

MAIDSTONE BOROUGH COUNCIL

**RECORD OF DECISION OF THE COBTREE MANOR ESTATE CHARITY
COMMITTEE**

Decision Made: 17 December 2014

COBTREE GOLF COURSE

Issue for Decision

- (a) To consider the extension of the existing contract for the operation of the Cobtree Golf Course and other variations to the existing contract as set out in the Heads of Terms attached as exempt Appendix A to the report of the Cobtree Officer; and
- (b) To consider the appointment of a specialist consultant to investigate and advise on the range of options relating to the future re-tendering of the Cobtree Golf Course contract on a long term basis.

Decision Made

- 1. That agreement be given to the extension of the existing contract for the operation of the Cobtree Golf Course dated 1 January 2011 (varied by a deed of variation dated 9 January 2014) to 9 September 2016 and other variations to the existing contract as set out in the Heads of Terms attached as exempt Appendix A to the report of the Cobtree Officer.
- 2. That the Cobtree Officer be authorised to:
 - (a) seek at least two quotes for the appointment of a specialist consultant to investigate and advise on the range of options relating to the future re-tendering of the Cobtree Golf Course contract on a long term basis; and
 - (b) in consultation with the Chairman of the Cobtree Manor Estate Charity Committee, select and proceed with the appointment of a consultant up to a maximum consultancy fee of £10,000.
- 3. That the Head of Legal Partnership be authorised to:
 - (a) enter into a deed of variation of contract with the current operator in relation to this extension; and
 - (b) enter into a professional services contract with the chosen consultant.
- 4. That a proposal for the long term management of the Golf Course or other options be reported back to the Committee for approval.

Reasons for Decision

The current contract with MyTime Active expires on 7 January 2015. There have been complications in procuring the longer term contract before 7 January 2015, the reasons for which are set out in the Summary of the Waiver Document attached as exempt Appendix B to the report of the Cobtree Officer.

As set out in exempt Appendix B to the report of the Cobtree Officer the gradual decline of golf nationally means that it is now prudent to investigate a range of alternative business models and options for use so as to provide a secure long term financial future for the Golf Course complex and Cobtree Manor Estate.

A proposal for the long term management of the Golf Course or other options will then be brought back to the Committee for consideration once the consultant has produced the report.

In order to comply with the Council's Contract Procedure Rules, a waiver has been agreed for a 20 month extension to the existing Golf Course contract without conducting a competitive tendering process.

Alternatives Considered and Why Rejected

The alternative would be not to grant the contract extension to MyTime Active. This would leave the options of either closing the Golf Course or Maidstone Borough Council having to operate the Course while the contract is re-tendered. This would involve a costly transfer of staff and would require a considerable purchase of equipment. The costs of this would be prohibitively more than any further costs that would be incurred through the variation of the existing contract.

Background Papers

None

Should you be concerned about this decision and wish to call it in, please submit a call in form signed by any two Non-Executive Members to the Head of Policy and Communications by: 30 December 2014.
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