

From: [Foi Enquiries](#)
To: [REDACTED]
Subject: EIR-17-0950 - Statutory Notice - Building Act
Date: 12 July 2017 12:12:06
Attachments: [FOI_17_0836_StatutoryNotices_Redacted.pdf](#)
[Further Information - Right to Review & Appeal.pdf](#)

Dear [REDACTED]

Thank you for your information request of 3 July 2017. Aberdeen City Council (ACC) has completed the necessary search for the information requested.

We would like to (and hereby do) make an Information Request that we be provided with all information collected by you pursuant to your statutory duty under the Building (Scotland) Act 2003 and subsequently contained within all Notices/Orders that have been:

- a) Served,
- b) Remain extant,
- c) Complied with, and
- d) Complied with but have invoices pending in respect of works carried out by or on behalf of your council,

During the period 19th January 2017 to the 3rd July 2017, under or pursuant to Sections 25, 26, 27, 28, 29 and 30 of the Building (Scotland) Act 2003 which information would form part of any PEC issued by the council ere one to be issued.

Please see attached.

Third party names and personal details have been redacted (blacked out) from the attached reports. This is because ACC considers that this information is excepted from disclosure. In order to comply with its obligations under the terms of Regulation 13 of the EIRs, ACC hereby give notice that we are refusing your request under the terms of Regulation 11(2) in conjunction with 11(3)(a)(i) – Personal Information - of the EIRs.

In making this decision ACC considered the following points:

ACC is of the opinion that Regulation 11(2) applies to the information specified above as the information in question is personal information relating to living individuals, and the applicant is not the data subject.

ACC is of the opinion that Regulation 11(3)(a)(i) applies, as ACC considers that disclosure of this information would be a breach of the first Data Protection Principle (that personal information must be processed fairly and lawfully). Third parties named within the attached document would not expect ACC to release this information about them into the public domain under the EIRs (or the Freedom of Information (Scotland) Act 2002 (FOISA)).

We hope this helps with your request.

Yours sincerely,

Information Compliance Team

INFORMATION ABOUT THE HANDLING OF YOUR REQUEST

ACC handled your request for information in accordance with the provisions of the Freedom of Information (Scotland) Act 2002. Please refer to the attached PDF for more information about your rights under FOISA.

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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).

www.aberdeencity.gov.uk

FREEDOM OF INFORMATION ACT

Building (Scotland) Acts 1959-70

SECTION 10

There are no outstanding notices issued under this section of the Act.

SECTION 11

There are no outstanding notices issued under this section of the Act.

SECTION 13

There are no outstanding notices issued under this section of the Act.

Building (Scotland) Act 2003

SECTION 25 – Building Regulations Compliance

There have been no notices issued under this section of the Act.

SECTION 26 – Continuing Requirement Enforcement Notices

There have been no notices issued under this section of the Act.

SECTION 27 – Building Warrant Enforcement Notices

Ref EN16/001
Owner ██████████
Address 51 Craigiebuckler Terrace, Aberdeen
Description Obtain a building warrant and suspend work
Notice Date 14th January 2016
Notice Effect 4th February 2016
Obtain warrant by 4th May 2016
Status Live

Ref EN 17/0010
Owner Brewdog PLC
Address Brewdog, 17 Gallowgate, Aberdeen, AB25 1EB
Description Reinstate accessible unisex toilet prior to its removal, in order for the competition certificate to be accepted.
Notice Date 17th May 2017
Notice Effect 7th June 2017
Obtain warrant by 26th July 2017
Status Live

Ref EN17/0013
Owner ██████████
Address North Deeside Road, Cults, Aberdeen
Description Cease work and obtain a building warrant
Notice Date 27th June 2017
Notice Effect 18th July 2017
Obtain warrant by 15th August 2017
Status Live

SECTION 28 – Defective Building Notices

Ref DF10/004
Owner Castlehill Housing Association
Address 2 Merrivale, Station Road, Dyce
Description

1. External walls to be re-sheeted with Duplex plasterboard (with vapour control layer) as in accordance with the approved building warrant BA5/1930.
2. Ensure that there is adequate cover of insulation within loft space.
3. Replace entrance door to flat to ensure there is an adequate seal for the passage of smoke

Notice Date 16th July 2010
Notice Effect 26th July 2010
Work completed by 27th August 2010
Status Work still outstanding

Ref DF11/002
Owner The Epic Group Ltd
Address The Priory, Belmont Street, Aberdeen
Description 1. Existing guttering requires to be cleaned and checked for stability
2. Missing gutter requires to be replaced
3. Masonry checked and loose parts safely removed
4. South east tower slates to be replaced
Notice Date 2nd June 2011
Notice Effect 23rd June 2011
Work completed by 21st July 2011
Status Items 1,2, & 3 have been rectified. Item 4 remains outstanding

Ref DF14/005
Owner Various
Address 41, 44, 47 & 50 Balgownie Way
Description Defective render on west facing elevation of flats 41, 44, 47 & 50 Balgownie Way has resulted in sections of dry-dash render detaching and falling onto the path below.
Notice Date 22th January 2014
Notice Effect 21st February 2014
Work completed by 21st March 2014
Status Work not completed

Ref DB16/009
Owner XXXXXXXXXX
Address 110-112 Greenburn Road, Bucksburn, Aberdeen
Description The defective portion of wall to be repointed/ rebuilt as necessary. Assessment of adjacent ground level / plant root system on wall is required and action to prevent undue pressure on wall taken as necessary
Notice Date 1st April 2016
Notice Effect 14th April 2016
Work completed by 9th May 2016
Status Live

Ref DB5/001
Owner Individual owner
Address 2 Commerce Lane
Description Gutters and Downpipes missing from Building. Pointing to areas of walls poor and resultant water ingress to properties
Notice Date 26th May 2014
Notice Effect 16th June 2014
Work completed by 21st July 2014
Status On-going warrant application

Ref DB13/015
Owner Various
Address 107 Menzies Road, Aberdeen
Description
Notice Date 15th April 2014
Notice Effect 28th April 2014
Work completed by 23rd may 2014
Status Work Complete

SECTION 29 & 30 – Dangerous Buildings

Ref DB10/014
Owner [REDACTED] (No 109) & Jon Brigs (No 111)
Address 107 – 113 Forest Avenue, Aberdeen
Description Propping of pillar between front doors required.
Engineer to assess then remedial work required as necessary
Notice Date 10th January 2012
Notice Effect 24th January 2012
Work completed by To be agreed after assessment
Status Work underway as of 25th April 2016

Ref DB13/019
Owner [REDACTED]
Address 39 King's Crescent – 11 Spital, Aberdeen
Description Repair of the mutual retaining wall.
Notice Date 6th September 2013
Notice Effect 30th September 2013
Work completed by 29th October 2013
Status Work started

Ref DF16/024
Owner Britannia Hotels Ltd
Address Britannia Hotel, Malcolm Rd, Aberdeen
Description Secure site against entry by public, provide report from structural engineer and complete recommendations
Notice Date 21st June 2016
Notice Effect 22nd June 2016
Work completed by 20th July 2016
Status Live

Ref DB10/051
Owner [REDACTED]
Address 109 Spital, Aberdeen
Description Repair the rear boundary wall
Notice Date 9th June 2011
Notice Effect 27th June 2011
Work completed by 18th July 2011
Status On-going

Ref DB12/024
Owner Kemp Winlaw Trust
Address 90 Huntly Street
Description Removal of the various small trees from the building and the reinstatement of the masonry and chimney cans. Notice re-issued
Notice Date 4th May 2016
Notice Effect 16th May 2016
Work completed by 3rd June 2016
Status On-going & work commenced

Ref DB11/049
Owner Various
Address 78 Hutcheon Street, Aberdeen
Description Remove vegetation and repair roof slates
Notice Date 22nd June 2012
Notice Effect 9th July 2012
Work completed by 10th August 2012
Status On-going

Ref DB14/024
Owner Various
Address 239 Rosemount Place
Description

1. Appoint an agent to deal with all matters to reinstatement works at 235-241 Rosemount Place.
2. Have undertaken a full Survey of the building within 10 working days from the date of this notice and a copy of the report to the building Standards Section of Aberdeen city council.
3. Make good all defects identified in the report this must include the provision of fire separation between areas of the building in different occupation and reinstatement of all effected elements of structure. Remedial works must be carried out in accordance with the guidance in the technical standards and in any case to a standard no worse than that before the fire.

Notice Date 4th Sept 2014
Notice Effect 26th Sept 2014
Work completed by 26th Oct 2014
Status Points 1 & 2 rectified. Point 3 On-going/complete

Note: No monies are outstanding against any property – the Local Authority may pursue individuals for outstanding monies in relation to work completed by the Local Authority.
Last update 27th June 2017