

From: [Foi Enquiries](#)
To: [REDACTED]
Subject: EIR-17-1394 - The Ridges Kingswells
Date: 01 November 2017 11:31:18
Attachments: [Further Information - Right to Review & Appeal.pdf](#)

Dear [REDACTED],

Thank you for your information request of 12 October 2017. Aberdeen City Council (ACC) has completed the necessary search for the information requested.

The land (2 areas totalling 11 acres) was recorded in the Division of the General Register of Sasines for the County of Aberdeen on 25th January 1990. The first sale was completed in September 1990 and the address became 20 Midmar View Kingswells. I understand that Midmar View was the 1st street to be developed - followed by Migvie Gardens and Migvie Grove Kingswells. I am not sure when Malcolm Allan Housebuilders vacated the area following the construction of 62 houses but as was usual back then the Common Areas should have been adopted by the Local Authority - exactly like the adjoining street Migvie Lea (their builder was John R Craig).

The roads and (some paths) were adopted by the Local Authority but the common areas were apparently not adopted. We would like to have information as to why the common areas such as strips of land on Kingswells Avenue between Cromar Gardens and Midmar Crescent were not adopted.

Malcolm Allan Housebuilders built 62 houses in a development known as The Ridges Kingswells in 1990(s).

Did the Local Authority ever approach the Builders to adopt the common areas - and request a commuted sum?

Aberdeen City Council do not hold any information in relation to this.

Did Malcolm Allan Builders ever approach the Local Authority to adopt the common areas?

Aberdeen City Council do not hold any information in relation to this.

ACC is unable to provide you with information on **Did the Local Authority ever approach the Builders to adopt the common areas - and request a commuted sum and Did Malcolm Allan Builders ever approach the Local Authority to adopt the common areas** 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.

We hope this helps with your request.

Yours sincerely,

Grant Webster
Information Compliance Officer

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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