

Re: UNAUTHORISED USE OF PREMISES at 109, 110, 111,112 Princes Street & 144-150 Rose Street, Edinburgh

From: [redacted]@criterioncapital.co.uk>

To: [redacted] Keith Clark

Cc: [redacted]

Follow up: Completed on 27 August 2025.

You replied to this message on 27/08/2025 10:55.

If there are problems with how this message is displayed, click here to view it in a web browser.

External email >

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External email >

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Hi [redacted] Keith,

If of help I will be on site today at 109-112 Princes Street today between 8 and 4pm and could meet you there.

I tried calling yesterday to see if this would help on this matter.

Kind Regards,

[redacted]

Senior Project Manager

Criterion Capital || Piccadilly Construction

16 Babmaes Street, London, SW1Y 6HD

Mobile - [redacted]

Telephone – Switchboard 0207 432 2444

www.criterioncapital.co.uk

Sent from [Outlook for Android](#)

From: [REDACTED] [REDACTED] <[REDACTED]theomgroup.co.uk>
Sent: Friday, August 22, 2025 11:09:31 am
To: [REDACTED] [REDACTED] <[REDACTED]edinburgh.gov.uk>
Cc: Keith Clark <Keith.Clark@edinburgh.gov.uk>; [REDACTED] [REDACTED]
<[REDACTED]criterioncapital.co.uk>
Subject: Re: UNAUTHORISED USE OF PREMISES at 109, 110, 111,112 Princes Street & 144-150 Rose Street, Edinburgh

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Good morning again [REDACTED]

Please see attached another email that I have received this morning - I think that the system finally decided that our application was worthy! 😊

Please do let me know if you need anything else. Just to confirm our last conversation too - all of the shops will be removed from site in early 2026 to prepare that area for the full refurbishment works required for the new development.

Best wishes

[REDACTED] [REDACTED] | [REDACTED]

T: [REDACTED] | **M:** [REDACTED] | **W:** www.theomgroup.co.uk

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From: [REDACTED] <[REDACTED]@theomgroup.co.uk>
Sent: 22 August 2025 09:43
To: [REDACTED] <[REDACTED]@edinburgh.gov.uk>
Cc: Keith Clark <Keith.Clark@edinburgh.gov.uk>; [REDACTED] <[REDACTED]@criterioncapital.co.uk>
Subject: Re: UNAUTHORISED USE OF PREMISES at 109, 110, 111,112 Princes Street & 144-150 Rose Street, Edinburgh

Good morning [REDACTED]

I hope that you are well.

I chased this again yesterday and in the evening, I received this email - can you now see it in the system at your end please?

The list of documents is not showing all of them - some are combined within the sections I think, but my team are sending all of the files uploaded to you this morning too.

Best wishes

██████████ | ██████████

T: ██████████ | M: ██████████ | W: www.theomgroup.co.uk

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From: ██████████ <██████████@[edinburgh.gov.uk](mailto:██████████@edinburgh.gov.uk)>

Sent: 21 August 2025 12:00

To: ██████████ <██████████@theomgroup.co.uk>

Cc: Keith Clark <Keith.Clark@edinburgh.gov.uk>; ██████████

<██████████@criterioncapital.co.uk>

Subject: RE: UNAUTHORISED USE OF PREMISES at 109, 110, 111,112 Princes Street & 144-150 Rose Street, Edinburgh

Hello [REDACTED]

Still no application received by us here, is there still an issue with submitting the application?

Grateful for an update.

Kind regards

[REDACTED]

[REDACTED] [REDACTED] [REDACTED] | Building Standards Team Manager | Planning & Building Standards | Sustainable Development | Place Directorate | The City of Edinburgh Council | Waverley Court, Level 2:3, 4 East Market Street, Edinburgh, EH8 8BG | [REDACTED] | [REDACTED] [edinburgh.gov.uk](mailto:[REDACTED]@edinburgh.gov.uk) | www.edinburgh.gov.uk

From: [REDACTED] [REDACTED] <[REDACTED]@theomgroup.co.uk>

Sent: 19 August 2025 15:17

To: [REDACTED] [REDACTED] <[REDACTED]@edinburgh.gov.uk>

Cc: Keith Clark <Keith.Clark@edinburgh.gov.uk>; [REDACTED] [REDACTED] <[REDACTED]@criterioncapital.co.uk>

Subject: Re: UNAUTHORISED USE OF PREMISES at 109, 110, 111,112 Princes Street & 144-150 Rose Street, Edinburgh

Good afternoon [REDACTED]

Yes - I have had it added to a new account that I have set up as an agent today.

It is 500761701-001.

The only item outstanding is the fee payment now - which I have the link to and I have the amount, so I am just awaiting completion of this by one of the team.

If there are any missing documents, could you let me know please, as we have had to recover the application with the technical team today.

Many thanks,

Best wishes

██████████ | ██████████

T: ██████████ | M: ██████████ | W: www.theomgroup.co.uk

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From: ██████████ <██████████@edinburgh.gov.uk>
Sent: 19 August 2025 13:34

To: [redacted] [redacted] <[redacted]@theomgroup.co.uk>

Cc: Keith Clark <Keith.Clark@edinburgh.gov.uk>; [redacted]

<[redacted]@criterioncapital.co.uk>

Subject: RE: UNAUTHORISED USE OF PREMISES at 109, 110, 111,112 Princes Street & 144-150 Rose Street, Edinburgh

Hello [redacted]

Sorry I missed your call.

I've just checked our system and nothing received yet. Do you have the eBuilding Standards on-line reference number which will look something like this 500747229-001.

Kind regards

[redacted]

[redacted] [redacted] [redacted] | Building Standards Team Manager | Planning & Building Standards | Sustainable Development | Place Directorate | The City of Edinburgh Council | Waverley Court, Level 2:3, 4 East Market Street, Edinburgh, EH8 8BG | [redacted] | [redacted]@edinburgh.gov.uk | www.edinburgh.gov.uk

National Customer Satisfaction Survey



Your views are important to us, please take a moment to share experience in the

[national customer satisfaction survey for building standards](#)

From: [redacted] [redacted] <[redacted]@theomgroup.co.uk>

Sent: 19 August 2025 11:25

To: [redacted] <[redacted]@edinburgh.gov.uk>

Cc: Keith Clark <Keith.Clark@edinburgh.gov.uk>; [redacted]
<[redacted]@criterioncapital.co.uk>

Subject: Re: UNAUTHORISED USE OF PREMISES at 109, 110, 111,112 Princes Street & 144-150 Rose Street, Edinburgh

Good morning [redacted]

I hope you are well.

I have just tried to call - but it went straight to your voicemail.

Could you please call me - you should be able to see the application now.

Best wishes

[redacted] | [redacted]

T: [redacted] | M: [redacted] | W: www.theomgroup.co.uk

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From: [REDACTED] <[REDACTED][theomgroup.co.uk](mailto:[REDACTED]@theomgroup.co.uk)>
Sent: 18 August 2025 13:32
To: [REDACTED] <[REDACTED][edinburgh.gov.uk](mailto:[REDACTED]@edinburgh.gov.uk)>
Cc: Keith Clark <keith.clark@edinburgh.gov.uk>; [REDACTED]
<[REDACTED][criterioncapital.co.uk](mailto:[REDACTED]@criterioncapital.co.uk)>
Subject: Re: UNAUTHORISED USE OF PREMISES at 109, 110, 111,112 Princes
Street & 144-150 Rose Street, Edinburgh

Good afternoon [REDACTED]

Thank you for your time this morning - I have now managed to speak to the technical team and I will have the reference number shortly, as well as the access to the portal restored. They have suggested that we may need to update it again with the address, as the UKPRN is not pulling over, as you suggested.

I will complete this now and send you a further update this afternoon.

Many thanks,

Best wishes

[REDACTED] | [REDACTED]

T: [REDACTED] | **M:** [REDACTED] | **W:** www.theomgroup.co.uk

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From: [REDACTED] <[REDACTED]@theomgroup.co.uk>

Sent: 18 August 2025 07:58

To: [REDACTED] <[REDACTED]@edinburgh.gov.uk>

Cc: Keith Clark <keith.clark@edinburgh.gov.uk>; [REDACTED]
<[REDACTED]@criterioncapital.co.uk>

Subject: Re: UNAUTHORISED USE OF PREMISES at 109, 110, 111,112 Princes Street & 144-150 Rose Street, Edinburgh

Good morning [REDACTED]

I hope you are well.

I've just returned from leave and [REDACTED] has forwarded me an email - he was also on leave last week.

I submitted the application several weeks ago and I've tried calling you and Keith this morning but the calls are going straight to voicemail.

Please could you call me back as soon as possible - I will follow up with the portal technical team when their lines open at 9am too.

I'm keen to ensure that enforcement isn't carried out against the freeholder for mistakes by the tenant. I'll be more than happy to provide you contact details too, as you mentioned you couldn't get hold of the freeholder.

I look forward to speaking to you shortly. I'll try calling again shortly if I don't hear back, as I'm keen to ensure you have received the application.

Many thanks,

[REDACTED]

Sent from [Outlook for Android](#)

From: [REDACTED] <[REDACTED]@edinburgh.gov.uk>

Sent: Friday, July 25, 2025 2:46:22 PM

To: [REDACTED] <[REDACTED]@theomgroup.co.uk>

Cc: Keith Clark <Keith.Clark@edinburgh.gov.uk>; [REDACTED]
<[REDACTED]@criterioncapital.co.uk>

Subject: RE: UNAUTHORISED USE OF PREMISES at 109, 110, 111,112 Princes Street & 144-150 Rose Street, Edinburgh

Hello [REDACTED]

I'm very well, thank you, I hope you are well too and looking forward to the weekend.

That's good to hear the submission is imminent, hopefully, Scottish Government officials will be able to resolve the payment issue quickly.

I'm on leave now for a fortnight but Keith will be able to assist should you need to discuss the submission.

Kind regards

[REDACTED]

[REDACTED] [REDACTED] [REDACTED] | Building Standards Team Manager | Planning & Building Standards | Sustainable Development | Place Directorate | The City of Edinburgh Council | Waverley Court, Level 2:3, 4 East Market Street, Edinburgh, EH8 8BG | [REDACTED] | [REDACTED] [edinburgh.gov.uk](mailto:[REDACTED]@edinburgh.gov.uk) | www.edinburgh.gov.uk

From: [REDACTED] [REDACTED] <[REDACTED]@theomgroup.co.uk>

Sent: 25 July 2025 08:50

To: [REDACTED] [REDACTED] <[REDACTED]@[edinburgh.gov.uk](mailto:[REDACTED]@edinburgh.gov.uk)>; [REDACTED] [REDACTED] <[REDACTED]@criterioncapital.co.uk>

Cc: Keith Clark <Keith.Clark@edinburgh.gov.uk>

Subject: Re: UNAUTHORISED USE OF PREMISES at 109, 110, 111,112 Princes Street & 144-150 Rose Street, Edinburgh

Good morning [REDACTED]

How are you?

It has been submitted, but the portal would not let me make payment so I am in touch with the technical team and I am awaiting a resolution - I will chase it again this morning as I last spoke to them on Wednesday.

I will send another update after my call - I cant call them until after 9am.

Many thanks for the follow up.

Best wishes

██████████ | ██████████

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From: ██████████ <██████████@[edinburgh.gov.uk](mailto:██████████@edinburgh.gov.uk)>

Sent: 25 July 2025 08:06

To: ██████████ <██████████@[criterioncapital.co.uk](mailto:██████████@criterioncapital.co.uk)>

Cc: Keith Clark <Keith.Clark@edinburgh.gov.uk>; [REDACTED]
<[REDACTED]@theomgroup.co.uk>

Subject: RE: UNAUTHORISED USE OF PREMISES at 109, 110, 111,112 Princes Street & 144-150 Rose Street, Edinburgh

Good morning

Can I have an update on the Completion Certificate submission as it appears one has not been made.

Kind regards

[REDACTED]

[REDACTED] [REDACTED] [REDACTED] | Building Standards Team Manager | Planning & Building Standards | Sustainable Development | Place Directorate | The City of Edinburgh Council | Waverley Court, Level 2:3, 4 East Market Street, Edinburgh, EH8 8BG | [REDACTED] | [REDACTED] [edinburgh.gov.uk](mailto:[REDACTED]@edinburgh.gov.uk) | www.edinburgh.gov.uk

From: [REDACTED] [REDACTED] <[REDACTED]@criterioncapital.co.uk>

Sent: 18 July 2025 15:16

To: [REDACTED] [REDACTED] <[REDACTED]@edinburgh.gov.uk>

Cc: Keith Clark <Keith.Clark@edinburgh.gov.uk>

Subject: RE: UNAUTHORISED USE OF PREMISES at 109, 110, 111,112 Princes Street & 144-150 Rose Street, Edinburgh

Hi [REDACTED]

Completely agree, I'll make a note in my diary to chase regularly on this from my side.

Yes, I spoke with [REDACTED] this afternoon who provided reassurance that the Completion Certificate is imminent which is great to hear. However, I explained to [REDACTED] that we need continued momentum behind this submission to ensure there is no need for enforcement action to be taken and she reassured me that this would be the case.

Kind regards

■

■ ■ ■ | Building Standards Team Manager | Planning & Building Standards | Sustainable Development | Place Directorate | The City of Edinburgh Council | Waverley Court, Level 2:3, 4 East Market Street, Edinburgh, EH8 8BG | ■ | ■ edinburgh.gov.uk | www.edinburgh.gov.uk

National Customer Satisfaction Survey



Your views are important to us, please take a moment to share experience in the

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From: ■ ■ <■ [criterioncapital.co.uk](mailto:■@criterioncapital.co.uk)>

Sent: 18 July 2025 14:30

To: ■ ■ <■ [edinburgh.gov.uk](mailto:■@edinburgh.gov.uk)>

Cc: Keith Clark <Keith.Clark@edinburgh.gov.uk>

Subject: RE: UNAUTHORISED USE OF PREMISES at 109, 110, 111,112 Princes Street & 144-150 Rose Street, Edinburgh

Hi ■

Apologies for not responding back to you earlier, I have been finding out what's happened with the tenant, as I was told everything had been filed weeks ago.

I believe you have since talked to [REDACTED] who I have a call out to at the moment to update me further.

Kind Regards,

[REDACTED]

Senior Project Manager

Criterion Capital || Piccadilly Construction

16 Babmaes Street, London, SW1Y 6HD

Mobile - [REDACTED]

Telephone – Switchboard 0207 432 2444

www.criterioncapital.co.uk



From: [REDACTED] <[REDACTED]@edinburgh.gov.uk>

Sent: 09 July 2025 11:32

To: [REDACTED] <[REDACTED]@criterioncapital.co.uk>

Cc: Keith Clark <Keith.Clark@edinburgh.gov.uk>

Subject: RE: UNAUTHORISED USE OF PREMISES at 109, 110, 111,112 Princes Street & 144-150 Rose Street, Edinburgh

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Good morning [REDACTED]

We continue to have no progress in addressing the unauthorised works forming part of the development at Princes Street and Rose Street.

We had a discussion with [REDACTED] that steps would be taken to address this matter. Subsequently, we had a positive discussion with [REDACTED] [REDACTED] on the 29 May where we were advised a Completion Certificate would be submitted the following week. No submission has been made we have not heard any further updates from [REDACTED]

The lack of action to resolve this matter will have implications on the building warrant submission that has been made for the future development of the building.

Regrettably, we must now move to taking enforcement action under Sections 8 and 21 of the Building (Scotland) Act 2003.

Kind regards

[REDACTED]

[REDACTED] [REDACTED] [REDACTED] | Building Standards Team Manager | Planning & Building Standards | Sustainable Development | Place Directorate | The City of Edinburgh Council | Waverley Court, Level 2:3, 4 East Market Street, Edinburgh, EH8 8BG | [REDACTED] | [REDACTED] edinburgh.gov.uk | www.edinburgh.gov.uk

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From: [REDACTED] [REDACTED]

Sent: 09 May 2025 08:53

To: [redacted] <[redacted]@criterioncapital.co.uk>

Cc: Keith Clark <Keith.Clark@edinburgh.gov.uk>

Subject: RE: UNAUTHORISED USE OF PREMISES at 109, 110, 111, 112 Princes Street & 144-150 Rose Street, Edinburgh

Hi [redacted]

Thanks for confirming the owner of the properties.

The removal of the shops could be handled through a separate building warrant, unrelated to the application you are leading on, or it could be an amendment to your building warrant. I would suggest it would be cleaner to have a completely separate building warrant for removal of the shops but its really a decision for you and the other interested parties in this building.

Kind regards

[redacted]

[redacted] [redacted] [redacted] | Building Standards Team Manager | Planning & Building Standards | Sustainable Development | Place Directorate | The City of Edinburgh Council | Waverley Court, Level 2:3, 4 East Market Street, Edinburgh, EH8 8BG | [redacted] | [\[redacted\]@edinburgh.gov.uk](mailto:[redacted]@edinburgh.gov.uk) | www.edinburgh.gov.uk

National Customer Satisfaction Survey



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From: [REDACTED] <[REDACTED]@critterioncapital.co.uk>

Sent: 07 May 2025 12:39

To: [REDACTED] <[REDACTED]@edinburgh.gov.uk>

Cc: Keith Clark <Keith.Clark@edinburgh.gov.uk>; [REDACTED]
[REDACTED]@critterioncapital.co.uk>; [REDACTED]
[REDACTED]@critterioncapital.co.uk>

Subject: RE: UNAUTHORISED USE OF PREMISES at 109, 110, 111,112 Princes Street & 144-150 Rose Street, Edinburgh

Hi [REDACTED]

Thank you for your email below and noted you have discussed with [REDACTED] on behalf of KitFox Ltd.

We confirm that Zedwell Edinburgh Ltd is the building owner, as requested.

Can you clarify for me that if the Warrant is resolved in a timely manner be KitFox, is the removal of the shops then to be included in our future Building Warrant stage application for the Hotel construction? Or is that a separate Warrant application?

If easier to call and discuss I will call you.

Kind Regards,

[REDACTED]

Senior Project Manager

Criterion Capital || Piccadilly Construction

16 Babmaes Street, London, SW1Y 6HD

Mobile - [REDACTED]

Telephone – Switchboard 0207 432 2444

www.criterioncapital.co.uk



From: [REDACTED] <[REDACTED]@edinburgh.gov.uk>

Sent: 07 May 2025 12:01

To: [REDACTED] <[REDACTED]@criterioncapital.co.uk>

Cc: Keith Clark <Keith.Clark@edinburgh.gov.uk>

Subject: FW: UNAUTHORISED USE OF PREMISES at 109, 110, 111,112 Princes Street & 144-150 Rose Street, Edinburgh

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Dear [REDACTED]

Following on from our 'call this morning I spoke with [REDACTED] who is assisting Kitfox Ltd in submitting the Completion Certificate Where No Building Warrant Obtained. I have copied you into my further email to Kitfox Ltd and, hopefully, they will take the required steps to address our concerns.

I also note that you have since emailed [REDACTED] reiterating that our request should be acted upon, thank you.

You should be aware that under the Building (Scotland) Act 2003 (the Act), enforcement action taken by the local authority is against the person who carried out the work, or instructed the work to be carried out. However, ultimate responsibility for unauthorised work under the Act may fall to the building owner.

I understand that Zedwell Edinburgh Limited are the building owner. However, so that I am clear on who the building owner is, Under [Section 37](#) of the Act, I request that you confirm this is the case and, if not, who the building owner is. Section 30 of the Act sets requirements for information to be provided to a local authority upon request where a Section 27 notice is to be served.

With regard to the building warrant application which has been submitted by Zedwell Edinburgh Ltd for the conversion of the building to a hotel (ref no. 24/03504/WARR), it is key that the matters outlined in my email to Kitfox Ltd this morning are addressed timeously, including the subsequent building warrant application to remove the temporary shop units. .

Thank you for your assistance in expediting this matter.

Kind regards

[REDACTED]

[REDACTED] [REDACTED] [REDACTED] | Building Standards Team Manager | Planning & Building Standards | Sustainable Development | Place Directorate | The City of Edinburgh Council | Waverley Court, Level 2:3, 4 East Market Street, Edinburgh, EH8 8BG | [REDACTED] | [REDACTED] edinburgh.gov.uk | www.edinburgh.gov.uk

National Customer Satisfaction Survey



Your views are important to us, please take a moment to share experience in the

[national customer satisfaction survey for building standards](#)

From: [REDACTED] [REDACTED]

Sent: 07 May 2025 11:34

To: [REDACTED] [gmail.com](#)

Cc: [REDACTED] criterioncapital.co.uk; Keith Clark

<Keith.Clark@edinburgh.gov.uk>; [REDACTED] safe-dem.com

Subject: UNAUTHORISED USE OF PREMISES at 109, 110, 111, 112 Princes Street & 144-150 Rose Street, Edinburgh

Dear [REDACTED]

I refer to the correspondence emailed to you on the 4 April 2025 (copy attached) about the unauthorised construction and conversion of the premises at 109-112 Princes Street and 144-150 Rose Street Edinburgh.

In that letter we set out that:

- It is an offence under Section 8 of the Building (Scotland) Act 2003 to carry out construction work and convert a building without having obtained a Building Warrant.
- It is an offence under section 21 of the Building (Scotland) Act 2003 to use or occupy a building knowing that a Completion Certificate has not been accepted for the construction/conversion of the building.
- A 'Completion Certificate Where No Building Warrant Obtained' should be submitted to this Council by 5 May 2025 for the unauthorised construction work and conversion of the premises.

Sections 21 and 27 of the Building (Scotland) Act 2003 set out enforcement powers available to the local authority where a building is being used/ occupied without a Completion Certificate acceptance and where a building warrant has not been obtained prior to the construction work/conversion of the building. They include:

- Seeking interdict from the Court of Session, or Sheriff Court, to prevent the continued unauthorised use/occupation of the premises.
- Serving a Building Warrant Enforcement Notice calling for a Completion Certificate to be accepted by the Council within a prescribed time frame. Where the requirements of this notice are not met, the local authority have powers to enter the premises, carry out the work necessary to meet the Building (Scotland) Regulations 2004 and recover the associated expenses from the person responsible for the unauthorised work/conversion.

I spoke with [REDACTED] this morning who explained he is assisting you in regularising the above matters. He explained that there have been delays in compiling the information necessary to submit a Completion Certificate Where no Building Warrant Obtained, however, he expects this will be available for submission this Friday 9 May 2025.

We have previously carried out an inspection of the properties where we noted there are significant aspects of the work which does not meet the building regulations, and accordingly, I would advise that you should seek advice from a construction professional, such as an architect, to understand where the building will have to be altered to meet the building regulations. These changes will have to be included in the completion certificate submission.

The 'Completion Certificate Where no Building Warrant was Obtained' must be submitted through the [eBuilding Standards](#) portal along with the relevant statutory fee.

I understand the operation of the premises are temporary and will be removed in advance of the redevelopment of the site by the building owners. A building warrant will be required to authorise the subsequent removal of these works and this should be submitted in advance of the removal work commencing.

I have copied in [REDACTED] and Zedwell Edinburgh Limited, who I understand to be the building owners.

Failure to regularise the matters set out above timeously will result in enforcement action being taken under Section 21 and 27 of the Building (Scotland) Act 2003.

Yours sincerely

[REDACTED]

[REDACTED] [REDACTED] [REDACTED] | Building Standards Team Manager | Planning & Building Standards | Sustainable Development | Place Directorate | The City of Edinburgh Council | Waverley Court, Level 2:3, 4 East Market Street, Edinburgh, EH8 8BG | [REDACTED] | [REDACTED] [edinburgh.gov.uk](#) | [www.edinburgh.gov.uk](#)