

DEED OF COVENANT

THIS DEED OF COVENANT is made the _____ day of _____ 2026

By the **(“Transferee”)**

OPERATIVE PROVISIONS

1. DEFINITIONS AND INTERPRETATION

1.1 In this Deed the following words and expressions have the following meanings:

"Coal Authority" the Coal Authority of 200 Lichfield Lane,
Mansfield, Nottinghamshire NG18 4RG

"Conveyance" the conveyance dated 24.04.1968 between the National Coal Board (1) and Skelmersdale Development Corporation (2)

"Property" land on the east side of Tanhouse Road, Upholland, Skelmersdale shown edged red on the Plan annexed hereto.

1.2 The terms set out in the particulars at **clause 1** shall have the respective meanings given to them there.

1.3 Covenants given by a party which comprises more than one person shall be deemed to be given by them jointly and severally.

1.4 Words importing persons include firms, companies and bodies corporate and vice versa.

1.5 Words importing the singular shall include the plural and vice versa.

1.6 Words importing any one gender shall include either other gender.

1.7 References to a clause are references to the clause of this deed so numbered.

2. COVENANT

2.1

The Transferee to the intent and so as to bind (so far as practicable) the Property and the part or parts thereof respectively into whosoever hands the same may come and to benefit and protect any mines and minerals in which the Coal Authority has any interest and which provide subjacent or lateral support for the Property or any

part or parts thereof hereby covenants with the Coal Authority that the Transferee will at all times hereafter perform and observe the restrictions and stipulations contained in the Conveyance.

- 2.2 The obligations contained in Clause 2.1 of this deed are enforceable by the Coal Authority.

3. **THIRD PARTIES**

Except insofar as expressly granted by this deed, a person who is not party to this deed shall have no right under the Contracts (Rights of Third Parties) Act 1999 to enforce any term of this deed. This clause does not affect any right or remedy of any person which exists or is available otherwise than pursuant to that Act.

[Execution block for transferee]

