

Metal Detecting on Parish Council Owned & Managed Land Policy

1. INTRODUCTION

1.1 Metal detectors are widely used as a tool for archaeology, locating underground services and as a fascinating and enjoyable hobby. From time to time the Parish Council receives requests for permission from individuals or organisations wishing to carry out metal detecting on land owned or managed by the Council. This document sets out the policy of the Council regarding such requests.

2. POLICY SCOPE

2.1 This policy supersedes any previous arrangements that may have existed, and any such arrangements made between the Parish Council, its tenants and or other persons or organisations will cease to have effect from the date of adoption of this policy

2.2 This policy applies to all land under the Parish Councils ownership or management, regardless of location including its parks, allotments, grazing land, cemeteries, woodlands, verges and open spaces.

2.3 Whilst this policy is as comprehensive as possible, it does not cover every situation. Individual requests that occur outside of this policy's scope will be dealt with on a case-by-case basis at the Council's discretion.

3. LEGISLATION

3.1 Local authorities have the power to ban metal detecting and other activities through the use of byelaws. In the absence of any such byelaws the use of metal detectors on land owned or managed by the Parish Council is regulated by this policy.

3.2 It is illegal for anyone to use a metal detector on a designated area (e.g. Scheduled Monuments (SM), Sites of Special Scientific Interest (SSSI), or Ministry of Defence property) without permission from the appropriate authority.

3.3 Anyone wishing to metal detect should seek permission of the landowner before metal detecting. Excavations as a result of illegal metal detecting could constitute criminal damage or an offence under the Theft Act.

4. POLICY

4.1 In general, metal detecting is not permitted on any land owned, leased or managed by the Council, this includes any land to which the public has a right of access.

4.2 There will only be three exceptions:

- where detecting is part of an approved programme of archaeological research, or
- where detecting is necessary in order to recover personal items that have been lost or surface metal that would cause damage to people or machinery, or
- for identification of services by a statutory undertaker.

4.3 Any proposal under 4.2 to undertake metal detecting on Council land must be submitted in writing and approved by the council; individual Councillors or Council Officers do not have authority to grant permission to carry out such activities.

4.4 Where permission is granted, a minimum of £10,000,000 public liability insurance will be required and the activity can only be carried out in line with any terms and conditions imposed by the council at that time. Failure to comply will result in withdrawal of permission.

4.5 All artefacts of whatever date including, amongst others, metal objects (including coins, weapons and jewellery etc), worked flints, pottery, building materials, slags and worked bone found on Council land remain the property of the Council unless claimed as Treasure by the Crown under the 'Treasure Act 1996' and all subsequent revisions.

5. ADDITIONAL INFORMATION

5.1 The Metal Detecting code of conduct and additional information relating to this activity can be sourced from the National Council for Metal Detecting at www.ncmd.co.uk