



North Ayrshire Council
Comhairle Siorrachd Àir a Tuath

North Ayrshire Council

A Meeting of North Ayrshire Council will be held in the **Council Chambers, Ground Floor, Cunninghame House, Irvine, KA12 8EE** on **Wednesday, 14 May 2025** at **14:00** to consider the undernoted business.

Meeting Arrangements - Hybrid Meetings

This meeting will be held on a predominantly physical basis but with provision, by prior notification, for remote attendance by Elected Members in accordance with the provisions of the Local Government (Scotland) Act 2003. Where possible, the meeting will be live-streamed and available to view at <https://north-ayrshire.public-i.tv/core/portal/home>.

1 Apologies

2 Declarations of Interest

Members are requested to give notice of any declarations of interest in respect of items of business on the Agenda.

3 Previous Minutes

The accuracy of the Minutes of the Meeting of the Council held on 26 March 2025 will be confirmed and the Minutes signed in accordance with Paragraph 7(1) of the Local Government (Scotland) Act 1973 (copy enclosed).

4 Provost's Report

Submit report by the Provost for the period covering 17 March to 4 May 2025 (copy enclosed).

5 Leader's Report

Submit report by the Leader of the Council for the period covering 17 March to 4 May 2025 (copy enclosed).

- 6 Minute Volume (issued under separate cover)**
Submit, for noting and for approval of any recommendations contained therein, the Minutes of Meetings of committees of the Council held in the period 13 March - 23 April 2025.
- 7 Appointments to Outside Bodies**
The Council is invited to consider a proposal by Councillor D. Reid, seconded by Councillor Cullinane, that Councillor Hume be appointed to serve on the West of Scotland European Forum.
- 8 Community Planning Partnership (CPP) Board: Minutes of Meeting**
Submit report by the Executive Director (Communities and Housing) on the Minutes of the Community Planning Partnership Board held on 10 March 2025 (copy enclosed).
- 9 Irvine: Plan for Neighbourhoods**
Submit a report by the Executive Director (Place) on an update to UK Government on the Irvine Neighbourhood Board and to provide an update on the refreshed 'Plan for Neighbourhoods' programme (copy enclosed).
- 10 Questions**
In terms of Standing Order 14, submit:-

(1) a question by Councillor Sweeney to the Cabinet Member for Education in the following terms:

Since being contacted by families of children who attend Lockhart Campus, whose school transport is either being removed or the mode of transport being changed, the Council has responded to me, and addressed the issue in the press, with different messages:

- Initially, as part of a transport review, transport arrangements at Lockhart were being reviewed and we were told; 'having an additional need does not in and of itself entitle you to school transport'
- Then it was that the internal guidance and process for school transport has been amended, as part of the review, but no child at Lockhart would be affected
- Then the press were told that the transport policy hasn't changed since 2021
- Then the Cabinet Member repeated the above, whilst also making the bold claim that NAC spends more per pupil on education than other local authorities, without evidence, to justify changes

It's clear there's been a review. It's been openly stated that the guidance and process has changed. And it's clear from my casework, and others, that children with additional support needs are having their school transport cut.

Will the administration take some responsibility and join us in opposing any cuts to school transport for kids with additional support needs?

(2) a question by Councillor Murdoch to the Cabinet Member for Communities, Housing and the Islands in the following terms:

What has North Ayrshire Council done to create stronger links between Largs, North Ayrshire, and Brisbane Australia, since I presented our Provost with the message from Adrian Schinner, Lord Mayor of Brisbane, during the Full Council Meeting held on Wednesday 13th September 2023?

(3) a question by Councillor Hume to the Cabinet Member for Communities, Housing and the Islands in the following terms:

Last December, elected members were assured that the clearance of the former battery recycling centre site at Byrehill, Kilwinning was nearing completion and the remaining structure would be demolished by the Spring.

That clearly did not happen, with the second fire happening just a few weeks ago.

Byrehill is no longer just an industrial estate, it is now also a residential area. It's where people's home are. It is unacceptable that my constituents have had to endure these two fires, with all the worry, and damage to personal property, that they have brought.

Whilst SEPA is the licensing authority, and the company that operated the recycling facility has went into administration, what assurances can the Council, as part of our resilience responsibilities and our work with partners, give my constituents in Byrehill that all remaining materials will be removed from the site as soon as possible?

(4) a question by Councillor Murdoch to the Cabinet Member for Communities, Housing and the Islands in the following terms:

What is the current position and intentions for the tennis courts in Douglas Park, Largs and is North Ayrshire Council happy with the decision made during the December 14th 2022 Full Council Meeting?

(5) a question by Councillor McLaughlan to the Cabinet Member for Education in the following terms:

Given that the Council assessed the wrong stretch of road in Largs, what faith does the Cabinet Member have in the safety assessments carried out to support the administrations cut to school crossings patrollers?

(6) a question by Councillor Foster to the Cabinet Member for Finance in the following terms:

Can the cabinet member tell me when they expect to have achieved all of the savings for their VER scheme?

(7) a question by Councillor Hume to the Green Environment and Economy in the following terms:

Can the Cabinet Member outline what proactive steps the Council takes to re-let high street properties when tenancies come to an end, to ensure they are not left empty to become a further blight on our town centres?

(8) a question by Councillor Sweeney to the Green Environment and Economy in the following terms:

Following storm Eowyn Harvies Leisure Centre experienced extensive damage. Communication is key and we need to keep stakeholders updated. I appreciate that there is a need to finalise details relating to the procurement process and insurance position. However, could you please advise when you expect all repairs at Auchenharvie Leisure Centre to be completed, including the swimming pool roof, and also advise when the swimming pool will re-open?

(9) a question by Councillor Foster to the Health and Social Care in the following terms:

A central part of keeping The Promise is removing the profit that is syphoned off by private care providers and reinvesting that money back into public services that support Care Experienced people, The Promise states "Scotland must make sure that its most vulnerable children are not profited from." Can the cabinet member tell me how much has been spent with profit making providers relating to services for Care Experienced children and young people in the previous three financial years?

11 Motions

In terms of Standing Order 15, submit:-

(1) A motion by Councillor T Ferguson, seconded by Councillor Marshall, in the following terms:

Council notes with serious concern the second fire that occurred at the former battery recycling site on Byrehill Place, Kilwinning.

Council further notes that:

- This is the second significant fire incident at the site, following a previous fire in 2024, which raised similar concerns about public safety and environmental risk.
- The Scottish Environment Protection Agency (SEPA) has previously served two enforcement notices relating to the site.
- SEPA has since removed the waste management licence from the operator, Fenix, due to ongoing non-compliance.
- Despite these regulatory actions, hazardous materials remained on the site, posing an ongoing risk to the surrounding community.

Council acknowledges the prompt and professional response by North Ayrshire

Council officers, the Scottish Fire and Rescue Service, Police Scotland, and other emergency services in mitigating the impact of the most recent incident.

Council agrees that the Chief Executive should write to SEPA to:

- Request an explanation as to why the site was not successfully remediated following the first fire and the enforcement notices.
- Ask why hazardous materials were allowed to remain on-site for an extended period after Fenix's licence was removed.
- Seek a clear and detailed timeline for the full clearance and remediation of the site.
- Request assurances on the general ongoing risk management of the site and an assessment of the likelihood of a third fire or other hazardous incident occurring in the future, and what steps are being taken to prevent this.

Council further calls for ongoing updates to be provided to elected members and the community to ensure transparency and public reassurance.

(2) A motion by Councillor T Ferguson, seconded by Councillor Marshall, in the following terms:

This Council recognises the growing concerns around the impact of mobile phone and digital device usage on pupil wellbeing, concentration, and the overall learning environment in schools. In light of these concerns and best practice observed in other local authorities, including Perth and Kinross, this Council agrees to develop and adopt a consistent, authority-wide approach to mobile phone and digital device use in all North Ayrshire schools.

Accordingly, this Council instructs the Education Service to commence developing a policy to cover the use of mobile phones and digital devices in schools. It is suggested that the following parameters are considered as part of the development of policy:

- The circumstances for any permitted use of mobile phones and digital devices in a classroom or exam room setting;
- Digital responsibility, safety and respectful use including any use in a recreational setting;
- Policy exemptions to reflect the needs of pupils including medical and support needs and individual circumstances;
- That pupils, parents, carers and staff are consulted in the development of the new policy for their views to be taken into account; and
- That an appropriate ECRIA is undertaken as part of the process.

Once the draft policy has been developed, a report should be brought to Council for consideration and approval.

This motion seeks to ensure consistency across the authority, protect learning time, and promote pupil wellbeing in a rapidly changing digital world.

Council is asked to support this motion.

(3) A motion by Councillor T Ferguson, seconded by Councillor Inglis in the following terms:

This Council acknowledges the recent ruling by the Supreme Court of the United Kingdom, issued on 15th April 2025, which affirms that the legal definition of “woman” refers to biological sex.

Considering this landmark judgment, this Council recognises the need to ensure that all its policies, guidance, and practices are in full compliance with the law. The ruling has significant implications for the interpretation and implementation of equality law, particularly in relation to the provision of single-sex spaces and the teaching of gender-related topics.

Therefore, this Council agrees to the following actions:

1. Undertake a comprehensive review of all Council policies and guidance to ensure that they align with the legal definition of “woman” as determined by the Supreme Court.
2. Conduct a full review of guidance around single-sex spaces in all Council-run facilities, including but not limited to schools, libraries, and community buildings, to ensure the lawful and appropriate provision of single-sex services.
3. Instruct the Education Service to carry out a review of gender-related content in school curricula, including Health & Wellbeing and equalities education, to ensure that teaching materials and approaches are in line with the Supreme Court’s definition and comply with relevant legislation.
4. Ask KA leisure to carry out a full review of guidance around single-sex spaces in their facilities to ensure the lawful and appropriate provision of single-sex services.

This Council reaffirms its commitment to upholding the law, promoting clarity in public service provision, and ensuring the protection and inclusion of all residents in a manner that respects legal definitions and human rights.

Council is asked to support this motion and instruct officers to begin this review process with immediate effect.

(4) A motion by Councillor Sweeney, seconded by Councillor Currie, in the following terms:

Council opposes cuts to school transport for pupils with additional support needs and agrees to reinstate current transport entitlement to pupils who have been informed of changes to their entitlement for 2025/26.

(5) A motion by Councillor Hume, seconded by Councillor Angus-McDonald, in the following terms:

With the rise of toxic masculinity as a societal issue, Council agrees to consider adoption of a policy to reduce misogyny in schools.

Council notes that any policy will be subject to engagement with schools and trade unions and appropriately equalities impact assessed.

Council agrees that, following this period of engagement, a paper will come to a future meeting of full council to consider the adoption of a formal policy on reducing misogyny in schools.

(6) A motion by Councillor Cullinane, seconded by Councillor Foster, in the following terms:

In terms of Standing Order 23.1, Councillor Cullinane, seconded by Councillor Foster, moved to suspend Standing Orders to allow consideration of a motion.

12 Urgent Items

Any other items which the Chair considers to be urgent.

Webcasting

Please note: this meeting may be filmed/recorded/live-streamed to the Council's internet site and available to view at <https://north-ayrshire.public-i.tv/core/portal/home>, where it will be capable of repeated viewing. At the start of the meeting, the Provost/Chair will confirm if all or part of the meeting is being filmed/recorded/live-streamed.

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If you have any queries regarding this and, in particular, if you believe that use and/or storage of any particular information would cause, or be likely to cause, substantial damage or distress to any individual, please contact dataprotectionofficer@north-ayrshire.gov.uk

North Ayrshire Council Sederunt

Nairn Angus-McDonald
John Bell
Marie Burns
Eleanor Collier
Joe Cullinane
Charles Currie
Scott Davidson
Anthea Dickson
Stewart Ferguson
Todd Ferguson
Robert Foster
Scott Gallacher
Tony Gurney
Alan Hill
Mary Hume
Cameron Inglis
Margaret Johnson
Amanda Kerr
Christina Larsen
Shaun Macaulay
Jean McClung
Matthew McLean
Louise McLaughlan
Davina McTiernan
Tom Marshall
Jim Montgomerie
Ian Murdoch
Donald Reid
Donald L Reid
Chloe Robertson
Ronnie Stalker
Angela Stephen
John Sweeney

Chair:

Apologies:

Attending: