



**North West & West Midlands  
Area Office**

Ghyll Mount, Gillan Way,  
Penrith 40 Business Park, Penrith,  
Cumbria, CA11 9BP  
Tel: 0300 067 4185  
Mobile: 07831 451490  
nwwm@forestrycommission.gov.uk

[Redacted]  
...by email only...

16th December 2021

**Area Director**  
Keith Jones

Dear Mr [Redacted]

Your Ref: [Redacted]

Thank you for your email on 17<sup>th</sup> November appealing a reclaim on the above case.

I have reviewed the case details and your correspondence with colleagues. I have concluded on this occasion not to uphold your appeal on the basis that the area of woodland for which FWPS maintenance grant has been paid has not been established as per your signed scheme agreement.

In summary, the reclaim is in regard of the FWPS, which has a 30-year obligation (front loaded 'income forgone' payments for 15 years to maintain the woodland). The purpose of an inspector visiting the site at year 16 is to check the ongoing success of the scheme and that the woodland is being maintained. There is no reclaim proposed for the capital grant to plant the trees as this is now out of obligation.

There is some tolerance for open space within the scheme, and therefore the clearance of trees within the OHPL wayleave, or indeed the footprint of the poly tunnel(s), would not have led in isolation to a reclaim for the FWPS maintenance grant. However, overall, at the time of the most recent inspection there was insufficient tree establishment in any of the mapped agreement compartments to evidence the completion of FWPS maintenance work. It is important to again note, there is a 30-year obligation period for FWPS maintenance payments on the woodland.

Regarding ash die-back, in-common with all other agreement holders there is a requirement to replace trees where they fail (for whatever reason) with a suitable species.

Yours sincerely,

Keith Jones  
Area Director