

NFU Flooding Update

December 2015

Helpful information for dealing with the consequences of flooding...

Grants & Financial Assistance

DEFRA has launched a [Flood Recovery Fund](#) support payments worth up to £20,000 for people who have been affected by flooding. We understand that this area, previously limited to Cumbria and North Lancashire, has been extended to other flooded-affected areas. We will release more information once this has been confirmed by Defra. The Farming Recovery Fund will provide assistance with four key areas, including:

- Restoring productive grassland
- Recovering productive arable and horticultural land
- Restoring farm vehicle access
- Repairing agricultural drainage

Please note; support for field restoration can also be applied to re-instate field boundaries, for example temporary boundaries.

However, there are a few key things to bear in mind to ensure you will be in a position to benefit:

1. Take plenty of photographs of the damage - photos from phones will be fine and map the extent of damage if possible.
2. They will not be able to pay for **own** labour costs. They should be able to pay for materials and bought in labour which could be other farmers.
3. Essential works can be carried out prior to approval as long as adequate records are kept, and that you have notified the relevant agencies asap (e.g. EA and NE)

We have now learned that it will be possible to make payments retrospectively. However, we are still waiting for full details of how to apply, at this time you are just being asked to register your interest. **The hotline for the Flood Recovery Fund is 03000 200 301.** We are expecting the scheme to open on 18th December and we will keep you updated as more information emerges.

Key organisations that may be able to offer assistance, alongside financial support include:

- [Farm Community Network](#) – 03000 111 999
- [RABI](#) - 08082 819 490
- [Addington Fund](#) – 01926 620 135 (particularly regarding transport of livestock or haulage)
- [Forage Aid](#) – 07967 219 991

Forage Aid are currently compiling a database of information; tracking pledges of aid alongside requests. We would urge members to make contact with Forage Aid (07967 219 991) to ensure a co-ordinated aid effort.

River channel and bank works

The Environment Agency do not require landowners to get a Flood Defence Consent under the Water Resources Act to **undertake bank repairs or removal of accumulated debris from rivers impacted by the recent flooding**, where those works are required in order to prevent further flooding from happening. They will consider these to be emergency works, where they are **necessary** to avoid a significant risk to human life, health, property or the natural environment and involves the need for **immediate action** to manage the risk. However, **the EA and any other statutory consultee (such as Natural England) should be informed at the earliest possible opportunity and ideally prior to the works starting.** Dredging is not an emergency activity. Please contact the customer contact centre on **03708 506 506** to notify them of such works or for any points of clarification.

The voice of British farming

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Stone, Gravel and Debris

Clean stone and gravel can be reused within the 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.
- Spoiled bales can be burnt under the same proviso after their plastic wrapping has been removed!

For further information contact the Environment Agency Flood Hotline number 0345 988 1188 or visit our NFU page on debris [deposits on land](#).

Priority payment of BPS monies

We are currently lobbying to include farmers who have been affected by flooding to accompany other highlighted individuals who will be earmarked to receive the accelerated payments. We have also asked for any outstanding partial payments for agri-environmental to be made in flooded-areas.

Rural Payments Agency and BPS / Cross Compliance Related Issues

We have been working closely with the RPA to feedback issues surrounding debris, rock, silt etc. and the BPS eligibility issues. 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.

We are currently lobbying for more clarity surrounding inspections, alongside flexibility in cross compliance and animal movement rules. We are speaking with the RPA about the long term impacts of the flood and how this must be recognised as we move into the New Year. For more information will be found [here](#).

Carcass disposal

We are currently lobbying to provide work to get financial support for collection.

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](#). The page also contains information to helpful websites such as the [National Fallen Stock Company \(NFSCo\) frequently asked questions](#) page, and further information on [Defra's website](#). **National Fallen Stock Company: 01335 320014**

Environmental Stewardship

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

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Red Diesel and driver hours

We have welcomed [HMRC's pragmatic approach to allow red diesel to be used in agricultural vehicles for emergency clear up operations](#). The Department of Transport has also confirmed that if an agricultural vehicle is used to assist in emergency situations, an exemption is in place on the maximum driver hour rules.

Slurry Handling

The [Environment Agency has released an updated advice position on actions during exceptional wet weather](#). In particular it makes reference to slurry handling. Currently NVZ restrictions have not been lifted and farmers should contact the Environment Agency at the earliest possible opportunity if they have concerns regarding slurry storage capacity. 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.

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.

NFU Flood Assessment Impact Report

We need your urgent help to make an initial assessment of the impact of the flooding on businesses. This information is **vital in making the case to Government for funding** for grants to affected businesses and infrastructure recovery funding. If you've been affected in any way by the recent flooding, we will be in contact next week to request further information.

Future Flooding:

It is anticipated that further rain will fall this weekend and into next week. More advice, include weather warnings, three-day forecasts and river level information can be found on our new [weather and flooding toolbox](#).

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

Key Contacts

NFU Jenny Willis: 07551 151329

NFU Mike Sanderson: 07817 726133

DEFRA Flood Recovery Fund: 03000 200 301

Environment Agency: 03708 506 506

Environment Agency Flood Helpline: 0345 988 1188

Natural England: 0300 060 6000

National Fallen Stock Company: 01335 320 014

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