

From: [Foi Enquiries](#)
To: [REDACTED]
Subject: EIR-17-1555 - Town & Country Planning & Planning Acts
Date: 15 November 2017 09:01:44
Attachments: [Further Information - Right to Review & Appeal.pdf](#)

Dear [REDACTED],

Thank you for your information request of 24 October 2017. Aberdeen City Council (ACC) has completed the necessary search for the information requested.

- **Town and Country Planning (Scotland) Act 1997 - Sections: 33a, 127, 140, 145, 168, 179, 189 & 190**
- **Planning etc. (Scotland) Act 2006 - Sections: 25 & 26**

We would be obliged if you can provide us with the following details in regards to notices/Orders that have been made by Aberdeen City Council under the legislation listed above:

- **Notices or Orders that remain extant as at 24th October 2017**
- **Notices or Orders that have been complied with and have monies owed to Aberdeen City Council as at 24th October 2017**
- **Notices or Orders that have invoices pending in respect of works carried out by or on behalf of Aberdeen City Council to resolve the matter as at 24th October 2017**

If it is not possible for the details of outstanding monies to be confirmed we would be obliged if you can provide us with the following details:

- **all notices served or orders made by Aberdeen City Council, from 28th March 2017 to 24th October 2017 under the legislation listed above**

When answering in the negative to any of the above, we would be obliged if you would confirm that you are doing so.

Wherever possible we would be grateful if the information could be prepared to include the following:

- **reference numbers.**
- **addresses of the subjects the actions are served over.**
- **summary descriptions of the nature of the works/contravention.**
- **relevant dates.**
- **status of the action.**
- **amounts owed to the council (when available).**

Town and Country Planning (Scotland) Act 1997

Section of Act	New or Extant Notices from 28th March 2017 to 24th October 2017	Monies owed or Invoices Pending as at 24th October 2017

33a	No new or extant Notices or Orders	None
127	(See table below)	None
140	No new or extant Notices or Orders	None
145	(See table below)	None
168	No new or extant Notices or Orders	None
179	(See table below)	None
189	No new or extant Notices or Orders	None
190	No new or extant Notices or Orders	None

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New and Extant Notices

Address & Ref Numbers	Date of Service	Section of Act	Breach/Status
5-7 Belmont Street (Ref. ENF170031)	6 th June 2017	127	Erection of large advertisement on front of building. Notice to be complied with 4 th August 2017. Unauthorised advertisement removed July 2017.
22 Countesswells Avenue (Ref. ENF160086)	21 st September 2017	145	Breach of condition relating to provision of opaque glazing to box dormer.
Guild Street Aberdeen Railway Station (Ref. EA16/0022)	27 th September 2016	179	Build-up of debris and vegetation on glass canopies over platforms. After appeal against Notice, period of compliance extended to 6 months. Extended date for compliance with Notice 6 th August 2017. Work has been done to comply with Notice. Currently monitoring situation to check full compliance.
64 Queen's Road (Ref. 132368)	25 th August 2017	127	Formation of unauthorised parking area. Appeal against Notice submitted. Awaiting decision of appeal to be determined.
25 Union Street (Ref. 160067)	10 th November 2016	179	Untidy shopfront. Notice not complied with. Direct action being considered

			pending obtaining estimate of cost of works.
157 Union Street (Ref. 125985)	19 th May 2017	127	Erection of roller shutter. Notice not complied with Direct action being considered.
333 Union Street (Ref. ENF170138)	13 th September 2017	127	Large banner on railings at front of property. Banner removed from railings October 2017 complying with notice.

Planning etc (Scotland) 2006

Section of Act	New or Extant Notices from 28th March 2017 to 24th October 2017	Monies owed or Invoices Pending as at 24th October 2017
25	No new or extant Notices or Orders	None
26	No new or extant Notices or Orders	None

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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