

# MAXIMISING THE RETURNS AVAILABLE

CLM's Matthew Berryman has a succinct way of summing up the challenges facing agriculture at the start of another new year.

"If you had asked someone 'what is a farmer?' 25 years ago, they would have thought you were mad," he pointed out. "Now it's not such a daft question. Are they a 'save the planet' rewilding, an energy producer, a food producer or something we haven't even thought of yet?"

He could, of course, have added light industrial unit landlord, glamping site proprietor and a few more career options into the mix, such is the spread of occupations now encompassed by the planet's longest-standing industry.

Helping farmers find the right mix of occupations and maximise the returns available from their holdings is where CLM, the Hartfield, East Sussex-based farming, environment, property and land consultancy, brings its own broad-based skill set into play.

Founded 20 years ago, CLM has evolved over the years into a sector-leading consultancy that is particularly well known for its groundbreaking work helping farmers and landowners benefit from the new raft of environmental schemes, including biodiversity net gain (BNG) which is set to kick in properly this January.

Evolution is a recurring theme in any conversation with the CLM

team – both in their own approach to the opportunities and challenges facing farmers and in the firm's continued growth.

"Farming has evolved, the part we play in it has evolved and I feel my own contribution to the firm has evolved with it over the past 20 years," explained founder and managing director Mark Weaver. "The most important thing is that we have adapted our advice and our support in tandem with the changes in farming and in partnership with our clients."

As Matthew Berryman added: "Change brings questions, and we are here to help answer those questions."

Taking advice, though, means trusting the person offering it, and that's another area where Matthew believes CLM's focus on building long-term relationships with clients has paid dividends.

"I've worked with some farmers since 1997," he explained. "Relationships with clients can take years to establish, and the important thing to remember is that farmers don't use firms, they use people; people they trust."

While the firm has evolved over the past two decades, it has also achieved a remarkable stability, with the core team established within the first three years still forming the bedrock of the consultancy.



Mark Weaver

The firm was launched in 2004 by Mark Weaver and the late Tim Calcutt as a partnership providing hands-on farm management services. After leaving Wye College, Mark was working for Tim and his father-in-law Gordon Denniss at GK Denniss Farms in Withyham when the pair encouraged him to enrol on the Worshipful Company of Farmers' Advanced Agricultural Business Management course.

Finishing the course inspired to launch his own business, Mark suggested that he could continue working for the farm as agent/consultant rather than as the employed estate manager. He spent Easter 2004 repainting the farm office, supported by his wife Tam, and putting up a CLM sign. Becca Scrase, who had been the farm secretary, became part-time assistant and CLM's first employee.

Looking back, Mark believes Tim "saw something in me that I didn't see in myself. He created the opportunity, along with Gordon, and I took it."

He added: "I had no idea where CLM would go, and I think that if anyone had told me what the firm would look like in 20 years' time I would never have believed them. It's grown way beyond my dreams. I was fully embedded in the journey from the start, but I didn't see quite how far we would travel."


Mark's own role has again evolved, from advising on arable and beef concerns and "a bit of stewardship" to working with larger estates on critical but less hands-on issues such as succession planning, taxation and protecting family assets.

CLM's 20-strong, highly qualified team includes land agents, farm business advisers, planners, valuers, environmental specialists, agriculturalists, ecologists and property experts who work to boost the bottom lines of clients ranging from family farms and landed estates to property developers and international investors.

As the business found its feet, Mark and Tim were joined by Anthony Weston, an expert in the relatively new environmental schemes that were beginning to play an increasingly large part in farming decisions.


"Anthony was one of the first people we employed, and it was a good decision," Mark recalled. Anthony moved to CLM from the Farming and Rural Conservation Agency to take on much of the increasingly complex stewardship applications and is today a recognised expert in BNG.





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Matthew Berryman



Kevin Jay

<< “Back in 2005 there was already a big appetite among farmers to think about agri-environment schemes in a commercial way and how they could be made to fit in with their farming businesses,” Anthony recalled. “When the Basic Payment Scheme first made subsidies available to many more farmers, people needed a huge amount of help to complete their applications.”

While he was brought in for his technical knowledge, Anthony recalled that the set up in the early days was still geared to hands-on farming. “Tim insisted that we always had to have a set of overalls in the back of the truck in case we had to pitch in and help with anything,” he recalled.

With the workload growing, it wasn’t long before Anthony “tapped on the shoulder of one of my old colleagues” and brought Kevin Jay into the fold.

Kevin was also skilled at getting the best out of agri-environment schemes and joined “to help with the huge raft of work that was landing on the desks as government policy pushed farmers towards taking more of an environmental focus.” He added: “That’s even more the case 20 years on.”

Increasingly, Kevin is working on matching developers who need to meet their BNG obligations with landowners who are able to add the required biodiversity on their land. In one recent case he was able to double a potential payment offered to a farmer by a house builder.

“It’s all very new and not a lot of people know what they are dealing with,” he said. We’ve even been guiding some solicitors

on how it works as it only becomes law in January, although a number of planning authorities switched on to the idea earlier and have already been asking for it.”

While BNG, the Sustainable Farming Incentive (phase one of the Environmental Land Management scheme) and natural capital opportunities make an important contribution to CLM’s business, the firm offers far more.

Kevin also supports farmers with farm business tenancies (FBT) and contract farming agreements as well as arranging ecological surveys in support of planning applications. He is currently working on an ecological appraisal and survey work for an entirely new farmyard proposed for a site in East Sussex.

He has also been involved in an interesting project in Suffolk, where a client is putting in a large habitat compensation scheme to allow a hospital to be built. The farmer is moving from arable to grassland, and as part of the scheme turf containing wax cap mushrooms is being moved from the hospital site to the client site. Kevin is also organising the FBT and grazing licences that will be needed to create and maintain the wood pasture/ parkland environment being created.

Alex Macdonald came aboard in 2011, having notched up over a decade’s experience working at Natural England and its predecessors, and Matthew Berryman, who joined in 2007 to strengthen the farm and estate management team, brought 20 years’ experience of providing management and business advice in Yorkshire, the Midlands, the Eastern Counties and the South East.



Photo: Peter Titmuss / Shutterstock.com

Matthew has also since found himself the main point of contact within CLM for viticulture, an increasingly important part of the South East’s ‘farming’ tapestry. “Vineyards are a small part of what we do, but it is nonetheless another service we offer,” he explained.

Matthew also supports farmers with diversification advice – “whether that’s turning a redundant dairy into a car storage facility or advising on renewable energy or glamping opportunities”.

With his business management hat on, Matthew is also gearing up for future challenges that could follow a change of government, something that many forecasters are predicting.

“If a Labour government comes into power and there are alterations to Inheritance Tax and Agricultural Property Relief and how that relates to things like contract farming agreements, that will be a game changer,” he pointed out. “There could be huge changes

ahead and CLM will be ready to help people through that period.”

Looking even further ahead, Matthew believes that the pendulum that’s currently moving from food to flowers may well swing back again, although not for a few decades. “I suspect that, even if it doesn’t happen for 30 years or so, farmers will at some point be paid to bring land back into food production,” he said.

With the population continuing to rise, less land to grow it on and climate change putting some areas of land under water and making others too arid for crops, he believes the UK, which is “suitable for grain, grapes, beef, milk, sheep – the lot” will once again focus on food production.

“This is a fascinating sector to work in and CLM is a great team, a mix of experience and youthful enthusiasm,” he added. “I believe the buzz we have here is unrivalled – and that can only be good for our clients.”

But the last word should rightfully go to

Mark Weaver: “We understand the issues that matter to clients – and what makes them tick – because we share their values. We know that farming well matters, that looking after the countryside with responsible environmental stewardship matters and that preserving and growing wealth matters.

“We know that, long-term, passing on assets is important but that in the short term cashflow is king. That family and business are often inseparable. That the battle to cut costs never ceases. That diversification brings the possibility of new income, as do natural capital and biodiversity net gain.

“So whether it’s securing planning permission, solving a succession conundrum, overseeing a land sale or reducing a tax bill – and many such issues are, of course, interconnected – farmers and landowners need advice that allows them to take the opportunities and navigate the challenges presented by this fast-changing world. And that’s what CLM provides.”



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# NEW TALENTED EMPLOYEES

While the CLM team has remained remarkably stable since the initial directors came together between 2004 and 2007, the firm continues to look to the future and bring in talented new employees.

As just one example, Mark and the team mentioned the contribution being made to the firm by its newest member, Oli Pilbeam.

An experienced farm manager who previously ran a 2,800 hectare arable business in Lincolnshire, Oli also has experience of dairy and sheep enterprises.

Oli provides a complete farm management consultancy service to clients, assisting with budgeting, overhead costs analysis, benchmarking, farm business strategy plans and succession planning as well as carrying out agronomy throughout Kent and Sussex for the independent firm Chichester Crop Consultancy (CCC).

"The two roles have a real synergy," said Oli. "My role as an agronomist really gives me a 'ground-up' view of progressive agricultural businesses, helping me understand the opportunities and issues that new schemes can bring. When I'm crop walking, I can view agronomy issues in the context of the whole-farm business and my advice can encompass farm business strategy."

"When I have my consultant's hat on, I find my hands-on crop and livestock experience is invaluable. It's important, for example, to focus on reducing overhead costs if entering an environmental scheme. It may bring an opportunity to spread workloads, reducing labour hours, as well as providing opportunities to slim down the machinery inventory."



Oli Pilbeam



# 800HA OF LAND TO BE DEDICATED TO NATURE RECOVERY

Anthony Weston's 20-plus years' experience in habitat work and agri-environment schemes has seen him establish a nationwide reputation as a leader in the burgeoning area of biodiversity net gain (BNG).

He has been working with a farm cluster on the South Downs since 2016 and was quick to respond when Natural England put out a call for pilot BNG site bids.

That work came to fruition in July 2023 when the Iford Estate signed an innovative Section 106 agreement with the South Downs National Park Authority (SDNPA) that marked a step change in the way developers can provide BNG to meet their planning obligations.

The legal agreement means 31 hectares (ha) of land at Iford Estate, which equates to 210 biodiversity units, is the first to appear on the SDNPA's register of land formally 'dedicated' for BNG provision.

The beautiful 1,200ha estate near Lewes has an ambitious 30-year landscape-scale vision for nature recovery that aims to use

BNG as the main source of the necessary investment.

The Iford Biodiversity Project will ultimately see about 800ha of land permanently dedicated to nature recovery, involving the generation of about 3,000 biodiversity units.

The plan includes creating floodplain grazing marsh to provide habitat for breeding and wintering waders; species-rich grassland for rare plants, insects and mammals; and tree planting.

CLM worked with experts including the team at Iford, the SDNPA, Lux Nova Partners, a law firm which specialises in the clean energy and environmental sectors, and Town Legal to deliver the Section 106 agreement.

Anthony, who led a series of studies and modelling exercises at Iford, described it as "one of the biggest and best nature creation, enhancement and restoration projects in the country". Signing the agreement was "momentous" in the evolution of the ecosystem services market, he said.

"This partnership between Iford and

the National Park, which is also the local planning authority, will help developers work with the estate to fulfil their statutory BNG requirements. It will mean that development happening elsewhere will benefit nature and people here by drawing private investment into this very special place," he added.



Anthony Weston



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# TIME FOR A CHANGE

In the afterglow of COP28 we set about writing an article coinciding with CLM's 20 years combining the ongoing environmental pressures and likely changes for farmers. It is becoming commonplace to talk about natural capital, but for all the time and money that goes into COP with its fanfare of announcements it is fairly meaningless for farmers struggling with the more fundamental problems of how to make a profit and not lose half of it in tax.

The need to be more environmentally focused remains one of the sector's objectives, but it can't be the prime focus and with government rowing back on support, the more important pressure for farmers is cashflow. Harvest 2023 would have been the most expensive crop farmers have grown. Combined with higher financing costs and higher taxes it makes it imperative to have the right structure.

I have recently finished reading an OECD article on taxation in farming across the developed world and was struck by the complexity of the UK system compared to other countries, much of the detail stemming back over many years and several governments. However, the OECD does point out that the UK system is very generous and, while we might rebut this when tax bills are paid later in January, in terms of capital taxes the sector has the best possible reliefs, especially for Inheritance Tax (IHT). It could be argued that the tax reliefs and the rates of capital taxes have never been so good.

Farming businesses rightly diversify into property and other activities, including environmental projects, but keeping a watchful eye on staying the right side of the line for capital taxes has never been more important. The generous rules and reliefs have been around a long time, since 1984 in the case

of Agricultural Property Relief (APR); this is a long time in the world of tax reliefs, which are regularly changed by new governments or even the same one. Will it survive the next general election? Last week the Labour Party announced to the NFU that they wouldn't change APR; at the same time the shadow chancellor said Business Property Relief (BPR) and Business Asset Disposal Relief (BADR) also won't be changed.

Can we really believe politicians? Are there other taxes coming instead? The same OECD report I mentioned noted that the UK was one of only a handful of countries not to have a form of environmental tax. I think most commentators would suggest tax changes are coming and if it isn't IHT then it's likely to be another area of taxation, likely aimed at wealth.

What about trusts? A recent ONS report on trust registrations showed that the number of trusts had declined significantly over the past 20 years. One reason for this is restrictions within the tax system making trusts less appealing, but another reason is that we don't need them anymore with the generous tax reliefs available to the sector... or do we?

There has never been a better time to get your house, or rather farm, in order. Succession planning and passing on the family assets is about far more than tax savings, but there must be unwelcome changes afoot. Small changes can make a big difference, given that the capital values of farms are holding up well.

Whatever government we get next year, tax will become harder to deal with. If they don't mess around with IHT, then Income Tax could be next, and again your choice on structure needs to be flexible enough to deal with any eventuality.

We have enjoyed working with CLM for the past 20 years, much of the work focused on



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