

**ELECTRICITY ACT 1989**

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997**

**DPEA CODE OF PRACTICE FOR ELECTRICITY ACT INQUIRIES**

**TEALING TO KINTORE UPGRADE PROJECT (TKUP) TRI-120-1**

**Public Inquiry: Hearing Statement on Military Remains and related matters**

**Written Submission by MR KEVIN STOUT**

## **INTRODUCTION**

This document outlines the issue of abandoned military debris, especially the remains of crashed aircraft and contents which may be found in rural areas relative to the OHL. The author has more than 56 years' experience of investigation of such issues including military training.

### **Protection of Military Remains Act 1986**

This is a UK-wide Act and applies to any remains of crashed military aircraft irrespective of age. The Act makes it clear that any remains are Crown property. It creates an offence of disturbing aircraft remains if believing or having reasonable grounds for suspecting that ANY place comprises ANY remains of an aircraft. The Act also states that a person is guilty of an offence if he knowingly permits any other person to take part in or carrying out any excavation. There is no reference in the 1986 Act to military aircraft remains becoming "archaeological remains".

SSEN and the local authority have been informed about crashed aircraft sites in the route corridor. They cannot therefore avoid the conclusion that they believe or have reasonable grounds for suspecting that any place comprises the remains of any aircraft.

If aircraft remains have been classified as archaeological remains by the local authority, is that incorrect? I believe it is. It does not seem that the local authority has properly investigated the matter despite having the knowledge of the existence of the sites.

#### **1. Licence requirements.**

The Act requires that anyone wanting to disturb abandoned military remains must first obtain a licence from the MOD. Substantial competence and knowledge of aircraft is required to make a complete licence application. A licence is required *before* disturbance takes place. The MOD will not always grant a licence, particularly if the MOD suspects there may be ordnance or human remains at the crash site. The author has direct experience working under MOD licences. It is also an offence under the act to knowingly providing false or inaccurate information in the licence application. I wonder whether SSEN or the local authority has ever applied for an MOD licence?

#### **2. Correspondence.**

It appears that several crash sites may be disturbed by this project. SSEN, the local authority and the Mearns objectors' group were all made aware in writing about the existence of the sites.

Initially, SSEN advised that they had never heard of the 1986 Act and had no corporate strategy. Correspondence shows how much information and assistance was given to SSEN for them to develop a strategy to deal with the sites.

Unfortunately, the EIAR for the substation was done by SSEN representatives as a desk top exercise and the EIAR submitted to the local authority made incorrect conclusions about the existence of remains being on site. Remains do exist on site in Fetteresso and the immediate area. SSEN were made aware in writing about aircraft crash sites along the proposed pylon route, but the author can find no reference to aircraft remains in the EIAR. The author has never encountered a situation where a desk top exercise is able to confirm the absence of remains.

The local authority HER lists only a very small number of crash sites and much of the information on the local authority HER is known to be wrong or suspect. The author wrote to the local authority listing crash sites not on their HER which seemed likely to be disturbed. The local authority has chosen to update their HER with only one of the sites advised to them. The author was requested in writing to provide yet further details to the local authority of other crash sites but was then blocked from doing so. Despite all parties having received notification about the crash sites the MOD confirmed in writing in December 2025 that no organisation had contacted them and they were unaware of the development.

I wonder why SSEN or the local authority did not contact the MOD having known about the existence of sites in Fetteresso and along the pylon route for some considerable time before December 2025?

Why did the local authority withhold the correspondence it allegedly sent to the MOD. The MOD has stated that no organisation has contacted it.

Why is there is no reference in the EIAR about aircraft crash sites despite SSEN already knowing about these?

### **3. Types of crash sites and what can be found on the surface and buried.**

The basic differences between different types of crash sites must be mentioned. An aircraft heading in a downward protective at speed will bury itself into soft ground, sometime many feet below the surface. Often such sites were covered over as quickly as possible with only minimal attempts to recover artifacts. In such circumstances it is not uncommon to find ordnance and human remains.

Should an aircraft carry out a forced landing in a rural area then evidence from the sites shows that where the site is easily accessible the aircraft remains including those of the crew would be recovered and removed from the site. If the site is hard to reach, only a few aircraft parts may be recovered for accident investigation and the rest of the aircraft left on site.

Does SSEN or the local authority have a track record of researching, visiting and surveying crashed aircraft sites and the aircraft remains?

### **4. Important considerations.**

Understanding these points should encourage someone to consider what may still be present on crash sites today. Ordnance, human remains and personal effects have all been found at

sites. Consideration must be given to the possibility of these being found at sites affected by this project and how these items may be legally dealt with. It should also be noted that flying instruments may have been destroyed in the crash, but where these do still exist then consideration must be given on how to deal with them.

#### **5. The need for experience, knowledge and competence**

Because the subject is an uncommon interest, and only a few people are interested in researching and investigating crash sites what provision has been made for locating competent and experienced personnel by SSEN or the council?

#### **6. List of over 200 military aircraft crash locations on 2 local maps.**

To date over 200 crash sites of military aircraft have been identified to exist on the 2 local OS maps where pylons, substations and battery farms are proposed, yet only a very small number of these sites appear on the local authority HER. The local authority HER can be accessed online and is not attached. The content of the HER can be compared with the tables of crash sites provided by myself.

The majority of the military aircraft crash sites on the two local OS maps date back to World War II. Most aircraft which crashed were operated by the RAF, but many were operated by the RNAS. There are also a few German aircraft crash sites. In the table I provided the exact location of many sites has been established by the author, but some sites require more research to establish their exact locations. It should be noted that MOD records cannot be relied upon to be 100% accurate and local research is always required.

#### **7. Examples and photographs of nearby sites where military aircraft remains exist.**

A quantity of photographs of aircraft remains and ordnance still located on sites is provided. It requires expertise to establish what aircraft type and serial number each set of remains are from or if the remains are those of an aircraft. One photograph clearly shows aircraft remains in a local forest, but organizations associated with the project state that these remains do not exist, and these remains are not listed in the local authority HER.

#### **8. Examples of sites discovered that contain human remains.**

Despite efforts at the time of the crash to remove all human remains it is a matter of record from various sites that human remains still exist and have been found. Examples of some sites where human remains have been found are provided including a BBC news report confirming charges were brought under the act for disturbing a site without a licence.

Kevin Stout

for NOTKUP

24 August 2026