



<b>Case reference</b>	SMC-ABC-005 and SMC-ABC-006
<b>Application details</b>	Archaeological excavation
<b>Site address</b>	Tarbert Castle and medieval burgh
<b>Applicant</b>	Kilmartin Museum
<b>Determining Authority</b>	Historic Environment Scotland (HES)
<b>Local Authority Area</b>	Argyll & Bute Council
<b>Reason(s) for notification</b>	Notification Direction 2015 – works to be granted Scheduled Monument Consent by <b>Historic Environment Scotland</b> go beyond the minimum level of intervention that is consistent with conserving what is culturally significant in a monument
<b>Representations</b>	Nil
<b>Date notified to Ministers</b>	10 January 2019
<b>Date of recommendation</b>	1 February 2019
<b>Decision / recommendation</b>	Clear

## Description of Proposal and Site:

- Two separate applications have been submitted seeking Scheduled Monument Consent (SMC) for archaeological investigations at Tarbert Castle and its surrounding Medieval burgh remains. Although these applications are separate and the monuments have distinct scheduling – the applications form part of a single project and have an identical justification and methodology. Therefore, both SMC applications have been considered in this assessment.
- Tarbert Castle (Figure 1 and Annex 1 for the Scheduled Areas) is a ruinous royal castle, with the earliest visible fabric dating from 13<sup>th</sup> century, with 14<sup>th</sup> century outer bailey and a later towerhouse. Surrounding the castle on three steep sides are the remains of a medieval burgh which developed around the castle and is designated by its own individual scheduling.
- Tarbert Castle is nationally important because it is an impressive example of a medieval fortification in an important strategic and very scenic location. The castle has close associations with key figures of Scottish history such as Robert the Bruce. The associated burgh is an integral part of this importance, and the associated physical remains within both the castle and burgh have a lot of potential to inform the understanding of Tarbert's medieval history, the castle's strategic role controlling the Kintyre peninsula and the development of castles in Scotland more generally.



*Figure 1 - Tarbert Castle and surrounding burgh (from project design)*

### **Consultations and Representations:**

- No representations were made during the consideration of the two applications.
- PAD consulted Scottish Government's Culture and Historic Environment Division following notification and they are content and have no further comment to make.

### **Assessment:**

1. Historic Environment Scotland (HES) are minded to grant SMC for physical works which will impact on the scheduled monuments, as the related ground disturbance goes beyond the minimum level of intervention which is consistent with conserving what is culturally significant in the monuments. This is a significant departure from policy as set out in section 3.16 of the HES Policy Statement.
2. The applications have been submitted by Kilmartin Museum and the proposed works would be undertaken by a number of partner organisations, primarily the Kilmartin Museum and the Tarbert Castle Trust (TCT), together with local schools and other community groups. The aim of the proposed works is to better understand the history of the monuments to facilitate continuing public interest and understanding of them.
3. TCT have been managing the monuments over the past 13 years and have mobilised extensive community efforts to make the site more accessible to the public and to protect and consolidate the surviving structures. This application follows work commissioned by the Trust in 2013 which involved a documentary investigation and non-invasive survey of the monument. Members of the local community highlighted their desire to further explore and understand the site through its archaeological remains because the castle has been a major asset in giving them a sense of local identity and its significance to the local economy. However little is known about the development of the surrounding settlement.

4. The proposed works would involve archaeological investigation through the hand excavation of eight targeted trenches (see Annex 1). Four trenches will be in the castle and four within the burgh. Upper deposits are expected to be turf, topsoil and rubble, dating from after the abandonment of the castle which are probably extensive and cover much of the monument. The structures and deposits revealed beneath these upper deposits would be cleaned and recorded. HES consider that the cultural significance of these deposits principally relate to the appearance and/or character of the castle and to any protection they offer to more sensitive archaeological remains beneath them. These deposits would be archaeologically recorded and the trenches would be reinstated on the conclusion of the works.
5. HES consider that the contributions these deposits make to the monument would not be materially affected by the proposed works. The assessment by HES states that any further investigation work would explicitly not remove structural features, such as walls that are a key part of the monuments' cultural significance. It also states that the excavations would be assessed and stopped if there was any risk of causing damage to walls, or if further excavation would prevent the trenches being returned to their former profile.
6. HES acknowledge that these deposits and artefacts form an important part of the monuments' cultural significance and this would be irreversible. However, HES state that only limited sample excavation would be undertaken beyond the removal of superficial deposits and the half sectioning of cut features – which the extent of, would be controlled by HES through written agreement. HES are of the view that this would ensure that the most important deposits and features are preserved in situ, the majority of archaeological deposits in any trench would be left intact and the work is the minimum necessary to achieve the project's objectives.
7. Because of these restrictions, HES consider there would only be a minor impact on the cultural significance of the monument and the vast majority of the archaeological value of the monument would be preserved. Therefore, HES are of the view that the works are not assessed as extensive.
8. Overall, HES conclude that although the physical impact of the proposed works on the monuments and their cultural significance would be minor. The works would still result in some loss of archaeological deposits and this could impact on the archaeological integrity of the monument. Therefore, HES consider that the proposals are inconsistent with paragraphs 3.16 and 3.18 of the HES Policy Statement.
9. HES considers that because of the considerable public benefits and the likely low level of impact upon the monument. The works have been justified in accordance with paragraph 3.17 of their Policy Statement. HES also consider that the application meets paragraph 3.20 of the Policy Statement because it has demonstrated that the works have been carefully considered, based on good authority, sensitively designed and properly planned. No conditions are considered necessary.

10. However, the proposed works are not considered the minimum necessary consistent with conserving what is culturally significant in the monument, hence the requirement to notify Ministers.

11. In summary, these straightforward SMC applications do not raise any issues of national importance that would merit intervention by Ministers.

**Decision/Recommendation:**

- The applications should be cleared back to Historic Environment Scotland to issue separate Scheduled Monument Consents with no conditions.

Annex 1

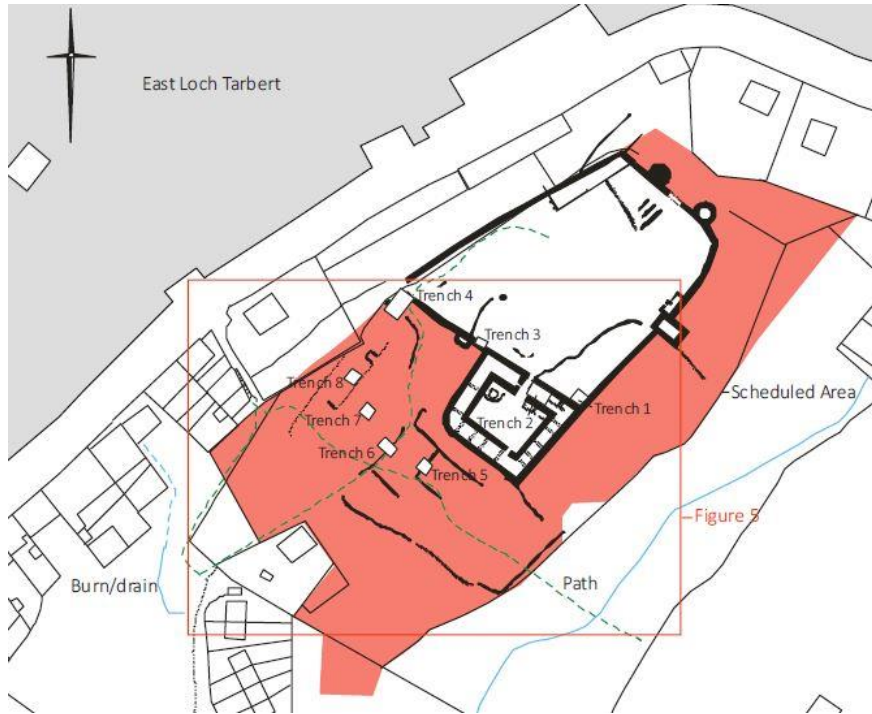


Figure 2 - Trench locations in relation to the Burgh Scheduled Area



Figure 3 - Trench Locations in relation to the Castle Scheduled Area