

**From:** [Foi Enquiries](#)  
**To:** [REDACTED]  
**Subject:** FOI-17-1090 - Marischal Square Contracts  
**Date:** 30 August 2017 15:57:02  
**Attachments:** [Further Information - Right to Review & Appeal.pdf](#)

---

Dear [REDACTED],

Thank you for your information request of 31 July 2017. Aberdeen City Council (ACC) has completed the necessary search for the information requested.

**1. What is the date for the opening of Marischal Square?**

No formal date for the official opening of Marischal Square has been agreed yet.

**2. Have Aberdeen Journals signed a contract to lease space in Marischal Square? What date was the contract signed?**

No – A lease is in an agreed form and is expected to be concluded shortly. This will be formally announced by the partnership.

**3. Has Mackies Icecream signed a contract to lease space in Marischal Square? What date was the contract signed?**

Yes – Mackie's Limited (September 2016)

**4. Have All Bar One signed a contract to lease space in Marischal Square? What date was the contract signed?**

Yes – (Mitchell and Butler Retail (No2) Ltd) - March 2016

**5. Has the Marriott signed a contract to lease space in Marischal Square? What date was the contract signed?**

No – Marriot Hotels Limited will operate the space under a Hotel Management Agreement – December 2014

**6. Have any other parties signed contracts to lease space in Marischal Square? What dates were the contracts signed?**

Yes, Costa Limited have agreed a lease – These were agreed July 2017 and Prezzo Limited have agreed a lease - September 2016

**Please note that the information is requested for legally binding signed contracts, not notices of intent to sign.**

**7. Who pays business rates on unleased space? How much of the space is unleased as of today's date (31 July 2017)?**

By business rates it is assumed you mean Non Domestic Rates (NDR). When the space is entered in the valuation role Aberdeen City Council will be responsible for payment.

The office space extends to 175,000 sq/ft. the ABJ requirement is for 19,000 sq/ft.

There are 7 restaurant units. 4 are let, 1 is under offer.

The hotel is 126 bedrooms and all is included in the Marriot deal.

**8. Will the whole development open at the same time, or in parts? For example, will the hotel open before the office space?**

The space will be passed to the council on completion of the entire development. The 'opening' of individual parts of the development will be driven by the tenants requirements for fit-out and their business need.

**9. When will Provost Skene's House reopen?**

Provost Skene's House presents challenges in its renovation due to its age and condition. The Council is working to develop a deep understanding of these and the appropriate response so as to ensure this valuable building will remain a critical asset for the city. The scope of the renovation works is under review. This includes establishing a programme for this.

**What stage is the planning application for the renovation?**

Three listed building consent applications have been submitted and we are currently waiting for more information from the applicant / agent before the applications can be determined.

**Have Historic Environment Scotland approved the plans?**

Historic Environment Scotland do not "approve the plans". When further information is submitted HES will be re-consulted and any comments that they make will be considered as a part of the determination process.

**10. When will Broad Street reopen?**

Pedestrian access will be maintained at all times during the construction period with buses and cyclists permitted access through Broad Street early in 2018.

**11. Councillors have previously intimated that Broad Street will be used for festivals, markets etc. When is the first street event planned for Broad Street?**

The first street event is planned for Christmas 2017.

**12. Who is the person responsible for signing off the building completion certificate?**

Under the terms of the Building (Scot) Act 2003, the Completion Certificate is signed by the relevant person confirming the building complies with the building warrant approval and the building regulations. More information regarding the completion process can be found under Section 5 of The Scottish Building Standards Procedural Handbook. A web link to the Handbook is below:

<http://www.gov.scot/Topics/Built-Environment/Building/Building-standards/publications/publeg/prochb3rd>

Aberdeen City Council Building Standards team act as the verifier appointed by Scottish Ministers to review a Completion Submission and take reasonable steps to ensure buildings meet the terms of the approval and the building regulations prior to issuing a Notice of Acceptance to the Completion Submission. The Notice of Acceptance to the Completion Submission is signed by Gordon Spence, Building Standards Manager.

**13. What procedures are in place to ensure that there is no conflict of interest as the Council**

**both signs off on the completion and holds the Head Lease?**

Aberdeen City Council Building Standards team's role as verifier is to independently administer the Building Act across both private and public developments. The Building Standards Division of Scottish Government audit the Building Standards team to confirm policies and procedures are in place ensuring that the role of verifier is completed in accordance with the terms of appointment. Further details regarding verifiers terms of appointment can be found at the link below:

<http://www.gov.scot/Topics/Built-Environment/Building/Building-standards/verification/verof17>

Furthermore, the Building Standards Officer allocated to the Muse Development is a member of the Royal Institution of Chartered Surveyors and bound by the organisation's rules of conduct on ethics and professional standards. In addition, any staff member employed by Aberdeen City Council is subject to the organisation's policy on Fraud, Bribery & Corruption.

We hope this helps with your request.

Yours sincerely,

Grant Webster  
Information Compliance Officer

**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.

Information Compliance Team  
Customer Service  
Corporate Governance  
Aberdeen City Council  
3rd Floor North  
Business Hub 17  
Marischal College  
Broad Street  
ABERDEEN AB10 1AQ

[foienquiries@aberdeencity.gov.uk](mailto:foienquiries@aberdeencity.gov.uk)

Tel 03000 200 292

\*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](http://www.aberdeencity.gov.uk)