

# £1.4m given to environmental projects by companies that broke rules

The donations have been made as a result of Enforcement Undertakings which the Environment Agency started using from 2011 as an alternative to prosecutions.

Where agreed with the Environment Agency, donations to environmental projects are made either when a business or individual is responsible for a pollution incident or where they have failed to meet other legal requirements, such as registering and recycling packaging waste.

In addition to any donation, the business or individual must also include in its offer measures to stop offending, come into compliance and restore any harm to the environment.

The largest donation paid out so far has been £226,000 by Severn Trent Water to the Trent Rivers Trust following a pollution incident and for packaging waste contravention, Nottinghamshire company, Kennelpak Ltd paid over £70,000 shared between the county's Wildlife Trust for the Attenborough Nature Reserve and the Erewash Canal Preservation Association.

Enforcement Undertakings are used for less serious cases where it is not in the public interest to prosecute and where the business or individual can satisfy the Environment Agency they want to change behaviour and make amends for what happened. Donations made by businesses and individuals for pollution offences should be used to benefit the environment and compensate for any harm that cannot be restored. For packaging and any other offences which have not had a direct impact on the environment, the money can be used to protect, restore or enhance the environment in other ways.

And, in line with the 'Polluter Pays Principle' the costs of offending fall on those businesses and individuals that have failed to comply with its legal requirements and obligations. Enforcement Undertakings should not be seen as a cheaper option compared to prosecution.

Regulatory Officer with the Environment Agency, Beth Haste, commented:

While we have the option to prosecute companies that fail to meet their obligations to the environment, Enforcement Undertakings are an excellent alternative that result in positive benefits to the environment and communities. To have put £2m into environmental projects over the last 9 years is a real achievement.

## **Notes to editors**

Section 7 of the Environment Agency's [Enforcement and Sanctions Policy](#) sets out all the enforcement options available to the Agency. These include

criminal proceedings, as well as a range of civil sanctions (including Enforcement Undertakings) available to use for many of the offences we are responsible for enforcing.

Our approach to applying civil sanctions and accepting enforcement undertakings is explained in [Annex 1 of our policy](#).

The Civil Sanctions options were introduced by the Regulatory Enforcement and Sanctions Act 2008 (RES Act), the Environmental Civil Sanctions (England) Order 2010 and the Environmental Civil Sanctions (Miscellaneous Amendments) (England) Regulations 2010.

Other big pay outs have come from:

- Heineken paid £160,000, mainly to the Wye and Usk Foundation
- Fuerst Day Lawson in Stoke-on-Trent – £150,000 to Trent Rivers Trust
- Kerry Ingredients gave £127,975 to the Gloucestershire Wildlife Trust and Wildfowl and Wetlands Trust
- Staffordshire County council which donated £50,000 split between the Staffordshire Wildlife Trust and Blackfords Progressive Angling Society
- White's Recycling of Newent donated £46,000 to the Severn Rivers Trust
- Sanglier Ltd of Kirkby-in-Ashfield donated £37,450 to the Campaign for the Protection of Rural England
- The Works gave £35,868 to the Warwickshire Wildlife Trust
- Hameln Pharmaceuticals of Gloucestershire donated £35,000 to Westonbirt Arboretum