

From: Foi Enquiries
Sent: 27 February 2019 15:07
To: [REDACTED]
Subject: EIR-19-0306 - Building Acts
Attachments: V2 - Further Information - Right to Review & Appeal.pdf

Dear [REDACTED],

Thank you for your information request of 26 February 2019. Aberdeen City Council (ACC) has completed the necessary search for the information requested. Our response is now detailed below.

Sections 10, 11 & 13 of the Building (Scotland) Acts 1959/70 (only for extant notices)
Sections 25, 26, 27, 28, 29 & 30 of the Building (Scotland) Act 2003

We would like to (and hereby do) make an Information Request that we be provided with the following details with regards to Notices/Orders that have been issued by Aberdeen City Council under the legislation listed above during the period 31 January 2014 to 31 January 2019.

- **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**

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 31 January 2014 to 31 January 2019 under the legislation listed above**

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).**

In relation to Sections 10, 11 & 13 of the Building (Scotland) Acts 1959/70, please see below a response we issued in 2017. As you can see, we have no extant or outstanding notices under this legislation:

https://www.aberdeencity.gov.uk/sites/default/files/2018-01/EIR_17_1560_BuildingScotlandAct195919702003_Redacted.pdf

In relation to Sections 25, 26, 27, 28, 29 & 30 of the Building (Scotland) Act 2003, this 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 **the above required information** is otherwise accessible through the Council website, 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,

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.

Grant Webster | Access to Information Officer

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