Scheduled Monument Consent Report on Handling

This Report on Handling should be read with the associated Decision Notice, which provides a summary of our decision.

Case Information

Reference/Case ID	300081749
Scheduled Monument	Hoini to Vaasetter, boundary dyke, Fair Isle
Index no	SM6582
Grid reference	HZ 20676 71799
Received or validated	20 August 2025
Summary of proposed works	Excavation of damaged area of the dyke

1. Summary recommendation

The report recommends that consent for excavation of a damaged area of dyke be granted with one condition.

2. Background

The application is for excavation across an area of the monument. It is being proposed in order to recover information on the make up and date of the structure, increasing our knowledge of prehistoric enclosure in an island context. Dr Dan Rhodes of the National Trust for Scotland (NTS) has submitted to application following preapplication discussions with Historic Environment Scotland's (HES) Heritage Directorate. The application is accompanied by a Written Scheme of Investigation (WSI) and an email clarifying the reburial plan.

The monument comprises a substantial boundary dyke apparently formed of earth over a stone core. The monument is one of a number of large dykes found in the Northern Isles which appear to relate to enclosure in the Neolithic or Bronze Age. Their purpose is not entirely understood but it is likely they functioned as land boundaries or served an agricultural purpose. They are known locally as 'treb dykes'. The application related to a small area of the dykes' northern section which has been badly damaged through rabbit burrowing and at which a gap already exists, being excavated by machine prior to the monuments' scheduling.

3. Proposals

- Hand excavate a section
- Record, sample and recovery any exposed artefacts

Excavation and samples

An archaeological section would be excavated by hand at the existing gap in the dyke. This would be done in an area which has already been badly damaged by rabbit burrowing meaning that much of the material removed would be disturbed. Bulk samples would be taken from each context and wet sieved under commercial contract in order to obtain material for C14 dating. Any exposed artefacts or ecofacts would be removed and would be subject to appropriate conservation and storage by NTS and opportunities for further analysis would be identified where appropriate. As a compliment to the excavation a detailed photographic survey of the dyke would be using a drone and a topographic survey would be conducted using a total station. Recording will be carried out as per the WSI.

Reinstatement

The site would be reinstated using the material removed in initially exposing the section, secured in place by the original turfs to reinstate the original profile of the monument before excavation. No geotextiles would be used in line with Historic England's latest technical guidance. Monitoring would be carried out by using a local contact to supply a photographic record to NTS at 6 and 12 months following the excavation, with NTS undertaking remedial works as necessary (following consultation with HES).

Archiving

The applicant has committed to reporting all data in line with HES Advice for Reporting and Archiving for Works on Scheduled Monuments.

Personnel

The works would be undertaken by Dr. Dan Rhodes, senior archaeologist with the NTS, Derek Alexander, head of archaeological services for the NTS, and Alice Connelly, an early career archaeologist also with NTS. All are suitably qualified and experienced.

Timescale

The works would be undertaken over a period of two weeks in 2026. A precise timescale has not yet been provided.

4. Representations received

No third party representations were received.

5. Report

a) Policy considerations

The application should be considered with the following legislative and policy considerations in mind:

Ancient Monuments and Archaeological Areas Act 1979

Part 1 Section 2: Control of works affecting scheduled monuments.

Scheduled Monument Consents Policy

Scheduled Monument Policy Aim

A monument is included in the schedule to secure its long-term protection in the national interest, in situ and as far as possible in the form it has come down to us. The aim of this policy is to ensure this long-term protection wherever possible.

Scheduled Monuments Principles

- Scheduled monuments have an intrinsic value as monuments, not related to any concept of active use. It is the value of the monument to the nation's heritage that is the primary consideration in determining applications for consent at scheduled monuments.
- The principle of preserving scheduled monuments will only be set aside in circumstances where wider considerations are deemed, on balance, to be of greater importance to the national Interest.
- The more important particular features are to the monument's cultural significance, the greater will be the case against interventions which modify those features.
- Each monument will require treatment specific to its individual nature, characteristics, significance and needs. Any proposed change to it should be fully and explicitly justified.
- The management of scheduled monuments should be informed by current policy and guidance, up-to-date professional and academic research and, where appropriate, relevant consultation.

Scheduled Monument Policy 1

When undertaking works to scheduled monuments, their significance should be maintained.

Scheduled Monuments can have meaning and value beyond their physical remains. Many have important historical, cultural or emotional associations that give them a particular significance in the life of the nation, or of the local community within which they are set. Many also have outstanding landscape or picturesque values. When undertaking works to them, it is therefore essential their significance is maintained and not reduced.

Scheduled Monument Policy 2

Conservation and research works should always be aimed at the lowest level of intervention that is consistent with achieving a monument's preservation.

Monuments are subject to decay and the threat of destruction from natural and human causes. Conservation work may be needed to prolong the life of a monument, but there is a risk that this can be so invasive that it irreversibly modifies the monument's cultural significance and affects the features that made the monument important in the first place. These might include its character, value, evidence for construction and use, or any other

factor that contributes to a monument's cultural significance.

Research projects can deliver important public benefits, improving understanding of our most important monuments. However, they can also affect a monument's cultural significance and result in irreversible loss of information for future generations. Research project works should therefore be carefully considered to ensure they are fully justified and any impact is minimised. They should be well targeted, properly researched and undertaken to high professional standards.

Scheduled Monument Consent Policy Aim

Works on scheduled monuments should normally be the minimum level of intervention that is consistent with conserving what is culturally significant in a monument.

Scheduled Monument Consent Policy 1

Works to scheduled monuments will normally only be permitted if they have minimal impact upon a monument's cultural significance.

Scheduled Monument Consent Policy 2

Extensive intervention at scheduled monuments will not normally be permitted.

Scheduled Monument Consent Policy 3

Extensive intervention to a scheduled monument will only be allowed where:

- it has minimal effect on the cultural significance of the monument.
- it is clearly necessary to secure the long-term preservation of the monument.
- it will clearly generate public benefits of national importance which outweigh the impact on the nationally important cultural significance of the monument. Such public benefits could come from, for example, interventions which improve public access to a scheduled monument (where appropriate), or assist public understanding once the works are completed, or provide economic benefits of national importance once completed.
- unavoidable circumstances, such as coastal erosion, threaten the survival of a scheduled monument, it should, where possible, be excavated and/or recorded in detail before its destruction.

Works to scheduled monuments should be considered in terms of the cultural significance of the monument and the impact that the proposals would have upon its cultural significance. The more important particular features are to the monument's cultural significance, the greater will be the case against interventions which modify those features.

Scheduled Monument Consent Policy 4

Proposals for change should be carefully considered, based on good authority, sensitively designed, and properly planned and executed. The level of information

provided should be in proportion to the sensitivity of the monument or feature and the level of change proposed.

For all applications where change is proposed, the following factors will be taken into account when considering if works meet this policy:

a. the use of appropriate assessment methodologies to determine the full impact of any proposed management, use or development on a monument's fabric and/or cultural significance.
b. the avoidance of irreversible change particularly wherever its effects cannot be adequately assessed.
c. that where change is necessary, strategies should be adopted to mitigate its impact and limit intervention.
d. that the management and execution of alteration, including remedial work, is sympathetic to the historic character and wider cultural significance .
e. that appropriate skills and techniques, materials and construction techniques are specified where appropriate.
f. that an appropriate level of record is made before, during and after any work and deposited in local and national archives, and, where appropriate, published.
g. that it is possible, on close inspection, to differentiate new work from old particularly on masonry structures.
h. that any archaeological excavation or other intrusive investigation should be based upon a detailed research strategy, with adequate resources, using appropriately skilled and competent archaeologists with a satisfactory record of the completion and publication of projects.
i. that the design, planning and execution of works on scheduled monuments are undertaken by people with appropriate professional and craft qualifications, skills and experience.

b) Assessment

The proposed works would have the following impacts:

The physical impact would be the excavation of a section through the width of the width of the dyke. This would largely be through material which has already been heavily disturbed through bioturbation and the historic excavation of a track through the monument. All displaced material would be reinstated and only small amount of would be permanently removed in the form of bulk samples and any artefacts/ ecofacts. The visual impact of the works would be negligible, with the monument being reinstated to its former profile on completion of the works.

Overall the proposed excavations has been carefully positioned on the monument and would thus have a minimal impact on cultural significance, however they are in excess of what is necessary for the preservation of the monument.

Increasing our understanding of prehistoric enclosures is identified as one of the research questions in SCARF, and although linear land divisions are not specified, the function of these monuments can be argued as one of enclosure or separation of areas of land. Treb dykes in general are poorly dated and no excavations are previously

understood to have taken place on such a monument on Fair Isle. The project can therefore be expected to deliver important public benefits, including increasing our understanding of the monument and the historic environment in general. They would increase our understanding of enclosure in an island context in the prehistoric period, and of 'treb dykes' in particular.

The application has been accompanied by a detailed Written Scheme of Investigation (WSI) that sets out a well-considered, appropriate and careful methodology.

c) Other material considerations, including impact of the works on Protected Species and Places

The works would be within in the Fair Isle SSSI and NatureScot has been contacted by HES regarding the works. No response has been received from NatureScot regarding the proposals within the timeframe stated within the consultation.

d) Conclusion

The works are being done to elements of the monument in such a way as to fully maintain the cultural significance of the monument. They do not, therefore, conflict with Scheduled Monument Policies.

The proposed works are assessed as extensive but would have minimal impact upon the monument's cultural significance. Consequently, the proposed works comply with Scheduled Monument Consent Policy 3.

The application is carefully considered, based on good authority, sensitively designed, and properly planned and complies with Scheduled Monument Consent Policy 4. Some further information is required prior to the commencement of work and a suspensive condition is therefore necessary.

The proposal is concluded to be broadly consistent with relevant policy. However, the proposal is not considered the minimum necessary consistent with conserving the cultural significance of the monument. There is therefore a requirement to notify Scottish Ministers as per The Scheduled Monument Consent (Notification of Applications) Direction 2015.

6. Recommended decision

Subject to compliance with the schedule of conditions the proposed works comply with the scheduled monument consent policies and other relevant considerations. However, there is a requirement to notify Scottish Ministers as per The Scheduled Monument Consent (Notification of Applications) Direction 2015.

I recommend consent is granted, subject to the conditions detailed below.

7. Conditions

1. Not less than 4 weeks before any works requiring scheduled monument consent begin, Historic Environment Scotland shall be informed in writing of the timetable for the proposed works. Historic Environment Scotland will be informed in writing of any changes to the timetable prior to the works being carried out.

   Reason: to enable a representative of Historic Environment Scotland to visit the monument and monitor the works in progress.

8. Approval

Case officer	Darroch Bratt
Date	24 September 2025
Approved by	Ann MacSween
Date	14 October 2025

Annex A – list of supporting documents

- Written Scheme of Investigation (WSI) - UPDATED_Feelie_Dyke_WSI_2025; SUPERCEDED_Feelie_Dyke_WSI_2025
- Correspondence between HES and D Rhodes (20250808Request for further information.msg; 20250819Requestforfurtherinfo; 20250820Requested Updated WSI.msg; 20251003DRhodesregardingmonitoring.msg)