

MAIDSTONE BOROUGH COUNCIL

COBTREE MANOR ESTATE CHARITY COMMITTEE

MINUTES OF THE MEETING HELD ON 14 MARCH 2012

Present: **Councillor J A Wilson (Chairman) and
Councillors Garland, Greer and Hotson**

54. APOLOGIES FOR ABSENCE

There were no apologies for absence.

55. NOTIFICATION OF VISITING MEMBERS

There were no Visiting Members.

56. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members and Officers.

57. DISCLOSURES OF LOBBYING

There were no disclosures of lobbying.

58. EXEMPT ITEMS

RESOLVED: That the items be taken in public as proposed.

59. MINUTES OF THE MEETING HELD ON 11 JANUARY 2012

RESOLVED: That the minutes of the meeting held on 11 January 2012 be approved as a correct record and signed.

60. COBTREE TRUST FINANCIAL POSITION 2011-12

The Committee considered the report of the Head of Finance and Customer Services setting out details of the financial position in respect of the Golf Course and Manor Park as at 31 January 2012.

RESOLVED: That the report be noted.

61. PARK RANGER'S PROGRESS REPORT

The Committee considered the report of the Cobtree Officer setting out details of the work of the Park Ranger at the Cobtree Manor Park, including the work undertaken on the "Seven Ages" sculpture, the installation of which had been delayed due to bad weather.

RESOLVED: That the actions taken by the Park Ranger and the future work set out in Appendix A to the report be noted.

62. IMPLEMENTATION OF THE MASTER PLAN FOR COBTREE MANOR PARK

RESOLVED:

1. That it be agreed to formally withdraw the previous resolution of the Cobtree Manor Estate Charity Committee to the Charity Commission and replace that resolution with the resolution set out below.

2. That the following be approved:

(i) For Officers to approach the Charity Commission using either the Cobtree Manor Estate 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 £1,065,000.00 of the permanent endowment in the following terms:

That the Committee acting as the trustee to the registered charity known as Cobtree Manor Estate (no. 283617) resolves to release from its permanent endowment funds to implement, in three phases, the enhancements to Cobtree Manor Park outlined in the report dated June 2010, as updated in March 2012, prepared by Adam S. Bailey Garden Design ("the Master Plan"); such implementation being in full compliance with the objects of the charity and seen in its best interests in order to encourage greater use of Cobtree Manor Estate 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 expend those moneys (i.e. £1,065,000.00) on completing phases 1, 2 and 3 of the Master Plan.

3. That the Master Plan attached at Appendix D to the joint report of the Assistant Director of Environment and Regulatory Services and the Cobtree Officer; this plan being an update of the original plan prepared by Adam S. Bailey as approved by the Committee at its meeting on July 7th 2010 be approved.

4. That the repayment programme recommended by the Senior Accountant attached at Appendix A to the joint report of the Assistant Director of Environment and Regulatory Services and the Cobtree Officer be approved and that officers are authorised to approach the Charity Commission seeking its approval for the implementation of that repayment programme.

5. That the project plan attached at Appendix B to the joint report of the Assistant Director of Environment and Regulatory Services and the Cobtree Officer and the implementation of the design details set out within the Master Plan by three separate phases be approved;

Phase 1 – Installation of the first phase of the play area.

Phase 2 – Other Works such as: The picnic area, the hard path network and nature trail paths, way finding posts and maps, viewing platform and pond clearance, car park resurfacing and edging, woodland management and park tree works, boundary planting, new arboretum trees, car park replanting, improved boundary fencing around the estate bridle path, trim trail, outdoor seating and bins, sculptures, bridle path rerouting and resurfacing, Llama house renovation, and the final phase of the play area.

Phase 3 – The building of the visitor centre and café.

6. That the location, as set out at Appendix E of the joint report of the Assistant Director of Environment and Regulatory Services and the Cobtree Officer, and the design of the play area, be approved and that the Head of Legal Services be authorised to enter into a contract for the construction of the first phase of the play area (phase 1) once release of the permanent endowment funding has been agreed by the Charity Commission.
7. That the Officers' decision to bring to a later meeting of the Committee, reports seeking approval for the following be endorsed:
 1. The detailed design of the phase 2 works including the second phase of the play area and entering into a contract or contracts for these phase 2 works.
 2. The final design of the visitor centre and café.

To view full details of this decision, please follow this link:-

<http://meetings.maidstone.gov.uk/ieDecisionDetails.aspx?ID=558>

63. DURATION OF MEETING

5.00 p.m. to 5.22 p.m.