

**From:** [Foi Enquiries](#)  
**To:** [REDACTED]  
**Subject:** EIR-17-1557 - Planning (Listed Buildings) Act  
**Date:** 15 November 2017 09:05:10  
**Attachments:** [Further Information - Right to Review & Appeal.pdf](#)

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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.

**• Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997 S3, S4, S28, S34, S42, S43, S49 & S50**

**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).**

Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997

<b>Section of Act</b>	<b>New or Extant Notices from 28<sup>th</sup> March 2017 to 24<sup>th</sup> October 2017</b>	<b>Monies owed or Invoices Pending as at 24<sup>th</sup> October 2017</b>
3	No new or extant Notices or Orders	None

4	No new or extant Notices or Orders	None
28	No new or extant Notices or Orders	None
34	(See table below)	None
42	No new or extant Notices or Orders	None
43	No new or extant Notices or Orders	None
49	No new or extant Notices or Orders	None
50	No new or extant Notices or Orders	None

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New and Extant Notices

<b>Address &amp; Ref Numbers</b>	<b>Date of Service</b>	<b>Section of Act</b>	<b>Breach/Status</b>
82 Union Street (Ref. 135602)	18 <sup>th</sup> May 2017	34	Enforcement Notice served – appeal against Notice sustained. No further action to be taken
88 Union Street (Ref. 135603)	23 <sup>rd</sup> May 2017	34	Enforcement Notice served – Notice withdrawn June 2017 – Resolution of breach being negotiated with owner/proprietor.

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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\*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)