

# Flooding Hardship Scheme

## Guidance Notes for Businesses

**Applications open on Wednesday 13 March 2024 at 12noon and will close on Friday 29 March 2024 at 12 noon.**

### 1 PURPOSE OF THIS GUIDANCE

- 1.1 This document provides guidance to businesses on the application process for the Flooding Hardship Scheme. It sets out the eligibility criteria for the scheme as well as the information and evidence required from businesses and some other non-domestic premises to demonstrate that they meet the eligibility criteria. **Please read this document carefully before submitting an application.**

### 2 OVERVIEW

- 2.1 The Flooding Hardship Scheme is financed by the Department for the Economy and administered by District Councils. The purpose of the schemes is to provide support to businesses, and some other non-domestic premises, that were affected by the flooding at the end of October/early November 2023, but were not eligible for the previous £7,500 payment or the Enhanced Flood Support Scheme (EFSS).
- 2.2 The scheme will have two options which applicants can choose to apply to depending on their situation. Details on eligible costs are provided in section 3.
- **£5,000 Hardship Scheme:** This will provide a £5,000 hardship payment to SME businesses and other non-domestic occupants of premises that were flooded and suffered financial hardship but were not eligible for the £7,500 scheme or the EFSS. Public sector premises or premises occupied by political parties/elected representatives are not eligible for support.
  - **£2,500 Hardship Scheme:** This will provide a £2,500 hardship payment to SME businesses that were not flooded but were unable to access their premises, as a direct result of the flooding, and hence unable to trade.

**Only SME businesses can apply.** SMEs are defined as businesses that employ less than 250 employees and have an annual turnover of less than £50 million.

**Or** - non-domestic organisations such as churches, charities and non-trading sports clubs.

- 2.3 Detail on the evidence required to support the application is outlined in **section 4.3**. The maximum budget for the hardship scheme is set at £1 million. In the event that the value of all eligible claims exceeds the budget, the grants awarded to businesses may be reduced to bring the cost of the scheme within the budget limit.

### **3 ELIGIBILITY CRITERIA**

- 3.1 The applicant should ensure that the following criteria is met before applying to the relevant scheme:

#### **£5,000 Hardship Scheme**

- The business must be a SME, i.e. employ less than 250 employees and an annual turnover of less than £50 million **or**,
- is a non-domestic organisation such as churches, charities and non-trading sports clubs. **Note this list is not exhaustive. Should you be in any doubt about your eligibility, you should contact the Council.**
- Applicants were not eligible for the £7,500 Flood Damage Business Support Scheme.
- The business or non-domestic organisation must **have been directly flooded** and confirmation of flooding must be confirmed by the council.
- If the applicant is a SME they must have been ordinarily **occupied** and trading on the date of the flooding incident. Businesses or non-domestic organisations that were temporarily closed or had not opened but were due to open imminently will be eligible.
- The applicant must have suffered financial hardship as a result of the flooding (applicants will be required to self-declare).
- If the applicant is a SME, the business is not insolvent.
- The grant will not create a breach of EU's State Aid Regulations or the UK's Subsidy Control Act as per Section 5.1.
- Applicants must be non-public sector. Offices of political parties are also excluded.

If applicant is a non-domestic organisation (but not a business) they must provide the following:

- Proof of address

- Proof organisation is in operation i.e. recent utility bill
- A Charity Registration Number (if applicable)

### **£2,500 Hardship Scheme**

- The business must be a SME, i.e. employ less than 250 employees and an annual turnover of less than £50 million.
- Access to businesses premises was prevented due to the flooding but premises **were not directly flooded** (e.g., trading from upper floors of flooded premises).
- Applicants were not eligible for the £7.5k Flood Damage Business Support Scheme.
- The applicant must have suffered financial hardship as a result of the flooding (applicants will be required to self-declare).
- If the applicant is a SME they must have been ordinarily occupied and trading on the date of the flooding incident. Businesses that were temporarily closed or had not opened but were due to open imminently will be eligible.
- If the applicant is a SME, the business is not insolvent.
- The grant will not create a breach of EU's State Aid Regulations or the UK's Subsidy Control Act as per Section 5.1.

### **Restrictions**

- 3.2 A business will not be eligible for the hardship grants if they do not intend to resume trading or re-open.

## **4 HOW TO APPLY**

- 4.1 If you have reviewed the criteria and believe you may be eligible for the scheme, you should complete an application form and indicate whether you are applying for £5,000 Hardship Scheme or £2,500 Hardship scheme.

- 4.2 Applicants will need to submit evidence to demonstrate that the business meets the eligibility criteria for the hardship grant. Applicants will also be required to submit appropriate evidence to support their application. This will all be through the online portal [SmartSimple | Newry, Mourne & Down District Council. \(smartsimpleuk.com\)](https://smartsimpleuk.com). **Please register your business and complete the organisation profile on the portal then you will gain access to the application.**

## **Supporting Evidence to Demonstrate Eligibility.**

4.3 It will be the applicant's responsibility to demonstrate eligibility for the Flooding Hardship Scheme. The councils have advised that the following supporting evidence should be provided to demonstrate eligibility:

- Evidence must be provided that demonstrates the business was trading (or intended to open/re-open for trading imminently) at the time of the flooding. This should include at least two of the following:
  - A scanned or copy of a bank statement dated within three months up to and including the flooding for an account used by your business that clearly shows name/ address. In the case of sole traders this can be a personal bank account which shows evidence of trading. The bank account must be the same account to which the grant will be paid.
  - Copy of rental agreement relating to the period that shows business name and address.
  - Invoices/receipts/purchase orders relating to the purchases for the period.
  - Copy of Employers Liability Cover (legal requirement for small businesses with staff) or public liability insurance.
  - Copy of valid registration with local council (if applicable), for example, a food business.
  - Independent confirmation from a registered accountant that the business was trading during that period.
  
- Unique Taxpayer Reference (UTR)

## **Support Evidence to Demonstrate Flood Damage**

4.4 For applicants applying for the hardship scheme/ where applicable, the following information should be uploaded as part of your application:

- Where available, a copy of photographic evidence/video evidence/media evidence etc of flood damage to your property, equipment & stock.
- Where available, a copy of an independent survey of damages/flood damage report etc.
- Records of disposal of damage equipment or stock.

## **5 YOUR RESPONSIBILITIES**

5.1 You are responsible for providing accurate and true information on your application. Businesses should note that:

- Providing wrong or misleading information is an offence and any such information may be used against you in any subsequent criminal investigation. The information provided on the application form may be made available to other bodies for the purposes of preventing or detecting crime.

- Where it is found that grant has been awarded on the basis of false information it will be necessary to seek repayment from the funded business.
- This grant is a subsidy that falls either within the scope of [the Minimal Financial Assistance \(MFA\) exemption](#) of the UK Subsidy Control Act 2022 or, if your business is within the scope of the Windsor Framework, the [EC's de Minimis Regulation](#). The maximum amount of MFA an enterprise can receive in [the 3 year applicable period for MFA](#) is £315,000. The maximum amount of de minimis aid an undertaking can receive in any period of 3 years is €300,000. This grant can only be paid as MFA or de minimis aid if there is sufficient MFA or de minimis headroom. If this grant would result in a breach of the applicable ceiling, the council will need to carry out further checks and registration processes to determine whether the grant complies with the UK Subsidy Control Act 2022 or the EU State aid rules. If there is any contravention of the UK Subsidy Control Act or the State Aid rules, irrespective of whether this was a deliberate or otherwise deception or error or as a result of any misleading statements given on the application, this grant will be recoverable in full and may be subject to legal action.
- Individual businesses will need to take their own financial advice about the taxable status of these grant payments.
- You will also be asked to provide a declaration confirming you will comply with the terms and conditions of the grant.

## 6 SCHEME DELIVERY

6.1 You are asked to note the following:

- The grant scheme will be administered by district councils.
- The funding will be transferred to the councils by the Department for the Economy under the provisions of Section 29 of the Local Government Finance Act (NI) 2011, which enables any NI Department to make payments 'for such purposes and of such amounts and subject to such conditions as that department may determine'.
- The Department for the Economy will perform sample checks on the information submitted to it by the councils.

## 7 APPROVALS & TIMING OF PAYMENTS

7.1 **£5,000 Hardship Scheme.** A payment of £5,000 can be made by the council following an assessment.

7.2 **£2,500 Hardship Scheme** A payment of £2,500 can be made by the council following an assessment.

## 8 APPEALS PROCESS

8.1 An appeals process is as per Council procedures.

## 9 DATA HANDLING AND PROTECTION

- 9.1 This scheme is being delivered by the councils. The information you provide as part of your application will be used as a means to assess your eligibility and also to conduct any post scheme governance assessments. Your data will also be shared with the loss assessors appointed by the councils.
- 9.2 As this financial support is sourced from public funds the Council will, in the interest of openness and transparency, proactively [publish limited information](#) on the scheme including:
- Name of Business.
  - Amount of assistance.
- 9.3 Both the Council and DfE will handle your data in compliance with applicable laws including the General Data Protection Regulation and the Data Protection Act 2018.

For further details on each organisation's data handling practices please see their respective Privacy statements:

[Newry Mourne and Down District Council Privacy Notice](#)

[Armagh Banbridge Craigavon Council's Privacy Notice](#)

[Ards & North Down Borough Council Privacy Notice](#)

[Lisburn, Castlereagh City Council Privacy Notice](#)

[Department for Economy Privacy Notice](#)

## 10 OTHER INFORMATION

For further support or information regarding the fund please contact the relevant officer within your Council area.

Newry, Mourne and Down District Council  
[flooding@nmandd.org](mailto:flooding@nmandd.org)

Ards and North Down Borough Council  
[Adele.Faulkner@ardsandnorthdown.gov.uk](mailto:Adele.Faulkner@ardsandnorthdown.gov.uk)

Lisburn Castlereagh City Council  
[Donal.Rogan@lisburncastlereagh.gov.uk](mailto:Donal.Rogan@lisburncastlereagh.gov.uk)

Armagh, Banbridge and Craigavon Council  
[Nicola.Wilson@armaghbanbridgecraigavon.gov.uk](mailto:Nicola.Wilson@armaghbanbridgecraigavon.gov.uk)

