



Additional submission from Helensburgh and Lomond Chamber of Commerce to members of the PPSL Committee, Argyll and Bute Council, in respect of Helensburgh Seafront Development, reference 18/01614PP. (continuation of Hearing and December PPSL committee).

Apologies for the lateness of this submission but information that was required has only been received today, some very late this evening.

The business community in Helensburgh and Lomond echoes the sentiments expressed by elected members at the December meeting of the PPSL committee, it is “disappointing” that salient and pertinent questions remain unanswered by the Applicant many weeks after this application was first heard in committee. The Chamber of Commerce therefore maintains its reservations on the application as it stands and endorses the request submitted by Helensburgh Community Council that an Independent External Review of the leisure centre’s vulnerability be undertaken as suggested by Professor Tom Bruce.

In response to the request from members for further information on flooding risk and the impact of wave overtopping on the building there are now three documents in the public domain, Supplementary Report Number 4 from the Applicant and the two submissions from Helensburgh Community Council, dated 17th January and 22nd January respectively, both authored by Dr. Peter Brown.

Members of the business community conclude that they agree with the areas of concern highlighted by the Community Council and the technical calculations which verify the reasons for their concerns in their submission dated 17th January. This document presents clear and credible evidence that there is sufficient risk with the application as it stands to warrant modifications to the plan as suggested in the Chamber’s presentation at the hearing in November and by letter to the December PPSL meeting. The second report dated 22nd January based on information received today calls in to question the opinions and calculations submitted by Dr. Kaya over many months. Dr. Brown’s forensic scrutiny and alternative conclusions with regards to the Applicant’s documentation have now been supported by the man who wrote the “bible”, the EurOtop Manual, a document consistently quoted by the Applicant.

Councillors have now been presented with widely differing expert views in respect of the risk to the new development. However, the latest submission from the Community Council is indeed a game changer and councillors need to study the facts presented in this document

and accept that they present irrefutable evidence that the Applicant's consultants have simply got it wrong.

Members of the Chamber note that the choice of language in Supplementary Report 4 from the Applicant was designed to have a significant impact on the decision makers who had so far not been persuaded to grant consent for this development. Its tone was deliberately unequivocal and emphatically insistent that everything that had been presented to elected members was beyond doubt and challenge and "no reason to set aside the views of the expert consultees can be identified by officers". The Applicant tried to ensure that even the most experienced of councillors would struggle to present a competent amendment to the officer's recommendation in the light of such dogma.

However, with their submission dated 22nd January the Community Council has nullified the Applicant's assertion and there is now clear and significant doubt about the veracity of the opinions from the Applicant's expert consultees. Both submissions from Helensburgh Community Council are factual and logical documents which provide all the evidence that is required to formulate an amendment to refuse this application and councillors are urged to take this option and ask for a rethink on the proposal with a view to mitigating the self-evident risk for future generations.

Finally, the Chamber would wish to comment on the Applicant's attempt to disparage the previous submissions by the Chamber of Commerce with the statement in Supplementary Report 4 that arguments relating to cost are not a material planning consideration. The reason that the Chamber has emphasised the materiality of cost is because the Councillors' Code of Conduct states that all councillors are accountable for their decisions and actions to the public and have a duty to consider issues on their merits taking account of the views of others and must ensure that the council uses its resources prudently and in accordance with the law. As the Applicant in this instance is the council, the matter of cost (resources) is clearly a material consideration.

Vivien Dance.

On behalf of the Board. 22nd January 2019.