APPENDIX 8

NOTES ON LIMITATIONS

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1 FWS Consultants Ltd (FWSC) has prepared this report solely for the use of the Client and/or his agent on the basis of exchange(s) of proposals and instructions, and FWSC accepts no responsibility or liability:-

a) for use of this report by any party other than the person for whom it was commissioned, or;

b) for the consequences of the report being used for any purpose other than that for which it was commissioned.

Should any third party wish to use or rely upon the contents of the report, written approval from FWSC must be sought. Furthermore, it is strongly recommended that independent advice is sought by that third party with respect to its specific proposals or requirements.

2 The conclusions and recommendations in this report represent our professional opinions, derived from currently accepted industry practices, exercising all reasonable skill and care to be expected of a professional environmental consultancy of similar size and experience. The assessments and judgments given in this report are directed by both the finite data on which they are based and the proposed works to which they are addressed, taking account of the resources devoted to it by agreement with the client and/or his agent (whether in writing, or subsequent verbal instructions).

3 Environmental desk studies/audits comprise a study of readily available information obtained from various identified sources, authorities and parties. The information reviewed is not exhaustive and has been accepted in good faith as providing representative and true data pertaining to site conditions. Any identified risks in desk study/audit reports are perceived risks based on the information available at the time. Actual risks can only be assessed after carrying out a physical investigation of the site.

4 Data acquisition during site investigations is subject to the limitations of the methods of investigation used and access constraints. Exploratory holes undertaken during fieldwork, particularly boreholes, investigate a small volume of ground in relation to the size of the site and thus can only provide an indication of site conditions. There may be some conditions relating to the site and the proposed development, such as localized "hotspots" of contamination, that have not been disclosed by the investigation. The nature and extent of variations between these explorations may not become evident until further investigation. If variation or other latent conditions then appear evident, it will be necessary to re-evaluate the recommendations of this report.

5 The findings and opinions are relevant to the dates of the site works and should not be relied upon to represent conditions at substantially later dates. Site conditions will change over time due to natural variations and human activities. Groundwater, surface water and soil gas conditions should be anticipated to change with diurnal, seasonal and meteorological variations. Variation in the types and concentrations of contaminants and variations in their flow paths may occur due to seasonal water table fluctuations, past disposal practices, the passage of time, or subsequent developments or activities on the site or adjacent area.

6 The opinions expressed in this report regarding any contamination are based on simple statistical analysis and comparison with available guidance values. No liability can be accepted for the retrospective effects of any changes or amendments to these values.