



Detecting on Crown Estate Foreshore.- NCMD update.2

In April the NCMD met with Iain Mills Coastal Manager for The Crown Estate, to discuss the recently introduced beach permit scheme. The NCMD reported on this meeting in the June issue of *The Searcher* and *Treasure Hunting* magazines along with comments from Iain Mills. Since that report there has been considerable advancement.

After consultation with The Crown Estate's in-house legal advisors The Crown Estate and NCMD have agreed the following.

Permit Cost

To reduce both the administrative cost to The Crown Estate and the permit cost to the applicant, a consent form will be made available on the Crown Estate website. If you wish to obtain The Crown Estate's consent to search an area of foreshore you should first check that the area of foreshore is owned by The Crown Estate and not regulated by a third party. This will be done with the aid of an online map. Once you are satisfied that The Crown Estate own the area which you intend to search, you will be asked to read the terms and conditions and accept the consent form.

The consent for non-commercial metal detecting on the foreshore will not incur a charge.

The three inch ruling.

There were a number of issues which The Crown Estate and NCMD discussed concerning the conditions. Probably the most contentious being the three inch rule. This has now been amended and the following wording agreed. "*You may only investigate the surface of the foreshore and not excavate into the hard pack sub-surface of the foreshore to ensure that the archaeological integrity of any embedded find is retained;*" This is a more realistic approach and takes into account the build up of sand which can occur after winter storms. Usually the "hard pack" does not become exposed. However we feel that should this occur it should be afforded the same considerations as stratified layers on agricultural land.

The use of a small hand trowel has been removed from the terms and conditions; however this may still apply to some areas of the Thames foreshore. Included is "*Any hole (however small or shallow) must be refilled so that the foreshore is reinstated to its condition before digging or excavation was commenced by the applicant so as not to create a hazard to other foreshore users.*"

The reporting of finds and the definition of any item of value.

The original terms and conditions took no account of Treasure or small numbers of modern coins. However these have now been addressed and with the exception of Treasure which has its own statutory requirement will read; "*To report the find of any item of value such as jewellery*

and coins (excluding individual or small quantities of modern coins) to The Crown Estate and the Police within fourteen days of the date of the find. The value of such a find will be determined by agreement between the applicant and The Crown Estate or by valuation by at least two other persons selected by The Crown Estate and the applicant, or by sale for the highest available price. Any monies received shall be divided equally between The Crown Estate and the finder (after the deduction of any costs)."

There is also provision for reporting in Northern Ireland and items which may have come from a wreck "To report the find of any item which may or which on reasonable grounds is likely to be considered Wreck within the meaning of the Merchant Shipping Act 1995 to the Receiver of Wreck and The Crown Estate within fourteen days of the date of the find."

As all landowners have greater title to any finds found "The Crown Estate reserves their right to ownership of all or any objects found".

Although there is still some technical work to do on the online map; A copy of both the consent form and the conditions will be available as soon as possible on The Crown Estate website.

The NCMD believes that The Crown Estate has endeavoured to meet the concerns of metal detector users in all aspects of beach detecting without compromising its responsibility legally or as a landowner and would like to thank Iain Mills for his constructive and appreciative approach to our concerns.

Trevor Austin
NCMD General Secretary



"The proposal we have jointly developed with the NCMD not only removes some of the anomalies of the existing permit such as the 3" rule but also hopefully simplifies the whole permitting procedure. One of The Crown Estate's aims has always been to encourage the responsible use of our foreshore and we hope this will be a positive step in that direction."

Iain Mills
Coastal Manager
The Crown Estate

