

Archaeological Fieldwork and Metal Detecting on Dorset Council Land Policy

Ref. No.	
Category:(Y/N)	
People	
Place	
Corporate	
In Constitution	

Policy Details

<p>What is this policy for?</p>	<p>This policy covers the carrying out of historic building recording and archaeological fieldwork and metal detecting, on Dorset Council land by non-professional or academic groups and individuals.</p> <p>This policy ensures Dorset Council will develop and implement best practice as a responsible landowner and archaeological curator, so that:</p> <ul style="list-style-type: none"> • The wishes and interests of our tenants are respected. • Tenants and staff are equipped to deal with requests for access. • Important archaeological and natural environment sites are protected. • Any permitted fieldwork is done legally, to a good standard, and with consideration to other people and the environment. • Significant archaeological objects are made available to the people of Dorset and for future research (this usually means deposition in a museum). • High quality information is gathered about the historic environment of land owned by Dorset Council, to feed into its future management.
<p>Who does this policy affect?</p>	<p>This policy affects:</p> <ul style="list-style-type: none"> • Individuals, special interest groups such as metal detecting clubs, local history and archaeological societies, students, academic researchers, and others wishing to carry out archaeological fieldwork on land owned by Dorset Council. • Dorset Council farm tenants. • Staff managing Dorset Council Country Parks and other Dorset Council owned sites such as playing fields. • National and local museums, and anyone with an interest in the history and archaeology of Dorset. • Local communities, and people seeking peaceful recreation outdoors. • Other Dorset landowners.
<p>Keywords</p>	<p>archaeology, detecting, detectorist, farm, fieldwalking, finds, geophysical survey, historic building recording, historic environment, metal detecting, metal detector, treasure</p>
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Does this policy relate to any laws?	The policy relates to 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 laws include: <ul style="list-style-type: none"> • Ancient Monuments and Archaeological Areas Act 1979 • Treasure Act 1996 • Countryside and Rights of Way Act 2000, Schedule 2.1 (k) • Highways Act 1980, Section 131
Is this policy linked to any other Dorset Council policies?	No
Equality Impact Assessment (EqIA)	N/A
Other Impact Assessments	N/A

Status and Approvals

Status	<i>Live/draft</i>	Version	2
Last review date		Next review date	
Approved by (Senior Officer/Director)		Date approved	
Member/ Partnership Board Approval		Date approved	

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Policy summary

<p>Purpose</p>	<p>This policy sets out Dorset Council’s criteria and conditions for the carrying out of historic environment fieldwork, especially in relation to metal detecting, on council land by non-professional or academic groups and individuals.</p> <p>Fieldwork of this sort is not permitted unless it is part of a project approved by Dorset Council’s Senior Archaeologist, and subject to a written agreement.</p>
<p>Scope</p>	<p>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.</p> <p>This policy does <u>not</u> 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.</p> <p>This policy covers all land owned by Dorset Council.</p>

Glossary

Fieldwalking: The systematic recovery and recording of artefacts found on the surface of ploughed fields. Finds are recovered by walking across the field in an organised fashion.

Geophysical survey: Ground-based physical sensing techniques. The systematic measurement of variations in magnetic and electrical properties is used to map below-ground archaeological remains.

Historic building survey: Observation, investigation and recording of historic buildings ranging from simple photographic recording to more complex intrusive archaeological investigation.

Historic Environment: The historic environment is all aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, and landscaped and planted or managed flora.

Historic Environment Record (HER): The Dorset HER is a record of historic buildings and archaeological finds and features in the county, and part of a national network. Information in the HER supports the work of Dorset Council and BCP Council in areas such as planning, historic buildings, and land management.

Metal detecting: Use of a hand-held electronic instrument to detect metal. Mostly done by amateur groups and individuals

Portable Antiquities Scheme (PAS): A national scheme for the voluntary recording of finds set up by the DCMS in 1997. Dorset and Somerset run a joint scheme. PAS Finds Liaison Officers play an important role in the recording and reporting of finds of potential treasure.

1. Background to the policy

1.1 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.

Every year many thousands of archaeological objects are discovered in England and Wales. People using metal detectors unearth most of these, but chance finds are also made by those out walking or digging in their gardens, or just out and about in the countryside.

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.

1.2 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 flourished and still plays a role in educating novice detectorists and developing best practice in partnership with experienced detectorists. It provides a place for friendly and constructive discussion of matters of local and national interest relating to metal detecting, for example the Government's consultation in 2019 on the revision of the definition of treasure in the Treasure Act 1996 and related codes of practice.

1.3 History of metal detecting on council land

Following the setting up of the liaison scheme, a policy on metal detecting on council farms 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 remained 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.

1.4 Context of the new policy

Reputable and proficient metal detectorists are now regarded as part of a wider community of non-professional 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.

1.5 Objectives

As a responsible landowner and steward of Dorset's cultural heritage and historic environment, we seek to follow and develop best practice. We must ensure that:

- The wishes and interests of our tenants are respected.
- Tenants, site managers and front-line colleagues are equipped to handle requests to carry out this sort of fieldwork.
- Important archaeological and natural environment sites are protected.
- Fieldwork is done legally and with consideration to the environment.
- Finds are recorded and reported to the highest standard.
- Significant archaeological objects are made available to the people of Dorset and for future research (this usually means deposition in a suitably accredited museum).
- Below-ground archaeology is not disturbed unnecessarily and without proper archaeological oversight.
- Finds are treated and stored with care, and
- We get high quality information about the historic environment of the land that we own, to inform and enhance its management.

Policy details:

2. Policy

2.1 Archaeological fieldwork and metal detecting is **NOT** permitted on land owned or managed by Dorset Council unless it is part of an approved programme of archaeological investigation/research

3. Coverage

3.1 This policy applies to all Dorset Council land, including highways and verges.

3.2 This policy applies to all archaeological activity, including metal detecting.

3.3 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.

4. Permission granted for programme of archaeological investigation

4.1 Permission can be granted to named individuals and or a small group of named individuals or to a responsible body such as a university or a local club or society.

4.2 Written permission can be obtained through an Archaeological Research Agreement signed by Dorset Council (Senior Archaeologist 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.

4.3 Permission will be for a specified period only, after which it will be reviewed. Renewal is not automatic.

4.4 Permission will apply to a defined area. No 'blanket' permission for Dorset Council land will be granted.

4.5 Permission will only be granted with the agreement of the tenant and/or site manager and may be terminated at any time at their request.

4.6 Permission may be terminated at any time if conditions are not being met.

5. Procedure for seeking permission

5.1 Requests for access should use a template provided by Dorset Council. As part of this the applicant will submit a research plan appropriate to the activity for which permission is being requested. In this plan, the applicant must:

- Demonstrate awareness of relevant legislation such as the Treasure Act 1996 and Scheduled Monuments and Archaeological Areas Act 1979.
- Undertake all normal due diligence in relation to statutory designations such as Scheduled Monuments and Sites of Special Scientific Interest.
- Demonstrate a good track record of work appropriate to the activity for which permission is being requested. For example, in the case of metal detecting, frequent and detailed reporting finds to the Portable Antiquities Scheme.
- State arrangements for care and storage of any finds recovered, and specialist technical support such as finds identification, reporting and illustration.
- State plans for reporting and publication of the results of the project, and archive deposition, as appropriate.
- State plans for dealing with complex discoveries such as *in situ* hoards or human remains, including what arrangements have been made for emergency archaeological support.
- Demonstrate awareness of health and safety measures appropriate to the activity for which permission is being requested, including safeguarding, as necessary.
- Consider the practical aspects of their use of the site, including matters such as access, car parking, times of use, day-to-day reporting to the tenant and/or site manager and to Dorset Council's Historic Environment Record Team.

The level of detail required will vary according to the complexity of that activity. Standards and guidance are available from a range of organisations such as Historic England, the Council for British Archaeology, and the Portable Antiquities Scheme, and applicants will be directed to appropriate material and training.

5.2 The research plan must be agreed by the Senior Archaeologist (Promotion and Liaison) before permission is granted.

5.3 The applicant must have or demonstrate that they could obtain appropriate Public Liability Insurance.

6 Conditions

6.1 All finds remain the property of Dorset Council.

6.2 The applicant is expected to waive entitlement to any reward under the Treasure Act 1996 (and subsequent revisions).

6.3 Costs consequent upon the activity for which permission is granted will not be borne by Dorset Council. These include the costs of care and storage of finds, publication of results, archive deposition, and additional archaeological support necessitated by discovery of complex finds such as hoards or human remains.

6.4 The condition of all the land or property must be reinstated and the costs of making good any damage or paying compensation to cover these costs must be borne by those undertaking the activity and will not be borne by Dorset Council.

6.5 Other conditions, such as a no drones fly zone and/or no dogs or animals allowed on site, may be applied to permissions according to circumstances and the wishes of the tenant or site manager.

7 Implementation

7.1 All requests for access will be coordinated by the Dorset Council Historic Environment Record Team.

7.2 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.

- 7.3 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.
- 7.4 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.
- 7.5 Feedback on the process and information provided will be sought. These will be revised where necessary.
- 7.6 The policy will be reviewed at three yearly intervals.

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