

MAIDSTONE BOROUGH COUNCIL

RECORD OF DECISION OF THE COBTREE MANOR ESTATE CHARITY COMMITTEE

Decision Made: 27 March 2024

Elephant House

Issue for Decision

To seek approval for the Elephant House, Cobtree Manor Park to be let to a new tenant and that some landlord's upgrades are completed as part of that letting.

Decision Made

That

1. The Elephant House is let to applicant A on the terms shown in exempt Appendix 3 to the report subject to an added clause stating that use cannot be changed without consent and an added clause to specify requirements for fencing;
2. As landlord, Cobtree Manor Estate Charity (CMEC) invests in upgraded drainage and installs a toilet in the Elephant House;
3. CMEC approves the capital budget proposed in the landlord's works section of exempt Appendix 3 to the report, in order to complete the landlord's works, with a best value approach taken to complete the works;
4. Delegated authority be given to the Director of Finance, Resources and Business Improvement to agree the final lease with applicant A; and
5. Delegated authority be given to the Head of Mid-Kent Legal Services to enter into such lease documents and any relevant statutory notices and declarations, as required, to complete the lease process.

Reasons for Decision

The Elephant House was originally part of Maidstone Zoo, when it stood on the site that is now Cobtree Manor Park. It has not housed animals since the 1960s and in the ensuing decades has been largely empty. It was occupied as a workshop by the Cobtree Men's Shed from 2015 until the Covid-19 pandemic. The Shed Group now have a home at Kent Life and long-term options for the Elephant House have been sought.

The park setting and the Elephant House's classification as a workshop/store mean that lots of uses for it are not suitable, but these factors also combine to create a unique opportunity for the right type of letting.

The building has electricity and water connections, but it does not have a working drainage connection. The council commissioned a drainage survey to investigate the historic waste pipes and these were found to be in too poor a condition to be

reinstated. The council has quotes for installing working waste drainage that can be considered as part of supporting a new tenancy and protecting the future of the building.

The Council marketed the Elephant House via agents in Autumn 2023 for workshop use. There was mixed interest and a summary of the marketing process is attached as exempt Appendix 1 to the report.

Multiple enquiries were received for a refreshments kiosk or café. These were discounted because the park does not have enough visitors for two separate cafés. Applicants also need to open and close the premises in line with the park's opening times and vehicle access to the building will be restricted to protect the pedestrian paths and tree root zones from excessive wear and tear. The building would require extensive repair, insulation, cladding and upgrade for use as anything more intensive than a workshop and store. For alternative uses, additional consents (and therefore costs) would also be required which would delay bringing the building back into use.

Applicant A's proposal and additional information is included in exempt Appendix 3 to the report and suggested heads of terms are included in exempt Appendix 4 to the report. This proposal represents the best value option for Cobtree and the Cobtree Manor Estate Charity. This is the recommended option.

Applicant A is a business whose sector and ethos fits the park setting. It also aligns with the council's strategic priorities.

Applicant A's proposal will bring a new income line to the park and will also bring investment into the park's assets. The business has some customer-facing elements so it will also bring educational experiences to park visitors. The proposal includes investment the tenant will also be making into the premises. The improvements will suit their business operations but will also benefit the building and CMEC.

Exempt Appendix 3 to the report includes information relating to applicant A's expansion from being a home-based business to needing to find its first premises. The draft heads of terms reflect this growth phase with provisions that will apply in year 3.

Alternatives considered and why rejected

1. Do nothing

To not let the building to an applicant. In this circumstance the council would continue to manage the building as an empty premises and its long-term value and condition would suffer. Over time it would become a financial and reputational risk. This option was not recommended.

2. Continue the marketing period for additional applicants

To extend the application and seek additional applicants who may propose better terms, however as shown in exempt Appendix 1 to the report, the marketing process had been thorough and it was not expected that continuing it would unearth new applicants or types of proposals that have not already been considered. There was also a time factor that would have a negative impact if this option was pursued. This option was not recommended.

Background Papers

None.

I have read and approved the above decision for the reasons
(including possible alternative options rejected) as set out above.



Signed: _____
Councillor David Burton, Leader of the Council

Full details of both the report for the decision taken above and any consideration by the relevant Policy Advisory Committee can be found at the following area of the [website](#)

Call-In: Should you be concerned about this decision and wish to call it in, please submit a call-in form signed by any three Members to the Proper Officer by: **5pm on 8 April 2024**