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# Glastir

## Glastir Woodland Creation Rules Booklet

Version 3 August 2016

Welsh Government Rural Communities - Rural  
Development Programme for Wales 2014 - 2020





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## Key Messages

- Given current uncertainty regarding future funding, once the UK leaves the European Union, we cannot, presently, guarantee the offer of the annual Premium and Maintenance payments. As such, the Welsh Government can only guarantee the offer of establishment and associated capital works payments. Further updates will be provided when future funding arrangements are clarified with UK Government.
- This Expression of Interest is available to landowners who will be able to complete all capital works and planting by 31 March 2018.
- A budget of £1.7million has been allocated to this Expression of Interest Window You will need to adhere to the following timetable:

Submit your online Expression of Interest between:	30 August 2016 and Midnight 14 October 2016
Complete all Establishment and Capital Works by	31 March 2018
Submit your claim for completed Establishment and Capital Works by:	30 April 2018

- This scheme provides financial support for new planting, fencing and, if funding is available, annual maintenance and premium payments.
- Financial support is also available for planting trees in areas that continue to be grazed as part of an Agroforestry system i.e. combining agriculture and forestry. See Section C for full details.
- You may be eligible to use land taken out of agricultural production for new planting under Glastir Woodland Creation grants to support claims on the Basic Payment Scheme (BPS), provided the land was used to claim Single Payment Scheme (SPS) in 2008, whilst your commitment to afforest the eligible land under this contract remains active.
- Field parcels established with scattered trees under an Agroforestry system may continue to be eligible for Basic Payment. A deduction will need to be made for the area of the trees in line with the BPS rules.

- The Glastir Woodland Creation Expression of Interest has been developed digitally and is available through the Rural Payment Wales (RPW) Online service. You will need a Customer Reference Number (CRN) and a RPW Online account before you can access the Glastir Woodland Creation Expression of Interest. For further information on registering with RPW Online or submitting an Expression of Interest, please refer to Section D of this booklet. If you require Digital Assistance, please contact the Customer Contact Centre using your RPW Online account or on 0300 062 5004.
- You should read this Booklet and the How to Complete Guidance before you submit your online Expression of Interest.
- You should ensure that you can meet all the eligibility criteria for the full contractual period (see section C for details). The contract will end, where applicable, following final payment of Establishment, Capital works, maintenance and premium payments.
- Following planting, if funding is available you may be eligible to claim 12 years maintenance and premium payments. 5 years maintenance payments are available through the Agroforestry system.
- You will need to complete a Glastir Woodland Creation Plan which must comply with the UK Forestry Standard. The preparation of the plan may be grant aided provided the plan is approved. You must use a Woodland Planner who is registered with the Welsh Government to produce a Woodland Creation Plan. A list of woodland planners will be provided to you if your Expression of Interest is successful.
- The minimum area of new planting is 0.25ha and the minimum individual block is 0.1ha. See Section C for full details.
- Glastir Woodlands has been approved by the European Commission. Any subsequent changes to this guidance and Glastir commitments will be published in Gwlad Online ([gwlad.gov.wales](http://gwlad.gov.wales)) and, where necessary, we will contact farming businesses 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 43466).

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 32, 33 and 35 of Commission Regulation (EU) No 702/2014 (Agriculture Block Exemption Regulation).
  - Enhanced Mixed Woodland Glastir Option 803
  - Native woodland Biodiversity Glastir Option 801
  - Native Woodland Carbon – Glastir Option 802
  - Fencing – Glastir Option 595
  - Agroforestry – Scattered Trees Glastir Option 804
  - Woodland Creation Plan Grant

## **Section A - Introduction**

This booklet is for land managers and farming business, who intend to submit an Expression of Interest for Glastir Woodland Creation for works to be completed by the deadlines outlined in key messages. The details contained within this booklet are not exhaustive and may be updated.

This scheme also supports the commitment of woodland expansion set out in Woodland for Wales, the Welsh Government's Woodland Strategy.

The Welsh Government is committed to planting more trees in Wales through the Glastir Woodland Creation scheme to deliver a wide range of benefits, to:

- Provide shelter for livestock and buildings from severe weather
- Control livestock movement by fencing out and planting inaccessible areas e.g. steep dingles
- Grow a sustainable supply of fuelwood and timber e.g. for construction and fencing
- Establish habitats for wildlife
- Reduce the risk of downstream flooding and siltation in watercourses
- Screen out noise pollution e.g. from roads and railways

You will need to engage a Woodland Planner to prepare a Glastir Woodland Creation Plan which complies with the UK Forest Standard. This plan will set out your objectives when creating the woodland and how the woodland creation supports Welsh Government's objectives and delivers value for money.

The Glastir Woodland Creation scheme has introduced new opportunities to enable the establishment of agroforestry systems. See Section C for details.

It is important, however, that if you are taking up new options, such as agroforestry, you are able to show how you plan to introduce this system through your woodland creation plan for the benefit of your farming business. In particular, agroforestry will only be supported where there is a clear intention to maintain the system in the long term, to continue integrated agricultural and forestry practices with active use of the land for grazing for the full duration of your contractual commitment.

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

Glastir Woodland Creation 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 [gov.wales](http://gov.wales) or copies can be requested from the Rural Payments Wales Customer Contact Centre.

## **Section B – Eligibility**

To be eligible for GWC you must:

- Have registered as a customer with Rural Payments Wales and have been issued with a Customer Reference Number (CRN. You must have registered your land with the Rural Payments Wales Land Parcel Identification System (LPIS). You do not need to be a farmer to do this.
- Have 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 the full commitment period.



- Be a public or private land holder, municipality or an association, including community groups planting on publicly owned land.

## **Land eligibility requirements**

To be eligible for a GWC contract, the land must:

- Consist of field parcels that are 0.1ha or greater in area and be located in Wales – note that the term field parcel does not imply that this must be agricultural land.
- Not be existing woodland, this includes areas shown on the Natural Resources Wales (NRW) National Forest Inventory.
- Not be used, for the duration of the woodland creation contract, to grow Christmas trees or a short rotation biomass crop. Christmas trees may not be used as a nurse crop. Short rotation means less than 8 years.
- If it is an agroforestry option the land must continue to be grazed, for the duration of the contract and commitment.
- Have received all necessary consents from relevant organisations e.g. NRW, CADW in order to plant on designated sites in compliance with the UK Forest Standard.
- Not be registered common land.

## **Sources of other funding**

If you are receiving payment from any other source for the works that are required under Glastir Woodland Creation, this would be considered double funding and is not permissible under the scheme. This may include payments for activities from the Nature Fund.

Land under a Glastir Advanced (GA) annual management option is not eligible for GWC for the period of the GA contract.

Land under a Glastir Entry (GE) annual management option will generally not be eligible for GWC. However, the land may be eligible if following the removal of the area to be entered into GWC from the annual management option, the GE contract still meets the point threshold level required to remain eligible.

Land under a Glastir Organic contract may be entered into a GWC contract. However, the customer must request the removal of the land from the Glastir Organic contract via their RPW online account. Subject to approval from the Welsh Government, the land will be removed from your Glastir Organic Contract on 1 January 2017, planting can only commence after this date.

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

## **Woodland Carbon Code**

Tree planting can remove carbon dioxide from the atmosphere. The Woodland Carbon Code promotes carbon trading and trees planted under the Glastir Woodland Creation scheme may be eligible as a woodland carbon project. The woodland carbon code requires those who list woodland carbon units for trading to demonstrate that the carbon funding sought is necessary additional funding for the woodland creation project. This “additionality test” ensures that there is not an issue of double funding and, provided that the test is satisfied, there will not be double funding.

All projects which apply to Glastir for the Native Woodland – Carbon option must register their proposal with the Woodland Carbon Code within 12 months of the Glastir Woodland Creation contract acceptance date. Further information can be found at [www.forestry.gov.uk/carboncode](http://www.forestry.gov.uk/carboncode). Registration with the code is the first step towards full validation and verification of woodland carbon units generated by the project. Taking this first step involves calculating the amount of carbon that the project will sequester over its lifetime.

## Section C – Glastir Woodland Creation Grants

### Capital Works

If you are successfully selected for Glastir Woodland Creation you will be required to complete a Glastir Woodland Creation Plan that complies with UK Forest Standard ([Forestry Commission – UK Forestry Standard and Guidelines](#)). The Woodland Creation Plan will be verified by NRW. Following approval of the plan by Welsh Government eligible capital works items listed in the plan can be included in a Glastir Woodland Creation Contract. This section details the capital works items, maintenance and premium payments available under Glastir Woodland Creation.

- Capital Works, establishment grants for planting trees. The grants are claimed by the contract holder following planting. See Table 1 for details of woodland categories and grants.
- Fencing grant rates of £3.48/metre which meet with the Glastir technical fencing specification are available. This is for full stock exclusion of a new planting area. You can upgrade to deer or rabbit fencing at your own cost but this must be in addition to the standard stock fence.
- Please note: Areas afforested under Glastir Woodland Creation may be eligible for Basic Payment Scheme (BPS) for the duration of the contractual commitment provided it was used to claim Single Payment Scheme (SPS) in 2008 whilst your commitment to afforest the land within the contract is active.. There are specific crop codes to be used when claiming BPS under these circumstances. You should refer to the latest SAF rules booklet for full details. It will only remain eligible for BPS whilst the area remains within an agri-environment scheme and you are in receipt of the Maintenance and Premium Payments.

### Agroforestry Grant

- Agroforestry can be described as an integrated approach to land management, where trees and agriculture co-exist to provide multiple benefits.
- Welsh Government is committed to providing a flexible range of options for farm woodlands. Glastir Woodland Creation makes a start by providing greater flexibility for woodland design to allow shelterbelts and small groups of trees down to 0.1ha in an individual block. We are complementing this by offering a single agroforestry option in this Expression of Interest. This will provide for establishing 80 scattered trees per hectare on permanent grassland which is also grazed at least at typical stocking levels for the land in question throughout the period of the contract. The stocking levels will be defined within your contract.

- If you are applying for an agroforestry grant you will need to demonstrate through the woodland creation plan that your proposal is sound, and that it is integrated into your agricultural business in the long term.
- See Table 1 for the Agroforestry grant specification. The land must be permanent pasture land and continue to be grazed. A crop of silage or hay can also be taken from the land. The agroforestry option is intended to support the establishment of a new agricultural system – it is not just a tree planting grant.
- The grant rate shown is based on planting, individually fencing and protecting the required number of individual trees and maintaining these so that they become fully established whilst also maintaining agricultural activity on the area for the full contract period.
- Premium payment is not payable on these areas because they will remain in agricultural production and the trees must be fully established as an agroforestry system for five years following initial planting.
- The area under agroforestry must be retained for five years after the year in which the trees are established.
- There will be a requirement to keep a stocking diary to record the grazing undertaken each year. These records must be maintained at field parcel level for the full term of the contract.
- The land planted under the Agroforestry measure will remain subject to cross compliance regulations. This includes maintaining the land in good agricultural and environmental condition. Any breach of Cross Compliance will be subject to a penalty.

The field parcels established with scattered trees under Agroforestry may continue to be eligible for Basic Payment with a deduction for the area of the trees which are fenced off provided that this means that including any pre-existing trees, there are less than 100 scattered trees per hectare. A deduction for trunks/stumps will be required if the area covered by the trunks is greater than 50m<sup>2</sup>. You should refer to the latest SAF guidance booklet for details of how to assess parcels with trees.

**TABLE 1 WOODLAND CATEGORY, SPECIFICATIONS AND GRANT RATES FOR GLASTIR WOODLAND CREATION**

<b>Woodland Category</b>	<b>Glastir Capital Works No.</b>	<b>Specification</b>	<b>New planting payment £ per ha</b>	<b>Annual Maintenance payment £ per ha</b>	<b>Annual Premium Payment £ per ha</b>
<b>Enhanced Mixed Woodland</b>	803	<ul style="list-style-type: none"> <li>• Minimum of 5 major species (at least 10% of each)</li> <li>• Minimum of 25% broadleaves inclusive of woody shrub element</li> <li>• Maximum 10% woody shrub element</li> <li>• No more than 50% of a single species</li> <li>• Stocking density 2,500/ha</li> </ul>	3,600	60 (12 Years)	350
<b>Native Woodland - Carbon</b>	802	<ul style="list-style-type: none"> <li>• Native species mixture</li> <li>• Suitable provenance planting stock*</li> <li>• Maximum 20% woody shrubs allowed</li> <li>• Stocking density 2,500/ha</li> </ul> <p><b>It is a requirement you register your new planting scheme with the Woodland Carbon code.</b></p>	4,500	60 (12 Years)	350
<b>Native Woodland - Biodiversity</b>	801	<ul style="list-style-type: none"> <li>• Native species - mix should be site native and largely conform to Habit Action Plan types (for example upland oak, lowland mixed deciduous woods) however local conditions may necessitate some variation from these.</li> <li>• Suitable provenance planting stock*</li> <li>• Maximum 20% woody shrubs allowed</li> <li>• Clumped distribution of species with variable spacing</li> <li>• Stocking density 1,600/ha</li> </ul>	3,000	60 (12 Years)	350
<b>Agroforestry - scattered trees</b>	804	<ul style="list-style-type: none"> <li>• 80 trees per hectare</li> <li>• Not eligible for fencing grant</li> <li>• Not eligible for Premium payment</li> </ul>	1,600	30 (5 Years)	N/A
<b>Fencing</b>	595	Post and wire fencing and stock netting	3.48/metre		

## Notes on Table 1

- Given current uncertainty regarding future funding, once the UK leaves the European Union, we cannot, presently, guarantee the offer of the annual Premium and Maintenance payments.
- The Glastir Woodland Creation woodland opportunities map, which shows all the constraints and sensitivities connected with a new planting site, is available on the [Lle Website](#).
- Supporting guidance for the Glastir Woodland Creation scheme is also available on the [NRW Website](#).
- All trees must be selected for suitability to the site conditions. There should be no planting of larch, ash or other species at immediate risk of disease.
- Follow [acid sensitive catchment guidance](#) on the NRW website in at risk and failing acid sensitive catchments.
- No more than 10% alder should be planted in riparian areas that are at risk and/or failing acid sensitive catchments because of its ability to contribute to acidification.
- Existing trees and scrub are an important habitat and should not be cleared prior to planting.
- If priority habitats on the land proposed for new planting has been destroyed after 2002, the Glastir Woodland Creation application will be refused as it will be in contravention of the Environmental Impact Assessment (Agriculture) (Wales) Regulations 2007.

## **Premium Payment**

Premium payment is an area based payment which is intended to compensate for the income foregone for the stock exclusion of agricultural land. A payment of £350/ha is available for 12 years. It is not available under Agroforestry.

To be eligible to claim Premium Payment, you must submit an annual Single Application Form via RPW online and claim against each eligible field parcel included within your contract.

## **Maintenance Payment**

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

Maintenance includes weeding and the replacement of dead trees and regular inspection. There will be a requirement to keep an activity diary to record the maintenance undertaken each year. These records must be maintain at field parcel level for the full term of the contract.

We expect you to maintain the trees you have planted in accordance with normal sustainable forest management practices. You must protect the trees you have planted against damage and that includes damage caused by competition from weeds, insects, pests and grazing animals such as rabbits, hares and sheep. The maintenance grant is based on periodic weeding and replacement of dead trees with new ones. When we inspect your trees we will expect to find that they have been properly established. They should make reasonable height growth each year so that by five years old they are 5 to 6 feet (1.5 to 1.8m) tall or higher. A weed free area should be maintained around the base of each tree for three years following the final Capital works claim for planting. There should be no browsing damage and no evidence that the area protected from grazing has been used by livestock. Trees which fail to thrive should be replaced. Advice about looking after your trees is available on the Welsh Government Website and from Welsh Government's Farming Connect service and the Glastir Woodland Planner will provide you with advice when drawing up your plan.

## **Minimum size of new planting**

- The minimum area of new planting is 0.25 ha with a minimum individual block of trees of 0.1 ha.
- There is no fixed minimum width but the trees must be fenced and protected from browsing and the design of the woodland must be consistent with UKFS.
- There is no limit on the maximum size of new planting.

## Stock exclusion

Where stock exclusion is a requirement, the area of new planting must remain free from livestock for the full duration of your Glastir Woodland Creation contractual commitment.

## Open Space

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. Areas of unplanted and open ground of 0.1ha or over must be mapped and excluded from the grant aided area within your woodland creation. This needs to be noted on the Woodland Creation Plan. You will need to reduce the tree spacing in parts of the site to account for un-plantable ground to ensure the required number of trees in the contract are planted (see Table 2).

**Table 2 - Spacing distances for varying percentages of open space stocking density of 2,500 stems per hectare (Native Carbon mixture & Enhanced Mixed woodland)**

% open space	spacing m x m	Stems/ha in net area
0%	2.00	2,500
5%	1.95	2,631
10%	1.90	2,777
15%	1.84	2,941

**Table 3 - Stocking density of 1,600 stems per hectare (Native Woodlands – Biodiversity)**

% open space	spacing m x m	Stems/ha in net area
0%	2.50	1600
5%	2.44	1684
10%	2.37	1778
15%	2.30	1882

## Existing scattered trees and shrubs

Existing scattered trees and shrubs have a high environmental value and should not be cleared for new planting but should be incorporated in the planting design. Shrub and scattered trees e.g. trees need to be mapped out in the same way as open ground if the area is more than 0.1 ha.



## Section D – How to Apply

### Making an Expression of Interest

The Glastir Woodland Creation Expression of interest is available through the RPW online service only.

If you are acting as an agent on behalf of a client, you will need to register as a Rural Payments Wales agent. If you have yet to do this, you are advised to complete and return an Agent / Farming Union Customer Details (Wales) form immediately. This form is available on [www.gov.wales/rpwonline](http://www.gov.wales/rpwonline). 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 to agree roles with your client. This form is available from [www.gov.wales/rpwonline](http://www.gov.wales/rpwonline).

If you are acting on your own behalf and do not have a CRN or RPW online activation code, you should contact the Customer Contact Centre on 0300 062 5004 **immediately**.

If you are already registered with RPW online, access to the Glastir Woodland Creation Expression of interest will be available via the 'Applications and Claims' screen.

Guidance on completing your Glastir Woodland Creation Expression of interest online is available from [www.gov.wales/rpwonline](http://www.gov.wales/rpwonline). If you need additional help to complete your online Expression of interest, or are unable to complete this online, you should contact the Customer Contact Centre **as soon as possible** to discuss the digital support available to you.

### Selection

Welsh Government will use geographical information to assign a score to each application received in this Expression of Interest. The score will be derived on the basis of the field parcel boundaries which are included in your Expression of Interest. This is because the layout and design of the woodland cannot be determined finally until after a woodland creation plan is drawn up later in the process. Each parcel will be assessed against a range of map layers which represent the opportunities that woodland creation will bring. A .pdf map showing the ramped potential score for woodland creation will be made available online. The scoring layers will be amended from time to time to reflect new information that becomes available about woodland creation opportunities and as the evidence that makes up the layers is refined.

## **Submitting an application - the Woodland Creation Plan process**

Once the selection process has been completed, a letter will be sent to you via your RPW online account confirming whether you have been selected for this round of Glastir Woodland Creation. It is possible that you may be placed on a reserve list. If your Expression of Interest has not been successful, you will be notified by letter via your RPW online account with the reason for non-selection.

You will need to engage a registered Glastir Woodland Planner from the published list to complete a Glastir Woodland Creation plan. A fee of £800 will be available provided your Woodland Creation Plan is approved.

The woodland planner will write the Glastir Woodland Creation plan, which sets out the process of assessment, planning and implementation of a new woodland, including a new agroforestry system, in accordance with the UK Forest Standard. A list of approved woodland planners will be available on ([www.wales.gov.uk/environmentandcountryside](http://www.wales.gov.uk/environmentandcountryside)).

You will be provided with a digital map in pdf format outlining field parcels included in your Expression of Interest and a Woodland Creation Plan template, which your woodland planner will need to use in compiling your plan.

The Glastir Woodland Creation plan templates and guidance and mapping guidance will be available on RPW online. We are unable to accept alternative plan templates and maps and if submitted will render your application ineligible.

During the Welsh Government Rural Communities – Rural Development Programme for Wales 2014-2020, you can apply for two Glastir Woodland Creation plans under one Customer Reference Number.

If your CRN covers a very large holding which is widely geographically spread, we may agree to fund management plans for separate properties within your holding. You will need to contact Welsh Government via the Customer Contact Centre On 0300 062 5004 or [rpwonline@wales.gsi.gov.uk](mailto:rpwonline@wales.gsi.gov.uk) to agree this in advance.

## **Consultation**

The Glastir Woodland Creation plan needs to conform to the requirements set out in the UK Forest Standard. The woodland planner will need to gather information from other organisations, eg. Archaeological Trust and members of the public who have an interest in the woodland creation. This will include neighbours, interested parties and statutory bodies. For larger schemes a greater degree of consultation will be necessary. Welsh Government will not consult third parties directly, we expect you to ensure that the woodland planner does this on your behalf. The planner must include a report about the public consultation that has been carried out as part of the woodland creation plan.

The woodland planner will be required to seek consents from relevant organisations when planting within a designated site such as a Site of Special Scientific Interest (SSSI) or Scheduled Ancient Monument (SAM).

You may also need to obtain other consents if your application would have an impact on a protected species, or water body.

## **Environmental Impact Assessment (EIA)**

NRW is the competent authority for assessing afforestation under the Environment Impact Assessment (Forestry) Regulations 1999 and all Glastir Woodland Creation plans require an Environmental Impact Assessment (Forestry) opinion from NRW before new planting can go ahead.

Any breach of Environmental Impact assessment Regulations between the submission of the Expression of Interest and contract start may result in the offer of contract being withdrawn. The environmental damage may also be referred to the relevant authority in cases of suspected breaches of Regulations.

To ensure Welsh Government Rural Communities – Rural Development Programme for Wales 2014-2020 funds can be managed effectively, the Welsh Government will expect the Woodland Creation Plan to be developed and submitted within a timescale that ensures that planting can be carried out in the next planting season. The deadline for submitting the Plan is notified in the selection letter.

## **Submitting your Glastir Woodland Creation Plan**

Your completed Glastir Woodland Creation Plan, annotated digital map and any supporting documents must be submitted to the Welsh Government by the date specified in the selection letter via your RPW Online account.

## **Verification of your Glastir Woodland Creation Plan**

The completed Woodland Creation plan will be verified by NRW. The Woodland Creation Plan must:-

- Comply with the UK Forest Standard - [www.forestry.gov.uk/ukfs](http://www.forestry.gov.uk/ukfs)
- Demonstrate value for money
- Follow Glastir Woodlands Creation scheme rules

If the Woodland Creation plan does not comply with these requirements, the verifier will return the plan to the Woodland Planner until it is compliant.

## **Offer of Contract**

Once your Glastir Woodland Creation Plan has been verified by NRW and subsequently approved by Welsh Government, you will be offered a Glastir Woodland Creation contract. You will need to accept your contract via RPW online within 14 days.

If, after being selected, you decide not to proceed with your application or fail to accept the offer of a contract within the time permitted, you will not be able to apply for Glastir Woodland Creation for a further 2 years, unless Welsh Government agrees in advance to adjust the terms of your contract.

If you decide to withdraw from the contract prior to the end of the contractual commitment, which is the end date on your contract, that will normally be 12 years following the year in which the capital works are fully completed, you will be required to repay all of the monies you have received under the Glastir Woodland Creation contract with interest. Furthermore you will not be able to apply for a further 2 years.

## **Starting Work**

If you start work before signing the Glastir Woodland Creation contract, the Welsh Government will either reject the work started or terminate the contract and recover any payments made. An example of starting work is commencing planting without written consent from the Welsh Government.

## **Claiming Payment**

### **Woodland Creation Plan fees**

When the plan has been approved, you will be able to claim via your RPW online account. The grant will be paid to you only where the plan has been approved by Welsh Government following its verification by NRW. We will let you know Online if you are eligible for the Woodland Creation Plan Fee. Under European Regulations, payment cannot be paid directly to your Woodland Planner. The fee will be paid into your account and you can then pay your Woodland Planner.

The fee for an approved Woodland Creation Plan is £800.

## **Capital Works Claim**

Capital works payments under Glastir Woodland Creation are paid at a standard cost rate. Capital works that are to be completed by the 31 March 2018 must be claimed via RPW Online by 30 April 2018. If you have not claimed your payment by the 31 March 2018, you will be required to submit a declaration of the completion of the work. Please refer to the [How to Complete the Glastir Capital Works Online Claim](#) guidance for assistance in completing your claim.

## **Maintenance and Premium Payment Claims**

These payments are area based payment and must be claimed annually on the Single Application Form (SAF). You will be eligible to claim your first Maintenance and Premium Payment, subject to eligibility, in the first calendar year following the year of planting following payment for planting. The annual deadline for submitting a SAF is 15 May and is only available via RPW Online. Under European Rules, payment can only be paid to the contract holder.

The Welsh Government Rural Communities - Rural Development Programme for Wales 2014-2020 was approved in May 2015 but remains subject to any further regulatory changes. The Glastir Woodland Creation contract may be terminated at the end of 2020, or at any time. If this happens we will write to you to inform you of the changes and may not reclaim money already paid. As a result of changes further payments may be withheld or we may not make payments including for work you have already carried out but have not yet been paid. A different rate of grant may be introduced at any time.

## **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 case 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.

## **Section E – Contract Amendments**

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

When you sign your Glastir Woodland Creation Contract you are making a commitment for 13 years, 6 years in the case of Agroforestry. If you subsequently sell or transfer all or part of your land during the 13 or 6 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 Creation 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 Creation 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 Creation 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 Creation Contract must continue to meet the minimum eligibility criteria. In the event that this does not happen, you will be required to repay all of the payments made in respect of that land with interest. If you transfer or sell any land which forms part of your Glastir Woodland Creation 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 Creation 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 RPW 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 including payment rates. 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 Welsh Government Rural Communities – Rural Development Programme for 2014-2020 or revise payment rates. We will publicise changes in Gwlad online, on the Welsh Government website ([www.gov.wales](http://www.gov.wales)) and where necessary write to you.

## **Section F – Inspections and Record Keeping**

The Welsh Government must enforce the Glastir Woodland Creation rules. Inspections will include on site farm inspections and the use of Global Positioning Systems, aerial photography and the use of satellite imagery.

### **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 for the full duration of your contract

You will also be required to:

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



## **Section G – Penalties**

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

### **Maintenance and Premium Annual Claims**

#### **Under Declaration**

Failure to declare all the agricultural land/areas on your holding on the Single Application Form (including all owned and rented in land and not just that on which you are entering into Glastir e.g. woodland/forestry, tracks, yards, hardstandings, etc.), may result in your Rural Development and Basic Payment Scheme payments being reduced.

#### **Over Declaration**

Over Declaration penalties will be applied where the area declared for Glastir on the Single Application Form (SAF) is more than the determined area. Penalties are calculated using areas declared on the SAF or following inspection which receive the same rate of aid (referred to as crop groups).

#### **Failure to submit an annual claim via SAF**

If you fail to submit your annual maintenance and premium claims by the deadline (usually 15 May) each year, it will be subject to late submission penalties. If you fail to submit a claim by the final date of submission (usually 9 June) it will be rejected - the SAF guidance will confirm the submission dates each year which can change if they fall on a weekend.

#### **Breaches of Contract**

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

Where we consider a breach to be so serious that it cannot be rectified, this may result in the termination of your Contract. In serious circumstances this may also result in you being prohibited from entering another Welsh Government Rural Communities – Rural Development Programme for Wales 2014-2020 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, no payment will be made for the ineligible costs. You should only claim for the eligible work you have completed, even if this is less than included in the contract.

If the amount of ineligible costs is determined to be more than 10% of the eligible costs, an over-declaration penalty equivalent to the value of ineligible costs will be deducted from your payment.

During an inspection, all of your GWC contracts will be assessed; where over-declarations are discovered on any claim submitted, including different contracts, a cumulative over-declaration will be applied if the overall amount of ineligible costs are determined to be more than 10% of the overall eligible costs.

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 Welsh Government Rural Communities – Rural Development Programme for Wales 2014-2020 scheme in both the year of the finding and in the following calendar year.

## **Breach of Cross Compliance**

You will be responsible for meeting the full Cross Compliance requirements for the full calendar year on your holding(s). If you fail to meet the Statutory Management Requirements or Good Agricultural and Environment Conditions requirements whether negligently or intentionally you could lose some or all of your Glastir payment, for one or more years. In determining these reductions and exclusions, account will be taken of the extent, severity, permanence and reoccurrence of the non-compliance.

## **Section H – 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 Cabinet Secretary for Environment and Rural Affairs 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 I – 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 Creation. 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.
- Consent to be surveyed by WG and its agents

## **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:

<http://www.wales.gov.uk/publications>

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 30th 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: [cap-payments.defra.gov.uk/](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 J – 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 GWC Verification, 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)

GWC Verification: [GW.Verify@naturalresourceswales.gov.uk](mailto:GW.Verify@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)