Appendix 1

The consultation received 3430 responses.

Of those some 1339 were template responses.

Analysis of Consultation Responses

Position	Percentage
Against the sale / disposal of the Common Good land	94.8%
In favour of the sale / commercial development	3.0%
Neutral / mixed / unclear	2.2%

The majority of responses are opposed to the sale of the Common Good land and its use for supermarket or commercial retail development. The majority of responses either explicitly objected to the disposal of the land or advocated retaining it for public, leisure, tourism, recreation or community use.

Against

The majority argued that, in terms of themes:

- The land should remain Common Good land.
- Helensburgh already has sufficient supermarket provision.
- The waterfront should be used for leisure, tourism and community facilities.
- A supermarket would harm local businesses, detract from the waterfront and damage the town's character.
- The Council should preserve the land for public benefit.

In favour

The supportive responses generally argued that:

- The site should be developed rather than remain vacant.
- A supermarket could improve shopping choice.
- Commercial development might bring investment, jobs or regeneration.
- Some respondents supported retail development provided it was well designed.

Breakdown of Responses by Type

Response Type	Number of Responses	Percentage
Member of the Public	3405	99.2%
Community Council	14	0.4%
Community Body	11	0.3%
Total	**3430**	**100.0%**

Breakdown of Community Council and Community Body responses

Community Council or Community Body	Name of CC or Body	For/Against/Neutral
Community Body	Golden Earth Shamanic Circle	Against
Community Body	Helensburgh Clan Colquhoun Pipe Band	Against
Community Body	Baird TV Centenary Trust (SC051167)	Against
Community Body	Rhu and Shandon Community Trust	Against
Community Body	Overflow	Against
Community Body	Royal British Legion Scotland	Against
Community Body	Helensburgh Pier Company	Neutral
Community Body	Helensburgh Festive Lighting	Against

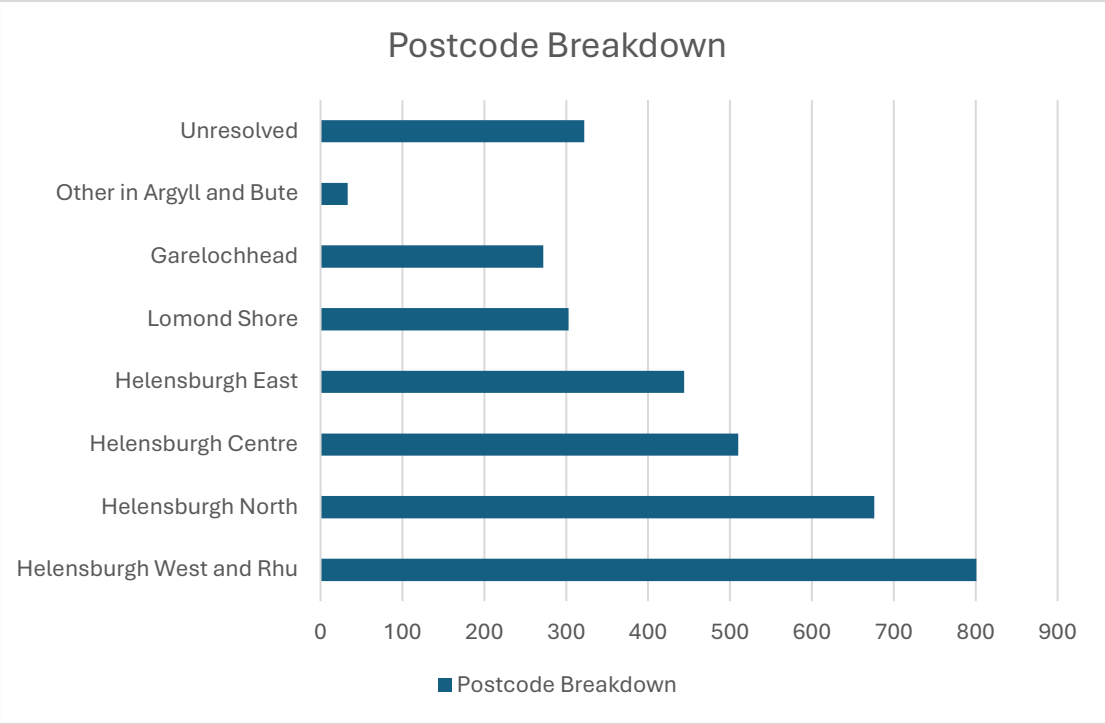
Community Council	Rhu and Shandon	Against
Community Council	Rhu and Shandon	Against
Community Council	Rhu and Shandon	Against
Community Council	Helensburgh	Against
Community Council	Helensburgh	Against
Community Council	Helensburgh	Against
Community Council	Helensburgh	Against
Community Council	Helensburgh	Against
Community Council	Cardross	Against
Community Council	Cardross	Against
Community Council	Cardross	Against
Community Council	Cardross	Against
Community Council	Cove and Kilcreggan	Against

Note – In relation to submissions made by Members of the public 3 of those erroneously identified themselves as a community body, these responses are included correctly in responses from members of the public. 1 Community Council was identified erroneously as Argyll and Bute, this has not been included in the Community Council responses but has been included in the overall total. The table below notes the valid responses from both Community Councils and Community Bodies.

Community Council/Body	Number of Valid Responses	For	Against	Neutral	
Community Council	13	0	13	0	
Community Body	8	0	7	1	
Total	21	0	20	1	
Percentage	100	0	95.2%	4.8%	

Postcode Information

An analysis of the postcode information provided by those completing the form online is shown below:-



*Note – those marked as unresolved fall into these categories:-

- Only a partial postcode provided, e.g. “G84”
- Or a postcode outside of A&B
- Or a postcode that looks like it’s complete but it’s “not found” in A&B*

* “not found” in this context means it’s not found in the ONS master database of UK postcodes. There can be a tiny number of these that are just very new (e.g. in a literal new build estate) but many look to be typos/errors by the respondent.

Suggested Alternative Uses from this Consultation

Respondents proposed a number of alternative uses to include the following. The Council will also note the comments of officers on these proposed alternatives. As will be seen the proposed use is not necessarily inconsistent with some or all of the proposed alternatives-

- **A pier and harbour** – This use will remain and be improved as the Council is working with Helensburgh Pier Company to lease the pier to allow substantial investment in the asset so that it can be fully re-opened and developed further.
- **Accommodating the Waverley** - The work with Helensburgh Pier Company is intended to allow the Waverley to once more dock in Helensburgh.
- **Open space for community events** – The Council has substantially invested to create open space for events at Colquhoun Square, Hermitage Park, the Civic Centre indoor and outdoor events facility along with a public walkway and pop-up mini event spaces at the waterfront. There remains scope to further promote and maximise the use of these existing facilities before considering the need for additional dedicated event space.
- **Skateboard Park** – It has been agreed that the skatepark facility will be incorporated within the new commercial development
- **Free parking** – This is already provided at the Waterfront, and the new development will incorporate more parking.
- **The swimming pool** – The Council has invested over £20m in the new leisure centre at the waterfront which will re-open once the repair works are completed.
- **Sea kayak trail** – This will remain open and operational.
- **Protection of open view –** In addition to the 1 mile of promenade, the Council has installed seating and a walkway around the waterfront site to enjoy the views. The pier is also available as a view point and the site has been designed to protect the key views looking down Sinclair Street and from Colquhoun Square.

- **Sports / Leisure Spaces -** Sports and leisure facilities also are a popular alternative proposed use for the site in the responses. When the site was marketed no operators of these facilities were interested. Any investment made would require to be publicly funded at a time when leisure facilities across the country are under significant financial pressure. There is currently no capital investment planned by Live Argyll or the Council to build new facilities in Helensburgh. Multi-use games areas, synthetic pitches, pump tracks and climbing walls would be best located in public parks or close to schools, where they can achieve higher levels of community use, while allowing the town centre waterfront site to support priority retail and commercial activity.

The Council needs to consider whether or not to approve the proposed disposal in light of Common Good considerations. The purpose of the current consultation is not to choose between alternative uses suggested in the consultation.

Equally the Council may consider it relevant in making a decision, from a Common Good perspective, on whether or not approve the proposal from Forrest Developments, to consider alternatives when considering if the proposed disposal is suitable or appropriate from that perspective. In that regard the Council may consider that it is still helpful and relevant to review the engagement exercise that took place to test market interest in the site and obtain a preferred option for going forward to further consideration.

This process was subsequently scrutinised by the Court of Session through Judicial Review, following a challenge by Helensburgh Community Council in 2025; however, no failings were identified in respect of the Council's actions. Even so the Council is reminded that the engagement exercise was not in law a consultation on a preferred option, nor did it address Common Good considerations, but was aimed at determining what proposal should go forward for further and more detailed consideration by the Council.

Equally, many, if not all of the themes which arose from that engagement continue to be reflected in the responses to the current Common Good consultation, including a lack of desire for a retail development for a range of reasons or a preference for leisure or community uses. The Council will of course be familiar with that engagement exercise and the nature of the views that were

expressed during it as well as having a general knowledge of views held in the community on the use of the site. Should Members wish they can of course access the relevant papers relating to the engagement exercise.

Accordingly, the Council may still find it to be helpful to be reminded of elements of that exercise in coming to a view on whether the current proposal should be taken forward when viewed from the distinct perspective of the Common Good, particularly in light of the fiduciary role of the Council in administering the Common Good and making decisions on possible disposal of the Common Good and having regard to the interests of the inhabitants of the former Burgh of Helensburgh.

Marketing and assessment

By 3 May 2023, 9 proposals had been submitted by various organisations and businesses. They included a mix of international, national and local bidders ranging in use from community, infrastructure, retail, hotel and food retail. The proposals also range in scale from open space through small scale buildings to multi storey developments.

These proposed bids and land uses were anonymised and subject to Public Engagement with a full Engagement Report being presented to the Helensburgh & Lomond Area Committee and Policy and Resources Committee. The Engagement Report concluded that **there was no single consensus on any of the options which were presented with each generating pros and cons**.

The public engagement in 2023 highlighted a range of views with many being consistent with the present consultation exercise. Key themes included a preference for development that protects views across the water, respects the setting of the existing leisure centre, and incorporates attractive outdoor recreation space where possible. While some participants supported event space, others noted existing provision elsewhere in the town. There was also recognition that a wholly open, non-commercial public space may be difficult to fund, alongside support for a balanced indoor and outdoor offer given local weather conditions and the perceived lack of indoor attractions. Views on retail, food and hospitality uses were mixed, with concerns about potential impacts on existing businesses, but also some support for options that would meet local needs and create a distinctive destination for residents and visitors.

The 9 offers were reviewed by the Property Development Working Group (PDWG) – a group of Officers from various teams across the Council including Planning, Economic Growth, Community Development, Roads, Finance and Commercial Services. The PDWG used a consistent scoring matrix to assess each proposal against the following criteria; Economic Development, Planning /

Transport Considerations, Legal / Governance / Risk, Community Feedback and Financial Outcomes. This ultimately resulted in Forrest Developments being selected as the preferred bidder at the Policy & Resources Committee on 15th August 2024.

Given much of the feedback from the Common Good consultation, Members may consider it to helpful to remind themselves of the feedback from the PDWG who scored proposals for open space and recreational uses. This is because such uses might be seen by Members as having a closer alignment with the public understanding of a use more in line with how the Common Good is viewed by many members of the public than a purely commercial use. Even so, there is no legal bar to the Council agreeing to the disposal of a Common Good asset to a commercial entity where the Council considers that when viewed in the round, the disposal was consistent with the duties which attach to its role as owner of the Common Good.

For example Members will recall that the Helensburgh Community Council proposal in the engagement process was for community use including flowerbeds, an outdoor gym, a skatepark, wind turbines and coach parking. This was a scheme intended to deliver community benefit rather than commercial benefit or employment. This proposal scored moderately overall, with its strongest performance in community engagement where it was assessed as very strong. The bid was recognised as having elements that could be well supported locally and may provide some benefit as an attractor for visitors to the town. Planning and transport considerations were also rated as moderate, with the added retail element viewed positively in terms of alignment with the local plan, although there remained concerns that the proposed access and transport arrangements are not currently workable. The economic development score was also moderate, reflecting some potential to support town centre activity, but limited evidence that the proposal would generate significant employment or wider economic growth.

The main weaknesses related to deliverability, governance and financial risk. The proposed Trust structure, funding arrangements and reliance on grant funding introduce complexity and uncertainty, resulting in a weak score for legal, governance and risk issues. The financial assessment was the most significant concern and was rated poor, as the proposal appears to require the Council to fund works of around £760k to enable a grant-funded acquisition, despite independent valuation advice suggesting the site may be worth substantially less. This created a potential budget shortfall / pressure when both the cost of works and loss of investment in Leisure Centre were considered. Overall, it was assessed that whilst the proposal had community support and positive mixed-use elements, the financial and delivery risks materially weaken its overall position.

Members can access the Helensburgh Community Council webpage here: https://helensburghcommunitycouncil.co.uk/2026/06/29/helensburgh-waterfront-campaign-update/ Members will also be aware of the consultation response from this Community Council. As can be seen from the website, Members will note that the Community Council were not so much putting forward their proposal for the site but were more seeking objections from the public to the commercial development and provided standard wording for objectors to use in their responses.

Whilst a specific proposal from Helensburgh Community Council was one made during the earlier engagement exercise and the feedback on alternative leisure or cultural community use in the present consultation was not necessarily aligned with ongoing support for that specific proposal, Members may still consider that some, if not many of the difficulties attendant on taking that proposal forward, are likely to be replicated in a proposed use of a similar or related type involving open space or recreational use, and whether in balancing relevant considerations, the development of the site by the preferred bidder with an attendant substantial financial receipt, is the preferable course.

As explained, regardless of the outcome of the engagement exercise the Council must still apply its mind to its role as owner of the Common Good and the fiduciary duties that arise as a result of that ownership, the views that have been expressed in the current consultation in light of that role and then go on to consider whether or not consistent with that role and those duties, the appropriate course is to approve the disposal of the site for the proposed use. The Council must have regard to the interests of the inhabitants of the former Burgh of Helensburgh. In reaching a decision the Council must reach a view that is honestly held and then make a decision which it considers to be in the best interests of the community.