

1. What is a Tidal Flood Dam?

A tidal flood dam is a gate or set of dam boards in a tidal defence (sea wall) that allows access from land behind the defence to the tidal water (the sea or estuary). The dam is provided for the benefit of the landowner or occupier of the property, or for the benefit of the public. For example, a boat yard will need to have access to the tidal water in order to move boats, members of the public may want to access the foreshore for recreational purposes, or a landowner may want to have access to the water. Flood dams are provided in the tidal defence to facilitate these activities.

2. Why does it have to be closed?

Tidal flood dams form an integral part of the flood defence system for the area, protecting people and property from tidal flooding. The Environment Agency would not normally provide a tidal defence with such openings since the best form of tidal defence is a continuous barrier. However, in order that access can be made to the tidal water, openings are provided at certain locations. These openings must be closed when required to prevent flooding.

3. Why do I have the responsibility for these dams?

The Thames Barrier and Flood Prevention Act 1972 (as amended) allows the Environment Agency to serve a Notice on the occupier of land on which such an opening is situated requiring him/her to close the dams to prevent tidal flooding. Notices would have been served in the past and the enclosed notices provide updated information and clarify the closure requirements.

4. How will I know when the dams should be closed?

The Flood Dam Notice gives the specific closure requirements for your site. In general the dams should be secured closed whenever access through the dam is not required and during a flood warning of the level detailed on the notice. When opened for access the dam must be closed and secured after use and the open dam should never be left unattended. There should be a responsible person on site at all times when the dam is open. This person must be trained to operate the dam and be fully aware of the purpose of the structure and the importance of it being closed when required.

5. What happens if I go on holiday or I am away from the site?

If you are unable to operate the dam for any reason then it is your responsibility to put adequate arrangements in place to ensure that the dam will be shut and secured as required under the Notice during your absence. This may include nominating a responsible person to operate the dam if required, it may include securing the dam closed whilst you are away.

6. Why are the flood dams closed at different flood warning levels?

The closure level for the flood dams depends on the height of the dam. To allow the dam to be used for access as much as possible, the closure level for each dam at your site has been set at the highest flood warning possible. This may mean that the dams on your land have different flood warning

closure levels. You may choose to close all your dams on the lowest flood warning level required by the Notice to simplify the operation of the dams.

7. Why is the Environment Agency making these changes?

As detailed in the response to Question 3, the issue of Flood Dam Notices is not a change as similar notices would have been served in the past in relation to your site. Despite these notices stating it was the owners responsibility, we may have assisted you in operating your gates in the past. However, due to our increased role in flood risk management this will no longer be possible. We're taking this opportunity to remind occupiers of their responsibilities with regard to these structures and to provide updated information to clarify the closure requirements.

8. My flood dam is used by someone else, do I still have to close it?

If your flood dam is used by others, you are still responsible for its closure.

9. What happens if I don't close the flood dam when it is required to be closed?

Under the Thames Barrier and Flood Prevention Act 1972 (as amended), failure to comply with the Notice is a criminal offence. Furthermore, flooding due to the failure to close and secure a flood dam could endanger people and property and could result in claims for damages.

10. Do I have to maintain the flood dam?

The Environment Agency will generally maintain the flood dams but we expect the dams to be operated properly and safely. We inspect the dams periodically but you should bring to our attention any problems you have in operating the dam. Please contact our [National Customer Contact Centre on 03708 506 506](tel:03708506506).

11. What happens if the flood dam is part of a public right of way?

If the flood dam is part of a public right of way, the closure and security of the dam may be the responsibility of another body, for example, a local authority. We deal with such situations separately, if you think this applies to your Flood Dam please contact us at our [National Customer Contact Centre on 03708 506 506](tel:03708506506).

12. Will the Agency contact me when I have to close the dam?

The closure of the flood dam is your responsibility. The periods when the dam must be closed will be indicated in the Notice and are linked to the Flood Watch, Flood Warning and Severe Flood Warning Levels issued by the Environment Agency Flood Warning Team. It may be necessary to close the dam at other times if weather and tidal conditions require this. The Environment Agency's Flood Warnings Direct system is an automated information system which you are strongly advised to sign up to which will notify you when a flood warning is issued for your location. You can register for Floodline Warnings Direct by calling [Floodline on 0345 988 1188](tel:03459881188). This information is also on our website.

13. How do I know if there is a tidal flood warning in place?

It is your responsibility to find out whether a flood warning is in place for your location. The Environment Agency's Floodline Warnings Direct is an automated information system to advise you when there is a risk of flooding. You are strongly advised to register with this scheme. You can do so by calling Floodline on 0345 988 1188. Don't forget to register other people if they have your delegated responsibility when, for example, you are on holiday.

14. Who do I contact if I have any problems closing my flood dam?

If you have any concerns regarding your flood dam or have difficulty closing the dam, you should contact our National Customer Contact Centre on 03708 506 506. If you have difficulty when there is a flood warning in place, which requires the dam to be closed, please contact the 24 Emergency Hotline 0800 80 70 60.

15. What do I need to do if I have moved or am no longer the occupier?

Please let us know by using the enclosed form and bring the information regarding the Flood Dam to the attention of the new occupier.

May 2015