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31 October 2024

**BY EMAIL ONLY**

Colin Park

Ridge and Partners LLP

Dear Colin

**UNION PARK, HAYES – BLOCK 3 AND ABELLIO PRELIMINARY ASSESSMENT FOR THE ENVIRONMENTAL PERMIT**

**Introduction**

This report presents the findings of a preliminary assessment for Block 3 (EC3 and UP3) and Abellio (EC2) at Union Park, Bulls Bridge Industrial Estate, Hayes, UB3 4QT (Figure 2, Appendix 1). The wider development site is situated within the wider Bulls Bridge Industrial Estate in Hayes which is being redeveloped as a data centre and energy centre. Planning permission was originally granted for this development by the London Borough of Hillingdon under planning reference 75111/APP/2020/1955.

The purpose of this assessment is to provide preliminary information on the soil and groundwater quality within the vicinity of Block 3 and Abellio to support the application of an Industrial Emissions Directive (IED) permit. It is understood that Hydrocarbons, Urea and Hydrotreated Vegetable Oil (HVO) are to be used as part of the proposed energy centre system. The permit is being prepared by others and this report has been prepared to support its submission. Although construction activities are ongoing, which has meant there are limitations to the assessment, the report has been compiled to provide some degree of comfort of the ground conditions and groundwater quality at the site.

**Previous Works**

This report should be read in conjunction with the following reports, which are summarised in the subsequent background section.

- Paragon, 2022. Groundwater Monitoring Report 4. Reference: 211423/CB/GWR 4. Dated: 12 September 2022.
- Paragon, 2022. Groundwater Monitoring Report 3. Reference: 211423/CB/GWR 3. Dated: 13 July 2022.
- Paragon, 2022. Groundwater Monitoring Report 2. Reference: 211423/AH/GWR 2. Dated: 17 March 2022.
- Paragon, 2021. Groundwater Monitoring Initial Summary. Reference: 211423/CB/NW. Dated: 21 December 2021.
- Paragon, 2021. Piling Works Risk Assessment. Reference: 21.0198/CB/NW. Dated: 22 February 2021.
- Paragon, 2021. Remediation Strategy. Reference: 20.0023/CK/LSG Revision E. Dated: 2 September 2021.



- Paragon, 2021. Detailed Quantitative Risk Assessment (DQRA). Reference: 20.0023/CK/KJH Revision C. Dated: 11 November 2021.
- Paragon, 2021. Phase 2 Ground Investigation Report. Reference: 20.0023/CB/DCN Revision D. Dated: 11 November 2021.
- Paragon, 2021. Phase 1 Preliminary Risk Assessment. Reference: 19.0633/CB/NW Revision D. Dated: 11 November 2021.
- Paragon, 2021. Ground Investigation Report for former British Airways and Vodafone Plots. Reference: 20.0023/CB/DCN. Dated: 11 November 2021.
- Jomas Associated Ltd, 2018. Geo-environmental and Geotechnical Assessment Ground Investigation Report for North Hyde Gardens, Hayes, UB3 4QR. Reference: P1470J1364/SL. Dated: May 2018.

## Site Setting & Background

### Site History (1865 – 2010)

The Phase 1 Assessment involved a review of historical mapping. The mapping indicated that from 1865 the site was mostly vacant with a river running north to south along the eastern part of the site. This map also shows a railway and creosoting works in the northeast corner. By 1932, the creosoting works had extended into the site and a building was shown in the centre. Excavations and ground workings (landfilling) were noted onsite by 1963 to 1964. The creosoting works were no longer shown by 1973 and a power station with chimney was shown in the western part of the site by 1983. By 2002, the power station was no longer shown and the British Airways building was shown in its place. The building on the Vodafone plot was constructed by 2010.

The site was purchased in 2020 by Ark Data Centres Limited and, at that time, the site comprised two buildings, the former Vodafone office block and a former engineering depot used by British Airways. These were both subsequently demolished (circa 2020) to allow for the redevelopment of the site.

## Ground Conditions

### Geology

British Geological Survey (BGS) mapping data records reviewed as part of the Phase 1 Assessment indicated that the site is underlain by the Lynch Hill Gravel, a Principal Aquifer of high permeability, over the London Clay Formation, which is classified as Unproductive Strata. An area of artificial ground was also indicated to be present onsite, which was considered to be part of the historical landfilling activities. During the subsequent Phase 2 Ground Investigation, the geology across the site comprised Made Ground beneath hardstanding that was a black, sandy gravel with brick, flint and clinker. The Made Ground was found to approximately 5.00mbgl and was underlain by Alluvium, Langley Silt, the Lynch Hill Gravels and the London Clay Formation.



## Environmental Setting

The River Crane forms the eastern boundary of the site and was considered to be a sensitive receptor in the Phase 1 Assessment. However, there are no active surface water abstractions within a 1km radius of the site and the chemical quality of the river is moderate. It should be noted that there is one groundwater abstraction within a 1km radius which is approximately 530m southeast of the site and is used for evaporative cooling. Nevertheless, the site is not located within a Source Protection Zone and there are no groundwater abstractions within 1km of the site. Based on the foregoing the site was considered to be of moderate environmental sensitivity.

## Conceptual Risk Model (On completion of ongoing remedial works)

Following the demolition of the former buildings, the site has since been subject to several phases of investigation by Paragon. These assessments have been completed to support the redevelopment of the site. The assessments identified some degree of contamination within the soil and groundwater and as such, further assessments were completed. These included a Detailed Quantitative Risk Assessment and a Piling Works Risk Assessment. Furthermore, a Remediation Strategy was completed and long-term groundwater monitoring has been taking place.

Following the initial phase of ground investigations in 2020, the enabling works and construction activities started. The enabling works involved the removal of obstructions/relic foundations. This was followed by the piling works which were completed by February 2022. The beams have been formed and the above ground construction works are currently being undertaken.

The DQRA was completed to assess if significant pollution or the significant possibility of significant pollution of Controlled Waters is occurring as a result of historic groundwater contamination on the Project Union site, via shallow groundwater (pathway) to the River Crane (principal receptor). The document was submitted to the Local Authority to support the planning application and was subsequently approved by the Environment Agency. In summary, the monitoring of the surface water in the River Crane found the river is generally free from contamination with the exception of Ammonia which was identified in elevated concentrations upstream and downstream of the site (indicating the site is not having a tangible effect on the river). It was also stated that groundwater monitoring at the site has indicated that degradation of contamination is taking place, with several lines of evidence supporting this. The DQRA was completed using the Remedial Targets Methodology and it concluded that the site does not pose any significant risks to Controlled Waters.

The long-term groundwater monitoring results have shown a broad decrease in the concentrations of specific contaminants of concern (as identified in the DQRA). However, it should be noted that there are outstanding remedial works, which include the installation of ground gas protection measures and the importation of clean soils for areas of soft landscaping. It is understood that these are to be completed throughout the next phase of works. As such, the verification of these will take place at a later date.

Based on the foregoing, a conceptual site model has been prepared to reflect the current conditions of the site. This is presented in Table 1.



**Table 1. Conceptual Site Model**

Source	Pathway	Receptor	Risk
Residual Contamination within the underlying soil and groundwater.	Direct contact, ingestion and inhalation.	Future site users	Low to medium risk: The concentrations of contaminants within soils and water do not present a risk to future site users. However, whilst the gas membrane and clean cover system remain outstanding, a risk still remains. Nevertheless, once the mitigation measures have been installed, the risk will be reduced to low.
	Migration through permeable strata.	Controlled Water Receptors: River Crane and Principal Aquifer	Low risk: The assessment from the DQRA and long term monitoring has confirmed that the site does not pose a significant risk to Controlled Waters.

**Fieldwork**

**Block 3 (British Airways and Vodafone Investigation)**

In order to provide further information on the former British Airways land (Block 3), a series of soil and groundwater samples were collected from this area for analysis. The fieldwork was divided into a number of investigations between 2019 and 2020. The locations of each position are presented in Figure 3, Appendix 1.

A summary of the ground conditions is presented in Table 2 below.



**Table 2. Block 3 Ground Conditions**

Depth (min/max) (m)	From	Depth (min/max) (m)	To	Soil Type	Description
Ground level		0.10 – 0.50		Hardstanding	Concrete
Ground level		0.20 / 0.35		Topsoil	TOPSOIL. Grass over brown clayey, slightly gravelly Sand. Sand is fine to medium. Gravel is fine to medium flint.
Ground level / 0.15		0.75 / 5.00		MADE GROUND	MADE GROUND. Comprising black sandy Gravel of fine to coarse, angular to sub-angular brick, flint and clinker. Organic odour noted in some boreholes.
1.15 – 3.60		2.75 – 4.00		SAND / GRAVEL	Grey, black, orangish brown, sandy GRAVEL. Sand is coarse, gravel is angular to sub-rounded flint.  (Lynch Hill Gravel)
0.75 – 3.60		5.00		GRAVELLY CLAY	Black and green gravelly CLAY. Gravel comprised fine to coarse flint.  The clay was described as peat in TP3 between 1.70 and 2.75.  (Reworked Lynch Hill Gravel and Alluvium)
5.00 – 6.00		15.00 Unproven	-	CLAY	Dark brown to grey to brown high to very high strength CLAY.  (London Clay Formation)

Groundwater was encountered at depths between 1.50m bgl and 5.20m bgl. A hydrocarbon odour was noted in BH04 and BH08. No other visible or olfactory signs of contamination were noted.

## Results

The results from the soil samples have been compared to industry accepted screening values known as Generic Assessment Criteria (GAC) to determine the risks to human health. The GAC used in this investigation includes Category 4 Screening Levels and Suitable 4 Use Levels (C4SLs and S4ULs). The GAC selected is based on a commercial land use in line with the proposed development. Although the chemical analysis does not constitute a full environmental risk assessment, the purpose of the analysis was to provide some level of assessment in relation to the permit.

The GACs used in this assessment are based on a Soil Organic Matter (SOM) content of 2.5% for the Made Ground and 1% for the natural soil, which is considered to reflect the conditions present onsite and provide the basis for a conservative assessment.

The chemical analysis of the natural soils has also been compared to the GAC for a commercial use and the results have identified that no exceedances of above acceptable thresholds for a commercial land use, were identified.



The Made Ground was found to contain asbestos fibres in seven of the twenty-two Made Ground samples. Asbestos containing soils are not to be retained onsite in areas of soft landscaping. It is understood that a clean cover system will be put in place during the construction phase.

The measured concentrations of hydrocarbons in groundwater have been compared to the SoBRA groundwater vapour GAC derived to assess the potential risk to human health from vapours generated from groundwater contaminants, based on a commercial end use.

A single exceedance of the thresholds was identified. This was for Naphthalene, which was found at a concentration of 585µg/L in BH08 at 4.80m bgl within a groundwater sample with a response zone in the gravel. This result is higher than the threshold of 200 µg/L.

## Discussion

In line with the risks to Controlled Waters identified within the British Airways and Vodafone Plots, Colliers was commissioned to undertake a Detailed Quantitative Risk Assessment (DQRA).

The following pertinent information was identified:

The River Crane forms the eastern boundary of the site and is in hydraulic continuity with the groundwater on site. The site investigation information on the site indicates that the majority of contamination on site has already entered groundwater and the principal receptor for the contamination is the River Crane.

Monitoring of surface water in the River Crane has indicated that it is generally free of contamination, with the exception of Ammonia. This was found to be present upstream and downstream of the site, with the concentrations dropping slightly from upstream to downstream. This indicates that the site is not having a tangible effect on the river.

Groundwater monitoring at the site has indicated that a degradation of contamination is taking place, with several lines of evidence supporting this.

Detailed Quantitative Risk Assessment (DQRA) undertaken using the Remedial Targets Methodology has shown that the site does not pose any significant risks to Controlled Waters (River Crane).

Following the site investigations and DQRA undertaken to date it is considered that the contamination identified in site soils or groundwater would warrant remediation. Also, due to the presence of high levels of Ammonia already in the River Crane, it is unlikely that any remediation carried out on the Bulls Bridge would in a measurable benefit to the River Crane.



## Abellio Site

In order to provide further information on the vicinity of the Abellio site, a series of soil and groundwater samples were collected from this area for analysis. The fieldwork was undertaken between 22 June and 30 June 2021 and comprised the following:

- 1 no. Cable Percussive Borehole drilled to 35mbgl;
- 8 no. Windowless Sample Boreholes drilled to a maximum depth of 5.0mbgl;
- 2no. Hand Excavated Trial Pits;
- Geotechnical laboratory testing (in situ Standard Penetration testing and ex situ sampling for laboratory testing);
- Geoenvironmental laboratory testing for soil and water commensurate with the findings of the CSM; and
- 3 no. groundwater and ground gas monitoring visits.

The location of each position is presented in Figure 4, Appendix 1. In addition, overview photographs are presented in Appendix 2.

A summary of the ground conditions is presented in Table 3 below.

**Table 3. Abellio Ground Conditions**

Depth From (min/max) (m)	Depth To (min/max) (m)	Soil Type	Description
0.0	0.05 / 0.20	Tarmacadam / Topsoil	Tarmacadam hardstanding / Topsoil
0.05/0.20	3.50 / >5m	Made Ground	Variable Made Ground comprising very loose to medium dense brown and black sandy gravel. Gravel is concrete, brick, flint, glass, clinker, tile and mixed lithologies.
3.50/4.50	4.80 / 5.00	Clay	Soft grey and black gravelly peaty clay. Gravel is mixed lithologies. (Alluvium)
4.80	>5	Gravel	Medium dense, orange and brown sandy gravel. Gravel is flint. (Lynch Hill Gravel Member)
5.00	7.50	Clay	Soft to firm brown, blue and grey clay. (Weathered London Clay)
7.50	>35	Clay	Firm to stiff brown, blue and grey clay with selenite crystals. (Weathered London Clay)



No groundwater strikes were encountered during drilling. A hydrocarbon odour was noted WS05 and BH01. No other visible or olfactory signs of contamination were noted.

The groundwater monitoring well information is presented in Table 4 below.

**Table 4. Groundwater well monitoring**

ID	Elevation (mAOD)	Groundwater Level (mbgl) [mAOD]			
		08.07.2021	15.07.2021	23.07.2021	03.08.2021
BH01 Deep	30.86	2.62 [28.24]	2.51 [28.35]	N/A	2.50 [28.36]
BH01 Shallow	30.86	2.52 [28.34]	2.51 [28.35]	N/A	2.55 [28.31]
WS02	31.34	2.97 [28.37]	2.98 [28.36]	2.99 [28.35]	3.00 [28.34]
WS05	31.78	2.27 [29.51]	2.30 [29.48]	2.35 [29.43]	2.32 [29.46]

The soil and groundwater samples were submitted to i2 for chemical analysis under a comprehensive suite of testing which included pH, Total Organic Carbon (TOC), heavy metals, Polyaromatic Hydrocarbons (PAH), Total Petroleum Hydrocarbons Criteria Working Group (TPH-CWG), Volatile and Semi-Volatile Organic Compounds (VOC and SVOCs). It is understood that Hydrocarbons, Urea and Hydrotreated Vegetable Oil (HVO) are to be used as part of the proposed energy centre system. As such, groundwater samples were also submitted to i2 for chemical analysis of Ammonium Nitrogen as NH<sub>4</sub>, TPH-CWG – Aliphatic/Aromatic (EC5 - EC35) and Vegetable Oil tested as Petroleum Ether Extractable Matter.

The sampling strategy was limited due to the presence of construction plant, equipment, storage areas and walkways which were unable to be moved or disturbed. As such, the location of each position was restricted.

## Results

The results from the soil samples have been compared to industry accepted screening values known as Generic Assessment Criteria (GAC) to determine the risks to human health. The GAC used in this investigation includes Category 4 Screening Levels and Suitable 4 Use Levels (C4SLs and S4ULs). The GAC selected is based on a commercial land use in line with the proposed development. Although the chemical analysis does not constitute a full environmental risk assessment, the purpose of the analysis was to provide some level of assessment in relation to the permit. The laboratory results and screening assessment are presented in Appendix 4.

The GACs used in this assessment are based on a Soil Organic Matter (SOM) content of 2.5% for the Made Ground and 1% for the natural soil, which is considered to reflect the conditions present onsite and provide the basis for a conservative assessment.





No exceedances above acceptable thresholds for a commercial land use were identified.

The results from the groundwater analysis have been compared with the Site Specific Acceptance Criteria (SSAC), produced in the DQRA. Marginal exceedances of the PAH compound (Fluoranthene) have been identified in BH01 and shallow and marginal exceedances for heavy metals have been found in all samples tested (Chromium, Copper, Nickel and Zinc).

Nevertheless, the concentrations were not considered to be significant, and as the site is situated 75m from the River Crane, the likelihood of significant contamination occurring is minimal therefore, the risk to Controlled Waters is considered to be low and a Detailed Quantitative Risk Assessment (DQRA) for the Abellio Plot is not considered to be necessary.

## Discussion

Based on the foregoing, there are no significant risks associated with the historical and current use of the site. However, as part of the daily operations of the proposed Energy Centre, it is understood that Hydrocarbons (diesel), Urea and Hydrotreated Vegetable Oil (HVO) are to be used. Therefore, as there is a possible pollutant linkage between these materials and the most sensitive receptor; the River Crane (through leaks and spills into the underlying permeable geology), a risk assessment should be undertaken. As such, we have stated the concentrations of these contaminants recorded during this assessment in Table 5 below.

**Table 5. Key Contaminants Associated with the Future Use**

Contaminant	Concentration Range in Soil (mg/kg)	Concentration Range in Water (µg/l)
Ammonium Nitrogen (Tested as NH <sub>4</sub> )	< 0.5 – 3.2	300 – 7,300
TPH-CWG – Aliphatic/Aromatic (EC5 – EC35)	93 - 250	55 – 580
Vegetable Oil (Tested as Petroleum Ether Extractable Matter)	550 – 2,100	<4

The concentrations presented above indicate the current levels at the site. The results of the soil analysis for Ammoniacal Nitrogen and TPH are below their relevant GAC and the results of the water samples are below the SSAC (TPH) or within the same order of magnitude as the results presented in the DQRA (ammoniacal nitrogen), which concluded the risks to the River Crane from the site were low.

With reference to Vegetable Oil, there are no GAC or EQS values. Furthermore, it should be noted that although the analytical method might cover any vegetable oil present in the sample, we cannot say that there are not any other fats, oils or greases that have influenced the results. The results provided might be indicative of the presence of vegetable oil but do not exclusively show the quantity of vegetable oil that is present. Nevertheless, the concentrations identified are not considered to be significant.



Given the installation of primary, secondary and tertiary containment along with the leak detection, SOPs and EOPs in place it is considered that regular sampling of surface waters will not be necessary. Sampling will therefore only be undertaken in the event of a major spill that is not controlled by the installed containment measures, SOPs and EOPs.

## Summary

This report has presented the results of the soil and groundwater analysis completed at Union Park to provide preliminary information on the soil and groundwater quality within the vicinity of Block 3 and Abellio to support the application of an IED permit. Preliminary concentrations have been supplied for key operational contaminants, which should be monitored in future in accordance with the requirements of the IED permit.

Based on risk assessments completed for human health and Controlled Waters, the results of the chemical analysis of the soils and groundwater found no exceedances of the contaminants tested within the soil, and although exceedances were identified within the groundwater analysis, given that there are no sensitive potable abstractions within a 1km radius and the site is not within an SPZ, the risk to Controlled Water receptors was considered to be low.

Based on an initial assessment of the key contaminants to be monitored as part of the permit, no significant concentrations were identified within the soil and groundwater. As such, the use of Hydrocarbons, Urea, and HVO are all considered to be possible subject to the approval of the permit.

As there were various limitations associated with the timing of this exercise, it is assumed that a series of boreholes will need to be installed in the area demised under the permit and a full baseline report will be provided at that stage.

This report should be submitted to support the application for the permit.

Yours sincerely

A handwritten signature in black ink that reads "B. Harget".

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Appendix 1 – Figures  
Appendix 2 – Photographs  
Appendix 3 – Extent of Survey and Limitations

CC: Tim Cawood – Colliers

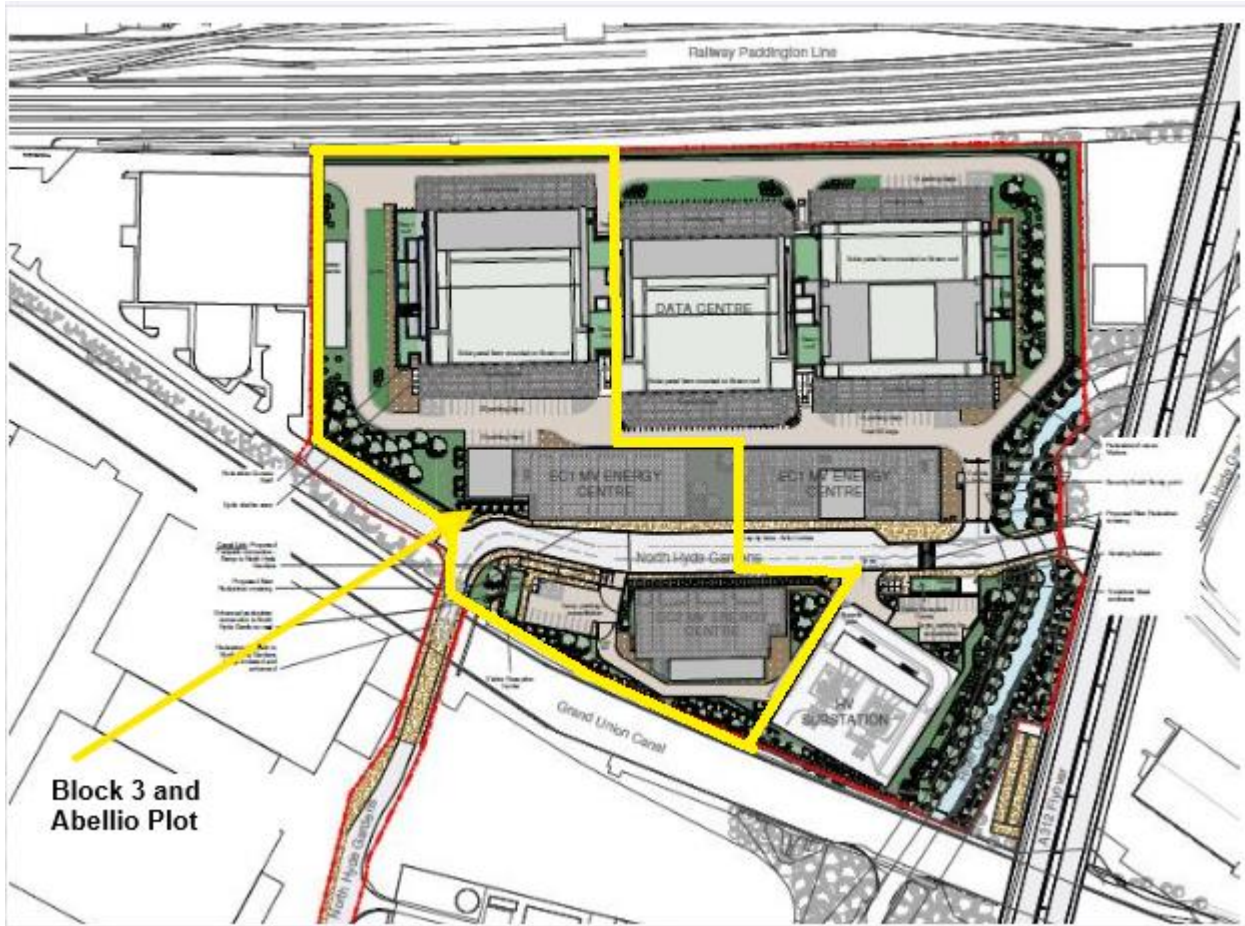


## 1.0 APPENDIX 1 - FIGURES

Figure 1: Site Plan



Figure 2: Development Plan: Block 3 and Abellio Plot





**Figure 3: Composite Exploratory Hole Plan for British Airways and Vodafone Plots**

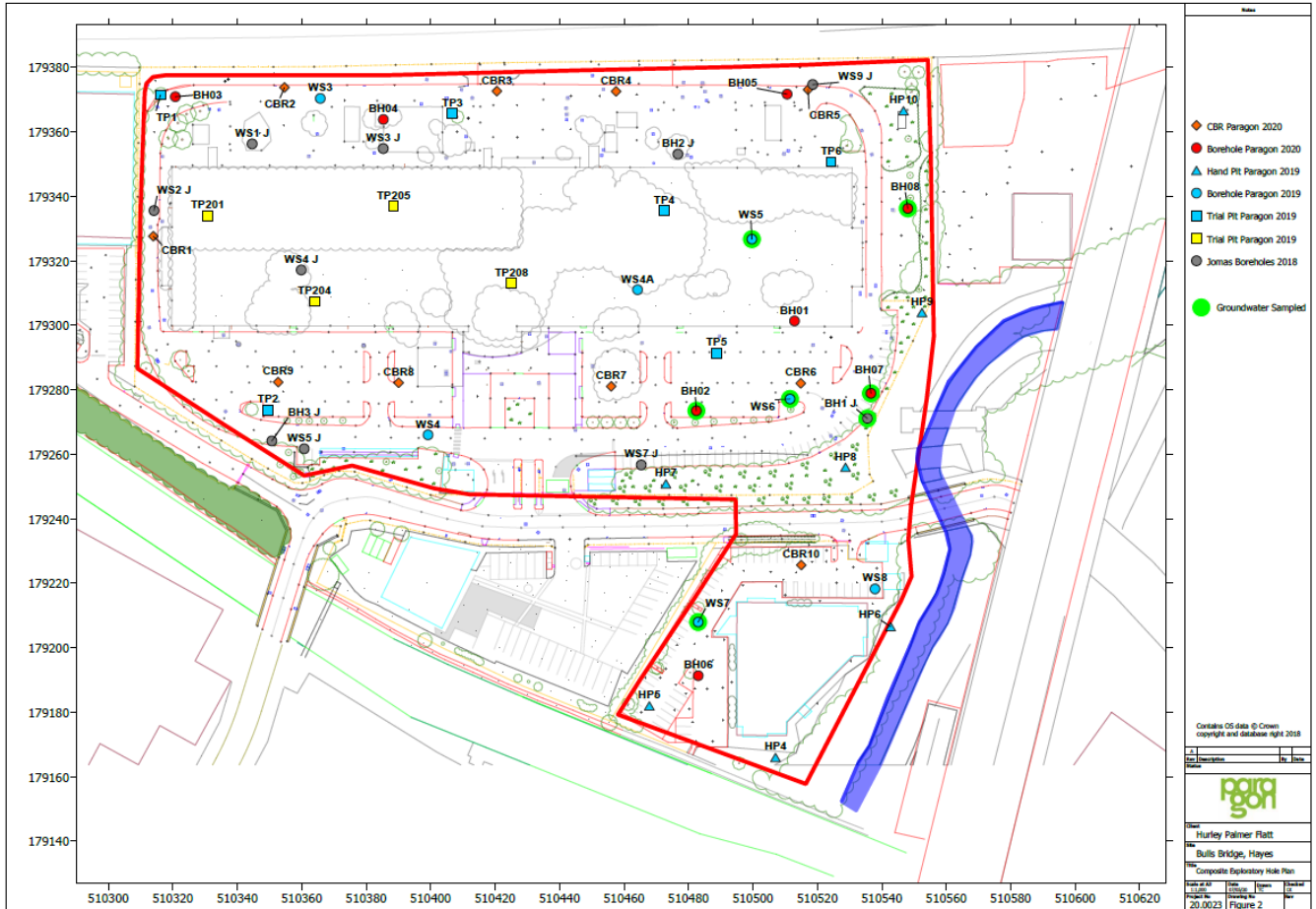
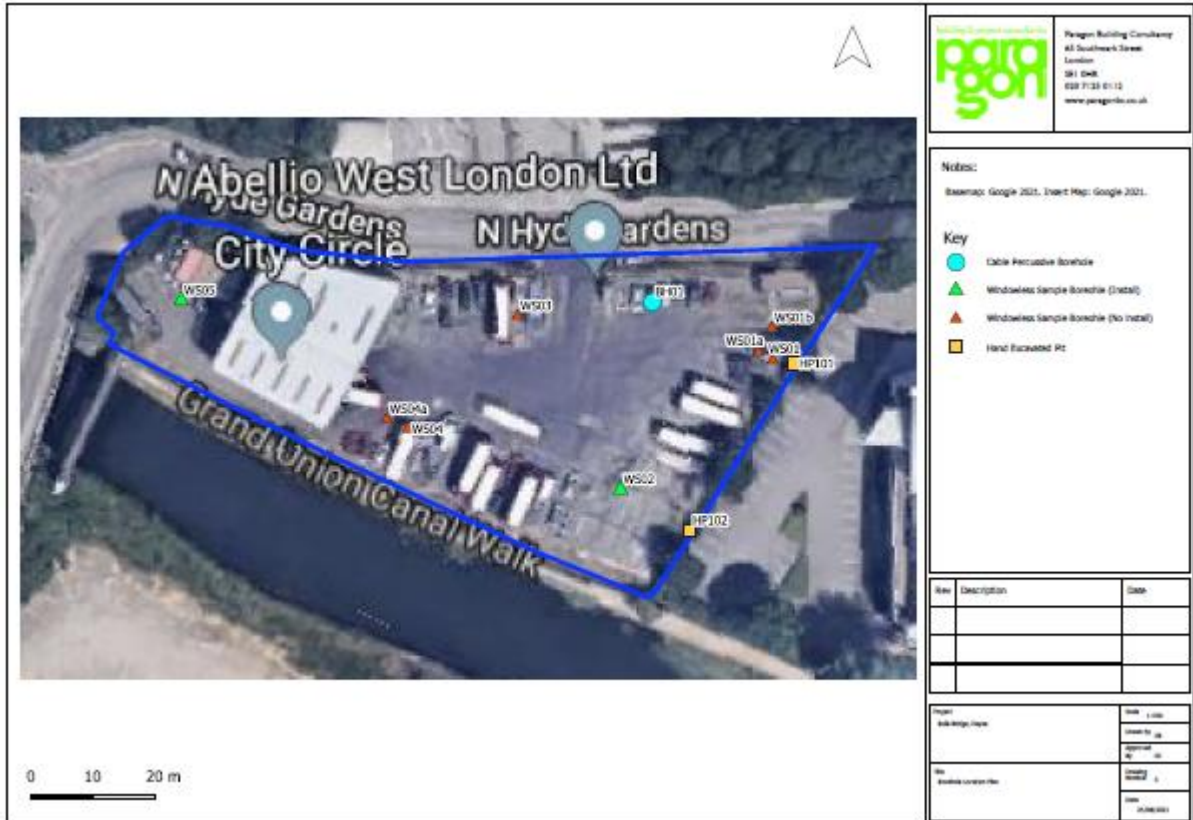


Figure 4: Abellio Borehole Plan





## 2.0 APPENDIX 2 – PHOTOGRAPHS





01: Block 3 Overview



02: Abellio Plot Overview



03: Site Overview



04: Excavated ground



### 3.0 APPENDIX 3 – EXTENT OF SURVERY AND LIMITATIONS

# Extent of Survey and Limitations

Section 1 shall apply to all our appointments. The relevant sections 2 to 8 will only apply where the terms of our appointment state we are providing the corresponding service. For example, where we are appointed to provide a pre-acquisition survey, sections 1 and 2 below will apply to that appointment.

## 1. Standard Limitations

**Inspection and Concealed Parts:** Our report will cover all parts of the site made available to us during our visual inspection of the property, which is normally and safely accessible without the use of ladders, and therefore exclude all ceiling, wall and floor voids unless stated within the report. Where inspection of roof areas by use of access hoists or a drone is required this will be agreed with you prior to inspection. The structure and fabric will not be opened up for further investigation. Those parts of the building and engineering services that are concealed, inaccessible or covered will not be inspected and confirmation that such parts are free from defects cannot be provided. Where we feel further investigation is merited, reference will be made in our report. Our services survey is based on a visual inspection and comment on the condition and the quality of the installation relating to normal good standards. We will specifically exclude tests relating to the performance of any heating, air conditioning or ventilation systems, pipe pressure tests, electrical or drainage tests. The omission of such tests might give risks to the fact that certain problems could exist which are not reflected in our report. No inspection or comment is made on the below ground drainage installations or service conduits unless instructed otherwise.

**Occupied Buildings:** Where buildings are occupied at the time of our inspection access to some areas may be restricted or denied although these areas will be noted in our report. Regardless of occupation, we will not lift fitted carpets, nor disturb any part of the fabric or fittings which are fixed or may cause damage.

**Budget Costs:** Where budget costs are included in our report, these costs are for guidance purposes only and will not be calculated from measured quantities but will be based on knowledge and experience of similar repair or replacement situations. Costs are inclusive of contractor's preliminaries but exclusive of all contingencies, professional fees and VAT. They will be based on current prices and no allowances will be made for inflation. Access costs for high level works will be included. There will be no allowances for loss or damage as a result of force majeure, terrorism, discovery or removal of any deleterious materials or out of hours working. Estimates are not to be thought of as a substitute for obtaining competitive quotations from reputable contractors. We will not investigate whether the cost of carrying out all necessary works immediately will be

different in cost to carrying them out individually, as and when required.

**Specialist Sub-Consultants / Sub-Contractors:** Where specialist consultants or contractors are engaged on your behalf. We may make reference to their findings in our report, but this should not be considered as a substitute for reading their report in its entirety, nor can we take responsibility for their conclusion.

**Compliance with Legislation:** In respect of planning permissions and building regulations consents we will review relevant documentation made available to us and liaise with your lawyers in this regard. If documentation is missing we will record this as a risk in our report, as should your lawyer. Our inspection will involve a review of the state of compliance with Statutory Requirements such as Workplace Regulations, Fire Regulations, Equality Act and other relevant matters. We will provide general comments on these matters in our report. Please note that compliance with these Regulations often requires a more detailed specialist study and / or the preparation of a risk assessment. Such studies and risk assessments are beyond the scope of our report. Where appropriate we will make recommendations for further specialist surveys.

**Weather conditions:** Our inspection may be restricted by the prevailing weather conditions at the time of our inspection.

**Communicable Disease** – we shall not be liable in respect of any Claim, circumstance, loss or Defence Cost that arise as a result of, or is connected in any way, directly or indirectly with;

- a) A *Communicable Disease* or the fear or threat (whether actual or perceived) of a *Communicable Disease* regardless of any other cause or event contributing concurrently or in any other sequence thereto;
- b) any action taken to control, prevent, isolate, quarantine, suppress, mitigate or in any way relating to any actual or suspected outbreak of any *Communicable Disease* or the fear or threat (whether actual or perceived) of a *Communicable Disease*;
- c) instructions, orders, requests, restrictions or limitations given by any national or local government, regulatory or statutory body, health authority or organisation relating to any *Communicable Disease*.

A *Communicable Disease* means any disease which can be transmitted by means of any substance, medium or agent from any organism to another organism where:

- i. the substance, medium or agent includes, but is not limited to, a virus, bacterium, parasite or other organism or any variation thereof, whether deemed living or not, and
- ii. the method of transmission, whether direct or indirect, includes but is not limited to, airborne transmission, bodily fluid transmission, transmission from or to any surface or object, solid, liquid or gas or between organisms, and
- iii. the disease, substance or agent can cause or threaten damage to human health or human welfare or can cause or threaten damage to, deterioration of, loss of value of, marketability of or loss of use of property.

**Reliance and disclosure:** The issued findings or reports following our inspection are for the addressee's use only and no liability will be accepted to any third party. Neither the whole or any part of the report may be published or disclosed to a third party without our prior written approval.

### Deleterious and Hazardous Materials

**Generally:** Our report and survey excludes any investigation into the unsuitable use of deleterious or hazardous materials except in so far as such matters may come to our knowledge in the normal course of inspecting the property and state of repair. We will advise you if we consider there is a significant possibility that deleterious or hazardous materials exist at the property, although we will not undertake or commission specific inspections, laboratory testing or reports unless this possibility has been raised by us as a concern and further instructions received which in any event will be confined to the following: admixtures / aggregates in concrete, asbestos, brick slips, calcium silicate brickwork, high alumina cement, lead, urea formaldehyde foam, woodwool cement slab (used as permanent shuttering), aluminium composite panels, thin stone panels.

Many factors including location, use, design and quantity determine whether a material is deleterious or not and, therefore, the inclusion in the material in the above list does not, of itself, imply that it is deleterious.

As a result of the Grenfell tower fire in 2017, external cladding systems including the materials used in them remain under intense scrutiny. There continues to be wide-ranging discussions in the Construction Industry over the use of combustible cladding materials, particularly (but not limited to) to buildings in excess of 18m in height or over 6 storeys. In our report, we will report on the suspected use of any combustible materials where this can be ascertained from a review of as-built information, or if it is suspected from our inspection. However, it may not be possible to ascertain purely from a visual inspection the presence or not

of combustible materials and we cannot be held liable for not identifying their presence in such circumstances.

Where composite cladding panels may be identified in our report we confirm that no intrusive testing will be undertaken to determine the type of insulation, classification of the insulating core or whether this is approved by the Loss Prevention Certification Board (LPCB) unless instructed otherwise.

**Concrete:** Where instructed to undertake a concrete investigation, our specialist report will be based on a visual examination of the concrete structure in sample test locations only. Whilst such test locations are chosen to be representative of the structure as a whole, we are not able to confirm that the structure is free from structural defects other than deleterious effect of HAC, chlorides and reinforcement corrosion durability.

**Asbestos:** Where instructed to undertake a specialist asbestos survey, we cannot guarantee that all asbestos containing materials will be identified, despite the best endeavours of our asbestos sub-consultant. Where instructed, every effort will be made to remove representative samples however it is possible that indiscriminate uses of asbestos may be present between sample locations of otherwise visually similar materials. An asbestos management survey is non-destructive and includes an inspection within accessible ceiling voids, above loose laid removable tiles, inside openable risers and cupboards, within accessible risers and behind removable casings.

Similarly access within lift shafts, live electrical equipment and mechanical plant may be restricted. A Refurbishment and Demolition asbestos survey is destructive and includes an inspection within accessible ceiling voids, above loose laid removable tiles, inside openable risers and cupboards, within accessible risers and behind removable casings. Representative areas of each element of building fabric will be intrusively opened up to inspect for the presence of ACM's behind built-in ducts, voids or similar enclosed or concealed areas within the building fabric. No intrusive work will be undertaken within the structural framework, concrete floors and masonry walls.

**Environmental issues:** Save where we are commissioned to provide environmental services (in which case the relevant section of this document shall apply), the following applies. We will not carry out nor commission formal enquiries or tests relating to potential soil or ground contamination, or the ground bearing conditions of the site or neighbouring land. We will not carry out any searches with statutory bodies to establish any mining or landfill issues, and associated potential subsidence risk as a result of historic site operations. Whilst we will comment on any potential contamination issues apparent from our survey, our report will not constitute an environmental report. You are advised to procure your own environmental reporting, but we will be happy to arrange audits, reports or tests on your behalf, by specialist consultants, who are to be directly appointed by you, if required. You should ensure that your



solicitors obtain as much information as possible about the prior use of the land. Such information should be revealed to us as soon as possible as it may materially affect our/ or the consultant's advice to you. Such advice may include recommendations for testing or obtaining a warranty.

We have no liability in relation to the presence of low frequency electronic fields, radiation, toxic mould, and the presence of Japanese Knotweed or other invasive plant species as defined in the Wildlife and Countryside Act 1981 or the Environmental Protection Act 1990. We may however note their apparent presence for investigation by others as appropriate.

### Mechanical and Electrical Surveys

**Generally:** Our survey and report is compiled under the brief to visually inspect and comment on the condition and the quality of the installation relating to normal good standards in the building services industry as dictated by CIBSE and IEE's current recommendations and standards without testing or dismantling of the plant. Where appropriate, we have provided an overview of the lift installations, which was carried out by the attending building services consultant.

**Budget Costs:** Any costs indicated within this report are based on our best assessment of the situation and the work involved at current prices and should not be taken as firm costs for the items of work detailed. To provide more accurate costs an investigation will be required in greater detail for individual items of the plant and systems, and may involve the employment of specialists where appropriate.

This overview provides a description of the lift services and general condition other than inspection of the lift shafts and associated equipment.

There are occasions when the building services will be inspected by a building surveyor rather than a mechanical and electrical consultant and we will advise within the fee quotation. In this case, if you require a survey by a mechanical and electrical consultant, you should confirm this prior to our inspection.

**Concealed Parts:** We have not inspected parts of the Engineering Services which are encased, covered up, or otherwise made inaccessible in a normal course of construction, alteration, or fitting out. We will not carry out any internal inspection of the plant/systems.

**Design Analysis:** No definitive calculations have been undertaken to determine the capacity or performance of the plant items, nor have performance tests been carried out on any of the systems or plant items. Design analysis of the systems has been undertaken using generally accepted design criteria both past and present, primarily to establish the principles of design. We have specifically excluded tests relating to the performance or efficiency of any heating, air conditioning, or ventilation systems, pipe pressure tests,

electrical or drainage tests. The omission of such tests might give rise to the fact that certain problems could exist which are not reflected in this report. We would point out that during the course of our building services survey we did not carry out an inspection of the below ground services.

**Deleterious & Hazardous Materials:** Our report and survey excludes any investigation into structural engineering design, compliance with legislation relating to buildings, or the unsuitable use of high alumina cement or calcium chloride, calcium silicate brickwork, alkali-silicate reaction in concrete, cavity wall tie failure, radon gas seepage, woodwool slab permanent shuttering, asbestos or PCB's or other materials considered as deleterious in construction, except insofar as such matters may come to knowledge in the normal course of inspecting the materials and state of repair.

**White Goods & Data:** This report does not include an inspection of the white goods, catering and vending equipment, telecommunication, data or wireless systems installed within the property. We are unable to comment, advise or identify items that are reliant on day/date dependent embedded chips.

### Rights of Way / Support / Light

Where necessary we will comment on apparent rights of way / support or light which may be visible or suspected albeit our comments will be outline in nature and without any detailed investigations.

## 2. Pre Acquisition Survey

**Compliance with Legislation:** Our inspection will involve a general review of the state of compliance with Statutory Requirements such as the Building Regulations, Workplace Regulations, Fire Regulations, Equality Act and other relevant matters applicable within the relevant country. Please note that compliance with these Regulations often requires a more detailed specialist study and/ or the preparation of a risk assessment. Such studies and risk assessments are beyond the scope of our report.

## 3. Environmental

**Desk Based Risk Assessment:** The risk assessment is dictated by the finite data on which it is based and is relevant only for the purpose of which the report is commissioned. If additional information or data becomes available which may affect the opinions expressed in our report, we reserve the right to review such information and, if warranted, to modify the risk assessment accordingly. We reserve the right to charge an additional fee for un-anticipated second opinion reviewing of previous reports.

The survey excludes intrusive opening up of the building fabric. Accordingly, an inspection is not undertaken behind built-in ducts, voids or similar enclosed or concealed areas within the structure and fabric.

**Compliance with Legislation:** The environmental risk assessment will be undertaken with due regard to Contaminated Land Guidance documents (available and relevant at the time of issuing our report) issued by (but not limited to) the Environmental Protection Act Part IIA 1990, Department for Environment, Food and Rural Affairs (DEFRA) and its predecessors, the Environment Agency (and its devolved equivalents), British Standards Institute (BSI), the Royal Institution of Chartered Surveyors (RICS) and the American Society for Testing and Materials (ASTM) Standard E 1527-00. No liability can be accepted for the effects of any future changes to such guidelines and legislation. In the event that guidance / legislation changes it may be necessary for us to update or modify reports.

**Content of Report:** Our Phase I Environmental Audit will be based on a visual inspection of the site, a review of available historical and environmental setting records, consultations with site representatives, pertinent information provided from the client and regulatory consultations. No samples will be taken as part of this study.

**Generic Risk Assessment:** The risk assessment is dictated by the finite data on which it is based and is relevant only for the purpose of which the report is commissioned. If additional information or data becomes available which may affect the opinions expressed in our report, we reserve the right to review such information and, if warranted, to modify the risk assessment accordingly. We reserve the right to charge an additional fee for un-anticipated second opinion reviewing of previous reports.

The survey excludes intrusive opening up of the building fabric. Accordingly, an inspection is not undertaken behind built-in ducts, voids or similar enclosed or concealed areas within the structure and fabric. Where necessary we will comment on apparent rights of way / support or light which may be visible or suspected albeit our comments will be outline in nature and without any detailed investigations.

### Phase 2 Site Investigation

**Content of report:** The content and findings of the report will be based on data obtained by employing site assessment methods and techniques, considered appropriate to the site as far as can be interpreted from desk based materials and a visual walkover of the site. Such techniques and methods are subject to limitations and constraints set out in the report. The findings and opinions are relevant at the time of writing, and should not be relied upon at a substantially later date as site conditions can change. For example, seasonal groundwater levels, natural degradation of contaminants etc. No liability is accepted for areas not covered by the investigation.

**Risk Assessment:** The opinions and findings conveyed via the report will be based on information obtained from a variety of sources as detailed by the report. The information should not be treated as exhaustive but is, in good faith, considered as representative as possible of the site conditions when considering constraints set out by the

report. The risk assessment will be completed in line with current industry practices but is not a guarantee that the site is free of hazardous conditions. The risk assessment is completed in line with the relevant land use agreed for the site and the time of completing the works. Changes to site conditions or land use may require a reassessment.

**Unforeseen Contamination:** Where Colliers is responsible for directing the number and location of exploratory holes, it shall exercise all the reasonable skill, care and diligence to be expected of a properly qualified and competent member of the Consultant's profession experienced in performing such services, taking into account site conditions, and available knowledge, as well as access, budgetary and scheduling constraints. Subject to having complied with the foregoing: (1) no liability can be accepted for the conditions that have not been revealed by the exploratory hole locations, or those which occur between each location and (2) whilst every effort will be made to interpolate the conditions between exploratory locations, such information is only indicative and liability cannot be accepted for its accuracy. By their nature, it is generally the case that exploratory holes provide a relatively small and localised snapshot of the ground conditions relative to the size of the site.

**Buried Services:** Whilst reasonable efforts will be taken to avoid buried services, we accept no liability for damage to services which have not been accurately identified in advance of site works.

**Flooding:** Our commentary is only based on the publicly available mapping available via the EA, NRW or SEPA at the time of writing and we cannot accept any liability where the information is updated following the issue of our report.

## 4. Dilapidations

**Generally:** We will assume unless otherwise requested that we are engaged as an advisor to prepare or comment on a schedule or claim which is distinct from an instruction to act as an expert witness. However, in discharging the advisory role it is always necessary for us to take account of considerations relating to expert witnesses as set out in the current Practice Statement and Guidance Note for Surveyors Acting as Expert Witnesses by the Royal Institute of Chartered Surveyors, a copy of which can be provided on request. This states that the primary function, and duty, of an expert witness is to assist the court on matters within their expertise.

**Ongoing Advice:** Our dilapidations advice aims to provide you with an informed opinion as to the anticipated level of liability/claim. Changes in case law, statute and the passage of time may affect the accuracy of our advice; it is therefore important that our advice is reviewed at regular intervals and, in particular, prior to the expiry of the lease.

**Documentation Provided:** Our assessments can only be as accurate as the information provided to us; it is therefore

important that the most complete set of documentation possible is provided in order for the best advice to be given. We cannot take any responsibility for distorted findings resulting from deficient, incorrect or incomplete information.

**Estimated Settlement:** When an estimate of settlement is provided at any time prior to concluding the claim, this is for guidance only and should never be taken as a definitive evaluation of the likely damages which may fall due.

**Final Settlement:** Settlements can be limited by S.18(1) of the Landlord & Tenant Act 1927 and the common law principles to the diminution in the value of the Landlord's reversion, regardless of the cost of works and other heads of claim. We will advise you if we consider that a formal valuation (commonly known as a Section 18 valuation) is necessary.

A claim based on the cost of the works may also be capped or even extinguished if it can be shown that the premises are to be altered or demolished after the expiry of the lease. Landlords should advise us if this is the case. Again, we will advise you if we consider that a Section 18 valuation is necessary. Where no formal release is provided by a Landlord we reserve the right to charge on a time expended basis.

**Solicitors:** In some cases it may be necessary to liaise with a solicitor on matters of strict legal interpretation. In the event of litigation, our communications with surveyors and other experts, including solicitors, may not be privileged.

Your legal advisors need to advise you on compliance with break notices as we only look at dilapidation liabilities under a lease and there may be other liabilities which impact on the break such as vacant possession, payment of rent, etc. Your legal advisors will be responsible for service of any schedules / notices. If you do not use a lawyer then we cannot accept any liability for incorrect service of schedules / notices.

Your legal advisors will be responsible for agreeing the wording of any forms of release used to record agreement on a financial settlement. If you do not use a lawyer then we cannot accept any liability for incorrect wording in helping to conclude matters between parties.

### Heads of Claim

**Loss of Rent, Rates, Service Charge, etc.:** For the purposes of the calculation of a loss of rent (and where applicable, service charge) claim we will provide an assessment of the period that it is likely to take to procure and complete works identified in the Schedule of Dilapidations. However, the applicability of such a claim will depend on market conditions prevailing at the end of the term and require initial input from your appointed letting agents shortly before lease expiry. Unless specifically agreed or stated within the lease, we will not include finance charges, loss of rates and other similar items in our assessments/claims.

**Fees:** We will include an allowance for legal fees only for the service of Schedules of Dilapidations in our assessments and claims. Surveyors' fees for the preparation and service of schedules will be included but other professionals' fees (such as building services or structural engineers) will not be included unless otherwise stated. All professional fees included will be estimates.

**VAT:** VAT may form part of a claim and is subject to the VAT status of the property and parties to the lease. The total claim (of which VAT may form part) is a damages payment that Customs and Excise do not deem a taxable supply. Invoices are not usually issued by landlords to tenants for this reason.

**Contamination:** We will include in our assessment any obvious contamination issues but we will not undertake any tests or investigation of current or previous uses of the site or adjoining land. We will advise you where we consider a need for specialist advice.

## 5. Energy Performance Certificates

**Generally:** This work is usually undertaken in three stages being:

1. Site inspection and research;
2. Data inputting and Calculating the Certificate; and
3. Lodging the certificate and reporting to the client.

We will initially determine the level of complexity of the building from the information provided by the client. Should it be determined during the site inspection that the complexity of the building and/or its services makes the standard assessment methodology inappropriate, this will be drawn to the attention of the client and a revised proposal will be submitted for sub-consulting the assessment to enable Dynamic Simulation Modelling (DSM) to be carried out.

**Fees:** Our fee quote is based on the assumption that the building can be inspected in one visit with unrestricted access to all areas. If we find that access is restricted to some parts of the building and that a return visit is required we will invoice all additional time on a time charge basis.

Where keys are held remotely from the property we will charge an additional fee on a time charge basis to cover our time in collecting and returning the keys. Where an instruction is made on the basis that plans are available the following applies:

- Plans must be to scale.
- Plans must accurately show the current layout of the premises.
- Plans must be provided at the time of appointment or before inspection.

Where plans are not immediately available and we are expected to recover them from other parties an additional charge may be made to cover our time in this regard.

**Site Inspection:** The nature of a building's construction will not always be obvious from a visual inspection alone. Where sectional details are not available we will use the inference values provided in iSBEM. Where these are poor and possibly have an effect on the banding/rating of the property we may advise the client to consider opening up elements of the property so that more accurate construction details can be obtained. Opening up works will fall outside the initial fee agreement and we reserve the right to invoice our time for this separately.

**Lifespan/Carbon Checker:** We will generate the EPCs using Lifespan. This system is a software application tool that provides an interface to enable the user to enter data into DCLG's SBEM (Simplified Building Energy Model). SBEM is at the heart of all government approved interface tools and whilst it has been passed for use, and Lifespan is an accredited software tool, there are inherent built in faults with the software that may affect the final rating. Although some tests have been undertaken to establish the accuracy of this software. We accept no responsibility for the software's accuracy.

**Reporting and Advice:** The EPC generates a Recommendations Report within which advice is given for the building owner to upgrade the building's efficiency performance. The advice is generic and in some cases is not considered to be relevant. Where we consider the advice to be poor, we will tailor the report to more accurately reflect the requirements of the building. The recommendations given in the report are not mandatory, so where a building owner implements improvement works based on the recommendations we would expect them to discuss the proposals in more detail before any expense is incurred.

**Documentation Provided:** We cannot take responsibility for the accuracy of any information provided by others for the purpose of carrying out the assessments. Similarly we cannot take responsibility where information to be provided is missing or its provision is delayed and that information conflicts with our assessment. Where such documents become available we recommend that copies are forwarded to us immediately in order that any advice provided can be refined.

### 6. Bank or Fund Monitoring

Our report is based upon discussions with the borrower (being the person to whom our client, a funder, is lending money), as well as reports, records and data provided by the borrower or on their behalf ("Information"). We will use our professional judgement and experience to evaluate and interrogate the Information, however we are not auditing the Information and we cannot guarantee that it is accurate and complete in all respects. It is the borrower's duty to ensure that the Information is accurate and complete, and

we shall not be liable for any errors or omissions in the Information, or for losses arising as a result of such errors or omissions.

### 7. Rights of Light and Daylight

Where necessary we will comment on apparent rights of way / support or light which may be visible or suspected albeit our comments will be outline in nature and without any detailed investigations.

#### Generally

This work is usually undertaken in three stages being:

1. Site inspection and research;
2. Modelling and testing; and
3. Reporting and provision of advice.

Analyses are often reliant on third party advice and particularly in relation to initial RoL and DSO studies based on a number of assumptions relating to the surrounding buildings. The RoL work also involves legal and valuation matters on which we may offer opinions but should be verified by reference to appropriate specialist consultants.

#### Site Inspection

Whilst we will endeavour to undertake a thorough review of the buildings surrounding the site, where certain parts are not readily visible from vantage points available to us, we cannot guarantee that all relevant receptors will be included. Assumptions may be made as to the presence and position of windows situated on elevations of existing buildings, which cannot be readily seen. To prevent alarm and respect privacy of neighbouring occupiers, close inspection of windows in neighbouring buildings may not be possible and this may affect the quality and accuracy of information taken on site. Assumptions will be made as to room size, use and layout where necessary. No topographical survey of site levels or elevation detailing will be undertaken. Should precise dimensions and window locations be required, we would recommend that separate topographical land, building and elevation surveys are instructed and provided in AutoCAD format.

#### Research

Limited research will be undertaken where necessary to determine:

1. Age of buildings;
2. Historic site development;
3. Legal constraints; and
4. Planning policies.

Where necessary to assist research, historic maps, aerial photographs and Land Registry title documents may be purchased and charged as disbursements.

#### Modelling & Testing

3D Modelling is usually undertaken using AutoCAD software. Unless provided with accurate topographical survey information relating to levels and elevation detailing, approximate dimensions will be used from limited measurements taken on site, available OS data and 'brick counting' from photographs. Where necessary we may buy third party photogrammetry models as a starting point for creating our models. The cost of same will be



charged as a disbursement. Tests are usually undertaken using software licensed to us by Waterslade/MBS Survey Software. Although some tests have been undertaken to establish the accuracy of this software we take no responsibility for the software's accuracy.

### Reporting and Advice

Reports and advice will usually be based on a number of assumptions and with reliance on third party information. Where assumptions have been made, these will usually be stated and recommendations will be given for further work required. Where specialist legal, planning and/or valuation advice is required, recommendations for same will be highlighted within our report or separately.

### Third Party Advice and Products

Our processes include the use of third party advice and products such as:

1. Ordinance Survey data;
2. Title documents;
3. Baseline models;
4. Topographic surveys;
5. Aerial photography;
6. Architects' drawings; and
7. Local authority archive information.

Whilst we will review this information for accuracy insofar as required for our assessments, we do not accept any liability for inaccuracies in third party information or loss or damage arising from some.

### Valuation of Damages

Where appropriate we will provide book value damages estimates for right to light infringements.

### Valuations Will Be

- Based on assumed rents and yields;
- Formulated in accordance with standard industry practice;
- Given at current prices; no adjustments will be made for future inflation;
- Quoted as budget estimates only and are not to be thought of as a substitute for obtaining specialist valuation advice;
- Exclusive of both parties' professional fees;
- Exclusive of any taxes that may be applicable i.e. VAT/SDLT.

### We Will Not

- Provide valuations based on development gain or profit share method.

## 8. Party Wall Terms – Building Owner and Adjoining Owner

### Surveyors Appointment

References to 'Appointing Owner' and 'Building Owner' are references to you. References to 'Adjoining Owner' relate to the owner/s of the neighbouring property adjacent to your work that is or may be subject to the Act.

To administer the requirements of the Act surveyors need a

written appointment. The appointment must be an individual and cannot be a company. Liability for work undertaken remains solely with us and not the appointed individual under the Act. We will provide a draft letter of appointment which must be completed and returned to confirm the appointment at or before the point at which there is either a deemed or actual dispute.

The letter of appointment must be signed by the Appointing Owner, or an agent with specific authorisation to sign on your behalf.

Once the appointment is confirmed it cannot be retracted or determined except if the surveyor appointed declares themselves incapable of acting in certain circumstances as prescribed by the Act. You should be aware that appointments follow a statutory procedure which requires the appointed surveyor(s) to work within the jurisdiction of the Act by administering its provisions fairly and impartially.

### Fees

You are contractually responsible for payment of your surveyor's fee and those of the Adjoining Owner where we advise it is reasonable to do so.

An Award will generally determine that the Building Owner is responsible to pay the fee of both appointed surveyors. However, specific circumstances may mean this is not always the case. For example, fees may be apportioned between Owners if they both benefit from the works.

We reserve the right to charge additional fees in relation to changes in the design or scope of the works that requires addendum Award(s) or new Notice(s).

We reserve the right to charge additional fees in relation to assessing claims for damage and awarding any necessary compensation or making good.

### Fees – Specialist Consultants

In some circumstances appointed Surveyors may suggest that specialists such as engineers or solicitors are appointed to assist in matters directly related to the administration of the Act or determination of the dispute.

The contract and responsibility for fees in relation to this appointment will be between the specialist and you. You are also likely to be responsible for the reasonable fees of the Adjoining Owner's Specialist Consultants' fees.

### Boundary Determination

Whether a wall is built up to, or astride the boundary is not always easy to determine. Sometimes this can only be established by reviewing title deeds and with the assistance of a solicitor. Our advice without the benefit of title information is very much outline and will be based on certain assumptions.

### Timescales

Whilst we will liaise with the design team and contractor to procure information required for Notices and Awards, it is outside our control if information from the design team and/or contractor is either incorrect in terms of design or

level of detail, or is not provided to us in good time.

### **Information for the Award**

The design team and appointed contractor are responsible to provide the information requested to be included within the Award. Where possible we will give an indication of the likely information that will be required. We are not responsible for any delay to action requests for information that may impact the development programme.

### **Right of Access**

In certain circumstances the Act allows the Building Owner to access the Adjoining Owner's land for the purpose of executing work in pursuance of the Act. Our fee does not include for discussing access to works that are not in pursuance of the Act and if that is required, a separate agreement and fee will be given.

### **Security for Expenses**

We will not hold monies for Security for Expenses. It is usual practice that any sum agreed will be held in a solicitor's client account sometimes managed as an escrow account and only released on signature of two of the three surveyors.

Where relevant, the terms and conditions in relation to Security for Expenses will be set out in the Award.

### **Third Surveyor Referrals**

The appointed surveyors are required to appoint a Third Surveyor to determine any disputed matters. If referral of a disputed matter to the third surveyor is necessary, the procedure will be set out to you, along with any cost implications.

We may charge an additional fee for time relating to matters incidental to third surveyor referrals.

### **General**

We will make all reasonable efforts to identify the Adjoining Owner(s) of a property by making checks with the Land Registry (with the cost charged as a disbursement). We cannot accept any liability it after making reasonable enquiries, we do not manage to ascertain all Adjoining Owners with an interest in the property.

The ability to agree an Award is very much linked to the quality and level of detail that is provided from the design team and/or contractor. We cannot accept responsibility if the Information provided is insufficient to enable completion of an Award.

We do not accept any liability arising from the loss or delay in delivery of Notices by the Royal Mail or other carriers.

Where the depth of foundations is unknown and in the absence of any information such as trial pit Information, we will make a reasonable estimate on the foundation depth.

Our schedules of condition in relation to the Act only extend to the area of the property in close proximity to the notifiable work and will not unless considered necessary, extend to a full record of the condition of the entire Adjoining Owner's property.