

Environment

**SLAUGHTER AND MAY**

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# Introduction

Slaughter and May is one of the leading law firms in the world. The firm has offices in London, Paris, Brussels and Hong Kong and a staff of around 1,300 including some 700 lawyers, of whom 126 are partners.

Our clients include governments and public authorities, industrial and commercial companies in all sectors, property and investment companies, utilities, banks and other financial institutions, venture capitalists, pension funds, professional firms and other organisations.

Environmental matters constitute an increasingly significant part of our practice. Our Environmental Law Unit handles a wide variety of work, advising on issues of compliance, management and liability and also, of course, the environmental aspects of corporate transactions.

This brochure outlines the services provided by the Environmental Law Unit and describes our approach to the work which we undertake. If you require further information, please contact one of the partners listed on page 5.

# Environment

Clients come to us for advice and assistance on a wide range of environmental matters including:

- identification and management of contaminated land (for example, whether or not to carry out intrusive investigations and what to do with the results of any such investigation)
- claims in relation to contaminated land (for example, advising clients in relation to claims by the Environment Agency that remediation is required, or in relation to private claims between adjoining landowners or landlord and tenant)
- advice and/or transactional advice in relation to environmental insurance
- compliance and permitting issues (for example, applications for Integrated Pollution Prevention and Control permits)
- directors' liability for environmental and health and safety matters
- environmental management procedures (for example, establishing internal monitoring and reporting structures)
- auditing and privilege (for example, selecting, instructing and defining the terms of reference for environmental consultants)
- consultation in relation to proposed new laws
- other issues, including planning, noise abatement, emissions trading, water abstraction, waste management, packaging, product labelling and public disclosure of information

It is a particular priority for us to ensure that we have sufficient experience of day-to-day environmental issues, to complement our very extensive experience of transactional work. In that field, we are heavily involved in:

- negotiation of warranties and indemnities in acquisitions and disposals
- due diligence in acquisitions and disposals
- due diligence in flotations and public offerings
- environmental issues in the context of banking, construction and project finance

# Environmental Law Unit

- Advice in relation to environmental matters is provided by our Environmental Law Unit, which was formed in 1992 in response to our clients' needs. We did, of course, provide a wide range of advice in relation to environmental matters prior to the formation of the unit, using accumulated experience in our commercial, property and litigation departments.
- The unit presently comprises two partners (Ed Keeble and Dermot Rice) and three to four further lawyers who are engaged full-time in relation to environmental issues.
- The work of the unit is assisted by first class training, research and support services. We work regularly with a wide range of consultants and other experts and we have strong relationships with the leading international firms of environmental consultants.
- Our aim is to provide a first class service which meets our clients' needs and expectations. In relation to environmental matters, this means something more than an ability to identify and report the applicable law to the client (although that is of course a pre-requisite). Our priority is to ensure that our advice is positive, constructive and commercially realistic.
- To achieve this, we will ensure that a partner is always involved and directly responsible to each client for every matter on which we are

instructed. This "hands on" approach is a hallmark of our practice. We regard it as essential that (notwithstanding the high calibre of our assistants) the partner is available to the client in order to discuss key issues and provide experience and direction.

- The aim and approach described above apply as much to day-to-day environmental issues as to major environmental issues. Our experience is that day-to-day issues may be particularly interesting and challenging and we are keen to be involved where we can be of help. We particularly value the contact which dealing with such issues provides with our clients' organisations.

In view of the above, we are always willing to discuss ways in which clients might best be able to take advantage of our services. These might include a "hotline" arrangement for dealing with day-to-day issues, periodic briefings or attendance at the client's own internal environmental management meetings.

Our aim in relation to cost is to be flexible and cost-effective. Estimates can be given and updated in relation to a particular matter as required. In no circumstances would we wish a client to be faced with a bill which the client felt did not reflect the value of the advice given or service provided.

## The next step

If you feel that we can be of assistance to you, or you would like to discuss any of the matters mentioned in this brochure, please make contact with either of the partners referred to over page. Alternatively, please contact the partner at the firm with whom you usually deal.

## Contact partners



**DERMOT RICE**

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Joined Slaughter and May in 1985 and became a partner in 1991. Dermot is head of the firm's Environmental Law Unit, and in such capacity he is responsible for co-ordinating the work done within the firm on all aspects of environmental law. He acted as legal adviser to the Waste Minimisation Sub-Committee of the Second Advisory Committee on Businesses in the Environment established between the CBI and the Government. He has wide experience in acting on the acquisition, sale and flotation of environmentally sensitive businesses, and of giving advice in relation to environmental compliance and liability issues generally.



**ED KEEBLE**

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Joined Slaughter and May in 1986 and became a partner in 1995. He specialises in environmental matters, especially public offers, mergers and acquisitions but extending to all aspects including auditing, compliance and contaminated land disputes. Recent matters in relation to which he has advised include liability issues arising out of waste disposal; authorisation issues in relation to complex industrial sites and liability sharing issues in relation to a major contaminated site. He has particular experience of the approach of the United Kingdom authorities to contaminated land issues and is responsible for co-ordinating the firm's approach and advising clients in relation to the new contaminated land power in the United Kingdom.

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