



Banks Developments

Development With Care

ELECTRICITY ACT 1989 (SECTION 36 AND SCHEDULE 8)
TOWN AND COUNTRY PLANNING ACT 1990 (SECTION 90)
THE ELECTRICITY GENERATING STATIONS AND OVERHEAD LINES
(INQUIRIES PROCEDURE)
(ENGLAND AND WALES) RULES 2007

PUBLIC INQUIRY TO CONSIDER SECTION 36 ELECTRICITY ACT 1989
APPLICATION BY STEADINGS WIND FARM LIMITED FOR CONSENT AND
DEEMED PLANNING PERMISSION TO CONSTRUCT AND OPERATE A WIND
FARM AT KIRKWHELPINGTON, NORTHUMBERLAND
(KNOWN AS STEADINGS)

PROOF OF EVIDENCE – MARK ALAN DOWDALL

**COMPANY WITNESS:
COMMUNITY ENGAGEMENT &
ENVIRONMENTAL MANAGEMENT**

ON BEHALF OF STEADINGS WIND FARM LIMITED

BERR REFERENCE: GDBC / 001 / 00278C

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3 DECEMBER 2007 FOR INQUIRY COMMENCING 15 JANUARY 2008

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1. INTRODUCTION

- 1.1 My name is Mark Dowdall and I am the Environment and Community Director for Banks Developments. I manage Banks' environmental management and community engagement teams.
- 1.2 I hold an Honours Degree in Environmental Health and I am a member of the Chartered Institute of Environmental Health. I hold further post-graduate qualifications including Diplomas in Health and Safety at Work, Air Pollution Control and Acoustics and Noise Control. I am a member of the Institute of Acoustics and I am also a member of the Institution of Occupational Safety and Health.
- 1.3 Before joining Banks I worked for three different local authorities as an Environmental Health Officer (EHO) and in my last post I specialised in pollution control issues. As an EHO I was involved in the investigation of issues arising from a variety of activities including those at major construction sites and infrastructure projects and gained first hand experience of the potential for such operations to give rise to disturbance to the surrounding area if adequate environmental controls are not implemented.
- 1.4 I joined Banks in September 1991 and I am the author of The Banks Group Environmental Policy (Ref 1) (See Appendix SWFL11.3).
- 1.5 I am a member of the Banks Project Services Management Team and also manage a team that has the following responsibilities in line with the environmental policy:
- a) The assessment of new proposals to ensure that the design and operation of new projects incorporates measures to minimise the impact on the environment and upon the amenity of local communities and local sensitive industrial and commercial operations.
 - b) Undertaking regular environmental audits at Banks Development's operational sites to check compliance with site specific Environmental Management Plans (EMP's), planning conditions and other regulatory

requirements such as Environment Agency consents to discharge to water courses.

- c) Engagement with local communities throughout the development and operation of Banks projects, to consult on our plans, to respond to any concerns raised during site activities and to advise on progress made with site operations. This involves establishing a dialogue with the community by holding public exhibitions and meetings in the planning phase and by establishing liaison committees attended by representatives from Banks, local residents, local authority members and officers and representatives from other interested parties during the operational stages of a development.
- d) The environment team is responsible for the development of Banks environmental management system (EMS) (Ref 2) that has been certified to the BS EN ISO 14001:2004 standard and is subject to regular internal audit and independent external audit by SGS (UK) Ltd. A requirement of Banks EMS is the preparation of an Environmental Management Plan (EMP) setting out environmental performance objectives and actions for each site. A draft EMP for the Steadings site is shown in Appendix SWFL11.3.
- e) The EMS requires the investigation and resolution of any environmental inquiries and incidents that may occasionally arise from site activities.
- f) The environment team ensures that programmes are implemented for the monitoring of noise, vibration, surface water and ground water and air quality around operational sites in order to demonstrate compliance with conditions imposed in planning permissions and a variety of other permits and consents.

1.6 In summary I am responsible for advising the company on the measures to be taken to ensure that best practice is used to minimise the risk of adverse environmental impact and disturbance and to look for opportunities to optimise the benefits to the environment, to local residents, local businesses and other sensitive receptors.

2. SCOPE OF EVIDENCE

- 2.1 The scope of my evidence is to explain the approach to environmental management and community engagement that has already been taken during the design and development stages and the approach that will continue to be adopted at the Steadings Wind Farm if consent is granted.
- 2.2 I provide an introduction to Banks Developments and outline the company's experience and commitment to Development With Care.
- 2.3 I explain how Banks Developments have engaged with the local community during the project development stages and how this dialogue will continue through construction and operational phases. This includes the establishment of a Steadings community liaison committee where representatives of the company would hold regular meetings with local stakeholders during the operational phase of the development.
- 2.4 My evidence provides information on the EMS which aims to ensure that a high standard of environmental performance is maintained throughout the development and operation of the Steadings site. The Banks EMS requires the production of an EMP to ensure that a high standard of environmental performance is achieved throughout the construction and operation of the Steadings Wind farm.
- 2.5 My evidence explains the environmental control measures that will be implemented at the proposed Steadings site to comply with the site Environmental Management Plan (Appendix SWFL11.3) and the requirements of planning conditions and other environmental consents such as local authority Pollution, Prevention and Control Permits (LAPPC) and Environment Agency discharge consents.
- 2.6 My evidence also explains the environmental monitoring and audit procedures that will be carried out at the Steadings Wind farm and the action taken in response to any environmental issues arising from environmental audits, from routine monitoring and from regulatory or community feedback. I explain how Banks record community feedback

from monthly environmental performance questionnaire returns or comments received from the local community and explain how the company responds to any issues raised.

- 2.7 I review the environmental awards that Banks has received from a variety of bodies in recognition of the environmental initiatives and also for the standard of our restoration, landscape and site management.

3. INTRODUCTION TO BANKS DEVELOPMENTS

- 3.1 Steadings Wind Farm Ltd is a wholly owned subsidiary of the Banks Group. Banks Developments, part of The Banks Group develops land for a variety of uses including residential and commercial property, renewable energy, surface mining and waste management. The Group was established in 1976 at offices in County Durham and employs approximately 300 people in the UK. Banks is committed to taking a “Development With Care” approach throughout our developments and we endeavour to deliver a positive long term effect on both the environment and the communities that we are working within.
- 3.2 Banks Developments core values are as follows:
- Corporate social responsibility
 - Encouraging hard work and individual productivity
 - Being a pioneer-not following others
 - Encouraging individual initiative and problem solving
 - Profit, but profit from work that benefits others
- 3.3 I believe that these values have strongly influenced the way that Banks has developed the Steadings project. These values have also been instrumental in assisting the company to successfully bring forward proposals for new major property, energy and waste projects.
- 3.4 Banks Developments has a team of professionals working throughout the UK in four regional offices and include surveyors, planners, engineers, project managers, environmental managers, community engagement coordinators and graphic designers backed up by a strong administration team. Our offices are based in the north east of England at Tow Law and at West Cornforth in County Durham. In the midlands we have an office at Barlborough near Chesterfield, an office at Chorley covers Banks’ north

west England developments and our Hamilton office is responsible for our property developments in Scotland.

- 3.5 Our development projects are progressed from inception through to completion by project teams of internal staff supported by external specialist consultants where necessary.
- 3.6 Banks has a successful track record of developing and operating large sites in sensitive locations and we are currently operating major construction projects at Bowesfield near to Stockton on Tees, Clydesdale Steelworks Reclamation near Motherwell and Moss Nook Reclamation at St Helens. In Northumberland we are progressing plans for a major commercial and residential development at the former Bates Colliery in Blyth and have worked and successfully restored a number of surface coal mines including our current operations at Delhi located between the villages of Dinnington and Stanington.
- 3.7 Banks Developments will shortly be commencing construction of the West Durham Windfarm to the north of Tow Law in County Durham. This site was granted planning permission by Derwentside District Council and will generate up to 24 MW of electricity from 12 wind turbines.
- 3.8 Banks has also received planning permission from Doncaster MBC to develop the Marr Wind Farm which will have four 2 to 3 MW wind turbines.
- 3.9 Barnsley MBC have granted planning permission to Banks for three 2 MW turbines at the Hazlehead Wind Farm at Crow Edge near Penistone.
- 3.10 In addition, Banks is currently promoting a wide range of onshore wind farm developments in Ayrshire, Cumbria and Yorkshire to help meet regional renewable energy targets; from small three turbine sites to sites featuring more than 30 turbines. At any one time we are working towards gaining permission for 250MW of electricity capacity from renewable resources.
- 3.11 We are also currently working with our energy customers to look at ways of developing Biomass technology with special reference to blending

biomass with coal i.e. co-firing and also to provide district heating systems for a range of new eco-communities proposed around the UK.

- 3.12 Electricity is already being produced by landfill gas generators on four of the waste management sites we have developed, with a number of others in the planning system.

4. COMMUNITY ENGAGEMENT AND COMMUNITY FUNDING

- 4.1 In this section of my evidence I explain the measures taken by Banks Developments to engage with the local community through consultation and dialogue, through community liaison during operations and through supporting community and environmental initiatives through the Banks Community Fund.
- 4.2 Banks Developments policy is to ensure that the local community is consulted on our development proposals and has a chance to comment upon them before a formal planning application is submitted. This policy was followed at the Steadings site.
- 4.3 Scoping proposals were sent out in August 2005 to residential and business premises lying within approximately 1km of the proposed Steadings wind farm. These proposals contained company contact details along with an offer to meet and discuss the proposals in more detail with members of the project team.
- 4.4 A presentation on the scoping proposals was made to Kirkwhelpington Parish Council and Great Bavington Parish Council in August 2005.
- 4.5 Meetings were also held with statutory and non statutory consultees to seek a scoping opinion.
- 4.6 At the same time a news release was prepared to inform the wider community of the Steadings Wind Farm proposals and articles appeared within the Hexham Courant and the Newcastle Journal newspapers.
- 4.7 Three public exhibitions have been held at Kirkwhelpington Memorial Village Hall. The consultations were advertised through the distribution of leaflets and letters to approximately 700 houses within the local community.
- 4.8 The first public exhibition was held on 28 and 29 September 2005 to consult with the local community regarding the scoping proposals.

Information leaflets containing details of the proposal, answers to frequently asked questions and contact details for the project team were made available to take away from the exhibition. Comments received as a result of the consultation process were considered during the subsequent design stages and some of these were incorporated in to the final wind farm proposal.

- 4.9 A second public exhibition was held on 21 February 2006 to provide feedback on the comments received from the scoping consultation process and to consult on the revised proposals in advance of the planning application submission on 13 April 2006. The exhibition was followed up by letters to all attendees to thank them for attending and to inform them of a third exhibition.
- 4.10 A third public exhibition was held on 27 February 2007 to introduce the initiative of 'Warmer Tynedale' which brings together a number of organisations that provide energy efficiency and micro renewable generation advice in the North East. The exhibition demonstrated how the Steadings Wind Farm development could work with these organisations to encourage a more sustainable community. This can be delivered by the utilisation of the Community Development Fund to improve energy efficiency of buildings and by reducing the carbon emissions within the local community thus delivering long term financial gains and maximising the benefits for both the environment and the local community.
- 4.11 Letters were sent to all attendees to inform them of Banks intention to submit the present applications on 13 April 2006. In summary Banks Developments has ensured that local people have been made aware of our proposals at Steadings and have been given the opportunity to comment upon them throughout all stages of the development.
- 4.12 A liaison committee will be set up at the Steadings site if the consents are granted and a draft constitution and agenda for the Steadings liaison committee is shown in Appendix SWFL11.4.
- 4.13 The liaison committee will usually meet every three months during the construction period of the development and will provide a forum to explain

the progress of work on site and for local residents to raise any issues regarding the site which are of concern to them.

- 4.14 The results of environmental monitoring, environmental audits and any comments received from the community will also be reported by Banks to the liaison committee. The Local Authority will also be invited to present a report at each liaison committee meeting on any planning issues.
- 4.15 I have been involved in the establishment of every liaison committee set up by Banks since 1991 and I am convinced of their benefit to all parties to ensure that developments proceed smoothly without causing undue community concern. Liaison committees help to ensure that there is effective communication and understanding between Banks and the local community and that we are able to advise local people on developments with site operations and that local people can provide Banks with feedback on our environmental performance and any issues that need to be resolved.
- 4.16 It is also Banks' policy to establish a community fund at our projects if consent is granted. Banks has been delivering financial and practical support to local communities in the vicinity of our developments since 1997 when the first Banks Community Fund was established. Since that time we have established over 28 separate funds around the UK with grants supporting a diverse range of activities including sports clubs, elderly peoples groups, public art, environmental improvements, refurbishment of community facilities, improved insulation of public buildings and provision of play areas and equipment. The administration of Banks Community Funds is carried out by a separate project manager assigned from our local Community Foundation. This provides a professional fund management service enabling the fund to be properly promoted and all grant applications are thoroughly assessed before recommendations are made to a local panel for determination. The fund manager will also look for opportunities for matched funding of applications to see if there are other suitable funds that can be accessed to support

particular projects. Appendix SWFL11.5 sets out draft proposals for the administration of the Steadings Fund.

- 4.17 The priority for the funding will be to support community groups, voluntary organisations and environmental or sustainability projects in the vicinity of the Steadings Wind Farm.

5. BANKS ENVIRONMENTAL MANAGEMENT SYSTEM

- 5.1 In this section of my evidence I review Banks EMS and explain how this management tool will be used to ensure that the highest levels of environmental performance are achieved at the proposed Steadings wind farm.
- 5.2 The Banks Group Environmental Policy was first published in 1993 and has been revised in 2000 and more recently in 2005. The Banks Group environmental policy is reproduced in the draft Steadings EMP (Appendix SWFL11.3). The objective of this policy is to continuously improve the environmental management system and the environmental performance of each project. The specific standards that are required at sites developed by Banks Group are set out in a site specific EMP to ensure that the latest and highest appropriate standards are achieved. These environmental standards use best practice measures to ensure that operations are conducted to minimise potential adverse impact from noise, vibration, waste management, dust, transportation or landscaping works.
- 5.3 Banks environmental management system is certified to the BS EN ISO 14001:2004 standard. This will require regular auditing to be carried out throughout the Steadings Wind farm development to check that the standards set out in the EMP are achieved.
- 5.4 The Steadings Wind farm will be subject to at least four different levels of inspection and audit as follows:
- a) Internal environmental audits and ad-hoc inspections will be conducted regularly by Banks Environment Team. The members of the site liaison committee, including local residents, councillors, officers from the Council and the Environment Agency, will be invited to take part in environmental audits. This will provide them with the opportunity to see for themselves the standards of operation at the site.

- b) The Steadings site environmental management system will also be subject to regular independent external audit by SGS (UK) Ltd our accredited auditors in order to maintain certification to the BS EN ISO 14001 standard.
- c) The Council's Environmental Health Department will be responsible for the inspection and regulation of the mineral processing operations at the Steadings site to check compliance with relevant conditions.
- d) The Council's Planning Department may at any time inspect the site to check on compliance with conditions and the requirements of the EMP.

5.5 The EMP is one of the key documents in the Banks' EMS that sets out how the Steadings site will be operated to ensure that significant environmental aspects (Ref 3) are properly managed. The EMP contains specific objectives and actions for the significant environmental aspects identified for the Steadings Wind farm. It also sets out the compliance monitoring that will be carried out by the operator to demonstrate achievement of appropriate environmental standards. Finally the EMP provides a brief outline of the legislative controls applicable to each separate environmental aspect.

5.6 A draft Steadings EMP has been prepared to give more detailed information on the standards proposed for the site. This plan is shown in Appendix SWFL11.3 and forms the basis of the items and controls that will be checked during each environmental audit at Steadings. The EMP is currently shown in draft as it will need to reflect any detailed requirements pursuant to any consents granted. The EMP will be issued before any site operations commence.

5.7 During the environmental audit, the condition of separate indicators of environmental performance will be checked and recorded. The following issues will be checked at audits of the Steadings site.

- a) The condition of the road access point
- b) The condition of the temporary office compound
- c) Road transport facilities including the efficiency of wheel washes

- d) HGV and abnormal load movements including traffic routing and impact
- e) Temporary site offices and welfare facilities
- f) Temporary storage of oils, fuels and chemicals used by plant on site during construction works
- g) The management of any waste material generated on site generated during construction and maintenance operations at Steadings
- h) The measures to prevent fugitive dust emissions from construction operations the site
- i) The drainage ditches and surface water treatment areas
- j) The condition of internal haul roads
- k) The height, location and appearance of material stockpiles
- l) The adequacy and condition of perimeter fencing
- m) Measures to minimise noise from the plant, machinery and reversing alarms used during construction operations on site
- n) Measures to minimise vibration and air over pressure associated with controlled blasting operations
- o) Wildlife conservation, landscaping and restoration
- p) External lighting
- q) Environmental monitoring results
- r) Relevant documentation and consents

5.8 Any items that do not meet the agreed standard will be noted and raised with the resident engineer and site manager orally during and at the conclusion of the audit. These issues will also be recorded on a non-conformance notice (Appendix SWFL11.6) which will be issued to formally record any item that requires remedial work, the deadline for this work to be carried out and who is responsible for it. The environmental auditor will ensure that all non-conformances that have been remedied are recorded as soon as the work has been completed.

- 5.9 In any event at the beginning of the subsequent audit any items recorded on a non-conformance notice will be checked to ensure that they have been remedied. The results of environmental audits will be reported to the community at the liaison committee and local residents who have attended the audit will also be invited to make comments on the environmental standards at the site.
- 5.10 A programme of routine environmental monitoring will be agreed with Council's Planning and Environmental Health Departments and the results of this monitoring will be reported to the Steadings site liaison committee to demonstrate compliance with the planning conditions.
- 5.11 Questionnaires will be distributed to the occupants of the premises where environmental monitoring is carried out to enable the occupants of sensitive buildings to record their observations on the environmental performance of the site. If the householder is not at home at the time of the survey a questionnaire form is left with the occupier of sensitive premises for return to the site operator so that any comments can be acted upon. An example of an environmental performance questionnaire is shown in Appendix SWFL11.7.
- 5.12 Any complaints and incidents received are logged and investigated following Banks' complaint and notifiable incidents procedure (Appendix SWFL11.8). A report on any complaints reported since the previous meeting and how they have been investigated will also be presented to each Steadings liaison committee meeting.

CONCLUSION

- 5.13 The Banks EMS requires the agreement of a site specific EMP which will be enforced by regular internal and external environmental audits and inspections, backed up by monitoring and surveys. This system has proved to be a very effective management tool to ensure that the best practice standards are set and a high level of environmental performance is achieved at projects developed and operated by Banks.

6. ENVIRONMENTAL AWARDS

- 6.1 The Banks Group has received a number of awards in recognition of high levels of environmental performance for design, landscape, operational standards, restoration and environmental excellence of our various projects. These awards are described below.
- 6.2 In 1996 Banks was awarded the Durham County Council Environment Award for the Oakenshaw Wildlife Reserve which is owned by Banks and open to the public. The site was created during the restoration and aftercare of the Hundred Acre Surface Coal Mine. The award recognised the work that was carried out by Banks in collaboration with local residents and Durham Wildlife Trust to create and manage the reserve. An information leaflet on Hundred Acre is shown in Appendix SWFL11.9. The maintenance of the Oakenshaw reserve is funded through a Donor Advised Fund that Banks have set up with the County Durham Foundation. Interest from the fund is used to pay for routine works such as path maintenance, removing any fallen trees and repairs to footbridges or pond dipping platforms. The funds are released for expenditure only following approval from Banks and Durham County Council.
- 6.3 In 2000, Banks was also presented with a Millennium Marque for environmental excellence and sustainable development by the Tidy Britain Group for the Oakenshaw Wildlife Reserve which was the only site in County Durham to receive the award. The award followed a series of inspections and scrutiny by a panel consisting of representatives from the Tidy Britain Group, the Tourist Board of England, Scotland and Wales, the Conservation Foundation and Royal Institution of Chartered Surveyors and the Royal Town Planning Institute. Further information on this award is provided in the article from Banks News and the photograph of the award taken at Oakenshaw shown in Appendix SWFL11.10.
- 6.4 In 2004 Banks was presented with the Noise Abatement Society John Connell Award for Innovation in recognition of the success of Banks Plant Noise Control Programme. A leaflet and article in relation to this award

which is sponsored by DEFRA is shown in Appendix SWFL11.11. Further information regarding the Banks noise control programme is provided in the report in Appendix SWFL11.12.

- 6.5 This was followed in 2005 by another award from the NAS - the Environmental Pioneer Award which was presented during noise awareness week in May 2005. Speaking at the award ceremony Mr Peter Wakeham director of the NAS said *“The award is given by the Noise Abatement Society to encourage and support those companies and individuals who address and restore the equilibrium on environments and positive initiatives. The judges were extremely impressed with the methods that the Banks Group have put into place in order to protect the environment in which they are working. They consult the local inhabitants and then keep in constant contact with them. That is a big thing, if your neighbours are happy, everybody is happy. They employ a team of technicians whose job is to ensure that noise from the enormous machines is suppressed and that air quality is maintained throughout the project. The meticulous planning and constant monitoring of the effects of the work on the environment, plus the scrupulous replacement of the countryside disturbed by mining so as to appear totally undisturbed. They preserve the wildlife habitat, human comfort and all the factors that contributed to the success in this year’s award.”* A photograph of the award being presented by Gloria Elliot Trustee for the NAS to the Banks Group Chairman, Harry Banks OBE is shown in Appendix SWFL11.13.
- 6.6 In 2004 Banks received two awards for Environmental Excellence from the Coal Authority for the environmental initiatives implemented at the Delhi site and for the standard of restoration design demonstrating community engagement at the Pegswood site in Northumberland. I received the awards on behalf of the company which were presented at the Authorities AGM in Cardiff by Dr Helen Mounsey, Chair of the Coal Authority Environment Group. Appendix SWFL11.14 contains an extract from the Coal Authority annual environment report and an article on the two awards that appeared in Banks News.

- 6.7 In 2005 Banks was presented with the Bentley BE Award of Excellence for the design of the Northumberlandia (Appendix SWFL11.15) and a second BE award was granted in 2006 for the design of Banks' Bowesfield development at Stockton on Tees (Appendix SWFL11.16).
- 6.8 Following an external audit by SGS UK Ltd Banks received certification to the ISO 14001:2004 standard May 2005.
- 6.9 Earlier this year Banks received the Business in the Community (BITC) "Big Tick" Award for Marketplace Innovation for Banks Noise Abatement Programme. The awards aim to support and reward those organisations which make a positive impact through their responsible business operations and activities in the marketplace, the workplace, the environment or in the community. It was independently assured by Arthur D. Little to ensure the awards are fair and accurate and was judged by a panel of independent practitioners.

CONCLUSION

- 6.10 Banks has demonstrated an excellent track record for designing and operating environmentally sensitive development schemes that have been developed without causing undue impact upon the occupants of local sensitive premises or the environment and in many cases providing significant local benefits. We have also been recognised for our work to develop world class innovations in environmental technology improvements and for the design and implementation of restoration schemes providing enhancements to landscape, recreation and ecological value. Banks Developments is committed to ensuring that we build upon these examples of best practice to develop and operate the proposed Steadings wind farm to achieve a high level of environmental performance.

7. CONCLUSION

- 7.1 By adopting the approach to environmental management and community liaison set out in my evidence, the local community will be able to see for themselves at regular environmental audits that the standards set out in the Steadings EMP, and in the conditions imposed in any consents are being achieved. The local residential and business communities and regulatory authorities will also clearly see what action is to be taken, whenever work is required, to achieve these standards through the issue of non-conformance notices.
- 7.2 The results of environmental monitoring for noise, dust, ground and surface water, visual impact, community questionnaires and the log of any comments and incidents will all be made available to the community through the liaison committee.
- 7.3 I am satisfied that Banks environmental management system will ensure that the Steadings Wind farm will be developed and operated to the highest environmental standards and that the high standards set in the Steadings EMP and in planning and LAPPC permit conditions will be achieved. In turn this will result in very effective control of the environmental impact of the Steadings site development operations to an acceptable level.

8. REFERENCES

Ref 1

Environmental Policy – The overall intentions and direction of an organisation related to its environmental performance as formally expressed by top management (BN EN ISO 14001:2004).

Ref 2

Environmental Management System – Part of an organisation's management system used to develop and implement its environmental policy and manage its environmental aspects (BN EN ISO 14001:2004).

Ref 3

Significant Environmental Aspects – An element of an organisation's activities or products or services that can interact with the environment and has or can have a significant **environmental impact** (BN EN ISO 14001:2004).

Environmental Impact – Any change to the environment, whether adverse or beneficial, wholly or partially resulting from an organisation's environmental aspects (BS EN ISO 14001:2004).