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# 

Glastir Woodland Creation Rules Booklet

**Version 9 - March 2020 Welsh Government Rural Communities - Rural Development Programme for Wales 2014 - 2020** 



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# **Key Messages**

- The process for submitting a Glastir Woodland Creation (GWC) Expression of Interest (EOI) has changed with effect from this EOI Window.
- The 9<sup>th</sup> EOI for GWC will open on 16 March 2020 and close midnight 12 June 2020.
- An EOI must be submitted by a Registered Glastir Woodland Creation Planner (registered planner). To submit an EOI, you must contact a registered planner to discuss your proposals and the registered planner will complete and submit an EOI on your behalf. EOIs not submitted by a registered planner will be rejected.
- You will need to ensure your chosen registered planner is authorised to submit an EOI on your behalf via RPW Online.
- The list of registered planners approved to submit an EOI is available at <a href="mailto:gov.wales/glastir-woodland-planners">gov.wales/glastir-woodland-planners</a>
- A budget of £8million has been allocated to this round of GWC.
- Successful applicants when accepting selection will be asked to declare in which Claim Year they intend to claim their completed Capital Works. Successful applicants will only be able to submit a claim in their selected year. See table below:

	First Date to submit claim	Final Date to submit claim
Claim Year 1	01 April 2021	31 March 2022
Or		
Claim Year 2	01 April 2022	31 March 2023

- The Welsh Government may be required to amend the Claim Year you have requested should funding requirements need to be met under the The Welsh Government Rural Communities - Rural Development Programme for Wales 2014-2020. Priority for the selected years will be given to the highest scoring EOIs.
- A GWC contract will now be offered following completion of eligibility checks and acceptance of selection. The contract will enable the applicant and planner to prepare a fully completed GWC Plan for submission to the Welsh Government.
- Plans will be verified by NRW and a contract map produced. Contract holders should not start any work before accepting a contract map which confirms the areas to be planted following verification by NRW.
- The Contract if necessary may be updated and an amended Contract will be offered.

- Should it be found at verification that significant areas of unplantable land have been included in the EOI and plan, the Welsh Government will rescore the remaining verified land. If the score is below the selection threshold, the contract will be withdrawn.
- Payment is conditional on the Welsh Government receiving a fully verified plan from NRW and the capital works being completed to the correct specification in the contract.
- To be eligible for selection, the land to be planted must be registered with the Rural Payment Wales Land Parcel Identification System (LPIS) and be under your full management control when the EOI is submitted. If the land is currently being used by another manager, for example a tenant, and they have management control, you are not eligible to submit an EOI, as you do not have full management control.
  - RPW's Online Manage My Land (MML) service must be used to inform RPW of land registrations, new or changed permanent features, boundary changes and land transfers. Please follow this <u>link</u> for guidance on how to use Manage My Land.
- You must submit your MML and all supporting documents by 12 June 2020 to notify us
  of land registrations or transfers and for land to be eligible for consideration for selection
  under this round of GWC. Failure to do so will result in land parcels being rejected.
- If you are submitting an EOI for common land, you must submit consent received under Section 38 of the Commons Act 2006 or written confirmation that consent under section 38 is not required by Welsh Ministers, by 12 June 2020 for the land to be eligible for consideration for selection. Failure to do so will result in land parcels being rejected.
- You will need to adhere to the following timetable:

Submit an online Expression of Interest between	16 March 2020 and 12 June 2020
Respond to selection results from	July 2020
NRW verification undertaken – please allow	The verification process can
sufficient time for verification to take place prior to	usually be completed within 7
ideal work start date.	weeks
Respond to offer of contract from	August 2020
If intending to claim in Claim Year 1 -	
Complete all Establishment and Capital Works	31 March 2022
and submit all claims for payment by	
If intending to claim in Claim Year 2 -	
Complete all Establishment and Capital Works	31 March 2023
and submit all claims for payment by	

<sup>\*</sup> Large and/or complex schemes can take significantly longer, please be aware that your plan will enter a queue in order of submission and we will prioritise plans for Claim Year 1.

- To be eligible for the £800 GWC Plan grant, approved GWC plans must progress to planting after online acceptance of the GWC contract.
- If you are selected, you must accept or decline the selection and return the Application Annex included with your selection notification letter to the Welsh Government via your RPW Online account by the date given in the letter. Failure to do so will result in the offer of selection being withdrawn.
- You will need to confirm the Claim Year in which you intend to claim your capital work payments if you accept selection, and return the Application Annex to the Welsh Government.
- This scheme provides financial support for capital works new planting, fencing and, in certain circumstances, annual maintenance and premium payments.
- Financial support is also available for planting trees in areas which 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 GWC 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 GWC expression of interest has been developed digitally and is available through the Rural Payment Wales (RPW) online.
- You will need a Customer Reference Number (CRN) and a RPW online account before you can access the GWC expression of interest.
- To register your business details for the first time, you need to complete the online registration form. Please refer to the how to register guidance for further details. The vast majority of changes to business details can be done online. However, Welsh Government may require further details on any major changes. Please contact the Customer Contact Centre on 0300 062 5004 for further information. 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 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. Only 5 years maintenance payments are available through the Agroforestry option.
- You will need to complete a GWC plan which must comply with the GWC rules and the UK Forestry Standard (UKFS). You must use a registered planner to produce the GWC Plan. Registered planners contact details can be found on the GWC webpage.
- The minimum area of new planting is 0.25ha and the minimum individual block is 0.1ha. See Section C for full details.
- By helping to maintain Wales' natural resources, GWC will support the Welsh Government to deliver elements of the Environment Act 2016 and achieve a number of the Well-being of Future Generations (Wales) Act 2015 goals, in particular, a resilient Wales (by helping to enhance a biodiverse natural environment), a healthier Wales (by supporting the environment as a resource for recreation) and a prosperous Wales (by protecting current and future investment in new woodlands that, in turn, supports employment opportunities and economic activity).
- Glastir Woodlands has been approved by the European Commission. Any subsequent changes to this guidance and Glastir commitments will be published in Gwlad (<u>gwlad.gov.wales</u>) and, where necessary, we will contact businesses directly.

#### **STATE AID**

- 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).
- 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.
- 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 businesses who intend to request a registered planner to submit an expression of interest for GWC 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 the Welsh Government's woodland strategy, *Woodland for Wales*.

The Welsh Government is committed to planting more trees in Wales through GWC 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 registered planner to submit your EOI and to prepare a GWC Plan which complies with the GWC rules and the UKFS. This plan will set out your objectives when creating the woodland and how the woodland creation supports the Welsh Government's objectives and delivers value for money.

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

It is important, however, 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.

GWC 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.

GWC 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 the regulations are available online via <a href="www.gov.wales">www.gov.wales</a> or hard 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 RPW and have been issued with a Customer Reference Number (CRN).
- Ensure your EOI is submitted by a registered Glastir Woodland Planner.
- Have registered your land with the Rural Payments Wales Land Parcel Identification System (LPIS) and have full management control of the land when you submit your EOI. 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 Forest Research's 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.
- Continue to be grazed, for the duration of the contract and commitment, if it is an agroforestry option.
- Have received all necessary consents from relevant organisations e.g. NRW, CADW in order to plant on designated sites in compliance with the UKFS.

 Not be registered common land, unless either consent has been granted under section 38 of the Commons Act 2006 or written confirmation has been given that consent under section 38 is not required by Welsh Ministers **before** submitting an Expression of Interest. Where consent is required, an approved Section 38 consent is required before submitting an Expression of Interest.

#### Sources of other funding

If you are receiving payment from any other source for the same works required under GWC, this would be considered double funding and is not permissible. If it is established you are or have received funding from another source for commitments under GWC, this could result in financial penalties, the recovery of payments plus interest and possible termination of your contract.

Land parcels under a Glastir Advanced (GA) and Glastir Entry (GE) contract which will expire on 31 December 2020 are eligible to be submitted on a GWC 9 EOI. Land parcels under a GA contract which expires after 31 December 2020 are eligible to be submitted on a GWC 9 EOI unless the land parcel is under a GA Management Option. Ineligible parcels under a management option will be rejected and will not be scored for selection for GWC 9.

Where you have land under a Glastir Organic contract, it may be entered into a GWC contract. However, you 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 2021, planting can only commence after this date. Land under a Glastir Small Grants (GSG) planting option is not eligible for GWC.

#### **Woodland Carbon Code**

Tree planting can remove carbon dioxide from the atmosphere. The Woodland Carbon Code promotes carbon trading and trees planted under GWC 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 planting with the Woodland Carbon Code. Subject to your approval, in order to facilitate registration with the Carbon Code, the Welsh Government will forward all relevant Native Woodland – Carbon planting and customer details to the Woodland Carbon Code Team following confirmation the work is completed. Failure to register will result in payments being withheld or the contract being reviewed, leading to the recovery of all monies paid in respect of the Native Woodland – Carbon option, including, where applicable, the plan payment.

Further information can be found at <a href="www.woodlandcarboncode.org.uk/uk-woodland-carbon-registry">www.woodlandcarboncode.org.uk/uk-woodland-carbon-registry</a>. 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, in order to proceed with your application, you must accept the offer of selection and a contract based on your EOI. You will be required to complete a GWC Plan which complies with the UKFS (Forestry Commission – UK Forestry Standard and Guidelines) and the GWC rules. The GWC Plan will be verified by NRW. Following approval of the plan by the Welsh Government, eligible capital works items listed in the plan will be included in a GWC Contract which you will need to accept to be eligible to claim payments under GWC. This section details the Capital Works items, maintenance and premium payments available under GWC.

- Capital Works establishment grants for planting trees. The grants are claimed by the contract holder, or their agent acting on their behalf, 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 GWC may be eligible for BPS for the duration of the contractual commitment, provided it was used to claim 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 Single Application Form (SAF) rules booklet updates for full details. The land will only remain eligible for BPS whilst the area is 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.

- The Welsh Government is committed to providing a flexible range of options for farm woodlands. GWC 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 to 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 using parkland tree guards 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.
- An annual Maintenance payment may be claimed for the first five years, commencing in the first full calendar year following establishment.
- 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 BPS 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 50 square metres. 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

Woodland Category	Glastir Capital Works No.	Specification	New planting Payment £ per ha	Annual Maintenance Payment £ per ha	Annual Premium Payment £ per ha
Enhanced Mixed Woodland	803	<ul> <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> <li>Exclude livestock</li> </ul>	3,600	60 ( 12 Years)	350
Native Woodland - Carbon	802	<ul> <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> <li>Exclude Livestock</li> <li>It is a requirement you register your new planting scheme with the Woodland Carbon Code.</li> </ul>	4,500	60 (12 Years)	350
Native Woodland - Biodiversity	801	<ul> <li>Native species - mix should be site native and largely conform to Habitat 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> <li>Exclude Livestock</li> </ul>		60 (12 Years)	350
Agroforestry - scattered trees	804	<ul> <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
Fencing	595	Post and wire fencing and stock netting	3.48/metre		

#### **Notes on Table 1**

- The Glastir Woodland Creation woodland opportunities map, which shows all the constraints and sensitivities connected with a new planting site, is available on the <u>Lle Website</u>.
- Supporting guidance for GWC 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 (diameter of 8cm or over) and scrub (areas of poorly formed trees or bushes unsuitable for conversion to timber) are an important habitat and should not be cleared prior to planting.
- If it is discovered priority habitats on the land proposed for new planting have been agriculturally improved since 2002, without consent under the Environmental Impact Assessment (Agriculture) (Wales) Regulations in force at the time, the GWC application will be refused.

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#### **Premium Payment**

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

To be eligible to claim Premium payment, you must submit a SAF annually via RPW online and claim against each eligible field parcel included within your contract.

#### **Maintenance Payment**

The Maintenance payment is 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 the Agroforestry category and is not available on publically owned land.

To be eligible to claim Maintenance payment, you must submit a SAF annually via RPW online and claim against each eligible field parcel included within your contract.

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 maintained 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 competition from weeds, insects, pests and browsing animals, such as rabbits, hares and, for agroforestry, 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 <a href="https://www.gov.wales">www.gov.wales</a>.

#### Minimum size of new planting

- The minimum area of new planting to be eligible for GWC support is 0.25ha which can be comprised of a minimum individual block of trees of 0.1ha.
- 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 livestock exclusion is a requirement, the area of new planting must remain free from livestock for the full duration of your GWC contractual commitment.

# **Open Space**

Scattered and unmappable 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	1,600
5%	2.44	1,684
10%	2.37	1,778
15%	2.30	1,882

# **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. Woody shrubs and scattered trees need to be mapped out in the same way as open ground if the area is more than 0.1ha.

# Section D - How to Apply

#### **Submitting an Expression of Interest (EOI)**

#### Availability of informal advice from NRW prior to submitting an EOI

The Glastir Woodland Creation woodland opportunities map, shows all the constraints and sensitivities connected with a new planting site and is available on the <u>Lle Website</u>. These highlight where planting may not be suitable, or where consultation on your proposals will be required.

The Welsh Government does not intend the Woodland Opportunities map to be a definitive prescription for the appropriateness of new planting. While the map cannot be definitive, it is helpful to indicate areas where there are likely to be sensitivities over planting so applicants can consider and address these in their applications. It also provides guidance on areas of opportunities for woodland, which we intend should complement and, in time, be combined with the context of area statements.

Your initial point of contact for advice should be a Registered Planner who can consult NRW on your behalf about your proposals. They will be able to advise on the appropriate size, location and planting option for your proposals.

#### **RPW Online**

You must contact a registered planner to submit an EOI on your behalf. EOIs not submitted by a registered planner will be rejected. Your registered planner will apply for GWC by accessing Rural Payments Wales (RPW) Online.

If you already have a Customer Reference Number (CRN) you should have received a letter informing you of your Activation Code to set up your account. If you no longer have this, please telephone the Customer Contact Centre on 0300 062 5004 (Monday – Thursday 8:30 – 17:00, Friday 8:30 – 16:30) and tell the operator your CRN. They will send you a new Activation Code.

Once registered, your registered planner will be able to access your RPW Online account from <a href="https://www.wales.gov.uk/rpwonline">www.wales.gov.uk/rpwonline</a>. The GWC Expression of Interest is available from the 'Forms' section of your account.

Registered planners acting on behalf of a client will need to register as a Rural Payments Wales agent. If you have yet to do this, you are advised to complete and return an Agent / Farming Union Customer Details (Wales) form immediately. This form is available on <a href="https://www.wales.gov.uk/rpwonline">www.wales.gov.uk/rpwonline</a>. 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.wales.gov.uk/rpwonline.

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

Please refer to the GWC guidance on <u>Rural grants and payments | gov.wales</u> for more information about RPW Online and how to complete a GWC EOI.

#### **The Selection Process**

The 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 fully determined until after a GWC 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.

The Expression of Interest is assessed against each GIS layer and a score is allocated based on the area that intersects with the layer, which is calculated using the following formula:

# <u>Area of Objective Layer\* x Weighting of layer</u> = Score Area of Expression of Interest

\*within area of Expression of Interest

This calculation is completed for each objective GIS layer the Expression of Interest intersects. The scores achieved for each layer are then added together to give a total score for the Expression of Interest. An Expression of Interest which intersects with more objective layers, particularly high priority layers, will collect a higher score.

All Expressions of Interest are ranked according to the total score achieved and the highest scorers will then be selected, where they exceed a minimum threshold, and processed, according to budgetary availability.

Further Information on the scoring process can be found <a href="here">here</a>.

Once the selection process has been completed, a letter will be sent to your RPW online account confirming whether you have been selected for this round of GWC and advising you of your next course of action.

If your EOI is selected, you must accept or decline the selection, confirm your Claim Year and sign and return the Application Annex included with your selection notification letter to the Welsh Government via your RPW Online account by the date given in the letter.

You will be asked to confirm in which Claim Year you intend to submit your Capital Works claims. The two Claim Years are detailed in the following table. One claim year per EOI may be selected.

	First Date to submit claim	Final Date to submit claim
Claim Year 1	01 April 2021	31 March 2022
Or		
Claim Year 2	01 April 2022	31 March 2023

You will need to ensure that you will be able to submit any claims for payment in your chosen Claim Year, taking into account when you will submit your GWC plan and complete the capital works. You cannot change the Claim Year after you have your accepted selection.

If you decline, or fail to respond to the offer of selection, your GWC Expression of Interest will be withdrawn and you will not be eligible to submit a Woodland Creation Plan to Welsh Government for verification by NRW.

If your Expression of Interest has not been successful, you will be notified via your RPW online account with the reason for non-selection.

#### **Offer of Contract**

If you have accepted the offer of selection and returned your Acceptance Annex within the specified timescale, you will be offered a GWC contract. The contract will be issued via your RPW Online account and will include:

- a table confirming the land parcels, GWC planting options and area of intended planting as declared in your EOI and validated by the Welsh Government.
- A digital map of the land declared and validated on the EOI

If you wish to progress with your planting proposals you must accept the offer of contract via your RPW Online account within 14 days of notification. If you accept this contract, you must not start work i.e start any establishment or fencing capital works for which you intend to claim grant

If you decline, or fail to respond to the offer of a contract, this GWC Contract offer will be withdrawn, and your application will be rejected.

Once you have accepted the contract, you will be able to work with your registered planner to draw up your planting proposals and to complete a GWC Plan for submission to Welsh Government.

#### **Submitting the Woodland Creation Plan**

Once you have accepted the contract offer you will need to engage a registered planner from the published list to complete a GWC Plan. Support of £800 is available as a contribution towards the registered planner's fees, provided the plan is successfully verified by NRW and the planting is completed, as set out in the Amended Contract.

The registered planner will complete the GWC Plan, which sets out the process of assessment, planning and implementation of a new woodland, including a new agroforestry system, in accordance with the UKFS and the GWC rules. A list of registered planners is available on <a href="https://www.gov.wales/glastir">www.gov.wales/glastir</a>. It is a requirement for you and the the registered planner to sign and agree the GWC plan before you submit the plan to Welsh Government for verification by NRW.

You will have been provided with a digital map with your contract outlining the field parcels included in your EOI which your registered planner will need to use in compiling your plan.

The GWC plan templates and guidance and mapping guidance are available on RPW online. We are unable to accept alternative plan templates and maps which, 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 GWC plans under one Customer Reference Number.

The Welsh Government will only fund payment of two Woodland Creation Plans per Customer. If you have received payment of two Woodland Creation plan claims, you may submit further expressions of interest, but you will not be eligible for further payments for successive fees charged to you by the planner.

If your CRN covers a number of dispersed holdings, we may agree to fund an additional GWC plan for separate properties comprising your holding. You will need to contact the Welsh Government via the Customer Contact Centre 0n 0300 062 5004.

#### Consultation

GWC requires consultation responses from statutory consultees e.g. CADW and non-statutory consultees e.g. Archaeological Trust, if a sensitivity falls within or adjacent to the proposed woodland creation area. The woodland planner will be required to provide 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 e.g. protected species or water body, if your application has a potential impact on this feature.

#### **Public Participation**

You, or the registered planner working on your behalf, must include a report on public participation. Contacting interested neighbours, **particularly close neighbours**, at an early stage of the

woodland creation planning process is an opportunity to provide information on the proposal and avoid potential conflicts. It is your responsibility to ensure the appropriate level of engagement with the public is undertaken, even if the planner does this on your behalf.

At the point the GWC plan is submitted to the Welsh Government for verification by NRW, the registered planner **must ensure** the public participation process has been completed and the information gathered from members of the public is included. Failure to do so will result in your application being rejected.

For **ALL** GWC applications, responses are required from individuals whose properties might be affected. You are required to obtain a response from **all properties that have land adjoining the new planting**. If the woodland creation scheme is over the Environmental Impact Assessment EIA threshold, you or the woodland planner must inform the Community or Parish Council about your woodland creation scheme at the earliest opportunity. It is also recommended you also consult with interested parties e.g. local angling associations and 'friends of' community groups.

It is advised you provide these groups and individuals a location map and information on the size, location and type of new planting and the proportion of different tree species.

As part of any public or neighbourhood engagement, the GWC plan must highlight **when** you or the woodland planner consulted with interested individuals or parties, **how they were consulted** (e.g. public event, flyers, door to door), **how long the consultation ran** and **who responded**. The Welsh Government and NRW will not consult third parties directly, except where outstanding public participation concerns could not be resolved. You are expected to do this, or ensure the woodland planner does this on your behalf.

A public participation event is recommended for woodland creation schemes, especially schemes located close to a community. This is a good opportunity to inform local people about the woodland creation plan at an early stage of the design process and provide information, including maps and the planting proposals. You or the woodland planner will have the flexibility to make changes to a proposal if there are any particular valid concerns e.g. private water supplies, well used path.

Where interested party concerns cannot be addressed prior to submitting a GWC plan to Welsh Government for verification by NRW, they should still be submitted with the plan, along with the reasons for not being able to address them. As part of the verification process, NRW will consider the outstanding interested party concerns and will, possibly in discussion with others, advise whether the concern is valid or not.

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

NRW is the competent authority for assessing afforestation under the Environment Impact Assessment (Forestry) (England and Wales) (Amendment) Regulations 2017. GWC plans over the Environmental Impact Assessment threshold 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 a contract being withdrawn. Any 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 the planting can be completed within the deadline for claiming in the Claim Year.

# Submitting your Glastir Woodland Creation Plan to Welsh Government for verification by NRW

You may only submit one GWC plan to the Welsh Government for verification by NRW. When signing your GWC plan declaration, you must ensure the GWC plan is fully completed in all respects and accurately reflects your intended planting proposals. Prior to submission, you, or an authorised agent acting on your behalf, and your registered planner must sign the completed GWC plan.

The completed GWC Plan, annotated digital map and any supporting documents must be submitted to the Welsh Government via your RPW Online Account. The Welsh Government will forward your GWC plan to NRW for verification.

You will need to plan ahead and agree with your registered planner, the most appropriate time to submit your plan to the Welsh Government. You will need to ensure you are able to complete your capital works and submit your claims for payment in your confirmed Claim Year. **The Claim Year cannot be changed to accommodate late plans.** 

The registered planner can request NRW to provide feedback about your planting proposals prior to submitting the completed plan to the Welsh Government. You should discuss the feedback with your planner before deciding whether to submit the completed plan.

Failure to meet these requirements could result in the plan being rejected by the Welsh Government.

# **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 <u>UKFS</u>
- Demonstrate value for money
- Adhere to the GWC scheme rules

To support this process, NRW have a range of policies and guidance notes to support GWC plan compliance. Please follow this link for more information.

# Contract amendment following verification of your GWC plan

Once your GWC Plan has been verified by NRW and subsequently approved by the Welsh Government, you may be offered an amended GWC contract based on the verified planting proposals in your plan. You will need to accept your contract by using the blue button via RPW online within 14 days.

The Glastir Online acceptance facility is used to enable customers to accept their contracts via their RPW online account. Please ensure that you have activated your online account in order to facilitate online acceptance. Consequently, if you wish, you may also give an agent authorisation to accept a contract online on your behalf.

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 GWC for a **further 2 years**, unless the 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, which 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 GWC contract with interest. Furthermore you will not be able to apply for a further 2 years.

# **Starting Work**

Contract holders should not start any work before accepting a contract map which confirms the areas to be planted following verification by NRW. If you start work before receiving this map, the Welsh Government may reject the work started or terminate the contract and recover any payments made. An example of starting work is commencing planting without the contract map containing the verified planting area being issued.

# Summary of the Key stages of the Glastir Woodland Creation Application – Please refer to Section D - How to Apply for detailed guidance on each stage of the application process

EOI

- Contact GWC Registered Planner to discuss planting proposals prior to submitting an EOI
- Registered Planner completes GWC EOI via RPW Online within EOI window dates

Selection

- EOI data validated and scored. Outcome of selection issued via RPW Online
- 14 days to accept/decline selection via RPW Online and confirm the Claim Year in which Capital Works claims will be submitted

Contract

- Contract will be offered via RPW Online to applicants accepting selection based on the land, GWC options and areas declared on EOI
- 14 days to accept/decline offer of contract

Plan and Verification

- If contract accepted, applicant and planner prepare a GWC Plan and submit with digital maps to the Welsh Government via RPW Online.
- Plan forwarded by Welsh Government to NRW for verification

Updated Contract

- Verified plan returned to Welsh Government by NRW. If approved, an amended contract may be offered via RPW Online confirming the planting proposals as verified by NRW
- 14 days to accept/decline contract via the blue button

Start Work and Claim

 Work should only start after a map confirming the verified planting area has been issued by Welsh Government. To be eligible to submit claims, the capital works must be completed and claimed in the Claim Year confirmed in the contract

# **Claiming Payment**

# **Woodland Creation Plan Support**

To be eligible for the £800 support payment, approved GWC plans must progress to planting after online acceptance of the GWC contract.

Once the Welsh Government has issued your map with verified planting area, you will be sent a GWC plan claim form via your online account which you will need to complete and return. Once received, your claim will be validated, and processed and, if eligible, payment will be processed and issued via BACS.

If planting is not carried out, as set out in the GWC contract, the Welsh Government will recover the £800 payment. In addition, in line with the current scheme rules, the contract holder will not be eligible to apply for GWC for a further 2 years because the planting did not take place.

If the offer of a contract is declined or no response is received to the offer, the approved plan will not be eligible for support.

Woodland Creation Plan support can only be processed for payment from 1 April 2021.

#### **Capital Works Claim**

Capital works claims are made using the Capital Works Claim application available via your RPW Online Account and after completion of work. Claims must be submitted in the Claim Year confirmed at acceptance of selection as shown in the table below and after the work being claimed has been completed. Only one Claim Year will be allocated to a GWC contract.

	First Date to submit claim	Final Date to submit claim
Claim Year 1	01 April 2021	31 March 2022
Claim Year 2	01 April 2022	31 March 2023

Capital works payments under GWC are paid at a standard cost rate.

#### **Maintenance and Premium Payment Claims**

These payments are area based and must be claimed annually on the SAF. You will be eligible to claim your first maintenance and premium payment, in the first full calendar year following the year

of planting. The annual deadline for submitting a SAF is 15 May and in 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 GWC 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 from your contract. Requests will be assessed on a case by cases basis if you are unable to complete all or part of the work by the deadlines included in the contract.

You will need to submit a request to the Welsh Government via your RPW online account as soon as an issue arises and in sufficient time to allow proper consideration. You will need to include evidence in support of the request, including your efforts to complete the work as set out in the contract.

Where a derogation request is unable to be granted, your contract may have to be withdrawn and any payments recovered and you will be excluded from reapplying for two years.

#### Section E - Contract Amendments

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

When you sign your GWC 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 GWC contract to a new occupier is subject to approval by the Welsh Government. Where the prospective new occupier decides to take over the 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 commitment in advance of agreeing to the transfer of the land in question.

The regulations concerning the scheme do not allow the transfer of a capital works contract. The contract holder will be the only business able to claim the GWC capital works. A transfer cannot be processed until the validation of the capital works claim and payment have been authorised.

Following the sale or transfer of part of your land, any land which you retain and is the subject of the original 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 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 GWC 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.

Please use the Manage my Land (MML) Facility via your RPW Online account to notify the Welsh Government of these changes within 30 days of the change.

#### **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, on the Welsh Government website (<a href="www.gov.wales">www.gov.wales</a>) and will notify you where necessary via your RPW online account.

# Section F - Inspections and Record Keeping

The Welsh Government must enforce the GWC rules. Inspections will include on site farm inspections and the use of Global Positioning Systems, aerial photography, drones 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 GWC 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 GWC 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 SAF (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 any Rural Development and BPS payments being reduced.

#### **Over Declaration**

Over Declaration penalties will be applied where the area declared for Glastir on the 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 <a href="https://www.gov.wales.">www.gov.wales</a>.

#### **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 that 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, 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

#### There are no grounds for appeal if your Expression of Interest is not selected.

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 Regional 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 the date of a decision, which may affect your payments.

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

Where the Welsh Government considers an appeal falls outside of the remit of the two-stage independent appeals process, an independent expert panel will be appointed to review and make a recommendation as to whether those grounds are successful, partially successful or unsuccessful to the Welsh Ministers.

#### **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 may also choose to contact:

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

Website: www.ico.org.uk

# Section I – General Data Protection Regulation: Privacy Notice

This notice informs you about the Welsh Government's use of the information provided on the expression of interest form used in connection with your application for aid under the Welsh Government's 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 submitted as part of your application is the Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

The data protection officer for the same information is the Data Protection Officer, Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

Email: <u>DataProtectionOfficer@gov.wales</u>

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 Regulation (EU) No 1305/2013
- Council Regulation (EU) No 1306/2013
- Commission Regulation (EU) No 640/2014
- Commission Regulation (EU) No 807/2014
- Commission Regulation (EU) No 808/2014
- Commission Regulation (EU) No 809/2014
- 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 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.

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.
- Information will be shared with NRW for the purposes of processing and determining applications for financial support under the Welsh Government's Rural Development Programme for Wales 2014 2020 schemes. NRW may also make use of the information supplied for other purposes, which will include those connected with our functions and duties under their statutory and legislative 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 NRW.

#### 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 26 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.

#### 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

# Section J - Contact Details

Welsh Government's website: <u>gov.wales/farming-countryside</u> and bi-monthly <u>Gwlad magazine</u> 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

#### Other useful contacts:

For general enquiries (EIA, SSSI, NNR, SAC or SPA)

#### **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

#### For NRW Glastir enquiries:

glastirqueries@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@gov.wales

#### 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: <a href="mailto:trust@cpat.org.uk">trust@cpat.org.uk</a>

www.cpat.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

www.dyfedarchaeology.org.uk

#### **Glamorgan-Gwent Archaeological Trust**

Heathfield House

Heathfield Swansea SA1 6EL

tel: 01792 655208 fax:01792 474469

E-mail: enquiries@ggat.org.uk

www.ggat.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

www.heneb.co.uk