



COETIROEDD
GWELL
I GYMRU



BETTER
WOODLANDS
FOR WALES

Grantiau a chymorth
i greu a gwella coetiroedd

Grants and support for creating
and improving woodlands

Approach to Contractual Arrangements

Introduction

This guide explains how contractual arrangements under the Better Woodlands for Wales (BWW) grant scheme should operate. The BWW scheme introduces ways of working and working relationships that need to be clearly understood by everyone involved. Having formal contractual arrangements will help clarify roles and responsibilities.

Definitions

There are four key parties which have contractual relationships with each other under Better Woodlands for Wales (BWW):

Forestry Commission Wales (FCW) is the administrator of BWW and the grant-paying body.

Applicants are those who want to join the BWW scheme (generally woodland owners). It is the Applicant who will receive grants through the BWW scheme.

Management Planners prepare long-term Management Plans on behalf of Applicants.

Specialist Assessors contribute to Management Plans by undertaking Specialist Assessments. Both are grant-aided through the BWW scheme.

Outside of these contractual relationships, an **Agent** may be involved in implementing the approved Management Plan and Plan of Operations on behalf of the Applicant.

When contracts are needed

There are two stages in the BWW scheme where contractual arrangements are appropriate:

- Preparation of the overall Management Plan, which includes a Plan of Operations
- Implementation of the Plan of Operations, against which grants are paid.

Contracts with Management Planners and Specialist Assessors

The management planning support FCW gives woodland owners is considered 'state aid' by the European Union. Under EU state aid rules, FCW therefore needs to have a contract with each Management Planner and Specialist Assessor to ensure they provide the required service.

The main contract between FCW and a Management Planner or Specialist Assessor is known as a 'Framework Agreement'. It lasts for three years, and covers the preparation of all plans or assessments undertaken during this period. It should be agreed and signed by FCW and the individual Planner or Assessor when they are officially approved to prepare Management Plans or carry out Specialist Assessments. Separate contracts are not required for individual plans or assessments.

Contracts with Applicants

All contracts with Applicants relate to a single Management Plan. A new contract must be signed for each new plan the owner applies for.

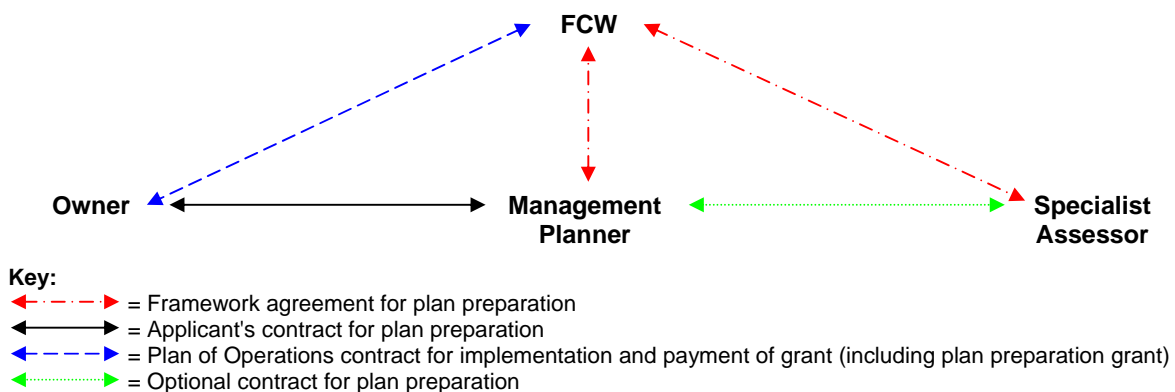
Applicants have two types of contract. The first is the 'Applicant's Contract', which helps ensure the Applicant understands their obligations under the BWW scheme. This contract is between the Applicant and Management Planner for the preparation of an individual Management Plan.

The second contract is between the Applicant and FCW and is known as the 'Plan of Operations contract'. It is signed once the Management Plan is complete and has been approved by FCW, and is for the implementation of the Plan of Operations against which grants will be paid. This contract allows FCW to pay the plan preparation grant and enables the Applicant to draw down the grant aid identified in the Plan of Operations once the work has been done. The Planner will have no further involvement once the Management Plan has been approved by FCW, unless they are retained and assigned as an Agent to implement the Plan of Operations. Contracts between Applicants and Agents are separate to the mandatory contractual arrangements of the BWW scheme.

Management Planners, Specialist Assessors and woodland owners may choose to enter into individual contractual arrangements in addition to the mandatory contracts outlined above.

Contractual Arrangements

The diagram below shows the different contracts within the BWW scheme.



The table below explains how the BWW contractual arrangements will work.

Applicant	Management Planner	Specialist Assessor
<ul style="list-style-type: none"> • A mandatory, case-specific contract with a Planner, relating to the preparation of an individual management plan. • A mandatory, case-specific contract with FCW (created when FCW approves the plan) for the implementation of an individual plan of operations, allowing grant to be claimed. 	<ul style="list-style-type: none"> • A mandatory three-year contract with FCW, covering the Planner's role within that period. • A mandatory contract with an Applicant, each and every time a plan is prepared. • An optional contract with Specialist Assessors. 	<ul style="list-style-type: none"> • A mandatory three-year contract with FCW, covering the Specialist Assessor's role within that period. • An optional contract with the Management Planner.

In the event of issues arising between Applicants, Management Planners or Specialist Assessors, there are guidance documents available detailing the BWW Complaints or Disputes Processes (see Further Information, below).

Further Information

BWW Complaints Process
BWW Disputes Process