

Metal Detecting on Wokingham Town Council Property

(V1.1 revised 23/02/23 by FSleaford)

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Introduction

- 1.1 Wokingham 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.

Policy

- 2.1 Metal detecting is normally not authorised in areas consisting of:

- o closely mown and cultivated turf
- o flower beds
- o play areas
- o dedicated sports areas (including marked pitches and the areas immediately surrounding them)
- o sites of archaeological, botanical, or scientific interest
- o community gardens
- o allotments

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

- o to allow individuals to search for a particular lost object, in which case absolutely no excavation is permitted.
- o 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.

- 2.2 All requests for metal detecting must be made in writing to the Town Clerk detailing:
 - o the scope and purpose of the proposed metal detecting activity
 - o the exact location of the proposed activity

- o the date and/duration of the activity
 - o a guarantee of full re-instatement (to the satisfaction of the Grounds and Bloom Officer) 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 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.
- 2.4 Any permissions granted will be in writing from the Council, including:
- o authorising the scope and purpose of the proposed metal detecting activity
 - o the permitted location of the proposed activity
 - o the duration of any permission granted.
- Please note that the duration of permission will be a maximum of 12 months from the date of granting and permission will expire at the end of March each year. If you wish to continue to detect, you will need to seek updated permission and provide evidence that you retain membership of a recognised club or organisation.
- o 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.
 - o outlining what constitutes full re-instatement (to the satisfaction of the Grounds and Bloom Officer) along with a reminder that costs will be charged by the Council if the re-instatement fails to meet the standards required.
- 2.5 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.
- 2.6 All finds must be reported to Wokingham 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.
- 2.7 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.
- 2.8 The Amenities Committee will be informed by the Town Clerk of any permissions granted.

- 2.9 Tenants of land owned by Wokingham 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.
- 2.10 Wokingham Town Council reserves the right to withdraw permission if any of these requirements are not fully complied with.

Useful links:

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| Wokingham TC Parks | https://www.wokingham-tc.gov.uk/parks/ |
| National Council for Metal Detecting | https://www.ncmd.co.uk/ |
| The Treasure Act 1996 – Code of Practice (2 nd Revision) | https://bit.ly/3GZMb0i |
| Reporting treasure | https://www.gov.uk/treasure |
| Summary definition of treasure | https://finds.org.uk/treasure/advice/summary |
| The Coroners' Society of England and Wales | https://www.coronersociety.org.uk/coroners/ |