REPORT TO THE PORTFOLIO HOLDER FOR LEISURE & PUBLIC REALM

5 OCTOBER 2026

REPORT OF THE CORPORATE DIRECTOR – PLANNING AND COMMUNITY

A. INTERIM ARRANGEMENTS FOR ADDRESSING UNAUTHORISED VERANDAS AND BALCONIES AT SOUTHCLIFF, WALTON ON THE NAZE

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To seek the Portfolio Holder for Leisure & Public Realm's agreement to a revised Beach Hut Specification and the implementation of interim arrangements for addressing the regularisation or removal of unauthorised verandas and balconies in the Southcliff area of Walton on the Naze, along with associated arrangements for licencing, fees and charges.

This follows from a significant number of objections and complaints from Southcliff beach hut owners about the fairness and practicality of the previous proposed approach which have been considered and taken on board in devising this revised approach.

EXECUTIVE SUMMARY

Background

In accordance with the Council's 2023 'Beach Hut Strategy Revisited', some of the short term (0-24 month) tasks included:

- to work with Beach Hut owners and stakeholders to develop a revised specification; and
- evaluate which beach huts have balconies and verandas which do not confirm to the specification, and work with those beach hut users to make suitable amendments or removal where appropriate.

Whilst there had been delays in progressing these matters, on 8 May 2026 the Council (by way of Officer decision in consultation with the Portfolio Holder for Leisure & Public Realm) introduced a new Beach Hut Specification, replacing a long-standing and outdated specification that had been in place since 1974.

The new specification, among other things, included expectations for balconies and verandas which have become increasingly prevalent over a number of years in the Southcliff area of Walton on the Naze where there known to be approximately 230 unauthorised structures

installed, mostly in front of beach huts and embedded into the cliff slopes over public land, without ever having obtained the Council's consent.

To provide a pragmatic framework and approach for assessing such structures and determining whether they should be removed, regularised or adapted, the latest specification had included guidance for verandas in the Southcliff area stating:

> *"Permission must be sought for these structures prior to them being erected and the Council reserves the right to refuse consent. If consent is granted, a Visual Inspection Record will be required following construction, this can be requested via the Council's website. Please be aware that there is a charge for this – see beach hut current fees and charges.*
>
> *Where historic verandas have been constructed without authorisation, permission to retain them must be sought and a Visual Inspection Record will be required to confirm they comply with this specification. This can be requested via the Council's website. Please be aware that there is a charge for this – see beach hut current fees and charges.*
>
> *If you are carrying out work to a structure that requires excavation or piling into the cliff, including removal of any previously installed structure, you will require consent prior to the work taking place."*

The current fees and charges that were agreed by the Portfolio Holder on 10 March 2026 included, in respect of beach huts, a £120 charge to obtain a Visual Inspection Record – with the inspection carried out by one of the Council's Building Control Officers. The 2026/27 standard annual licence fee for a Tendring resident with a beach hut at Southcliff is £270 and for non-Tendring residents, the fee is £540.02 (including VAT).

The intention was that in the 2026/27 financial year, hut owners in Southcliff would apply for a Visual Inspection Record in time to determine whether they could keep their veranda or otherwise remove or adapt it in time for the 2027/28 financial year, for which new enhanced fees would apply to those owners with verandas or otherwise arrangements would be made for the structures to be removed in 2027/28 or a new licence could be withheld.

However, introduction of the new specification and associated expectations was met with a significant number of Stage 1 formal complaints from owners in the Southcliff area – which have highlighted questions over the fairness and pragmatism of the approach. These have led Officers, with the encouragement and support of the Portfolio Holder, to place the implementation of the specification requirements on hold in order to consider an alternative approach – albeit one that still achieves the overall desired outcome of bringing order to the area in respect of balconies and verandas.

One of the notable issues with the original approach is that the Visual Inspection Record was designed simply to be a compliance-check against the specification, not an assessment of the structural safety of a balcony or veranda structure – which is difficult to assess retrospectively on structures than have been embedded into the ground. Thus the obtainment of a Visual

Inspection Record would not constitute any endorsement by the Council of structural safety nor acceptance of public liability – despite the fact the structures have been placed on Council-owned land without consent.

However, it was not the original intention to extend the footprint of the beach hut licence to incorporate the area over which the additional veranda is placed – instead the owners would be required to pay an enhanced (yet to be determined) fee from 2027/28 for their existing beach hut plot – which in itself raised questions about the degree to which the Council could hold a beach hut owner liable for the safety of a structure that lies outside of their licence but which remains on Council-owned land.

Furthermore, inspection of the area by Building Control Officers has raised concerns about a number of structures and the potential for some of them to be removable under the Council's powers in respect of dangerous structures – irrespective of the intention for the specification to bring about a degree of regularisation.

<u>Proposal</u>

The alternative approach that Officers have developed as a means of finding a fairer and more pragmatic way forward for dealing with balconies and verandas in Southcliff essentially involves the following components/principles:

1. Halting any actual enforcement of the new specification for the 2026/27 financial year and instead using the remainder of this period to survey the area and seek beach owners' confirmation, where applicable (before end of January 2027), as to whether they intend to retain their veranda, balcony or other decked structure.

2. Introducing 'extended' licences for those plots with verandas, balconies or decked structures (or where owners intend to build one) which, from 2027/28 will incorporate the land on which the veranda/balcony sits, with a higher albeit fair and proportionate fee – thus more clearly placing liability for compliance, maintenance/repair and safety with the licence holders.

3. Use 2027/28 as the year for enforcing the specification requirements i.e. by 31 March 2028:

    a. those with an extended licence will require a 'Compliance Assessment' and will need to either remove, replace or adapt their verandas to achieve an 'acceptable level of compliance' in readiness for the next financial year (2028/29);

    b. any hut owners without an extended licence and therefore refusing to pay the enhanced fee will have their verandas/balconies removed by the Council; and

    c. any remaining unauthorised verandas will be removed by the Council in 2028/29 or licences could be withheld.

4. For existing structures, i.e. already in place at 1 April 2026, the Compliance Assessment will seek an 'acceptable level of compliance' rather than strict adherence to the precise requirements of the specification – with the main considerations being the degree to which there are any concerns about impingement on adjoining plots or pathways, visual appearance or obvious safety issues. In contrast, any new proposals for verandas or balconies will be expected to achieve strict adherence to the dimensions in the new specification in order to receive approval.

5. For any structures where Officers do have concerns about safety, the Council will reserve its right to invoke its powers under dangerous structures legislation to have the veranda removed.

6. Abandoning the one-off £120 fee for a Visual Inspection Record and instead absorbing the cost through the enhanced annual fee requirement – which, in doing so, puts an obligation on the hut owners to maintain compliance on an ongoing basis. Anyone who has already paid a £120 Visual Inspection fee is to be refunded their money.

7. Establishing and agreeing, as early as possible to ensure maximum buy-in to the approach, the enhanced fees that will apply from 2027/28 for hut owners taking on an extended licence to incorporate a veranda. The recommendation from Officers is that the increase for an extended licence would be £70 a plot per annum inclusive of VAT (reviewed on an annual basis) – irrespective of whether or not the owner lives in the District (conscious that the fee needs to be reasonable and affordable).

<u>Revisions to the Beach Hut Specification</u>

The above change in approach needs to be reflected in the wording of the Beach Hut Specification and Officers have determined that the requirement for the balustrading to be 1100mm in height (in line with Building Regulations for balconies at flats and apartments) is difficult to enforce given that many existing ones, even on authorised balconies in other parts of the District, are often closer to 900mm without raising any particular safety concerns. A strict requirement for 1100mm has also been demonstrated to cause problems with achieving the required spindle sizes/thickness and ensuring a stability on a structure of increased height.

The revised Beach Hut Specification attached at Appendix 1 to this report therefore includes necessary revisions including flexibility for rail heights to be between 900 and 1100mm. The Portfolio Holder for Leisure & Public Realm is invited to endorse the revised specification which can then be issued to take immediate effect.

RECOMMENDATION(S)

It is recommended that the Portfolio Holder for Leisure & Public Realm:

a) **agrees the proposed interim arrangements for the regularisation, adaption or removal of unauthorised balconies, verandas and other similar decked structures at beach huts in the Southcliff area of Walton on the Naze, as set out in this report;**

b) **agrees the implementation of the revised Beach Hut Specification (attached as Appendix 1) which notably includes changes from the previously published version to reflect the aforementioned interim arrangements and incorporate more flexibility in respect of balustrade heights for balconies and verandas – allowing them to be between 900 and 1100mm in height;**

c) **agrees that the 'extended' annual licence fee for 2027/28 for a beach hut with a balcony, veranda or similar decked structure will be the regular licence fee plus the sum of £70 (inclusive of VAT), to be reviewed on an annual basis thereafter;**

d) **agrees the proposed communication to the owners of beach huts at Southcliff (above promenade level) as set out in Part 3 of this report; and**

e) **notes that whilst priority is being given to addressing unauthorised balconies, verandas and other decked structures in Southcliff, Walton on the Naze over 2026/27 and 2027/28, the approach and timeframe to actively enforcing the specification requirements in respect of other unauthorised structures elsewhere in the District will be considered when the Council next reviews the overall Beach Hut Strategy.**

REASON(S) FOR THE RECOMMENDATION(S)

The current approach to regularising, adapting or removing unauthorised balconies, verandas and other decked structures at beach huts in Southcliff has not worked. It has attracted objections and formal complaints in respect of its fairness and practicality and a revised approach is required.

ALTERNATIVE OPTIONS CONSIDERED

Resume the previous approach to the regularisation, adaptation or removal of balconies and verandas including the requirement for a £120 Visual Inspection and make no revisions to the Beach Hut Specification despite the objections and complaints that have been raised and the practical issues that have been discovered.

Remove any allowance for balconies and verandas from the Beach Hut Specification and remove, or otherwise require the removal, of all unauthorised structures and withhold beach hut licences from anyone that refused to comply.

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

The Council's current Beach Hut Strategy, along with addressing issues with unauthorised structures at beach huts around the District's coast aligns, with the Council's Corporate Priority around 'championing our local environment', promoting our heritage offer, attracting visitors and encouraging them to stay longer'.

The objectives of the Council's 2023 Beach Hut Strategy are:

- improved seafront assets and infrastructure;
- increased awareness of local seafront issues; and
- support for tourism and economic development strategies of the Council.

The keys to success set out in the current Beach Hut Strategy include:

1. maintain the popularity and use of beach huts in Tendring;
2. improved infrastructure supporting existing and future beach hut provision;
3. the presentation of future business planning for beach hut development;
4. improved appearance of beach huts and beach hut sites;
5. improved consistency of beach hut standards;
6. ensure beach huts contribute positively to the local economy; and
7. providing security of tenure whilst ensuring beach hut customers conform to conditions of their agreement.

OUTCOME OF CONSULTATION AND ENGAGEMENT (including with the relevant Overview and Scrutiny Committee and other stakeholders where the item concerns proposals relating to the Budget and Policy Framework)

The revised approach has been developed in consultation with the Portfolio Holder for Leisure & Public Realm and Cabinet members. Discussions have also been had with leading members of the Walton Beach Hut Association and the TDC Ward Member for Walton about the proposed approach. The approach has had considerable input from the Council's Head of Planning and Building Control, Coastal Manager, Beach Huts Manager and the Legal Services team.

The Beach Hut Association was consulted on the proposed communication, which has been amended accordingly prior to finalisation in response to some of the comments and suggestions

received. Officers will continue to engage with the Association as the new approach is rolled out and will look to find practical solutions to any problems that might arise.

LEGAL REQUIREMENTS (including legislation & constitutional powers)			
Is the recommendation a Key Decision (see the criteria stated here)	**NO**	**If Yes, indicate which by which criteria it is a Key Decision**	☐ **Significant effect on two or more wards** ☐ **Involves £100,000 expenditure/income** ☐ **Is otherwise significant for the service budget**
		And when was the proposed decision published in the Notice of forthcoming decisions for the Council (must be 28 days at the latest prior to the meeting date)	Not applicable.

When the earlier version of the new Beach Hut specification was agreed and implemented in May 2026, legal advice had confirmed that issuing any certificates or documents implying approval or safety assurance would expose the Council to unnecessary liability. Having considered that advice, the approach that was adopted was intended to ensure that responsibility for the structural safety of any beach hut, balcony or veranda rested entirely with the beach hut owner and that beach hut owners would be responsible for obtaining any professional advice they consider necessary and for holding adequate insurance to indemnify the Council against claims or losses. Under that approach the Council would not require beach hut owners to submit structural reports or insurance documentation, as this would risk transferring responsibility to the Council.

Existing balconies or verandas would not be required to be removed unless they failed to meet the adopted specification or consent was refused. References to safety were removed from the specification, ensuring no responsibility for safety rested with the Council. That approach would have maintained appropriate risk allocation while enabling effective land management. The previous suggested inspection ‘certificate’ issued by the Council were therefore termed a ‘Visual Inspection Record’, not a certificate.

Aside from contact details, the specification did not reference Building Control or statutory inspection. Council officers would therefore undertake visual checks solely as Council employees, not under the Building Act 1984. The Visual Inspection Record would therefore confirm only whether a structure visually appears to comply with the published specification.

The change in approach set out in this report carries forward the above principles and whilst it allows for a greater degree of flexibility in the determination of whether existing structures achieve an ‘acceptable level of compliance’ with the specification through a ‘Compliance

Assessment', it remains that responsibility and liability for safety remains with the beach hut holder – which can be strengthened and reinforced by have extended licences which include the footprint not only of the huts but the structures associated with them.

YES	**The Monitoring Officer confirms they have been made aware of the above and any additional comments from them are below:**

It is noted that the interim arrangements set out in this report have been the subject of consultation and working collaboratively with Legal Services. It is also noted that the introduction and implementation of a new Beach Hut Specification was an expectation of the Council's 2023 Beach Hut Strategy which also included measures to put in place commercial leases for those looking to rent out their huts for tourism purposes as well as the complete replacement of one-year licences with leases, for the legal reasons as previously considered by Cabinet in 2023. Whilst not all of the measures in the Beach Hut Strategy have been implemented within the timescales originally envisaged, the intention to revisit and review the strategy in 2027/28 is noted, as Cabinet's previous decision adopting the Strategy has not been replaced.

Whilst the Council continues with licences, rather than reverting to leases, the terms of the licences must be reviewed to ensure they robustly cover the extended areas and responsibilities articulated within this report. A licence only grants a personal right to use and occupy the site and place the hut in accordance with certain conditions; it is not transferrable or provide any additional legal protections for the beach hut owners.

FINANCE AND OTHER RESOURCE IMPLICATIONS

It should be noted that the proposed interim arrangements propose moving away from the current one-off charge of £120 for a Visual Inspection Record to inspection costs being absorbed through the proposed £70 additional cost (inclusive of VAT) for an extended licence from 2027/28, the costs of which will be reviewed annually.

This is based on the current licence fee (for residents) at £270 (inclusive of VAT) for a standard Beach hut measuring 2440mm x 3660mm (8.9304 square metres) which is equates to £30.23 per square metre. When applied to a balcony, veranda or decked area in front of a hut with a maximum area of 2440mm x 2400mm (5.9536 square metres), that rate would give an additional fee of £179 – but with many actual structures likely to be around 1 metre x 2.4 metres, i.e. 2.4 square metre and in the interest of having a fair and simple fee, it is proposed to apply a single standard fee of £70 inclusive of VAT which equates broadly with a rate of £30.23 applied to a 2.4sqm average structure (rounded down to the nearest whole £1).

Whilst it is intended to refund any of the £120 payments received in 2026/27, for 2027/28 the introduction of a £70 increase to the licence fee for those owners requesting to keep their unauthorised structures could generate something in the order of £14,000 to 16,000 per year subject to annual review and level of take-up. This income would be best ringfenced to absorb

the cost of compliance and for investment in the maintenance and improvement of the seafront amenities in the local area.

There would however potentially be a cost to the Council if it seeks to remove unauthorised or dangerous structures – a cost that may be difficult to recoup from the owners who could deny any responsibility given that the structures are outside of their licence and not on their land. Some owners might remove their structures, if required, to avoid the risk of having their licence withheld. If, for example, 10%-15 (circa 23 to 34) of structures have to be removed, the cost could be in the region of £13,000-£19,000 on an estimated rate of £550 per plot based on four hours work by two personnel, one van and the hire of an 8-yard skip for material removal.

Looking more widely at beach huts across the district and the intent behind the Beach Hut Strategy, it had been intended to develop a business case for a beach hut development programme with the potential to generate additional revenue and to move from annual licences to five-year commercial leases with a higher rental level for those looking to rent out their huts for tourism purposes for more than 10 days a year and also five-year domestic leases. The financial benefits of these approaches to the Council and the wider economy are yet to be realised as not all of these actions have been implemented.

There will be further consideration of these matters when the Beach Hut Strategy is reviewed, the timing of which remains subject to consideration alongside the Council's current two year work programme and the delivery of other priorities over the coming months, which also now need to include the consideration of the outcome from the Government recently announced review of their current LGR programme.

YES	**The Section 151 Officer confirms they have been made aware of the above and any additional comments from them are below:**

Although there are no significant comments over and above those set out elsewhere within the report, the reasonable transfer of liability to owners via the revised approach proposed is positive, although as part of the decision being made, it needs to be acknowledged that until finalised, the liability is likely to remain with the Council during any interim period.

It is also positive that the report sets out potential options to balance costs with income over time and that any outstanding matters will be revisited as part of the next review of the Beach Hut Strategy.

USE OF RESOURCES AND VALUE FOR MONEY

The following are submitted in respect of the indicated use of resources and value for money indicators:

A) Financial sustainability: how the body plans and manages its resources to ensure it can continue to deliver its services;	The Beach Hut service is self-funding and this approach should not increase costs to the Council. The implementation of extended licences will generate revenue to absorb the

	costs of inspections and to fund ongoing maintenance and improvement of the coast. It is however noted that there could be costs if the Council is proactive in removing certain structures that are deemed to be dangerous or that do not meet an acceptable level of compliance with the revised Beach Hut Specification. The costs ought to be covered by wider beach hut income.
B) Governance: how the body ensures that it makes informed decisions and properly manages its risks, including; and	Whilst under the delegation given by the (previous) Cabinet in 2023 in adopting the Beach Hut Strategy, Officers can agree and amend the Beach Hut specification and choose the method of operational delivery, this revised approach has referred to the relevant Portfolio Holder given that this matter has gained a higher public profile and a number of objections and complaints.
C) Improving economy, efficiency and effectiveness: how the body uses information about its costs and performance to improve the way it manages and delivers its services.	The previous approach to regularising, adapting or removing unauthorised structures at Walton Southcliff has not worked and has not achieved any tangible outcome. The revised approach set out in this report aims to address that.

MILESTONES AND DELIVERY

If the Portfolio Holder for Leisure & Public Realm agrees the revised Beach Hut Specification and the recommended implementation of interim arrangements for addressing the regularisation or removal of unauthorised verandas and balconies in the Southcliff area of Walton on the Naze, Officers will look to publish the new specification immediately and communicate the new approach to relevant beach hut owners in early October 2026 with the wording set out in this report.

Affected beach hut owners to confirm whether or not they wish to keep their unauthorised balcony, veranda or other decked structure by end of January 2027. Extended licences to be issued from 1 April 2027.

Regularisation, adaptations or removals to take place between 1 April 2027 and 31 March 2028 – unless determined that earlier removal is required due to safety concerns.

The timing of the next review of the Beach Hut Strategy will be undertaken as indicated earlier within this report.

ASSOCIATED RISKS AND MITIGATION

Legal/liability

There is a risk that any inspection activity carrying out of Compliance Assessments could be misunderstood as the Council certifying the safety or structural integrity of balconies, verandas and other decked structures and the suggestion that the Council is accepting liability. However, the approach is clear in placing the responsibility for safety and maintenance with the beach hut owners through an extended licence and that the assessment process is purely a visual assessment of a structures compliance with the specification. The disclaimers and language within the licences will need to be clear to avoid any ambiguity in this regard.

Public safety

Some structures, irrespective of whether their dimensions achieve a reasonable level of compliance with the specification, might clearly exhibit issues that raise obvious concerns about public safety. In these instances, the Council can consider its powers under dangerous structures legislation and reserve its right to have the structures removed.

Further complaints

Whilst the interim arrangements set out in this report are designed as a direct response to some of the objections and complaints the Council received in response to its original attempt to address the issues at Southcliff, there is still a risk that beach hut owners will dislike the new arrangements and might continue to complain. By developing these new arrangements in consultation with the Beach Hut Association and in carefully considering the original complaints in coming up with the new approach, Officers believe this is a fairer and better justified approach. The proposed charge for the extended licences is set at a level that is believed to be justified and reasonable.

The only feasible alternative to the approach now proposed would be to remove all unauthorised structures – which would undoubtedly be far more contentious that what is proposed.

Financial/lack of take-up

If for whatever reason, there is a lack of take-up or a refusal to comply with the proposed arrangements, the Council could face a situation whether it is having to remove a larger number of unauthorised structures or having to withhold licences to a number of owners, potentially having their huts removed. This could have a higher financial impact on the Council than if it were to have to remove a small number of structures and licence the remainder. It is hoped that the approach set out will be seen as fairer and more flexible and more likely to be complied with.

Operational capacity

With approximately 230 unauthorised structures at Southcliff to be regularised or removed, of which a proportion (estimated at 10-15%) might be deemed dangerous and in need of removal, there is a resourcing impact – which was always the case even when attempting to implement the previous approach. Having a clearer process may help to reduce the level of push back and complaints, but once it is clearer at the end of January 2027, how many owners are indicating their intention to keep their structures, a further assessment of resource requirements may be required – both in respect of inspections and preparing extended licences.

EQUALITY IMPLICATIONS

Whilst there are no direct implications, it should be noted that some complainants to the Council have cited concerns over accessibility for people with mobility impairments as reason for the Council to be more permissive of the construction of balconies, verandas and other decked structures in the Southcliff area particular where cliffs are steep and pathways are narrow. The proposed approach is designed to enable fair consideration to be given to the regularisation, adaption or removal of existing unauthorised structures; as well as the potential construction of new ones.

SOCIAL VALUE CONSIDERATIONS

Bringing management and control to the situation in respect of balconies, verandas and other decked structures in the Southcliff area through the introduction of extended licences and associated fees will, along with other measures proposed in the Beach Hut Strategy (which is proposed for review) will support the ongoing protection, maintenance and utilisation for tourism purposes of the Tendring coast.

IMPLICATIONS RELATED TO DEVOLUTION AND/OR LOCAL GOVERNMENT REORGANISATION

On 7th September 2026, the Secretary of State for Housing, Communities and Local Government announced in Parliament that a review of the Local Government Reorganisation programme was commencing and that the decision made in March 2026 for Greater Essex (and other areas) had been withdrawn in light of new legal advice. Following this announcement, local authorities received correspondence from the Minister of Housing, Communities and Local Government requesting that until this review has concluded, Councils cease work on implementing the decisions that have previously been announced. The timetable for completion of the review is unknown at this time.

This proposal is not impacted by MHCLG's request, as relates to matters that that are already being implemented off the back of the Council's existing Beach Hut Strategy – although review of the Beach Hut Strategy and any revisions to tasks or timescales in 2027/28 could be affected and will need to be considered.

IMPLICATIONS FOR THE COUNCIL'S AIM TO BE NET ZERO BY 2050
Under the new Beach Hut Specification, new sustainable products are allowed.
OTHER RELEVANT CONSIDERATIONS OR IMPLICATIONS
Consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are set out below.

Crime and Disorder	A formal approach to the regularisation, adaptation or removal of these structures should result in fewer incidences of new unauthorised structures being developed.
Health Inequalities	No direct implications.
Subsidy Control (the requirements of the Subsidy Control Act 2022 and the related Statutory Guidance)	No implications.
Area or Ward affected	Walton predominantly – although the proposed review of the Beach Hut Strategy could affect other coastal wards around the district.

PART 3 – SUPPORTING INFORMATION

PROPOSED COMMUNICATION TO RELEVANT BEAH HUT OWNERS
If the recommendations in this report are agreed, it is recommended that a letter go out to all beach hut owners at Southcliff (apart from those with hits at promenade level) – which will include many of those who have submitted Stage 1 formal complaints about the previous approach. The wording has been amended following informal consultation with representatives of the Walton Beach Hut Association: *Dear [insert name],* ***Southcliff Beach Verandas*** *I am writing to you as one of the many owners of beach huts in Walton on the Naze on Southcliff with a veranda in front of their hut that was installed either by yourself or perhaps a previous owner in order to have an enjoyable space to sit, relax and make the most of our beautiful coastline, or a hut owner who may wish to erect a veranda in the future.* *In many cases these verandas have been in place for a long time and have passed from one owner to the next, unfortunately and perhaps unaware that they were built across publicly owned land without the authorisation of the local Council, which has a responsibility to manage*

public land safely and fairly for everyone. Given the length of time that some of these structures have been in place, the Council recognises that it would not be fair on all owners to make them remove an unauthorised veranda, particularly if they sit directly in front of the hut and are of a decent standard that does not detract from the appearance of the area or cause any other problems or concerns; but some of the structures in the area are problematic and the Council does need to do something about the situation in the best interest of both beach hut owners and the wider general public.

Therefore, the Council is looking to put in place a fair process by which owners can apply to get authorisation from the Council to keep the veranda in front of their hut and for it to be properly reflected in the terms and conditions of their annual licence, along with a reasonable and proportionate increase in their annual licence fee or their commercial lease. By regularising the structures in this way, the owner can have the peace of mind that their veranda is authorised and will not be removed by the Council and, in turn, the Council can have the peace of mind that it is covered under the owner's licence or lease and that they are accepting responsibility for its ongoing maintenance, repair and safety. The extra money the Council secures through the increase in the licence fee can then help fund the Council's ongoing efforts to look after, maintain and repair the Tendring's coastline both now and into the longer-term.

Earlier this year, the Council introduced a new Beach Hut Specification setting out the dimensions for balconies and verandas that would generally be expected to be met by any existing or proposed structure in order to meet with the Council's approval, but following quite a few objections and complaints from a large number of beach hut owners at Southcliff about the way the specification was being applied (including charging for a Visual Inspection Record), we have listened to what people have said, have revisited the approach, have revised the specification and are now proposing a different process that we believe will work better, and will be seen as fairer.

Step 1: Before 31 January 2027 - please tell us if you would like to keep your veranda.

If you tell us that, yes, you would like to keep the veranda you have in front of your beach hut, we will update our records and look to issue you with a new licence from 1 April 2027 that covers not only the plot on which your beach hut sits, but also the area over which your veranda is placed. The charge for one of these new extended licences in 2027/28 will be £70 including VAT for the year on top of your normal annual licence fee, a level which the Councils considers to be reasonable. This will be reviewed on an annual basis.

If however you decide that, no, you do not want your licence to be extended, do not want to pay the extra fees and therefore do not want to keep your veranda, the Council will arrange with you to have the structure removed and your licence fee next year will remain at the standard rate.

Step 2: Between 1 April 2027 and 31 March 2028 – the Council will inspect your veranda and may require you to carry out some work.

If you have chosen to keep your veranda and have agreed to take on an extended licence next year, we will arrange for one of our Officers to carry out an inspection of the structure as early as possible in April or May 2027, if not before. The purpose of the inspection or 'Compliance Assessment' will be to check the structure against the Council's revised specification and to determine whether it achieves an acceptable level of compliance that will enable the Council to authorise and allow it to be kept without requiring any further work, apart from normal ongoing maintenance and repair.

For existing verandas, which may well have been in place for a long time, the Council will apply the dimensions and expectations in the specification sensibly and pragmatically rather than strictly and rigidly, but for any proposals for new structures, strict compliance will generally be expected. In determining whether or not an existing structure achieves an acceptable level of compliance, the main considerations for the Council will be whether or not the structure impinges upon the space between or in front of adjacent huts or on adjacent pathways, whether or not it is of a decent standard of quality and visual appearance, and whether or not there any obvious concerns about structural safety. If, at any time, the Council comes across a structure that it considers to be unsafe, it reserves the right to have it removed immediately under legislation relating to dangerous structures. For the avoidance of doubt, the Council will not be authorising any decked structures that sit to the side or to the rear of huts.

There will be no charge for the Compliance Assessment, as this will be covered by the increase in the fee for an extended licence, but if the Council determines that the veranda does not achieve an acceptable level of compliance with the specification, it will request that the structure is either removed, replaced or adapted to an agreed standard before 31 March 2028. If the required works have not been carried out by 31 March 2028, the Council will make arrangements with the owner to have the structure removed and, if need be, could refuse to issue a beach hut licence for 2028/29. If the Council removes the structure, any cost for removal will be charged to the owner. If it is decided to remove the non-compliant structure, and the removal takes place before 31 March 2028, the licence fee for 2028/29 will revert to the standard rate, covering only the plot upon which the remaining hut sits.

Anyone who has already paid a £120 fee to obtain a Visual Inspection Record under the approach the Council was taking previously, will, if not already, have their money refunded immediately and the Council apologises for any inconvenience or confusion that was caused.

What you need to do

If you have a veranda at your beach hut, all we need you to do, for now, is contact the Beach Hut team using the details above to indicate whether or not you would like to keep it. Please contact us soon as possible and certainly no later than 31 January 2027. We can then assist by advising you of the next steps for next-year's licence and/or any inspections and works thereafter. For further information, please go to our website at www.tendringdc.gov.uk, phone ***01255 686702*** *or email* ***beachhuts@tendringdc.gov.uk****.*

In putting the above process in place, our overall aim is to create a fair, practical and long-term solution for the Southcliff area that protects public safety, whilst allowing owners the opportunity to continue enjoying and investing in their beach huts with certainty over the future.

We look forward to working with you to achieve that outcome.

Yours faithfully,

FLOW-CHART DEPICTION OF HOW THE REVISED APPROACH WOULD OPERATE

The proposed revised process is reflected in the flowchart overleaf which is designed for internal operational purposes. The emphasis is on a practical, long-term arrangement that allows suitable structures to remain where appropriate, rather than removing valued features unnecessarily.

Southcliff Beach Hut Balconies and Decking

A clear route to a fair, safe and long-term solution

Why are we doing this?

The Council has reviewed balcony and decking structures on Council-owned land.
The aim is to keep the seafront safe, fair and enjoyable while giving owners certainty.

Step 1
What would you like to do?
Choose one option by 31 March 2027

Option A

Retain an existing balcony/decking or propose a new one.
Apply for a licence variation and move to Steps 2 and 3.

Option B

Remove the structure yourself.
Restore the land so it is clear, safe and maintainable.
Complete by 31 March 2027.

Option C

Ask the Council to arrange removal and restoration of the area.
Contact the Council so practical arrangements can be discussed.

If we do not hear from you

The Council may proceed on the basis that the structure is not required and consider action to regularise the land.

Keeping everyone safe

Where a structure is unsafe or presents an immediate public risk, the Council may take action, including removal.

Step 2: Assessment for Option A

Council reassesses:
- location and public access
- visual and cumulative impact
- compliance with the updated specification
- safety, maintenance and evidence requirements

Step 3: Extend the licence

Once principle, design and safety are agreed, the approved balcony/decking area can be included in the beach hut licence.
This clarifies occupation, repair and responsibility.

Outcome

A practical long-term arrangement that supports safe enjoyment of the beach huts and coastline.

PREVIOUS RELEVANT DECISIONS

17 February 2023: Decision of the Cabinet: Report of the Leisure & Tourism Portfolio Holder – A.10 – Tendring Beach Hut Strategy Revisited – Following Consultation: Agreed the following:

(a) notes the outcome of the public consultation undertaken on the draft Beach Hut Strategy, as set out in the Portfolio Holder's report;

(b) notes the outcome of the Task and Finish Review Working Group undertaken on behalf of the Resources and Services Overview and Scrutiny Committee and their recommendations received as considered earlier in the meeting;

(c) in relation to (a) and (b) above, notes the changes made to the draft strategy as a result of the consultation exercise, including the process for issuing commercial beach hut leases (following the first round of consultation) and the consideration of a 'buffer period' in restricting future agreements to one per household;

(d) notes the proposed changes to the revised draft Beach Hut Strategy, and approves the same for adoption;

(e) delegates the approval of a revised Beach Hut design specification to the Assistant Director (Building & Public Realm), in consultation with the Portfolio Holder for Leisure and Tourism;

(f) agrees the Heads of Terms for a new commercial lease (Appendix C) and delegates authorisation for the final lease agreement to the Corporate Director (Operations & Delivery), in consultation with the Portfolio Holder for Leisure and Tourism and the Head of Legal Services;

(g) delegates agreement of an approved criteria, upon which applications for commercial licences can be made, to the Assistant Director (Building & Public Realm), in consultation with the Portfolio Holder for Leisure and Tourism;

(h) agrees to set fees and charges for commercial leases at twice the value (double) of the comparative standard annual charge;

(i) agrees to the overall principle of changing from licence agreements to leases from 1 April 2024, for a term of less than 7 years and based on the market valuation for the relevant location, recognising the increased administration and costs to all parties on leases for longer than 7 years with the respective fees and charges and detailed lease terms to be agreed by the Portfolio Holder for Leisure and Tourism; and

(j) agrees that operational implementation of (i) above will be authorised by the Corporate Director (Operations and Delivery), in consultation with the Portfolio Holder for Leisure and Tourism and the Head of Legal Services, reflecting the resources required.

10 March 2026: Decision of the Corporate Director – Planning and Community (with the concurrence of the Portfolio Holder for Leisure & Public Realm): Planning and Community/Property and Projects/Beach Huts – Proposed fees and Charges for 2026/27. Agreed the following:

That the proposed Schedule of Fees and Charges 2026/27 for Planning and Community / Property and Projects / Beach Huts be approved and is implemented.

8 May 2026: Decision of the Corporate Director – Planning and Community (with the concurrence of the Portfolio Holder for Leisure & Public Realm): Approval of the new Standard Beach Hut Specification. Agreed the following:

To approve and implement the Tendring District Council Standard Beach Hut Specification (May 2026), including updated provisions relating to balconies/verandas at Southcliff, Walton and associated administrative processes.

BACKGROUND PAPERS AND PUBLISHED REFERENCE MATERIAL
None.

APPENDICES
Appendix 1: Revised Standard Beach Hut Specification – September 2026

REPORT CONTACT OFFICER(S)	
Name	**Gary Guiver**
Job Title	**Corporate Director – Planning and Community**
Email/Telephone	**gguiver@tendringdc.gov.uk**