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Insights

THE INSURANCE RESPONSE TO ENVIRONMENTAL ENFORCEMENT UNDERTAKINGS

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SUMMARY

In recent years, there has been a fundamental change in the way that breaches of environmental law in England and Wales are dealt with – the number of prosecutions is decreasing, the quantum of fines is increasing and the use of alternative enforcement options (in particular, enforcement undertakings) is increasing. Given this rise in the use of enforcement undertakings as an alternative to prosecution in relation to certain alleged environmental offences, it is important for businesses, their insurance brokers and environmental insurers to consider the nature of environmental enforcement undertakings and their interaction with environmental insurance policies.

Please see our briefing (co-authored with Stephen Sykes (Ashfield Risk Transfer Solutions)) in which we analyse the rise in the use of environmental enforcement undertakings and the associated insurance implications.

RELATED PRACTICE AREAS

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- Real Estate
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MEET THE TEAM

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