

**MAIDSTONE BOROUGH COUNCIL**

**RECORD OF DECISION OF THE COBTREE MANOR ESTATE CHARITY  
COMMITTEE**

Decision Made: 13 July 2011

**MASTER PLAN FUNDING - COBTREE MANOR PARK**

**Issue for Decision**

To consider the options for funding the revised Master Plan which was accepted by the Committee at its meeting held on 9 March 2011.

**Decision Made**

1. That a bid be submitted to the Heritage Lottery Fund (HLF) Parks for People scheme for funding of £500,000 towards the total cost of implementing the proposed enhancements to the Cobtree Manor Park set out in the revised Master Plan.
2. That the bid should be submitted to the HLF by the deadline of 31 August 2011.
3. That agreement be given in principle to match funding 50% of the HLF Parks for People application subject to the agreement of the Charity Commission to the release of permanent endowment.
4. That the Cobtree Manor Estate Charity Committee agrees approves and resolves to pass the following:-
  - (i) To approach the Charity Commission using either the Charity's statutory powers under Section 75A of the Charities Act 1993, as amended by the Charities Act 2006, or other appropriate powers, seeking the release of a further £250,000 of the permanent endowment in the following terms:

*That the Committee acting as the Trustee to the registered charity known as "Cobtree Manor Estate" resolves to release from its permanent endowment funds to implement the revised Master Plan relating to the enhancement of Cobtree Manor Park; the revised Master Plan proposals being in full compliance with the objects of the Charity and seen in its best interests to encourage greater use of the Park by the general public.*

- (ii) Should the Charity Commission give its approval for the releasing of part of the permanent endowment as outlined in (i)

above, to spend that released sum on completing the revised Master Plan proposals.

### **Reasons for Decision**

At its meeting held on 9 March 2011 the Committee agreed the principles of the revised Master Plan for the future enhancement of Cobtree Manor Park.

The revised Master Plan included estimated project costs of £873,300 and the funding proposals included using part of the permanent endowment. It was also proposed to complete the works in sections starting with the installation of the children's play area at a cost of £250,000. So far consent has only been sought from the Charity Commission for the release of £250,000 of the permanent endowment in order to install the children's play area, and a response is awaited.

Following a site visit attended by Officers, the Chairman of the Committee and the HLF it is proposed that whilst waiting for a decision from the Charity Commission a bid to the HLF Parks for People scheme be progressed and submitted by 31 August 2011.

If this bid is successful it will give the Committee the option of maximising the funding available to it by working with the HLF and if the bid is unsuccessful, then nothing will have been lost. In the event of a successful application, the Committee would not be committed to working with the HLF but could agree to proceed in another direction.

Applicants for grants of up to £1m from the HLF Parks for People scheme must provide at least 5% of the project costs in match funding. It has been implied by the HLF that the higher the match funding element of a bid the more likely it is to succeed. With this in mind Officers have initially suggested that if 50% funding were to be offered then this would show commitment to the HLF as well as allowing the Charity to maximise its available funding.

In making its decision, the Committee took into account a number of issues as follows:-

- To date, the Charity Commission has only been asked to give its approval for the release of £250,000 of the permanent endowment to install the children's play area.
- The HLF will only fund "whole projects" so if the Charity Commission does approve the release of the permanent endowment the installation of the play area will have to be delayed until the whole project is ready to start.
- The match funding required by the HLF cannot be backdated.
- The current Master Plan does not fit the HLF project outcomes exactly so some extra work, particularly consultation and additional historical research, will have to be carried out. This is likely to take

the current Master Plan cost from £873,300 to around £1m.

- The HLF Parks for People scheme is a two part competitive bidding process. If the bid is successful it will take around two years before work can begin on site. The bid could be turned down by the HLF at any time in this process.

### **Alternatives Considered and Why Rejected**

The Committee could have decided not to proceed with the HLF application and just use the permanent endowment subject to the agreement of the Charity Commission. However this is not considered appropriate as it would restrict the opportunity for the Committee to maximise the resources available to it.

### **Background Papers**

Cobtree Manor Park revised Master Plan  
Report to and decision of the meeting of the Committee held on  
9 March 2011

Should you be concerned about this decision and wish to call it in, please submit a call in form signed by any two Non-Executive Members to the Head of Change and Scrutiny by: <b>22 July 2011.</b>
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