

AGENDA

COBTREE MANOR ESTATE CHARITY COMMITTEE MEETING ADJOURNED FROM 17 DECEMBER 2014



Date: Monday 22 December 2014

Time: 9.00 a.m.

Venue: Town Hall, High Street,
Maidstone

Membership:

Councillors Mrs Blackmore, Greer, McLoughlin and
Perry (Chairman)

Page No.

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

Continued Over/:

Issued on 19 December 2014

The reports included in Part I of this agenda can be made available in **alternative formats**. For further information about this service, or to arrange for special facilities to be provided at the meeting, **please contact DEBBIE SNOOK on 01622 602030**. To find out more about the work of the Committee, please visit www.maidstone.gov.uk

Alison Broom

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

6. Report of the Cobtree Officer - The Future Management of Cobtree Manor Park and the Visitor Centre/Cafe 1 - 11

PART II

To move that the public be excluded for the item set out in Part II of the Agenda because of the likely disclosure of exempt information for the reasons specified having applied the Public Interest Test.

**Head of Schedule 12A
and Brief Description**

7. Exempt Appendix to the Report of the Cobtree Officer Relating to the Future Management of Cobtree Manor Park and the Visitor Centre/Cafe 1 - Individual 3 - Financial/Business Affairs 12 - 30

MAIDSTONE BOROUGH COUNCIL

COBTREE MANOR ESTATE COMMITTEE

17TH December 2014

REPORT OF THE COBTREE OFFICER

Report prepared by Joanna Joyce

1. **The future management of Cobtree Manor Park and the Visitor Centre/Café**

1.1 Issue for Decision

- 1.1.1 To consider the options for the future management of the park and Visitor Centre/Café at Cobtree Manor Park; and to implement measures to ensure that the park facility is more financially sustainable as to its future.

1.2 Recommendation of the Cobtree Officer

It is recommended that the Committee agrees:

- 1.2.1 To the creation of the new posts of Cobtree Manager, Visitor Centre/Café Supervisor and Visitor Centre/Café Assistant in accordance with the required skills set out in **Exempt Appendix A**.
- 1.2.2 To the employing of casual staff or volunteers to work at the Visitor Centre/Café as and when demand requires it.
- 1.2.3 To the Visitor Centre/Café and the car park being managed by Maidstone Borough Council (MBC) in accordance with the proposal set out in **Exempt Appendix A** for an initial two year period subject to review by this Committee.
- 1.2.4 To the authorizing of the surplus funds generated by the Visitor Centre/Café and the car park being utilized towards the future maintenance of Cobtree Manor Estate with initial emphasis on the actual park itself; and thereafter for any surplus to be either applied to improvements to the park or towards reducing the amount of the outstanding permanent endowment borrowed by CMET, as the Charity Commission directs.

- 1.2.5 To the principle of applying car parking charges for the estate, on the basis that a more detailed report dealing with the proposed changes and the method of operating the car park will be brought to the Committee for its next meeting.
- 1.2.6 The Head of Mid Kent Legal services be authorized to prepare and enter into contracts giving effect to the decisions made arising out of this report.
- 1.2.7 The Cobtree Officer be authorised to implement a review of the roles of existing staff to fit with the new structure and then appoint staff to the additional roles set out in **Exempt Appendix A**.

1.3 Reasons for Recommendation

Cobtree Manager

- 1.3.1 Since Kent Life has come back under the direct management of the Council acting as the corporate trustee of the charity Cobtree Manor Estate (CMET) and the Cobtree Manor Park Project has got underway the amount of work falling to officers has increased greatly to a level which is now unsustainable. The additional post of Cobtree Manager will ensure that enquiries relating to the estate are dealt with quickly and efficiently and reduce the impact the estate changes have had on MBC officer time, whilst ensuring a more efficient and prompt service for visitors to the estate and other stakeholders such as those operating Kent Life and the Golf Course.
- 1.3.2 The Cobtree Manager will undertake the day to day management and monitoring of the estate, overseeing Cobtree Park but also monitoring the golf course contract and the Kent Life Management Agreement. Senior MBC officers will still undertake the strategic management of the Estate and the Cobtree Officer will continue to work on behalf of the Committee to ensure the management of the estate continues to operate in the best interests of the charity.
- 1.3.3 The addition of a Cobtree Manager to the estate structure will ensure a better service for CMET and the general public and stakeholders in the estate. It will provide one point of contact for estate enquiries. At present this work is covered by a number of different officers and is taking much more time than a few years ago. The opening of the new Visitor Centre will only increase this workload. This new post will ensure that the service offered to visitors to the park is not adversely affected.
- 1.3.4 The Cobtree Manager will also have a key responsibility for ensuring the park generates sufficient income to achieve agreed income targets. Their role will also focus on the visitor centre/café, car parking, events

programme and in sourcing match funding for estate projects. This is a vital role for moving towards a more financially sustainable management model for the park.

- 1.3.5 It is anticipated that some of the costs of employing a Cobtree Manager will be offset by the reduced MBC officer time which would have to be recharged to the charity.

Car parking

- 1.3.6 After the car parking report was brought to the Committee in November 2013 it was resolved that this issue should be brought back before the Committee for a final decision prior to the opening of the New Visitor Centre.
- 1.3.7 The improvements at Cobtree Manor Park have been highly successful and have led to a massive increase in visitor numbers from an estimate of 40,000 per annum prior to park improvements up to an approximate annual figure of 280,000 visitors per year. On busy days over 840 cars are recorded per day. Car park capacity in the available space has been maximized with 150 spaces in the main car park and approximately 50 in the overflow. On a busy day the car park runs at full capacity, with cars sometimes parking on the main road. Demand for parking can exceed the supply on occasion and a car parking charge could help to reduce this demand.
- 1.3.8 Advertising in the park that all funds generated are returned to the Charity to be spent on the Park and will be put towards the running and upkeep of facilities ensuring that the equipment can be maintained and kept in a good condition for future users.
- 1.3.9 The park needs to aim to significantly reduce the subsidy it requires from the wider estate. Currently it is reliant on revenue from the golf course and has run this year at a deficit, spending more than the income the golf course has produced. Increasing visitor numbers have meant that the costs of running the park have increased greatly due to increased wear and tear, a need to have many more litter collections, additional staff and a need to staff the park for longer and outside normal working hours.
- 1.3.10 The uncertainty of future income from the golf course due to the re-tender of the facility over the long term means alternative and additional income sources should be sought. Aside from this point, it is in the best interests of the charity to widen and maximize sources of revenue; which revenue can then be applied towards the future maintenance, and indeed the improvement of the park.

- 1.3.11 At a nominal car parking rate of £1 per day at present visitor levels would make around £140,000 per year. This will be reduced by season tickets and there may also be a reduction in use of the car park. However it is likely that this income will still be enough to cover the new staffing costs and some of the maintenance costs of the park.
- 1.3.12 A season ticket for parking is recommended to ensure the park remains value for money for regular visitors. It is also recommended that the price to park a car is kept low to ensure that visitors are able to afford to visit. Parking charges should be similar to those at local Kent County Council and Tonbridge and Malling Country Parks (**Appendix B**) and should remain in line with comparable attractions. The season ticket will be obtained from the visitor centre.
- 1.3.13 The park has a bus stop immediately outside the entrance and the footpath from the River Medway finishes almost opposite giving alternative means of transport for those visitors not wanting to come by car.

Visitor centre/café

- 1.3.14 It is recommended that the Visitor Centre/café is run for an agreed management fee by Maidstone Borough Council and for an initial two year period. By having the facility run by the Council in the same way as the rest of the park is currently run, the whole staff team will be able to work as one unit cutting down the need for the park staff to do longer hours and additional staff to be employed. For example café staff who are on an early shift could litter pick, open the gates and check the play ground prior to it being used enabling park staff to come in later and lock the visitor centre after café staff have left.
- 1.3.15 The Council proposal will provide an improved service for visitors and the cost to CMET will be reduced from current levels by offsetting future income from the car park and visitor centre against MBC officer charges. By MBC working to an agreed management fee any risk to the charity is reduced. In addition the Council, as corporate trustee, is legally obliged to protect CMET with a financial indemnity in the event of losses attributable to its management of the park (including the visitor centre and the car park). It is unlikely a third party commercial operator can, or would, offer such an unconditional indemnity to CMET.
- 1.3.16 The present café operator has required a security service for the locking/unlocking of the park through not being involved with the gates. With more staff working within the park team this could be done by staff and would save the charity £1000 per month.
- 1.3.17 The high visitor numbers and opportunity to bring in income from the Visitor Centre/Café and car park should significantly reduce the

subsidy the park requires making it considerably less reliant on income from the golf course. The new Cobtree Manager will be required to look at developing more income streams to work towards the park becoming self sufficient in income measured against expenditure. In the event that a future surplus is made the money made by CMET will be reinvested in the park.

1.3.18 Working towards the park becoming self sufficient reduces the biggest risk at present, namely that the uncertainty in golf course income poses a serious threat to the ability of the charity to cover the maintenance costs of the park. Secondly an increase in income will mean that cuts in service will not have to be made to ensure that next year the costs of the park break even. These measures will ensure that there is funding to maintain the park particularly as recent additions such as the play area have high maintenance costs.

1.3.19 Managing the café within the park staffing structure will enable the Café Supervisor and Ranger along with the Cobtree Manager to take on a Duty Manager role ensuring that there are staff in the park who are able to deal with enquiries and incidents as they arise. It will also mean that Café staff can assist with the running of the Visitor Centre, as can park staff if required. If an external caterer was used it is likely that additional charges would be incurred for this.

1.3.20 A review of existing staff roles is recommended to enable the new structure to be implemented. At present the existing staff work regular hours. It is proposed that this is changed to a shift pattern to ensure that the peak hours and weekends are staffed. This will save money as since the opening of the new play area additional staff have had to come in on overtime to clear litter from the park. In addition to the alteration of working hours there will be some minor alteration of roles to reflect the new management structure and the new tasks that are associated with this re-organisation.

1.4 Alternative Action and why not Recommended

Cobtree Manager

1.4.1 The Committee could choose not to appoint a new Cobtree Manager. This is not recommended as the current workload to MBC officers is unsustainable. As there is no way to reduce the workload given the new responsibilities for Kent Life and the increased volume of visitors to the park, a manager dedicated to this estate is considered the best option to deal with the increase, otherwise the council would not be able to continue to provide the service that CMET has come to expect.

1.4.2 The Committee could decide not to make any changes to the current way that the estate is managed, however if no changes are made

there is a risk that there will be insufficient time dedicated to the management of the assets of the estate, so as to maximize income and maintain the offer for members of the general public.

- 1.4.3 The Committee could choose not to have the Cobtree Manager role as part of the park structure. This is not recommended as at present enquiries are dealt with inefficiently and take much more officers time than previously due to the increasing volume of work. If this were to continue the Borough Council would look to recharge this to CMET. By having a manager role the different functions across the estate can be covered by one post and communications particularly with voluntary groups and tenants can be improved.

Car Parking

- 1.4.4 The alternative action is not to introduce parking charges. This is not recommended because the Charity has to find a way of enabling the park to become less reliant on golf course income.
- 1.4.5 Continued high visitor use will put a strain on the Charity's resources if additional funding to assist with maintenance and the running of the visitor centre and park is not identified. Charging for car parking will ensure that there is sufficient funding so that the maintenance needs resulting from increased use of the park will be met, in the future.
- 1.4.6 The car park even with the additional overflow is likely to be insufficient to cope with demand at the busiest periods. Charging is considered to be the best way to help encourage people to come to Cobtree Manor Park by alternative means, thereby reducing the pressure on the car park.

Visitor centre/cafe

- 1.4.7 The Committee could choose to have an external caterer operating the Visitor Centre/Café. This is not recommended as it would also result in additional staffing continuing to be needed in the park to cover the peak hours and littering. The advantage of bringing all the staffing under CMET is that they can be used much more flexibly across the visitor centre and park. It also enables the car parking function to be managed by the visitor centre staff saving CMET the cost of having an external operator to operate it. Bringing all the staff in house also results in a saving by not needing the security company who currently lock and unlock the park. It is likely that an external contractor would charge a premium for these services.
- 1.4.8 Car parking operation and gate locking/unlocking could be done by separate contractors. This is not recommended as it would be more expensive than having one operator (MBC) covering all these services.

1.4.9 The committee could choose to run the Visitor Centre/Café but not take on the additional staff roles. This is not recommended as the Café requires staff in addition to the Cobtree Manager to be operational, and the Cobtree Manager and MBC structure is the most advantageous way of encouraging volunteers to work at the park for the benefit of the charity and the general public using it.

1.4.10 The Committee could choose not to undertake a review of the present staff roles. This is not recommended as the existing system is very inflexible. This has meant that CMET has had to spend additional funds on employing weekend and evening staff and on early morning weekend littering. By reviewing current provision and moving to a more flexible work pattern these costs can be removed. The roles can also be altered to fit with the new visitor centre staffing pattern to ensure that all staff work together to ensure cleanliness in both the visitor centre and the park.

1.5 Impact on Corporate Objectives

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.”

1.5.1 It is the object of the Charity to use its assets for the benefit of the people of Maidstone; therefore parking charges should be affordable and not excessive, and should always be reasonably priced when compared with similar facilities locally.

1.5.2 The addition of a dedicated Cobtree Manager and the running of the Visitor Centre and Café and the staffing of the park and the estate directly by a new dedicated team will support the charitable objects of the charity which are to maintain the estate for the benefit of the general public.

1.6 Risk Management

1.6.1 There is a risk that people will not realise the funds generated from car parking and the café go back to the Charity and into the park. It is therefore important that this should be well advertised prior to charges being introduced and following such introduction within the park, information should be produced and advertised (within the Visitor Centre for example) showing what the generated revenue is used for.

1.6.2 There is a small risk that the café and parking income will not cover the extra staffing. This is thought to be unlikely due to the revenue which is likely to be generated by car parking charges and the Visitor Centre/Café, outlined in the business case in **Exempt Appendix A**. In the event of a problem the situation would be reviewed and charges such as the car park could be increased, in addition to this income targets from events and sundries sold in the Visitor Centre could be increased. The two year review period could also be reduced if it was considered that the management arrangement was not working successfully.

1.7 Other Implications

1.7.1

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

1.7.2 There are financial implications to the introduction of car park charging which will be dealt with in a future report in detail. The revenue generated should easily cover costs of implementation and running this.

1.7.3 There are also financial implications for the addition of staff for the operation of the Visitor Centre/Café. These costs should be covered by the income generated from the car parking and café. This is detailed in **Exempt Appendix A.**

1.7.4 Car park charging provides a secure income stream to fund CMET to cover maintenance costs for the park and help pay back the endowment used to fund the park improvements. It is likely that maintenance costs will fluctuate from year to year, but, for example a comparable play area in Folkestone costs about £20,000.00 per annum to maintain.

1.7.5 Car park charging should help to encourage visitors use more sustainable transport to get to the Park such as taking the bus, cycling or walking. As such it should have a positive environmental effect.

1.7.6 There are implications for both existing staff outlined in the report.

1.8 Relevant Documents

1.8.1 Appendices

Exempt Appendix A

Maidstone Borough Council proposal to manage the Visitor Centre/Café and car parking.

Appendix B Car parking charges at other local parks.

1.8.2 Background Documents

Cobtree Manor Park Master Plan

IS THIS A KEY DECISION REPORT?

Yes

No

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

.....

This is a Key Decision because:

.....

Wards/Parishes affected:

.....

Appendix B

Car parking charges at other local parks

Prices for each park below.

<i>Park</i>	<i>Owner</i>	<i>Weekday Charge</i>	<i>Weekend Charge</i>	<i>Season Ticket</i>
Teston Country Park	KCC	£1.20	£1.70	£40.00
Shorne Country Park	KCC	£2.00	£2.50	£40.00
Trosley Country Park	KCC	£1.50	£2.00	£40.00
Manor Park West Malling	KCC	£1.50	£2.00	£40.00
White Horse Country Park	KCC	£1.00	£1.50	£40.00
Dunorlan	Tunbridge wells BC	FREE	FREE	
Tonbridge	Tonbridge and Malling	Town centre Parking		
Leybourne Lakes	Tonbridge and Malling	£0.80 up to 4 hours, £2.80 over 4 hours	£0.80 up to 4 hours, £2.80 over 4 hours	£25.00
Bewl Water		£4.00 per person includes Parking		£35.00 per person (concessions available)
Bedgebury Pinetum	Forestry Commission	£9.50 per car Free entry to park		
National Trust		£2/£2.50 average if parking available	Cheaper if member	
Swanley Park	Swanley Town Council	£2 in school holidays	£2 weekends	

Charges correct as of December 2014.

By virtue of paragraph(s) 1, 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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