



Environmental Case study

XL Insurance

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Environmental consultant's professional indemnity

This case study demonstrates how XL Insurance's environmental consultant's professional indemnity cover was successfully used to protect an insured following a claim for negligence.

The owner of a site which was historically a dye works approached the Environment Agency with respect to a proposed residential development.

The Environment Agency requested that further investigations be undertaken to determine the nature and extent of any historical contamination prior to permitting the development to proceed.

A consultant covered by XL Insurance was retained to undertake these works and undertook the investigations and provided the relevant reports. The owner subsequently contended that the consultant had been negligent in providing complete and accurate advice regarding the nature, extent and cost of the remediation works.

XL Insurance retained the services of a specialist firm of solicitors to represent the insured, and a mediation of the claim was scheduled after a detailed investigation was completed by the solicitors and an expert retained on the insured's behalf.

During mediation the expert was able to demonstrate clearly that the expert report produced by the claimant did not support a strong claim against the defendant. A resolution was achieved through a settlement with the claimant.

If you would like to discuss how XL Insurance's dedicated EIL business unit can assist with environmental consultants' professional indemnity cover, please do not hesitate to contact one of the team listed.