

Mineral Extraction in Harbour Areas Consultation
Directorate for the Built Environment
Scottish Government

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Response to: Mineral Extraction in Harbour Areas – Consultation Paper

BEFS Marine Historic Environment Taskforce

The BEFS Marine Historic Environment Taskforce welcomes the Scottish Government's proposals to extend the Environmental Impact Assessment and Natural Habitats (Extraction of Minerals by Marine Dredging) (Scotland) Regulations 2007 ("the MDRs") to the extraction of minerals in any waters that fall within the jurisdiction of a harbour authority.

Q1 Is the Scottish Government's proposal to amend the MDRs in this way an appropriate way of closing the regulatory gap?

The Taskforce believes that the Scottish Government's proposal is an appropriate way of closing the regulatory gap while stressing that due consideration must be given to the effects of such activities on the marine historic environment, under the provision of the European EIA Directive and the EIA Regulations (Scotland) 1999.

Q2 Are there other issues that need to be considered?

The proposals would succeed in ensuring that all dredging activities are covered by the MDR's or the other Regulations covered in Point 2 and therefore the Taskforce has not identified any further issues at this point.

Q3 Can existing procedures in the 2007 MDRs be applied effectively to mineral dredging in harbour areas?

While the procedures set out in the 2007 MDR's are essentially sufficient, it is noted that small-scale dredging operations (Regulation 6 of the MDR's) could still potentially have a significant effect on the historic environment. It is stressed that due regard to the historic environment regardless of the scale of the operation must be made in every case. While we support the consideration given to 'designated marine archaeological sites' in Point 14, appropriate EIA would also ensure that potential unrecorded as well as undesignated marine historic assets are identified and appropriate mitigation measures implemented (eg. monitoring as mentioned in Point 16).

Q4 Do you have any comments on the 2007 RIA?

The Taskforce supports the comments made with regard to the Environment in the 2007 RIA.

I hope these comments are useful – please get in touch if you require any further clarification.

Yours sincerely



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Convener of BEFS Marine Historic Environment Task Force

BEFS Marine Bill Historic Environment Taskforce:

BEFS member organisations:

- Institute of Field Archaeologists – Scottish Group
- National Trust for Scotland
- Society of Antiquaries of Scotland

BEFS subscriber organisations:

- Association of Local Government Archaeological Officers: Scotland

Individuals:

- David Caldwell, Martin Dean, Tom Dawson, John Lawson, Colin Martin, Paula Martin, Peter Pritchard, Jack Stevenson