

INSTRUMENT OF DELEGATION

MAYORAL DELEGATION TO HOMES ENGLAND'S ACCOUNTING OFFICER IN RESPECT OF CLADDING REMEDIATION AND WAKING WATCH FUNDING ADMINISTRATION IN LONDON

Background:

1. As part of its Remediation Acceleration Plan, government has committed to streamlining national cladding remediation delivery through a single delivery partner, the Homes and Communities Agency (HCA), trading as Homes England (HE). To do this, the Ministry of Housing Communities and Local Government (MHCLG) has requested that:
 - a. the Greater London Authority (GLA) no longer administers new applications for funding through any of its existing funding programmes:
 - i. The Private Sector Cladding Remediation Fund MD2490,
 - ii. The Social Sector Cladding Remediation Fund MD2346,
 - iii. The Building Safety Fund (BSF) MD2630, and
 - iv. The Waking Watch Fund MD2774
 - b. all current applications to and projects under the GLA's BSF are retained and kept under review by the GLA, but with a mechanism put in place to enable them to be administered by Homes England if beneficial to progressing the applications and delivery,
 - c. all future applications for cladding remediation-related funding, including those newly eligible social housing projects which could benefit from the over £1bn social housing cladding remediation funding, and funding for common fire alarms in buildings in Greater London which otherwise need a waking watch¹ are routed through and administered by Homes England, and
 - d. Homes England is empowered to administer any cladding remediation projects in Greater London currently managed by MHCLG, should MHCLG look to further streamline its funds.
2. From 1 April 2012 Homes England's powers to operate in Greater London ceased, by virtue of the Localism Act 2011. As a consequence, Homes England no longer has the legal power to operate in Greater London.
3. Section 38 of the Greater London Authority Act 1999 (as amended) (the **GLA Act**) allows the Mayor to authorise Homes England to exercise his functions under the GLA Act. The Mayor has decided to delegate his functions to Homes England for the purposes identified above. Homes England has consented to this delegation from the GLA.

Delegation:

4. Accordingly, under section 38 (1) of the GLA Act, I authorise the Homes and Communities Agency (HCA), trading as Homes England (HE) to exercise such of the GLA's powers under sections 30 and 34 of the GLA Act as it considers necessary or expedient for the purpose of

¹ A waking watch is a fire safety measure where trained personnel patrol a building, typically a residential block, to detect fires and facilitate evacuation.

undertaking or continuing activities required to administer applications for funding and deliver cladding remediation programmes in London, but subject to the conditions of this Instrument of Delegation (IoD), in respect of:

- a. applications already received and registered by the GLA under its BSF as of the date that this IoD comes into effect,² on condition that the powers delegated to Homes England shall not be exercised by it in respect of any such application or groups of such applications unless the GLA's Executive Director of Housing and Land consents to this in accordance with Appendix A of this IoD,
 - b. any future applications for government funding for the remediation of unsafe cladding on all residential buildings 11m and over in Greater London, on cladding remediation projects on residential buildings in London under 11m which would be eligible for government funding, and government funding for common fire alarms in buildings in London which otherwise need a waking watch, and
 - c. any cladding remediation projects in Greater London being managed by MHCLG should MHCLG decide to transfer these to Homes England.
5. Activities that are considered necessary or expedient for the purposes of delivering the matters and projects identified at paragraph 4 above include (without limitation):
- a. administering funding for the purposes set out at paragraph 4 in London through the government's national Cladding Safety Scheme (CSS),
 - b. managing the relevant programmes in London in accordance with Homes England's standard agreements, contracts and guides used for relevant national programmes,
 - c. administering eligibility criteria and approval of grant funding in accordance with criteria determined by MHCLG,
 - d. working with MHCLG for the purposes of ensuring the CSS meets circumstances specific to administering the fund in London,
 - e. to recruit and contract staff as is reasonably necessary to properly administer funding and put in place checks and balances to maintain a clear audit trail of condition fulfilment and deliverables,
 - f. to, at the end of the programmes it is administering under this delegation, undertake a handover of projects to MHCLG, according to the project closure requirements determined by MHCLG.
6. The powers conferred by this delegation are supplemental and without prejudice to any of the functions Homes England otherwise has at common law or under any relevant legislation.

Conditions

² This IoD comes into effect when it has been approved by the Mayor or London and HE has consented to it in writing

1. The authorisation conferred by paragraph 4 above to Homes England is made subject to the following conditions:
- a. Homes England will carry out its activities under this delegation in compliance with the Public Sector Equality Duty, contained in section 149 of the Equality Act 2010,
 - b. Homes England and the GLA will use all reasonable endeavours to collaborate and co-operate in respect of any matter arising under or in connection with this delegation,
 - c. any current or future economic crime investigations relating to application lifecycles prior to transfer from the GLA to Homes England, shall be led on by the GLA and MHCLG. Homes England shall lead the process on any information relating to the application lifecycle after transfer from the GLA to Homes England,
 - d. Homes England will not be held to account for the delivery or performance of projects before they have been transferred,
 - e. subject to the conditions of this delegation, Homes England shall have discretion to make decisions relating to the day-to-day management of any activities carried on further to this delegation,
 - f. the GLA shall have sufficient access to the National Remediation System and any related datasets to maintain oversight of building safety work in Greater London,
 - g. Homes England and MHCLG should consult with the GLA in parallel with Homes England about changes to government cladding remediation schemes that would operate in Greater London to ensure, for example, that they aligned with Mayoral policy,
 - h. Homes England will provide updates and reports on activities undertaken under this delegation, in accordance with any reasonable requests from the GLA,
 - i. in exercising powers conferred under this Delegation, Homes England shall comply with any lawful instructions or guidance issued by the Mayor or by GLA officers,
 - j. no costs incurred in the implementation of this Delegation shall be borne by the GLA, and
 - k. Homes England shall at all reasonable times afford the member of staff designated from time to time as the GLA's Monitoring Officer all reasonable cooperation and access to documents and facilities as may be required from time to time in respect of that person's duties as Monitoring Officer under section 5(2) of the Local Government and Housing Act 1989 (as substituted by section 73(6) of the GLA Act).

Signed

Date 11/08/25



Mayor of London

Appendix A

1. The GLA's Executive Director may consent to the Homes and Communities Agency (HCA), trading as Homes England (HE) to exercising the delegated authority conferred upon Homes England by this IoD in respect of applications and projects identified at paragraph 4(a) of the IoD where, following a review by the GLA it is identified that:
 - a. there would be even greater pace of activity on site and or an ability to increase or improve applicant support, if the application or project were handled and administered by Homes England, or
 - b. project progress is stalled and there has been a lapse in communication or activity which would benefit from the application or project being handled and administered by Homes England,and
 - c. there are no major milestones, legal or financial implications for the applicant which could be affected by transferring administration and handling of the application or project to Homes England,and
 - d. Homes England agrees to handle and administer the relevant application(s) and project(s) under the authority delegated to it under this IoD.