

**THE BUCHANAN TRUST (235867) (“The Charity”) &
THE BUCHANAN TRUSTEE COMPANY LTD. (9838277) (“The Trustee”)**

The Bosbury Estate, nr. Ledbury, Herefordshire.

THE CONSTITUTION AS AMENDED 21 JUNE 2017

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On 16th May 2016 the Charity Commission published a new “Scheme” (constitution) for the Charity.

On 21st June 2017, at the Trustees’ request, the Charity Commission published an amendment.
(Complete copy of both available from the Trust on request)

The Trust is a **national** charity with a business plan to provide a working-farm based “recovery unit” for veterans. The Business Plan can be viewed on this website by returning to the Home Page and clicking “Business Plan”.

On 26th May 2016 Herefordshire Council formally handed over the Trusteeship of the Buchanan Trust to the three new independent trustees who act through a corporate body, the Buchanan Trustee Company Ltd., registered at Companies House 9838277. Two new trustees were recruited and the Board now numbers five. The chairman is a farmer, qualified as a chartered surveyor, two trustees are the founder’s direct kin, one trustee is an ex military farmer and the other is a qualified social worker with experience of charity law and management. A new trustee with military experience and business expertise is being recruited to specialise in fund-raising to strengthen the Board.

The background to this transfer was a longstanding concern by the Commission that the estate as a whole was benefiting only very small numbers of ex-military personnel, with commercial tenants occupying most of it for “lengthy” 6 year periods in Farm Business Tenancies, which were usually renewed. This meant effectively that the land was tied up, mainly in a small number of private hands, and ex-military personnel in need were unable to apply.

The charitable objectives set down by the Charity Commission are:-

“the prevention or relief of poverty of Military Beneficiaries and the promotion of efficiency of the armed forces, assisting with the resettlement of Military Beneficiaries and their readjustment to civilian life through any or all of the following means:- Clause 4 The Objects of the Charity.

- (a) the provision of agricultural and land-based employment opportunities;
- (b) the provision of allotments;
- (c) the provision of accommodation and support (including supported farm facilities);
- (d) the provision of grants to individual or groups of Military Beneficiaries and to organisations and charities who relieve the needs of Military Beneficiaries in accordance with these objects; and
- (e) the provision of employment related education and training opportunities.

Exceptionally, (in accordance with Clauses 7(3) and 7(4) of this Scheme, the prevention or relief of poverty of Non-Military Beneficiaries.

At the trustees’ request the Charity Commission amended the constitution to include the provision of social housing in the form of almshouses.

The 2017 Amendments in respect of Almshouses

- (4) (f) *the provision of social housing in the form of almshouse accommodation and any associated amenities.*
- (7)(2)(a) *at the trustees discretion the power to appropriate certain of the Charity's Properties for use as almshouse accommodation.*

In clause 7 (2) the addition of sub clauses:

- (i) *(a) at the Trustee's discretion suitable applicants who qualify as Military Beneficiaries may be offered an appointment on licence of a Charity Property which is an almshouse.*
- (ii) *(b) the Trustee may make it a condition of appointing a resident in accordance with 7(2) (a) above that the resident must contribute a weekly sum (which must not cause the resident hardship) towards the cost of maintaining the almshouses and essential services in them including towards the cost of lighting and heating the homes and providing hot water.*

Clause 7. "Applications for appointment"

- (1) At the Trustee's discretion, suitable applicants who qualify as individual Military Beneficiaries, or as groups of Military Beneficiaries, or as cooperatives of Military Beneficiaries may be offered an appointment of a Charity Property including accommodation, facilities, land and equipment on such terms as the Trustee sees fit.
- (2) At the Trustee's discretion, organisations or charities which relieve the needs of Military Beneficiaries in accordance with the objects of the Charity may be offered an appointment of a Charity Property including accommodation, facilities, land and equipment on such terms as the Trustee sees fit.
- (3) If the Trustee, having made all reasonable efforts to make an appointment of a Charity Property in accordance with sub-clauses (1) and (2) above, is unable to do so, the Trustee may in exceptional circumstances lease such Property to a tenant who qualifies as a Non-Military Beneficiary. The Trustee must record in the record of its meetings the reason for any such appointment and the nature of the exceptional circumstances justifying the appointment.
- (4) Exceptional tenancies can only be renewed if the conditions in sub-clause (3) above apply and in such event the record of the meetings of the Trustee must comply with sub-clause (3) above.

Clause 8. "Trustee's policies in relation to appointments of Beneficiaries"

"The Trustee must publish its policies relating to appointments to Military Beneficiaries and Non-Military Beneficiaries and tenancies granted to give effect to such appointments and relating to the continuation or renewal of such appointments and tenancies. These policies must be reviewed annually by the Trustee and be republished as amended or confirmed on review."

The policy for the appointment of ex-military beneficiaries is set out in the Business Plan which can be viewed on this website.

25/06/2017