

# AGENDA

## COBTREE MANOR ESTATE CHARITY COMMITTEE MEETING



Date: Wednesday 23 September 2015

Time: 4.00 pm

Venue: Town Hall, High Street,  
Maidstone

Membership:

Councillors Mrs Blackmore, McLoughlin  
(Chairman), Paterson (Vice-Chairman)  
and Mrs Wilson

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Page No.

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

**Continued Over/:**

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**Issued on 15 September 2015**

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

7.	Minutes of the meeting held on 29 July 2015	1
8.	Report of Head of Commercial and Economic Development - Accounts 2014/15	2 - 27
9.	Report of Head of Commercial and Economic Development - Cobtree Estate Risk Management Update	28 - 48
10.	Report of Head of Commercial and Economic Development - Cobtree Estate Progress Report	49 - 56

## **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 reason specified having applied the Public Interest Test.**

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

11.	Exempt Report of the Head of Economic and Commercial Development - Cobtree Manor Park Golf Course.	3 – Financial/Business Affairs	57 - 69
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## **MAIDSTONE BOROUGH COUNCIL**

### **COBTREE MANOR ESTATE CHARITY COMMITTEE**

#### **MINUTES OF THE MEETING HELD ON WEDNESDAY 29 JULY** **2015**

**Present:**            **Councillors Mrs Blackmore, McLoughlin (Chairman),  
Paterson and Mrs Wilson**

75.    **APOLOGIES FOR ABSENCE**

There were no apologies for absence.

76.    **NOTIFICATION OF SUBSTITUTE MEMBERS**

There were no Substitute Members.

77.    **NOTIFICATION OF VISITING MEMBERS**

There were no Visiting Members.

78.    **ELECTION OF CHAIRMAN**

**RESOLVED:** That Councillor McLoughlin be elected as the Chairman for the Municipal Year 2015/16.

79.    **ELECTION OF VICE-CHAIRMAN**

**RESOLVED:** That Councillor Mrs Paterson be elected as the Vice-Chairman for the Municipal Year 2015/16.

80.    **DISCLOSURES BY MEMBERS AND OFFICERS**

There were no disclosures by members or officers.

81.    **DISCLOSURES OF LOBBYING**

There were no disclosures of lobbying.

82.    **DURATION OF MEETING**

5.00pm to 5.06pm

# Agenda Item 8

## Cobtree Manor Estate Charity Committee

**23<sup>rd</sup> September  
2015**

Is the final decision on the recommendations in this report to be made at this meeting?	<b>Yes/No</b>
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## Accounts 2014/15

<b>Final Decision-Maker</b>	Cobtree Manor Estate Charity Committee
<b>Lead Head of Service</b>	Head of Commercial & Economic Development
<b>Lead Officer and Report Author</b>	Paul Holland, Senior Accountant (Client)
<b>Classification</b>	Non-exempt
<b>Wards affected</b>	All

### **This report makes the following recommendations to the final decision-maker:**

1. That the Committee notes the draft Annual Report and Financial Statement for the financial year 2014/15.

### **This report relates to the following corporate priorities:**

- Keeping Maidstone an attractive place for all
  - Ensuring that there are good leisure and cultural attractions.

### **Timetable**

<b>Meeting</b>	<b>Date</b>
Cobtree Manor Estate Charity Committee	23 <sup>rd</sup> September 2015

# Accounts 2014/15

## 1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 It is a requirement of the Charity Accounting Statement of Recommended Practice to produce an Annual Report and Financial Statements. These are shown at **Appendix A**.
  - 1.2 These will be subject to an external audit and the final audited version will be brought back to the Committee for formal approval once this process is complete. Therefore this report is for noting only at this stage.
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## 2. INTRODUCTION AND BACKGROUND

- 2.1 There was a net increase in the funds of the Trust of £286,133. However this includes the impact of the capital expenditure, the funding of the Manor Park Master Plan and investment income. Excluding these items the operation of the golf course, the park and the Kent Life attraction showed a net deficit of £42,850, compared to a net surplus of £10,146 in 2013/14. This deficit is consistent with the financial position reports submitted during 2014/15, and is a reflection of the increased running costs of the park as well as a reduction in the income from the golf course. Visitor numbers at the park continue to be high which has led to increases in staffing and maintenance costs. It should be noted that these figures are provisional and are still subject to external audit.
- 2.2 There has been a significant increase in cash held to £723,967. However over half of this (£392,890) represents funding for Master Plan expenditure that was due to the Council at 31<sup>st</sup> March 2015, and this money was paid to them in April 2015. The remainder of the sum will be utilised for funding the Master Plan expenditure in 2015/16 as well as covering the operational deficit for 2014/15 as detailed at 2.1 above.
- 2.3 This will leave approximately £140,000 which is being held as a contingency to cover the increased staffing and maintenance costs and the reduction in golf club income until the income streams that are anticipated from the Visitor Centre and car parking charges begin to be fully realised.
- 2.4 The capital expenditure has been funded by a combination of withdrawals from the investment of the permanent endowment in Charifund (as agreed by the Charity Commission), previously accumulated operational surpluses and the donation of £300,000 from Cobtree Charity Trust Ltd. The use of the surpluses and the funding from Cobtree Charity Trust Ltd will reduce the level of funding needed from the permanent endowment.
- 2.5 There were no withdrawals from the permanent endowment in 2014/15, and the market value of the investments held in Charifund rose by £49,006.

- 2.6 The external audit of the accounts was previously undertaken by King & Taylor. However they have made the decision to discontinue providing any audit services and have appointed UHY Hacker Young to provide audit services for this year. They are a local company based in Sittingbourne who have experience of auditing the accounts of charities, and they have indicated that their fee will be similar to that charged by King & Taylor.
- 2.7 The Committee had previously agreed to appoint King & Taylor to provide audit services for 2013/14 and 2014/15. A report on the appointment of auditors from 2015/16 onwards will be brought to a future meeting of the Committee.
- 2.8 The audit of the 2014/15 accounts is currently in progress, and if any significant issues have arisen by the time this report is presented they will be verbally reported at the meeting.
- 2.9 Once the audit is completed the Annual Report and Financial Statements will be presented to the Committee for formal approval in time to meet the statutory deadline for submission to the Charity Commission of 31<sup>st</sup> January 2016.
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### **3. AVAILABLE OPTIONS**

- 3.1 There are no other available options as there is a legal requirement to produce an Annual Report and Financial Statements.
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### **4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS**

- 4.1 That the Committee notes the contents of the Annual Report and Financial Statements.
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### **5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK**

- 5.1 Not applicable.
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### **6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION**

- 6.1 The Annual Report and Financial Statements will be externally audited and brought back to the Committee for their formal approval.
-

## 7. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	No specific issues arise.	[Head of Service or Manager]
Risk Management	No specific issues arise.	[Head of Service or Manager]
Financial	The Financial Statements are a factual statement of the affairs of the Trust for 2014/15. The financial implications are dealt with fully in the body of the report.	Head of Finance & Resources
Staffing	No specific issues arise.	[Head of Service]
Legal	No specific issues arise.	[Legal Team]
Equality Impact Needs Assessment	No specific issues arise.	[Policy & Information Manager]
Environmental/Sustainable Development	No specific issues arise.	[Head of Service or Manager]
Community Safety	No specific issues arise.	[Head of Service or Manager]
Human Rights Act	No specific issues arise.	[Head of Service or Manager]
Procurement	No specific issues arise.	[Head of Service & Section 151 Officer]
Asset Management	No specific issues arise.	[Head of Service & Manager]

## 8. REPORT APPENDICES

The following documents are to be published with this report and form part of the report:

- Appendix A: Annual Report and Financial Statements 2014/15

## 9. BACKGROUND PAPERS

None.

**Charity No. 283617**

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

**Corporate Trustee Report and Financial Statement  
for the Year Ended 31 March 2015**

**Trust Information**

<b>Corporate Trustee</b>	Maidstone Borough Council
<b>Trustees</b>	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.
<b>Charity Number</b>	283617
<b>Principal Office</b>	Maidstone Borough Council Maidstone House King Street Maidstone, Kent. ME15 6JQ
<b>Auditors</b>	UHY Hacker Young Thames House Roman Square Sittingbourne Kent ME10 4BJ
<b>Bankers</b>	All funds are managed by Maidstone Borough Council at:  Lloyds Bank plc City Office Bailey Drive Gillingham Kent ME5 0LS
<b>Solicitors</b>	Head of Legal Partnership Mid-Kent Legal Services Maidstone Borough Council Maidstone House King Street Maidstone, Kent. ME15 6JQ

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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 31<sup>st</sup> March 2015.

**Trustees**

The trustee who served during the year is 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 Perry (Chairman), Annabelle Blackmore, Steve McLoughlin, 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 three 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, and

- Kent Life – a farm heritage attraction, including a collection of historic artefacts, which is open to the public either on a pay on entry or through an annual membership fee.

### **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:

<b>Year</b>	<b>Rounds Played</b>	<b>No. of Registrations</b>
<b>2008/2009</b>	<b>40,187</b>	<b>875</b>
<b>2009/2010</b>	<b>43,913</b>	<b>952</b>
<b>2010/2011</b>	<b>41,784</b>	<b>597</b>
<b>2011/2012</b>	<b>43,516</b>	<b>498</b>
<b>2012/2013</b>	<b>36,006</b>	<b>422</b>
<b>2013/2014</b>	<b>36,923</b>	<b>574</b>
<b>2014/2015</b>	<b>37,482</b>	<b>405</b>

Number of Registrations is 405 (please note this is covered fully under the Privilege Card).

The Privilege Card costs £40 and allows holders to get reduced green fee rates and wider scope for bookings at any of Mytime Active run courses, as well as other special offers on food and in the pro shop throughout the year.

The golf course performance continued to improve in 2014/2015. The introduction of a foot golf facility has proven popular and has assisted in raising the profile of the main course.

As in past years, the golf course continues to remain a 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 was be used to contribute towards the improvements programme and maintenance of the Cobtree Manor Park.

The current contract for running the facility ends in ... The procurement process for this has begun with the aim of securing long term future investment to ensure the success of the facility.

### **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.

Volunteers continue to contribute effort to help with both practical tasks. Towards the end of the accounting year funding was granted for a new Kent Sheds project. This is

a charitable organisation that aims to support the socially isolated by providing workshops from which they can carry out practical tasks such as making bird boxes, or undertaking basic repair works or conservation tasks. The Elephant House at Cobtree was identified as an excellent potential hub for a Maidstone group and a funding bid was applied for by the Medway Valley Countryside Partnership. This was successful and the group aim to renovate the building and start a new sheds project. The group will work to support the park in lieu of rent for the Elephant House. The building will become a shared facility and a hub for volunteering and community activities in the park.

The events programme included 27 events (mostly themed guided walks). These were organised by Medway Valley Countryside Partnership with a small charge of £3 per head being made to cover the costs and help encourage those who had booked to attend. Three thousand free information leaflets advertising the events programme and providing information on the park were designed, printed and distributed.

The following works relating to the park were carried out:

- Build of phase 3 of the Master Plan Project, the new visitor centre.
- The tenants of the kiosk, 'Cobtree Cabin' finished their contract and left the park in March 2015.
- Creation of the final sculpture by Jason Mulligan for the sculpture trail.
- Continued renovation of the shrub beds.

There were very few incidents of crime or vandalism over the reporting year and two incidents involving collisions on the horse ride between riders and walkers and cyclists and riders, and one accident involving a young child on a cycle. The number of accidents in the park remains low for the number of visitors.

### **Cobtree Footfall Totals**

Unfortunately a technical fault led to a loss of data for six months of 2014, the machinery has now been repaired. Figures show a decrease in footfall for the first quarter of 2015. This could be due to various factors including advanced publicity of parking charges and weather changes with January 2015 being wetter than normal resulting in lower figures, March 2014 being sunnier than average, hence the high visitor figures for that month.

## Cobtree footfall totals

	2012	Quarterly	2013	Quarterly	% on previous year	2014	Quarterly	% on previous year	2015	Quarterly	% on previous year
Jan			14675			18133			13163		
Feb			12092			17626			17474		
Mar			12144	38911		24503	60262	+ 35	19891	50528	-19
Apr			19012			28012					
May			26325			24733					
Jun	10347		27906	73243		25971	78716	+ 7			
Jul	18509		32277			Data missing					
Aug	25461		38100								
Sep	20268	64238	23070	93447	+ 31						
Oct	20745		18605								
Nov	19296		15869								
Dec	13255	53296	13767	48241	-9						
Total	127881	117534	253842	253842		138978	138978		50528	50528	

**Kent Life**

Following the folding of the leases and between Continuum, Kent Life, Kent County Council and the Museum of Kent Life Trust the Kent Life attraction came back under the direct management of the Cobtree Manor Estate Trust in November 2013. An interim management agreement was agreed with Continuum Kent Life Limited to continue with the running of the site as a heritage farm park attraction. This agreement expires in November 2015. The facility has been tendered and the procurement exercise should be completed by the end of September 2015.

<b>Year</b>	<b>Visitor numbers</b>
2011/2012	136,000
2012/2013	116,940
2013/2014	123,715
2014/2015	129,717

Visitor numbers and the profitability of the site have continued to improve with the facility now generating a surplus enabling reinvestment and improvements to the site to be undertaken.

**Property**

The following figures were spent on maintenance:

- Planned maintenance £5,196
- Reactive maintenance £2,282

The largest costs were for the following:

- Gutter cleaning and electrical maintenance and testing.

**Additional Volunteer Help and Intangible Income**

The volunteer help given on the estate is referred to above; in addition to this the Kent Wildlife Trust volunteers and the Friends of Kent Life and Cobtree Young Farmers continued to play an important role providing voluntary assistance to support activities across the estate.

**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. The 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, whilst Kent Life provides a varied family day out for a reasonable fee.

**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. Additional labour for litter picking and managing the park out of hours at weekends and evenings during school holidays between Easter and the end of September has also been introduced due to the increase in visitor numbers.

### **FINANCIAL REVIEW**

#### **Financial Review and Investment Policy**

The net surplus generated as per the Statement of Financial Accounts continued to be used to complete the repayment of debt due to the 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 implemented the master plan for the Cobtree Manor Park and has used reserve funds for its implementation, with the permission of the Charity Commission, which will gradually be re-paid. Over the next year both the Kent Life contract and the Golf Course contract will be re-procured to ensure the charity continues to receive best value for its investments. In future a master plan for the estate as a whole will need to be devised.

**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 2015**

**Statement of Financial Activities and Summary Income and Expenditure Account**

	<b>Note</b>	<b>Unrestricted £</b>	<b>Restricted £</b>	<b>Endowment £</b>	<b>2015 Total £</b>	<b>2014 Total £</b>
<b>INCOMING RESOURCES</b>						
<b>Incoming resources from generated funds:</b>						
Investment income		54,434			54,434	<b>64,299</b>
Will Trust			49,390		49,390	<b>44,930</b>
Rental income		26,155			26,155	<b>26,575</b>
<b>Incoming resources from charitable activities:</b>						
Golf club revenue		148,425			148,425	<b>197,010</b>
<b>Other incoming resources:</b>						
Other income		518,026			518,026	<b>463,145</b>
<b>Total Incoming Resources</b>	<b>2</b>	<b>747,040</b>	<b>49,390</b>	<b>0</b>	<b>796,430</b>	<b>795,959</b>
<b>RESOURCES EXPENDED</b>						
Costs of charitable activities	<b>3</b>	506,016	39,962		545,978	<b>618,942</b>
Governance Costs	<b>3</b>	7,662	9,428		17,090	<b>24,722</b>
<b>Total Resources Expended</b>		<b>513,678</b>	<b>49,390</b>	<b>0</b>	<b>563,068</b>	<b>643,664</b>
Net Incoming/(Outgoing) resources before transfers		233,362	0	0	233,362	<b>151,755</b>
Transfers between funds					0	<b>0</b>
<b>Net Incoming/(Outgoing) resources before revaluations</b>		<b>233,362</b>	<b>0</b>	<b>0</b>	<b>233,362</b>	<b>151,755</b>
Gains and (losses) on revaluations of fixed assets for use in the charity					0	<b>1,074,397</b>
Gains and (losses) on investment assets				52,772	52,772	<b>(363,069)</b>
<b>Net movement in funds</b>		<b>233,362</b>	<b>0</b>	<b>52,772</b>	<b>286,134</b>	<b>863,083</b>
Fund balances brought forward		93,241	0	3,671,101	<b>3,764,342</b>	<b>2,901,259</b>
Fund balances carried forward	<b>10</b>	<b>326,603</b>	<b>0</b>	<b>3,723,873</b>	<b>4,050,476</b>	<b>3,764,342</b>

**Cobtree Manor Estate**  
**For the year ended 31 March 2015**

**Balance Sheet**  
**as at 31 March 2015**

	Notes	Unrestricted Funds £	Restricted Funds £	Endowment Funds £	Total 2015 £	Total 2014 £
<b>Fixed Assets</b>						
Tangible assets	6			2,511,000	2,511,000	2,511,000
Investments	7			1,212,873	1,212,873	1,163,867
		0	0	3,723,873	3,723,873	3,674,867
<b>Current Assets</b>						
Cash and bank in hand		723,968			723,968	309,532
Debtors					0	0
		723,968	0	0	723,968	309,532
<b>Creditors: Amounts falling due within one year</b>	8	(397,365)	0	0	(397,365)	(220,057)
<b>Net current assets (liabilities)</b>		326,603	0	0	326,602	89,475
<b>Total assets less current liabilities</b>		326,603	0	3,723,873	4,050,475	3,764,342
<b>Creditors: Amounts falling due in more than one year</b>	9	0	0	0	0	0
<b>Net assets</b>		326,603	0	3,723,873	4,050,475	3,764,342
<b>Reserves</b>						
<b>Charity's Funds</b>	10	326,603	0	3,723,873	4,050,475	3,764,342

Approved by the Trustees on

and signed on their behalf by:

## Cobtree Manor Estate

**Notes to the financial statements  
for the year ended 31 March 2015****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 2015**

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: -

	<b>2015</b>	<b>2014</b>
	<b>£</b>	<b>£</b>
Auditors' Remuneration – audit services	4,475	4,500

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

	<b>Unrestricted Funds</b>	<b>Restricted Funds</b>	<b>Total 2015</b>	<b>Total 2014</b>
	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>
Capital Expenditure	296,250		296,250	370,136
Human Resources		871	871	1,030
Property Repairs	32,497		32,497	38,784
Financial Advice	1,418	5,637	7,055	6,777
Auditors' Remuneration	4,475		4,475	4,725
Legal Costs	1,769	2,920	4,689	12,190
	<b>336,409</b>	<b>9,428</b>	<b>345,837</b>	<b>433,642</b>

## Cobtree Manor Estate

**Notes to the financial statements  
for the year ended 31 March 2015**

b) Support costs included within the cost of activities

	<b>Unrestricted Funds</b>	<b>Restricted Funds</b>	<b>Total 2015</b>	<b>Total 2014</b>
	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>
Staff Costs	34,685		34,685	24,874
Grounds Maintenance	110,559	24,791	135,350	113,767
Utilities	32,026	15,171	47,197	71,382
	<b>177,270</b>	<b>39,962</b>	<b>217,232</b>	<b>210,023</b>
	<b>513,679</b>	<b>49,390</b>	<b>563,069</b>	<b>643,665</b>

c) Governance Costs

	<b>Unrestricted Funds</b>	<b>Restricted Funds</b>	<b>Total 2015</b>	<b>Total 2014</b>
	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>
Human Resources		871	871	1,030
Legal Costs	1,769	2,920	4,689	12,190
Financial Advice	1,418	5,637	7,055	6,777
Auditors' Remuneration	4,475		4,475	4,725
	<b>7,662</b>	<b>9,428</b>	<b>17,090</b>	<b>24,722</b>

#### 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:

	<b>2015 No.</b>	<b>2014 No.</b>
Manor Park Grounds Maintenance	2	2
Park Ranger	1	1
	<b>3</b>	<b>3</b>

## Cobtree Manor Estate

**Notes to the financial statements  
for the year ended 31 March 2015**

There were no higher paid employees.

The aggregate payroll costs of these persons were as follows:

	<b>2015</b>	<b>2014</b>
	<b>£</b>	<b>£</b>
Wages & Salaries	<u>27,213</u>	<u>24,874</u>

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

**6. Tangible Fixed Assets**

	<b>Long Leasehold Land &amp; Buildings £</b>	<b>Total £</b>
<b>Cost or Valuation</b>		
At 1st April 2013	1,436,141	1,436,141
Additions	725,000	725,000
Revaluations	349,859	349,859
At 31st March 2014	<b><u>2,511,000</u></b>	<b><u>2,511,000</u></b>

**Net Book Values**

At 31st March 2014	2,511,000	2,511,000
At 31st March 2013	1,436,141	1,436,141

	<b>Long Leasehold Land &amp; Buildings £</b>	<b>Total £</b>
<b>Cost or Valuation</b>		
At 1st April 2014	2,511,000	2,511,000
Additions	0	0
Revaluations	0	0
At 31st March 2015	<b><u>2,511,000</u></b>	<b><u>2,511,000</u></b>

**Net Book Values**

At 31st March 2015	2,511,000	2,511,000
At 31st March 2014	2,511,000	2,511,000

## Cobtree Manor Estate

**Notes to the financial statements  
for the year ended 31 March 2015**

The closing net book value includes assets used for:

	<b>2015</b>	<b>2015</b>
	<b>£</b>	<b>£</b>
Direct Charitable Purposes	2,511,000	2,511,000

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 Harrison's Chartered Surveyors on a five yearly cycle based on market value with the remaining properties being revalued by Harrison's Chartered Surveyors on a five year cycle based on market value subject to existing tenancies. The next valuation is due in April 2018.

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

- Cobtree Manor Golf Course  
(Including clubhouse, messroom/garage) April 2013
- Garden Cottage April 2013
- 2 Stream Cottages April 2013
- 3 Stream Cottages April 2013
- 4 Stream Cottages April 2013

### Historical Cost Information

	<b>2014</b>	<b>2013</b>
	<b>£</b>	<b>£</b>
Leasehold Land & Buildings	1,665,688	940,688

### 7. Fixed Asset Investments

	<b>Listed Investments</b>	<b>Total</b>
	<b>£</b>	<b>£</b>
Market Value at 1st April 2014	1,163,867	1,163,867
Additions	0	0
Withdrawals	0	0
Revaluations	49,006	49,006
Market Value at 31st March 2015	<u>1,212,873</u>	<u>1,212,873</u>

### Net Book Values

At 31st March 2015	1,212,873	1,212,873
At 31st March 2014	1,163,867	1,163,867

## Cobtree Manor Estate

Notes to the financial statements  
for the year ended 31 March 2015

<b>Fixed Asset Investments</b>	<b>2015</b>	<b>2014</b>
Market Valuation of Listed Investments	1,212,873	1,163,867
Historical Cost Information	784,000	784,000

**8. Debtors**

	<b>2015</b>	<b>2014</b>
	<b>£</b>	<b>£</b>
Other Debtors	0	0
	<u>0</u>	<u>0</u>

**Creditors: Amounts Falling Due Within One Year**

	<b>Unrestricted Funds</b>	<b>Endowment Funds</b>	<b>2015 Total</b>	<b>2014 Total</b>
	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>
Other Creditors - Maidstone BC	392,890	0	392,890	215,332
Accruals & Deferred Income	4,475	0	4,475	4,725
	<u><b>397,365</b></u>	<u><b>0</b></u>	<u><b>397,365</b></u>	<u><b>220,057</b></u>

**9. Reserves**

	<b>Restricted Funds</b>	<b>Unrestricted Funds</b>	<b>Revaluation Reserve</b>	<b>Permanent Endowment</b>	<b>Total</b>
	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>
<b>At 1st April 2014</b>		93,241	1,573,616	2,097,485	3,764,342
Revaluation of Property					0
Net Incoming Resources		233,361		3,766	237,127
Increase/(Decrease) in value of investments			49,006		49,006
<b>At 31st March 2015</b>	<u><b>0</b></u>	<u><b>326,602</b></u>	<u><b>1,622,622</b></u>	<u><b>2,101,251</b></u>	<u><b>4,050,475</b></u>

**Unrestricted Funds**

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

## Cobtree Manor Estate

**Notes to the financial statements  
for the year ended 31 March 2015**

**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:

**Permanent Endowment Assets**

	<b>2015</b>	<b>2014</b>
	<b>£</b>	<b>£</b>
Long Leasehold Land & Buildings	1,786,000	1,786,000
Investments at Market Value (Note 6)	1,212,873	1,163,867
	<u>2,998,873</u>	<u>2,949,867</u>

**10. Capital Commitments**

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

	<b>2015</b>	<b>2014</b>
	<b>£</b>	<b>£</b>
Authorised, but not contracted as at 31 <sup>st</sup> March 2015	0	397,500

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 first two phases now complete. It is anticipated that the final phase will be completed by Spring 2015.

- Phase 1: Play Area
- Phase 2: Parks works

## Cobtree Manor Estate

**Notes to the financial statements  
for the year ended 31 March 2015**

- 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 Trust has also received a donation of £300,000 from Cobtree Charity Trust Ltd towards the cost of the Visitor Centre.

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: -

	<b>£</b>
<b>Receipts</b>	
The Cobtree Charity Trust Limited	£355,000
<b>Payments</b>	
Maidstone Borough Council – Governance & Support Costs	£234,322

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.

## Cobtree Manor Estate

**Notes to the financial statements  
for the year ended 31 March 2015**

	Analysis of 2015 Total			Analysis of 2014 Total		
	Unrestricted £	Restricted £	Endowment £	Unrestricted £	Restricted £	Endowment £
<b>INCOMING RESOURCES</b>						
<b>Incoming resources from generated funds:</b>						
Investment income	54,434			64,299		
Will Trust		49,390			44,930	
Rental income	26,155			26,575		
<b>Incoming resources from charitable activities:</b>						
Golf club revenue	148,425			197,010		
<b>Other incoming resources:</b>						
Other income	518,026			463,145		
<b>Total Incoming Resources</b>	<b>747,040</b>	<b>49,390</b>	<b>0</b>	<b>751,029</b>	<b>44,930</b>	<b>0</b>
<b>RESOURCES EXPENDED</b>						
Costs of charitable activities	506,016	39,962		580,305	38,638	
Governance Costs	7,662	9,428		18,970	5,752	
<b>Total Resources Expended</b>	<b>513,679</b>	<b>49,390</b>	<b>0</b>	<b>599,275</b>	<b>44,390</b>	<b>0</b>
Net Incoming/(Outgoing) resources before transfers	233,361			151,754		
Transfers between funds						
<b>Net Incoming/(Outgoing) resources before revaluations</b>	<b>233,361</b>	<b>0</b>	<b>0</b>	<b>151,754</b>	<b>0</b>	<b>0</b>
Gains and (losses) on revaluations of fixed assets for use in the charity						1,074,397
Gains and (losses) on investment assets			52,772			-363,069
<b>Net movement in funds</b>	<b>233,361</b>	<b>0</b>	<b>52,772</b>	<b>151,754</b>	<b>0</b>	<b>711,328</b>
Fund balances brought forward	93,241		3,671,101	-58,513		2,959,773
Fund balances carried forward	<b>326,602</b>	<b>0</b>	<b>3,723,873</b>	<b>93,241</b>	<b>0</b>	<b>3,671,101</b>

# Agenda Item 9

## Cobtree Manor Estate Charity Committee

**23<sup>rd</sup> September  
2015**

Is the final decision on the recommendations in this report to be made at this meeting?

**Yes**

## Cobtree Manor Estate Risk Management Annual Review 2015

<b>Final Decision-Maker</b>	Cobtree Manor Estate Committee
<b>Head of Service</b>	Head of Commercial and Economic Development
<b>Lead Officer and Report Author</b>	Cobtree Officer
<b>Classification</b>	Non-exempt
<b>Wards affected</b>	Boxley

### **This report makes the following recommendations:**

1. Endorse the risk assessment document attached as Appendix I to this report.

### **This report relates to the following corporate priorities:**

Keeping Maidstone an attractive place for all: Ensuring that there are good leisure and cultural facilities

### **Timetable**

<b><i>Meeting</i></b>	<b><i>Date</i></b>
Cobtree Manor Estate Charity Committee	23 September 2015

# Cobtree Manor Estate Risk Management Annual Review 2015

## 1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 To review the risk management report for 2015, and to consider if amendments need to be made to the risk management assessment for the operation and management of the charity.

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## 2. INTRODUCTION AND BACKGROUND

- 2.1 Cobtree Manor Estate covers a large area of land left in Trust to the people of Maidstone. The Cobtree Trust hold the freehold to the estate whilst the Cobtree Manor Estate Trust (CMET) have a 999 year lease. The land is administered on behalf of CMET by Maidstone Borough Council.

### 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.”
- 2.2 The Cobtree Manor Estate Committee has previously resolved to review the risks associated with the operation and management of the charity on an annual basis. This report is an update on last year's report. A detailed risk assessment is set out in Appendix I.

### **3. AVAILABLE OPTIONS**

- 3.1 The committee could choose to accept the updated risk assessment report set out in Appendix I as it is, with any minor amendments they would like to make. The new report reflects the latest situation with the management of the estate.
  - 3.2 The Committee could choose to reject the risk assessment report set out in Appendix I and request that the risk assessment is done differently. The format used currently has been used for a number of years and has fitted the requirements of the estate. It is not currently considered necessary to change this.
  - 3.3 The Committee could choose not to accept this year's report and make no alterations to last year's report. This is not recommended as in each year the risks change slightly and the risk assessment should reflect this and manage these new risks appropriately.
- 

### **4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS**

- 4.1 It is recommended that the Committee accept the updated risk assessment report set out at Appendix I as it is. The new report reflects the latest situation for the management of the estate and sets out the ways in which all the identified risks to the charity are managed.
  - 4.2 The appendix examines the risks that are monitored by the charity setting out the responsibilities of all the appropriate parties. Additional risks that have been identified this year are predominantly operational. Both the Golf Course and Kent Life contracts are in the process of being renewed, presenting risks to the charity around the successful completion of the tender process. In addition to this the visitor centre/café has just opened and as a new enterprise will take some time to establish and become profitable, alongside this parking charges are to be introduced shortly which will again require careful management.
  - 4.3 It is recommended that the report and its Appendix are endorsed as the risk management strategy for 2015.
- 

### **5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK**

- 5.1 The risk assessment is not consulted on as it is an internal management report, reflecting best practice. Previous committee feedback has always been to endorse an annual risk management plan as set out in Appendix I.
- 

### **6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION**

- 6.1 Any changes resulting to risk management from this report will be communicated to staff as necessary and reflected in the day to day management of the estate.

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## 7. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<b>Impact on Corporate Priorities and Charity objects</b>	No implications.	Head of Commercial and Economic Development 11 Sep 15
<b>Risk Management</b>	Risk management is the subject of this report and the implications are set out in the appendix.	Parks and Leisure Manager
<b>Financial</b>	Implications depending on the successful management of the risks identified in the report.	Cobtree Accountant
<b>Staffing</b>	No implications.	n/a
<b>Legal</b>	No implications.	n/a
<b>Equality Impact Needs Assessment</b>	No implications.	n/a
<b>Environmental/Sustainable Development</b>	No implications.	n/a
<b>Community Safety</b>	No implications.	n/a
<b>Human Rights Act</b>	No implications.	n/a
<b>Procurement</b>	No implications.	n/a
<b>Asset Management</b>	Implications depending on the successful management of the risks identified in the report.	Parks and Leisure Manager

## 8. REPORT APPENDICES

The following documents are to be published with this report and form part of the report:

- Appendix I: Cobtree Manor Estate Risk Management Annual Review, September 2015.

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## 9. BACKGROUND PAPERS

None.

## **APPENDIX I**

### **Cobtree Manor Estate Risk Management Annual Review September 2015**

## 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 income from golf course. § Reduced surplus at Kent Life. § Failure to re lease golf course and Kent Life at end of existing leases.	§ Reduced visitor numbers. § Claims for compensation. § Long term damage to course or park. § Inability to maintain levels of service. § Difficulty in re-tendering site in its present state. § Significant income pressure on charity. § Requirement for charity to operate sites itself.
4.	Financial	§ Level of financial resources to maintain services.	§ Reduced income from investments. § Adequacy of monitoring procedures. § Inability to pay back reserves. § Reduced/insufficient income from café/car parking	§ Reduced income threatening remainder of charity's activities. § Potential for sites to become derelict. § Reduced investment in buildings and infrastructure. § Reduced endowment fund. § Threat to staffing and ability to fund ongoing park management.
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 misuse 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**

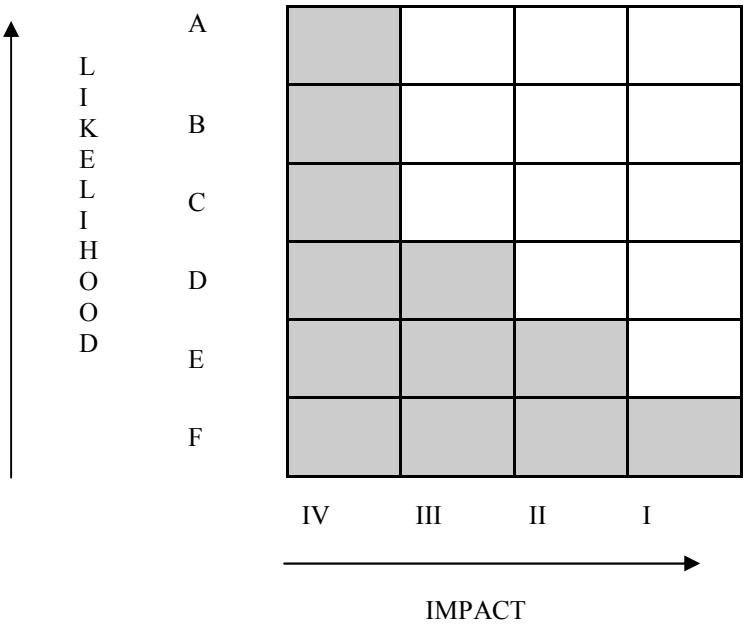
The risks have been mapped against a typical appetite for risk. The Assessment has been prepared in the context of the Charity's key objectives; with the risks, at this stage, having not been mitigated.

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

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

<b>Controls already in place</b>	<b>Adequacy of controls</b>	<b>Required action</b>	<b>Responsibility</b>	<b>Critical success factors</b>	<b>Review period</b>	<b>Key dates</b>
§ 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.

35

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

<b>Controls already in place</b>	<b>Adequacy of controls</b>	<b>Required action</b>	<b>Responsibility</b>	<b>Critical success factors</b>	<b>Review period</b>	<b>Key dates</b>
§ 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 Committee 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: Operational	Current Risk Score	Target Risk Score
3a.	Contractor defaults on the contract (Golf Course, Kent Life, Maidstone Borough Services)	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.	§ Continue with regular meetings. § Begin meetings with other contractors where necessary. § Identify appropriate action to be taken in the course of a contractor defaulting. § Ensure controls are adequate and instigate remedial action where insufficient.	§ Contract monitoring Officer/ Partnership Board/Cobtree Manager /Parks and Leisure Manager. § Cobtree Officer and Parks and Leisure Manager 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

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

<b>Controls already in place</b>	<b>Adequacy of controls</b>	<b>Required action</b>	<b>Responsibility</b>	<b>Critical success factors</b>	<b>Review period</b>	<b>Key dates</b>
§ 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 Manager. § 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: Operational	Current Risk Score	Target Risk Score
3c.	Major breach in safety regulations 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.	§ Individual risk assessments for all activities.	§ Regular review of risk assessments.	§ Contractor/ Cobtree Manager/Health and Safety Manager/Parks and Leisure Manager.	§ 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.	§ 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: Operational	Current Risk Score	Target Risk Score
3d.	Contractor receiving reduced income from Golf Course, charity receiving less income following re-tender.	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. § Investigating re-tender using a leisure consultant to advise on suitable models.	§ Relies on contractor information. § Relies on advice from consultant.	§ Regular income reports to meetings of the Partnership Board. § Ensure re-tender allows contractors to invest for the longer term and to have flexibility in the use of the site. § Ensure a strategy is set up for successful re-tender.	§ Contract Monitoring Officer/ Partnership Board/Parks and Leisure Manager/Cobtree Officer.	§ Income maintained at projected levels. § Ability to allow contractor to diversify and invest over the long term. § Importance of being able to be flexible with future offer.	§ Quarterly.	§ On-going.

<b>Risk No.</b>	<b>Description: Operational</b>	<b>Current Risk Score</b>	<b>Target Risk Score</b>
3e.	Contractor failing to sign golf course contract for current period until tender process is complete.	AI	BII

<b>Controls already in place</b>	<b>Adequacy of controls</b>	<b>Required action</b>	<b>Responsibility</b>	<b>Critical success factors</b>	<b>Review period</b>	<b>Key dates</b>
§ Negotiations on going with Contractor.	§ If a deal cannot be reached with the exiting operator they may be forced to leave the site before a new tender is secured.	§ Continue high level negotiation. § Ensure re-tender is prioritized. § Prepare plan to manage golf course in event of losing the contractor.	§ Parks and Leisure Manager. § Head of Commercial and Economic Development § Cobtree Officer	§ Income maintained at projected levels. § Golf course continuing to operate.	§ Monthly.	§ September 2015

Risk No.	Description: Operational	Current Risk Score	Target Risk Score
3f.	Failure to gain an operator to run Kent Life following the end of the present agreement.	DIII	EIII

Controls already in place	Adequacy of controls	Required action	Responsibility	Critical success factors	Review period	Key dates
§ Current lease to November 2015.	§ Re-tender process is underway a consultant has been appointed and expressions of interest have been returned.	§ Ensure re-tender is prioritized.	§ Parks and Leisure Services Manager. § Cobtree Officer.	§ Re-tender in time for the end of existing lease. § Allowing sufficient flexibility in contract for fresh ideas to flourish and the site to continue to improve.	§ Monthly.	§ On-going. § Nov 2015

Risk No.	Description: Operational	Current Risk Score	Target Risk Score
3g.	Failure to successfully run visitor centre/café	CIII	EIII

Controls already in place	Adequacy of controls	Required action	Responsibility	Critical success factors	Review period	Key dates
§ New Manager and Catering Supervisor and Assistant appointed, additional casual staff recruited. § Building completed and operational.	§ Staffing resource is in place and building is fit for purpose.	§ Ensure adequate training of all new staff. § Set clear standards and goals from the beginning. § Ensure adequate financial control. § Set up suitable monitoring procedures.	§ Cobtree Manager § Parks and Leisure Manager § Cobtree Officer	§ Good customer service scores and mystery shop score achieved. § Facility is self funding and generates a surplus for reinvestment in the park § Green flag retained.	§ Quarterly	§ Cobtree Trust opening in October. § Quarterly finances and annual performance to be reported in July 2016

<b>Risk No.</b>	<b>Description: Operational</b>	<b>Current Risk Score</b>	<b>Target Risk Score</b>
3h.	Poor operation of car parking charges leading to poor public perception and reduced visitor numbers	DII	EIV

<b>Controls already in place</b>	<b>Adequacy of controls</b>	<b>Required action</b>	<b>Responsibility</b>	<b>Critical success factors</b>	<b>Review period</b>	<b>Key dates</b>
§ Marketing information gone out in the car park advising of charges coming. § Signage confirms income raised is reinvested in the park. § Car park to be operated by existing experienced MBC team.	§ Ensure a clear communications plan is in place in advance of when charging is introduced.	§ Ensure benefits for those paying for parking eg special offers. § Ensure improvements to the park as a result of income from car parking are well advertised. § Ensure permits are easy to obtain.	§ Cobtree Manager. § Cobtree Officer	§ Benefits to visitors are clear. § Reduction in visitors is kept to a minimum. § Car park is well managed. § Complaints are minimized. § Visitor numbers are stabilized and back to current amount within 3 years.	§ Quarterly.	§ September 2015 § September 2016 § September 2017 § September 2018

## Risk Management: Action Plan

<b>Risk No.</b>	<b>Description: Financial</b>	<b>Current Risk Score</b>	<b>Target Risk Score</b>
4a.	Reduced income from investments.	E.III	F.IV

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

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

<b>Controls already in place</b>	<b>Adequacy of controls</b>	<b>Required action</b>	<b>Responsibility</b>	<b>Critical success factors</b>	<b>Review period</b>	<b>Key dates</b>
§ 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

<b>Risk No.</b>	<b>Description: Financial</b>	<b>Current Risk Score</b>	<b>Target Risk Score</b>
4c.	Tenants defaulting on rental payments	E.III	F.IV

<b>Controls already in place</b>	<b>Adequacy of controls</b>	<b>Required action</b>	<b>Responsibility</b>	<b>Critical success factors</b>	<b>Review period</b>	<b>Key dates</b>
§ 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 <sup>st</sup> , April 1 <sup>st</sup> , July 1 <sup>st</sup> , October 1 <sup>st</sup>

<b>Risk No.</b>	<b>Description: Financial</b>	<b>Current Risk Score</b>	<b>Target Risk Score</b>
4d.	Receiving insufficient income from café/car parking to cover operational costs	CII	EII

<b>Controls already in place</b>	<b>Adequacy of controls</b>	<b>Required action</b>	<b>Responsibility</b>	<b>Critical success factors</b>	<b>Review period</b>	<b>Key dates</b>
§ Budget monitoring set up. § Cobtree Manager to oversee all financial operations in the park assisted by the Cobtree Accountant. § Visitor numbers monitored.	§ Income/Expenditure is carefully monitored. § Manager and staff all experienced and qualified to give new venture best start possible. § New facilities of a high standard	§ Regular customer satisfaction surveys to be carried out. § Finance updates brought to each committee to include monitoring of new ventures.	§ Cobtree Manager. § Cobtree Accountant. § Parks and Leisure Manager. § Cobtree Officer.	§ Income builds gradually to a sustainable level that makes a significant positive impact of park running costs. § Good customer satisfaction scores. § After 2 years it should be clear if the venture is a success.	§ Quarterly.	§ 1 <sup>st</sup> August 2015 § 1 <sup>st</sup> August 2016 § 1 <sup>st</sup> August 2017

## Risk Management: Action Plan

Risk No.	Description: External	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. § All posters etc to use correct communications scheme. § Comms to advise on all public information including websites, social media, posters etc.	§ Cobtree Officer. § Cobree Manager.	§ No negative reports in the press or media. § Dealing with incidents as quickly as possible.	§ When required.	§ On-going.

## Risk Management: Action Plan

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

<b>Controls already in place</b>	<b>Adequacy of controls</b>	<b>Required action</b>	<b>Responsibility</b>	<b>Critical success factors</b>	<b>Review period</b>	<b>Key dates</b>
§ 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.	§ Minimises 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: Legal	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.  § Appointment of Cobtree Officer.  § Annual Report to Charity Commission.  § External Auditors.	§ Ensures a clear focus on Charity issues.  § Provides clear separation of officer roles.  § Monitors each of these.	§ Need to reinforce to both Members and Officers the clear distinction between local authority and Charity issues.  § Reinforce independency of Cobtree Officer role.	§ Cobtree Officer/Senior Solicitor/Committee Members.	§ No blurring between the respective roles of the Council acting as local authority and as Charity.  § No concerns from Charity Commission or independent auditor..	§ On-going.  § Annually	§ On-going.  § December (Annual Report).

Risk No.	Description: Legal	Curre.nt Risk Score	Target Risk Score
6b.	Maidstone Borough Council acting as corporate Trustee of the charity fails 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. § Objects of the charity included in all reports. § Cobtree Officer regularly meets with the Cobtree Trust.	§ Ensure estate is run in accordance with the charity's aims. § Gives focus to management and property matters.	§ Annual Reports are submitted to the Charity Commission. § Recommendation of auditors are followed. § Review of Asset Management Plan.	§ Cobtree Officer § Cobtree Accountant § Parks and Leisure Manager § Property section.	§ Compliance with requirements of lease.	§ Annual.	§ December § July.

## Cobtree Manor Estate Committee

**23<sup>rd</sup> September  
2015**

Is the final decision on the recommendations in this report to be made at this meeting?

**Yes**

## Cobtree Estate Progress Report

<b>Final Decision-Maker</b>	Cobtree Manor Estate Committee
<b>Lead Director or Head of Service</b>	Head of Commercial and Economic Development
<b>Lead Officer and Report Author</b>	Cobtree Officer
<b>Classification</b>	Non-exempt
<b>Wards affected</b>	Boxley

**This report makes the following recommendations to the final decision-maker:**

1. To note the contents of the report attached at **Appendix A**.

**This report relates to the following corporate priorities:**

Keeping Maidstone an attractive place for all: Ensuring that there are good leisure and cultural facilities

### Timetable

<b>Meeting</b>	<b>Date</b>
Cobtree Manor Estate Committee	23 <sup>rd</sup> September 2015

# Cobtree Estate Progress Report

## 1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 The information in the report is intended to give the Committee an understanding of the day to day work of the estate and the issues that affect its management. It also provides a record of all that is achieved across the different parts of the estate.
  - 1.2 The work of the estate for the winter, spring and summer period is set out in Appendix I.
- 

## 2. INTRODUCTION AND BACKGROUND

- 2.1 Cobtree Manor Estate covers a large area of land left in Trust to the people of Maidstone. The Cobtree Trust hold the freehold to the estate whilst the Cobtree Manor Estate Trust (CMET) have a 999 year lease. The land is administered on behalf of CMET by Maidstone Borough Council.

### 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.”
- 2.2 No actions are recommended to the committee other than noting the report, it is for information only.
-

### 3. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 3.1 It is recommended that the information in the appendix to the report is noted, in order to ensure an accurate record of work across the estate is maintained.
- 

### 4. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 4.1 The Committee has previously resolved to receive regular updates on the ongoing work across the estate.
- 

### 5. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities and Charity Objects	No implications	Head of Commercial and Economic Development
Risk Management	No implications	N/a
Financial	No additional implications – normal ongoing works	Cobtree Accountant
Staffing	No implications	N/a
Legal	No additional implications – normal ongoing works	Legal team
Equality Impact Needs Assessment	No implications	N/a
Environmental/Sustainable Development	No implications	N/a
Community Safety	No implications	N/a
Human Rights Act	No implications	N/a
Procurement	No implications	N/a
Asset Management	No implications - normal ongoing works	Parks and Leisure Manager

### 6. REPORT APPENDICES

- Appendix I: Cobtree Estate Progress Report September 2015
- 

### 7. BACKGROUND PAPERS

There are none.

## Appendix I

### Cobtree Estate Progress Report September 2015

#### Introduction

This report sets out the work on the estate and covers the period November 2014 to September 2015.

#### Cobtree Manor Park

Maintenance of the park over this period covered the winter and spring. Works to the park included the following;

- Ongoing shrub renovation throughout the park
- Planting of new shrubs and trees
- Delivery of the 2015 events programme; the mini beast safari walks have proven particularly popular with all of the walks in the summer holidays being fully booked. The new autumn/winter events of bird feeders and Christmas decorations are also booking up quickly.

Works undertaken as part of the Master Plan for phase three of the project.

- Completion of the Visitor centre and opening of the café.
- Installation of the final sculpture by Jason Mulligan; thereby completing the master plan project.



The final sculpture has been installed, completing the sculpture trail. More information can be found on the blog written by sculptor Jason Mulligan <http://thecobtreesculpture.blogspot.co.uk> This main piece is sited next to the visitor centre.



The new visitor centre has been completed and handed over by the builders. The café has opened and is gradually increasing the menu, now serving hot food and breakfasts which are proving to be popular. Car parking charges will begin on 5<sup>th</sup> October 2015.

A new Cobtree Manager, Lizzie Buckingham has been appointed to manage the park and set up and run the new Visitor centre. A catering supervisor, assistant and casual staff have also been appointed.

The Park Ranger, Eva Girling has left Cobtree and a review of the staffing arrangements in the park will be undertaken to consider the new visitor centre and team working. It is hoped that existing park staff currently employed under agency arrangements will be able to be offered permanent employment.

## Cobtree Footfall Totals

Unfortunately a technical fault led to a loss of data for six months of 2014, the machinery has now been repaired. Figures show a decrease in footfall for the first 2 quarters of 2015. This could be due to various factors including advanced publicity of parking charges and weather changes with January 2015 being wetter than normal resulting in lower figures, March 2014 being sunnier than average, hence the high visitor figures for that month and June 2015 being colder than average, hence the lower numbers then.

### Cobtree Monthly and Quarterly footfall figures

	2012	Quarterly	2013	Quarterly	% on previous year	2014	Quarterly	% on previous year	2015	Quarterly	% on previous year
Jan			14675			18133			13163		
Feb			12092			17626			17474		
Mar			12144	38911		24503	60262	+ 35	19891	50528	-19
Apr			19012			28012			27093		
May			26325			24733			23254		
Jun	10347		27906	73243		25971	78716	+ 7	20472	70819	-11
Jul	18509		32277			Data missing			3326		
Aug	25461		38100								
Sep	20268	64238	23070	93447	+ 31						
Oct	20745		18605								
Nov	19296		15869								
Dec	13255	53296	13767	48241	-9						
Total	127881	117534	253842	253842		138978	138978		124673	0	

until 6/7/15

## Elephant House

The Cobtree Sheds group have started on the Elephant House renovations. The Elephant House is to become a hub for volunteering in the park and will provide an excellent facility for community projects. They hope to make bird boxes and other small items that could be sold. The building now has water and electricity connections and the sheds volunteers have started with tidying out the inside of the building.

## Cobtree golf course

Roundage figures for the golf course are below. These show the roundage is up each month on the same period the previous year, except for December 2014, the change in figures are relatively minimal with 2154 (14%) more rounds over the 6 month period. Whilst foot golf is not included in the figures the addition of a new facility at the course may have attracted new players to the normal course.

December 2014	1832	December 2013	1975
January 2015	1439	January 2014	1118
February 2015	1567	February 2014	427
March 2015	2429	March 2014	2365
April 2015	3849	April 2014	3552
May 2015	4036	May 2014	3561
<b>Total</b>	<b>15152</b>		<b>12998</b>

## Westfield Wood

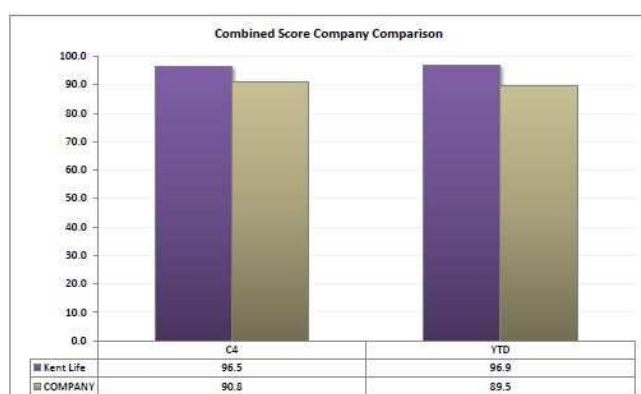


New fencing has been installed at Westfield Wood to try and reduce the problems of 4 x 4 vehicles, quad bikes and motorbikes accessing the site. CCTV has also been installed with those caught on camera being prosecuted. Regular police patrols are also continuing in order to try and catch cyclists. The natural

environment of the site is highly sensitive, pedestrians are welcomed but significant damaged can be caused by those accessing the site with vehicles.

## Kent Life

Kent Life continues to perform well with an increase in profits on the budgeted figure and a higher than budgeted predicted year end. The attraction continues to have excellent customer satisfaction scores in comparison with the Continuum group as a whole. In April 2015 Kent Life was awarded best in Customer Service at the national Museum and Heritage Awards beating many of the large London Museums.



## Young Farmers

Following a meeting with the Young Farmers group concerns regarding the Heads of Terms have been resolved and the lease for them is being drawn up in line with the report brought to the committee on 12<sup>th</sup> November 2014.

## Friends of Kent Life

The Friends of Kent Life have drawn up Memorandum of Understanding (MoA), which is currently being discussed. This document is to form the basis of an agreement between them and Cobtree Manor Estate Trust (CMET). They are looking to build on the new volunteering policy that has been introduced by Continuum. The MoA will enable them to have a secure basis in the attraction thereby ensuring that funding can be applied for and helping them continue their support of the historic collection held at Kent Life. Once the document has been finalised it will be brought before the Committee for approval.

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

Document is Restricted

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of the Local Government Act 1972.

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