



Llywodraeth Cymru
Welsh Government

GUIDANCE, DOCUMENT

Small Grants – Environment (water): general rules booklet 2023

Explains the scheme and eligibility requirements.

First published: 14 August 2023

Last updated: 14 August 2023

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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 Small Grants – Environment 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 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 \(on businesswales.gov.wales\)](https://businesswales.gov.wales).

Section A: introduction

These Guidance Notes explain the Small Grants – Environment Scheme. Please

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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 E and the [How to Complete booklet](#).

The application window will open on 21 August 2023 and close on 29 September 2023. The indicative budget allocation for this application window is £ 1.5 million.

The Small Grants - Environment is a standalone scheme providing a maximum of £7,500 funding per window for Capital Works Projects. Set lists of Capital Works are available to support the delivery of beneficial environmental outcomes under the following four themes:

- carbon
- water
- landscape and pollinators
- hedgerow creation

This round of Small Grants - Environment will address the theme of **Water**.

Land managers and farming businesses are selected for Small Grants - Environment following the submission of an Expression of Interest (EoI) to the Welsh Government. The EoI is scored on its ability to contribute towards delivering the aims of the Small Grants - Environment theme. Those with the ability to deliver the most towards the objectives of the theme are scored highest. (See Section E Selection)

Please read this Small Grants – Environment rules and guidance document before submitting an Expression of Interest.

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

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Section B: Small Grants - Environment eligibility

You are eligible to apply if:

- you are registered with the Welsh Government and have been issued with a Customer Reference Number (CRN)
- your land is registered within the Welsh Government Land Parcel Identification System (LPIS) as of August 2023
- 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 not eligible to apply if:

- you have been subject to exclusion (See Future exclusions at Section G)

Land eligibility:

- the land must be agricultural land
- field parcels must be located in Wales
- eligible land must be registered to your CRN
- you must have full management control of the land up until the contract end date to enable you to fulfil the obligations of the scheme

The following are ineligible for Small Grants - Environment (unless stated otherwise):

- 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 (Tenure code G on the Single Application Form)

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- registered common land
- land parcels under a contractual agreement for the following schemes:
 - Glastir Advanced
 - Glastir Woodland Creation
 - Glastir Woodland Restoration
 - Farm Woodland Scheme/Farm Woodland Premium Scheme
 - Improved Land Premium
 - Glastir Woodland Creation Premium
 - Woodland Restoration Scheme
- locations where the principal purpose of the land is for recreational activities or other non-agricultural activities, such as:
 - caravan/camping sites
 - gallops
 - solar panels
 - permanent sports facilities or recreational grounds

Obligations under your Small Grants – Environment contract

Information on how to correctly carry out all works under your Small Grants – Environment contract is contained in the technical guidance on the Welsh Government website, [Small Grants - Environment](#).

When the hedge management season gets underway, we particularly wish to remind you of the obligations you must adhere to when carrying out any hedge laying, coppicing and gapping-up work under your Small Grants – Environment (Carbon) contract.

Claims will only be paid where geo-tagged photographs clearly show the work has been carried out to the correct standards. All geo-tagged photographs will be examined to ensure the work was necessary and it has been carried out appropriately. Regarding hedgerow management work, in addition to examining

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supporting documentation, where this is required, the following will be checked:

- sufficient existing standard trees have been retained
- coppiced trees have been cut to the correct level
- hedges have not been uniformly cut using a saw, shears or flail
- gaps have been planted with sufficient new hedge plants
- ditch and watercourse operations have been carried out in accordance with any necessary consents
- all hedgerow restoration or planting projects must be stock proof on completion. The hedge must be newly double fenced unless they sit on a roadside boundary or there is an existing stock proof fence on one side. If you are applying for a hedgerow project that is located on a shared boundary, you will need your neighbours agreement to construct any fencing supporting capital works if located on their land

Should geo-tagged photographs, or any subsequent inspections, reveal work has not been carried out to the required standards, claims may not be paid or recoveries made.

Section C: land in other schemes

Details of the relationship between Small Grants - Environment and land entered into other schemes are set out below:

Glastir Advanced

Land parcels included in an existing Glastir Advanced contract are not eligible for Small Grants - Environment. If additional land parcels are transferred to a farming business and are not included in an existing Glastir Advanced contract, they are eligible for Small Grants - Environment.

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Glastir Commons

Land that is registered common land is not eligible for Small Grants - Environment.

Land used in common, which is not registered common land, is eligible for Small Grants - Environment. However, if you already hold a Glastir Commons contract on such land, restrictions apply. You cannot express an interest for works that will change the management of an existing Glastir Commons contract.

Glastir Organic

Land included in a Glastir Organic contract can be included in Small Grants - Environment.

If land becomes ineligible for Glastir Organic following a Small Grants - Environment completion, recovery of monies paid under Glastir Organic will be required.

Glastir Woodlands

Land parcels under, Glastir Woodland Creation, Glastir Woodland Restoration and Woodland Restoration scheme will not be eligible for Small Grants - Environment.

Land managers and farming businesses considering an area of new planting over 0.25ha may be eligible for future woodland creation schemes. Unlike Glastir Woodland Creation, the Small Grants - Environment scheme does not attract any annual premium or maintenance area-based payments. In addition, land that becomes ineligible for Basic Payment Scheme under Small Grants -

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Environment does not remain eligible, even if you received Single Payment Scheme in 2008.

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

Sensitive habitat land

Small Grants – Environment (Carbon) may not be available on land subject to Environmental Impact Assessment (EIA) regulations. Habitat land is classified as being within the scope of EIA regulations. For further details, read the [Small Grants - Environment Technical Guidance Booklet](#).

Basic Payment Scheme

Land managers and farming businesses, through Small Grants - Environment, may affect payment eligibility for BPS. For further details, read the [Small Grants - Environment Technical Guidance Booklet](#).

You should refer to the [Single Application Rules Booklet](#) for details of how to assess parcels with ineligible features, including trees.

Double funding

You must not apply for Small Grants - Environment if you are receiving funding for the proposed works from any other source. If you received a contract for Glastir, you will not be eligible for subsequent funding for that work. This would

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be considered double funding.

If it is established you are receiving funding from another source for Small Grants - Environment, this could result in financial penalties and the recovery of payments of your Small Grants - Environment contract and future exclusion.

Land Used for sporting and/or recreational activities

You are not considered to be operating a permanent sports or recreational ground, unless any of the following apply:

- The grounds are dedicated and kept throughout the year for sporting or recreational use. For example, golf course, football pitch, or a ménage (surfaced riding arena) for horse riding. This applies, even if the land is also used for agriculture, because agriculture is not the primary use.
- The grounds include one or more permanent structures used so people can take part in sport or recreation – or permanent structures for spectators, to make them more comfortable (for example, changing rooms, showers or toilets, cafe, spectator seating or viewing cabin). Car parks are not included.
- When a ménage is near a livery or riding school, a spectator stand or viewing cabin for the ménage, it will be considered to be a permanent structure, but the buildings and stables of the livery or school will not.
- The grounds or facilities are not just for personal use.

Section D: consultations and consents

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.

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Land within the following situations will be subject to consultation or consent.

We will consult with the relevant authority and seek consent or permission on your behalf for the following consents or permissions:

Consent or Permission

Scheduled Ancient Monuments
Registered Parks and Gardens
Historic Environment Features
Historic Landscape Areas

It is your responsibility to obtain, where necessary, the following consents or permissions:

Consent or Permission	Consenting authority
Public Rights of Way	Local Authority
Ordinary Watercourse Consent	Local Authority
Tree Preservation Order	Local Authority
Land Drainage Consent	Natural Resources Wales
Flood Risk Activity Permit	Natural Resources Wales
Felling Licence	Natural Resources Wales
Protected Species Licence	Natural Resources Wales

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Consent or Permission	Consenting authority
Bracken within fritillary areas	Natural Resources Wales
Grassland fungi areas	Natural Resources Wales
Protected species (birds) potential habitat	Natural Resources Wales
Protected species (great crested newt) potential habitat	Natural Resources Wales
Sensitive arable plant records	Natural Resources Wales
Sites of Special Scientific Interest (SSSI)	Natural Resources Wales
SSSI buffer zones	Natural Resources Wales
Sensitive habitats	Natural Resources Wales
Ditch	Natural Resources Wales

You must contact the relevant authority in advance of submitting your EoI to confirm whether any planned Capital Works Projects will require any relevant consents or not.

Consent is required before contract acceptance and undertaking Small Grants - Environment Capital Works. Details for specific Capital Works can be found in the Small Grants - Environment Technical Guidance Booklet.

You must adhere to any specific consent conditions received from the relevant authority. Failure to do so may result in prosecution.

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If consent cannot be granted, the selected Capital Works Project is no longer valid and must not be carried out, even at your own expense.

Public right of way

As the owner or occupier of land with a public right of way across it, you must keep the route visible and not obstruct or endanger users.

There are four different categories of public right of way:

Public footpaths, which can be used by walkers only. Most public rights of way in Wales are footpaths.

Public bridleways, which can be used by walkers, cyclists and horse riders.

Restricted byways, which can be used by the same groups as bridleways, while also allowing horse-drawn carriages and other non-motorised vehicles.

Byways open to all traffic, which may be accessed by all users, including those in motorised vehicles.

They are all public highways and the public has a right to use them. Local authorities are responsible for the management of public rights of way. No Small Grants – Environment works should lead to an obstruction or cause a danger to the public. You should consult the Local Planning Authority if any Small Grants – Environment work will require access furniture or signage to ensure the right of way remains open and fit for use.

Tree preservation orders

A Tree Preservation Order (TPO) is an order made by a local planning authority (county or county borough council and national park authorities) which in general

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makes it an offence to cut down, top, lop, uproot, wilfully damage or wilfully destroy a tree without the planning authority's permission.

In order to carry out work on a tree protected by a TPO, you will need to submit an application to your local planning authority.

Work near a river or flood defence infrastructure

Watercourses are important natural features and habitats supporting a wide range of biodiversity within the environment and are protected by a range of legislation. Watercourses vary in size from very small streams, often resembling ditches, to large rivers. Small streams or wet flushes may dry up in the summer, but they are still protected under this legislation, even when water isn't present in them.

You must avoid harm to watercourses and ensure activities carried out in or adjacent to them comply with the law. Consent from NRW (Flood Risk Activity Permit) or the Local Authority (Ordinary Watercourse Consent) may be required for some types of work in watercourses and their riparian zone. Works that may harm watercourses and/or require formal consent include, but are not limited to:

- removal of riparian habitat such as felling trees or shrubs next to a watercourse
- installing or replacing fencing too close to the bank edge or across a watercourse
- removal of natural materials from the channel such as gravel, boulders and wood
- straightening or infilling channels
- installing or replacing crossings such as culverts, bridges or creating fording points
- installing or replacing bank protection including modification of the bank profile (e.g. drinking points, outfalls)

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Failure to seek consent for activity which could harm a watercourse can lead to a fine and/or prosecution.

To help ascertain if a water feature is classed as a man-made ditch or a water course, you can consult a recent (last ten years) 1:10,000 Ordnance Survey map (available online or at local libraries). Watercourses are marked on these maps as blue lines. If your proposed activity **may** affect a watercourse, or if you are unsure, you are strongly advised to contact Natural Resources Wales for advice to ensure your work complies with the law.

- **Main rivers**

A main river is legally defined as a watercourse shown on a main river map. Main rivers have been designated due to the importance of managing flood risk. Note, even small watercourses may be classed as main rivers.

If you want to carry out works in, over, under or near (within 8 metres of) a main river or flood defence (including a sea defence), or within a flood plain, you may need to apply for Flood Risk Activity Permit (FRAP). You will need to obtain a FRAP from Natural Resources Wales (NRW) to ensure your activities do not cause a risk of flooding or make existing flood risk worse. A permit is also necessary to ensure your work will not interfere with NRW flood risk infrastructure or adversely affect the local environment, fisheries, or wildlife.

NRW determine FRAP applications to manage flood risk by regulating works and development activities.

Certain activities will be permitted in, over, under or adjacent to a main river without charge and without needing a permit, providing certain conditions are met. These activities are classed as exemptions or exclusions:

All remaining activities will require a bespoke FRAP.

If you do not apply for a FRAP, the consequences could be expensive. NRW

can reclaim from you the costs of putting things right and you could also be prosecuted. The Welsh Government may also withhold or recover Small Grants - Environment payments.

- **Ordinary watercourses**

If the watercourse is not a main river, it could be an ordinary watercourse.

If you want to carry out works within or over an ordinary watercourse, you will need to contact the local authority in relation to obtaining an Ordinary Watercourse Consent. Within Internal Drainage Districts (IDDs), ordinary watercourses fall within NRW's jurisdiction, you will need to contact NRW, not the Local Authority, to obtain Land Drainage Consent within an IDD.

If you are not sure whether the watercourse in question is a main river, ordinary watercourse, or part of an IDD, you should contact NRW.

It is your responsibility to ensure you are compliant with NRW/local authority requirements. Where a permit/consent is required and has been granted, the permit must be retained and made available on request. If NRW and/or the local authority have confirmed a permit is not required, this evidence must also be retained and made available on request. Carrying out these works, without obtaining the relevant permits or confirmation permits are not needed, will be considered a breach.

Felling licence

You will need to apply for a felling licence from Natural Resources Wales if you plan to fell trees and the work is not covered by the felling licence exemptions. If you receive any Basic Payment Scheme payments or land based Rural Development scheme (e.g. Glastir Advanced) payments, certain non-permitted operations on hedgerows can result in a breach of cross compliance and a

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financial penalty may be imposed on these payments.

Protected species licences

You must apply for a Protected Species Licence from Natural Resources Wales if you intend to carry out any activity that affects a protected species. This includes:

- disturbing, trapping or handling protected species
- damaging their habitats, for example by restoring a pond or building a housing development

You may need to show the work is necessary and there is no alternative way to do the work without affecting the protected species.

Natural Resources Wales may refuse a licence application if the work is not necessary or does not justify the harm it would cause to the protected species.

Section E: applying for Small Grants - Environment

Submitting an EoI

You can submit an EoI for Small Grants - Environment 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. Rydym yn croesawu galwadau'n Gymraeg / We welcome calls in Welsh. They will send

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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, we 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.

It is important to take care when selecting Capital Works Projects and ensure you select capital works suitable for the location you have chosen. Any relocation, following contract acceptance, will not be possible due to the short timescales for the theme window and claim deadline date.

If you have any questions about registering for RPW Online or completing your EoI, please contact the Customer Contact Centre on 0300 062 5004. Rydym yn croesawu galwadau'n Gymraeg / We welcome calls in Welsh. They will be able to provide advice, including any digital assistance available to you. Further details regarding [Rural Payments Wales Online](#).

Please respond to any queries raised by the Welsh Government regarding your Small Grants - Environment Expression of Interest promptly. Failure to respond within the given time may prevent the offer of a Small Grants - Environment contract to you.

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

Small Grants – Environment themes

Small Grants - Environment will work around environmentally beneficial themes for which farming businesses across Wales can submit an Eol for each theme.

Maps highlighting the value of Small Grants - Environment Capital Works throughout Wales for each theme are provided on the Welsh Government website.

The selection process

The Small Grants - Environment selection process assesses each capital works project submitted by farming businesses through the Eol. A score will be assigned for each capital works project and its ability to deliver an outcome towards the Small Grants - Environment objectives within the theme.

The highest scoring capital works projects will be selected and land managers or farm businesses will be notified which capital works project has been successful up to a maximum of £7,500 per CRN, per Eol window

The theme of this Small Grants – Environment Window is ‘Carbon’, and the available activities have been chosen for their ability to contribute to enhancing landscape features, improving biodiversity, sequestering carbon and providing habitat for pollinator insect species.

Every eligible land parcel in Wales has been assigned a score for each available activity. This score is made up of the following:

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A Small Grants - Environment Foundation Score: one point has been assigned to each eligible field parcel to recognise that all land can contribute to the aims of the scheme.

Target objectives: a number of target objectives have been identified across Wales. These objectives include multiple benefits for environmental outcomes.

Each land parcel has been awarded a different number of points depending on the specific activity and the combination of target objectives it overlaps with.

The 'Create Project' screen will show you the scores that each land parcel has been assigned for each available activity. The highest scoring activity for each parcel has been highlighted in green under the main capital works title.

Some field parcels will be marked as n/a (not available), either because the field parcel is not eligible, or because certain activities are not eligible if they could be potentially damaging to an environmental feature. For example, tree planting options will not be available on land that is considered important for breeding lapwing. The nests of these rare ground nesting birds suffer predation from crows and new trees will provide extra perches for crows to use when hunting for lapwing nests. Therefore, it is not appropriate to plant more trees in these areas. When selection is complete, selection outcome letters will be issued on your RPW Online account stating whether your EoI has been 'Selected' or 'Not Selected'. These will be under separate headings so the successful and unsuccessful projects can be easily identified.

When selection is complete, a selection outcome letter will be issued on your RPW Online account informing you whether your EoI has been 'Selected' or 'Not Selected'. These will be under separate headings, so the successful and unsuccessful projects can be easily identified.

Once successfully validated, contracts will be generated, giving 30 days to either 'accept' or 'decline' the project via the blue button on your RPW Online

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homepage. **If you do not accept a contract before the 30-day deadline, the contract offer will be automatically withdrawn.**

You must not start any work until you have a contract offer.

If you accept a contract for Small Grants – Environment and subsequently withdraw, you will be excluded from the next available window for all Small Grants – Environment themes (see Future exclusion).

Section F: conditions of grant

The Small Grants - Environment Scheme is subject to a range of relevant legislation (see Section M). The Welsh Government and the applicant / recipient must act in accordance with that legislation.

The offer of a Small Grants - Environment 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, or a reduction of the amount payable.**

Conditions

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

Any person who makes a false declaration or fails to notify the Welsh Government of a material change to the information given in this application may

be liable to prosecution. A false, inaccurate or incomplete statement or failure to notify the Welsh Government of any material changes to the information given in this Expression of Interest may result in termination of contract and/or recovery of any 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 neither the Welsh Government nor any adviser appointed by the Welsh Government shall be responsible for any advice given, including, without limit, any advice given in relation to the application and or business development plan and 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.

We 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 planned changes to the nature or construction of this project prior to implementation.

You must notify the Welsh Government of any changes to the details provided in

the Applicant Details part of the form.

You must allow officers of the Welsh Government, or their duly authorised agent, access to and 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 Expression of Interest.

You must not to undertake work prior to entering the Small Grants – Environment that damages the environment and understand such action could result in rejection of your Expression of Interest.

You must have excluded land which is under other management agreements or grant you receive, or intend to apply for, that may have 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 - Environment Expression of Interest 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

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permitted by law.

Section G: payments

Claims

Small Grants - Environment Capital Works will only be available to claim via your RPW Online account; payments for Capital Works will be made following the successful validation of Capital Works claims.

In order to receive Small Grants - Environment payments, you must:

- have entered into a Small Grants - Environment contract and adhere to all the requirements
- ensure that work is not started until after you have been offered a contract
- not make a false or misleading statement or declaration or furnish false or misleading information
- not artificially created the conditions required to obtain the payments
- allow land to be inspected at any time following notification by the Welsh Government or other authorised persons and provide any document or record the Welsh Government or other authorised persons may require
- submit valid and complete capital works claims by the stipulated date using the online claim. A claim is not considered valid until all required supporting information is submitted

Important: Every capital works project claimed must be submitted with geo-tagged 'before' and 'after' photographic evidence. (See record keeping)

- you must submit your claim by the deadline included in your contract. Claims submitted after the deadline will be automatically rejected

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- you can only submit a claim once the capital works project is completed. 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
- we will issue a maximum of 2 reminders for any outstanding claims via your RPW Online account prior to the closing date
- requests for extensions to the claim deadline can only be accepted in exceptional circumstances and must be received in writing via your RPW Online account before the claim deadline

No extensions will be granted beyond 15 March 2024.

Incorrect claims and penalties

Where we find items have not been completed or have not been completed to the project's technical specifications, 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.

If the Main Capital Works Project does not meet the specification and, therefore, directly affects the ability to meet the environmental objective, the Main Capital Works Project is ineligible and recovery of monies paid for the main and the secondary capital works will be made.

Interest will be calculated for the period elapsing between the payment deadline indicated in the recovery order, which will not be set at more than 60 days, and the date of either repayment or deduction

All repayments of Funding must be made to us within 60 days of the date of our demand.

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Over-declaration

Below are examples of common over-declaration penalties.

Scenario:

If all or part of a length of the Main Capital Works Project does not meet the specification that does not directly impact on the ability to meet the environmental objective.

Example 1:

Capital works project: 100 metres of hedge creation with double fencing.

Beneficiary claims for the full 100m.

Following checks, it is found that 91m was completed.

The 9m over-declared length is deducted from the claimed amount.

As this is below 10% of the claimed amount, a reduction in the payment is made, but no over-declaration penalty is applied. The rest of the eligible capital works project, including related secondary works, will be paid.

Example 2:

Capital works project: 100 metres of hedge creation with double fencing.

Beneficiary claims for the full 100m.

Following checks, it is found that 81m was completed.

The 19m over declared length is deducted from the claimed amount.

As this is above 10% of the claimed amount, a reduction is made and an over-declaration penalty (the difference) is applied. The rest of the eligible capital works project, including related secondary works, will be paid.

Example 3:

Capital works project: 100 metres of hedge creation with double fencing and

2 timber gates:

Beneficiary claims for the full 100m and 2 gates.

Following checks, it is found that 100m of hedge was completed but with only 1 gate completed.

The 1 gate is over-declared and is deducted from the claimed amount.

Because the gate is above 10% of the claimed amount, a reduction is made and an over-declaration penalty is applied. The rest of the eligible capital works project, including related secondary works, will be paid.

Future exclusion

If you do not complete 80% of the value for all Capital Works Projects across a whole theme, or accept a contract and subsequently withdraw, then you will be excluded from the next available window for all Small Grants - Environment themes.

Future exclusion is to ensure that the environmental benefits are achieved through Small Grants - Environment by discouraging Expressions of Interest from those not committed to undertaking the work.

Non-completion of a contract could also prevent other land managers and

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farming businesses from being selected for a Small Grants - Environment Small Grants theme.

If the Welsh Government accepts you cannot complete any Small Grants - Environment Project due to demonstrated exceptional circumstances, the project will be removed from the contract and may be included in future applications under subsequent themes. Each request will be assessed on a case-by-case basis.

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 – Environment Scheme. Examples of offences include knowingly or recklessly providing false or misleading information in relation to rural development funding, obstructing an inspector or official, and refusing to provide information when requested to do so.

Section H: transferring or selling land under contract

Please be aware Small Grants - Environment contracts are non-transferrable. If land is sold or transferred (written or unwritten Tenancy agreement) prior to the completion of agreed Capital Works Projects, your contract will be cancelled and no payment will be made.

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Section I: changes to scheme rules

Legislation changes (including changes in interpretation)

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

Changes to scheme rules or contract

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

Section J: controls, monitoring and record keeping

Controls

The Welsh Government must enforce the Small Grant - Environment Scheme 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 this 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 - Environment 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 - Environment contract. Permit the Welsh Government to remove any such document or record to take copies or extracts from them
- before and after photographic evidence, including a geo-tagged map reference point, must be taken and submitted with the Small Grants - Environment claim for each Capital Works Project. You must take the before photographs once the contract has been issued and they must clearly show the 'baseline condition' of the proposed location before the works are started. The Welsh Government will require these to validate and ensure the Capital Works Project has been completed in the correct place and to the required specifications. Digital assistance will be available where required

Section K: 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

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take the final decision, which concludes the process.

There is no charge for Stage 1 of the process, but there is a charge at Stage 2 – £50 for a written hearing or £100 for an oral hearing. These charges are repaid in full if the Stage 2 appeal is either partially or fully successful.

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

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

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

Complaints procedure

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

Welsh Government
Crown Buildings
Cathays Park
Cardiff
CF10 3NQ

Tel: 03000 251378

E-mail: complaints@gov.wales

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Website: [Complaints about Welsh Government](#)

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

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

Section L: 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.

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

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

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

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prevention agencies.

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

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

In order to assess eligibility, we may also need to share personal information relating to your application with Regulatory authorities, such as HM Revenue and Customs, Local Authorities, Health and Safety Executive and the Police.

Your information, including your personal information, may be the subject of a request by another member of the public. When responding to such requests the Welsh Government may be required to release information, including your personal information, to fulfil its obligations under the Freedom of Information Act 2000, the Environmental information Act 2004 or the Data Protection Act 2018.

We will publish details of the amounts paid to Rural Support beneficiaries. Data will be published for all beneficiaries on a searchable website and will include the name and locality of the farmer/land manager and details of the amounts and schemes for which subsidy has been paid. However, for those receiving less than the equivalent of £1,250 in subsidies the name will be withheld. The data will be published annually on 31 May and remain available for two years from the date it is published. The information will be available on the Defra website.

We will keep personal information contained in files in line with our retention policy. If successful in your application, then your personal data will be kept for 7 years after the date when you, as grant recipient, are free from all conditions

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relating to the grant awarded and all payment have been made. However, if the funding is awarded under General Block Exemption or De Minimis, your personal data will be kept for 10 years from the conclusion of any aid award. If you are unsuccessful, your details will be kept for one year after the date you provided them.

Under the data protection legislation, you have the right:

- to access the personal data the Welsh Government holds on you
- to require us to rectify inaccuracies in that data
- to (in certain circumstances) object to or restrict processing
- for (in certain circumstances) your data to be 'erased'
- to lodge a complaint with the Information Commissioner's Office (ICO) who is the independent regulator for data protection

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

Data Protection Officer
Welsh Government
Cathays Park
CARDIFF

CF10 3NQ

Email: dataprotectionofficer@gov.wales

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

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

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Telephone: 0330 414 6421

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

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

Privacy notice: Welsh Government grants.

Section M: legal requirements

The Small Grants – Environment Scheme delivers against a range of Government commitments and objectives; these are listed below along with the legislation and governance that applies.

Small Grants - Environment 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 - Environment is a Capital Works grant scheme available to land managers and farming businesses across Wales. Capital Works available are

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chosen for their broad and general environmental benefits and their ability to deliver to the Welsh Government's four strategic objectives, which are:

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

There are three cross cutting objectives for the Small Grants - Environment 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.

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World Trade Organisation and Subsidy Control

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

Section N: definitions

“**Agricultural Land**” means the Direct Payments for Farmers (Legislative Continuity) Act 2020 (c.2), The Rules for Direct Payments to Farmers (Amendment) Regulations 2020 no.91, The Financing, Management and Monitoring of Direct Payments (Amendment) Regulations 2020 no.90, The Common Agricultural Policy (Direct Payments to Farmers) (Miscellaneous Amendments) (Wales) Regulations 2020 no.104 (w.17) and The Direct Payments to Farmers and Rural Affairs (Miscellaneous Amendments etc.) (Wales) (EU Exit) Regulations 2020 no.1556 (w.328).

“**Contract Land**” means the field parcel(s) on which each Small Grants – Environment Contract Project, is carried out.

“**Eligible Land**” is defined as agricultural land located in Wales; Common land where the Beneficiary has sole registered grazing rights and which has been registered as a “sole grazed common” within the Welsh Government’s Land Parcel Identification System (LPIS);

“**Habitat**” is any vegetation which has a composition of less than 25% sown agricultural species as per the Environmental Impact Assessment (Agriculture)

(Wales) Regulations 2007;

“Ineligible Land” is defined as land which the Beneficiary has insufficient management control to cover the full contract period, including land held under a Grazing Licence; land used for development land, permanent caravan sites, car parks, gallops, airports, areas used for permanent storage, golf courses and other sporting facilities etc; registered common land and land used by more than one grazier which is not registered common land; land parcels under a contractual agreement for Glastir Advanced, Glastir Woodland Creation, Glastir Woodland Restoration, Glastir Woodland Creation Premium, Farm Woodland Scheme/Farm Woodland Premium Scheme, Improved Land Premium, Woodland Restoration Scheme; land being used by another farmer to claim payments under support schemes within the framework of the European common agricultural policy land claimed by another land manager or farm business for an EU or domestic subsidy or grant scheme (dual use of land); field or land parcels located outside Wales.

“Full Management Control” means the Beneficiary has the Contract Land at their disposal to enable them to fulfil their Glastir Small Grants - Environment contractual obligations for the entire contract term.

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.

Access to Welsh Government offices for people with

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disabilities or special needs

If you have any special needs which you feel are not met by our facilities contact the Customer Contact Centre on 0300 062 5004. Rydym yn croesawu galwadau'n Gymraeg / We welcome calls in Welsh. Welsh Government officials will then endeavour to make arrangements to accommodate your requirements.

Welsh Government Website

For all 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.

Gwlad

The Gwlad e-newsletter is the Welsh Government's e-newsletter for farm and forestry businesses and all those involved with agriculture and rural Wales. It contains news stories, guidance and information in an accessible, easy-to-read format. To keep informed and up to date with all the latest agriculture news and developments in future we would encourage you to sign up to receive the Gwlad e-newsletter. You can do this either at [Welsh Government announcements](#) or at [Subscribe to farming and forestry news](#) on the Welsh Government website.

Other useful contacts:

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

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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)

General Enquiries: enquiries@naturalresourceswales.gov.uk

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

Cadw
The 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

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

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

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Powys
SY21 7RR

Tel: 01938 553670
Fax: 01938 552179
E-mail: trust@cpat.org.uk
Website: www.cpat.org.uk

Glamorgan-Gwent Archaeological Trust

Heathfield House
Heathfield
Swansea
SA1 6EL

Tel: 01792 655208
Fax: 01792 474469
E-mail: enquiries@ggat.org.uk
Website: 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
Website: www.dyfedarchaeology.org.uk

Gwynedd Archaeological Trust

Craig Beuno

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