

## **MAIDSTONE BOROUGH COUNCIL**

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

Decision Made: 12 November 2014

#### **COBTREE YOUNG FARMERS**

##### **Issue for Decision**

1. To consider the Heads of Terms of the lease and management agreement to be granted to/entered into with the Cobtree Young Farmers in relation to the Club's use of land at the Kent Life attraction.
2. To consider the proposals for the renovation of the area at Kent Life which it is proposed to lease to the Cobtree Young Farmers.

##### **Decision Made**

1. That agreement be given to the granting of a lease to and entering into a management agreement with the Cobtree Young Farmers in accordance with the Heads of Terms set out in Appendix A to the report of the Cobtree Officer amended as appropriate to clarify that the Club will provide a minimum of 100 volunteer hours per annum to the Cobtree Manor Estate Trust in addition to the open day and events.
2. That Cobtree Young Farmers be given permission to carry out the renovations to the site at Kent Life to be leased by the Club, as set out in Appendix B to the report of the Cobtree Officer, subject to the Club obtaining any other permissions that may be required (these renovations being necessary for the re-location of the Club's current activities).
3. That the Head of Legal Partnership be given delegated authority to draft and complete the lease and management agreement with Cobtree Young Farmers and to seek the formal consent of the Cobtree Charity Trust Limited and Kent County Council to this arrangement.

##### **Reasons for Decision**

The Cobtree Young Farmers have been part of Kent Life for many years originally helping to run the attraction, but this is no longer needed as there is a management company in place. The Young Farmers' Club has

continued on site and is popular with many children and young people enjoying learning about the animals. The Club would like to apply for external grant funding for various projects. However, this has proved difficult as the Club has no security of tenure, there being no formal agreement allowing it to operate on site.

The Heads of Terms of the proposed lease and management agreement, as amended, will ensure there is clarity amongst all the interested parties as to the responsibilities of each group. The lease will give the Young Farmers security for their future operations, explain the position of the Cobtree Manor Estate Trust (CMET), and set out the role of CMET's managing agent at Kent Life (currently Continuum Kent Life Limited).

The site in the old farmyard which the Young Farmers currently occupy is a prime area in the centre of the attraction and it is a place where CMET's managing agent would like to develop further visitor attractions. The relocation of the Young Farmers will enable this to happen.

The Young Farmers are requesting permission to carry out renovations to the TBR building to make a new clubhouse and to improve the surrounding facilities. At present the clubroom is part of a series of small barns that surround the old farmyard on the main Kent Life site. This can cause issues as Club members can be mistaken for staff by members of the public. As the site is now professionally managed there is no longer the need for the Young Farmers to be part of the main site, although members of the Club will continue to assist the general public where necessary in accordance with the proposed Heads of Terms of agreement.

The Club already has facilities in the part of the site that it is proposed that it will move to. The move will enable the Club to operate from one area. It will also allow the operators of Kent Life to consider other uses for the existing area occupied by the Young Farmers which is in a highly used part of the main site. Proposals for the use of this land will be reported to the Committee in due course.

As part of the proposed Heads of Terms, the Young Farmers will deliver two events (one spring, one autumn, subject to animal movement restrictions) and an open day for the benefit of the Kent Life attraction in partnership with the Events Duty Manager. They will also provide a minimum of 100 volunteer hours per annum to CMET or their managing agent in addition to the open day and events, in lieu of a rent payable.

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

The alternative would be not to approve the Heads of Terms as amended. This is not considered appropriate as they also benefit CMET by setting out the Young Farmers' responsibilities and ensuring that they give back to the site in terms of providing events, an open day and volunteering. At present there is no legal requirement for them to give anything back to the Kent Life attraction in return for the operation of their Club facilities on site.

The Committee could have chosen not to allow the Young Farmers to move to the one site and renovate the building. This was not considered appropriate as the Club's existing site at the main Kent Life attraction could be much better used by CMET's managing agent. There are also issues with the members of the Club on site being expected to work to the same standard as staff.

### **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 Head of Policy and Communications by: <b>21 November 2014.</b>
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