

From: [Foi Enquiries](#)
To: [REDACTED]
Subject: EIR-17-1939 - Planning Act 1997
Date: 15 January 2018 14:41:45
Attachments: [Further Information - Right to Review & Appeal.pdf](#)

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 3, 4, 34, 42, 43, 49 & 50 of Planning(Listed Buildings & Conservation Areas)(Scotland) Act 1997**
- **Sections 33A, 71, 136, 140, 144A, 145, 168, 179, 186, 189, 190, 194, 207 & 208 of the Town & Country Planning (Scotland) Act 1997(as amended by the Planning etc (Scotland) Act 2006**
- **Reg 24 of Town & Country Planning(Control of Advertisements)(Scotland)Amendment Regulations 1984 (as amended 1992)**

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).**

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

Section of Act	New or Extant Notices from 15th June 2017 to 21st December 2017	Monies owed or Invoices Pending as of 21st Dec. 2017
3	No new or extant Notices or Orders	None
4	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

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88 Union Street (Ref. 135603)	23 rd May 2017	34	Enforcement Notice served – Notice withdrawn June 2017 – Resolution of breach being negotiated with owner/proprietor.

Town and Country Planning (Scotland) Act 1997 (as amended by the Planning etc. (Scotland) Act 2006

Section of Act	New or Extant Notices from 15th June to 21st December 2017	Monies owed or Invoices Pending as of 21st Dec. 2017
33a	No new or extant Notices or Orders	None
71	No new or extant Notices or Orders	None
136	No new or extant Notices or Orders	None
140	No new or extant Notices or Orders	None
144A	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
186	No new or extant Notices or Orders	None
189	No new or extant Notices or Orders	None
190	No new or extant Notices or Orders	None
194	No new or extant Notices or Orders	None
207	No new or extant Notices or Orders	None
208	No new or extant Notices or Orders	None

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New and Extant Notices

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Address & Ref Numbers	Date of Service	Section of Act	Breach/Status
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.
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.
52 Springfield Road (Ref. 136516)	6 th November 2017	179	Amenity Notice served asking for removal of large quantity of rubble & debris from rear garden area – to be complied with by 8 th April 2018.

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[Reg 24 of Town & Country Planning\(Control of Advertisements\)\(Scotland\)Amendment Regulations 1984 \(as amended 1992\)](#)

Section of Act	New or Extant Notices from 15th June to 21st December 2017	Monies owed or Invoices Pending as of 21st Dec. 2017
24	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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*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).

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