

## **A.5 APPENDIX**

### **FINAL REPORT OF THE RESOURCES AND SERVICES OVERVIEW AND SCRUTINY COMMITTEE TASK & FINISH GROUP FOLLOWING ITS INQUIRY INTO:**

#### **THE COUNCIL'S EMERGING BEACH HUT STRATEGY REVIEW**

**1 FEBRUARY 2023**

##### **TERMS OF REFERENCE OF THE TASK & FINISH GROUP**

The Group was set up to review the work on the Council's emerging Beach Hut Strategy.

##### **THE AIMS AND OBJECTIVES OF THE INQUIRY**

To understand the proposals to be included for implementation in the emerging Beach Hut Strategy and make recommendations to Cabinet prior to adoption in February 2023.

##### **MEMBERSHIP OF THE TASK & FINISH GROUP**

Cllr. Gary Scott (Chairman)  
Cllr Bill Davidson  
Cllr Delyth Miles  
Cllr James Codling  
Cllr Gina Placey

##### **OFFICER SUPPORT FOR THE TASK & FINISH GROUP**

The Economic Growth and Leisure Team were the lead service for the inquiry, which was supported by the Council's Democratic Services team. The key personnel were as follows:

Mike Carran, Assistant Director, Economic Growth and Leisure  
Kieran Charles, Sport and Leisure Operations Manager  
Lee Heley, Corporate Director, Place and Economy  
Keith Durran, Committee Services Officer

The Task and Finish Group, asked that Officers were thanked for their input into the process in developing this report.

##### **INVITEES AND PARTICIPANTS**

The Task and Finish Group discussed the emerging strategy review with the following invitees and participants:

*Cllr Alex Porter, Portfolio Holder for Leisure and Tourism*

Further to this, the invited representatives from the District's 5 Beach Hut Associations, as representatives of licence holders. The representatives who attended were as follows:

*Peter Dias, Frinton Beach Hut Association*  
*Melanie Whitehead, Walton Beach Hut Association*  
*Sheila Crow, Brightlingsea Beach Hut Association*

The Task and Finish Group have also considered representation from Beach Hut licence holders

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who have formed a group of those who have rented their huts to visitors.

### **EXPECTED OUTCOME(S) OF THE INQUIRY**

That the approved scope of the enquiry identified that following a review of the Council's proposals for the Beach Hut Strategy Review, the Task and Finish g Group will look to make proposals for the Resources and Services Overview and Scrutiny Committee (RSOSC) to consider. Following that, the RSOSC, can determine whether to request that Cabinet subsequently take those points into consideration prior to adoption of the strategy expected to be on 17 February 2023.

### **ACTUAL OUTCOME(S) OF THE INQUIRY**

The Task and Finish Group have provided recommendations for the Resources and Services Overview and Scrutiny Committee to consider on the draft proposals, for consideration prior to Cabinet adopting the Beach Hut Strategy.

### **RECOMMENDATION(S)**

The Task and Finish Group recommends the following to the Resources and Services Overview and Scrutiny Committee, to subsequently request that Cabinet take into account prior to consideration of the draft Beach Hut Strategy, on 17 February 2023:

- **The Committee recommends that future charges for lease agreements are set at a fair and reasonable level. This is relevant for both commercial and mainstream leases. This should also be appropriate for any new Beach Huts made available for purchase or lease in the future.**
- **It is recommended that terms and conditions included in lease agreements are fair and equitable for Beach Hut owners.**
- **The Committee recommends that appropriate resources are put in place for administration involved in implementing the strategy. They asked for consideration be given to the subsequent cost to the Council of processing leases.**
- **The Committee recommends that bright colours and vibrant designs be included in the revised design specification for Beach Huts, when this is produced following adoption.**
- **The Committee recommends that there is acknowledgement of the differences in seafront locations along the Tendring District and their respective unique features, such as cliff slopes and how they impact Beach Hut design for the emerging specification review.**
- **Noting the point above, it is recommended that Beach Hut adaptations in parts of the District were included in the future specification for reasons of access, e.g. appropriate access steps on cliff slopes. This should be considered on a location by location basis.**
- **It is recommended that a map was attached to the emerging strategy to clearly define which land was owned by Tendring District Council.**
- **It is recommended that no Beach Hut designs should be permitted that are contrary to current or emerging legislation.**
- **To ensure high standards were maintained on Beach Huts, it is recommended that adequate resources should be in place for appropriate enforcement action.**
- **Noting the point above, any future enforcement action should be proportionate to the the agreement holders personal circumstances, but ensure the design specification standards are maintained.**
- **The Committee recommends that a reasonable timescale for adaptations to be removed which fall outside of the revised specification, is agreed. The timescale recommended is a period of two years.**
- **The Committee recommends that those without access or ability to use digital platforms are still able to deal with a member of staff. As such, sufficient**

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resources should be in place.

- It is recommended that any Council built Beach Huts which are sold in the future, are done so directly and through an equitable process; and not to use third parties, e.g. Estate Agents.
- Subject to a legal review, it is recommended that consideration be given to including a condition in future agreements, that third party Estate Agents are no longer able to sell Beach Huts on behalf of their respective owners.

### **CHRONOLOGY**

The Task and Finish Group Meetings have taken the following form:

Date	Key Themes	Stakeholder Involvement
21 September 2022	Exploration into draft Beach Hut Strategy, the related consultation process and other linked issues	Corporate Director, Place and Economy Sport and Leisure Operations Manager
29 September 2022	Continued exploration into the draft Beach Hut Strategy and appropriate issues. To include the views of Beach Hut owners	Beach Hut Association Representatives Assistant Director, Economic Growth and Leisure
6 October 2022	Continued exploration into the draft Beach Hut Strategy and appropriate issues. To include discussion on strategic issues.	Portfolio Holder, Leisure and Tourism Assistant Director, Economic Growth and Leisure Sport and Leisure Operations Manager
28 October 2022	Visit to Beach Hut Sites in Frinton and Walton on the Naze. For the Task and Finish Group to view Beach Hut designs and discuss adaptations.	Assistant Director, Economic Growth and Leisure
15 December 2022	The Task and Finish Group met with Beach Hut Licence Holders who have rented their huts to visitors	Representatives of Beach Hut Renters
24 January 2023	The Task and Finish Group met to deliberate on their findings and discuss recommendations and the final report	Assistant Director, Economic Growth and Leisure

### **DETAILED FINDINGS OF THE INQUIRY**

Throughout the enquiry, the Task and Finish Group looked into the issues which the emerging Beach Hut Strategy was proposing to address. In order to understand how the various issues would impact on the Council, residents, Beach Hut Licence Holders and other stakeholders they spent time listening and asking questions of various stakeholders.

In preparation for Cabinet considering the emerging Beach Hut Strategy, the Task and Finish Group understand that the Council have consulted on the key issues included in the draft document. The Task and Finish Group reviewed each of those items to establish a view and make recommendations where appropriate.

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For clarity, the eight points which formed the consultation are listed below, together with what the Council is minded to implement once the strategy is adopted. The Task and Finish Group's findings and comments are listed below each item:

### **1. RENTING OF BEACH HUTS**

#### **What is the Council considering?**

*The Council is proposing to issue commercial agreements for those wishing to rent out Beach Huts for more than 10 days per year, which will regulate the market for rentals. It is proposed that commercial agreements are issued to those requesting them, but based on a criteria. This will cover key points such as accessibility and safety of huts, to ensure those with commercial agreements are able to provide a high quality service and support the appropriate points set out in the Council's Tourism Strategy. New agreements would be through a lease and not a licence and as such, the cost would be identified by establishing a market value, which would increase the amount paid. A specific clause will be included on all other agreements to prohibit renting for more than 10 days per year. The annual charge for the lease will vary from location to location and will be based on an independent valuation.*

#### **Comments from the Task and Finish Group**

- The Task and Finish Group expressed concern about the potential cost of the lease and the proposed terms and conditions, which are as yet unknown. The Task and Finish Group requested that Cabinet ensure future charges are set at a fair and reasonable level.
- The Task and Finish Group were originally concerned with the requirement to tender (in the original proposal which was consulted), but agreed with the new proposal for an application process;
- The Task and Finish Group expressed concern about the significant administration processes that may be involved in implementing the strategy and the subsequent cost to the Council of processing leases.

### **2. OWNING BEACH HUTS**

#### **What is the Council's considering?**

*The Council is considering whether to limit new beach huts licences to one per household. The Council is considering honouring multiple existing licences to one household. However, if a household already has a beach hut, then they would not be able to apply for a second licence. This would ensure that Beach Hut are more accessible to local people.*

#### **Comments from the Task and Finish Group**

- The Task and Finish Group agree to the principal of this point

### **3. THE CURRENT BEACH HUT SPECIFICATION**

#### **What is the Council's considering?**

*The Council is minded to work through a review of the current specification and consider adding new products, such as modern cladding which do not currently meet the specification. This can also consider how beach huts could support the Council's carbon neutral agenda;*

#### **Comments from the Task and Finish Group**

- The Task and Finish Group were supportive of bright colours and vibrant designs for

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Beach Huts. This followed their visit to Beach Hut locations during the enquiry.

- The Task and Finish Group requested that Cabinet acknowledge the differences in locations along the Tendring seafronts and their respective unique features, such as cliff slopes. Following the enquiry, the Task and Finish Group noted that appropriate adaptations in parts of the District were essential for reasons of access and should be included in the revised specification, e.g. appropriate access steps on cliff slopes. This should be considered on a location by location basis.
- The Task and Finish Group requested that a map was attached to the emerging strategy to clearly define which land was owned by Tendring District Council. During the enquiry, they noted that some Beach Hut locations were located on private land and were not under the jurisdiction of the Council
- The Task and Finish Group were minded to note and request that no designs should be permitted that are contrary to current or emerging legislation.
- The Task and Finish Group requested that high standards were maintained on Beach Huts and dilapidated Beach Huts should be subject to appropriate enforcement action. This should be proportionate to the the agreement holders personal circumstances, but ensure the design specification standards are maintained.

### **4. BEACH HUT ADAPTATIONS**

#### ***What is the Council considering?***

*Following a review of the specification, the Council is minded to work with licence holders to ensure a removal of those adaptations which fall outside of the revised specification.*

#### **Comments from the Task and Finish Group**

- The Task and Finish Group requested that Cabinet were mindful of their previous comments on the revision of the specification.
- The Task and Finish Group requested that Cabinet set a reasonable timescale for adaptations to be removed, which fall outside of the revised specification. The timescales recommended is a period of two years.

### **5. MONITORING OF BEACH HUT LICENCE CONDITIONS & COMPLAINT MANAGEMENT**

#### ***What is the Council considering?***

*The Council is considering additional staffing resources to ensure licence conditions are adhered to and taking appropriate enforcement action where necessary. The Council will also need to consider how this would be funded to ensure complaints are acted upon in a timely manner.*

#### **Comments from the Task and Finish Group**

- Where conditions are included in Beach Hut agreements, the Task and Finish Group asked that there should be appropriate resources to take action when they are not being adhered to. They were mindful that it is not good practice to allow conditions to be ignored and they cannot be addressed without appropriate resources.

### **6. AN IMPROVED DIGITAL SERVICE FOR LICENCE HOLDERS**

#### ***What is the Council's considering?***

*The Council is considering installing new software to improve services to licence holders and allow them to complete processes online. This would also be used to gather and record appropriate information about conditions, including which huts are licenced to rent and to make complaints easier to report and manage.*

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### **Comments from the Task and Finish Group**

- The Task and Finish Group asked that those without access or ability to use digital platforms are still able to deal with a member of staff. As such, sufficient resources should be in place.

### **7. BUILDING NEW BEACH HUTS**

#### **What is the Council's considering?**

*The Council is considering whether to build new beach huts around the District, which will be accessible through a lease. The amount of new huts will depend on the space available in appropriate seafront locations and the demand for new huts from local people.*

### **Comments from the Task and Finish Group**

- The Task and Finish Group requested that any new Beach Huts were made available through an affordable set of fees and charges
- The Task and Finish Group requested that any Council built Beach Huts built which are sold in the future are done so directly and through an equitable process; and not to use third parties.

### **8. A MOVE FROM LICENCES TO LEASES**

#### **What is the Council considering?**

*It is suggested that licences are phased out over the next year and are replaced by leases from 1 April 2024. Leases will also provide those with beach huts on Council land with additional security of tenure, which they do not currently have with a licence agreement. The cost of a lease will increase the annual amount paid by those with beach huts, which will be identified by establishing the market value once the strategy has been adopted. The annual charge for the lease will vary from location to location and will be based on an independent valuation.*

*Further to this, consideration has been given as to how the revised specification could be embedded into Beach Hut Agreements. As such, the conditions for which beach hut users have to comply with for design, would form part of the agreement.*

### **Comments from the Task and Finish Group**

- Concern was expressed by the Task and Finish Group about the potential cost of lease agreements and the proposed terms and conditions – which are as yet unknown. The Task and Finish Group requested that Cabinet ensure future charges are set at a fair and reasonable level.
- The Task and Finish Group requested that consideration be given to including a condition in future agreements, that third party Estate Agents are no longer able to sell Beach Huts on behalf of their respective owners. This will enable the Council to maintain a control on this process and ensure future sales are not priced excessively; and as such be unaffordable to many local people.

## **BACKGROUND PAPERS AND PUBLISHED REFERENCE MATERIAL**

[Beach Hut Strategy Revisited Report, Cabinet Nov 2022](#)

## **APPENDICES**

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None

### **REPORT CONTACT OFFICER(S)**

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