

Hebden Bridge Flood Alleviation Scheme (FAS)

Business Compensation FAQs



November 2025 – Updated

We appreciate that some businesses and property owners may experience financial losses as a direct result of our construction activity. Where works are undertaken under the relevant sections of the Water Resources Act 1991, you may be entitled to claim compensation for substantiated losses.

We have provided some information on www.eyeoncalderdale.com – Hebden Bridge FAS / Supporting Business Continuity and Resilience. More detailed Questions & Answers are provided below.

1. Who can submit a claim for compensation?

Any business can submit a compensation claim for determination. Each claim is assessed as to whether it presents a demonstrable loss as a direct result of the Environment Agency's (EA) work. This includes businesses not in the immediate vicinity if they can evidence impact on their business as a result of the EA's work.

2. When can a business begin to claim compensation?

It is the individual business's decision as to if/when they submit a claim; however it is not necessary to wait for annual accounts. Interim financial records, management accounts, or other evidence may be used to support a claim.

3. How often can compensation be paid?

There is no fixed schedule. Claims can be submitted, assessed, and settled as reasonably required throughout the duration of the works.

4. How many years' worth of records do I need to submit? And what if I've not been in business for long?

Ideally you would need to evidence the latest three years of the business trading, however if this is not available due to the age of the business, the available accounts would need to be submitted along with all other relevant information that would support the claim for losses, and this will be assessed accordingly.

5. Do I need to appoint someone to act on my behalf?

You can submit a claim yourself, however if your claim is solely in relation to a business loss claim, we would advise that your accountant would be best placed to advise you on this and prepare and submit a claim. If your claim is in relation to other matters as well, such as structural alterations to your property as part of the scheme, it may be appropriate for a chartered surveyor to be instructed. On the basis that your claim is successful, their reasonable professional fees for undertaking this on your behalf would be reimbursed as part of the claim process. We would advise your accountant, or agent makes contact on your behalf to discuss this further at the appropriate time.

6. Is there a set format for submitting a claim?

No prescribed form exists; however, most agents or accountants should be able to prepare a properly evidenced claim.

- Claims must be evidenced (e.g. accounts, invoices, records).
- It is the claimant's responsibility to submit the claim; the process of determining compensation is not automatic.

7. Who makes the decision on compensation claims, how long does it take?

- The Environment Agency assesses the claim, often with input from a forensic accountant.
- Timelines vary depending on complexity and evidence provided.

8. How is “demonstrable loss” defined and measured?

There is no definition, measurement or prescribed threshold – each claim is assessed on a case-by-case basis (some cases will be clearly a direct result of the work, others will be less so, and more supporting information may be required to demonstrate how the losses have arisen from our work).

9. How can a business demonstrate that its loss of trade is directly the result of the EA's construction work?

There is no one answer to this, as all cases will be different; however, evidence may include:

- Comparative financial records (before and during work)
- Point of Sale data (before & during the work)
- Documentation of reduced access, noise, or parking issues
- Supporting statements or customer feedback

10. Would the Environment Agency pay for cleaning (e.g. windows covered in construction dust)?

Yes, this is considered a reasonable claim - provided:

- The EA's activities caused the issue
- The cost of cleaning is evidenced (e.g. receipts, quotes)

11. Are there limits or caps on the amount of compensation that can be claimed?

- No, the EA is obliged to pay any claim eligible under the compensation provisions contained in the Water Resources Act 1991.

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12. Do businesses pay their professional representative first and then claim the cost, or can the Environment Agency pay the agent directly?

- The claimant is ultimately responsible for their advisor's fees.
- Typically, in the event of a claim being substantiated, the Environment Agency reimburses the claimant, who then pays the advisor.
- Most advisors will not require upfront payment and will invoice at agreed intervals, subject to EA approval.

13. What specific types of losses are eligible for compensation? Are only financial losses covered, or can I claim for reputational damage, potential loss of future contracts, or staff retention issues?

All types of losses can be considered; however, the more tangible a loss is in financial terms, the easier it will be to substantiate.

14. Is there an appeals process?

- If the amount of compensation assessed cannot be agreed between the parties the matter can ultimately be referred to the Upper Tribunal (Lands Chamber) for determination. This is extremely rare and usually agreement can be reached. Alternative dispute resolution services may also be agreed to be used between the parties.
- In the event of a partial acceptance of the claim, the accepted element would be paid. Any disputed element of the claim would follow the above process.

15. Can the Environment Agency take account of business growth when assessing compensation?

If a business can demonstrate sustained growth through historical accounts, compensation may reflect that trend. However, other factors such as the general economic climate will also be considered. The EA may use a forensic accountant to assess claims of this nature.

16. We're opening a new business and won't have a year-on-year comparison - what other data would you accept to show a potential drop in footfall?

Historic financial accounts are typically the clearest method of demonstrating change, and any direct impact of works. However, as noted before, it is not necessary to wait for annual accounts. Interim financial records, management accounts, or other evidence may be used to support a claim.

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17. Is there a dedicated liaison or support officer for Hebden Bridge businesses?

Whilst there is no one specific person assigned to Hebden Bridge, there is a team in place & scheme email address.

Step-by-Step Guide to Submitting a Claim

1. Identify how your business has been affected by the construction works.
 2. Gather evidence of financial loss (e.g. accounts, point of sale data).
 3. Appoint an accountant or surveyor if desired.
 4. Prepare the claim with supporting documentation.
 5. Submit the claim to the Environment Agency's Estates team (contact details will be provided once construction starts).
 6. The EA will assess the claim, potentially with input from a forensic accountant.
 7. If substantiated, compensation will be paid. Agreed reasonable professional fees will be reimbursed to the claimant as part of the claim settlement.
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If you have any further questions, please get in touch:

Email: HebdenBridgeFAS@environment-agency.gov.uk

**In person: Visit the Flood Information Centre on Valley Road
(see Eye on Calderdale for current opening times)**