

From: Foi Enquiries
Sent: 11 June 2019 13:58
To: [REDACTED]
Subject: EIR-19-0671 - Town & Country Planning Act 1997
Attachments: V3 - Further Information - Right to Review & Appeal.pdf

Dear [REDACTED],

Thank you for your information request of 10 May 2019 and please accept our sincere apologies for delay in getting back to you. Aberdeen City Council (ACC) has completed the necessary search for the information requested. Our response is now detailed below.

- ***Town and Country Planning (Scotland) Act 1997 - Sections: 33a, 127, 140, 145, 168, 179, 189 & 190***
- ***Planning etc. (Scotland) Act 2006 - Sections: 25 & 26***

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 10th May 2019***
- ***Notices or Orders that have been complied with and have monies owed to Aberdeen City Council as at 10th May 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 10th May 2019***

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 9th January 2019 to 10th May 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.***
- ***Unique Property Reference Number (UPRN) (NEW ADDITION TO FOI REQUEST)***
- ***summary descriptions of the nature of the works/contravention.***
- ***relevant dates.***
- ***status of the action.***
- ***amounts owed to the council (when available).***

Town and Country Planning (Scotland) Act 1997 - Sections: 33a, 127, 140, 145, 168, 179, 189 & 190

Section of Act	New/Extant Notices from 9 th January 10 th May 2019.	Monies owed or Invoices Pending as of 10 th May 2019
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33a	No new or extant Notices/Orders	None
127	No new or extant Notices/Orders	None
140	No new or extant Notices/Orders	None
145	(see table below)	None
168	No new or extant Notices/Orders	None
179	(see table below)	None
189	No new or extant Notices/Orders	None
190	No new or extant Notices/Orders	None

New/Extant Notices

Address & Ref Numbers	Date of Service	Section of Act	Breach/Status
Jaguar/Land Rover Dealership Wellington Road Aberdeen (Ref. ENF190041) UPRN 009051146371	April 2019	145	Breach of condition re. dealership vehicles being displayed on designated landscaped areas. Breach resolved May 2019
2 Queen's Gardens Aberdeen (Ref. ENF19042) UPRN 009051045707	April 2019	145	Breach of condition re. various building works required to be carried out prior to demolition of garage. To be complied with by 24 th August 2019.
25 Union Street Aberdeen (Ref.160067) UPRN 009051082590	November 2016	179	Untidy shopfront. Notice not complied with. Further final attempt to be made to encourage new shopfront via Union St. CARS (Conservation Area Regeneration Scheme)

Planning etc. (Scotland) Act 2006 - Sections: 25 & 26

New/Extant Notices

Section of Act	New/Extant Notices from 9 th January to 10 th May 2019.	Monies owed or Invoices Pending as of 10 th May 2019
25	No new or extant Notices/Orders	None
26	No new or extant Notices/Orders	None

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.

We hope this helps with your request.

Yours sincerely,



Tomina Egbuson | Access to Information Officer

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