



Llywodraeth Cymru  
Welsh Government

GUIDANCE

# Glastir Woodland Creation (window 11, September 2021): rules booklet

Follow these rules and Guidance for window 11 of Glastir Woodland Creation.

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# Contents

## What's New for Window 11

---

### Section A - Introduction

---

### Section B – Eligibility

---

### Section C – Glastir Woodland Creation Grants

---

### Section D – How to Apply

---

### Section E – Contract Amendments

---

### Section F – Inspections and Record Keeping

---

### Section G – Penalties

---

### Section H – Appeals Procedure

---

### Section I – General Data Protection Regulation: Privacy Notice

---

### Section J – Contact Details

---

## What's New for Window 11

- This Expression of Interest is available to land managers who will be able to complete all capital works and planting by 31 March 2023.
- The 11<sup>th</sup> EOI for GWC will open on 30 September 2021 and close midnight 28 October 2021.
- As set out following the recent Trees and Timber deep dive, this window is

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being launched to ensure the full budget allocated to woodland creation under the Rural Development Payment (RDP) scheme is allocated. This window is being run under existing RDP rules, so we have kept changes to scheme rules and guidance to a minimum. Projects with a total value of £5.5 million will be selected through this window.

- Next year we will seek to open a new woodland creation funding scheme which builds on Glastir Woodland Creation but is simplified and available consistently through the year. As part of this there will be separate funding available for woodland planning. We are launching a pilot of the woodland planning scheme alongside window 11 of Glastir Woodland Creation.
- You will need to decide whether to apply to this window, or the pilot scheme. We recommend choosing the planning scheme if you are not confident that you can meet the deadline to complete all planting by 31 March 2023. You cannot take part in both window 11 of Glastir Woodland Creation and the planning pilot for the same project. If you apply for both schemes, the application to window 11 of Glastir Woodland Creation will be considered first. If you are successful in window 11 of Glastir Woodland Creation you will not be eligible for the pilot. You will need to adhere to the following timetable:

## Timetable

Submit an online Expression of Interest between	30 September 2021 and 28 October 2021
Submit a GWC woodland plan to RPW online	8 weeks after selection of EOIs is confirmed
Complete all Establishment and Capital Works by	31 March 2023
Submit your claim for completed Establishment and Capital Works by	30 June 2023

- Following feedback from woodland planners, rules on public participation have been changed for window 11. New rules can be found in section D.
- Changes to the Woodland Carbon Code rules now mean that projects must

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be registered **before** planting takes place.

- GeoPDF mapping software has been replaced with shapefiles. For this round of GWC all planting proposals will need to be updated onto a shapefile.
- For this round EOIs will be scored and ranked in order to the scoring criteria. EOIs will be selected based on their ranking up until the point at which the window budget is fully committed. A maximum of 2 tranches of selections will be completed per window in order to maximise the budget.

## KEY MESSAGES

- For this round applicants must have registered their land with the Rural Payments Wales Land Parcel Identification System (LPIS) and have full management control of that land when they submit their EOI. Because of the short timescales available, we are not able to accept applications from applicants who have not submitted a Manage My Land with all the supporting documentation prior to the opening of this window.
- An EOI must be submitted by a Registered Glastir Woodland Creation Planner (registered planner). To submit an EOI, you must contact a registered planner to discuss your proposals and the registered planner will complete and submit an EOI on your behalf. EOIs not submitted by a registered planner will be rejected.
- You will need to ensure your chosen registered planner is authorised to submit an EOI on your behalf via RPW Online.
- The **list of registered planners** approved to submit an EOI is available on the Welsh Government website.
- A budget of £5.5million has been allocated to this round of GWC.
- A GWC contract will now be offered following completion of eligibility checks alongside the offer of selection. The contract will enable the applicant and planner to prepare a fully completed GWC Plan for submission to the Welsh Government.
- If you are offered a contract, you must accept or decline the offer via your RPW Online account by the date given in the letter. For this GWC Window selected applicants will be given 7 days to return their contract acceptance. **Failure to do so will result in the offer of contract being withdrawn.**

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- Successful Applicants will have 8 weeks from the date selection was offered to present a completed Plan, Shapefile and all other necessary supporting documents via their RPW Online account. **Failure to submit all documentation necessary for verification by this date will lead to your contract being rejected.**
- Plans will be verified by NRW and a contract map produced. **Contract holders should not start any work before accepting a verified contract map which confirms the areas to be planted following verification by NRW.** The Contract if necessary may be updated and an amended Contract will be offered.
- Should it be found at verification that significant areas of unplanted land have been included in the EOI and plan, the Welsh Government will rescore the remaining verified land. If the score is below the selection threshold, the contract will be withdrawn.
- Payment is conditional on the Welsh Government receiving a fully verified plan from NRW and the capital works being completed to the correct specification in the contract.
- To be eligible for selection, the land to be planted must be registered with the Rural Payment Wales Land Parcel Identification System (LPIS) and be under your full management control before the Expression of Interest Window is opened. If the land is currently being used by another manager, for example a tenant, and they have management control, you are not eligible to submit an EOI, as you do not have full management control.
- A Manage My Land (MML) and all supporting documents must have been submitted by **30 September 2021** to notify us of land registrations, changes or transfers for land to be eligible for consideration for selection under this round of GWC. If a MML has not been submitted by 30 September **the land parcels will be removed from the EOI before scoring.**
- If you are submitting an EOI for common land, you must submit consent received under Section 38 of the Commons Act 2006 or written confirmation that consent under section 38 is not required by Welsh Ministers, by **30 September 2021** for the land to be eligible for consideration for selection. **Failure to do so will result in land parcels being rejected.**
- To be eligible for the £800 GWC Plan grant, approved GWC plans must progress to planting after online acceptance of the GWC contract.
- This scheme provides financial support for capital works - new planting,

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fencing - and, in certain circumstances, annual maintenance and premium payments.

- Financial support is also available for planting trees in areas which continue to be grazed as part of an Agroforestry system, i.e. combining agriculture and forestry. See Section C for full details.
- You may be eligible to use land taken out of agricultural production for new planting under GWC grants to support claims on the Basic Payment Scheme (BPS), **provided** the land was used to claim Single Payment Scheme (SPS) in 2008, whilst your commitment to afforest the eligible land under this contract remains active.
- Field parcels established with scattered trees under an agroforestry system may continue to be eligible for Basic Payment. A deduction will need to be made for the area of the trees in line with the BPS rules.
- The GWC expression of interest has been developed digitally and is available through the Rural Payment Wales (RPW) online.
- You will need a Customer Reference Number (CRN) and a RPW online account before you can access the GWC expression of interest.
- To register your business details for the first time, you need to complete the **online registration form**. Please refer to the **how to register guidance** for further details. The vast majority of changes to business details can be done online. However, Welsh Government may require further details on any major changes. Please contact the Customer Contact Centre on 0300 062 5004 for further information. For further information on registering with RPW online or submitting an Expression of Interest, please refer to Section D of this booklet. If you require digital assistance, please contact the Customer Contact Centre using your RPW online account or on 0300 062 5004.
- You should ensure that you can meet all the eligibility criteria for the full contractual period (see Section C for details). The contract will end, where applicable, following final payment of Establishment, Capital Works, maintenance and premium payments.
- Following planting, if funding is available, you may be eligible to claim 12 years maintenance and premium payments. Only 5 years maintenance payments are available through the Agroforestry option.
- You will need to complete a GWC plan which must comply with the GWC rules and the UK Forestry Standard (UKFS). You must use a registered planner to produce the GWC Plan. **Registered planners contact details**

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can be found on the GWC webpage.

- The minimum area of new planting is 0.25ha and the minimum individual block is 0.1ha. See Section C for full details.
- By helping to maintain Wales' natural resources, GWC will support the Welsh Government to deliver elements of the **Environment Act 2016** and achieve a number of the **Well-being of Future Generations (Wales) Act 2015** goals, in particular, a resilient Wales (by helping to enhance a biodiverse natural environment), a healthier Wales (by supporting the environment as a resource for recreation) and a prosperous Wales (by protecting current and future investment in new woodlands that, in turn, supports employment opportunities and economic activity).
- Glastir Woodlands has been approved by the European Commission. Any subsequent changes to this guidance and Glastir commitments will be published in **Gwlad** and, where necessary, we will contact businesses directly.

## STATE AID

- Grants provided under this scheme are aid which fall within the scope of the State Aid frameworks because Articles 107, 108 and 109 Treaty for the Functioning of the European Union (TFEU) apply to support given for rural development under the Welsh Government Rural Communities – Rural Development Programme for Wales 2014-2020 (ref: SA 43466).
- From 01 July 2016 the State Aid Transparency requirements set out in article 9 of Commission Regulation (EU) No 702/2014 of 25 June 2014 declaring certain categories of aid in the agricultural and forestry sectors and in rural areas compatible with the internal market in application of Articles 107 and 108 of the Treaty on the Functioning of the European Union require any individual awards of aid above a €500,000 threshold (for Agriculture) to be reported directly to the European Commission on a 6 monthly basis. The information will be published via the Welsh Government and European Commission Transparency Websites.
- Grant provided under the following options in this scheme is compliant aid because it respects the conditions set out in Article 32, 33 and 35 of Commission Regulation (EU) No 702/2014 (Agriculture Block Exemption

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Regulation).

- - Enhanced Mixed Woodland Glastir Option 803
  - Native woodland Biodiversity Glastir Option 801
  - Native Woodland Carbon – Glastir Option 802
  - Fencing – Glastir Option 595
  - Agroforestry – Scattered Trees Glastir Option 804
  - Woodland Creation Plan Grant

## Section A - Introduction

This booklet is for land managers and farming businesses who intend to request a registered planner to submit an expression of interest for GWC for works to be completed by the deadlines outlined in key messages. The details contained within this booklet are not exhaustive and may be updated.

This scheme also supports the commitment of woodland expansion set out in the Welsh Government's woodland strategy, *Woodland for Wales*.

The Welsh Government is committed to planting more trees in Wales through GWC to deliver a wide range of benefits, to:

- Provide shelter for livestock and buildings from severe weather.
- Control livestock movement by fencing out and planting inaccessible areas e.g. steep dingles.
- Grow a sustainable supply of fuelwood and timber e.g. for construction and fencing.
- Establish habitats for wildlife.
- Reduce the risk of downstream flooding and siltation in watercourses.
- Screen out noise pollution e.g. from roads and railways.

You will need to engage a registered planner to submit your EOI and to prepare a GWC Plan which complies with the GWC rules and the UKFS. This plan will set out your objectives when creating the woodland and how the woodland creation supports the Welsh Government's objectives and delivers value for

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money.

The GWC scheme has introduced new opportunities to enable the establishment of agroforestry systems. See Section C for details.

It is important, however, if you are taking up new options, such as agroforestry, you are able to show how you plan to introduce this system through your woodland creation plan for the benefit of your farming business. In particular, agroforestry will only be supported where there is a clear intention to maintain the system, in the long term, to continue integrated agricultural and forestry practices with active use of the land for grazing for the full duration of your contractual commitment.

GWC is jointly funded by the Welsh Government and the European Commission as part of the Welsh Government Rural Communities – Rural Development Programme for Wales 2014-2020.

GWC is governed by the Rural Development Programmes (Wales) Regulations 2014 SI No. 3222 (W. 327) which applies to the Rural Development Programmes, Council Regulations (EU) No. 1305/2013, 1303/2013 and (EU) No. 1306/2013, Commission Regulation (EU) No. 808/2014 and (EU) No. 809/2014 and Commission Delegated Regulation (EU) 640/2014 and 807/2014 (all as amended from time to time). Copies of the regulations are available online via the [Welsh Government website](#) or hard copies can be requested from the Rural Payments Wales Customer Contact Centre.

## Section B – Eligibility

To be eligible for GWC you must:

- Have registered as a customer with RPW and have been issued with a Customer Reference Number (CRN).
- Ensure your EOI is submitted by a registered Glastir Woodland Planner.
- Have registered your land with the Rural Payments Wales Land Parcel Identification System (LPIS) and have full management control of the land

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prior to the Window opening on 30 September 2021. You do not need to be a farmer to do this.

- Have a minimum of 0.25 hectares of eligible land.
- Be the sole claimant of European Aid schemes (e.g. Basic Payment Scheme and Glastir) on the land.
- Have management control over the land for the duration of the contract and the full commitment period.
- Be a public or private land holder, municipality or an association, including community groups planting on publicly owned land.

## Land eligibility requirements

To be eligible for a GWC contract, the land must:

- Consist of field parcels that are 0.1ha or greater in area and be located in Wales – note that the term field parcel does not imply that this must be agricultural land.
- Not be existing woodland, this includes areas shown on Forest Research's National Forest Inventory.
- Not be used, for the duration of the woodland creation contract, to grow Christmas trees or a short rotation biomass crop. Christmas trees may not be used as a nurse crop. Short rotation means less than 8 years.
- Continue to be grazed, for the duration of the contract and commitment, if it is an agroforestry option.
- Have received all necessary consents from relevant organisations e.g. NRW, CADW in order to plant on designated sites in compliance with the UKFS.
- Not be registered common land, unless either consent has been granted under section 38 of the Commons Act 2006 or written confirmation has been given that consent under section 38 is not required by Welsh Ministers **before** submitting an Expression of Interest. Where consent is required, an approved Section 38 consent is required before submitting an Expression of Interest.

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## **Sources of other funding**

If you are receiving payment from any other source for the same works required under GWC, this would be considered double funding and is not permissible. If it is established you are or have received funding from another source for commitments under GWC, this could result in financial penalties, the recovery of payments plus interest and possible termination of your contract.

## **Planting during an active Glastir Advanced (GA) Contract**

If planting is to take place before the expiry of the GA contract, any area of management option within a parcel will not be available for planting under GWC. Only the remaining area, not under a management option, can be considered under a planting proposal.

**When declaring the EOI area of planting within a parcel, please ensure the area of GA Management Option is not included.**

## **Planting after expiry of a GA Contract**

If planting is to take place after expiry of the GA contract, the whole parcel can be scored and selected for GWC. If selected and a subsequent GWC plan is verified, no planting preparation works that could damage the management option, supported under the GA contract, can take place until after expiry of the GA contract.

Any works undertaken that would breach the active GA contract could result in penalties being applied to any payment claims being made in respect of that option.

**When declaring the EOI area of planting within a parcel, please ensure you include any area of GA management option to be planted under your proposals after expiry of your GA contract.**

Where you have land under a Glastir Organic contract, it may be entered into a GWC contract. However, you must request the removal of the land from the

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Glastir Organic contract via your RPW online account. Subject to approval from the Welsh Government, the land will be removed from your Glastir Organic Contract and planting can only commence after the removal has taken place.

Land under a Glastir Small Grants (GSG) planting option is not eligible for GWC.

## Woodland Carbon Code

Tree planting can remove carbon dioxide from the atmosphere. The Woodland Carbon Code promotes carbon trading and trees planted under GWC may be eligible as a woodland carbon project. The Woodland Carbon Code requires those who list woodland carbon units for trading to demonstrate that the carbon funding sought is necessary additional funding for the woodland creation project. This 'additionality test' ensures that there is not an issue of double funding and, provided that the test is satisfied, there will not be double funding.

All projects which apply to Glastir for the Native Woodland – Carbon option must register their planting with the Woodland Carbon Code. It is your responsibility to register with the Woodland Carbon Code, the Welsh Government will not do this on your behalf. In order to facilitate registration with the Carbon Code, the Welsh Government will forward all relevant Native Woodland – Carbon planting and customer details to the Woodland Carbon Code Team.

Changes to the Woodland Carbon Code rules now mean that a project must be registered **before** planting takes place.

Failure to register will result in payments being withheld or the contract being reviewed, leading to the recovery of all monies paid in respect of the Native Woodland – Carbon option, including, where applicable, the plan payment.

Further information can be found at [woodlandcarboncode.org.uk](https://woodlandcarboncode.org.uk). Registration with the code is the first step towards full validation and verification of woodland carbon units generated by the project. Taking this first step involves calculating the amount of carbon that the project will sequester over its lifetime.

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# Section C – Glastir Woodland Creation Grants

## Capital Works

If you are successfully selected, in order to proceed with your application, you must accept the offer of selection and a contract based on your EOI. You will be required to complete a GWC Plan which complies with the UKFS ([Forestry Commission – UK Forestry Standard and Guidelines](#)) and the GWC rules. The GWC Plan will be verified by NRW. Following approval of the plan by the Welsh Government, eligible capital works items listed in the plan will be included in a GWC Contract which you will need to accept to be eligible to claim payments under GWC. This section details the Capital Works items, maintenance and premium payments available under GWC.

- Capital Works establishment grants for planting trees. The grants are claimed by the contract holder, or their agent acting on their behalf, following planting. See Table 1 for details of woodland categories and grants.
- Fencing grant rates of £3.48/metre which meet with the Glastir technical fencing specification are available. This is for full stock exclusion of a new planting area. The maximum fencing length that can be applied for must reflect the planting perimeter. You can upgrade to deer or rabbit fencing at your own cost, but this must be in addition to the standard stock fence. A gate can be inserted into fenceline at landowner's own cost, but can only be applied for as a length of fencing.
- Please note: Areas afforested under GWC may be eligible for BPS for the duration of the contractual commitment, provided it was used to claim SPS in 2008 whilst your commitment to afforest the land within the contract is active. There are specific crop codes to be used when claiming BPS under these circumstances. You should refer to the latest Single Application Form (SAF) rules booklet updates for full details. The land will only remain eligible for BPS whilst the area is in receipt of the Maintenance and Premium Payments.

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## Agroforestry Grant

- Agroforestry can be described as an integrated approach to land management, where trees and agriculture co-exist to provide multiple benefits.
- The Welsh Government is committed to providing a flexible range of options for farm woodlands. GWC makes a start by providing greater flexibility for woodland design to allow shelterbelts and small groups of trees down to 0.1ha in an individual block. We are complementing this by offering a single agroforestry option in this expression of interest. This will provide for establishing 80 scattered trees per hectare on permanent grassland which is also grazed at least to typical stocking levels for the land in question throughout the period of the contract. The stocking levels will be defined within your contract.
- If you are applying for an Agroforestry grant you will need to demonstrate through the woodland creation plan that your proposal is sound, and that it is integrated into your agricultural business in the long term.
- See Table 1 for the Agroforestry grant specification. The land must be permanent pasture land and continue to be grazed. A crop of silage or hay can also be taken from the land. The agroforestry option is intended to support the establishment of a new agricultural system - it is not just a tree planting grant.
- The grant rate shown is based on planting, individually fencing using parkland tree guards and protecting the required number of individual trees and maintaining these so that they become fully established whilst also maintaining agricultural activity on the area for the full contract period.
- An annual Maintenance payment may be claimed for the first five years, commencing in the first full calendar year following establishment.
- Premium payment is not payable on these areas, because they will remain in agricultural production and the trees must be fully established as an agroforestry system for five years following initial planting.
- The area under agroforestry must be retained for five years after the year in which the trees are established.
- There will be a requirement to keep a stocking diary to record the grazing undertaken each year. These records must be maintained at field parcel

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level for the full term of the contract.

- The land planted under the Agroforestry measure will remain subject to cross compliance regulations. This includes maintaining the land in good agricultural and environmental condition. Any breach of cross compliance will be subject to a penalty.
- The field parcels established with scattered trees under Agroforestry may continue to be eligible for BPS with a deduction for the area of the trees which are fenced off, provided that this means that including any pre-existing trees, there are less than 100 scattered trees per hectare. A deduction for trunks/stumps will be required if the area covered by the trunks is greater than 50 square metres. You should refer to the latest SAF guidance booklet for details of how to assess parcels with trees.

## Woodland Category, specifications and grant rates for Glastir Woodland Creation

**Table 1**

Woodland Category	Glastir Capital Works No.	Specification	New planting Payment £ per ha	Annual Maintenance Payment £ per ha	Annual Premium Payment £ per ha
Enhanced Mixed Woodland	803	<ul style="list-style-type: none"> <li>• Minimum of 5 major species at least 10% of each)</li> <li>• Minimum of 25% broadleaves inclusive of woody shrub element</li> <li>• Maximum 10% woody shrub element</li> <li>• No more than 50% of a single species</li> <li>• Stocking density 2,500/ha</li> </ul>	3,600	60 (12 Years)	350

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Woodland Category	Glastir Capital Works No.	Specification	New planting Payment £ per ha	Annual Maintenance Payment £ per ha	Annual Premium Payment £ per ha
		<ul style="list-style-type: none"> <li>Exclude livestock</li> </ul>			
<b>Native Woodland - Carbon</b>	802	<ul style="list-style-type: none"> <li>Native species mixture</li> <li>Suitable provenance planting stock*</li> <li>Maximum 20% woody shrubs allowed</li> <li>Stocking density 2,500/ha</li> <li>Exclude Livestock</li> </ul> <p><b>It is a requirement you register your new planting scheme with the Woodland Carbon Code.</b></p>	4,500	60 (12 Years)	350
<b>Native Woodland - Biodiversity</b>	801	<ul style="list-style-type: none"> <li>Native species - mix should be site native and largely conform to Habitat Action Plan types (for example upland oak, lowland mixed deciduous woods), however, local conditions may necessitate some variation from these.</li> <li>Suitable provenance planting stock*</li> <li>Maximum 20% woody shrubs allowed</li> <li>Clumped distribution of species with variable spacing</li> </ul>	3,000	60 (12 Years)	350

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Woodland Category	Glastir Capital Works No.	Specification	New planting Payment £ per ha	Annual Maintenance Payment £ per ha	Annual Premium Payment £ per ha
		<ul style="list-style-type: none"> <li>• Stocking density 1,600/ha</li> <li>• Exclude Livestock</li> </ul>			
Agroforestry - scattered trees	804	<ul style="list-style-type: none"> <li>• 80 trees per hectare</li> <li>• Not eligible for fencing grant</li> <li>• Not eligible for Premium payment</li> </ul>	1,600	30 (5 Years)	N/A
Fencing	595	Post and wire fencing and stock netting	3.48/ metre		

## Notes on Table 1

- The woodland creation opportunities map, which shows all the constraints and sensitivities connected with a new planting site, is available on the [DataMapWales Website](#).
- Supporting guidance for GWC is also available on the [NRW Website](#).
- All trees must be selected for suitability to the site conditions. There should be no planting of larch, ash or other species at immediate risk of disease.
- Follow [acid sensitive catchment guidance](#) on the NRW website in at risk and failing acid sensitive catchments.
- No more than 10% alder should be planted in riparian areas that are at risk and/or failing acid sensitive catchments because of its ability to contribute to acidification.
- Existing trees (diameter of 8cm or over) and scrub (areas of poorly formed trees or bushes unsuitable for conversion to timber) are an important habitat and should not be cleared prior to planting.
- If it is discovered priority habitats on the land proposed for new planting have

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been agriculturally improved since 2002, without consent under the Environmental Impact Assessment (Agriculture) (Wales) Regulations in force at the time, the GWC application will be refused.

## **Premium Payment**

The Premium payment is an area based payment which is intended to compensate for the income foregone for the cessation of agricultural production. A payment of £350/ha is available for 12 years. It is not available for the Agroforestry option.

To be eligible to claim the Premium payment, you must submit a SAF annually via RPW online and claim against each eligible field parcel included within your contract.

## **Maintenance Payment**

The Maintenance payment is to maintain new planting for the duration of the 12 year contractual period. A payment of £60/ha is available for 12 years. This payment is for 5 years under the Agroforestry category and is not available on publically owned land.

To be eligible to claim the Maintenance payment, you must submit a SAF annually via RPW online and claim against each eligible field parcel included within your contract.

Maintenance includes weeding and the replacement of dead trees and regular inspection. There will be a requirement to keep an activity diary to record the maintenance undertaken each year. These records must be maintained at field parcel level for the full term of the contract.

We expect you to maintain the trees you have planted in accordance with normal sustainable forest management practices. You must protect the trees you have planted against damage and competition from weeds, insects, pests and browsing animals, such as rabbits, hares and, for agroforestry, sheep. The

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maintenance grant is based on periodic weeding and replacement of dead trees with new ones. When we inspect your trees, we will expect to find that they have been properly established. They should make reasonable height growth each year so that by five years old they are 5 to 6 feet (1.5 to 1.8m) tall or higher. A weed free area should be maintained around the base of each tree for three years following the final Capital Works claim for planting. There should be no browsing damage and no evidence that the area protected from grazing has been used by livestock. Trees which fail to thrive should be replaced. Advice about looking after your trees is available on [www.gov.wales](http://www.gov.wales).

## Minimum size of new planting

- The minimum area of new planting to be eligible for GWC support is 0.25ha which can be comprised of a minimum individual block of trees of 0.1ha.
- There is no fixed minimum width, but the trees must be fenced and protected from browsing and the design of the woodland must be consistent with UKFS.
- There is no limit on the maximum size of new planting.

## Stock exclusion

Where livestock exclusion is a requirement, the area of new planting must remain free from livestock for the full duration of your GWC contractual commitment.

## Open Space

Scattered and unmappable open ground (i.e. less than 0.1ha) can be included within the planting area up to a total of 15% of the total area. Areas of unplanted and open ground of 0.1ha or over must be mapped and excluded from the grant aided area within your woodland creation. This needs to be noted on the Woodland Creation Plan. You will need to reduce the tree spacing in parts of the site to account for un-plantable ground to ensure the required number of trees in the contract are planted (see Table 2).

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**Spacing distances for varying percentages of open space stocking density of 2,500 stems per hectare (Native Carbon mixture & Enhanced Mixed woodland)**

**Table 2**

<b>% open space</b>	<b>spacing m x m</b>	<b>Stems/ha in net area</b>
0%	2.00	2,500
5%	1.95	2,631
10%	1.90	2,777
15%	1.84	2,941

**Stocking density of 1,600 stems per hectare (Native Woodlands – Biodiversity)**

**Table 3**

<b>% open space</b>	<b>Spacing m x m</b>	<b>Stems/ha in net area</b>
0%	2.50	1,600
5%	2.44	1,684
10%	2.37	1,778

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<b>% open space</b>	<b>Spacing m x m</b>	<b>Stems/ha in net area</b>
15%	2.30	1,882

---

## **Existing scattered trees and shrubs**

Existing scattered trees and shrubs have a high environmental value and should not be cleared for new planting, but should be incorporated in the planting design. Woody shrubs and scattered trees need to be mapped out in the same way as open ground if the area is more than 0.1ha.

## **Section D – How to Apply**

### **Submitting an Expression of Interest (EOI)**

#### **Availability of informal advice from NRW prior to submitting an EOI**

The woodland creation opportunities map, shows all the constraints and sensitivities connected with a new planting site and is available on the [DataMapWales Website](#). These highlight where planting may not be suitable, or where consultation on your proposals will be required.

The Welsh Government does not intend the Woodland Opportunities map to be a definitive prescription for the appropriateness of new planting. While the map cannot be definitive, it is helpful to indicate areas where there are likely to be sensitivities over planting so applicants can consider and address these in their applications. It also provides guidance on areas of opportunities for woodland, which we intend should complement and, in time, be combined with the context of area statements.

Your initial point of contact for advice should be a Registered Planner who can consult NRW on your behalf about your proposals. They will be able to advise on the appropriate size, location and planting option for your proposals.

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Additionally, your Registered Planner can request that NRW carries out a desk-based check against available mapping layers at Eol stage. The advice provided at this stage is strictly limited to desk-based checks for major constraints to planting only, against datasets held by NRW. They are provided on an informal basis on the understanding that further consultation will be required during the Woodland Creation Plan process as per the GN002 Planners Guide and GWC11 Rules.

## **RPW Online**

You must contact a registered planner to submit an EOI on your behalf. EOIs not submitted by a registered planner will be rejected. Your registered planner will apply for GWC by accessing Rural Payments Wales (RPW) Online.

If you already have a Customer Reference Number (CRN) you should have received a letter informing you of your Activation Code to set up your account. If you no longer have this, please telephone the Customer Contact Centre on 0300 062 5004 (Monday – Friday 9.00 – 16:00) and tell the operator your CRN. They will send you a new Activation Code.

Once registered, your registered planner will be able to access your **RPW Online account**. The GWC Expression of Interest is available from the 'Forms' section of your account.

Registered planners acting on behalf of a client will need to register as a Rural Payments Wales agent. If you have yet to do this, you are advised to complete and return an Agent / Farming Union Customer Details (Wales) form immediately. This form is available on the **Welsh Government website**. Upon receipt of the form, we will send you an Agent Customer Reference Number (Agent CRN) and an RPW Online Activation Code. You will also need to complete an **Association Authorisation Form** to agree roles with your client.

If you have any questions about registering for RPW online, please contact the Customer Contact Centre on 0300 062 5004. They will be able to provide advice, including the digital assistance that is available to you.

Please refer to the **GWC guidance** for more information about RPW Online and

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how to complete a GWC EOI.

## The Selection Process

The Welsh Government will use geographical information to assign a score to each application received in this Expression of Interest. The score will be derived on the basis of the field parcel boundaries which are included in your expression of interest. This is because the layout and design of the woodland cannot be fully determined until after a GWC plan is drawn up later in the process. Each parcel will be assessed against a range of map layers which represent the opportunities that woodland creation will bring. A .pdf map showing the ramped potential score for woodland creation will be made available online. The scoring layers will be amended from time to time to reflect new information that becomes available about woodland creation opportunities and as the evidence that makes up the layers is refined.

The Expression of Interest is assessed against each GIS layer and a score is allocated based on the area that intersects with the layer, which is calculated using the following formula:

$$\frac{\text{Area of Objective Layer}^* \times \text{Weighting of layer}}{\text{Area of Expression of Interest}} = \text{Score}$$

*\* within area of Expression of Interest*

This calculation is completed for each objective GIS layer the Expression of Interest intersects. The scores achieved for each layer are then added together to give a total score for the Expression of Interest. An Expression of Interest which intersects with more objective layers, particularly high priority layers, will collect a higher score.

All Expressions of Interest are ranked according to the total score achieved and the highest scorers will then be selected, where they exceed a minimum threshold, and processed, according to budgetary availability. Further Information on the [scoring process](#).

Once the selection process has been completed, a letter will be sent to your

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RPW online account confirming whether you have been selected for this round of GWC and advising you of your next course of action.

## **Offer of Contract**

If your EOI is selected, you will be offered a contract alongside the offer of selection, which you will need to accept or decline via your RPW Online account by the date given in the letter.

The contract offer will be issued via your RPW Online account and will include:

- a table confirming the land parcels, GWC planting options and area of intended planting as declared in your EOI and validated by the Welsh Government.
- A map in shapefile format of the land declared and validated on the EOI.

If you wish to progress with your planting proposals you must accept the offer of contract via your RPW Online account within 7 days of notification. If you accept this contract, you must not start work i.e start any establishment or fencing capital works for which you intend to claim grant.

Once you have accepted the contract, you will be able to work with your registered planner to draw up your planting proposals and to complete a GWC Plan for submission to Welsh Government.

**If you decline, or fail to respond to the offer of contract, your GWC Expression of Interest will be withdrawn and you will not be eligible to submit a Woodland Creation Plan to Welsh Government for verification by NRW.**

If your Expression of Interest has not been successful, you will be notified via your RPW online account with the reason for non-selection.

## **Submitting the Woodland Creation Plan**

Once you have accepted the contract offer you will need to engage a registered

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planner from the published list to complete a GWC Plan. Support of £800 is available as a contribution towards the registered planner's fees, provided the plan is successfully verified by NRW and the planting is completed, as set out in the Amended Contract.

The **registered planner** will complete the GWC Plan, which sets out the process of assessment, planning and implementation of a new woodland, including a new agroforestry system, in accordance with the UKFS and the GWC rules. It is a requirement for you and the registered planner to sign and agree the GWC plan before you submit the plan to Welsh Government for verification by NRW.

You will have been provided with a shapefile with your contract outlining the field parcels included in your EOI which your registered planner will need to use in compiling your plan.

The shapefile will need to be amended with your planting and fencing intentions by your registered planners via their Geographic Information Systems (GIS). The updated shapefile will need to be returned to the Welsh Government alongside the completed plan and all other supporting documentation.

The GWC plan templates and guidance and mapping guidance will be available on RPW online. We are unable to accept alternative plan templates and maps which, if submitted, will render your application ineligible.

During the Welsh Government Rural Communities – Rural Development Programme for Wales 2014-2020, you can apply for two GWC plans under one Customer Reference Number.

The Welsh Government will only fund payment of two Woodland Creation Plans per Customer. If you have received payment of two Woodland Creation plan claims, you may submit further expressions of interest, but you will not be eligible for further payments for successive fees charged to you by the planner.

If your CRN covers a number of dispersed holdings, we may agree to fund an additional GWC plan for separate properties comprising your holding. You will need to contact the Welsh Government via the Customer Contact Centre 0n

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0300 062 5004.

## Consultation

GWC requires consultation responses from statutory consultees e.g. CADW and non-statutory consultees e.g. Archaeological Trust, if a sensitivity falls within or adjacent to the proposed woodland creation area. The woodland planner will be required to provide consents from relevant organisations when planting within a designated site, such as a Site of Special Scientific Interest (SSSI) or Scheduled Ancient Monument (SAM). You may also need to obtain other consents e.g. protected species or water body, if your application has a potential impact on this feature. NRW Guidance note GN002 provides information on who and at which stage of the process.

## Public Participation

Contacting interested neighbours, particularly close neighbours, at an early stage of the woodland creation planning process is an opportunity to provide information on the proposal and avoid potential conflicts. It is your responsibility to ensure the appropriate level of engagement with the public is undertaken, even if the planner does this on your behalf. The Welsh Government and NRW will not consult third parties directly, except where outstanding public participation concerns could not be resolved.

This should include consultation with any individuals whose properties adjoin the new planting. NRW must be provided with evidence that a reasonable and proportionate attempt has been made to contact these individuals, such as sending a letter and allowing 28 days for response. If there is a good justification for not consulting an adjoining landowner, it must be set out clearly in the plan when it is submitted.

A public participation event is recommended for woodland creation schemes, especially schemes located close to a community. This is a good opportunity to inform local people about the woodland creation plan at an early stage of the design process and provide information, including maps and the planting

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proposals. You or the woodland planner will have the flexibility to make changes to a proposal if there are any particular valid concerns e.g. private water supplies, well used paths.

If the woodland creation scheme is over the Environmental Impact Assessment EIA threshold, you or the woodland planner must inform the Community or Parish Council about your woodland creation scheme at the earliest opportunity. It is also recommended you consult with interested parties e.g. local angling associations and 'friends of' community groups.

Public consultation should be completed before a plan is submitted. You, or the registered planner working on your behalf, must include a report on public participation alongside the plan. This should highlight when you or the woodland planner consulted with interested individuals or parties, how they were consulted (e.g. public event, flyers, door to door), how long the consultation ran and who responded.

Where interested party concerns cannot be addressed prior to submitting a plan, they should still be submitted with the plan, along with the reasons for not being able to address them. As part of the verification process, NRW will consider the concerns and will, possibly in discussion with others, advise whether the concern is valid or not.

## **Environmental Impact Assessment (EIA)**

NRW is the appropriate forestry body for assessing afforestation under the Environment Impact Assessment (Forestry) (England and Wales) (Amendment) Regulations 1999 (as amended). GWC plans at or over the Environmental Impact Assessment threshold require an Environmental Impact Assessment (Forestry) opinion from NRW before new planting can go ahead. Once verification has been completed the Woodland Programme Team will automatically pass your GWC plan and any supporting documents to the NRW Permitting Service, who will assess the project and aim to inform you of your decision as to whether your project would require EIA consent within 28 days.

Any breach of Environmental Impact Assessment Regulations between the

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submission of the expression of interest and contract start may result in the offer of a contract being withdrawn. Any environmental damage may also be referred to the relevant authority in cases of suspected breaches of regulations.

To ensure Welsh Government Rural Communities – Rural Development Programme for Wales 2014-2020 funds can be managed effectively, the Welsh Government will expect the Woodland Creation plan to be developed and submitted within a timescale that ensures the planting can be completed within the deadline for claiming, 31 March 2023.

## **Submitting your Glastir Woodland Creation Plan to Welsh Government for verification by NRW**

You may only submit one GWC plan to the Welsh Government for verification by NRW. When signing your GWC plan declaration, you must ensure the GWC plan is fully completed in all respects and accurately reflects your intended planting proposals. Prior to submission, you, or an authorised agent acting on your behalf, and your registered planner must sign the completed GWC plan.

The completed GWC Plan, annotated shapefile and any supporting documents must be submitted to the Welsh Government via your RPW Online Account.

The Welsh Government will forward your GWC plan to NRW for verification.

Your completed Glastir Woodland Creation Plan, annotated shapefile and any supporting documents must be submitted to the Welsh Government by the date specified in your contract offer letter which you will receive via your RPW Online account. For this window of GWC this will be 8 weeks from the date of offer. Your contract will be withdrawn if your plan is not submitted by the given deadline.

The registered planner can request NRW to provide feedback about your planting proposals prior to submitting the completed plan to the Welsh Government. You should discuss the feedback with your planner before deciding whether to submit the completed plan.

Failure to meet any of these requirements could result in the plan being rejected

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by the Welsh Government.

## Verification of your Glastir Woodland Creation Plan

The completed Woodland Creation plan will be verified by NRW. The Woodland Creation Plan must:

- Comply with the UK Forest Standard - **UKFS**
- Demonstrate value for money
- Adhere to the GWC scheme rules

To support this process, NRW have a range of **policies and guidance notes** to support GWC plan compliance.

## Contract amendment following verification of your GWC plan

Once your GWC Plan has been verified by NRW and subsequently approved by the Welsh Government, you may be offered an amended GWC contract based on the verified planting proposals in your plan. You will need to accept your contract by using the blue button via RPW online **within 14 days**.

The Glastir Online acceptance facility is used to enable customers to accept their contracts via their RPW online account. Please ensure that you have activated your online account in order to facilitate online acceptance.

Consequently, if you wish, you may also give an agent authorisation to accept a contract online on your behalf.

If, after being selected, you decide not to proceed with your application or fail to accept the offer of a contract within the time permitted, you will not be able to apply for GWC for a **further 2 years**, unless the Welsh Government agrees in advance to adjust the terms of your contract.

If you decide to withdraw from the contract prior to the end of the contractual commitment, which is the end date on your contract, which will normally be 12 years following the year in which the capital works are fully completed, you will

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be required to repay all of the monies you have received under the GWC contract with interest. Furthermore **you will not be able to apply for a further 2 years.**

## Starting Work

**Contract holders should not start any work before accepting a verified contract map which confirms the areas to be planted following verification by NRW.** If you start work before receiving this map, the Welsh Government may reject the work started or terminate the contract and recover any payments made. An example of starting work is commencing planting without the contract map containing the verified planting area being issued.

**Summary of the Key stages of the Glastir Woodland Creation Application – Please refer to Section D - How to Apply for detailed guidance on each stage of the application process.**

## Key stages

---

- EOI**
- Contact GWC Registered Planner to discuss planting proposals prior to submitting an EOI
  - Registered GWC Registered Planner to discuss planting proposals prior to submitting an EOI.
- 

- Selection and offer of contract**
- EOI data validated and scored. Outcome of selection issued alongside offer of contract for successful applicants via RPW Online.
  - 7 days to accept/decline offer of contract via RPW Online.
- 

- Plan and verification**
- If contract accepted, applicant and planner prepare a GWC Plan and submit with shapefiles to the Welsh Government via RPW Online within 8 weeks.
  - Plan forwarded by Welsh Government to NRW for verification.
- 

- Updated contract**
- Verified plan returned to Welsh Government by NRW. If approved, an amended contract may be offered via RPW Online confirming the planting proposals as verified by NRW.
- 

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- 
- 14 days to accept/decline contract via the blue button.
- 

**Start work and claim**

- Work should only start after a map confirming the verified planting area has been issued by Welsh Government. The capital works must be completed and claimed by the dates specified in your GWC Contract.
- 

## Claiming Payment

### Woodland Creation Plan Support

To be eligible for the £800 support payment, approved GWC plans must progress to planting after online acceptance of the GWC contract.

Once the Welsh Government has issued your map with verified planting area, you will be sent a GWC plan claim form via your online account which you will need to complete and return. Once received, your claim will be validated, and processed and, if eligible, payment will be processed and issued via BACS.

If planting is not carried out, as set out in the GWC contract, the Welsh Government will recover the £800 payment. In addition, in line with the current scheme rules, the contract holder will not be eligible to apply for GWC for a further 2 years because the planting did not take place.

If the offer of a contract is declined or no response is received to the offer, the approved plan will not be eligible for support.

**Woodland Creation Plan support can only be processed for payment from 1 April 2022.**

### Capital Works Claim

Capital works claims are made using the Capital Works Claim application available via your RPW Online Account and after completion of work. Capital works payments under GWC are paid at a standard cost rate. Capital works that

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are to be completed by the 31 March 2023 must also be claimed via RPW Online by 30 June 2023.

**The processing of GWC 11 Capital Works claims will also commence on 1 April 2022.**

## **Maintenance and Premium Payment Claims**

These payments are area based and must be claimed annually on the SAF. You will be eligible to claim your first maintenance and premium payment, in the first full calendar year following the year of planting. The annual deadline for submitting a SAF is 15 May and is only available via RPW online. Under European Rules, payment can only be paid to the contract holder.

The Welsh Government Rural Communities - Rural Development Programme for Wales 2014-2020, approved in May 2015, continues to operate, but remains subject to further regulatory changes, as and when approved by the European Commission. The GWC contract may be terminated at any time. If this happens we will write to you to inform you of the changes and may not reclaim money already paid. As a result of changes further payments may be withheld or we may not make payments including for work you have already carried out but have not yet been paid. A different rate of grant may be introduced at any time.

## **Derogations**

In certain circumstances, it may be possible to grant a derogation to adjust the terms or withdraw from your contract. Requests will be assessed on a case by case basis if you are unable to complete all or part of the work by the deadlines included in the contract.

You will need to submit a request to the Welsh Government via your RPW online account as soon as an issue arises and in sufficient time to allow proper consideration. You will need to include evidence in support of the request,

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including your efforts to complete the work as set out in the contract.

Where a derogation request is unable to be granted, your contract may have to be withdrawn and any payments recovered and you will be excluded from reapplying for two years.

## **Section E – Contract Amendments**

### **Transferring or Selling Land under Contract**

When you sign your GWC contract you are making a commitment for 13 years, or 6 years in the case of Agroforestry. If you subsequently sell or transfer all or part of your land during the 13 or 6 year commitment period, you may be subject to financial penalties and / or having to repay money you have already received.

The transfer of a GWC contract to a new occupier is subject to approval by the Welsh Government. Where the prospective new occupier decides to take over the commitment from you and the land continues to meet the minimum eligibility criteria, the new occupier must continue with the commitment on the land transferred for the remainder of the contract period. The prospective occupier should be made aware of the commitment in advance of agreeing to the transfer of the land in question.

The regulations concerning the scheme do not allow the transfer of a capital works contract. The contract holder will be the only business able to claim the GWC capital works. A transfer cannot be processed until the validation of the capital works claim and payment have been authorised.

Following the sale or transfer of part of your land, any land which you retain and is the subject of the original contract must continue to meet the minimum eligibility criteria. In the event that this does not happen, you will be required to repay all of the payments made in respect of that land with interest. If you transfer or sell any land which forms part of your contract then you must notify the Welsh Government in writing within 30 calendar days of the event. Failure to notify the Welsh Government within this period is likely to result in a penalty.

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In the event that you transfer and sell any land under a contract and the Welsh Government considers that the objectives of GWC have been undermined as a consequence, the contract may be terminated and all payments made recovered with interest.

## **Land Changes and Land Sale Notification Requirements**

You will be required to inform the Welsh Government of changes to field parcels within 30 days of the change. These changes include:

- Fields not previously registered for IACS purposes (i.e. have not previously been included on the Single Application Form (SAF)).
- Fields which have been permanently divided.
- Fields which have been permanently amalgamated.
- Fields which have new boundaries.
- Fields which have changes to their permanent features.

You will also be required to inform the Welsh Government of changes to land occupation including changes of ownership and any tenancy agreements within the 30 days.

Please use the Manage my Land (MML) Facility via your RPW Online account to notify the Welsh Government of these changes within 30 days of the change.

## **Legislation Changes (Including Changes in Interpretation)**

European Regulations may change from time to time and you will be required to abide by any changes imposed following notification from the Welsh Government.

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## Changes to Scheme Rules

We may need to make changes to your contract including payment rates. For example, we may need to update the management conditions to take account of the latest scientific advice, amend scheme rules to take account of any changes within the Welsh Government Rural Communities – Rural Development Programme for 2014-2020 or revise payment rates. We will publicise changes in Gwlad, on the [Welsh Government website](#) and will notify you where necessary via your RPW online account.

## Section F – Inspections and Record Keeping

The Welsh Government must enforce the GWC rules. Inspections will include on site farm inspections and the use of Global Positioning Systems, aerial photography, drones and the use of satellite imagery.

### Inspections

Inspecting officers will need to verify the Capital Works on your holding and check the land details and the accuracy of any relevant documentation and record keeping.

Inspections will be spread over the year and will cover all the commitments and obligations which can be checked at the time of the visit. The Welsh Government and the specialist control bodies will try to ensure that visits cause you the minimum of disruption, but some checks require inspections to be unannounced, which means it may not be possible to give you notice of a visit. Inspections may occur more than once during a calendar year.

If you refuse to allow an inspection, or obstruct an inspector or fail to give reasonable assistance, you will lose your payment and may be prosecuted.

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## Record keeping

You must keep all records and information you need to evidence that you have provided complete and accurate information and have complied with your undertakings for the full duration of your contract.

You will also be required to:

- Supply to the Welsh Government any information about your GWC contract and supply that information within the period determined by the Welsh Government.
- Make available to the Welsh Government, its authorised persons or its agents, records, accounts, receipts and other information including access to computer data relating to your GWC contract. Permit the Welsh Government to remove any such document or record to take copies or extracts from them.

## Section G – Penalties

Penalties are applied where there has been a breach of the Glastir rules or Capital Works requirements.

### Maintenance and Premium Annual Claims

#### Under Declaration

Failure to declare all the agricultural land/areas on your holding on the SAF (including all owned and rented in land and not just that on which you are entering into Glastir e.g. woodland/forestry, tracks, yards, hardstandings, etc.), may result in any Rural Development and BPS payments being reduced.

#### Over Declaration

Over Declaration penalties will be applied where the area declared for Glastir on

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the SAF is more than the determined area. Penalties are calculated using areas declared on the SAF or following inspection, which receive the same rate of aid (referred to as crop groups).

### **Failure to submit an annual claim via SAF**

If you fail to submit your annual maintenance and premium claims by the deadline (usually 15 May) each year, it will be subject to late submission penalties. If you fail to submit a claim by the final date of submission (usually 9 June) it will be rejected - the SAF guidance will confirm the submission dates each year which can change if they fall on a weekend.

### **Breaches of Contract**

Breaches of contract may be identified from administrative checks or on-the-spot inspections and you will be notified via your RPW online account if breaches are found. Where it is discovered the commitment in your contract has not been met a scheme breach may be applied, reductions and/or exclusions will be determined according to the level of severity, extent, duration, reoccurrence of the breach and will also be applied to previous years payments, details of these are set out in the verifiable standards.

Where we consider a breach to be so serious that it cannot be rectified, this may result in the termination of your contract. In serious circumstances, this may also result in you being prohibited from entering another Welsh Government Rural Communities – Rural Development Programme for Wales 2014-2020 scheme, for up to two years.

The breaches are assessed against verifiable standards relating to the scheme commitments and a penalty matrix is used to determine the level of penalty to be applied. You can view both the verifiable standards and the penalty matrix on the [Welsh Government's website](#).

### **Capital Works Penalties**

If you claim for non area related payments, for example capital works, and the

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Welsh Government determine that part or all of the costs claimed are ineligible, no payment will be made for the ineligible costs. You should only claim for the eligible work you have completed, even if this is less than that included in the contract.

If the amount of ineligible costs is determined to be more than 10% of the eligible costs, an over-declaration penalty equivalent to the value of ineligible costs will be deducted from your payment.

During an inspection, all of your GWC contracts will be assessed; where over-declarations are discovered on any claim submitted, including different contracts, a cumulative over-declaration will be applied if the overall amount of ineligible costs are determined to be more than 10% of the overall eligible costs.

Where false claims are made, or the land owner fails to provide the necessary information, this will result in the exclusion of payment in the year of the finding and any amounts already paid that year will be recovered. In addition, you will be excluded from receiving support under any Welsh Government Rural Communities – Rural Development Programme for Wales 2014-2020 scheme in both the year of the finding and in the following calendar year.

## **Breach of Cross Compliance**

You will be responsible for meeting the full Cross Compliance requirements for the full calendar year on your holding(s). If you fail to meet the statutory management requirements, good agricultural and environment conditions requirements whether negligently or intentionally you could lose some or all of your Glastir payment, for one or more years. In determining these reductions and exclusions, account will be taken of the extent, severity, permanence and reoccurrence of the non-compliance.

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## Section H – Appeals Procedure

**There are no grounds for appeal if your Expression of Interest is not selected.**

The appeals process in Wales allows you access to an independent appeals procedure if you feel that the Welsh Government did not reach the correct decision according to the rules for Glastir.

The appeals process consists of two stages:

- Stage 1: review by Rural Payments Wales
- Stage 2: review by an Independent Appeals Panel (if you are dissatisfied with the Stage 1 response). The Independent Panel make recommendations to the Minister Rural Affairs, North Wales and Trefnydd who then takes the final decision.

The appeals process is concluded after the Minister's decision has been issued. There is no charge for Stage 1 of the process, but there is a charge at Stage 2 - £50 for a written hearing or £100 for an oral hearing. These charges are repaid in full if the Stage 2 appeal is either partially or fully successful.

You must appeal by completing the new appeals form available on your RPW Online account within 60 days of the date of a decision which may affect your payments.

Further details of the appeals process can be obtained from the Customer Contact Centre or by visiting the [Welsh Government website](#).

### Complaints Procedure

Complaints will be dealt with under the Welsh Government's Code of Practice on Complaints. Further advice on how to make a complaint can be obtained from the Customer Contact Centre.

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# Section I – General Data Protection Regulation: Privacy Notice

This notice informs you about the Welsh Government's use of the information provided on the expression of interest form used in connection with your application for aid under the Welsh Government's Rural Communities – Rural Development Programme for Wales 2014 – 2020 schemes. It also explains the Welsh Government's processing and use of your personal data and your rights under the General Data Protection Regulation.

The data controller for the information submitted as part of your application is the Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

The data protection officer for the same information is the Data Protection Officer, Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

Email: [DataProtectionOfficer@gov.wales](mailto:DataProtectionOfficer@gov.wales)

The information will be processed and managed by the Welsh Government in accordance with its obligations and duties under the following European Regulations:

- Council Regulation (EU) No 1303/2013
- Council Regulation (EU) No 1305/2013
- Council Regulation (EU) No 1306/2013
- Commission Regulation (EU) No 640/2014
- Commission Regulation (EU) No 807/2014
- Commission Regulation (EU) No 808/2014
- Commission Regulation (EU) No 809/2014
- General Data Protection Regulation (EU) No 679/2016

The information will primarily be used for the purposes of processing and determining applications for financial support. However, the Welsh Government may also make use of the information supplied for other purposes, which will include those connected with its functions and duties under the Common Agricultural Policy of the European Community and with its statutory

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environmental obligations.

The Welsh Government collects personal data to identify your location and your farm business(es). The Welsh Government does not collect any special category data.

The data is processed through an automated process of business rules that use the Customer Reference Number (CRN) as a primary key for the majority of reports.

Your information will be stored in accordance with the Commission Implementing Regulation (EU) No 908/2014, “Conservation of Accounting Information”.

### **Reasons for sharing personal data**

EU legislation requires checking of scheme eligibility, and to conduct these checks Welsh Government may share information with:

- Natural Resources Wales
- Animal and Plant Health Agency
- Veterinary Medicine Directorate
- Welsh Local Authorities
- Food Standards Agency Wales
- DEFRA
- Other UK Government Agriculture Offices.
- Regulatory authorities, such as HM Revenue and Customs, Local Authorities, Health and Safety Executive and the Police.

The information may be used for the following:

- Cross Compliance and cross checking between Governmental organisations to prevent breaches of the Common Agricultural Policy schemes.
- the production and publication of maps showing the areas of land that have received support under the Common Agricultural Policy schemes.
- compilation of reports of aggregated data and/or summary statistics to be made publicly available.

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- informing decisions relating to policy changes and funding including research studies conducted on behalf of the Welsh Government to inform Monitoring and Evaluation of Rural Development Schemes.
- identification of landowners/users in events of emergencies, e.g. disease control and breach control.
- protecting applicant's interest in land conservation and issues that may arise due to funding queries.
- allowing partner organisations to fulfil their legal duties.
- shared with fraud prevention agencies who will use it to prevent fraud and money-laundering and to verify your identity.
- publication of certain information and responding to requests for information.
- Information will be shared with NRW for the purposes of processing and determining applications for financial support under the Welsh Government's Rural Development Programme for Wales 2014 – 2020 schemes. NRW may also make use of the information supplied for other purposes, which will include those connected with our functions and duties under their statutory and legislative obligations. The lawful basis for the processing is that it is necessary for the performance of a task carried out in the exercise of official authority vested in NRW.

## **The Publication and Disclosure of Information**

Your information, including your personal information, may be the subject of a request by another member of the public. When responding to such requests the Welsh Government may be required to release information, including your personal information.

Commission Regulation (EC) 908/2014 requires the Welsh Government to publish details of the amounts paid to CAP beneficiaries. Data will be published for all beneficiaries on a searchable website, and will include the name and locality of the farmer/land manager and details of the amounts and schemes for which subsidy has been paid. However, for those 26 receiving less than the equivalent of €1,250 in subsidies the name will be withheld. The data will be published annually on 31 May and remain available for two years from the date it is published. The information will be available on the Defra website.

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## **Rights under the General Data Protection Regulation (GDPR)**

The GDPR gives individuals rights in respect of the personal data held on them.

These rights include:

- the right to be informed (this notice).
- the right to ask for and receive copies of the personal data that the Welsh Government holds about them, although the Welsh Government can sometimes withhold some data or not provide copies.
- the right, in some circumstances, to prevent or restrict the Welsh Government processing personal data.
- the right, in some circumstances, to have wrong data rectified.
- the right, in some circumstances, to have data erased (to be forgotten).

If you wish to exercise any of your rights under the GDPR, you should contact the Welsh Government at the address provided at the beginning of this notice.

Individuals also have the right to ask the Information Commissioner, who enforces and oversees the GDPR, to assess whether or not the processing of their personal data is likely to comply with the GDPR. The Information Commissioner can be contacted at:

Information Commissioner's Office,  
Wycliffe House,  
Water Lane,  
Wilmslow,  
Cheshire,  
SK9 5AF

Telephone: 01625 545 745 or 0303 123 1113

## **Section J – Contact Details**

**Welsh Government's website** and bi-monthly **Gwlad magazine** contain key

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information. Contact details are as follows:

## **RURAL PAYMENTS WALES**

PO Box 251,  
Caernarfon,  
LL55 9DA

Tel: 0300 062 5004

### **Other useful contacts:**

For general enquiries (EIA, SSSI, NNR, SAC or SPA)

## **NATURAL RESOURCES WALES**

c/o Customer Care Centre,  
Tŷ Cambria,  
29 Newport Rd,  
Cardiff,  
CF24 0TP

Tel: 0300 065 3000

General enquiries: 0300 065 3000 (Mon-Fri, 8am - 6pm)

General Enquiries: [enquiries@naturalresourceswales.gov.uk](mailto:enquiries@naturalresourceswales.gov.uk)

For NRW Glastir enquiries:

[glastirqueries@naturalresourceswales.gov.uk](mailto:glastirqueries@naturalresourceswales.gov.uk)

For Scheduled Ancient Monuments (SAMs) / registered parks and gardens:

## **CADW**

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Welsh Government,  
Plas Carew,  
Unit 5/7 Cefn Coed,  
Parc Nantgarw,  
Cardiff,  
CF15 7QQ

Tel: 01443 33 6000

Fax: 01443 33 6001

E-mail: [cadw@gov.wales](mailto:cadw@gov.wales)

For unscheduled ancient monuments or historic features:

**Clwyd-Powys Archaeological Trust**

41 Broad Street,  
Welshpool,  
Powys,  
SY21 7RR

tel: 01938 553670

fax: 01938 552179

E-mail: [trust@cpat.org.uk](mailto:trust@cpat.org.uk)

[www.cpat.org.uk](http://www.cpat.org.uk)

**Glamorgan-Gwent Archaeological Trust**

Heathfield House,  
Heathfield,  
Swansea,  
SA1 6EL

tel: 01792 655208

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fax: 01792 474469  
E-mail: [enquiries@ggat.org.uk](mailto:enquiries@ggat.org.uk)  
[www.ggat.org.uk](http://www.ggat.org.uk)

### **Dyfed Archaeological Trust**

Corner House,  
6 Carmarthen St,  
Llandeilo,  
SA19 6AG

Tel: 01558 823121  
Fax: 01558 823133  
E-mail: [info@dyfedarchaeology.org.uk](mailto:info@dyfedarchaeology.org.uk) [www.dyfedarchaeology.org.uk](http://www.dyfedarchaeology.org.uk)

### **Gwynedd Archaeological Trust**

Craig Beuno,  
Garth Road,  
Bangor,  
Gwynedd,  
LL57 2RT

Tel: 01248 352535  
Fax: 01248 370925  
E-mail: [gat@heneb.co.uk](mailto:gat@heneb.co.uk)  
[www.heneb.co.uk](http://www.heneb.co.uk)

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