

Open Report on behalf of Andy Gutherson, Acting Executive Director for Place

Report to:	Environment and Economy Scrutiny Committee
Date:	15 January 2019
Subject:	Portable Antiquities Service and Heritage Crime Enforcement

Summary:

This report will explain some new initiatives in tackling Heritage Crime and the work the Places Team is doing to liaise with Lincolnshire Police, Historic England and HM Coroner in an attempt to reduce the risk to the county's heritage. In particular the report will look at the threat of metal theft to rural churches and the illicit trade in portable antiquities. As a result of building strong partnerships we can make a difference to the respect shown to our county's heritage assets of all types.

Actions Required:

The Environment and Economy Scrutiny Committee is required to

- 1) Consider and comment upon the various initiatives currently being undertaken to prevent criminals benefitting from mistreating the county's heritage; and,
- 2) Endorse the work of LCC's Places Team in addressing the risk of criminal activity threatening the county's heritage.

1. Background

This paper will explain the risk to the county's heritage by criminal activity and will illustrate some of the initiatives being put in place to ensure we are able to protect, as much as possible, the Lincolnshire's heritage assets.

Lincolnshire is a county rich in heritage. The historic environment of the county consists of famous market towns, beautiful villages, ancient monuments and historic landscapes like parks, gardens and battlefields. As we travel the county we can follow ancient byways which pre-date the Roman invasion and we can stumble upon remote churches where the community it once served has all but disappeared. For some people enjoying these views or experiences is not enough. There are people who are prepared to trade in our heritage to make a profit from the relics our ancestors have left behind. Other thoughtless people choose to vandalise items or apply graffiti on ancient structures. All of which has the potential

to impact upon the pleasure others can get from our heritage and can have an impact upon public funds when local authorities often have to help put things right.

Historic England, the government's advisor on the historic environment, defines heritage crime as any offence which harms the value of heritage assets and their setting. Some heritage assets, like listed buildings and scheduled monuments, are protected by specific legislation to prevent harm being caused by damage or unlicensed alteration. However, other crimes such as theft, criminal damage, arson and anti-social behaviour can also result in damage and harm being caused to heritage assets. Such activity can have an impact on the public's ability to enjoy these heritage assets.

Lincolnshire, being a large county characterised by remote rural communities, is particularly at risk. Remote churches with lead rooves are a frequent target for thieves. Ancient sites well out of the way of passing members of the public can be metal detected by 'nighthawks' with only a remote risk of being discovered. Anti-social behaviour can lead to graffiti or criminal damage occurring. Unoccupied buildings are at risk of metal theft or arson.

In response to a perception that the risk to heritage assets was on the rise Historic England seconded an officer from the Kent Constabulary to their payroll. Research was commissioned to try and improve our understanding of the scale of the problem, <https://historicengland.org.uk/content/docs/legal/researchsummary-pdf/>. This report, published in 2012, contained some startling statistics including the fact that some 18.7% of all listed buildings had been affected by a crime in the previous year. For grade I and II* listed buildings the rate was even higher at 22.7%, the biggest single threat being metal theft. In overall terms the threat of criminal activity to scheduled monuments and archaeological sites is less. However, scheduled monuments can be at risk from criminal damage, unlicensed metal detecting and unauthorised access by off-road motor vehicles. Anti-social behaviour is a general threat to all heritage assets. The survey suggested that about 75,000 crimes each year are committed that affect a designated heritage asset. Historic England stated, "Heritage assets are not necessarily being targeted over other places, save perhaps for their valuable materials and artefacts, but they are suffering a substantial rate of attrition from crime nonetheless".

In response to this research in 2013 the Association of Chief Police Officers published the first Heritage and Cultural Property Crime National Policing Assessment (<https://www.museumsassociation.org/download?id=1038797>). In its foreword Andy Bliss, then Chief Constable for Hertfordshire, stated "Heritage and Cultural Property Crime poses a significant threat both to the historic environment and to the security of cultural property in museums, archives, private collections and libraries, which conserve and display our national and international cultural heritage for the enjoyment of future generations".

In response to this work Historic England, working with the National Police Chiefs' Council (NPCC), the Crown Prosecution Service (CPS) and a range of partners across the heritage and law enforcement sectors, has set up the Heritage Crime Programme. The NPCC, CPS and Historic England have signed a Memorandum of Understanding on the Prevention, Investigation, Enforcement and Prosecution on

Heritage Crime. This has been done under the auspices of a new body – ARCH: Alliance to Reduce Crime against Heritage.

Over recent years, the increase in price on global markets of certain metals has been problematic for our historic environment. Metals such as lead and copper are valuable commodities. Organised criminal gangs are targeting these metals and often ship stolen material abroad. Lead church rooves and copper piping from unoccupied buildings can put places at risk of crime at this time of heightened occurrence of metal theft.

In the Places Team we have the Lincolnshire Finds Liaison Officer (FLO), Dr Adam Daubney. The Portable Antiquities Scheme is funded by the British Museum, using part of the larger grant that the DCMS gives the museum each year. The scheme exists to record objects found by members of the public. Items of gold and silver which are over 300 years old may be classified as Treasure. Under the terms of the Treasure Act 1996, it is a legal requirement that the finder report these to the Coroner within fourteen days of the discovery. In practice most finders report items to the FLO who then reports them to the Coroner. The FLO will write a report on the object and this will offer an opinion to the Coroner as to whether the object is likely to constitute Treasure. An item which is found to be Treasure may be claimed by the local, or sometimes a national, museum. The Coroner will be required to hold an inquest if a museum wishes to acquire the object. If the Coroner finds the item to be Treasure that means the Crown is deemed to be the owner of the item. If the object is to go to a museum the finder and the land owner will be compensated in line with the market valuation.

In 2018 70 items of Treasure were reported by the FLO to the Coroner making it a record year. Of these, The Collection is seeking to acquire a small number, usually with external funding.

In the past twelve months a number of developments have occurred which will allow us to improve our chances of preventing crimes being committed or will give us a better chance of success when investigating a crime if one occurs. Significantly, we now attend the Rural Community Safety Multi Agency Gold Group which provides a strategic overview of how rural crime should be managed. This group is chaired by Chief Inspector Phil Vickers the Lincolnshire Police lead officer on rural crime.

The Police and Crime Commissioner, Marc Jones, is taking a particular interest in rural crime and Heritage Crime within that. He recently convened a summit of interested parties to improve liaison and partnership working.

Adam Daubney's work with a colleague from the University of Loughborough has used Lincolnshire as a case study to try and improve the strategic approach. There are methods which allow criminologists to identify an individual's likelihood of being a victim of crime. By applying the methodology Adam has been able to begin to identify sites which may be at particular risk. We are sharing this approach with Lincolnshire Police.

In December a new Coroner, Timothy Brennand, began work in the county. Over recent years a backlog of treasure cases has developed within the Coroner's Service as incidents of unexplained deaths have obviously had to take priority. We are pleased to report that Mr Brennand is very keen to clear this backlog and to ensure that cases are dealt with in a more timely manner in the future. We shall be having regular meetings with him and his team to ensure we coordinate activities.

Recently a hoard of coins of the English Civil War period was found in the county. The silver coins are likely to be declared Treasure and have been reported to the Coroner. Before the inquest could be heard it became clear that not all the coins had been reported. It is a criminal offence to not declare an item of Treasure within the required time period. In this case the finder has been compensated only 25% of the value he would have received because of this. It is likely he chose to either keep for himself some of the coins or he has sold them on the open market.

2. Conclusion

There is criminal activity which puts at risk aspects of the county's heritage. By working with local and national partners LCC is able to play a key role in reducing the risk of criminals benefitting from their illicit activities. We hope to be able to safeguard the heritage assets which contribute to the character of the county and which the people who live, work or visit here value so highly. Furthermore, by reducing the risk of anti-social behaviour and reckless criminal damage, we can ensure that our heritage assets will be passed down to future generations in good order.

3. Consultation

a) Have Risks and Impact Analysis been carried out?

No

b) Risks and Impact Analysis

There are no identified risks to LCC by undertaking this work. There will be benefits to the county's heritage and historic environment by reducing the threats we face.

4. Background Papers

Document title	Where the document can be viewed
Research paper: The extent of crime and anti-social behaviour facing designated heritage assets	www.historicengland.org.uk
Heritage and Cultural Property Crime: National Strategic Assessment 2017	https://www.nationalruralcrimenetwork.net

This report was written by Ian George, who can be contacted on 01522554838 or ian.george@lincolnshire.gov.uk.