



Cronfa Amaethyddol Ewrop ar
syfer Datblygu Gwledig:
Ewrop yn Buddsoddi mewn Ardaloedd Gwledig
European Agricultural Fund for
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Europe Investing in Rural Areas



Llywodraeth Cymru
Welsh Government

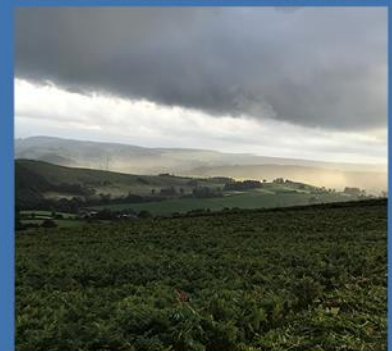


Llywodraeth Cymru
Welsh Government

Glastir

Glastir Commons 2020/2021

General Guidance Booklet



Cymunedau Gwledig Llywodraeth Cymru –
Rhaglen Datblygu Gwledig Cymru

2014-2020

Mae'r ddogfen yma hefyd ar gael yn Gymraeg / This document is also available in Welsh.

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SECTION A: INTRODUCTION

Common land in Wales plays an important role as an agricultural, environmental, recreational and cultural resource. Common Land forms an important element of the farming tradition, particularly as a grazing resource, which plays a key role in the management of important landscapes and habitats.

Glastir Commons is a five year contractual commitment available to applicants who hold rights on common land and who have joined together to establish a Grazing Association. It may also be available on unenclosed land used by multiple graziers concurrently which has the characteristics of common land (e.g. unenclosed upland, rough grazing etc.). Glastir Commons Contract holders have committed to options either based on managing stocking levels or the selection of a closed winter period.

Glastir Commons is funded through the Welsh Government and the European Commission to form part of the Welsh Government Rural Communities - Rural Development Programme for Wales for 2014 to 2020.

Glastir Commons is governed by The Rural Development Programmes (Wales) Regulations 2014 No. 3222(W327); Council Regulations (EU) No. 1305/2013, 1303/2013 and (EU) No. 1306/2013, Commission Implementing 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 can be found at EUR-Lex web site (eur-lex.europa.eu) or copies can be requested from the Rural Payments Wales Customer Contact Centre.

The Welsh Government cannot guarantee that the Glastir rules (which derive from European legislation) contained in this booklet will not be subject to change. The Welsh Government will publicise the changes in Gwlad, on their website and where necessary contact applicants.

SECTION B: ELIGIBILITY REQUIREMENTS

Contract holders for Glastir Commons must have met the meet all the following eligibility criteria:

- Be registered with the Welsh Government as Grazing Association with a Customer Reference Number (CRN).
- Must be registered with RPW Online.
- All eligible land must be registered with the Welsh Government's Land Parcel Identification System (LPIS).
- Have a minimum of 3 hectares of eligible land. See paragraphs regarding eligible and ineligible land.
- The Grazing Association, must have had legal status prior to signing the original Glastir Commons contract. See Annex 5 regarding Grazing Associations.
- The Grazing Association must comprise a minimum of 80% of active graziers on the land entered into Glastir Commons.
- Must not cause any environmental damage.

Eligible land

The following land is eligible for entry into Glastir Commons:

- Land legally registered as common land under the Commons Registration Act 1965 and used by multiple graziers.
- Unenclosed land used by multiple graziers concurrently which has the characteristics of common land (e.g. unenclosed upland, rough grazing etc.) and not registered under the Commons Registration Act 1965. Inclusion of these areas will be determined on a case by case basis following technical assessment by the Welsh Government.

For the purposes of this document all eligible land entered into Glastir Commons contract will be referred to as "contract land".

SECTION B: ELIGIBILITY REQUIREMENTS

Ineligible land

The following land is not eligible for entry into Glastir Commons:

- Land used for non-agricultural activity including developed land, permanent caravan sites, carparks, gallops, airports, areas used for permanent storage, buildings and yards, hard standings, ponds, roads, scree/rock outcrops/boulders, un-grazed tracks, golf courses and other sporting facilities.
- Common land managed by a sole active grazier. For example, there may be some areas of registered common land which are used and claimed by a single grazier who holds sole “active” grazing rights. In such circumstances, this land must be included within the Glastir Entry (GE).
- Part field parcels.
- Land located outside Wales.
- Land with less than 5 years management control.
- Land in another management agreement which constitutes double funding.

The table below shows the ineligible permanent features which are **not payable** under Glastir Commons **but will be included** in the Glastir Commons contract:

Name of Permanent Feature	Land Use Code
Non-agricultural activities	NO1
Buildings / Yards	ZZ89
Hardstandings	ZZ92
Ponds	ZZ30
Roads	ZZ94
Scree / Rock outcrops / Boulders / Sand	ZZ40
Tracks (Un-grazed)	ZZ97

SECTION C: SCHEME REQUIREMENTS

Glastir Commons contract holders must meet the following eligibility criteria:

- Comply with the requirements of Cross Compliance. Details of Cross Compliance are available on the Welsh Government website <https://gov.wales/cross-compliance>
- Comply with the Glastir Commons Code.
- Deliver the selected management option as set out in the Glastir Commons contract.
- Take management responsibility and control for the entire contract land to enable the obligations of the contract to be fulfilled.
- Where no physical parcel boundaries exist to the contract land, the boundary must be clearly identifiable on the ground from the start of the contract. Grazing Associations should determine the most appropriate method to identify external boundaries of the contract land, for example cutting a swath or the installation markers such as stones or posts can be used. There is no set distance for the positioning of the markers, but the markers must be in line of sight of each other. In certain circumstances it may be necessary to consult with organisations such as Natural Resources Wales (NRW), National Parks or Local Authorities prior to delineating the boundary of the contract land. For example, it is likely that consent will be required from NRW if the land has been designated as a Site of Special Scientific Interest.
- Maintain a minimum of 80% of active graziers on the contract land throughout the contract period.

An active grazier is defined as:

- Commoners with rights and who turn out stock to graze the common land;
- Commoners who are not exercising rights of common because they have agreed to withdraw their stock under a management agreement;
- Commoners who have recently ceased to exercise their rights of common because for example, of control measures during foot-and-mouth disease;
- Persons who graze non registered unenclosed land, defined within this booklet as eligible land to enter the scheme.

- For those Grazing Associations who have selected the Management of Stocking Levels Option, they must maintain a daily stocking diary (on a spreadsheet) of livestock movements on and off the contract land. See Section on record keeping requirements.

SECTION C: SCHEME REQUIREMENTS

- For those Grazing Associations who have selected the Closed Winter Period Option, they must maintain a stocking diary (on a spreadsheet) detailing livestock movements off the contract land for the start of the closed winter period and when the livestock have been moved back on to the contract land. See Section on record keeping requirements.
- Maintain a record (on a spreadsheet) of members' details and other active graziers on the contract land. See Section on record keeping requirements.

Records Kept by Grazing Association

Each Grazing Association will be required to keep a stocking diary (spreadsheet), to be submitted annually prior to payment; presented at inspection and made available if requested by the Welsh Government and its authorised officers. This is in order to provide evidence that the stocking level is maintained within the maximum set limits. This diary will need to include animal movements for those graziers not included within the Grazing Association. In situations where the Grazing Association has not reached an agreement with non-members regarding the recording of livestock, they must assume non-members will utilise their grazing rights in full. Therefore the maximum grazing rights of those non-members should be used on the stocking diary for every day of the year as a baseline.

A template for the required record keeping is available for Grazing Associations via the RPW website <https://gov.wales/glastir>

For Grazing Associations who have selected the management of stocking levels option, the following requirements apply:

The Membership Details of the Grazing Association must include:

- Names of active graziers within the Grazing Association.
- Names of non-active graziers within the Grazing Association.
- Active graziers who are not members of Grazing Association.
- When members joined and left the Grazing Association (since the start of the contract).

SECTION C: SCHEME REQUIREMENTS

The Stocking Diary must:

- Detail the actual number of livestock on the Contract Land for any one day in the calendar year.
- Identify all individual active graziers' stock movements on and off the contract land.
- Identify stock movements on and off the Contract Land including the livestock of those outside of the Grazing Association.
- Record animals by their categories (e.g. yearlings, dry ewes etc.) so that livestock factors are taken into account. If animals have not been recorded by categories, the Welsh Government will assume the highest Livestock Unit.

For Grazing Associations who have selected the closed Winter Period option, the following requirements apply:

The Membership Details of the Grazing Association must include:

- Names of active graziers within the Grazing Association.
- Names of non-active graziers within the Grazing Association.
- Active graziers who are not members of Grazing Association.
- When members joined and left the Grazing Association (since the start of the contract).

The Stocking Diary must detail for each grazier:

- Livestock movements off the contract land for the start of the closed winter period.
- Livestock movements onto the contract land after the end of the closed winter period.

SECTION C: SCHEME REQUIREMENTS

Glastir Commons Code

Each Grazing Association must abide by the Glastir Commons Code. Please note that some of the requirements listed below are governed by Cross Compliance:

- Retain all existing traditional boundaries including earth banks, dry stone walls, hedges and slate fencing.
- Retain all archaeological and historical features including earth works, standing stones, hill forts, burial mounds, hut circles, sheepfolds and grouse butts.
- Retain all geological sites and rock features including cliff, rock outcrops, scree and shingle.
- Do not install any new drainage or ditching or modify/reopen any existing drainage or ditching.
- Do not cut or remove any peat or sediment unless the applicant has the rights to do so.
- Do not cause rutting of the land through the inappropriate use of machinery.
- Burning is only permitted in accordance with Heather & Grass burning regulations. Do not burn blanket bog. Consent is required from Natural Resources Wales before undertaking any burning on Sites of Special Scientific Interest (SSSI), Special Areas of Conservation (SAC) or Special Protection Areas (SPA).
- Maintain all existing native woodland and scrub, ponds, scrapes, rivers and streams.
- Ploughing, cultivation or reseeded is not permitted except on existing improved grazing or cultivated land.
- Applications of lime, inorganic and organic fertiliser (including manure or slag) are not permitted except on existing improved grazing or cultivated land.
- Comply with legal requirements relating to existing public rights of way that are on the land, including avoiding obstructing them. Access must be allowed on foot to all land identified as available for such access on the maps prepared under the Countryside Rights of Way Act, 2000.
- Comply with the requirements on supplementary feeding on all contract land. See Section on Supplementary Feeding.

SECTION C: SCHEME REQUIREMENTS

Supplementary Feeding

Supplementary feeding is only permitted under specific or extreme circumstances. If supplementary feeding must be carried out, it must be delivered in such a way that avoids causing damage to the vegetation, soil and watercourses and includes:

- Overgrazing
- Nutrient enrichment
- Excessive trampling of vegetation
- Soil poached by grazing animals or rutted by vehicles used to transport feed
- Soil erosion and water pollution.

Supplementary feeding is permitted where this practice is required specifically for the welfare of livestock. Adverse weather conditions and meeting the nutritional demands of heavily pregnant animals, are likely to trigger a need for the provision of supplementary feed.

Adverse weather is defined as a period when the available vegetation is covered by snow or is subjected to continuous hard frost, prolonged drought or prolonged heavy rainfall. Supplementary feeding will be permitted where access to forage is severely restricted during adverse weather conditions, provided it is supplied without causing environmental damage and the welfare of livestock is not compromised.

Supplementary feeding is required when the available grazing (quantity and/or quality) does not meet the nutritional requirements of the grazing animals. This could result from the increased demands of ewes during late pregnancy and early lactation compared to their maintenance requirements, from high levels of stocking and/or higher than normal lambing rates. In some circumstances, supplementary feeding can be avoided by reducing the levels of grazing and, for sheep, by removing ewes in late pregnancy (last 8 weeks before lambing) from the common. This is particularly relevant to ewes carrying more than one lamb.

SECTION C: SCHEME REQUIREMENTS

Main Requirements:

Only the feeds from the following list can be used on Contract Land and the ration fed should be appropriate for the category of animals being fed:

- Hay (to be scattered).
- Haylage (preserved grass with a dry matter content of at least 60%) (To be scattered).
- Compound feed.
- Dried sugar beet feed (nut form only); not allowed where equines can access the supplementary feed.
- Feed blocks and liquid feed in suitable containers.

When feeding a concentrated feed, all stock should have adequate access and be able to eat at the same time.

- Move feed locations on a daily basis.
- Supplementary feeding sites must avoid vegetation which is sensitive to damage and nutrient enrichment. Sensitive vegetation types include:
 - blanket bog,
 - heather,
 - bilberry and other heaths,
 - species rich grassland,
 - native broadleaf woodland (where woodland contains more than 50% native species)
 - Mires.
- Do not feed on or next to archaeological sites, steep slopes, public rights of way and site feed locations at least 10 metres from any watercourse.
- Bale feeders and troughs must not be used on the contract land at any time.
- Remove plastic from the contract land once feed has been dispensed.

Other Restrictions

Glastir Commons customers should be aware that the practice of supplementary feeding may be restricted:

- Under the terms of a statutory designations e.g. Sights of Special Scientific Interest (SSSI).
- By the landowners.
- By custom as declared by Commoners Association/Group.

SECTION C: SCHEME REQUIREMENTS

Common Land Management Options

Option 1: Management of Stocking Levels

Management of stocking levels is based on achieving a year round sustainable stocking level for the land brought into the contract which includes an allowance for winter grazing.

To determine the sustainable stocking level for the common land, the Welsh Government has used information from the National Vegetation Classification Phase 1 Uplands Survey to identify vegetation on the common land, and determine the area in hectares of each habitat type. This information is used to calculate the maximum grazing levels for the land entered into the contract, based on the stocking levels for each habitat type. Annexes 1 and 2 show the habitat types and the stocking levels in Livestock Units (LU) per hectare.

The Grazing Association may use either abide by the Standard Stocking level or the Flexible Stocking level:

a. Standard Stocking Level Approach

Under this approach, the maximum stocking level is calculated on a quarterly basis. The Grazing Association is committed to keeping on or below the quarterly maximum stocking levels on every day during the quarter. Please note that these stocking levels are not an average, but a maximum ceiling which cannot be exceeded on any day.

The quarterly periods are as follows:

	1 January to 31 March
	1 April to 30 June
	1 July to 30 September
	1 October to 31 December

SECTION C: SCHEME REQUIREMENTS

b. Flexible Stocking Level Approach

Under this approach, an annual average stocking maximum will be provided. In addition, a summer and winter maximum average stocking rate will also be provided. The Grazing Association may exceed

either the winter or the summer average stocking level by up to 20% of the annual average stocking rate, but in doing so the Grazing Association would need to reduce the other grazing period in order to ensure that the stocking level across the whole year remains within the annual average stocking maximum. This flexibility allows for the different grazing patterns that occur on common land, both regionally and at different altitudes across Wales.

The summer and winter periods are set as follows across the calendar year:

- Winter grazing periods
1 January to 31 March
1 October to 31 December
- Summer grazing period
1 April to 30 September

Important note: The 20% increase on either the winter or summer stocking levels has already been calculated.

Forward Stocking Schedule

In order to demonstrate that the above requirements are met, the Grazing Association must complete a forward stocking schedule on the Glastir Commons application form. This must state the maximum number of LUs that will be on the contract land at any day of the year.

The maximum stocking levels provided will be a contractual commitment and must be adhered to throughout the contract period. If the Grazing Association wishes to change the forward stocking schedule in subsequent years, they must submit a request via RPW Online in writing by 1 October.

Deviations from the forward stocking schedule due to unforeseen circumstances must be notified to the Welsh Government where appropriate in advance, but no later than the day of the change.

SECTION C: SCHEME REQUIREMENTS

The following table below shows the conversion factor to be used:

Livestock	Livestock Units (LU)
Yearling	0.09
Ewe/ram lamb	0.09
Ewe with lamb at foot	0.15
Dry ewes (including in-lamb ewes)	0.12
Rams	0.12
Cattle up to 6 months	0.00
Cattle over 24 months	1.0
Cattle 6 to 24 months	0.6
Horses	1.0
Ponies	0.5
Foals	0.00

The Grazing Association will need to provide the dates when they intend to move stock on and off the contract land (gathering and turn-out dates).

SECTION C: SCHEME REQUIREMENTS

Option 2: Closed Winter Period

The Grazing Association must ensure the removal of all livestock from the contract land for a pre-specified continuous 90 day period between 1 November and 31 March each year. If the Grazing Association wishes to change the closed period start date initially selected during the application stage in subsequent years, then they must notify the Welsh Government of the new date in writing at least 28 days before the stock free period is due to begin.

A derogation will be available within this option to allow 'Semi-feral Welsh Mountain Section A ponies' that are managed through the Hill Pony Improvement Society of Wales and Cymdeithas Merlod y Carneddau to remain on the common during this period. For further background information on this and the Horse Passports (Wales) Regulations 2005, and as amended, please see the details under 'Equine Identification & the Semi-feral Ponies of Wales' at Annex 3.

SECTION D: PAYMENTS

The Grazing Association is required to submit a claim form annually via their RPW Online account in line with the annual SAF deadline of 15 May. If there are any changes to the contract details the Grazing Association must inform Welsh Government as soon as possible so that the contract can be adjusted accordingly.

The Grazing Association must also submit a stocking diary to be received by 14 January (date may be subject to change) showing actual stocking for the previous 12 month period.

Prior to payment, administrative checks will be conducted following the submission by the Grazing Association of the stocking diary.

Payments will only be made following successful validation of the commitments forming part of the contract.

Payment Rates

Payment	Payment Rate / hectare
Land Management	£34.00
*Transaction Cost - up to 500 ha	£6.00

*This payment rate is for transaction costs associated with the setting up and running of the Grazing Association. In order to receive this additional transaction cost, the Grazing Association must have been set up for the purposes of Glastir Commons.

Total area eligible for payment will be calculated annually as the total mapped area of the contract land, less any Glastir ineligible permanent features.

Payments will be made to the Grazing Association, unless the Grazing Association has opted to have individual active graziers paid directly. However the additional work involved in paying individuals will mean that more time is required to process payments. Where the Grazing Association has opted to have individuals paid directly, the contract will still be held with the Grazing Association. Each year a payment statement will be issued to all Grazing Associations. This will include details of any breaches, penalties or recoveries deducted from the total payment.

SECTION E: GENERAL INFORMATION

Changes to scheme Rules

The Welsh Government may need to make contractual changes, for example, to amend scheme rules to take account of any changes within the Wales Rural Development Plan or revise payment rates. The Welsh Government will publicise the changes in Gwlad.

Penalties

Penalties will be applied where land has been under or over declared, a breach of scheme rules has taken place or cross compliance requirements have not been followed.

Under Declaration

Failure to declare all the contract land when claiming payment, may result in the Grazing Association's Rural Development and Basic Payment Scheme payments being reduced.

Where there is a difference between the area declared and the total area on the contract land that should have been declared, reductions in payments of the schemes will apply as follows:

Difference	Reduction
Up to 3%	No reduction in payment
More than 3% and up to 20%	1% reduction in payment
More than 20% and up to 50%	2% reduction
More than 50%	3% reduction

Over Declaration

Where the area of a crop group is determined to be greater than that declared, the area declared will be used for calculating payments. Reductions in payments as a result of over-declaration generally apply to the scheme in which they are found. Where the over-declaration results in a penalty being carried forward to the following year it can be recovered from any due payment to the Grazing Association.

SECTION E: GENERAL INFORMATION

Crop groups are defined as areas of land receiving the same rate of aid.

If the difference between the area declared and area determined for a crop group is more than either 3% or 2 hectares, but not more than 20% of the determined area, the area eligible for payment will be reduced by twice the difference found.

If the difference is more than 20% of the determined area no payment will be made for the crop group concerned.

Where the area declared is more than 50% of the determined area for a crop group, in addition to receiving no payment, the claim in the next calendar year will be reduced by an amount that is equal to the amount which corresponds to the difference between the area declared and the area determined.

If the full amount cannot be taken from the payments in the next calendar year, the remainder will be deducted from payments made in the following two years, as necessary. Reductions required in the three years following the over-declaration can be taken from any due payments to the Grazing Association.

Intentional Over-Declaration

Land intentionally over-declared will result in no payment for that year if the difference in the area declared and the area determined within a crop group is more than 0.5% of the area determined or more than 1 hectare.

If the difference is over 20% of the area determined within a crop group, no payment will be made in that year and additionally, payments in the next calendar year will be reduced by an amount that corresponds to the difference between the area declared and area determined.

A false declaration made intentionally or recklessly may also lead to criminal prosecution, the maximum sentence being an unlimited fine or two years imprisonment.

SECTION E: GENERAL INFORMATION

Breaches of contract

Penalties will be applied to payments where there has been a breach of contract. Breaches may be identified from administrative checks or on-the-spot inspections and notification of breaches will be made in writing. Any reductions or exclusions will be based on the level of negligence or intentional action assessed by severity, extent and permanence.

Reductions and Exclusions will also apply to payments made in previous years of the commitment. In serious circumstances the Glastir Commons contract could be terminated and may result in the applicant being barred from entering another agri-environment scheme for up to 2 years.

The Welsh Government assesses breaches against verifiable standards relating to the scheme eligibility criteria. A matrix is used to determine the level of penalty to be applied. The matrix is available on the RPW website <https://gov.wales/glastir>

Inspections and monitoring

The Welsh Government must enforce the Glastir Commons rules including making sure that Cross Compliance requirements have been met. Inspections will include on-farm inspections and the use of Global Positioning Systems, aerial photography and the use of satellite imagery. The Welsh Government has overall responsibility for ensuring inspections are carried out and will work in partnership with the various specialist enforcement bodies, such as the Environment Agency Wales on Cross Compliance inspections.

Inspecting officers will be required to verify compliance with scheme rules, including adherence to stocking levels on the contract land, land details, and the accuracy of any relevant documentation and record keeping. When it is necessary to inspect animals, all the animals on the contract land will need to be gathered in a convenient place, and sufficient labour and adequate safe handling facilities should be available.

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 minimum disruption, but some checks require inspections to be unannounced, which means it may not be possible to provide notice of a visit. Inspections may occur more than once during a calendar year.

SECTION E: GENERAL INFORMATION

Refusal to allow an inspection, obstruct an inspector or failure to provide reasonable assistance will result in loss of payment and may lead to prosecution.

Following notification of an inspection any requests submitted by the Grazing Association to change the contract will not be taken into consideration as part of the inspection.

Record Keeping

The Grazing Association must:

- Retain any invoice, account or other document relating to Glastir Commons commitments for six full years after the final scheme payment.
- Supply the Welsh Government with any information about the Glastir Commons commitments which may be required, and within the period determined by the Welsh Government.
- Make available to the Welsh Government, its authorised persons or its agents, any records, accounts receipts and other information, including access to computer data, relating to the Glastir Commons commitments. Permit the Welsh Government to remove any such document or record or take copies or extracts from them.

Force majeure and exceptional circumstances

The Welsh Government may accept that a Grazing Association was prevented from fulfilling certain obligations due to a course of events amounting to either force majeure or exceptional circumstances. If so, penalties may not be applied. Force majeure is defined as unusual circumstances, outside an applicant's control, the consequences of which, in spite of all due care could not be avoided except at the cost of excessive sacrifice on their part. Examples of force majeure and exceptional circumstances which may be recognised include:

SECTION E: GENERAL INFORMATION

- Death of the applicant;
- Long term professional incapacity of the applicant;
- A severe natural disaster gravely affecting the contract land;
- The accidental destruction of livestock buildings on the contract land;
- An epizootic disease affecting part or all of the applicant's livestock.

Applications for force majeure or exceptional circumstances must be made in writing to the Welsh Government within 10 working days of the applicant being in a position to do so. Each notification will be carefully considered on a case-by-case basis. For the Welsh Government to consider whether the event in question can be accepted as force majeure or exceptional circumstances, conclusive proof must be provided that the event has occurred. Grazing Associations should therefore ensure that their application contains all relevant evidence to support their case.

For Rural Development schemes force majeure and exceptional circumstances are available in respect of:

- Late submission of application.
- The right to aid in respect of eligible areas declared on the SAF but no longer available to the applicant because of the force majeure/exceptional circumstances event.
- The requirement for the partial or full reimbursement of aid paid.

Appeals

The 'Independent Appeals Process for Farmers and Foresters in Wales' allows you to request a review if you feel that the Welsh Government has not reached a correct decision according to the rules of a scheme. The process will review decisions concerning:

- BPS (and SPS)
- All Glastir schemes
- Issues identified after 1 January 2007 for:
 - Farm Woodland Scheme
 - Farm Woodland Premium Scheme
 - Improved Land Premium.

SECTION E: GENERAL INFORMATION

The appeals process consists of two stages:

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

The Independent Panel make recommendations to the Cabinet Secretary for Environment and Rural Affairs, who then takes the final decision which concludes the process.

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

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

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

Further details of the appeals process can be obtained from the Customer Contact Centre or our website at:

<http://gov.wales/topics/environmentcountryside/farmingandcountryside/farming/rpwa/peals>.

General Data Protection Regulation: Privacy Notice

This notice informs you about the Welsh Government's use of the information provided in your application for aid under the Common Agricultural Policy Direct payment and Welsh Government Rural Communities – Rural Development Programme for Wales 2014 – 2020 schemes. It also explains the Welsh Government's processing and use of your personal data and your rights under the General Data Protection Regulation. The data controller for the information is the Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

The information will be processed and managed by the Welsh Government in accordance with its obligations and duties under the following European Regulations:

- Council Regulation (EU) No. 1303/2013
- Council Regulations (EU) No 1305/2013
- Council Regulation (EU) No 1306/2013
- Council Regulation (EU) No 1307/2013
- Commission Regulation (EU) No 640/2014
- Commission Regulation (EU) No 807/2014
- Commission Regulation (EU) No 808/2014

SECTION E: GENERAL INFORMATION

- Commission Regulation (EU) No 809/2014
- Commission Regulation (EU) No 907/2014
- Commission Regulation (EU) No 908/2014
- General Data Protection Regulation (EU) No 679/2016

The information will primarily be used for the purposes of processing and determining applications for financial support. However, the Welsh Government 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.

The lawful basis for the processing is that it is necessary for the performance of a task carried out in the exercise of official authority vested in the Welsh Government.

The Welsh Government collects personal data to identify your location and your farm business(es). The Welsh Government does not collect any special category data.

The data is processed through an automated process of business rules that use the Customer Reference Number (CRN) as a primary key for the majority of reports.

Your information will be stored in accordance with the Commission Implementing Regulation (EU) No 908/2014, "Conservation of Accounting Information".

Reasons for sharing Personal Data

EU legislation requires checking of scheme eligibility, and to conduct these checks Welsh Government may share information with:

- Natural Resources Wales
- Animal and Plant Health Agency
- Veterinary Medicine Directorate
- Welsh Local Authorities
- Food Standards Agency Wales
- DEFRA
- Other UK Government Agriculture Offices.

Regulatory authorities, such as HM Revenue and Customs, Local Authorities, Health and Safety Executive and the Police.

SECTION E: GENERAL INFORMATION

The information may be used for the following:

- Cross Compliance and cross checking between Governmental organisations to prevent breaches of the Common Agricultural Policy schemes.
- The production and publication of maps showing the areas of land that have received support under the Common Agricultural Policy schemes.
- Compilation of reports of aggregated data and/or summary statistics to be made publicly available.
- Informing decisions relating to policy changes and funding including research studies conducted on behalf of the Welsh Government to inform Monitoring and Evaluation of Rural Development Schemes.
- 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.
- Allowing partner organisations to fulfil their legal duties.
- Shared with fraud prevention agencies who will use it to prevent fraud and money-laundering and to verify your identity.
- Publication of certain information and responding to requests for information.

The Publication and Disclosure of Information

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.

Commission Regulation (EC) 908/2014 requires the Welsh Government to publish details of the amounts paid to CAP beneficiaries. Data will be published for all beneficiaries on a searchable website, and will include the name and locality of the farmer/land manager and details of the amounts and schemes for which subsidy has been paid. However, for those receiving less than the equivalent of €1,250 in subsidies the name will be withheld. The data will be published annually on 31 May and remain available for two years from the date it is published. The information will be available on the [Defra website](#).

SECTION E: GENERAL INFORMATION

Rights under the General Data Protection Regulation (GDPR)

The GDPR gives individuals rights in respect of the personal data held on them. These rights include:

- the right to be informed (this notice)
- 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 or restrict the Welsh Government processing personal data
- the right, in some circumstances, to have wrong data rectified
- the right, in some circumstances, to have data erased (to be forgotten).

If you wish to exercise any of your rights under the GDPR, you should contact the Welsh Government at the address provided at the beginning of this notice.

Individuals also have the right to ask the Information Commissioner, who enforces and oversees the GDPR, to assess whether or not the processing of their personal data is likely to comply with the GDPR. The Information Commissioner can be contacted at:

Information Commissioner's Office,

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Telephone: 01625 545 745 or 0303 123 1113

Website: www.ico.org.uk

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Annex 2	Stocking Levels for Lowland Commons
Annex 3	Equine Identification & the Semi-feral Ponies of Wales
Annex 4	Registered County Names of Commons
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Annex 1

Stocking Levels for Upland Commons

Upland heath	
Habitat with dwarf-shrubs or currently in TG heathland restoration prescription	
Period	Maximum (LU/HA)
April - June	0.5
July - September	0.3
October - March	0.2

Blanket bog and other peatland habitats	
Period	
April - September	0.1
October - March	0.01

Modified blanket bog dominated by molinia	
Period	
April - September	0.4
October - March	0.2

Unimproved acid, neutral and marshy grassland	
Period	
April - September	0.6
October - March	0.2

Semi-improved acid grassland	
Period	
April - September	0.8
October - March	0.2

Calcareous grassland	
Period	
April - September	0.4
October - March	0.02

Improved grassland	
Period	
April - March	1.4

Dense bracken	
Period	
April - March	0.2

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Annex 2

Stocking Levels for Lowland Commons

Lowland and coastal heath	
Period	Maximum (LU/HA)
April - June	0.5
July - September	0.3
October - March	0.2

Blanket bog and other peatland habitats	
Period	Maximum (LU/HA)
April - September	0.1
October - March	0.01

Modified blanket bog dominated by molinia	
Period	Maximum (LU/HA)
April - September	0.4
October - March	0.2

Neutral grassland	
Period	Maximum (LU/HA)
April - September	0.75
October - March	0.3

Unimproved acid and marshy grassland	
Period	Maximum (LU/HA)
April - September	0.6
October - March	0.2

Unimproved calcareous grassland	
Period	Maximum (LU/HA)
April - September	0.4
October - March	0.2

Semi-improved acid and calcareous grassland	
Period	Maximum (LU/HA)
April - September	0.5
October - March	0.3

Improved grassland	
Period	Maximum (LU/HA)
April - March	1.5

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Dense bracken	
Period	
April - March	0.2

Salt marsh	
Period	
April - March	0.8

Fixed dune grassland	
Period	
April - June	0.2
July - March	0.6

Dune heath	
Period	
April - September	0.07
October - March	0

Coastal grassland	
Period	
April - September	0.5
October - March	0.3

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Annex 3

Equine Identification and the Semi-Feral Ponies of Wales

The 2009 Regulations

Commission Regulation (EC) 504/2008 of 6 June 2008 introduced a derogation that applied to ponies living under wild or semi-wild conditions. This allows pre-defined populations of wild or semi-wild equines to remain on designated areas without either a passport or micro-chip. Once these animals are moved from these areas they need to be identified and micro-chipped before a movement takes place. In addition the derogation allows animals from these pre-defined areas to be transported directly to a slaughterhouse provided it can be identified in such a way that it provides scientific guarantees as to the identity of the animal. The derogation allows owners to remove surplus animals from the commons/hills without incurring the additional costs of micro-chipping, a cost that in many instances may well be greater than the sum that these foals would fetch at auction.

Currently 2 applications for derogations have been received by organisations - the Hill Pony Improvements Society of Wales and Cymdeithas Merlod y Cameddau. Both have been awarded in principle by the Minister i.e. subject to management arrangements being maintained that provide the Welsh Government with sufficient guarantees as to the traceability of ponies.

Hill Pony Improvement Societies

There are 25 individual Pony Improvement Societies covering 23 hills and commons located as far apart as Gower, Llanwrtyd Wells, Radnorshire and the Heads of the Valleys. All ponies bred on these areas are eligible for full registration with the Welsh Pony & Cob Society as semi-feral Welsh Mountain Section A ponies. They operate under the rules laid down by the Welsh Pony & Cob Society and come together under the auspices of the Hill Pony Improvement Society. Ponies must be kept on the designated areas, belong to members of the individual Hill Pony Improvement Societies who have grazing rights on the commons and must be sired by premium stallions.

Further information can be found on the Welsh Government website.

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Cymdeithas Merlod y Carneddau

The Carneddau ponies are based in northern Snowdonia. There are approximately 150 semi-feral ponies owned by 7 different owners. The ponies are of Welsh Mountain type but owing to their unknown pedigrees are not associated with a studbook. The ponies come under the management of the Carneddau Mountain Pony Association who in 2007 signed an agreement with the Snowdonia Land Programme to secure the future of the ponies at Abergwyngregyn, Llanllechid and Llanfairfechan Mountain for at least 5 years.

Further information can be found on the Welsh Government website.

Other semi-feral herds on common land

Only those ponies managed by the Hill Pony Improvement Society of Wales and Cymdeithas Merlod y Carneddau are covered by the derogation, all other ponies kept on common land are subject to the requirements of the Equine Identification (Wales) Regulations 2009.

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Commons that have semi-feral ponies belonging to members of the hill Pony Improvement society of Wales grazing on them under the terms of the derogation:

Black Mountain Common	The Black Mountain Pony Improvement Society
The Bloreng	Blaenavon Pony Improvement Society
Brecon Beacons Common	The Brecon Beacons Pony Improvement Society
Cefn Bryn Common	Cefn Bryn Pony Improvement Society
Buckland Manor Common	Cefn Edmwnt Pony Improvement Society
Cenydd Gwyr Common	Cenydd Gwyr Pony Improvement Society
Gelligaer and Merthyr Common	Pontlottyn Pony Improvement Society, Mountain Hare Pony Improvement Society and Dowlais Pony Improvement Society
Mynydd Y Drum and Llwyn Madoc Hill	Drum Pony Improvement Society
Eppynt Common, Mynydd Eppynt and the Eppynt	Eppynt Pony Improvement Society
Rhossili Down	Gower Pony Improvement Society
Hergest Ridge and Hanter Hill	Hergest Ridge Pony Improvement Society
Abergwesyn Hill, Drygam Fawr, Penygenhill Common, Bryn Rhudd, Llwyn Madoc Hill, Llysdinam Hill, Llanwrthwl Common and Llanfihangel Brynpauban Common	Llanafan & Llanwrthwl Pony Improvement Society
Llandefalle Hill	Llandefalle Pony Improvement Society
Llandeilo Hill	Llandeilo Graban & Rhulen Pony Improvement Society
Llangoed Common	Llangoed Pony Improvement Society
Mynydd Llangorse, Cefn Moel, Cathedine Coedcae and Pen Tir	Llangorse Pony Improvement Society
Llanrhidian Marsh (Whitford Burrows to Crofty Point)	Llanrhidian Marsh Pony Improvement Society
Black Mountain	Llynfan (Gwynfe) Pony Improvement Society
Trefil Ddu Common	Mynydd Trefil Ddu & Las Pony Improvement Society
Manor Mawr Common	Penderyn Pony Improvement Society
Trefil Las	Trefil Pony Improvement Society
Mynydd Troed Common	Troed Mynydd Pony Improvement Society
Ffrithwaun Common	Vaynor Pony Improvement Society

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Annex 4

Registered county names of commons

Commons will be uniquely identified by a combination of the Registered County Name and CL number.

Registered County Names ENGLISH	Registered County Names WELSH
ANGLESEY	YNYS MON
BRECON	ABERHONDDU
CAERNARFON	CAERNARFON
CARMARTHENSHIRE	SIR GAERFYRDDIN
CASTLEMARTIN MOD	CASTLEMARTIN RAC
CEREDIGION	CEREDIGION
CONWY	CONWY
DENBIGH	DINBYCH
FLINT	FFLINT
GWENT	GWENT
MID GLAMORGAN	MORGANNWG GANOL
MERIONETH	MEIRIONNYDD
MONTGOMERY	TREFALDWYN
PEMBROKESHIRE	SIR BENFRO
RADNOR	MAESYFED
SOUTH GLAMORGAN	DE MORGANNWG
SWANSEA	ABERTAWE
WEST GLAMORGAN	GORLLEWIN MORGANNWG
WREXHAM	WRECSAM

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Annex 5

Contact Details for Welsh Government Divisional Offices:

Customer Contact Centre

Tel: 0300 062 5004

E-Mail: RPWOnline@gov.wales

Carmarthen Divisional office

Government Buildings, Picton Terrace

Carmarthen, SA31 3BT

Tel: 0300 062 5004

E-Mail: RPWOnline@gov.wales

Llandrindod Wells Divisional office

Government Buildings, Spa Road East

Llandrindod Wells LD1 5HA

Tel: 0300 062 5004

E-Mail: RPWOnline@gov.wales