

**From:** [Foi Enquiries](#)  
**To:** [REDACTED]  
**Subject:** EIR-17-0917 - Affordable Housing  
**Date:** 19 July 2017 10:35:27  
**Attachments:** [Further Information - Right to Review & Appeal.pdf](#)

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Dear [REDACTED]

Thank you for your information request of 26 June 2017. Aberdeen City Council (ACC) has completed the necessary search for the information requested.

**For the years 2012 - 2017 (please provide yearly breakdown where available)**

**1. What was the council's target for affordable home building?**

415 units per annum.

**2. What number of affordable homes were actually built?**

2012/13 – 157

2013/14 – 266

2014/15 – 22

2015/16 – 214

2016/17 – 108

2017/18 – 129 complete to date

**3. What was the number of affordable homes required to be built by developers who had been granted planning permission?**

The Local Development Plan Affordable Housing Policy requires 25% of developments to be affordable provision. This can be in a variety of forms including on-site provision for rent or low cost sale, off-site provision and commuted sums in lieu of provision. The legal agreement associated with planning consents, which controls delivery, allows for the delivery method to be negotiated after planning consent is granted. Therefore the number to be built cannot be quantified to answer the question.

ACC is unable to provide you with information on **the number of affordable homes required to be built by developers who had been granted planning permission** as it is not held by the Council. In order to comply with its obligations under the terms of Regulation 10(4)(a) - Information Not Held - of the EIRs, ACC hereby gives notice that this information is not held by it. ACC is required by Regulation 10(1)(b) of the EIRs to inform you as to why in all the circumstances of the case, the public interest in maintaining this exception outweighs the public interest in disclosing this information to you. ACC is satisfied that it does not hold this information and considers that, as there is no information held, the public interest lies with the exception.

**4. If possible please provide the names of developers and expected number of affordable homes, as per planning permission**

This information is available on the Planning Website by carrying out an advanced search. The S75 legal agreements covering the development are also available in the documents section. Development type is 'Housing – Major'. Enter the dates required into the 'Decision Date' section.

<https://publicaccess.aberdeencity.gov.uk/online-applications/search.do?action=simple&searchType=Application>

As **the names of developers and expected number of affordable homes, as per planning permission** is otherwise accessible on our website at the link provided above, it is exempt from disclosure. In order to comply with its obligations under the terms of Regulation 13 of the EIRs, ACC hereby gives notice that we are refusing your request under the terms of Regulation 6(1)(b) - Information Already Publicly Available - of the EIRs.

**5. How many instances occurred where housing developers were unable to deliver the number of affordable homes expected in the original planning permission?**

This information is not available as S75 Legal Agreements allow a range of options for provision of affordable housing. These include on site delivery for rent or low cost sale, off site delivery, and commuted payments in lieu of delivery.

ACC is unable to provide you with information on **How many instances occurred where housing developers were unable to deliver the number of affordable homes expected in the original planning permission** as it is not held by the Council. In order to comply with its obligations under the terms of Regulation 10(4)(a) - Information Not Held - of the EIRs, ACC hereby gives notice that this information is not held by it. ACC is required by Regulation 10(1)(b) of the EIRs to inform you as to why in all the circumstances of the case, the public interest in maintaining this exception outweighs the public interest in disclosing this information to you. ACC is satisfied that it does not hold this information and considers that, as there is no information held, the public interest lies with the exception.

**6. Please provide the names of housing developers who were unable to deliver the original number of affordable homes expected (as per point 5) and the numbers of affordable houses they actually delivered**

This information is not available as the method of delivery is negotiated after consent is issued and is controlled by a S75 legal agreement.

ACC is unable to provide you with information on **the names of housing developers who were unable to deliver the original number of affordable homes expected (as per point 5) and the numbers of affordable houses they actually delivered** as it is not held by the Council. In order to comply with its obligations under the terms of Regulation 10(4)(a) - Information Not Held - of the EIRs, ACC hereby gives notice that this information is not held by it. ACC is required by Regulation 10(1)(b) of the EIRs to inform you as to why in all the circumstances of the case, the public interest in maintaining this exception outweighs the public interest in disclosing this information to you. ACC is satisfied that it does not hold this information and considers that, as there is no information held, the public interest lies with the exception.

**7. Where developers were unable to deliver expected numbers of affordable homes (as per point 5), what sum was paid to the council?**

None. The figures given below are for actual commuted sums paid by developers during the period. They do not represent a failure on the part of the developer to deliver units but were agreed by planning officers as an appropriate way of meeting their obligation.

2012/13 - £619,183  
2013/14 - £135,000  
2014/15 - £481,250  
2015/16 - £750,046  
2016/17 - £1,154,469

We hope this helps with your request.

Yours sincerely,

Information Compliance Team

### **INFORMATION ABOUT THE HANDLING OF YOUR REQUEST**

As the information which you requested is environmental information, as defined under Regulation 2(1) of the Environmental Information (Scotland) Regulations 2004 (the EIRs), ACC considered that it was exempt from release through FOISA, and must therefore give you notice that we are refusing your request under Section 39(2) of FOISA (Freedom of Information (Scotland) Act 2002). However, you have a separate right to access the information which you have requested under Regulation 5 of the EIRs, under which ACC has handled your request. Please refer to the attached PDF for more information about your rights under the EIRs.

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\*03000 numbers are free to call if you have 'free minutes' included in your mobile call plan.  
Calls from BT landlines will be charged at the local call rate of 10.24p per minute (the same as 01224s).

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