

THE SKYE NATURE CONSERVATION ORDER 2019

The Scottish Ministers make the following Order in exercise of the powers conferred by section 23(1) of the Nature Conservation (Scotland) Act 2004 (“the 2004 Act”) and all other powers enabling them to do so.

In accordance with section 23(2) and (3)(b) of the 2004 Act, the Scottish Ministers consider that the land described in the schedule to this Order is of special interest by reason of its natural features.

In accordance with paragraph 2 of schedule 2 of the 2004 Act, the Scottish Ministers have consulted, and had regard to any representations made by, Scottish Natural Heritage.

1. APPLICATION

This Order applies to the areas of land described in the Schedule to this Order and shown delineated in red on Plan numbers 1, 2, 3, 4 and 5 annexed and signed as relative thereto.

2. PROHIBITED OPERATIONS

The operations specified in Article 3 of this Order appear to the Scottish Ministers to be likely to destroy or damage the geological or physiographical features of the area of land referred to in Article 1 of this Order and are prohibited.

3. DESCRIPTION OF PROHIBITED OPERATIONS

The following are prohibited operations (within the meaning given by section 23(5) of the 2004 Act):

- (a) Damaging, excavating and attempting to excavate (by mechanical means or through use of hand-held tools) vertebrate fossils (body and trace) from either *in situ* rock or beach deposits including rock fall from cliffs.
- (b) Infilling vertebrate trace fossils and covering or coating trace fossils and immediately associated rock with decorative coatings such as paint or plaster and other cementing or construction material that sets and hardens.

- (c) Removal of vertebrate fossils (body and trace).
- (d) Dumping or construction works that would obscure or obliterate trace fossils or associated rock.

4. EXCEPTIONS TO PROHIBITED OPERATIONS

The carrying out of operations referred to in Article 3 of this Order are not prohibited in the following circumstances:

- (a) Excavation and removal of vertebrate fossils (both body and trace) for the non-commercial, exclusive purpose of accession to a collection in a fully Accredited Institution in the United Kingdom, or the Staffin Museum (Ellishadder, Culnacnoc, Portree, IV51 9JE), for scientific research and public exhibition. Partial Accreditation will not be sufficient for the purposes of this Order.
- (b) Excavation and removal of vertebrate fossils (both body and trace) under this Article shall only be undertaken with the written consent of the owner of the land in which the fossils are located and only by officially affiliated individuals.

5. ACCREDITED INSTITUTIONS

A list of all Accredited Institutions and information on becoming Accredited can be found on the Museums Galleries Scotland website.¹

6. DEFINITION OF OFFICIALLY AFFILIATED INDIVIDUAL

An “officially affiliated individual” is an employee or volunteer with the necessary qualifications, experience and skill required to excavate or remove vertebrate fossil material and who is instructed in writing by an Accredited Institution or the Staffin Museum to undertake the operations specified in Article 3 of this Order.

¹ <https://www.museumsgalleriesscotland.org.uk/accreditation-recognition/accreditation-scheme/>

7. CITATION

This Order may be cited as the Skye Nature Conservation Order 2019.

Dugald A Ross
.....Witness
DUGALD. A. ROSS.....Name

STAFFIN MUSEUM.....Designation
ELLISHADDER, CULNACNOG
PORTREE IVS1 9TE

Mari Gougeon
.....
Authorised to sign by the Scottish Ministers

MARI GOUGEON.....Name

MINISTER FOR.....Designation

RURAL AFFAIRS AND THE
NATURAL ENVIRONMENT

REGISTER ON behalf of the Scottish Ministers in the Register of the County of Inverness

Solicitor, Edinburgh
Agent

SCHEDULE

Description of areas of land

(ONE) An Corran Geological Conservation Review site

ALL and WHOLE the plot of land or area of ground lying between the low water mark and the public road at An Corran Beach and the low water mark and the public road at Garrafad, forming part of the Kilmuir Estate in the County of Inverness, as the said Plot or area of ground is delineated in red on the Plan Number 1 annexed and signed as relative hereto, the relevant area of ground being part of the larger area of land referred to in the Sasine search sheet 345.

(TWO) Duntulm (Cairidh Ghlumaig and Lon Ostatoin) and Lub Score Geological Conservation Review sites including intervening coastline

ALL and WHOLE the plot of land or area of ground lying between the low water mark at Duntulm sea viewpoint and the public road (A855) and the low water mark at grid reference NG 39959 72463 to the north west of the steading at score, forming part of the Kilmuir Estate in the County of Inverness, as the said Plot or area of ground is delineated in red on Plan Number 2 annexed and signed as relative hereto, the relevant area of ground being part of the larger area of land referred to in the Sasine search sheet 20564.

(THREE) Valtos Site of Specific Scientific Interest including intervening coastline between its constituent parts

ALL and WHOLE the plot of land or area of ground lying between the low water mark at Kilt Rock and Mealt Falls Viewpoint and the low water mark at Lealt Falls and the public road (A855), forming part of the Kilmuir Estate in the County of Inverness, as the said Plot or area of ground is delineated in red on the Plan Number 3 annexed and signed as relative hereto, the relevant area of ground being part of the larger area of land referred to in the Sasine search sheet 20564.


(FOUR) Elgol Coast Site of Special Scientific Interest

ALL and WHOLE the plot of land or area of ground lying between the low water mark at Elgol carpark and the outfall of the spring at grid reference NG 51771 18026 being part and portion of (ONE) the land being the Straithaird Estate disposed in favour of the John Muir Trust and recorded and registered GRS (Inverness) 2 December 1994; and (TWO) land held under title number IV19704; and (THREE) land held under title number IV20193; as the said Plot or area of ground is delineated in red on Plan Number 4 annexed and signed as relative hereto.

(FIVE) Berreraig Bay Geological Conservation Review site

ALL and WHOLE the plot of land or area of ground between the low water mark at grid reference NG 52057 51509 and the low water mark at grid reference NG 52075 54496, forming part of the Scorrybreac Estate in the County of Inverness, as the said Plot or area of ground is delineated in red on Plan Number 5 annexed and signed as relative hereto, the relevant area of ground being part of the larger area referred to in the Sasine search sheet 21140.

This is the schedule referred to in the foregoing Skye Nature Conservation Order 2019.


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Authorised to sign by the Scottish Ministers

Date 