

## **Council – 8 April 2013**

### **Notice of motion – “Bedroom tax”**

I set out below a notice of motion to Council on 8 April 2013 from Councillors Oliver, Young and Russell:

“(1) This Council notes:

- (a) The recent U-turn by the coalition government with regard to some sections of our community affected by the implementation of the so-called “bedroom tax”;
- (b) the comments made by Lord Justice Kay residing over the case *Gory v DWP* on housing benefit size criteria, who concluded that discretionary housing payments “fell far short of being an adequate solution to the problem”;
- (c) that the impact of the “bedroom tax” will continue to fall disproportionately on less well-off residents and families across the borough of Walsall, who will in many cases have no option but to face a further reduction in their living standards.

(2) Further that this Council:

- (a) notes the comments made by the Leader of the Council, Councillor Mike Bird, in criticising and calling for re-consideration of this badly thought-out legislation (*Express & Star* 13/3/13); and
- (b) therefore resolves to call upon the coalition government even at this late stage to scrap the so called “bedroom tax” and to write to appropriate ministers to let them know our dismay and anger at the impact of their proposals.”

### **Background report**

The Welfare Reform Act 2012 announced that the current rules for the size of accommodation Housing Benefit will cover in the private rented sector will be applied to working age tenants renting in the social sector.

From April 2013 all current and future working age tenants renting from a local authority, housing association or other registered social landlord will receive Housing Benefit based on the need of their household.

The “size criteria” allows one bedroom for each person or couple living as part of the household with the following exceptions:

- Children under 16 of the same gender are expected to share
- Children under 10 are expected to share regardless of gender
- A disabled tenant or partner who needs a non-resident overnight carer will be allowed an extra room.

- Foster carers will be allowed one additional room, so long as they have fostered a child or become an approved foster carer within the last 52 weeks.
- Parents with adult children in the armed forces (or reservists) who normally live with them will be able to retain the bedroom for that adult child when they are deployed on operations.
- Guidance has been sent to local authorities to confirm that they should follow case law and allow a room for a disabled child who is unable to share a bedroom.

This means those tenants whose accommodation is larger than they need may lose part of their Housing Benefit. Those with one spare bedroom will lose 14 per cent of their eligible rent and those with two or more spare bedrooms will lose 25 per cent.

(1)(a) Housing benefit regulations have now been amended and from April 2013 allows for an extra bedroom for a foster child or children of an approved foster carer and ensures that the parents of armed forces personnel who are away from home on operations will continue to be included when applying the size criteria. These changes apply to both social sector and private sector housing benefit claims.

(1)(b) The estimated annual cost of the impact of the social sector size criteria for the 4,282 affected Walsall residents is in excess of £3 million. The discretionary housing payments government contribution for 2013/14 is £590,745, which allows the local authority to spend up to £1,476,863.

#### **Contact Officer:**

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