Supplementary written evidence submitted by Rt Hon John Whittingdale OBE MP, Minister of State for Media and Data, Department for Digital, Culture, Media and Sport

Dear Julian,

Thank you again for allowing me to appear before the Committee in December last year to provide evidence on the Future of Public Service Broadcasting.

At the session, the Committee raised questions about the listing of the BBC’s Maida Vale Studios, the potential impact on the commercial revenue generated by the sale of the site, and the contact between the Department for Digital, Culture, Media and Sport on this matter. I promised to write to the Committee with further information on this topic.

The Secretary of State is restricted by section 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to taking into account only the architectural and historic interest of a building when considering it for listing. The potential impact of listing on commercial revenue, property value or future development plans are not relevant to the statutory criteria for listing and cannot be taken into account. The purpose of listing is to identify a building's special architectural and historic interest for the guidance of the planning authority in the performance of their planning functions. Listed buildings may be altered or even demolished with listed building consent.

In this case, the Secretary of State agreed with the advice of Historic England that the building is of special architectural and historic interest and should be added to the statutory list at Grade II. However, an application to review that decision was received from representatives for the BBC, within the period allowed. The review will decide whether the original decision should be upheld, amended or overturned, but can only be based on what are relevant considerations. Once the review has been carried out, interested parties will be contacted with the outcome and the reasons for the decision.

Members of the Committee also asked for information on the contact between the Department and the BBC on the challenge to the listing decision for Maida Vale Studios. I can confirm that some members of the BBC staff did contact officials at the Department on this topic:

● In June 2020, a member of BBC staff contacted an official at the Department to discuss the process for reviewing the decision to list Maida Vale Studios and clarify specific points; and
● Representatives for the BBC requested an extension to the time in which they could submit a review request, and were granted an extension of 10 days. They also enquired about timescales of when a decision may be taken. They have been advised that each review case is different and the time it takes to complete them will vary, but the Review Team is working on the case and will provide a response as soon as possible.
In June 2020, the BBC’s Controller of Policy Clare Sumner spoke with the Director of Media and Creative Industries Robert Specterman-Green to set out the reasons behind the BBC’s challenge. This conversation was followed by an email from the BBC recording the reasons given for challenging the listing, which was shared with officials in the Heritage team for information.

On these occasions, officials reiterated that the listing process and the challenge process are administered according to a strict legal process and that nothing further could be said on the matter until the process had concluded.

I can also confirm that there has been no contact between DCMS Ministers and the BBC on this matter.

I hope that this information is helpful to the Committee.

With best wishes,

Rt Hon John Whittingdale OBE MP
Minister of State for Media and Data

12 January 2021