

## Ffynone and Cilgwyn Woodlands - Paul Davies'AM Questions March 2009

### SECTION 1: LAND ACQUISITION AND OWNERSHIP

	<b>Query</b>	<b>Response</b>
1	Did FCW/Cydcoed have any involvement as broker, advisor, transaction facilitator or otherwise, at any level, either formal or informal, in the purchase by Growing Heart of the woodland from Cleveland Trust Investments?	Calon yn Tyfu Cyf applied to FCW's Cydcoed programme for grant aid to purchase the woodland. FCW had no role in the purchase of the woodlands.
2	Is FCW/Cydcoed aware of any special relationship that existed between any of its employees, representatives or advisors, and did that special relationship influence the decision to facilitate both the sale and grant to Growing Heart?	<p>Calon yn Tyfu Cyf first approached Cydcoed Project Officer Mark Proctor in 2002 during the first phase of the Cydcoed programme to explore funding options for woodland planting. All grant funding had been allocated however, so there was no possibility of a grant award at that time.</p> <p>Ben Maxted, the Cydcoed Project Officer who supported Calon yn Tyfu Cyf through out the application process in the Cydcoed Phase II programme, first had contact with the group in 2001. At that time he was working for the WDA as Timber Industry Advisor in the Agri-business Department (Calon yn Tyfu Cyf having been referred to the WDA by Business Eye). Ben's role was to advise on grant aid and support available and he assisted the group to obtain Timber 1 and 2 grants for its work. Calon yn Tyfu Cyf members kept in touch with Ben since that first contact, to ensure that they were aware of other programmes and opportunities. Calon yn Tyfu Cyf's relationship with Ben Maxted and other FCW officers is a professional one. The approved grant programme procedures were applied in the case of Calon yn Tyfu Cyf's application.</p>
3	When did FCW/Cydcoed become aware that the woodland was available for purchase?	FCW first became aware that the woodland was for sale when approached by Calon yn Tyfu Cyf with a potential Cydcoed application for grant aid in

		May 2006.
4	Is FCW/Cydcoed aware if the sale of the woodland was openly and publicly advertised and where and for how long?	FCW was not involved in the woodland sale and had no knowledge concerning the sale of the woodland.
5	Is FCW/Cydcoed aware of other organisations that tried to purchase the woodland, and if so, what are their names?	FCW was not involved in the woodland sale and has no knowledge of other potential purchasers.
6	Does FCW/Cydcoed know who is the registered owner of the woodland and is this a freehold ownership in perpetuity without any constraints?	The registered owner of the woodland freehold is Calon yn Tyfu Cyf. There are no constraints to our knowledge - apart from those relating to the grant aid awarded.
7	At any stage in the purchase process, did FCW/Cydcoed show a preference by Growing Heart by brokering the sale directly to them and choosing not to contact other potential purchasers in the community bearing in mind that the project was intended to be a community project and that a direct neighbour 'Friends of Clynfyw' already had a proven successful Cydcoed project running in adjoining woodland?	As previously stated, FCW was not involved in the woodland sale and had no contact with its former owners. 'Friends of Clynfyw' were fully aware of the Cydcoed programme and thus able to make further applications for grant aid if they so wished.
8	How does FCW/Cydcoed define 'community' in the context of a community woodland project and a community group, and what definitions are used in assessing applications for a grant?	Cydcoed grants were awarded only to properly constituted, not-for-profit groups - in both geographical communities and communities of interest. Calon yn Tyfu Cyf is a Company Limited by Guarantee, with a particular focus on the management of woodlands for environmental and economic regeneration. Cydcoed supported a wide variety of projects throughout Wales, from small woodlands in school grounds to larger scale community enterprise initiatives designed to demonstrate how woodlands can be managed to provide local economic benefits. We did not therefore define community closely in order to allow a wide range of groups to consider applying for Cydcoed grant. The potential for skills training and job creation

		at Ffynone and Cilgwyn is significant.
9	Did FCW/Cydcoed either conduct or advise that Growing Heart should itself carry out a check of site boundaries? This would have recognised and overcome any disputes arising because some boundaries had been agreed on a traditional handshake basis rather than more formally and that many boundaries were not registered at the Land Registry and in practice had been varied over the years by common consent as happens in trusting countryside communities.	No. Calon yn Tyfu Cyf engaged solicitors to act for them in respect of the woodland purchase. The usual investigations carried out for land purchases would have been followed. In addition Calon yn Tyfu Cyf are working towards dedicating the land as access land as detailed in the CroW Act. This requires agreed boundaries. The Land Registry is currently dealing with the woodland boundary issues.

## SECTION 2: GRANT PROCESS AND BID DOCUMENT INCLUDING CONSULTATION

### A. GRANT PROCESS

	<b>Query</b>	<b>Response</b>
1	<p>What was the involvement of FCW/Cydcoed in the process resulting in GH obtaining a Cydcoed grant for the purchase of the woodland and what steps did FCW/Cydcoed take to ensure that the process was always objective and at no time was there a conflict of interest or any unfair preference shown?</p>	<p>Calon yn Tyfu Cyf's application was dealt with in the same way as every other application for Cydcoed grant aid. The process was set out in a document approved by FCW's Management Board "How Cydcoed is Managed".</p> <p>Following an approach from a community group, Cydcoed Project Officers worked with the group to assist with drawing together aspirations in the form of an outline project proposal. Each initial project proposals went through an internal consultation process at the end of which the Programme Manager decided whether or not it would be worth the group working on a full bid. In order of importance, decisions were based on progress against targets both regional and national, contribution to key impacts (woods that provide local benefits and powerful community groups), risk of failure, and other considerations such as public profile, national strategies, and local support. Once an indication had been given that a full bid would be considered, Project Officers supported the group to develop proposals in detail. Decisions on applications for grant aid up to £150k were delegated to the Cydcoed Programme Manager; applications for £150k - £249k were determined by the Heads of Grants and Regulations, and applications for grants of more than £250k were considered by the FCW Management Board.</p> <p>The programme was monitored regularly over its five-year term by both the Wales Audit Office and by the Wales European Funding Office. Both were content with the way the Cydcoed programme was managed.</p>

2	Will FCW/Cydcoed name who (or, if a committee, the members of that committee) took the decision to award the grant to GH?	Calon yn Tyfu Cyf's funding bid was considered by a sub group of the FCW's Management Board and approved in September 2006. The group members were Jon Westlake, Peter Garson, Trefor Owen and Derek Stephen.
3	Is FCW/Cydcoed confident that the grant from Cydcoed was properly and fairly made in accordance with the rules and best practices relating to such grants? If so, please provide examples of how it compares with other grants that Cydcoed have made for the purchase of woodland.	<p>See response to question 1 above - the Cydcoed grant awarded to Calon yn Tyfu Cyf was made in full accordance with the agreed process - as were all other grant awards. There is therefore no difference between this and any other Cydcoed grant for the purchase of woodland.</p> <p>Example</p> <p>Trosersch Woodlands Society was awarded a grant of £121,000 to purchase a local wood in Llanelli, to ensure continuing free access to the wood and its management for wildlife and the community.</p> <p>The bid document for this project is attached.</p>
4	What due diligence checks or other acceptable processes of verification were carried out by FCW/Cydcoed to establish GH's viability and appropriateness over others to receive such a grant and what are the names of the other applicants?	<p>Calon yn Tyfu Cyf's application was assessed in the same way as every other application for Cydcoed grant aid, following standard Cydcoed guidance. Please see Section 2 A Question 1.</p> <p>There were no other applicants for Cydcoed grant aid to purchase Ffynone and Cilgwyn woodlands therefore we did not have to compare and assess the relative merits of other groups.</p>
5	How did FCW/Cydcoed satisfy itself that GH could independently raise the additional funds it would need to fulfil the requirements of the bid?	Calon yn Tyfu Cyf was required to provide the Business Plan for just this reason.
6	Did FCW/Cydcoed make any investigation of the "alternative" philosophy and "radical principles"	The Cydcoed programme was concerned with woodland benefits and management issues. The application assessment process focussed

	<p>professed by GH and its stated project partner, the Pangaia Co-operative, with links to Radical Roots, especially with regard to ways in which they might impinge on local community interests or be involved in funding or the sharing of profits?</p>	<p>specifically on Calon yn Tyfu Cyf's plans for managing Ffynone and Cilgwyn woodlands, and the planned environmental, economic and social benefits of that management.</p>
7	<p>Did FCW/Cydcoed ever consider that GH's definition of "community" and "community project" might reflect the wider principles and ethos of Pangaia and Radical Roots, which are broader and more nationally based than the commonly accepted definitions? If so, did this influence them, and/or any of their employees and advisors, in favour of GH?</p>	<p>Whilst the information provided by Calon yn Tyfu Cyf about Pangaia and Radical Roots was useful background, the Cydcoed grant application assessment focussed solely on the proposals put forward for woodland management and consequent environmental, economic and social benefits and how these met programme aims. It did not influence the Officers dealing with the application.</p>
8	<p>Are FCW/Cydcoed aware if other organisations bid for the Cydcoed grant which was eventually awarded to GH, and if so, who were they?</p>	<p>FCW received no other applications for grant aid for the purchase of Ffynone and Cilgwyn woodlands.</p>
9	<p>Is FCW/Cydcoed aware that other Cydcoed beneficiaries were told that £250,000 was the maximum grant they might apply for, whereas it seems as though GH was encouraged to apply to twice this amount?</p>	<p>Cydcoed bid guidance notes stated that "the maximum grant is <i>normally</i> £250 000, there is no minimum." Where applicants could demonstrate that there were potential extensive benefits (in this case these were the economic outcomes of effective woodland management), additional grant could be awarded. Three other projects in Cydcoed Phase II were awarded grants over £250k: Menter Bro Machno (£472.5k), Seaside (£330k) and Ecodysgu (£270k).</p>
10	<p>Does FCW/Cydcoed consider it proper, in order to avoid any conflict of interest, for landowners to be given a grant of public funds to acquire land and for those same people, however constituted, to be given public funds and authority to manage a community project on that land?</p>	<p>It is FCW's view that there is no conflict of interest - the Cydcoed programme funded nine community woodland purchases, and the community owners are free to apply for further grant aid from any source. The key issue is that grant procedures and requirements are followed correctly and that programme aims are met.</p>

11	What financial controls are in place relating to the expenditure of grant money and is FCW/Cydcoed confident that the financial controls are and will remain effective?	The approved Cydcoed Financial Operating System was followed in the case of the grant awarded and paid to Calon yn Tyfu Cyf (as it was for all other Cydcoed funded projects). As stated above, The programme was monitored regularly over its five-year term by both the Wales Audit Office and by the Wales European Funding Office. Both were content with the way the Cydcoed programme was managed.
12	Is FCW/Cydcoed aware that there seems to be no financial transparency regarding the realisation and utilisation of the woodland with standing timber (estimated value £700k)? Has FCW/Cydcoed either received or asked for assurance that funds generated from timber sales will be used for community benefit and what legal control does FCW/Cydcoed exercise in this matter?	<p>Funds generated from any source by Calon yn Tyfu Cyf must be used in furtherance of the objectives set out in its Memorandum and Articles of Association. These state that the Company will:</p> <ul style="list-style-type: none"> <li>• Design, maintain, support, enhance, protect and create sustainable eco-systems</li> <li>• To carry out any activities using wood and wooded land in a sustainable manner.</li> </ul> <p>Further, Calon yn Tyfu Cyf made clear commitment in its Cydcoed funding bid that it will carry out a range of (medium and long-term) activities in the woodland. These will include provision of access to green places to local people of all ages for a range of leisure activities; creation of walks, resting places, seating areas, etc., provision of open days and guided walks to explain operations and plans; woodland information and interpretation.</p>
13	Does FCW/Cydcoed know if it is intended that the grant funding should include expenditure on legal fees relating to boundary and related disputes? If not, how are such disputes funded?	The legal fees incurred in the purchase of the woodlands were met by Cydcoed funding. Cydcoed paid only for the woodland purchase and these associated costs. Any further costs would have to be met from other sources by Calon yn Tyfu Cyf
14	Is FCW/Cydcoed accountable to the EU for how they spend grant funds and do they believe that such expenditure could be justified to the EU in this case? Does it comply with what the EU defines as a community project and is the EU	The Cydcoed bid was approved by WEFO. The application process required the Wales European Funding Office (WEFO) to check that the bid met EU rules. Throughout the life of the programme FCW was accountable to the Wales European Funding Office (WEFO) and the Welsh Assembly Government for the Cydcoed programme, and was regularly monitored by

	aware of the detail of this specific grant and the controversy surrounding it?	the Wales Audit Office in respect of programme management and expenditure throughout the life of the programme. WEFO is fully aware of the grant awarded to Calon Yn Tyfu Cyf. The Cydcoed Programme Manager and the Head of Grants and Regulations met with WEFO / WAG officers to review the grant award process in this case. Officers were satisfied with how the award had been managed.
15	Does FCW/Cydcoed consider that it is acceptable to give a grant of public funds intended for community projects to a small group of people to purchase land that they can sell in 20 years and keep the proceeds?	The Cydcoed grant awarded to Calon yn Tyfu Cyf was made in full accordance with the agreed process - as were all other grant awards. There is therefore no difference between this and any other Cydcoed grant for the purchase of woodland.
16	In public statements FCW has expressed its confidence, based upon GH's experience and track record, that the project will be successfully delivered. Will FCW please detail what enquiries were made into GH's previous experience and what and from whom written references were obtained?	Calon yn Tyfu Cyf registered as a Company Limited by Guarantee in 1996. Cydcoed Project Officer Ben Maxted had worked with the group over a number of years from 2001 in his work with the WDA, which grant aided the group through its Timber 1 and 2 programmes. As a result of this, it was known that Calon yn Tyfu Cyf had experience of woodland management (tree planting and seed collecting contracts for Tillhill and management of an 80 acre wood in Cenarth), and of developing and managing an organic cider and vegetable/fruit box scheme business.  The Cydcoed grant assessment process did not require written references.
17	Can FCW/Cydcoed explain why the limit of 10 years was decided on for the monitoring by FCW of community benefits and how do they define long term and does any community interest and involvement cease after that date?	As the Cydcoed grant funded the woodland purchase in this case, the project will be monitored for 20, not 10 years. These monitoring periods were detailed in the Cydcoed programme EAGGF bid approved by WEFO - the programme bid document included an extract from the guidance note for community applicants which stated that:  <i>"Normally, we will be looking for evidence that the benefits from your</i>

		<p><i>project will last for at least ten years. This usually includes evidence that maintenance will be carried out. You may also need a formal agreement from the landowner, see Guidance Note "How to get agreements with landowners. If we give funds for buying land, the land must be dedicated for the intended purpose for at least 20 years. "</i></p> <p>Although its formal involvement will cease following the monitoring period, of course FCW hopes and expects that benefits will continue.</p>
18	Did FCW/Cydcoed verify, as expressed publicly by GH, that the application was "strongly supported" and can they produce evidence of that support?	<p>Letters of support for Calon yn Tyfu Cyf's Cydcoed bid were received from:</p> <ul style="list-style-type: none"> <li>• Tir Coed -WICKED' project</li> <li>• Canopi - Forest Schools in West Wales</li> <li>• Cardigan and District Ramblers Association</li> <li>• Ramblers Wales</li> <li>• 1si Felindre &amp; Newcastle Emlyn Scout Group</li> </ul>
19	If FCW/Cydcoed considers that the grant was made inappropriately would the authorities consider placing land and related projects into a trust to be run by and for the community as a whole?	<p>Ffynone and Cilgwyn woodlands are now owned by Calon yn Tyfu Cyf and the grant was made in accordance with agreed procedures. It must be recognised that the project is at a very early stage - the activities that will benefit and involve the local and wider community will start once infrastructure works are complete, and woodland regeneration will take a number of years.</p>
20	As the purchase and grant were directly related, why did not FCW/Cydcoed insist upon a buy-back and/or unscrambling clause in the contract in the event of inadequate, unsatisfactory or non-performance?	<p>Any breach of the terms and conditions of the existing contract will result in FCW taking action against Calon yn Tyfu Cyf, which ultimately if not corrected would result in FCW taking steps to reclaim the grant. We have accepted in open forum that the Cydcoed contract does not provide sufficient protection against change of ownership.</p>

## B. BID DOCUMENT

	<b>Query</b>	<b>Response</b>
21	Has FCW/Cydcoed satisfied itself and received independent verification, that all the statements, promises and aspirations made in the bid document were and remain accurate and that they were and remain capable of delivery?	Independent verification of project proposals was not part of the approved grant assessment procedure for Cydcoed.
22	Can FCW/Cydcoed state how significant to the award of the grant was the accuracy of all the statements, promises and aspirations made in the bid document?	<p>The Cydcoed grant was awarded for the purchase of Ffynone and Cilgwyn woodlands and associated legal costs. In its bid, Calon yn Tyfu Cyf made commitments to undertake a range of activities and projects and these were key to the grant award being made. It was considered that the proposals were strong in terms of social benefit, woodland management and economic regeneration - the potential for skills training and job creation is significant and contributes to Objective 1 aims.</p> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>• Provision of access to green places to local people of all ages for a range of leisure activities.</li> <li>• Creation of walks, resting places, seating areas, etc.</li> <li>• Integration of the community in all areas of activity.</li> <li>• Open days and guided walks to explain operations and plans.</li> <li>• Installation of posters / information boards explaining what people will see.</li> </ul> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>• Provision of training courses and job opportunities for local people.</li> <li>• The use of local contractors where possible.</li> <li>• Local investment of income generated by the woodland.</li> </ul>

		<ul style="list-style-type: none"> <li>• Long-term vision for the woods to be worked by local people selling woodland produce locally.</li> </ul> <p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>• Transformation of the woods from a shady coniferous plantation into a dappled, light, broadleaf coppice, designed to encourage entry and exploration.</li> <li>• Promotion of biodiversity.</li> </ul>
23	How can FCW/Cydcoed support claims relating to the creation of hydro-electric power when, it is understood that, GH does not own the lake, the dam, and the land on which the turbine house is located? Much is made of the creation of hydro electricity in the bid document, so how influential was this claim to the grant giving authorities and what did FCW/Cydcoed do to verify it?	Calon yn Tyfu Cyf stated in the bid document that a long-term aspiration would be the installation of a hydro-electric turbine on the adjacent lake. This was interesting background information only - Cydcoed was a community woodland programme and the bid was assessed strictly in relation to programme criteria.
24	How did FCW/Cydcoed verify the statement in the bid document regarding Pangaia running Henparcau for the past 13 years "providing affordable, social housing...".?	Information about Pangaia's activities provided useful background and contextual detail. However, as stated above, the Cydcoed bid was assessed in relation to programme criteria.
25	Did FCW/Cydcoed substantiate the statement regarding the nature and holders of the 9.7 people whose "woodland and timber related jobs [would be] safeguarded", bearing in mind the displacement effect of GH's plans?	During the first phase of Cydcoed, groups and contractors kept detailed records to demonstrate the contribution the grant aid had made to supporting and retaining jobs. An analysis of these records showed that for every £55k of grant awarded, 1 job was safeguarded. As the data collection process was an onerous and complex task for grant recipients, it was agreed by WEFO that only 10% of projects in Cydcoed phase 2 needed to collect the information - other projects used the substantiated estimated figure (1:£55k). As Cydcoed funded only the Ffynone and

		Cilgwyn woodland purchase and no infrastructure works involving contractors, the figure of 9.7 jobs safeguarded was included in error. This played no part in the decision to award the grant to Calon yn Tyfu Cyf and was recorded as 'nil' in the final programme targets report to WEFO.
26	Does FCW/Cydcoed know why in the bid document the name of the community that will benefit is described as Bwlch-y-Groes to the exclusion of the other communities in and around the woodland and, as part of a normal verification process, what steps were taken to ensure that the community saw and approved of the project plan?	The fact that Bwlch-y-Groes was stated as being the community of benefit did not in any way exclude any other communities in and around the woodland. Bwlch-y-Groes is simply the largest, closest settlement. For all Cydcoed projects, it was always clear that benefit would extend to a number of local communities - the form did not have sufficient space to list these exhaustively. Cydcoed applicants did not have to demonstrate that extensive consultation had been undertaken prior to a grant award being made. Consultation takes a significant amount of time and commitment, and it was felt that groups should not have to do this 'on spec' - raising expectations that projects would proceed when bids may not be successful. They did, however, need to show that there was clear external support for the project. Calon yn Tyfu Cyf provided letters of support for their bid from a number of potential user groups.
27	Does FCW/Cydcoed agree with the inaccurate and deprecating statement in the bid that the community around Ffynone and Cilgwyn is a "depressed economy of mostly ageing farmers"? What steps were taken to verify such a statement?	The views expressed by Calon yn Tyfu Cyf cannot be taken to be those of FCW. This statement did not influence FCW's decision to award a Cydcoed grant to Calon yn Tyfu Cyf.
28	Does FCW/Cydcoed support the statements in the bid document regarding the local community and also the lack of "green places" and how was this information verified?	Although there is green space in abundance in West Wales, not all of it is publicly accessible. The opportunities offered by Ffynone once access works are complete are significant - particularly in relation to all ability access.

29	Is FCW/Cydcoed aware if the members of the co-operative stated in the bid document are still members and if not, who now is and what influence and control (either contractual or otherwise) does FCW/Cydcoed have over present and future membership?	<p>The current Directors of Calon yn Tyfi Cyf are:</p> <ul style="list-style-type: none"> <li>• Mr Andrew Lowe</li> <li>• Mr. R McDowell (Willow)</li> <li>• Ms. K M Moore</li> </ul> <p>FCW has no control over membership of this Company Limited by Guarantee.</p>
30	How did FCW/Cydcoed verify statements in the bid document about GH's "commercial scale" operations?	See response to Q16 in section A. GRANT PROCESS above.
31	Why did FCW/Cydcoed consider it appropriate for GH, the owner of the woodlands, to be Forest Works Manager with such a wide authority over the project, rather than the appointment of an independent community person?	The landowner is responsible for all woodland operations on their land and for all Health and Safety matters that apply to these operations. FCW does not have a view on who is appointed as the Forest Works Manager.
32	What market research and/or other objective assessment was carried out by FCW/Cydcoed to substantiate the validity and viability of the economic, social and environmental aspirations outlined in the bid document?	Undertaking market research in relation to project proposals was not part of the approved grant assessment procedure for Cydcoed. The Cydcoed grant funded the woodland purchase - the group was required and supported to produce a business plan to provide a strong backing context for the medium and long term project plans.
33	How did FCW/Cydcoed substantiate (especially without a community consultation process) and was its decision influenced by the statement in the bid document that: "We envisage some ingrained resistance to our ideas initially due to the long-standing lack of respect towards forests and trees in general, amongst some locals in this	The views expressed by Calon yn Tyfu Cyf are not necessarily those of FCW. This statement did not influence FCW's decision to award a Cydcoed grant to Calon yn Tyfu Cyf.

	area"?	
34	Have FCW/Cydcoed obtained evidence to support, and were they influenced by the statement in the bid document that "there is also a large number of alternative minded people who we feel already are aware of the potential within the woods..."?	The letters of support received have been listed above. The grant was assessed in relation to Cydcoed programme targets and criteria.
35	Can FCW/Cydcoed explain how they could permit the purchase of the woodland and the funding to proceed before evidence had been obtained of support from relevant local agencies, including statutory permissions?	The Cydcoed grant funded the woodland purchase only and no infrastructure works, so no statutory permissions were required. The bid assessment noted that CCW and Environment Agency Wales input and appropriate consents would be needed in future. Before BWW funded for woodland management works was approved consultation with statutory consultees was undertaken in line with the BWW application process.
36	In the bid document it is stated that GH has the support of a Tir Gofal Officer. Does FCW/Cydcoed know the name of that officer and the nature/grounds of that support and of the relationship between this officer and GH? Was any support expressed in writing?	Calon yn Tyfu Cyf members were working with Jon Turner of CCW at the time of the Cydcoed bid submission regarding the SSSI and SAC areas of the woodland. The bid assessment noted that Tir Gofal officers were to receive details of future boundary and access works to avoid any future dual funding issues. No letter of support was received from CCW.
37	Will FCW/Cydcoed clarify who will own the land and other physical assets after the project has finished, as this is not clear from the bid document?	The woodland is and will continue to be owned by Calon yn Tyfu Cyf.
38	Did FCW/Cydcoed challenge why in the bid document there was no satisfactory answer to the question "how will you make sure that the local community can participate in decisions about what happens to the woodland?"	In its bid, Calon yn Tyfu Cyf did set out its plans to involve and consult the local community, stating that: <ul style="list-style-type: none"> <li>• <i>The community will be integrated in all areas of activity, allowing for ideas to grow with time.</i></li> </ul>

		<ul style="list-style-type: none"> <li>• <i>We will run open days and guided walks to explain operations and plans. We plan to include poster/information boards explaining what people will see. We will hold open meetings to encourage discussion of the way forward.</i></li> <li>• <i>We will run public community meetings as a way to engage the locals and then take ideas generated forward into tangible projects.</i></li> </ul>
39	Did FCW/Cydcoed obtain evidence to support the statement in the bid document that "the structures operating and managing the project have both been going for more than 10 years and are both set up to be sustainable projects...".?	See response to Q16 in section A. GRANT PROCESS above.
40	What do FCW/Cydcoed consider are the "radical sustainable principles" relating to long-term benefits and will those be in keeping with principles of BWW and the FSC schemes and when will the woodlands achieve these?	<p>The long term benefits detailed in Section 13 of the bid document are compatible with BWW and should meet the requirements of FSC. There are no time scales indicated in the bid to achieve these long-term benefits so we have no further information. However the small scale, local adding value work described will require the restoration to native woodland to be well advanced to provide the species diversity and range of materials required. As it is very early days in this process, it is reasonable that this should still be a long term goal.</p> <p>You question our understanding of the "radical sustainable principles" I draw your attention to the text from the bid which states "On top of this we have our own radical sustainable principles which we will be engaging and promoting through practised examples. Part of this will be the continuing recruitment of new workers, coming out of our various training courses. As such we envisage a long-term outlook where the majority of the woods are worked by local people selling practical, useful, wooden products into the local community." This clearly provides some background</p>

		to the thoughts of Calon yn Tyfu Cyf on this subject, which focus on the social aspects of the woodland adding value locally and keeping at least some of the wealth generated Pembrokeshire. Our understanding is based on this information.
41	Has FCW/Cydcoed considered the displacement impact of the educational aspects of GH's plans, which duplicate (rather than offer additional schemes) what other woodland workers have been providing to the community?	The background to this question is unclear - we are not aware of any displacement impact relating to the proposed use of the woodlands for educational purposes. Two of the letters of support for the project were from the Tir Coed WICKED project (training and personal development for young people), and CANOPI, the Forest Schools Network in West Wales, both of whom welcomed the opportunity to use the woodland.
42	Did FCW/Cydcoed listen to the misgivings expressed by their employees/advisors whilst considering the bid?	All members of the Cydcoed team were fully involved in assessing the initial pre-bid submission for the project and the proposals were fully discussed. The FCW Management Board also considered the full bid in detail - issues raised by all members of staff were acknowledged and taken on board - as they were for all other Cydcoed projects.

## C. CONSULTATION AND THE COMMUNITY

	<b>Query</b>	<b>Response</b>
43	Why, at no stage, did FCW/Cydcoed approach the local community, perhaps through the Community Councils, to notify them that the woodland was available for purchase and through a community grant?	As noted previously, FCW was not involved in the sale of the woodland by its private owners. FCW are not made aware of woodlands for sale, as it has no interest in the sale of private woodlands. In January 2005, as part of the publicity and marketing plan, FCW wrote to all Community and Town Councils in the Objective 1 area of Wales with information about the Cydcoed programme.
44	How can FCW/Cydcoed facilitate fair, open consultation and involvement when, at a public meeting about the woodland on 10 <sup>th</sup> February 2009, a member of GH said "...the deal is GH owns it..." in reference to the woodland?	FCW will do all it can to ensure that Ffynone and Cilgwyn Woodlands offer public benefit for at least the next 20 years. However, the woodlands are indeed owned by Calon yn Tyfu Cyf. The ownership of the woodland does not prevent fair, open consultation and involvement.
45	Does FCW/Cydcoed know why the local community, preferably through the Community Councils, was not made aware that the woodlands were both available for purchase AND that such a purchase could be made using public funds, especially as the main aim was to regenerate the woodlands for the benefit of the community?	See response to 43 above.  The Cydcoed programme was promoted not only to Community and Town Councils, but to County Voluntary Councils, Unitary Authorities, Tenants and Residents' Associations (via TPAS Wales), Communities First Partnerships, on the FCW web site, and at regular Funders' Fairs throughout the Objective 1 area. Leaflets were widely distributed and press releases were issued to local and national press following each grant award.
46	Does FCW/Cydcoed know why at no time was the community consulted on (preferably through the Community Councils) what has been described as a community woodland project run for the benefit of the community?	As noted above, Cydcoed applicants did not have to demonstrate that extensive consultation had been undertaken prior to a grant award being made. Consultation takes a significant amount of time and commitment, and it was felt that groups should not have to do this 'on spec' - raising expectations that projects would proceed when bids may not be successful.

47	<p>Is FCW/Cydcoed aware of the significance of the word "community" when describing the woodland scheme in the (I) the Cydcoed scheme, which awarded the funds to purchase the land, was a "community" woodland development project and (ii) that Cydcoed applicants were asked to provide evidence of the social, environmental and economic benefits the local "community" would receive and how the applicant would ensure wide "community" support had been and would be collected; and what groups were being targeted in the "community"? Why, therefore, has the "community" been excluded from the whole process?</p>	<p>Cydcoed guidance stated that bids would only be accepted from properly constituted community groups. Calon yn Tyfu Cyf is a not-for-profit Company Limited by Guarantee whose aims were in accordance with grant programme criteria. As previously stated, grants were awarded for a wide range of projects to a wide range of groups, from Tenants and Residents Associations, Communities First Partnerships and Town and Community Councils, to Parent Teachers Associations and Social Enterprises. Calon yn Tyfu Cyf's Cydcoed bid included details of the range of social, environmental and economic benefits that would be offered by the woodlands (see above), it must be remembered that the project is at a very early stage. The activities that will benefit and involve the local and wider community will start once infrastructure works are complete, and woodland regeneration will take a number of years. There is therefore no evidence that any part of the "community" has been deliberately excluded. Cydcoed supported the consultation to ensure that stakeholders had an opportunity to say how they felt about the woodland developments and what they would like to see happening. Detailed feedback has been given to Calon yn Tyfu Cyf with clear guidance and advice on how to improve their communications with neighbours and local community groups.</p>
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### SECTION 3: OPERATIONAL, ECOLOGICAL AND SOCIAL ISSUES PRESENT AND FUTURE

	<b>Query</b>	<b>Response</b>
1	Does FCW/Cydcoed agree with Willow's public statement that those objecting to GH's project are newcomers to the area and, if it were true (which it is not), how does length of residency affect their right to express their opinion on what is happening to the woodland? Does FCW/Cydcoed approve of their client's dismissive attitude to the community?	The opinions expressed by Calon Yn Tyfu Cyf are not necessarily those of Forestry Commission Wales.
2	Is FCW/Cydcoed or another independent body monitoring the various commitments made in the bid document to ensure they are being translated into reality?	The woodland project will be monitored by FCW Officers for at least the next 20 years to ensure that commitments made are met.  FCW also monitors all its woodland grant schemes; and there may also be inspections or reviews of grant schemes or individual cases by Welsh Assembly Government or EC officials.
3	Is FCW/Cydcoed aware of who carries out risk assessments and the competence and qualification of those people? It is understood that GH currently employs, or has employed, unqualified chain saw operators to work within the woodland? Is FCW aware of this? If not, why not?	The landowner is responsible for all woodland operations on their land and for all Health and Safety matters that apply to these operations. The Health and Safety Executive are the body that enforces Health and Safety regulations.
4	Does FCW/Cydcoed have a vetting process to ensure that all workers using machinery in the woodlands are qualified and competent to do so and who is the on site overseer referred to in the bid document?	The landowner is responsible for all woodland operations on their land and for all Health and Safety matters that apply to these operations. The Health and Safety Executive are the body that enforces Health and Safety regulations.
5	Does FCW/Cydcoed have any reservations whatsoever about the ecological effects of the way the woodland operation is being carried out?	No. FCW assessed the BWW application as fulfilling UK Forestry Standards and other conservation and habitat regulations. Woodland work can impact on the flora and fauna in both positive as well as negative ways. In this case the restoration of native woodland will

		significantly increase the diversity of the woodland. So any short-term impacts will be more than outweighed by both short term and long term gains.
6	Why has Barbara Anglezarke of FCW not yet replied in full to an email dated 6.10.08 from Rowena Lightfoot which included a question about providing evidence of a competitive tendering process for contracting the woodland management works?	<p>Barbara Anglezarke replied to the email from Rowena Lightfoot on the 8 October explaining that she was not able to answer the questions contained in the email, as she has no involvement in woodland management work. She did state that "I'll be in touch again in due course with as many answers as possible." The email was forwarded to Richard Siddons for advice. This was not subsequently acted upon, and we apologise for not following this up. This was an oversight on our part and we are more than happy to answer these questions if the information is still required.</p> <p>Question 3 When were the contracts made and was a competitive tendering procedure used? (both for road building and clear felling)  Answer The procedure for the letting of contracts is one for the landowner and is not a matter for FCW who are not involved in this process.</p>
7	The FCW's philosophy towards the clear felling of conifers is being challenged by the Woodland Trust as an inappropriate practice. Will FCW be reconsidering its policies and practices before the clear felling of further sections of Ffynone and Cilgwyn woodlands continues and will they modify these throughout Pembrokeshire and the rest of Wales?	The Welsh Assembly Government's strategy for woodlands and trees "Woodlands for Wales" provides the policy for woodland management. This demonstrates that the Welsh Assembly Government is continuing to move towards the use of a wider range of management techniques, not just clearfelling. There are however occasions when clearfelling is appropriate for a range of situations. The guidance produced by the Woodland Trust accepts that clearfelling may still be necessary in specific circumstances e.g. dense conifer regeneration. Reference "The Conservation and Restoration of Plantations on Ancient Woodland Sites A Guide for

		<p>Woodland Owners and Managers.” The clearfelling of areas of PAWS woodland dominated by Western hemlock, is one instance where this is the only reasonable approach to ensure that restoration will be achieved, due to the physiology of the conifer species present. Through incentives FCW encourages woodland owners to use other approaches where circumstances and objectives are compatible.</p>
8	<p>How is FCW ensuring that the riverbanks maintain their structure and that biodiversity is not damaged within the woodlands?</p>	<p>The woodland work programmed and completed will conserve and enhance biodiversity within the woodlands. The removal of deep shade from conifers will permit a more diverse, robust and natural flora to develop through the woodland including the river banks. Our experience over many years of removing conifers from the close proximity to streams and rivers resulting in a return of native riparian flora and broadleaved trees provides the evidence for this. This in turn provides better resistance to floods and reduces erosion.</p>
9	<p>How can FCW/Cydcoed justify the installation of a network of permanent 5 metre wide tracks throughout the woodlands which are disproportionately large in size and number to the relatively small woodland? Furthermore, how can they justify the creation of stone quarries in the woodlands to supply the hardcore for these tracks together with the installation of wide turning bays and bridges, all techniques which are appropriate within commercial forestry, but certainly not appropriate in what ought to be a not for profit community woodland?</p>	<p>The support for an effective long-term infrastructure within woodlands is required to assist subsequent woodland management and to ensure that the woodlands are capable of being managed in a sustainable and economic manner over the longer term. Properly constructed and sited tracks will also reduce the long-term impact of woodland management by protecting woodlands from the impact of vehicular movements.</p> <p>FCW is confident that the track network in the woodlands are appropriate for the size of woodland, the terrain, the management techniques being adopted, and the volumes and long term flows of harvested material. The layout of the tracks has also included a policy to reduce traffic to a minimum along the Cilgwyn - Newchapel axis.</p> <p>The size of the tracks adopted is appropriate for the terrain, the trees being managed and the safety of operators during felling and</p>

		<p>extraction.</p> <p>The creation of borrow pits for stone within the woodlands is a normal practise and obviated the need to import the stone from elsewhere with its attendant lorry traffic and pollution.</p>
10	How can FCW/Cydcoed justify their policy towards the laying of permanent, complex, deep-sided and wide hard core tracks with the commitment to enable easy access throughout the woodlands?	FCW considers that the track network provides opportunities for a much wider range of ability groups to visit and enjoy the woodlands. The presence of the tracks does not preclude wider access through the woodlands.
11	Will FCW/Cydcoed ensure that there is adequate advanced notice of any operational work that will take place in the woodland that could impinge upon neighbouring properties, land and other facilities, such as wells and other sources of water?	No. This is the responsibility of the landowner and not FCW.
12	Will FCW/Cydcoed make available to the community the business plan relating to the woodlands which ought to have been submitted by 31.3.07? Will FCW/Cydcoed state why the plan was delayed and how they can allow the project to proceed without such an agreed plan?	Calon Yn Tyfu Cyf did provide a business plan by the due date to meet the grant condition. It was considered that the plan needed further detail however, and the group was offered support to produce a more substantial document. This is now in place. The Business Plan is owned by Calon yn Tyfu Cyf, not by FCW, and we therefore cannot insist that the plan is made publicly available.
13	Will FCW disclose the level of profits being made from the commercial timber operations and who receives such profits?	FCW are not aware of the profits or losses made from woodland operations at this woodland or for that matter in any other woodland in Wales.
14	Is FCW/Cydcoed aware of the reasons why the woodland has not yet been dedicated under CROW legislation?	The dedication of the property has been delayed by various adverse claims to the Land Registry and we understand that negotiations are continuing. A determination from the Land Registry is expected in due course and CROW dedication cannot take place until boundaries are agreed. In the meantime, Calon yn Tyfu Cyf is talking to FCW and others about the dedication process so that swift action can be taken once boundary matters are concluded.

		In the meantime the permissive access requirements of the BWW scheme provide the same level of opportunity to walkers.
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**Cydcoed was a grant and community development programme managed and delivered by Forestry Commission Wales - it was not a separate organisation and Cydcoed team members were Forestry Commission Wales employees.**