

Environment Committee Meeting	
Meeting Date	2 March 2023
Report Title	Scrapsgate Field, Minster – Horse Riding Area
EMT Lead	Emma Wiggins, Director of Regeneration & Neighbourhoods
Head of Service	Martyn Cassell, Head of Environment & Leisure
Lead Officer	Graeme Tuff, Greenspaces Manager
Classification	Open
Recommendations	<ol style="list-style-type: none"> 1. To agree to the regular grass cutting for an informal horse-riding area on Scrapsgate Field by reducing maintenance elsewhere on the site. 2. To agree for the Head of Environment and Leisure, in consultation with the Environment Committee Chair, to review the arrangements after a year to ensure the operational success and health and safety of the changes.

1 Purpose of Report and Executive Summary

- 1.1 The use of Scrapsgate Field, Minster was raised at Sheppey Area Committee on 22 September 2022, Minute 301(1)9/22, requesting that the issue of reinstating the horse-riding circle in Scrapsgate Field, Minster be referred to the Chair of the Environment Committee.
- 1.2 This report provides background information, proposal and options for Members to consider.

2 Background

- 2.1 Scrapsgate Field is approximately 4.6ha of open space located to the west of Scrapsgate Road, Minster on the edge of the urban area. It forms part of Minster Marshes, designated part of a Local Wildlife Site and consists of a small car park and large grass areas with a small amount of tree planting bounded by drainage ditches, including the main Environment Agency maintained Scrapsgate Drain. Approximately a quarter of the area is maintained as short amenity grass with the balance of long grass with a series of grass paths cut through for circular walking routes. A plan of the site is included as Appendix I.
- 2.2 The site is used for casual recreation, dog walking and in the past has been utilised for informal horse riding. This site along with part of The Glen, Minster was informally designated for casual horse-riding use with the installation of appropriate signing to try to provide local stables with the ability to ride off road. In

addition to the active recreation use of the field, it is also a valuable area for biodiversity given the varied features and maintenance regimes.

- 2.3 In addition to the regularly maintained short grass for informal recreation, the rest of the field was cut once or twice per year (rough-cut) until the early 2000's, when following a complaint relating to ground nesting birds, Ward Members requested the cutting be stopped. Subsequently the rough-cut grass was removed from the ground's maintenance contract.
- 2.4 On 11 September 2012 Minster Parish Council applied for and were successful in registering Scrapsgate Field as a Village Green (VG263) under The Commons Act 2006. Registration provides a level of protection using the Inclosure Act 1857 and the Commons Act 1876:
- Protection against injury, damage and interruption to their use or enjoyment as a place for exercise and recreation.
 - Protection against encroachment on or inclosure of a green and interference with or occupation of the land unless it is with the aim of improving the enjoyment of the green.

Further to this, the owner of a Village Green cannot do anything that interferes with the lawful recreational activities of the local inhabitants.

3 Proposals

- 3.1 Sheppey Area Committee have requested the Environment Committee to consider options for the field following a proposal by a local riding group. The group identified safety concerns of training horses in a field with uneven ground following the reduction in grass cutting, alongside issues with dog walkers, some of whom failed to clear up after themselves. A 20x40m arena with bark chip was requested. The group were willing to contribute to costs and it was subsequently suggested that the Council might consider a lease for the group to use the land and provide the desired facilities, limiting the Council's exposure to provide, manage and maintain such a facility.
- 3.2 While use for horse riding seems appropriate given its historic usage, given the registration of the land as a Village Green and the restriction of not doing anything that interferes with lawful recreational activities, it is not possible to restrict access or usage by local inhabitants for dog walking and other recreational use, including horse riding.
- 3.3 It has been estimated that the cost of returning the whole site to a rough-cut maintenance regime would be approximately £11,380 per annum, for which there is not a budget currently identified and this is not recommended with the current Medium Term Financial Strategy challenges.
- 3.4 However, it would be possible to cut on three occasions per year at least an area requested of approximately 800 sqm (20x40m) for an additional cost of £295 or

alternatively reduce the area of amenity cut grass on the recreation field by a width of approximately 4m to balance the increased costs.

- 3.5 Taking this approach would provide a regularly cut area of grass that could be used informally by horse riders while not being exclusive or interfering with the lawful use of the village green by other users. It is further proposed that this arrangement is reviewed by the Head of Environment and Leisure, in consultation with the Environment committee Chair, after a year to ensure the operational success and health and safety of the changes.

4 Alternative Options Considered and Rejected

- 4.1 Retain the site maintained as it currently is – this does not provide a reasonable maintained area for horse riding that the community is requesting.
- 4.2 Develop a horse menage area with appropriate surfacing at an estimated cost of £15,000 - £20,000. There is no budget currently identified and there are considerable ongoing maintenance, management and insurance implications providing such a facility by the Council.
- 4.3 Lease an area of the field for development and management of a menage by an external group/organisation for exclusive use – The provision and disposal (leasehold) of such an area on public open space is likely to be unlawful given the Village Green registration and restriction of use to other local inhabitants.

5 Consultation Undertaken or Proposed

- 5.1 None at this stage. We will liaise with the residents interested following this meeting.

6 Implications

Issue	Implications
Corporate Plan	The proposal would align to Priority 2 of the Corporate Plan - Investing in our environment and responding positively to global challenges.
Financial, Resource and Property	The proposal to provide an area of maintained grass will be cost neutral by reducing grass cutting elsewhere on the site.
Legal, Statutory and Procurement	The site is a registered Village Green (VG263) and as such legal restrictions are placed through the Inclosure Act 1857 and the Commons Act 1876. In addition, the owner of a Village Green cannot do anything that interferes with the lawful recreational activities of the local inhabitants.
Crime and Disorder	None identified at this stage.

Environment and Climate/Ecological Emergency	The proposal does not impact the Local Wildlife Site or biodiversity as varied cutting regimes promote different species.
Health and Wellbeing	None Identified at this stage
Safeguarding of Children, Young People and Vulnerable Adults	None identified at this stage.
Risk Management and Health and Safety	Officers have considered the potential implications of a clash of users e.g., horse riders/dog walkers/walkers. The site would be well signed and make clear to horse riders they need to always be in control. Risk assessments for the site will detail the steps taken.
Equality and Diversity	There are no differential equality issues raised by the proposals in this report at this time.
Privacy and Data Protection	None identified at this stage.

7 Appendices

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

- Appendix I: Scrapsgate Field, Minster Plan

8 Background Papers

- None