



## **METAL DETECTING POLICY**

### **1. Introduction**

If requests are made to carry out metal detecting on Winterbourne Parish Council owned land, the Metal Detecting Policy needs to be followed to ensure the preservation of the Council's land and assets and the safety of its users.

In general, metal detecting is not permitted on any land owned, leased (especially Cemetery and Allotment land) 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, leased or managed by the Parish Council will only be considered where detecting will form part of an appropriate programme of research. Persons or organisations wishing to carry out such research will need to apply in writing to the Council for permission to use a metal detector as well as to undertake.

### **2. Request for Permission**

Prior to venturing on to land owned by Winterbourne Parish Council permission must be obtained. This can be done by contacting the Parish Clerk and submitting an application form.

All applications are to be decided by Full Council. Do not undertake metal detecting activity on any Council land without prior written permission.

Permission will not be granted unless you (or the organisation applying for permission) hold public liability insurance up to a value of £10,000,000 for any one incident. Winterbourne Parish Council will require sight of the relevant insurance certificate before deciding.

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, leased or managed by the Parish Council shall remain the property of the Parish Council or the Parish Council's landlord (depending on the wording of the tenancy agreement) respectively. The rules and procedures as set out in the Treasure Act 1996 will need to be followed and complied with (see <https://finds.org.uk/treasure> for further information).

All requests must detail:

- the scope and purpose of the proposed metal detecting activity,
- the exact location of the proposed activity,
- the date and duration of the activity,
- a guarantee of full re-instatement to the satisfaction of the Parish Council of 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 or organisation carrying out metal detecting on land owned, leased or managed by the Parish Council shall always observe and adhere to the Code of Conduct as set out by the NCMD which is a condition of membership and includes reference to the voluntary Code of

Practice for Responsible Metal Detecting. Further advice can be sourced from the National Council for Metal Detecting at [www.ncmd.co.uk](http://www.ncmd.co.uk)

The decision (either positive or negative) on request will be given to the requester within 10 working days of the Full Council Meeting in which the application was discussed.

### 3. Excluded Council Owned Land

It is illegal for anyone to use a metal detector on a protected area (e.g., Scheduled Archaeological Sites, SSSI, or Ministry of Defence property) without permission from the appropriate government authority, in addition to the landowner.

### 4. Permitted Land

The Council will not allow the use of a metal detector on any of the following:

- sports pitches
- formal and informal play areas
- recreation grounds.

### 5. Permission for Use for Metal Detecting on Council Owned Land

Do not trespass or you will be at risk of personal prosecution. The Council cannot give permission on privately owned land as permission must be gained from the landowner. Confirmation of land ownership can be confirmed at [www.gov.uk](http://www.gov.uk) at the individual's own expense.

### 6. General Information

If you have received permission to use a metal detector, please ensure you adhere to the following:

- Respect the Country Code
- Do not leave gates open, and do not damage crops or frighten animals.
- Wherever the site, 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.
- If you discover any live ammunition or any lethal object such as an unexploded bomb or mine, do not disturb it. Mark the site carefully and report the find to the local police and landowner.
- Help Keep Britain Tidy. Safely dispose of refuse you come across.
- Report all unusual historical finds to the landowner, and acquaint yourself with the current NCMD (National Council for Metal Detecting Code of Conduct) policy relating to the Voluntary Reporting of Portable Antiquities.
- Acquaint yourself with the definitions of Treasure contained in the Treasure Act 1996 and its associated Code of Practice, making sure you understand your responsibilities.
- Remember that when you are out with your metal detector you are an ambassador for your hobby.

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