



Cronfa Amaethyddol Ewrop ar  
gyfer Datblygu Gwledig;  
Ewrop yn Buddsoddi mewn Ardaloedd Gwledig  
European Agricultural Fund for  
Rural Development  
Europe Investing in Rural Areas

Llywodraeth Cymru  
Welsh Government



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Welsh Government

# Welsh Government Rural Communities – Rural Development Programme 2014-2020

## Rural Business Investment Scheme

### Non Agricultural

### Guidance Notes

# Contents

<b>INTRODUCTION</b> .....	<b>3</b>
<b>STRATEGIC AND THEMATIC OBJECTIVES</b> .....	<b>4</b>
<b>WHO CAN APPLY?</b> .....	<b>4</b>
<b>ELIGIBLE ACTIVITIES</b> .....	<b>4</b>
<b>INELIGIBLE ACTIVITIES</b> .....	<b>5</b>
<b>ELIGIBLE COSTS</b> .....	<b>5</b>
<b>INELIGIBLE COSTS</b> .....	<b>6</b>
<b>MAXIMUM GRANT RATE AND MAXIMUM GRANT THRESHOLD</b> .....	<b>7</b>
<b>STATE AID</b> .....	<b>8</b>
<b>SELECTING SUCCESSFUL PROJECTS</b> .....	<b>8</b>
<b>KEY REQUIREMENTS</b> .....	<b>9</b>
<b>CROSS CUTTING THEMES</b> .....	<b>10</b>
<b>HOW TO APPLY</b> .....	<b>10</b>
<b>THE 2 STAGE ASSESSMENT PROCESS</b> .....	<b>11</b>
<b>Stage 1 – Assessment for Selection</b> .....	<b>11</b>
<b>Sustainable Development – Strategic Fit</b> .....	<b>12</b>
<b>Turnover – Suitability of Intervention</b> .....	<b>13</b>
<b>Innovation – Delivery</b> .....	<b>13</b>
<b>Employment – Long Term Sustainability</b> .....	<b>13</b>
<b>Value for Money – Value for Money</b> .....	<b>13</b>
<b>Successful Stage 1 Selection</b> .....	<b>14</b>
<b>Stage 2 – Full appraisal of the application following selection</b> .....	<b>15</b>
<b>Business/Project Plan</b> .....	<b>15</b>
<b>CONDITIONS OF GRANT</b> .....	<b>17</b>
<b>WELSH GOVERNMENT COMPETITIVE TENDERING AND PROCUREMENT REQUIREMENTS</b> .....	<b>19</b>
<b>PAYMENT OF GRANT</b> .....	<b>19</b>
<b>INCORRECT CLAIMS AND PENALTIES</b> .....	<b>19</b>
<b>OFFENCES</b> .....	<b>20</b>
<b>MONITORING OF PROJECTS</b> .....	<b>20</b>
<b>END OF RURAL BUSINESS INVESTMENT SCHEME (NON-AGRICULTURAL)</b> ....	<b>21</b>
<b>APPEALS PROCEDURE</b> .....	<b>21</b>
<b>COMPLAINTS PROCEDURE</b> .....	<b>21</b>
<b>GENERAL DATA PROTECTION REGULATION: PRIVACY NOTICE</b> .....	<b>22</b>
<b>CONTACTS</b> .....	<b>23</b>

## INTRODUCTION

These Guidance Notes explain the Rural Business Investment Scheme – Non Agricultural (RBIS (Non-Agri)) and the kind of projects that may qualify for grant aid. Please read it carefully. If you then consider your investment plans may qualify for support under this scheme, please see ‘How to Apply’ section below.

The application window will open on 26 April 2021 and close on 4 June 2021.

The budget allocation for this application window is £3m.

RBIS (Non-Agri) covers capital investments costs and supports projects in Wales that contribute to one or more of the following:

- a) the diversification of the rural economy,
- b) the development of the supply chain for natural products,
- c) increasing the productivity, efficiency and competitiveness of rural businesses.

The scheme is open to existing and start up Non-agricultural micro and small enterprises including farmers or members of the farm household diversifying into non-agricultural activities.

Applicants will be required to demonstrate that a viable market has been identified for their product(s) and that the project would not proceed without the grant. The scheme is discretionary and the amount of grant offered will relate to individual circumstances and would always be the **minimum amount necessary** to allow the investment to go ahead.

The grant is for capital investment, for more details, see the “Eligible Costs” section below.

For this round of RBIS (Non-Agri), the application for grant is available via RPW Online only. The application will be assessed in two stages. The first stage will be assessment and scoring against published selection criteria, and if selected your application will be subject to full appraisal.

This is only an outline to the scheme and the way it is operated and the detailed rules for eligibility criteria may be subject to change.

**You must follow the Welsh Government guidance and requirements for Competitive Tendering & Procurement Technical Guidance Notes via the following:**

**[Competitive Tendering and Public Procurement - Technical Guidance Notes](#)**

**[Competitive Tendering and Public Procurement - Register and Record](#)**

## STRATEGIC AND THEMATIC OBJECTIVES

Applications to the RBIS Non-Agri will need to address the strategic and thematic objectives of the Welsh Government and activities must address the following Focus Areas within the Welsh Government Rural Communities – Rural Development Programme 2014-2020:

**Focus Area 6.** Promoting social inclusion poverty reduction and economic development in rural areas, with a focus on the following areas:

- a) facilitating diversification, creation of new small enterprises and job creation;

RBIS (Non-Agri) covers capital investments costs and supports projects in Wales that contribute to one or more of the following strategic objectives:

- a) the diversification of the rural economy,
- b) the development of the supply chain for natural products,
- c) increasing the productivity, efficiency and competitiveness of rural businesses.

All projects supported through the RBIS (non-Agri) must make a contribution to one or more of the following thematic objectives:

- promoting and developing the supply chain for natural products
- developing an environmentally-friendly image based on sustainable production methods
- increasing resilience of the supply chains to withstand market changes
- promoting technological innovation in both product and processes
- providing career opportunities and skills development at varying skill levels
- diversification into non-agricultural activities in order to offer an alternative income stream to make a business more sustainable

## WHO CAN APPLY?

- The scheme is open to applications from individuals wishing to start a new non-agricultural business and new/existing sole traders and/or businesses already involved in or wishing to diversify into non-agricultural activities. The size of the business is limited to Micro and Small enterprises (micro enterprises employ less than 10 employees, small enterprises less than 50 employees).

## ELIGIBLE ACTIVITIES

Support under this scheme covers capital investment in non-agricultural activities, including the processing and marketing of non-Annex 1 products (no matter the input),

currently not eligible under other schemes e.g. the Rural Business Investment Scheme (Food), the Food Business Investment Scheme, the Timber Business Investment Scheme, the Farm Business Grant, the Sustainable Production Grant Scheme (list not exclusive).

## **INELIGIBLE ACTIVITIES**

There are a number of investments and products that are not eligible for aid:

- investments at the retail level – defined as the purchase of goods for re-sale or the delivery of an added-value service at the point of delivery
- investments to replace items previously purchased with EU or Welsh Government grant assistance (within the same business);
- investments in warehousing, transport and/or distribution logistics;
- fisheries and aquaculture products;
- those concerning inputs of products covered by Annex 1 TFEU and deemed eligible for FBIS; and/or RBIS Food
- contract processing, unless the project can demonstrate direct value and benefit to the local/Welsh supply chain;
- projects involving the production, processing, distribution and usage of biomass crops;
- projects involving the production of food based biofuels;
- products for which no realistic normal market can be demonstrated;
- intervention stores;
- warehousing and/or freezer and cold stores for finished products as a separate investment that does not include processing activities;
- upgrades to premises and/or equipment to meet requirements arising from statutory enforcement action;
- agricultural and forestry contracting services

## **ELIGIBLE COSTS**

Support under this scheme can cover tangible assets such as land, buildings, machinery and equipment and intangible assets such as computer software, patent rights and licences and technical and consultancy fees;

- the construction, acquisition, or improvement of immovable property, with land only being eligible to an extent not exceeding 10 % of the total eligible costs of the investment project;
- the purchase of machinery and equipment up to the market value of the asset;
- General costs linked to expenditure referred to in points (a) and (b), such as architect, engineer and consultation fees, fees relating to advice on environmental and economic sustainability, eligible to an extent not exceeding 10% of the total eligible costs.

- Acquisition or development of computer software and acquisitions of patents, licenses, copyrights, trademarks.
- Consultant's and architect's fees, other technical design costs, site surveys and professional fees; planning application fees and costs; fees incurred for statutory permissions, licences and consents are also eligible even if they have been completed and paid for prior to approval provided they are essential for the delivery of the project.
- Second hand equipment is eligible (for SMEs only) where the applicant can demonstrate the following:
  - it complies with current health and safety legislation;
  - is fit for purpose;
  - has at least five years life expectancy remaining.

## INELIGIBLE COSTS

The following items are examples of expenditure which is **not eligible** for grant aid. This is not a definitive list and all items of expenditure will be considered on a case-by-case basis.

- purchase of land, including associated expenses, where the costs exceed 10% of the total investment
- purchase of buildings which have previously been used for the same purpose
- any physical work on site carried out before the authorised start of work date **(any such work carried out renders the whole award liable to cancellation)**
- temporary works not **directly** related to the execution of the project
- purchase of vehicles for external transportation (forklift trucks, or similar, used for internal transportation and handling are eligible)
- working capital
- reclaimable VAT
- maintenance costs
- own labour and equipment costs
- like for like replacement of existing machinery and equipment
- consumables (items which are normally written off within a year)
- general office equipment and furniture
- revenue costs such as salaries for key staff; training for directors and key staff; attendance at trade fairs; expenses of outside directors
- costs connected with a leasing contract such as the lessors margin, interest financing cost, overheads and insurance charges
- costs of arranging overdraft facilities, loans or other financial support instruments including any associated fees or other charges
- overheads allocated or apportioned at rates materially in excess of those used for any similar work carried out by the applicant

- notional expenditure
- payments for activity of a political nature
- depreciation, amortisation and impairment of assets purchased with the help of a grant
- provisions
- contingent liabilities
- contingencies
- profit made by the applicant
- dividends
- interest charges (unless under an approved State Aid scheme)
- service charges arising on finance leases, hire purchase and credit arrangements
- costs resulting from the deferral of payments to creditors
- costs involved in winding up a company
- payments for unfair dismissal
- payments into private pension schemes
- payments for unfunded pensions
- compensation for loss of office
- compensation paid to third parties for expropriation, unharvested crops, etc
- bad debts arising from loans to employees, proprietors, partners directors, guarantors, shareholders or a person connected with any of these
- payments for gifts and donations
- entertainments
- statutory fines and penalties
- criminal fines and damages
- legal expenses in respect of litigation

Costs related to the purchase and/or refurbishment and/or adaptation of any building must be appropriate to the scale, nature and intention of the project. Grant must be primarily focused on non-agricultural activities for a commercial market and so cannot be used for the purpose of the acquisition of capital assets that are not essential for the delivery of the proposed activity.

- Costs related to the purchase of equipment are only eligible for grant aid when the cost has been correctly defrayed by the claimant. Therefore the full costs of any equipment secured under a hire purchase or lease hire agreement or any other form of financial arrangement is not eligible for grant aid.

## **MAXIMUM GRANT RATE AND MAXIMUM GRANT THRESHOLD**

The maximum grant rate for any individual investment project is 40% of the total eligible costs.

The maximum grant threshold per undertaking for any individual investment project is £50,000, and the minimum is £5,000

The grant amount is made up from the total public sector contribution to the investment project which includes monies from the EU and co-finance to the EU funds from Welsh Government.

If other EU or UK public funds are obtained to support the costs of a project they will be discounted against the RBIS (Non-Agri) grant.

## **STATE AID**

Grants provided under this scheme are aid which fall within the scope of the State aid frameworks. Articles 107, 108 and 109 of the TFEU apply to support given for rural development under the Welsh Government Rural Communities – Rural Development Programme 2014-2020.

Grants provided under this scheme are compliant aid as they respect the conditions set out in Article 14 Commission Regulation 651/2014 (General Block Exemption Regulation) (SA.60339 - Welsh Government Capital Investment Aid and Employment Aid Scheme).

## **SELECTING SUCCESSFUL PROJECTS**

Each case is assessed on its potential value to the rural economy, the degree to which the investment will develop the sector that it is focussed on and the potential for longer-term sustainability of the market and/or the business.

The initial selection process will confirm that all the eligibility criteria have been satisfactorily met:

Need for activity:

- the outputs are required and will deliver against the Measure outputs
- it adds to and does not displace and/or unnecessarily duplicate existing activity.

Need for funding:

- it cannot proceed without support
- the costs are not excessive for the nature of the activity involved

Ability to deliver:

- Viability of the business
- Compliance checks on start-up proposals
- Legal compliance
- Financial viability and sustainability of project
- Support and commitment of key stakeholders



Project management, monitoring and evaluation arrangements

- The greater the importance and contribution that the project investment can make to the appropriate strategic and thematic objectives the more likely it is to be recommended for selection.

## **KEY REQUIREMENTS**

The applicant will usually have only one business development investment project running at any given time.

The maximum period of an investment project will not usually exceed 18 months.

That there is a normal (viable) market outlet for the product(s) of your project.

That the project would not proceed without grant assistance.

That the amount of grant being asked for is the minimum gap funding necessary for the project to go ahead.

Applications must also demonstrate that the following have been addressed:

- Full planning permission has been obtained, where required;
- All other consents, licences and permissions have been granted, where required;
- for existing businesses the economic viability of the project and the business, through the provision of accounts for three consecutive years immediately preceding the date of the application and financial forecasts for the period of the project;  
New businesses will be required to supply full details about the background and experiences of the person/persons along with other evidence necessary to validate the business plan and project proposals;
- compliance with UK and EU Law on equal opportunities and projects should promote and encourage equal opportunities and combat social exclusion
- key staff must be recruited through fair and open competition;
- compliance with minimum standards and legislative requirements regarding the environment, hygiene, animal welfare and all relevant health and safety standards;
- Availability of the necessary technical skills and competences within the business;
- Attain or exceed the 'Excellent' rating under the BREEAM environmental assessment framework, or equivalent, for all new buildings;
- Aspire to zero carbon emissions for all new buildings built from 2011 onward.

## CROSS CUTTING THEMES

The Regulations governing the European Programmes stipulate that all projects funded through the Common Strategic Framework must integrate the Cross Cutting Themes (CCTs) of Equal Opportunities and Gender Mainstreaming and Sustainable Development. These mandatory CCTs need to be integrated into the design and development of the European Structural and Investment Funds (ESIF) and the activity supported through the funds. This includes the Welsh Government Rural Communities – Rural Development Programme 2014-2020.

In addition to the two CCTs mandated by the European Commission, Tackling Poverty and Social Exclusion will also be a mandatory CCT for the Welsh Government programmes.

The cross cutting themes are intended to add value, raise awareness and understanding while ensuring maximum participation and mitigating adverse impacts. This should help operations move beyond compliance and develop systems that support best practice.

Further guidance is available at: [WEFO Publications - Cross Cutting Themes Key Document European Social Fund](#)

## HOW TO APPLY

It is an European Commission requirement that projects in the Welsh Government Rural Communities – Rural Development Programme 2014-2020 are not selected on a first past the post system. To meet this requirement the Welsh Government Rural Communities – Rural Development Programme 2014-2020 schemes will open and close for applications periodically through the life of the new programme, dependent upon available programme financial allocations.

The applications will be submitted in direct competition with one another and it is expected that there will be significant demand for the grant available. The project proposals will be assessed against criteria and will demonstrate the expected value of the investment or project and the contribution that is expected to be made towards the objectives of the Welsh Government Rural Communities – Rural Development Programme 2014-2020.

You can apply for RBIS (Non-Agri) via Rural Payments Wales (RPW) Online only. If you are not registered with RPW Online and wish to submit an application, please refer to the guidance on how to register available on this link [Rural Payments Wales \(RPW\) Online](#).

Guidance on how to submit your application via RPW Online is available at [this link](#)

You may use a consultant to prepare your application and business plan if you wish. **It is your responsibility to ensure that the application is correctly completed and that the information provided in support of your project is accurate.**

## THE 2 STAGE ASSESSMENT PROCESS

For this round of RBIS (Non-Agri), the online form is an application which will be assessed in two stages.

In Stage 1, the following sections of the application will be assessed and scored against selection criteria.

- Strategic Fit
- Delivery
- Suitability of Intervention
- Long Term Sustainability
- Value for Money

### Stage 1 – Assessment for Selection

**For stage 1 of the appraisal of the RBIS (Non-Agri) all applications will be assessed against a set of selection criteria and scored using a scoring scale of 0 – 4 detailed in the table below with the exception of Value for Money, then multiplied by the associated weighting factor to give a total score.**

Capability	Evidence Provided	Score
The information provided in the grant application is sufficiently clear and robust to demonstrate confidence in delivery.	The content is consistent, comprehensive, compelling and directly relevant to the grant scheme in all respects and is highly credible.	4
The information provided in the grant application demonstrates a small risk to delivery.	There are minor gaps in the content, or to a small extent it is unconvincing, lacks credibility or relevance to the scheme.	3
The information provided in the application demonstrates a moderate risk to delivery.	There are moderate gaps in the content and therefore it is unconvincing.	2
The information provided in the grant application demonstrates a significant risk to delivery.	There are major gaps in the content, it is unconvincing in many respects, it lacks credibility, and/or it is largely irrelevant to the scheme.	1
The information provided in the grant application demonstrates that the project is not capable of being delivered as described	The content is misleading, irrelevant or ineligible.	0

The applications will be ranked in order of merit. Projects will be selected in ranked order until either the funds available have been allocated or the maximum number of applications has been reached. There is no guarantee that all of the funds will be

allocated or that the maximum number of projects will be selected for stage 2 of the process.

Details of the selection criteria are set out below.

<b>Selection Criteria</b>	<b>Business/Project Plan Section to be assessed</b>	<b>Score</b>	<b>Weighting Factor</b>
Sustainable Development	Strategic Fit	0 - 4	x 4
Turnover	Suitability of Intervention	0 - 4	x 5
Innovation	Delivery	0 - 4	x 3
Employment	Long Term Sustainability	0 - 4	x 2
Value for Money	Value for Money	0 - 4	x 3

No application will progress which scores less than the minimum quality threshold of 20. A score of 1 or 0 (zero) in any of the selection criteria will prevent the application from being considered for selection for stage 2 of the process.

For each criterion, the assessment will be made on the basis of the information and explanations given.

Higher scores will be achieved by providing comprehensive explanations supported by examples of proposed activities and details of how those activities will be managed.

Lower scores will be achieved by giving explanations that are simply statements of intent, for example, “we will hold meetings with stakeholders on a regular basis throughout the project”.

### **Sustainable Development – Strategic Fit**

For a project to meet the scheme Strategic Fit, applicants need to demonstrate how the Project will contribute one or more of the following strategic objectives:

- a) The diversification of the rural economy,
- b) the development of the supply chain for natural products,
- c) increasing the productivity, efficiency and competitiveness of rural businesses.

Applicants will also need to demonstrate how the Project will contribute to one or more of the following thematic objectives:

- promoting and developing the supply chain for natural products
- developing an environmentally-friendly image based on sustainable production methods
- increasing resilience of the supply chains to withstand market changes promoting technological innovation in both product and processes
- providing career opportunities and skills development at varying skill levels
- diversification into non-agricultural activities in order to offer an alternative income stream to make a business more sustainable

## **Turnover – Suitability of Intervention**

Give your assessment of how the project will have a positive effect on the business and what changes the investment will make to the business. Explain what competitive advantage will be gained by this investment.

Embracing innovative equipment and techniques can improve efficiency, create employment and increase competitiveness. Resource efficiency is crucial in order to help achieve a Well-being economy as well as reducing emissions. Applicants are encouraged to consider how their plans will impact on the environment and to what effect they will have on climate change. Please describe how you have taken these considerations into account, how your project will be making a positive contribution and any outcomes you expect to achieve.

Describe how the investment will increase productivity and turnover, providing an explanation of any assumptions made in these projections. An increase in turnover is an indication of additional economic impact helping to deliver one of the key objectives of the Welsh Government Rural Communities – Rural Development Programme 2014-2020.

## **Innovation – Delivery**

This is defined as a new product or market. An economically vibrant and forward thinking industry must be innovative to capture markets and move forward. Projects need to demonstrate their level of innovation.

Applicants will also need to demonstrate that they will have sufficient resources and capacity available to successfully deliver the Project. They will need to provide a clear project management plan, including a timetable detailing key milestones. Applicants will need to set out the track record of the management team and the key staff who will be involved in the delivery of the Project. They should explain how the work will be managed and identify the top risks to successful delivery and how these might be mitigated.

## **Employment – Long Term Sustainability**

Projects that aim to deliver additional paid job opportunities will be a priority because this is an indication of additional economic impact helping to deliver one of the key objectives of the Welsh Government Rural Communities – Rural Development Programme 2014-2020. New jobs which are based on zero hour contracts should not be included in the gross salary value. Where a business is owned by a parent company, or is located at more than one site, the jobs created must be related to the project site only. Jobs must be created within three years of project completion

## **Value for Money – Value for Money**

Projects are required to provide value for money. Projects will be ranked against other applications in the window on the basis jobs created and jobs safeguarded

within three years of completion of the project (a), divided by the requested grant value (thousands) (b).

E.g. a project anticipating 2 jobs created and jobs safeguarded in 3 years requesting grant of £20,000 would have a (a/b) value of 0.1, a project anticipating 5 jobs created and jobs safeguarded in 3 years requesting grant of £40,000 would a (a/b) value of 0.25.

(a/b) values for all projects in the window will be ranked in numeric order and scores allocated as shown below:

Score	
4	Jobs created and jobs safeguarded/grant (a/b) is the top 0-20% of Applications
3	Jobs created and jobs safeguarded/grant (a/b) is the top 21-40% of Applications
2	Jobs created and jobs safeguarded/grant (a/b) is the top 41-60% of Applications
1	Jobs created and jobs safeguarded/grant (a/b) is the top 61-80% of Applications
0	Jobs created and jobs safeguarded/grant (a/b) is the top 81-100% of Applications

**There are three possible outcomes from the Stage 1 appraisal:**

1. Your application is not eligible for the grant
2. Your application is not selected for stage 2 assessment of the application
3. Your application is successful at stage 1 for selection and will proceed to full appraisal

## **Successful Stage 1 Selection**

If your application is selected, you will be notified via your RPW Online account. You must either accept or decline the selection by completing and returning the Application Annex included with your selection notification letter to the Welsh Government via your online account by the date given in your letter.

If you accept selection, your application will progress to Stage 2 of the appraisal process.

Your selection letter may include an offer for to proceed with your project at risk. That is to start your project before a formal offer of grant has been made. The offer to proceed at risk is not a guarantee of offer of grant. If proceeding at risk is made available, further details will be provided at the time.

Unless an offer to proceed at risk is made at selection, **you must not start any work until you have received written confirmation via your RPW Online account by**

**the Welsh Government. Any projects which breach this rule will not be considered for support.**

If you do not accept selection, or do not reply to the Welsh Government by the date in the letter, your application will not progress further and the offer of selection will be withdrawn.

If your application does not meet the scheme eligibility criteria or not selected, you will be notified via your online account.

## **Stage 2 – Full appraisal of the application following selection**

If selected, the application will progress to Stage 2 and the following sections will be assessed to complete the appraisal of the application.

- Financial and Compliance
- Indicators and Outcomes
- Cross Cutting Themes
- Management of Operation

The second stage appraisal process will be for applications that are successful and selected at stage 1, these will be fully appraised for consideration of offer of a grant.

The application will be appraised in accordance with the Scheme Guidance and eligibility rules. They will be subject to full due diligence appraisal and eligibility checks and only at that point will a final decision be taken to offer a grant or reject the application. There is no guarantee that a project proposal will be approved for a grant. We aim to complete the appraisal of the application with 90 days of receipt. Appraisal of complex applications may take longer. If you delay in replying to requests for further information this will extend the time.

### **Business/Project Plan**

All applications for grant assistance through the Rural Programmes 2014 – 2020 must complete a Project Plan. The Project Plan is a standard template that has ten headings.

The information provided under each of the headings will be assessed from which a decision can be taken about the award of grant assistance to the project.

The information provided will be assessed against the following rating criteria:

<b>High</b>
The applicant has provided robust and detailed responses against all of the evidence requirements
<b>Medium</b>
The applicant has provided satisfactory and detailed responses against most of the evidence requirements
<b>Low</b>
The applicant has provided potentially incomplete or insufficient responses against one or more of the evidence requirements

The quality threshold for a Project Plan is a rating of Medium across all ten categories. If the Project Plan does not meet this requirement the applicant will be requested to develop the Project Plan and provide further information until a satisfactory rating can be achieved. If a satisfactory rating cannot be achieved the project will be rejected.

**Please note that if further information is required this may delay the appraisal of the application so we recommend you follow the guidance carefully in order to provide the information requested. However if anything is unclear or we require more information we will contact you.**

**There are two possible outcomes from Stage 2 appraisal:**

1. your project is eligible for consideration but is not approved for an award. You will be informed of the reasons why your application was not successful. You may apply again with the same project (amending the application if you wish) **but only if you have not started work**
2. your project is eligible and is approved for an award. An contract will be issued to you setting out the terms and conditions of the award via your RPW Online account which you will be asked to accept within 30 days as agreement that you accept the terms and conditions therein. The contract will also provide you with the authority to start work. You will need to accept or decline the offer of contract within 30 days. Failure to accept the contract within 30 days will lead to the contract being withdrawn

If you decide to withdrawn from the contract prior to completing or if you do not complete all the work approved in your contract, you will not be able to apply for RBIS under any subsequent round and maybe be required to repay any payments received.

Subject to the requirements of the Welsh Government's Code of Practice on Public Access to Information, the Freedom of Information Act 2000 and the Environmental Information Regulations 2004: all information given to the Welsh Government will be treated in strict confidence. You should be aware that if successful, the Welsh



Government and the EC reserve the right to publish the name of your company, the amount of grant you were awarded and a summary of your project.

## CONDITIONS OF GRANT

The Rural Business Investment Scheme (Non-Agri) is subject to a range of relevant legislation. Both the Welsh Government and the applicant/recipient must act in accordance with that legislation.

The offer of a RBIS (Non-Agri) grant is made subject to terms and conditions, including those set out below. **Failure to meet the terms and conditions of the award could result in the cancellation of your award and/or the recovery of sums already paid, or a reduction of the amount of grant payable.**

If an offer of grant is made, you will be offered a contract via your RPW Online account which you will need to accept within 30 days.

### Conditions:

- Acceptance of the contract and grant awarded must be made within 30 days of the offer of contract via RPW Online. You must accept or decline the offer of contract via the blue button accessible on your RPW online account.
- The award is made on the basis of statements made by you or your representatives in the application form and subsequent correspondence.

### **The making of false statements is an offence.**

- You must not begin any work on the project without first obtaining written authority to do so from Welsh Government.
- You must meet any legal obligations imposed under EU and UK law, including hygiene legislation.
- No alterations may be made to the project, including the location of the activity, without the prior written approval of the Welsh Government.
- No equipment and/or buildings purchased with grant aid must be disposed of, transferred or sold without the prior written consent of the Welsh Government during the project delivery and for five years from the project end date.
- You must comply with the rules on eligible expenditure.
- Claims must be submitted via the RPW online Capital Works claim application and supported by all documentary evidence as required by the scheme.
- Claims must be submitted in accordance with the timetable set out in the delivery profile. You must not deviate from the agreed timing and value of your

claims without prior written agreement from Welsh Government.

- The first claim must be submitted within six months of the date of acceptance of the contract.

**If the first claim is not made within this period the grant offer will be automatically terminated.**

- Projects should be completed within the timetable agreed with Welsh Government. You should not deviate from this without prior written agreement from Welsh Government.
- Grant can only be paid on expenditure that has been defrayed, that is, on payments that have cleared from a bank account.
- You must confirm that none of the items covered by the application are replacements under an insurance claim.
- You must provide confirmation that no other public funding (whether from EU or UK sources) has been sought.
- Any publicity given to the project must make reference to the part played by both the European Union and the Welsh Government in funding it.

Records concerning the activity of the business and the delivery of the project, including all original invoices and other related documents such as competitive tenders or quotes, must be retained until 2030.

- You must allow representatives of the Welsh Government, the Auditor General for Wales, Audit Commission and the European Court of Auditors to inspect the project. On request, you must provide them with information and/or access to original documentation in relation to the project.
- The information provided in the application and any supporting documentation is subject to the requirements of the Welsh Government's Code of Practice on Public Access to Information, the Freedom of Information Act 2000 and the Environmental Information Regulations 2004.

**You should be aware that if successful, the Welsh Government and the EC reserve the right to publish the name of your company, the amount of grant you were awarded and a summary of your project.**

The information provided in the application is subject to the Privacy Notice. The Privacy Notice explains the Welsh Government's processing and use of your personal data and your rights under the General Data Protection Regulation (GDPR).

## **WELSH GOVERNMENT COMPETITIVE TENDERING AND PROCUREMENT REQUIREMENTS**

You must follow the Welsh Government guidance and requirements for Competitive Tendering & Procurement Technical Guidance Notes via the following

[Competitive Tendering and Public Procurement - Technical Guidance Notes](#)

[Competitive Tendering and Public Procurement - Register and Record](#)

### **PAYMENT OF GRANT**

You may make interim claims during the period of your project. Guidance Notes on how to submit a claim will be available on RPW online once the award is confirmed. Claims will only be paid when the Welsh Government is satisfied the relevant expenditure has taken place and that the work has been completed according to plan. Payment will be made by electronic transfer to your bank account.

Final claims for payment of grant should be submitted as soon as possible after the physical work on the project has been completed and within 18 months of grant approval. Failure to submit claims may result in the grant paid to date being recovered.

During the lifetime of the grant, when claims are submitted, they may be scrutinised to ensure expenditure is eligible and in line with that approved in the original application. On completion of the physical works, the project site will be visited and a detailed assessment of the project undertaken. The information that will be required at the visit includes original invoices; serial/plant numbers; Building Regulations completion certificate (where appropriate); Health & Safety system including risk analysis; Fire Risk Assessment documents in accordance with the Regulatory Reform (Fire Safety) Order 2005; Cleaning Regime records; Pest control records and Quality Control records. The release of grant will be conditional upon adequate progress having been made.

### **INCORRECT CLAIMS AND PENALTIES**

You have a responsibility to make sure that each claim submitted is arithmetically correct; that it is only for defrayed expenditure (the money has gone from your bank account); that all the items and costs are eligible and that the claim is on time.

If the claim is incorrect then your claim will be reduced to the amount that is eligible and the grant to be paid will be calculated accordingly. However, if the error is more than 10% of the total amount claimed then a financial penalty will be applied as described below.

The amount of eligible expenditure will be reduced by the amount of the error and so the final amount of grant to be paid will be lower than expected. You will have to

make up the difference because the lost grant cannot be included in later claims.

The penalty may, in certain circumstances, be increased and all of the grant paid to date might be recovered. If that happens you will not be able to submit an application under the Rural Business Investment Scheme (Non-Agri) in the remainder of the current EAFRD year or for the following EAFRD year.

It is essential that if you have any doubts about anything that you need for your project that you written confirmation of its eligibility before you incur the costs.

## **OFFENCES**

Regulation 13 of the Rural Development Programmes (Wales) Regulations 2014 (No. 3222 (W.327)) establishes criminal offences and penalties in relation to certain aspects of rural development funding. That Regulation and those offences are applicable to the Rural Business Investment Scheme Non Agri. Examples of offences include; knowingly or recklessly providing false or misleading information in relation to rural development funding; obstructing an inspector or official; and refusing to provide information when requested to do so.

## **MONITORING OF PROJECTS**

It is a European Commission requirement that the progress of your project is monitored and its success evaluated following completion. You will be asked to provide regular updates on its progress and three months following completion, a final report on its performance, when the project will be evaluated against the objectives and targets set out in the approved application. If the project should fail to meet these targets and, on the basis of progress actually made, would not have qualified for grant aid under the scheme, action may be taken to recover the grant paid.

It will be a requirement of the grant award that equipment purchased with the aid of a RBIS (Non-Agri) grant and any buildings on which grant is paid, must be kept in situ, operational and in good repair, and used for the same purpose as set out in the original application, for at least five years from the date of completion of the project as set out in the approval letter. This is to ensure the longevity of the project and to guarantee primary producers a lasting share of the project's benefits.

A further monitoring form will be required to be completed two years following completion and again five years following completion. Site visits will be made on a percentage of the projects approved within five years following final completion (Project End Date) to ensure the applicant still has and is using the equipment purchased with the grant and that the business is performing as expected.

You must allow officials from Welsh Government and the European Commission, or their representatives, to inspect the project at any reasonable time within this five year period.

## **END OF RURAL BUSINESS INVESTMENT SCHEME (NON-AGRICULTURAL)**

All claims must be submitted to the Welsh Government according to the agreed delivery profile. All project activity must be completed in time for accounts and records to be audited and claims to be prepared and submitted by this date.

### **APPEALS PROCEDURE**

If an application is rejected, the reasons for rejection will be spelt out clearly. We will be prepared to discuss any modifications which might be needed to make the project acceptable.

The Independent Appeals Process allows you to request a review if you feel that the Welsh Government has not reached a correct decision according to the rules of a scheme.

The appeals process consists of two stages:

- Stage 1: review by RPW
- Stage 2: review by an Independent Appeals Panel (if you are dissatisfied with the Stage 1 response).

The Independent Panel make recommendations to the Cabinet Secretary for Environment and Rural Affairs, who then takes the final decision which concludes the process. 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.

Appeals, including supporting evidence, must be received within 60 days of the date of the letter outlining the decision you wish to appeal against.

We welcome receiving correspondence in Welsh, and will respond to any correspondence in Welsh if that is your preferred language. This will not lead to delay.

Further details of the appeals process can be obtained from the Customer Contact Centre or our website at:

[Rural Grant Payments and Appeals](#)

### **COMPLAINTS PROCEDURE**

Complaints will be dealt with under the Welsh Government's procedure on Complaints. Further advice on how to make a complaint can be obtained from the Complaints Advice Team:

Welsh Government  
Crown Buildings  
Cathays Park

Cardiff  
CF10 3NQ  
Tel: 03000 251378  
E-mail: [complaints@gov.wales](mailto:complaints@gov.wales)  
[www.gov.wales/contact\\_us/makeacomplaint](http://www.gov.wales/contact_us/makeacomplaint)

You may also choose to contact the Public Services Ombudsman for Wales:  
1 Ffordd yr Hen Gae  
Pencoed,  
CF35 5LJ  
Tel: 0300 790 0203  
Website: [www.ombudsman-wales.org.uk](http://www.ombudsman-wales.org.uk)

## **GENERAL DATA PROTECTION REGULATION: PRIVACY NOTICE**

The information provided in the expression of interest application and full application is subject to the Privacy Notice at:

[Rural Grants and Payments Privacy Notice](#)

The Privacy Notice explains the Welsh Government's processing and use of your personal data and your rights under the General Data Protection Regulation (GDPR) 2018.

The personal data provided will be held on a database and will be processed by Welsh Government for the purposes of progressing applications and claims for EAFRD assistance. The information provided may be shared with UK Government Departments, Welsh Government Sponsored Public Bodies or agencies within Wales for the purposes of audit, research, meeting statutory obligations and, where appropriate, for the prevention and detection of fraud. Personal data will not, without consent, be made public in any way that identifies individuals. Certain data will be passed to the European Commission in compliance with EC Regulations.

Data may also be passed to Welsh Government support contractors for the purpose of resolving system problems. These contractors will not be permitted to make any other use of this data.

If any person on whom data is held wishes to request details of their personal data being held on Welsh Government's central database they may contact the Scheme Management Unit on telephone number 03000 622 218.

Nothing in this document shall override the provisions of the GDPR 2018.

## CONTACTS

### RPW Online

Access the RPW Online service via the Government Gateway at [www.gateway.gov.uk](http://www.gateway.gov.uk), or once you have enrolled for the RPW Online service, access it via [www.wales.gov.uk/RPWOnline](http://www.wales.gov.uk/RPWOnline). If you are not yet registered with RPW Online, please refer to the Welsh Government website for the how to register guidance or call the Customer Contact Centre on 0300 062 5004.

### Enquiries – Customer Contact Centre

For all enquiries, please contact the **RPW Customer Contact Centre**  
Enquiries can be submitted via RPW Online at any time.

### **Access to Welsh Government offices for people with disabilities or special needs**

If you have any special needs which you feel are not met by our facilities contact the Customer Contact Centre on 0300 062 5004. Welsh Government officials will then endeavour to make arrangements to accommodate your requirements.

### Welsh Government Website

For all of the latest Agricultural and Rural Affairs information, visit the Welsh Government website. By visiting the website, you can also sign up to receive the Gwlad e-news letter.