



Historic England

# Our Portable Past

Guidance for Good Practice



# Summary

This statement sets out Historic England's approach to surface-collected portable antiquities in the context of our own archaeological projects. Historic England also recommends the statement as a suitable model to follow for organisations that fund or authorise archaeological projects, and for land managers and individuals involved in giving consent for archaeological projects whatever the legal status of the site or sites involved. It is also a statement of good practice for portable antiquities/surface-collected material in the context of field archaeology and survey programmes (including the use of metal detectors). This edition updates codes of practice, legislation, the names of organisations, but removes references to the collections and museums of the English Heritage Trust. It also provides a new case study on metal detecting on battlefields.

This guidance was updated by Amanda Chadburn with image research by Jane Pettitt. Appendix 3 was written by Glenn Foard. It was edited by Elizabeth Nichols.

First published by English Heritage in June 2006, and a second edition was published in December 2013.

The Portable Antiquities Advisory Group was consulted in the development of this third edition.

This edition published by Historic England, February 2018.  
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Please refer to this document as:  
Historic England 2018 *Our Portable Past*. Swindon. Historic England.

[HistoricEngland.org.uk/advice/planning/consents/section42-licences/](https://www.historicengland.org.uk/advice/planning/consents/section42-licences/)

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## Front cover

Pottery sherds from the Thames foreshore recovered during fieldwalking (Thames Discovery Programme).

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# Introduction

This statement of good practice (replacing versions 1 (2006) and 2 (2013)) sets out the approaches and standards related to portable antiquities that Historic England will apply to work on **designated and registered sites, projects that it funds, and work that it undertakes directly**. In the context of this statement ‘portable antiquities’ in a land-based context covers all surface-collected archaeological material, and for a marine context, all seabed material that has been separated from its original context. This document should be used in conjunction with [Oxford Archaeology North \(2015\)](#) when dealing with earlier prehistoric material. It does not cover hobby metal detecting which lies outside the remit of this statement.

As the lead body for the historic environment, Historic England recognises the important contribution that portable antiquities of all types, including metal-detected material, can make to increasing our understanding of the past. However it also recognises that potentially serious negative impacts can result from the unstructured collection and recording of material. This statement will be used as a benchmark against which to judge any work proposed on designated sites and landscapes, applications for licences to use metal detectors in protected places under Section 42 of the Ancient Monuments and Archaeological Areas Act 1979. It will also inform the advice that Historic England gives to the Department for Digital, Culture, Media and Sport on applications relating to Designated Terrestrial Sites and work on Designated Wreck Sites.

This statement specifically sets out Historic England’s approach to surface-collected portable antiquities in the context of our own archaeological projects. However, Historic England recommends the statement as a suitable model to follow, in whole or in part, for organisations that fund or authorise archaeological projects, and for land managers and individuals involved in giving consent for archaeological projects whatever the legal status of the site or sites involved.

For hobby metal detecting, which lies outside the remit of this guidance, Historic England endorses the [Code of Practice for Responsible Metal Detecting in England and Wales](#) (revised 2017) and, in line with that Code, encourages the reporting of all finds, whether found with a metal detector or not, through the Portable Antiquities Scheme.



**Images 1, 2 and 3**

1 Integrated programme of fieldwalking and metal detecting (Thames Discovery Programme).

2 Archaeologist Mike Dymond fieldwalking for prehistoric finds in Cornwall with A-Level Archaeology students and volunteers.

3 Medieval pilgrim's lead ampulla dating to the 14th-16th century. Found in East Cheshire.

## Aims and objectives

The purpose of this statement is:

- to provide a clear statement of Historic England's position on surface-collected portable antiquities, including those recovered through the use of metal detectors;
- to establish a consistent approach to surface-collected portable antiquities' issues on all designated sites and landscapes, including historic parks and gardens, battlefields, submerged landscapes, historic wrecks, and also on World Heritage Sites, a UNESCO designation;
- to provide a benchmark against which to judge applications for consents relating to designated sites and Section 42 licences;
- to establish consistent practice for surface-collected antiquities in relation to Historic England projects and grant schemes, and any other activities which may reveal archaeological material;
- to establish consistent practice for surface-collected antiquities on sites in the Guardianship of the Secretary of State and managed by the English Heritage Trust, through its projects and activities, and for material being accessioned into their museums;
- To provide an appropriate model for archaeological projects on undesignated sites that are funded by or undertaken by other bodies.

This statement does not cover in depth the wider issues of trade in portable antiquities, marine salvage law, the Receiver of Wreck process, or issues relating to the long-term curation of portable antiquities once recovered and deposited in an appropriate repository.

# 1 International and Domestic Law, and Codes of Conduct

In both land-based and marine contexts there is a wide range of international and domestic law that is relevant to archaeological finds, and to the use of metal detectors, as well as a number of voluntary codes of practice (summarised in [Appendix 1](#)).

These all focus to a greater or lesser extent on a number of key principles:

- that measures should be taken to prevent illicit excavation and the trade of material from illicit excavations;
- that all archaeological work (including the use of metal detectors and other detection equipment) should be properly planned and financed and subject to the production of an appropriate project design, carried out by competent individuals, in line with current guidelines and subject to professionally accepted standards;
- that there should be appropriate standards and procedures for the reporting of finds, and that the information should be recorded and maintained in adequate inventories;
- that the use of metal detectors and other surface collection techniques should be restricted or controlled on sites and monuments that have been legally designated and protected.

This statement of good practice has been formulated in accordance with these key principles.

[Appendix 2](#) sets out a series of definitions that should be applied in the context of this statement.

# 2 Key Principles

Where appropriate Historic England seeks changes in land and seabed use, to deliver the positive management of the historic environment. Changes may be required with regard to cultivation on registered or designated sites, but also elsewhere, where research demonstrates that *in situ* remains are being damaged by industrial and agricultural processes, by recreational use, or by other factors. Such changes may be needed in order to prevent previously undisturbed material being assimilated into the upper levels of sites (eg modern ploughsoil and the seabed). Some archaeological remains, such as battlefields, may exist largely or only within the ploughzone, and as such will require sensitive management regimes. Other types of site, such as military aircraft crash sites, can be particularly vulnerable to casual collection and systematic plundering as they are often readily visible in the landscape.

To ensure that conservation policies are robust they need to:

- be based on an adequate assessment of the condition of the archaeological material potentially threatened;
- be based on an assessment of its potential for preservation *in situ* in the context of land-use impacts/threats;
- incorporate procedures for monitoring preservation *in situ*.

If sites cannot be protected from harm then disturbance should be within the context of an overarching framework that:

- is based on an understanding of mechanisms and rates of destruction;
- minimises destruction;
- maximises knowledge of the site;
- adheres to a structured set of principles (see Section 3, Field Projects below).

Material in the ploughsoil and upper seabed sediments also has the potential to provide valuable evidence of past human activity that may not survive *in situ* below cultivation levels or in the deeper seabed. This evidence could reveal information about processes and activities such as past land use, flint-working, middening and manuring, as well as structures or parts of structures (including occupation and floor levels) whose surviving remains have already been assimilated into the ploughsoil (or later seabed sediments as a result of inundation). In the case of some sites, such as flint scatters, material in the ploughsoil may be the only evidence of occupation that did not leave structural remains. These are often termed ‘sites without structures’ (Historic England forthcoming). Material from the ploughsoil can also provide evidence for the loss and use of artefacts which, when systematically recorded, can potentially provide evidence of patterns of casual loss and deliberate deposition, thereby contributing to the study of past material culture.

The potential significance of material from the topsoil and/or the modern ploughzone and its relevance to surviving or destroyed archaeological





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#### Images 4, 5 and 6

4 Laura Burnett (Somerset and Devon Finds Liaison Officer) explains how to identify and ascribe a date to buckles to a finder.

5 A Roman copper alloy nummus of Galerius (AD 293-311), dating to c AD 301-3. Found during metal detecting in Greater London.

6 Archaeobotanical remains (Centaurea flower heads) from a Roman vessel hoard, Vale of Pewsey, Wiltshire, found by metal detectorists. (Portable Antiquities Scheme, Record ID: WILT-0F898C).

deposits has been demonstrated through numerous projects (see eg Bintliff *et al* 2000; Schofield 1991; Foard and Morris 2012).

The potential of all this evidence is realised through the identification of materials within the ploughsoil and seabed, and by the study of the association of these materials both with each other and with other archaeological, environmental and geomorphological evidence. In circumstances where the original close vertical association of material has been disrupted by cultivation or other processes, then the full realisation of this potential is dependent on the precise record of its location in the ploughsoil and upper seabed sediments.

In certain circumstances, such as when long-term agreements are in place, Historic England recognises that the policy of preservation *in situ* can also be applied to cultural material and artefacts present in modern or ancient ploughsoils, and seabed sediments.

Normally Historic England will only provide direct or indirect support and/or permission (or a recommendation for permission) for work that includes the surface-collection of portable antiquities, if that work is part of a project that contributes explicitly to Historic England's priorities for archaeology in the context of current departmental, group and corporate objectives as expressed in its Corporate Plan, Historic England research strategies, regional research frameworks and (where they exist) local research frameworks).

Proposals for projects that include surface collection of archaeological material should always include preliminary desk-based assessment, and, unless there is compelling reason to the contrary, should integrate survey using metal detectors with other techniques, such as structured fieldwalking and geophysical survey, in order to maximise the potential for finds recovery and an understanding of their context. Such metal detecting should be undertaken by suitably experienced users using appropriate equipment.

# 3 Field Projects

Field projects specifically designed to recover surface-collected material will only be supported by Historic England if they demonstrate current standards of good practice. All projects should include the production and prior agreement of a Project Design that meets the standards set out in current Historic England project management guidance for Historic Environment Research (MoRPHE 2015) and should include a commitment of resources for appropriate assessment, analysis and dissemination. Projects that incorporate work on [Areas of Archaeological Importance](#) or [Scheduled Monuments](#) require Scheduled Monument Consent and/or a [Section 42 licence](#). For a protected wreck site a Licence is also required. The project development process for surface/modern ploughzone collection projects must include the following:

## 3.1 Prior Desk-Based Assessment

- is essential to framing the archaeological context of the project and the research questions that must underpin the project design (ideally as a separate, preceding, phase of the project) and should include aerial photographic interpretation and mapping to help with understanding and context;
- should also include prior discussions with the farmer/landowner about past land use, asking specific questions about cultivation and land-management history, crop types, episodes of de-stoning, new drainage, the import of outside material and green waste, etc. Aerial photographs, especially collections with many decades worth of photography such as those held by the Historic England Archive, will contribute to understanding 20th-century land use, including identifying crop types, such as potatoes and sugar beet, the planting and/or harvesting of which can redistribute finds within and beyond a field.

## 3.2 Fieldwork Project Designs must cover/include

### Research aims and objectives

#### Fieldwork methods

This includes the reasoning behind proposals for the use of non-collection strategies (recording and mapping artefacts) or collection strategies in relation to the aims and objectives of the project, as well as proposed sampling strategies for the areas to be covered.

### Standards of recording and fieldwork

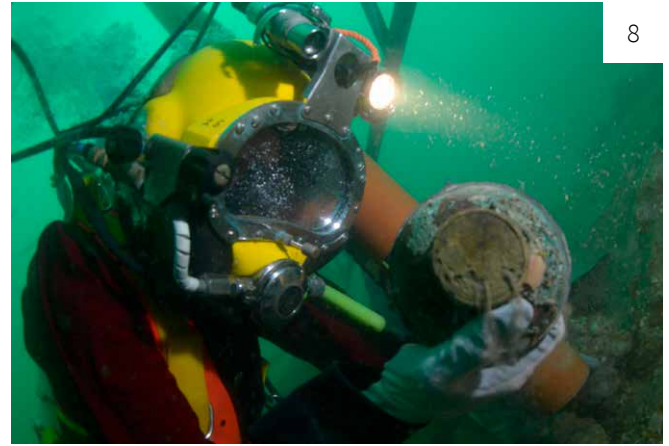
Standards must be appropriate to the specific context of the proposed fieldwork and to its objectives.

### Resolution

The resolution of locational data in field-walking, marine artefact survey or metal-detecting programmes must be appropriate to the type of site and the volumes of material anticipated, regardless of whether the material is simply to be mapped and left in place, or whether it is to be recovered and removed. (see [Appendix 3](#) for examples of differing transects).



**Image 7**  
Test pitting as part of a community archaeology project at East Harptree, Bath and North East Somerset.



**Image 8**  
Archaeologist working on the Rooswijk protected wreck site during the #Rooswijk1740 project.

### Advice from specialists

Advice on the range of material likely to be encountered must be sought as part of the project development process;

### Locational standards:

- must be appropriate to the specific research aims and objectives of each project
- if collection is undertaken this should incorporate the location of material to a **minimum** accuracy of 10m squares or transects as a defined sample of the area surveyed; however the precise location of individual objects is preferable. Whatever methods are adopted, the sample proportion in relation to the total area should be recorded. In a marine context underwater archaeological survey techniques that can relate the data to accepted map co-ordinate systems should be used.

Prospection techniques: suitable non-invasive prospection techniques should be incorporated in the proposed project where appropriate to provide complementary information on context, and to inform evolving fieldwork strategies.

### Use of metal detectors:

- The use of metal detectors and experienced personnel should be included in the planning stages of projects, and the capabilities of the equipment thoroughly understood.
- unless part of an excavation, metal detecting should normally only take place on land under arable conditions, and as part of a properly structured field survey project;
- as part of surface surveys, metal detectors should only be used to recover material from the contemporary ploughzone, and not from undisturbed contexts; metal detecting **may** be an acceptable technique on sites/ find spots under pasture, where there is unequivocal evidence that the area has been subject to arable cultivation in recent years and **if** the recovery of material is restricted to the former modern ploughzone. Similarly, in relation to the upper seabed levels where there is unequivocal evidence that the area has been subject to heavy trawling (or other disturbance), metal detecting may be an acceptable technique;

- in excavation projects metal detectors can enhance recovery of metal artefacts through the scanning of layers and feature fills to enable potential find spots for metal artefacts to be flagged prior to excavation, and also through the scanning of spoil heaps. With respect to scanning of spoil heaps it is worth noting that, whilst it can increase the recovery of metal finds, in the absence of a programme of sieving or other means of recovering non-metallic finds, the likely bias towards metal finds would need to be acknowledged. Appropriate methods of scanning spoil heaps to maximise recovery should be considered at the planning stages of a project. Should circumstances demand it, as for example in cases of significant vulnerability to illicit detecting, consideration should be given to the need/appropriateness of detecting deposits under excavation towards the end of each day to facilitate removal of, and thereby safeguarding of artefacts located close to the surface overnight.

### Excavation standards

If the proposed project includes excavation, then detailed standards for on-site context, graphical and finds recording must be set out. These must be in line with current professional practice as set out in Institute for Archaeologists Standards and Guidance (2008) (see [Appendix 1](#)) whether the excavation is undertaken by professionals or the voluntary sector.

### Human remains

If human remains are discovered, either during non-invasive survey work, fieldwork or during excavation, and if the project does not have a licence issued by the Minister for Justice (conventionally ‘a Home Office Licence’) in accordance with The Burial Act 1857, the local Coroner must be informed immediately (see <http://finds.org.uk/contacts/coroners> for a current list of Coroners).

### Conservation

Adequate provision must be made for the conservation of material recovered including the *X-radiography of metalwork* (English Heritage 2006), investigative conservation and work required to make the assemblage suitable for archive deposition. Work should be undertaken by an appropriately qualified individual or organisation. The [Institute of Conservation](#) (Icon) operates a register of accredited conservator-restorers.

### Project archive

- recording outputs must include a digital or paper archive that can be properly interrogated as part of the assessment and analysis stages and by third parties in the future;
- the archive must be stable and in a format suitable for deposition in an appropriate publicly accessible archive and with the local Historic Environment Record. See *Archaeological Archives A guide to best practice in creation, compilation, transfer and curation* (Brown 2011).

### Assessment

Provision must be made for the assessment of the fieldwork archive with a view to developing an appropriate and adequately funded programme of analysis and dissemination.

### Analysis and dissemination

Although analysis and dissemination are separate stages in the management trajectory, all projects should anticipate progress to:

- analysis based on an Updated Project Design at a scale appropriate to the project, and developed in the context of the results of the assessment; this in turn should lead to:
- a research archive; and
- appropriate academic and popular publication/dissemination in paper and/or digital formats.



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### Retention and disposal

- all project designs incorporating collection strategies, should, in consultation with the receiving museum or institution, incorporate a retention and disposal policy, or the acknowledgement that such a policy must be established at the Assessment stage. See *Selection, Retention and Dispersal of Archaeological Collections Guidelines* (Society of Museum Archaeologists, 1993)
- in framing a disposal policy the potential to offer discarded material for inclusion in a handling collection, or similar, should be considered.

Project designs for excavation-based projects utilising machine-removal of topsoil and/or modern ploughzone contexts should consider the artefactual potential within the overlying deposits with respect to material of the period(s) being researched and other periods for which data might exist on the site. This may suggest:

- the desirability of sampling those deposits through metal detecting and, if appropriate, fieldwalking in advance of stripping, or
- the scanning of spoil heaps, visually and with metal detectors
- test-pitting and sieving of an appropriate sample of the topsoil prior to site stripping
- opportunities for engagement with community and other groups as partners in such work.



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### Images 9 and 10

9 Bellarmine sherd found by fieldwalking survey.

10 Finds identification during the 'Tadpoles Session'.



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**Image 11**  
Kathryn Price (Historic England) talks about the finds discovered during the 18th-century garden excavations at Marble Hill House, London during a public open day in August 2017.



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**Image 12**  
Integrated programme of archaeological excavation and metal detecting on the foreshore.

### 3.3 Ownership

#### Treasure finds

Subject to the Provisions of the Treasure Act (1996), under which all material that is defined as Treasure is vested in the franchisee (eg The Duke of Cornwall is the franchisee for Cornwall), or if none The Crown, a reward may be payable to the finder (unless they are an archaeologist), the landowner and/or the occupier. The Crown usually offers finds to a museum, or an appropriate archaeological store.

**Treasure** is defined as:

1. any object at least 300 years old when found which is:
  - not a coin, but has metallic content of which at least 10% is precious metal; or
  - one of at least two coins with at least 10% precious metal content; or
  - one of at least 10 coins

2. any object at least 200 years old designated as Treasure by the Secretary of State;
3. any object which would have been 'Treasure Trove';
4. any object found with any of the above.

The Treasure (Designation) Order 2002 (which came into force on 1 January 2003) extended the definition of treasure to include:

1. finds of at least two base metal objects (other than coins) of prehistoric date;
2. any object (other than a coin) of prehistoric date with any precious metal content.

It is a criminal offence not to report the finding of Treasure to the Coroner for the district within two weeks of becoming aware that objects may qualify as Treasure.

#### Other finds

All other material is legally the property of the landowner. While recognising this, in principle all material discovered in the course of an Historic England-funded or approved project should normally be acquired for the public benefit.

## Terrestrial projects:

- at the outset of proposed terrestrial project, landowners and tenants should be asked to sign a waiver foregoing any claim to reward under the Treasure Act and agreeing that any items deemed 'Treasure' remain with the site archive for deposition as a whole in the agreed Museum;
- all participants in projects must sign a similar waiver (a model waiver is included as [Appendix 4](#));



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## Images 13 and 14

13 Sussex FLO, Edwin Wood, attending Brighton Museum's Archaeology Day 2017 with handling collection.

14 An Iron Age "Norfolk Wolf" type gold coin found by metal-detecting survey.

- in exceptional circumstances, and where a landowner is unwilling to forego ownership, a project may be agreed if the anticipated results are regarded as sufficiently significant in the context of Historic England objectives to outweigh these considerations;
- the Project Design should specify deposition in a publicly accessible museum/repository and the outline agreement of the receiving institution should be obtained at the outset of the project. Where a project is proposed in an area not covered by a museum with an active collecting policy, the project design should acknowledge the need for deposition in a publicly accessible archive when that becomes possible.

## Marine projects:

- owners (where known) and project participants should be asked to sign a waiver recognising the requirement to report wreck material to the Receiver of Wreck, foregoing any claim on that material, and foregoing any claim to non-wreck material;
- where owners cannot be found, ownership of recovered wreck material will, in most cases, revert to the Crown;
- the Project Design should discuss the deposition of wreck material with the Receiver of Wreck as well as the potential receiving museum, although it is recognised that the final deposition of wreck material cannot be agreed until the legal process for establishing ownership has taken place.





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**Images 15 and 16**

15 An incomplete clay pipe dating to c 1805–32. Chance find during metal detecting in Winchester.

16 Polished Neolithic flint axehead, a chance find during metal detecting in Suffolk.

### 3.4 Information exchange and deposition

All projects must include:

- acquisition of a HER Event number;
- clearly established mechanisms for deposition and incorporation of data in the local Historic Environment Record and the Historic England Archive (formerly the National Monuments Record);



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- the provision of data to the [OASIS](#) project and, where appropriate, deposit data with the [Archaeology Data Service](#) (ADS);
- the deposition of all the material and records recovered and created during the course of the project (the project archive) to a properly curated and publicly accessible museum and/or archive subject to the provisions under 'Ownership' (above). In relation to marine projects that involve the recovery of wreck material, this requirement is subject to the decisions of the Receiver of Wreck for the wreck material. Good practice, and the Receiver of Wreck's policy, is normally that the remainder of the archive accompanies the wreck material as a single collection, ideally a museum in the vicinity of the find site if there is a suitable one.



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Images 17 and 18

17 Glass bottle top with cork surviving intact.

18 Fieldwalking upstream towards Bermondsey (Thames Discovery Programme).

# 4 Metal Detecting

## 4.1 Background

Historic England recognises the potential value of using metal detectors, on land and beneath the sea, where they:

- extend public knowledge and understanding; and
- enhance the efficiency of metal artefact retrieval during fieldwork.

To achieve this good equipment, clearly stated and effective techniques, and experienced operators are necessary.

Historic England recognises that in certain circumstances metal detectors can add value by the retrieval of metal artefacts in circumstances of 'last resort', that is where those artefacts are otherwise likely to be lost or destroyed.

However, it is also recognised that metal detecting can be problematic because it 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 loss of information;
- unreported discoveries leading to an accumulated loss of knowledge;
- misreporting of find spots leading to inaccurate information.



### Images 19 and 20

**19** An integrated project using archaeological excavation and metal-detecting survey, Edgehill Battlefield, April 2015.

**20** Rob Webley (Somerset Finds Liaison Officer) trains volunteers on how to recognise different archaeological finds as part of the Dig Porlock project run by Exmoor Moorland Landscape Partnership.

## 4.2 Appropriate context for metal detecting (nationally important and designated sites)

Government policy on nationally important sites (see [Appendix 1](#)), whether designated or not, is that they should be preserved *in situ* wherever practicable. Any invasive investigation on, or removal of material from, these sites should take place within a clear research framework, should be minimally destructive, and should be for the public benefit. For this reason, metal-detecting surveys in protected places (Scheduled Monuments and Areas of Archaeological Importance), whether or not material is removed, require a [Section 42 licence](#) from Historic England. Removing finds of any type from a Scheduled Monument without Scheduled Monument Consent from the Department for Digital, Culture, Media and Sport (DCMS) may be a criminal offence. In a marine context a [Licence](#) is required for work on a Protected Wreck. Detecting on a Registered Battlefield does not require the consent of Historic England. Many projects have demonstrated the value of metal detecting in adding to, or in some cases revolutionising our understanding of battles. However, to understand a battle fully, it is vital that recording is accurate, preferably as part of a structured survey (see [Appendix 3](#)).

In conformity with these principles set out in the paragraph above, metal detecting on designated sites will not normally be permitted, nor funding be provided for projects incorporating metal detecting on non-designated sites, unless:

- metal artefacts are otherwise threatened with loss or destruction and no alternative for securing *in situ* preservation can be achieved, or
- it takes place within the context of properly formulated research-based fieldwork.
- In these cases metal detecting will not be permitted unless:
- finds are reported/published to agreed standards;

- finds are deposited in an accredited museum that meets appropriate standards (subject to the agreement of the landowner and the provisions of The Treasure Act 1996, or in relation to wreck material, the owner);
- metal detecting takes place as a part of a wider survey or fieldwork programme which would normally include desk-based archaeological assessment and structured retrieval of non-metal as well as metal artefacts. In most cases, additional survey should also include the use of remote sensing or other fieldwork techniques.



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### Images 21 and 22

21 Sussex FLO, Edwin Wood and Buckinghamshire FLO, Arwen James discuss the identification of a Roman coin at the Battle of Hastings celebration 2017.

22 Portable Antiquities team with their mobile display at the Festival of History at Kelmars Hall in 2005.

Whilst Historic England will not seek to restrict the activities of responsible and law-abiding metal detectorists it will not fund, license or recommend permission be given for any metal-detecting survey as part of an archaeological project on designated or undesignated sites unless it meets these requirements. Guidelines for hobby metal detecting are contained in the [Code of Practice for Responsible Metal Detecting in England and Wales](#) (revised 2017).

Applications for Section 42 licences to use a metal detector for the purpose of recovering modern personal items lost on a Scheduled Monument, English Heritage Guardianship Monument, or in an Area of Archaeological Importance do not need to follow all these principles, or provide a MoRPHE-compliant Project Design. In such cases, licences will be granted for the specified objective of the recovery of the personal item only.

### 4.3 Appropriate context for metal detecting (other archaeological sites)

Although Section 42 licences are only required for geophysical surveys and metal detecting on protected places, Historic England believes that the same principles and standards set out in the section above ('Appropriate context for metal detecting (nationally important and designated sites)') should apply to metal detecting on all previously recognised and important archaeological sites recorded in the Historic England Archive or in Local Authority Historic Environment Records, and on areas protected by other (non-archaeological) designations (eg SSSIs). The principles also provide a template for projects intended to discover, locate or characterise sites.

Historic England advises all those planning metal-detecting surveys to consult the appropriate Local Authority Historic Environment Record and inform the Local Authority Archaeologist and local Portable Antiquities Scheme Finds Liaison Officer (or Receiver of Wreck for underwater sites) before commencing their fieldwork. With respect to land subject to an Environmental Stewardship

Agreement or a Countryside Stewardship Agreement, a derogation from Natural England may be required to allow metal detecting on known archaeological sites (see [Appendix 1, Section 3](#)). Many landowning bodies, such as the National Trust and the Duchy of Cornwall, place restrictions on metal detecting and other activities on their land. Consequently any fieldwork, not just metal-detecting surveys, require as a matter of course the permission of the landowner or landowning body. Additionally the permission of any tenants might also be necessary.

Particular issues arise from metal-detecting rallies. The potential loss of archaeological information through non-recording and the export without record of finds pose serious problems for the Historic Environment Sector. Organisers of rallies should adhere to the [Guidance for Organisers of Metal Detecting Rallies](#) (2009).

### 4.4 Contextualisation of finds

In the case of exceptional unexpected finds of national importance which have come to light as a result of metal detecting, Historic England will consider proposals for appropriate archaeological fieldwork with the specific objective of contextualising such finds, or for remedial work related to their discovery. Proposals should be consistent with the principles set out above (Section 4). All such applications will be considered on a case-by-case basis according to our published priorities, and will have to conform to the normal commissioning process and procedures.

# 5 Trade in Antiquities

Historic England strongly supports the United Kingdom Government's position that trade in illicit antiquities should be stopped, and this statement conforms to the standards set out in international conventions ([Appendix 1](#)). To facilitate this:

- Historic England will not participate in or condone any illicit international or national trade in material arising from archaeological activities or fieldwork;
- Historic England will support the general principle that archaeological material should not be sold for profit (in exceptional cases such sales might be acceptable as part of a properly formulated and agreed disposal policy);
- Historic England will not support or make applications for export licences for material deriving from any project (given the presumptions of deposition in a publicly accessible archive and the passing of the material into public ownership). This would not preclude support for export licences for the loan of objects overseas for exhibition, analysis or other appropriate study;
- Historic England will support the principle that in the case of material deemed Treasure, and not covered by a finder's waiver, national and local museums must, in accordance with established practice, be afforded the opportunity to purchase the material prior to it being offered to overseas institutions.



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**Image 23**

Late Iron Age to early Roman copper-alloy tankard handle found by metal-detecting survey, Norfolk.

# 6 What Historic England Will Do

In support of this statement Historic England, subject to our project commissioning processes and the availability of resources, will aim to:

## 6.1 Understand the historic environment

- continue support for the [Portable Antiquities Scheme](#) by grant-aiding evaluation, recording and assessment of nationally important find spots, by limited provision of geophysical survey for contextualisation of find spots and specialist finds analysis as appropriate, and by sending representation to the Portable Antiquities Advisory Group;
- develop structured and mutually beneficial projects that bring together archaeologists (both paid and unpaid) and the metal-detecting community to increase understanding of this component of the archaeological resource;
- seek to encourage those developing research frameworks and individual projects to recognise the potential contribution of responsible metal detecting;
- support the non-statutory procedures adopted by the Receiver of Wreck to consider sympathetically the importance of declared material deemed to be of archaeological or historic importance;

- Explore, with the Heritage Lottery Fund and others, methods of funding the contextualisation of finds that do not meet Historic England criteria for funding.

## 6.2 Value the historic environment

- support research into portable antiquities issues including research into illegal activity (and its impact on the historic environment);
- seek to encourage good practice in partnership with user bodies, such as the Council for British Archaeology, British Museum, Museums Association, National Council for Metal Detecting, the Federation of Independent Detectorists, Nautical Archaeology Society and recreational diver training organisations;
- through the Heritage Crime Programme continue to develop and expand the training of relevant staff in investigation procedures and techniques with the objective of, if appropriate, supporting prosecutions in connection with registered or designated sites and landscapes;
- examine the potential for outreach and training programmes to encourage best practice in surface collection projects.

### 6.3 Care for the historic environment

- develop sustainable relationships and increase mutual understanding with police services, enforcement bodies and cognate agencies (including the development of mutual training programmes);
- Heritage Crime – Memorandum of Understanding (2011). We will continue to support the partnership programme to tackle heritage crime in England a [Memorandum of Understanding \(MoU\)](#) which was signed by the Police, Crown Prosecution Service and Historic England (formerly English Heritage). The MoU provides for support and training for partner organisations and a cooperative approach, in line with the differing statutory powers, to the investigation and prosecution of criminal offences in connection with historic assets, including registered or designated sites and landscapes;
- encourage the development of consistent approaches across government (Department of Digital, Culture, Media and Sport, Department for Communities and Local Government, Department of the Environment, Farming and Rural Affairs, Ministry of Defence, Department for Transport (Receiver of Wreck) and Crown Estates);
- ensure broad consistency with other portable antiquities and metal-detecting policies and to support and participate in consultations aimed at developing joint approaches and standards (key partners: Portable Antiquities Scheme, Council for British Archaeology, Association of Local Government Archaeological Officers, Society of Museum Archaeologists, National Council for Metal Detecting; Federation of Independent Detectorists, Forest Enterprise, National Trust, Church Commissioners, the Arts Council, Country Land and Business Association, National Farmers Union, Receiver of Wreck, Nautical Archaeology Society, recreational diver training organisations);

- continue to develop, with Department of the Environment, Farming and Rural Affairs and others, programmes/projects to assess the impact of agri-chemicals and the physical impacts of different types of machinery/equipment on the archaeological resource within the topsoil and the modern ploughzone;
- promote projects that underpin the management of the archaeological resource in the topsoil and the modern ploughzone;

### 6.4 Enjoy the historic environment

- develop measures which maximise the potential value of responsible approaches and attitudes to portable antiquities;
- develop and strengthen links with regional museums and regional conservation centres to ensure, enhance and encourage the permanent display and interpretation of recovered historic artefacts;
- develop and strengthen links with divers, both amateur and professional, with a view to enhancing the conservation of portable antiquities as a component of the archaeological resource in the marine environment.



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**Image 24**  
Child fieldwalking at Bankside.



## 6.5 Contact Historic England

### East Midlands

2nd Floor, Windsor House  
Cliftonville  
Northampton NN1 5BE  
Tel: 01604 735460  
Email: [eastmidlands@HistoricEngland.org.uk](mailto:eastmidlands@HistoricEngland.org.uk)

### East of England

Brooklands  
24 Brooklands Avenue  
Cambridge CB2 8BU  
Tel: 01223 582749  
Email: [eastofengland@HistoricEngland.org.uk](mailto:eastofengland@HistoricEngland.org.uk)

### Fort Cumberland

Fort Cumberland Road  
Eastney  
Portsmouth PO4 9LD  
Tel: 023 9285 6704  
Email: [fort.cumberland@HistoricEngland.org.uk](mailto:fort.cumberland@HistoricEngland.org.uk)

### London

4th Floor, Cannon Bridge House  
25 Dowgate Hill  
London  
EC4R 2YA  
Tel: 020 7973 3700  
Email: [london@HistoricEngland.org.uk](mailto:london@HistoricEngland.org.uk)

### North East

Bessie Surtees House  
41-44 Sandhill  
Newcastle Upon Tyne  
NE1 3JF  
Tel: 0191 269 1255  
Email: [northeast@HistoricEngland.org.uk](mailto:northeast@HistoricEngland.org.uk)

### North West

3rd Floor, Canada House  
3 Chepstow Street  
Manchester M1 5FW  
Tel: 0161 242 1416  
Email: [northwest@HistoricEngland.org.uk](mailto:northwest@HistoricEngland.org.uk)

### South East

Eastgate Court  
195-205 High Street  
Guildford GU1 3EH  
Tel: 01483 252020  
Email: [southeast@HistoricEngland.org.uk](mailto:southeast@HistoricEngland.org.uk)

### South West

29 Queen Square  
Bristol BS1 4ND  
Tel: 0117 975 1308  
Email: [southwest@HistoricEngland.org.uk](mailto:southwest@HistoricEngland.org.uk)

### Swindon

The Engine House  
Fire Fly Avenue  
Swindon SN2 2EH  
Tel: 01793 445050  
Email: [swindon@HistoricEngland.org.uk](mailto:swindon@HistoricEngland.org.uk)

### West Midlands

The Axis  
10 Holliday Street  
Birmingham B1 1TG  
Tel: 0121 625 6870  
Email: [westmidlands@HistoricEngland.org.uk](mailto:westmidlands@HistoricEngland.org.uk)

### Yorkshire

37 Tanner Row  
York YO1 6WP  
Tel: 01904 601948  
Email: [yorkshire@HistoricEngland.org.uk](mailto:yorkshire@HistoricEngland.org.uk)

# Appendix 1

## International Law, Domestic Law, Statutory Schemes and Voluntary Codes of Practice

### 1 International law

Relevant International Conventions include:

#### Hague Convention on the Protection of Cultural Property in the Event of Armed Conflict 1954

Forbids invading powers from exporting antiquities, and requires Hague Convention signatories not involved in the armed conflict to retain for the duration of the occupation any antiquities which pass their borders. The Convention and its two protocols (1954 and 1999) were ratified by the British government in September 2017.

#### UNESCO Convention on the means of prohibiting and preventing the illicit import, export and transfer of ownership of cultural property 1970

Prohibits illegal export or import of cultural objects and additionally requires the provision of services to protect the heritage, for making inventories, for the supervision of excavations, and requires dealers in antiques/antiquities to record the origin of items and details of sellers and purchasers.

#### European Convention on the Protection of the Archaeological Heritage (revised) (The Valletta Convention) 1992

Requires the provision of mechanisms for reporting finds and procedures to combat illicit excavation and the trade/acquisition of material from illicit excavations, as well as mechanisms to

ensure appropriate excavation standards and the prior authorisation of the use of metal detectors and other detection equipment.

#### European Council Regulation on the export of cultural goods (EC no 116/2009)

Requires an export licence issued by a competent authority in a member state where the object is lawfully located. An export licence is not required for archaeological objects of limited archaeological or scientific interest, provided their sale is lawful. However this exception does not apply to archaeological objects that are the direct products of excavations, or are finds from sites in a member state which all require a licence.

#### European Council Directive on the return of cultural objects unlawfully removed from the territory of a member state (2001/38/EC)

Covers the products of archaeological exploration and excavations (regular and clandestine) and elements of artistic/historical or archaeological sites that have been dismembered, and all remains bearing witness to epochs for which excavations or discoveries are the main source of information. Requires state parties to cooperate in the return of unlawfully removed cultural material.

#### International Convention of Salvage 1989

Incorporated into United Kingdom law through the Merchant Shipping Act 1995.

## 2 Domestic law

A wide range of domestic law is relevant:

### Theft Act 1968

The removal of objects from land owned by someone other than the person undertaking the work without their permission may be theft.

### Criminal Damage Act 1971

Under this Act it is an offence to destroy or damage property belonging to another.

### Ancient Monuments and Archaeological Areas Act 1979

Restricts use of metal detectors on Scheduled Monuments, monuments in the ownership or under the guardianship of the Secretary of State, English Heritage or a local authority and sites in Areas of Archaeological Importance (Canterbury, Chester, Exeter, Hereford and York). Offences under the Act include:

- Section 2 – works to a Scheduled Monument without consent
- Section 28 – intentional or reckless damage to a protected monument
- Section 42 – using a metal detector on a Scheduled Monument and/or the removal of objects of archaeological or historical interest with the use of a metal detector

### National Heritage Act 1983 [Sch 4 60.1–6]

Transferred the responsibility for issuing Section 42 licences for metal detecting on designated sites to Historic England.

### Protection of Military Remains Act 1986

This legislation covers ‘protected places’ which are all crashed military aircraft, whether previously known or not, designated vessels and ‘controlled sites’, the latter being designated places which contain the remains of an aircraft or vessels. The Act makes it an offence to disturb the remains of any crashed military aircraft on land or at sea without a licence from the Ministry of Defence.

### Treasure Act 1996

Replaced the common law of Treasure Trove and created a wider definition of Treasure. Offences under the Act include failing to report the finding of treasure.

### The Treasure (Designation) Order 2002

Widened the definition of Treasure to include prehistoric base metal finds.

### National Parks and other local authority by-laws

Restrict or prohibit metal detecting on land in the ownership of the local authorities.

### Countryside and Rights of Way Act 2000 (aka CROW)

Access to ‘open country’ is not permitted if the person concerned ‘uses or has with him any metal detector’ or if the person commits any criminal offence.

### Dealing in Cultural Objects (Offences) Act 2003

Provides an offence of acquiring, disposing of, importing or exporting tainted [ie stolen or of dubious provenance] cultural items, or agreeing or arranging to do so.

### Export Control Act 2002

Enables controls to be imposed on the exportation of goods, and provides the basis for UK regulations controlling the export of cultural goods.

### Export of Objects of Cultural Interest (Control) Order 2003

Prohibits, except under the authority of a licence, the export of ‘Any objects of cultural interest manufactured or produced more than 50 years before’ with some exceptions that generally do not apply to archaeological material.

### Merchant Shipping Act 1995

Covers ‘wreck’, ie any material from wrecked ships, aircraft, hovercrafts etc that is raised from the seabed, from all sites (whether designated or not) which must be reported to the Receiver of Wreck, who arranges for the identification of any owners of ‘wreck’ and appropriate disposal. The Receiver’s policy is, wherever possible, to ensure that material of historic or archaeological importance is offered to a registered museum in the locality of the findspot.

### Protection of Wrecks Act 1973

Wreck sites of archaeological, historical or artistic interest can be designated by the Secretary of State for Digital, Culture, Media and Sport, which means that unlicensed diving, excavation, deposition of materials and salvage is prohibited. All licensed operations to recover material must follow an approved project design that includes appropriate treatment and recording, and conform with the legal requirements of declaration to the Receiver of Wreck.

### Common Law relating to salvage

There may be some circumstances where ongoing salvage work could restrict the impact of designation.

## 3 Statutory schemes

### Countryside Stewardship Scheme

The first legal agreements under this agri-environment scheme, which replaced Environmental Stewardship, started on 1 January 2016.

### Higher Tier and Mid Tier requirements:

Metal detecting is not allowed on Scheduled Monuments, Sites of Special Scientific Interest (SSSIs) and known archaeological sites on Agreement Land. These are identified on the Farm Environment Record (FER), and the HEFER. Natural England will advise Agreement Holders in writing of any new sites that are discovered that will also be covered by these terms. On all other Agreement Land, Agreement Holders must ensure that metal detecting does not conflict with the requirements of their Agreement, in particular where proposed metal detecting may affect their ability to meet option prescriptions. For example, options supporting groundnesting birds, priority habitats or rare arable plants are incompatible with ground disturbance, and such activities may cause a breach of agreement and result in withholding of payments, reclaims or penalties. Any metal detecting that Agreement Holders allow on Agreement Land should be undertaken in accordance with best practice laid down in the current Code of Practice for Responsible Metal

Detecting in England and Wales, and all finds must be reported to the Portable Antiquities Scheme.

A former scheme, also known as Countryside Stewardship, has been closed to new applicants and all agreements were finished by 2014.

### Environmental Stewardship

This Scheme is closed to new applicants but some agreements will continue until 2024, and are subject to the rules below.

### Entry Level Schemes

Specifies that on Scheduled Monuments a licence is required from Historic England before metal detecting can take place. On Sites of Special Scientific Interest (SSSIs), where actions resulting from metal detecting (eg digging or vegetation disturbance) are listed as 'operations likely to damage the special interest' of the SSSI, written notice to Natural England is required and they can only proceed once written consent has been received. Owners and tenants are required to protect and maintain archaeological sites and other environmental features over the entire area under agreement, and must ensure that no damage is caused to these features wherever metal detecting takes place (authorised or otherwise). The exact terms of any ELS agreement will depend on which version of the ELS Handbook applies and, in itself, forms part of the agreement.

### Organic Entry Level Schemes

As above.

### Higher Level Schemes

Owners/tenants must not carry out or permit metal detecting on the archaeological sites on the holding identified in the Farm Environment Plan, unless agreed with the relevant Rural Development Service adviser in writing. On Scheduled Monuments metal detecting cannot take place without a Section 42 licence from Historic England. Detecting without such a licence is an offence. On SSSIs, where actions resulting from metal detecting (eg digging or vegetation disturbance) are listed as 'operations likely to

damage the special interest' of the SSSI, written notice to Natural England is required and work can only proceed once written consent has been received. Owners/tenants are required to protect and maintain archaeological sites and other features over the entire area under agreement, and must ensure that no damage is caused to these features wherever metal detecting takes place (authorised or otherwise). The exact terms of any HLS agreement will depend on which version of the HLS Handbook applies. In addition landowners may be under legal obligations to protect environmental features other than historic features under their agri-environment scheme agreement. The presence of a land management option for farmland birds may influence decisions on what survey activity is appropriate, and its timing. All those working around such situations are responsible for identifying the risks around other environmental designations or agreements, and to make reasonable efforts to ensure issues are resolved prior to undertaking interventions. Landowners allowing activities in breach of their agreements open themselves to potential penalties.

## 4 Voluntary Codes of Practice

Relevant Codes of Practice include:

### UNESCO Core Data Standard for Identifying Cultural Objects

Internationally agreed standards for the documentation of the cultural heritage. That on Object Identification seeks to ensure that standards of description are such that anything traded illicitly can be identified.

### Institute of Conservation (Icon) Guidelines and Code of Ethics

These Professional Guidelines are promoted by the European Confederation of Conservator-Restorers' Organisations (ECCO) and adopted by its General Assembly, Brussels 1 March 2002. Since Icon ceased to be a member of ECCO in September 2007, Icon and its members no longer conform to the part of Section III(ii).

Of relevance to this statement:

Article 19: The Conservator-Restorer should never support the illicit trade in cultural heritage, and must work actively to oppose it. Where legal ownership is in doubt, the Conservator-Restorer must check all the available sources of information before any work is undertaken.

### Annexe to the 2001 UNESCO Convention on the Protection of the Underwater Cultural Heritage

This has been adopted by the UK Government as setting out best practice for archaeology. The Annexe comprises a series of ethical rules concerning activities directed at underwater cultural heritage, which provide objective standards by which to assess the appropriateness of actions in respect to archaeology underwater. All individuals licensed to access a Protected Wreck Site agree to uphold the general principles of the Annexe to the 2001 UNESCO Convention on the Protection of the Underwater Cultural Heritage. Of particular importance to emphasise is Rule 2 which says 'The commercial exploitation of underwater cultural heritage for trade or speculation or its irretrievable dispersal is fundamentally incompatible with the protection and proper management of underwater cultural heritage. Underwater cultural heritage shall not be traded, sold, bought or bartered as commercial goods'.

### British Marine Aggregate Producers Association (BMAPA)/EH Protocol for Reporting Finds of Archaeological Interest (2005)

Designed, with the aid of supporting material, to enable marine aggregates industry employees to recognise artefacts found during extraction processes offshore and onshore unloading, and to encourage the appropriate reporting of the finds.

### Code of Practice for Responsible Metal Detecting in England and Wales (revised 2017)

States that it is illegal to use a metal detector without the landowner's permission and metal detecting on a Scheduled Monument is illegal without a Section 42 licence. Makes the point that removing any object from a Scheduled Monument or Area of Archaeological Importance with a metal

detector constitutes a separate offence. Covers the Treasure Act 1996 and sets out guidelines for responsible metal detecting, including reporting and recording of find spots.

### [The National Council for Metal Detecting Code of Conduct \(2007\)](#)

Requires members not to trespass, report all finds to the landowner and respect the countryside. Specifically states that detecting on a Scheduled Monument without a Section 42 from English Heritage (now Historic England) is illegal and encourages metal detectorists to familiarise themselves with the practice of The Treasure Act (1996).

### [Federation of Independent Detectorists Code of Conduct \(1996\)](#)

Requires members not to trespass, report all finds to the landowner and respect the countryside. Specifically states that detecting on a Scheduled Monument without permission from the Secretary of State [a Section 42 licence from English Heritage, now Historic England] is illegal.

### [Code of Practice for Seabed Development \(2008\)](#)

A voluntary Code of Practice developed by the Joint Nautical Archaeology Policy Committee which presents an overview of procedures for consultation and cooperation between seabed developers and marine archaeologists.

### [CIfA Standards](#)

Relevant standards are set out below and can be found on the [CIfA website](#):

- [Standard and Guidance for Nautical Archaeological Recording and Reconstruction \(2008\)](#).
  - [Standard and Guidance for the Creation, Compilation, Transfer and Deposition of Archaeological Archives \(2009\)](#).
  - [Standard and guidance for Geophysical Survey \(2011\)](#).
- 
- ### [A Research Framework for the Stonehenge, Avebury and Associated Sites World Heritage Site \(2016\)](#)
- Provides background and guidance on the use of metal detectors in the World Heritage Site. The policy regarding the use of metal detectors is set out in detail in the Archaeological Research Agenda for the Avebury World Heritage Site (Chadburn et al 2001) and should be maintained across the WHS as a whole.
- 
- ### [Frontiers of the Roman Empire World Heritage Site – Hadrian’s Wall Management Plan 2015–2019](#)
- States that as Policy 5a: ‘Metal detecting within the World Heritage Site and its Buffer Zone will not be permitted except in line with Historic England guidelines and as part of a recognised and properly resourced research project.’

- [Standard and Guidance for Archaeological Desk-Based Assessment \(2012\)](#).

- [Standard and Guidance for Archaeological Field Evaluation \(2009\)](#).

- [Standard and Guidance for Archaeological Excavation \(2008\)](#).

- [Standard and Guidance for the Collection, Documentation, Conservation and Research of Archaeological Materials \(2008\)](#).

# Appendix 2

## Definitions

The following definitions are offered as an aid to clarity in respect of this statement.

### Context

The location of material, as deposited in the ground. This may be the original location, the result of reworking in antiquity, or reflect deposition during processes such as manuring. Finds disturbed from their original context by the plough, or other activity such as commercial trawling, may retain a vertical or horizontal relationship to their original context, or to other associated material. More broadly context can be information about surrounding and adjacent deposits, features and finds, as well as setting in relation to the broader structure of a site or landscape.

### Designation

The identification of heritage assets as being of national importance, either through statutory protection by scheduling, listing or as a protected wreck, or through inclusion on national Registers of Parks and Gardens, or Battlefields. Other forms of statutory protection exist, notably Areas of Archaeological Importance, Conservation Areas and Protected Military Remains.

### Fieldwalking

Fieldwalking can simply involve the mapping of artefact scatters visible on the surface of (usually) arable fields. It can also include the collection of artefacts ('surface collection') for subsequent analysis and interpretation off site.

### Find spot

The location of discoveries of portable antiquities. They need not be associated with buried or upstanding archaeological features (eg building remains or wreck structure), but can derive from locations within known sites.

### Historic Environment Record (HER)

(formerly called Sites and Monuments Records [SMRs]).

The historic environment includes all aspects of our surroundings that have been built, formed or influenced by human activities from earliest to most recent times.

An Historic Environment Record stores and provides access to systematically organised information about these surroundings in a given area. It is maintained and updated for public benefit in accordance with national and international standards and guidance.

An Historic Environment Record makes information accessible to all in order to:

- advance knowledge and understanding of the historic environment;
- inform its care and conservation;
- inform public policies and decision-making on land-use planning and management;
- contribute to environmental improvement and economic regeneration;
- contribute to education and social inclusion;
- encourage participation in the exploration, appreciation and enjoyment of the historic environment.

(Source: [Informing the Future of Our Past: Guidelines for Historic Environment Records](#)).

### **Metal detecting**

Searching for metal artefacts with a metal detector, or similar equipment, on land or underwater, irrespective of whether or not the material is recovered.

### **Ploughzone**

That part of the soil cover that is subject to, or has recently been subject to, cultivation.

### **Portable antiquity**

Any object of any material, not just metal artefacts that has been produced by or used by humans, including faunal remains. The term has become closely associated with metal detecting, largely as a result of the creation and longevity of the Portable Antiquities Scheme (PAS); however both in this document and within PAS practice, all archaeological materials, whatever the material type, are considered to be portable antiquities. The term 'portable antiquities' is not generally used for material deriving from structured archaeological projects, 'finds' being the common usage.

### **Protected place**

A scheduled monument, guardianship monument or area of archaeological importance under the 1979 Act.

### **Prospection**

Seeking new archaeological sites through remote sensing (geophysical surveys, aerial photography, Lidar), or intrusive methods such as auger surveys, and, in the case of artefacts, structured metal-detecting survey.

### **Publicly accessible archive**

An ordered and accessible archive, with provision for long-term storage and preservation held in an appropriate accredited museum under the scheme administered by Arts Council England (Note: museums currently registered are also included).

### **Site/monument**

Any area of land or the sea-bed, whether designated or otherwise protected, or unprotected, that is associated with known physical remains of former human activity, including structural remains, burials, earthworks, cropmarks or wrecks.

### **Sites without structures**

Sites, usually earlier prehistoric, that lack evidence for (built) structures and instead are defined by concentrations of artefacts, ecofacts and (possibly) environmental material. The term does not imply that they lack 'structure' in the sense of meaningful spatial distributions of objects.

### **Survey**

Non-invasive investigation of sites through a range of techniques including: geophysical techniques, topographic/landscape recording, aerial photographic mapping and laser scanning, etc. Survey methods can also be intrusive – fieldwalking (surface collection), augering, etc.



# Appendix 3

## Case Study: Metal detecting on historic battlefields

### Background

Evidence for military action on most English battlefields comprises metal artefacts that have been in the topsoil since the battle. Their type and varying density across the site provide battlefield-wide understanding of the action. Siege sites have similar scatters extending hundreds of metres from garrison defences, so 'siegefields' should be treated like battlefields.

Evidence from siegefields can include the remains of attackers' siegeworks, but on battlefields rarely is there more than the mass graves, and the remains of weapons, artillery and personal items, except for a handful of sites where defences were constructed. Detecting surveys should not go deeper than the modern topsoil, as the exceptional evidence from any stratified remains can only be adequately recovered by excavation. It should also avoid land uncultivated since the action as exceptional evidence here may be very shallow.

Only archaeologically led, systematic detecting surveys should be undertaken on nationally important battle and siege sites, because most of the evidence lies in the variation in density of artefacts across the site. It is not enough to GPS record each find location as part of a 'random wander'. There needs to be a well-documented consistent survey coverage, because the variation in numbers of finds and even complete gaps in the record must reflect the total numbers of finds in the ground, not how much time was spent in any area.

### Best practice

Systematic survey is best achieved by detecting along accurately recorded, evenly spaced transects marked by lines of coloured flags. The detectorist walks only along the lines, thus each time sampling a strip 2-2.5m wide. Surveys should also use experienced detectorists with high specification machines as otherwise recovery rates can vary dramatically, so distorting the recovered pattern.

The spacing of transects depends on site type and the purpose of the survey. On Civil War sites like Edgehill the density of artefacts, mainly lead bullets, is so high that meaningful, battlefield-wide patterns can be recovered with 10m spaced transects. Leaving most of the ground undetected but making survey much quicker makes sense where 5 or 10 square km are to be surveyed. On late medieval battlefields like Bosworth the density is so low that maximum spacing should not exceed 2.5m. Sites before the battlefield use of gunpowder weapons, before c 1455, may require even greater intensity. But if the survey is for development-led evaluation or recording before destruction then, whatever the type of site, more intensive detecting is needed to recover a larger sample. On exceptional sites, like Bosworth, important research questions may even demand 100% recovery be attempted.

Detecting mode will also vary according to type of site and purpose of survey. While a broad pattern can be recovered from non-ferrous finds, important evidence will be missed. After c 1470 battlefields might contain cast iron round-shot. On later sites these certainly exist and may be accompanied by other ferrous finds such as cast iron grenade fragments. While such substantial

ferrous items survive in most topsoils, smaller ferrous objects, like arrowheads or personal fittings like buckles, will normally have decayed. But on some sites soil chemistry or other factors have led to their survival, as with arrowheads at Towton. Surveys should sample for such evidence, especially when undertaken for development led evaluation or recording prior to destruction.

# Appendix 4

## Model Waiver of Rights to Reward

.....Project <<date>>

### Waiver of Rights to Reward

I hereby confirm that as a condition of my participation in the ..... Project <<date>> as an archaeologist/metal detectorist/volunteer:

1. I understand that all finds from the site, other than Treasure (as defined by the Treasure Act 1996 (as modified by The Treasure (Designation) Order 2002) shall remain the property of ..... and I will not claim ownership, possession or any other right in such finds;
2. I understand that one hundred percent of any proceeds of sale reward paid by the Secretary of State pursuant to the Treasure Act 1996 shall belong to ..... as the Landowner. I renounce any claim that I might have or have had under the Treasure Act 1996 to any proceeds of sale or reward;
3. any rights I may have or have had to proceeds of sale or reward paid by the Secretary of State pursuant to the Treasure Act 1996 are reassigned to ..... as the Landowner.

Signed .....

Please print .....

Date.....

[Based on that used by English Heritage at Groundwell Ridge, Swindon in 2003-5]

# Appendix 5

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# Acknowledgements

## Contributors

We would like to thank the following bodies consulted in the development of the original version of this document:

Association of Local Government Archaeological Officers (ALGAO)

Council for British Archaeology (CBA)

English County and Unitary Authority Heritage Environment Records

Federation of Independent Detectorists (FID)

Forestry Commission

Joint Nautical Archaeology Policy Committee

Museums Association

National Council for Metal Detecting (NCMD)

Nautical Archaeology Society

Portable Antiquities Scheme (PAS)

Receiver of Wreck

Society of Museum Archaeologists (SMA)

Standing Committee of Archaeological Unit Managers (SCAUM)

Surrey Archaeological Society

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HEAG177  
Publication dates: v1.0 June 2006,  
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Reissue date: February 2018 © Historic England  
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