

**MAIDSTONE BOROUGH COUNCIL**

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

**Decision Made: 15 January 2010**

**GARDEN COTTAGE - SUBSIDENCE**

**Issue for Decision**

To consider the costs associated with repairs found to be necessary to Garden Cottage and the action to be taken.

**Decision Made**

1. That the Officers be requested to seek competitive tenders for the required works to and reinstatement of Garden Cottage and estimates for all other associated costs.
2. That the Officers should liaise with Councillor Greer regarding the proposed works and tender documentation.

**Reasons for Decision**

At the last meeting of the Committee it was noted in the draft Asset Management Plan that a preliminary sum of £21,400 had been included for anticipated repairs to Garden Cottage.

At the time of writing that report the Council had not received a report from its appointed consultant. That report has now been received and it shows that extensive works are required to underpin the whole of the Cottage to prevent further movement rather than the localised underpinning as initially thought. The works are now estimated to cost in the region of £50 – £60,000.

The Officers have considered all possible alternatives to resolve the problem of movement, which is essentially at one end of the building. The conclusion is that the recommendation of the consultant to underpin the whole of the building and to replace the ground floor slab is the most appropriate solution to extend the life of the building.

A detailed quotation has been sought and this confirms the cost of the basic works to underpin the property to be in the region of £46,000. It is anticipated that further costs and reinstatement works will bring the final total to the estimated £60,000.

It has been confirmed that subsidence is not covered by the Council's insurance policies, nor are costs arising from such an event. The Charity will be required to meet all the costs involved in carrying out the necessary works and any additional costs resulting therefrom.

The extent of the works will necessitate the temporary relocation of the tenant and his belongings. The tenant has indicated his intention to stay with relatives while the works are being carried out. However, the cost of the storage of his belongings will have to be met by the Charity. It is estimated that a minimum period of approximately three months will be required to carry out the proposed works and complete the reinstatement.

The property is leased to the tenant for a further eleven years and he has indicated that he wishes to remain there. As long as the tenant continues to pay the rent there is an obligation on the Charity to maintain the property in good and tenable order. Only the tenant has the right to terminate the lease in these circumstances.

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

The alternative course of action is to seek to negotiate the possible disposal or demolition of the property. This is not considered appropriate as the property might have the potential to generate a greater income to the Charity at the completion of the current lease agreement, although it is possible that the Charity might be obliged under current legislation to grant a further lease to the occupant.

### **Background Papers**

None.

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 Overview and Scrutiny and Policy Manager by: <b>26 January 2010.</b>
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