

Cabinet

20 October 2026

Voluntary Designation of Vinall Park as a Town Green

Portfolio Holder: Councillor Simon Curry Portfolio Holder for Climate Change and Strategic Regeneration

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Summary

This report outlines the background and options for Medway Council to voluntarily designate Vinall Green, Gillingham, as a Town Green under section 15 (8) of the Commons Act 2006. This follows on from a formal request from the Friends of Vinall Park for the Council to support the Friends in their aim to better protect the park in perpetuity from threats of development and inappropriate activities that may be deemed contrary to its use as a valuable local park for quite informal recreation, the enjoyment of the outdoors, sport, play, nature and for community events.

1. Recommendations

- 1.1. The Cabinet is asked to agree to voluntarily designate Vinall Green as a Town Green under section 15 (8) of the Commons Act 2006, as shown in Appendix 1 to the report.

2. Suggested reasons for decisions

- 2.1. A Town Green designation will help to provide a legal framework for the parks protection and also help to reinforce the Councils commitment to protect parks and open spaces which help to provide outdoor spaces for all to enjoy as part of their daily lives. This will also help to protect the local environment, enhance biodiversity and provide facilities for sport, play, community led outdoor events and quite informal recreation.
- 2.2. As well as offering a valuable local facility, Vinall Park has had an active Friends Group for many years helping the Council to improve and maintain the park, as well as providing outdoor events such as community picnics for local people to enjoy. They also organise regular litter picks, lead on practical tasks such as hedge planting and act as the Council's eyes and ears to help protect and look after the park.

- 2.3. The designation of Vinall Park as a Town Green will help to foster goodwill between the Council and the local community Park helping to celebrate local action to protect the environment.

3. Budget and policy framework

- 3.1. There is no budgetary implication in the designation process itself as the designation is a simple process of adding the park to the Commons Registration Map and statement held by Medway Council. This also aligns with number of policies concerning the protection of the environment, community engagement and climate change.

4. Background

- 4.1. In 2023 the Friends of Vinall Park asked the Council to support an application for the park to be designated as a Town Green and began to gather evidence to support a claim
- 4.2. That application ultimately failed as the Friends could not demonstrate that use of the park had been “as of right” which means without permission, force or secrecy. As owner the Council has been allowing use of its land for recreation by permission so ‘as of right’ is often difficult to demonstrate in these cases.
- 4.3. An alternative means of designation is for the owner of the land to voluntarily designate the land as a Town Green under section 15 (8) of the Commons Act 2006. This means that the evidence process is not required as it is not a claim but a voluntary designation and under the Act that means that the evidential procedure is not required.
- 4.4. The status of Town Green would help protect the park and also prevent inappropriate development and some activities that were not ancillary to its designation as a Town Green.

5. Options

- 5.1. To designate Vinall Park as a Town Green would be of considerable advantage to the Council to help demonstrate its commitment to the protection of the environment.
- 5.2. To not designate may lead to a loss of trust from the local community and lead to a reputational damage situation occurring.

6. Advice and analysis

- 6.1. The status of Town Green would help give Vinall Park statutory protection and that status would remain with the park in perpetuity.
- 6.2. If for any reason in the future the Council wished to develop the site or do anything on a permanent basis that was not ancillary to its use as a Town Green then the Council would have to go through a legal process of un-

designation of its Town Green status with ultimate authority to do this granted by the Secretary of State. The Council would however be legally obligated to designate another new Town Green of equal or greater size in the immediate vicinity and it would not be allowed to place this designation on another existing site. This would not be possible in a largely urban area such as Gillingham.

7. Risk management

- 7.1. There is no risk in the designation process itself however should the Council chose not to designate there is the strong possibility of it finding itself in a reputational damage situation, losing the respect and trust of the friends' group and the local community.

Risk	Description	Action to avoid or mitigate risk	Risk rating
Reputational Damage	Losing the trust and support of the local community if not designated	Designating the park would enhance the reputation of the Council.	A4

For risk rating, please refer to the following table:

Likelihood	Impact:
A Very likely B Likely C Unlikely D Rare	1 Critical 2 Major 3 Moderate 4 Minor

8. Consultation

- 8.1. The Friends Group completed extensive local consultation during their evidence gathering for the Town Green application and there was overwhelming support from the local community for Vinall Park to be designated as a Town Green. Many local people filled in evidence forms saying that they had been using Vinall Park for many years which whilst not enough to demonstrate a 'as of right' usage was enough to clearly demonstrate how important Vinall Park is to the local community.

9. Climate change implications

- 9.1. There are no climate change implications relevant to the actual designation as the Council would continue to manage the park for people's enjoyment and the parks contribution to the climate agenda irrespective of its status.

10. Local Government Reorganisation (LGR) implications

- 10.1. Following the announcement of the pause on 7 September 2026, officers will monitor the ongoing situation and will consider any relevant impacts as they arise.

11. Financial implications

- 11.1. There are no financial implications of the designation process itself and if the Council continues to manage the park as an open space there are no financial implications that this status would bring.
- 11.2. There would be a financial implication should the Council wish to un-designate the status but costs for this process are unknown at this time but are likely to be significant if an alternative town green had to be created and designated. There are, however, no local options in the immediate area of Vinall Park where this could be achieved and thus it is not an option that the Council would be able to consider.

12. Legal implications

- 12.1. The voluntary designation of Vinall Park would create statutory protection for the site and thus there are legal implications if the Council wished to develop the land for any other purpose than a town green. There would be a process of un-designation to follow and an alternative new Town Green would needed to be created and designated in the vicinity and due to the urban nature of that part of Gillingham this would not be an option that the Council would be able to consider.

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Appendices

Appendix 1 - Map of the Council ownership of Vinall Park that covers the area to be designated

Background Papers

None