

Place and Resources Overview Committee 28 July 2022 Amateur Archaeological Fieldwork and Metal Detecting on Dorset Council Land Policy

For Recommendation to Cabinet

Portfolio Holder: Cllr L Miller, Customer and Community Services
Cllr T Ferrari, Economic Growth, Assets & Property

Local Councillor(s): All

Executive Director: J Sellgren, Executive Director of Place

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Report Status: Public

Summary

Dorset Council owns land on behalf of and for the benefit of the people of Dorset and is committed to protecting and enhancing the county's environment. Dorset's rich historic environment inspires enormous public interest and enthusiasm. It makes a significant contribution to cultural activities and quality of life and is used and enjoyed by many.

Reputable and proficient metal detectorists are now regarded as part of a wider community of amateur practitioners active in the historic environment. For example, people who, for recreation, carry out systematic fieldwalking and recovery of artefacts from the ground surface. Public participation in these activities has increased, with a recent Covid-19 related boom as more people try to be active outdoors. Many more novices are taking up these activities, often without proper preparation, leading to increased calls on Dorset Council staff time.

Requests for access to land are more frequent, and for a wider range of archaeological fieldwork. Tenants, site managers and front-line colleagues need to know how to handle these requests.

Appendix A

The Amateur Archaeological Fieldwork and Metal Detecting on Dorset Council Land Policy is an update of the previous policy on metal detecting on county farms which is now outdated as it does not include all of Dorset Council land or all archaeological fieldwork activities.

The update of this policy relates to historic building recording and archaeological fieldwork by individuals, special interest groups such as metal detecting clubs, local history and archaeological societies, students, academic researchers.

This policy provides clarity to Dorset Council staff, DC tenants and members of the public and clearly states that amateur archaeological fieldwork and metal detecting is not permitted on land owned or managed by Dorset Council unless permission has been granted based on an approved programme of archaeological investigation or research.

Through this policy Dorset Council is establishing best practice as a responsible landowner and steward of Dorset's cultural heritage and historic environment.

The work relating to this policy sits with in the Historic Environment Record Team at Dorset History Centre under the Senior Archaeologist (Promotion and Liaison).

Recommendation: That members of the committee comment, as appropriate, on the policy and recommend it to Cabinet for adoption

Reason for Recommendation:

The old metal detecting on Dorset Council farms policy is out of date and does not include all Dorset Council land. The revised Amateur Archaeological Fieldwork and Metal Detecting on Dorset Council Land Policy provides an updated version.

1. Financial Implications

No financial implications

2. Climate implications

No Climate implications

3. Well-being and Health Implications

No Well-being and health implications

4. Other Implications

None

5. Risk Assessment

Having considered the risks associated with this decision, the level of risk has been identified as:

Current Risk: Low

Residual Risk: Low

6. Equalities Impact Assessment

An EqIA screening has been carried out which has indicated that the policy is neutral in impact and does not require a full EqIA,

7. Appendices

- Appendix 1 – Amateur Archaeological Fieldwork and Metal Detecting on Dorset Council Land Policy

8. Background Papers

9.1 Introduction

Dorset Council owns land on behalf of and for the benefit of the people of Dorset and is committed to protecting and enhancing the county's environment. Dorset's rich historic environment inspires enormous public interest and enthusiasm. It makes a significant contribution to cultural activities and quality of life and is used and enjoyed by many. It complements interests such as the natural environment to draw people to engage with and be more active in the wider landscape.

Archaeology and research into local history are popular recreational activities, engaged in by many locals and visitors. Dorset's important archaeology attracts research by a wide range of students and more senior academics.

Archaeological and Heritage sites are protected by a range of laws covering heritage protection and activities in the countryside, as well as theft and heritage crime as part of rural crime in general. These include:

- Ancient Monuments and Archaeological Areas Act 1979, under which archaeological excavations in scheduled monuments require consent from Historic England in addition to consent from the landowner.
- Treasure Act 1996
- The Dealing in Cultural Objects (Offences) Act 2003
- Countryside and Rights of Way Act 2000, Schedule 2.1 (k)

Appendix A

- Highways Act 1980, Section 131
- Sites of Special Scientific Interest are protected under the Wildlife and Countryside Act 1981. Excavations require consent from Natural England in addition to consent from the landowner

9.2 **Dorset Metal Detectorists Liaison Scheme**

In June 1994 Dorset County Council established an identity card scheme for metal detectorists working in Dorset who subscribed to the Dorset Code of Best Practice (developed in collaboration with scheme members). The scheme still plays a role in educating novice detectorists and developing best practice in partnership with experienced detectorists.

9.3 **Previous Policy of metal detecting on Dorset County Council Farms**

The policy on metal detecting on county farms [MetalDetectingonDorsetCouncilFarms.pdf](#) was agreed by Dorset County Council's Planning and Economic Development Committee (5 March 1996) and Amenities Committee (13 March 1996). The policy stated that permission for metal detecting would be granted only with the tenant's consent, and if the applicant demonstrated a track record of recording and reporting of finds to a high standard. All finds would remain the property of the Council. When it was introduced, the policy was innovative and widely applauded. It is now rather dated. Circumstances have changed. The Treasure Act 1996, the national Portable Antiquities Scheme (PAS) <https://finds.org.uk/> and action by reputable metal detectorists (national bodies such as the National Council for Metal Detecting, metal detecting clubs and individuals) to promote responsible metal detecting now provide a strong framework for the reporting and recording of finds made by the general public.

9.4 **Reason for the review of the Metal Detecting on Dorset County Farms policy**

The reasons for the need to renew the policy are:

- a) LGR – Dorset Council now has a great deal more land and the old policy only covers Dorset Council county farms not all Dorset Council land
- b) Public participation in these activities, especially metal detecting has increased, with a recent Covid-19 related boom as more people try to be active outdoors. Many more novices are taking up these activities,

Appendix A

often without proper preparation, leading to increased calls on Dorset Council staff time.

- c) Requests for access to land are more frequent and are coming into a range of teams leading to uncertainty over what activities are permitted. Tenants, site managers and front-line colleagues need to know how to handle these requests.
- d) There are more requests for access to DC land for a wider range of archaeological fieldwork rather than just metal detecting.

10.0 The revised Amateur Archaeological Fieldwork and Metal Detecting on Dorset Council Land Policy

- 10.1 The Amateur Archaeological Fieldwork and Metal Detecting on Dorset Council Land Policy states that amateur archaeological fieldwork and metal detecting is not permitted on land owned or managed by Dorset Council unless it is part of a part of an approved programme of archaeological investigation/research.
- 10.2 This policy applies to all amateur archaeological activity and metal detecting.
- 10.3 This policy does not relate to research or fieldwork by archaeological buildings specialists or archaeological contractors undertaken as part of the planning process or commissioned by Dorset Council as landowner.
- 10.4 If permission is granted, it will be to a named individual, small group of named individuals or responsible body such as a university, local club, or society.
- 10.5 Written permission will be in the form of an Archaeological Research Agreement document signed by Dorset Council (Senior Archaeologist (Promotion and Liaison) and relevant service or site manager), any tenant, and all individuals to whom permission is granted, or the nominated responsible person in the case of an organisation such as a university for a specified area and time.
- 10.6 Requests for permission to undertake a programme of archaeological investigation/research will be made through the Historic Environment Record service at Dorset History Centre and be signed off by the Senior Archaeologist (Promotion and Liaison) before permission is granted.
- 10.7 All finds remain the property of Dorset Council.

Appendix A

- 10.8 Information will be provided on the Dorset Council website, with links to external sources of information, activity-specific standards, and guidance. This will be promoted to current contacts and via the Communications Team.
- 10.9 Tenants, site managers and front-line colleagues will be provided with role-specific information, so they are equipped to handle requests to carry out this sort of fieldwork.
- 10.10 Dorset Council colleagues will be informed of the new policy and will be encouraged to include details of this policy in their site information and promotional material where appropriate
- 10.11 The policy will be reviewed at three yearly intervals.

Footnote:

Issues relating to financial, legal, environmental, economic and equalities implications have been considered and any information relevant to the decision is included within the report.