



Tenant Farming Commissioner Review of Buccleuch Estate Agricultural Tenancy Negotiations

Terms of Reference

1. Purpose

The Purpose is to review whether Buccleuch Estates representatives handled specific cases in relation to end of tenancy arrangements in accordance with good practice and relevant published Codes of Practice.

2. Scope

The relevant cases will be determined by the Tenant Farming Commissioner in discussion with the estate, tenants and relevant advisers. The review will include consideration of:

- The timeline and process of negotiations;
- The approach to negotiations and communications;
- The context in which the negotiations took place.

The review is focused on the process and approach to the relevant negotiations and will not make recommendations on what the outcome of any individual negotiation should be.

3. Independent Review

The Review will be carried out independently by the Tenant Farming Commissioner acting in line with the functions of the Commissioner set out in the Land Reform (Scotland) Act 2016.

4. Access to Information and Confidentiality

The Review will draw on both written records and the views and experiences of those involved directly in the relevant negotiations. The Tenant Farming Commissioner will have full access to all relevant estate staff and records relating to the relevant negotiations and will be able to contact any relevant party at his discretion.

The Tenant Farming Commissioner will seek to meet with all relevant tenants and advisers.

Where requested information provided to the Commissioner will be treated in confidence.

5. Reporting

The Tenant Farming Commissioner will prepare a report setting out his findings including, with due regard to confidentiality, the relevant facts and recommendations.

The findings will be made available to all relevant parties and published.