

Metal detecting on your land – know your rights



In England & Wales

Most people looking for archaeological objects on farmland are hobby metal-detectorists. Many belong to the National Council for Metal Detecting or the Federation of Independent Detectorists. Both have a Code of Conduct and provide their members with public liability insurance.

Responsible Metal Detecting

Metal-detecting can provide valuable information about the history of your land. To ensure that this happens responsibly all detectorists should follow the **Code of**

Practice on Responsible

Metal Detecting in England and Wales

(see below). This has been endorsed by all key archaeological and farming organisations including the Country Land & Business Association (CLA) and National Farmers' Union (NFU).

Permission and Ownership

Anyone searching for archaeological objects must have the **landowner and occupier's permission** to do so. By law, **archaeological objects**

(apart from Treasure) **belong to the landowner**. Metal-detectorists may wish to keep their finds, so you may want to see these before deciding their future. It is recommended that landowners have a **written finds agreement** (available from the CLA/NFU) which will outline the nature of permission, the area to be searched, and the subsequent ownership of any finds.

Restrictions

Metal-detecting is **illegal** on **Scheduled Monuments**, without permission from Historic England or Cadw (Wales), and some **Sites of Special Scientific Interest**

(SSSIs), without permission from Natural England. Metal-detecting is

also restricted on some land under **agri-environment schemes**; there are different rules for different schemes, detailed on our Guidance for Landowners (see below).

If **human remains** are uncovered the police must be notified; it is an offence to excavate these without a licence from the Ministry of Justice for the removal of buried remains.

Metal-detecting Rallies

Rallies can be large gatherings of detectorists, often run commercially, but sometimes to benefit charities. Most archaeologists believe

rallies can be **damaging** to the archaeology of your land. Finds Liaison Officers (working for the Portable Antiquities Scheme) will not attend metal-detecting rallies to record finds in the field (as making good records is difficult in such circumstances), but may come (if invited) to promote responsible metal-detecting, borrow finds for recording, or encourage finders (from further afield) to record these with a Finds Liaison Officer nearer to where they live.

To reduce damage and better preserve the archaeological record it is recommended that rally organisers follow the Guidance on Metal-Detecting Rallies in England and Wales (see below). Rallies on land under agri-environment schemes may require permission from Natural England. An export licence is required to take archaeological finds outside the country.

Illegal Searching

Searching on land without permission is **trespass**.

Anyone removing archaeological objects from your land without your permission is committing

theft. Removing objects

from a Scheduled Monument without written Consent from Historic England or Cadw (Wales) is also an offence. If you see anyone searching without permission **inform the police**, making it clear that action should be taken. The CLA/NFU can offer guidance to their members on legal options, including potential civil action.

Treasure

Under the Treasure Act 1996, finders have a **legal obligation to report potential Treasure**

within 14 days; it is normal practice for Treasure to

reported to the local Coroner via

their local Finds Liaison Officer. Non-reporting of Treasure may result in imprisonment for 3 months and/or a fine of up to £5,000.

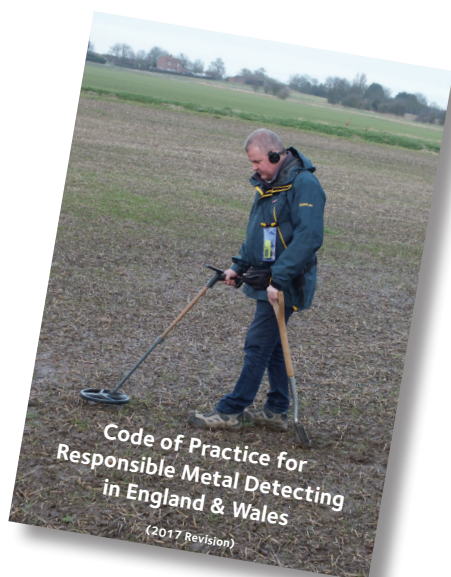
Treasure might be summarised as objects over 300 years old, with more than 10% gold or silver, or collections (hoards) of coins and prehistoric metalwork. If museums wish to acquire Treasure a reward (equal to market value) is normally shared 50:50 between the finder and landowner, though either party can waive their right to a reward so that the find can be donated to a museum. If not acquired by a museum the find will be 'disclaimed' and returned to the finder/landowner.

Portable Antiquities Scheme

The Portable Antiquities Scheme (PAS) was established to record archaeological finds discovered by the public to advance knowledge,

through its network of locally

based archaeologists (known as Finds Liaison Officers). Information about the finds recorded is shared as widely as possible whilst protecting archaeological sites and personal details. Finds details are published on the PAS database; these are limited to a 1 km area, with sensitive findspots not listed at all. This data is made available to Historic Environment Records (see below) and other statutory bodies and researchers, who must abide by strict terms and conditions for publishing data.



IMPORTANT: All archaeological finds should be offered for recording with the Portable Antiquities Scheme, and you should make finders aware of your wishes for them to be recorded. Archaeologists believe that important finds should end up in a museum for all to learn about and enjoy.

Landowners Checklist

- Have a written 'finds agreement' with anyone wishing to search on your land.
- Get any necessary permissions in writing before allowing detecting on your land; such as on that part of an agri-environment scheme or on protected sites.
- Ask to see all finds and ask that all archaeological finds are recorded with the local Portable Antiquities Scheme Finds Liaison Officer.
- Consider donating important finds to a local museum to benefit the local community, or giving them first refusal on objects offered for sale.
- Report any illegal activity to the police via 101 or 999.

More detailed advice can be found here:
www.finds.org.uk/getinvolved/guides/guidancelandowners

Further Information

- The Code of Practice for Responsible Metal Detecting in England and Wales: www.finds.org.uk/getinvolved/guides/codeofpractice
- Portable Antiquities Scheme, British Museum, London, WC1B 3DG.
Tel: 020 7323 8611.
Email: info@finds.org.uk www.finds.org.uk
- Country Land & Business Association (CLA), 16 Belgrave Square, London, SW1X 8PQ. Tel: 020 7235 0511.
Email: mail@cla.org.uk www.cla.org.uk
- National Farmers Union (NFU), Agriculture House, Stoneleigh Park, Stoneleigh, Warwickshire, CV8 2TZ. Tel: (NFU Call First) 0870 845 8458.
Email: nfu@nfu.org.uk www.nfuonline.com
- Historic England guidance on agri-environment schemes: <https://historicengland.org.uk/advice/caring-for-heritage/rural-heritage/metal-detecting-agri-environment-land/>

This guidance has been produced by the Portable Antiquities Advisory Group, which includes the Country, Land & Business Association (CLA) and the National Farmers Union (NFU). It has been designed (free of charge) by **The Searcher** and printing funded by Historic England.

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An incomplete late early-medieval (Anglo Saxon) cloisonné enamelled copper-alloy disc brooch of 10th to 11th century date.

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**Portable
Antiquities
Scheme**

www.finds.org.uk

