From: Foi Enquiries
Sent: 15 January 2019 15:35
To: [redacted]
Subject: EIR-18-1858 - Planning Policies
Attachments: V2 - Further Information - Right to Review & Appeal.pdf

Dear [redacted]

Thank you for your information request of 21 December 2018. Aberdeen City Council (ACC) has completed the necessary search for the information requested. Our response is now detailed below.

We would like to attain information under the Freedom of Information Act, Environmental Information Regulations, or INSPIRE Regulations on the following:

• Has your authority implemented, or does it plan to implement, planning policies for new build homes and/or other new buildings where buildings energy or carbon performance exceeds current national Building Regulations?
O For instance, planning policy in some leading councils requires 10%-20% of building energy demand to be met through onsite renewable or low-carbon energy.
Aberdeen City Council has had a policy in place since 2012 requiring carbon reduction, the policy is called Policy R7:- Low and Zero Carbon Buildings and Water Efficiency.

• If yes, please describe what these requirements are in as much detail as possible.
O This detail could include but is not limited to developments the policy applies to (e.g. all buildings, residential, commercial), when it was adopted etc.
All the details are available publicly on our website, at:-
https://www.aberdeencity.gov.uk/services/planning-and-building/development-plan

Details in relation to Policy R7 can be found at the following link:

https://www.aberdeencity.gov.uk/sites/default/files/LDP_WS_20170328.pdf

• If yes, please provide information on what the outcomes of implementing the policy that have been observed so far.
This is not something that is recorded by ACC. We have not found a method of assessing which elements are the result of each process.

ACC is unable to provide you with information on **the outcomes of implementing the policy** as it is not held by the Council. In order to comply with its obligations under the terms of Regulation 10(4)(a) - Information Not Held - of the EIRs, ACC hereby gives notice that this information is not held by it. ACC is required by Regulation 10(1)(b) of the EIRs to inform you as to why in all the circumstances of the case, the public interest in maintaining this exception outweighs the public interest in disclosing this information to you. ACC is satisfied that it does not hold this information and considers that, as there is no information held, the public interest lies with the exception.

We hope this helps with your request.

Yours sincerely,

Grant Webster
Access to Information 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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