

Crown Estate Scotland statement on recreational gold panning

Crown ownership of naturally occurring gold and silver in Scotland stems from the Mines Royal Acts of 1424 and 1592. The only exceptions are in cases where ownership has been granted away in formal deeds from the Crown to another party. A plan showing these non-Crown areas, including Sutherland and parts of Argyll can be found [here](#).

Any gold or silver within an area where the ownership of the rights remains with the Crown should not be removed or sold without express permission from Crown Estate Scotland.

The ownership of gold and silver is not linked to ownership of the land at the surface. Gold and silver can be owned by one party when another owns the land in question. Crown Estate Scotland cannot grant rights to access land that is owned or managed by others.

Activities such as gold panning are subject to environmental regulation and may require a permit. SEPA is the environmental regulating body in Scotland and further guidance can be found [here](#).

Crown Estate Scotland's policy is that we do not grant permission for the removal of gold via recreational gold panning. We understand that this policy may disappoint some, however, there are a number of reasons for this:

- Crown Estate Scotland is not a regulatory body, and as such, we have no way of enforcing the strict environmental guidelines set out to govern gold panning.
- We allow Crown assets to be removed where it can be demonstrated that detailed environmental protections will be enforced and that this is sustainable.
- A royalty payment based on the value of the gold would need to be assessed and applied to any gold removed. This would present major evidential and logistical difficulties and practical issues to be overcome.
- The Scottish Crown Estate Act 2019 states that we are required to obtain 'best value' in any transactions involving assets we manage, and that we have to take in to account a number of other considerations such as economic development, regeneration, social wellbeing and environmental wellbeing. We currently do not think there is a clear alignment between the removal of gold via gold panning and these duties.
- Crown Estate Scotland grants Mines Royal options for gold and silver on an exclusive and commercial basis. It cannot grant rights to other individuals within existing option areas.

Our gold panning policy does not prevent walking and access in the countryside for recreational and leisure purposes with its acknowledged beneficial aspects for wellbeing. It also aligns with the existing policy across the rest of the UK.

We do support commercial exploration for gold and silver which is governed by detailed planning rules and other safeguards for the environment. This activity can lead to economic development and employment in rural areas which can benefit communities in a sustainable way.

This position relates entirely to gold panning in Scotland, and any questions on the situation in England, Wales or Northern Ireland should be directed towards The Crown Estate (<https://www.thecrownestate.co.uk/>).