

Our Ref. EIR-18-0753
Contact Information Compliance Team
Email foienquiries@aberdeencity.gov.uk
Direct Dial 01224 522166



ABERDEEN CITY COUNCIL

1 June 2018



Information Compliance Team
Customer Feedback
Customer Experience
Aberdeen City Council
Marischal College
3rd Floor North
Business Hub 17
ABERDEEN
AB10 1AB

Tel 03000 200 292
Minicom 01224 522381
DX 529451, Aberdeen 9
www.aberdeencity.gov.uk

Dear [REDACTED],

Environmental Information (Scotland) Regulations 2004

EIR-18-0753 – 15 High Street

Thank you for your information request of 11 May 2018. Aberdeen City Council (ACC) has completed the necessary search for the information requested.

All recorded information relating to 15 High Street, Old Aberdeen, held by the Dept of Development Management (including Masterplanning, Design and Conservation Section, and the Enforcement Section), recorded in the period from 21st April 2018 to 11th May 2018 inclusive, (but excluding correspondence with Old Aberdeen Heritage Society, and excluding the publicly available documents already on the Planning Website pages for applications ref. 170709/LBC and 170710/DPP).

We wish all this information, held by Development Management, whether in the form of correspondence (emails and letters, both internal and to and from third parties), notes from telephone calls, memos, diary entries, agendas and minutes of meetings, and any reports or other written material.

Please see enclosed.

ACC is unable to provide you with information on the **third party name and contact details, as well as the name of the ACC officers who are below Chief Officer level** as it is exempt from disclosure. In order to comply with its obligations under the terms of Section 16 of the FOISA, ACC hereby gives notice that we are refusing your request under the terms of Section 38(1)(b) in conjunction with 38(2)(a)(i) – Personal Information - of the FOISA.

In making this decision ACC considered the following points:

ANDY MACDONALD
DIRECTOR OF CUSTOMER SERVICES



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ACC is of the opinion that Section 38(1)(b) applies to the information specified above as the information in question is personal information relating to living individuals, of which the applicant is not the data subject.

ACC is of the opinion that Section 38(2)(a)(i) applies, as we consider that disclosure of this information would be a breach of the 'lawfulness, fairness and transparency' principle. These individuals have not consented to the disclosure of their information. As such, ACC does not consider that these individuals would expect ACC to release this level of information about them into the public domain under the FOISA.

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.

Sent: 03/05/2018

[REDACTED]

Can you respond directly to [REDACTED] for Gale.

Thanks
[REDACTED] for Gale

From: [REDACTED]
Sent: 02 May 2018 10:13
To: Gale Beattie <GALEB@aberdeencity.gov.uk>
Subject: FW: Planning Application - 15 High Street, Old Aberdeen

Morning Gale,

I am writing to you regarding the planning application for change of use from residential to public house at 15 High Street, Old Aberdeen.

As per the below email, a constituent would appreciate it if you could clarify how exactly it came to be recommended for approval. I would appreciate it if you could outline the processes that were carried out in establishing the Officers recommendation and why it was not recommended for refusal.

I look forward to hearing from you.

Kind regards,

[REDACTED]

[REDACTED]
[REDACTED]

Office: 01224 [REDACTED] | Mobile: [REDACTED]

E-mail: [REDACTED] [@aberdeencity.gov.uk](mailto:[REDACTED]@aberdeencity.gov.uk)

From: [REDACTED] [[mailto:\[REDACTED\]](mailto:[REDACTED])]
Sent: 27 April 2018 11:11
To: [REDACTED]
Subject: RE: Planning Application - 15 High Street, Old Aberdeen

Dear [REDACTED]

Thanks for your email and for your assistance in the outcome for 15 High Street. The proposal was not good for the area and the right outcome has been achieved. I would love to understand why it got that far and why it was recommended for approval by the planning officer. I think questions should be asked. I'd be very grateful if you could investigate but if this is not either appropriate or ethical I will contact the planning department myself.

I have signed up for your newsletter and look forward to the first email.

Kind regards



Hello [REDACTED]

As you've stated they are showing correctly when I look. One of the reference numbers quoted (171455) is wrong and that application was approved but it's not for this site.

The planning officer updates the system as soon as the decision is made and if there are any mistakes this is rectified. I'm not sure a mistake was made in this case but I've copied [REDACTED] in as he's on leave today. It may be that the constituent just entered the number -saw approved and then contacted you.

Best regards (from a smiley not disgruntled planner)

Gale Beattie

Interim Chief Officer Strategic Place Planning
Aberdeen City Council
Business Hub 4
Marischal College
Broad Street
Aberdeen
AB10 1AB

Email: galeb@aberdeencity.gov.uk

Direct Dial: 01224 523330

Mobile: [REDACTED]

Switchboard 08456 08 09 10

From: [REDACTED]

Sent: 30 April 2018 13:55

To: Gale Beattie <GALEB@aberdeencity.gov.uk>

Subject: FW: Planning Application - 15 High Street, Old Aberdeen

Dear Gale,

Hope you're well.

I am writing to you regarding the below email I have received from Old Aberdeen Community Council. My constituent has informed me that the Aberdeen City Council website's planning portal was showing the below applications as approved, which was not the decision of the committee.

I would appreciate it if you could comment on the process for updating following committee decisions and how this could have happened and what steps will be put in place to make sure that decisions do not go up on the website incorrectly. I note that they have now been corrected.

I look forward to hearing from you.

Kind regards,

[REDACTED]

[REDACTED]
[REDACTED]

Office: 01224 [REDACTED] | Mobile: [REDACTED]

E-mail: [REDACTED]

From: Webadmin [<mailto:webadmin@oldaberdeen.org.uk>]
Sent: 27 April 2018 09:16
To: [REDACTED]
Subject: RE: Planning Application - 15 High Street, Old Aberdeen

Good news indeed! Thank you for your support over this issue.
You might be interested to know that the four planning applications for 15 and 91 High Street (170709, 170710, 171455, 171457) were all showing as 'Approved' this morning!
Either a glitch in the system or a disgruntled planning officer???

[REDACTED]

Sent: 27/04/2018

Morning [REDACTED],

No problem at all.

I don't think there is any defined success rate because every appeal is determined on its own merits.
My own personal professional view is that I do think there is a good possibility of you winning the

appeal, simply on the basis that professional opinion prior to the committee decision was that the application should be approved on the basis of compliance with relevant policy. The 'reporter' who would determine an appeal, if you lodged one, would seek to test the robustness of the 'reason for refusal' against the relevant policies primarily and any other material considerations they see applicable.

I hope this helps. This is all I can say unfortunately. You will have a 3 month window in which to lodge an appeal from the date you receive the decision, hopefully that may be today.

Kind regards,

[REDACTED] [REDACTED]
Planner (Development Management)

Strategic Place Making |Aberdeen City Council |Business Hub 4 |Ground Floor North |Marischal College | Broad Street |Aberdeen |AB10 1AB
Tel: +44(0) 1224 52 [REDACTED] | Email: [REDACTED]@aberdeencity.gov.uk |
Web: www.aberdeencity.gov.uk

From: [REDACTED] [mailto:[REDACTED]@hotmail.com]
Sent: 26 April 2018 18:08
To: [REDACTED]
Subject: 15 High St

Hi [REDACTED],

Thanks for seeing me today. I wanted to inquire about the overall success rate of appeals and from your experience do you think there is a reasonable chance for my appeal to hold a positive outcome? I have to take a decision on whether to pursue other projects and therefore any indication as to the possible outcome would be very helpful to plan ahead financially.

Thanks,

[REDACTED]