

From: [Foi Enquiries](#)
To: [REDACTED]
Subject: EIR-17-0505 - Planning (Scotland)
Date: 20 April 2017 10:16:42
Attachments: [Further Information - Right to Review & Appeal.pdf](#)

Dear [REDACTED]

Thank you for your information request of 28 March 2017. Aberdeen City Council (ACC) has completed the necessary search for the information requested.

- **Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 - S3, S4, S28, S34, S42, S43, S49 & S50**

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:

- a) Notices or Orders that remain extant as at 28th March 2017
- b) Notices or Orders that have been complied with and have monies owed to Aberdeen City Council as at 28th March 2017
- c) 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 28th March 2017

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:

- d) all notices served or orders made by Aberdeen City Council, from 12th September 2016 to 28th March 2017 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).

We do not require the personal data contained with these records. We would also prefer to receive this information in an electronic format, failing which in hard copy.

The following information is given in response to your recent Freedom of Information request seeking information relating to :-

Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 - S3, S4, S28, S34, S42, S43, S49 & S50

Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997

Section of Act	Notices served from 12th September 2016 to 28th March 2017	Extant Notices at 28th March 2017	Monies owed or Invoices pending at 28th March 2017
Section 3	No new Notices served	No extant Notices	None
Section 4	No new Notices served	No extant Notices	None
Section 28	No new Notices served	No extant Notices	None
Section 34	No new Notices served	1 Extant Notice (See Table below)	None
Section 42	No new Notices served	No extant Notices	None
Section 43	No new Notices served	No extant Notices	None
Section 49	No new Notices served	No extant Notices	None
Section 50	No new Notices served	No extant Notices	None

Extant Notices

Address & Ref Numbers	Date of Service	Section of Act	Breach/Status
21-23 Market Street, Aberdeen. (Ref. EA12/0030)	24 th June 2010	34	Installation of the unauthorised lighting/spotlight units & trickle vents fitted to sash & case windows on front elevation without planning permission - Notice largely complied with – No longer thought expedient to enforce.

We hope this helps with your request.

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.

Yours sincerely,

Information Compliance Team
Communications and Promotion
Office of Chief Executive
Aberdeen City Council
3rd Floor North
Business Hub 17
Marischal College
Broad Street
ABERDEEN AB10 1AQ

foienquiries@aberdeencity.gov.uk

01224 523827/523602

Tel 03000 200 292

*03000 numbers are free to call if you have 'free minutes' included in your mobile call plan. Calls from BT landlines will be charged at the local call rate of 10.24p per minute (the same as 01224s).

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