

AGENDA

COBTREE MANOR ESTATE CHARITY COMMITTEE MEETING



Date: Wednesday 10 July 2013

Time: 5.30 p.m.

Venue: Town Hall, High Street,
Maidstone

Membership:

Councillors Garland, Greer, Moss and J.A. Wilson

Page No.

1. Apologies for Absence
2. Notification of Visiting Members
3. Election of Chairman
4. Election of Vice-Chairman
5. Disclosures by Members and Officers
6. Disclosures of Lobbying
7. To consider whether any items should be taken in private because of the possible disclosure of exempt information.

Continued Over/:

Issued on 2 July 2013

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**Alison Broom, Chief Executive, Maidstone Borough Council,
Maidstone House, King Street, Maidstone, Kent ME15 6JQ**

8.	Minutes of the meeting held on 13 March 2013	1 - 3
9.	Report of the Head of Finance and Resources - Charity Known as the Cobtree Manor Estate - Accounts 2012/13	4 - 25
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13.	Report of the Cobtree Officer - Land to the South of Forstal Road, Maidstone	80 - 83

MAIDSTONE BOROUGH COUNCIL

COBTREE MANOR ESTATE CHARITY COMMITTEE

MINUTES OF THE MEETING HELD ON 13 MARCH 2013

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

28. **APOLOGIES FOR ABSENCE**

It was noted that apologies for absence had been received from Mr Richard Corben, the Chairman of the Cobtree Charity Trust Limited.

29. **NOTIFICATION OF VISITING MEMBERS**

There were no Visiting Members.

30. **DISCLOSURES BY MEMBERS AND OFFICERS**

There were no disclosures by Members or Officers.

31. **DISCLOSURES OF LOBBYING**

There were no disclosures of lobbying.

32. **EXEMPT ITEMS**

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

33. **MINUTES OF THE MEETING HELD ON 14 NOVEMBER 2012**

RESOLVED: That the Minutes of the meeting held on 14 November 2012 be approved as a correct record and signed.

34. **CHARITY KNOWN AS THE COBTREE MANOR ESTATE - FINANCIAL POSITION 2012/13**

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 the Manor Park as at 31 January 2013. The report also included details of capital expenditure, deposits held and total investments. It was noted that:-

- No significant financial issues had arisen during February/March to date and both the Golf Course and the Manor Park were operating within budget at present.
- The market value of the endowment funds invested with Charifund had increased to £1.513m, which was higher than the purchase

value. This was important as endowment funds would be used to implement the Master Plan over the next few years.

- The budget for the Master Plan had been set at £1.065m. To date there had been expenditure of £70,100 on Phase 1 works in respect of the play area, but no endowment funds had yet been drawn down as there were sufficient resources available from the 2011/12 operational surplus to fund this amount.

RESOLVED: That the financial position in respect of the Golf Course and the Manor Park be noted.

35. DRAFT RESPONSE TO MANAGEMENT LETTER 2011/12

DECISION MADE:

That the draft response to the Management Letter issued at the conclusion of the audit of the 2011/12 accounts, as set out in Appendix B to the report of the Head of Finance and Customer Services, be approved.

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

<http://meetings.maidstone.gov.uk/ieDecisionDetails.aspx?ID=675>

Note: Councillor Greer entered the meeting during consideration of this item.

36. COBTREE ESTATE PROGRESS REPORT

DECISION MADE:

1. That the work undertaken across the Cobtree Estate over the last six months and the future work planned, as set out in Appendix A to the report of the Cobtree Officer, be noted.
2. That the outline proposal for events at Cobtree Manor Park for the coming year, as set out in Appendix A to the report of the Cobtree Officer, be endorsed, and that the proposed total cost of the events programme (£2,000) be approved.

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

<http://meetings.maidstone.gov.uk/ieDecisionDetails.aspx?ID=676>

37. ASSET MANAGEMENT REVIEW UPDATE REPORT

The Committee considered the report of the Cobtree Officer setting out details of the property performance indicators for the Cobtree Estate for 2012. It was noted that:-

- A property condition survey was carried out every 5 years. A programme of works was then set for the following 15 years. The

data set out in the Appendix to the report of the Cobtree Officer was not available at the time of the Asset Management Report for 2012 as it was still being collated.

- The most important data for monitoring purposes was the condition category. This showed that there had been an improvement in the condition of the properties between the previous survey in 2008/09 and the survey in 2011/12. The percentage of floor area in good condition had also risen since 2008/09.
- The cost of the maintenance required showed a small increase approximately in line with inflation. Total spend on maintenance between 2008/09 and 2011/12 (disregarding the capital works to Garden Cottage) was very similar.
- The split normally expected between planned and responsive maintenance was 70% planned maintenance and 30% responsive maintenance. The planned and responsive maintenance split had improved greatly since 2008/09 with the figures of 82% planned and 18% responsive being well above normal.

RESOLVED: That the property performance indicators for the Cobtree Estate for 2012, as set out in the Appendix to the report of the Cobtree Officer, be noted.

38. DURATION OF MEETING

5.45 p.m. to 6.10 p.m.

Agenda Item 9

MAIDSTONE BOROUGH COUNCIL

COBTREE MANOR ESTATE COMMITTEE

10TH JULY 2013

REPORT OF THE HEAD OF FINANCE & RESOURCES

Report prepared by: Paul Holland (Senior Accountant)

1 ACCOUNTS 2012/13

1.1 Issue for Decision

1.1.1 To consider the un-audited Report and Financial Statement for the financial year 2012/13.

1.2 Recommendation of the Head of Finance & Customer Services

1.2.1 That the Committee notes the draft Report and Financial Statement for the financial year 2012/13.

1.3 Reasons for Recommendation

1.3.1 Attached at **APPENDIX A** are the draft Report and Financial Statements for the financial year 2012/13.

1.3.2 The draft Report and Financial Statements have been produced in accordance with Charity Accounting Statement of Recommended Practice.

1.3.3 Members have previously agreed to appoint King & Taylor as external auditors for 2012/13.

1.4 Financial Statements 2012/13

1.4.1 The net deficit on the operation of the Golf Course and the Manor Park was £171,062, compared to a net surplus of £122,100 during 2011/12. However it should be noted that this includes capital expenditure of £296,742 in respect of Phase 1 of the Cobtree Manor Park Master Plan. Excluding the capital expenditure and investment income of £72,147 the operation of the golf course and the park made a net surplus of £53,538 for 2012/13. These figures are provisional as the accounts are still subject to external audit.

1.4.2 The capital expenditure will be funded by making a withdrawal from the investment of the permanent endowment in Charifund, as agreed by the Charity Commission. This is shown as a creditor due to Maidstone Borough Council on the Balance Sheet as the expenditure was incurred by the Council on behalf of the Trust.

1.4.3 There were no asset disposals during 2012/13, and none of the assets held were subject to revaluation. They are due to be revalued on 1st April 2013.

1.4.4 It should be noted that the market value of the Charifund investment has risen significantly during 2012/13, to £1,526,936 at 31st March 2013, compared to a value of £1,328,166 at 31st March 2012. The purchase value of the investments held is £1,290,000, so the market value remains greater than this figure at the Balance Sheet date.

1.5 Alternative Actions and Why Not Recommended

1.5.1 None

1.6 Impact on the Charity's Objectives

1.6.1 The net surplus from the operations of the Golf Course and Manor Park will enable the Trust to move forward with their proposals to improve facilities on the Cobtree Manor Estate.

1.7 Risk Management

1.7.1 The reporting of the final position for 2012/13 assists in the ongoing financial management of the Trust.

1.8 Other Implications

Financial	X
Staffing	
Legal	
Social Inclusion	
Environmental/Sustainable Development	
Community Safety	
Human Rights Act	
Procurement	
Asset Management	

1.9 Financial Implications

1.9.1 The Accounts are a factual statement of the financial affairs of the Trust for 2012/13.

NO REPORT WILL BE ACCEPTED WITHOUT THIS BOX BEING COMPLETED

Is this a Key Decision? Yes ☐ No ☒

If yes, when did it appear in the Forward Plan? _____

Is this an Urgent Key Decision? Yes ☐ No ☒

Reason for Urgency

Not applicable

Initial Draft

Charity No. 283617

**THE CHARITY KNOWN AS
"COBTREE MANOR ESTATE"**

**Corporate Trustee Report and Financial Statement
for the Year Ended 31 March 2013**

Trust Information

Corporate Trustee	Maidstone Borough Council
Trustees	There are no individual Trustees. All elected Members of the Maidstone Borough Council perform the duties of Trustees, but are not trustees in their own right. A full list of Members is available on request.
Charity Number	283617
Principal Office	Maidstone Borough Council Maidstone House King Street Maidstone, Kent. ME15 6JQ
Auditors	King & Taylor Joynes House New Road Gravesend Kent DA11 0AT
Bankers	All funds are managed by Maidstone Borough Council at: Lloyds TSB Bank plc City Bank Office Bailey Drive Gillingham Kent ME8 0LS
Solicitors	Head of Corporate Law and Legal Services Maidstone Borough Council Maidstone House King Street Maidstone, Kent. ME15 6JQ

Contents (To be completed when accounts are audited)

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Trustees' Report

Auditors' Report

Statement of Financial Activities

Balance Sheet

Notes forming part of the financial statements

Trustees Report

The Maidstone Borough Council acting as Corporate Trustee to the registered Charity known as "Cobtree Manor Estate" presents its annual report in relation to the financial year ending 31st March 2013.

Trustees

The trustees who served during the year are shown on the information page.

OBJECTIVES AND ACTIVITIES**Governing Object**

The governing object of the Charity remains that defined in the lease of the Cobtree Estate dated 13 July 1971 between the Cobtree Charity Trust Limited (the lessor) and the Maidstone Borough Council (the lessee). The governing object is stated as:

"To hold Cobtree Manor and Cobtree Manor Estate for the benefit of the inhabitants of Maidstone and other members of the general public in one or other or all of the following ways:

- i) By maintaining the Cobtree Manor Estate as an open space as defined by the Open Spaces Act 1906 and if the lessees think fit providing thereat facilities for organised games and other sports".
- ii) With the consent of ...[the Cobtree Charity Trust Limited and the Kent County Council]... in such other way for the benefit of the inhabitants of Maidstone and other members of the general public as the Council shall from time to time think appropriate."

Object of the Charity

The late Sir Garrard Tyrwhitt-Drake bequeathed his former estate to the Cobtree Charity Trust Limited and set down in the codicils to his Will requirements for its future use. In seeking to interpret these, sometimes conflicting, codicils the Maidstone Borough Council and Cobtree Charity Trust Limited agreed that the Estate in its entirety, and the intended charitable objects, should be leased to and governed by, the Maidstone Borough Council.

The Maidstone Borough Council, as Corporate Trustee to the Charity, has determined and regularly reviews a series of policies to guide the actions of its Members and employees in fulfilling the governing object of the Charity.

Members of the Cobtree Manor Estate Charity Committee manage all aspects of the Charity on behalf of the Council. Informal liaison continues with the Trustees to the Cobtree Charity Trust Limited, particularly with regard to considering potential developments. Members of the Cobtree Charity Trust Limited are invited to attend the meetings of the Cobtree Manor Estate Charity Committee.

ACHIEVEMENTS AND PERFORMANCE**Changes since the last Report**

The Cobtree Charity Committee continues to comprise of four Members of the Cabinet. The Members of the Committee during the reporting year were Councillors John A. Wilson (Chairman), Christopher Garland, Eric Hotson, and Malcolm Greer. In common with the operation of all Cabinet decisions, those of the Charity Committee were subject to the scrutiny of other Council Members. No decisions of the Committee relating to the Cobtree Estate were called in for scrutiny.

Organisation of the Charity

The Trustee to the Registered Charity known as the Cobtree Manor Estate remains the Corporate Body of the Maidstone Borough Council. How the functions of the Corporate Trustee are implemented is reiterated in the section above.

All individual elected Members to the Maidstone Borough Council are instructed to perform any duties and responsibilities they have in relation to the charity as though they were acting as individual trustees; albeit that they are not individual trustees in Charity Law. All elected Members and Officers of the Council are reminded of the Council's obligations to the Charity and how these need to be considered quite separately from the normal duties of the Council acting as the Local Authority. An A to Z "aid memoir" is made available to all Members and Officers via the Council's internal intranet site.

Under the terms of the lease upon which the Charity holds the Cobtree Manor Estate, and in the specified circumstances, the Council continues to liaise with both the freehold owner of the Estate, the Cobtree Charity Trust Limited, and the Kent County Council.

Advice to Trustees

The advice for trustees published by the Charity Commission is given to new members of the charity committee and new guidance is notified and made available to them as it is received from the Commission. Committee members have free access to all members of staff to ensure that they can be fully aware of the special considerations, activities and implications of, and for, the charity.

Activities

The following paragraphs are included to demonstrate how the Charity is meeting its obligation to provide a public benefit. The primary activities of the Charity are to manage and maintain two facilities to which the general public have access:

- § the Cobtree Manor Park – which is a parkland environment with woodland and meadows containing a wide variety of trees and shrubs and which is freely accessible to the general public, and
- § the Cobtree Manor Park Golf Course - which is a pay and play facility accessible to all.

Cobtree Golf Course

The following activities and works were completed on the Cobtree Manor Park Golf Course during the reporting year to enhance the attractiveness of the facility and to ensure its availability to the general public:

Year	Rounds Played	No. of Registrations
2008/2009	40,187	875
2009/2010	43,913	952
2010/2011	41,784	597
2011/2012	43,516	498
2012/2013	36,006	576

Whilst roundage figures have dropped this has been a reflection of the weather over the previous year, and the slow decline in golf as a recreation nationally. Cobtree continues to be one of the top performing courses in the MyTime group.

There have been no notable works carried out over the past year other than continuous ongoing bunker improvements. Improvements to the golf course continue to remain a high priority for the Charity. Future investment will continue to be in partnership with the contract operator; the objective is to ensure that the quality of the course remains protected and thus ensure that the course remains successful and accessible to the people of Maidstone and the surrounding area.

The contract payment to the Council continued to fund the maintenance of the Estate and will be used to contribute towards the proposed improvements programme for the Cobtree Manor Park. Discussions regarding the 5 year extension of the lease with MyTime are ongoing.

Cobtree Manor Park

The following works and activities were carried out to enhance the appeal of Cobtree Manor Park to attract a greater numbers of visitors.

Phase one of the Cobtree Master Plan improvement plan, the installation of the outlying play equipment was completed. Phase 2 of the improvement plan was implemented and almost finished by the end of the financial year 2012/2013.

Volunteers continue to contribute man-days of effort to help with both practical and research tasks. Members of the general public contributed a total 154 hours of voluntary effort.

The events programme included 29 events (mostly themed guided walks) and these were attended by 446 people.

One work placement student from Hadlow College worked one day a week during term time (voluntary work, hours included above).

Three thousand free information leaflets advertising the events programme for the coming year were designed, printed and distributed.

The following works relating to the park were carried out:

- Installation of the "7 Ages" sculpture seat by Will Glanfield
- installation of nine pieces of play equipment in early summer 2012
- further coppicing of selected shrubberies
- full inspection of trees over 300mm survey followed by tree surgery, as recommended by the consultant
- construction of the zoo-fort play area
- enlargement of the car parking area from 100 car spaces to 150 in the main car park and 35 in the overflow car park
- construction of a network of hard footpaths

There was one incident of criminal damage reported to police and a few incidents of very minor vandalism.

Footfall, as estimated by weekly car count on Wednesday at 1pm, in 2012/2013 was up by 15% on the 12 months of the 2011/12 period. However the 6-week period of the summer holidays showed a 105% increase (2012 compared to 2011).

Footfall as shown by the gate counters in the 10 months since installation (1st June 2012 to 31st March 2013) was 156,445 averaging 15,644 per month.

Property

The following figures were spent on maintenance:

Cobtree Manor Park

Reactive: £5,511

Planned: £6,643

Of this reactive maintenance work on 4 Stream Cottages was £2,971.

Golf Course

Reactive: £59

Planned: £6,439

Renovations to 4 Stream cottages reflect the requirement to bring the property up to standard to enable re-letting. The cost in the rent has doubled to reflect current market value and will cover this initial outlay within 4 months.

Volunteer Help and Intangible Income

The volunteer help given on the estate is referred to above; it is most probable that the Kent Wildlife Trust and the Museum of Kent Life Trust will have continued to receive such assistance in the pursuit of their activities.

Review of Public Benefit

The Trustee continues to consider and ensure that the Charity meets its requirement to comply with the test of public benefit. Cobtree Manor Park remains freely accessible to the general public and the pay and play golf course is accessible to all those who wish to take advantage of its facilities at reasonable cost.

Related Party Disclosure

The Maidstone Borough Council is the Corporate Trustee of the Charity. In addition the Council itself owns part of the land upon which the Cobtree Manor Park Golf Course is built. The accounting arrangements between the Council and the Charity are that the Council is responsible for all receipts and payments for both the golf course and the Cobtree Manor Park. At the end of each financial year the total net operating surplus or deficit of the Manor Park is transferred to the Charity accounts. For the golf course 7/9ths of the total net operating surplus or deficit is transferred to the Charity accounts, reflecting the split of land ownership. The remaining 2/9ths are shown in the accounts of the Council.

The Council also employs a Park Ranger at the Manor Park and a Cobtree Officer. These posts exist solely for the benefit of the Charity and the cost for each is shown in the Charity accounts under the arrangements specified above. Other officers of the Council are engaged from time to time in duties specifically related to the operation and management of the Estate; their time and associated costs are apportioned accordingly to the Cobtree accounts.

FINANCIAL REVIEW**Financial Review and Investment Policy**

The operational net surplus generated as per the Statement of Financial Accounts is now reinvested in the Estate following the repayment of the debt to Maidstone Borough Council.

Interest due to the Charity in respect of the permanent endowment held on the Charity's behalf by the Borough Council is included as part of the unrestricted income.

The Trustee has now determined its preferred future development option for the Cobtree Manor Park; it is now seeking to identify sources of funding to implement this option.

Reserves Policy

Restricted reserves are maintained in respect of the permanent endowment funds.

Risk Management

The Trustee continues to review the business and operational risks which the Charity faces, and identifies where appropriate steps to minimise the impact of any identified risks. All contractors working on the Estate are also required to undertake risk assessments appropriate to their activities.

PLANS FOR FUTURE PERIODS

The Trustee has now begun the implementation of a revised master plan for the Cobtree Manor Park and has obtained permission from the Charity Commission for the use of reserve funds for its implementation. The second phase of the master plan is due to be completed in the coming financial year with the third phase also being

scheduled to begin in this period.

Trustees' responsibilities

The Trustee is responsible for preparing the financial statements in accordance with applicable law and the United Kingdom Generally Accepted Accounting Practice.

Law applicable to charities in England and Wales requires the trustee to prepare financial statements for each financial year which give a true and fair view of the Charity's financial activities during the year and of its financial position at the end of the year. In preparing these statements the Trustee is required to:

- select suitable accounting policies and apply them consistently;
- make judgements and estimates that are reasonable and prudent;
- state whether applicable accounting standards have been followed, subject to any material departures disclosed and explained in the financial statements;
- prepare the financial statements on the going concern unless it is inappropriate to presume that the Charity will continue in business.

The Trustee has overall responsibility for ensuring that the Charity has appropriate systems of controls, financial and otherwise. It is also responsible for keeping proper accounting records which disclose with reasonable accuracy at any time the financial position of the Charity and to enable them to ensure that the financial statements comply with the Charities Act 1993. It is also responsible for safeguarding the assets of the Charity and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.

This report was approved by the Trustee on And signed on its behalf by

Councillor
Chairman of the Cobtree Manor Estate Charity Committee

Cobtree Manor Estate
For the year ended 31 March 2013

Statement of Financial Activities and Summary Income and Expenditure Account

	Note	Unrestricted £	Restricted £	Endowment £	2013 Total £	2012 Total £
INCOMING RESOURCES						
Incoming resources from generated funds:						
Investment income		72,147			72,147	67,458
Will Trust			45,922		45,922	45,922
Rental income		18,901			18,901	20,360
Donations & gifts					0	0
Incoming resources from charitable activities:						
Golf club revenue		203,825			203,825	194,170
Other incoming resources:						
Other income					0	0
Total Incoming Resources	2	294,873	45,922	0	340,795	327,911
RESOURCES EXPENDED						
Costs of charitable activities	3	456,166	35,132		491,298	186,060
Governance Costs	3	9,769	10,790		20,559	19,751
Total Resources Expended		465,935	45,922	0	511,857	205,811
Net Incoming/(Outgoing) resources before transfers		(171,062)	(0)	0	(171,062)	122,100
Transfers between funds					0	0
Net Incoming/(Outgoing) resources before revaluations		(171,062)	(0)	0	(171,062)	122,100
Gains and (losses) on revaluations of fixed assets for use in the charity					0	0
Gains and (losses) on investment assets				198,770	198,770	(24,228)
Net movement in funds		(171,062)	(0)	198,770	27,708	97,872
Fund balances brought forward		103,184	0	2,761,003	2,864,187	2,766,316
Fund balances carried forward	10	(67,878)	(0)	2,959,773	2,891,895	2,864,188

APPENDIX A

Cobtree Manor Estate
For the year ended 31 March 2013

Balance Sheet
as at 31 March 2013

	Notes	Unrestricted Funds £	Restricted Funds £	Endowment Funds £	Total 2013 £	Total 2012 £
Fixed Assets						
Tangible assets	6	0	0	1,436,141	1,436,141	1,436,141
Investments	7	3,304	0	1,523,632	1,526,936	1,328,166
		3,304	0	2,959,773	2,963,077	2,764,307
Current Assets						
Cash and bank in hand		154,053			154,053	923
Debtors		76,511			76,511	103,277
		230,564	0	0	230,564	104,200
Creditors: Amounts falling due within one year	8	(301,746)	0	0	(301,746)	(4,320)
Net current assets (liabilities)		(71,182)	0	0	(71,182)	99,880
Total assets less current liabilities		(67,878)	0	2,959,773	2,891,895	2,864,187
Creditors: Amounts falling due in more than one year	9	0	0	0	0	0
Net assets		(67,878)	0	2,959,773	2,891,895	2,864,187
Reserves						
Charity's Funds	10	(67,878)	(0)	2,959,773	2,891,895	2,864,187

Cobtree Manor Estate**Notes to the financial statements
for the year ended 31 March 2013****1. Accounting Policies****1.1. Accounting Convention**

The financial statements are prepared under the historical cost convention modified to include the revaluation of certain fixed assets and in accordance with the Financial Reporting Standard for Smaller Entities (effective January 2005) and the Charities Statement of Recommended Practice (SORP) and applicable accounting standards.

1.2 Fund Accounting

General funds are unrestricted funds which are available for use at the discretion of the trustees in furtherance of the general objectives of the charity and which have not been designated for other purposes.

Restricted funds are those funds held for a specific purpose upon which restrictions have been imposed by the donor.

The endowment fund represents those assets that must be held permanently by the charity.

1.3 Incoming Resources

All incoming resources are included within the SOFA when the charity is legally entitled to the income and the amount can be reasonably quantified.

All grants and voluntary income are accounted for gross when receivable as long as they are capable of financial measurement.

1.4 Resources Expended

All expenditure is accounted for on an accruals basis and has been classified under headings that aggregate all costs related to that category. Where costs relate to more than one functional cost category, they have been split on an appropriate estimated basis.

Governance Costs are those associated with the governance arrangements which relate to the general running of the charity.

Support costs (those which do not produce or constitute the output of the charity) are allocated directly to the relevant charitable activity.

1.5 Tangible Fixed Assets and Depreciation

Depreciation is provided at rates calculated to write off the cost or valuation less residual value of each asset over its expected useful life, as follows:

- Land - Nil
- Leasehold properties - Nil

Cobtree Manor Estate

**Notes to the financial statements
for the year ended 31 March 2013**

Land and buildings are re-valued on a five yearly cycle. No depreciation has been provided on the buildings as this is considered immaterial due to the estimated useful life and the level of residual value.

Impairment would be provided if necessary. Impairment reviews will be carried out when there are any indicators of impairment.

1.6 Investments

Fixed asset investments are stated at market value. Provision is made for any permanent diminution in value.

2. Resources Arising

The total incoming resources of the charity for the year have been derived from its principal activity wholly undertaken in the UK.

3. Analysis of Resources Expended

Resources expended include the following: -

	2013	2012
	£	£
Auditors' Remuneration – audit services	5,000	4,320

a) Costs of activities in furtherance of charity's objective

	Unrestricted Funds	Restricted Funds	Total 2013	Total 2012
	£	£	£	£
Staff costs (see note 5)	-	25,327	25,327	30,088
Grounds maintenance	81,065	9,805	90,870	79,607
Capital Expenditure	296,746	-	296,746	-
Utilities	45,773	-	45,773	57,639
Property repairs	32,582	-	32,582	20,726
	<u>456,166</u>	<u>35,132</u>	<u>491,298</u>	<u>186,060</u>

Cobtree Manor Estate

**Notes to the financial statements
for the year ended 31 March 2013**

b) Support costs included within the cost of activities

	Unrestricted Funds £	Restricted Funds £	Total 2013 £	Total 2012 £
Staff costs	-	25,327	25,327	30,088
Grounds maintenance	-	9,805	9,805	28,561
Utilities	45,773	-	45,773	25,458
	<u>45,773</u>	<u>35,132</u>	<u>80,905</u>	<u>84,107</u>

c) Governance Costs

	Unrestricted Funds £	Restricted Funds £	Total 2013 £	Total 2012 £
Human resources	-	1,032	1,032	1,144
Democratic services	-	-	-	2,853
Legal costs	3,568	4,588	8,156	4,660
Financial advice	1,881	5,170	7,051	6,774
Audit and accountancy	4,320	-	4,320	4,320
	<u>9,769</u>	<u>10,790</u>	<u>20,559</u>	<u>19,751</u>

4. Trustees' Remuneration

No Trustee received either remuneration or out of pocket expenses during the year.

There were no employees of the Charity.

5. Staff Costs**Number of Employees**

The average number of employees during the year was:

	2013	2012
Manor Park Grounds Maintenance	1	1
Park Ranger	1	1
	<u>2</u>	<u>2</u>

There were no higher paid employees.

The above staff are employed by Maidstone Borough Council, the corporate trustee of the Charity (see note 11).

Cobtree Manor Estate

Notes to the financial statements
for the year ended 31 March 2013

6. Tangible Fixed Assets

	Long Leasehold Land & Buildings £	Total £
Cost or Valuation		
At 1 st April 2012	1,436,141	1,436,141
Revaluations	0	0
At 31 st March 2013	<u>1,436,141</u>	<u>1,436,141</u>
Net Book Values		
At 31 st March 2013	<u>1,436,141</u>	<u>1,436,141</u>
At 31 st March 2012	<u>1,436,141</u>	<u>1,436,141</u>

The closing net book value includes assets used for:

	2013 £	2012 £
Direct Charitable Purposes	1,436,141	1,436,141

The property is held under a 999 year lease which is due to expire in 2970.

The fixed assets are used solely for direct charitable purposes and form part of the permanent endowment of the Charity.

The golf course is revalued by Maidstone Borough Council on a five yearly cycle based on market value with the remaining properties being revalued by Maidstone Borough Council on a five year cycle based on market value subject to existing tenancies. The next valuation is due in April 2013.

The most recent valuations included in the accounts are as set out below: -

- Cobtree Manor Golf Course
(Including clubhouse, messroom/garage) April 2008
- Garden Lodge/Garden Cottage April 2008
- 2 Stream Cottages April 2008
- 3 Stream Cottages April 2008
- 4 Stream Cottages April 2008

Historical Cost Information

	2013 £	2012 £
Leasehold Land & Buildings	940,688	940,688

Cobtree Manor Estate

**Notes to the financial statements
for the year ended 31 March 2013**

7. Fixed Asset Investments

	Listed Investments £	Total £
Market Value at 1 st April 2012	1,328,166	1,328,166
Additions		
Revaluations	198,770	198,770
Market Value at 31 st March 2013	<u>1,526,936</u>	<u>1,526,936</u>
Net Book Values		
At 31 st March 2013	1,526,936	1,526,936
At 31 st March 2012	1,328,166	1,328,166
Fixed Asset Investments	2013 £	2012 £
Market Valuation of listed investments	1,526,936	1,328,166
Historical cost information	<u>1,290,000</u>	<u>1,290,000</u>

Breakdown of historical cost information:

	2013 £	2012 £
Endowment funds	1,290,000	1,290,000
	<u>1,290,000</u>	<u>1,290,000</u>

8. Creditors: Amounts Falling Due Within One Year

	Unrestricted Funds £	Endowment Funds £	2013 Total £	2012 Total £
Other creditors –				
Maidstone BC	296,746	-	296,746	-
Accruals & Deferred				
Income	5,000	-	5,000	4,320
	<u>301,746</u>	<u>-</u>	<u>301,764</u>	<u>4,320</u>

Cobtree Manor Estate

Notes to the financial statements
for the year ended 31 March 2013

9. Reserves

	Restricted Funds	Unrestricted Funds	Revaluation Reserve	Permanent Endowmen t	Total
	£	£	£	£	£
At 1st April 2012	-	103,184	495,453	2,265,550	2,864,187
Revaluation of property	-	-	-	-	-
Net incoming resources	-	(171,062)	-	-	(171,062)
Increase/(Decrease) in value of investments	-	-	-	198,770	198,770
At 31st March 2013	-	(67,878)	495,453	2,464,320	2,891,895

Unrestricted Funds

These comprise of funds that the trustees are free to use in accordance with the charitable objects.

Restricted Funds

These are funds that have been given for particular purposes and projects. The restricted fund relates to:

- The Will Trust Fund, the income from which is used to maintain the rural park. The assets of this fund are held by Cobtree Charity Trust Limited, a separate entity.

Revaluation Reserve

The revaluation reserve represents the amounts set aside on revaluation of the land and buildings that are held on trust to be retained for the benefit of the Charity as a capital fund.

Permanent Endowment

The endowment fund represents those assets that must be held permanently by the Charity. Income arising on the endowment fund can be used in accordance with the objects of the Charity and is included as unrestricted income. Any capital gains and losses arising on the investments form part of the fund. The assets of the fund are set out below:

Cobtree Manor Estate

**Notes to the financial statements
for the year ended 31 March 2013**

Permanent Endowment Assets

	2013	2012
	£	£
Long Leasehold Land & Buildings	1,436,141	1,436,141
Investments at Market Value (Note 6)	1,526,936	1,328,166
	<u>2,963,077</u>	<u>2,764,307</u>

10. Capital Commitments

Details of capital commitments at the accounting date are as follows:

	2013	2012
	£	£
Authorised, but not contracted as at 31 st March 2013	768,254	1,065,000

The Charity has approved a Master Plan for the enhancement of the Cobtree Manor Park. The works will be carried out in three phases, with the anticipated completion date of May 2013 for the first two phases:

- Phase 1: Play Area
- Phase 2: Parks works
- Phase 3: Visitor Centre/Cafe works

The Capital Commitment will be financed by the release of £1,065,000 from the endowment fund, which was secured on 17th May 2012, by Order of the Charity Commission.

The Commission directs the Trustee to replace the sum withdrawn by setting aside for 30 years thirtieth part of the sum spent.

11. Related Party Transactions

During the year, transactions with related parties are as follows: -

	£
Receipts	
The Cobtree Charity Trust Limited	45,922
Payments	
Maidstone Borough Council – Governance & Support Costs	101,464

Cobtree Manor Estate**Notes to the financial statements
for the year ended 31 March 2013**

The Maidstone Borough Council is the Corporate Trustee of the Charity. In addition the Council itself owns part of the land upon which the golf course is built. The accounting arrangements between the Council and the Trust are that the Council is responsible for all receipts and payments for both the golf course and the Manor Park. At the end of each financial year the total net operating surplus or deficit of the Manor Park is transferred to the Trust accounts. For the golf course 7/9ths of the total net operating surplus or deficit is transferred to the Trust accounts, reflecting the split of land ownership. The remaining 2/9ths are shown in the accounts of the Council.

The Council employs the Park Ranger at the Manor Park and a Cobtree Officer (within the Governance & Support costs balance above - see note 5). The posts exist solely for the benefit of the Charity and the cost of their employment is shown in the Charity accounts under the arrangements specified above.

12. Controlling Interest

The Charity is under the control of the Corporate Trustee Maidstone Borough Council.

Agenda Item 10

MAIDSTONE BOROUGH COUNCIL

COBTREE MANOR ESTATE COMMITTEE

10TH JULY 2013

REPORT OF THE HEAD OF FINANCE & RESOURCES

Report prepared by: Paul Holland (Senior Accountant)

1 FINANCIAL POSITION 2013/14

1.1 Issue for Decision

- 1.1.1 To consider the current financial position of the Golf Course and Manor Park as at 31st May 2013.

1.2 Recommendation of the Head of Finance & Resources

- 1.2.1 That the current financial position as at 31st May 2013 is noted.

1.3 Reasons for Recommendation

- 1.3.1 Attached at **APPENDIX A** is the current financial position, including the projected outturn as at 31st May 2013. If any significant financial issues arise during June these will be reported verbally to the meeting.

- 1.3.2 The statement also includes details of capital expenditure, and total investments held.

1.4 Current Financial Position

- 1.4.1 Both the Golf Course and the Manor Park are running within budget at 31st May and at this stage there are no issues that need to be highlighted.

1.5 Investments

- 1.5.1 The market value of the investments held with Charifund has continued to rise following the dip in value in the recent past. It is planned to make the first withdrawal to fund the Master Plan shortly so the value of the investments will fall as consequently will the level of investment income, but this has been taken into account when planning the funding of the Master Plan. The current value is shown in the table below.

	£
Total investments made up to 31st March 2013	1,290,000
Balance Sheet (Market) Value 31st March 2013	1,526,936
Market Value as at 31st May 2013	1,512,564

1.6 Capital Expenditure

- 1.6.1 The budget for the Master Plan has now been agreed at £1.065m, to be funded by drawing down from the endowment funds invested with Charifund. To date there has been expenditure of £547,083 on Phase 1 works in respect of the play area, car park and other associated works, and funding to the value of £296,000 has just been drawn down from the endowment fund to cover the expenditure in the 2012/13 financial year.

1.7 Alternative Actions and Why Not Recommended

- 1.7.1 The Committee could not receive updates during the year on the financial position, but this would not be consistent with good financial management.

1.8 Impact on the Charity's Objectives

- 1.8.1 The net surplus on the activities of the Golf Course and Manor Park are to be used to further the long term aims and objectives of the Trust, particularly the agreed Master Plan for the development of the Manor Park.

1.9 Risk Management

- 1.9.1 Good financial management allows more informed decisions to be made regarding the ongoing activities of the Trust.

1.10 Other Implications

Financial	X
Staffing	
Legal	
Social Inclusion	
Environmental/Sustainable Development	
Community Safety	
Human Rights Act	
Procurement	
Asset Management	

1.11 Financial Implications

Financial Implications are detailed in the report above.

NO REPORT WILL BE ACCEPTED WITHOUT THIS BOX BEING COMPLETED

Is this a Key Decision?

Yes

☐

No

☒

If yes, when did it appear in the Forward Plan? _____

Is this an Urgent Key Decision?

Yes

☐

No

☒

Reason for Urgency

Not applicable

APPENDIX A - COBTREE GOLF COURSE & MANOR PARK CURRENT FINANCIAL POSITION

April - May 2013

Golf Course

Category	Actual (£)	Estimate to Date (£)	Full Year Estimate (£)
Premises Costs	3,169	6,520	43,020
Supplies & Services	0	170	156,020
Recharges	5,315	5,150	30,920
Income	-58,478	-63,180	-293,150
GRAND TOTAL	-49,994	-51,340	-63,190

April - May 2013

Manor Park

Category	Actual (£)	Estimate to Date (£)	Full Year Estimate (£)
Employee Costs	4,230	4,840	29,090
Premises Costs	11,170	11,090	75,720
Transport	22	100	600
Supplies & Services	6,442	3,820	32,940
Recharges	5,517	5,280	31,660
Income	-3,286	-1,490	-170,010
GRAND TOTAL	24,095	23,640	0

This is the actual expenditure to date compared against the projected estimate up to the end of May 2013.

Agenda Item 11

MAIDSTONE BOROUGH COUNCIL

Cobtree Manor Estate Committee

10th July 2013

REPORT OF THE COBTREE OFFICER

Report prepared by Joanna Joyce

1. Cobtree Estate Progress Report

1.1 Issue for Decision

1.1.1 To consider the work being undertaken across the Cobtree Estate as set out in the attached progress report, and in particular to:

1.1.1.1 endorse the appointment of the winning artist in respect of the installation of the sculptures (phase 2 of the Master Plan);

and

1.1.1.2 approve the design concept and the appointment of the architect for the visitor centre/café being phase 3 of the previously approved Master Plan;

and

1.1.1.3 authorize officers to now seek planning permission for the visitor centre/café, by submitting a planning application and undertaking all actions in relation to that application.

1.2 Recommendation of the Cobtree Officer

It is recommended that the Committee:

1.2.1 Note the contents of the progress report attached at **Appendix A.**

1.2.2 Endorse the appointment of Mr. Jason Mulligan, the winning artist, by competition, in respect of the installation of the sculptures and as part of the phase 2 works under the previously approved Master Plan.

- 1.2.3 Approves the design concept for Cobtree Manor Park visitor centre and café ("the café") as submitted by Guy Holloway architects thereby endorsing the choice of Guy Holloway Architects made through earlier competition.
- 1.2.4 Authorize officers to now seek planning permission for the visitor centre/café, by submitting a planning application and undertaking all actions in relation to that application.
- 1.3 Reasons for Recommendation
 - 1.3.1 The Committee previously resolved to receive a progress report on the work across the Estate at each meeting. Attached at **Appendix A** is the report for the most recent period.
 - 1.3.2 The Committee previously resolved that the master plan works would include a sculpture trail. Following discussions with Sarah Robson Community Partnerships Manager (who has previously procured artwork for the council) it was advised the winning artist should be decided by competition, which the committee is requested to endorse. Results from the competition were returned in February 2013. Attached at **Appendix B** is the concept design from the winning artist. The full submission will be available to view at the meeting.
 - 1.3.3 The Committee also previously resolved that the Master Plan works would include a café/visitor centre, with the winning architect to be decided by competition as advised by Project Manager Lewis Small (who has experience of procuring this type of building). Attached at **Appendix C** is the design concept from the winning architect submitted in October 2012. The full submission will be available to view at the meeting.
 - 1.3.4 At this stage the Committee is asked to approve the design concept, and to give approval to seek planning permission, but not to authorize final designs and implementation until further negotiations relating to the future operation of the Kent Museum of Rural Life and the negotiations regarding the contract with MyTime at the golf course have taken place. A final report on the visitor center/café will then be brought to the Committee.
- 1.4 Alternative Action and why not Recommended
 - 1.4.1 The alternative course of action is to reject the request for endorsement of ongoing work across the Estate and the Master Plan works including a sculpture trail and new visitor center/café. This is not recommended as the recommendations are in the best interests of the future of Cobtree Manor Estate and have been endorsed at a previous meeting as part of the Master Plan.

1.5 Impact on Corporate Objectives

1.5.1 The work of the Estate and the master plan directly supports the achievement of the Charity's objects.

1.6 Risk Management

1.6.1 There is a small risk that it may be decided not to progress with the visitor center/café in this design following further information regarding the future of the Museum of Kent Life and the golf course. It is however unlikely as the additional numbers of visitors to the park has created the need for improvement of the present facilities.

1.7 Other Implications

1.7.1

1. Financial
2. Staffing
3. Legal
4. Equality Impact Needs Assessment
5. Environmental/Sustainable Development
6. Community Safety
7. Human Rights Act
8. Procurement
9. Asset Management

X

1.7.2 There is a small financial implication in seeking planning permission for the visitor centre/café as additional designs and information will be needed from the architect. This has been priced at £3500 and is part of the budget already approved by the Committee for the Master Plan.

1.8 Relevant Documents

1.8.1 Appendices

Appendix A Cobtree Estate Progress report January to June 2013.
Appendix B Winning Artist's concept design.

Appendix C Concept Design from winning architect's submission.

1.8.2 Background Documents

Cobtree Master Plan

IS THIS A KEY DECISION REPORT?

Yes

☐

No

X

If yes, when did it first appear in the Forward Plan?

.....

This is a Key Decision because:

.....

Wards/Parishes affected:

.....

Appendix A
Cobtree Estate Progress Update
July 2013

Introduction

This report sets out an update on the work undertaken at Cobtree Estate and covers the period March 2013-July 2013.

Cobtree Manor Park

Maintenance of the park over this period moved on to the main summer programme of mowing and weeding, the large increase in visitor numbers has also led to an increase in litter collection.

The main tasks have been focused on seasonal maintenance, events and the arboretum:

- pruning of trees and shrubs,
- maintaining the ground in shrubberies (weeding, edging, mulching with woodchip),
- spreading woodchip on woodland paths
- scrub clearance in the 'Secret Garden' near the Manor House boundary
- from April, implementing the 2013 programme of events
- devising a tree trail
- drafting a tree trail leaflet
- commencing the labelling of the arboretum trees

The Cobtree Ranger has attended training courses in carrying out safety inspections of trees and of play equipment.

An additional temporary ranger has been brought in to cover weekends, bank holidays and school holidays in the afternoon to provide cover to improve maintenance of the park in its busiest periods. This arrangement will be reviewed at the end of the summer and a plan for future staffing will then be brought before this committee.

The events programme for 2013 is well under way and once again proving popular.

Visitor figures for the quarter 1st January 2013 to 31st March 2013 were 38,911. Figures since electronic recordings began in June last year were 156,445 based on an estimate of 2 people per car. In comparison annual estimates based on the weekly car count for 2012 prior to the play area installation are in the region of 22,000 (it should be noted that this figure is based on a count of cars each week at 1pm on a Wednesday and therefore doesn't include busy period such as weekends and bank holidays).

Cobtree Manor Park Project

The project is progressing on schedule. Phase 2, (the installation of the zoo play area, new car park and parkland walks) is complete apart from minor works such as new parkland tree planting which will be undertaken in the autumn and the creation of the sculptures which should be completed by January 2014. The new play area was opened on 8th June.

Jason Mulligan was the successful artist in the sculpture completion. He is due to begin work on the project shortly, the winning designs are shown in **APPENDIX B**.

The winning Architects for Phase 3 were Guy Holloway Associates the design is shown in **APPENDIX C**. This is currently on hold until further decisions are made regarding the future operation of the Museum of Kent Life and finalisation of the golf course contract with MyTime.

Cobtree Golf Course

Discussions are ongoing with Ian Mitchell the Managing Director of MyTime regarding the 5 year extension to their current lease. The lease is based on a 5+5 year contract. The initial contract term runs from 9th January 2009 until 8th January 2014, with a 5 year extension until 8th January 2019 being negotiated currently. Customer satisfaction with the golf course is high.

Estate properties

4 Stream Cottages was re-let on 19th April 2013 on a 22 year lease.

Tyland Farmhouse was runner up in the Building Conservation category of the RICS 2013 South East Awards. The citation stated:

“Conker Conservation Ltd. has turned an obsolete, derelict farmhouse in Maidstone, Kent, into a comfortable sustainable and efficient office for the Kent Wildlife Trust. Heat loss through the fabric has been reduced by 85% through the use of natural breathable insulation. A purpose built bat loft has been created in the roof space and landscaping created by volunteers encourages wildlife to inhabit the surrounding gardens. Kent Wildlife Trust has practiced what they preach, by putting the environment at the top of their agenda.”

Museum of Kent Life

Negotiations with Continuum and Kent County Council are ongoing regarding the operation of the Museum of Kent Life following the decision of Continuum to serve notice to quit effective 30th September 2013.

Concept

- The 'Cobtree Manor Park' public art project is an exciting series of contemporary site-specific stone sculptures.
- The concept for the design explores the pathways around the parks natural habitat while sympathetically referencing its history.
- There will be four sculptures in total each with visual elements relating to the physical geography of the site such as, the view from the pond, the arboretum and the woodland walk.
- The sculpture trail will encourage visitors to explore the full extent of the park, establishing places of interest while also being an informative and educational experience for all ages.
- The sculptural markers located across the park will reference the main sculpture at the entrance to the park, which will also signify the start and end of the trail. The main entrance sculpture will draw on the accessibility created by the weaving pathways in its design while also acting as a visual metaphor for what can be discovered further into the parks habitat.

Area 1

Title: Trails with Tales

Site: Main Entrance

Dimensions: 3.3 m x 2.1 m x 1.1m

Materials: Irish Blue Limestone, Kentish Ragstone and Bronze

- The sculpture is made up of three curved and twisting pathways carved from a single slab of Irish Blue Limestone.
- The curved and elegant sculpture symbolises three pathways. The stones interlocking paths are pierced, allowing for views through the sculpture. Each pathway is carved to create an illusion of perspective.
- The sculpture is fixed to a base stone. The plinth is dressed with local Kentish Rag stone. There is potential for a plaque with 'Cobtree Manor Park' or

alternative information that could be carved onto its surface and recessed into the plinth.

- The widest curved pathway on the sculpture will have the bands and text markings of a topographical map of the park, referencing the undulating landscape. This may even include some of the organic 'bunker' shapes from the neighboring golf course.
- The second curved pathway will represent water and will relate to the small pond situated in the park and the view down to the River Medway. The surface of the stone will be carved and polished to mimic the flow and the reflection of the water.
- The third pathway will represent the arboretum and the variety of species of trees in the park. It will have a series of leaf shapes and seeds carved onto its surface.
- Located at the very top of the main pathway stands a small bronze elephant, subtly reminding us of the history of the park and Sir Garrard's 'Zoo'.

The use of imagery carved into the main sculpture in Area 1, referencing nature (water, tree species, and woodland) along with reference to Maidstone Zoo will be reflected in some way on the three sculptures located in Area 2, along the new footpaths. The sculptures will indicate and mark these locations within the park, the intention is that it will encourage visitors to explore and learn more about their immediate environment.

Area 2

Title: 'Zebra Rock'

Site 1: Small pond in line with the red granite gateposts

Dimensions: 3 m x 50 cm x 50 cm

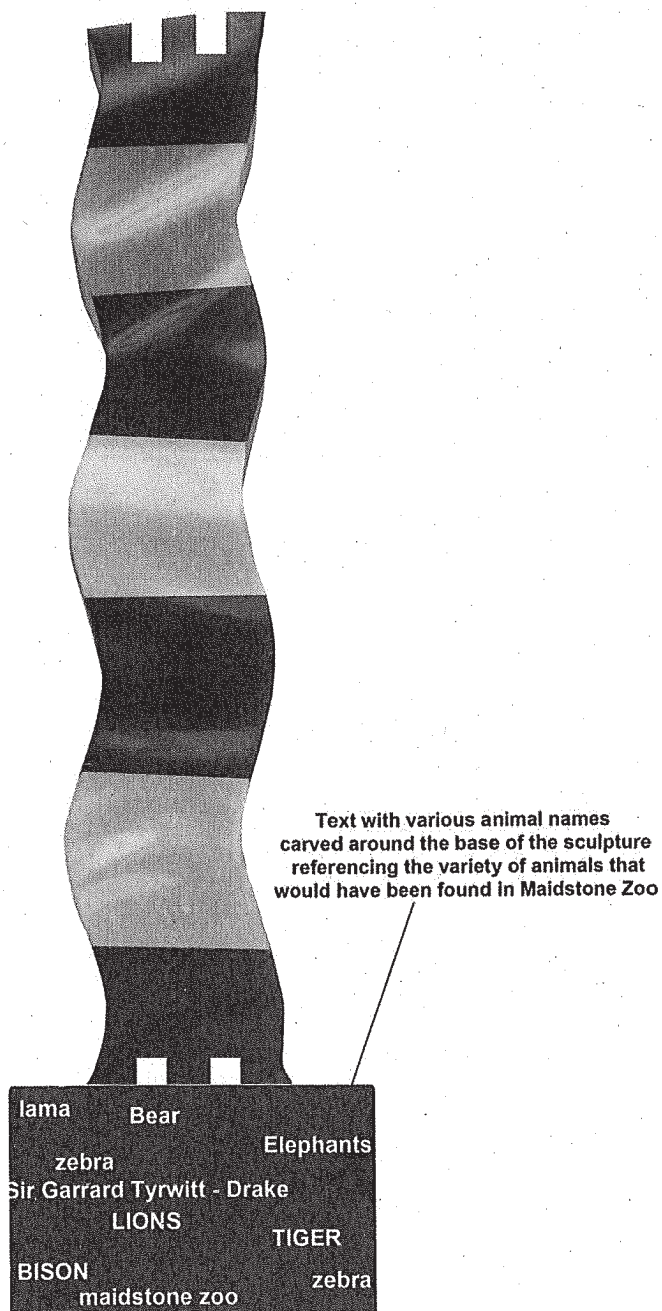
Materials: Irish Blue Limestone

'Sir Garrard Tyrwhitt-Drake, a well-travelled and colourful character was an eccentric man and it is believed that he had a fascination for the Zebra'

http://www.elephant.se/location2.php?location_id=1031

- 'Zebra Rock' will have a tall, strong single rippling wave as its form.
- Its distinctive black and white striped colouring will stand like a marker, visible from the bottom of the hill.
- It's positioning will be in line with and echo the monolithic granite gateposts at the bottom of the hill.
- The sculpture is constructed using a combination of polished 'Kilkenny Limestone', which is black in colour and polished white 'Portland limestone'.
- The top and bottom sections of the sculpture suggest an architectural feature. This may be interpreted as castle turrets or they may be seen as structural links used for the construction of the work.
- The treatment of the front surface of the stone will be carved to reference water. The stone will have a highly polished ripple effect, mimicking the movement and reflective qualities of water and the River Medway.
- On the plinth base stone there will be a series of carved names of animals that made up the collection at Maidstone Zoo.
- The text would be punctuated by small 20mm bronze discs.
- Through engagement and dialogue with the Cobtree Estate Committee I would confirm, explore and collect other official, rumoured and mythical versions of the history of the park, which may also be considered for inclusion.
- The intention is that the sculptures text and surface textures could provide

'rubbings' for children and school groups to collect and gather along the sculpture trail.



Area 2

Title: 'Corylus avellana'

Site 2: The Arboretum

Dimensions: 2m x 1.7m x 3 m

Materials: Irish Blue Limestone

- The sculpture position is chosen to signify to the visitor that they are within the Arboretum area of the park.
- The concept for this sculpture comes from using the Cobtree leaf. (Another possibility could be to use another variety of leaf found within the arboretum at Cobtree, called the 'Paulownia tree').
- The distinctive shape of the leaf is CNC machine cut from a slab of Irish Blue Limestone by Feeleystone Quarry.
- The name and Latin name of the tree and leaf will be carved onto the surface of the slab.
- The stone with its hollow leaf outline will create an ever-changing window of colour as the trees change with the seasons.
- The stone cut from the slab with its distinctive leaf shape pattern is securely fixed to the ground. It rests on the ground like a metaphor for a leaf that has fallen from a tree.
- The cut out leaf shape will be the correct height to be used as a sculptural seat.
- It will be extremely interactive to the younger visitor with its playful concept and potential for wax rubbings from its surface. It will also add 'technological intrigue' around its fabrication by visitors who come across it along the pathway.

Area 2

Title: 'Seed Stack'

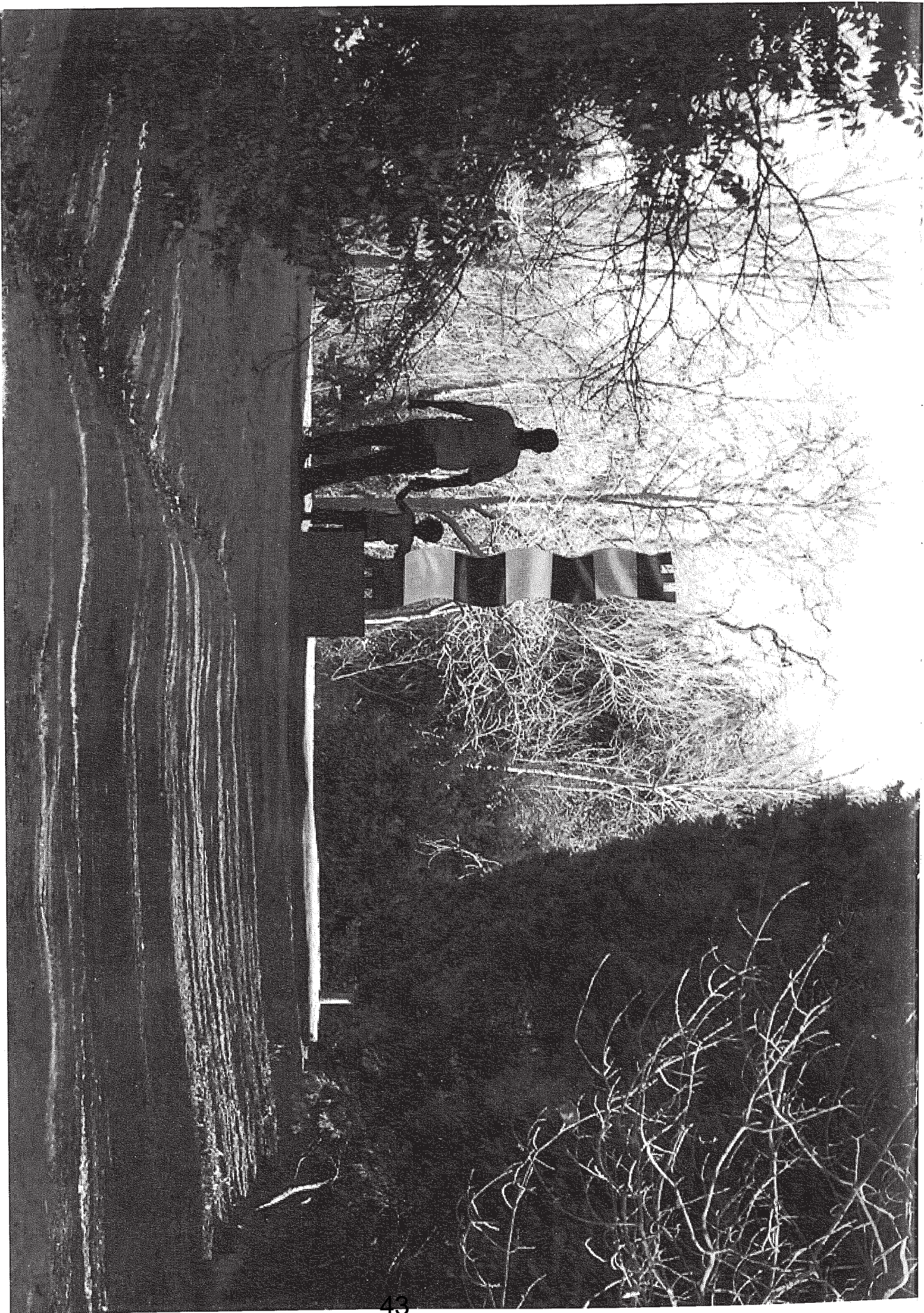
Site 3: At the clearing at the top of the avenue of trees, signifying the start of the Woodland Walk pathway

Dimensions: 2m 1.5m x 1.5m

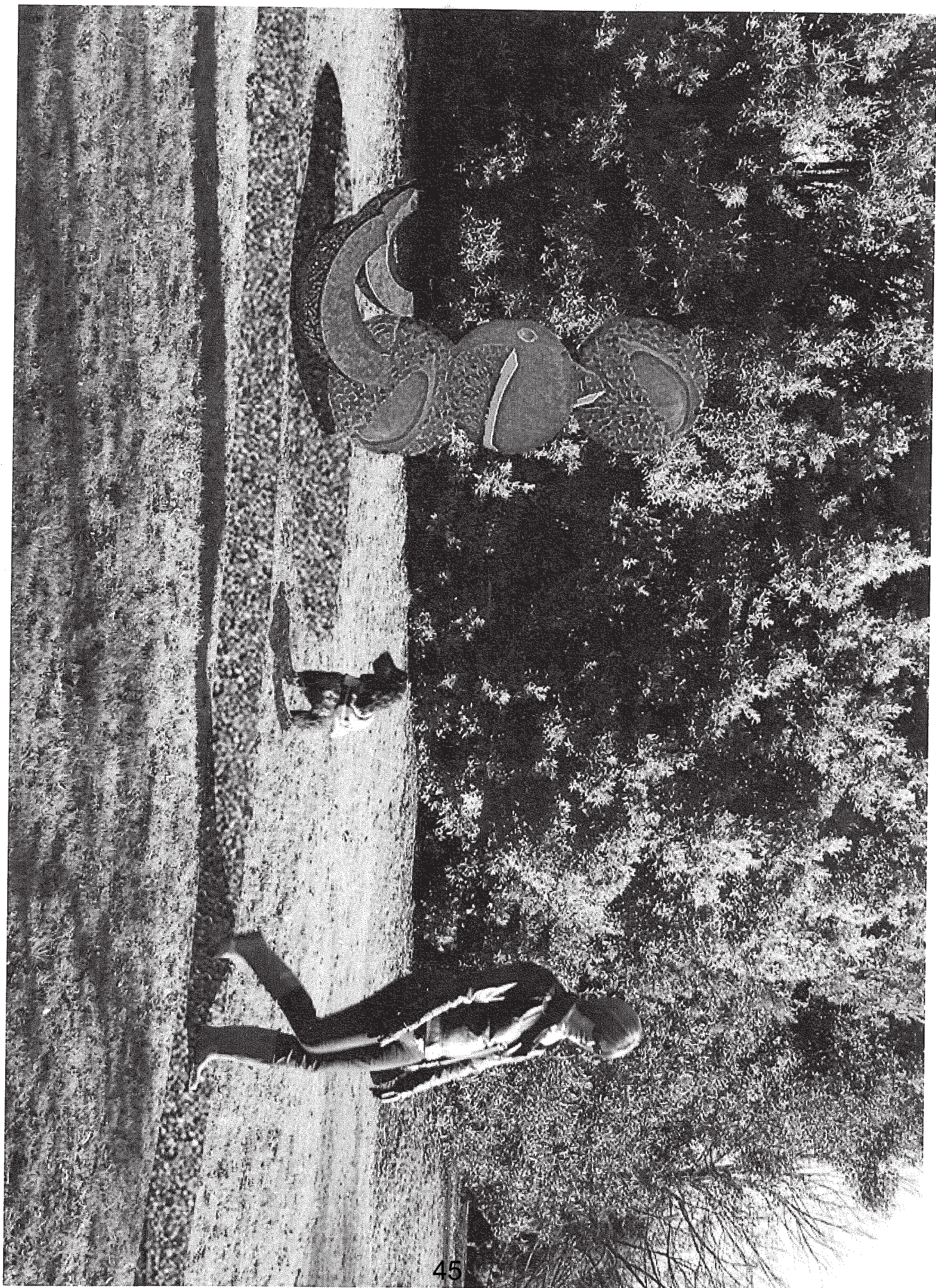
Materials: Irish Blue Limestone and Resin Bonded gravel.

- The concept for this sculpture comes from the variety of seeds and nuts produced and found within Cobtree Park.
- This is a fun and playful sculpture, which also references the wildlife one might encounter within the woodland setting as they forage and harvest for food.
- The seeds also represent growth and new life cycles, which supports the history of the park from its original beginnings and owners through to its current users, the people of Maidstone.
- The sculpture comprises of three spherical stones pinned and fixed together.
- Two stones have been cut revealing a polished seed interior.
- The spheres are heavily textured on their outer surface, creating an interesting tactile quality for the visitor.
- The sculptures are fixed onto a Resin Bonded surface and two 'Husk' crescent shaped stones are also fixed to the foundations.
- The 'seed husks' signify the missing sections of the seeds outer shell and could also be raised to act as sculptural seating.



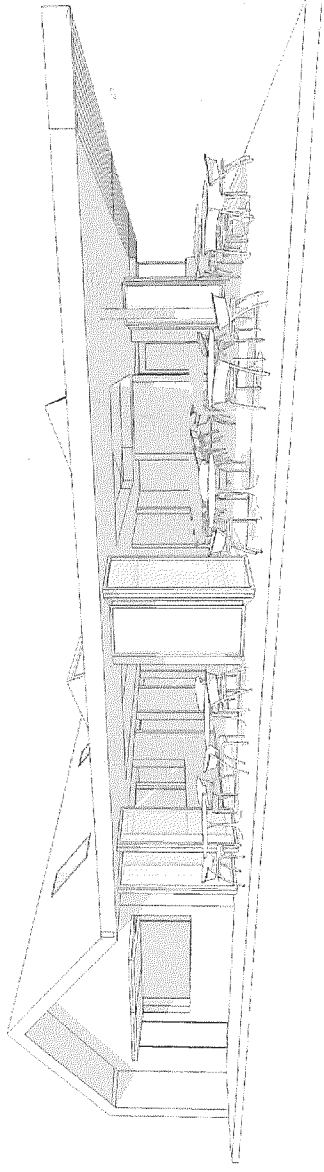






Cobtree Manor Park Visitor Centre

Design Competition - Submission Document



Version 1.0
Date October 2012
Project Number 12.106

guy hollaway
ARCHITECTS

1

Concept Design Proposals

DESIGN APPROACH

Our approach to this design is to create a sympathetic low lying building which will sit comfortably onto this parkland setting. We have chosen a pallet of natural materials that enable the existing building to flow into the new extension. The existing roof is to be re-clad with timber shingles and we are suggesting to retain the existing brickwork and sawn tooth brick detailing with timber cladding to the proposed extension.

When designing the interior layout, we have taken care to ensure the accommodation brief fits exactly to the area schedule; however we have been able to reduce the overall new build area by utilising the existing building, therefore reducing the new build area by 12 sqm.

The kiosk has been repositioned in its current position in full view of the car park. The veranda extends from the kiosk around the café and multifunctional room to have a view of the new 'park' play area, also enjoys lunch time sun. The veranda is protected by the overhanging roof and set within the roof are security roller shutters to protect the glass bi-folding doors from any anti-social behaviour. We have designed the building so that it can be completely protected by security shutters. (please see *Hawkinge football pavilion in example of our work*) and conversely when in use the whole building can open up to the park, in good weather the bi-folding doors can be open to make the interior café and multi-use room feel like they are in the park. Both these two rooms are linked but can be separated by sliding acoustic large doors, each room has direct access to the toilets from inside the building with space for an educational and interpretation white boards.

The rooms are fully glazed and gain further daylight through roof north lights which have openable vents to allow hot air to escape. The building has been designed with low maintenance highly durable materials. We are proposing a highly insulated sustainable building with a sedum roof to the extension and solar panels on the south side of the north lights. We would aim to achieve an excellent BREAM rating. The building complies with BS 8300 and fully inclusive to comply with KCC technical guide 2008. We are proposing that the toilets are completely re-fitted but have taken care to retain soil piles in their existing locations. The toilet area will benefit from new skylights to ensure they are well lit with natural daylight.



Section
Page

Proposed Site Plan (1:500 @ A3)

SCHEDULE OF ACCOMODATION

Male Toilets	18.5 sqm
Female Toilets	16.7 sqm
Lobby / Corridor (within existing building)	12.5 sqm
Kitchen & Store (to be extended by 6 sqm to accommodate internal & external servery)	20 sqm

Indoor Cafe Seating Area (inc secure multi use room)	100 sqm
Store For Multi Use Room	7.5 sqm
Cleaners Store	3 sqm
New Baby Change	5 sqm
Rangers Office	15 sqm
Plant Room	5 sqm
Park Equipment Store	15 sqm
Disabled Toilet	3 sqm

Total 153.5 sqm
Gross Internal Area (inc existing building) 222 sqm

Existing building to be retained and included within the proposal with minimal internal reorganisation. Facilities to be refurbished throughout.

Facility for washing dogs / boots / prams and wheelchairs to front of existing building.

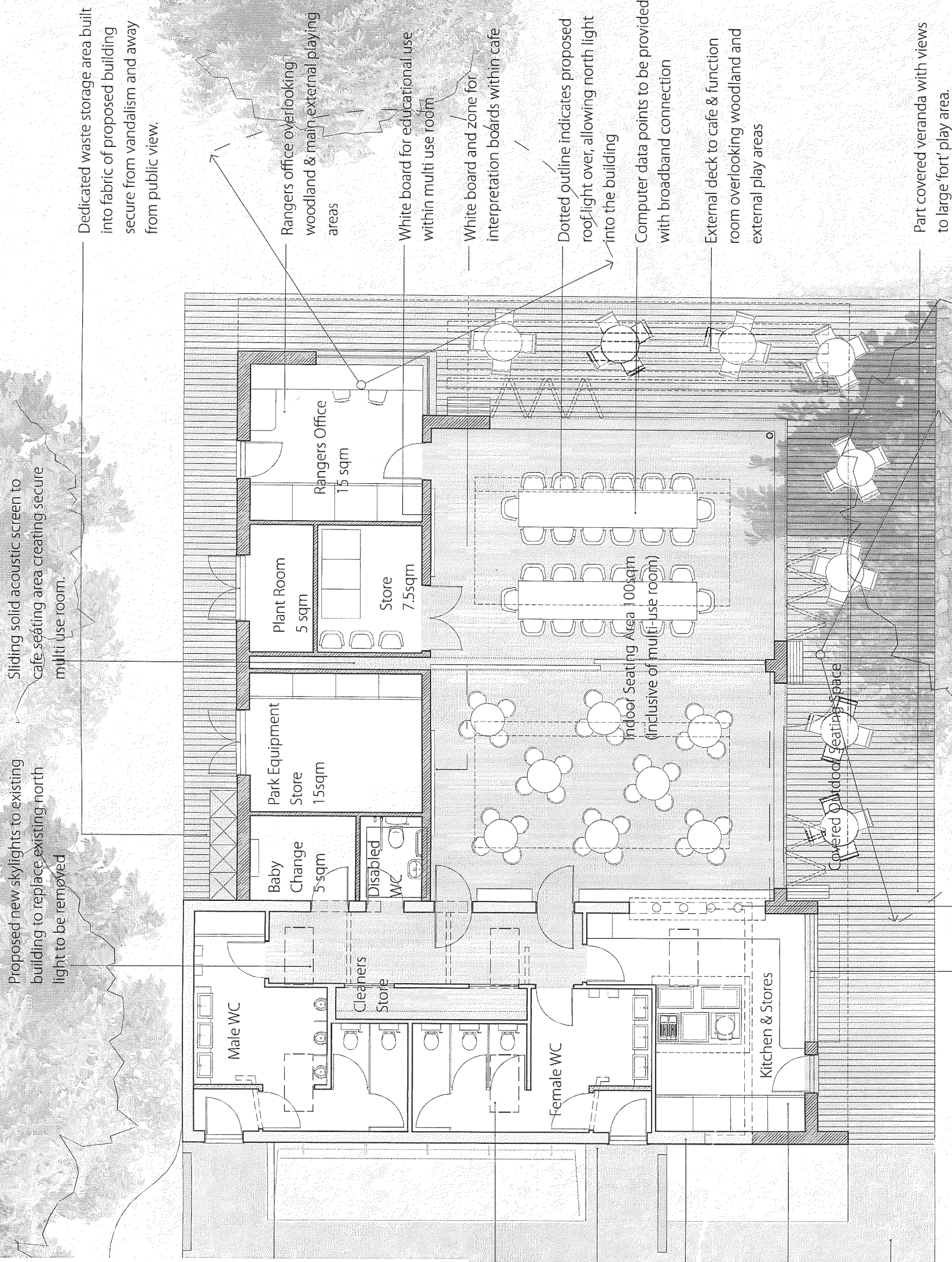
Existing brick building to be retained with exposed brickwork and new roof using wooden shingles, to be sourced from immediate woodland if possible.

Kiosk to be retained in existing location and extended to meet required accommodation of 2sqm including kitchen stores to be accessible within kiosk

Existing path to be retained and included within proposal

Bi-folding shutters to external servery

Internal servery





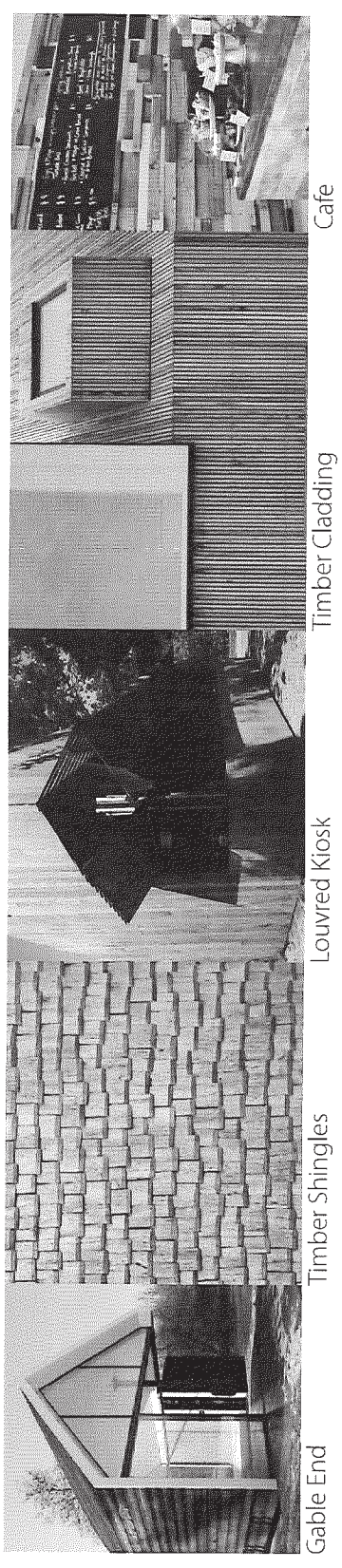
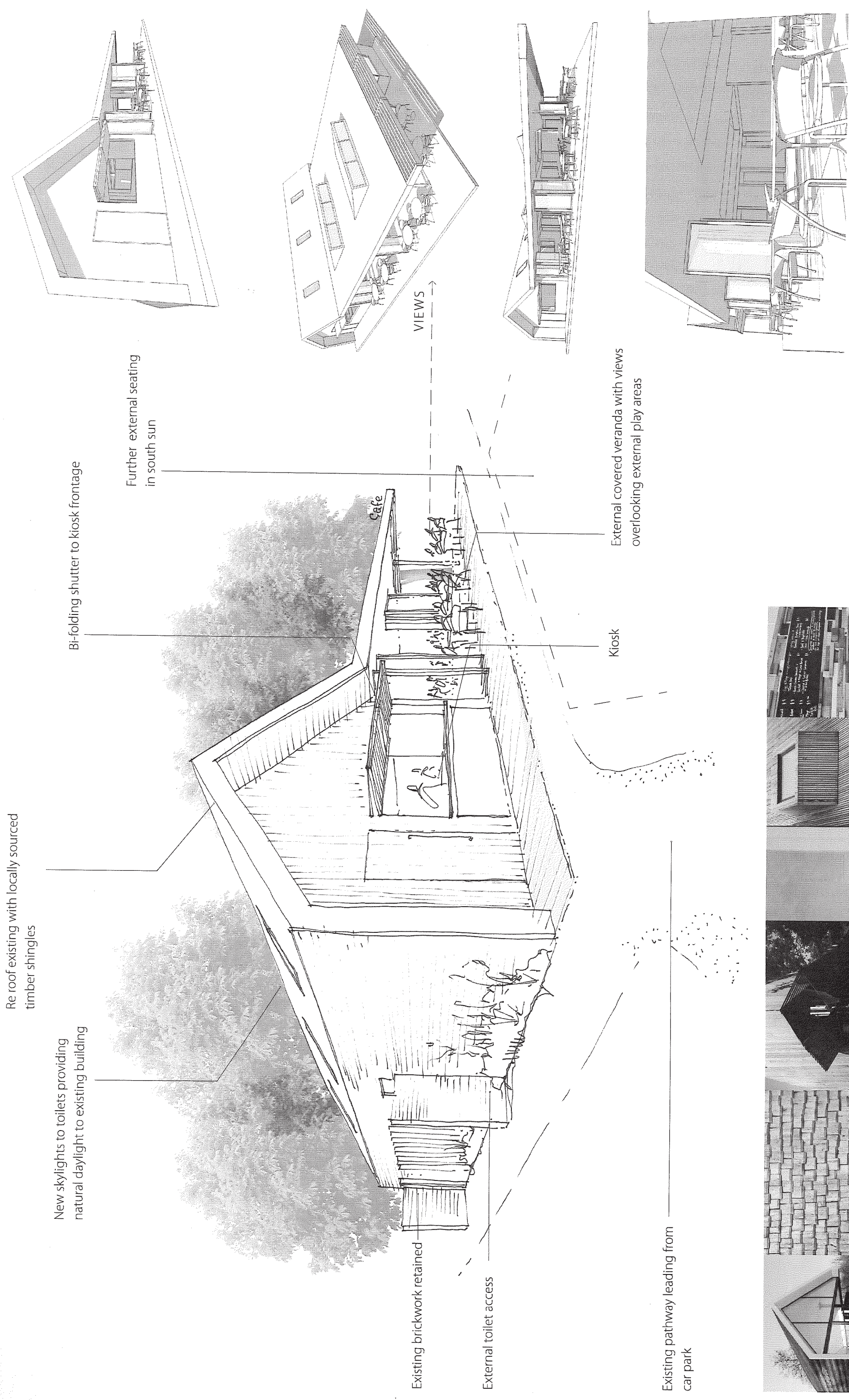
External covered veranda with visible from car park and with views over external play areas

Bifolding doors to cafe and multi use room opening up to external covered veranda

Kiosk

Extent of existing building

Extent of new building



Agenda Item 12

MAIDSTONE BOROUGH COUNCIL

Cobtree Manor Estate Charity Committee

10th July 2013

REPORT OF THE COBTREE OFFICER

Report prepared by Joanna Joyce

1. COBTREE MANOR ESTATE – RISK MANAGEMENT

1.1 Issue for Decision

1.1.1 To consider if amendments need to be made to the Risk Assessment for the operation and management of the Charity.

1.2 Recommendation of the Cobtree Officer

1.2.1 It is recommended that the Risk Assessment document attached as an appendix to the report be endorsed.

1.3 Reasons for Recommendation

1.3.1 The Committee resolved to review the risks associated with the operation and management of the Charity on an annual basis.

1.3.2 The Risk Assessment document used in the past is attached at **Appendix A**. Officers have reviewed the document, modified it as necessary, and now recommend it for endorsement.

1.3.3 The greatest level of activity generating most risk to the wellbeing of the Charity is the implementation of the Master Plan and the repayment of reserves that have been drawn down to pay for this. With careful financial and operational supervision of the project the risks should be minimized sufficiently to justify the improvements to the park that this will bring. The Risk Assessment Document for the Master Plan is attached at **Appendix B**.

1.3.4 The second biggest risk to the wellbeing of the Charity is the operation and management of the Cobtree Manor Park Golf Course. The Partnership Board, which was put in place at the beginning of the new management contract to review and monitor the performance of the contractor, has met quarterly as

envisaged. This has ensured that the contractor has continued to work well up to expectation and continues to develop a successful facility. The contract runs for 5 years from 9th January 2009 to 8th January 2014. Negotiations are currently underway regarding the 5 year extension as provided for in the current lease which will take the contract to 8th January 2019.

1.4 Alternative Action and why not Recommended

1.4.1 The alternative course of action is to change the format and/or content of the document, but this is not considered necessary.

1.5 Impact on Charity Objects

1.5.1 The essence of the risk assessment is to ensure that the Charity continues to operate effectively within the terms of its objects and the obligations set out in the 1971 Lease.

1.6 Impact on Corporate Objectives

1.6.1 None.

1.7 Risk Management

1.7.1 Failure to manage the risks as set out in this report could result in the failure to fulfill the objects of the Charity and the loss of the Charity's assets.

1.8 Other Implications

1.8.1

1. Financial
1. Staffing
2. Legal
3. Equality Impact Needs Assessment
4. Environmental/Sustainable Development
5. Community Safety
6. Human Rights Act
7. Procurement
8. Asset Management

- 1.8.2 There are no other implications outside the normal operations of the Estate Committee.
- 1.9 Relevant Documents
- 1.9.1 Appendices
- 1.9.2 Background Documents

Cobtree Manor Park Master Plan

IS THIS A KEY DECISION REPORT?

Yes

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No

X

If yes, when did it first appear in the Forward Plan?

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This is a Key Decision because:

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Wards/Parishes affected:

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APPENDIX A

Risk Assessment June 2013

Risk Management: Scenario

Risk No.	Risk Type:	Vulnerability:	Risk:	Consequences:
1.	Strategic	§ Ability to fulfill the objects of the Charity.	§ Failure to fulfill objects.	§ Intervention by the Charity Commission. § Forfeiture of lease to Cobtree Charity Trust Limited.
2.	Governance	§ Appropriateness of decisions.	§ Conflict of interest with role of local authority.	§ Intervention by the Charity Commission. § Forfeiture of lease to Cobtree Charity Trust Limited.
3.	Operational	§ Contractor(s) performance of services.	§ Contractor defaults on the contract. § Inadequate staff resources. § Major breach of safety regulations/site not safe to allow public access.	§ Reduced visitor numbers. § Claims for compensation. § Long term damage to course. § Inability to maintain levels of service.
4.	Financial	§ Level of financial resources to maintain services.	§ Reduced income from golf course. § Reduced income from investments. § Adequacy of monitoring procedures. § Inability to pay back reserves.	§ Reduced investment in buildings and infrastructure. § Reduced endowment fund.
5.	External	§ Public perception of service provision. § Climatic conditions.	§ Poor or inappropriate publicity. § Extreme conditions leading to loss of play.	§ Reduced visitor numbers and revenue. § Increased vandalism and miss-use of facilities.
6.	Legal	§ Compliance with requirements of the Charity Commission. § Compliance with requirements of the lease.	§ Conflict of interest with role of local authority. § Failure to comply with requirements of lease.	§ Intervention by the Charity Commission. § Forfeiture of lease to Cobtree Charity Trust Limited. § Claims for compensation.

Risk Management – Risk Profile Assessment

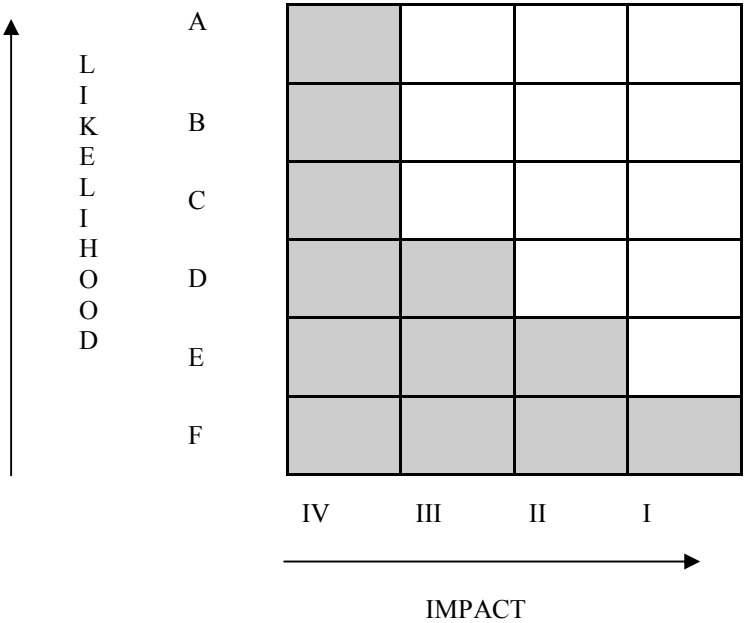
The risks have been mapped against a typical appetite for risk. The Assessment has been prepared in the context of the Charity's key objectives; with the risks, at this stage, having not been mitigated.

The **vertical axis** shows the **likelihood** of an occurrence:

A = very high; B = high; C = Significant; D = low; E = very Low and F = almost impossible

The **horizontal axis** shows **impact** of an occurrence:

I = catastrophic; II = critical; III = marginal and IV = negligible



Risk Management: Action Plan

Risk No.	Description:	Current Risk Score	Target Risk Score
1.	Failure to fulfill the objects of the Charity.	E.I	F.IV

Controls already in place	Adequacy of controls	Required action	Responsibility	Critical success factors	Review period	Key dates
§ Requirement to consider objects when preparing reports for Committee.	§ Do not provide an audit trail.	§ Specific reference to charitable objects in all reports.	§ Cobtree Officer/ officers submitting reports.	§ Reference included in all reports.	§ Each meeting of the Committee.	§ Committee meeting dates.

Risk Management: Action Plan

Risk No.	Description:	Current Risk Score	Target Risk Score
2.	Conflict of interest with the role of the local authority.	D.II	F.III

Controls already in place	Adequacy of controls	Required action	Responsibility	Critical success factors	Review period	Key dates
§ Specific Committee to consider Cobtree issues in detail.	§ Gives clear focus to Cobtree issues.	§ Reinforce separation whenever possible.	§ Cobtree Officer/ Council officers/ Members.	§ Separation acknowledged and reinforced.	§ Annually.	§ June/July.
§ Memorandum prepared and distributed to all Members and Senior Officers.	§ Reminds all Members and Officers to bear in mind special circumstances applying to Cobtree.	§ Reinforce separation whenever possible.	§ Cobtree Officer/ Council officers/ Members.	§ Separation acknowledged and reinforced.	§ Annually.	§ June/July.

Risk Management: Action Plan

Risk No.	Description:	Current Risk Score	Target Risk Score
3a.	Contractor defaults on the contract.	D.II	E.III

Controls already in place	Adequacy of controls	Required action	Responsibility	Critical success factors	Review period	Key dates
§ Regular review meetings to develop partnership working and early identification of problems.	§ Ensures sensitivity to, and understanding of, operating environment. § Ensure controls relate to all contracts, not just the golf course	§ Continue with regular meetings. § Begin meetings with other contractors where necessary § Identify appropriate action to be taken in the course of a contractor defaulting.	§ Contract monitoring Officer/ partnership Board. § Cobtree Officer to identify contractors or areas requiring additional monitoring and appropriate actions	§ Contractor performing to contract specification profitably.	§ Quarterly.	§ January, April, July and October.

Risk Management: Action Plan

Risk No.	Description:	Current Risk Score	Target Risk Score
3b	Inadequate staff resources provided by contractor.	D.II	E.III

Controls already in place	Adequacy of controls	Required action	Responsibility	Critical success factors	Review period	Key dates
§ Regular review meetings to develop positive working relationship and early identification of problems.	§ Ensures sensitivity to, and understanding of, operating environment.	§ Continue with regular meetings.	§ Contract monitoring Officer/ partnership Board. § Cobtree Officer	§ Contractors staffing levels to required standard to meet customer expectations. § Ensuring management plan objectives are met.	§ Quarterly.	§ January, April, July and October.

Risk Management: Action Plan

Risk No.	Description:	Current Risk Score	Target Risk Score
3c.	Major breach in safety regulations site or area not safe to allow public access.	D.II	F.II

Controls already in place	Adequacy of controls	Required action	Responsibility	Critical success factors	Review period	Key dates
§ Regular meetings to monitor contractor performance.	§ Safety concerns discussed during partnership meetings.	§ Reinforce safety concerns at partnership meetings.	§ Contract Monitoring Officers/ Partnership Board.	§ No breaches in safety occur.	§ Quarterly.	§ January, April, July and October.
	§ Individual risk assessments for all activities.	§ Regular review of risk assessments.	§ Contractor/ Contract Monitoring Officers.	§ Risks managed appropriately.	§ Annually.	§ March.
§ Visual inspection by contract operatives as they carry out their duties.	§ Relies on contractor staff.	§ Regular inspections by monitoring staff.	§ Cobtree officer/ Council Officers.	§ No unsafe situations arise.	§ Quarterly.	§ January, April, July and October.
§ Written weekly and monthly inspection of play equipment	§ All equipment to meet BS standards and be independently inspected by Rospa inspector prior to use.	§ Operational concerns to be dealt with immediately by Parks Department				
§ Annual external insurance inspection for play equipment		§ Incidents monitored and recorded.				

Risk Management: Action Plan

Risk No.	Description:	Current Risk Score	Target Risk Score
3d.	Contractor receiving reduced income from Golf Course.	D.II	E.III

Controls already in place	Adequacy of controls	Required action	Responsibility	Critical success factors	Review period	Key dates
§ Receive regular income reports from contractor.	§ Relies on contractor information.	§ Regular income reports to meetings of the Partnership Board.	§ Contract Monitoring Officer/ Partnership Board.	§ Income maintained at projected levels.	§ Quarterly.	§ On-going.

Risk No.	Description:	Current Risk Score	Target Risk Score
3e.	Contractor failing to renew Golf Course contract with minimal notice or offering reduced income to CMET.	C.II	E.III

Controls already in place	Adequacy of controls	Required action	Responsibility	Critical success factors	Review period	Key dates
§ Undertake regular meetings with contractor.	§ Relies on contractor information.	§ Regular information on contract renewal to be taken to meetings of the Partnership Board. § Planning for reduced finances to be included in future financial planning.	§ Parks and Leisure Manager/Cobtree Officer. § Senior accountant.	§ Contract renewed or sufficient notice given to enable re-tender. § Financial planning to ensure reduced income will not have a significant effect on the charity. § Maximization of other income to mitigate against risk.	§ Quarterly.	§ On-going.

Risk No.	Description:	Current Risk Score	Target Risk Score
3f.	Continuum Museum of Kent Life ceases to operate on behalf of Museum of Kent Life Trust and Kent County Council.	B.II	D.III

Controls already in place	Adequacy of controls	Required action	Responsibility	Critical success factors	Review period	Key dates
§ Ongoing Liaison with KCC and Continuum MKL.	§ Relies on third parties to provide and negotiate on a service. § Collapse of existing leases will result in return of the land asset to CMET with no operator.	§ Ongoing discussions. § Plan way forward should discussions fail.	§ Assistant Director of Planning Change and the Environment. § Parks and Leisure Manager. § Cobtree Officer § Senior Solicitor and Senior accountant	§ Any change of operator is managed in such a way as to not put the charity at risk.	§ Quarterly.	§ Quarterly.

Risk Management: Action Plan

Risk No.	Description:	Current Risk Score	Target Risk Score
4a.	Reduced income from investments.	E.III	F.IV

Controls already in place	Adequacy of controls	Required action	Responsibility	Critical success factors	Review period	Key dates
§ Investments with Chari-Fund.	§ Low risk option.	§ Monitor performance of Fund.	§ Corporate Finance Officer.	§ Good return on investments.	§ Annually.	§ March.

Risk Management: Action Plan

Risk No.	Description:	Current Risk Score	Target Risk Score
4b.	Adequacy of monitoring procedures.	C.II	E.IV

Controls already in place	Adequacy of controls	Required action	Responsibility	Critical success factors	Review period	Key dates
§ Regular monitoring of service standards and audit of customer survey responses.	§ Service standards maintained as per the contract.	§ Balance monitoring effort to level of risk.	§ Contract monitoring Officer/ Partnership Board.	§ Required customer satisfaction scores.	§ Quarterly.	§ On-going.

Risk Management: Action Plan

Risk No.	Description:	Current Risk Score	Target Risk Score
4c.	Tenants defaulting on rental payments	E.III	F.IV

Controls already in place	Adequacy of controls	Required action	Responsibility	Critical success factors	Review period	Key dates
§ Legally binding lease agreement permitting legal action to be taken if arrears accrue.	§ Fully drafted lease	§ Monitor rental income receipts.	§ Corporate Finance and Property and procurement Officers.	§ Rent paid up to date	§ Quarterly.	§ Jan 1 st , April 1 st , July 1 st , October 1 st

Risk Management: Action Plan

Risk No.	Description:	Current Risk Score	Target Risk Score
5a.	Poor or inappropriate publicity.	D.III	F.IV

Controls already in place	Adequacy of controls	Required action	Responsibility	Critical success factors	Review period	Key dates
§ Newsletters are checked by the Cobtree Officer and the Communications team before going out. § Newspaper articles are monitored by the communications team.	§ Publicity is managed where necessary.	§ Regular reporting of any known incidents or unwanted activities.	§ Contractor operatives/ contract monitoring officer/ Cobtree Officer.	§ No negative reports in the press or media. § Dealing with incidents as quickly as possible.	§ When required.	§ On-going.

Risk Management: Action Plan

Risk No.	Description:	Current Risk Score	Target Risk Score
5b.	Extreme climatic conditions.	B.II	D.III

Controls already in place	Adequacy of controls	Required action	Responsibility	Critical success factors	Review period	Key dates
§ Golf course closure procedure.	§ Minimises unnecessary wear and tear of greens and tees.	§ On-going review in response to anticipated threat.	§ Contractor/ Contract Monitoring Officer.	§ Minimal impact on course playability.	§ On-going.	§ On-going.
§ Enhanced maintenance operations.	§ Minimizes unnecessary wear and tear of greens and tees and park.	§ On-going review in response to anticipated threat.	§ Contractor/ Contract Monitoring Officer.	§ Minimal impact on course playability and park usage.	§ On-going.	§ On-going.

Risk Management: Action Plan

Risk No.	Description:	Current Risk Score	Target Risk Score
6a.	Conflict of interest with role of local authority.	C.II	F.IV

Controls already in place	Adequacy of controls	Required action	Responsibility	Critical success factors	Review period	Key dates
§ Separate Committee to consider items in detail.	§ Ensures a clear focus on Charity issues.	§ Need to reinforce to both Members and Officers the clear distinction between local authority and Charity issues.	§ Cobtree Officer/Senior Solicitor/Committee Members.	§ No blurring between the respective roles of the Council acting as local authority and as Charity.	§ On-going.	On-going.
§ Appointment of Cobtree Officer.	§ Provides clear separation of officer roles.	§ Reinforce independency of role.	§ Committee.	§ No blurring between the respective roles of the Council acting as local authority and as Charity.	§ Annually	December.

Risk Management: Action Plan

Risk No.	Description:	Current Risk Score	Target Risk Score
6b.	Failure to comply with the requirements of the lease.	E.II	F.IV

Controls already in place	Adequacy of controls	Required action	Responsibility	Critical success factors	Review period	Key dates
§ Lease requirements included as appropriate in reports.	§ Gives focus to property matters.	§ Review of Asset Management Plan.	§ Cobtree Officer § Contract monitoring officer § Property section.	§ Compliance with requirements of lease.	§ Annual.	§ July.

Appendix B Master Plan Risk Management Action Plan June 2013

Risk No.	Risk Type:	Vulnerability:	Risk:	Consequences:
1.	Operational	§ Contractor(s) performance of services.	§ Contractor defaults on the contract.	§ Reduced visitor numbers. § Inability to finish project.
2.	Financial	§ Level of financial resources to complete project.	§ Reduced income from investments, leading to difficulty in repaying the endowment. § Increased project costs. § Adequacy of monitoring procedures.	§ Reduced investment in buildings and infrastructure. § Inability to finish project.
3.	External	§ Public perception of service provision. § Climatic conditions.	§ Poor or inappropriate publicity. § Extreme conditions leading to delay in completion of works.	§ Reduced visitor numbers and revenue. § Increased vandalism and misuse of facilities. § Long term damage to reputation of park and charity.
4.	Legal	§ Compliance with requirements of the Charity Commission.	§ Conflict of interest with role of local authority.	§ Intervention by the Charity Commission. § Claims for compensation.

Risk No.	Description:	Current Risk Score	Target Risk Score
1a.	Failure of contractors to complete project on time and on budget.	DIII	EIV

Controls already in place	Adequacy of controls	Required action	Responsibility	Critical success factors	Review period	Key dates
§ Project manager and project board in place.	§ Sufficient for project of this size.	§ Regular meetings with contractors as project progresses.	§ Cobtree Officer Parks and Leisure manager and Project Manager.	§ Regular meetings with Project Sponsor. § Email updates for Committee.	§ Each meeting of the project board.	§ Project board meetings and Committee meeting dates.

Risk No.	Description:	Current Risk Score	Target Risk Score
1b.	Disruption to normal service operations due to works being undertaken.	DIII	EIII

Controls already in place	Adequacy of controls	Required action	Responsibility	Critical success factors	Review period	Key dates
§ Project manager and Cobtree Officer to monitor.	§ Acceptable but ongoing monitoring is required and will depend on the extent of works and where they are undertaken.	§ Regular meetings with contractors as project progresses. § Regular meetings with Ranger and other onsite users such as Cobtree Cabin to monitor.	§ Cobtree Officer and Project Manager	§ No complaints received regarding works from staff or public.	§ Each fortnightly site meeting.	§ Fortnightly meetings.

Risk No.	Description:	Current Risk Score	Target Risk Score
2a.	Insufficient financial resources needed to complete project.	EII	FIV

Controls already in place	Adequacy of controls	Required action	Responsibility	Critical success factors	Review period	Key dates
§ Project manager and project board in place to monitor budget.	§ Acceptable but ongoing monitoring is required.	§ Regular meetings with contractors as project progresses. § Regular reporting of financial position to project board.	§ Cobtree Officer and Project Manager	§ Regular meetings with Project Sponsor.	§ Each meeting of the project board. § Each Committee Meeting.	§ Project board meetings and Committee meeting dates.

Risk No.	Description:	Current Risk Score	Target Risk Score
2b.	Insufficient financial resources to repay endowment.	EII	FIV

Controls already in place	Adequacy of controls	Required action	Responsibility	Critical success factors	Review period	Key dates
§ Senior Accountant monitoring repayments and the drawing down of finances only when needed.	§ Acceptable but ongoing monitoring is required.	§ Regular financial updates on the endowment repayments as part of the normal reporting system.	§ Senior Accountant.	§ Usual financial updates for Committee.	§ Each Committee Meeting.	§ Committee meeting dates.

Risk No.	Description:	Current Risk Score	Target Risk Score
3a.	Disruption to normal service provision due to works being undertaken, leading to poor public perception.	CIII	EIV

Controls already in place	Adequacy of controls	Required action	Responsibility	Critical success factors	Review period	Key dates
§ Project manager and Cobtree Officer to monitor.	§ Acceptable but ongoing monitoring is required and will depend on the extent of works.	§ Regular meetings with contractors as project progresses. § Regular meetings with Ranger and other onsite users such as Cobtree Cabin to monitor. § Regular publicity updates as project progresses.	§ Cobtree Officer and Parks and Leisure Manager	§ No complaints received regarding works from staff or public. § Regular publicity events § Updating the Committee on the progress of works.	§ Each fortnightly site meeting. § Each Committee meeting.	§ Fortnightly meetings. § Completion dates for each phase.

Risk No.	Description:	Current Risk Score	Target Risk Score
3b.	Disruption to works caused by extreme climatic conditions.	EIII	FIV

Controls already in place	Adequacy of controls	Required action	Responsibility	Critical success factors	Review period	Key dates
§ Project manager and Site manager and Ranger to monitor.	§ Minimises disruption and damage to site through management of site and project.	§ Regular meetings with contractors and Ranger as project progresses.	§ Project Manager	§ No complaints received regarding works from staff or public. § Damage due to poor weather minimised.	§ Each fortnightly site meeting.	§ Fortnightly meetings.

Risk No.	Description:	Current Risk Score	Target Risk Score
4.	Failure to comply with the requirements of the Charity Commission.	EIV	FIV

Controls already in place	Adequacy of controls	Required action	Responsibility	Critical success factors	Review period	Key dates
§ Senior Solicitor to ensure Master plan meets objects of the charity. § Cobtree Officer to ensure Master plan as agreed by the Committee is followed.	§ Adequate given regular monitoring of Master Plan works.	§ Regular meetings with Project Manager to ensure project sticks to Master Plan. § Regular updates from the Senior Accountant to ensure endowment is repaid on schedule.	§ Cobtree Officer § Senior accountant § Senior Solicitor	§ No complaints received from the Charity Commission § Project completed according to Master Plan.	§ Cobtree Officers Meetings.	§ Monthly.

Agenda Item 13

MAIDSTONE BOROUGH COUNCIL

COBTREE MANOR ESTATE COMMITTEE

10TH JULY 2013

REPORT OF THE COBTREE OFFICER

Report prepared by Joanna Joyce

1. LAND TO THE SOUTH OF FORSTAL ROAD, MAIDSTONE

1.1 Issue for Decision

- 1.1.1 To consider the content of this report and decide whether, in principle, to permit the Land to the South of Forstal Road (referred to in this report as the "site") to be initially considered as part of the promotion of various land parcels under the local plan process.

1.2 Recommendation of the Cobtree Officer

- 1.2.1 That the Committee permit the site, as a matter of principle, to be initially considered as part of the promoting of various land parcels under the Local Plan process but on the basis that the Committee will make a final decision only when it has received a further report outlining in detail all the options available to it.

and

- 1.2.2 That guidance is sought from the Charity Commission regarding the possible allocation of the land for development.

1.3 Reasons for Recommendation

- 1.3.1 As part of its land holdings, the Cobtree Manor Estate Trust has a 999 year lease on a parcel of land (approximately 8.8ha) to the south of Forstal Road. The site is currently leased to Kent County Council on a 125 year lease as part of the wider parcel of land occupied by the Kent Museum of Rural Life. A plan of the site is included in **Appendix A**.
- 1.3.2 Maidstone Borough Council is currently undertaking a process of identifying potential new employment sites as part of its forthcoming new Local Plan. The site was previously put forward for employment development when the current adopted Local Plan was being prepared

although the land was not ultimately allocated. The opportunity has now arisen again for this site to be promoted for employment development, if the Committee, acting for the Charity wishes to do so.

1.3.3 The timing of this report to the Committee is driven by the timescale of the new Local Plan. A draft version of new Local Plan, which will include site allocations, will be considered by the Council's Cabinet in September. Sites allocated in the Plan must be demonstrably available for the use in question. The decision for the Committee is whether it wishes to confirm the availability of this site for employment development so it can be further progressed through the Local Plan process.

1.3.4 It is understood that the opportunity to include the site for development purposes will not occur again until the Local Plan is reviewed. Allocating the land now does not commit the Charity to developing the site, but doing so would keep its options open.

1.3.5 The Charity Commission should be consulted as it impacts on the charity land and it is suggested this is done as soon as possible to meet the Local Plan timescale.

1.4 Alternative Action and why not Recommended

1.4.1 To not agree to receive a further report could result in the Trust missing an opportunity to consider whether the site should be promoted through the Local Plan.

1.5 Impact on Corporate Objectives

1.5.1 This proposal could, potentially, contribute funding to the Trust if it were required.

1.6 Risk Management

1.6.1 This report invites the Committee to consider a promotion exercise so carries minimal risk.

1.7 Other Implications

1.7.1

1. Financial
2. Staffing
3. Legal
4. Equality Impact Needs Assessment

5. Environmental/Sustainable Development
6. Community Safety
7. Human Rights Act
8. Procurement
9. Asset Management

1.7.2 There are no additional implications arising from this report.

1.8 Relevant Documents

1.8.1 Appendices

Appendix A Site plan

1.8.2 Background Documents

None

IS THIS A KEY DECISION REPORT?

Yes

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No

x

If yes, when did it first appear in the Forward Plan?

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This is a Key Decision because:

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Wards/Parishes affected:

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