

Landownership

The Regional Park does not own any ground but manages Castle Semple (including the lochshore path and the woodlands at Parkhill), Muirshiel Country Park, Greenock Cut Centre (adjacent to the Greenock Cut that is a scheduled monument) and Lunderston Bay. Shielhill Glen (at the GC centre) is privately owned by Ardgowan Estates. There are two council owned moorland farms, West Tandlemuir, Lochwinnoch and Hardridge, near Kilmacolm and there are several ancient sites in these areas that are fully recorded by the West of Scotland Archaeology Service. You can register with Historic Scotland to ascertain locations of noted sites.

Permission

We do not permit metal detecting unless specific permission is given for each proposed activity. Permission is unlikely to be given at Castle Semple, the farm sites and Greenock Cut unless it is part of an event/project organised in partnership with the Park. As you know permission is required from the landowner and other than those mentioned above the majority of the Park is in private ownership. Metal detecting groups are likely to be able to suggest sites or contacts.

Acts of Parliament

In terms of section 42(1) of the Ancient Monuments and Archaeological Areas Act 1979, it is an offence to use, without written consent from the Secretary of State (presumably now the Scottish Ministers), a metal detector in a protected place. A protected place is defined as any place which is either the site of a scheduled monument or of any monument under the ownership or guardianship of the Secretary of State or a local authority, or which is situated in an area of archaeological importance. Under section 42(3), it is an offence to remove, without such consent, any object of historical or archaeological interest which has been discovered by use of a metal detector in a protected place. Historic Scotland's website has good information and you may have already noted the following document: http://www.historic-scotland.gov.uk/metal_detecting.pdf

The Treasure Act 1996 does not apply in Scotland. In Scotland, any property which is not otherwise owned, belongs to the Crown as "bona vacantia" (ownerless goods). This includes, for example, treasure trove. Neither the owner of the land where any treasure is discovered, nor the finder thereof, has any rights to ownership, unless the Crown decides not to claim the object. The Queen's and Lord Treasurer's Remembrancer is the person who deals with treasure trove, with the procurator fiscal being the local representative. Treasure trove has no specific definition by statute in Scotland, but the Crown Office have indicated that it could be described as a 'portable antiquity'.

Finders have no ownership rights to any find they make in Scotland and all finds, with the exception of Victorian and 20th century coins, must be reported to the Treasure Trove Unit for assessment.

Any find should be reported as soon as possible to the Treasure Trove Unit at the National Museums of Scotland, Chambers, Street, Edinburgh. A code of practice relating to treasure trove in Scotland has now been published with the approval of the Scottish Ministers, and this can be found at www.treasuretrovescotland.co.uk.