

BEACH HUT OWNERSHIP GUIDANCE 2023





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1. INTRODUCTION

This document provides guidance on beach hut ownership at the following sites managed by Canterbury City Council:

Herne Bay – East Cliff
on the promenade

Herne Bay – Spa Esplanade
on the shingle beach

Marine Crescent – Whitstable
on the grass slopes

Long Rock – Whitstable
on the grass slopes

Tankerton West and East – Whitstable
on the grass slopes

The council's contact for beach hut owners is Foreshore Services, their contact details are:

Harbour and Foreshore Services
Canterbury City Council
West Quay Building
Whitstable Harbour
Whitstable
Kent CT5 1AB

01227 266 719
beachhuts@canterbury.gov.uk

2. DEFINITION OF A BEACH HUT

A beach hut means the beach hut (including any wooden base and approved adaptations) owned by the Tenant and constructed on the site on or adjacent to the beach to be used for leisure purposes only.

3. OWNERSHIP

There are 678 privately owned beach huts on council land, the council owns the land and acts as a landlord. The relationship between the council and the individual beach hut owner is a Tenancy agreement that can be rolled over year to year or assigned (transferred) to a new beach hut owner if the beach hut is sold.

4. PARTNERSHIP WORKING – BEACH HUT OWNERS' ASSOCIATION

The council's Foreshore staff meets with the Tankerton and Herne Bay Beach Hut Owners' Associations representatives at regular intervals to deal with operational beach hut issues that arise. It is very much a partnership approach.

For instance, the Beach Hut Owners' Association representatives help with monitoring the condition of beach huts, reporting of any issues for particular huts and organise community events in their specific areas.

5. BEACH HUT SPECIFICATIONS

There are approved beach hut design specifications: two in Herne Bay and two designs in Whitstable. The specifications are available on the Council beach hut webpage.

6. ADAPTATIONS

Adaptations to beach huts are permitted at some of the sites. However, they need to be applied for, approved in writing and are charged a yearly fee per square metre. The square metre rate is based on the standard beach hut rate for the site, divided by the approved beach hut size: West Beach, Herne Bay beach huts are 5.39m² whilst both the approved Tankerton beach huts are 9m².

Guidance on the accepted designs and application process for adaptations are on-line and can be found on the Council beach hut webpage.

7. ACCESS TO A BEACH HUT

Some adaptations may be required for access purposes. Access into a beach hut is generally from steps at Tankerton, Long Rock and Marine Crescent, at West Beach Herne Bay direct from the shingle beach and from the promenade at East Cliff.

Mobility Access

Temporary access improvements due to mobility problems can be applied for and are free of charge. They are subject to proof of need: either personal access issues for the owner or a close relative.

'Close Relative' means one or more members of the Tenant's family limited to a mother, father, son, daughter, stepson, stepdaughter, spouse, civil partner (or a person with whom the Tenant has cohabited with for more than five years continuously), brother or sister.

The council has created guidance for accepted adaptations that improve access to the beach huts.

The alterations for improved disability access are allowed to remain until such time as the agreement expires for example change of ownership or the need for the adaptation is no longer required, when the beach hut should be returned to one of the council's specified designs or adaptations. The alteration for improved disability access can only be retained by the new owner, if they can provide evidence of the need for such an alteration, in line with the application process for adaptations.

There are no administration or adaptation fees charged for mobility access which has been approved in writing.

Access due to landform

As mentioned Tankerton, Long Rock and Marine Crescent beach huts are on slopes and the landform may require adaptations to access the beach hut rather than the traditional steps. These need to be applied for in writing and are dealt with on a one to one basis.

Written approval from the council is required prior to the installation of the 'access due to land form.'

There are no adaptation fees charged for access due to landform which has been approved in writing.

8. BEACH HUT TENANCY AGREEMENT

The 678 privately owned beach huts on council land have a tenancy agreement with the council, the council acts as the landlord. The beach hut owner pays an annual rent to the council for the site on which their beach hut sits. The owner is required to maintain public liability insurance and keep their beach hut in good order.

The beach hut tenancy can be rolled over from year to year until ended by notice. The beach hut owner can sell their beach hut or transfer their beach hut as they wish, they can also 'assign the tenancy' for an assignment administration fee. This means that the new owner has the same tenancy rights to be on the site.

9. SUBLETTING

The standard tenancy document does not allow beach hut owners to 'sublet or advertise to sublet' their beach hut.

However, if a beach hut owner wishes to sublet their beach hut they have the option of agreeing to do so. They need to apply in writing and pay an increase in the rent of 100%. They need to have written consent from the council by way of new tenancy that allows subletting prior to subletting or advertising the subletting of their beach hut.

The 'standard subletting tenancy' has additional terms and conditions including the following:

- Maximum group size who can rent a beach hut is eight.
- Hut owners must provide emergency contact details to the council to enable resolutions as they occur or are reported.
- Notice period for sublet tenancies is six months.

If you are interested in subletting your beach hut please contact Foreshore Services via email at **beachhuts@canterbury.gov.uk**

If a beach hut owner is found to be subletting without the appropriate sublet tenancy then notice will be served on their hut.

10. CHANGE OF DETAILS

If the beach hut owner changes address they need to inform the council. This can be completed on-line and can be found on the Council beach hut webpage.

There is an administration fee for the production of a new tenancy, if required.

11. HOW TO SELL A BEACH HUT

If you want to sell or have sold your beach hut you'll need to ask us for permission to transfer your tenancy to a new owner.

Transfer process

There are four documents required by the council to complete an assignment of a beach hut site tenancy.

- (a) Assign a beach hut tenancy to someone else - this asks the council for permission to assign (transfer) the tenancy to the new tenant(s) (completed by the current tenant).
- (b) Confirm your details to take over a beach hut tenancy – this confirms that the proposed new tenant(s) agrees to become the new tenant (completed by the proposed new tenant).
- (c) Licence to assign the beach hut site tenancy – this gives permission to assign the tenancy and gives two months to complete the assignment (signed by the current tenant and proposed new tenant).

- (d) Notification of an assignment – this tells the council that the assignment has been completed and that there is now a new tenant of the beach hut site (signed by the new tenant).

Payments required

Current tenant payments

- Assignment administration fee – fee for the administration of the assignment (transfer).
- Adaptation charges (if applicable) – adaptation charges are charged in arrears, so you will receive an invoice for the current year's usage.
- Outstanding site fee – the full site for the year will need to be cleared.

The council cannot issue pro-rata invoices, so these payments will need to be made before any transfer takes place.

Proposed new tenant payment

- Tenancy Administration fee – fee for a new tenancy to be issued in the new tenant(s) name once the transfer is complete.

Full details of the Transfer procedure can be found on the Council webpage for beach huts.

We strongly recommend that both parties seek their own independent legal advice prior to undertaking any assignment.

Please allow up to six weeks for the transfer of a beach hut to be completed.

12. HOW TO BUY A BEACH HUT

As previously mentioned, the beach huts are privately owned. Most are advertised on national beach hut websites, via local agencies (including the local beach hut owners associations, by Canterbury City Council or privately.

13. FEES AND CHARGES (inc VAT)

	West Beach Herne Bay	Tankerton	East Cliff Herne Bay
Site fee	£602.70	£851.20	£950.00
Option to sublet	£602.70	£851.20	£950.00
Adaptation fee per square metre	£1111.81	£88.57	N/A
Beach hut admin fees			
Assignment administration fee		£152.20	
Tenancy administration fee		£65.20	
Beach hut agency marketing fee		£1066.70	

In 2016, to ensure that the market rent for beach huts is set fairly, the Council received an independent external evaluation from DVS (Property Services arm of the Valuation Office Agency), who operate on behalf of HM Customs and Revenue. This process ensured that the Council had followed and refreshed a previous evaluation that was completed in 2013.

Beach hut site fees and charges are reviewed annually within the council budget setting process, which involves consultation.

The fees and charges are approved in February each year for implementation from the following April, next financial year (April to March).

14. PAYMENT OPTIONS

The council invoices the beach hut owners annually in April, at the start of the financial year (1 April to 31 March).

Beach hut owners can either make a one off payment or arrange for instalment by Direct Debit – up to ten payments to be completed by 31 January.

To arrange a payment plan please contact the Canterbury City Council Finance Department on **01227 862 000** or e-mail finance.help@canterbury.gov.uk

FAILURE TO PAY WILL PUT THE BEACH HUT TENANCY AT RISK.



15. NON DOMESTIC NATIONAL RATES (BUSINESS RATES)

Beach huts are eligible for business rates as they are classed as non domestic properties, however if you do not pay business rates in your name anywhere else in England then you can apply for Small Business rates relief.

To apply for the relief please complete the online application form which can be found at canterbury.gov.uk/business-and-investment/small-business-rates-relief/

Once small business rates relief (SBRR) is applied you do not need to reapply, but you would need to inform the Council if your circumstances change.

If you do pay business rates elsewhere then you will be liable for the below fees.

The 2023 rateable value for Beach Hut sites has been set by the Valuation Office at £860 (Tankerton/Marine Crescent/Long Rock) and £580 (Herne Bay). The rates payable for beach huts 2023/24 are:

Tankerton/Long Rock/Marine Crescent	
Liability	£429.14
Total amount payable without Small Business Rates Relief	£429.14
Small Business Rates Relief 100% until 31 March 2023	-£429.14
Total amount payable with Small Business Rates Relief	£0.00

Herne Bay	
Liability	£289.42
Total amount payable without Small Business Rates Relief	£289.42
Small Business Rates Relief 100% until 31 March 2023	-£289.42
Total amount payable with Small Business Rates Relief	£0.00

East Cliff huts – rates to be confirmed by the Valuation Office but we anticipate these will be similar to the West Beach, Herne Bay huts.



16. INSURANCE

Each beach hut owner is required within the tenancy agreement to maintain public liability insurance. The council can request a copy of the insurance once per year.

We advise you to contact your beach hut association who may be able to obtain group cover or your home insurance company as you may be able to add the beach hut to your home insurance policy.

17. MANAGEMENT OF BEACH HUT AREAS

The Foreshore Service manages the beach huts for the council and they liaise closely with the Contracts Section of the council who manage the grounds maintenance and waste contracts for the public open space that surrounds the beach huts.

- Foreshore undertake condition surveys of beach huts – they can request repairs if required
- Invoices the annual rent and any adaptations fees
- Deals with a range of enquiries
- Lifeguard areas and water safety

Foreshore Services are the point of call for many issues on the seafront and sign post enquiries to the required department, police or other agencies and partners as required depending upon the nature of the enquiry.

Foreshore Services also manages the public amenities along the whole coastline such as water standpipes, showers, lifeguarding etc.

18. REPORTING INCIDENTS

If you have a problem it is best to report incidents to the Foreshore Office who can then forward onto the right organisation to deal with the issue.

Incidents could be damage or vandalism, anti-social behaviour or environmental issues etc. contact the Police on 101.

Alternatively if a crime is in progress please contact the Police on 999.

19. VEHICULAR ACCESS TO THE SITE

Your Tenancy does not give you permission to park on the promenade or grass slope. Vehicular access for erecting/moving or maintenance of huts can be gained from the Foreshore Office. Please contact the office prior to requiring access and be mindful that busy periods of the day are not the best times to complete this type of work.

This document does not apply to beach hut owners in Whitstable on non-council owned land at Long Beach, West Beach and Island Beach plus in the Whitstable Harbour.

