

Ensuring that Big Local money doesn't replace government funding

Introduction

Big Local is a programme funded by the Big Lottery Fund, and the trust deed for the Big Local Trust states that Big Local money “should not simply replace statutory funding that meets a statutory obligation.” This means that Big Local funding needs to be ‘additional’ to public funding (things national and local government should fund). Big Local funding cannot replace statutory funding that meets a statutory obligation. We know that additionality is a complex area and we encourage you to ring Local Trust or your rep if you have any queries or questions. We hope this guidance helps you understand ‘additionality’.

What are statutory bodies obliged to provide?

Statutory bodies, including local authorities, the health service, the police and others are legally required to provide thousands of services as part of their statutory obligations. Not only is the list long (you can view a complete list of local authority only obligations [here](#)), but what this means in practice can be difficult to understand because it can vary from place to place.

So while local authorities are obliged to deliver a number of statutory functions, it is a matter for the local authority to decide whether the level of resources allocated to each of these functions is proportionate to the need or the risk.

An example:

Local authorities are under a statutory duty to provide a “comprehensive and efficient library service” for those who live, work and study in the area. However, the interpretation of “comprehensive” is often down to the discretion of the local authority, and the closure of library branches is not necessarily a breach of their statutory duty. Sometimes a local authority can close a library to ensure a better, more efficient service across its whole area.

Local authorities also provide services which reflect the desires of people locally. This can include recreation and leisure, tourism, and, parks and gardens.

What if a service or activity was once provided by a statutory body?

It is important to distinguish whether funding has been withdrawn or has simply come to an end.

As public funding is reduced an increasing number of community facilities and services, such as libraries, sports centres and community centres are being closed down completely or are open less. If a Big Local area wanted to use Big Local funding to keep a facility open, you would first need to establish whether the facility was being provided by a statutory body to fulfil its statutory

obligations. If it was then Big Local monies could not be used to keep it open. If the facility was not being provided by a statutory body to fulfil its statutory obligations then Big Local monies could be used to keep it open.

Increasingly, the government is supporting time-limited programmes with small pots of dedicated funding. Local authorities may be given short-term grants from central government to pilot a particular activity or service, and they are not statutorily required to deliver them.

A number of existing activities and services may be funded in this way. Where funding has been available on a time-limited basis – for example a one-year grant – Big Local funding in subsequent years can be seen as additional.

An example:

If a community warden scheme provided by the local authority is very successful at reducing antisocial behaviour on the two days that they operate in the area, but anti-social behaviour is relatively high on the days that they are not there, a Big Local partnership could decide to recruit two community wardens to work an additional two other days. This would be allowed because it complements and is additional to the normal or existing level of public, non-statutory service.

However, Big Local resources cannot fund additional police constables for an area as that is a statutory service.

What can and can't be funded through Big Local?

To test whether services and activities that you plan to deliver using Big Local funding are additional you could ask the following questions:

- Do the activities, projects or services subsidise or provide part of the costs for a service that should be met by statutory funding for a statutory obligation? Don't forget that the voluntary and community sector is increasingly involved in service delivery, often contracted by local authorities, but also by central government
- Will the activities, project or services duplicate services that a statutory body currently provides for the area in order to deliver its statutory duties?

Answers to these questions may not always be straightforward, and if you're in doubt speak to your Big Local rep or Local Trust

Further information

Further information on statutory services is available here:

<http://data.gov.uk/dataset/statutoryduties-placed-on-local-government>

Alternatively, you can speak to your rep and members of the Local Trust staff team. You can also get in touch with the statutory bodies in your area, including councillors and MPs.

This document will be developed over time with input from the people using this material.

If you have thoughts on how this document can be made more useful for you, particularly if you live in one of the Big Local areas, please let us know.

Local Trust

020 3588 0565

info@localtrust.org.uk

www.localtrust.org.uk

The endowment for the Big Local programme is held by the Big Local Trust and overseen by Local Trust. The Big Local Trust was established by the National Lottery Community Fund with a National Lottery grant of £196,873,499.

If you need this document in other formats or a community language please get in touch with Local Trust and we will help you.

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