



CERTIFICATE OF INTENTION NOT TO LIST (COINTL) GUIDANCE



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This guidance provides information about the Certificate of Intention Not to List (COINTL), how to apply for it and why it is granted.

What is a COINTL?

A Certificate is a legal guarantee that the building or buildings named in it will not be legally listed as a building of special architectural or historic interest during the five years from the date on which the Certificate is granted.

If a Certificate is granted a planning authority cannot serve a Building Preservation Notice (BPN) on the property in question during this period. A BPN is a form of temporary listing served by a planning authority under Section 3 of the Planning (Listed Buildings and Conservation Areas) Act 1997.

What are the aims of a COINTL?

A COINTL provides certainty for owners and developers considering works to buildings. The principle of the COINTL process is to consider whether a building is of special architectural or historic interest at an early stage of development proposals.

Anyone can apply whether or not they own the building.

How to apply for a COINTL?

Applications are made using our [online form](#).

The application should be supported by as much information as possible, including photographs. Anyone submitting an application to us for a Certificate must at the same time let the planning authority know about the application.

How are COINTL applications assessed?

A COINTL application is processed in the same way as an application for listing. Applications are assessed using the listing selection guidance set out in our [Designation Policy and Selection Guidance](#). Normally, an external and internal inspection of the building will be made. We may review a wider area than that proposed for a COINTL in order to have full understanding of the building or site.

We aim to reach a view on whether a building is eligible for a Certificate within 12 weeks of receipt of the application depending on the scale of the site and the building type. If a building is thought to meet the criteria for

listing we will normally consult with the owner, occupier and tenant, and the planning authority before reaching a final decision. The consultation period is usually 21 days.

Further information about how we assess sites and places can be found in our *Designation Policy and Selection Guidance* and on our website at <https://www.historicenvironment.scot/designation-policy>.

Issuing a COINTL

If we are satisfied that the building is not of special architectural or historic interest, a Certificate is normally granted.

A Certificate takes the form of a letter to the applicant and the owner, occupier and tenant from Historic Environment Scotland. We also notify the planning authority. Once granted, COINTLs are published on [our website](#) and will be removed upon expiry after five years.

If a COINTL is not granted, then a building may be listed. If a building becomes listed as part of the COINTL process, the applicant must seek listed building consent from the planning authority for its demolition or for its alteration or extension in any manner which would affect its character as a building of special architectural or historic interest.

If we have previously considered listing the building and decided not to list, it should not be assumed that a COINTL will be granted, even if the decision was recent.

In some circumstances where we find the building to meet the listing criteria, we may not proceed to list the building. This is usually when there are development proposals that are at an advanced stage. We will normally publish a report of handling and a listing assessment to explain our decision. More information about listing and development is found in our [Designation Policy and Selection Guidance](#).

Buildings forming part of the curtilage of an existing listed building cannot be given a COINTL. However, we can review existing listings to assess if any curtilage buildings should be specifically excluded. Further information about listing exclusions can be found on [our website](#).

Other designations

A COINTL does not prevent other designations taking place, such as conservation areas which are designated by planning authorities. As such, consent will still be required for demolition if the building is in a conservation area.

Certificates do not prevent the designation of a scheduled monument.

Further information about scheduled monuments can be found at <https://www.historicenvironment.scot/advice-and-support/listing-scheduling-and-designations/scheduled-monuments/>. In addition, buildings may be included in the [Inventory of Gardens and Designed Landscapes](#) and the [Inventory of Historic Battlefields](#).

Will a COINTL be renewed automatically?

No. We do not issue reminders that a COINTL is about to expire. You can apply for a further Certificate before it expires. Any application will be subject to the same procedure as a new application. It cannot be assumed that a Certificate will be granted automatically as the circumstances may have changed since the granting of the original Certificate, particularly if new evidence about the building has come to light.

A COINTL relates to the building(s) and not an owner, therefore a change of ownership does not alter the terms of the Certificate. The existence of a Certificate and its expiry date should be included in the information relating to development proposals and for prospective purchasers of land.

Can I appeal a decision to grant or not to grant a COINTL?

No. There is no statutory right of appeal against a decision to grant or not to grant a COINTL. However, there is a statutory right of appeal against a listing decision. See '[Appeal a listing decision](#)' for more information.

Contact

For more information about a COINTL or the listing process please see the online application form and guidance which are available on the Historic Environment Scotland website www.historicenvironment.scot.

You may also contact us at:

Designations
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Alternative formats are available upon request.

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