

CABINET

17 FEBRUARY 2023

REFERENCE REPORT FROM THE RESOURCES AND SERVICES OVERVIEW & SCRUTINY COMMITTEE

A.5 SCRUTINY OF THE COUNCIL'S PROPOSALS TO REVIEW THE BEACH HUT STRATEGY

(Report prepared by Keith Durran and Keith Simmons)

BACKGROUND

At the meeting of the Resources and Services Overview and Scrutiny Committee on 1 February 2023, it considered a report submitted by its own T&FG (Task and Finish Group) on Beach Huts.

The T&FG sought 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.

Throughout the enquiry, the Task and Finish Working Group investigated the issues which the emerging Beach Hut Strategy was proposing to address. 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 Working Group understand that the Council have consulted on the key issues included in the draft document. The Task and Finish Working Group reviewed each of those items to establish a view and make recommendations where appropriate.

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 Working 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 Working Group

- The Task and Finish Working Group expressed concern about the potential cost of the lease and the proposed terms and conditions, which are yet unknown. The Task and Finish Working Group requested that Cabinet ensure future charges are set at a fair and reasonable level.
- The Task and Finish Working 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 Working 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 Working Group

- The Task and Finish Working 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 Working Group

- The Task and Finish Working Group were supportive of bright colours and vibrant designs for Beach Huts. This followed their visit to Beach Hut locations during the enquiry.
- The Task and Finish Working 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 Working 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 Working 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 Working 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 Working 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

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 Working Group

- The Task and Finish Working Group requested that Cabinet were mindful of their previous comments on the revision of the specification.
- The Task and Finish Working 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 Working Group

- Where conditions are included in Beach Hut agreements, the Task and Finish Working 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.

Comments from the Task and Finish Working Group

- The Task and Finish Working 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 Working Group

- The Task and Finish Working Group requested that any new Beach Huts were made available through an affordable set of fees and charges.
- The Task and Finish Working 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 Working Group

- Concern was expressed by the Task and Finish Working Group about the potential cost of lease agreements and the proposed terms and conditions – which are as yet unknown. The Task and Finish Working Group requested that Cabinet ensure future charges are set at a fair and reasonable level.

RESOURCES AND SERVICES OVERVIEW & SCRUTINY COMMITTEE'S RECOMMENDATION(S) TO CABINET

That Cabinet takes into account, prior to its consideration of the draft Beach Hut Strategy, that -

- a) 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;**
- b) it is recommended that terms and conditions included in lease agreements are fair and equitable and in consultation with Beach Hut owners;**
- c) the Committee recommends that appropriate resources are put in place for administration involved in implementing the strategy. That consideration be given to the subsequent cost to the Council of processing leases and that subsequent costs are reported back to the Committee;**

- d) 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;**
- e) 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;**
- f) noting the point above, it is recommended that certain limited Beach Hut adaptations in parts of the District be 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;**
- g) it is recommended that a map be attached to the emerging strategy to clearly define which land is owned by Tendring District Council;**
- h) it is recommended that no Beach Hut designs should be permitted that are contrary to current or future legislation;**
- i) to ensure high standards are maintained on Beach Huts and their use, it is recommended that adequate resources should be in place for appropriate enforcement action;**
- j) 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 up to two years;**
- k) the Committee recommends that the Council continues to support those without access or ability to use digital platforms so that they are still able to deal with a member of staff. As such, sufficient resources should remain in place; and**
- l) the new Beach Hut Strategy returns to the Resources and Services Overview and Scrutiny Committee for review in 12 months' time.**

PORTFOLIO HOLDER COMMENT(S) AND RECOMMENDATION(S) TO CABINET

PORTFOLIO HOLDERS' COMMENTS

Please refer to item A.10 of the Report of the Portfolio Holder for Leisure and Tourism elsewhere on the Agenda.

RECOMMENDATIONS TO CABINET:

That the recommendations made by the Resources and Services Overview & Scrutiny Committee be noted and that it be further noted that the response of the Portfolio Holder thereto will be considered as part of the Cabinet's deliberations on the related report of the Leisure and Tourism Portfolio Holder (A.10) which will be considered later on in the meeting.

APPENDICES

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