

Cobtree Manor Estate Charity Committee

23rd March 2016

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

Yes

Cobtree Manor Estate Update Report

Final Decision-Maker	Cobtree Manor Estate Charity Committee
Lead Head of Service	Head of Commercial and Economic Development
Lead Officer and Report Author	Cobtree Officer
Classification	Public
Wards affected	Boxley

This report makes the following recommendations to this Committee that: -

1. The contents of Appendix I to the report are noted.
2. The charges for the draft events list ('the Draft Events Charges') are approved.
3. The Head of Mid Kent Legal Services by delegated to negotiate and enter into a short term lease of the Forstal Field with Friningham Manor Enterprises on behalf of the Cobtree Manor Estate Trust.
4. The Kent Wildlife Trust is permitted to install a wildlife trail between Tyland Barn and Cobtree Manor Park and run 9 schools workshops subject to a successful funding bid.

This report relates to the following corporate priorities:

- Keeping Maidstone Borough an attractive place for all -
Ensuring there are good leisure and culture facilities.

Timetable

Meeting	Date
Cobtree Manor Estate Committee	23 rd March 2016

Cobtree Manor Estate Update 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 autumn and winter period is set out in Appendix I. The Committee is asked to note the contents of the report, and consider the letting of the Forstal Field and the proposal by Kent Wildlife Trust, set out in Appendix I.
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2. INTRODUCTION AND BACKGROUND

- 2.1 The Cobtree Manor Estate covers a large area of land which was left in trust to the people of Maidstone. The Cobtree Charity Trust holds the freehold to the estate and the Cobtree Manor Estate Trust (CMET) has a 999 year lease. The land is administered on behalf of CMET by Maidstone Borough Council.

Cobtree Manor Estate Charity - 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 in writing 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."
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3. AVAILABLE OPTIONS

- 3.1 The Committee could choose to reject the regular update on the Estate's progress; however this would not be in the interest of best management practice.

- 3.2 The Committee could choose not to charge for events however the current charges cover costs and ensure that events are able to run at no cost to the charity.
 - 3.3 The Committee could continue to leave the Forstal field fallow. However, this would result in scrub developing over time and increase costs if, in the future, it were to be brought back into use either for agriculture or events.
 - 3.4 The Committee could choose to have animal grazing on the field however this would result in high expense as most of the fencing is in need of repair.
 - 3.5 The Committee could choose not to allow the Kent Wildlife Trust to install interpretation and run schools projects on the estate walk. However the project aims are in line with those of the charity and the new usage could bring further visitors to the park.
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4. PREFERRED OPTIONS AND REASONS FOR RECOMMENDATIONS

- 4.1 It is recommended that the Estate updates information in Appendix I to the report is noted in order to ensure an accurate record of work across the Estate is maintained.
 - 4.2 It is recommended that the Draft Events Charges be approved.
 - 4.3 It is recommended that the Head of Mid Kent Legal Services be delegated to enter into a short term lease of the Forstal Field with Friningham Manor Enterprises on behalf of the CMET. The Forstal Field is currently unmaintained. The regular cultivation of the field will assist in ensuring it is maintained in a usable state and reduce future maintenance costs. The lease should be drafted to include a break clause for CMET each year in the event that an alternative use for the field is found.
 - 4.4 The Committee has been advised of the aspirations of the Kent Wildlife Trust (KWT) to install a wildlife trail between Tyland Barn and Cobtree Manor Park, and to run 9 schools workshops (subject to a successful funding bid). The Committee is asked now formally to approve the installation of the trail and the running of the workshops subject to the following provisos;
 - KWT is made aware that in winter the path is very muddy and can at times be un-walkable, CMET would not therefore be expected to keep it in a passable condition at all times.
 - KWT would be responsible for the upkeep of any interpretation and would need to liaise with the Cobtree Manager for suitable days to book workshops on.
 - The path is open access and during workshops this would need to be maintained and appropriate risk assessments to deal with horses, cyclists, dogs etc. would need to be in place.
 - CMET would like local poets and authors to be included in the project.
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5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 5.1 The Committee has previously resolved to receive regular updates on the ongoing work across the Estate. All tasks where specific decisions are required are brought separately to the Committee.
- 5.2 The Forstal Field proposal has not yet been consulted on. Forstal Field is not currently accessible to the local public and the proposed lease to Friningham Manor Enterprises would need to be agreed with Kent Life if access via the Kent Life site were required.
- 5.3 The Kent Wildlife Trust proposal has been raised with the Committee informally for initial feedback.
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6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 6.1 Any comments from the Committee will be passed on to the relevant parties.
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7. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	The work of the charity links directly to its charitable objects and the corporate priorities of the Council.	Head of Commercial and Economic Development
Risk Management	Risks to running the estate are dealt with in the annual Estate Risk Management Report.	
Financial	Financial risks are considered in the ongoing finance updates.	Cobtree Finance Officer
Staffing	No implications.	
Legal	A lease for the use of Forstal field will be required.	John Scarborough, Head of Legal Partnership, MKLS
Equality Impact Needs Assessment	No implications.	
Environmental/Sustainable Development	No implications.	
Community Safety	No implications.	
Human Rights Act	No implications.	

Procurement	No implications.	
Asset Management	No implications – normal ongoing works.	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 Estate Progress Report March 2016
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9. BACKGROUND PAPERS

There are none.