

# Thame Town Council

## Metal Detecting on Thame Town Council Property Policy

### 1. Introduction

- 1.1 Thame Town Council has received requests for permission from individuals and organisations to carry out metal detecting on land owned, leased or managed by the Council. This document sets out the policy of the Council regarding such requests.
- 1.2 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.
- 1.3 Any previous agreements concerning metal detecting that may have been made between the Council, individuals and organisations will cease to have effect from the date of the adoption of this Policy.

### 2. Policy

- 2.1 Metal detecting is unauthorised in all areas of land owned, leased or managed by the Council unless in exceptional circumstances and under the following conditions:
- 2.2 All requests for metal detecting must be made in writing to the Town Clerk detailing:
  - a. the scope and purpose of the proposed metal detecting activity;
  - b. the exact location of the proposed activity;
  - c. the date and duration of the activity;
  - d. a guarantee of full re-instatement (to the satisfaction of the Asset Manager) 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.
- 2.3 Metal detecting is normally not authorised in areas consisting of closely mown and carefully cultivated turf and flower beds; play areas; dedicated sports areas; sites of archaeological, botanical or scientific interest; allotments; or areas much used by blind or disabled persons.

However, the Town Clerk may authorise one-off permission in these areas in the following circumstances:

- a. to allow individuals to search for a particular lost object, in which case absolutely no excavation will be allowed.

- b. for particular archaeological or scientific purposes in relation to works being executed by the Council.

NB: 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.

- 2.4 Any permissions granted will be in writing from the Council:
  - a. authorising the scope and purpose of the proposed metal detecting activity, the exact location of the proposed activity, the date and duration of the activity, and any other relevant restrictions, all of which may, at the discretion of the Town Clerk, be a more restricted location/scope and/or time frame.
  - b. outlining what constitutes full re-instatement (to the satisfaction of the Asset Manager) along with a reminder that costs will be charged by the Council if the re-instatement fails to meet the standards required.
- 2.5 Persons carrying out metal detecting activity must be members of a recognised metal detecting club or archaeological research organisation and abide by whatever code of practice that the club or organisation commits to (preferably the Code of Conduct of the National Council for Metal Detecting), including relevant licensing, and £10m public liability insurance.
- 2.6 Where organisations have been granted permission to carry out metal detecting, the organisation will ensure that all members understand and abide by any terms of the permission granted.
- 2.7 All finds must be reported to Thame Town Council. If live ammunition or other hazardous objects are found, the person carrying out the metal detecting activity must mark the spot clearly and report the find to the Police and Council immediately.
- 2.8 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 shall remain the property of the Council. The rules and procedures as set out in the Treasure Act 1996 and any subsequent revisions or amendments which may come into force will need to be followed and complied with.
- 2.9 All Councillors will be informed by the Town Clerk of any permissions granted.
- 2.10 Tenants of land owned by Thame Town Council will be provided with a copy of this Policy and will be made aware that it is their duty to ensure that its details are complied with.