

# **Stanwick Parish Council**

## **Metal Detecting Policy**

### **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.

1.2 This document sets out the policy of the Council regarding such requests and is effective from the date that it is adopted.

### **Policy Scope**

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

2.2 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.

### **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 Stanwick PC cannot give permission on privately owned land as permission must be gained from the landowner. Confirmation of land ownership can be confirmed at [www.landregistryservices.com](http://www.landregistryservices.com) at the individual's own expense.

3.4 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.

### **Policy**

4.1 In general, metal detecting is not permitted on any land owned, leased or managed by the Council (especially allotment land, the cemetery and the church yard), 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 and digging will not be required or surface metal that would cause damage to people or machinery, or
- for identification of services by a statutory undertaker.

### 4.3 Parish Fields Raunds Road

- The Parish Council may consider issuing a permit for metal detecting at the site of Parish Fields excluding the area of the Allotments, Community Garden and Social Area
- All information requested by Stanwick PC in the application for a grant of permission must be provided.
- Terms and Conditions placed by Stanwick PC on the grant of permission for the use of a metal detector on its land must be followed and complied with
- Permission for such activity may not be given by an individual councillor nor by any tenant of land owned by the Parish Council. The decision to grant permission will be made at a Council meeting.
- The Parish Council reserves the right to withdraw permission at any time and this may be executed by the Clerk without reference to full Council in advance.
- Parish Fields includes Stanwick Pocket Park that is managed by lease by Stanwick Pocket Park Group. Stanwick Pocket Park does not have authority to issue permission for metal detecting on site.
- Any permitted metal detecting within Stanwick Pocket Park must not interfere with the planting or other site management being carried out by the Pocket Park Group.
- A maximum of one licence will be permitted at any one time as agreed with Stanwick Pocket Park Group.
- For clarity, this means only one person at a time may use metal detecting equipment on site and that person must be licenced.
- The number of permitted licences will be reviewed periodically and may be increased or reduced in consultation with Stanwick Pocket Park Group.
- Licences will be issued for a maximum of 12 months.
- A waiting list will be maintained and on expiration of the current licence the next person on the waiting list will be offered a licence. The current holder can elect to be added to the end of the waiting list. If there is no other person on the waiting list, the current holder will be offered a further one year licence.
- A fee is not charged for a metal detecting licence. This will be periodically reviewed and the Parish Council reserves the right to introduce a fee.
- The terms of the licence are agreed by full Council and a copy will be made available on request.

### 4.4 Archaeological research

4.4.1 Persons or organisations wishing to carry out archaeological research will need to apply in writing to the Council for permission to use a metal detector as well as to undertake associated survey work on land owned, leased or managed by the Parish Council. 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 re-instatement fails to meet the standards required.

4.4.2 All information requested by Stanwick PC in the application for a grant of permission must be provided. Terms and Conditions placed by Stanwick PC on the grant of permission for the use of a metal detector on its land must be followed and complied with.

4.4.3 This policy recognises that removal of an archaeological object from its context, unless carried out by an experienced archaeologist, can cause the loss of valuable contextual information, as well as damage to the artefact itself.

4.4.4 Permission for such activity may not be given by an individual councillor nor by any tenant of land owned by the Parish Council. The decision to grant permission will be made at a Council meeting.

4.5 The terms of any permit granted will accord with the nationally recognised standards as set out by the National Council for Metal Detecting and all relevant legislation as a minimum.

Version	Date adopted	Minute ref	Reviewed
1	29 June 2023	23.45	