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Ewrop yn Buddsoddi mewn Ardaloedd Gwledig  
European Agricultural Fund for  
Rural Development:  
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# Glastir

## Glastir Woodland Restoration

### Rules Booklet

Welsh Government Rural Communities – Rural  
Development Programme for Wales 2014 - 2020  
Version 4 - August 2016





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## Key Messages

- This Expression of Interest is available to landowners who will be able to complete all capital works and planting by 31 March 2017.
- The budget available to Glastir Woodland Restoration for this EOI is £1 Million.
- To be eligible to submit an Expression of Interest you must be able to adhere to the dates in the following table:

The Online Expression of Interest window will open on	30 August 2016
The Expression of Interest window will close at	Midnight 30 September 2016
To be eligible to submit an Expression of Interest you must be able to complete all Establishment and Capital Works by	31 March 2017
You will need to have made your claim for all completed Establishment and Capital Works by	30 April 2017

- The Glastir Woodland Restoration Expression of Interest has been developed digitally and is available through the RPW Online service. You will need a Customer Reference Number (CRN) and an RPW Online account before you can access the Glastir Woodland Restoration Expression of Interest. For further information on registering with RPW Online or submitting an Expression of Interest please refer to Section E of this booklet.
- You should read this Booklet and the How to Complete Guidance before you submit your online expression of interest.
- You should ensure that you meet all the eligibility criteria for the full contractual period of 1 year followed by the maintenance period of 10 years after the final claim.
- You will need a Forest Management Plan which must comply with the UK Forestry Standard.
- This Expression of Interest is for those who have been issued with a felling licence containing larch or a Statutory Plant Health Notice. Please note that felling license

must have been approved and issued. Applications for a felling licence will not be accepted.

- Please respond to any queries raised by the Welsh Government regarding your Glastir Woodland Restoration Expression of Interest promptly. Failure to respond within the given time may delay the offer of a Glastir Woodland Restoration contract.
- Glastir Restoration Woodland has been approved by the European Commission. Any subsequent changes to this guidance and Glastir commitments will be published in Gwlad ([gwlad.wales.gov.uk/?lang=en](http://gwlad.wales.gov.uk/?lang=en)) and, where necessary, we will contact farming businesses and land managers directly.

## **STATE AID**

1. Grants provided under this scheme are aid which fall within the scope of the State Aid frameworks because Articles 107, 108 and 109 Treaty for the Functioning of the European Union (TFEU) apply to support given for rural development under the Welsh Government Rural Communities – Rural Development Programme for Wales 2014-2020 (ref: SA 43465).
2. From 01 July 2016 the State Aid Transparency requirements set out in article 9 of Commission Regulation (EU) No 702/2014 of 25 June 2014 declaring certain categories of aid in the agricultural and forestry sectors and in rural areas compatible with the internal market in application of Articles 107 and 108 of the Treaty on the Functioning of the European Union require any individual awards of aid above a €500,000 threshold (for Agriculture) to be reported directly to the European Commission on a 6 monthly basis. The information will be published via the Welsh Government and European Commission Transparency Websites.
3. Grant provided under the following options in this scheme is compliant aid because it respects the conditions set out in Article 34 and 35 of Commission Regulation (EU) No 702/2014 (Agriculture Block Exemption Regulation).

## Section A – Introduction

In Wales more than 20% of larch woodlands have been infected by the fungal pathogen *Phytophthora ramorum*. Glastir Woodland Restoration has been developed to enable woodlands infected by *Phytophthora ramorum* or areas of larch felled to help slow the spread of the disease, to be replanted. When woodland is clear felled there is a significant opportunity to diversify tree species, creating more mixed and native woodlands. The Welsh Government is committed to encouraging species diversification in Wales in order to make our woodlands more resilient and more able to deliver a wider range of benefits.

Glastir Woodland Restoration is part of Glastir Woodlands under the Welsh Government Rural Communities – Rural Development Programme 2014-2020 and is a 10 year commitment following planting of broadleaf or a mixture of broadleaf and conifer tree species. Glastir Woodlands has been designed to deliver the following environmental aims:

- Reducing Carbon and Green House Gas emissions.
- Adapting to climate change and building greater resilience into farm and forest businesses.
- Managing our water resources to improve water quality and reduce flood risks.
- Contributing to economic sustainability of farms, forestry and the wider rural community.
- Protecting the landscape and the historic environment while improving access.
- Contributing towards a reversal in the decline of Wales' native biodiversity.

The Welsh Government will offer financial support through Glastir Woodland Restoration to restock woodlands which have been affected *Phytophthora ramorum*. Applicants for Glastir Woodland Restoration are selected on the basis of having been issued with a Statutory Plant Health Notice (SPHN) or where larch species make up an area on the felling licence.

Successful applicants will need to produce a Forest Management Plan which complies with the UK Forest Standards before being processed to contract stage.

This booklet is for foresters, farmers and land managers who intend to submit an Expression of Interest for Glastir Woodland Restoration. The details contained are not exhaustive and may be updated.

Glastir Woodland Restoration is jointly funded by the Welsh Government and the European Commission as part of the Welsh Government Rural Communities – Rural Development Programme 2014-2020.

Glastir Woodland Restoration is governed by the Rural Development Programmes (Wales) Regulations 2014 SI No. 3222 (W. 327) which applies to the Rural Development Programmes, Council Regulations (EU) No. 1305/2013, 1303/2013 and (EU) No. 1306/2013, Commission Regulation (EU) No. 808/2014 and (EU) No. 809/2014 and Commission Delegated Regulation (EU) 640/2014 and 807/2014 (all as amended from time to time). Copies of these Regulations are on the Welsh Government web site at [www.wales.gov.uk](http://www.wales.gov.uk) or copies can be requested from the Rural Payments Wales Customer Contact Centre.

## Glossary

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

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



## Section B – Eligibility

To be eligible for Glastir Woodland Restoration you must:

- be a registered customer with the Welsh Government and have been issued with a Customer Reference Number (CRN).
- have registered your land with the Welsh Government's Land Parcel Identification System (LPIS).
- Plant a minimum of 0.25 hectares of eligible land.
- be the sole claimant of European Aid schemes (e.g. Basic Payment Scheme and Glastir) on the land.
- have management control over the land for the duration of the contract and full commitment period. If you only hold a grazing license you are not eligible to apply.
- have not made or will not make an insurance claim or received an insurance payment for the loss of trees due to *Phytophthora ramorum*.
- submit a Forest Management Plan which meets the UK Forestry Standard and is approved by the Welsh Government.

## Section C - Land eligibility requirements

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

- contain larch trees or have contained larch trees which have now been felled.
- be covered by an SPHN or Felling Licence.
- not have been grant funded to restock under a current Glastir Woodland Management contract or from any other source. e.g. Glastir Woodland Management or Better Woodlands for Wales.
- have satisfied all necessary consents with stakeholders and statutory bodies.
- Not be used to claim for European Common Agricultural Policy payments by another party.
- consist of field parcels that are 0.1ha or greater in area.
- be located in Wales.

## **Funding from other Sources**

If you are receiving payment from any other source for works required under a Glastir Woodland Restoration this would be considered as double funding. For example, if you receive payments for activities from the Nature Fund the areas covered by these activities may not be eligible for Glastir Woodland Restoration due to the potential for double funding.

You cannot apply for Glastir Restoration if the woodland compartment shown on the felling licence or SPHN is in a Better Woodlands for Wales scheme and the restocking has yet to be claimed.

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

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

## **Section D – Glastir Woodland Restoration Rules**

If you are successfully selected for Glastir Woodland Restoration you will be required to complete a Forest Management Plan that complies with UK Forest Standards ([Forestry Commission - UK Forestry Standard and Guidelines](#)). The Forest Management Plan will then be assessed by the Welsh Government. Following the approval of the Forest Management Plan, eligible Capital Works items listed in the Management Plan can be included in a Glastir Woodland Restoration Contract. This section details the capital works items available under Glastir Woodland Restoration.

### **Maximum Area Eligible for Support Under Glastir Woodland Restoration**

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

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

### **Replanting Capital Works**

The following requirements apply to all Capital Works replanting options:

- All planting must be carried out to the UK Forestry Standard.
- All replanting will be to a minimum of 2500 stems per hectare.
- The replanted woodland must be maintained for 10 years after the date of the final claim. 2500 stems per hectare must be alive at the end of the 10 year maintenance period or canopy closure has been achieved. Failure to achieve the specified stocking density across the area of the scheme may result in the recovery of payments.

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

### **615 Capital Works, Basic Restocking - above 350 metre**

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

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

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

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

Technical Notes detailing the restock requirements will be available on the Welsh Government website [www.wales.gov.uk/environmentandcountryside](http://www.wales.gov.uk/environmentandcountryside)

### **618 Capital Works, Basic Restocking - between 250 – 350 metres**

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

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

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

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

Technical Notes detailing the restock requirements will be available on the Welsh Government website [www.wales.gov.uk/environmentandcountryside](http://www.wales.gov.uk/environmentandcountryside)

### **619 Capital Works, Basic Restocking - below 250 Metres**

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

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

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

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

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

Technical Notes detailing the restock requirements will be available on the Welsh Government website [www.wales.gov.uk/environmentandcountryside](http://www.wales.gov.uk/environmentandcountryside)

### **631 Capital Works, Native Broadleaved Trees**

This Capital Works option requires the whole site to be planted with a mixture Native Broadleaved Trees species which must be appropriate to the area.

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

Technical Notes detailing the restock requirements will be available on the Welsh Government website [www.wales.gov.uk/environmentandcountryside](http://www.wales.gov.uk/environmentandcountryside)

### **632 Capital Works, Broadleaved Trees**

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

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

Technical Notes detailing the restock requirements will be available on the Welsh Government website [www.wales.gov.uk/environmentandcountryside](http://www.wales.gov.uk/environmentandcountryside)

### **Plantations on Ancient Woodland Sites (PAWS)**

If the area that you intend to restock is a PAWS and is located within the Woodland Primary Core or Primary Networks area, you must restock the compartment with more than 80% native broadleaved tree species using Capital Works Option 631.

If the PAWS area to be restocked is not located within the Woodland Primary Core or Primary Networks area, you must restock the compartment with more than 50% native broadleaved tree species using Capital Works Option 631

The remaining area of the site must be restocked from one of the Capital Works options (Capital Works 613, 616, 619, 631 and 632).

For all PAWS, you should ensure that the native broadleaved tree species mixture is appropriate to the site.

A digital map of the Land Identification Parcel System (LPIS) parcels that have been ticked on the Expression of Interest (EOI) screen, showing the Woodland Primary Core or Primary Networks areas, will be provided.

### **Non Plantation on Ancient Woodland Sites (PAWS)**

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

### **Open Space**

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

Areas of unplantable / open ground within the woodland of 0.1ha or over must be mapped and excluded from the grant aided area. Area previously unplanted which are 0.1ha or over are ineligible for funding under Glastir Woodland Restoration.

Scattered and un-mappable open ground (i.e. less than 0.1ha) can be included within the planting area up to a total of 15% of the total area. Under such circumstances this will need to be noted on the Forest Management Plan. You will need increase the stems per hectare in parts of the site to account for unplanted ground to ensure the minimum number of tree required by the contract are planted.

### **Payment Rates**

The table below provides the payment rates for Capital works. The works and payment rates are subject to approval by the European Commission. This approval may result in changes to the items listed below and their payment rates.

<b>Capital Works</b>	<b>Restock Type</b>	<b>£ / Ha</b>
615	Basic	£1,900
618	Basic	£1,900
619	Basic	£2,300
631	Native Broadleaved	£2,770
632	Broadleaved	£2,770

### **Other Capital Works**

The table below lists additional Capital Works items available under Glastir Woodland Restoration and their payment rates. These items are for the preparation of the site to enable restocking and to protect the area under Contract from grazing. The Capital Works items and payment rates are subject to approval by the European Commission. This approval may result in changes to the items listed below and their payment rates.

<b>Capital Works number</b>	<b>Description</b>	<b>Rate (£)</b>
549	High seat	£348.33 each
595	Post and Wire fencing plus Stock netting	£3.48 / m
600	Softwood Gate	£150 each
602	Deer Fencing	£3.98 / m
654	Bramble/scrub control - hand/knapsack spraying	£185 / ha
663	Rhododendron/Laurel control <1.5m	£3882.60 / ha
666	Scrub clearance-mechanical	£227 / ha
669	Invasive species control	£1179.00 / ha
670	Rhododendron/Laurel control >2.5m	£7461.13 / ha

Capital works payments for Rhododendron/laurel control are only eligible to enable the establishment of trees, clearance of Rhododendron and laurel for disease prevention purposes are ineligible under this scheme.

Technical Notes detailing the restock requirements will be available of the Welsh Government Website.



## **Derogations**

In certain circumstances, it may be possible to grant a derogation to adjust the terms or withdraw your contract. Requests will be assessed on a case by cases basis, if you are unable to complete all or part of the work by the deadlines included in the contract.

You will need to submit a request in writing to Welsh Government as soon as an issue arises, including evidence in support of the request.

## **Consultations**

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

The presence of protected species (e.g. bats, dormice) needs to be considered and consultation with the appropriate authority may be required.

## **Section E – How to Apply**

### **Making an Expression of Interest Selection**

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

Once the selection process is complete, a letter will be sent to you confirming whether or not you have been selected for this round of Glastir Woodland Restoration. If your Expression of Interest has not been successful, you will be notified by letter via your RPW online account with the reason.

### **Forest Management Plan**

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

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

Before completing your Forest Management Plan, you must read the guidance provided. The plan must comply with UK Forestry Standard ([Forestry Commission - UK Forestry Standard and Guidelines](#)). You may, therefore, wish to seek professional assistance from a woodland Agent to ensure that your application meets these standards. The Forest

Management Plan will be assessed by the Welsh Government to ensure it meets these standards. The assessment will take into account the information provided in your plan and map and consideration will be given to the eligibility of works included in the application for funding under Glastir Woodland Restoration.

The maximum area eligible for funding under Glastir Restoration will be equivalent to twice the area of larch identified on the Statutory Plant Health Notice or felling licence. For example, if 1 hectare of larch is shown on your felling licence, the maximum area eligible for funding under Glastir Restoration will be 2 hectares.

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

### **Offer of Contract**

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

You will need to accept your contract online within 14 days of your offer notification, which will confirm that you are happy with the terms and conditions of the contract. Acceptance received after this date cannot be accepted and will be rejected and the offer of a Glastir Woodland Restoration contract will be withdrawn.

If, after being selected, you decide not to proceed with your application or fail to accept your offer of contract within the time permitted, you will not be able to apply for Glastir Woodland Restoration for a further 2 years.

If you decide to withdraw from the contract prior to the end of the contractual commitment (1 year Capital Works, 10 years Maintenance), you will be required to repay all of the monies you have received under the Glastir Woodland Restoration contract, with interest.

Subject to any changes needed to the **Welsh Government Rural Communities – Rural Development Programme for Wales 2014 - 2020** as a result of regulatory changes, the Glastir Woodland Restoration contract may be terminated at the end of 2020.

## **Claiming Payment**

Capital Works payments can only be made to the beneficiary of the contract and cannot be made directly to a representative of the beneficiary, for example, a Woodland Agent.

All payments under Glastir Woodland Restoration are paid at a standard cost rate. Capital Works claims are not claimed on the Single Application Form. To claim for completed capital works you must claim on the Glastir Capital Work Online claim. Please refer to the [How to Complete the Glastir Capital Works Online Claim](#) guidance for assistance in completing your claim.

## **Section F – Contract Amendments**

### **Transferring or Selling Land under Contract**

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

The transfer of a Glastir Woodland Restoration Contract to a new occupier is subject to approval by the Welsh Government. Where the prospective new occupier decides to take over the Glastir Woodland Restoration commitment from you and the land continues to meet the minimum eligibility criteria, the new occupier must continue with the commitment on the land transferred for the remainder of the contract period. The prospective occupier should be made aware of the Glastir Woodland Restoration commitment in advance of agreeing to the transfer of the land in question.

Following the sale or transfer of part of your land, any land which you retain and is the subject of the original Glastir Woodland Restoration Contract must continue to meet the

minimum eligibility criteria. In the event that this does not happen, your contract will be terminated and you will be required to repay all of the payments made in respect of that land with interest.

If you transfer or sell any land which forms part of your Glastir Woodland Restoration Contract then you must notify the Welsh Government in writing within 30 calendar days of the event. Failure to notify the Welsh Government within this period is likely to result in a penalty.

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

### **Land Changes and Land Sale Notification Requirements**

You will be required to inform the Welsh Government of changes to field parcels within 30 days of the change. These changes include:

- Fields not previously registered for IACS purposes (i.e. have not previously been included on the Single Application Form (SAF)).
- Fields which have been permanently divided.
- Fields which have been permanently amalgamated.
- Fields which have new boundaries.
- Fields which have changes to their permanent features.

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

To notify the Welsh Government of these changes you will need to submit a *Field Maintenance (FM) Application Form* within 30 days of the change or for land transfers you can notify the Welsh Government using your online account via *Manage My Land*.

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

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

## **Changes to Scheme Rules**

We may need to make changes to your contract. For example, we may need to update the management conditions to take account of the latest scientific advice, amend scheme rules to take account of any changes within the Wales Rural Development Plan or revise payment rates. We will publicise changes in Gwlad, on the Welsh Government website ([www.wales.gov.uk](http://www.wales.gov.uk)) and where necessary write to you.

## **Section G – Administrative Checks, Inspections and Record Keeping**

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

### **Administrative Checks**

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

### **Inspections**

Inspecting officers will need to verify the Capital Works on your holding **and** check the land details **and** the accuracy of any relevant documentation and record keeping.

Inspections will be spread over the year and will cover all the commitments and obligations which can be checked at the time of the visit. The Welsh Government and the specialist control bodies will try to ensure that visits cause you the minimum of disruption but some checks require inspections to be unannounced, which means it may not be possible to give you notice of a visit. Inspections may occur more than once during a calendar year.

If you refuse to allow an inspection, or obstruct an inspector or fail to give reasonable assistance, you will lose your payment and may be prosecuted.

## **Record keeping**

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

You will also be required to:

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

## **Section H – Penalties**

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

### **Breaches of Contract**

Breaches of contract may be identified from administrative checks, including insitu visits or on-the-spot inspections and you will be notified in writing if breaches are found. Where breaches of contract are discovered appropriate levels of reductions and/or exclusions will be determined according to the level of severity, extent, duration, reoccurrence of the breach and will also be applied to previous year's payments.

Where we consider a breach to be so serious that it cannot be rectified, this may result in the termination of your Contract. In serious circumstances this may also result in you being prohibited from entering another Rural Development scheme, for up to two years.

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

[www.wales.gov.uk](http://www.wales.gov.uk)



## **Capital Works Penalties**

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

Where false claims are made, or the land owner fails to provide the necessary information, this will result in the exclusion of payment, in the year of the finding and any amounts already paid that year will be recovered. In addition, you will be excluded from receiving support under any Rural Development Agri-environment and Forestry scheme in both the year of the finding and in the following calendar year.

## **Section I – Appeals Procedure**

The appeals process in Wales allows you access to an independent appeals procedure if you feel that the Welsh Government did not reach the correct decision according to the rules for Glastir.

The appeals process consists of two stages:

- Stage 1: review by the head of the Divisional Office
- Stage 2: review by an Independent Appeals Panel (if you are dissatisfied with the Stage 1 response). The Independent Panel make recommendations to the Deputy Minister for Agriculture for Farming and Food who then takes the final decision.

The appeals process is concluded after the Minister's decision has been issued. There is no charge for Stage 1 of the process but there is a charge at Stage 2 - £50 for a written hearing or £100 for an oral hearing. These charges are repaid in full if the Stage 2 appeal is either partially or fully successful.

You must appeal to the Customer Contact Centre within 60 days of receiving a decision, which may affect your payments.

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

## **Complaints Procedure**

Complaints will be dealt with under the Welsh Government's Code of Practice on Complaints. Further advice on how to make a complaint can be obtained from your Customer Contact Centre.

In addition you can write to any Member of the National Assembly for Wales about your complaint and you may also choose to contact:

Public Services Ombudsman for Wales,  
1 Ffordd y Hen Gae,  
Pencoed,  
CF35 5LJ

## **Section J – Data Protection Act 1998: Fair Processing Notice**

This notice informs you about the Welsh Government's use of the information provided on the Glastir expression of interest or any other document used in connection with your expression of interest for entry into the Glastir schemes, or which is created or obtained in connection with your expression of interest. The Welsh Government's use of the information will include sharing some information with other agencies and public bodies, and making some information available to the public.

The information will primarily be used for the purpose of processing and determining your expression of interest for Glastir Woodland Restoration. However, the Welsh Government (or its agents) may also make use of the information supplied for other purposes, which will include those connected with its functions and duties under the Common Agricultural Policy of the European Community and with its statutory environmental obligations.

## **Reasons for Sharing Personal Data**

In particular, the information may be used for the following:

- Cross Compliance and cross checking between partner organisations to prevent breaches of the Agri-environment schemes each administer
- Administering applications
- The production and publication of maps showing the areas of land that have been brought into the agreements
- Compilation of reports of aggregated data to be made publicly available, via the Welsh Government Internet pages
- Preparation of summary statistical analyses (from which individuals cannot be identified)
- Informing decisions relating to policy changes and funding
- Identification of landowners/users in events of emergencies, e.g. disease control and breach control
- Protecting applicant's interest in land conservation and issues that may arise due to funding queries
- Disclosure to regulatory authorities, such as HM Revenue and Customs and the police, where it is in the public interest to do so
- Publication of certain information and responding to requests for information.

## **The Publication and Disclosure of Information**

The information will be managed and used by the Welsh Government in accordance with its obligations and duties under the:

- Welsh Government's Code of Practice on Access to Information

- Freedom of Information Act 2000
- Data Protection Act 1998
- Environmental Information Regulations 2004, and
- Commission Regulation (EC) No 908/2014

Therefore, 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. Its response to such requests will be in accordance with the Welsh Government's Code of Practice on Access to Information.

The Code is published on the Internet at:

[www.wales.gov.uk/publications](http://www.wales.gov.uk/publications)

[www.cymru.gov.uk/cyhoeddiadau](http://www.cymru.gov.uk/cyhoeddiadau)

Commission Regulation 908/2014 Requires member states to publish details of the amounts paid to CAP beneficiaries (claimants). Payments will be published for all beneficiaries in receipt of more than €1,250 in a given year. Details will be published on 30<sup>th</sup> April each year on a searchable website and will include the business name, and municipality (nearest town) of the beneficiary with details of the amounts and schemes for which grants were paid. Beneficiaries who received less than €1,250 in total in that year will not be published. The information will be available on the DEFRA website at: <http://cap-payments.defra.gov.uk/>

### **Rights under the Data Protection Act 1998**

The Data Protection Act 1998 gives individuals certain rights in respect of the personal data held on them. Whilst not intending to be exhaustive, examples of these rights include:

- The right for any personal data held about them to be processed fairly and lawfully

- The right to ask for and receive copies of the personal data that the Welsh Government holds about them, although the Welsh Government can sometimes withhold some data or not provide copies
- The right, in some circumstances, to prevent the Welsh Government processing personal data if doing so will cause damage or distress
- The right, in some circumstances, to have wrong data put right.

Individuals also have the right to ask the Information Commissioner, who enforces and oversees the Data Protection Act 1998, to assess whether or not the processing of their personal data is likely to comply with the provisions of the Act.

The information will not go outside of the European Union area, unless there is due concern to do so (e.g. in the case of a disease outbreak). If it does, the Welsh Government will make sure that the information continues to be processed in accordance with the rules of the Data Protection Act 1998.

### **Seeking Further Information**

For further information about the information collected and its use, any concerns about the accuracy of your personal data, or if you wish to exercise any of your rights under the Data Protection Act 1998, you should contact Rural Payments Wales Customer Contact Centre.

## **Section K – Contact Details**

Welsh Government's website: [www.wales.gov.uk/environmentandcountryside](http://www.wales.gov.uk/environmentandcountryside) and bi-monthly Gwlad magazine [www.gwladonline.org](http://www.gwladonline.org) contain key information.

Contact details are as follows:

### **CUSTOMER CONTACT CENTRE**

#### **Rural Payments Wales**

PO Box 1081

Cardiff

CF11 1SU

Tel: 0300 062 5004

Fax: 01286 662193

E-mail: [rpwonline@wales.gsi.gov.uk](mailto:rpwonline@wales.gsi.gov.uk)

#### **Other useful contacts**

For SSSI, NNR, SAC or SPA agreement land:

### **NATURAL RESOURCES WALES**

c/o Customer Care Centre

Tŷ Cambria

29 Newport Rd

Cardiff

CF24 0TP

Tel: 0300 065 3000

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

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

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

**CADW**

Welsh Government

Plas Carew

Unit 5/7 Cefn Coed

Parc Nantgarw

Cardiff

CF15 7QQ

Tel: 01443 33 6000

Fax: 01443 33 6001

E-mail: [Cadw@Wales.gsi.gov.uk](mailto:Cadw@Wales.gsi.gov.uk)

For unscheduled ancient monuments or historic features:

**Clwyd-Powys Archaeological Trust**

41 Broad Street

Welshpool

Powys

SY21 7RR

Tel: 01938 553670

Fax: 01938 552179

E-mail: [trust@cpat.org.uk](mailto:trust@cpat.org.uk)

[www.cpat.org.uk](http://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](mailto:enquiries@ggat.org.uk)

[www.ggat.org.uk](http://www.ggat.org.uk)

**Dyfed Archaeological Trust**

The Shire Hall, Carmarthen Street, Llandeilo,  
Dyfed, SA19 6AF

Tel: 01558 823121

Fax: 01558 823133

E-mail: [info@dyfedarchaeology.org.uk](mailto:info@dyfedarchaeology.org.uk)

[www.dyfedarchaeology.org.uk](http://www.dyfedarchaeology.org.uk)

**Gwynedd Archaeological Trust**

Craig Beuno, Garth Road, Bangor, Gwynedd,  
LL57 2RT

Tel: 01248 352535

Fax: 01248 370925

E-mail: [gat@heneb.co.uk](mailto:gat@heneb.co.uk)

[www.heneb.co.uk](http://www.heneb.co.uk)