

From: Foi Enquiries
Sent: 06 February 2019 14:52
To: [REDACTED]
Subject: EIR-19-0052 - Building Act 2003
Attachments: V2 - Further Information - Right to Review & Appeal.pdf

Dear [REDACTED]

Thank you for your information request of 10 January 2019. Aberdeen City Council (ACC) has completed the necessary search for the information requested. Our response is now detailed below.

Building (Scotland) Act 2003 - S25, S26, S27, S28, S29 & S30

We would be obliged if you can provide us with the following details in regards to notices/Orders that have been made by Aberdeen City Council under the legislation listed above:

Notices or Orders that remain extant as at 9th January 2019

Notices or Orders that have been complied with and have monies owed to Aberdeen City Council as at 9th January 2019

Notices or Orders that have invoices pending in respect of works carried out by or on behalf of Aberdeen City Council to resolve the matter as at 9th January 2019

We would also be obliged if you would confirm that your response includes the following:

Consideration of Section 29 of the Building (Scotland) Act 2003

If it is not possible for the details of outstanding monies to be confirmed we would be obliged if you can provide us with the following details:

all notices served or orders made by Aberdeen City Council, from 24th August 2018 to 9th August 2019 under the legislation listed above

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).**

The above information is publicly available on the Building Standards Register at the following web link:

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

Click on the "Search" icon and then select the Advanced Search tab at which point you can choose to search for building warrant applications or notices.

In terms of Property Enquiry Certificates (PEC), the information forming part of a PEC is detailed at the following web link:

<https://www.aberdeencity.gov.uk/services/planning-and-building/building-standards/property-enquiry-certificates>

As **Notices/Orders** is otherwise accessible on our website at the links provided above, it is exempt 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 refusing your request under the terms of Regulation 6(1)(b) - Information Already Publicly Available - of the EIRs.

We hope this helps with your request.

Yours sincerely,

Claire Barranger-Clark
Senior 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.

Grant Webster | Access to Information Officer

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