

## Grant Webster

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**From:** Foi Enquiries  
**Sent:** 23 October 2019 14:31  
**To:** [REDACTED]  
**Subject:** EIR-19-1295 - Planning Act 1997 & 2006  
**Attachments:** V3 - Further Information - Right to Review & Appeal.pdf

Dear [REDACTED],

Thank you for your information request of 27 September 2019. 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:**

**O Section 33a, Section 71 (new addition), Section 127, Section 140, Section 144a (new addition), Section 145, Section 168, Section 179, Section 189 & Section 190**

• **Planning etc. (Scotland) Act 2006:**

**O Sections: 25 & Section 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 26th September 2019**
- **Notices or Orders that have been complied with and have monies owed to Aberdeen City Council as at 26th September 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 26th September 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 10th May 2019 to 26th September 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)**
- **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, 71, 127, 140, 144a, 145, 168, 179, 189 & 190

Section of Act	New/Extant Notices from 10 <sup>th</sup> May 2019 to 26 <sup>th</sup> September 2019.	Monies owed or Invoices Pending as of 26 <sup>th</sup> September 2019
33a	No new or extant Notices/Orders	None
71	No new or extant Notices/Orders	None
127	No new or extant Notices/Orders	None
140	No new or extant Notices/Orders	None
144a	(see table below)	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
Former Royal Cornhill Hospital, Cornhill Road Aberdeen (Ref. ENF180062) UPRN 009051049220	18 <sup>th</sup> July 2019	144a	Temporary Stop Notice (28 day period) served re. unauthorised site works – breach now resolved.
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. Not complied with as of 24 <sup>th</sup> Aug 2019 – Fixed Penalty Notice to be issued late Oct. 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 10 <sup>th</sup> May 2019 to 26 <sup>th</sup> September 2019.	Monies owed or Invoices Pending as of 26 <sup>th</sup> September 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), we 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 we have 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,

**Grant Webster** | Access to Information Officer

Aberdeen City Council | Access to Information Team | Customer Feedback | Customer  
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