

From: [Foi Enquiries](#)
To: [REDACTED]
Subject: EIR-17-0123 - Statutory Notices
Date: 07 February 2017 15:35:35
Attachments: [Further Information - Right to Review & Appeal.pdf](#)
[EIR-17-0123 - Notices Redacted.pdf](#)

Dear [REDACTED],

Your Ref: [REDACTED]

Thank you for your information request of 19 January 2017. Aberdeen City Council (ACC) has completed the necessary search for the information requested.

We would like to (and hereby do) make an Information Request that we be provided with all information collected by you pursuant to your statutory duty under the Building (Scotland) Act 2003 and subsequently contained within all Notices/Orders that have been: (1) served, (2) remain extant, (3) Complied with, and (4) Complied with but have invoices pending in respect of works carried out by or on behalf of your council, during the period 19th July 2016 to 19th Jan 2017, under or pursuant to Sections 25, 26, 27, 28, 29 and 30 of the Building (Scotland) Act 2003 which information would form part of any PEC issued by the Council were one to be issued.

Please see attached.

Third party names and personal details have been redacted (blacked out) from the attached reports. This is because ACC considers that this information is excepted from disclosure. In order to comply with its obligations under the terms of Regulation 13 of the EIRs, ACC hereby give notice that we are refusing your request under the terms of Regulation 11(2) in conjunction with 11(3)(a)(i) – Personal Information - of the EIRs.

In making this decision ACC considered the following points:

ACC is of the opinion that Regulation 11(2) applies to the information specified above as the information in question is personal information relating to living individuals, and the applicant is not the data subject.

ACC is of the opinion that Regulation 11(3)(a)(i) applies, as ACC considers that disclosure of this information would be a breach of the first Data Protection Principle (that personal information must be processed fairly and lawfully). Third parties named within the attached document would not expect ACC to release this information about them into the public domain under the EIRs (or the Freedom of Information (Scotland) Act 2002 (FOISA)).

We hope this helps with your request.

Yours sincerely,

Grant Webster
Information Compliance 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.

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FREEDOM OF INFORMATION ACT

Building (Scotland) Acts 1959-70

SECTION 10

There are no outstanding notices issued under this section of the Act.

SECTION 11

There are no outstanding notices issued under this section of the Act.

SECTION 13

There are no outstanding notices issued under this section of the Act.

Building (Scotland) Act 2003

SECTION 25 – Building Regulations Compliance

There have been no notices issued under this section of the Act.

SECTION 26 – Continuing Requirement Enforcement Notices

There have been no notices issued under this section of the Act.

SECTION 27 – Building Warrant Enforcement Notices

Ref	EN16/001
Owner	██████████
Address	51 Craigiebuckler Terrace, Aberdeen
Description	Obtain a building warrant and suspend work
Notice Date	14th January 2016
Notice Effect	4th February 2016
Obtain warrant by	4th May 2016
Status	Live

SECTION 28 – Defective Building Notices

Ref	DF10/004
Owner	Castlehill Housing Association
Address	2 Merrivale, Station Road, Dyce
Description	1. External walls to be re-sheeted with Duplex plasterboard (with vapour control layer) as in accordance with the approved building warrant BA5/1930. 2. Ensure that there is adequate cover of insulation within loft space. 3. Replace entrance door to flat to ensure there is an adequate seal for the passage of smoke
Notice Date	16 th July 2010
Notice Effect	26 th July 2010
Work completed by	27 th August 2010
Status	Work still outstanding

Ref	DF11/002
Owner	The Epic Group Ltd
Address	The Priory, Belmont Street, Aberdeen
Description	1. Existing guttering requires to be cleaned and checked for stability 2. Missing gutter requires to be replaced 3. Masonry checked and loose parts safely removed 4. South east tower slates to be replaced
Notice Date	2 nd June 2011
Notice Effect	23 rd June 2011
Work completed by	21 st July 2011
Status	Items 1,2, & 3 have been rectified. Item 4 remains outstanding

Ref DF14/005
Owner Various
Address 41, 44, 47 & 50 Balgownie Way
Description Defective render on west facing elevation of flats 41, 44, 47 & 50 Balgownie Way has resulted in sections of dry-dash render detaching and falling onto the path below.
Notice Date 22th January 2014
Notice Effect 21st February 2014
Work completed by 21st March 2014
Status Work not completed

Ref DB5/001
Owner Individual owner
Address 2 Commerce Lane
Description Gutters and Downpipes missing from Building . Pointing to areas of walls poor and resultant water ingress to properties
Notice Date 26th May 2014
Notice Effect 16th June 2014
Work completed by 21st July 2014
Status On-going

Ref DB16/009
Owner XXXXXXXXXX
Address 110-112 Greenburn Road, Bucksburn, Aberdeen
Description The defective portion of wall to be repointed/ rebuilt as necessary. Assessment of adjacent ground level / plant root system on wall is required and action to prevent undue pressure on wall taken as necessary
Notice Date 1st April 2016
Notice Effect 14th April 2016
Work completed by 9th May 2016
Status Live

Ref	DB13/015
Owner	Various
Address	107 Menzies Road, Aberdeen
Description	
Notice Date	15th April 2014
Notice Effect	28th April 2014
Work completed by	23rd may 2014
Status	On-going

SECTION 29 & 30 – Dangerous Buildings

Ref DB10/014
Owner [REDACTED] & [REDACTED]
Address 107 – 113 Forest Avenue, Aberdeen
Description Propping of pillar between front doors required.
Engineer to assess then remedial work required as necessary
Notice Date 10th January 2012
Notice Effect 24th January 2012
Work completed by To be agreed after assessment
Status Work underway as of 25th April 2016

Ref DB12/024
Owner Kemp Winlaw Trust
Address 90 Huntly Street
Description Removal of the various small trees from the building and the reinstatement of the masonry and chimney cans. Notice re-issued
Notice Date 4th May 2016
Notice Effect 16th May 2016
Work completed by 3rd June 2016
Status On going

Ref DB13/019
Owner [REDACTED] & [REDACTED]
Address 39 King's Crescent – 11 Spital, Aberdeen
Description Repair of the mutual retaining wall.
Notice Date 6th September 2013
Notice Effect 30th September 2013
Work completed by 29th October 2013
Status Work started

Ref	DB14/024
Owner	Various
Address	239 Rosemount Place
Description	<ol style="list-style-type: none"> 1. Appoint an agent to deal with all matters to reinstatement works at 235-241 Rosemount Place. 2. Have undertaken a full Survey of the building within 10 working days form the date of this notice and a copy of the report to the building Standards Section of Aberdeen city council. 3. Make good all defects identified in the report this must include the provision of fire separation between areas of the building in different occupation and reinstatement of all effected elements of structure. Remedial works must be carried out in accordance with the guidance in the technical standards and in any case to a standard no worse than that before the fire.
Notice Date	4 th Sept 2014
Notice Effect	26 th Sept 2014
Work completed by	26 th Oct 2014
Status	On-going

Ref	DF16/024
Owner	Britannia Hotels Ltd
Address	Britannia Hotel, Malcolm Rd, Aberdeen
Description	Secure site against entry by public, provide report from structural engineer and complete recommendations
Notice Date	21st June 2016
Notice Effect	22nd June 2016
Work completed by	20th July 2016
Status	Live

Ref	DB11/049
Owner	Various
Address	78 Hutcheon Street, Aberdeen
Description	Remove vegetation and repair roof slates
Notice Date	22nd June 2012
Notice Effect	9th July 2012
Work completed by	10th August 2012
Status	On-going

Ref	DB10/051
Owner	██████████
Address	109 Spital, Aberdeen
Description	Repair the rear boundary wall
Notice Date	9th June 2011
Notice Effect	27th June 2011
Work completed by	18th July 2011
Status	On-going

Note: No monies are outstanding against any property – the Local Authority may pursue individuals for outstanding monies in relation to work completed by the Local Authority.

Last update 3rd Feb 2017