

GOVERNMENT HISTORIC ESTATES UNIT

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Operations and Performance Directorate  
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Our ref: GHBX 2/44

Direct line: 0207 973 3904

14 September 2010

Dear Mr Palmer,

**Consultation on the MOJ Ministerial statement on HMCS court closures**

I am writing on behalf of English Heritage to comment on the national court closure programme, announced on 23 June.

English Heritage's overall concern is that every effort should be made to continue the historic use of listed court buildings as courts. The joint guidance on historic court buildings that we published with the Lord Chancellor's Department in 1998 stated that 'it is highly desirable that they should continue to serve their original purpose; their specialised form can make it difficult to find sympathetic alternative uses'.

Should such use cease, the handling of the disposal process should be fully in line with the *Guidance on the Disposal of Heritage Assets, a guidance note for government departments and non-departmental public bodies* (OGC/DCMS/EH, 2010), which can be found at: [www.helm.org.uk/gheu](http://www.helm.org.uk/gheu). During this process the following points must be kept in mind:

- historic courts must not be allowed to stand empty indefinitely or be sold to unsuitable purchasers.
- if historic buildings are left vacant for any reason, they should be regularly inspected and maintained in a secure, safe and stable condition.
- information about the architectural and historical importance of each court building should be collated and made available to each of the MoJ/HMCS regions, the relevant local planning authority and any potential purchasers.
- there are some sites which need special attention, either because they are of outstanding historic interest (all grade I and grade II\* listed buildings) or because there is some doubt that they will find a suitable alternative use. We can be more specific once we know the circumstances of each site.
- some court buildings which are currently unlisted may be of sufficient architectural or historic interest to merit statutory designation. The relevant criteria for listing have been published by EH in one of our selection guides: [www.english-heritage.org.uk/publications/law-and-government/](http://www.english-heritage.org.uk/publications/law-and-government/)

(cont.-)

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[www.english-heritage.org.uk](http://www.english-heritage.org.uk)

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- some buildings will be situated in conservation areas designated by the local planning authority, or may be identified on the authority's 'local list'.
- all heritage assets, whether designated or not, are afforded some degree of protection under PPS5, *Planning for the Historic Environment*,  
[www.communities.gov.uk/publications/planningandbuilding/pps5](http://www.communities.gov.uk/publications/planningandbuilding/pps5)

Rory O'Donnell and I have already begun working with Jon Wallsgrove to review the sites on the closure list and look forward to continuing this by clarifying the constraints and opportunities relating to individual court buildings.

Yours sincerely

**Will Holborow**

Head of Government Historic Estates Unit

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cc Ian Priston  
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