



Llywodraeth Cymru  
Welsh Government

GUIDANCE

# Small Grants – Woodland Creation (window 2): rules booklet

Explains the scheme and eligibility requirements for window 2.

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# Contents

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

**Section A – introduction**

**Section B – eligibility**

**Section C - land in other schemes**

**Section D – funding available**

**Section E – before completing your EoI**

**Section F – applying for the Small Grants – Woodland Creation Scheme**

**Section G – conditions of grant**

**Section H – payments**

**Section I - transferring or selling land under Contract**

**Section J - changes to scheme rules**

**Section K – controls, monitoring and record keeping**

**Section L – appeals and complaints procedure**

**Section M - privacy notice: Welsh Government grants**

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**Section N – legal requirements**

**Section O – contacts**

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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 farmers to produce food 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 is delivered through a flexible framework of support, with schemes – including Small Grants – Woodland Creation - 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 current challenges and opportunities 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 and improve the environment.

Further information on the themes and schemes being developed are available at: [Wales Rural Network \(on Business Wales\)](#).

## Section A – introduction

These Guidance notes explain the Small Grants – Woodland Creation Scheme. There is also [Technical Guidance](#) which details eligible tree species mixes,

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planting densities, outcomes, and criteria for each Woodland Category. Please read them carefully. If you then consider your plans may qualify for support under this scheme and you want to apply, please see 'How to Apply' at Section F and [How to Complete booklet](#).

This application window opened on 13 February 2023 and closed on 22 May 2023. The indicative budget allocation for this application window is £3 million.

Small Grants – Woodland Creation is a scheme aimed at farmers and other land managers to encourage planting of small areas of trees on land which is agriculturally improved or low environmental value in Wales.

Funding is available for tree planting to create shelterwoods, alongside watercourses, and in field corners or small fields for stock shelter, biodiversity and woodfuel. Small Grants – Woodland Creation also offers 12 years of payments for Maintenance and Premium payment in respect of the new planting. The application process provides a way of ensuring planting proposals meet the [UK Forestry Standard](#) (UKFS) requirements without the need for verification of a woodland creation plan by NRW. Funding is available for planting areas between 0.1ha and 1.99ha.

This scheme offers support for planting only on eligible land as included in the low sensitivity area shown on the [Woodland Opportunities Map](#) (WOM). This excludes priority habitats as well as land above the upper limit of enclosure and common land due to potential landscape impact and other complexities. If the land you want to plant is not shown on the low sensitivity area, or if you believe any information on the WOM is incorrect, you will need to apply to the [Woodland Creation Planning Scheme \(WCPS\)](#) for support from a Registered Woodland Planner to develop a Woodland Creation Plan.

Those applying for funding in this window will have to complete their new planting and capital works and claim for all capital works in the 2023/24 financial year i.e. by 31 March 2024. **No extensions will be granted beyond 31 March**

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**2024.**

**You will need to consider tree availability when deciding whether to submit an Expression of Interest (Eol) in this window.**

Window 3 will open on Monday 24 July 2023 and close on 15 September 2023. There is no limit to the number of Eols you can submit to the Small Grants – Woodland Creation scheme, however you may only submit one Eol per application window.

## **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 Small Grants – Woodland Creation contract into the new Sustainable Farming Scheme.

## **Section B – eligibility**

### **You are eligible to apply if:**

- you are registered with the Welsh Government and have been issued with a Customer Reference Number (CRN)
- you are a public or private land holder, municipality or an association, including community groups planting on publicly owned land
- your landlord has given their agreement for you to enter the scheme if you are applying as a tenant

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- government departments or their agents are not eligible for funding

## Land eligibility:

- field parcels must be located in Wales
- your land is registered within the Welsh Government Land Parcel Identification System (LPIS) as of 14 February 2023. Please refer to [rpw-online-using-manage-my-land \(https://gov.wales/rpw-online-using-manage-my-land\)](https://gov.wales/rpw-online-using-manage-my-land)
- you have full management control of the land for the duration of the contract and the full commitment period
- the minimum area of new planting to be eligible for Small Grants – Woodland Creation support is 0.1ha
- the maximum total area per application is 1.99ha of planting which can be comprised of blocks of trees with a minimum area of 0.1ha

## Planting eligibility:

- you must confirm all neighbours and individuals whose properties adjoin the new planting are happy with the planting proposals. Please refer to **Section E – Public Participation**
- planting must be carried out using manual planting, scarification, or inverted & hinge mounding and in line with the Woodland Category criteria as specified
- your planting proposal under the scheme must be within the Environmental Impact Assessment (Forestry) (EIA) threshold and not require an EIA (Forestry). **Please see Environmental Impact Assessment (EIA) guidance in this Section.**

The following are ineligible for Small Grants – Woodland Creation:

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- land claimed by another land manager or farm business for an EU or domestic subsidy or grant scheme (dual use of land)
- land held under a Grazing Licence
- registered common land
- land where trees have been felled and need to be restocked

Land parcels under a contractual agreement for the following schemes

- Glastir Woodland Creation
- Glastir Woodland Restoration
- Farm Woodland Scheme/Farm Woodland Premium Scheme
- Improved Land Premium
- Glastir Woodland Creation Premium
- Glastir Small Grants or Small Grants – Environment
- Woodland Creation Grant

## Environmental Impact Assessment (EIA)

The Small Grants – Woodland Creation Scheme has been designed so that an Environment Impact (Forestry) Assessment (EIA) for afforestation is not usually required. However you also need to consider if any adjoining woodland has been planted within the last 5 years next to your proposal. This includes tree planting on your neighbour's land. Adjoining land is defined as within 10m of your proposed scheme.

The EIA threshold is 2ha where your proposed tree planting area is within a National Park or Area of Outstanding Natural Beauty (AONB) and 5ha for other areas.

If the accumulated planting area over the last 5 years including any on adjoining land is over the EIA threshold, you will not be eligible for the Small Grants – Woodland Creation Scheme and you should consider applying to the [Woodland](#)

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**Creation Planning Scheme.** You will get support from a Registered Forestry Planner who will write a woodland creation plan for you and the EIA decision will be part of the plan.

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

Details of the relationship between Small Grants – Woodland Creation and land entered into other schemes are set out below:

### **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 under the Small Grants – Woodland Creation scheme. Only the remaining area, not under management option, can be considered under a 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 expiry of the Glastir Advanced contract, no planting can take place on land which was under a Glastir Advanced management option. If you wish to plant on this land you will need to apply to the Woodland Creation Planning Scheme.

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

Where land is under a Glastir Organic or Organic Conversion Scheme contract, it may be entered into a Small Grants - Woodland Creation 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 Small Grants - Woodland Creation 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 Capital Works activity has previously been funded under any of the schemes below, it is ineligible for Small Grants - Environment:

- Sustainable Management Scheme
- all Glastir schemes

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## Double funding

You must not apply for Small Grants – Woodland Creation if you are receiving funding for the proposed works from any other source, as this would be considered double funding and is not permissible. If it is established you are or have received funding from another source for commitments under Small Grants – Woodland Creation, this could result in financial penalties, the recovery of payments plus interest and possible termination of your contract.

## Section D – funding available

### Capital works

The following Capital and Area payments to support the establishment and ongoing maintenance of tree planting are available under the Small Grants – Woodland Creation scheme.

| Woodland Category                | Payment per Hectare |
|----------------------------------|---------------------|
| Wet Woodland and Streamside 1100 | £3,302              |
| Wet Woodland and Streamside 1600 | £4,550              |
| Native Biodiversity 1100         | £3,302              |
| Native Biodiversity 1600         | £4,550              |

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| <b>Woodland Category</b>           | <b>Payment per Hectare</b> |
|------------------------------------|----------------------------|
| Wood fuel (productive)             | £5,146                     |
| Native Shelterwood                 | £6,170                     |
| Shelterwood (productive)           | £5,146                     |
| Red Squirrel 1600                  | £4,550                     |
| Red Squirrel 2500                  | £5,146                     |
| <b>Additional Capital Works</b>    | <b>Payment per Item</b>    |
| Fencing                            | £8.32 / m                  |
| Timber Bridle Gate and Posts       | £220.83 each               |
| Timber Kissing Gate and Posts      | £237.80 each               |
| <b>12 Year Annual Area Payment</b> | <b>Payment per Hectare</b> |
| Premium                            | £350                       |

## **Maintenance rates for 12 years - Payment per Hectare**

| Yr1 | Yr2 | Yr3 | Yr4 | Yr5 | Yr6 | Yr7 | Yr8 | Yr9 | Yr10 | Yr11 | Yr12 |
|-----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|------|
|     |     |     |     |     |     |     |     |     |      |      |      |

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£400   £300   £250   £70   £70   £70   £70   £70   £70   £70   £70   £70

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## Woodland categories

Further details regarding Woodland Categories are given in the **Technical Guidance booklet** including eligible tree species mixes, planting densities, outcomes, and criteria for each Woodland Category.

## Additional capital works

Technical specifications for Additional Capital Works are given in the **Technical Guidance booklet**.

Fencing grant is available for stock exclusion of a new planting area. Wooden gates are only eligible in order to allow access on public rights of way such as footpaths and bridleways.

The maximum length of any proposed fencing to be funded must be no longer than the perimeter of the area to be planted. There may be situations where fencing to protect the new planting is more appropriately located within another field parcel (e.g. to include adjacent hedgerows or woodland). This must be in a parcel that the customer has management control over and that meets all scheme eligibility requirements.

You can upgrade to deer or rabbit fencing at your own cost, but this must be in addition to the standard stock fence.

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## Stock exclusion

The area of new planting must remain free from livestock for the full duration of your Small Grants – Woodland Creation contractual commitment.

## Maintenance payment

An annual Maintenance payment is provided to maintain new planting for the duration of the contractual period. An annual payment is available for 12 years. This is front loaded in recognition of the higher costs in the early years after planting to provide the funding when needed. To be eligible to claim the Maintenance payment, you must submit a Single Application Form (SAF) annually by 15 May via RPW online and claim against each eligible field parcel included within your Small Grants – Woodland Creation contract.

The maintenance payment is provided to cover periodic weeding and replacement of dead trees with new ones. When we inspect your trees, we will expect to find that they have been properly established. They should make reasonable height growth each year so that by five years old they are 5 to 6 feet (1.5 to 1.8m) tall or higher.

A vegetation-free area should be maintained around the base of each tree for three years following the Capital Works claim for planting. You must protect the trees you have planted against damage and competition from weeds, insects, pests and browsing animals, such as rabbits, hares and livestock. 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.

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## Premium payment

The annual Premium payment is an area based payment of £350/ha available for 12 years. To be eligible to claim the Premium payment, you must submit a SAF annually by 15 May via RPW online and claim against each eligible field parcel included within your contract.

## Basic Payment Scheme

Areas planted under the Small Grants – Woodland Creation scheme may be eligible for Basic Payment Scheme (BPS), provided they were 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 and until transition to the new Sustainable Farming Scheme.

There are specific crop codes to be used when claiming BPS under these circumstances. You should refer to the latest Single Application Form (SAF) rules booklet updates for full details.

## Section E – before completing your Eol

### Site assessment

Before completing your on-line Eol it is recommended you carry out a site assessment of your proposed area for planting. This will help you decide which of the available Woodland Categories will best achieve your planting aims and suitability of the location. Guidance on carrying out this assessment is provided in the [Technical Guidance booklet](#).

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The assessment will help you gather information about your proposed planting which you will need to confirm the location of your planting/fencing and complete the questions on your EoI. The answers you provide on your EoI will determine the conditions of your Small Grants Woodland Creation contract to ensure compliance with UKFS and the scheme rules. It is therefore important that your responses accurately reflect your proposed planting.

## Species mix and planting density

Once you have decided on your Woodland Category you will need to consider the best choice of species mix – see eligible species mixes in the **Technical Guidance booklet**. It will be important to consider the physical characteristics of the area you wish to plant and your objectives for woodland creation.

You should consider whether one Woodland Category will suit the whole area, or whether it should be sub-divided into areas of the same type. For example you may have a wetter area at the bottom of a slope where the Wet Woodland and Streamside Category is suitable, and an adjoining drier bank where you may wish to use the Native Shelterwood Category. The areas to be planted with different Woodland Categories will need to be indicated on a map as part of the on-line application process.

## Open space

Eligible areas of open space for this scheme are rocky outcrops and public rights of way. You may want to exclude these areas in your planting proposal.

If you need to include them, the total number of trees planted in each separate area must be enough to achieve the overall planting density required for the relevant Woodland Category. Trees can be planted up to 10 metres apart to accommodate any open space which cannot be planted. Trees need to be



planted closer together in the remainder of the area to achieve the required density, however the minimum distance between trees must not be less than 1 metre, and trees must not be planted within 1 metre of a new or existing fence.

Where this is not possible due to the size of open space and tree density required, the planting area should be split into separate areas excluding the rocky outcrops or public rights of way. Areas such as rivers, streams, ponds, buildings, hard standings and roads are not eligible as areas of open space and should not be included in the planting area.

## Public participation

It is your responsibility to confirm that all neighbours and individuals whose properties adjoin the new planting are happy with the planting proposals. Contacting interested neighbours, particularly close neighbours is an opportunity to provide information on the proposal and avoid potential conflicts. Where concerns cannot be addressed prior to submitting an EoI, your planting proposal will not be eligible.

Consultation should be completed before you submit your EoI. If neighbours have concerns you may need to alter the design to reach agreement, or alternatively, if you consider there are no valid grounds for the objection, you can apply for the Woodland Creation Planning Scheme.

## Consents

It is your responsibility to obtain, where necessary, consents or permissions for any work on or near a watercourse, or for fences or gates across any public rights of way through your proposed planting area. Further details on these requirements are given in the [Technical Guidance booklet](#).

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## Welsh Archaeological Trust Consultation

A Welsh Archaeological Trust (WAT) consultation will be submitted by Welsh Government for all applications following closure of the application window. The WAT response will advise whether or not planting is appropriate or if the planting proposal needs to be modified. This could be due to any Historic Environment Features, Historic Landscape or World Heritage Site where there are concerns they could be affected by the tree planting.

Where WATs raise concerns, the EoI will be rejected. Applicants will either need to alter the design of the proposed planting and reapply under a future EoI window, or alternatively apply to the Woodland Creation Planning Scheme. You are advised to contact the relevant WAT in advance of submitting an EoI if you are aware of any historic features on or adjoining the land you wish to plant. This will provide an opportunity to amend proposals so they are acceptable to the WAT before they are submitted on the EoI. Contact details for the WAT are provided at the end of this guidance.

## Section F – applying for the Small Grants – Woodland Creation Scheme

### Submitting an EoI

You can submit an EoI for Small Grants – Woodland Creation 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

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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](#).

You will need to draw the location of your planting proposal and associated fencing on your EoI, in addition to answering a range of questions about your proposal and its location. These will assess the eligibility of your application and suitability of your planting proposals. The answers provided will form the right management plan for your woodland creation to meet scheme conditions and UKFS. It is important to take care when selecting your Woodland Categories and ensure you select capital works suitable for the location you have chosen. Any relocation, after the closure of the window will not be possible due to the short timescales for issuing contracts and claim deadline date. Further guidance on this is provided in the [Technical Guidance booklet](#).

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

Further details regarding Rural Payments Wales Online are available on the

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Welsh Government's Website [Rural-payments-wales-rpw-online](#) | [GOV.WALES](#).

Please respond to any queries raised by the Welsh Government regarding your Small Grants - Wood land Creation Eol promptly. Failure to respond within the given time may prevent the offer of a Small Grants Woodland Creation contract to you.

We will issue a maximum of 2 reminders for any outstanding draft Eols via your RPW Online account prior to the closing date

## **Withdrawing an Eol**

### **Once an Eol has been submitted for Small Grants Woodland Creation 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 Eol 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 Eol has been selected and a contract has been offered.**

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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 Small Grants – Woodland Creation selection process assesses each new planting proposal submitted through the EoI. A score will be assigned for each EoI and its ability to deliver an outcome towards the Small Grants – Woodland Creation objectives to provide benefits to the public, such as capturing carbon, preventing flooding and improving air quality.

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 [small-grants-woodland-creation | GOV.WALES](#).

## Offer of Contract

Contracts will be generated once applications are successfully validated and selection complete, giving 30 days to either ‘accept’ or ‘decline’ the contract via RPW Online. **If you do not accept a contract before the 30 day deadline the contract offer will be automatically withdrawn.**

Your contract ensures your planting proposal is in line with the scheme conditions and UKFS and confirms your Woodland Category, location of capital works and any conditions specific to your proposed planting which you will need to follow to be eligible for support.

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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.

## Section G – conditions of grant

It is a requirement to ensure any works undertaken to achieve the project do not breach environmental obligations under other environmental legislation, including European Protected Species (EPS), or damage any historic environmental features.

### Conditions of grant

Small Grants – Woodland Creation is subject to a range of relevant legislation (see Section N). The Welsh Government and the applicant / recipient must act in accordance with that legislation.

The offer of a Small Grants – Woodland Creation 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.**

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

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

You must not undertake work prior to entering the Small Grants – Woodland Creation scheme that damages the environment and understand that such action could result in rejection of your 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 Small Grants - Woodland Creation EoI with other organisations and you 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.

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## Section H – payments

### Capital works claims

Small Grants – Woodland Creation will only be available to claim using the Grants Claim page on your RPW Online account; payments for Capital Works will be made following the successful validation of Capital Works claims. Payment will be made by electronic transfer to your bank account.

In order to receive a Small Grants – Woodland Creation payment you must:

- have accepted a Small Grants – Woodland Creation 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.
- **submit geo-tagged photographs with the claim showing the completed capital works (see ‘record keeping’ – Section K)**

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.

Those applying for funding in this window will have to complete their new

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planting and capital works and claim for all capital works in the 2023/24 financial year i.e. by 31 March 2024. **No extensions will be granted beyond 31 March 2024.**

## **Incorrect Claims and Penalties**

Those applying for funding in this window will have to complete their new planting and capital works and claim for all capital works in the 2023/24 financial year i.e. by 31 March 2024. **No extensions will be granted beyond 31 March 2024.**

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**

Small Grants – Woodland Creation 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

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be claimed until the year following the Small Grants – Woodland Creation capital payment has been claimed

In order to receive Small Grants – Woodland Creation Maintenance and Premium payments, you must:

- have entered into a Small Grants – Woodland Creation 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
- WS1 – Broadleaf 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 you 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 website.

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## 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 Small Grants – Woodland Creation 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 I - transferring or 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 with RPW (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.

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Once you have signed your Small Grants – Woodland Creation 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 having to repay money you have already received.

The transfer of a Small Grants – Woodland Creation 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 Small Grants – Woodland Creation 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 Small Grants – Woodland Creation have been undermined as a consequence, the contract may be terminated and all payments made recovered with interest.

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## Section J - 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 K – controls, monitoring and record keeping

### Controls

The Welsh Government must enforce the Small Grants – Woodland Creation 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.

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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 within a five year period.

## 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 Small Grants – Woodland Creation contract and supply that information within the period determined by the Welsh Government.

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- 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 Small Grants – Woodland Creation contract. Permit the Welsh Government to remove any such document or record to take copies or extracts from them.
- photographic evidence, including a geo-tagged map reference point, must be taken showing the completed capital works and submitted with the claim. The Welsh Government will require these to validate and ensure the planting and associated capital works has been completed in the correct location and to the required specification. Digital assistance will be available where required.

## Section L – appeals and complaints procedure

### Appeals Procedure

**There are no grounds for appeal at the EoI stage.**

The 'Independent Appeals Process for Rural Grants and Payments' allows you to request a review if you feel the Welsh Government has not reached a correct decision according to the rules of the scheme.

The appeals process consists of two stages:

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

The Independent Panel makes recommendations to the Welsh Ministers, who take the final decision, which concludes the process.

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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

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

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

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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 M - 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.

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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.

The Welsh Government 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 at [Defra, UK - CAP Payments](#)

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

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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](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: [ico.org.uk/](https://ico.org.uk/)

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

**Privacy notice: Welsh Government grants.**

## Section N – legal requirements

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

Small Grants – Woodland Creation 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)

Small Grants – Woodland Creation 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.

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- 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 Small Grants – Woodland Creation scheme, 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

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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 O – 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.

### Technical Advice and Mentoring

Technical advice is available from [Farming Connect](#) and from the [NRW woodland Creation Hub](#).

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

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

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## Welsh Government Website

For all of the latest Agricultural and Rural Affairs information, visit the [Welsh Government website](#). By visiting the website, you can also sign up to receive the 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 [www.gov.wales/news-alerts](http://www.gov.wales/news-alerts) or at [subscribe-farming-and-forestry-news-gwlad | GOV.WALES](#).

## Other useful contacts

**Natural Resources Wales** for SSSI, NNR, SAC or SPA agreement land:

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

Tel: 0300 065 3000

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

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

**Cadw** for Scheduled Ancient Monuments (SAMs) and Registered Parks and Gardens:

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

Tel: 01443 33 6000  
Fax: 01443 33 6001  
E-mail: [Cadw@Wales.gsi.gov.uk](mailto:Cadw@Wales.gsi.gov.uk)

**Archaeological Trusts:** For unscheduled ancient monuments or historic features, contact the relevant Archaeological Trust in your area:

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

**Glamorgan-Gwent Archaeological Trust**

Heathfield House

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Heathfield  
Swansea  
SA1 6EL

Tel: 01792 655208  
Fax: 01792 474469  
E-mail: [enquiries@ggat.org.uk](mailto:enquiries@ggat.org.uk)  
Website: [www.ggat.org.uk](http://www.ggat.org.uk)

### **Dyfed Archaeological Trust**

The Shire Hall  
Carmarthen Street  
Llandeilo  
Dyfed  
SA19 6AF

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

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