



ENGLISH HERITAGE

Mr Adrian Dowd  
Ribble Valley Borough Council  
Council Offices  
Church Walk  
Clitheroe  
B7 2RA

Our Ref: 464606  
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13 May 2011

Dear Mr Dowd,

**PLANNING (LISTED BUILDINGS AND CONSERVATION  
AREAS) ACT 1990 BUILDINGS OF SPECIAL ARCHITECTURAL  
OR HISTORIC INTEREST**

**Kirk Mill and its associated mill ponds retaining walls,  
outflow and stone-built leat, Kirk Mill and its associated mill  
ponds retaining walls, outflow and stone-built leat, MALT  
KILN BROW**

As you will know from our earlier letters we have been considering adding the above building to the List of Buildings of Special Architectural or Historic Interest.

We have taken into account all the representations made, and completed our assessment of the building. Having considered our recommendation the Minister with responsibility in this matter, the Minister for Tourism and Heritage, has decided to add Kirk Mill and its associated mill ponds retaining walls, outflow and stone-built leat to the List of Buildings of Special Architectural or Historic Interest. The building is now listed at Grade II.

I attach a copy of our advice report, which gives the principal reasons for this decision. The List entry for this building, together with a map, has now been published on the National Heritage List for England, and will be available for public access from tomorrow. This List can be accessed through our website.



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Under section 2(5) of the above Act, a copy of the list entry is required to be made available by your local authority for inspection by the public.

Under section 2(3) of the Act, a local authority is required to serve formal notice of listing on the owner and occupier of the buildings affected. The form of notice is prescribed in the Planning (Listed Buildings and Conservation Areas) Regulations 1990 (SI 1990/1519), as amended. We would ask you to undertake this as soon as possible.

Please be aware that the listing of the building took effect on the day that the List entry was published on the National Heritage List for England.

If you consider that this decision has been wrongly made you may contact the DCMS within 28 days of the date of this letter to request that the Secretary of State review the decision. An example of a decision made wrongly would be where there was a factual error or an irregularity in the process which affected the outcome. You may also ask the Secretary of State to review the decision if you have any significant evidence relating to the special architectural or historic interest of the building which was not previously considered. Further details of the review criteria and process and how to request a review are contained in the annex to this letter.

Please do not hesitate to contact me if I can be of any further assistance. More information can also be found on our website at [www.english-heritage.org.uk](http://www.english-heritage.org.uk).

Yours sincerely

Hannah Saxton

Designation Co-ordinator - North

English Heritage  
37 Tanner Row  
York



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### **Data Protection Act 1998**

Your personal details, along with the other information you have provided and information obtained from other sources, will be retained by English Heritage for administrative purposes and, where applicable, for future consideration. English Heritage will not release personal details to a third party if the disclosure would contravene the Data Protection principles.

### **Freedom of Information**

English Heritage is subject to the Freedom of Information Act 2000 and the Environmental Information Regulations 2004 which provide a general right of access to information we hold. We may provide the information you have supplied in response to a request made under this legislation, subject to any exemptions which apply. English Heritage will consult with external parties as necessary prior to releasing information.

### **Annex 1**

#### **Review Criteria and Process**

A review will only be carried out in the following circumstances:

(1) there is evidence that the original decision has been made wrongly. Examples would include:

- where there was a factual error, eg. the wrong building was listed; or
- where there has been some irregularity in the process which has affected the outcome, eg. relevant considerations were not taken into account or irrelevant considerations were taken into account.

(2) there is significant evidence which was not previously considered, relating to the special architectural or historic interest of the building, as set out in the Planning (Listed Buildings and Conservation



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Areas) Act 1990. An example would be where new evidence relating to the date of a building has been discovered which might make a material difference to the architectural or historic interest of the building.

Having conducted a review, the Secretary of State will either affirm or overturn the original decision. It is important to understand that the original decision will stand until the Secretary of State has made a decision on whether the original decision should be affirmed or overturned. If the original decision is overturned, this will not have retrospective effect.

### **How to request a review of a listing decision**

Reviews are carried out by the Department of Culture, Media and Sport and review requests should be made on the Department's 'Listing Review Request Form'. The Form is accompanied by Guidance to assist you in making a review request. Both the Form and the Guidance can be downloaded from the 'Reviews of Listing Decisions' page of the Department for Culture, Media and Sport's website at:

[www.culture.gov.uk/what\\_we\\_do/historic\\_environment/6294.aspx](http://www.culture.gov.uk/what_we_do/historic_environment/6294.aspx)

If you are unable to access the website please contact:

The Listing Review Officer  
Heritage Protection Branch  
Culture Team  
Department for Culture Media and Sport  
2-4 Cockspur Street  
London  
SW1Y 5DH.

Review requests should normally be made within 28 days of the date of this letter. Requests made beyond this period may be considered in exceptional circumstances.