

# APPENDIX C

## Report Terms and Conditions

**Trading Terms**

Unless specifically stated within the tender/quotation or unless identified within the introduction to this report it is confirmed that this report has been compiled wholly in accord with Constructive Evaluation Limited's terms of engagement. This report is provided for sole use by the Client and is confidential to them. No responsibility whatsoever for the contents of the report will be accepted to anyone other than the Client.

**Copyright**

Copyright of this report subsists with the originator. Prior written permission must be obtained for any third party to reproduce, store in a retrieval system or transmit in any form of by any means whatsoever, all or part of this report. The copyright of written materials supplied shall remain the property of Constructive Evaluation Limited but with a royalty-free perpetual licence, granted to the Client on payment in full of any outstanding monies.

**Context**

This report is written in the context of an agreed scope of work between Constructive Evaluation Limited and the Client and should not be used in a different context. In light of additional information becoming available, improved practices and changes in legislation amendment or re-interpretation of the report in whole or part may be necessary after its original submission.

**Professional Interpretation**

The recommendations made and opinions expressed in the report are based on the conditions revealed by the site works together with an assessment of the data from the insitu and laboratory testing or in respect of the desktop reports. No responsibility can be accepted for conditions that have not been revealed by the research, site works and testing.

The Client is advised that the conditions observed on site by Constructive Evaluation Limited at the time of any site survey may be subject to change. Certain indicators of the presence of hazardous substances may have been latent at the time of the most recent site reconnaissance and they may subsequently have become evident. It is not possible to assess areas which are inaccessible or where access is not granted and CE accept no liability for risks subsequently identified therein.

The conceptual model, Risk assessment and sampling regime has been formulated in accordance with current UK guidance at time of production based upon the relevant information gained from Phase 1 and Phase 2 investigations. While the model and assessment offer opinions and interpretations of these guidelines, the comments made are for guidance only and no liability can be accepted for their accuracy. It is possible that aspects of desktop study may need to be altered to conform to the requirements of the statutory regulatory bodies.

**Intrusive Field Operations**

The data collected through direct operations in the production of this report has been so obtained, unless directly otherwise stated, in accordance with current UK guidance, law or accepted industry practice, including but not limited to: BS.5930: 1990 Code of Practice for Site Investigations (Amendment 2: 2010), BS 10175:2011+A1:2013 Investigations into Potentially Contaminated Sites, and BS.8576:2013 Guidance on Investigations for Ground Gas – Permanent Gases and Volatile Organic Compounds. Exact exploratory locations will depend upon access conditions, site use and plant capability, CE do not accept liability for issues arising from material identified between or outside of the area of exploratory locations.

**Laboratory Testing**

Unless stated otherwise within the text, all geotechnical and material laboratory tests have been performed in accordance with the relevant British Standard Documents. Laboratory testing for contaminated land assessment is completed under the UKAS / MCERTS accreditation schemes, unless identified as otherwise in the report.

**Human Health Risk Assessment Criteria**

The Environment Agency has recently undertaken revision of the Soil Guideline Values (SGVs) which are partially complete. Where standards are available using the "new" approach, these have been utilised for correlative purposes. Where standards have not yet been revised, guidance following the "old" approach has been utilised. Please note that upon release of the remaining guidelines, the standards contained within this report may be subject to change. In addition, the second edition of the LQM CIEH guidance has now been released and will be utilised in favour of previously published guideline values.

**Third Parties**

The findings and opinions conveyed in this report are based on information obtained from a variety of sources, including that from previous Site investigations and chemical testing laboratories. Constructive Evaluation Limited has assumed that such information is correct. Constructive Evaluation Limited cannot and does not guarantee the authenticity or reliability of the information it has relied upon and can accept no responsibility for inaccuracies with the data supplied by other parties.

The accuracy of the historical map extracts supplied cannot be guaranteed and it should be noted that different conditions may have existed between mapping sheet editions. Therefore, there can be no certainty that all areas of contamination have been identified during the Phase 1 investigation.

**Definitions**

Reference to the word "contamination" in this report does not relate to the statutory definition of contaminated land under 1990 Environmental Protection Act unless otherwise stated. The definition used in this report is: "Land that contains substances that, when present in sufficient quantities or concentrations, are likely to cause harm, directly or indirectly, to man, to the environment, or on occasion to other targets" (NATO CCMS, 1985).  
CE Ltd 2014