

**MINUTES OF THE MEETING OF THE HELENSBURGH & LOMOND AREA COMMITTEE HELD
ON A HYBRID BASIS IN THE MARRIAGE SUITE IN THE HELENSBURGH AND LOMOND
CIVIC CENTRE AND BY MICROSOFT TEAMS
ON TUESDAY, 10 SEPTEMBER 2024**

Present: Councillor Fiona Howard (Vice Chair)

Councillor Math Campbell-Sturgess	Councillor Ian MacQuire
Councillor Maurice Corry	Councillor Gary Mulvaney
Councillor Graham Hardie	Councillor Gemma Penfold
Councillor Paul Donald Kennedy	

Attending: Stuart McLean, Committee Manager
John Blake, Fleet, Waste and Transport Manager
Colin Young, Strategic Transportation Delivery Officer
Sergeant Sophie Marshall, Police Scotland
Seymour Adams, Vice Chair, CHARTS

1.

The Vice Chair welcomed everyone to the meeting.

Apologies for absence were intimated on behalf of Councillors Mark Irvine (Chair) and Iain Paterson.

2.

There were no declarations of interest intimated.

3.

The Minute of the meeting of the Helensburgh and Lomond Area Committee, held on 11 June 2024 was approved as a correct record.

4.

Before the introduction of Public Questions and in response to several questions that had been submitted in advance the Vice Chair made a statement regarding Helensburgh Waterfront.

This Committee and Council over the past 10 years has successfully invested over £20m in Helensburgh Waterfront with important community infrastructure including the new leisure centre, new car park, sea defences and resurfaced pier to name a few.

This Administration, and indeed the previous Administration, appreciates there remains a great deal of public interest in the final piece of the jigsaw and things have moved on considerably in last few weeks following the decision by Policy and Recourses Committee in August to select a sole preferred developer in Forrest Developments.

days. We will also be updating the information and frequently asked questions page on

the Councils Website about the Waterfront so the correct narrative is shared as widely as possible.

I do however want to reiterate 3 points.

Firstly, our town centre is important to us all and we want to get this important site right with a viable and economically sustainable development. There has been an open process where we received several offers from retailers, fast food giants, hotels and the community. We have assessed these bids through an agreed process and have a proposal that is considered to be most advantageous in terms of deliverability, risk, financial outcomes and community feedback.

Secondly, we are aware that views both for and against the proposal are open

I have concerns that the Committee in approving the sale of land on the waterfront were not provided with full and honest representation from the consultation and that there are continuous attempts to overrule and quash the voice of residents.

and its young people are repeatedly advising what they believe is the best site, the waterfront, yet this continues to be ignored.

Why did the elected members accept evidence from an outdated retail spending from 2017 to be submitted as part of the report?

And why did they not question the poor consultation numbers and lack of transparency from the consultants used to produce this report?

Why has there been no full community consultation on the best site for the skate park?

Councillor Campbell-Sturgess highlighted that there had been no decision made on where the Skatepark would be located.

The Committee advised that they would seek guidance from the relevant department and provide Ms Kinloch with a response to this question following the meeting.

Question 2

issued with 8 pages of printed paper giving GDPR notices for video and photo permissions and 2 for data confirmation.

The authorities currently pays for licenses and use Google forms; also pay for Xpressions as the agreed communication method. These 2 digital solutions are available and are not second set printed out to take home.

budget, not to mention the actual paper is astonishing when the digital solutions are there.

Counting up all these little areas of waste are what is eating into overstretched budgets.

parents. This is only required where there is an exception agreed.

The Committee Manager highlighted that on receipt of the question he had passed it to the Head of Education Learning and Teaching who advised that:

Annual Data Checks are a vital aspect of Data Protection compliance and are issued on paper as they are pre-populated with information that parents have previously supplied to use. This is to facilitate the process rather than them having to completely write everything out again. Unfortunately, Messenger 5, our main tool for communicating with parents is

unable to handle that level of data. The service are looking at a parent app that could resolve this issue and are in discussion with IT to plan an implementation programme.

Gill Simpson

Has the Area Committee noted that a short-term working group of the Helensburgh and Lomond Area Community Planning Group has been set up to explore Community Wealth Building?

The Vice Chair advised that the Committee were aware that a short-term working group had been established and noted the question.

Peter Brown

Question 1

Can the Chair clarify who Argyll and Bute Council are intending to sell the pierhead site to - is it Forrest Developments Ltd (as in the A&BC press release of 18th August) or Forrest Group (as in the Council's Q&A on their website)?

Question 2

Can the Chair advise whether Argyll and Bute Council obtained an independent valuation of this site? If so:

- a. Which company provided the valuation?
- b. What was the valuation?
- c. When were the Area Committee Councillors informed of this valuation?

Question 3

Can the Chair advise when the Area Committee Councillors agreed the budget for the disposal of the pierhead site, and how much was that budget? This refers to the combined cost of external consultants, including Avison Young as marketing company, Darnton B3 architects in providing an illustrative design, Colliers for the retail survey update and Ryder Architects for the community engagement process.

Question 4

Each bid was scored against five criteria, of which Criterion 4 was "Community Feedback: Based on Community Engagement Process (June 2023)", as signed-off by the Area Committee Councillors in September last year. The Ryder Architecture report on the Community Engagement process, which only 83 people participated in, concluded that there was "no consensus" on what was wanted on the site. Can the chair advise how this report was used to score this criterion? Did they simply award 5 out of 5 to all bids, as they did for the Community Council's bid, and what was the score assigned to the winning bid?

Question 5

and, as SEPA said at the pre-planning meeting for the leisure centre, the increased footfall from any retail on this site would cause them to regard it as a "more vulnerable" use.

Councillor MacQuire advised that when the swimming pool was built, part of ground was raised by 2 metres to stop flooding.

Question 6

After the Area Committee approved 2 bidders at their private meeting in March this year, did the Council give any commitment to those bidders? If the Council had not selected one of those two bidders would there have been a penalty to the Council, and were Councillors aware of this?

Question 7

Can the Chair confirm that the Council has followed the Scottish Government's 2010 regulations on Disposal of Land by Local Authorities? Specifically paragraph 12 which says their duty includes "Being open and transparent in transactions", and "Demonstrating responsiveness to the needs of communities, citizens, customers and other stakeholders".

Question 8

I raised a number of points to the Area Committee in March about the Colliers Retail Study update, in particular their figures for floorspace in the town centre. In underestimating the existing floorspace, Colliers concluded that there is scope to increase the amount of retail space in the town.

The Council officer has kindly pursued Colliers as to how they originated their data - Colliers said:

Does the Chair agree that the Colliers Retail Study update does not provide an accurate representation of Helensburgh's retail position, leaving Helensburgh's local businesses vulnerable to retail development on the waterfront?

Question 9

On 12th September last year, this Committee was briefed by officers about "items that are considered to be major risk factors to the Council regarding Hermitage Park", which included the following:

"Skate park is located in a suitable spot in Helensburgh. If located in Hermitage Park a full suite of documents are required by NLHF including; a heritage impact assessment undertaken by a specialist consultant in historic parks, H&S risk assessment, statement from planning department, survey of park users and stakeholders, the local community and Friends group to gauge public opinion, an updated and fully funded management and maintenance plan explaining how skate park will be maintained over 20 years, an updated Pavilion business plan, statement of impact on Green Flag award. This requirement is legally binding in order to draw down funds and not be liable for clawback."

The Council's Environment, Development and Infrastructure Committee meets this Thursday, and the officers' report for that committee says: "The risks regarding the potential location of a skatepark in Hermitage Park have been deemed acceptable and subsequently a letter has been drafted for consideration by National Lottery Heritage Fund

Question 3

I note from the Scottish Government website the key roles of an elected councillor are Representing their ward Representing and meeting with residents and community groups within their ward and dealing with the issues they raise.

Question 2

My question therefore is when will you our elected councillors be meeting with Helensburgh residents to answer questions on this issue? Will this be through well publicised surgeries, a public meeting or will there be drop in sessions?

There are many current local issues raised with us as the Helensburgh Community Council. These include, along with the Waterfront, the Regeneration of the Pier (more than 500 residents turned out to support this cause on a Sunday morning), the survival of the Tower Arts Centre and Cinema (more than 600 residents turned up to an engagement event just last weekend) the closure of the Cafe in Hermitage Park with no notice overnight and the long term future of the Waterfront Skatepark.

explaining clearly how you will be meeting with and representing residents concerns, questions and views.

Also how you as our elected representatives will be taking those views to Argyll and Bute Council.

I look forward to seeing the Waterfront and some of the other important issues I have touched upon being raised in future not just at public question time but on the official agenda hopefully at the next meeting in three months time.

The Vice Chair thanked Ms Davies for the submitted questions and assured her that the questions would be referred to the relevant department who would provide responses to the questions in the coming days.

Cameron Foy

As reported in the Helensburgh Advertiser the future of the waterfront development is potentially tied to the existing Co-op supermarket and carpark on Sinclair Street/East King Street which the Council also owns and currently leases.

Question 1

Can the Chair say whether, under the terms of the lease, the current leaseholder can end the lease early, or whether the Council has any control over who the lease could be transferred to, and therefore any influence over whether its future would be retail or residential?

Councillor Mulvaney advised that no definitive decision has been made on the future of the site and that the decision made at Policy and Resources Committee was to award preferred bidder status only.

The Vice Chair thanked Mr Foy for the questions and assured him that the questions would be referred to the relevant department who would provide responses to the questions in the coming days.

Kathryn Smith

The Committee Manager read out the following question submitted by Kathryn Smith in advance of the meeting:

Why is the skatepark being limited to 350sqm when the revised & adopted masterplan includes a large skatepark in the waterfront? This would see no safe approach & run off spaces.

The Vice Chair thanked Ms Smith for the question and confirmed the question would be referred to the relevant department who would provide a response to the question in the coming days.

Jackie Hood, Helensburgh Skatepark Project

I worry that the meeting today will be remembered for its confrontational nature, how as elected officials did you get to the stage where almost 3000 people are losing confidence in you, because there is a real feeling of a lack of clarity and transparency?

Liz Descato

Question 1

Why was the bid process conducted in such a secretive manner? Even at the shortlisting stage, the names of those being considered was not disclosed, and more concerning the announcement of the preferred bidder provided no information on who was awarded the contract, that fact came later as did the plans for the site. I have to say what goes on behind closed doors and why is not for the benefit of the people of Helensburgh.

Question 2

Councillors talked about the Argyll and Bute area, we are talking about Helensburgh and Lomond. Oban has a population of around 8500 and they have a massive sports centre; Lochgilphead has a population of around 2300 and they have the Mid Argyll Sports Centre which has 4 badminton courts, we cannot even play badminton in our hall as the ceiling is not high enough.

Has anyone been to Hermitage Academy and spoken to children aged 11-16 who seem to cause trouble and asked them what they would like in Helensburgh?. I have spoken to people and none of them would ever dream of putting a supermarket on the seafront, as it should be used for leisure.

The Committee Manager advised that the Area Committee can take decisions in private if the details contained within the associated report meet the requirements of the Local Government (Scotland) Act 1973.

Councillor Mulvaney advised that there had been many papers on the Waterfront Development that had been considered by the Area Committee within the last 3-4 years and that the vast majority were considered in public. The Councillor advised that the scoring criteria was agreed by the Area Committee, and was used by officers accordingly. Councillor Mulvaney advised that the 2012 Masterplan for the site was predicated as a mixed use (commercial and leisure) site, with this also being reflected within the Local Development Plan.

Councillor Mulvaney highlighted that the decision has not been made in secret and that there has been a very transparent and open process on how the preferred bidder was selected and what designation was on the land.

Vivien Dance

Question 1

Would all 10 members of the Area Committee sign a letter of support to go to the Tower Cinema Group so they can submit it with their bids?

The Vice Chair confirmed that she would encourage all members of the Committee to sign the letter of support.

Question 2

In 2007 the Full Council of Argyll and Bute, agreed to fund a new leisure centre for Helensburgh and around the same time established the CHORD project, which consisted of £35 million. Bute and Cowal agreed to use £2 million to fund rejuvenation of the Rothesay Pavilion, in the intervening 17 years the Council has failed to allocate sufficient funding to the Helensburgh leisure centre to fund the capital costs. In the meantime Rothesay Pavilion has returned many times to the Council for additional funding, with the most recent being at a meeting of the Full Council on 27 June 2024. If Members and Officers can bail out Rothesay Pavilion why has this Area Committee not presented a similar case for the Leisure Centre to the Full Council?

Question 3

The Vice Chair highlighted that the Committee are in support for finding the quickest solution and would raise this matter with the Strategic Transportation Delivery Officer.

Nick Relby

Question 1

As I was parking in quite a full leisure centre car park, I did wonder has there been a recent car park survey done by any of the bidders as I am not sure where people going to the supermarket would park?

The sense of when you walk through the site is that it is the face of Helensburgh and there is a duty of care on the Council to make sure it is the best going forward and I do sense that part of that is to respect the residents and I am staggered that for questions submitted in advance that there was no answers to them.

Question 2

For mixed use in retail and supermarket there is a climbing footfall particularly in supermarkets and pre-covid data is not accurate, has any post-covid analysis on footfall been covered?

The Vice Chair thanked Mr Relby for the questions and confirmed that they would be referred to the relevant department who would provide a response to them in the coming days.

Sally Watson

I am concerned at what seems to be lack of joined up thinking in terms of the existing Co-op site which the Council own and the site at the waterfront. Why is this decision being made in isolation? I think it is disingenuous to claim that the two are not linked.

The Vice Chair highlighted that no decision had been taken on what kind of supermarket it would be.

Councillor Mulvaney advised that any site that the Council has an interest in needs to be part of and compatible with all area related plans.

Lynn Henderson

You say that the two sites are not linked but have you taken parking into consideration? Parking in Helensburgh is difficult and it is suggested this will be removed.

The Vice Chair advised that parking would be considered as part of the planning process.

The Vice Chair adjourned the meeting at 11.25am for 15 minutes and re-convened at 11.40am.

5.

Consideration was given to an update which provided information on the ongoing work of the Service and information on serious and organised crime; acquisitive crime; road safety and road crime; violent crime; public protection; fraud prevention and awareness;

community policing; Operation Ballaton which has now concluded and the ongoing work with the Councils Anti-Social Behaviour Coordinator to improve CCTV within Helensburgh.

Decision

The Helensburgh and Lomond Area Committee considered and noted the information provided in the report.

(Reference: Report by Inspector Bart Simonis, Police Scotland, submitted)

6.

The Committee gave consideration to a presentation by the Vice-Chair of the Cultural Heritage and Arts Assembly (CHARTS) for Argyll and the Isles. The presentation included information on the impact of partnership working on both regional and local areas and provided highlights of key projects throughout the Helensburgh and Lomond Area. Mr Adams also provided information in relation to funding streams and the benefits of the continued support received from Argyll and Bute Council.

Decision

The Helensburgh and Lomond Area Committee considered and noted the information provided in the presentation.

(Reference: Presentation by Vice-Chair, Cultural Heritage and Arts Assembly, submitted)

7.

The Committee gave consideration to the Area Performance Report for financial quarter 1 of 2024/25 (April to June 2024) which illustrated the agreed performance measures for this period.

diversion performance along with national policy, targets and regulations which are likely to impact on future performance.

Decision

The Helensburgh and Lomond Area Committee noted and gave consideration to the details as outlined in the report and the national policy drivers that would likely impact over the coming years.

(Reference: Report by Executive Director with responsibility for Roads and Infrastructure Services, dated August 2024, submitted)

10.

Consideration was given to a report updating Members on the progress made since the Helensburgh and Lomond Area Committee on 11 June 2024 in relation to the delivery of a dedicated, high quality walking and cycle route linking Helensburgh, Cardross and Dumbarton.

Decision

The Helensburgh and Lomond Area Committee:

1. agreed that an update report would be submitted bi-annually and that out with this time, elected members would be briefed on any significant developments;
2. instructed Officers, subject to securing external funding, to appoint a new design team to complete development of Phase 1 and Phase 2 designs through Developed Design and Technical Design stages;
3. ensure access to private land for surveys required as part of the design process where landowner permission is not forthcoming; and
4. supported progression of the project to full Technical Design, as required by the external funder.

(Reference: Report by Executive Director with responsibility for Development and Economic Growth, dated 6 August 2024, submitted)

11.

The Helensburgh and Lomond Area Committee workplan was before members for information.

Decision

The Helensburgh and Lomond Area Committee noted the contents of the workplan.

(Reference: Helensburgh and Lomond Area Committee workplan, dated 10 September 2024)