

## Finalised Statement

The Environment Agency understands Adur Houseboat Association concerns about future ownership and liabilities for the proposed improved flood wall on their property. The Environment Agency do not have an obligation to maintain the existing flood defence structure, which is likely to fail much sooner with serious consequences to both the houseboat community and the public without extensive improvements.

We carry out flood defence works under section 165 of the Water Resources Act 1991 (WRA). The WRA, together with case-law makes it clear that we have permissive powers to carry out works under section 165 WRA and to enter land to do those works under section 172 WRA.

It is a long-standing legal principle that “what is built upon the land goes with the land” and the rights and responsibilities of riparian owners have been established in law over many years. Our understanding is that the boat-owners bought the land under the flood defence from the County Council and, therefore, own that defence.

As part of our consultation on the Shoreham Adur Tidal Walls scheme, landowners were made fully aware of their responsibilities and received advice regarding infrastructure that they are required to maintain. In fact, to address any specific concerns raised about the scheme itself, where possible we have modified the flood defence designs with input and agreement from the local community.

One of the criteria used in selecting our preferred designs for the new flood defences is that they should require as little maintenance as possible over the next 100 years. In addition to this we will have a 12 month defect period as well as a guarantee period. We also intend to review the performance of the flood defences in Shoreham (informed by actual and predicted sea level rise figures) in 50 years time.

Subject to planning permission being granted, we aim for construction work to begin on the improved defences in early Summer. Prior to construction start, we will be carrying out a number of activities in Shoreham which have to be completed prior to work commencing such as reptile translocation. We will also be meeting with local residents to understand their needs during the construction period so we can minimise disruption as far as possible.

When the whole project is complete in 2018 the SATW scheme will reduce the tidal flood risk to thousands of homes and a significant number of commercial properties in the area, as well as protecting important local infrastructure such as the road network, railway line and Shoreham Airport.