

Helpful information for dealing with the consequences of flooding in Northern England

This is an update of the information published online on 14th January 2016. Much of the content remains the same from the last edition but the following key changes have been made:

- **Farming Recovery Fund Q&A**
- **Reference Costs and Standard Item Costs**
- **Impending Tax Bills**

Grants & Financial Assistance

DEFRA's Farming Recovery Fund is **open** for applications for support payments worth between £500 and £20,000 for **all farmers** who have been affected by flooding in the North: this currently covers Cumbria, Lancashire, Northumberland and Yorkshire following Storm Eva. The Farming Recovery Fund will provide assistance with four key areas, including:

- Restoring productive land and farm vehicle access
- Repairing boundaries and field drainage

The guidance and application form are online, the application can either be downloaded or printed in order to complete. **You can only apply once** so it is vital that you are fully aware of the full extent of damage on your farm before making an application. Evidence will be required where applicable, including photos, maps, and insurance details. For damaged capital items funded by Agri-environment schemes please see below. The deadline for applications is now the **1st April 2016**. **Rural Services Helpline: 03000 200 301**. Further information and to links to the documents to download are at <http://www.nfuonline.com/news/latest-news/farming-recovery-fund-opens-for-applications/> Assistance is available from the NFU in completing the form; please contact your local office.

Farming Recovery Fund Q&A

The NFU have been in regular contact with the RPA, EA and Natural England to ensure those affected by the flooding know how to access the funding, and what help is available. In our recent discussions with the RPA and EA, we have sought further clarification on queries raised by members when applying to the Farming Recovery Fund. We have produced a short Q&A, which will be regularly updated as we gather more information. The Q&A is available on the NFU website: <http://www.nfuonline.com/science-environment/flooding/the-farming-recovery-fund-ga/>

Reference Costs and Standard Item Costs

You do not have to gather three quotes for the cost of work when applying for funding for work listed within the Reference Costs (table 2, page 10) or Standard Items Costs (table 3, page 11). Please refer to the Q&A for more details.

Notification of Work: River Channel and Bank Works

The Environment Agency and any other statutory consultees (such as Natural England) should be informed at the earliest possible opportunity if you plan to carry out any work to the river channel or bank. Please contact the customer contact centre on **03708 506 506** to notify them of such works to establish whether consent is needed or for any points of clarification. Blockage removal: if there is an obstruction in the river posing significant risk, or debris you can remove it without consent.

Environmental Stewardship and SSSI

Natural England has helped farmers affected by flooding by temporarily lifting agri-environment and SSSI requirements to allow recovery work to take place. If you are in an Environmental Stewardship Scheme agreement **you should**

contact Natural England as soon as you are in a position to do so. They will redirect you to the relevant officers dependent upon the type of agreement you are in and are able discuss the potential options or to replace capital items previously provided under Stewardship agreements. Contact your local NE adviser or contact **Technical Services on 0300 060 6000** or email enquiries@naturalengland.org.uk

Agri-Environment Capital Items

Guidance for what to do if **capital items** funded by agri-environment agreements have been affected by flooding:

- Contact your NE adviser **within 15 days of it being possible to do so** if you have damage to trees, fencing, gates etc. funded through Stewardship Schemes (0300 060 6000)
- Take photographs of the damage as soon as it is safe to do so
- Local NE/FC advisers will need to check that it is appropriate to replace damaged items before committing to any additional funding. **Do not undertake any works** before this unless it is absolutely essential do so. If it is then you should keep evidence of any related expenditure. **In** some cases it may not be possible or sensible to replace items or there may be a value for money question if items have already been replaced before for example. So there will need to be a case by case assessment.
- **Force majeure rules** will apply if the situation/damage is directly linked to flooding (e.g. run-off from fells)

Stone, Gravel and Debris

Clean stone and gravel can be reused within the river catchment for repairs without being considered waste. The EA have responded to our call to be pragmatic in their approach and the EA are happy for you to stockpile gravel in fields for re-use for tracks or paths etc. on the farm or private land, where it has been deposited.

For the remainder of the waste deposited by the floods:

- Smaller items should where possible be bagged or placed in a container ready for collection either by the local authority, hopefully free of charge (tbc) or if you wish a private contractor, at your own cost.
- Larger items, e.g. white goods should also be stored. The local authority will accept these.
- Clean wood and plant waste can be burnt under a waste exemption (D7) which allows the burning of waste wood, bark and plant tissue in the open.

For further information contact the **Environment Agency Flood Hotline number 0345 988 1188** or visit our NFU page on debris **deposits on land.** (<http://www.nfuonline.com/science-environment/flooding/nfu-flooding-2015-debris-washed-onto-farmland/>). If you need clarity on whether you are using gravel in the same catchment, contact your local environment agency officer.

Slurry Storage

The **Environment Agency has released an updated advice position on actions during exceptional wet weather** (<http://www.nfuonline.com/science-environment/flooding/nfu-flooding-2015-guidance-on-slurry-handling/>). In particular it makes reference to slurry handling. Currently **NVZ restrictions have not been lifted.** Area based Environment officers may then make agreements to spread on land if it is not to cause a water pollution event or damage soil. If you have major concerns regarding infrastructure damage or full slurry stores, do please contact the EA at the earliest possible opportunity. You can remain anonymous if you like.

Carcass disposal

In the meantime, if you discover carcasses on your land belonging to someone else, current guidelines state that businesses as usual approach should be applied, and local fallen stock disposal companies must be contacted to organise clearance. Please refer to the **republished the NFU's business guide on fallen stock on NFU online** (<http://www.nfuonline.com/science-environment/flooding/nfu-flooding-2015-fallen-stock/>). The page also contains information to helpful websites such as the **National Fallen Stock Company (NFSCo) frequently asked questions**

NFU Flooding Update

29th February 2016

(<http://www.nfsco.co.uk/Fallen-Stock-Guidelines-in-the-event-of-severe-weather-and-natural-disasters.html>) page, and further information on **Defra's website** (<https://www.gov.uk/guidance/fallen-stock>).

National Fallen Stock Company: 01335 320014

Farm Yard Manure

Muck heaps, containing FYM or material from flooded barns, may be stored in sensible locations if it can be stacked. As long as muck heaps are stackable they can be spread all year round; similar to FYM, which has no restrictions on timing (other than when field conditions dictate) as in accordance with COGAP and NVZ. If you need to relocate muck heaps, ensure that muck is stored in sensible locations to reduce the potential for run-off or leaching. If you are in an NVZ, risk maps should be updated pinpointing these new locations of FYM heaps if stored in field locations, even if temporary.

Management of Commons

Natural England recognises that there will be situations where lower lying ground will not be available for grazing or for holding livestock due to the floods. As such Natural England will waive normal restrictions on winter stock numbers on intake, fell and common land currently within an **agri-environment-scheme** (<http://www.nfuonline.com/science-environment/agri-environment-schemes/management-of-commons-in-cumbria-following-storm/>). Natural England also recognises that normal supplementary feeding sites may not be available. Where this is the case, preference should be given to feeding on land that is not SSSI and/or is not under HLS options. This general relaxation will be reviewed by the end of January and in intervening period we will review this waiver on a case by case basis as staff resources allow. Please inform Natural England, within 10 days of being able to do so, where any of the above apply. You should include your ES agreement number or the name of the SSSI and you can contact them: **0300 060 6000**

Woodlands and Storm Damage

Customers concerned about the impact of flooding on new woodlands created under the English Woodland Grant Scheme should contact the **North West & West Midlands**

<http://forestry.us10.list-manage1.com/track/click?u=c64bfc119f6ca08662f21a634&id=315cfabe86&e=38da3b3a4a>

or **Yorkshire and the North East Area**

<http://forestry.us10.list-manage.com/track/click?u=c64bfc119f6ca08662f21a634&id=9e37afa08e&e=38da3b3a4a> offices.

They will consider the use of 'Force Majeure' and the potential to support the replacement of trees using Countryside Stewardship on a case by case basis. Where mature trees have been affected by the storms, consideration will need to be given to felling and the potential removal of those trees. There are exemptions to felling license requirements in some instances and land owners and agents should, if in any doubt, contact Area Offices for advice on tree felling regulations.

Impact of flooding on BPS / Cross Compliance requirements

The RPA confirmed that flooded land is still eligible for BPS if the flooding is temporary and the land would otherwise still be available for agricultural activity. RPA expect the land to be returned to agricultural use as soon as practically possible. For more information can be found on this dedicated Gov.uk website page at (<https://www.gov.uk/guidance/december-2015-flooding-and-the-basic-payment-scheme-useful-reminders>). The advice is to try to comply with the rules in place, keep a diary, keep records up to date and take photos of events: these may be invaluable going forward should RPA or others question member's actions. It is also important to reflect on the rules in place in particular cross compliance and understand there are some actions that members may be exempt from the rules, but in other situations where a request for a derogation needs to be sought. Equally members need to consider **contacting the RPA if they believe they fall into Force Majeure and need to do this within 15 working days of being in a position to do so.**

Business Rates Relief

Local Councils are offering support to those that have been affected by the floods. Temporary relief in relation to Business Rates can be applied for by contacting the Business Rates Team within your local council. It is worth contacting your local council to inform them of how you have been impacted by the flooding, and to see if there is any other assistance they can offer you.

Key Contacts

Help is available; please find some useful contact numbers below:

Natural England:	0300 060 6000	NFU Call First:	0370 845 8458
Environment Agency Flood Helpline:	0345 988 1188	NFU North East Regional Office:	01904 451550
DEFRA Farming Recovery Fund:	03000 200 301	NFU North West Regional Office:	01695 554900

- Farm Community Network **03000 111 999** <http://fcn.org.uk>
- RABI **08082 819 490** <http://rabi.org.uk>
- Addington Fund **01926 620 135** (particularly regarding transport of livestock or haulage) <http://www.addingtonfund.org.uk/>
- If you want to pledge forage or grazing visit <http://www.forageaid.org.uk> – If you require help please ring the Forage Aid helpline on 07967 219 991
- Cumbria Agricultural Chaplaincy **07980 975062** <http://www.cumbriamethodistdistrict.org.uk/cumbriaagriculturalchaplaincy.htm>

Utility Bill Assistance

United Utilities and Yorkshire Water has suspended water and wastewater bills for customers who have been forced from their homes and businesses due to the storms in December 2015. If you've had to move out of your property, or close your businesses due to flooding, they won't charge for any water or wastewater services at that address until your return. If you're on a meter, they can also make an allowance for extra water used while cleaning up. All you need to do is contact them to let them know how you've been affected

- Yorkshire Water Customers: Domestic customers – 0845 1 242424, Business customers – 0845 737 2062

United Utilities customers: Domestic customers – 0800 912 7239, Business customers – 0345 072 6072

<http://www.unitedutilities.com/been-flooded.aspx>

Impending Tax Bills

If you have been affected by flooding and you have impending tax bills or tax return deadlines, you can contact a dedicated HMRC phone line: **0800 904 7900**. HMRC have also published the sort of concessions that they may be prepared to make; more details can be found online (see <https://www.gov.uk/government/news/tax-helpline-available-to-support-people-affected-by-severe-weather-and-flooding>). If you have submitted a late PAYE return to HMRC due to flooding, please refer to this month Employer Bulletin, page 2 for advice about the help and support available to those who have been affected - available [here](#)

(see: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/500142/employer-bulletin-february.pdf).

Phone and Internet Connection

We are aware that there are a number of people still without phone or internet connection. If you are experiencing service interruptions, please contact your service provider for more information about how this will be resolved. If your provider fails to repair a fault by when they say they will or you are unhappy with how long it is taking, you should

follow their formal complaints procedure

Red Diesel, Driver's Hours and Operator's License Rules

HMRC have confirmed that they will take a pragmatic view towards the use of red diesel in emergency situations such as recently experienced with the floods in Cumbria and Lancashire. HMRC have advised that officers will apply a common sense approach if they come across the use of red diesel in these circumstances. The Department of Transport has advised us that driver's hours and operator licensing rules which would normally apply to non-agricultural activity such as flood clear up work **will not** be applied in emergency situations where immediate preventive action is required to preserve human and animal life and property. However the relaxation of the rules **will stop** once the immediate threat has passed and general non-emergency clear up work will be subject to the rules as it will not be classed as agricultural activity.

Future Flooding

It is important to stay vigilant to the weather conditions. More advice, including weather warnings, three-day forecasts and river level information can be found on our [weather and flooding toolbox](http://www.nfuonline.com/science-environment/weather/adverse-weather-water-and-flooding-toolbox/) (<http://www.nfuonline.com/science-environment/weather/adverse-weather-water-and-flooding-toolbox/>). **Government Flood Warning Information System** <https://flood-warning-information.service.gov.uk/>

How to flood proof your home

NFU Countryside has produced a web page with advice and guidance about what products are available in the market place to [help protect your home from flood water](http://www.countrysideonline.co.uk/news-views/news/flood-proof-your-home/) (<http://www.countrysideonline.co.uk/news-views/news/flood-proof-your-home/>).

Sign up for Flood Warnings

The Flood Warnings system contacts you when your area is at risk of flooding. The service is free. You can get warnings by phone, email or text message. You'll need to provide:

- the address you're registering
- a phone number you can be contacted on day or night
- an email address

Register via the Floodline: 0345 988 1188 (24-hour service) or online [Register for Flood Warnings](https://fwd.environment-agency.gov.uk/app/olr/register) (<https://fwd.environment-agency.gov.uk/app/olr/register>)

For the latest news and updates from the NFU visit www.NFUonline.com/flooding

Please note information included in this update is correct at time of going to print and is subject to change.