

**Tankerton Bay Beach Hut Owners' Association  
& Beach Hut Watch Scheme**

**MINUTES**

***Of the Annual General Meeting  
Held on Sunday, 25<sup>th</sup> November 2012  
At the Masonic Hall, Cromwell Road, Whitstable***

*Present:*

Jain Castiau	Chairperson
Keith Jones	Deputy Chairman
Anthony Ahern	TW Representative
John Marsh	Treasurer
David Richards	Beach Hut Watch Secretary
Marilyn Richards	Association Secretary

*Apologies:*

<i>Committee</i>	
Brenda Bradshaw	Website Co-ordinator
Mike Charlwood	Membership Secretary
Brian Forbes-Turner	TE Representative

*Membership*

Joe Alexander	Aileen Smith
Janet Bicheno	Gill Smyth
Elizabeth Birmingham	Daphne & Jill Randall

*1. Chairperson's Introduction*

Ms. Jain Castiau, Chairperson of the Association, welcomed everyone to this year's Annual General Meeting, which was the tenth such meeting since the Association began. There were approximately 60 members in attendance, which was an encouraging turnout, almost tripling the numbers from the meeting held in 2010.

Two welcome invitees were Mr. Alan Ratford, of the Herne Bay Beach Hut Owners' Association, with which our Association is closely affiliated, and Mrs. Helen English, a member of our Association, who again has provided stalwart help to the Committee regarding certain legal advice.

Ms. Castiau first of all introduced the Secretary, Mrs. Marilyn Richards, who spoke on three topics that had provided the secondary action during the past two years of negotiations with the Council:-

*Subletting*

Mrs. Richards said that, although in the past the Council had always forbidden hut owners to sub-let their huts, and that currently this ban still exists in our current rental agreements, the Council was now considering relaxing this rule, at our behest, for future agreements. This would allow hut owners who wished to take advantage of such a new rule to off-set some of their costs, and in turn, would also allow others who wished to enjoy beach hut life to rent one for one or more weeks during the summer season.

However, the Council has recently published a *suggested* fee for this arrangement at £1,200 per annum, per hut owner.

At this, the membership burst into laughter, and the idea of such an arrangement, at such a cost, was ridiculed. Mrs. Richards said that negotiations on any such sub-letting idea were still ongoing, and that it was more likely that any such fee might be half of this, at £600 p.a.

This was still thought by the membership present to be far too high, and when Mrs. Richards asked for a show of hands to indicate whether anyone might be interested in sub-letting their hut, on any basis, not a single member raised their hand. This lack of enthusiasm will be passed on to the Council. *(In the meantime, of course, any hut owner who does sub-let his hut runs the risk of losing his right to rent the land the hut stands on, as current rules forbid this.)*

### *Adaptations*

Mrs. Richards referred to a selection of photographs, provided by the Council, which showed the style of hut which the Council favours, and as delineated in the current rental agreements. Another selection of photographs showed the style of other huts which have, in recent years, been built on the Slopes.

Beach huts must only be 10ø x 10ø either with a veranda, or as a ðclosed-inö style, with a simple set of steps leading up to it.

The Council has decided (and as outlined by us at our AGM in 2010, and as set out in letters sent by the Council to those particular hut owners), that any ðover-designö, including pulpits, over-large verandas, drop-downs, and wooden plinths, must be subject to extra payments to the Council, per annum, depending upon how many extra square metres have been used.

As a rough guide, a pulpit covering around a third of the front of a hut would incur an annual charge of around £40.00.

Mrs. Richards said that we were still in negotiation with the Council on this, and we had asked for a ðline in the pebblesö to be drawn between those hut owners who had bought their huts a long time ago in good faith, believing that their hut design was in accordance with the rules, and those huts which had been recently built, and certainly after receipt of the Council letter suggesting that this ðover-stylingö would no longer be permitted.

To give the Council its due, Mrs. Richards explained that this was so that the huts gave a pleasing, homogenous view, and so that over-styled huts did not impinge on the space of their neighbours. Mrs. Richards also said that, if a hut owner did not wish to pay an extra fee, they could remove the offending item, at which point no extra fee would be payable.

### *Infill Huts*

Mrs. Richards again referred the membership to a set of photographs (which can also be found on the Council's website, [www.canterbury.gov.uk/coast](http://www.canterbury.gov.uk/coast) (search "beach huts")) which showed the 17 new Council huts which are likely to be built on the Tankerton site. There will be 13 at Tankerton West, none at Tankerton East, 1 at Marine Crescent, and 3 at Long Rock.

In the case of the Tankerton West site, the new huts will complete a gap in an existing row at the back, and the present scrubland there will be removed before new planting is made, possibly including wild flowers.

## 2. Rental Agreements

At this point, Ms. Castiau stood up to inform the membership about the main issue of the AGM – namely, our rental agreements (licences, as they were, or leases, as they are likely to become).

Ms. Castiau said that not a great deal had been gained by us in the two years since we last discussed this at an AGM, although it was not for lack of trying on our part. At that time, discussions with the Council focussed on a five-year timeframe, on an annualised basis. Since then, things had changed, and we have now been offered a modified 30-year commercial lease.

However, if we settled for this, plainly at the end of a 30-year period, our lease (as currently drafted by the Council) would end. The value of our huts would depreciate. Of even more importance, as we have just come to realise, is that if a hut owner sold his hut in good faith, but the new owner did not pay his rent to the Council, the seller would be responsible for that non-payment. This is the basis of a commercial lease.

This is clearly not acceptable to us.

Ms. Castiau asked the membership present to show their support for the Committee in their endeavours to successfully negotiate a workable draft lease, and the membership was unanimous in this support. Ms. Castiau said that, once we have something from the Council upon which our members could vote, we would call for an Extraordinary General Meeting, at which point we would ask all our members to attend and vote.

Ms. Castiau invited Mrs. Helen English to give a short explanation about what the Committee is asking the Council for, and Mrs. English said, in regard to the issue of the members (and other non-member beach hut owners), being able to make an informed choice as to whether to accept or reject the Council's proposal of a fixed-term non-renewable commercial lease, her advice is that there needs to be an Extraordinary General Meeting at which this sole issue is the subject.

Mrs. English's advice is that it is essential for owners to have an opportunity to understand and know what property rights they currently have, and to understand what change the Council is proposing.

She offered to meet with both Committees of the Tankerton and Herne Bay Associations, and as well to meet with small groups of five owners, to assist people to understand the issues. She said that the negotiating Committees would be greatly assisted by a clear, informed mandate from members, and other owners (who are non-members).

It was therefore agreed with the membership present that our Beach Hut Association, together with that of Herne Bay, would re-group, with our legal representation, and Mrs. English will continue to provide us with advice.

She said that letters sent by the Council to hut owners asking them to sign the current licence, otherwise they did not have a valid licence at all, were wrong.

At this point, there was an enthusiastic vote of thanks for Mrs. English and her endeavours for us.

A Herne Bay beach hut owner, present at the meeting, said that, when he signed his agreement, he thought it remained in perpetuity. He did not think he owned a now-diminishing asset. He asked that the Committees of both Associations had no further discussions with the Council until we had a firm policy.

Mrs. English said that the Committee will continue to try to move this issue forward, although she said that we were hampered by not being able to work with the Council lawyers directly. She suggested that the Committee cancels the next planned meeting with the Council, set for early January 2013. The Committee is meeting in the meantime to discuss the next steps.

### 3. Treasurer's Report

Mr. John Marsh, our Treasurer, took the membership through the set of accounts for the year, which are appended to these Minutes.

Referring to items in the accounts, he said that we paid for a licence agreement for our website, and we also received a fee each from beach hut insurers, Ryan Insurance and Towergate Insurance (formerly T.L. Risks Ltd.), for advertising on it.

He also, as he does each year, reminded the membership to check their Standing Orders for any bank over-payment of our £5 per annum subscription, as this was not possible for him to do.

He also reminded the membership that our Fighting Fund still remains intact!

#### *Insurance*

Mr. Marsh also gave a short talk to the membership about beach hut insurance, and asked those present who currently insured their hut. It appeared that a majority of those present did do this. He read out the current charges made by both hut insurers (*see our website for their contact addresses*) and urged hut owners to make the insurers more competitive by seeking quotes from both.

He also referred to the Council's new rule on Public Liability Insurance, which they maintain is now a requisite from most Councils in the country, and it will, in the new rental agreements, require us to buy £5 million-worth of cover for Public Liability. (*This is already included in general beach hut insurance*).

Mrs. English explained that, on account of the 'no win, no fee' method of remunerating solicitors on claims for negligence, Councils are seen to have deep pockets and now face a plethora of negligence claims, some of which they settle just to get them out of the way. It may be that this requirement comes from the Council's own insurers insisting that, where CCC lets lands, CCC incorporates into the leases a requirement for Public Liability Insurance.

The result is that, if the Council is sued, and settles, the Council can, if the ultimate liability is the tenant's, get back some or all of the settlement sum.

Mrs. English's advice is that the best antidote to negligence claims is a secure, well-maintained hut, vigilantly looked after, with the best locks available. She said that the best insurance was to paint it, maintain it and a smart, well-maintained hut was unlikely to be the subject of an insurance claim.

#### 4. Membership & Renewals

Mr. Mike Charlwood, our Membership Secretary, was unable to attend the meeting, and Mrs. Richards therefore reminded the membership, in his absence, to let us know whenever there is an address change, or if a hut is bought or sold. In the meantime, she said that the membership numbers were at a healthy level.

#### 5. Our Website

Again, Mrs. Richards spoke in place of Ms. Brenda Bradshaw, our Website Co-ordinator, who was unable to attend the meeting. She said that the website had been going for a few years now, and was used mainly to keep our members up-to-date with events pertaining to the beach huts and the Association. She asked how many members had recently visited the site, and quite a few hands were raised.

Mrs. Richards said that the site, [www.tankertonbeachhuts.co.uk](http://www.tankertonbeachhuts.co.uk) was the best it had ever been, and we now receive many enquiries via it.

Our buying and selling page has been quite successful, with past members selling their huts fairly quickly (and also not paying advertising fees, as this service is completely free to our members). Mrs. Richards said that Ms. Bradshaw had been the Website Co-ordinator for a few years now, and if there were any members (or children or grandchildren!) of members who would like a chance to manage it, or help out with it, they would be welcome to contact us.

#### 6. Security & Beach Hut Watch Scheme

Mr. David Richards told the membership that at last he had good news ó there were öonlyö 35 beach hut incidents, a 52.7% improvement on last year, although he suggested that it was the dreary weather which had stopped the vandalsöplayö. Of these incidents, he said that 17 were burglaries at the Sailing Club end, and there was a new trend in a mass break-in of hut under-lockers, where hasps were broken, and nine kayaks were stolen. He said that they had even stolen a trailer from the Sailing Club in order to take the kayaks away. He also said that Kent Police seemed unable to deal with this, along with an incident with a rough sleeper, who had left plenty of DNA evidence by which he could be identified. Eventually, police patrols were made, and the crimes came to a halt.

Other recent crimes included spindle damage, and beach fires. With regard to the latter, at one point in the summer there were 60 youths on the beach with a beach fire, and again Kent Police could not deal with the incident.

Mr. Richards pledged that, when Ann Barnes gets behind her desk as the new Kent Police Commissioner, we will make sure that she knows about our beach huts!

At this point, a hut owner said that her hut neighbour was one of the people who hut was broken into, and her kayak was stolen. She said that her neighbour got her kayak back, and a man is appearing in court in mid-December. This was heartening news.

On a more sobering fact, Mr. Richards said that those huts in the Long Rock area had a one-in-four chance of being broken into ó not necessarily because of where they were, but because there were so few of them in that block, and regularly came up on our crime lists.

He also advised that hut owners in the Marine Crescent section, between numbers 10 -21, should visit their huts to remove copious amounts of newspaper under them ó a tinderbox waiting to happen. He urged hut owners to take photographs of anyone seen to be vandalising huts, as we can send these photos on to Kent Police.

He also urged hut owners to check and secure their huts. However, in closing, he said that this year was the best year yet since he started looking after the crime figures in 2004.

7. *Election/Re-election of Committee Membership*

Mr. Keith Jones, our Deputy Chairman, asked the membership present if they wished to re-elect the current Committee, who were all willing to put in another year, in a block vote. Therefore, the current Committee ó Jain Castiau, Keith Jones, Anthony Ahern, Brenda Bradshaw, Mike Charlwood, Brian Forbes-Turner, John Marsh, Marilyn Richards, and David Richards, was duly proposed to serve for a further year by member Philip Craig, and this was seconded by member Mik Larking. The Committee will therefore serve for another year.

It was also suggested by Mrs. English that we form a òworking sub-Committeeö, to specifically work on the draft lease with her, and two members, Mr. Alan Buckett, and Mr. Ray Chapman, agreed to help us in this regard. Mr. Buckett's background is, helpfully, in resolving disputes and working with tribunals, and Mr. Chapman's background is in marketing. The Committee was pleased to have two new members to bolster our team.

At this point, Mr. Buckett asked those members present to give a vote of thanks to the Committee for the work put in thus far, which was given, and for which the Committee was very grateful.

8. *Any Other Business*

A member asked what the Committee's views were on cycling on the Promenade, but Ms. Castiau said that this was not in our remit at all. Mr. Richards said that the Police permitted òsensible cyclingö on the Promenade, and that the òold and the youngö could pedal too on pavements as long as they did not constitute a nuisance. He suggested that anyone concerned should read the Sustrans website regarding pedal cycling laws in the UK, òmade simpleö.

Another member asked what could be done about the poor condition of some of the beach huts, and Ms. Castiau said that, in these circumstances, the Council was perfectly within its rights to notify a hut owner of the problem, and if it persisted, to evict him from the site. Ms. Castiau advised the member to write to the Council if there were any huts that required particular inspection.

Another member, a non-Canterbury City Council taxpayer, said that, at our last AGM, it was suggested that the difference in rents between local hut owners and out-of-towners was likely to be stabilised. Ms. Castiau said that this is still ongoing with the Council, although this was more likely to equalise the difference between the two, rather than lowering the non-locals' payment. Mr. John Marsh, our Treasurer, a non-local himself, also added his comments to this, and undertook to pursue this with the Council.

A member asked about the Long-Term Ownership rules, believing that he would qualify, having owned his hut for a number of years. However, Mrs. Richards said that the current Council rules

meant that a hut owner would need to be a local CCC taxpayer, having owned the hut for 15 years or more, and to be in receipt of a State pension.

At this point, Mr. Mik Larking spoke about a new roofing system for beach huts, which he demonstrated with a small model that he had brought along. Mrs. Richards confirmed that Mr. Larking's hut was near her own, and she said that the roof was strong-looking and pleasing to the eye. Details of this roofing system will be displayed on our website.

Finally, another member asked whether plastic shiplap could be used on a beach hut, but Mrs. Richards said that this material would not be accepted by the Council at all. All beach huts must be of wooden construction.

At this point, as there were no further questions, the Chairperson declared the meeting closed, to applause from those present.

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*If there are any members who were not present at the meeting, but would like to make a comment about the proceedings, or to become involved in any way, then do please email the Secretary on [pluminthebeachhut@talktalk.net](mailto:pluminthebeachhut@talktalk.net), or call 01227 262066.*

*We would also appreciate a full house when we come to call an Extraordinary General Meeting to discuss the final draft of our beach hut leases. This is when we will require your full support! All members will receive a written Notice of EGM, which will be likely to take place in the New Year.*