

TIME FOR REFLECTION

I recently heard an arable farmer state that he would never keep livestock on the basis that he enjoys the extended break that arable farming affords over the winter months giving him time to spend with his family, shooting and skiing (not necessarily in that order!). This time of year is also typically a time for reflection; easy for your arable farmer with time on his hands, for his livestock farming neighbour perhaps this is fitted in around looking, feeding, bedding up, the list goes on. Whenever and wherever you find the time to contemplate the previous year, doing so can be key to improving both your own health and that of your business. A good work life balance is often key to a good balance sheet.

As ever 2017 has had positive and negative moments. For CLM as a business the further expansion of our chartered surveying team and the

addition to the services that we offer clients to include a high quality of planning consultancy are both huge positives. The increase in planning and associated ecological consultancy has certainly contributed to an absence of the seasonal slowdown that I usually experience about this time of year. However looking back on 2017 and ignoring my usual professional pinch points of Basic Payment Scheme and Countryside Stewardship deadlines there are two elements to 2017 that increased stress levels for both myself and some of my clients.

The first is an experience that I am sure many will have shared; being let down repeatedly by the same contractor. A contractor who we have worked with for many years and who has always provided a reliable quality service but on reflection is increasingly failing to meet deadlines. Delays, as we all know, are often unavoidable but become more than just frustrating when standards are allowed to slip because the contractor begins to take your business for granted or simply is no longer up to the job. Sometimes we fall into a rut of having a go to person for a particular task and never considering an alternative. Having trialled alternative contractors on other projects towards the end of this year has been a revelation and 2018 is likely to see a changing of the guard. Hopefully improving both my mental wellbeing and the timeliness of projects.

The second is not a new experience but is perhaps an alarming escalation in events. I and other members of CLM's team have written before of the woes of RPA inspections and the action that we would suggest is taken by farming businesses to minimise potential losses; please bear with me as I think our experiences this year are worth sharing. You may have nearly finished your current stewardship agreement and have escaped without a visit from the dreaded inspection service however it is clear that Natural England and the RPA focus much of their time inspecting agreements in

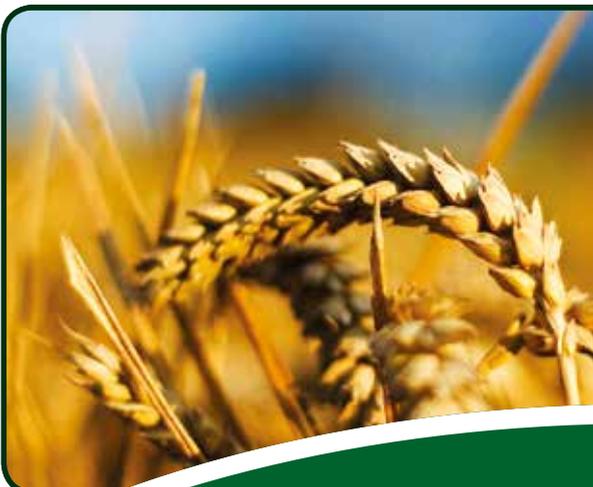
the final 18 months of their term. On three occasions this year I have been asked to help farms who have been served with penalties and reclaims totalling more than one year's annual agreement payment; in one case the demand exceeded six figures! To add insult to injury these demands have been made after the agreement has finished. Why such large penalties? is the question most commonly asked once the receiver of such a letter has recovered the ability to speak. Any discrepancy found on inspection is automatically assumed to have been the case since the outset of the agreement so in some cases penalties and reclaims are applied for every year of ten year agreements, small discrepancies quickly mount up. Proving that in fact a margin or plot has only been missing for the six months is not an easy task.

A much respected professional often comments that the quickest route to incurring an RPA penalty is to keep livestock. I would suggest that in second place is running a shoot on the farm. In all three cases that I have referred to the shoot has been partially to blame. In an idle moment this winter, perhaps in between drives, it is worth contemplating whether that game cover crop is actually supposed to be wild bird seed mix and not the maize that the keeper suggested you drill or whether the track used by the gun bus or beaters wagon is actually a stewardship margin. It has been a stressful process in each case contesting these penalties but probably my biggest positive for the year came last month when we reduced the largest of the three by in excess of £100k. I love a good scrap with the RPA and Natural England but life would be easier for everyone involved if the stakes were not so high.

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