

From: [REDACTED] >

Sent: 14 February 2022 14:11

To: [REDACTED]

Subject: EIA agriculture consultation Llangollen

Morning [REDACTED] and [REDACTED]

We carried out an EIA investigation to the land in question last Weds and I can confirm that the land has been resown with rye grass and clover with no apparent consent. According to the customer parts of the improved areas were subject to a wild fire in in 2019. The attached map shows the area of cultivation falls within the SSSI boundary.

Can you confirm the significance of the area under investigation. From historic aerial imagery and our site survey it appears the area was a mix of gorse and unimproved acid grassland

Regards

[REDACTED]
EIA ecologist

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Subject: FW: EIA agriculture consultation Llangollen
Importance: High

Hi [REDACTED]

Seems [REDACTED] copied in, has more information in relation to that EIA query you were looking at for [REDACTED]

Thanks

[REDACTED]

From: [REDACTED]

Sent: 14 February 2022 15:13

To: [REDACTED]

Cc: [REDACTED]

Subject: FW: EIA agriculture consultation Llangollen

Importance: High

[REDACTED]

[REDACTED] from WG has a query (see below) in relation to one of your sites - Ruabon / Llantysilio Mountains & Minera SSSI. (SAC). Would it be possible to take a look and respond to [REDACTED] as soon as possible?

Many thanks

[REDACTED]

[REDACTED]

Senior Environment Officer
Cyfoeth Naturiol Cymru / Natural Resources Wales

Tel. [REDACTED]

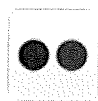
Mob. [REDACTED]

Ebost/Email: [REDACTED]

www.cyfoethnaturiol.cymru / www.naturalresources.wales

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Croesewir gohebiaeth yn Gymraeg a byddwn yn ymateb yn Gymraeg, heb i hynny arwain at oedi. Welsh correspondence is welcomed, and we will respond in Welsh without delay.

From: [REDACTED]

Sent: 14 February 2022 16:44

To: [REDACTED]; [REDACTED]
[REDACTED]

Subject: RE: EIA agriculture consultation Llangollen

Afternoon [REDACTED] and [REDACTED]

Hope you're both keeping well.

Yes I'm leading on this case and would welcome any feedback to further the investigation. My mobile no. is [REDACTED] if you'd like to discuss the details.

Many thanks

[REDACTED]

[REDACTED]

*EIA (Agriculture) Ecologist
Cangen Iechyd Planhigion a Diogelu'r Amgylchedd / Plant Health & Environmental
Protection Branch
Is-adran Tirweddau, Natur, Coedwigaeth / Landscapes, Nature, Forestry Division
Llywodraeth Cymru/ Welsh Government
Neuadd Sir/County Hall
Spa Road East
Llandrindod Wells
LD1 5LG
Ffon/Tel: [REDACTED]
E-bost E-mail: [REDACTED]
Ar y We Website: <http://www.wales.gov.uk>*

From: [REDACTED]

Sent: 14 February 2022 16:19

To: [REDACTED]
[REDACTED]

Cc: [REDACTED]

From: [REDACTED]
Sent: 14 February 2022 17:09
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: EIA agriculture consultation Llangollen

Hi [REDACTED]

I popped out to see this parcel of land last Friday.

My conclusions are:

The site comprises of a number of different vegetation types. The lower half of the site is within the SSSI. The calcareous/ acid grassland in this location is unimproved, as see on the attached picture. The middle of the site comprises of a mixture of dry heath (currently dominated by gorse) and bracken. The top half of the site, which is outside the SSSI (attached picture), is permanent grassland, improved. This area receives organic fertiliser (found remains of slurry/ FYM here). No grazing animals were present at the time. Most likely used for silage production/ early season grazing.

My recommendation would be for the lower half of the site (SSSI section) to remain unimproved so that it can continue to support the calcareous grassland and heathland features of the SSSI as a whole.

My EO colleagues may also wish to comment.

Happy to discuss over the phone if needed?

Best wishes,

[REDACTED]

[REDACTED]
Cynghorydd Rheoli Cynaliadwy Natura 2000/ Natura 2000 Sustainable Management
Advisor

Cyfoeth Naturiol Cymru/ Natural Resources Wales

[REDACTED]
Dysgwr Cymraeg

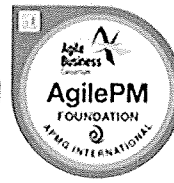
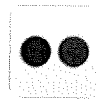
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future for Wales by managing the environment and natural resources
sustainably.**

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eich preifatrwydd. Rydym yn croesawu gohebiaeth yn Gymraeg. Byddwn yn anfon ateb yn Gymraeg i ohebiaeth a dderbynnir yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi. On leaving the Welsh Government this email was scanned for all known viruses. The Welsh Government takes the protection of your data seriously. If you contact the Welsh Government then our [Privacy Notice](#) explains how we use your information and the ways in which we protect your privacy. We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

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[REDACTED]
EIA ecologist

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[REDACTED]

[REDACTED]
Senior Environment Officer
Cyfoeth Naturiol Cymru / Natural Resources Wales

Tel. [REDACTED]

Mob. [REDACTED]

Epost/Email: [REDACTED]

www.cyfoethnaturiol.cymru / www.naturalresources.wales

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[REDACTED]

[REDACTED]
EIA (Agriculture) Ecologist

Cangen Iechyd Planhigion a Diogelu'r Amgylchedd / Plant Health & Environmental Protection Branch

Is-adran Tirweddau, Natur, Coedwigaeth / Landscapes, Nature, Forestry Division

Llywodraeth Cymru/ Welsh Government

Neuadd Sir/County Hall

Spa Road East

Llandrindod Wells

LD1 5LG

Ffon/Tel [REDACTED]

E-bost E-mail [REDACTED]

Ar y We Website: <http://www.wales.gov.uk>

LD1 5LG

Ffon/Tel

E-bost E-mail

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To:

Cc:

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Cyfoeth Naturiol Cymru/ Natural Resources Wales

Bwcle/ Buckley

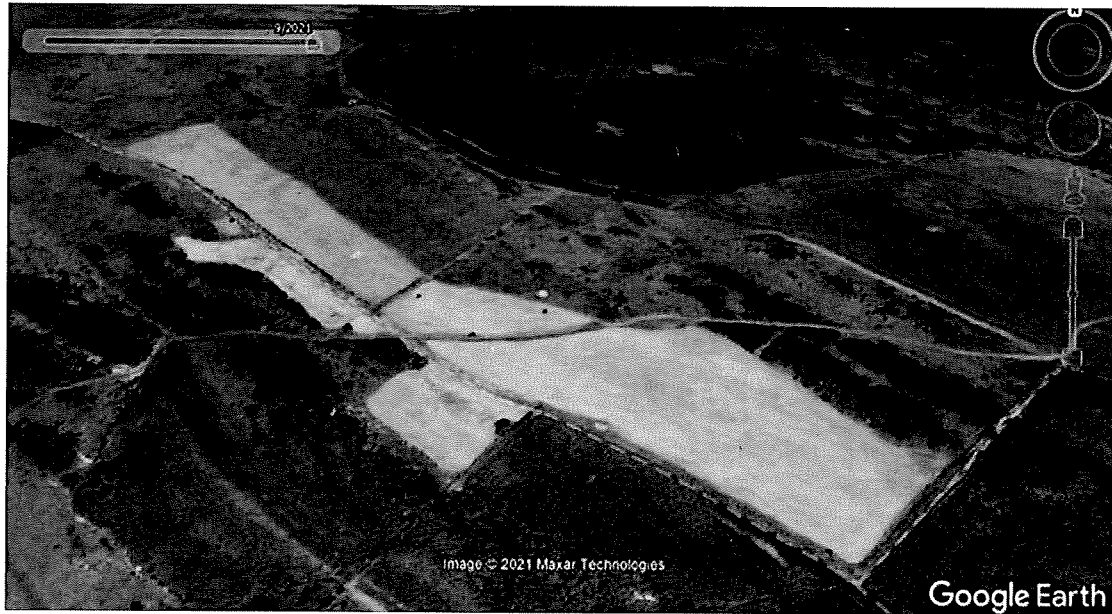
Dysgwr Cymraeg

Yn falch o arwain y ffordd at ddyfodol gwell i Gymru trwy reoli'r amgylchedd ac adnoddau naturiol yn gynaliadwy. Proud to be leading the way to a better

2020



2021



Many thanks



EIA (Agriculture) Ecologist

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Llywodraeth Cymru/ Welsh Government

Neuadd Sir/County Hall

Spa Road East

Llandrindod Wells

From: [REDACTED]

Sent: 15 February 2022 12:06

To: [REDACTED]

Subject: RE: EIA agriculture consultation Llangollen

Importance: High

Morning [REDACTED]

Thanks for your reply.

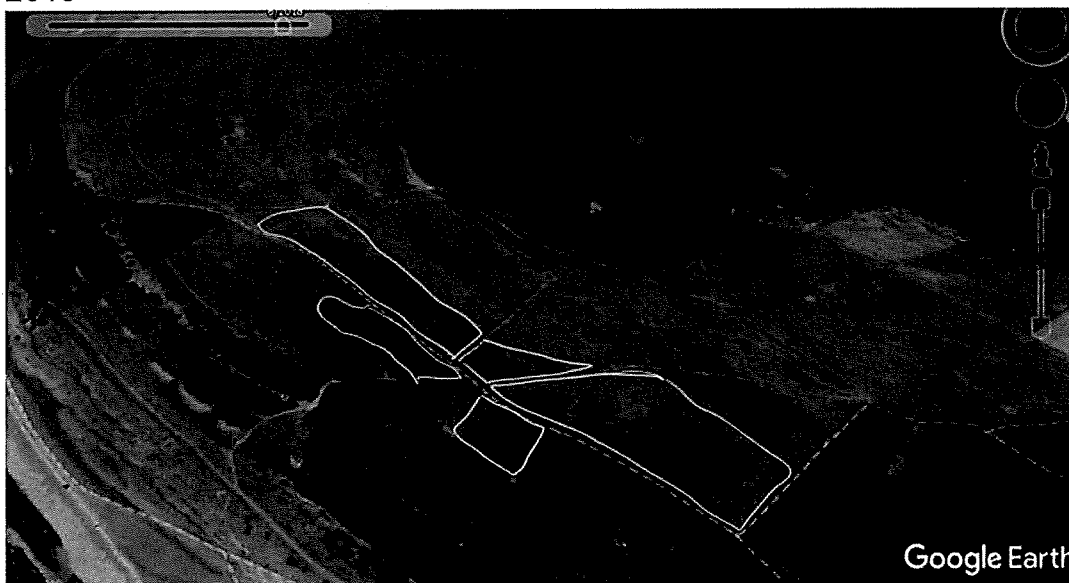
The area under investigation is the land above the Panorama permissive footpath track and two smaller areas below the track one of which falls within the SSSI boundary, map attached. According to the customer there was a wildfire on this area in 2019 and the sites have been reseeded since then. Following our site survey a lot of gorse brash and remnants of the old sward was present in the reseeded areas. The non SSSI area below the track was representative of U4 in parts.

The historic Google imagery has been really useful in this investigation. Below is an image from 2018 which shows the area under investigation as intact and semi natural, scattered gorse scrub in the main. The other images are from 2020 and 2021 showing the full extent of the cultivation.

My questions are:

- Was NRW consent given to reseed the gorse area within the SSSI and what are the implications for the customer?
- In your opinion are any of the sites under investigation significant e.g. Section 7 habitats/species present?

2018



From: [REDACTED]
Sent: 17 February 2022 09:50
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: EIA agriculture consultation Llangollen

Hi [REDACTED],

I've discussed the area under investigation with my colleague [REDACTED] and with our team leader.

We can confirm that NRW did not issue a consent for reseeded nor for any other agricultural improvement for this landowner. We'll be arranging a visit with the owner to inspect the damage to the SSSI (acid grassland feature) and discuss restoration. We'll be also looking at enforcement action. Would you like to be kept informed about the outcome?

In terms of the presence of any Section 7 habitats or species, we can't offer much assistance with this as we don't have up-to-date Phase II surveys of the area.

If you need further assistance please don't hesitate to get in touch.

Best wishes,

[REDACTED]

[REDACTED]
Cynghorydd Rheoli Cynaliadwy Natura 2000/ Natura 2000 Sustainable Management Advisor

Cyfoeth Naturiol Cymru/ Natural Resources Wales

[REDACTED]
Bwcle/ Buckley

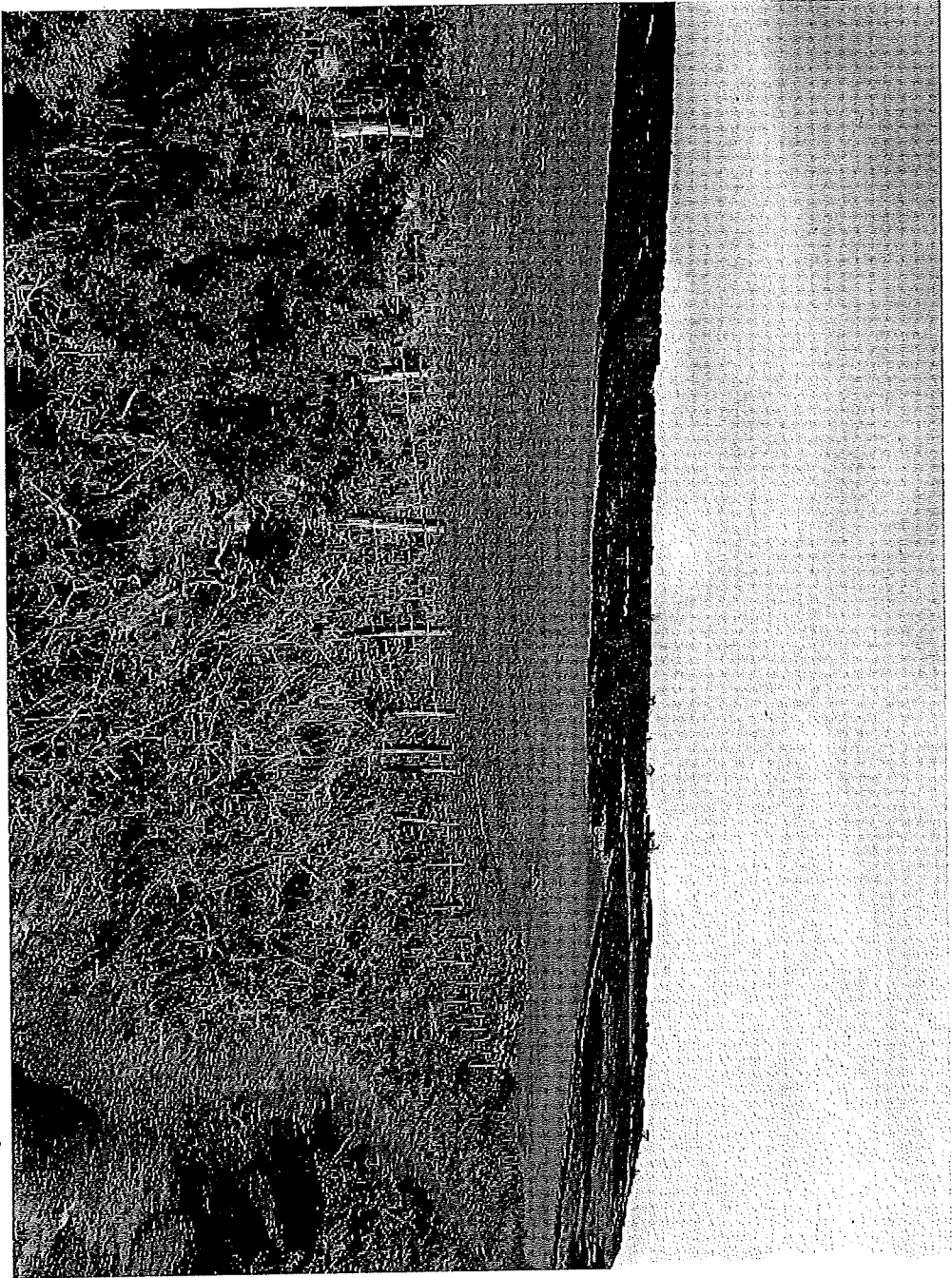
Dysgwr Cymraeg

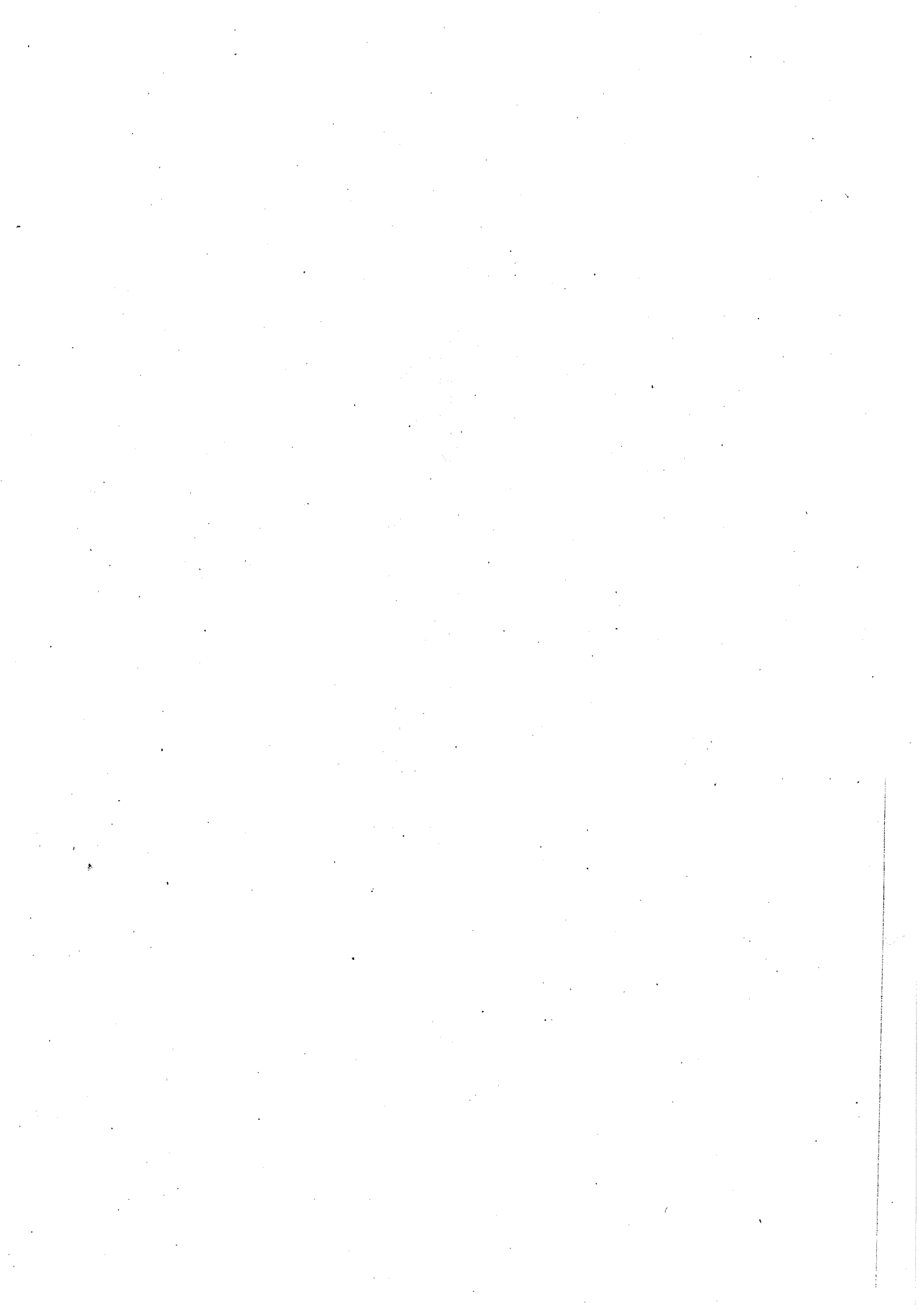
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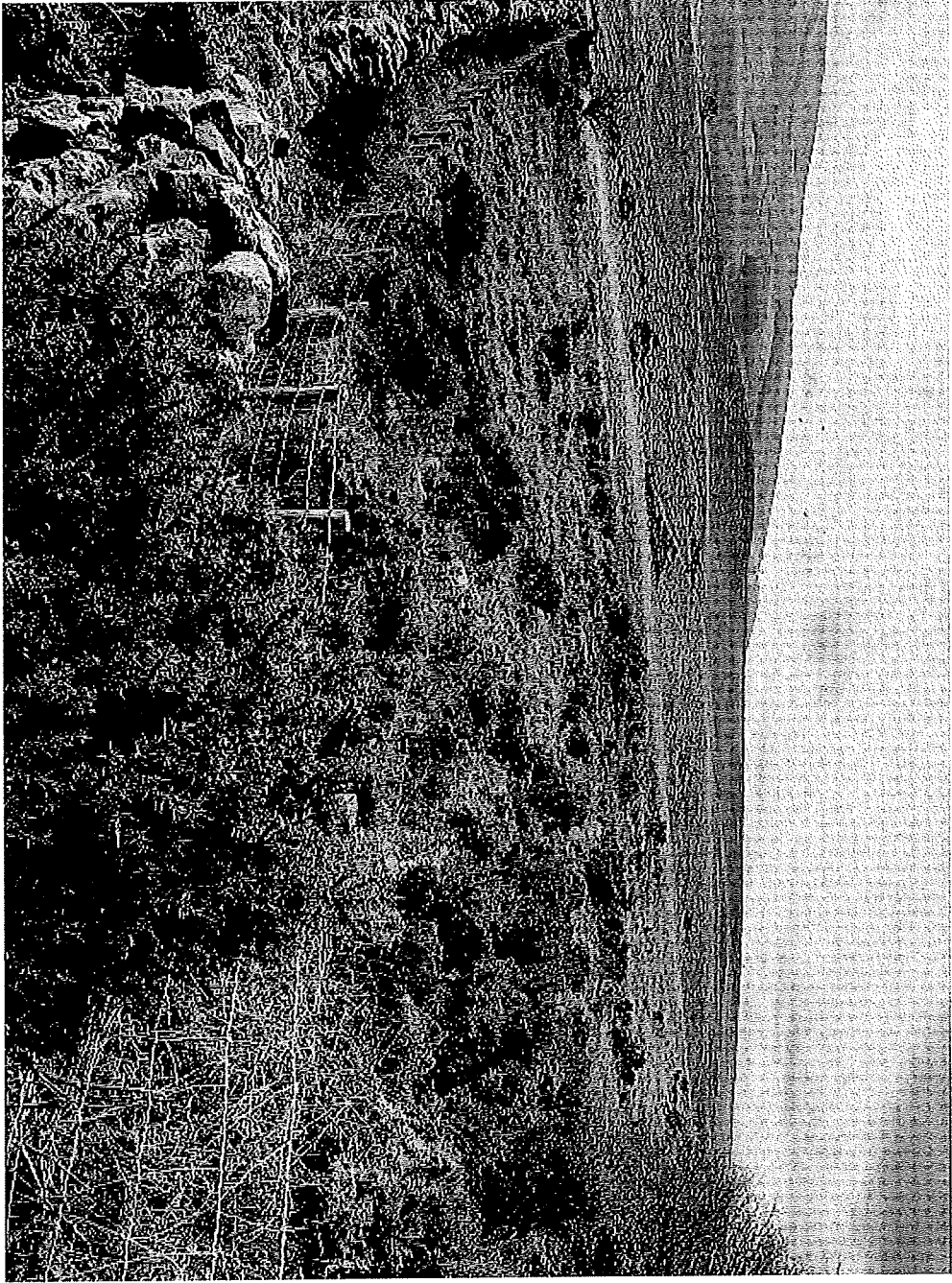
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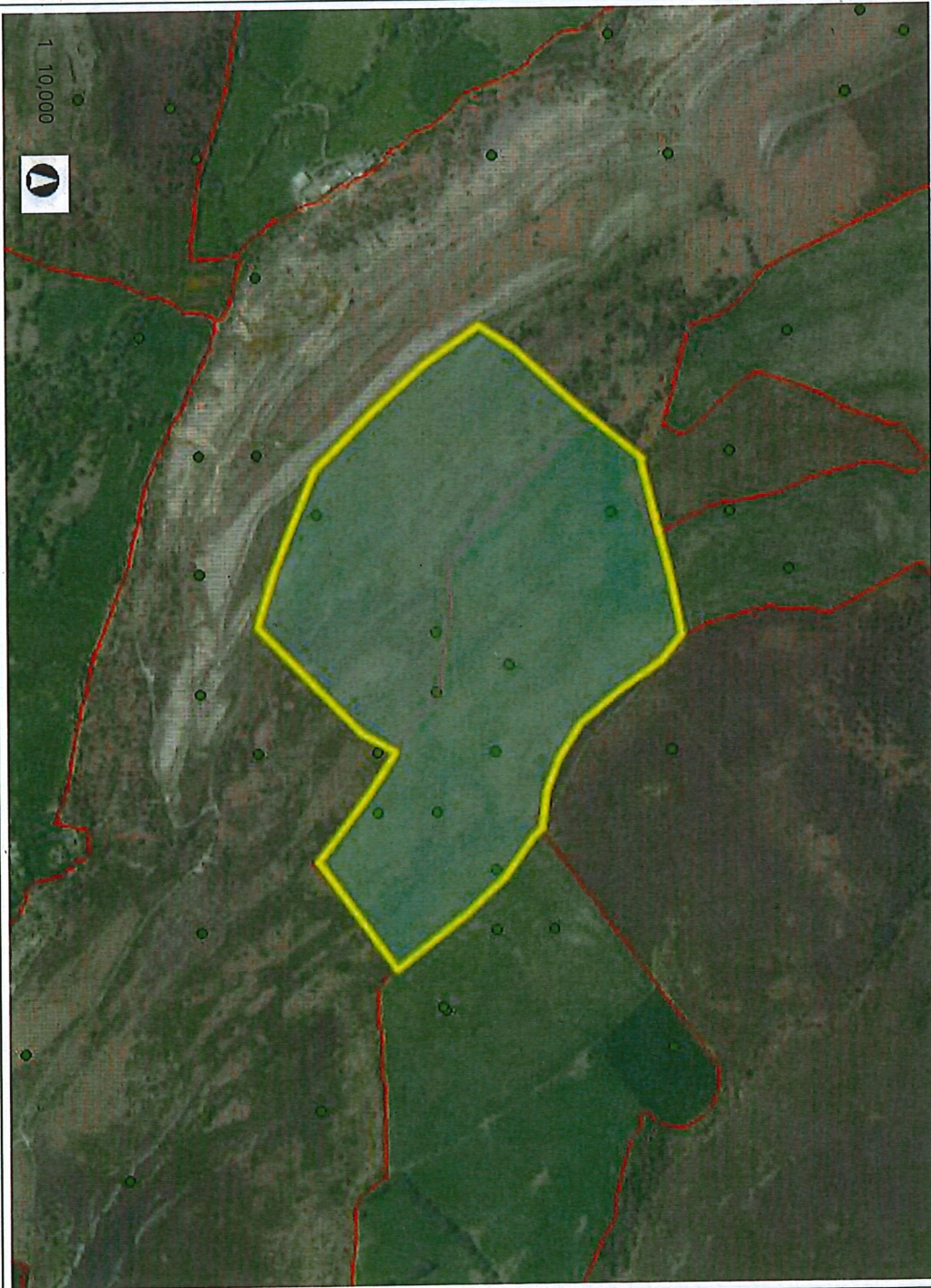




Legend

- Sites of Special Scientific Interest
- LRC Priority & Protected Species Points

Notes



0.5

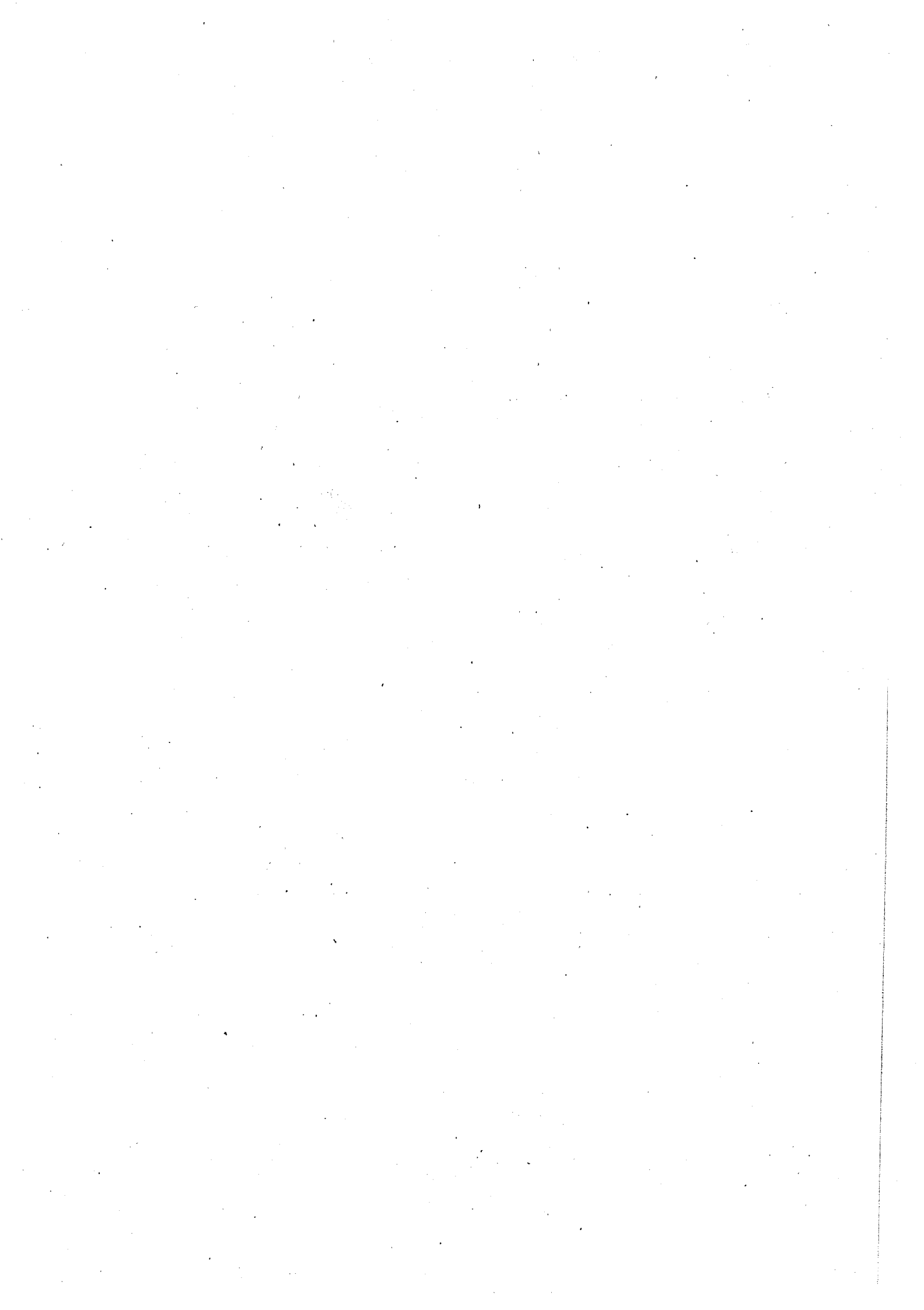
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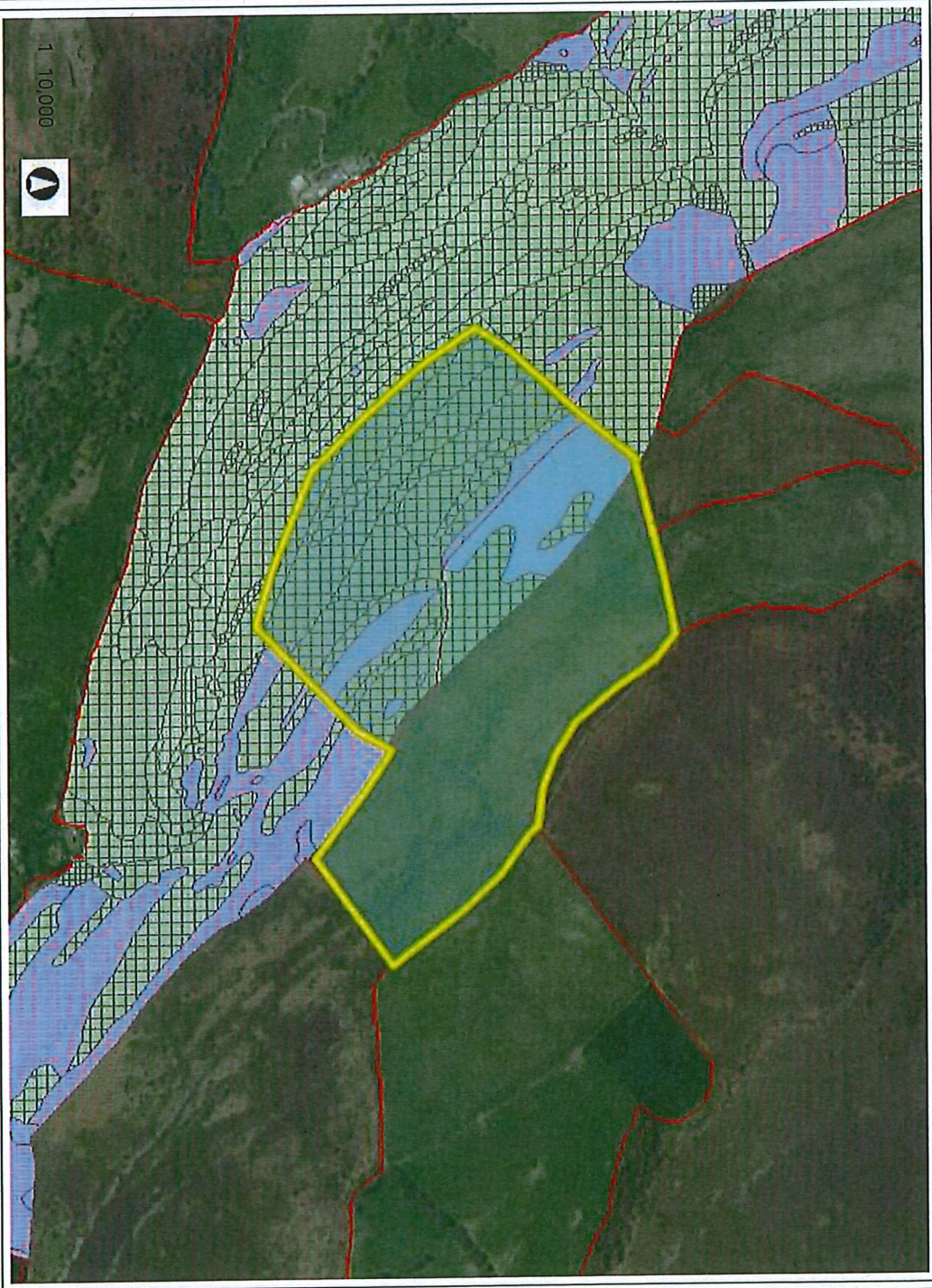
British National Grid

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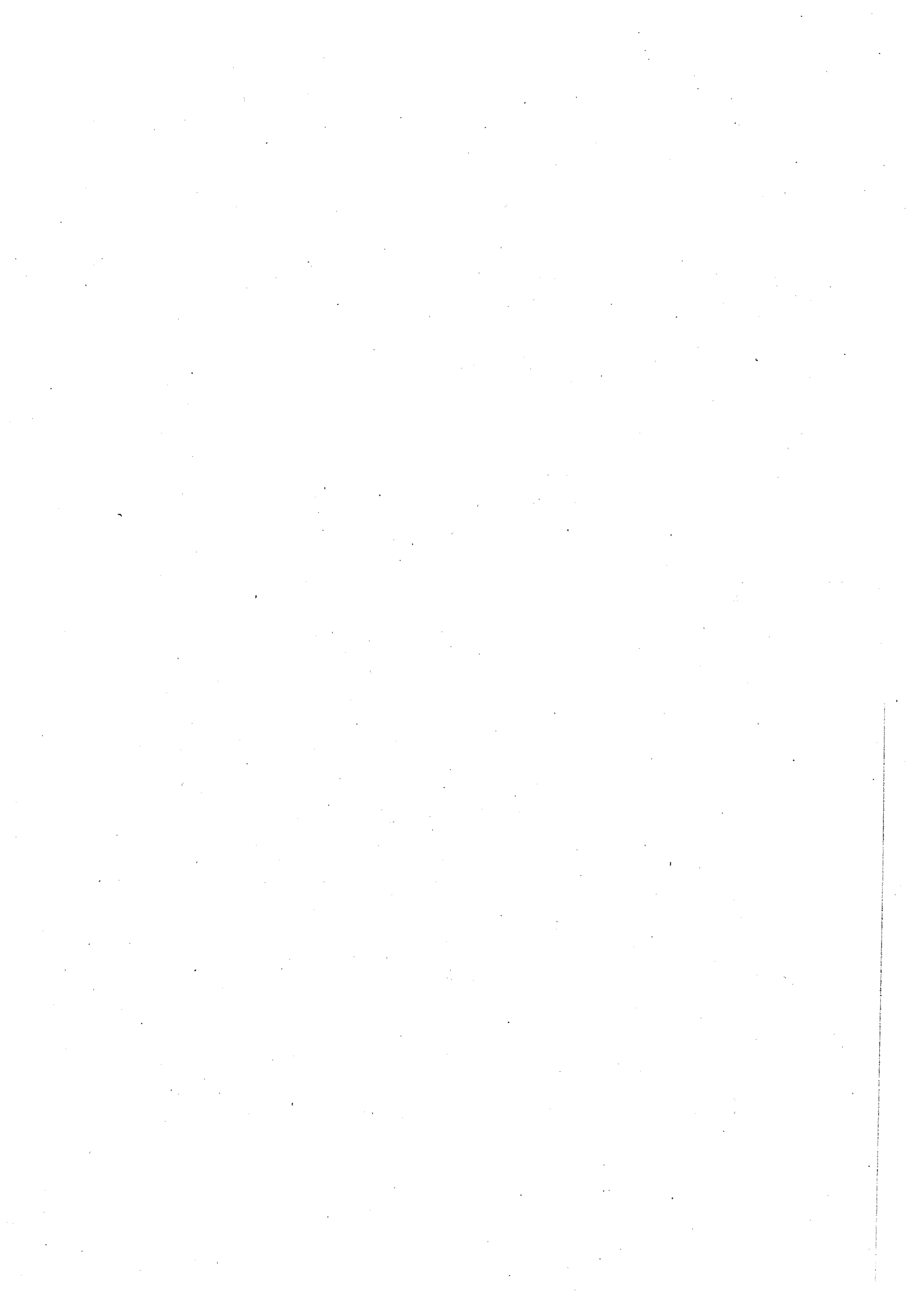
- Legend**
- Sites of Special Scientific Interest
 - PH2 Upland Mospolys
 - PH2 Upland Vegetation



Notes

0.5
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0 0.25 0.5 Kilometers
British National Grid

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Legend

Phase 1 vegetation

- (A.2.1) [Cross-hatch pattern]
- (B.1.1) [Diagonal lines /]
- (B.5.2) [Diagonal lines \]
- (C.1.1) [Orange]
- (C.2) [Brown]
- (D.1.1) [Yellow]
- (E.1.6.1) [Light green]
- (E.1.8) [Dark green]
- (E.2.1) [Purple]
- (I.1.2.1) [White with dots]
- ?
- A.1.1.1 [Light green]
- A.1.1.2 [Dark green]
- A.1.2.1 [Light green]
- A.1.2.2 [White]

Notes

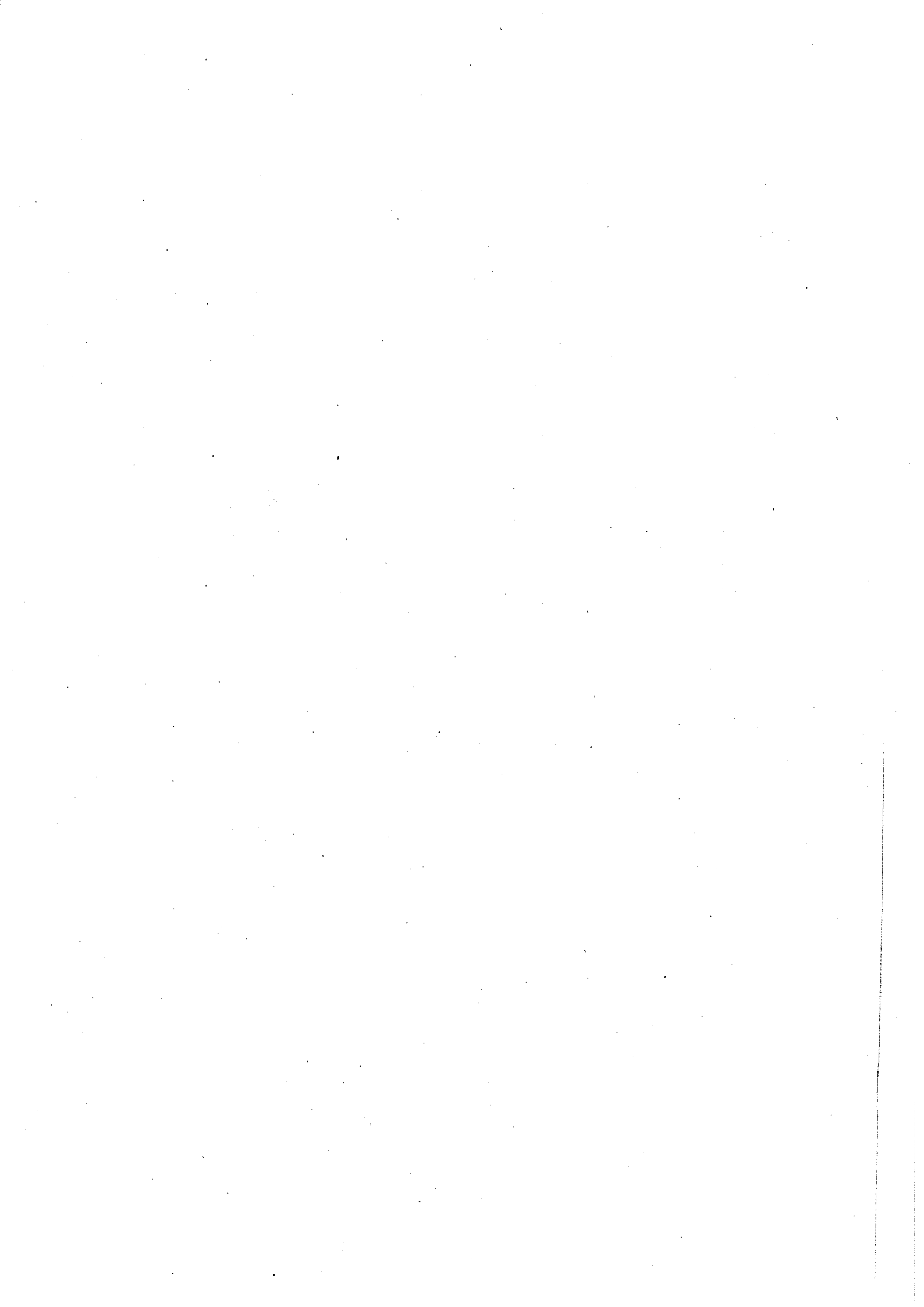


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British National Grid

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From: [REDACTED]

Sent: 04 February 2022 11:16

To: [REDACTED]; [REDACTED]

Subject: Re: EIA Agriculture Consultation - Llangollen

Thanks [REDACTED]. The cairn does have some gorse on it, but from the APs it's away from the main patches, so hopefully will have been avoided.

[REDACTED]

[REDACTED]

Archeolegydd Rhanbarthol/ Regional Archaeologist
Ymddiriedolaeth Archaeolegol Clwyd-Powys / Clwyd-Powys Archaeological Trust

Please note our office is closed during the ongoing Coronavirus situation and all staff are working from home.

<http://www.cpat.org.uk>

Ffôn / Tel: [REDACTED]
E-bost / E-mail [REDACTED]

For information from the Historic Environment Record go to <https://www.archwilio.org.uk>

Ymddiriedolaeth Archaeolegol Clwyd-Powys, Y Swyddfeydd, Coed y Dinas, Welshpool, SY21 8RP.
Swyddfa Gofrestredig fel yr uchod. Rhif Cwmni 1212455, Rhif Elusen 508301, Sefydliad Cofrestredig CIFA.

Clwyd-Powys Archaeological Trust, The Offices, Coed y Dinas, Welshpool, SY21 8RP.
Registered Office as above. Company No 1212455, Charity No 508301. Chartered Institute for Archaeologists Registered Organisation.

Privacy Notice

From: [REDACTED]

Sent: 04 February 2022 11:11

To: [REDACTED]

Subject: RE: EIA Agriculture Consultation - Llangollen

Many thanks [REDACTED]

I spoke to the customer yesterday and he confirmed there was a wild fire there in 2020. The site was then topped and reseeded in 2021. I'm going out there next week

to investigate and see the full extent. I don't know yet if the cairns have been affected.

Will keep you informed.

Cheers

■
■
EIA (Agriculture) Ecologist
Cangen Iechyd Planhigion a Diogelu'r Amgylchedd / Plant Health & Environmental Protection Branch
Is-adran Tirweddau, Natur, Coedwigaeth / Landscapes, Nature, Forestry Division
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LD1 5LG
Ffon/Tel: ■■■■■■■■■■
E-bost E-mail: ■■■■■■■■■■
Ar y We Website: <http://www.wales.gov.uk>

From: ■■■■■■■■■■
Sent: 04 February 2022 11:04
To: ■■■■■■■■■■
Subject: Re: EIA Agriculture Consultation - Llangollen

Dear ■■■ and ■■■,

I'm so sorry, this one slipped through the net.

At first glance there's a lot of archaeology in this parcel, but not all of it is necessarily of concern. The two cairns are the most vulnerable, and are what I am most concerned about. One (PRN 101186) is bisected by a field boundary and has been damaged in the past. The other (PRN 101185) is more centrally located, and survives more or less intact. This is of particular concern if the field has been ploughed. Photographs of the cairns can be found on their respective Archwilio pages. We do not have photos of the other sites.

Here is a map showing the archaeology: https://walesher1974.org/her/hotmaps/LlangollenEIA_CPAT_map.html
Clicking the blue spots will take you to the Archwilio page for that site. I also attach a table of the sites, which also includes the Archwilio url.

If you require any further information, please let me know.

Best wishes





Archeolegydd Rhanbarthol/ Regional Archaeologist
Ymddiriedolaeth Archaeolegol Clwyd-Powys / Clwyd-Powys Archaeological Trust

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Ffôn / Tel

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For information from the Historic Environment Record go to <https://www.archwilio.org.uk>

Ymddiriedolaeth Archaeolegol Clwyd-Powys, Y Swyddfeydd, Coed y Dinas, Welshpool, SY21 8RP.

Swyddfa Gofrestredig fel yr uchod. Rhif Cwmni 1212455, Rhif Elusen 508301, Sefydliad Cofrestredig ClFA.

Clwyd-Powys Archaeological Trust, The Offices, Coed y Dinas, Welshpool, SY21 8RP.
Registered Office as above. Company No 1212455, Charity No 508301. Chartered Institute for Archaeologists Registered Organisation.

Privacy Notice

From:

Sent: 14 December 2021 16:07

To:

Cc:

Subject: EIA Agriculture Consultation - Llangollen

Dear – we are investigating the significance of an area under the Environmental Impact Assessment (Agriculture) (Wales) Regs and seek your opinion on a 42 ha site approximately 1 mile north-east of Llangollen. The grid reference is SJ 2323 4368, and the area is outlined in red on the attached maps.

If possible, we would like to receive your comments by January 4th. If we have not heard from you by this date, we will assume you have no comments to make on this site and will progress with the case. If you have any further queries, please call me or .

best wishes, [REDACTED]

[REDACTED]

Cangen Iechyd Planhigion a Diogelu'r Amgylchedd / Plant Health & Environmental Protection Branch

Llywodraeth Cymru / Welsh Government

Parc Cathays / Cathays Park

Caerdydd CF10 3NQ / Cardiff CF10 3NQ

Ffôn / Tel: [REDACTED]

E-bost / E-mail: [REDACTED]

Sganiwyd y neges hon am bob feirws hysbys wrth iddi adael Llywodraeth Cymru. Mae Llywodraeth Cymru yn cymryd o ddifrif yr angen i ddiogelu eich data. Os cysylltwch â Llywodraeth Cymru, mae ein hysbysiad preifatrwydd yn esbonio sut rydym yn defnyddio eich gwybodaeth a sut rydym yn diogelu eich preifatrwydd. Rydym yn croesawu gohebiaeth yn Gymraeg. Byddwn yn anfon ateb yn Gymraeg i ohebiaeth a dderbynnir yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi. On leaving the Welsh Government this email was scanned for all known viruses. The Welsh Government takes the protection of your data seriously. If you contact the Welsh Government then our Privacy Notice explains how we use your information and the ways in which we protect your privacy. We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Sganiwyd y neges hon am bob feirws hysbys wrth iddi adael Llywodraeth Cymru. Mae Llywodraeth Cymru yn cymryd o ddifrif yr angen i ddiogelu eich data. Os cysylltwch â Llywodraeth Cymru, mae ein hysbysiad preifatrwydd yn esbonio sut rydym yn defnyddio eich gwybodaeth a sut rydym yn diogelu eich preifatrwydd. Rydym yn croesawu gohebiaeth yn Gymraeg. Byddwn yn anfon ateb yn Gymraeg i ohebiaeth a dderbynnir yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi. On leaving the Welsh Government this email was scanned for all known viruses. The Welsh Government takes the protection of your data seriously. If you contact the Welsh Government then our Privacy Notice explains how we use your information and the ways in which we protect your privacy. We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Annex A
Doc 1

Ref: (T)063 2021

CRN: A00 [REDACTED]



Llywodraeth Cymru
Welsh Government

Welsh Government
Plant Health & Environmental
Protection Branch
Landscapes, Nature, and Forestry
Division
County Hall
Spa Road East
Llandrindod Wells
Powys
LD1 5LG

Date: 17th February 2022

Dear [REDACTED],

The Environmental Impact Assessment (Agriculture) (Wales) Regulation 2017.

I write with reference to our investigation of potential breaches under the above Regulations relating to reseeded works within field parcel SJ2343 2368 which we discussed during our site meeting on 9th February 2022. You explained there was a wildfire in 2019 on the area under investigation and the area was subsequently reseeded with a rye grass and clover mix. You confirmed that no prior consent was obtained.

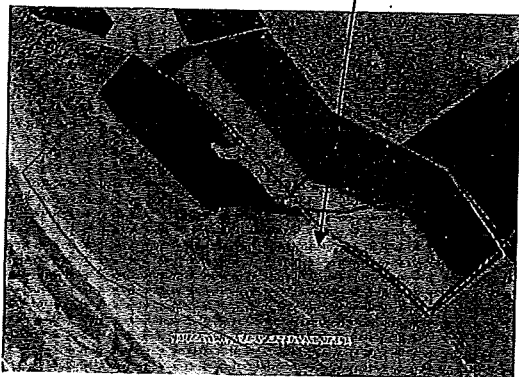
Field Parcel SJ2343 2368.

The area under investigation was determined to be semi-natural habitat prior to reseeded and therefore required an EIA screening application before starting the agricultural improvement project. Failure to submit a screening application is an offence and is also a breach of Cross Compliance requirement GAEC 6: Soil and Organic Matter Maintenance – EIA Regulations.

Field Parcel SJ2343 2368 is part of your Glastir contract under management Option 41a - Grazing Management of Open Country. The rules for habitat under the Glastir Whole Farm Code applies to all land entered into this option and state 'do not plough, cultivate or re-seed habitat land'. Therefore the reseeded work is a potential scheme breach.

The above potential breaches have been referred to the Rural Inspectorate Wales who will write to you separately should any financial penalties or deductions be applied to your BPS payment.

In addition, part of the reseeded area falls within the designated site of the Ruabon/Llantysilio Mountains and Minera SSSI. NRW will be in contact with you to discuss site remediation.



The Cross Compliance requirements for GAEC 6 are detailed on the Welsh Government internet site at the following link:

<https://gov.wales/sites/default/files/publications/2018-01/cross-compliance-2018-maintenance-of-soil-and-organic-matter-gaec-6.pdf>

Should you wish to carry out further projects to increase the agricultural production on any semi-natural land (containing less than 25% Ryegrass and / or White Clover) you must first submit an EIA Screening Application as required under the Regulations. Failure to do so is an Offence.

Further detailed guidance on the Regulations together with a link to the EIA Screening Application Form is available on the Welsh Government internet site (link below):

<https://gov.wales/assessing-environmental-impact-agriculture>

If you have any queries, please contact me.


Yours sincerely

[REDACTED]
For the Head of Natural Environment and Agriculture Team

Whilst not part of our decision, you should also take note of the following guidance:

1. *This guidance does not replace or affect any other statutory requirements which may constrain operations on this land.*
2. *Please note any agricultural improvement works affecting semi-natural habitats and semi-natural rough grazings could breach the conditions of an agri-environment scheme. You are advised this EIA screening response does **not** authorise you to breach any agri-environment scheme conditions that might apply to this land.*

Enforcement case: T063 2021

CRN	[REDACTED]
Location / Farm Name	Panorama Hill, above Trevor Rocks near Llangollen.
Landowner Name & Address	[REDACTED]
Schemes Claimed / Designations	BPS, Combined Glastir contract, part of the Ruabon Llantysilio Mountains and Minera SSSI, Vale of Llangollen and Eglwyseg historic landscape site, GCR site, RIGS site and is within the Clwydian Range and Dee Valley ANOB.
Case Officer	[REDACTED] accompanied by [REDACTED]
Date visited	9/2/22
Consultations Requested	NRW, LA (AONB) and CPAT. Response back from CPAT.
Land Parcel No(s) / Grid Reference(s)	Field parcel SJ2343 2368 – 42.40 ha
Description of Project	According to the customer part of this hill parcel was burnt by a wild fire in Spring 2019. In 2021 the areas affected by the fire were cleared and reseeded with a rye grass clover mix. The customer did not have the fire incident number. Except for charred fence posts there are now no visible signs of the fire on the ground.
Description of Site – Current Land use	Field parcel SJ2343 2368 is under Glastir Opt 41a. The parcel has been permanent pasture for many years and the customer confirmed that wild fires within the gorse areas are common. The site is grazed lightly with sheep under the GA Opt 41a stocking level. The customer confirmed he did not get prior approval from RPW, NRW or EIA before reseeding the site. The customer confirmed he was not familiar with the EIA Regs. Google Earth Imagery dated 06/2018 show the parcel intact with varying gorse cover on the areas under investigation. The Google Earth Imagery dated 07/2020 show that only parts of the area under investigation were worked, the remaining areas are shown as intact gorse. A large rock pile adjacent to the reseeded site was seen during the site visit, not visible on the 2018 imagery but shown on the 2020 imagery.
Description of Site - Habitats	The whole parcel was previously mapped as habitat under Tir Gofal, unimproved acid, semi improved, scree and gorse scrub. The aerial imagery also suggests areas of bracken. SSSI citation:  SSSI_0482_Citation_E N0018c18.pdf
Description of Site - Species	Raven noted at the time of the visit.
Description of Site - Historic	There is a bronze age round barrow cairn that is located within the area under investigated. On inspection the cairn is in intact and not damaged by the project works.
Description of Site – Landscape / Cultural	The site falls within the Llangollen Historic Landscapes. There is a popular permissive footpath, The Panorama walk,

	running through the site and several hikers and dog walkers were seen using the path during the visit.
Full Field Report Completed	Yes
Parcels / Area O/S Regs	N/A
Parcels / Area in Regs Not Significant	7ha
Parcels / Area in Regs Significant	Approx 0.4ha (SSSI area)
ES Requested	N/A
ES / Full Consent application submitted / Decided	N/A
Amended Screening Application submitted	N/A
Stop Notice Issued	N/A
Remediation Notice Issued	N/A
Appeal Decision	N/A
Linked Case Reference Nos	N/A
Referred to RIW	Y

Doc 3

Field Report for Enforcement case T063 2021

Date of Visit: 09/02/2022

Location

IACS field refs: SJ2343 2368

Block of land at: Panorama Hill, above Trevor Rocks near Llangollen.

Owned / farmed by: [REDACTED]

CRN: [REDACTED]

Investigating Ecologist: [REDACTED] and accompanied by [REDACTED]

Background reason for investigation:

A tip off was received 25/10/21

Additional information collated prior to the visit:

Consultations sent to NRW, LA (AONB team) and CPAT.

Description of the work undertaken on-site (please refer to attached map)

According to the customer the upper part of this hill parcel was burnt by a wild fire in the spring of 2019. In 2021 the areas affected by the fire were cleared and reseeded (broadcast) with a rye grass clover mix. Except for charred fence posts there are now no visible signs of the fire on the ground.

Description and environmental significance of the sites.

The parcel lies between 300 and 400m in height and is of significant environment importance for biodiversity, geology and archaeology and has a significant landscape value.

The lower half of the hill parcel falls within the Ruabon Llantysilio Mountains and Minera SSSI (4795 ha), SSSI citation:

Ruabon/Llantysilio Mountains and Minera SSSI occupies a major upland block stretching north from the Dee Valley between Corwen and Ruabon for a distance of up to 9 kms. It rises to an altitude of around 580 m. The site is notified firstly on biological grounds, for its heather moor, limestone and neutral grassland habitats and for its species interest comprising a range of upland breeding birds, rare and uncommon plants and the use of mines and caves by bats. The site is also notified on geological grounds as it contains three sites of special interest within its boundaries.



SSSI_0482_Citation_ESSSI_0482_Map0010
N0010c18.pdf 468.pdf

Other designations:

- Clwydian Range and Dee Valley ANOB (whole parcel)
- RIGS site (Regionally important geological and geomorphological sites) on part of the parcel, the Eglwyseg Limestone Pavement.
- GCR site (Geological Conservation Review site) on part of the parcel, the Eglwyseg Mountain, Dinantian of northern England and North Wales.
- Vale of Llangollen and Eglwyseg historic landscape site (part parcel)

Site Visit information.

Reseeded areas under investigation:

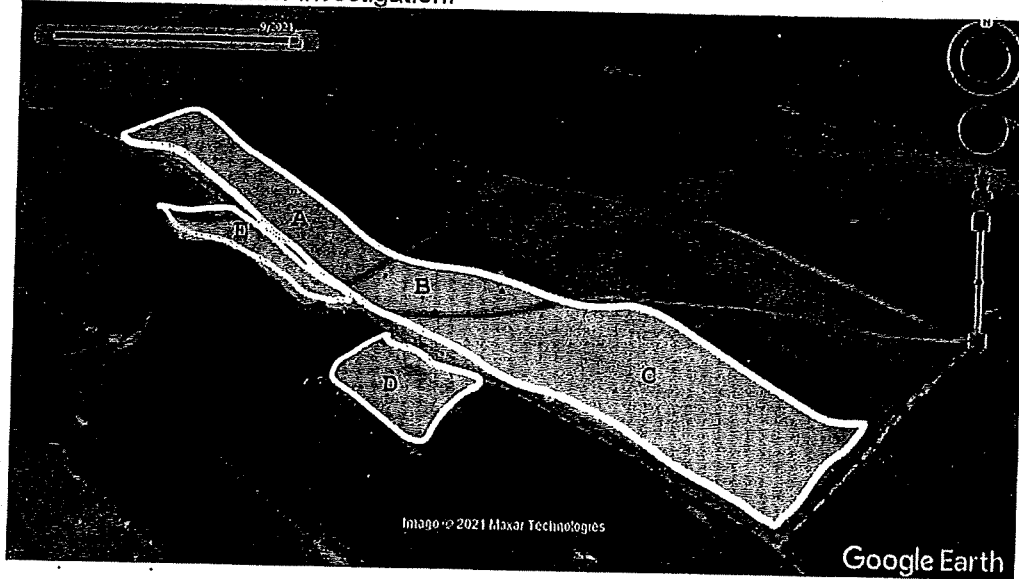
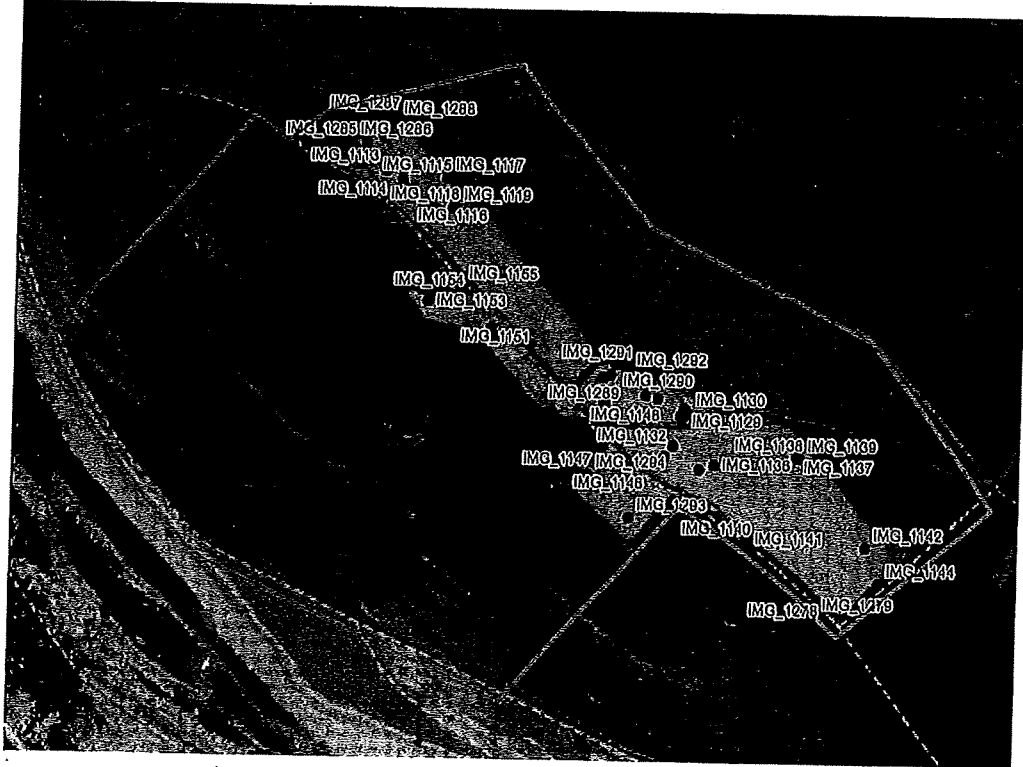
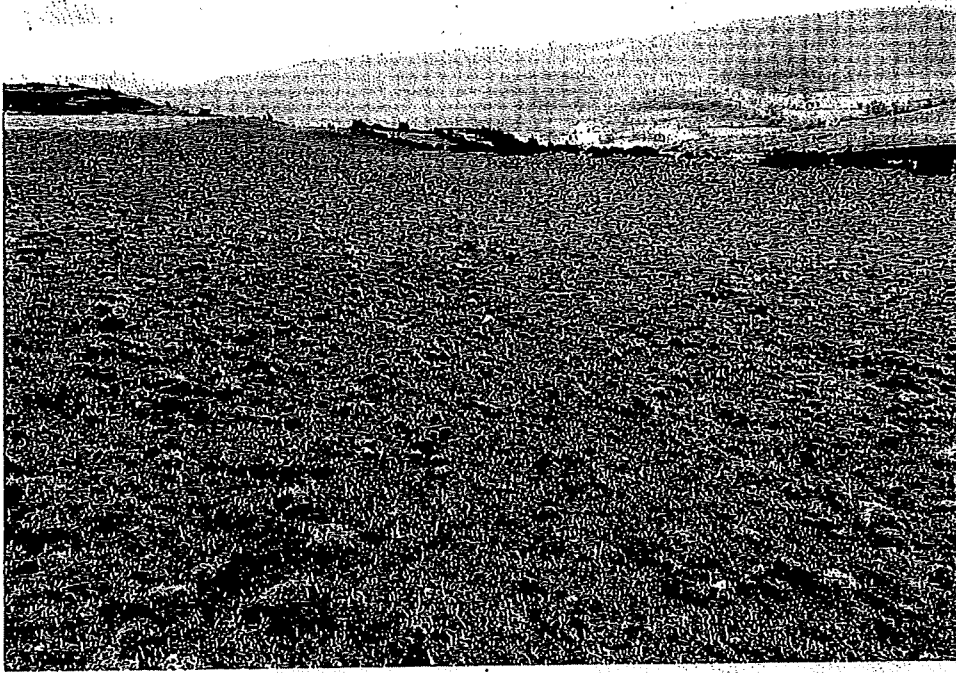


Photo locations:



A PIN test was carried out on the reseeded area under investigation (Areas A, B, C, D and E) and the newly established sward comprised of more than 25% *Lolium Perenne* and *Trifolium repens*. Remains of the old sward and mature gorse stems were scattered across the whole of the site. A small area representative of U4 type grassland was noted in the eastern corner of Area E with frequent findings of *Rumex acetosella*, *Gallium saxatile* and *Festuca ovina*. The grassland surrounding Area A was found to be semi natural, species recorded included *Agrostis* spp, *Festuca rubra*, *Lotus corniculatus*, *Holcus lanatus*, *Rumex acetosella*, *Gallium saxatile* and *Cynosaurus cristatus*.

Area A
Image_1113

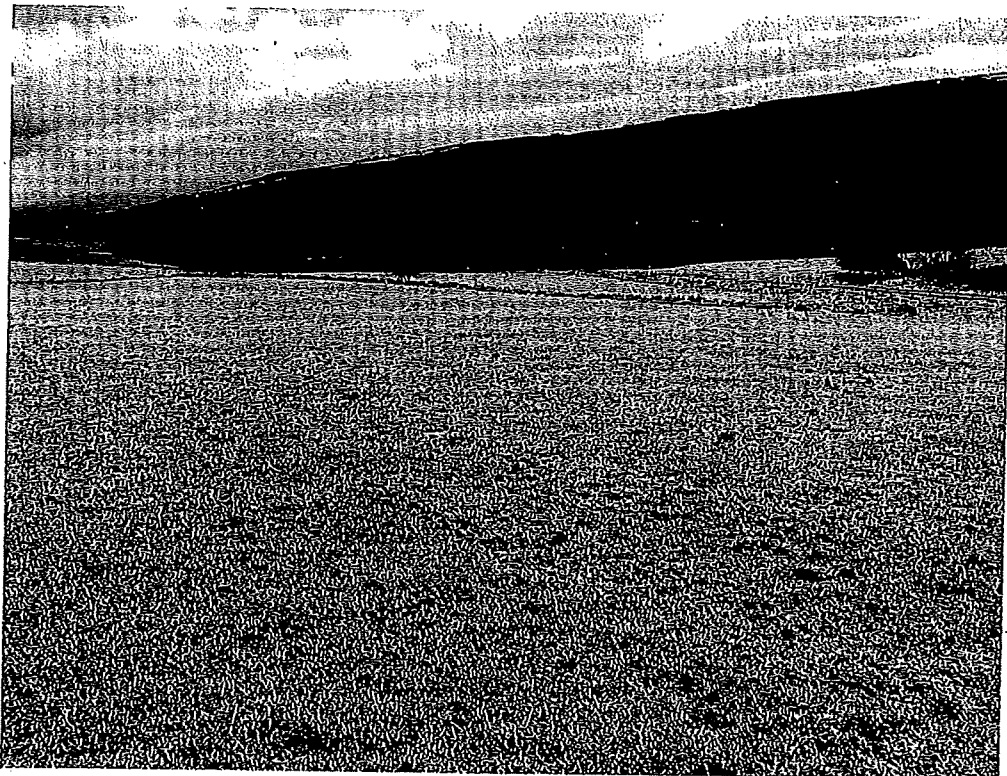


Image_1107 looking towards top NW corner next to the sheep pen.



Area B

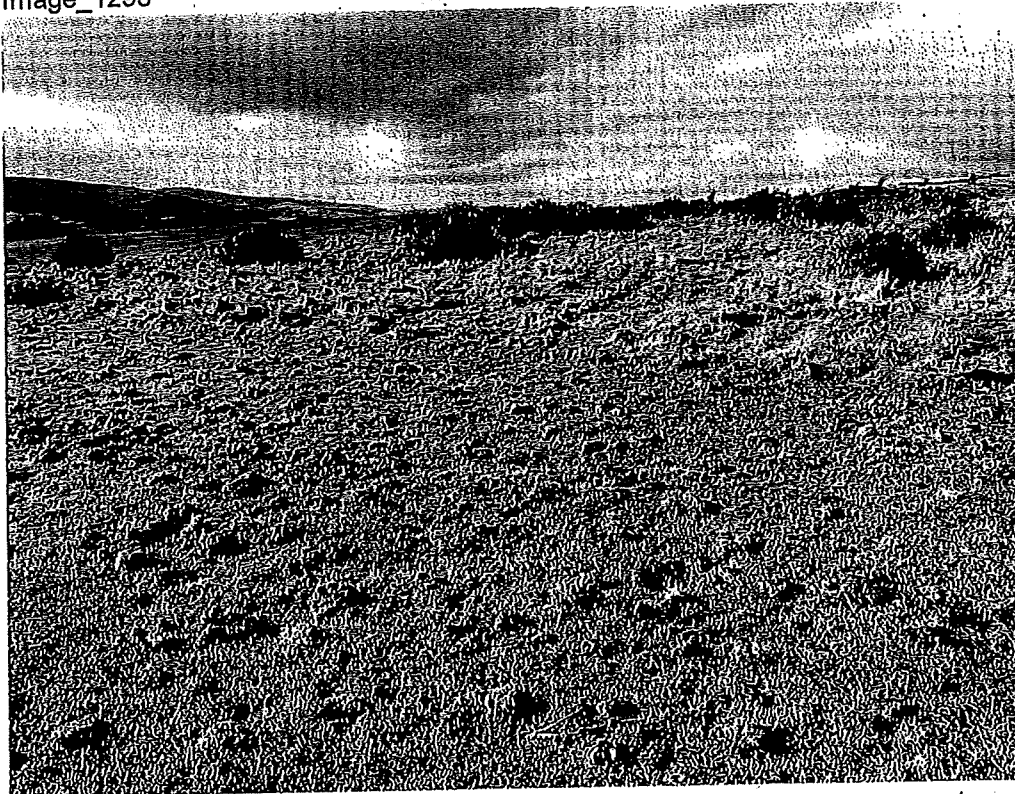
Image_1126 established rock pile on northern edge of Area B



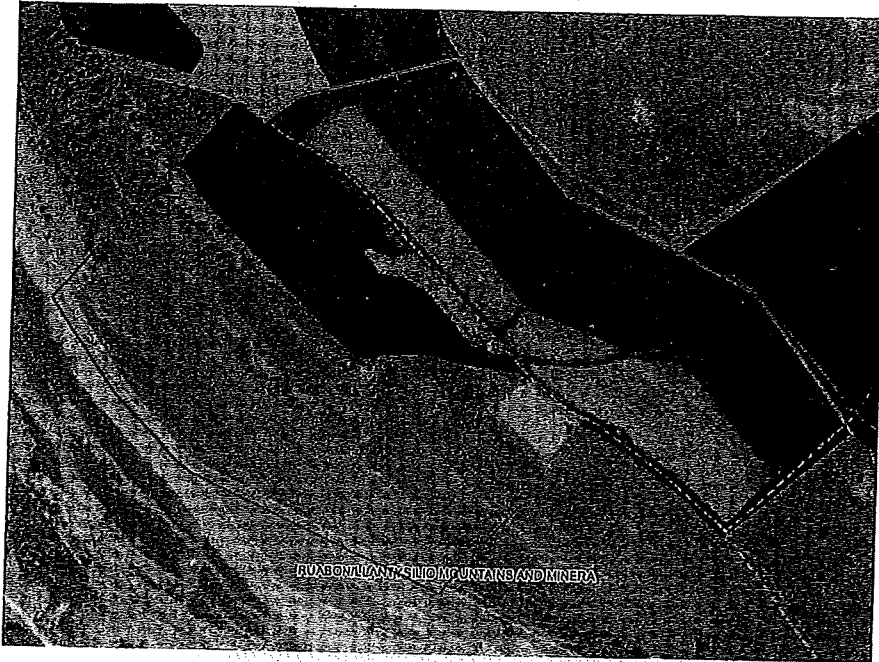
Area C
Image_1140



Area D (within the SSSI boundary)
Image_1293



Reseeded Area D falls within the SSSI boundary, no semi natural species were recorded:



Area E
Image_1155, surrounding habitat of Area E:



The bronze age round barrow cairn located within the area under investigation was found to be intact and not damaged by the project works or the fire:
Image_1292

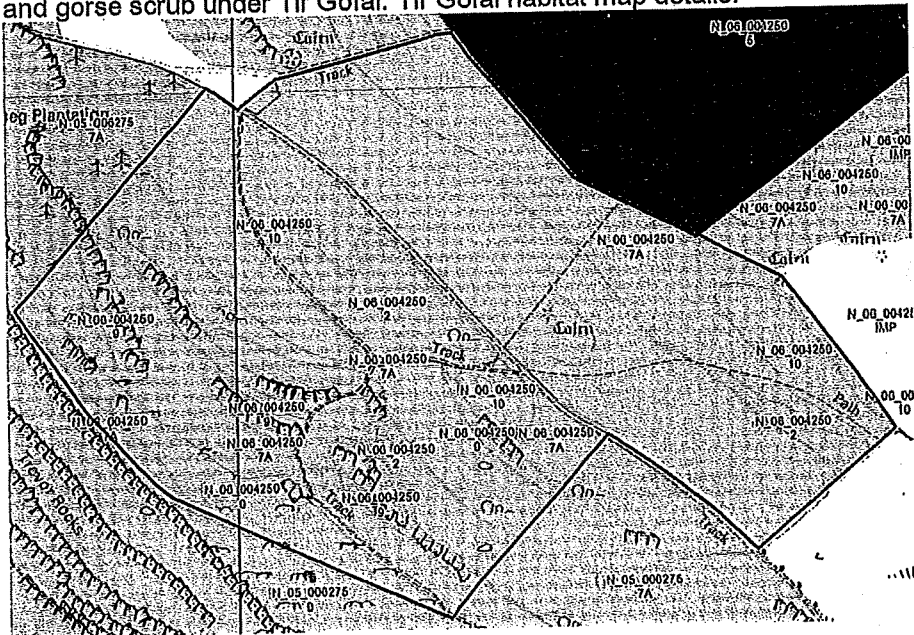


Further information

The customer confirmed he did not get prior approval from RPW, NRW or EIA before reseeding the site and also confirmed he was not familiar with the EIA Regs. The customer confirmed he did not have a fire incident number.

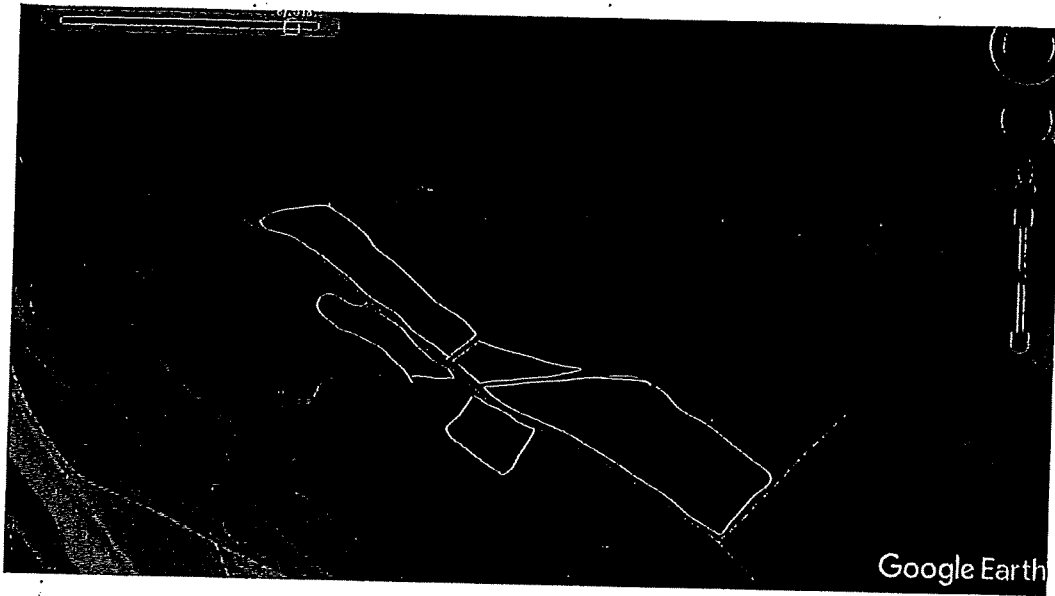
The customer claims BPS and Glastir on the land under investigation. Parcel SJ2343 2368 has been permanent pasture for many years and the customer confirmed that wild fires within the gorse areas are common. The site is sheep grazed under the GA Opt 41a stocking prescriptions.

The customer claimed Tir Gofal habitat management payments in the past for the land under investigation. The area was mapped as unimproved acid grassland, semi improved grassland, scree and gorse scrub under Tir Gofal. Tir Gofal habitat map details:



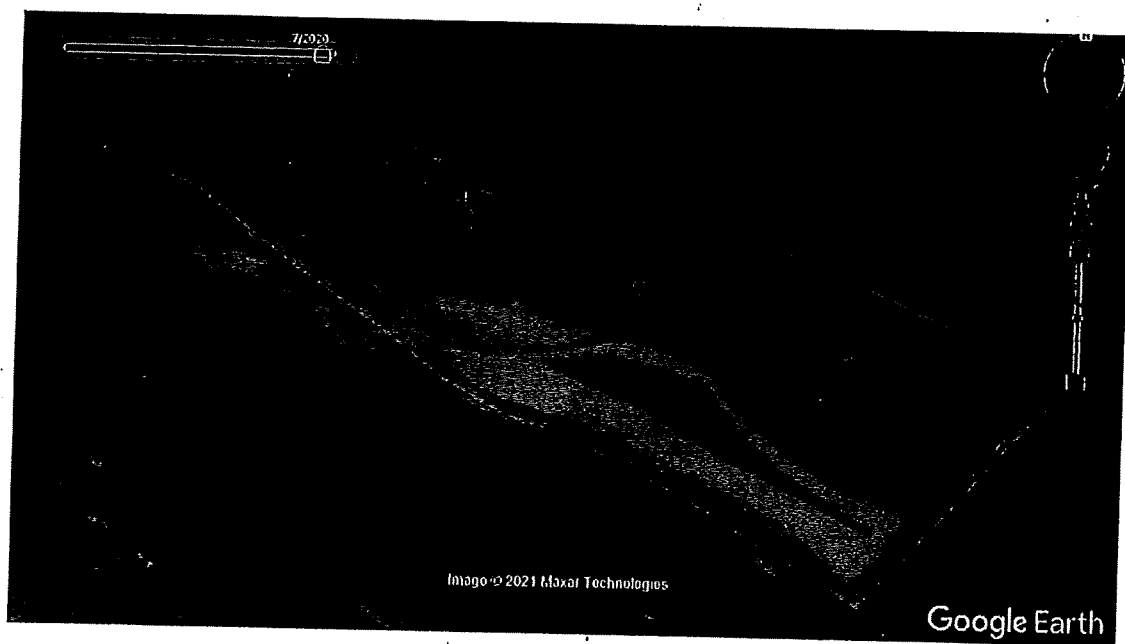
2018 - Before the start of the project

Google Earth Imagery dated 06/2018 shows the project areas (outlined in yellow) intact with varying degrees of gorse cover.



2020 – During the project

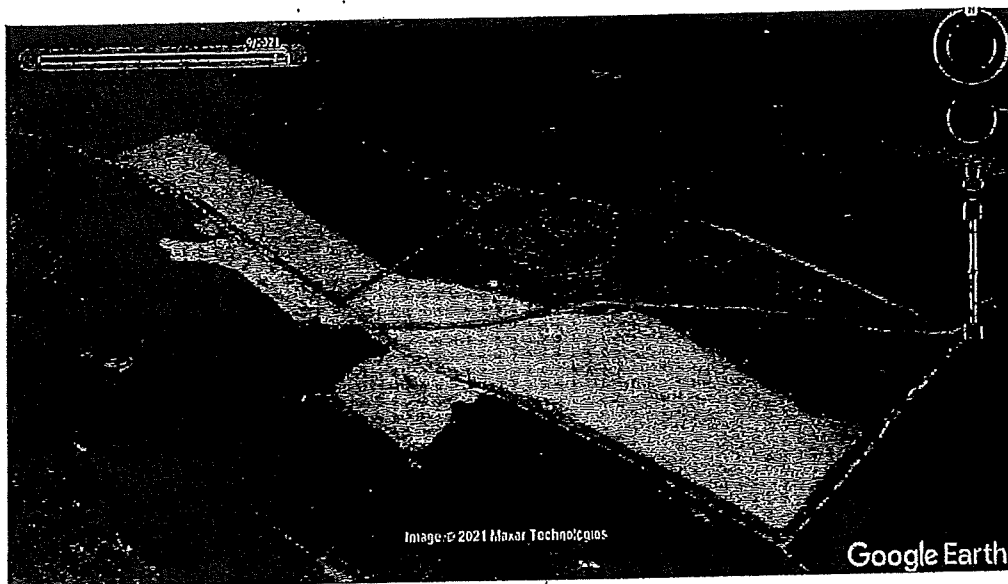
The Google Earth Imagery dated 07/2020 shows commencement of the project, Areas A and D are intact with gorse cover present. The large rock pile adjacent to Area B is visible.



Rock pile

2021 – Completion of the project

The Google Earth Imagery dated 09/2021 shows the full extent of the reseeded areas within parcel SJ2343 2368



Rock pile

Conclusions:

1. It is a land improvement project involving gorse scrub removal, in-field rock removal and reseeded. The project falls within the EIA (agriculture) Regulations.
2. Habitat information from the historic Tir Gofal scheme, aerial imagery and the site visit findings demonstrates the project area was previously semi natural and falls within the EIA (agriculture) Regulations.
3. The semi natural habitat outside the SSSI is deemed not significant (confirmed by NRW)
4. The semi natural habitat within the SSSI is significant and NRW will take action.
5. Prior EIA consent was not sought for the project. Refer to RIW for a cross compliance breach.
6. Prior NRW consent was not sought for the project on the SSSI land. NRW has been notified and will take action.
7. Prior RPW consent was not sought for the project area under Glastir Management Option 41a. Refer to RIW for a Glastir scheme breach.
8. Write to the customer with the EIA investigation findings.

Summary information for RIW	
Are the works definitely a project and an EIA breach?	Yes
Approximate Area Affected	7.4 ha
Will the land be subject to a Remediation Notice?	No
Has the land owner/farmer been notified that this will be referred to RIW?	Yes
Comments. Other Regs / x-comp issues/Agri- environment Schemes Unconsented improvement works on semi natural land. Breach of cross compliance GAEC 6 (failure to carry out EIA screening) Glastir Scheme breach (improvement of habitat land under Opt 41a). NRW will take action re. damage to the SSSI land.	

T063 2021 – [REDACTED]

File Note

I spoke to [REDACTED] today (3/2/22) with regards to reported improvement works on land above Trevor Rocks. [REDACTED] [REDACTED] wasn't in at the time but [REDACTED] explained that there was a wild gorse fire on the land in question last year. [REDACTED] explained that the fire brigade had investigated and the Countryside Commission were involved with the incident as well. There had been other local gorse fires in the area at the same time. They had re-sown the burnt area with a special grass mix but didn't want to say anymore. [REDACTED] to ring me back at lunchtime.

[REDACTED] rang later and confirmed there was a wild fire on the area in question spring 2020. The fire brigade attended the fire and [REDACTED] will try to get the fire incident number/report. The whole area was affected including the grazing areas. In 2021 the site was topped and the burnt gorse stems were removed. The site was reseeded with a rye grass mix later on in 2021. [REDACTED] took photos of the burnt areas.

[REDACTED] gave a brief history of the parcel. There is a well-used permissive path through the site. The site hasn't been ploughed within the last 10 years but was once used to grow oats in the past. The site doesn't receive any applications of lime, muck or fertiliser. The site is grazed with sheep

A site visit was arranged for 9th February 2022.

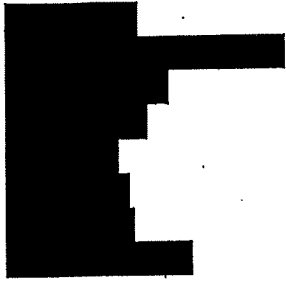
[REDACTED]

3/2/22

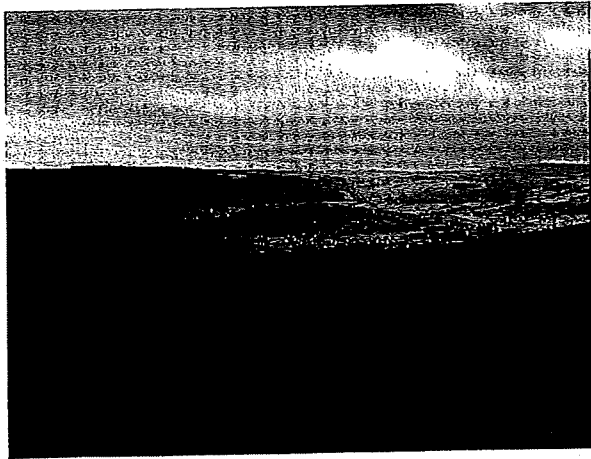
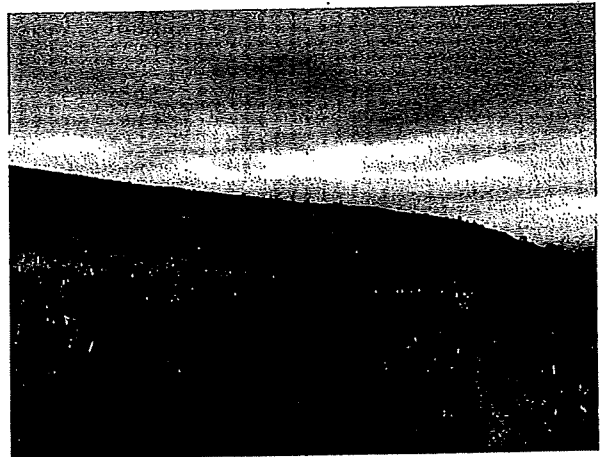
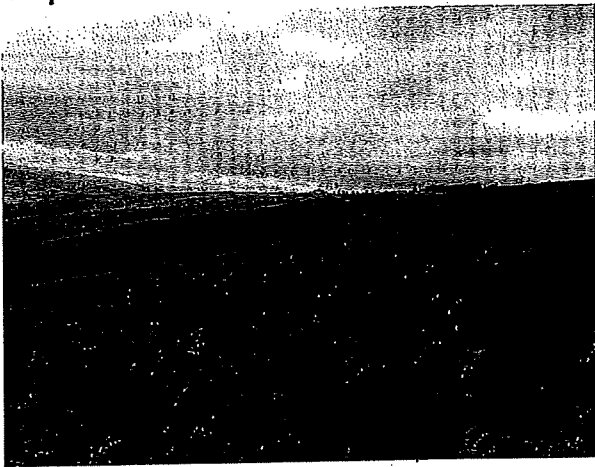
Doc 5

T063 – 2021 – [REDACTED] - Case Summary.

Customer details:

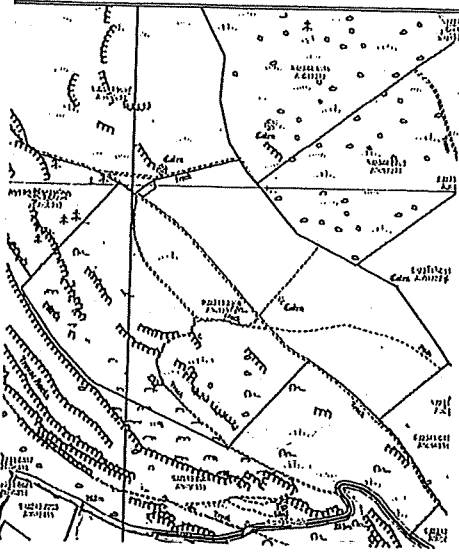


Reported area:



Field parcel SJ2343 2368 – 42.40 ha

T083 2021 LPIS



Tenure Status for field parcel SJ2343 2368
Owned

Schemes.

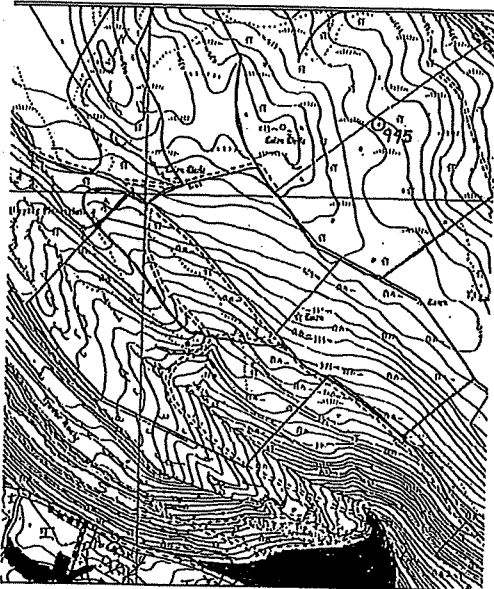
BPS and Glastir combined contract Ref G8028229 (Opt 41 for field parcel SJ2343 2368)

Consultations.

NRW, ANOB and CPAT

Phase 1

T083 2021 PHASE 1 ORIGINAL



Talladau Gwledig Cymru
Rural Payments Wales



Llywodraeth Cymru
Welsh Government



Your ref:

Our ref:

Date: 21/04/2022

Dear Customer,

Notice of Breach Findings

I am writing to inform you of the results of the inspection carried out on 17/03/2022 by Rural Payments Wales. Initial findings of the inspection were set out on the Summary Record of Visit (IACS7 / VCF) form, which was left with you at the time of inspection. Final details are set out on the attached Breaches Annex.

As a result of these findings any payments linked to schemes you have claimed or may be claiming in 2022 may incur a monetary penalty.

Any breaches found at subsequent inspections or as a result of administrative checks of your business may affect the level of financial penalty that is applied to your payments.

If you wish to appeal against these findings in relation to the level of Intent, Extent, Severity and Permanence of the breaches you should contact us using your RPW Online account or by writing to the address below providing as much detailed evidence as possible to support your case. Your appeal must be received within 60 days of the date of this letter.

This letter replaces any previous letters you have received concerning the results of this Land Inspection. Details contained in this letter do not affect any action that may be taken forward by any other agencies in relation to this inspection.



INVESTOR IN PEOPLE
HUDDSOODIWR AIBWYS POBL

Tel: 0300 062 6004

www.gov.wales/farming

Rural Payments Wales
PO Box 251
Caernarfon
LL65 8DA

If you have any queries regarding this letter, contact the Customer Contact Centre using your RPW Online account or on 0300 062 5004.

Yours sincerely,

[Redacted Signature]

Head of Regional Offices
Rural Payments Wales

Breaches Annex

The following **Cross Compliance Breaches** were found.

Breach Area	Breach Type	Breach Definition *	Severity Definition	Details of Breach (Intent, Extent, Severity, Permanence and Re-occurrence)	Individual Breach Reduction (%)
Environment, climate change and GAEC	GAEC	The farmer has begun or carried out an afforestation/ deforestation project, without obtaining i) a screening decision, or ii) consent for the project, and/or in the case of obtaining either of i or ii); has not complied with their requirements, inclu	High	Negligent, On Farm, High, Permanent	5

*Further details regarding breach/es found at inspection are available on the Summary Record of Visit (IACS 7) and continuation documents which were left with you at the time of inspection along with the verifiable standards which are available *on your RPW Online account* or from the website, www.wales.gov.uk/environmentandcountryside.

Continued non-compliance of any of these breaches will increase the level of the financial penalty and could result in breaches being considered as intentional.

Negligent and Intentional breaches within the same breach area will be treated as one non-compliance with the highest reduction being applied, where first occurrence breaches have been found in more than one area; penalties will be added together.

The following **Scheme Breaches** were found.

Scheme	Breach Definition *	Severity Definition	Details of Breach (Intent, Extent, Severity, Permanence and Re-occurrence)	Individual Breach Reduction (%)
Glastir	Evidence that ALL requirements for option 41A have NOT been achieved	Low	Negligent, Extent 1, Low, Permanent	4

*Further details regarding breach/es found at Inspection are available on the Summary Record of Visit (IACS 7) and continuation documents which were left with you at the time of inspection along with the verifiable standards which are available on your RPW Online account or from the website, www.wales.gov.uk/environmentandcountryside.

Continued non-compliance of any of these breaches will increase the level of the financial penalty and could result in breaches being considered as intentional.

Scheme breaches will be added together on an individual scheme level for an annual claim year in order to work out the scheme penalty level to be applied.

As a result of this inspection, penalties will be applied to previous years claims for Rural Development payments linked to the scheme breaches identified.

Further Information

You may receive a follow up visit to check that you have carried out any remedial work.

Any breaches found at subsequent inspections or administrative checks of your business may affect the level of financial penalty that is applied to your payments.

The overall effect of breaches on your payments will be notified on the payment letter related to the individual schemes at the time of payment.

Further information can be found in the Single Application Rules Booklet.

You can also find further information at:
www.wales.gov.uk/environmentandcountryside