

From: [Foi Enquiries](#)
To: [REDACTED]
Subject: EIR-17-1560 - Building (Scotland) Act 1959/1970 & 2003
Date: 15 November 2017 09:11:29
Attachments: [Further Information - Right to Review & Appeal.pdf](#)
[EIR-17-1560 - 57 FOI 08.11.17.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.

- **Building (Scotland) Act 1959/1970 - S10 & S13**
- **Building (Scotland) Act 2003 - S25, S26, S27, S28, S29 & S30**

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**

We would also be obliged if you would confirm that your response includes the following:

- **Consideration of Section 29 of the Building (Scotland) Act 2003**

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).**

Please see attached.

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

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 Gary Knowles
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 Warrant Applied for**

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 **Notice Complied With**

Ref EN17/0013
Owner Stuart Spearritt
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, Warrant Application in Process**

Ref EN17/0016
Owner Aberdeen Heating (Andrew Galloway)
Address 1 Newton Terrace, Bucksburn
Description Submit and secure completion certificate
Notice Date 16th August 2017
Notice Effect 23rd August 2017
Obtain Completion 21st September 2017
Status **Live**

Ref EN170014
Owner Northland Estate Properties Uk
Address Former RGU, St Andrew Street, Aberdeen
Description Submit and secure Warrant approval
Notice Date 25th August 2017
Notice Effect 22nd September 2017
Obtain Completion September 2018
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	16 th July 2010
Notice Effect	26 th July 2010
Work completed by	27 th 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	2 nd June 2011
Notice Effect	23 rd June 2011
Work completed by	21 st July 2011
Status	Items 1,2, 3 & 4 have been rectified. See E170018
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	21 st February 2014
Work completed by	21 st March 2014
Status	Work not completed
Ref	DB16/009
Owner	Mrs Ann Kilman
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 E170018
Owner The Epic Group Ltd
Address The Priory, Belmont Street, Aberdeen
Description 1. Sagging in roof structure.
Notice Date 17th October 2017
Notice Effect 27th October 2017
Work completed by 30th November 2017
Status Awaiting Engineers Report

SECTION 29 & 30 – Dangerous Buildings

Ref DB10/014
Owner Graeme Smith (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 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 Euan McKay
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

Question 1

- a. Above are all notices & orders outstanding as of 24th October 2017.
- b. Please see below link for all notices complied with up to 24th October 2017.
<https://publicaccess.aberdeencity.gov.uk/online-applications/pagedSearchResults.do?action=page&searchCriteria.page=1>
- c. No Outstanding Notices or Orders pending in respect of work carried out by or on behalf of Aberdeen City Council to resolve as of 24th October 2017.
- d. Section 29 information contained above.
- e. All notices and Orders made by Aberdeen city council, from 28th March 2017 to 24th October 2017 under the legislation listed above.

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 7th November 2017