

Our Ref. EIR-18-0660
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ABERDEEN CITY COUNCIL

14 May 2018



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Dear ,

Environmental Information (Scotland) Regulations 2004

EIR-18-0660 – 17-23 High Street

Thank you for your information request of 20 April 2018. Aberdeen City Council (ACC) has completed the necessary search for the information requested. Please note the correct reference for this request is EIR-18-0660 and not EIR-18-0670 as related to you in our acknowledgement letter of 23 April 2018.

Please would you supply me with copies of all recorded information held by the City Council's Dept of Development Management (including Masterplanning, Design and Conservation Section, and the Enforcement Section) as follows:-

All recorded information of any kind relating in any way to the buildings and land at nos.17 to 23 High Street, Old Aberdeen, recorded between 1st October 1998 and 31st May 2011.

NB Because of the rather changeable method of numbering for these properties, over the years, we wish to have information relating to any and all the following numbers in High Street:-

Nos. 17, 19, 21, 21a, 22, 22a, 23, 23a

This would include all recorded information held by the Development Management Dept, whether in the form of correspondence (emails and letters both internal or to and from third parties), notes from telephone calls, memos, diary entries, agendas, and minutes of meetings, or site visits, any entries on databases, and any reports or other written material.

ACC is unable to provide you with information on **all recorded information relating in any way to the buildings and land at nos.17 to 23 High Street, Old Aberdeen, recorded between 1st October 1998 and 31st May 2011** as it is excepted from disclosure. In order to comply with its obligations under the terms of Regulation 13 of the EIRs, ACC hereby gives notice that we are

ANDY MACDONALD
DIRECTOR OF CUSTOMER SERVICES



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refusing your request under the terms of Regulation 10(4)(b) – Manifestly Unreasonable - of the EIRs.

In making this decision ACC considered the following points:

Development Management is the part of the planning system that deals with applications for planning permission and other related applications, such as those for listed building, conservation area and advertisement consent. They investigate breaches of planning rules and make sure that developments are built in agreement with the approved plans.

To fully answer this request, officers within the Development Management team would be required to search for any information held in relation to the properties listed within any 'archives' held. Given the timeframe, this would also include searching the archives of officers who are no longer employed by Aberdeen City Council. On review, only 7 officers remain in the employ of ACC from the period within the request, none of these officers recall any dealings with the premises or records held. However, to be sure each would have to search all records relating to the entire 13 year period. Such archives could contain many thousands of individual emails per officer, plus paper notes (if held). This could take a number of weeks to complete – with no guarantee of finding any information.

Further, the ability of the Development Management team to fulfil their day-to-day work would be severely restricted as a result of the resources and time taken to comply with the request. The Team's statutory duties would also be curtailed as a result of the resources and time taken to comply with the request.

ACC would be happy to discuss ways in which you may refine your request, so we can provide some information of interest to you. Please do contact the Information Compliance team, who will be happy to advise you, if this is something you would like to pursue.

For example, some information relating to the subject matter of your request may be available online or can be provided upon request.

A search has identified 9 records which may be of interest to you (8 planning applications and 1 enforcement case). These are:

Planning Applications

- 990746
- 011629
- 080547
- 081264
- 081263
- 100783
- 110320
- 110321

Enforcement Case

- 091592

Should you wish to access information on these records, you can do so by either using our online Planning Portal which can be found here:

<https://publicaccess.aberdeencity.gov.uk/online-applications/>

Or you can contact our Application Support Team:

Strategic Place Planning
Aberdeen City Council

Business Hub 4
Marischal College
Broad Street
Aberdeen
AB10 1AB
01224 523470
pi@aberdeencity.gov.uk

Direct contact details for the Application Support Team can be found here:

<https://www.aberdeencity.gov.uk/services/planning-and-building/contact-us-planning-and-building/contact-us-planning-applications-team>

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. 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.