

MAIDSTONE BOROUGH COUNCIL

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

Decision Made: 17 December 2014

**COBTREE ESTATE PROGRESS REPORT AND 2015 EVENTS
PROGRAMME**

Issue for Decision

- (a) To consider the work being undertaken across the Cobtree Estate as set out in the progress report attached as Appendix A to the report of the Cobtree Officer;
- (b) To consider the arrangements for the Cobtree Manor Park events programme for 2015;
- (c) To consider the proposals for the use of the insurance monies payable to the Charity arising from the destruction of sheds at the Kent Life site by fire; and
- (d) To consider the appointment of a consultant to advise on and deliver the procurement of a new contract for the operation and management of the Kent Life visitor attraction.

Decision Made

- 1. That the progress report on work being undertaken across the Cobtree Estate, attached as Appendix A to the report of the Cobtree Officer, be noted.
- 2. That the lower insurance sum of £12,500 offered by the Council's insurers in lieu of replacement of the sheds destroyed by the fire at the Kent Life site be accepted.
- 3. That the Cobtree Officer be authorised to investigate options for improving the sewerage system at the Kent Life visitor attraction, and, in consultation with the Chairman of the Cobtree Manor Estate Charity Committee, to assess those options and select the most appropriate solution.
- 4. That the most appropriate solution having been selected, the £12,500 insurance proceeds in lieu of the replacement of the sheds plus a further sum, up to a maximum of £30,000, drawn from the operating surplus generated by the Kent Life visitor attraction be used towards the improvement of the sewerage system serving Kent Life.

5. That details of Continuum's projected outturn for 2014 in respect of the Kent Life visitor attraction be reported to the next meeting of the Committee.
6. That agreement be given to the 2015 events programme for Cobtree Manor Park being made up of events that can be delivered by the Park Ranger or with volunteers to enable a programme to go ahead at minimal cost to the Charity.
7. 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 Kent Life management contract on a long term basis, to produce the tender document, and to manage the tender process; and
 - (b) in consultation with the Chairman of the Cobtree Manor Estate Charity Committee, to then select and proceed with the appointment of a consultant up to a maximum consultancy fee of £10,000.
8. That the Head of Legal Partnership be authorised to enter into a professional services contract with the chosen consultant.

Reasons for Decision

The Committee has asked to be provided with a progress report on the work being carried out across the Estate at each meeting. The report for the most recent period is attached as Appendix A to the report of the Cobtree Officer.

Sheds

The fire at the sheds at Kent Life completely destroyed two of the chalet sheds and one covered low barn/wooden shed. Following a meeting with the charity Futures for Heroes and the Medway Valley Countryside Partnership (which have hosted a Kent Sheds group) both groups felt that whilst they are still very interested in a project with the Cobtree Manor Estate, a more public site would be preferable. This would help them to publicise their work as well as being more secure.

Following the fire security has been increased at Kent Life and there is now provision for CCTV at the site of the remaining sheds if required.

The remaining sheds are currently used for storage. As the voluntary groups which were interested are no longer looking at using the shed site there is no need to replace these burnt out buildings. The remaining sheds give sufficient storage space for the whole site, as used by Continuum.

The cost of replacing the sheds was valued at £26,128 with an insurance excess of £10,000 so if the sheds were to be replaced there would be an insurance value of £16,128 paid with the Charity having to meet the

excess. If the sheds are not replaced the insurance sum of £12,500 will be paid to the Charity to then spend on the Kent Life site as it decides.

The tight finances of the Charity currently and the uncertainty of income from the Golf Course would make paying the £10,000 excess difficult at the present time. With no clear reason to retain the sheds it is difficult to justify the expenditure of this money.

Sewage

It is suggested that money from the insurance cover for the sheds could be invested in improving the sewerage system from the main Kent Life site. The current system is insufficient for the number of visitors the site now receives and requires regular repairs and pumping out. Between August 2011 and August 2014 £13,288 was spent on using Denton pumps and a further £8,622 was paid out to CSG for pumping the sump when the pumps failed; this being a total of £21,910 or on average £7,303 per year.

Continuum Kent Life has obtained some quotes and guidance for improving the sewerage system over the past five years, with solutions ranging in price from £12,000 to £39,000. It is proposed that up to date quotes and advice be obtained and discussed with the Chairman of the Cobtree Manor Estate Charity Committee, that the preferred solution be authorised by the Cobtree Officer in consultation with the Chairman, and that the £12,500 be put towards this. Any additional funding required, up to a maximum of £30,000, can be sourced from the surplus monies produced by the attraction this year.

Events

The events programme at Cobtree Manor Park normally costs the Charity £2,000 each year, plus Officer time. Because of the tight financial circumstances this year it is proposed that no budget is allocated but that an events programme is offered that can be undertaken by staff, volunteers or partner organisations at minimal cost to the Charity.

Kent Life

It is proposed that a consultant is appointed to advise on and deliver the procurement of a new Kent Life contract and to ensure its long term future. Council Officers do not have the specialist industry expertise to prepare an options plan for the long term future of Kent Life to include investment in the site, thereby ensuring its continued development and improvement.

Instructing the consultant will result in a robust procurement process that will lead to the selection of an operator with a strong business plan with ideas which will provide a sustainable business model for the long term future and offer good value for money.

Alternatives Considered and Why Rejected

An alternative course of action would be for the Committee not to consider the works ongoing across the Estate. This is not considered appropriate as the works are in the best interests of the Estate and it is important that the Committee is aware of the ongoing actions.

The Committee could have decided to rebuild the sheds. This was not considered appropriate as there is no requirement for the sheds and there is not currently the £10,000 available to the Charity that would be required to cover the insurance excess.

The Committee could have chosen not to allocate the insurance proceeds towards the improvements to the sewerage system at the Kent Life visitor attraction; however, this is believed to be the most urgent requirement on site for expenditure of funds and currently costs the attraction a considerable sum of money each year in servicing repair and maintenance problems.

Money could be allocated to the events programme as in previous years; however, at present the operating costs of the Park are over budget and this would require money to be spent that the Charity does not have.

The Committee could have chosen not to appoint a consultant to investigate procurement options for the Kent Life site. However, it is a complex facility that is improving year on year but requires stable long term management and investment to ensure its continued success. This requires an expert understanding of the environment in which the facility operates that Council Officers do not have. If a consultant were not to be appointed a procurement exercise could still be undertaken, but it is uncertain that the best outcome for the facility in terms of investment and operational management would result.

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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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 contact 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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