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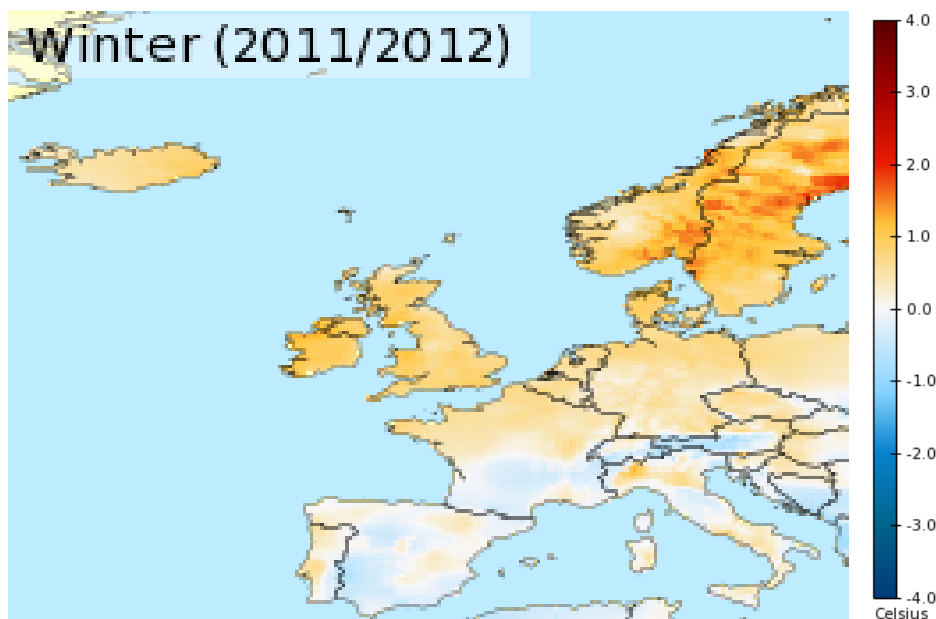
The Rt Hon Steve Webb MP
 Department for Work & Pensions
 Caxton House, Tothill Street
 LONDON
 SW1H 9DA
 Grande Bretagne

24 October 2014

Dear Mr Webb

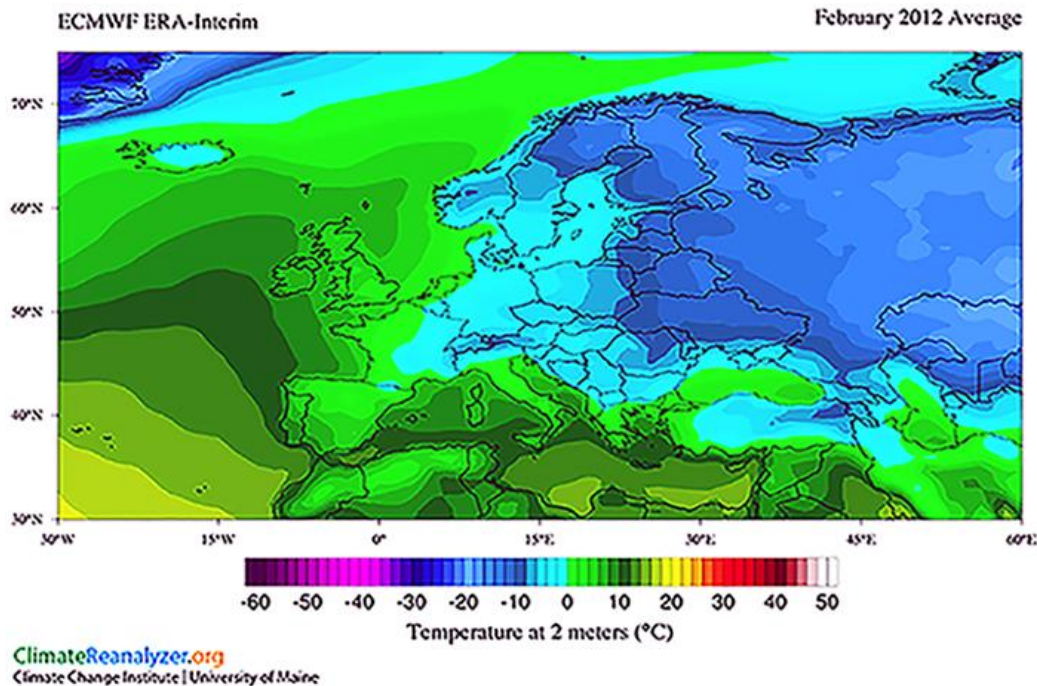
As I write, the temperature outside my home today is 5°C, somewhat below what you claim is the average winter temperature for the whole of France. That comes more than a month before the start of the winter season recognised by meteorologists the World over, and it presages the need for us to switch on our central heating. Once that moment is reached, we know we will need some central heating most days from now until late May/early June, so to tell us we live in a 'hot' country is insulting!

Please have a look at the weather map below:



This temperature map, published by EURO4M (*) illustrates how the anomalies in temperatures differed in the winter of 2011/2012 from the CRU (*) datasets of 1961/1990, which formed the base figures for the temperatures the DWP is using. The changes from the norm in the weather map above show how the whole of the UK was manifestly warmer, and much of France and Spain was markedly colder than those baseline figures. With the average temperature values and the anomalies, SW England absolute for that winter would have been 6.6°C and France would have been only 6°C - on your figure - or 3.9°C on the real recorded figure. What happens to your 'temperature test' policy if that is repeated for the winter of 2015/2016?

There is however, another weather map which we have found from many now available. It is published by the University of Maine, and shows absolute temperatures for the month of February 2012, the same winter as the earlier map.



This map shows recorded average temperatures for February 2012. All of France, apart from the tip of Brittany, was colder than the UK, in particular the SW of England. It is a distinctive illustration of the way changes in temperatures have taken place in recent years, and is a piece of clear-cut evidence casting considerable doubt on the efficacy and accuracy of the temperature of the 7°C the DWP has manufactured! Don't forget, your 7°C figure is taken from baseline figures compiled for the period 1961/1990, which should only be used for comparison with the present day to accurately assess the climate changes taking place.

The manufacture of the 7°C temperature by the DWP, which is not recognised by other meteorological agencies, pays no regard to the fact it is not a particularly 'warm' temperature. Also, please never overlook the fact that an **average** of 7°C across the five months (151 days) you have selected masks the highs, and the lows.

The lows mean for many, that heat is essential 24/7 - to remove the WFP from tens of thousands of expat pensioners, who do not have the good fortune to live by the Mediterranean coast, or be particularly wealthy, will create hardship for many. We believe this makes the statement by the Chancellor of the Exchequer in June 2012: *'... from the autumn of 2015, we will link the winter fuel payment to a temperature test; people in hot countries will no longer get it. It is, after all, a payment for winter fuel.'* callous and contemptuous.

I was prompted to write to you following your speech to the Liberal Democrat Conference in Glasgow. You announced the policy on Winter Fuel Payments would have an income cap set at the 40% tax threshold. Since that threshold is currently at £41,866, it is remarkably close to the announcement made by Ed Balls to the Labour Party Conference of setting an income cap of £42,000 for the WFP. Rachel Reeves has written to me, and in her letter she tells me that the Labour Party estimate their income cap for WFP would save £100m per annum. We believe these are fair policies which respect the individual circumstances of the beneficiary.

Compared to the £16m savings the so-called 'temperature test' is planned to produce, £100m looks like real deficit savings for the DWP. It exposes the policy this Government is pursuing to be more about making expat pensioners suffer, because of a Judgment from the European Court of Justice, which sought to remind the DWP it was in breach of its obligations under EU Treaty Regulations! It was not 'ridiculous EU rules' which the Government had to find something 'in order to get round', but a timely reminder that the UK Government has legal obligations arising from Treaties signed by successive Governments and successive Prime Ministers.

Finally, I can assure you that all of the evidence so far collected will find its way to the Court of Justice of the European Union, as and when the legislative measures are introduced. We believe the DWP 'temperature test' policy is not a good-faith implementation of EU law, and we have little doubt that the Court of Justice would come to the same conclusion. Comparable cases need to be treated equally.

Yours sincerely

Roger Boaden

* CRU = Climate Research Unit - University of East Anglia www.cru.uea.ac.uk/data

* EURO4M =European Reanalysis and Observations for Monitoring Climate www.euro4m.eu/