

SCHEDULE 10

Protective provisions

PART 15

Protection of Encirc Limited

Specified work

191. Any specified work must, when commenced, be constructed-

- (a) In such a manner as to cause as little damage and disruption as reasonably practicable to the relevant property, including damage by way of pollution or to the operation of Encirc's business and operations;
- (b) In such a manner so as not to cause any breaches of Encirc's obligations to HMRC or under the COMAH Regulations; and
- (c) If any damage to the relevant property or Encirc's business and operations or any such interference or obstruction is caused by the carrying out of the construction of a specified work, the undertaker must promptly inform Encirc of such damage, must make good such damage and must pay to Encirc all reasonable and proper expenses to which Encirc may be put and any compensation for any loss which it may sustain by reason of such damage, interference or obstruction, provided that at all times Encirc will be under an obligation to take reasonable steps to mitigate its loss.