

**MINUTES OF THE MEETING OF THE HELENSBURGH & LOMOND AREA COMMITTEE HELD ON
A HYBRID BASIS BY MICROSOFT TEAMS AND IN THE MARRIAGE SUITE IN THE
HELENSBURGH AND LOMOND CIVIC CENTRE
ON TUESDAY, 12 SEPTEMBER 2023**

Present: Councillor Gemma Penfold (Chair)

Councillor Math Campbell-Sturgess	Councillor Paul Donald Kennedy
Councillor Graham Hardie	Councillor Ian MacQuire
Councillor Fiona Howard	Councillor Gary Mulvaney
Councillor Mark Irvine	

Attending: Stuart McLean, Committee Manager
Hugh O'Neill, Networks and Standards Manager
David Allan, Estates and Property Development Manager
Ross McLaughlin, Head of Commercial Services
Sonya Thomas, OD Project Officer
Inspector Barry Convery, Police Scotland

1. APOLOGIES

Apologies for absence were received from Councillor Iain Paterson and Councillor Maurice Corry.

2. DECLARATIONS OF INTEREST

There were no declarations of interest intimated.

3. MINUTE OF THE MEETING OF THE HELENSBURGH AND LOMOND AREA COMMITTEE, HELD ON 13 JUNE 2023

The Minute of the meeting of the Helensburgh and Lomond Area Committee, held on 13 June 2023 was approved as a correct record.

Having noted the commitments of those in attendance, the Chair agreed to vary the order of business. This Minute reflects the order in which discussions took place.

4. PLAY PARK ENGAGEMENT - UPDATE REPORT

The Committee gave consideration to a report which provided an update on the Play Park engagement responses following the conclusion of the community engagement exercise in light of the Scottish Government Play Park funding allocation.

Decision

The Helensburgh and Lomond Area Committee:

1. noted the breakdown of engagement and consultation responses in each area with the majority of responses focussing on new/replacement equipment; and

2. agreed that officers make arrangements for a Business Day to discuss how the funding would be spent in Helensburgh and Lomond.

(Reference: Report by Executive Director with responsibility for Roads and Infrastructure Services, dated August 2023, submitted)

5. PUBLIC QUESTION TIME

Norman Muir, Helensburgh Community Council

There is a profound democratic deficit in the consideration process of the development of the Waterfront area left over from the completion of the Leisure Centre. In particular the machinations of Argyll & Bute in overriding the longstanding detail of the Masterplan Addendum of 2013. This is indicative of a disregard of the hitherto inviolate parameters contained in the Masterplan, without reference to the community.

Much more thought and analysis has to be devoted to the current standing of the project. In particular the reassertion of the principles of local democracy and community engagement. This is a local issue which has to be addressed in detail. The Helensburgh & Lomond Area Committee must meet with the Helensburgh Community Council and other community interests to resolve this unsatisfactory situation as a matter of urgency. When will such a meeting take place?

Councillor Mulvaney advised that officers and elected members had met with Helensburgh Community Council but due to the Community Council being a bidder in the process they must be treated the same as any other commercial interest.

Discussion took place in relation to the legalities around communication with the Community Council, specifically whether a subcommittee could be created to participate in the bidding process.

The Head of Commercial Services advised that he would speak to colleagues within Legal and Regulatory Support and provide clarification to Members by email.

Jackie Hood, Helensburgh Skatepark Project

Why have the Council chosen to misrepresent and manipulate the views and aspirations of the Helensburgh Skatepark Project in their recent report?

We as a Group have never said that the waterfront site is too small and the wrong location. The skatepark belongs on the waterfront and has been integral to the development of the site since the Masterplan Addendum of 2012. Location is the most important consideration, even over size. We have been told that if we choose to remain on the waterfront, we will always be restricted by the arbitrary dimensions of 17m by 20m stated by planning. Even though we refute these dimensions, we wish to stay on what is a perfect site for a skatepark.

I would like to express my frustration and concern about these misrepresentations. The recent allocation of £80,000 is very welcome but the Council needs to clarify for the public that this money will be spent trying to find a location which will allow for a bigger, more ambitious skatepark. However if this turns out not to be possible, people know that the skatepark can definitely remain on the waterfront site and any funds remaining will be

used to improve it.

I would like it minuted that the skatepark project does not agree with the report's recommendations that "the waterfront site is not considered to be a suitable long term location for the skatepark".

The Estates and Property Development Manager advised that during discussions the Skatepark Group advised that they would like to develop a larger facility that would attract visitors and users to Helensburgh. Mr Allan highlighted that the waterfront site did not have capacity for both a larger skatepark and a commercial development, if indeed that was the selected proposal.

Mr Allan highlighted that as noted previously, future planning consents for the waterfront site would require to either incorporate or relocate the skatepark and therefore it made sense to explore those options which would allow the Group to achieve the best outcome possible. Mr Allan confirmed that if it was not possible to meet the larger skatepark vision the skatepark would be incorporated within the waterfront development on a more limited scale.

Peter Brown, Helensburgh Community Council

The Council is being asked to approve the initiation of a retail study for Helensburgh. What is the timeline for this being completed, will it be made public at that time, and how are Councillors expected to make a decision about shortlisting retail 'expressions of interest' versus others before that study informs them whether the town can accept more retailers?

The Estates and Property Development Manager advised that the retail study had been commissioned and would be completed within the next few weeks with it being made public subject to any commercially sensitive information being redacted and that any issues raised by the study would be considered by Members at the final offers stage along with the other relevant factors.

Cameron Foy, Helensburgh Community Council

In 2011 the Council's Masterplan for a large commercial area on Helensburgh's waterfront was overwhelmingly rejected, resulting in the 2012 Masterplan "Addendum" which was approved with the compromise of limited retail space (upto 2600sqm gross) allowing space for public realm and a skatepark following the completion of the new leisure facility and town parking. How is the new proposal for a very large commercial space of 5,600 sqm, and forcing the skatepark off the waterfront, compatible with the 2012 Masterplan Addendum?

The Estates and Property Development Manager advised that the full site area was c5,600sqm with the commercial space allocation of c2,665 sqm. Mr Allan added that there was no intention to develop beyond the allocation of c2,665 sqm and that it was not intended to relocate the skatepark unless a site was identified which the Skatepark Group preferred and would deliver their larger, long-term aspirations.

Fiona Baker

A masterplan for Helensburgh pierhead was approved as Supplementary Planning Guidance in 2009. In 2011 the Council was of the view that this needed updated as market conditions had changed during the intervening years. The 2011 masterplan was

rejected and in 2012 a masterplan addendum, generally referred to as the 2012 masterplan, was adopted. Now that over a decade has passed and the Council is today seeking the removal of the key element of the skatepark, and perhaps also over half of the site use being public realm before a new forthcoming economic assessment has been completed, will the Council be commissioning a new Masterplan Addendum that reflects the considerable changes to economic conditions and shift in emphases of planning objectives as set out in National Planning Framework 4?

The Estates and Development Manager advised that he would provide Mrs Baker with a written response by email following the meeting.

The Head of Commercial Services advised that at this stage Officers are working to the 2012 Masterplan and that there is no proposal to put forward a new masterplan.

Polly Jones, Helensburgh Community Council

There is a considerable amount of concern around the process to make decisions on what happens to the waterfront.

Does the Committee believe that it is prejudicial to be asked to agree the following recommendation 'the waterfront site is not considered to be a suitable long term location for the skatepark as initial marketing of the site has highlighted that the site is not large enough to accommodate a larger scale skatepark which the group are seeking as well as a viable commercial development' outlined within the associated report before considering the report 'Helensburgh Waterfront Development (Commercial Area) – Update & Shortlisting of Offers', as the location is dependent on what the plans are for the waterfront?

Helensburgh Community Council have undertaken a number of consultation exercises, and have had 4,500 people participate, more than the 83 responses mentioned in the associated report. How will the Committee include the views of the 4,500 alongside the plans and responses?

There is reference in the summary of the report at item 13, others would welcome a retail or hospitality option, how many people are included in this statement?

The Head of Commercial Services advised that he would provide Mrs Jones with a written response by email following the meeting.

The Committee Manager advised that it is custom and practise that those items which have elements that are exempt are placed at end of the agenda to allow members of public to attend as much of the meeting as possible.

The Head of Commercial Services clarified that the recommendation is advising that the waterfront is not large enough to accommodate a large scale skatepark alongside a commercial development but there could be a smaller one.

6. POLICE SCOTLAND UPDATE

Consideration was given to an update which included information on the ongoing work of the Service and provided information on the expansion of the Partners Intelligence Portal; retailers support in Helensburgh; the 'Move in May' challenge which Police Scotland staff took part in; Progress Pride flag's journey around Argyll and West Dunbartonshire Division; the Keep Safe scheme; the 'Don't Feed Hate' campaign and Operation Balaton.

Discussion took place in relation to the current layout of the Area Committee Police reports and the Committee agreed that they would like local crime statics to be included in future reports.

Decision

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

(Reference: Report by Sergeant Eddie McGunnigal, Police Scotland, submitted)

7. AREA PERFORMANCE REPORT - FQ1 2023/24

Consideration was given to the Area Performance Report for financial quarter 1 of 2023/24 (April to June 2023) which illustrated the agreed performance measures for this period.

Decision

The Helensburgh and Lomond Area Committee:

1. noted and considered the performance and supporting commentary as presented;
2. noted that upon receipt of the Quarterly Performance Report the Area Committee should contact either the Responsible Named Officer or Sonya Thomas with any queries; and
3. noted that work was ongoing and to respond to Sonya Thomas with requests or comments regarding the layout and format of the Performance Report and Scorecard.

(Reference: Report by Executive Director with responsibility for Customer Support Services, dated 23 August 2023, submitted)

8. RECYCLING AND RECOVERY PERFORMANCE

Consideration was given to a report providing details on the Council's recycling and landfill 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 considered 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, submitted)

9. HELENSBURGH WATERFRONT DEVELOPMENT - SKATEPARK

The Committee gave consideration to a report providing an update on the reinstatement of the temporary skatepark and the allocation of £80,000 to assist with the delivery of a permanent skatepark.

Decision

The Helensburgh and Lomond Area Committee:

1. noted that the reinstatement of the temporary skatepark facilities would be completed in autumn 2023 meeting the conditions of the leisure centre planning consent;
2. agreed that the waterfront site is not considered to be a suitable long term location for an expanded skatepark if a commercial development is selected as the preferred option for the site but for the avoidance of doubt the previously existing skatepark area extending to 350sqm or thereby will be incorporated into the development site unless a suitable alternative location is identified; and
3. noted that a further report would be brought before the Area Committee outlining a list of potential permanent locations for the skatepark and a preferred option would be recommended to be taken forward. Officers have commenced the identification of potential sites as outlined at Section 3.7 of the report and would continue to engage with the skatepark group as part of that process.

(Reference: Report by Executive Director with Responsibility for Commercial Services and Executive Director with responsibility for Economy & Rural Growth, dated 10 August 2023, submitted)

10. HERMITAGE PARK REGENERATION - END OF PROJECT REPORT AND EVALUATION REPORT

A report presenting the End of Project Report and the Evaluation Report for the Hermitage Park Regeneration project was before the Committee for information.

Decision

The Helensburgh and Lomond Area Committee:

1. noted that the Parks for People National Lottery Heritage Fund project was now complete and the project officer post had come to an end;
2. noted the End of Project Report and the Evaluation Report and all that had been achieved through the project;
3. noted the Council's continuing legal obligations; and
4. noted the risk to the Council in relation to the final drawdown of £100,000 grant from National Lottery Heritage Fund.

(Reference: Report by Executive Director with responsibility for Development and Economic Growth, dated 4 August 2023, submitted)

11. SUPPORTING COMMUNITIES FUND - MONITORING OF PROJECTS FUNDED

A report which provided monitoring information on the funding given to community projects from the Council's Supporting Communities Fund and summarised projects completed within 2019/20, 2020/21 and 2021/22 was before members for information.

Decision

The Helensburgh and Lomond Area Committee:

1. noted the positive contribution of the Supporting Communities Fund detailed in section 4 and the table within the report; and
2. noted that a total of £5,150 had been returned and that £1,800 would be included in the distribution of the Supporting Communities Fund for 2024/25 with the other funds included and redistributed in previous years.

(Reference: Report by Chief Executive, dated 17 August 2023, submitted)

12. HELENSBURGH AND LOMOND AREA COMMITTEE WORKPLAN

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 12 September 2023)

13. HELENSBURGH WATERFRONT DEVELOPMENT (COMMERCIAL AREA) - UPDATE & SHORTLISTING OF OFFERS

The development of Helensburgh Waterfront has been a long term project and following completion of the construction of the leisure centre focus has moved to the site of the old swimming pool which is proposed primarily for commercial development. Consideration was given to a report which sought agreement for the shortlisted candidates to move onto the final stage, the report also provided an update on the outcomes of the associated public engagement exercise.

Decision

The Helensburgh and Lomond Area Committee:

1. noted the outcomes of the public engagement exercise undertaken by Ryder Architecture contained at Appendix A and that this report would be made available to the public;
2. noted the varied interest in the site and the summary of the nine proposals received as outlined paragraph 3.4 and in Appendix B within the report;

3. noted the Property Development Working Group had met in August 2023 to score and assess the 9 proposals with 7 being shortlisted to proceed to next stage for full financial offers as outlined in Appendix C within the report;
4. noted Appendices B and C are publically restricted given commercially and financially sensitive nature of the live bidding process; and
5. agreed that for the second stage of full financial offers would be assessed against criteria outlined at paragraph 5.2 and Appendix C within the report.

(Reference: Report by Executive Director with responsibility for Commercial Services, dated 9 August 2023, submitted)

The Chair advised that in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973, relating to the following item of business would require the exclusion of the press and public should Members wish to discuss the content of appendix 2 on the grounds that it would likely involve the disclosure of exempt information as defined in Paragraph 9 of Part 1 of Schedule 7A to the Local Government (Scotland) Act 1973.

14. HELENSBURGH, CARDROSS AND DUMBARTON CYCLEPATH UPDATE

Consideration was given to a report updating Members on the progress made since the Helensburgh and Lomond Area Committee on 13 June 2023 in relation to the delivery of a dedicated, high quality walking and cycle route linking Helensburgh, Cardross and Dumbarton.

Members agreed that they wished to discuss the information contained in appendix 2 of the report and agreed to exclude the press and public to allow consideration of this information.

Decision

The Helensburgh and Lomond Area Committee:

1. welcomed the award of contract to Civic Engineers for £99,333.00 for the identification of a route linking Morrisons Supermarket/Hermitage Academy to Helensburgh Town Centre/Waterfront, and development of this to Concept Design stage;
2. noted the agreement of one (1) change requests from WSP at an additional cost of £5,285.53, taking the total cost of WSPs work to £265,913.00. This additional cost is covered by externally secured funding;
3. noted the continued efforts by WSP and Officers to engage with landowners;
4. noted the high-level options for land acquisition laid out in this report;
5. approved Officers to contact colleagues in Highland Council to understand their experience of Land Reform (Scotland) Act 2003 Section 22 Orders;
6. approved Officers to engage with Scottish Government civil servants to identify the current requirements for a Compulsory Purchase Order. For clarity, this exploratory engagement would not include submission of any Compulsory Purchase Order, which

would require approval of full Council and/or the appropriate Committee prior to submission;

7. gave consideration to the need to secure 30% match funding of the cost of construction from non-Transport Scotland sources; and
8. gave consideration to identifying how future maintenance of the path would be funded and undertaken, given the current situation where no path specific maintenance funding is provided to the Council; and
9. agreed that officers would bring forward a report to the next Area Committee outlining progress made and suggested next steps.

(Reference: Report by Executive Director with responsibility for Development and Economic Growth, dated 28 August 2023, submitted)