

Beach Hut Policy

Beach Hut Policy 2026–2029

Purpose

This policy sets out the Council's approach to the provision, allocation, management, maintenance, charging, and regulation of beach huts situated on land owned or administered by the Council. It provides a clear framework for decision-making and administration so that the service is delivered fairly, transparently, lawfully, safely, and sustainably.

Beach huts are an important feature of the coastline and contribute to the Council's wider seafront, community, and place-shaping objectives. This policy has been prepared having regard to relevant legislation, operational requirements, and the Council's internal governance arrangements.

Scope

This policy applies to all Council-owned beach huts, privately owned beach huts located on Council-owned land, existing licensees, applicants, and persons on any Council-administered waiting list. It should be read alongside the relevant beach hut licence agreement, seafront regulations and byelaws, planning requirements, fees and charges, and any other applicable Council policies or procedures.

Legislative and Policy Framework

There is no statutory obligation for the Council to provide beach huts. The service is provided as a discretionary, non-statutory function. Section 232 of the Public Health Act 1936 permits a local authority to provide huts or other conveniences for bathing on land belonging to it or under its control, and to make charges for their use.

In exercising its functions, the Council will also have regard, where relevant, to the Localism Act 2011, the Equality Act 2010, the Health and Safety at Work etc. Act 1974, the Environmental Protection Act 1990, the Value Added Tax Act 1994, applicable byelaws, and any other relevant legislation, guidance, or internal policy framework.



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This policy does not create, and must not be interpreted as creating, any tenancy, leasehold interest, or other proprietary right in land. Use of Council-owned beach huts or private owned beach huts on Council owned land will be governed by the relevant licence terms in force during the licence period.

Policy Objectives

The Council's objectives in relation to beach huts are to:

- To provide a structured approach to the licensing, maintenance, and monitoring of beach huts;
- To ensure all arrangements comply with relevant legislation, health and safety standards, and Council policies.
- To provide clear guidance to users, reduce disputes, and ensure consistent decision-making.
- To protect public access, public amenity, and the character of the seafront;
- To provide a clear basis for compliance, enforcement, and review.
- To receive income through the effective management of beach huts

Nature of Occupation

All Council-owned beach huts and all private owned beach huts on Council-owned land are used under a licence arrangement.

A licence granted by the Council:

- is personal to the licensee
- is not assignable except in accordance with the applicable licence terms and any approved Council process;
- does not grant exclusive rights over any Council owned land beyond the footprint of the beach hut
- does not create a tenancy, lease, or other legal interest in land.

The Council reserves the right to vary, suspend, or terminate a licence in accordance with the licence terms, this policy, and any other applicable legal requirements.

Use or occupation of the beach hut constitutes acceptance of the terms of this policy and the licence, regardless of whether the licence holder has signed the licence agreement.



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Allocation of Beach Huts

The provision of Council owned beach huts is managed by Havant Borough Council through a waiting list. Applications to join the beach hut waiting list must be submitted through our customer service centre. When a hut becomes available an offer will be made to the applicant at the top of the waiting list determined by the date of the application to ensure fairness. The applicant has 10 working days within which to accept or decline the offer. No preference for individual beach huts will be permitted unless advised by the Council that one or more beach huts are available. Should this situation arise, allocation will be determined on a first come first served basis.

It is the applicant's responsibility to ensure that contact details are up to date, any changes to personal information must be reported to the Council.

The Council reserves the right to review, suspend, close, or amend any waiting list or allocation process where this is necessary for lawful and effective service management.

With effect from 1 September 2026, licences for Council-owned beach huts will be granted for a maximum period of three years. This change is intended to promote regular turnover of the waiting list and ensure fair access for all applicants.

Private Owned Beach Huts

The Council is not involved in the sale or purchase of privately owned beach huts. It does not assign or convey a value to any private beach hut. Ownership of a beach hut does not confer any long-term rights or entitlement to remain on the seafront beyond the terms of the annually issued one-year licence.

Procedure following death of licence holder

In the event of the death of the licence holder, the next of kin may submit an application for the termination and reissue of the beach hut licence. This process must be initiated through a formal application, supported by appropriate evidence such as a death certificate and relevant documentation (for example, an extract from the will) confirming the transfer of the beach hut to family members.



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Accessible Beach Huts

The Council provides three accessible beach huts. These huts are served by a composite boardwalk and spur and are available exclusively to individuals (or their direct dependants) with mobility needs, as evidenced by eligibility for a Blue Badge.

Continued eligibility for an accessible beach hut will be reviewed annually as part of the beach hut licence application process.

Charges and Fees

Charges for beach hut licences and administration tasks are set and reviewed through the Council's approved fees and charges process.

In setting charges, the Council may take account of factors including:

- the cost of administration, maintenance, repair, and replacement;
- coastal management, infrastructure, and service overheads;
- market conditions, such as the level of demand for beach huts reflected in the waiting list, and benchmarking information;
- the Council's financial position and budget-setting requirements; and
- VAT and any other applicable taxes, duties, or charges.

The Council may apply different charging arrangements, including separate rates for residents and non-residents reflecting the Council's duty to prioritise services for residents and the additional costs associated with non-resident use. To qualify for the resident rate, applicants must provide proof of residency within the Borough of Havant at the time of application each year.

No more than two individuals may be named on a beach hut licence. To qualify for the reduced resident fee, both named licence holders must reside within the Borough. If one or more licence holder resides outside the Borough, the non-resident fee will apply.

All charges are payable in accordance with the terms specified by the Council. Failure to make payment may result in recovery action and/or termination of the licence, in accordance with the applicable terms and procedures.



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Use of Beach Huts

Beach huts are intended for daytime recreational use only between sunrise and dusk.

The following uses are not permitted:

- overnight occupation;
- use as permanent or temporary accommodation;
- subletting, unauthorised transfer, or unauthorised commercial use;
- storage or activity that creates a fire, safety, environmental, or public health risk; and
- any activity that causes nuisance, obstruction, damage, or unreasonable interference with other seafront users and/or interference with the Council in the discharge of its duties.

The Council may issue supplementary rules, operational guidance, or site-specific conditions where necessary for the proper management of the seafront and beach hut provision for example where coastal works are taking place and access to the beach huts is restricted.

Maintenance, Appearance and Alterations

Private owned beach huts

Licensees of privately owned beach huts situated on Council-owned land are responsible for the maintenance, repair, and appearance of their huts in accordance with licence requirements and any approved specifications. All beach huts must be kept in a safe, clean, and tidy condition.

The Council may specify or approve design standards, dimensions, colours, materials, and other appearance requirements in order to protect public safety, visual amenity, and the character of the seafront.

The Council's contractor undertakes visual inspections periodically and where a private hut is reported to not be maintained to the required standard, the Council may take proportionate enforcement action in accordance with the applicable licence terms, including requiring works, carrying out default action where permitted, or removing the hut where justified and recovering any incurred costs.



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Any reasonable costs properly incurred by the Council may be recovered for the recovery, and, or the relocation of a beach hut from the licensee in accordance with the licence terms. Failure to pay these costs may result in enforcement action being taken.

Beach huts must not be altered in appearance by the installation of uPVC windows or doors. All beach huts must remain of timber construction.

Any request for alterations, including those extending beyond the existing footprint of the beach hut, must be submitted in writing to the Council. Such requests may require a land licence of which annual charges will apply. Beach huts must not exceed the measurements set out in the licence agreement.

Council owned beach huts

The licensee must keep the beach hut in a clean, tidy and safe condition during the licence term. Any damage or maintenance issues to the structure of the beach hut must be reported to the Council to enable repairs to be carried out. To support this, the Council (or its contractors) conduct an annual inspection of all Council owned beach huts.

Business Rates (non-domestic rates)

Some huts may be subject to non-domestic rates in accordance with national legislation and valuation by the Valuation Office Agency. Liability and eligibility for relief will be determined on a case-by-case basis. A separate national non-domestic rates bill will be sent in addition to the licence charge. Licensees may be eligible for relief on the beach hut, and further details can be found on the Council's beach hut webpage.

Parking

Parking permits are not offered in conjunction with beach huts. Beach hut users should park according to local parking restrictions.



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Health, Safety and Environmental Management

Licensees and users must comply with all relevant health and safety requirements, licence conditions, and reasonable instructions issued by the Council.

In managing the beach hut provision, the Council may have regard to matters including:

- coastal erosion, flooding, storms and wider coastal change;
- climate adaptation and resilience requirements;
- biodiversity, habitat protection, and environmental impacts; and
- the safety of users, staff, contractors, and the wider public.

The Council may vary, suspend or terminate a licence:

- in accordance with the licence terms;
- where reasonably required for safety, environmental, or operational reasons; or
- where there is a breach of licence conditions

Except in urgent circumstances, the Council will provide reasonable notice and, where appropriate, an opportunity to remedy the breach.

Any reasonable costs properly incurred by the Council may be recovered for the recovery or relocation of a beach hut from the licensee in accordance with the licence terms. Failure to settle these costs may result in enforcement action being taken.

Licence fees will not be reduced due to circumstances beyond the Council's control, including (but not limited to) coastal erosion, storm damage, vandalism, or other force majeure events.

The Council is not obliged to provide an alternative beach hut plot if the existing plot becomes unusable due to environmental factors including erosion, flooding, storm damage, vandalism or other natural causes. Any alternative plot will only be offered if one is available and at the Council's discretion. Licence holders have no right to a specific location or view. The Council may terminate the licence and require removal of the beach hut where necessary due to environmental or operational reasons.



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Equality and Accessibility

In administering this policy, the Council will have due regard to its obligations under the Equality Act 2010 and will consider reasonable adjustments, accessibility needs, and equality impacts where appropriate. This includes keeping allocation, communication, and service arrangements under review, so far as is reasonably practicable.

Compliance and Enforcement

Where this policy, licence conditions, or related requirements are breached, the Council may take proportionate compliance or enforcement action.

Depending on the circumstances, enforcement action may include:

- written advice or warning;
- requirements to remedy a breach within a specified timescale;
- suspension, variation, or termination of a licence;
- removal of a hut or other property where permitted; and
- recovery of costs or any other lawful remedy available to the Council.

Enforcement Procedure

The following procedure will be applied where there is a failure to comply with the terms and conditions of the licence:

1. Informal Warning

The licence holder will be contacted in writing (normally by email) and requested to rectify the breach within 21 days.

2. Formal Warning

If the breach is not resolved within 21 days of the informal warning, a formal written warning will be issued. The licence holder will be required to remedy the breach within 14 days.

3. Termination of Licence

Where the licence holder fails to comply with the formal warning within the specified period, the Council may issue notice to terminate the licence.



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For privately owned beach huts, a date will be specified by which the hut must be removed from the plot. Failure to comply may result in the Council arranging for removal.

4. Removal and Disposal

Privately Owned Beach Huts

Where a hut is not removed by the specified date, the Council may remove the hut and store it for a period of up to 14 days at a Council facility. If the hut is not collected within this period, the Council may take possession of, dismantle, and/or dispose of the hut and its contents. Items will not be retained beyond this period. The Council may take such action where reasonable necessary and proportionate, having regard to the health and safety, environmental impact and compliance with licence terms.

Council-Owned Beach Huts

The Council will repossess the hut. Any personal items remaining within the hut will be removed and disposed of. No items will be retained in storage.

Review and Governance

This policy will be reviewed at least every three years, or sooner if required by changes in legislation, operational need, coastal conditions, or the Council's decision-making requirements. Decisions made under this policy will be taken in accordance with the Council's constitution, scheme of delegation, and any other applicable governance arrangements.

Communication

The Council will work with the recognised beach hut association(s) where appropriate to support communication with licence holders and to discuss relevant policy and operational matters affecting beach huts.



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Data Protection

Personal data will be processed in accordance with the UK GDPR and the data protection Act 2018. Please visit the Council's website for details on how we may use your data.

Complaints

Complaints will be handled under the Council's Complaints Procedure.

Version control record

Version number	Date	Author / reviewer	Comments / changes
V0.1	05/05/2026	Sonja Reames	Draft
V0.2	14/05/2026	Sonja Reames	Cabinet ready redraft
V0.3	14/05/2026	Sonja Reames	Enforcement timeline
V0.4	14/05/2026	Sonja Reames	Legal update
V0.5	01/07/2026	Sonja Reames	Final Version – Cabinet approved

