

# Press statement

PR 105/12

30 April 2012

## Re: Buchanan Trust

- Re: Mr Finlay. At the moment the governing documents limit the Trustee's powers to appoint beneficiaries or associations of beneficiaries to settle on the farms on the Estate. The Trust is seeking to expand its powers to allow it to operate jointly with other charities and voluntary organisations in furtherance of its objects. Expressions of interest will be sought from organisations of this nature at the appropriate time and Mr Finlay will be given the opportunity to make such an approach when the trust can provide such an opportunity without contravening its governing documents.
- The Trust land extends to approx 650 acres. When land becomes available, its availability is advertised in suitable media to attract ex-servicemen. Currently, two are rented to ex-service personnel, and the retirement holding to an ex wartime fireman, who was appointed by MAFF who took into account his war time service. The remainder are let under the powers provided under the 1932 Scheme which allowed for farms to be let to non ex service personnel if no suitable ex service personnel can be found.
- Re: John Barron. The legal action was compromised last year after the Trustee offered, and paid for, mediation. The details of the mediation agreement are confidential to both parties.
- The Trustee has for a number of months been working with the Charity Commission to modernise the objects of the trust to make them more relevant. A cy pres application has been submitted to the Charity Commission and the Trustee met with the Commission recently (at the invitation of the Trustee) and has received very positive feedback on the proposals which have been put forward. (A cy pres application is an application made to change the objects of a charitable trust to reflect socio-economic changes whilst ensuring that the new objects reflect the spirit of the original gift.) These proposals include the provision of education and training as well as therapeutic and respite care in addition to settlement on the land. The beneficial group is also being expanded to include all former serving members of the Armed Services. When a draft revised scheme has been prepared the Trustee will consult with various stakeholders including, among others, SSAFFA, the British Legion, Help the Heroes and Combat Stress as well as the Buchanan family. The trustee has recently co-opted new members on to the managing committee all of which have service backgrounds and are connected to ex-service groups with a view to getting input from them as to the needs of the beneficiaries of the Trust.
- The Trustee believes it is running the Trust in the spirit in which it was set up, but the restrictions that were placed upon it in 1919 and 1932 are not necessarily applicable to today's circumstances in that "respite and therapeutic care" for example are not covered, meaning that anyone wishing to run one of the farms as a care farm would have to have the tenancy in their name and seek permission for the farm to be run as a care farm from the Trustee, rather than a charitable organisation or voluntary group being able to apply to run a farm providing care.

**Ends**

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