

## Operations

**Executive Head:** Colin Read

My Ref: Hordle Cliff Beach  
Your Ref:

Date: 18 January 2019

Dear Beach Hut Owner

### **Hordle Cliff Beach**

I am writing to all beach hut owners at Hordle cliff in response to a number of emails that the Council has received over the past few weeks concerning recent erosion of the beach and particularly at the eastern end of the site. The aim of this letter is to provide you with answers and clarification on a number of the points raised.

### **BEACH MANAGEMENT**

The Council is the Coast Protection Authority for the New Forest coastal frontage. Coast Protection Authorities and the Environment Agency have permissive powers to protect against coastal flooding and coastal erosion.

There are significant pressures on Local Authority funding for flood and coastal erosion risk management projects, particularly with the requirement to attract partnership funding. The funding issue for this site means that a scheme would not attract funding through Central Government as it cannot be justified.

The Hordle Cliff site where beach huts are located is a predominantly undefended ~600m section of coastline. The Shoreline Management Policy (SMP) (adopted by NFDC in 2011) is 'Managed Realignment' for all three epochs (0-20yrs, 20-50yrs & 50-100yrs) at this site. The SMP is a non-statutory document, adopted by the Council through public consultation at the time and is available on-line in full at [www.twobays.net](http://www.twobays.net). You should also be aware that SMP policies are completely unrelated to the provision of funding, for example a policy of "hold the line" does not mean that grant-in-aid will be available to deliver that policy. There will always be a requirement, as set out above to justify the need for a flood or coastal erosion risk management project.

## **MAINTENANCE WORK**

The Council undertakes various maintenance works along the NFDC coastline. This investment is undertaken to protect assets. For example the Milford-on-Sea beach is regularly recharged in order to protect the aging seawall, which in turn protects the entire frontage & immediate area of low-lying land (car parks, road, accesses, properties, café, bowling club etc.).

For the Hordle Cliff site, the economic losses of future erosion of the cliffs are unlikely to warrant investment into the maintenance of the beach. The 200m of beach fronting the beach huts to the eastern side of the site has significantly reduced over the last 1 to 2 years due to erosion, resulting in a number of beach huts becoming vulnerable. Provisional assessments have estimated the cost of replacing lost beach material (along this 200m section), would be in the region of £100,000 alone. However, with increasing storms and ongoing losses it is likely that this would be lost in a short period of time, perhaps even overnight given the force of the storm in 2014. This would result in a need to continually undertake works in the area to protect the beach huts, as well as undertaking annual beach management operations. This is clearly something that cannot be justified when there are many other coastal defences that require maintenance and investment.

The cliffs along the Hordle Cliff site are a Site of Special Scientific Interest (SSSI), and, in accordance with the SMP policy, natural coastal processes are allowed to take place at this site. The site has been subject to periodic erosion to naturally form the cliffs that are present today. Discussions have taken place in the past with Natural England who are firmly of the belief that that this area of the coastline should be allowed to naturalise.

From communications that I have received, there is the perception that the Council regularly undertakes work to replenish or recycle shingle material at this site. This is not the case. Certain work has been undertaken on occasions over the years when plant and machinery have been used on site to remove metal (typically WWII Admiralty Scaffolding) from the beach. During these operations, access tracks were created in front of the huts to allow access along the beach to the west. Once the work is completed, the machine tidies up and if necessary the opportunity is taken to re-grade the beach at the eastern side adjacent to the end of the seawall, back to its natural profile (undertaken spring 2017 & summer 2018).

## **RESPONSE TO RECENT STORM EVENTS**

Following the effect of early storms in October 2018, the Council identified that the crest width in front of a line of beach huts at this location had reduced significantly. A letter was written to inform those beach hut owners affected, advising to make the beach huts safe. Further losses occurred with the next storm (in November) and a decision was made to close the beach for safety purposes, due to beach huts becoming unstable. I appreciate that the erosion of the beach has understandably caused concern amongst those beach hut owners affected, as well as for beach hut owners from the wider site. Wherever possible, the Council will work together with beach hut owners through this difficult issue.

Following the correspondence from the Council, beach hut owners have responded in a variety of different ways:

- One hut was taken down and removed;
- Two huts have been moved back,
- Several huts have been anchored to the cliff in an attempt to secure.

These are acceptable measures.

However, two sections of coast protection defence (comprised of timber boarding and scaffold poles) have been constructed by beach hut owners in front of 5 of the beach huts, one section with narrow decking on top of the defences. These ad-hoc structures were constructed without any planning permission or approvals. I would therefore ask those responsible to seek advice from our Planning Service, as currently these works in a sensitive area are unauthorised.

A decision needs to be made with respect to the row of vulnerable (high risk) beach huts, as well as to a number of adjacent (medium risk) beach huts, which may become affected in the near future. To enable this, a Cabinet report is being prepared to consider available options. Currently, however, there are no plans to undertake works.

## **THE BEACH HUT SITE LICENCE CONDITIONS**

The Beach Hut Site Licence and associated fee is to allow a beach hut to be sited on NFDC land only. The Council invests a proportion of the income back into the area by way of providing accesses (paths & steps), taps, trimming vegetation, providing bins and undertaking minor cliff stabilising & drainage works.

35. In the absence of any negligence or other breach of duty by us, the location of the beach hut at the site and the use by you of the beach hut and the site is entirely at your own risk. The Council gives no warranty that the site will remain suitable for the purposes for which the licence is granted.

36. The location of the beach hut at the site is at the risk of the licensee. The Council shall not be liable for any damage or injury to person or property or any other loss suffered by you or visitors to the site save where the damage or injury to person or property is caused by the Council's negligence.

The Beach Hut Site Licence Conditions also make reference to the Council's obligations under the agreement.

The Council does not have direct involvement regarding the sale of privately owned beach huts, as it is a private transaction. It is, however, a requirement that all beach hut owners submit a signed copy of the Beach Hut Site Licence Conditions to the Council upon exchange of hut ownership. This is to ensure that all new beach hut owners are fully aware of the terms of the license and the obligations of each party. There is no

obligation for the Council to inform prospective beach hut owners of the SMP Policy (Managed Realignment) at the point at which licenses are issued.

Beach hut owners should, however, always consider the risks when investing in a beach hut in any location. These risks are clearly set out within the licence conditions, which each beach hut owner signs. If prospective beach hut owners wish to enquire about the management policy the Council will discuss this and reference given to where the published document is held [www.twobays.net](http://www.twobays.net); there is also a link on the NFDC website. Furthermore, NFDC hold records for all beach huts and on request will be able to discuss past histories of any beach hut being considered for purchase, subject to Data Protection laws.

This advice is also given through the New Forest Beach Huts Association website [www.newforestbeachhuts.com](http://www.newforestbeachhuts.com). Here potential buyers are again advised to undertake research before buying any hut and to talk to the Coastal Protection Team for more information.

## **PLANNING GUIDANCE**

At present there is no specific planning policy relating to flooding or erosion at the Hordle site. Nevertheless, the planning officer's report 14/10566 for outline permission (to replace 20 beach huts lost after the Valentines Storm) included the following:

*(14.6)*

There is always an inherent risk with siting beach huts in this type of environment, from inundation by the sea or ground movement and potential owners should also be aware that the Council will not undertake coast protection works to provide protection to beach huts.

I trust that this provides you with a suitable update of the current position and management of this area of coastline. I can confirm though, that currently the Council is not proposing to undertake any coastal protection works at the Hordle Cliff site.

Yours sincerely



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