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Welsh Government

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GUIDANCE

Woodland Restoration Scheme (window 1): rules booklet

Follow these rules and guidance for window 1 of the Woodland Restoration Scheme.

First published: 14 March 2022

Last updated: 14 March 2022

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Key Messages

The Woodland Restoration Scheme (WRS) is based on the Glastir Scheme which was part of the Rural Development Programme. The budget available for this Expression of Interest (EOI) window is £1 million. This window will open on 14 March 2022 and close at midnight on 22 April 2022.

This Expression of Interest is available to successful applicants who will be able to complete all capital works and planting by 31 March 2023.

You may submit a Woodland Restoration (WRS) Expression of Interest (EOI) if you have been issued with a felling licence, a felling licence application number or a Statutory Plant Health Notice (SPHN) containing Larch.

You must submit your felling licence, felling licence application with number or SPHN with your EOI on or before 22 April 2022 for assessment by the Welsh Government. The Welsh Government will not consider any documentation submitted in support of any EOI's submitted under an historic Glastir Woodland Restoration scheme Window. **Failure to do so will result in land parcels being rejected.**

WRS provides capital works for restocking, fencing and associated operations on sites where there is larch and up to 50% non-larch species.

To be eligible for support to replant your woodlands, you must submit a forest management plan for the eligible area to be restocked.

Customers who accept a Woodland Restoration Scheme (WRS) contract, where PAWS is being restocked, will be eligible to claim a one off grant of £1,500 towards the cost of the production of a management plan. This plan should consider the entire woodland management unit, as well as and including the

area being applied for restoration support through WRS. No further management plan payments will be supported in any successive rounds of Woodlands schemes.

Registered woodland planners must write a WRS plan for PAWS to be restocked under WRS, which must comply with the UK Forestry Standard (UKFS).

If you claim the WRS Plan grant, the PAWS restocking applied for in this round of WRS must take place. Failure to carry out the restocking will lead to recovery procedures.

Customers who wish to claim the grant are strongly advised to consider incorporating all of their woodlands, particularly all of their larch, as you may wish to apply to any subsequent rounds of WRS.

To be eligible to submit an EOI, you must be able to adhere to the dates below:

Submit your Online EOI with supporting Felling Licence, Felling Licence application with number or SPHN between	14 March 2022 and 22 April 2022
Respond to Selection results from	June 2022
Complete all Establishment and Capital Works and submit all claims for payment by	31 March 2023

Forest Management Plan support will be processed for payment following acceptance of a verified contract map.

The Woodland Restoration Scheme EOI is available through the RPW Online service. You will need a Customer Reference Number (CRN) and an RPW Online account before you can access the Woodland Restoration Scheme

Expression of Interest.

To register your business details for the first time, you need to complete the **online registration form** (<https://gov.wales/login-rural-payments-wales-rpw-online>). Please refer to the **how to register guidance** (<https://gov.wales/rpw-online-how-register>) 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. Rydym yn croesawu galwadau'n Gymraeg / We welcome calls in Welsh. For further information on registering with RPW Online or submitting an Expression of Interest please refer to Section E of this booklet.

You should read this Booklet and the How to Complete Guidance before you submit your online EOI.

You should ensure that you meet all the eligibility criteria for the full contractual period of 1 year followed by the maintenance period of 10 years after the final claim.

You will need a Forest Management Plan which must comply with the UKFS.

Please respond to any queries raised by the Welsh Government or Natural Resources Wales regarding your Woodland Restoration EOI promptly. Failure to respond within the given time may delay the offer of a Woodland Restoration Scheme contract.

Any subsequent changes to this guidance and commitments will be published in **Gwlad** (<https://gov.wales/subscribe-farming-and-forestry-news-gwlad>) and, where necessary, we will contact farming businesses and land managers directly.

World Trade Organisation and Subsidy Control

1. Subsidies provided under this scheme are considered to be payments under an environmental programme, which fall within the scope of Annex II of the WTO Agreement on Agriculture (AoA) and have been classified as 'green box.'
2. As such these subsidies are exempt from the UK-EU Trade and Cooperation Agreement (TCA) and the interim UK subsidy control regime.

Section A – Introduction

In Wales many larch woodlands have been infected by the fungal pathogen *Phytophthora ramorum*. Woodland Restoration Scheme has been developed to enable woodlands infected by *Phytophthora ramorum* or areas of larch felled to help slow the spread of the disease, to be replanted. When woodland is clear felled, there is a significant opportunity to diversify tree species, creating more mixed and native woodlands. The Welsh Government is committed to encouraging species diversification in Wales in order to make our woodlands more resilient and more able to deliver a wider range of benefits.

Successful applicants will need to produce a Forest Management Plan which complies with the UKFS before being processed to contract stage. This booklet is for foresters, farmers and land managers who intend to submit an EOI for the Woodland Restoration Scheme. The details contained are not exhaustive and may be updated.

Glossary

Compartment: Refers to an area of woodland or an area of felled woodland due to be restocked.

Stems: A term used for the young trees being planted in a compartment.

Section B – Eligibility

To be eligible for the Woodland Restoration Scheme you must:

- be a registered customer with the Welsh Government and have been issued with a Customer Reference Number (CRN).
- have registered your land with the Welsh Government's Land Parcel Identification System (LPIS).
- the woodland area must be a minimum of 0.25 hectares of eligible land.
- have full management control over the land from the date the EOI is submitted for the duration of the contract and full commitment period. If you only hold a grazing license you are not eligible to apply.
- have not made or will not make an insurance claim or received an insurance payment for the loss of trees due to *Phytophthora ramorum*.
- submit a Forest Management Plan which meets the UKFS and is approved by the Welsh Government.

Section C - Land eligibility requirements

To be eligible for a Woodland Restoration Scheme Contract, the land must:

- contain larch trees or have contained larch trees which have now been felled.
- be covered by an SPHN, Felling Licence or Felling Licence Application.
- not have been grant funded to restock from any other source.
- have satisfied all necessary consents with stakeholders and statutory bodies.
- consist of field parcels that are 0.1ha or greater in area.
- be located in Wales.

Funding from other sources

If you are receiving payment from any other source for works required under Woodland Restoration, this would be considered double funding.

Please note, it is your responsibility to ensure you do not enter into a Woodland Restoration contract which overlaps with any other agreement and that there is no conflict of requirements between schemes.

If it is established that you are or have received funding from another source for commitments under Woodland Restoration, this could result in financial penalties, the recovery of payments and possible termination of your Contract.

Section D – Woodland Restoration Scheme Rules

If you are successfully selected for the Woodland Restoration Scheme, you will be required to complete a Forest Management Plan that complies with the UKFS (**Forestry Commission - UK Forestry Standard and Guidelines** (<https://www.gov.uk/government/publications/the-uk-forestry-standard>)) on GOV.UK. The Forest Management Plan will be assessed by the Welsh Government or

Natural Resources Wales. Following the approval of the Forest Management Plan, eligible Capital Works items listed in the Management Plan can be included in a Woodland Restoration Scheme Contract. This section details the capital works items available under the Woodland Restoration Scheme.

If you are considering PAWS restoration, you will need to engage a Registered Woodland Planner to complete your plan from the list of Welsh Government [Registered Woodland Planners](https://gov.wales/glastir-woodland-planners) (<https://gov.wales/glastir-woodland-planners>).

Maximum Area Eligible for Support Under Woodland Restoration

The maximum area eligible for support under Woodland Restoration Scheme will be equivalent to twice the area of larch identified on the Statutory Plant Health Notice or Felling Licence.

For example - if 1 hectare of larch is shown on your Felling Licence, the maximum area eligible for support under Woodland Restoration will be 2 hectares.

As the minimum area eligible for support is 0.25ha, therefore the minimal area of Larch required within that area would be 0.13 hectares.

Replanting Capital Works

The following requirements apply to all Capital Works replanting options:

- All replanting must be carried out to the UKFS.
- All replanting will be to a minimum of 2,500 stems per hectare.
- The replanted woodland must be maintained for 10 years after the date of the final claim. 2,500 stems per hectare must be alive at the end of the 10 year maintenance period or canopy closure has been achieved. Failure to

achieve the specified stocking density across the area of the contract may result in the recovery of payments.

Plantations on Ancient Woodland Sites Restoration (PAWS) specific rules

Any area of PAWS to be restocked will require a PAWS survey and map to accompany the WRS Forest Management Plan to be verified by Natural Resources Wales verification team. Further guidance is available in **PAWS Restoration – Guidance on Best Practice** (<https://gov.wales/glastir-woodland-restoration-plantations-ancient-woodland-sites-paws-restoration-guidance>).

Only areas of PAWS identified on the Ancient Woodland Inventory (AWI) can be considered eligible for the one-off Forest Management plan support of £1,500 under WRS. AWI data can be viewed or downloaded via the **Woodland Opportunity Map** (<https://datamap.gov.wales/maps/woodland-opportunity-map-2021/>) on Datamap Wales.

Any area that falls outside of the AWI layer will not be considered PAWS for the purposes of WRS.

Further guidance on Forest Management Plan fee support can be found in Section E of this Rules Booklet.

Plantations on Ancient Woodland Sites (PAWS)

If all or part of the woodland that you intend to restock is PAWS, a registered woodland planner must write the Forest Management Plan, including a PAWS assessment. This must follow the **PAWS Restoration – Guidance on Best Practice** (<https://gov.wales/glastir-woodland-restoration-plantations-ancient-woodland-sites-paws-restoration-guidance>) found on the Welsh Government web site. The

planner must survey the woodland, if possible before the site has been felled and assess the Ecological Important Criteria, the Ecological Development Criteria and Threats to obtain an Ecological Potential score. NRW woodland verification team or Welsh Government will verify the Forest Management Plans and may inspect a scheme as part of the verification process.

An accurate, annotated digital map showing the Ecological Development, Criteria and Threats must be submitted with the WRS plan.

The restocking options for the PAWS will depend on how the area being applied for support has been prioritised (High, Medium, Low). You should ensure any native broadleaved tree species mixture is appropriate to the site.

Restocking options for PAWS

High Priority restoration

Aim - Achieve full restoration to native broadleaved woodland, aiming for favourable condition. Hotspots and remnants protected and bolstered with good potential to expand. 100% restocking with site native broadleaves and shrubs

Restocking option - 100% Capital Works (CW) W631

Medium Priority

Aim - Transitional/Restored PAWS – to achieve a more gradual improvement towards favourable condition *i.e.* recovering condition (a minimum of 50% native broadleaves in the canopy) with future potential to improve condition/full restoration. Minimum of 50% native broadleaves

Restocking option - Minimum of 45% CW W631; Up to 55% CW W615, W618, W619, W632 including 10% native broadleaves.

Low priority

Aim – Managing the site as a PAWS in line with UKFS, maintaining, protecting and bolstering any ancient woodland remnants. Minimum of 15% site native broadleaf restocking in line with UKFS

Restocking option – Minimum 10% CW W631; Remainder up to 90% CW W615, W618, W619, W632)

Non Plantation on Ancient Woodland Sites (PAWS)

On non PAWS sites consideration will need to be given to the compartments' altitude in metres above sea level and the species mixture to be planted.

Change of species requirements for Felling Licences

The species composition for a Woodland Restoration scheme may vary from the Felling Licence specification. If a Woodland Restoration scheme includes a Plantation on Ancient Woodland Site, an NRW Woodland Advisor will deal with the change of species form after a site visit. You should not request the change of species before verification as in some cases further changes may be required during verification. The change of species will need to conform with the specification set out in *PAWS Restoration – Guidance on Best Practice*.

If a Forest Management plan does not include a Plantation on Ancient Woodland Site, and a change of species is needed, the forest planner will need to contact the NRW Permitting team – forestregulations@cyfoethnaturiolcymru.gov.uk (<mailto:forestregulations@cyfoethnaturiolcymru.gov.uk>)

There are 5 different Capital Works restocking options available under Woodland Restoration. These Capital Works Options include:

W615 Capital Works, Basic Restocking - above 350 metres

This Capital Works option is for restocking compartments where more than 50% of the compartment is located 350 metres above sea level (e.g. 1.4 ha (54%) of a compartment is above 350 metres and 1.2 ha (46%) is below 350m). It is acceptable to split the compartment along the relevant contour line so that the appropriate option can be used above and below the line.

A minimum of 10% of compartment area must be planted with broadleaved tree species.

The remaining area of the compartment (maximum of 90%) can be planted with broadleaved species, conifer species or a mixture of both. There must be a minimum of two different species planted, with no one species exceeding 75% of the compartment.

The area of shrub species (e.g. hazel) within the compartment should not exceed 10%. Shrub species cannot contribute towards the minimum area of broadleaved tree species to be planted.

W618 Capital Works, Basic Restocking - between 250 – 350 metres

This Capital Works option is for restocking compartments where more than 50% of the compartment is located between 250 to 350 metres above sea level (e.g. 1.4 ha (54%) of a compartment is above 250 metres and 1.2 ha (46%) is below 250 metres). It is acceptable to split the compartment along the relevant contour line so that the appropriate option can be used above and below the line.

A minimum of 10% of site area must be planted with broadleaved tree species.

The remaining area of the compartment (maximum of 90%) can be planted with broadleaved species, conifer species or a mixture of both. A minimum of three different tree species must be planted, with no one species exceeding 70% of the compartment.

The area of shrub species (e.g. hazel) within the compartment should not exceed 10%. Shrub species cannot contribute towards the minimum area of broadleaved tree species to be planted.

W619 Capital Works, Basic Restocking - below 250 Metres

This Capital Works option is for restocking compartments where more than 50% of the compartment is located below 250 metres above sea level (e.g. 1.4 ha (54%) of a compartment is below 250 metres and 1.2 ha (46%) is above 250 metres). It is acceptable to split the compartment along the relevant contour line so that the appropriate option can be used above and below the line.

A minimum of 10% of compartment area must be planted with broadleaved tree species.

The remaining area of the compartment (maximum of 90%) can be planted with broadleaved species, conifer trees or a mixture of both. There must be a minimum of three different tree species planted, with no one species should exceed 70% of the compartment.

No more than 40% of the compartment can be planted with Sitka Spruce.

The area of shrub species (e.g. hazel) within the compartment should not exceed 10%. Shrub species cannot contribute towards the minimum area of broadleaved tree species

W631 Capital Works, Native Broadleaved Trees

This Capital Works option requires the whole site to be planted with a mixture Native Broadleaved Trees species. The 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.

The area of shrub species (e.g. hazel) within the compartment should not exceed 20%.

W632 Capital Works, Broadleaved Trees

This Capital Works option requires the 80% of the site to be planted with native broadleaved trees species. The remaining 20% can be planted with either native or non native broadleaved trees species.

The area of shrub species (e.g. hazel) within the compartment should not exceed 20%.

Open Space

The stocking density shown in the planting specifications is based on number of stems per hectare and the presumption is that the area included in the contract to be felled will be fully restocked with trees to the specified density in the contract.

Areas of unplantable / open ground, such as tracks and streamside areas within the woodland which are 0.1ha or over must be mapped and excluded from the grant aided area. These areas are ineligible for funding under Woodland

Restoration.

Scattered and un-mappable 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. Under such circumstances this will need to be noted on the Forest Management Plan. You will need to increase the stems per hectare in parts of the site to account for unplanted ground to ensure the minimum number of tree required by the contract are planted.

Payment Rates

The table below provides the payment rates for Capital works.

Payment rates for capital works

Capital Works	Restock Type	£ / Ha
W615	Basic	£1,900
W618	Basic	£1,900
W619	Basic	£2,300
W631	Native Broadleaved	£2,770
W632	Broadleaved	£2,770

Other Capital Works

The table below lists additional Capital Works items available under Woodland

Restoration and their payment rates. These items are for the preparation of the site to enable restocking and to protect the area under Contract from grazing.

Capital works table

Capital Works number	Description	Rate (£)
W549	High seat	£348.33 each
W595	Post and Wire fencing plus Stock netting	£3.48 / m
W600	Softwood Gate	£150 each
W602	Deer Fencing	£3.98 / m
W654	Bramble/scrub control - hand/knapsack spraying	£185 / ha
W663	Rhododendron/Laurel control <1.5m	£3882.60 / ha
W666	Scrub clearance-mechanical	£227 / ha
W669	Invasive species control	£1179.00 / ha
W670	Rhododendron/Laurel control >2.5m	£7461.13 / ha
W671	Rhododendron/Laurel control 1.5-2.5m	£5129.10/ha

Capital works payments for Rhododendron/laurel control are only eligible to enable the establishment of trees. Clearance of Rhododendron and Laurel for

disease prevention purposes are ineligible under this scheme.

Derogations

In certain circumstances, it may be possible to grant a derogation to adjust the terms or withdraw 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 in writing to Welsh Government as soon as an issue arises. You will need to include evidence in support of the request, 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 2 years.

Consultations

Where you intend to carry out work on or next to a designated site, all necessary consultations, e.g; Site of Special Scientific Interest (SSSI), Special Area of Conservation (SAC), Scheduled Ancient Monument (SAM), Historic Environment Feature (HEF), Public Rights of Way and Registered or Unregistered Park and Garden, must be carried out and the responses provided with the Forest Management Plan.

The presence of protected species (e.g. bats, dormice) needs to be considered and consultation with the appropriate authority may be required. You may also need to apply to Natural Resources Wales for a European Protected Species licence as part of a felling licence application.

Herbicide use

Herbicides should not be used to treat stump regrowth of site native broadleaves within Planted Ancient Woodlands.

Section E – How to Apply

Submitting an Expression of Interest (EOI)

RPW Online

You can apply for the Woodland Restoration Scheme by accessing Rural Payments Wales (RPW) Online only. 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 and tell the operator your CRN. Rydym yn croesawu galwadau'n Gymraeg / We welcome calls in Welsh. They will send you a new Activation Code.

Once registered, you can access your **RPW Online account** (<https://gov.wales/login-rural-payments-wales-rpw-online>). The Woodland Restoration Scheme EOI is available from the Applications and Claims section of your account.

Agents 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 **RPW Online** (<https://gov.wales/login-rural-payments-wales-rpw-online>).

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. This form is available from **RPW Online** (<https://gov.wales/login-rural-payments-wales-rpw-online>).

A broadcast message will be sent to all Customers who have an Expression of Interest in a draft status in the week leading up to the window closing.

If you have any questions about registering for RPW online or completing your EOI, please contact the Customer Contact Centre on 0300 062 5004. Rydym yn croesawu galwadau'n Gymraeg / We welcome calls in Welsh. They will be able to provide advice, including the digital assistance that is available to you.

Please refer to the WRS guidance on **Rural Grants and Payments | Woodland Restoration** (<https://gov.wales/rural-grants-payments>) for more information about RPW Online and how to complete a WRS EOI.

The Selection Process

EOI will be selected based on their ability to meet the eligibility criteria, subject to budget availability. The budget available to the Woodland Restoration Scheme for this EOI is £1 Million. If the available budget is not sufficient to offer all eligible applicants a contract, the Welsh Government will prioritise EOI with a Statutory Plant Health Notice, followed by those which lie within the disease limitation zone, by order of largest area first. The disease limitation zone is currently the area in the east and north of Wales where active control measures are still in place.

Once the selection process is complete, you will be notified via your RPW online account of the outcome of your EOI.

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, WRS planting options and area of intended planting as declared in your EOI and validated by the Welsh Government.
- A digital map of the land declared and validated on the EOI.

If you wish to progress with your restock proposals you must accept the offer of a contract via your RPW Online account within 14 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 commence drawing up your re-stock proposals and to complete a FMP for submission to Welsh Government.

If you decline, or fail to respond to the offer of a contract, your WRS Expression of Interest will be withdrawn and you will not be eligible to submit a Forest Management Plan to Welsh Government for verification.

A reminder message will be sent via your RPW Online account in the week leading up to the contract acceptance deadline.

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

Submitting the Forest Management Plan

If your Expression of Interest is successful and you have accepted the offer of selection, you will be required to complete a Forest Management Plan, which will form the basis of your Woodland Restoration Scheme application. You must return your completed Forest Management Plan by no later than the date set out in your selection letter.

A reminder message will be sent via your RPW Online account in the week leading up to the Forest Management Plan submission deadline.

You will be sent a digital map outlining parcels included in your Expression of Interest. A Forest Management Plan template and guidance on how to complete, together with guidance on how to annotate your digital map, is available on the Welsh Government website. You must use the documents provided to you. Alternative plan templates and maps cannot be accepted and will render your application ineligible.

Before completing your Forest Management Plan, you must read the guidance provided. The plan must comply with the UKFS (**Forestry Commission - UK Forestry Standard and Guidelines** (<https://www.gov.uk/government/publications/the-uk-forestry-standard>)) on GOV.UK. If there is PAWS within the Expression of Interest, you must engage a registered woodland planner to ensure that your application meets these standards. The Forest Management Plan will be assessed by the Welsh Government to ensure it meets these standards. The assessment will take into account the information provided in your plan and map and consideration will be given to the eligibility of works included in the application for funding under the Woodland Restoration Scheme.

Following the approval of the Forest Management Plan, eligible Capital Works items listed in the Forest Management Plan can be included in a Woodland Restoration Scheme Contract.

Forest Management Plan Support Payment – PAWS Restocking only

Customers who accept a WRS contract, which includes restocking of PAWS where there is larch and up to 50% non-larch, will be eligible to make a one off claim of £1,500 towards the cost of the production of the plan. Payment will be limited to one payment per customer. This plan should consider the entire woodland management unit. No further forest management plan payments will be supported in any successive rounds.

To be eligible for the £1,500 support payment, WRS plans with approved PAWS restocking must progress to planting after online acceptance of the WRS contract.

Offer of Verified Contract Map

If your Woodland Restoration application is successful, you will be offered a Woodland Restoration Verified Contract Map via your RPW Online account containing some or all of the works listed in your Forest Management Plan.

You will need to accept your Verified Contract Map using the blue button available via your RPW Online account within 14 days of your offer notification, which will confirm that you are happy with the terms and conditions of the contract. Acceptance received after this date will be rejected and the offer of a Woodland Restoration contract will be withdrawn.

If you decide not to proceed with your application or decide not to accept your offer of a Verified Contract Map within the time permitted, you will not be able to apply for Woodland Restoration for a further 2 years.

If you decide to withdraw from the contract prior to the end of the contractual commitment (1 year for Capital Works, 10 years for Maintenance), you will be

required to repay all of the monies you have received under the Woodland Restoration Scheme contract, with interest.

Subject to any changes needed to the Welsh Government domestic rural programmes as a result of regulatory changes, the Woodland Restoration contract may be terminated.

Claiming support for a Forest Management Plan including PAWS

Once the Welsh Government has received online acceptance of the verified contract map, for a contract which includes approved PAWS restocking, you will be sent a WRS plan claim form via your online account which will need to be completed and returned. Once received, your claim will be validated and processed and, if eligible, payment will be processed and issued via BACS transfer.

If the PAWS restocking is not carried out, as set out in the WRS contract, the Welsh Government will recover the £1,500 payment. In addition, in line with the current scheme rules, the contract holder will not be eligible to apply for WRS for a further 2 years because the planting did not occur.

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

Starting work

Contract holders should not start any work before accepting a verified contract map which confirms the areas to be planted following verification.

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 re-stock area being issued.

Claiming Payment for Restocking and Fencing Capital Works

Capital works claims are made using the Capital Works Claim form available via your RPW Online Account and after completion of work. Capital works payments under WRS are paid at a standard cost rate. Capital works that are to be completed by the 31 March 2023 must also be claimed via RPW Online by 31 March 2023.

A reminder message will be sent via your RPW Online account in the week leading up to the capital works completion and claim deadline.

Section F – Contract Amendments

Transferring or Selling Land under Contract

When you sign your Woodland Restoration Scheme Contract you are making a commitment for 10 years. If you subsequently sell or transfer all or part of your land during the 10 years commitment period, you may be subject to financial penalties and / or having to repay money you have already received.

The transfer of a Woodland Restoration Scheme Contract to a new occupier is subject to approval by the Welsh Government. Where the prospective new occupier decides to take over the Woodland Restoration Scheme 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 Woodland Restoration Scheme 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 WRS 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 Woodland Restoration Scheme Contract must continue to meet the minimum eligibility criteria. In the event that this does not happen, your contract will be terminated and 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 Woodland Restoration Scheme 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.

In the event that you transfer and sell any land under a contract and the Welsh Government considers that the objectives of Woodland Restoration Scheme 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.

You will need to notify the Welsh Government of any change within 30 days. RPW's Online Manage My Land (MML) service has now replaced all functions of the paper FM4, which are no longer available. MML can be used to inform RPW of land registrations, new or changed permanent features, boundary changes and transfers of land. **Guidance on how to use Manage My Land** (<https://gov.wales/rpw-online-using-manage-my-land>).

Legislation Changes (Including Changes in Interpretation)

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

Changes to Scheme Rules

We may need to make changes to your contract. 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 domestic rural programme or revise payment rates. We will publicise changes in Gwlad, on the **Welsh Government website** (<https://gov.wales/>) and, where necessary, write to you.

Section G – Administrative Checks, Inspections and Record Keeping

The Welsh Government must enforce the Woodland Restoration Scheme rules. Administrative checks and inspections will involve on site visits, the use of Global Positioning Systems, aerial photography, drones and satellite imagery.

Administrative Checks

The Welsh Government is required to verify all claims before payment. For the Woodland Restoration Scheme this includes a site visit at least once during the contract period, unless already selected for a full inspection. Visits will be undertaken by a technical woodland officer before payment is made, to ensure the capital works items claimed have been delivered in line with the scheme rules. Your claim may be reduced or penalised (see penalties section).

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.

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.

You will also be required to:

- Supply to the Welsh Government any information about your Woodland Restoration Scheme 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 Woodland Restoration Scheme Contract. Permit the Welsh Government to remove any such document or record to take copies or extracts from them.

Section H – Penalties

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

Breaches of Contract

Breaches of contract may be identified from administrative checks, including in-situ visits or on-the-spot inspections and you will be notified in writing if breaches are found. Where breaches of contract are discovered appropriate levels of 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 year's payments.

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 scheme, for up to 2 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 website \(https://gov.wales/rural-grants-payments\)](https://gov.wales/rural-grants-payments).

Capital Works Penalties

If you claim for non area related payments, for example capital works, and the Welsh Government determine that part or all of the costs claimed are ineligible, non payment will be made for the ineligible costs. If the amount of ineligible costs is determined to be more than 10% of the eligible costs, an amount equivalent to the value of ineligible costs will be deducted from your payment.

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 scheme in both the year of the finding and in the following calendar year.

Section I – Appeals Procedure

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.

Appeals cannot be considered, if following the selection procedure your Expression of Interest is unable to be taken forward due to the availability of a

suitable budget.

The appeals process consists of 2 stages:

- Stage 1: review by the head of the Divisional Office
- 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 for 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 submit an appeal to RPW within 60 days of receiving a decision which may affect your payments.

Further details of the appeals process can be obtained from the Customer Contact Centre.

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 your Customer Contact Centre.

In addition you can write to any Member of the Senedd about your complaint and you may also choose to contact:

Public Services Ombudsman for Wales
1 Ffordd y Hen Gae
Pencoed
Bridgend

Section J – Privacy Notice: Welsh Government grants

How we will handle any personal data you provide in relation to your grant application or request for grant funding.

The Welsh Government provides a wide range of grant schemes to help deliver our policies and create a fairer, more prosperous Wales.

The Welsh Government will be data controller for any personal data you provide in relation to your grant application or request for grant funding. The information will be processed as part of our public task (i.e. exercising our official authority to undertake the core role and functions of the Welsh Government) and will help us assess your eligibility for funding.

Before we provide grant funding to you, we undertake checks for the purposes of preventing fraud and money laundering, and to verify your identity. These checks require us to process personal data about you to third party fraud prevention agencies.

If we, or a fraud prevention agency, determine that you pose a fraud or money laundering risk, we may refuse to provide the grant funding you applied for, or we may stop providing existing grant funding to you.

A record of any fraud or money laundering risk will be retained by the fraud prevention agencies, and may result in others refusing to provide services, financing or employment to you.

In order to assess eligibility we may also need to share personal information relating to your application 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.

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, to fulfil its obligations under the Freedom of Information Act 2000, the Environmental information Act 2004 or the Data Protection Act 2018.

We will keep personal information contained in files in line with our retention policy. If successful in your application then your personal data will be kept for 7 years after the date when you, as grant recipient, are free from all conditions relating to the grant awarded and all payment have been made. However, if the funding is awarded under General Block Exemption or De Minimis, your personal data will be kept for 10 years from the conclusion of any aid award. If you are unsuccessful your details will be kept for one year after the date you provided them.

Under the data protection legislation, you have the right:

- to access the personal data the Welsh Government holds on you
- to require us to rectify inaccuracies in that data

- to (in certain circumstances) object to or restrict processing
- for (in certain circumstances) your data to be 'erased'
- to lodge a complaint with the Information Commissioner's Office (ICO) who is the independent regulator for data protection.

For further details about the information the Welsh Government holds and its use, or if you want to exercise your rights under the GDPR, please see contact details below:

Data Protection Officer
Welsh Government
Cathays Park
CARDIFF
CF10 3NQ

Email: dataprotectionofficer@gov.wales

The contact details for the Information Commissioner's Office are:

Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Telephone: 01625 545 745 or 0303 123 1113

Website: <https://ico.org.uk/>

Should you have any queries regarding this privacy statement please contact the RPW Customer Contact Centre.

Privacy notice: Welsh Government grants (<https://gov.wales/privacy-notice-welsh-government-grants>)

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.

Section K – Contact Details

Welsh Government's website (<https://gov.wales/gov.wales/farming-countryside>) and bi-monthly **Gwlad magazine** (<https://gov.wales/subscribe-farming-and-forestry-news-gwlad>) contain key information. Contact details are as follows:

CUSTOMER CONTACT CENTRE

Rural Payments Wales

PO Box 251
Caernarfon
LL55 9DA

Tel: 0300 062 5004. Rydym yn croesawu galwadau'n Gymraeg / We welcome calls in Welsh.

Other useful contacts

For SSSI, NNR, SAC or SPA agreement land:

NATURAL RESOURCES WALES

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

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

General Enquiries: enquiries@naturalresourceswales.gov.uk
(<mailto:enquiries@naturalresourceswales.gov.uk>)

Enquiries: queries@cyfoethnaturiolcymru.gov.uk
(<mailto:glastirqueries@cyfoethnaturiolcymru.gov.uk>)

Felling Licence applications: specieslicensing@cyfoethnaturiolcymru.gov.uk
(<mailto:specieslicensing@cyfoethnaturiolcymru.gov.uk>)

EPS licence queries: forestregulations@cyfoethnaturiolcymru.gov.uk
(<mailto:forestregulations@cyfoethnaturiolcymru.gov.uk>)

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

CADW

Welsh Government,
Plas Carew

Unit 5/7 Cefn Coed
Parc Nantgarw
Cardiff
CF15 7QQ

Tel: 01443 33 6000. Rydym yn croesawu galwadau'n Gymraeg / We welcome calls in Welsh.

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 (www.cpat.org.uk) (<https://hba76/ERDMSCache/Hayhurstk/PriceR/DefaultHome/Objects/index.htm>)

Glamorgan-Gwent Archaeological Trust

Heathfield House
Heathfield

Swansea
SA1 6EL

tel: 01792 655208
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)

website (<http://www.heneb.co.uk/>)

This document may not be fully accessible.

For more information refer to our **accessibility statement** (<https://gov.wales/accessibility-statement-govwales>).