



Listing and the Enterprise and Regulatory Reform Act

Frequently Asked Questions

December 2015

Will changes to listing mean that List entries are required to state which parts of the historic building or site are of special architectural or historic interest and which parts are not?

The changes to the law do not require new or updated List entries to identify special interest in more detail, this will be optional, to be used as appropriate. New or updated List entries will be able to state which parts of the historic building or site are not of special interest. For some complex building types it can be extremely hard to definitively state everything which is of special interest. Attempting to define everything which is of interest would also carry the risk that anything not mentioned, for whatever reason, might be taken to be of no interest. In the future, where a List entry states that any part of the building or a curtilage structure is not of special interest, the part or structure identified as such will not be subject to the requirements for Listed Building Consent. This change is intended to clarify the extent of special interest for a given building so that listed building controls are applied only where appropriate.

The new management provisions depend on having good List entries from which to work. How will they work alongside the majority of List entries which say very little about special interest?

The provisions for updating List entries do not automatically apply to existing listings and there are over 395,000 listed building List entries. Therefore it will take time to build up the number of new and revised entries which are more specific about special interest. Mechanisms such as Local Listed Building Consent Orders and Listed Building Heritage Partnership Agreements involve some thought, discussion and consultation on works and their impact on special interest, and in many instances it will be possible to take forward the



new management provisions on this basis while feeding information back into the process of revising List entries through the listing strategic programme.

Where will Historic England find the resources to make an impact on the huge numbers of inadequate List entries – won't it take a long time?

Historic England will focus listing resources on the types of buildings or areas where new listings or an upgraded List entry will make a real difference, for example where a particular type of building is vulnerable to change, or an area is under pressure from redevelopment. The listing strategic programme will help to ensure that resources are targeted where they are most needed and upgrading the designation base forms a key part of the programme.

Freeing up applications for Certificates of Immunity (COI) from planning permission will mean that anyone can apply for one at any time. Won't that mean there is a danger of a torrent of applications for development sites, or that the system will be used to get round the new restrictions on spot-listing?

We are not expecting that there will be a substantive increase in applications for COIs under the reformed system as it is a streamlining measure. The onus will be on the applicant to supply sufficient detail to take the application forward.

Contact Details

listing.enquiries@HistoricEngland.org.uk

If you require an alternative accessible version of this document (for instance in audio, Braille or large print) please contact our Customer Services Department:

Telephone: 0370 333 0607

Fax: 01793 414926

Textphone: 0800 015 0516

E-mail: customers@HistoricEngland.org.uk