



Department for
Digital, Culture,
Media & Sport

Guidance on Making a Request to Review a Listing Decision

Requests may be made to review listing decisions made by the Secretary of State for Digital, Culture, Media and Sport (DCMS). This applies to decisions to add to, not to add to, to delete from or not to delete from the statutory list of buildings of special architectural or historic interest. Requests for amendments to existing list entries should be directed to Historic England in the first instance: <https://historicengland.org.uk/listing/apply-for-listing/>

Please read these notes carefully before completing the Review Request Form.

General information when requesting a listing review

1. The review process allows requests to overturn a listing decision only when there is significant evidence to indicate that a decision has been wrongly made.
2. The Secretary of State's published policy allows a period of 28 consecutive days from the date of the decision letter from Historic England in which a review may be requested. A review request must be received by the Department within that 28 day period preferably by email on the Department's Review Request Form. The Department does not extend this deadline except in exceptional circumstances.
3. The review request must contain substantive grounds with significant evidence. Speculative review requests relying on the possibility of substantive grounds emerging, for example from the response to a request under the Freedom of information Act 2000 or the Environmental Information Regulations 2004, will not be accepted. The 28 day period will not be extended while speculative research is carried out.
4. The Department will not accept any additional documentation submitted after the 28 day period.
5. When making a decision on listing, the Secretary of State is restricted by the Planning (Listed Buildings and Conservation Areas) Act 1990 to consider only the architectural and historic interest of a building. Factors such as the cost of upkeep/repair of listed buildings, planning considerations and local importance, cannot be taken into account. Evidence previously considered will not on its own be sufficient to trigger a review. The Secretary of State is also unable to conduct a review if you merely disagree with Historic England's advice but do not provide new supporting evidence.
6. It is important to note that, unless or until the original decision is overturned, the original decision stands.

Timings

1. The Listing and Scheduling Review Team triage cases for urgency on receipt. Due to an increase in continuing volume, and urgency of some cases, you may experience a delay in our response to you.
2. **The onus is on the review applicant to make clear and concise submissions in respect of a review request. Please note that excessive unnecessary submissions may result in your review request being returned to you or a delay in a review decision being taken (We would not expect a review request to contain material in excess of 10 pages of A4 font size 10).**
3. In order to increase the time available to progress cases, we will not be able to provide updates.
4. The opportunity remains, under section 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990, for a further listing application to be made to Historic England should significant new information come to light at a date after the 28 days have elapsed.

Completing the review request form

It is important that you complete all sections as fully as possible. Sections marked with an asterisk must be completed for a review to be considered.

Section A – Key dates

Review requests and supporting evidence must be submitted to DCMS within 28 days of the date of the decision letter from Historic England (see general information above).

Section B – Applicant contact details

Please provide your name and contact details. We are unable to process review requests unless we are able to contact you.

Section C – Details of the building

Please provide the name, address and case number for the building (not the list entry number). A case number appears on the decision notification letter from Historic England and on their advice report.

Section D - Brief summary of your grounds for review

Please provide a **brief summary** of your grounds for review, **clearly bullet pointed** and concise in no more than 250 words. The summary must take into account points 1- 6 of the 'General Information' when making a listing review' shown above.

Section E – Your grounds for requesting a review

Please provide your **clear and concise** arguments in Section E. The Secretary of State only considers overturning decisions in exceptional circumstances. Consideration for overturning a decision will only be given if there is evidence that the original decision has been wrongly made. Examples of a wrongly made decision would be:

1. Where there has been a significant factual error, e.g. the wrong building was listed; or
2. Where there has been some irregularity in the process that has affected the outcome, e.g. significant relevant considerations have not been taken into account/significant irrelevant considerations have been taken into account.

The Secretary of State also considers overturning decisions if there is **significant new** evidence, not previously considered, relating to the **special** architectural or historic interest of the building **in a national context** as defined by the Planning (Listed Buildings and Conservation Areas) Act 1990. For example:

1. Where significant new evidence relating to the date of a building has been discovered; or
2. Where there has been a material change of circumstances affecting the assessment of a building's architectural or historic interest, e.g. where fire damage has altered the building to such an extent that it has lost its features of special interest.

Please note that, in all the above cases, the Secretary of State can only consider issues which relate to the special architectural or historic interest of the building. This special interest can be measured using the statutory criteria for listing which are published in the DCMS document *Principles of Selection for Listed Buildings*. The document can be downloaded at: <https://www.gov.uk/government/publications/principles-of-selection-for-listing-buildings> or if you would like this document in a different format, please contact 020 7211 6200.

These criteria are supported by the Historic England Selection Guides for particular building types. The selection guides are available for download at:

<http://www.historicengland.org.uk/listing/selection-criteria/listing-selection/>

If you would like these documents in a different format, please contact Historic England - listing.enquiries@HistoricEngland.org.uk

You should set out clearly your grounds for review and evidence with reference both to the four numbered points above and to the statutory criteria in the *Principles of Selection for Listed Buildings*. You should detail clearly and concisely how you think the building meets, or does not meet, the statutory criteria for listing. If you are providing additional documentation in support of your review request, please ensure that any sections relevant to your grounds for review are clearly identified on the document itself. **The onus is on you to provide the evidence to support your review request; DCMS and Historic England are not able to undertake additional research on your behalf.**

Please remember that unless or until the Secretary of State overturns the original decision the original decision stands.

Section F – Supporting Documentation

In this section please provide a checklist of the documents you are submitting, if any.

Section G – Current threats to the building

Please provide details of current substantiated threats to the building, such as planning applications, pre-application discussions or intent to demolish. You should be able to get details about this from your local authority, or by reference to the Planning Portal (www.planningportal.gov.uk). This will help us to prioritise our assessment of your review request but does not otherwise contribute to the review decision.

Submitting your listing review request

Please submit your completed Review Request Form with any supporting evidence, **preferably by email**, to: review.requests@DCMS.gov.uk (file attachments may not exceed 24 MB). Documents submitted by e-mail do not need to be provided in hard-copy as well.

If you do not have access to email, or your documents exceed the 24MB limit, review requests may be posted to:

**The Listing and Scheduling Review Team
Heritage Team
Department for Digital, Culture, Media & Sport
4th Floor, 100 Parliament Street
London SW1A 2BQ**

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