tax Support Schemes. H&F has consistently chosen to protect residents by maintaining a scheme that ensures no one is worse off than they would have been under the previous national system. In fact, the Council has gone further—investing £9.0m in 2024/25 to support the borough's lowest-income households.

This investment reflects the administration's commitment to fairness and social justice. At a time when the cost-of-living crisis continues to place immense pressure on families, H&F is determined to shield residents from hardship. The scheme for 25/26 is designed to continue to provide financial relief but also to challenge the regressive nature of Council Tax by offering greater support to those who need it most

Lead Member(s): Cabinet Member for Finance and Reform

Reason: Expenditure/Income over £5m & policies or new income, reserves use, overspend over £300K

Wards affected: All Wards

Contact officer: Kirsty Brooksmith, Kirsty.Brooksmith@lbhf.gov.uk

Decision maker(s): Cabinet

Earliest date the decision will be made: 19 Jan 2026

Proposed Key Decision: Future Resident Facing Energy proposals

This report asks Cabinet to agree proposals including setting up and promoting a new clean energy and housing retrofit support service for residents in the borough, and two place based decarbonisation schemes, one based around social housing and one around private housing.

Lead Member(s): Cabinet Member for Climate Change and Ecology

Reason: Affects 2 or more wards

Wards affected: All Wards

Contact officer: Hinesh Mehta, Hinesh.Mehta@lbhf.gov.uk

Decision maker(s): Cabinet

Earliest date the decision will be made: 19 Jan 2026

Proposed Key Decision: Procurement Strategy for Edward Woods towers external facade and window replacement works and consultancy support

This report seeks approval of a procurement strategy proposing the use of frameworks to source a works contractor and multidisciplinary consultant

Lead Member(s): Cabinet Member for Housing and Homelessness

Reason: Expenditure/Income over £5m & policies or new income, reserves use, overspend over £300K

Wards affected: Shepherds Bush Green

Contact officer: Richard Buckley, richard.buckley@lbhf.gov.uk

Decision maker(s): Cabinet

Earliest date the decision will be made: 9 Feb 2026

Proposed Key Decision: Article 4 Direction - Commercial to residential

Cabinet approval is required to implement a non immediate Article 4 Direction which will remove the permitted development rights for commercial premises to change to residential without planning permission. A 12 month regulatory period ends on 5th December allowing the council to implement the direction subject to Secretary of State intervention and Cabinet approval.

Lead Member(s): Cabinet Member for the Economy

Reason: Affects 2 or more wards

Wards affected: All Wards

Contact officer: David Gawthorpe, David.Gawthorpe@lbhf.gov.uk

Decision maker(s): Cabinet

Earliest date the decision will be made: 9 Feb 2026

Proposed Key Decision: Building affordable homes - Approval of procurement strategy for the Four Sites

This report requests Cabinet approval of a range of recommendations to enable the progression of four council-led development schemes in the borough: Pearscroft Road, The Grange, Becklow Gardens and Barclay Close (known as the Four Sites).

The report specifically requests approval of the procurement strategy and capital budget to enable the procurement of a main construction contractor.

Lead Member(s): Cabinet Member for the Economy

Reason: Expenditure/Income over £5m & policies or new income, reserves use, overspend over £300K

Wards affected: Coningham; Sands End; Walham Green

Contact officer: Matthew Rumble, matt.rumble@lbhf.gov.uk

Decision maker(s): Cabinet

Earliest date the decision will be made: 9 Feb 2026

Proposed Key Decision: Capital Programme 2026-2030

This report sets out the Council's 4 year capital programme and requests approval for setting the budget and any variations to the capital programme.

Lead Member(s): Cabinet Member for Finance and Reform

Reason: Expenditure/Income over £5m & policies or new income, reserves use, overspend over £300K

Wards affected: All Wards

Contact officer: Andre Mark, andre.mark@lbhf.gov.uk

Decision maker(s): Cabinet

Earliest date the decision will be made: 9 Feb 2026

Proposed Key Decision: Continuing support through the Cost of Living

The report sets out how the Council's Cost of Living (COL) Programme is continuing to support residents struggling with the rise in essential living costs. The report also looks back at the help provided in 2024/25 and the difference this made.

Lead Member(s): Cabinet Member for Social Inclusion and Community Safety

Reason: Affects 2 or more wards

Wards affected: All Wards

Contact officer: Matthew Sales, matthew.sales@lbhf.gov.uk

Decision maker(s): Cabinet

Earliest date the decision will be made: 9 Feb 2026

Proposed Key Decision: Early Years Dedicated Schools Grant budget for the financial year 2026/27

To approve the Early Years Dedicated Schools Grant budget for the financial year 2026/27

Lead Member(s): Deputy Leader (responsible for Children and Education)

Reason: Expenditure/Income over £5m & policies or new income, reserves use, overspend over £300K

Wards affected: All Wards

Contact officer: Tony Burton, tony.burton@lbhf.gov.uk

Decision maker(s): Cabinet

Earliest date the decision will be made: 9 Feb 2026

Proposed Key Decision: Independent Living - Supporting people in the home
Procurement strategy for supporting people in the home.

Lead Member(s): Cabinet Member for Adult Social Care and Health

Reason: Expenditure/Income over £5m & policies or new income, reserves use, overspend over £300K

Wards affected: All Wards

Contact officer: Johan van Wijgerden, Johan.vanwijgerden@lbhf.gov.uk

Decision maker(s): Cabinet

Earliest date the decision will be made: 9 Feb 2026

Proposed Key Decision: Parking Policy

Proposed changes to parking policy relating to resident parking.

Lead Member(s): Cabinet Member for Public Realm

Reason: Affects 2 or more wards

Wards affected: All Wards

Contact officer: Mark Fanneran, mark.fanneran@lbhf.gov.uk

Decision maker(s): Cabinet

Earliest date the decision will be made: 9 Feb 2026

Proposed Key Decision: Revenue Budget and Council Tax Levels 2026/27

To approve the Revenue Budget and Council Tax levels for 2026/27.

Lead Member(s): Cabinet Member for Finance and Reform

Reason: Affects 2 or more wards

Wards affected: All Wards

Contact officer: Andre Mark, andre.mark@lbhf.gov.uk

Decision maker(s): Cabinet

Earliest date the decision will be made: 9 Feb 2026

Proposed Key Decision: Secondary Power in communal areas (Firefighting Lifts)

Due to changes in fire safety guidance and a commitment to enhance fire safety, the Lift service team have undertaken a review of Lift infrastructure and potential safety performance in the event of a fire. This review has determined that within high rise buildings and sheltered schemes improvements are required to ensure that lift operability is maintained in the event of a fire.

To convert our current lift stock into 'firefighting lifts' the Lift service team seek to undertake a phased programme for a contractor to install secondary power units within communal areas to 68 high risk profile buildings (see the detailed analysis for further information). These secondary power units will allow Lift provision to the fire service in the event of a fire.

We seek approval to procure this programme and award a contract to a winning bidder. We also seek to award a 'reserve contract' to the second-place bidder.

Lead Member(s): Cabinet Member for Housing and Homelessness

Reason: Expenditure/Income over £5m & policies or new income, reserves use, overspend over £300K

Wards affected: All Wards

Contact officer: Richard Buckley, richard.buckley@lbhf.gov.uk

Decision maker(s): Cabinet

Earliest date the decision will be made: 9 Mar 2026

Proposed Key Decision: Enhanced Biodiversity Duty Report

This report fulfils H&F's statutory Enhanced Biodiversity Duty under the Environment Act 2021. It details actions from 2024–2026 to conserve and enhance biodiversity, including policy integration, habitat creation, community engagement, and investment. It sets future priorities aligned with the London Local Nature Recovery Strategy and borough climate goals.

Lead Member(s): Cabinet Member for Climate Change and Ecology

Reason: Affects 2 or more wards

Wards affected: All Wards

Contact officer: Phoebe Shaw Stewart, Phoebe.ShawStewart@lbhf.gov.uk

Decision maker(s): Cabinet

Earliest date the decision will be made: 9 Mar 2026

Proposed Key Decision: H&F Affordable Workspace Strategy: 2026-2031

This Cabinet Report seeks approval for the adoption of H&F's Affordable Workspace Strategy 2026-2031, one of ten priority projects delivering Upstream London. The Strategy establishes how the Council will deploy approximately £8.2 million of ringfenced Section 106 funding to support the curation of a diverse affordable workspace ecosystem focused primarily on STEM³ sectors (Science, Technology, Engineering, Mathematics, Medicine, Media), positioning Hammersmith & Fulham as an exemplar of entrepreneurial municipal government that goes beyond planning policy to drive innovation-led, inclusive economic growth.

The Strategy proposes four priority interventions and establishes the strategic framework and governance structure for delivery. This approval ensures democratic oversight through a staged decision-making process: while Cabinet approval is sought to adopt Strategy itself,

any major spending commitments within the programme will return to Cabinet for separate approval before funds are deployed.

Lead Member(s): Cabinet Member for Enterprise and Skills

Reason: Affects 2 or more wards

Wards affected: All Wards

Contact officer: James Collister, James.Collister@lbhf.gov.uk

Decision maker(s): Cabinet

Earliest date the decision will be made: 9 Mar 2026

Proposed Key Decision: Revenue Budget Review Month 9 (December 2025)

To note the Council's forecast position

Lead Member(s): Cabinet Member for Finance and Reform

Reason: Affects 2 or more wards

Wards affected: All Wards

Contact officer: Andre Mark, andre.mark@lbhf.gov.uk

Decision maker(s): Cabinet

Earliest date the decision will be made: 9 Mar 2026

Proposed Key Decision: St Thomas of Canterbury Catholic Primary School Academy Conversion

St Thomas of Canterbury Catholic Primary School Academy Conversion

Lead Member(s): Deputy Leader (responsible for Children and Education)

Reason: Budg/pol framework

Wards affected: Munster

Contact officer: Daryle Mathurin, Daryle.Mathurin@lbhf.gov.uk

Decision maker(s): Cabinet

Earliest date the decision will be made: 9 Mar 2026

Proposed Key Decision: Capital Programme Monitor & Budget Variations, 2025/26 (Third Quarter)

This report provides a financial update on the council's capital programme and requests approval for budget variations to the capital programme.

Lead Member(s): Cabinet Member for Finance and Reform

Reason: Expenditure/Income over £5m & policies or new income, reserves use, overspend over £300K

Wards affected: All Wards

Contact officer: Andre Mark, andre.mark@lbhf.gov.uk

Deputy Leader (responsible for Children and Education)

Decision maker(s): Deputy Leader (responsible for Children and Education)

Earliest date the decision will be made: May 2025

Proposed Key Decision: Approving entering a lease arrangement for the Family Annex at Wendell Park Primary School to Imperial Old Oak Primary

To approve entering into a lease for the Family Annex building at Wendell Park Primary School to Imperial Old Oak Primary on a five year full repairing lease, with option to extend for a further two years.

Lead Member(s): Deputy Leader (responsible for Children and Education)

Reason: Expenditure/ Income above £300K - Revenue up to £500k and Capital up to 1.5m

Wards affected: Wendell Park

Contact officer: Anthony Mugan, Anthony.Mugan@lbhf.gov.uk

Decision maker(s): Deputy Leader (responsible for Children and Education)

Earliest date the decision will be made: May 2025

Proposed Key Decision: CAMHS Contract Extension

This paper seeks approval for a 1-year extension of our current CAMHS contract until March 2026, as stipulated within our contract agreement.

Lead Member(s): Deputy Leader (responsible for Children and Education)

Reason: Expenditure/ Income - Revenue between £500,000 and £5m and Capital between £1.5m and £5m

Wards affected: All Wards

Contact officer: Hannah parrott,

Decision maker(s): Deputy Leader (responsible for Children and Education)

Earliest date the decision will be made: May 2025

Proposed Key Decision: Creation of specialist SEN provision at Ark Burlington Danes Academy

The report seeks approval for consultation on the creation of new SEND provision at Ark Burlington Danes together with associated revenue and capital funding.

Lead Member(s): Deputy Leader (responsible for Children and Education)

Reason: Affects 2 or more wards

Wards affected: All Wards

Contact officer: Daryle Mathurin, Daryle.Mathurin@lbhf.gov.uk

Decision maker(s): Deputy Leader (responsible for Children and Education)

Earliest date the decision will be made: May 2025

Proposed Key Decision: Creation of specialist SEN provision at Fulham Cross Academy

The report seeks approval for consultation on the creation of new SEND provision at Fulham Cross Academy together with associated revenue and capital funding.

Lead Member(s): Deputy Leader (responsible for Children and Education)

Reason: Affects 2 or more wards

Wards affected: All Wards

Contact officer: Daryle Mathurin, Daryle.Mathurin@lbhf.gov.uk

Decision maker(s): Deputy Leader (responsible for Children and Education)

Earliest date the decision will be made: May 2025

Proposed Key Decision: Extension to Olive House Extra Care Contract

The decision is to extend the Olive House Extra Care Contract for one year, with the option to extend for another year.

The service is based on a core and flexi model which fits around resident's needs. This extension will provide a consistent and sustainable Extra Care Service for resident of the borough, which promotes independent living, enabling them to remain in their own home for as long as possible and reduces the need for more expensive residential care.

Lead Member(s): Deputy Leader (responsible for Children and Education)

Reason: Expenditure/ Income - Revenue between £500,000 and £5m and Capital between £1.5m and £5m

Wards affected: Sands End

Contact officer: Jessie Ellis, Jessie.Ellis@lbhf.gov.uk

Decision maker(s): Deputy Leader (responsible for Children and Education)

Earliest date the decision will be made: May 2025

Proposed Key Decision: Procurement Strategy for Fulham Bilingual School Windows

The report sets out the procurement strategy for works to repair or, were necessary, replace windows at Fulham Bilingual School.

Lead Member(s): Deputy Leader (responsible for Children and Education)

Reason: Expenditure/ Income - Revenue between £500,000 and £5m and Capital between £1.5m and £5m

Wards affected: Parsons Green & Sandford

Contact officer: Anthony Mugan, Anthony.Mugan@lbhf.gov.uk

Decision maker(s): Deputy Leader (responsible for Children and Education)

Earliest date the decision will be made: May 2025

Proposed Key Decision: Procurement Strategy for Langford Window Upgrade

The report sets out the proposed procurement strategy for works to repair where possible, or replace if necessary, the windows at Langford Primary School

Lead Member(s): Deputy Leader (responsible for Children and Education)

Reason: Expenditure/ Income - Revenue between £500,000 and £5m and Capital between £1.5m and £5m

Wards affected: Sands End

Contact officer: Anthony Mugan, Anthony.Mugan@lbhf.gov.uk

Decision maker(s): Deputy Leader (responsible for Children and Education)

Earliest date the decision will be made: May 2025

Proposed Key Decision: Short extension of existing contract for Genito-Urinary Medicine (GUM) services

This report is recommending an extension of the current GUM contract to the current provider Chelsea and Westminster Foundation NHS Trust. The current contract ends on 31st March 2025, therefore to ensure compliance a short variation of 4 months is sought while the current collaborative PSR process is completed.

Lead Member(s): Deputy Leader (responsible for Children and Education)

Reason: Expenditure/ Income - Revenue between £500,000 and £5m and Capital between £1.5m and £5m

Wards affected: All Wards

Contact officer: Helen Byrne, Helen.Byrne@lbhf.gov.uk

Decision maker(s): Deputy Leader (responsible for Children and Education)

Earliest date the decision will be made: May 2025

Proposed Key Decision: Short Term Lease for the School House at Hurlingham Academy

The report requests approval for consent for Hurlingham Academy to enter into a short term lease of the School House (caretakers lodge).

Lead Member(s): Deputy Leader (responsible for Children and Education)

Reason: Expenditure/ Income above £300K - Revenue up to £500k and Capital up to 1.5m

Wards affected: Palace & Hurlingham

Contact officer: Daryle Mathurin, Daryle.Mathurin@lbhf.gov.uk

Decision maker(s): Deputy Leader (responsible for Children and Education)

Earliest date the decision will be made: May 2025

Proposed Key Decision: Fulham Bilingual Windows Contract Award.

To award the contract for repairing and where necessary replacing the windows at Fulham Bilingual School.

Lead Member(s): Deputy Leader (responsible for Children and Education)

Reason: Expenditure/ Income above £300K - Revenue up to £500k and Capital up to 1.5m

Wards affected: Parsons Green & Sandford

Contact officer: Anthony Mugan, Anthony.Mugan@lbhf.gov.uk

Decision maker(s): Deputy Leader (responsible for Children and Education)

Earliest date the decision will be made: May 2025

Proposed Key Decision: Approval of the expansion of Queensmill satellite provision

To approve the creation of Queensmill Special School satellite provision at Sullivan Primary School.

Lead Member(s): Deputy Leader (responsible for Children and Education)

Reason: Affects 2 or more wards

Wards affected: Parsons Green & Sandford

Contact officer: Katia Neale, katia.neale@lbhf.gov.uk

Decision maker(s): Deputy Leader (responsible for Children and Education)

Earliest date the decision will be made: Between 31 Jul 2025 and 10 Aug 2025

Proposed Key Decision: Awards for Minor Adaptations and Assistive Technology

The paper seeks approval to enter new contractual arrangements for the provision of this service.

Lead Member(s): Deputy Leader (responsible for Children and Education)

Reason: Expenditure/ Income - Revenue between £500,000 and £5m and Capital between £1.5m and £5m

Wards affected: All Wards

Contact officer: Joe Gunning, Joe.Gunning@lbhf.gov.uk

Decision maker(s): Deputy Leader (responsible for Children and Education)

Earliest date the decision will be made: 4 Aug 2025

Proposed Key Decision: Approve licence for the use of the Dalling Rd site by Hammersmith and Fulham Foodbank

The report seeks approval for a licence for the use of the Dalling Rd site by Hammersmith and Fulham Foodbank

Lead Member(s): Deputy Leader (responsible for Children and Education)

Reason: Expenditure/ Income - Revenue between £500,000 and £5m and Capital between £1.5m and £5m

Wards affected: Avonmore

Contact officer: Anthony Mugan, Anthony.Mugan@lbfh.gov.uk

Decision maker(s): Deputy Leader (responsible for Children and Education)

Earliest date the decision will be made: Before 15 Aug 2025

Proposed Key Decision: Approve bid to the Carbon Offset Fund for Projects in Schools

The report seeks approval to bid for £1,500,000 from the Carbon Offset Fund to Progress low carbon projects including solar, air-sourced heat pumps and additional insulation at four schools, Brackenbury, Kenmont, Melcombe and Miles Coverdale Primary Schools.

Lead Member(s): Deputy Leader (responsible for Children and Education)

Reason: Affects 2 or more wards

Wards affected: College Park and Old Oak; Fulham Reach; Grove; Shepherds Bush Green

Contact officer: Anthony Mugan, Anthony.Mugan@lbfh.gov.uk

Decision maker(s): Deputy Leader (responsible for Children and Education)

Earliest date the decision will be made: September 2025

Proposed Key Decision: Lease of The Courtyard to United Learning Trust

To approve the lease of The Courtyard building to United Learning Trust for use by Langford Primary.

Lead Member(s): Deputy Leader (responsible for Children and Education)

Reason: Budg/pol framework

Wards affected: Sands End

Contact officer: Anthony Mugan, Anthony.Mugan@lbhf.gov.uk

Decision maker(s): Deputy Leader (responsible for Children and Education)

Earliest date the decision will be made: December 2025

Proposed Key Decision: Contract Award for advocacy services

Delivery of community and statutory advocacy services in Hammersmith and Fulham

Lead Member(s): Deputy Leader (responsible for Children and Education)

Reason:

Wards affected: All Wards

Contact officer: Jessie Ellis, Jessie.Ellis@lbhf.gov.uk

Decision maker(s): Deputy Leader (responsible for Children and Education)

Earliest date the decision will be made: 15 Dec 2025

Proposed Key Decision: Coordination of the Holiday Activity and Food Programme Award

Award decision for the tender for the Coordination of the Holiday Activity and Food Programme from 2026

Lead Member(s): Deputy Leader (responsible for Children and Education)

Reason: Expenditure/ Income - Revenue between £500,000 and £5m and Capital between £1.5m and £5m

Wards affected: All Wards

Contact officer: Marcus Robinson, Marcus.RobinsonCHS@lbhf.gov.uk

Decision maker(s): Deputy Leader (responsible for Children and Education)

Earliest date the decision will be made: December 2025

Proposed Key Decision: Procurement Strategy and Award for Children Looked After CAMHS 26/27

The procurement strategy and contract award for the Preferred Supplier for Children Looked After Child and Adolescent Mental Health Services (CLA CAMHS) aligned to Regulation 7 and Schedule 2 of the Health Care Services (Provider Selection Regime) Regulations 2023

Lead Member(s): Deputy Leader (responsible for Children and Education)

Reason: Expenditure/ Income above £300K - Revenue up to £500k and Capital up to 1.5m

Wards affected: All Wards

Contact officer: Hannah parrott,

Decision maker(s): Deputy Leader (responsible for Children and Education)

Earliest date the decision will be made: January 2026

Proposed Key Decision: Brackenbury Primary School SEN Unit

The 2023 HF SEND (Special Educational Needs and Disabilities) Sufficiency Review set out plans to create education provision that meets the needs of children and young people in Hammersmith & Fulham with special educational needs. This report recommends the creation and the delivery of a SEN (Special Educational Needs) Unit at Brackenbury Primary School commencing September 2026.

Lead Member(s): Deputy Leader (responsible for Children and Education)

Reason: Budg/pol framework

Wards affected: Grove

Contact officer: Daryle Mathurin, Daryle.Mathurin@lbhf.gov.uk

Decision maker(s): Deputy Leader (responsible for Children and Education)

Earliest date the decision will be made: January 2026

Proposed Key Decision: Wormholt Park School SEN Unit

The 2023 HF SEND (Special Educational Needs and Disabilities) Sufficiency Review set out plans to create education provision that meets the needs of children and young people in Hammersmith & Fulham with special educational needs. This report recommends the creation and the delivery of a SEN (Special Educational Needs) Unit at Wormholt Park Primary School commencing September 2026.

Lead Member(s): Deputy Leader (responsible for Children and Education)

Reason: Budg/pol framework

Wards affected: Wormholt

Contact officer: Daryle Mathurin, Daryle.Mathurin@lbhf.gov.uk

Decision maker(s): Deputy Leader (responsible for Children and Education)

Earliest date the decision will be made: Before 31 Jan 2026

Proposed Key Decision: Procurement Strategy and Contract Award for Public Health GP Services

This report seeks to get agreement to proceed with awarding the following services via the Provider Selection Regime (PSR) to GPs located in the Borough:

- NHS Health Checks programme (NHSCH)
- Long-acting reversible contraceptive service (LARC)
- Opioid Drug Dependence General Practice Shared Care Service

Lead Member(s): Deputy Leader (responsible for Children and Education)

Reason: Expenditure/ Income - Revenue between £500,000 and £5m and Capital between £1.5m and £5m

Wards affected: All Wards

Contact officer: Rebecca Richardson, James Mason,
rebecca.richardson@lbhf.gov.uk, james.mason@lbhf.gov.uk

Cabinet Member for Adult Social Care and Health

Decision maker(s): Cabinet Member for Adult Social Care and Health

Earliest date the decision will be made: May 2025

Proposed Key Decision: H&F Healthwatch Extension

This report requests an extension to the incumbent Healthwatch while re-procurement takes place.

Lead Member(s): Cabinet Member for Adult Social Care and Health

Reason: Expenditure/ Income - Revenue between £500,000 and £5m and Capital between £1.5m and £5m

Wards affected: All Wards

Contact officer: Jessie Ellis, Jessie.Ellis@lbhf.gov.uk

Decision maker(s): Cabinet Member for Adult Social Care and Health

Earliest date the decision will be made: 24 May 2025

Proposed Key Decision: Careline Alarm Receiving Centre Platform

The IT platform that Careline staff are using to receive and respond to alarms.

Lead Member(s): Cabinet Member for Adult Social Care and Health

Reason: Expenditure/ Income above £300K - Revenue up to £500k and Capital up to 1.5m

Wards affected: All Wards

Contact officer: Johan van Wijgerden, Johan.vanwijgerden@lbhf.gov.uk

Decision maker(s): Cabinet Member for Adult Social Care and Health

Earliest date the decision will be made: 27 Oct 2025

Proposed Key Decision: Procurement Strategy- Direct Payment Support Service

Recommission of Direct Payment Support Service

Lead Member(s): Cabinet Member for Adult Social Care and Health

Reason: Expenditure/ Income - Revenue between £500,000 and £5m and Capital between £1.5m and £5m

Wards affected: All Wards

Contact officer: Lydia Sabatini, Lydia.Sabatini@lbhf.gov.uk

Decision maker(s): Cabinet Member for Adult Social Care and Health

Earliest date the decision will be made: 19 Jan 2026

Proposed Key Decision: Carers Hub - Award

Award of the Carers Hub contract following tender and evaluation.

Lead Member(s): Cabinet Member for Adult Social Care and Health

Reason: Expenditure/ Income - Revenue between £500,000 and £5m and Capital between £1.5m and £5m

Wards affected: All Wards

Contact officer: Lydia Sabatini, Lydia.Sabatini@lbhf.gov.uk

Decision maker(s): Deputy Leader (responsible for Children and Education)

Earliest date the decision will be made: 19 Jan 2026

Proposed Key Decision: Procurement Strategy for Direct Payments Support Service

Award of the Direct Payments Support Service contract following tender and evaluation.

Lead Member(s): Cabinet Member for Adult Social Care and Health

Reason: Expenditure/ Income - Revenue between £500,000 and £5m and Capital between £1.5m and £5m

Wards affected: All Wards

Contact officer: Lydia Sabatini, Lydia.Sabatini@lbhf.gov.uk

Decision maker(s): Cabinet Member for Adult Social Care and Health

Earliest date the decision will be made: January 2026

Proposed Key Decision: Award of IT system for Careline Alarm Receiving Centre (ARC)

This is an award of contract for the IT platform that Careline staff use to receive and respond to alarms. The current contract expires on 31 July 2026 with no option for extension.

Lead Member(s): Cabinet Member for Adult Social Care and Health

Reason: Expenditure/ Income above £300K - Revenue up to £500k and Capital up to 1.5m

Wards affected: All Wards

Contact officer: Lydia Sabatini, Lydia.Sabatini@lbhf.gov.uk

Cabinet Member for Climate Change and Ecology

Cabinet Member for the Economy

Decision maker(s): Cabinet Member for the Economy

Earliest date the decision will be made: May 2025

Proposed Key Decision: Avonmore Primary School - Appointment of Main Contractor

This decision requests approval from the Cabinet Member for the Economy to award a contract for the construction of a new primary school and 91 new homes on the site of Avonmore primary school.

Lead Member(s): Cabinet Member for the Economy

Reason: Expenditure/Income over £5m & policies or new income, reserves use, overspend over £300K

Wards affected: Avonmore

Contact officer: Matthew Rumble, matt.rumble@lbhf.gov.uk

Decision maker(s): Cabinet Member for the Economy

Earliest date the decision will be made: May 2025

Proposed Key Decision: Civic campus - agreement to enter into lease in respect of the office block

Civic campus - agreement to enter into lease/s in respect of the office block - The Edmonia Lewis Building

Lead Member(s): Cabinet Member for the Economy

Reason: Expenditure/ Income - Revenue between £500,000 and £5m and Capital between £1.5m and £5m

Wards affected: Hammersmith Broadway

Contact officer: Joanne Woodward, Joanne.Woodward@lbhf.gov.uk

Decision maker(s): Cabinet Member for the Economy

Earliest date the decision will be made: May 2025

Proposed Key Decision: Civic Campus Cinema Decision

Cabinet Member for the Economy to make a decision on entering into an agreement for the cinema lease at the Civic Campus.

Lead Member(s): Cabinet Member for the Economy

Reason: Expenditure/ Income - Revenue between £500,000 and £5m and Capital between £1.5m and £5m

Wards affected: Hammersmith Broadway

Contact officer: Philippa Cartwright, Philippa.Cartwright@lbhf.gov.uk

Decision maker(s): Cabinet Member for the Economy

Earliest date the decision will be made: May 2025

Proposed Key Decision: Civic Campus leases

Cabinet member decision to approve the entering into leases for the commercial units within the civic campus.

Lead Member(s): Cabinet Member for the Economy

Reason: Expenditure/ Income - Revenue between £500,000 and £5m and Capital between £1.5m and £5m

Wards affected: Hammersmith Broadway

Contact officer: Joanne Woodward, Joanne.Woodward@lbhf.gov.uk

Decision maker(s): Cabinet Member for the Economy

Earliest date the decision will be made: May 2025

Proposed Key Decision: Instruction to H&F Developments Ltd to grant a lease on civic campus Affordable Start-up Unit 1

The Council's nominee company, H&F Housing Developments Ltd acts on the instruction of the Council in all matters related to the commercial leases on the civic campus

Lead Member(s): Cabinet Member for the Economy

Reason: Expenditure/ Income - Revenue between £500,000 and £5m and Capital between £1.5m and £5m

Wards affected: Hammersmith Broadway

Contact officer: Philippa Cartwright, Philippa.Cartwright@lbhf.gov.uk

Decision maker(s): Cabinet Member for the Economy

Earliest date the decision will be made: May 2025

Proposed Key Decision: Instruction to H&F Developments Ltd to grant a lease on civic campus Affordable Start-up Unit 2

The Council's nominee company, H&F Housing Developments Ltd acts on the instruction of the Council in all matters related to the commercial leases on the civic campus

Lead Member(s): Cabinet Member for the Economy

Reason: Expenditure/ Income - Revenue between £500,000 and £5m and Capital between £1.5m and £5m

Wards affected: Hammersmith Broadway

Contact officer: Philippa Cartwright, Philippa.Cartwright@lbhf.gov.uk

Decision maker(s): Cabinet Member for the Economy

Earliest date the decision will be made: May 2025

Proposed Key Decision: Instruction to H&F Developments Ltd to grant a lease on civic campus Block B 7th floor office

The Council's nominee company, H&F Housing Developments Ltd acts on the instruction of the Council in all matters related to the commercial leases on the civic campus.

Lead Member(s): Cabinet Member for the Economy

Reason: Expenditure/ Income - Revenue between £500,000 and £5m and Capital between £1.5m and £5m

Wards affected: Hammersmith Broadway

Contact officer: Philippa Cartwright, Philippa.Cartwright@lbhf.gov.uk

Decision maker(s): Cabinet Member for the Economy

Earliest date the decision will be made: May 2025

Proposed Key Decision: Instruction to H&F Developments Ltd to grant a lease on civic campus Block B Restaurant

The Council's nominee company, H&F Housing Developments Ltd acts on the instruction of the Council in all matters related to the commercial leases on the civic campus

Lead Member(s): Cabinet Member for the Economy

Reason: Expenditure/ Income - Revenue between £500,000 and £5m and Capital between £1.5m and £5m

Wards affected: Hammersmith Broadway

Contact officer: Philippa Cartwright, Philippa.Cartwright@lbhf.gov.uk

Decision maker(s): Cabinet Member for the Economy

Earliest date the decision will be made: May 2025

Proposed Key Decision: Instruction to H&F Developments Ltd to grant lease on civic campus Block B ground floor office / reception

The Council's nominee company, H&F Housing Developments Ltd acts on the instruction of the Council in all matters related to the commercial leases on the civic campus

Lead Member(s): Cabinet Member for the Economy

Reason: Expenditure/ Income above £300K - Revenue up to £500k and Capital up to 1.5m

Wards affected: Hammersmith Broadway

Contact officer: Philippa Cartwright, Philippa.Cartwright@lbhf.gov.uk

Decision maker(s): Cabinet Member for the Economy

Earliest date the decision will be made: May 2025

Proposed Key Decision: Procurement and award of consultancy contract

Procurement and award of a contract under a call-off procedure from "Yorkshire Purchasing Organisation 001141 Managing Consultancy and Professional Services Framework" to Reed Specialist Recruitment trading as Consultancy+ for the provision of professional consultancy services in relation to leisure and recreational infrastructure.

Lead Member(s): Cabinet Member for the Economy

Reason: Expenditure/ Income - Revenue between £500,000 and £5m and Capital between £1.5m and £5m

Wards affected: All Wards

Contact officer: Mo Goudah, Matthew Rumble, mo.goudah@lbhf.gov.uk, matt.rumble@lbhf.gov.uk

Decision maker(s): Cabinet Member for the Economy

Earliest date the decision will be made: May 2025

Proposed Key Decision: Procurement and Installation of Audio Visual Equipment, Desk Booking and Smart Technology within the refurbished Town Hall

The Council is seeking to tender for works to procure and install the following:

- Audio Visual equipment
- Desk Booking technology
- Smart technology

Lead Member(s): Cabinet Member for the Economy

Reason: Expenditure/ Income - Revenue between £500,000 and £5m and Capital between £1.5m and £5m

Wards affected: Hammersmith Broadway

Contact officer: Philippa Cartwright, Philippa.Cartwright@lbhf.gov.uk

Decision maker(s): Cabinet Member for the Economy

Earliest date the decision will be made: 10 Aug 2025

Proposed Key Decision: Procurement Strategy for Property and FM to Procure an Electrical Maintenance Contract for its Corporate Estate

To remain ruthlessly financially efficient and to obtain best value out of its supply chain, Property and Facilities Management (FM) need to re-procure the electrical maintenance contract required to maintain the corporate's estate electrical assets and meet its statutory obligations. Property and FM are looking to procure a new 5 (3+2) year contract with a specialist supplier to maintain all corporate's electrical assets covering Fixed Wire testing; Portable Appliance Testing; Lightning Protection; Emergency Lighting; Electric Vehicle (EV) Charge Points; Solar; and Backup Generators.

Lead Member(s): Cabinet Member for the Economy

Reason: Expenditure/ Income - Revenue between £500,000 and £5m and Capital between £1.5m and £5m

Wards affected: All Wards

Contact officer: Sebastian Mazurczak, Sebastian.Mazurczak@lbhf.gov.uk

Cabinet Member for Finance and Reform

Decision maker(s): Cabinet Member for Finance and Reform

Earliest date the decision will be made: May 2025

Proposed Key Decision: Smart Building and Environmental Technologies 2023

The council has ambitions to invest in technology to support climate and environmental targets within offices. Facilities are needed to monitor and manage energy and power usage and operate technically efficient buildings whilst providing powerful utilization data.

Lead Member(s): Cabinet Member for Finance and Reform

Reason: Expenditure/ Income above £300K - Revenue up to £500k and Capital up to 1.5m

Wards affected: All Wards

Contact officer: Ramanand Ladva, Ramanand.Ladva@lbhf.gov.uk

Decision maker(s): Cabinet Member for Finance and Reform

Earliest date the decision will be made: 5 Dec 2025

Proposed Key Decision: Azure Managed Service

Management and support services for the Microsoft Azure cloud hosting platform as well as for the CyberSecurity Operations Centre.

Lead Member(s): Cabinet Member for Finance and Reform

Reason: Expenditure/ Income - Revenue between £500,000 and £5m and Capital between £1.5m and £5m

Wards affected: All Wards

Contact officer: Tina Akpogheneta, Tina.Akpogheneta@lbhf.gov.uk

Decision maker(s): Cabinet Member for Finance and Reform

Earliest date the decision will be made: January 2026

Proposed Key Decision: Contract Award for the provision of Council's contact centre application

Award a contract to the successful third-party partner to deliver the provision of the contact centre platform including CRM, low-code, and AI capabilities

Lead Member(s): Cabinet Member for Finance and Reform

Reason: Expenditure/ Income - Revenue between £500,000 and £5m and Capital between £1.5m and £5m

Wards affected: All Wards

Contact officer: Hina Jethwa, hina.jethwa@lbhf.gov.uk

Cabinet Member for Housing and Homelessness

Decision maker(s): Cabinet Member for Housing and Homelessness

Earliest date the decision will be made: May 2025

Proposed Key Decision: Approval to extend our roofing contract by 12 months

We seek approval to extend our existing contract with our roofing subcontractor. This contract currently supports our DLO by carrying out roofing repairs and maintenance works, on behalf of H&F Maintenance, our Direct Labour Organisation ('the DLO'. The DLO has responsibility for carrying out repairs to communal areas for most of our council housing stock. Due to the specialist nature of roofing works the DLO requires a subcontractor to carry out roofing repairs and maintenance works on its behalf.

We initially procured this provider under a JCT measured term contract from the 16th of May 2022 until the 15th of May 2024. The original contract award allowed for a 12 month extension of the contract until the 15th of May 2025.

We are seeking approval to action this extension of the contract until the 15th of May 2025.

Lead Member(s): Cabinet Member for Housing and Homelessness

Reason: Expenditure/ Income - Revenue between £500,000 and £5m and Capital between £1.5m and £5m

Wards affected: All Wards

Contact officer: Nick Marco-Wadey, Nick.Marco-Wadey@lbhf.gov.uk

Decision maker(s): Cabinet Member for Housing and Homelessness

Earliest date the decision will be made: May 2025

Proposed Key Decision: Award of contract for White City major refurbishment Phase 1 incorporating works to Batman Close, Davis House, Evans House, Mackay House, White City estate W12

This report seeks approval to award a contract for the major refurbishment of eleven blocks forming part of the White City estate W12.

The scheme was included in the Procurement Strategy approved by December 22 Cabinet, which identified sites for investment during the period 2023-2025.

Lead Member(s): Cabinet Member for Housing and Homelessness

Reason: Expenditure/Income over £5m & policies or new income, reserves use, overspend over £300K

Wards affected: White City

Contact officer: Vince Conway, Vince.Conway@lbhf.gov.uk

Decision maker(s): Cabinet Member for Housing and Homelessness

Earliest date the decision will be made: May 2025

Proposed Key Decision: Charecroft estate major refurbishment

Award of works contract for the to the major refurbishment of the Charecroft estate W12

Lead Member(s): Cabinet Member for Housing and Homelessness

Reason: Expenditure/Income over £5m & policies or new income, reserves use, overspend over £300K

Wards affected: Addison

Contact officer: Vince Conway, Vince.Conway@lbhf.gov.uk

Decision maker(s): Cabinet Member for Housing and Homelessness

Earliest date the decision will be made: May 2025

Proposed Key Decision: Council housing policy updates

Decision to approve updated council housing policies, following a review of the council housing policy framework.

Lead Member(s): Cabinet Member for Housing and Homelessness

Reason: Budg/pol framework

Wards affected: All Wards

Contact officer: Harriet Potemkin, Harriet.Potemkin@lbhf.gov.uk

Decision maker(s): Cabinet Member for Housing and Homelessness

Earliest date the decision will be made: May 2025

Proposed Key Decision: Direct Award via the Southeast Consortium Framework for a Windows installation/replacement contractor

We are seeking approval to compliantly direct award a 3 year, £3,000,000 windows installation and replacement contract via the Southeast Consortium Framework.

This contract will provide the council with the additional capacity required to support our increasing work order demand within the repairs service.

Lead Member(s): Cabinet Member for Housing and Homelessness

Reason: Expenditure/ Income - Revenue between £500,000 and £5m and Capital between £1.5m and £5m

Wards affected: All Wards

Contact officer: Richard Buckley, richard.buckley@lbhf.gov.uk

Decision maker(s): Cabinet Member for Housing and Homelessness, Cabinet Member for Social Inclusion and Community Safety

Earliest date the decision will be made: May 2025

Proposed Key Decision: Domestic Abuse Housing Services Policy

Hammersmith & Fulham Housing Department is required to have a domestic abuse policy as part of the Social Housing Act 2023. Our Domestic Abuse Policy relates to Hammersmith & Fulham tenants and survivors of domestic abuse who apply to Hammersmith & Fulham homelessness service, and sets out how we will identify and respond to domestic abuse.

Lead Member(s): Cabinet Member for Housing and Homelessness, Cabinet Member for Social Inclusion and Community Safety

Reason: Affects 2 or more wards

Wards affected: All Wards

Contact officer: Anna L K Jane, anna.jane@lbhf.gov.uk

Decision maker(s): Cabinet Member for Housing and Homelessness

Earliest date the decision will be made: 24 May 2025

Proposed Key Decision: Housing First and Street Outreach Services

A contract extension for Housing First and Street Outreach Services. This service provides the first response to rough sleeping in the borough through their outreach support, and intensive support to residents in their own home with a history of rough sleeping through the Housing First initiative.

Lead Member(s): Cabinet Member for Housing and Homelessness

Reason: Expenditure/ Income above £300K - Revenue up to £500k and Capital up to 1.5m

Wards affected: All Wards

Contact officer: Laura Palfreeman, Laura.Palfreeman@lbhf.gov.uk

Decision maker(s): Cabinet Member for Housing and Homelessness

Earliest date the decision will be made: May 2025

Proposed Key Decision: Procurement Strategy for Housing Lift Modernisation of Barton and Jepson House

To maintain the lift service, it has been recommended that works to modernise the lift should be carried out. This will both improve the reliability of the lifts and reduce future running costs.

Lead Member(s): Cabinet Member for Housing and Homelessness

Reason: Expenditure/ Income - Revenue between £500,000 and £5m and Capital between £1.5m and £5m

Wards affected: All Wards

Contact officer: Akeem Durojaye, akeem.durojaye@lbhf.gov.uk

Decision maker(s): Cabinet Member for Housing and Homelessness

Earliest date the decision will be made: May 2025

Proposed Key Decision: Procurement Strategy/Contract Award approval to Cablesheer to support with housing voids and repairs

We are looking for both procurement strategy and contract award approval to direct award a 3 year contract to Cablesheer. The contract will instruct work orders to Cablesheer to support our term-service patch contractors with housing voids and repairs.

This direct award will be through a compliant Construction Framework (The national framework partnership). The contract value will be for a maximum value of £4,500,000 over a 36 month duration. The contract will apportion the spend equally at £1,500,000 per annum.

Lead Member(s): Cabinet Member for Housing and Homelessness

Reason: Expenditure/ Income - Revenue between £500,000 and £5m and Capital between £1.5m and £5m

Wards affected: All Wards

Contact officer: Nick Marco-Wadey, Nick.Marco-Wadey@lbhf.gov.uk

Decision maker(s): Cabinet Member for Housing and Homelessness

Earliest date the decision will be made: May 2025

Proposed Key Decision: Rough sleeping assessment hub

Agreement for grant funding to be allocated to continue the rough sleeping assessment hub which provides accommodation with support for single people with support needs and a history of rough sleeping or experiencing homelessness

Lead Member(s): Cabinet Member for Housing and Homelessness

Reason: Expenditure/ Income - Revenue between £500,000 and £5m and Capital between £1.5m and £5m

Wards affected: All Wards

Contact officer: Laura Palfreeman, Laura.Palfreeman@lbhf.gov.uk

Decision maker(s): Cabinet Member for Housing and Homelessness

Earliest date the decision will be made: May 2025

Proposed Key Decision: Short-Term Contract Variation to Council Repairs Contract (LOT 3)

This report is seeking approval to temporarily vary the Mears Central Repairs contract. This variation will involve allowing for additional temporary supervisory and administrative support as well as an enhancement on the current contract rates.

The variation will involve cost changes totalling up to £680,000. This will be a temporary variation for a 17-week period.

Lead Member(s): Cabinet Member for Housing and Homelessness

Reason: Expenditure/ Income - Revenue between £500,000 and £5m and Capital between £1.5m and £5m

Wards affected: All Wards

Contact officer: Nick Marco-Wadey, Nick.Marco-Wadey@lbhf.gov.uk

Decision maker(s): Cabinet Member for Housing and Homelessness

Earliest date the decision will be made: June 2025

Proposed Key Decision: Extension of Pinnacle Caretaking Contract

Extension for the Pinnacle Caretaking contract on Housing estates for a 2 year period.

Lead Member(s): Cabinet Member for Housing and Homelessness

Reason: Expenditure/Income over £5m & policies or new income, reserves use, overspend over £300K

Wards affected: All Wards

Contact officer: Patrick McNamara, patrick.mcnamara@lbhf.gov.uk

Decision maker(s): Cabinet Member for Housing and Homelessness

Earliest date the decision will be made: 24 Jun 2025

Proposed Key Decision: Rough Sleeping Assessment Hub

Procurement strategy for a rough sleeping assessment hub which will provide short term accommodation for people experiencing rough sleeping or at risk of rough sleeping

Lead Member(s): Cabinet Member for Housing and Homelessness

Reason: Expenditure/ Income - Revenue between £500,000 and £5m and Capital between £1.5m and £5m

Wards affected: All Wards

Contact officer: Laura Palfreeman, Laura.Palfreeman@lbhf.gov.uk

Decision maker(s): Cabinet Member for Housing and Homelessness

Earliest date the decision will be made: October 2025

Proposed Key Decision: Procurement Strategy for Leaks from Above

Dedicated contract for dealing with leaks in the Council's social housing homes. Specialist detection and remedial works to prevent damage to assets

Lead Member(s): Councillor Frances Umeh

Reason: Expenditure/ Income - Revenue between £500,000 and £5m and Capital between £1.5m and £5m

Wards affected: All Wards

Contact officer: Gavin Duncumb, Gavin.duncumb@lbhf.gov.uk

Decision maker(s): Cabinet Member for Housing and Homelessness

Earliest date the decision will be made: January 2026

Proposed Key Decision: Procurement Strategy and Contract Award Aids and Adaptations

Aids and adaptation works to the council's housing stock and private residents which claim as part of a grant

Lead Member(s): Cabinet Member for Housing and Homelessness

Reason: Expenditure/ Income - Revenue between £500,000 and £5m and Capital between £1.5m and £5m

Wards affected: All Wards

Contact officer: Gavin Duncumb, Gavin.duncumb@lbhf.gov.uk

Cabinet Member for Public Realm

Decision maker(s): Cabinet Member for Public Realm

Earliest date the decision will be made: May 2025

Proposed Key Decision: Approval for a 10 year lease on 27 Bulwer street W12 8AR

We are seeking approval for a 10 year lease in the north of the borough to house our parking on street enforcement team. the search for a suitable property has been on going for the last 18 months. This property is highly suitable for our operation and will be funded from the existing parking budgets.

Lead Member(s): Cabinet Member for Public Realm

Reason: Expenditure/ Income - Revenue between £500,000 and £5m and Capital between £1.5m and £5m

Wards affected: Shepherds Bush Green

Contact officer: Gary Hannaway, gary.hannaway@lbhf.gov.uk

Decision maker(s): Cabinet Member for Public Realm

Earliest date the decision will be made: May 2025

Proposed Key Decision: Cashless Parking Solution Procurement

Carry out a procurement exercise for the councils Pay & Display mobile operator.

Lead Member(s): Cabinet Member for Public Realm

Reason: Affects 2 or more wards

Wards affected: All Wards

Contact officer: Oscar Turnerberg, oscar.turnerberg@lbhf.gov.uk

Decision maker(s): Cabinet Member for Public Realm

Earliest date the decision will be made: May 2025

Proposed Key Decision: Contract Award of the On Street Residential Chargepoint Scheme (ORCS 4) Grant

Award of a contract to deliver 23 on-street fast electric vehicle charging points.

Lead Member(s): Cabinet Member for Public Realm

Reason: Expenditure/ Income above £300K - Revenue up to £500k and Capital up to 1.5m

Wards affected: All Wards

Contact officer: Masum Choudhury, Masum.Choudhury@lbhf.gov.uk

Decision maker(s): Cabinet Member for Public Realm

Earliest date the decision will be made: 24 May 2025

Proposed Key Decision: Grounds Maintenance Contract Variation

Contract variation to incentivise Idverde to improve performance

Lead Member(s): Cabinet Member for Public Realm

Reason: Expenditure/ Income - Revenue between £500,000 and £5m and Capital between £1.5m and £5m

Wards affected: All Wards

Contact officer: Simon Ingyon, Simon.Ingyon@lbhf.gov.uk

Decision maker(s): Cabinet Member for Public Realm

Earliest date the decision will be made: May 2025

Proposed Key Decision: Highway Asset Management Strategy

Highway Asset Management Strategy outlines how the highway will be managed in the future.

Lead Member(s): Cabinet Member for Public Realm

Reason: Affects 2 or more wards

Wards affected: All Wards

Contact officer: Ian Hawthorn, ian.hawthorn@lbhf.gov.uk

Decision maker(s): Cabinet Member for Public Realm

Earliest date the decision will be made: May 2025

Proposed Key Decision: Leisure Contract Variation

Leisure Contract Variation

Lead Member(s): Cabinet Member for Public Realm

Reason: Expenditure/ Income - Revenue between £500,000 and £5m and Capital between £1.5m and £5m

Wards affected: All Wards

Contact officer: Simon Ingyon, Simon.Ingyon@lbhf.gov.uk

Decision maker(s): Cabinet Member for Public Realm

Earliest date the decision will be made: May 2025

Proposed Key Decision: Linford Christie Stadium Athletics Track Refurbishment

Refurbishment of athletics track and installation of new LED floodlights.

Lead Member(s): Cabinet Member for Public Realm

Reason: Expenditure/ Income above £300K - Revenue up to £500k and Capital up to 1.5m

Wards affected: College Park and Old Oak

Contact officer: Simon Ingyon, Simon.Ingyon@lbhf.gov.uk

Decision maker(s): Cabinet Member for Public Realm

Earliest date the decision will be made: May 2025

Proposed Key Decision: Pan London Contract on the Future of Micro-mobility

Authority to negotiate terms, agree charges and enter into contracts related to e-bike hire and e-scooter hire contracts .

Lead Member(s): Cabinet Member for Public Realm

Reason: Expenditure/ Income - Revenue between £500,000 and £5m and Capital between £1.5m and £5m

Wards affected: All Wards

Contact officer: Masum Choudhury, Masum.Choudhury@lbhf.gov.uk

Decision maker(s): Cabinet Member for Public Realm

Earliest date the decision will be made: May 2025

Proposed Key Decision: Parking Bailiff Enforcement Procurement Strategy

This decision will be to sign off on the procurement strategy relating to the bailiff enforcement contract for outstanding Penalty Charge Notice (PCN) debt.

Lead Member(s): Cabinet Member for Public Realm

Reason: Expenditure/ Income - Revenue between £500,000 and £5m and Capital between £1.5m and £5m

Wards affected: All Wards

Contact officer: Gary Hannaway, Bram Kainth, gary.hannaway@lbhf.gov.uk, bram.kainth@lbhf.gov.uk

Decision maker(s): Cabinet Member for Public Realm

Earliest date the decision will be made: May 2025

Proposed Key Decision: Registration and Mortuary (Fees and Charges)

To agree the introduction of new service charge categories and approve the proposed uplifted fees and charges from 1 April 2024.

Lead Member(s): Cabinet Member for Public Realm

Reason: Expenditure/ Income - Revenue between £500,000 and £5m and Capital between £1.5m and £5m

Wards affected: All Wards

Contact officer: Kayode Adewumi, Kayode.Adewumi@lbhf.gov.uk

Decision maker(s): Cabinet Member for Public Realm

Earliest date the decision will be made: May 2025

Proposed Key Decision: Smart Transport - Traffic Data Procurement

To procure Smart Transport to handle the Parking departments on-street data collection needs.

Lead Member(s): Cabinet Member for Public Realm

Reason: Expenditure/ Income - Revenue between £500,000 and £5m and Capital between £1.5m and £5m

Wards affected: All Wards

Contact officer: Oscar Turnerberg, oscar.turnerberg@lbhf.gov.uk

Decision maker(s): Cabinet Member for Public Realm

Earliest date the decision will be made: May 2025

Proposed Key Decision: Strategy and call off Ealing Framework to use Matrix SCM Limited for Neighbourhood Improvements and Place Shaping Projects

Professional services for civil and traffic engineering design, project management and community engagement

Lead Member(s): Cabinet Member for Public Realm

Reason: Expenditure/ Income - Revenue between £500,000 and £5m and Capital between £1.5m and £5m

Wards affected: All Wards

Contact officer: Russell Trewartha, Russell.Trewartha@lbhf.gov.uk

Decision maker(s): Cabinet Member for Public Realm

Earliest date the decision will be made: May 2025

Proposed Key Decision: Suspensions Fees & Charges Uplift

Uplift of Suspensions Fees & Charges to reflect current requirements.

Lead Member(s): Cabinet Member for Public Realm

Reason: Affects 2 or more wards

Wards affected: All Wards

Contact officer: Oscar Turnerberg, oscar.turnerberg@lbhf.gov.uk

Decision maker(s): Cabinet Member for Public Realm

Earliest date the decision will be made: May 2025

Proposed Key Decision: Traffic Orders Fees & Charges Uplift

Uplift of Traffic Orders Fees & Charges to reflect current requirements.

Lead Member(s): Cabinet Member for Public Realm

Reason: Affects 2 or more wards

Wards affected: All Wards

Contact officer: Oscar Turnerberg, oscar.turnerberg@lbhf.gov.uk

Decision maker(s): Cabinet Member for Public Realm

Earliest date the decision will be made: June 2025

Proposed Key Decision: Procurement Strategy for Fuel Cards

Procurement of a provider to provide petrol and EV charging forecourt cards for council fleet

Lead Member(s): Cabinet Member for Public Realm

Reason: Expenditure/ Income - Revenue between £500,000 and £5m and Capital between £1.5m and £5m

Wards affected: All Wards

Contact officer: Pat Cosgrave, Pat.Cosgrave@lbhf.gov.uk

Decision maker(s): Cabinet Member for Public Realm

Earliest date the decision will be made: 24 Jun 2025

Proposed Key Decision: Fulham Reach - Chancellor's Road, Distillery Road and Winslow Road W6 - S106 Highway Works

The Council has secured section 106 funding to deliver public realm and highway improvement works at Chancellor's Road, Distillery Road, and Winslow Road (W6), within the Fulham Reach area. These works are part of a wider strategy to enhance local infrastructure and support sustainable travel in line with the Council's climate and transport objectives. The proposed scheme will improve the overall streetscape and safety of Chancellors Road. This will involve the resurfacing of both the footways and carriageway, replacing the existing street lighting columns and implementing traffic-calming measures.

Lead Member(s): Cabinet Member for Public Realm

Reason:

Wards affected: Fulham Reach

Contact officer: Russell Trewartha, Russell.Trewartha@lbhf.gov.uk

Decision maker(s): Cabinet Member for Public Realm

Earliest date the decision will be made: 14 Jul 2025

Proposed Key Decision: Cycle Training & Bike Mechanics

Procurement via Waltham Forest Framework for 3 years + 2 years contract to cover LBHF's cycle training & bike mechanic contracts

Lead Member(s): Cabinet Member for Public Realm

Reason: Expenditure/ Income - Revenue between £500,000 and £5m and Capital between £1.5m and £5m

Wards affected: All Wards

Contact officer: Philippa Robb, Philippa.Robb@lbhf.gov.uk

Decision maker(s): Cabinet Member for Public Realm

Earliest date the decision will be made: 4 Aug 2025

Proposed Key Decision: Procurement Strategy and Award of Contract for Statutory Printing Services

Decision report seeking approval for LB Hammersmith & Fulham, to procure and award a contract for the provision of Statutory Documentation Printing Services.

Lead Member(s): Cabinet Member for Public Realm

Reason: Expenditure/ Income - Revenue between £500,000 and £5m and Capital between £1.5m and £5m

Wards affected: All Wards

Contact officer: Mark Fanneran, mark.fanneran@lbhf.gov.uk

Decision maker(s): Cabinet Member for Public Realm

Earliest date the decision will be made: 13 Aug 2025

Proposed Key Decision: Fulham Football club funding for Stevenage Park

Fulham Football club has offered to fund improvements to Stevenage Park, adjacent to Craven Cottage Stadium. This report assesses the current issues at the site and the proposals to address these, and recommends acceptance of funding.

Lead Member(s): Cabinet Member for Public Realm

Reason: Expenditure/ Income - Revenue between £500,000 and £5m and Capital between £1.5m and £5m

Wards affected: Fulham Reach

Contact officer: Heather Marsh, HEATHER.MARSH@lbhf.gov.uk

Decision maker(s): Cabinet Member for Public Realm

Earliest date the decision will be made: 20 Aug 2025

Proposed Key Decision: Farmers Market Tender

There were previously established weekly farmer's markets in Ravenscourt Park and Bishops Park up until 2019. We are looking to re-establish these and add a new market to Shepherds Bush Green. There will be an additional opportunity for adhoc markets under the

Hammersmith flyover to compliment the existing events programme. Hammersmith and Fulham Council are inviting market companies to provide high quality weekly farmers markets in Bishops Park, Ravenscourt Park and Shepherds Bush Green (with the potential for additional parks). The markets should be high quality with locally sourced suppliers and produce. The markets should be inclusive and attract as wide a section of the borough's residents as possible.

- For each of the 3 sites there will be 1 farmer's market –operating up to 50 weeks a year per site
- Bishops Park Sunday
- Ravenscourt Saturday
- Shepherds Bush Green Sunday

This will be a concession contract. The contract period will be for a three-year term and will be income based with no council expenditure.

In addition, the contract will invite bidders to express an interest for the opportunity to tender for under the Hammersmith Flyover to deliver a minimum of 6 various markets a year.

Each bidder can submit an expression of interest for individual sites or can apply for all locations.

Wards Affected: Ravenscourt, Shepherds Bush Green, Hammersmith, Palace and Hurlingham

Lead Member(s): Cabinet Member for Public Realm

Reason: Affects 2 or more wards

Wards affected: Palace & Hurlingham

Contact officer: Emma Jerrard, Emma.Jerrard@lbfh.gov.uk

Decision maker(s): Cabinet Member for Public Realm

Earliest date the decision will be made: Before 30 Sep 2025

Proposed Key Decision: Variation of the RBKC Framework to finalise Council wide public realm procurement

A variation is required of the RBKC framework to finalise the Council wide Public Realm works and Professional Service Contract. This will extend the framework by a maximum of 6 months to allow the procurement to be completed and an effective mobilisation period established.

Lead Member(s): Cabinet Member for Public Realm

Reason: Expenditure/ Income - Revenue between £500,000 and £5m and Capital between £1.5m and £5m

Wards affected: All Wards

Contact officer: Ian Hawthorn, ian.hawthorn@lbhf.gov.uk

Decision maker(s): Cabinet Member for Public Realm

Earliest date the decision will be made: 12 Nov 2025

Proposed Key Decision: Procurement Strategy and Contract Award for Hammersmith Grove – Sustainable Drainage Systems and Public Realm Improvements Works

The Hammersmith Grove Sustainable Drainage Systems (SuDS) and Public Realm Improvements scheme sets out a phased delivery approach to enhance flood resilience, accessibility, and placemaking along a key corridor in Hammersmith. Developed in collaboration with local residents and aligned with the Council's Climate and Ecological Strategy, the scheme will commence with gateway improvements and mobilisation of works funded through Tranche 4 of the Green Investment Fund. Approval is sought to award the works contract to the Preferred Supplier and initiate Phase 1. Further funding will be pursued to enable full delivery of Phases 2 and 3, which aim to deliver long-term environmental, social, and economic benefits for the local community.

Lead Member(s): Cabinet Member for Public Realm

Reason: Expenditure/ Income above £300K - Revenue up to £500k and Capital up to 1.5m

Wards affected: Grove

Contact officer: Ruby Jones, ruby.jones@lbhf.gov.uk

Decision maker(s): Cabinet Member for Public Realm

Earliest date the decision will be made: November 2025

Proposed Key Decision: Play Maintenance and Inspections Contract

5-year contract for a supplier to inspect and undertake maintenance on play equipment within Parks and Open Spaces.

Lead Member(s): Cabinet Member for Public Realm

Reason: Expenditure/ Income above £300K - Revenue up to £500k and Capital up to 1.5m

Wards affected: All Wards

Contact officer: Hugo Ross-Tatam, Hugo.ross-tatam@lbhf.gov.uk

Decision maker(s): Cabinet Member for Public Realm

Earliest date the decision will be made: December 2025

Proposed Key Decision: Wormwood Scrubs AEM (Alternative Ecological Mitigation) Masterplan for Contract Award

To award a contract to a suitably qualified and experienced supplier for the implementation of the Alternative Ecological Mitigation (AEM) Masterplan capital works and 10 Year Management and Maintenance Plan (MMP) for Wormwood Scrubs.

Lead Member(s): Cabinet Member for Public Realm

Reason: Expenditure/ Income - Revenue between £500,000 and £5m and Capital between £1.5m and £5m

Wards affected: College Park and Old Oak

Contact officer: Vicki Abel, Victoria.Abel@lbhf.gov.uk

Decision maker(s): Cabinet Member for Public Realm

Earliest date the decision will be made: January 2026

Proposed Key Decision: Commercial Waste Time Banding for Uxbridge Road and King Street

Decision whether to proceed with timed commercial waste collections on Uxbridge Rd and King St following consultation

Lead Member(s): Cabinet Member for Public Realm

Reason: Affects 2 or more wards

Wards affected: Coningham; Hammersmith Broadway; Ravenscourt; Shepherds Bush Green; Wendell Park; White City; Wormholt

Contact officer: Annie Baker, Annie.Baker@lbhf.gov.uk

Decision maker(s): Cabinet Member for Public Realm

Earliest date the decision will be made: February 2026

Proposed Key Decision: Award of contract for the provision of Liquid Fuels

Award for provision of diesel, HVO and AdBlue for a period of 2 years

Lead Member(s): Cabinet Member for Public Realm

Reason: Expenditure/ Income - Revenue between £500,000 and £5m and Capital between £1.5m and £5m

Wards affected: All Wards

Contact officer: Pat Cosgrave, Pat.Cosgrave@lbhf.gov.uk

Cabinet Member for Social Inclusion and Community Safety

Decision maker(s): Cabinet Member for Social Inclusion and Community Safety

Earliest date the decision will be made: May 2025

Proposed Key Decision: Cost of Living Funding Strategy

This report sets out the council's Cost of Living Funding Strategy for 2024/25 including the allocation of Household Support Fund grant. The Cost-of-Living programme underscores the Council's ongoing commitment to building a resilient and supportive community, ensuring that no resident is left behind. The Council is investing £6.8m across last year and this year in Cost-of-Living support, continuing to deliver a comprehensive range of support to residents including low-income older residents who have been impacted by the rise in everyday living costs, as well as other priority households and individuals.

Lead Member(s): Cabinet Member for Social Inclusion and Community Safety

Reason: Affects 2 or more wards

Wards affected: All Wards

Contact officer: Matthew Sales, Bathsheba Mall, matthew.sales@lbhf.gov.uk, Bathsheba.Mall@lbhf.gov.uk

Decision maker(s): Cabinet Member for Social Inclusion and Community Safety

Earliest date the decision will be made: July 2025

Proposed Key Decision: Cost of Living Funding Strategy 2025/26

Report agrees the allocation of Cost of Living response programme funding in 2025/26

Lead Member(s): Cabinet Member for Social Inclusion and Community Safety

Reason: Expenditure/ Income - Revenue between £500,000 and £5m and Capital between £1.5m and £5m

Wards affected: All Wards

Contact officer: Matthew Sales, matthew.sales@lbhf.gov.uk

Decision maker(s): Cabinet Member for Social Inclusion and Community Safety

Earliest date the decision will be made: October 2025

Proposed Key Decision: Procurement Strategy for Violence Against Women and Girls (VAWG) Services

Procurement strategy for the re-commissioning of H&F's VAWG services. This is a service that operates over H&F and the Bi-Borough and H&F will be leading on the procurement this time around.

Lead Member(s): Cabinet Member for Social Inclusion and Community Safety

Reason: Expenditure/Income over £5m & policies or new income, reserves use, overspend over £300K

Wards affected: All Wards

Contact officer: Claire Horn, Claire.Horn@lbhf.gov.uk

Decision maker(s): Cabinet Member for Social Inclusion and Community Safety

Earliest date the decision will be made: December 2025

Proposed Key Decision: Decision on the introduction of a public space protection order to tackle anti-social behaviour

The public space protection order would restrict the following -

*Professional beggars, and aggressive and/or persistent begging

*Congregating or gathering in groups (of two or more) engaged in anti-social behaviour

*Wearing a face covering in an attempt to conceal their identity and cause harassment, alarm or distress

Lead Member(s): Cabinet Member for Social Inclusion and Community Safety

Reason: Affects 2 or more wards

Wards affected: All Wards

Contact officer: Laura Seamons, Neil Thurlow, laura.seamons@lbhf.gov.uk, Neil.Thurlow@lbhf.gov.uk

Cabinet Member for Enterprise and Skills

Decision maker(s): Cabinet Member for Enterprise and Skills

Earliest date the decision will be made: January 2026

Proposed Key Decision: Contract award for Training Providers for H&F Adult Learning & Skills service (HFALS) September 2025

Approval for HFALS to subcontract Adult Skills Funded delivery.

Lead Member(s): Cabinet Member for Enterprise and Skills

Reason: Expenditure/ Income above £300K - Revenue up to £500k and Capital up to 1.5m

Wards affected: All Wards

Contact officer: David Ede, David.Ede@lbhf.gov.uk

Executive Director of People

Decision maker(s): Executive Director of People

Earliest date the decision will be made: May 2025

Proposed Key Decision: Approve spend for windows related works at Langford Primary

Approve spend for H&S related windows works at Langford Primary School

Lead Member(s): Deputy Leader (responsible for Children and Education)

Reason: Expenditure/ Income above £300K - Revenue up to £500k and Capital up to 1.5m

Wards affected: Sands End

Contact officer: Anthony Mugan, Anthony.Mugan@lbhf.gov.uk

Decision maker(s): Executive Director of People

Earliest date the decision will be made: May 2025

Proposed Key Decision: Direct Award Report of Carers Services to Carers Network

2 year direct award

Lead Member(s): Cabinet Member for Adult Social Care and Health

Reason: Expenditure/ Income above £300K - Revenue up to £500k and Capital up to 1.5m

Wards affected: All Wards

Contact officer: Lydia Sabatini, Lydia.Sabatini@lbhf.gov.uk

Decision maker(s): Executive Director of People

Earliest date the decision will be made: May 2025

Proposed Key Decision: Direct Award Report of Spot Contract to Living With Equal Opportunities

This is a decision to directly award a 2-year spot contract worth £340 000 to Living With Equal Opportunities (LWEQ) in order to regularise existing arrangements starting 1st October 2024 to 30th September 2026

The reason for this decision is to ensure that residents have access to a responsive and good quality service in an area with insufficient local provision and to allow time for commissioners to coproduce a new model for day opportunities to be tendered for in 2025/6.

A timeline and plan is in place the co-production and governance around a new service model to take place by the end of this contract extension.

2 years also provides enough time to monitor the contract and terminate it if it is found to be underperforming

A waiver will go to Contract Assurance Board.

A strategy paper for a reprocurement will be presented in 2025.

Lead Member(s): Cabinet Member for Adult Social Care and Health

Reason: Expenditure/ Income above £300K - Revenue up to £500k and Capital up to 1.5m

Wards affected: All Wards

Contact officer: Lydia Sabatini, Lydia.Sabatini@lbhf.gov.uk

Decision maker(s): Executive Director of People

Earliest date the decision will be made: May 2025

Proposed Key Decision: Direct Award Report of Statutory Advocacy Services to Libra Partnership

Direct award of contract for two years

Lead Member(s): Cabinet Member for Adult Social Care and Health

Reason: Expenditure/ Income above £300K - Revenue up to £500k and Capital up to 1.5m

Wards affected: All Wards

Contact officer: Lydia Sabatini, Lydia.Sabatini@lbhf.gov.uk

Decision maker(s): Executive Director of People

Earliest date the decision will be made: May 2025

Proposed Key Decision: Direct Award to Jontek for the Careline Alarm Receiving Centre Platform

Hammersmith & Fulham (H&F) Careline is a critical emergency alarm receiving service, safeguarding approximately 3,000 residents, primarily comprising elderly and vulnerable individuals within the borough. Jontek's platform, Answerlink, is the current provider of the Careline Alarm Receiving Centre Platform (ARC) used by H&F Careline to manage and respond to calls and emergency alerts from residents, including telecare.

The decision is to direct award to Jontek to provide Answerlink.

Lead Member(s): Cabinet Member for Adult Social Care and Health

Reason: Expenditure/ Income above £300K - Revenue up to £500k and Capital up to 1.5m

Wards affected: All Wards

Contact officer: Jessie Ellis, Jessie.Ellis@lbhf.gov.uk

Decision maker(s): Executive Director of People

Earliest date the decision will be made: May 2025

Proposed Key Decision: Sullivan Primary School Contract Award for Creation of a Specialist Unit

To award the contract for refurbishment and remodelling works at Sullivan Primary School to create an early years and Key Stage One autism unit that will be a satellite provision of Queensmill Special School.

Lead Member(s): Deputy Leader (responsible for Children and Education)

Reason: Expenditure/ Income above £300K - Revenue up to £500k and Capital up to 1.5m

Wards affected: Parsons Green & Sandford

Contact officer: Anthony Mugan, Anthony.Mugan@lbhf.gov.uk

Decision maker(s): Executive Director of People

Earliest date the decision will be made: 4 Jul 2025

Proposed Key Decision: Contract Award for Works to Satellite Provision for Queensmill Special School to be Located at Sullivan Primary School

Contract award for works to create provision for EYFS and KS1 learners with Autism located at Sullivan Primary School, as a satellite provision of Queensmill Special School

Lead Member(s): Deputy Leader (responsible for Children and Education)

Reason: Expenditure/ Income above £300K - Revenue up to £500k and Capital up to 1.5m

Wards affected: All Wards

Contact officer: Anthony Mugan, Anthony.Mugan@lbhf.gov.uk

Executive Director of Place

Decision maker(s): Executive Director of Place

Earliest date the decision will be made: May 2025

Proposed Key Decision: Appointment of Employer's Agent for Construction Works

Appointment of Employer's Agent for existing construction contract

Lead Member(s): Cabinet Member for the Economy

Reason: Expenditure/ Income above £300K - Revenue up to £500k and Capital up to 1.5m

Wards affected: Hammersmith Broadway

Contact officer: Daniel Murray, daniel.murray@lbhf.gov.uk

Decision maker(s): Executive Director of Place

Earliest date the decision will be made: May 2025

Proposed Key Decision: Approval to award contract for 6th Floor Terrace Landscaping Works (Civic Campus)

The refurbishment of the Civic Campus building is currently underway. A contract is required to procure for the work on the roof garden, which will be on the 6th floor terrace.

Lead Member(s): Cabinet Member for the Economy

Reason: Expenditure/ Income above £300K - Revenue up to £500k and Capital up to 1.5m

Wards affected: Hammersmith Broadway

Contact officer: Philippa Cartwright, Philippa.Cartwright@lbhf.gov.uk

Decision maker(s): Executive Director of Place

Earliest date the decision will be made: May 2025

Proposed Key Decision: Contract Variation for the Purchase and Installation of Purpose-built Community Room and WC Portacabins for Linford Christie

To approve the contract variation for the provision of additional portable cabin facilities to Coleman & Company Limited for a value of up to £338,000.

Lead Member(s): Cabinet Member for the Economy

Reason: Expenditure/ Income above £300K - Revenue up to £500k and Capital up to 1.5m

Wards affected: Wormholt

Contact officer: Chris Nolan, Sebastian Mazurczak, Chris.Nolan@lbhf.gov.uk, Sebastian.Mazurczak@lbhf.gov.uk

Decision maker(s): Executive Director of Place

Earliest date the decision will be made: May 2025

Proposed Key Decision: Instruction to H&F Developments Ltd to grant a lease on civic campus Block C cafe

The Council's nominee company, H&F Housing Developments Ltd acts on the instruction of the Council in all matters related to the commercial leases on the civic campus

Lead Member(s): Cabinet Member for the Economy

Reason: Expenditure/ Income above £300K - Revenue up to £500k and Capital up to 1.5m

Wards affected: Hammersmith Broadway

Contact officer: Philippa Cartwright, Philippa.Cartwright@lbhf.gov.uk

Decision maker(s): Executive Director of Place

Earliest date the decision will be made: May 2025

Proposed Key Decision: Instruction to H&F Developments Ltd to grant cinema lease to successful operator

The Council's nominee company, H&F Housing Developments Ltd, acts upon the instruction of the council in matters relating to commercial leases at the Civic Campus.

Lead Member(s): Cabinet Member for the Economy

Reason: Expenditure/Income over £5m & policies or new income, reserves use, overspend over £300K

Wards affected: Hammersmith Broadway

Contact officer: Philippa Cartwright, Philippa.Cartwright@lbhf.gov.uk

Decision maker(s): Executive Director of Place

Earliest date the decision will be made: May 2025

Proposed Key Decision: Instruction to H&F Developments Ltd to grant lease on civic campus Block B 1st floor office

The Council's nominee company, H&F Housing Developments Ltd acts on the instruction of the Council in all matters related to the commercial leases on the civic campus.

Lead Member(s): Cabinet Member for the Economy

Reason: Expenditure/Income over £5m & policies or new income, reserves use, overspend over £300K

Wards affected: Hammersmith Broadway

Contact officer: Philippa Cartwright, Philippa.Cartwright@lbhf.gov.uk

Decision maker(s): Executive Director of Place

Earliest date the decision will be made: May 2025

Proposed Key Decision: Instruction to H&F Developments Ltd to grant lease on civic campus Block B 2nd floor office

The Council's nominee company, H&F Housing Developments Ltd acts on the instruction of the Council in all matters related to the commercial leases on the civic campus.

Lead Member(s): Cabinet Member for the Economy

Reason: Expenditure/Income over £5m & policies or new income, reserves use, overspend over £300K

Wards affected: Hammersmith Broadway

Contact officer: Philippa Cartwright, Philippa.Cartwright@lbhf.gov.uk

Decision maker(s): Executive Director of Place

Earliest date the decision will be made: May 2025

Proposed Key Decision: Instruction to H&F Developments Ltd to grant lease on civic campus Block B 3rd floor office

The Council's nominee company, H&F Housing Developments Ltd acts on the instruction of the Council in all matters related to the commercial leases on the civic campus.

Lead Member(s): Cabinet Member for the Economy

Reason: Expenditure/Income over £5m & policies or new income, reserves use, overspend over £300K

Wards affected: Hammersmith Broadway

Contact officer: Philippa Cartwright, Philippa.Cartwright@lbhf.gov.uk

Decision maker(s): Executive Director of Place

Earliest date the decision will be made: May 2025

Proposed Key Decision: Instruction to H&F Developments Ltd to grant lease on civic campus Block B 4th floor office

The Council's nominee company, H&F Housing Developments Ltd acts on the instruction of the Council in all matters related to the commercial leases on the civic campus.

Lead Member(s): Cabinet Member for the Economy

Reason: Expenditure/Income over £5m & policies or new income, reserves use, overspend over £300K

Wards affected: Hammersmith Broadway

Contact officer: Philippa Cartwright, Philippa.Cartwright@lbhf.gov.uk

Decision maker(s): Executive Director of Place

Earliest date the decision will be made: May 2025

Proposed Key Decision: Instruction to H&F Developments Ltd to grant lease on civic campus Block B 5th floor office

The Council's nominee company, H&F Housing Developments Ltd acts on the instruction of the Council in all matters related to the commercial leases on the civic campus.

Lead Member(s): Cabinet Member for the Economy

Reason: Expenditure/Income over £5m & policies or new income, reserves use, overspend over £300K

Wards affected: Hammersmith Broadway

Contact officer: Philippa Cartwright, Philippa.Cartwright@lbhf.gov.uk

Decision maker(s): Executive Director of Place

Earliest date the decision will be made: May 2025

Proposed Key Decision: Instruction to H&F Developments Ltd to grant lease on civic campus Block B 6th floor office

The Council's nominee company, H&F Housing Developments Ltd acts on the instruction of the Council in all matters related to the commercial leases on the civic campus.

Lead Member(s): Cabinet Member for the Economy

Reason: Expenditure/Income over £5m & policies or new income, reserves use, overspend over £300K

Wards affected: Hammersmith Broadway

Contact officer: Philippa Cartwright, Philippa.Cartwright@lbhf.gov.uk

Decision maker(s): Executive Director of Place

Earliest date the decision will be made: May 2025

Proposed Key Decision: Instruction to H&F Developments Ltd to grant lease on civic campus Block C retail unit

The Council's nominee company, H&F Housing Developments Ltd acts on the instruction of the Council in all matters related to the commercial leases on the civic campus

Lead Member(s): Cabinet Member for the Economy

Reason: Expenditure/ Income above £300K - Revenue up to £500k and Capital up to 1.5m

Wards affected: Hammersmith Broadway

Contact officer: Philippa Cartwright, Philippa.Cartwright@lbfh.gov.uk

Decision maker(s): Executive Director of Place

Earliest date the decision will be made: May 2025

Proposed Key Decision: Instruction to H&F Developments Ltd to grant lease on civic campus convenience store to successful operator

The Council's nominee company, H&F Housing Developments Ltd acts on the instruction of the Council in all matters related to the commercial leases on the civic campus.

Lead Member(s): Cabinet Member for the Economy

Reason: Expenditure/Income over £5m & policies or new income, reserves use, overspend over £300K

Wards affected: Hammersmith Broadway

Contact officer: Philippa Cartwright, Philippa.Cartwright@lbfh.gov.uk

Decision maker(s): Executive Director of Place

Earliest date the decision will be made: May 2025

Proposed Key Decision: Procure joinery works in relation to large Furniture and Fixtures at the refurbished Town Hall

The Council is seeking to tender a joinery package for the provision of two large reception desks and a bar counter at the refurbished Town Hall

Lead Member(s): Cabinet Member for the Economy

Reason: Expenditure/ Income above £300K - Revenue up to £500k and Capital up to 1.5m

Wards affected: Hammersmith Broadway

Contact officer: Philippa Cartwright, Philippa.Cartwright@lbfh.gov.uk

Decision maker(s): Executive Director of Place

Earliest date the decision will be made: May 2025

Proposed Key Decision: Procurement of a Marquee for the refurbished Hammersmith Town Hall

The Council is seeking to procure a marquee for the outdoor area of the rooftop bar and restaurant on Level 06 of the refurbished Town Hall

Lead Member(s): Cabinet Member for the Economy

Reason: Expenditure/ Income above £300K - Revenue up to £500k and Capital up to 1.5m

Wards affected: Hammersmith Broadway

Contact officer: Philippa Cartwright, Philippa.Cartwright@lbhf.gov.uk

Decision maker(s): Executive Director of Place

Earliest date the decision will be made: May 2025

Proposed Key Decision: Procurement of a works contract for Commercial office block lobby fit-out (Civic Campus)

The existing build contract is for shell and core only. Work is required to fit-out the lobby area.

Lead Member(s): Cabinet Member for the Economy

Reason: Expenditure/ Income above £300K - Revenue up to £500k and Capital up to 1.5m

Wards affected: Hammersmith Broadway

Contact officer: Philippa Cartwright, Philippa.Cartwright@lbhf.gov.uk

Decision maker(s): Executive Director of Place

Earliest date the decision will be made: May 2025

Proposed Key Decision: Refurbished Town Hall - Level 06 Fit-Out

The Council is seeking to tender for works to fit-out the new bar and restaurant area on Level 06 of the refurbished Town Hall. Works are likely to include, floor and wall finishes, lighting, kitchen and bar counter.

Lead Member(s): Cabinet Member for the Economy

Reason: Expenditure/ Income above £300K - Revenue up to £500k and Capital up to 1.5m

Wards affected: Hammersmith Broadway

Contact officer: Philippa Cartwright, Philippa.Cartwright@lbhf.gov.uk

Decision maker(s): Executive Director of Place

Earliest date the decision will be made: 20 Aug 2025

Proposed Key Decision: Procuring a delivery partner to support the end-to-end retrofit journey

This service will provide the support and guidance to the “able to pay” residents through installing retrofit measures will increase uptake of domestic energy efficiency and clean energy retrofit technologies. The service is aimed at the 'able-to-pay' market— owner-occupiers who have the financial means to fund and implement retrofit measures independently without needing to make significant lifestyle changes. They are unaware of the opportunities or are hesitant to start without support from a reputable provider.

Lead Member(s): Cabinet Member for Climate Change and Ecology

Reason: Affects 2 or more wards

Wards affected: All Wards

Contact officer: Christine Chung, christine.chung@lbhf.gov.uk

Decision maker(s): Executive Director of Place

Earliest date the decision will be made: Before 31 Aug 2025

Proposed Key Decision: Civic Campus CCTV

A project to deliver site-wide CCTV at Civic Campus

Lead Member(s): Cabinet Member for Public Realm

Reason: Expenditure/ Income above £300K - Revenue up to £500k and Capital up to 1.5m

Wards affected: All Wards

Contact officer: Ramanand Ladva, Ramanand.Ladva@lbhf.gov.uk

Decision maker(s): Executive Director of Place

Earliest date the decision will be made: 30 Sep 2025

Proposed Key Decision: Contract Award for Wormwood Scrubs AEM (Alternative Ecological Mitigation) Masterplan

The Alternative Ecological Mitigation (AEM) Masterplan for Wormwood Scrubs will include capital works to create a sustainable urban drainage scheme and create ecological habitats and a 10 Year Management and Maintenance Plan (MMP). This plan will fulfil a legal agreement between the council and High Speed Two Limited (HS2) to improve biodiversity on Wormwood Scrubs as mitigation for the work to build the HS2 station and Old Oak

Common.

This project will contribute to Council priorities and aspirations, including becoming the countries greenest borough and 'rising to the challenge of the climate and ecological emergency'.

Lead Member(s): Cabinet Member for Public Realm

Reason: Expenditure/ Income - Revenue between £500,000 and £5m and Capital between £1.5m and £5m

Wards affected: College Park and Old Oak

Contact officer: Vicki Abel, Victoria.Abel@lbhf.gov.uk

Decision maker(s): Executive Director of Place

Earliest date the decision will be made: Before 30 Nov 2025

Proposed Key Decision: Bagley's Lane depot: Workshop roof replacement

Urgent replacement of the workshop roof due to end-of-life condition, persistent leaks and safety concerns

Lead Member(s): Cabinet Member for the Economy

Reason: Expenditure/ Income above £300K - Revenue up to £500k and Capital up to 1.5m

Wards affected: Sands End

Contact officer: Nick Totton, Nick.Totton@lbhf.gov.uk

Decision maker(s): Executive Director of Place

Earliest date the decision will be made: January 2026

Proposed Key Decision: Direct award for enhanced CCTV technology

To deliver on the commitments outlined in the crime strategy to enhance our Video Surveillance Systems to include AI assisted operations

Lead Member(s): Cabinet Member for Social Inclusion and Community Safety

Reason: Expenditure/ Income above £300K - Revenue up to £500k and Capital up to 1.5m

Wards affected: All Wards

Contact officer: Neil Thurlow, Neil.Thurlow@lbhf.gov.uk

Executive Director of Finance and Corporate Services

Decision maker(s): Executive Director of Finance and Corporate Services

Earliest date the decision will be made: May 2025

Proposed Key Decision: Seven Week Extension of Pinnacle Caretaking Contract

Extension of the existing Pinnacle Caretaking Contract until the end of June.

Lead Member(s): Cabinet Member for Housing and Homelessness

Reason: Expenditure/ Income - Revenue between £500,000 and £5m and Capital between £1.5m and £5m

Wards affected: All Wards

Contact officer: Richard Shwe, Richard.Shwe@lbhf.gov.uk

Decision maker(s): Executive Director of Finance and Corporate Services

Earliest date the decision will be made: May 2025

Proposed Key Decision: Contract award for provision of disrepair and void works

Contract award for the provision of disrepair works

Lead Member(s): Cabinet Member for Housing and Homelessness

Reason: Expenditure/ Income above £300K - Revenue up to £500k and Capital up to 1.5m

Wards affected: All Wards

Contact officer: Emma Lucas, Emma.Lucas@lbhf.gov.uk

Decision maker(s): Executive Director of Finance and Corporate Services

Earliest date the decision will be made: May 2025

Proposed Key Decision: Contract Award Report – Consultancy Services Framework Engineering Surveys

Direct Award to Ingleton Wood LLP using Hammersmith and Fulham Consultancy Framework Lot 5

Lead Member(s): Cabinet Member for Housing and Homelessness

Reason: Affects 2 or more wards

Wards affected: All Wards

Contact officer: Gavin Duncumb, Gavin.duncumb@lbhf.gov.uk

Decision maker(s): Executive Director of Finance and Corporate Services

Earliest date the decision will be made: May 2025

Proposed Key Decision: Extension of call off contract for the Portal, E forms & CRM system

To approve the award to Granicus-Firmstep Limited of a two-year permitted extension to the existing call off contract. The total value of the contract to date is £850k. The estimated minimum value of this 2-year extension is £340k.

Lead Member(s): Cabinet Member for Finance and Reform

Reason: Expenditure/ Income above £300K - Revenue up to £500k and Capital up to 1.5m

Wards affected: All Wards

Contact officer: Ashley Bryant, Darren Persaud, ashley.bryant@lbhf.gov.uk, Darren.Persaud@lbhf.gov.uk

Decision maker(s): Executive Director of Finance and Corporate Services

Earliest date the decision will be made: May 2025

Proposed Key Decision: Land and Property Based IT CMS

Award to Idox Software limited of 24 months contract under the Crown Commercial Service Vertical Application Solutions (CCS VAS) call off framework for the provision of Land and property case management system

Lead Member(s): Cabinet Member for Finance and Reform

Reason: Expenditure/ Income - Revenue between £500,000 and £5m and Capital between £1.5m and £5m

Wards affected: All Wards

Contact officer: Graham Pottle, graham.pottle@lbhf.gov.uk

Decision maker(s): Executive Director of Finance and Corporate Services

Earliest date the decision will be made: May 2025

Proposed Key Decision: Land and Property Based IT CMS - Data Migration

To procure specialist support for data migration

Lead Member(s): Cabinet Member for Finance and Reform

Reason: Affects 2 or more wards

Wards affected: All Wards

Contact officer: Graham Pottle, graham.pottle@lbhf.gov.uk

Decision maker(s): Executive Director of Finance and Corporate Services

Earliest date the decision will be made: May 2025

Proposed Key Decision: Lift Modernisation Upgrades at Barton and Jepson House

We seek approval to undertake a procurement for the Lift modernisation works required at Barton and Jepson House. Across these two properties, we have four lifts that require necessary upgrades to ensure compliance with regulations in relation to Lift Safety and Performance.

We are recommending an open tender. We anticipate the cost of these works costing £1,400,000. We anticipate these Lift upgrades taking up to 63 weeks to complete.

Lead Member(s): Cabinet Member for Housing and Homelessness

Reason: Expenditure/ Income above £300K - Revenue up to £500k and Capital up to 1.5m

Wards affected: Sands End

Contact officer: Nick Marco-Wadey, Nick.Marco-Wadey@lbhf.gov.uk

Decision maker(s): Executive Director of Finance and Corporate Services

Earliest date the decision will be made: May 2025

Proposed Key Decision: Major Refurbishment of Derwent Court W6

Award of contract to carry out major refurbishment works to 1-10 Derwent Court W6. Works include new roof covering, new windows and doors, and general fabric repairs and redecoration.

Lead Member(s): Cabinet Member for Housing and Homelessness

Reason: Expenditure/ Income above £300K - Revenue up to £500k and Capital up to 1.5m

Wards affected: Ravenscourt

Contact officer: Vince Conway, Vince.Conway@lbhf.gov.uk

Decision maker(s): Executive Director of Finance and Corporate Services

Earliest date the decision will be made: May 2025

Proposed Key Decision: Procurement Strategy for Garage Refurbishment

Approval for the strategy to procure a contractor to deliver the Phase 3 programme of refurbishment works to garages on housing land.

Lead Member(s): Cabinet Member for Housing and Homelessness

Reason: Expenditure/ Income above £300K - Revenue up to £500k and Capital up to 1.5m

Wards affected: All Wards

Contact officer: Emma Lucas, Emma.Lucas@lbhf.gov.uk

Decision maker(s): Executive Director of Finance and Corporate Services

Earliest date the decision will be made: May 2025

Proposed Key Decision: Wood Lane estate improvements

Approval to incur expenditure under existing Term Contracts for environmental improvement works to Wood Lane estate W12

Lead Member(s): Cabinet Member for Housing and Homelessness

Reason: Expenditure/ Income above £300K - Revenue up to £500k and Capital up to 1.5m

Wards affected: College Park and Old Oak

Contact officer: Vince Conway, Vince.Conway@lbhf.gov.uk

Decision maker(s): Executive Director of Finance and Corporate Services

Earliest date the decision will be made: July 2025

Proposed Key Decision: Procurement strategy for remedial works to main roof and porch parapets at Walham Green Court SW6

This report seeks approval of a procurement strategy to source a contractor for remedial works to the main roof and porch parapets at Walham Green Court SW6.

Lead Member(s): Cabinet Member for Housing and Homelessness

Reason: Expenditure/ Income above £300K - Revenue up to £500k and Capital up to 1.5m

Wards affected: Walham Green

Contact officer: Richard Buckley, richard.buckley@lbhf.gov.uk

Decision maker(s): Executive Director of Finance and Corporate Services

Earliest date the decision will be made: Before 30 Sep 2025

Proposed Key Decision: Procurement of Geographical Information System (GIS)

Procurement of new long term sovereign LBHF-only Geographical Information System

Lead Member(s): Cabinet Member for Finance and Reform

Reason: Affects 2 or more wards

Wards affected: All Wards

Contact officer: Roland de la Mothe, Roland.delaMothe@lbhf.gov.uk

Decision maker(s): Executive Director of Finance and Corporate Services

Earliest date the decision will be made: Before 30 Jan 2026

Proposed Key Decision: Acquisition of a family-sized home using affordable housing subsidy

This decision requests approval, in line with the council's adopted family housing strategy, to use the council's retained affordable housing subsidy to purchase a family-sized home that will serve to address demand for homes of this nature across the borough.

Lead Member(s): Cabinet Member for the Economy

Reason: Expenditure/ Income above £300K - Revenue up to £500k and Capital up to 1.5m

Wards affected: Fulham Reach

Contact officer: Joe Coyne, joe.coyne@lbhf.gov.uk

Decision maker(s): Executive Director of Finance and Corporate Services

Earliest date the decision will be made: 17 Feb 2026

Proposed Key Decision: Procurement Strategy and Contract Award for Responsive Roofing Works

Responsive roofing works to our social housing council homes across the borough

Lead Member(s): Cabinet Member for Housing and Homelessness

Reason: Affects 2 or more wards

Wards affected: All Wards

Contact officer: Gavin Duncumb, Gavin.duncumb@lbhf.gov.uk
