

**From:** [Foi Enquiries](#)  
**To:** [REDACTED]  
**Subject:** EIR-17-1935 - Building (Scotland) Act 2003  
**Date:** 15 January 2018 14:33:30  
**Attachments:** [Further Information - Right to Review & Appeal.pdf](#)  
[EIR-17-1935 - 58 FOI 03.01.2018.pdf](#)

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Dear [REDACTED],

Thank you for your information request of 21 December 2017. Aberdeen City Council (ACC) has completed the necessary search for the information requested.

**Freedom of Information Request - re Sections 25, 26, 27, 28, 29 & 30 of the Building (Scotland) Act 2003**

**We would like to (and hereby do) make an Information Request that we be provided with the following details in regards to Notices/Orders that have been issued by the Council under the legislation listed above during the period 15th June to 21st December 2017:**

- **Notices or Orders that have been served**
- **Notices or Orders that remain extant**
- **Notices or Orders that have been complied with and have monies owed to the Council**
- **Notices or Orders that have invoices pending in respect of works carried out by or on behalf of the Council to resolve the matter**

**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](http://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 Obtained (27.11.2017)**

**Ref** EN17/0016  
**Owner** Aberdeen Heating (Andrew Galloway)  
**Address** 1 Newton Terrace, Bucksburn  
**Description** Submit and secure completion certificate  
**Notice Date** 16<sup>th</sup> August 2017  
**Notice Effect** 23<sup>rd</sup> August 2017  
**Obtain Completion** 21<sup>st</sup> May 2018  
**Status** **Live Building Warrant Applied for**

**Ref** EN170014  
**Owner** Northland Estate Properties UK  
**Address** Former RGU, St Andrew Street, Aberdeen  
**Description** Submit and secure Warrant approval  
**Notice Date** 25<sup>th</sup> August 2017  
**Notice Effect** 22<sup>nd</sup> September 2017  
**Obtain Completion** September 2018  
**Status** **Live**

## **SECTION 28 – Defective Building Notices**

<b>Ref</b>	DF10/004
<b>Owner</b>	Castlehill Housing Association
<b>Address</b>	2 Merrivale, Station Road, Dyce
<b>Description</b>	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
<b>Notice Date</b>	16 <sup>th</sup> July 2010
<b>Notice Effect</b>	26 <sup>th</sup> July 2010
<b>Work completed by</b>	27 <sup>th</sup> August 2010
<b>Status</b>	Work still outstanding
<b>Ref</b>	DF11/002
<b>Owner</b>	The Epic Group Ltd
<b>Address</b>	The Priory, Belmont Street, Aberdeen
<b>Description</b>	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
<b>Notice Date</b>	2 <sup>nd</sup> June 2011
<b>Notice Effect</b>	23 <sup>rd</sup> June 2011
<b>Work completed by</b>	21 <sup>st</sup> July 2011
<b>Status</b>	Items 1,2, 3 & 4 have been rectified. See E170018
<b>Ref</b>	DF14/005
<b>Owner</b>	Various
<b>Address</b>	41, 44, 47 & 50 Balgownie Way
<b>Description</b>	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.
<b>Notice Date</b>	22th January 2014
<b>Notice Effect</b>	21 <sup>st</sup> February 2014
<b>Work completed by</b>	21 <sup>st</sup> March 2014
<b>Status</b>	Work not completed
<b>Ref</b>	DB16/009
<b>Owner</b>	Mrs Ann Kilman
<b>Address</b>	110-112 Greenburn Road, Bucksburn, Aberdeen
<b>Description</b>	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
<b>Notice Date</b>	1st April 2016
<b>Notice Effect</b>	14th April 2016
<b>Work completed by</b>	9th May 2016
<b>Status</b>	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** 26<sup>th</sup> May 2014  
**Notice Effect** 16<sup>th</sup> June 2014  
**Work completed by** 21<sup>st</sup> 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** 17<sup>th</sup> October 2017  
**Notice Effect** 27<sup>th</sup> October 2017  
**Work completed by** 30<sup>th</sup> November 2017  
**Status** Awaiting Engineers Report

**Ref** E170025  
**Owner** Mr & Mrs Marshall  
**Address** 251-253 Great Northern Road  
**Description** 1. On-going deterioration of Commercial Premises roof at 251-253 Great Northern Road.  
**Notice Date** 4<sup>th</sup> December 2017  
**Notice Effect** 12<sup>th</sup> December 2017  
**Work completed by** 27<sup>th</sup> January 2018  
**Status** On-going

**Ref** E170015  
**Owners** 1-23 Craigton Court & 548, 550, 552, 554 Great western Road  
**Address** 1-23 Craigton Court & 548, 550, 552, 554 Great western Road  
**Description** 1. On-going deterioration of Boundary wall between 1-23 Craigton Court & 548, 550, 552, 554 Great western Road.  
**Notice Date** 1<sup>st</sup> November 2017  
**Notice Effect** 10<sup>th</sup> December 2017  
**Work completed by** 28<sup>th</sup> February 2018  
**Status** On-going

## **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** 10<sup>th</sup> January 2012  
**Notice Effect** 24<sup>th</sup> 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

#### **Question 1**

- a. Above highlighted in yellow are all notices served in the period of the 15<sup>th</sup> June as of the 3<sup>rd</sup> January 2018.
- b. Please see above for all notices that remain extant up to 3<sup>rd</sup> January 2018. Please follow the link where you can find all complete Notices for Aberdeen.  
<https://publicaccess.aberdeencity.gov.uk/online-applications/search.do?action=simple&searchType=ScottishBuildingWarrant>
- 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 3<sup>rd</sup> January 2018.
- d. As above in point C.

**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 updated 3<sup>rd</sup> January 2018**