



Llywodraeth Cymru  
Welsh Government

GUIDANCE

# Horticulture Development Scheme (window 2): rules booklet

Explains the scheme and eligibility requirements for Window 2.

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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 over the next 3 years is delivered through a flexible framework of support, with schemes – including the Horticultural Development Scheme - 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: [Wales Rural Network](#)

## Section A – Introduction

These Guidance Notes explain the Horticulture Development Scheme and the

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kind of projects that may qualify for grant aid. Please read it carefully. If you then consider your investment plans may qualify for support under this scheme, please see 'How to Apply' at section C and the [How to Complete booklet](#).

The application window will open on 5 December 2022 and close on 10 March 2023.

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

The Horticulture Development scheme is a Capital grant scheme available to existing commercial horticultural producers across Wales. The aim of the scheme is to:

- Support existing commercial horticultural producers to develop their businesses through investment in new equipment and technology that offer clear and quantifiable benefits to the horticultural enterprise.
- Enable horticultural businesses to sustainably expand production, diversify into new crops, improve production efficiency and enhance product quality.
- Enable horticultural producers to enter new markets. Increase local employment and support the rural economy as part of the green recovery from Covid-19.

The scheme is discretionary. The amount of grant offered would relate to individual circumstances and would always be the **minimum amount necessary** to allow the investments to go ahead.

Any changes will be publicised via the [Welsh Government website](#), GWLAD online and, where necessary, we will contact you directly.

## Section B - Horticulture Development Eligibility

**You are eligible to apply if:**

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- You are registered with the Welsh Government and have been issued with a Customer Reference Number (CRN). Please refer to the Welsh Government website for the how to register guidance or call the RPW Customer Contact Centre on 0300 062 5004.
- You are an existing producer of commercial horticultural crops.

As part of the application you will be required to evidence that you are a producer of commercial horticultural crops. (Horticultural crops are edible fruit, vegetables ornamental plants, flowers and tree nurseries.)

Evidence would include:

- a. Evidence within your submitted trading accounts clearly showing sales of horticultural produce,
- b. and/or copies of appropriate invoices / receipts for the produce.
- c. and/or evidence that you have grown and harvested a commercial horticulture crop, which has been stored or processed prior to sale. (e.g. you have grown and harvested vines which have been made into wine, currently stored before sale)
- d. and/or evidence that you are growing a commercial horticultural crop that is slow growing and is not yet matured/ available for harvest e.g. orchards, vineyards and soft fruits.

The scheme is open to a wide range of enterprises involved in the production of **horticultural products**, such as:

- Farm business including sole traders
- Co-operatives
- Voluntary sector organisations
- Private and public limited companies

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## Group Eligibility

A group of Commercial Horticulture Producers may submit an application for the Horticulture Development scheme. To do so, all parties that comprise the group must meet all the above eligibility conditions. In addition, the group must be registered with the Welsh Government and have been issued with a Customer Reference Number (CRN) for the group. The application must be submitted under the CRN as issued for the group.

If two or more agricultural holdings are managed as a single unit, or in a single ownership, or to some extent have common management, common financial accounts, common livestock, machinery and/or feeding stores, that will be classed as a single business.

## Eligible Costs

Examples of eligible capital costs are provided below, but to note this is not a definitive list and all items of expenditure will be considered on a case by case basis:

- Cultivation equipment
- Bed formers
- Precision seed drills, planters
- Precision nutrient application equipment
- Propagation equipment
- Automatic / semi-automatic potting equipment
- Mechanical weeders
- Harvesters

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- Storage and transport systems
- Water harvesting and storage equipment
- Irrigation equipment and/or controllers
- Polytunnels and glasshouses (subject to planning)
- Pest control sheeting
- Vertical farming systems and controls
- Aquaponics/ hydroponics
- Controlled environment storage systems
- Equipment for compost production
- GPS equipment
- Technology for automation and use of robotics
- LoRaWAN IoT Gateway and sensors for crop monitoring
- Digital weather station
- Investments in renewable energy. (Where the energy generated is used primarily for the horticultural enterprise).

**If you have any questions, or wish to confirm eligibility of a project before developing an application, send your enquiry to [Horticulture@gov.wales](mailto:Horticulture@gov.wales)**

Second hand equipment is eligible where the applicant can demonstrate the following:

- it complies with current health and safety legislation
- is fit for purpose and
- has at least five years life expectancy remaining

## **Ineligible Costs**

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

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- investments to replace items previously purchased with EU or Welsh Government grant assistance (within the same business)
- activities related to primary production of agricultural products that are not undertaken by the primary producer, for example, agricultural contracting or leasing activities
- replacements under an insurance claim.
- packaging and processing equipment
- purchase of land
- purchase of permanent buildings
- refurbishment of buildings
- temporary buildings for retail use
- purchase of vehicles, including tractors
- revenue costs such as salaries for staff;
- planning application costs;
- consumables (items which are normally written off within a year);
- general office equipment and furniture;
- maintenance costs;

Investments in capital items with capacity that exceeds the requirements of the horticulture enterprise e.g. the purchase of cultivation equipment that would primarily be used for conventional arable crops would not be eligible.

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

## Maximum Grant Rate and Maximum Grant Threshold

The maximum grant award is **£50,000** and the minimum is **£3,000**.

The grant provides a maximum 40% contribution towards capital investments in

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equipment and machinery, (excluding VAT) which can be demonstrated as offering clear and quantifiable benefits to horticulture enterprises.

Your application may exceed the maximum grant, if selected, the related claim is capped to the maximum £50,000.

## Selecting Successful Projects

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

## Key Requirements

The Contract for the project will be for a maximum of 12 months.

The Project would not proceed without grant assistance

All items must be purchased in accordance with the Welsh Government

Competitive Tendering and Procurement requirements. **See Section E for further details.**

Ensure all investments have been completed at the time you submit your claim.

Ensure all investments are on the premises at the time you submit your claim.

Applications must also demonstrate that the following have been addressed.

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## Planning Permission

If your investment requires planning consent, for investments such as glasshouses, or polytunnels, the payment of any grant will not be made until planning approval documents have been submitted and verified by the Welsh Government.

If the project has been considered by the planning authority not to require planning consent, you will need to provide evidence from the planning authority to confirm.

## Sustainable drainage System (SuDS) Approving Body (SAB) approval

If your investment requires SAB approval, the payment of any grant will not be made until SAB approval documents have been submitted and verified by the Welsh Government.

For an overview of what requires SAB approval and for more detailed guidance please visit the Welsh Government website at: [Sustainable drainage systems \(SuDS\): guidance | GOV.WALES](#).

If the project has been considered by the local SAB not to require SuDS, you will need to provide evidence from the SAB to confirm this. While SAB approval is independent of planning permission, the evidence you submit will be assessed by the appraisal team in a manner consistent with its processes relating to planning consent.

Some applications for construction with drainage implications which require approval by the SAB may not require planning permission from the local planning authority (for example, permitted development less than 100 square

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metres). It should, therefore, not be assumed that the absence of a requirement for planning permission would negate the need for SAB approval.

- All other consents, licences and permissions have been granted where required
- for existing businesses the economic viability of the project and the business, through the provision of accounts for three consecutive years immediately preceding the date of the application and financial forecasts for the period of the project;
- compliance with minimum standards and legislative requirements regarding the environment, hygiene, animal welfare and all relevant health and safety standards;

## Section C – Applying for the Horticulture Development Scheme

### RPW Online

You can only complete an Application for the Horticulture Development scheme by accessing Rural Payments Wales (RPW) Online. If you already have a Customer Reference Number (CRN) you should have received a letter informing you of your Activation Code to set up your account. If you no longer have this, please telephone the Customer Contact Centre on 0300 062 5004 (Monday – 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, Welsh Government may require further details on any major changes.

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Please contact the Customer Contact Centre for further information.

Once registered, you can access your [RPW Online account](#). The Horticulture Development application is available from the “Applications and Claims” section of your account.

Agents acting on behalf of a client will need to register as a Rural Payments Wales agent. If you have yet to do this you are advised to complete 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](#).

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

Further details regarding RPW Online are available on the [Welsh Government Website](#).

## **Section D: The two stage assessment process**

The assessment process will be in two stages. Applications submitted will be in direct competition with one another. At Stage 1, the following sections of the application will be assessed and scored against selection criteria:

- Strategic fit
- Suitability of investment

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- Long term sustainability
- Value for money

The applications that score the highest will be selected in ranked order until the funds available in that round have been allocated.

You will be notified whether or not your application has been selected through your RPW online account.

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

- Project Delivery
- Project Management
- Cross cutting themes
- Indicators and outcomes
- Financial and compliance

## Submitting an application

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

**It is your responsibility to ensure that the application is correctly completed and that the information provided in support of your project is accurate.**

You must complete the application in full and provide comprehensive documentation in support of the application to enable Welsh Government to assess the project. Please ensure you follow the guidance as failure to do so may delay the appraisal.

As part of an application, you will be required to state for each capital item,

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which of the following criteria the item relates to:

- Controlled Environmental Agriculture (CEA)
- Automation and robotics
- Polytunnels and glasshouses
- Sensors and monitoring
- Cultivation and planting
- Nutrient management
- Water efficiency equipment
- Control of weeds, pests and diseases
- Harvesting
- Other horticultural equipment

The plans and documents that you must complete and submit include:

- The Horticultural Development Scheme Online Application.
- Business plan
- 3 Years of Certified Accounts if available. (If you have been trading for less than 3 years, submit accounts for the trading period to date.)
- 3 year financial projections. (Including the project period)
- Evidence of funding available (bank loan, overdraft, etc.)
- Three quotes for each investment item (only one quote required for items under £5,000).
- Evidence that the business is an existing producer of commercial horticultural crops

Planning and Sustainable Drainage Systems (SuDS) approval: If your investments requires planning and SuDS approval, if available, include any existing planning consents. (Evidence of planning and SuDS approval will be required before any grant claim can be processed). We will issue a maximum of 2 reminders for applications in draft via your RPW Online account prior to the closing date.

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## Business plan requirements

The business plan should provide a holistic outline of your business. As a minimum, the plan should be for the next 3 years and include the following:

- Business details.
- Details of resources available, business activity and farming system.
- Recent financial performance (with reference to certified accounts).
- Recent physical and financial performance of the horticultural enterprise.
- Future objectives and investment proposals.
- Considerations and options appraisal for the future business and investment proposal.

For a horticultural enterprise operated within a wider farming business, the plan should cover the whole business and explain how the horticultural and agricultural enterprises are integrated.

The assessment will not commence until the application and ALL of the supporting documentation has received by the Welsh Government. You are able to provide other documentation and evidence in addition to the above to support your application.

## Stage 1 – Assessment for Selection

For stage 1 appraisal of the Horticultural Development Scheme all applications will be assessed against a set of selection criteria and scored using a scoring scale of 0 – 4, then multiplied by the associated weighting factor to give a total score.

The applications will be ranked in order of merit. Projects will be selected in ranked order until either the funds available have been allocated or the

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maximum number of applications has been reached. There is no guarantee that all of the funds will be allocated or that the maximum number of projects will be selected for stage 2 of the process.

Details of the selection criteria are set out below.

<b>Business/Project Plan Section to be assessed</b>	<b>Score</b>	<b>Weighting factor</b>
Strategic Fit	0 - 4	x 4
Suitability of investment	0 – 4	x 5
Long term sustainability	0 – 4	x 2
Value for money	0 – 4	x 3

No application will progress which scores less than the minimum quality threshold of 30.

A score of 1 or 0 (zero) in any of the selection criteria will prevent the application from being considered for selection for stage 2 of the process.

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

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

Lower scores will be awarded where explanations are simply statements of intent, for example, “we will hold meetings with stakeholders on a regular basis

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throughout the project”.

## Stage 1 application questions and assessment criteria:

### Strategic Fit

For a project to meet the scheme Strategic Fit, applicants will need to demonstrate how the proposed investment will contribute to the strategic aims and objectives of the scheme and demonstrate why the investment is required. You will need to detail how the investment will increase the technical and financial performance of the business and how the investment will enable the business to sustainably-expand production.

Projects will need to demonstrate their level of innovation and use of innovative techniques. This could be new techniques which provide a step change within the individual business or the business could embrace industry-leading technology.

Applicants that can demonstrate clear links between the investment and increased productivity and turnover and who have detailed how the investment priority was established will receive a higher score.

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### Score

- 
- 4 A clear explanation is given, including evidence, of how the anticipated investment responds to the scheme objectives, results in significant improvements in the technical and financial performance of the business. Innovative technology and techniques are embraced.
-

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## Score

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- 3 Strong evidence is provided which demonstrate the anticipated investment responds to the scheme objectives, results in improvements in the technical and financial performance of the business. The use of innovative technology and techniques is enhanced within the business.
- 
- 2 Some evidence is provided to demonstrate how the anticipated investment responds to the scheme objectives. There are improvements in the technical and financial performance of the business. The use of innovative technology and techniques is limited.
- 
- 1 Evidence provided to demonstrate how the anticipated investment responds to the scheme objectives and results in significant improvements in the technical and financial performance of the business is weak or minimal. No Innovative technology and techniques are embraced
- 
- 0 No evidence is provided to show how the investment meets the scheme objectives.
- 

## Suitability of investment

Resource efficiency is crucial in order to help achieve a Well-being economy, as well as reducing emissions. For a project to meet these criteria, applicants are required to demonstrate how their plans will impact on the environment and what effect they will have on climate change. Applications demonstrating the investment results in improvements in water soil and air quality will receive a higher score than those that do not.

Applicants will need to show commitment to the efficient use of nutrients, reducing emissions and enhancing the farm ecosystem.

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## Score

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- 4 A clear explanation is given, including evidence of how the anticipated investment responds to climate change. The application demonstrates how the investment enhances water, soil and air quality. Evidence shows the investment improves the use of nutrients, reduces emissions and enhances the farm ecosystem.
- 
- 3 Strong evidence is provided which demonstrates how the anticipated investment responds to climate change. The application details how the investment enhances water, soil and air quality. The investment contributes to improving the use of nutrients, reducing emissions and enhancing the farm ecosystem.
- 
- 2 Some evidence provided to demonstrate how the anticipated investment responds to climate change. The application provides limited details of how the investment enhances water, soil and air quality. The investment provides a small contribution to improving the use of nutrients, reducing emissions and enhancing the farm ecosystem.
- 
- 1 Evidence provided to demonstrate how the anticipated investment responds to climate change is weak or minimal. The application does not detail how the investment enhances water, soil and air quality. The investment does not contribute to improving the use of nutrients, reducing emissions or enhancing the farm ecosystem.
- 
- 0 No evidence is provided to show how the investment considers the impact on the environment
- 

## Long term sustainability

Projects that aim to deliver additional paid job opportunities will be a priority, because this is an indication of additional economic impact. Where an

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investment maintains or secures current employment this will also be considered a positive outcome. Investments could also “future proof” the business, enabling activity to continue in response to current or emerging market or environmental pressures. Applicants should detail and explain how any anticipated jobs could be created and safeguarded.

Projects that are catalysis for further investments, e.g. establishing growing infrastructure to enable further investment in marketing, packaging or added value activity would receive a higher score. Where an investment is part of a phased investment plan, this should be detailed.

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## Score

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- 4 A clear explanation is given, including evidence, of how the anticipated investment has a positive impact on the long-term sustainability of the business, including new job creation. The investment secures current employment. The applicant will also demonstrate how the investment is a catalyst for further business development and investment in the short-term.
  - 3 Strong evidence is provided detailing how the anticipated investment has a positive impact on the long-term sustainability of the business, including new job creation and/or securing current employment. The applicant will also demonstrate how the investment is a catalyst for further business development and investment in the medium-term.
  - 2 Some evidence is provided detailing how the anticipated investment has a positive impact on the long-term sustainability of the business. The project does not result in new job creation, but secures current employment. There is some evidence to demonstrate how the investment is a catalyst for further potential business development and investment in the long-term
  - 1 Evidence provided detailing how the anticipated investment has a positive impact
-

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## Score

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on the long-term sustainability of the business is weak or minimal. The project does not result in new job creation and does not secure current employment. The applicant has not demonstrated how the investment is a catalyst for further business development and investment.

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- 0 No evidence is provided to demonstrate that the investment has a positive impact on the long-term sustainability of the business.
- 

## Value for money

Projects are required to provide value for money. Projects will be given a score based on **forecasted impact on profitability expected within three years of completion of the project.**

This can be as a result of increasing overall output and turnover, resulting in increased profit, or as a result of production efficiencies which result in higher margins while output and turnover remain unchanged.

**Value for money assessment will be based on forecasted increase in profitability within three years of completion (a) divided by requested grant value (b)**

e.g. a project forecasting an increase in profit of £100,000 within three years of completion of the project and requesting a grant of £20,000 would have a (a/b) value of 5.0. A project forecasting an increase in profit of £50,000 within three years of completion of the project and requesting a grant of £40,000 would have a (a/b) value of 1.25.

The (a/b) values for all projects in the application window will result in a score being allocated as shown below:

	Score
Forecasted increase in profit /grant (a/b) above 1.6 or more	4
Forecasted increase in profit /grant (a/b) between 1.1 and 1.5	3
Forecasted increase in profit /grant (a/b) between 0.5 and 1.0	2
Forecasted increase in profit /grant (a/b) between 0.1 and 0.4	1
Forecasted increase in profit /grant (a/b) less than 0	0

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

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

If you are not selected, but your application meets the minimum threshold, we will inform you via your RPW on-line account that you have not been selected but your application will be held in reserve.

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## Successful Stage 1 Selection

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

We will issue a reminder via your RPW Online account prior to the deadline date in your letter.

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

**The selection letter does not allow you to start work on the Project. You must not start any work until you receive a Contract via your RPW Online account. Any projects which breach this rule will not be considered for support.**

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

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

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

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

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- Project Delivery
- Project Management
- Cross cutting themes
- Indicators and outcomes
- Financial and compliance

The indicators and outcomes that will be monitored as a result of the investment are:

- Number of businesses supported
- Number of jobs created (FTE)
- Number of jobs safeguarded
- Impact on the turnover of the business.
- Innovative practices or technology introduced

The application will also ask applicants to explain how your project will contribute towards the Welsh Governments cross cutting themes of:

- Equality of opportunity and Gender mainstreaming
- Tackling Poverty and Social Exclusion
- Welsh Language

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

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## Stage 2 Assessment Scoring

For the stage 2 appraisal the information provided in the remaining 5 sections will be assessed against the following rating criteria from which a decision can be taken about the award of grant assistance to the project:

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

The quality threshold is a rating of Medium across all nine categories. If the application does not meet this requirement you may be requested to provide further information. If a satisfactory rating cannot be achieved the project will be rejected.

**Please note that if further information is required this may delay the appraisal of the application so we recommend you follow the guidance carefully in order to provide the information requested.**

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

1. Your project is ineligible and is not approved for an award. You will be informed of the reasons why your application was not successful via your RPW Online account. You may apply again with the same project should further application windows be made available, (amending the application if you wish) **but only if you have not started work.**
2. Your project is eligible and is approved for an award. A contract will be issued to you setting out the terms and conditions of the award via your RPW

Online account which you will be asked to accept within 30 days as agreement that you accept the terms and conditions therein. The contract will also provide you with the authority to start work. You will need to accept or decline the offer of contract within 30 days. Failure to accept the contract within 30 days will lead to the contract being withdrawn.

We will issue a reminder via your RPW Online account prior to the acceptance deadline date.

If you decide to withdraw from the contract prior to completion or if you do not purchase all of the items approved in your contract, you will not be able to apply for the Horticultural Development scheme in the next round and maybe be required to repay any payments received.

You can withdraw your application at any time prior to contract being awarded without it impacting on any future applications for the Horticultural Development Scheme.

Subject to the requirements of the Welsh Government's Code of Practice on Public Access to Information, the Freedom of Information Act 2000 and the Environmental Information Regulations 2004: all information given to the Welsh Government will be treated in strict confidence. You should be aware that if successful, the Welsh Government reserve the right to publish the name of your company, the amount of grant you were awarded and a summary of your project.

## **Section E – Conditions of Grant**

The Horticulture Development Scheme is subject to a range of relevant legislation (see Annex A). The Welsh Government and the applicant / recipient must act in accordance with that legislation.

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The offer of a Horticulture Development grant is made subject to terms and conditions, which will be set out in full in your contract, and include those set out below. The contract will be for 12 months from the date the contract is issued. **Failure to meet the terms and conditions of the award could result in the cancellation of your award and / or the recovery of sums already paid, or a reduction of the amount of grant payable.**

### **Conditions:**

The award is made on the basis of statements and declarations made by you or your representatives in the application form and the claim form and any subsequent correspondence. **The making of false or misleading statements is an offence.** You must not begin any work on the project without first obtaining written authority to do so from Welsh Government. You must have bought the equipment and contacted RPW via RPW Online or through the post by the claim deadline within the contract offer,

**If you have not contacted RPW within that time, the grant offer will be automatically rejected.**

You must meet any legal obligations imposed and UK law.

No alterations may be made to the project, including the location of the activity, without the written approval of the Welsh Government.

Equipment purchased with grant aid may not be disposed of, transferred or sold during the project and for five years from the contract end date only with prior written consent of the Welsh Government. The grant awarded must be re-paid in full.

The applicant is required to comply with the rules on eligible costs as detailed in the Scheme Guidance Notes.

Projects should be completed within the timetable agreed with Welsh

Government. You should not deviate from this without prior written agreement from Welsh Government.

Claims must be submitted via the RPW online Grants claim application and supported by all supporting documents as required by the scheme.

Claims must be submitted in accordance with the timetable set out in the contract. You must not deviate from the agreed timing and value of your claims without prior written agreement from Welsh Government.

Grant can only be paid on expenditure that has been defrayed, that is, on payments that have cleared from a bank account.

All items must be purchased in accordance with the Welsh Government Competitive Tendering and Procurement requirements.

You must confirm that none of the items covered by the application are replacements under an insurance claim.

You must provide confirmation that no other public funding (whether from EU or UK sources) has been sought. If it is found that you have received public funding from another source your claim may be rejected, payments may be recovered and penalties may be applied.

Records concerning the application and claim for this grant, including all original invoices and any other related documents, must be retained for at least seven years after the project end date.

You must allow representatives of Welsh Government, the Auditor General for Wales or their representatives to inspect the project. On request, you must provide them with information and / or access to original documentation in relation to the project.

The information provided in the application and any supporting documentation is

subject to the requirements of the Welsh Government's Code of Practice on Public Access to Information, the Freedom of Information Act 2000 and the Environmental Information Regulations 2004.

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

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

## **Section F – Competitive Tendering and Procurement**

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

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

## **Section G – Payments**

### **Claims**

The Horticulture Development scheme is only available to claim using the

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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 plan. Payment will be made by electronic transfer to your bank account.

You can submit more than one claim, but each claim has to be for an item. E.g. if you have been awarded a contract to purchase two items; water harvesting equipment and a harvester, you can submit separate claims for each item, but you cannot submit a claim for part of the costs of one item.

In order to receive Horticulture Development scheme payments you must:

- Have accepted a Horticulture Development scheme contract within 30 calendar days of the offer date and adhere to all the requirements.
- Ensure that you have only purchased items listed in your contract after you have accepted the contract offer.
- Ensure that by the contract end date, you have purchased **all** of the items listed in your contract.
- Ensure all items are purchased in accordance the Welsh Government Competitive Tendering and Procurement requirements.
- Ensure all items purchased are on the premises at the time you submit your claim.
- Submit claims using the Grant Claim form on your RPW Online account and your final claim must be submitted by the claim deadline.
- We will issue a maximum of 2 reminders for any outstanding claims via your RPW Online account prior to the closing date.
- Submit invoices for all claimed items
- Submit evidence of defrayment of expenditure for all claimed items.
- Submit evidence of planning permission and SuDS approval if required.

**A claim is not considered valid unless it has been submitted via the Grants Claim page and until all supporting documentation has been submitted.**

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You can submit a claim at any time once the investment has been completed.

## Supporting Documentation

**You must submit an invoice for each item of equipment in your contract.**

**You must submit bank statements as evidence of defrayment of expenditure for each item of equipment in your contract.**

You can submit the invoices and bank statements by scanning them and sending them via “My Messages” in your RPW Online account.

To evidence the item supplied is of the correct specification and it has been delivered to your premises, you should provide the following information,

- Geo-tagged photographs of item on your premises
- Name of the manufacturer, model number, serial number, etc.

**Where insufficient evidence is provided, payment will be withheld.**

## Incorrect claims and penalties

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

All of the investments approved must have been carried out **after the contract has been accepted.**

Your claim is incorrect if you:

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- You have bought items before the contract is accepted;
- You have not bought all of the items listed in the contract,
- You have not submitted a claim and supporting documents by the claim deadline. Not all of the items claimed are present on your holding at a visit to your premises.
- Items are not purchased in accordance with the Welsh Government Competitive Tendering and Procurement requirements.

### **You must claim for all of the investments listed in your contract.**

If the claim is incorrect then your claim will be reduced to the amount that is eligible and the grant to be paid will be calculated accordingly. However, if the error is more than 10% of the total amount claimed then a financial penalty will be applied. The amount of eligible expenditure will be reduced by the amount of the error and so the final amount of grant to be paid will be lower than expected

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

## **Offences**

Regulation 13 of the Rural Development Programmes (Wales) Regulations 2014 (No. 3222 (W.327)) establishes criminal offences and penalties in relation to certain aspects of rural development funding. That Regulation and those offences are applicable to the Horticultural Development 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.

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## Section H - 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, amend scheme rules to take account of any changes within the programme. We will publicise changes on the [Welsh Government website](#) and where necessary contact you directly.

## Section I - Controls, Monitoring and Record Keeping

### Controls

The Welsh Government must enforce the Horticulture Development Scheme rules.

Your claim may be selected for a visit to verify the realisation of the investment 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 application, the details in your claim and the declarations that you made in submitting the application and claim will be checked.

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 that all grant awards are monitored and the effect of the grant on the business is evaluated following completion.

You must allow officials from Welsh Government, or their representatives, to inspect the items purchased within this five-year period.

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

It will be a requirement of the grant award that equipment purchased with the aid of a grant must be kept in situ, operational and in good repair, and used for the same purpose as set out in the original application, for at least five years from the date of completion of the project as set out in the contract. This is to ensure the longevity of the project and to guarantee primary producers a lasting share of the project's benefits.

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## Record keeping

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

You will also be required to:

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

## Section J - Appeals and Complaints Procedure

### Appeals procedure

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 process will **not** review decisions concerning **Stage 1 – Assessment for Selection**.

The appeals process consists of two stages:

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

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with the Stage 1 response).

The Independent Panel make 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 received within 60 days of the date of the letter outlining the decision you wish to appeal against.

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

Further details of the appeals process 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

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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: [Ombudsman](#)

## **Section K - 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

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of preventing fraud and money laundering, and to verify your identity. These checks require us to process personal data about you to third party fraud prevention agencies.

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

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

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

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

We may also share your information with organisations which deliver training, knowledge transfer and innovation advice and support on behalf of the Welsh Government for the purposes of appropriate targeting of support.

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

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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: [www.cap-payments.defra.gov.uk](http://www.cap-payments.defra.gov.uk)

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

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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**

# **Section L – Legislation**

The Horticulture Development Scheme delivers against a range of Government commitments and objectives, these are listed below along with the legislation and governance that applies.

The Horticulture Development Scheme 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

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and 807/2014 (all as amended from time to time).

The retained EU Law 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)

Funding support for farmers, land managers and associated rural sectors over the next 3 years response to four Welsh Government 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

In addition there are three cross cutting objectives for the Horticulture development Scheme:

- climate change mitigation and adaptation;
- innovation
- environment

As part of the application you will be asked to describe how your project will contribute to these cross cutting objectives.

The Scheme will also ask applicants to report how your project will contribute

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towards the Welsh Governments cross cutting themes of:

- Equality of opportunity and Gender mainstreaming
- Tackling Poverty and Social Exclusion
- Welsh Language

In addition, applications for the Horticulture Development scheme will address the strategic and thematic objectives of the Welsh Government.

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 M - Contacts

### Enquiries – Customer Contact Centre

For all enquiries, please contact the [RPW Customer Contact Centre](#)

Enquiries can be submitted via RPW Online at any time.

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

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

### Welsh Government Website

For all of the latest Agricultural and Rural Affairs information, visit the [Welsh Government'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.

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## 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 <https://beta.gov.wales/subscribe-farming-and-forestry-news-gwlad>.

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

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