

DRAFT Policy

Metal detecting

Frodsham Town Council

To Frodsham Town Council
Date 5th February 2020
Version 1
Status DRAFT Policy
Responsible officer Town Clerk and RFO

Subject Metal detecting

1 Summary

- 1.1 All references to 'the council' or 'Frodsham Town Council' in this document will include land owned by charities for which Frodsham Town Council is sole corporate trustee.
- 1.2 From time to time, the council receives requests for permission from individuals or organisations wishing to carry out metal detecting on land owned, leased or managed by the Council.
- 1.3 This document sets out the policy of the Council regarding such requests and is effective from the date that it is adopted.
- 1.4 It supersedes any previous arrangements that may have existed and any such arrangements made between the Council, its tenants and / or other persons or organisations will cease to have effect from the date of adoption of this policy.
- 1.5 Local authorities have the power to ban metal detecting and other activities through the use of byelaws. In the absence of any such byelaws or other specific restrictions on metal detecting on land owned, leased or managed by the Council, the use of metal detectors on such land is regulated by this policy.

2 Policy

- 2.1 In general, metal detecting is not permitted on any land owned, leased or managed by Frodsham Town Council– including any land to which the public has a right of access.
- 2.2 Any proposal to carry out metal detecting on land owned, leased or managed by Frodsham Town Council will only be considered where detecting will form part of an appropriate programme of research.
- 2.3 Persons or organisations wishing to carry out such research will need to apply in writing to Frodsham Town Council for permission to use a metal detector as well as to undertake associated survey work on land owned, leased or managed by Frodsham Town Council.
- 2.4 Permission for such activity may not be given by an individual councillor nor by any tenant of land owned by the Council
- 2.5 Permission will only be given on the understanding that the primary aim of allowing surveying / detecting is the gathering of information on the archaeology of the land in question.

- 2.6 Any individual carrying out metal detecting on land owned, leased or managed by Frodsham Town Council shall hold a current National Council for Metal Detecting [NCMD] membership card showing details of their £10,000,000 Public Liability Insurance cover.
- 2.7 Any organisation carrying out metal detecting on land owned, leased or managed by Frodsham Town Council shall hold Public Liability Insurance to the same level.
- 2.8 Any individual or organisation carrying out metal detecting on land owned, leased or managed by Frodsham Town 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.
- 2.9 Any individual or organisation carrying out metal detecting on land owned, leased or managed by Frodsham Town Council shall strictly observe and adhere to any guidelines or special conditions and area boundaries, which may be set out by the Council and/or its tenant(s) from time to time and to any terms and conditions with respect to metal detecting access specified in agri -environment agreements which may cover all or part of the said land.
- 2.10 Any individual or organisation carrying out metal detecting on land owned, leased or managed by Frodsham Town Council shall record finds on the said land with third parties including
- 2.10.1 the Portable Antiquities Scheme [PAS]
 - 2.10.2 Historic Environment Records [HER]
 - 2.10.3 Any museum service only after gaining the appropriate permission of the Council to do so and then to an accuracy of findspots that all parties are comfortable with.
- 2.11 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.
- 2.12 All treasure as defined by the Treasure Act 1996, together with any artefacts including, amongst others
- 2.12.1 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 Frodsham Town Council shall remain the property of the Council or the 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).
- 2.13 Tenants of land owned by Frodsham Town Council will be provided with a link to this Policy and will be made aware that it is their duty to ensure that its details are complied with.

3 Adoption

- 3.1 This policy was adopted by Frodsham Town Council on XXXXXXXX