

10 January 2022

Dear

ATISN 15769 - Wats Dyke

Thank you for your requests for information of 10 December which I acknowledged on 13 December 2021. You asked the following questions and I have provided the answers alongside each query:

1. *When was the report of Wats Dyke (FL089) authored by Fiona Grant and dated 7/1/20 submitted to the RPW?*

[Answer 1 - 22 January 2020.](#)

2. *Please supply all correspondence between Cadw and the RPW between 7/1/20 and 9/12/21 in regard to the field inspection of Wats Dyke on 7/1/20.*

[Answer 2 - This information is attached.](#)

3. *What is the legal procedure and timescale after a farmer has been verbally told by a field officer following monument inspection that the CPS/Police would be involved, for such an event to happen? What subsequent notifications and documents would the farmer receive and what would be their timescale?*

[Answer 3 - There is no legal procedure or timeframe for Cadw to inform the Police of illegal activity at a scheduled monument and it would be a matter for the Police \(not Cadw\) to consider whether to involve the Crown Prosecution Service \(CPS\). Cadw is advised by the Police about any next steps and you will need to seek legal advice for information around the processes followed by the Police and/or the CPS.](#)

4. *What is the code of practise for a field officer visit to inspect a monument on farmland?*

[Answer 4 - We hold no such information.](#)

5. *If drains had been put into a monument, what is the timescale in years where it cannot be used in evidence?*

[Answer 5 - There is no such timescale.](#)

6. *How many cases of cross compliance breaches with the exception of Section FLO 89 have been passed to the RPW for Wats Dyke in the last 5 years?*



[Answer 6 - We do not record this information.](#)

7. *How many cases of damage to Wats Dyke with the exception of Section FLO 89 have been passed to the CPS/Police and prosecution has been successful in the last 5 years.*

[Answer 7 - We do not record this information.](#)

8. *What was the date you [[Rural Payments Wales](#)] were contacted by Cadw in regards to a possible cross compliance breach of Wats Dyke (FLO 89) that was documented by Fiona Grant on 7/1/2020?*

[Answer 8 - 22 January 2020.](#)

9. *Please provide evidence of the legal timescale describing the time permitted to progress a potential breach from the point RPW is informed by Cadw to the date the farmer is informed.*

[Answer 9 - There is no such legal timescale.](#)

10. *Please provide evidence of the legal timescale allowed from the point a farmer submits a stage 1 appeal against a cross compliance breach and the time he is notified of the board's decision.*

[Answer 10 - Mrs Manon Parry of Rural Payments Wales answered this question in her letter to you of 22 December 2020. Mrs Parry advised that Rural Payments Wales deals with Stage 1 and 2 appeals in the order they are received and there is no legal timeline for issuing a response.](#)

11. *What is the difference between the cross compliance rule GAEC7 in 2019 and 2020?*

[Answer 11 - Mrs Manon Parry of Rural Payments Wales answered this question in her letter to you of 22 December 2020. Ms Parry advised that there was no difference between the Cross Compliance GAEC7 rules in force in 2019 and 2020.](#)

Next steps

If you are dissatisfied with the Welsh Government's handling of your request, you can ask for an internal review within 40 working days of the date of this response. Requests for an internal review should be addressed to the Welsh Government's Freedom of Information Officer at:

Information Rights Unit,
Welsh Government,
Cathays Park,
Cardiff,
CF10 3NQ





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cadw.gov.wales

or Email: Freedom.ofinformation@gov.wales

Please remember to quote the ATISN reference number above.

You also have the right to complain to the Information Commissioner. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

However, please note that the Commissioner will not normally investigate a complaint until it has been through our own internal review process.

Yours sincerely



Annex A

- ATISN 15769 – Doc 001 - email to RIW 22 Jan 20
- ATISN 15769 – Doc 002 - Cadw - FL089 - 2020-01-22 - REFERRAL REPORT FORM sent to RIW with damage report
- ATISN 15769 – Doc 003 - email to/from RIW jan-feb 2020
- ATISN 15769 – Doc 004 - email to from RIW Oct 2020
- ATISN 15769 – Doc 005 - emails to from cadw rpw oct-nov 2020