

COBTREE MANOR ESTATE CHARITY COMMITTEE MEETING

Date: Tuesday 11 June 2019
Time: 1.45 p.m.
Venue: Town Hall, High Street, Maidstone

Membership:

Councillors Cox, Daley, Mrs Gooch (Vice-Chairman), Mrs Hinder and McLoughlin (Chairman)

The Chairman will assume that all Members will read the reports before attending the meeting. Officers are asked to assume the same when introducing reports.

AGENDA

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| 1. Apologies for Absence | |
| 2. Notification of Substitute Members | |
| 3. Urgent Items | |
| 4. Notification of Visiting Members | |
| 5. Disclosures by Members and Officers | |
| 6. Disclosures of Lobbying | |
| 7. To consider whether any items should be taken in private because of the possible disclosure of exempt information. | |
| 8. Minutes of the meeting held on 9 April 2019 | 1 - 5 |
| 9. Minutes of the meeting held on 21 May 2019 | 6 |
| 10. Presentation of Petitions (if any) | |
| 11. Questions and answer session for members of the public (if any) | |
| 12. Cuddle Corner Roof Defect Works | 7 - 15 |

Issued on Monday 3 June 2019

Continued Over/:

Alison Broom

Alison Broom, Chief Executive

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 12A and Brief Description	
13. Exempt Appendix 1 to the Report Relating to Cuddle Corner Roof Defect Works	3 – Information re. Financial/Business Affairs	16 - 18

PUBLIC SPEAKING AND ALTERNATIVE FORMATS

If you require this information in an alternative format please contact us, call **01622 602899** or email committee@maidstone.gov.uk.

In order to speak at this meeting, please contact Democratic Services using the contact details above, by 5 p.m. one clear working day before the meeting (i.e. Friday 7 June 2019). If asking a question, you will need to provide the full text in writing. If making a statement, you will need to tell us which agenda item you wish to speak on. Please note that slots will be allocated on a first come, first served basis.

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MAIDSTONE BOROUGH COUNCIL

COBTREE MANOR ESTATE CHARITY COMMITTEE

MINUTES OF THE MEETING HELD ON TUESDAY 9 APRIL 2019

Present: Councillor McLoughlin (Chairman), and
Councillors Cox, Daley, Mrs Gooch and Perry

Also Present: Mr Roger Hext, Cobtree Charity Trust
Ltd

1. **APOLOGIES FOR ABSENCE**

There were no apologies.

2. **NOTIFICATION OF SUBSTITUTE MEMBERS**

There were no substitute members.

3. **URGENT ITEMS**

The Chairman informed the Committee that he had decided to include an update on the Cobtree Railway Project, following a recent meeting, as part of the report on the Cobtree Manor Estate Trust Committee Update.

4. **NOTIFICATION OF VISITING MEMBERS**

There were no visiting members.

5. **DISCLOSURES BY MEMBERS AND OFFICERS**

There were no disclosures by Members or Officers.

6. **DISCLOSURES OF LOBBYING**

There were no disclosures of lobbying.

7. **EXEMPT ITEMS**

RESOLVED: That all items be taken in public, as proposed.

8. **MINUTES OF THE MEETING HELD ON 17 JANUARY 2019**

RESOLVED: That the minutes of the Meeting held on 17 January 2019 be agreed as an accurate record of the meeting and signed subject to the following insertion, as shown in bold, to Minute Item 59 (Cobtree Manor Estate Financial Position Report):-

- Capital costs of **£11,750 in respect of work on the car park resurfacing** would remain on the balance sheet as this related to land and would not depreciate.

9. PRESENTATION OF PETITIONS

There were no petitions.

10. QUESTIONS AND ANSWER SESSION FOR MEMBERS OF THE PUBLIC

There were no questions from members of the public.

11. COBTREE MANOR ESTATE FINANCIAL POSITION

The Committee considered the report of Mr Paul Holland, Senior Finance Manager (Client) which summarised the current financial position of the Estate as at 28th February 2019.

Mr Holland highlighted that:-

- The summary position as at 28th February 2019 returned a positive variance of £36,000.
- There were no issues to report in regard to Cobtree Golf Course, Cobtree Manor Park or Kent Life.
- Capital costs of £25,000 had been incurred for additional works and project management costs for the car park resurfacing works.
- There was potential to minimise the VAT on recharges and a report would be brought to the next meeting.
- The implementation for the financial management system had been delayed due to staff absence but would be brought in for 1st June 2019, with all transactions being transferred to it from the 1st April 2019.
- The recharges, as set out in Appendix 1 to the report, would be revisited at year end.

In response to questions from Members, Mr Holland advised that:-

- He would speak to the Auditors about putting money aside in a separate fund to use when the car park required works.
- The Charity Commission had already provided funding for the Visitor Centre but it was quite a long process.
- Recharges for Procurement and Property Services included the monitoring of the various contracts (Golf Course, Café and Visitor Centre and Kent Life).

- The term under Controlled Running Costs for Other Income – Cobtree Charity Trust Ltd should be changed to 'Income from the Will – Cobtree Charity Trust Ltd'.

The Chairman updated Members on the meeting he had with Mr John Owen, Finance Manager on VAT recharges. He had advised that the Council had taken the decision not to include VAT on the income from the Kent Life and Golf Course. Consequently VAT would be charged and not be recoverable on the outgoings. However, Cobtree Park and the Visitor Centre were VAT registered and VAT was rechargeable on outgoings. Most recharges should relate to Cobtree Park and VAT should be rechargeable.

It was noted that there would be a VAT charge on car parking income and rental on the Visitor Centre, against which the VAT on recharges could be offset.

Mr Hext confirmed that the amount from the Charity Will was £40,663 this year.

The Committee expressed their thanks to Mr Holland for providing the detail on the recharges.

RESOLVED: That

1. The current financial position be noted.
2. The budgets (including recharges from the Council to the Trust) for 2019/20 be agreed.
3. The progress to date with the Service Level Agreement and the separate financial management system be noted.

Voting: Unanimous

12. COBTREE MANOR ESTATE TRUST COMMITTEE UPDATE - APRIL 2019

The Committee considered the report of Ms Lizzie Buckingham, Cobtree Manager which provided an update on events and maintenance issues that had taken place during the period from January 2019 to April 2019.

Ms Buckingham highlighted that:-

- Works to the paths had progressed which included management of the vegetation, removal of fallen trees, pruning of shrubs and undertaking further tree works following survey recommendations
- A new Ranger had been appointed and would start soon.
- A recruitment process for an Apprentice was underway.

- An events programme for the Spring and early Summer had been completed.
- A volunteers' gardening session had taken place on the bund of earth around the Visitor Centre to create a wildflower bank.
- Three students studying conservation at Hadlow College would be carrying out three weeks of work experience during April.
- There had been difficulties accessing the visitor numbers for 2019 but the system was now working correctly and the figures would be circulated to the Committee via email.
- A document setting out the Trust's liabilities on the car park had now been obtained.
- A digger belonging to the car park construction contractor had been stolen from the works compound while they were working on site on the night of Tuesday, 26th March.
- The boulders that were displaced during the theft of the digger had now been replaced and Officers were investigating replacing the gate on the driveway to the Manor House and cottages on Forstal Road.
- The alarm for the Café/Visitor Centre had now been extended to the storage unit.
- The well attended health and wellbeing event had been held at the golf course on 22nd February 2019.
- Works to the timbers of the Kent Life play barn had been deferred to January 2020.

The Chairman provided an update on the meeting held with the Cobtree Charity Trust Ltd on the proposals for a Cobtree Railway.

It was noted that Cobtree Charity Trust Ltd had commissioned an initial feasibility study by COWI, an Engineering Consultant. Their estimate of the project cost was between £1.4-1.5m.

The Chairman explained that although a representative from Planning Solutions was present at the meeting, they did not have decision making powers. Therefore it was necessary to arrange a meeting with Mike Stickland to firm up on the likely contribution from Planning Solutions.

Mr Hext was asked how he saw the proportions of spend on the project. He said that the Trust would match fund whatever the Council provided.

The Committee commented as follows:-

- Need to think about other ways of funding, e.g. sponsorship, borrowing from Maidstone Borough Council or use of charity funds which would require permission of the charity commission
- Projections had been made on current footfall with 15% of visitors using the train
- That the location of the line was not within the boundary of Kent Life's Entrance so visitors could turn up and ride on the train without going into Kent Life
- £60,000 investment would be needed upfront, this could be a 50/50 split between the Council and the Trust
- KCC Highways would look at the feasibility of the railway running under the road

RESOLVED: That

1. The contents of the report be noted.
2. A report detailing funding options and next steps for the Cobtree Railway Project be brought to the next meeting of the Committee.
3. A meeting be held with Planning Solutions, Cobtree Charity Ltd and the Council to firm up on their contributions to the project.

13. DURATION OF MEETING

10 a.m. to 11.10 a.m.

Agenda Item 9

MAIDSTONE BOROUGH COUNCIL

COBTREE MANOR ESTATE CHARITY COMMITTEE

MINUTES OF THE MEETING HELD ON 21 MAY 2019

Present: Councillor McLoughlin (Chairman) and
Councillors Cox, Daley, Mrs Gooch and Mrs Hinder

1. **APOLOGIES FOR ABSENCE**

There were no apologies for absence.

2. **NOTIFICATION OF SUBSTITUTE MEMBERS**

There were no Substitute Members.

3. **ELECTION OF CHAIRMAN**

RESOLVED: That Councillor McLoughlin be elected as Chairman of the Committee for the Municipal Year 2019/20.

4. **APPOINTMENT OF VICE-CHAIRMAN**

RESOLVED: That Councillor Mrs Gooch be appointed as Vice-Chairman of the Committee for the Municipal Year 2019/20.

5. **DURATION OF MEETING**

7.15 p.m. to 7.18 p.m.

COBTREE MANOR ESTATE CHARITY COMMITTEE

11 June 2019

Cuddle Corner Roof Defect Works

Final Decision-Maker	Cobtree Manor Estate Charity Committee
Lead Head of Service/Lead Director	Head of Regeneration & Economic Development – John Foster
Lead Officer and Report Author	Leisure Manager – Mike Evans
Classification	Public
Wards affected	Boxley

Executive Summary

This report provides the Committee with information on a roof defect in the Cuddle Corner building at the Kent Life visitor attraction and seeks approval for budgetary spend to repair the roof, which will protect the structure, neighbouring structures and visitors.

This report makes the following recommendation to this Committee:

1. That budgetary spend as set out in Exempt Appendix 1 is approved for repair works to the Cuddle Corner building roof.

Timetable

Meeting	Date
Cobtree Manor Estate Charity Committee	11 June 2019

Cuddle Corner Roof Defect Works

1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	<p>Accepting the recommendation will materially improve CMET's ability to achieve the following corporate priorities:</p> <ul style="list-style-type: none"> • Heritage is respected • A vibrant leisure and culture offer, enjoyed by residents and attractive to visitors • People feel safe and are safe 	Head of Regeneration and Economic Development
Risk Management	The risks of the preferred option and the not preferred options are covered in sections 3.1, 3.2 and 3.3. Future risks will be mitigated as described at 7.3, 7.4 and 7.5.	Head of Regeneration and Economic Development
Financial	Not progressing with this option increases the risks of a greater capital spend being required to address structural issues in the future	Paul Holland, Senior Finance Manager (Client)
Staffing	Accepting the recommendation will not have an impact on staffing	Head of Regeneration and Economic Development
Legal	Failure to accept the recommendation without agreeing suitable alternatives may place CMET in breach of the lease contract with the operator.	Leisure Manager
Privacy and Data Protection	No additional data will be held	Leisure Manager

Equalities	No impact identified.	Equalities and Corporate Policy Officer
Crime and Disorder	Not progressing with the preferred option could leave the site vulnerable to criminal damage and deliberate destruction of property	Head of Regeneration and Economic Development
Procurement	On accepting the recommendation, the Council will then follow procurement exercises for the roof works and repairs. We will complete those exercises in line with financial procedure rules.	Head of Regeneration and Economic Development

2. INTRODUCTION AND BACKGROUND

- 2.1 Kent Life, the rural farm life attraction on the Cobtree Manor Estate, is operated by Planning Solutions on behalf of Maidstone Borough Council. It has seen increased visitor numbers in recent years. Kent Life features a number of historic and listed buildings, for which the Cobtree Manor Estate Charity Committee is responsible as set out in the lease agreement.
- 2.2 The Cuddle Corner roof is in the farmyard area of Kent Life. It is a brick farm building with a timber-framed roof and brick tiles. A picture of it is attached as Appendix 2.
- 2.3 The farmyard comprises three outhouse barns arranged in a U-shape. They are in the southern corner of the site and are adjacent to the access road that vehicles use to enter and exit the visitor attraction. See attached map, Appendix 3.
- 2.4 The three buildings house the farmyard animals and also provide visitor access to view the animals, watch daily feeding and grooming sessions and take part in the Cuddle Corner experience. Cuddle Corner enables younger visitors the opportunity to hold and pet the smaller farm animals. It is one of the most popular activities at Kent Life.
- 2.5 The Kent Life team are adding a bespoke Cuddle Corner birthday party to their offer this year and in assessing the suitability of one of the outhouse barns for conversion to a party room they have discovered a roof truss has rotten and collapsed, placing considerable strain on the rest of the roof and risking a large-scale roof collapse. Pictures of the damage are available as Appendix 4.
- 2.6 The section of the barn with the roof defect is used as a store room and not accessed on a regular basis, hence the fact the defect was not discovered sooner.

Remedial works

- 2.7 The situation was reported to Maidstone Borough Council officers on 25 April 2019. Heras fencing was installed around the building to keep people and vehicles away from it.
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3. AVAILABLE OPTIONS

3.1 Do nothing

Committee could decide to do nothing and not repair the roof. Doing so would save repair costs and prevent disruptive work from being carried out. Doing nothing is likely to result in the problem worsening which will increase the risk of serious injury to visitors, staff and property. It is likely to lead to irreparable damage to the outhouse barn structure.

This option is not recommended.

3.2 Delay the repairs and complete them at a later date

Committee could decide to complete the treatment works at a later date. This course of action would allow the works to be financed at a more suitable time. Delaying the repairs is likely to lead to injury and further damage to the outhouse barn buildings and the inevitable reputational damage that would arise.

This option is not recommended.

3.3 Authorise budgetary spend for the repairs to be carried out immediately

Repair works can be carried out immediately to provide a safe working environment for staff and a safe visitor attraction for visiting children and families. The risk of injury will be mitigated, the risk of further damage to this building and surrounding buildings will be removed.

This is the recommended option.

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 It is recommended that budgetary spend as set out in Exempt Appendix 1 be approved for the repair works to be carried out in June 2019.
- 4.2 Repair works can be carried out immediately with minimal disruption to the daily operation of the Kent Life site. The building was previously used for storage and is currently not being used because of the roof defects.
- 4.3 Once the foliage is cleared it can be accessed by contractors from the land outside of the farmyard, adjacent to the entrance access road. The road is currently partially closed to provide an exclusion zone around the building. This disruption is already being managed on site and will continue to be managed until the repair works are completed.
- 4.4 This recommendation is made so that:
- Safety of visitors and staff is protected

- Structural damage to the barn can be repaired
- Structural damage to the barn is not exacerbated
- Risk of further damage to neighbouring buildings and property is minimised and addressed

Outcomes

- 4.5 The barn building will be repaired and made safe. The danger to site users will be removed and the building will be able to be brought back in to use by the Kent Life management team.

5. RISK

- 5.1 The risks associated with this proposal, including the risks if the Council does not act as recommended, have been considered in line with the Council's Risk Management Framework. That consideration is shown in this report at 3.1 – 3.3 and identifies some risks assessed rated as "RED" or "BLACK" should the works not be done and the building continues to be at risk of collapse. However, we are satisfied that the further responses to those risks shown at 4.1 – 4.5 are sufficient to bring their impact and likelihood within acceptable levels. We will continue to monitor these risks as per the Policy and have identified ways to do this as described a 7.3, 7.4 and 7.5.

6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 6.1 No formal consultation with user groups has taken place but conversations with the Kent Life operator's operations manager, Natalie Cox, indicate that the benefit of completing the works immediately outweigh the disruption they will cause in June 2019.

7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 7.1 If Cobtree Manor Estate Charity Committee agrees to proceed with the recommended option the Leisure Manager, in conjunction with Property Services will proceed with this work.
- 7.2 Property Services will oversee the work and its successful completion. The contractor will work with the Kent Life operator to programme the exact start dates and monitor the completion of the works towards the agreed completion date.
- 7.3 Public communications regarding contractors being on site will be co-ordinated by the Kent Life operators.
- 7.4 Monthly contract monitoring processes have been updated. Planning Solutions must visually inspect all buildings on a monthly basis to prevent similar issues from occurring in other buildings. This has been done where

buildings are regularly used, but has been missed in this instance where the building is not regularly used.

- 7.5 At six-monthly intervals council officers will conduct their own visual inspections of the buildings on site.

8. REPORT APPENDICES

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

- Exempt Appendix 1: Quotation from contractor
 - Appendix 2: Picture of the Kent Life outhouse barn building
 - Appendix 3: Aerial map of Kent Life site showing the location of the farmyard barn buildings
 - Appendix 4: Pictures of the damaged building
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Cuddle Corner Roof Defect Works

Appendix 2



Appendix 3



Appendix 4





Agenda Item 13

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

Document is Restricted