



Llywodraeth Cymru  
Welsh Government

PUBLICATION

# Woodland Creation Grant (window 1): rules booklet

Explains the scheme and eligibility requirements for window 1.

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# Introduction: Supporting the rural economy and the transition to the Sustainable Farming Scheme

The Programme for Government sets out our commitments to continue supporting landowners and land managers including farmers to produce food and fibre in a sustainable way, whilst taking action to respond to the climate emergency and to help reverse the decline in biodiversity. Funding support for farmers, land managers and associated rural sectors over the next 3 years is delivered through a flexible framework of support, with schemes - including the **Woodland Creation Grant** - delivering towards the following themes:

- Farm scale land management
- On farm environmental improvements
- On farm efficiency and diversification
- Landscape scale land management
- Woodland and forestry
- Food and farming supply chains

The framework is designed to both support action in response to the challenges and opportunities available over the next 3 years and to inform the continuing development of the Sustainable Farming Scheme, which will reward farmers for the work they do now to lower their carbon footprint, improve the environment and produce food in a sustainable way.

Further information on the themes and schemes being developed are available at: [businesswales.gov.wales/walesruralnetwork/](https://businesswales.gov.wales/walesruralnetwork/).

## Section A: introduction

As part of our plan to tackle the climate emergency, Wales needs to plant

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43,000 hectares of new woodland by 2030. To help achieve this, the Welsh Government is introducing a new woodland creation offer.

The Woodland Creation Grant (WCG) offers funding for tree planting and fencing to farmers and land managers. There are also maintenance and premium payments to ensure the trees establish.

The WCG is available on RPW online to farmers and landowners who have a woodland creation plan, approved by the Welsh Government, following successful application to either the Woodland Creation Pilot Planning scheme or Woodland Creation Planning scheme only. Information on how to apply to the Woodland Creation Planning scheme is available: [Woodland Creation Planning Scheme: Rules Booklet](#).

These guidance notes explain The Woodland Creation Grant. Please read them carefully. If you then consider you qualify for support under this scheme and you want to apply, please see 'How to Apply' at Section E and [How to Complete booklet](#).

The first application window will open on 30 August 2022 and close on 14 October 2022 for selected planting and capital works to be completed and claimed by 31 March 2023.

The scheme will then open for applications every 3 months. The next window is anticipated to open in December 2022 for planting in the 2023/ 2024 planting season. There is no limit to the number of applications you may submit to the Woodland Creation Grant however you may only submit one application per application window

The minimum area for an application is 0.25ha of approved planting and there is no maximum area.

Funding is available for four woodland categories. You can also claim funding for

fencing at an increased rate of £5.56/metre.

The indicative budget allocation for this application window is £1.0m.

You will need to consider tree availability when deciding whether to submit an WCG Expression of Interest (EoI).

Those applying for funding in the first window will have to complete their new planting and capital works and claim for all capital works in the 2022/23 financial year i.e. by 31 March 2023. **No extensions will be granted beyond 31 March 2023, except in very limited circumstances.**

## Sustainable Farming Scheme

Woodland created now will contribute to the proposed Sustainable Farming Scheme universal action of farmers having at least 10% tree cover on their farm. Payment rates and models for the new scheme are still being developed but there will be no disadvantage to farmers by choosing to create woodland ahead of the new scheme. We are considering how applicants may be able to transition their Woodland Creation Grant contract into the new Sustainable Farming Scheme.

## Section B: eligibility

**To be eligible for the Woodland Creation Grant you must:**

- Have an active Woodland Creation Plan approved by the Welsh Government under the Woodland Creation Planning Scheme or Woodland Creation Pilot Planning Scheme which complies with the UK Forestry Standard (UKFS).
- Have registered as a customer with RPW and have been issued with a

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Customer Reference Number (CRN).

- Be a public or private land holder, municipality, or an association, including community groups planting on publicly owned land. You must have full management control of the land.
- Have your landlord's agreement for you to enter the scheme if you are applying as a tenant.
- Landlords will be able to apply for the scheme if they can demonstrate that they retain full management control of the land. Landlords will not be able to apply for funding on any land that is or has been subject to dispute over tenancies within the last 12 months.

### **Eligibility:**

- Only areas of planting and associated fencing approved by Welsh Government under the Woodland Creation Planning Scheme or Woodland Creation Pilot Planning scheme are eligible.
- An application must contain a minimum area for an application is 0.25ha of approved planting.
- An application must include the associated fencing approved to ensure new planting applied for is stock excluded.
- No changes can have been made to the approved planting area before applying for grant that would affect the area approved.
- If you are only planting a portion of your verified plan, you must ensure that the field parcels contained within your EoI still conform to the specification of that Option.

## **Changes to the Approved Plan**

If you want to make any changes to a verified plan, these must be approved by NRW before an EoI is submitted for WCG. To do this you will need to submit a revised plan to Rural Payments Wales (RPW), who will send it to NRW for verification. NRW will inform RPW of the outcome and RPW will inform the

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customer. The approval of any change to a Plan must be conveyed to RPW by NRW prior to the Window opening in order for the Plan to be considered for this scheme.

**You can submit an EoI for tree planting and fencing for all or part of the area of your approved Woodland Creation Plan using RPW Online. If you do not want to plant the whole area of your verified plan you can include a section of the plan in your WCG EoI. However, you must select whole polygons for planting.**

## **Section C: land in other schemes**

### **Glastir Advanced**

#### **Planting during an active Glastir Advanced Contract**

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

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

#### **Planting after expiry of a Glastir Advanced Contract**

If planting is to take place after the expiry of a Glastir Advanced contract, the whole parcel can be included in your EoI, scored and considered for selection.

No planting preparation works that could damage the Glastir Advanced management option can be undertaken whilst the land is under Glastir Advanced contract. Any works undertaken that would breach the active Glastir Advanced contract could result in penalties being applied and the recovery of previous payment made under the Glastir Advanced scheme.

## **Glastir Organic and Organic Conversion Scheme**

Where land is under a Glastir Organic or Organic Conversion Scheme contract, it may be entered into a Woodland Creation Grant contract. However, applicants must request the removal of the land from their Glastir Organic or Organic Conversion Scheme contract via their RPW online account. Subject to approval from the Welsh Government, the land will be removed from the Glastir Organic or Organic Conversion Scheme contract and planting can only commence after the removal has taken place.

## **Growing for the Environment**

Where land is under a Growing for the Environment contract, it may be entered into a Woodland Creation Grant contract. However, applicants must request the removal of the land from their Growing for the Environment contract via their RPW online account. Subject to approval from the Welsh Government, the land will be removed from the Growing for the Environment contract and planting can only commence after the removal has taken place.

## **Previously funded Capital Works**

If the tree planting and fencing Capital Works has previously been funded under any of the schemes below, it is ineligible for Woodland Creation Grant:

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- Sustainable Management Scheme
- all Glastir schemes

## Woodland Carbon Code (WCC)

The WCC is the quality assurance standard for woodland creation projects in the UK and generates independently verified carbon units. The WCC requires those who list woodland carbon units to demonstrate that the carbon funding sought is necessary additional funding for the woodland creation project. This 'additionality test' ensures that there is not an issue of double funding. These WCC additionality rules will change from 1 October 2022.

Registration with the WCC code is the first step towards full validation and verification of woodland carbon units generated by your scheme, which will need to meet eligibility criteria including additionality. The first step involves calculating the amount of carbon that the project will sequester over its lifetime. Further information can be found at [woodlandcarboncode.org.uk](http://woodlandcarboncode.org.uk).

## Section D: WCG funding available

This section details the Capital Works items, Maintenance and Premium payments which are available:

### Capital Works

- Capital Works establishment grants for planting trees.
- Capital works payments are available for fencing which meets the technical specification. Fencing capital works are paid at £5.56/metre.
- You can upgrade to deer or rabbit fencing at your own cost, but this must be

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in addition to the standard stock fence.

- You may apply annually for the maintenance and premium payments for the 12 year period of your contract. Claims will need to be made via the [Single Application Form](#).

## Woodland Category, specifications, and grant rates for the WCG

Table 1

Woodland Category	Capital Works No.	Specification	New planting Payment £ per ha	Annual Maintenance Payment £ per ha	Annual Premium Payment £ per ha
Enhanced Mixed Woodland	P004	<ul style="list-style-type: none"><li>• Minimum of 5 major species (at least 10% of each)</li><li>• Minimum of 25% broadleaves inclusive of woody shrub element</li><li>• Maximum 10% woody shrub element</li><li>• No more than 50% of a single species</li><li>• Stocking density 2,500/ha</li><li>• Exclude livestock</li></ul>	3,600	60 (12 Years)	350

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**Table 1**

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<b>Woodland Category</b>	<b>Capital Works No.</b>	<b>Specification</b>	<b>New planting Payment £ per ha</b>	<b>Annual Maintenance Payment £ per ha</b>	<b>Annual Premium Payment £ per ha</b>
<b>Native Woodland - Carbon</b>	P003	<ul style="list-style-type: none"><li>• Native species mixture</li><li>• Maximum 20% woody shrubs allowed</li><li>• Stocking density 2,500/ha</li><li>• Exclude Livestock</li></ul>	4,500	60 (12 Years)	350
<b>Native Woodland - Biodiversity</b>	P002	<ul style="list-style-type: none"><li>• Native species - mix should be site native and largely conform to Habitat Action Plan types (for example upland oak, lowland mixed deciduous woods), however, local conditions may necessitate some variation from these.</li><li>• Suitable provenance planting stock*</li><li>• Maximum 20% woody shrubs allowed</li><li>• Clumped distribution of species with variable spacing</li><li>• Stocking density 1,600/ha</li></ul>	3,000	60 (12 Years)	350

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**Table 1**

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<b>Woodland Category</b>	<b>Capital Works No.</b>	<b>Specification</b>	<b>New planting Payment £ per ha</b>	<b>Annual Maintenance Payment £ per ha</b>	<b>Annual Premium Payment £ per ha</b>
		<ul style="list-style-type: none"><li>• Exclude Livestock</li></ul>			
<b>Agroforestry - scattered trees</b>	P001	<ul style="list-style-type: none"><li>• 80 trees per hectare</li><li>• Individual tree fencing</li><li>• Not eligible for Premium payment</li></ul>	1,600	30 (5 Years)	N/A
<b>Fencing</b>	P595	Post and wire fencing and stock netting	5.56/ metre		

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## Size of new planting

- The minimum area of new planting to be eligible for the WCG is 0.25ha which can be comprised of individual 0.1Ha blocks.
- There is no limit on the maximum size of new planting.

## Stock exclusion

The area of new planting must remain free from livestock for the full duration of your WCG contractual commitment unless you select the agroforestry option.

## Ground preparation and bracken spraying payments

For future windows you will have the option to claim up to 15% of costs of the woodland creation scheme when you have completed the ground preparation and bracken spraying operations. These operations may be inspected by RPW before the payment is made. However this option is not available for EOIs submitted in this window.

## Maintenance Payment

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

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

You will be eligible to claim your first maintenance payment, in the first full calendar year following the year of claiming. The annual deadline for submitting a SAF is 15 May and only available via RPW online.

Maintenance includes vegetation control around the trees, replacement of dead trees (beating up) and regular inspections.

We expect you to maintain the trees you have planted in accordance with tree establishment practices [tree-planting-guide \(live.com\)](https://www.gov.wales/tree-planting-guide)

You must protect the trees you have planted against damage and competition from weeds, insects, pests and browsing animals, such as voles, rabbits, hares

and, for the parkland option, livestock. The maintenance grant is based on periodic weeding and tree replacement. When we inspect your trees, we will expect to find that they have been properly established. A weed free area should be maintained around the base of each tree for the first three years following the final Capital Works claim for planting. There should be no browsing damage and no evidence that the area protected from grazing has been used by livestock. Trees which fail to thrive should be replaced.

## **Premium Payment**

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

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

You will be eligible to claim your first premium payment, in the first full calendar year following the year of claiming. The annual deadline for submitting a SAF is 15 May annually and is only available via RPW online.

## **Basic Payment Scheme (BPS)**

Areas planted under the WCG may be eligible for Basic Payment Scheme (BPS), provided it was used to claim SPS (Single Payment Scheme) in 2008 and your commitment to afforest the land within the contract is active. The land will only remain eligible for BPS whilst the area is in receipt of the Maintenance and Premium Payments.

## Section E: applying for the WCG

### Submitting an Eol

You do not need to use a registered woodland planner to submit an Eol. However, you may choose to ask a registered woodland planner to apply on your behalf.

You can submit an Eol for the Woodland Creation Grant 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 (Monday – Thursday 8:30 – 17:00, Friday 8:30 – 16:30) and tell the operator your CRN. They will send you a new Activation Code.

To register your business details for the first time, you need to complete the online registration form. Please refer to the [how to register guidance](#) for further details. The vast majority of changes to business details can be done online. However, the Welsh Government may require further details on any major changes. Please contact the Customer Contact Centre for further information.

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 an online or paper copy Agent / Farming Union Customer Details (Wales) form immediately. The form is available on the [Welsh Government website](#). Upon receipt of the form, we will send you an Agent Customer Reference Number (Agent CRN) and an RPW Online Activation Code. You will also need to complete an Association Authorisation Form, which can be completed once you register with RPW Online, please refer to our [how to register guidance](#).

## Withdrawing an Eol

### Once a business has submitted an Eol for WCG can it be withdrawn?

#### 1. **Yes - during an open Eol window**

You can withdraw your application via My Messages in your RPW Online account; you may re-submit an application before the window has closed.

#### 2. **Yes - after an Eol window has closed BUT before the business has received the contract.**

You can withdraw your application via “My Messages” in your RPW Online account. The next opportunity to submit an EOI will be in the next application window.

Please remember that the process is competitive and there is no guarantee that you will be successful in the next round.

#### 3. **Yes - once the business has been selected and been offered a contract**

You can withdraw your application via “My Messages” in your RPW Online account. The next opportunity to submit an EOI will be in the next application window.

Please remember that the process is competitive and there is no guarantee that you will be successful in the next round.

## The Selection Process

The score is calculated based on the field parcel boundaries included in your Eol



and a number of data layers which score each area of Wales based on the potential of woodlands to provide benefits to the public, such as capturing carbon, preventing flooding and improving air quality. You can find these data layers in [Woodland Opportunities Map](#) and check how your EoI is likely to score

In the event of the available budget being exceeded, the highest scoring capital works projects will be selected. Further information on the scoring process is available at [woodland-creation-grant](#).

## Offer of Contract

If your EoI is selected, you will be offered a contract which you will need to accept or decline via your RPW Online account within 30 days of the contract offer.

The contract will include:

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

You must not start any work until you have a contract offer, i.e. start any ground preparation, tree planting or fencing capital works for which you intend to claim grant.

**If you decline, or fail to respond to the offer of contract, your WCG EoI will be withdrawn.**

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

## Section F: conditions of grant

WCG is subject to a range of relevant legislation (see Section K). The Welsh Government and the applicant / recipient must act in accordance with that legislation.

The offer of a WCG contract is made subject to terms and conditions, which will be set out in full in your contract and include those set out below. **Failure to meet the terms and conditions of the contract could result in the cancellation of your contract and / or the recovery of sums already paid with interest, or a reduction of the amount payable.**

### Conditions

The award is made on the basis of statements and declarations made by you or your representatives in the EoI and the claim form and any subsequent correspondence.

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

Any person who makes a false declaration or fails to notify the Welsh Government of a material change to the information given in this application may be liable to prosecution. A false, inaccurate or incomplete statement or failure to notify the Welsh Government of any material changes to the information given in this EoI may result in termination of contract and/or recovery of any Payments with interest.

You must not artificially create the conditions required to obtain payments.

The applicant is required to read and understand the relevant scheme rules and guidance notes.

You have given details that are true, accurate and complete to the best of your knowledge and belief on the applications and any supporting documentation. You acknowledge that neither Welsh Government nor any adviser appointed by Welsh Government shall be responsible for any advice given, including without limit any advice given in relation to the application and that you are solely responsible for all business decisions undertaken.

You must meet any statutory obligations such as Health and Safety; employment; hygiene; environmental management and protection; animal or crop health and welfare that apply during the time of this project.

The Welsh Government may need to update the rules and conditions to take account of changes made to the Government of Wales Act 2006. You must agree to abide by any changes following notification by the Welsh Ministers.

You must comply with all applicable domestic, or international laws or regulations or official directives.

You acknowledge that neither Welsh Government nor any adviser appointed by Welsh Government shall be responsible for any advice given, including without limit any advice given in relation to this application or business development plan, and that you are solely responsible for all business decisions undertaken.

You must notify Welsh Government of any changes to the details provided in the Applicant Details part of the form.

You must allow officers of the Welsh Government or their duly authorised agent, access to and inspect land and any relevant equipment, facilities and all records and information needed to establish my eligibility and the accuracy of the information provided for which I am making this EoI.

You must not to undertake work prior to entering the WCG that damages the environment and understand that such action could result in rejection of my EoI

You must have excluded land which is under other management agreements or grant that you receive, or intend to apply for, that may have a potential for double funding.

You must maintain adequate insurances to cover against the risks which may arise in connection with any property or any activity undertaken in delivery of the Purposes. We reserve the right to require you to provide proof of your insurance.

The Welsh Government may need to share some information about your WCG EoI with other organisations and I agree to any necessary disclosures or exchanges of information.

The Welsh Government may also obtain information about you from certain other organisations, or provide information about you to them in order to verify the accuracy of the information, prevent or detect crime and protect public funds. These other organisations include government departments, local authorities and other bodies as appropriate.

The publication and disclosure of information by the Welsh Government will be in accordance with the obligations and duties under the Freedom of Information Act 2000, the Data Protection Act 2018 and the Environmental Information Regulations 2004. Other information provided may also be disclosed where permitted by law.

## **Section G: payments**

### **Capital Works Claim**

The WCG is only available to claim using the Grants Claim page on your RPW Online account. Payments will be made following the successful validation of your claim. 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 the plan. Payment will be made by electronic transfer to your bank account.

In order to receive a WCG payment you must:

- have accepted a WCG scheme contract within 30 calendar days of the offer date and adhere to all the requirements.
- have completed the tree planting and fencing operations and there is evidence that the work has been completed
- submit the claim using the Grant Claim page on your RPW Online account by the claim deadline

We will issue a maximum of 2 reminders for any outstanding claims via your RPW Online account prior to the claim submission deadline.

**A claim is not considered valid unless it has been submitted via the RPW Online Grants Claim page.**

You can submit your claim at any time once the capital works have been completed. However, you cannot claim for a partially completed project and you will not be able to claim for any additional work you undertake after the claim has been submitted.

## **Extensions to planting and claim deadlines**

Those applying for funding in the first window will have to complete their new planting and capital works and claim for all capital works in the 2022/23 financial year. i.. by 31 March 2023. **No extensions will be granted beyond 31 March 2023, except in very limited circumstances.**

## Incorrect Claims and Penalties

In order to comply with the legislation governing the scheme and to ensure public money is spent correctly, the scheme includes penalties where there has been a serious breach of scheme rules.

You should only claim for the eligible work you have completed, even if this is less than that included in the contract.

Where we find the work has not been completed to the project's technical specifications and is not able to be remedied, payments will be reduced to the amount of work completed to the required specification.

Where the level of reduction is more than 10% of the total value of the claim, we will apply administrative over declaration penalties.

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

## Maintenance and Premium Annual Claims

WCG Maintenance and Premium payments can be claimed on the annual SAF by 15 May in each year of the contract.

The first year's Woodland Maintenance or Woodland Premium payment cannot be claimed until the year following the WCG capital payment has been claimed

In order to receive WCG Maintenance and Premium payments, you must:

- Have entered into a WCG contract and adhere to all the requirements
- Submit a valid claim on the SAF by the 15 May in every year

## SAF Crop Codes

To claim Maintenance and Premium Payments you must use the following crop codes (these codes are subject to change and the Single Application Rules Booklet must be checked before submitting)

- BW1 – Broadleaf Woodland (stock excluded) – To be used if the area gave rise to SPS payment in 2008
- CW1 – Coniferous Woodland (stock excluded) – To be used if the area gave rise to SPS payment in 2008
- WS1 – Broadleaf Woodland (stock excluded) – To be used if the area did not give rise to SPS payment in 2008
- TR2 – Coniferous Woodland (stock excluded) – To be used if the area did not give rise to SPS payment in 2008

## Maintenance and Premium Payments

Payments will be calculated based on the land areas claimed for payment on the SAF, entered into the Contract as detailed in the Contract Schedule which is valid on 15 May, and any notifications made in respect of that land.

Your Maintenance and Premium claims will be subject to SAF submission deadlines as set out in the Single Application Rules Booklet.

If you claim Maintenance and Premium payments on land that is found to be not eligible for payment you may receive an over-declared penalty as set out in the Single Application Rules Booklet.

If your claim Maintenance and Premium payments your land will be subject to the Cross Compliance requirements. It is your responsibility to meet these requirements for the whole calendar year for which you are claiming payment

and failure to meet these requirements may result in penalties being applied to your payments.

**You must ensure you read and understand the Single Application Rules Booklet before making a claim for Maintenance and Premium Payments.**

## **Breaches of Contract**

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

Where we consider a breach to be so serious that it cannot be rectified, this may result in the termination of your contract.

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

## **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 WCG scheme. 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.

## **Section H: transferring and selling land under contract**

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 RPW purposes (i.e. have not previously been included on the SAF).
- Fields which have been permanently divided.
- Fields which have been permanently amalgamated.
- Fields which have new boundaries.
- Fields which have changes to their permanent features.

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

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

Once you have signed your WCG contract, if you subsequently sell or transfer all or part of your land during the commitment period, you may be subject to financial penalties and/or have to repay money you have already received.

The transfer of a WCG contract to a new occupier is subject to approval by the Welsh Government. Where the prospective new occupier decides to take over the commitment from you and the land continues to meet the minimum eligibility criteria, the new occupier must continue with the commitment on the land

transferred for the remainder of the contract period. The prospective occupier should be made aware of the commitment in advance of agreeing to the transfer of the land in question.

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

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

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

## **Section I: changes to scheme rules**

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

Legislation may change from time to time and you will be required to abide by any changes to the scheme rules, following notification from the Welsh Government.

## Changes to Scheme Rules or Contract

We may need to make changes to the scheme rules and/or your contract for a number of reasons. For example, we may need to update the management conditions to take account of the latest scientific advice or amend scheme rules to take account of any changes to legislation. We will publicise changes on the [Welsh Government website](#) and, where necessary, contact you directly.

## Section J: controls, monitoring and record keeping

### Controls

The Welsh Government must enforce the WCG rules.

Your claim may be selected for a visit to verify completing of capital works before the payment is made to you or it may be selected for a visit after the payment has been made.

All the details in your EoI, the details in your claim and the declarations you made on submitting the EoI and claim will be checked at inspection.

The Welsh Government and the specialist control bodies will try to ensure that visits cause you the minimum of disruption, but some checks require visits to be unannounced, which means it may not be possible to give you notice. You may be subject to more than one visit during a calendar year.

If you refuse to allow a visit or obstruct an officer or fail to give reasonable assistance, your claim may not be paid, we may recover payments and you may be prosecuted.

## Monitoring

It is a requirement all grant awards are monitored and the effect of the grant on the business is evaluated.

You must allow officials from the Welsh Government, or their representatives, to inspect the work completed at any reasonable time.

## Record keeping

You must keep all records and information you need to evidence you have provided complete and accurate information and have complied with your undertakings for 5 years.

You will also be required to:

- supply to the Welsh Government any information about your WCG 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 WCG contract. Permit the Welsh Government to remove any such document or record to take copies or extracts from them.

# Section K: appeals and complaints procedure

## Appeals Procedure

**There are no grounds for appeal if your EoI is not selected.**

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 makes recommendations to the Welsh Ministers, who take 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 submitted via RPW Online within 60 days of the date of the letter outlining the decision you wish to appeal against.

We welcome receiving appeals in Welsh and will respond to any correspondence in Welsh. This will not lead to a delay in processing your appeal.

Further details of the appeals process and how to submit an appeal, using the online appeal form, can be obtained from the Customer Contact Centre or our website at [Rural Grants and Payments appeals: Guidance](#).

## 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.

Rydym yn croesawu galwadau'n Gymraeg / We welcome calls in Welsh.

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

Website: [Complaints about Welsh Government](#)

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](http://www.ombudsman.wales)

## Section L: General Data Protection Regulation:

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# privacy notice

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

We provide a wide range of grant schemes to help deliver our policies and create a fairer, more prosperous Wales.

We 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 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 publish details of the amounts paid to Rural Support 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 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.

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. 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](mailto:dataprotectionofficer@gov.wales)

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

2nd Floor, Churchill House  
Churchill Way  
Cardiff  
CF10 2HH

Telephone: 0330 414 6421

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.](#)**

## **Section M: legislation**

The Woodland Creation Grant delivers against a range of Government commitments and objectives, these are listed below along with the legislation and governance that applies.

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The Woodland Creation Grant is governed by Retained EU Law (REUL) Council Regulations No. 1305/2013, 1303/2013 and 1306/2013, Implementing Regulation No. 808/2014 and No. 809/2014 and Delegated Regulation 640/2014 and 807/2014 (all as amended from time to time).

The REUL is implemented in Wales through the following domestic law (all as amended from time to time), including by the Agricultural Support (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2021/400 (W.129):

- the Rural Development Programmes (Wales) Regulations 2014/3222 (W.327)
- the Common Agricultural Policy (Integrated Administration and Control System and Enforcement and Cross Compliance) (Wales) Regulations 2014/3223 (W.328)

The Woodland Creation Grant is a Capital Works grant scheme available to land managers and farming businesses across Wales. Capital Works available are chosen for their broad and general environmental benefits and their ability to deliver to the Welsh Government's four strategic objectives, which are:

- Fostering the competitiveness of agriculture.
- Contributing towards the sustainable management of natural resources as set out in Part 1 of the Environment (Wales) Act 2016.
- Ensuring climate resilience.
- Achieving a balanced territorial development of rural economies and communities including the creation and maintenance of employment.

There are three cross cutting objectives for The Woodland Creation Grant, which are:

- Climate change mitigation and adaptation.
- Innovation.
- Environment

Activities will address **at least one** of the following Welsh Government priorities:

1. fostering knowledge transfer and innovation in agriculture, forestry, and rural areas;
2. enhancing farm viability and competitiveness of all types of agriculture in all regions and promoting innovative farm technologies and the sustainable management of forests;
3. promoting food chain organisation, including processing and marketing of agricultural products, animal welfare and risk management in agriculture;
4. restoring, preserving and enhancing ecosystems dependent on agriculture and forestry;
5. promoting resource efficiency and supporting the shift towards a low carbon and climate resilient economy in the agriculture, food and forestry sectors;
6. promoting social inclusion, poverty reduction and economic development in rural areas.

## **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.'

As such these subsidies are exempt from the UK-EU Trade and Cooperation Agreement (TCA) and the interim UK subsidy control regime.

## Section N: contacts

### Enquiries – Customer Contact Centre

For all enquiries to RPW, 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. Rydym yn croesawu galwadau'n Gymraeg / We welcome calls in Welsh. Welsh Government officials will then endeavour to make arrangements to accommodate your requirements.

### Welsh Government Website

For all the latest Agricultural and Rural Affairs information, visit the [Welsh Government's website](#). By visiting the website, you can also sign up to receive the Rural Affairs e-newsletter which delivers the latest news directly to your e-mail inbox.

### Gwlad

The Gwlad e-newsletter is the Welsh Government's e-newsletter for farm and forestry businesses and all those involved with agriculture and rural Wales. It contains news stories, guidance and information in an accessible, easy-to-read

format. To keep informed and up to date with all the latest agriculture news and developments in future we would encourage you to sign up to receive the Gwlad e-newsletter. You can do this either at [Welsh Government announcements](#) or at [Subscribe to farming and forestry news](#) on the Welsh Government website.

## Other useful contacts

### Natural Resources Wales

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

Tel: 0300 065 3000

[ymholiadau@cyfoethnaturiolcymru.gov.uk](mailto:ymholiadau@cyfoethnaturiolcymru.gov.uk)  
[enquiries@naturalresourceswales.gov.uk](mailto:enquiries@naturalresourceswales.gov.uk)

**This document may not be fully accessible.**

For more information refer to our [accessibility statement](#).

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