

Cheshire West and Chester Council

Protocol for the use of metal detectors on local authority owned or tenanted land

This document sets out Cheshire West and Chester Council's (CWAC) protocol on metal detecting on Council land.

Metal detecting on land owned or tenanted by Cheshire West and Chester Council is not permitted except where a metal detecting survey forms part of an approved programme of archaeological investigation.

This protocol is effective from 10 May 2013 and supersedes any previous policy or arrangements. It has been adopted by the following operational services: Street Scene, Cheshire Farms, Property, Highways, and Leisure and Green Spaces, in order to provide a consistent approach to the management of the Council's heritage assets.

Explanation

Metal detectors can be valuable archaeological tools when used responsibly. However metal detecting can be problematic and can result in:

- Removal of artefacts from their contexts with serious loss of information
- Damage to related archaeological deposits
- Partial recovery of assemblages which often neglects non-metal finds, again with a loss of information
- Unreported discoveries leading to an accumulated loss of knowledge

Metal detecting on undisturbed land and permanent pasture where no imminent threat of destruction is present is inadvisable, as archaeological features may lie close to the surface and could be damaged by digging to recover detected objects.

Metal detecting should only usually be carried out on arable land, which has already been disturbed and should only be used to recover material within the depth of ploughing and not from undisturbed contexts. This is in line with guidance from English Heritage¹.

The Archaeology Planning Advisory Service (APAS), part of the Specialist Advisory Service, provides archaeological advice to all services in CWAC and advises on appropriate management regimes for the authority's heritage assets. APAS recognises the valuable contribution made by metal detecting in locating previously unknown sites and as a survey technique and therefore accepts that metal detecting may be used as part of a structured programme of archaeological research. Metal detecting is advised as part of archaeological mitigation programmes where appropriate, as part of the planning process. In addition APAS works closely with the national Portable Antiquities Scheme, to ensure that all portable artefacts are properly recorded.

Some land owned or tenanted by Cheshire West and Chester Council carries specific restrictions on the use of metal detectors. It is an offence to use a metal detector on a Scheduled Monument or in the Chester Area of Archaeological Importance, without a licence from English Heritage². It is also recommended that detecting is not carried out on known archaeological sites, whether designated or undesignated. Designated sites (in addition to Scheduled Monuments) include sites on English Heritage's Register of Parks and Gardens of Special Historic Interest, such as Grosvenor Park, and non designated sites are included in the Cheshire Historic Environment Record (maintained by APAS).

Metal detecting is already restricted on land which is entered into Environmental Land Management Schemes, such as Countryside Stewardship, Entry Level, Organic Entry Level and Higher Level Stewardship Schemes without the written consent of Natural England. Some land managed by Cheshire Farms is entered into these schemes, as well as areas such as The Meadows in Chester. In addition, byelaws may exist limiting certain activities in country parks and public parks.

¹ *Our Portable Past* English Heritage 2006

² Ancient Monuments and Archaeological Areas Act 1979 (Section 42).