Kingskerswell Parish Council

Metal Detecting Policy

Date: 16th January 2024
Agreed at Full Council Meeting: 29th January 2024

Introduction

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 policy sets out to regulate the use of metal detectors if permission is granted by the Parish Council, to carry out metal detecting on land it owns or manages, including any land to which the public has a right of access.

Policy

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

Any proposal to carry out metal detecting on land owned or managed by the Parish Council will generally only be considered where detecting will form part of an appropriate programme of research; detecting is necessary to recover personal items that have been lost; or for identification of services by a statutory undertaker.

Whilst this policy aims to be as comprehensive as possible, it does not cover every situation and 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.

Contact

All enquiries and requests should be made to the Parish Clerk.

Email: info@kingskerswell-pc.gov.uk
Telephone: 07427 145320
Address: The Pavilion, Manor Drive, Kingskerswell Devon TQ12 5HB

Terms

If metal detecting is permitted on land owned or managed by The Parish Council the following terms will apply.

There will be a requirement to fully re-instate, to the satisfaction of the Parish Council, any area that has been subjected to any form of excavation by the activity, along with a guarantee to cover any expenses incurred by the Council if the reinstatement fails to meet the standards required.

Any individual carrying out metal detecting on land owned or managed by the Council shall hold a current National Council for Metal Detecting (NCMD) membership card showing details of their £10,000,000 Public Liability Insurance cover.

Any organisation carrying out metal detecting on land owned or managed by the Parish Council shall hold Public Liability Insurance to the same level.

Any individual or organisation carrying out metal detecting on land owned or managed by the Parish Council shall always observe and adhere to the Code of Conduct as set out by the NCMD (see below) which is a condition of membership and includes reference to the voluntary Code of Practice for Responsible Metal Detecting.

Any individual or organisation carrying out metal detecting on land owned or managed by the Parish Council shall strictly observe and adhere to any guidelines or special conditions and area boundaries, which may be set out by the Parish Council and to any terms and conditions with respect to metal detecting access specified in any agreements which may cover all or part of the said land.

Any individual or organisation carrying out metal detecting on land owned or managed by the Parish Council shall record finds on the said land with third parties including:

- the Portable Antiquities Scheme [PAS]
- Historic Environment Records [HER]
- Any museum service only after gaining the appropriate permission of the Council to do so and then to an accuracy of dig locations that all parties are comfortable with.

All parties must abide by the terms and conditions of any agri-environment schemes that specify mandatory reporting of all finds made on land covered by such agreements with the PAS.

All treasure as defined by the Treasure Act 1996, together with any artefacts including, amongst others, metal objects (including coins, weapons and jewellery etc.), worked flints, pottery, building materials, slags and worked bone found on land owned or managed by the Parish Council shall remain the property of the Parish Council. The rules and procedures as set out in the Treasure Act 1996 will need to be followed and complied with.

Status and Review

This policy was adopted by Kingskerswell Parish Council at a meeting of the full council on 29th January 2024. It will be reviewed periodically. Date of last review January 2026.

National Council for Metal Detecting

Code of Conduct

Do not trespass. Obtain permission before venturing on to any land.

Do not leave a mess or an unsafe surface for those who may follow. It is perfectly simple to extract a coin or other small object buried a few inches below the ground without digging a great hole.

Use a suitable digging implement to cut a neat flap (do not remove the plug of earth entirely from the ground), extract the object, reinstate the grass, sand or soil carefully, and even you will have difficulty in locating the find spot again.

Do not disturb any finds such as live ammunition or lethal objects like unexploded bombs or mines. Mark the site carefully and report the find to the local police and landowner.

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.

It is also a condition of most agri-environment agreements that metal detecting access is subject to certain rules and regulations, including mandatory reporting of all finds to the Portable Antiquities Scheme.

Respect the Country Code, leave gates and property as you find them and do not damage crops, frighten animals or disturb nesting birds.

Help keep Britain tidy. Safely dispose of refuse you come across.

Report all unusual historical finds to the landowner and acquaint yourself with current NCMD policy relating to the Voluntary Reporting of Portable Antiquities in England and Wales and the mandatory reporting requirements in Scotland.

Acquaint yourself with the terms and definitions used in the following documents:
(1) Treasure' contained in the Treasure Act 1996 and its associated Code of Practice, making sure you understand your responsibilities.
(2) Advice for Finders of Archaeological Objects including Treasure 2006.
(3) The voluntary Code of Practice for Responsible Metal Detecting 2017 Revision

Remember that when you are out with your metal detector you are an ambassador for our hobby. Do nothing that might give it a bad name.

Never miss an opportunity to explain your hobby to anyone who asks about it