

North Ayrshire Council  
26 March 2025

At a Meeting of North Ayrshire Council at 2.00 p.m. involving a combination of participation by remote electronic means and physical attendance within the Council Chambers, Irvine.

**Present (Physical Participation)**

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, Cameron Inglis, Margaret Johnson, Christina Larsen, Shaun Macaulay, Jean McClung, Matthew McLean, Davina McTiernan, Donald Reid, Chloé Robertson, Ronnie Stalker, Angela Stephen and John Sweeney.

**Present (Remote Electronic Participation)**

Jim Montgomerie and Donald L Reid.

**In Attendance**

C. Hatton, Chief Executive; C. Cameron, Director (Health and Social Care Partnership); D. Hammond, Executive Director (Communities and Housing); S. Anson, Executive Director (Education), R. McCutcheon, Executive Director (Place); M. Boyd, Head of Service (Finance); A. Craig, Head of Service (Democratic), R. Lynch, Senior Manager (Legal Services); M. McColm, Senior Manager (Communications), C. Stewart and S. Wilson, Committee Services Officers (Democratic) (Corporate Services).

**Chair**

Provost Dickson in the Chair.

**Apologies**

Mary Hume, Amanda Kerr, Louise McLaughlan, Tom Marshall and Ian Murdoch.

**1. Provost's Remarks**

The Provost welcomed those present to the meeting and dealt with preliminary matters, including intimation that the meeting, which was taking place on a hybrid basis, was being recorded.

**2. Apologies**

The Provost invited intimation of apologies for absence, which were recorded.

**3. Declarations of Interest**

In terms of Standing Order 11 and Section 5 of the Councillors' Code of Conduct, Councillor Robertson declared an interest in item 9 - Equalities and Children's Rights Impact Assessment: Exemption of care experienced learners from the policy on school exclusion due to her employment with Aberlour Children's Charity. Councillor Robertson left the meeting and took no part in the deliberation or determination of that item.

There were no declarations of the Party Whip.

#### **4. Previous Minutes**

The accuracy of the Minutes of the Ordinary Meeting of the Council held on 12 February 2025 and the Special Meeting held on 26 February 2025 were confirmed and the Minutes signed in accordance with Paragraph 7(1) of Schedule 7 of the Local Government (Scotland) Act 1973.

#### **5. Provost's Report**

Submitted report by the Provost for the period from 3 February – 16 March 2025.

Noted.

#### **6. Leader's Report**

Submitted report by the Leader of the Council for the period for from 3 February – 16 March 2025.

Noted.

#### **7. Council Minute Volume**

Submitted for noting the Minutes of meetings of committees of the Council held in the period 5 February - 5 March 2025.

Noted.

#### **8. Appointments to Outside Bodies**

The Council agreed to appoint Councillor Collier to serve on the Glasgow Prestwick Airport Consultative Committee.

#### **9. Equalities and Children's Rights Impact Assessment: Exemption of care experienced learners from the policy on school exclusion**

Submitted report by the Executive Director (Education) on the equalities and children's rights impact assessment on whether care experienced learners should be exempt from the policy on school exclusion.

Following an earlier declaration of interest, Councillor Robertson left the meeting at this point.

Members asked questions and were provided with further information in relation to:

- work undertaken to encourage engagement with the consultation;
- the number of care experienced pupils who were subject to a reduced timetable in recent years; and
- the number of appeals submitted against the decision to exclude care experienced pupils in recent years.

Councillor Macaulay, seconded by Councillor McTiernan moved the recommendation within the report.

As an amendment, Councillor Foster, Seconded by Councillor Sweeney proposed the following:

“The recommendation within this paper does not keep the promise to Care Experienced people, Council instructs officers to start the process of changing our exclusions policy to cease the practice of excluding Care Experienced pupils.”

There followed summing up.

On a division and a roll call vote, there voted for the motion, Councillors Burns, Collier, Davidson, Dickson, S. Ferguson, T. Ferguson, Gallacher, Gurney, Hill, Inglis, Johnson, Larsen, Macaulay, McClung, McLean, McTiernan, D.L. Reid, Stalker and Stephen (19) and for the amendment, Councillors Angus-McDonald, Bell, Cullinane, Currie, Foster, Montgomerie, Reid and Sweeney (8). The motion was declared carried.

The Council therefore agreed to (a) note the content of the equalities and children’s rights impact assessment; (b) approve the recommendation that the option to exclude from school as a last resort should be retained; and (c) task the education service to further strengthen early intervention and preventative approaches, in line with the evidence presented through the ECRJA, with a view to minimising the number of excluded pupils who are care experienced, and to work towards meeting the policy intent of the Promise.

Councillor Robertson rejoined the meeting at this point.

## **10. Questions**

In terms of Standing Order 14, submitted:

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

To ask the Cabinet Member for the number of people in employment who have had to use NAC Temporary Furnished Accommodation since September 2023 due to being homeless?

Councillor Hill thanked the Member for his question and responded in the following terms:

Since September 2023, the number of people in employment who have utilised temporary accommodation is 53.

As a supplementary question, Councillor Sweeney made reference to a motion by Council in September 2023 instructing a review of the policy and management of temporary furnished accommodation - including any possible adaptations or improvements which could be made to alleviate hardship. He asked if the Cabinet Member would agree to work with him to ensure improvements had been made to

the service and the communications process with tenants, to alleviate the concerns of tenants relative to accumulation of debt.

Councillor Hill responded by advising a meeting could be arranged with the appropriate officers to address these issues.

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

With libraries being saved in the budget this year, can the cabinet member confirm if Libraries such as the Saltcoats in my ward will still face a reduction in hours of 20%?

Councillor Hill thanked the Member for his question and responded in the following terms:

A decision was taken by full Council in February 2024 in relation to a 20% reduction in opening hours across the library estate. Officers developed a service delivery model in order to progress this decision; however, we then entered the budget engagement exercise which included further proposals for consultation in relation to our libraries. Extensive feedback was gathered through that process regarding the variety of services provided within library spaces, in particular the value of community space within the buildings.

The next steps are therefore for officers to consider this rich feedback, and the previous decision of Council, as part of the Council's wider land and property transformation programme.

Any proposals that may emerge from that work would be the subject of appropriate future engagement including with elected members, the local community and other important stakeholders.

As a supplementary question, Councillor Inglis asked why this review was included in the land and property transformation programme and not considered as a separate review of the library service?

Councillor Hill responded by advising that library buildings deliver a wide range of Council services therefore it was not appropriate to review as a single service however, each building will be reviewed on an individual basis and local ward Members will be involved in any future discussions.

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

Is the commitment originating from the SNP budget amendment to create a wellbeing hub in the former teacher centre at Greenwood, a new policy commitment/proposal?

Councillor Hill thanked the Member for his question and responded in the following terms:

At the Council budget setting meeting on 26<sup>th</sup> February 2025, new non-recurring investment of £300,000 was agreed to support the exploration of a wellbeing enterprise hub at the current Greenwood Conference Centre during 2025/26. The first phase of that work is a feasibility study to identify and scope options and examine their viability and fit with the desired wellbeing outcomes set out in our Council Plan and Partnership Plan, alongside the emerging work with the Collaboration for Health Equity in Scotland.

The project is an example of an exciting and innovative opportunity as part of our Community Wealth Building Strategy, specifically the commitment under the Land and Assets pillar to maximise all of our land and assets including through alternative uses for community and economic benefit.

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

To ask the Cabinet Member how many North Ayrshire Council staff have received VER packages of over £100k, and their job titles, since 2022?

Councillor Larsen thanked the Member for his question and responded in the following terms:

No individuals have received a VER payment of over £100k.

Individuals who were accepted to leave under voluntary release are entitled to a severance payment.

Where an employee is a pension member and has reached the relevant age requirements, they must take immediate payment of their pension relating to that employment when leaving under voluntary release. Associated with this is a strain on the fund cost which the Employer must pay.

There were 26 individuals whose combination of both their severance payment (i.e. the payment received by the employee) and the strain on the fund costs (i.e. that borne by the Employer) amounted to over £100k from the period April 2022-March 2025.

The job titles for these individuals have not been provided as these are considered to be personal data and the information could be used to identify individuals who held those posts. However, these individuals were located in the following directorates: Corporate (8), Education (5), Place (3), Communities & Housing (8) & HSCP (2).

As a supplementary question, Councillor Foster referred to a VER package at a total cost of £318k for one member of staff and asked if the Cabinet Member could guarantee that this package met the criteria of the VER scheme particularly around the time period to make a saving within the policy and explain how a package at this level was possible when awarded to grades below the Executive Leadership Team level?

Councillor Larsen responded and advised she would not be able to comment, however the VER process was agreed by the Staffing and Recruitment Committee and that to her knowledge, all processes were followed correctly in that regard.

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

To ask the cabinet member for education if data from the 2021/22 school health and wellbeing census is publicly available?

Councillor Macaulay thanked the Member for his question and responded in the following terms:

The Scottish Government published a statistical publication on the Health and Wellbeing Census Scotland 2021- 2022 on the 28<sup>th</sup> of February 2023. This can be found [online](#). North Ayrshire Council, which was one of 16 local authorities to undertake the survey, did not make our local data publicly available. In addition, all data collected by North Ayrshire as part of the health and wellbeing census was fully cleansed to prevent pupil identification.

As a supplementary question, Councillor T Ferguson asked if the Member agreed that all the public data that is available for North Ayrshire students should be removed until the investigation was concluded by the Scottish Government?

Councillor Macaulay responded and advised that it was his understanding that North Ayrshire Council's data was not published online and that reports suggesting the data would be publicly accessible through the Scottish Government's research agency was not progressed by the Cabinet Secretary. Councillor Macaulay noted that he is more than happy to follow this up to ensure this is still the case.

- (6) a question by Councillor McLean to the Cabinet Member for Education in the following terms:

Does North Ayrshire's policies or guidance related to single-sex spaces, a) distinguish between bathrooms and any other space, such as changing rooms?, b) Is it consistent across all establishments; Council buildings, employee spaces, Early Learning Centres/Nurseries, primary schools, secondary schools, ASN schools and non-mainstream educational settings (such as educational units, youth homes etc.)?

Councillor Macaulay thanked the Member for his question and responded in the following terms:

No dedicated policy or guidance exists in relation to this issue. Practice within individual settings is based upon a range of factors that balance relevant legislation and the specific circumstances of the setting.

As a supplementary question, Councillor McLean asked if there was a risk to North Ayrshire Council, as a result of not having any guidance or policies which might in turn impact members of staff.

Councillor Macaulay responded and advised that he was of the view that the risk to North Ayrshire Council was minimal as staff ensure that the spaces and facilities are in alignment with the Equality Act 2010. Councillor Macaulay noted, he had not received any notification of concerns raised however if the Member had any specific concerns, he would advise that these are raised urgently to allow officers to implement appropriate mitigations to ensure our spaces are safe for people to use.

- (7) a question by Councillor Angus-McDonald to the Cabinet Member for Education in the following terms:

To ask the Cabinet Member to provide the Council's School Level Pupil Teacher Ratio, including the number of qualified teachers who are centrally employed and included in the PTR calculation?

Councillor Macaulay thanked the Member for his question and responded in the following terms:

Based on 2024 census data, the pupil teacher ratio for North Ayrshire Council is 12.4. This compares favourably against the PTR for Scotland which is 13.3. Our PTR is based on a total teacher full-time equivalent staff of 1373fte, of which 49.9fte teachers are recorded in the category of centrally employed.

School leave PTRs are included in the table below.

School name	PTR 2024
Centrally employed	0.0
Corrie Primary School	6.3
Pirnmill Primary School	6.4
Kilmory Primary School	8.0
Shiskine Primary School	8.9
Gateside Primary School	9.1
Cumrae Primary School	9.1
Dreghorn Primary School	9.2
Brodick Primary School	9.7
St John's Primary School	9.8
Elderbank Primary School	9.9
Springside Primary School	10.0
St Winning's Primary School	10.1
Whiting Bay Primary School	10.2
Montgomerie Park Primary School (New School)	10.5
Lamlash Primary School	10.6
Ardeer Primary School	10.7
Blacklands Primary School	10.9
Loudoun-Montgomery Primary School	11.3
St Palladius' Primary School	11.4
Winton Primary School	11.7
St Peter's Primary School	12.1
Skelmorlie Primary School	12.3
Hayocks Primary School	12.5

Caledonia Primary School	12.9
Pennyburn Primary School	12.9
St Bridget's Primary School	13.0
St Mary's Primary School	13.6
St Mark's Primary School	13.9
Moorpark Primary School	14.0
Mayfield Primary School	14.2
Dykesmains Primary School	14.3
Garnock Community Campus	14.4
Fairlie Primary School	14.4
Corsehill Primary School	14.7
Whitehirst Park Primary	14.8
Abbey Primary School	15.1
Woodlands Primary School	15.8
Lawthorn Primary School	15.9
Glencairn Primary School	15.9
Castlepark Primary School	16.1
St Luke's Primary School	16.2
St John Ogilvie Primary School	16.3
Glebe Primary School	16.4
Beith Primary School	16.5
Stanley Primary School	16.6
St Anthony's Primary School	16.6
West Kilbride Primary School	17.7
Dalry Primary School	17.8
Largs Primary School	18.6
Annick Primary School	18.6
Arran High School	7.9
Ardrossan Academy	10.5
Kilwinning Academy	11.7
Auchenharvie Academy	11.8
Irvine Royal Academy	11.9
Garnock Community Campus	12.5
Largs Academy	13.3
Greenwood Academy	13.8
St Matthew's Academy	14.0
Lockhart Campus	5.0
	<b>12.4</b>

As a supplementary question, Councillor Angus-McDonald asked if the Cabinet Member believed the figures to be an accurate reflection of the teacher numbers in our classrooms given the inclusion of centrally employed teachers and the variants, for example, between Annick Primary School with a PTR of 18.6 and Kilmory Primary School with a PTR of 8?

Councillor Macaulay responded and confirmed that there was some variation between schools. Councillor Macaulay noted that teachers that are centrally



employed provide a very valuable service in the Education Service and advised the Member to speak to some of them about the excellent work they do to ensure that high quality learning and teaching is present in all schools across North Ayrshire. As a final point, Councillor Macaulay noted that the pupil teacher ratio was not created by North Ayrshire Council and is a measurement that local authorities across Scotland use.

Councillor Macaulay took the opportunity to thank every member of Education staff, whether employed centrally or within schools and communities, for the excellent work that they do.

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

To ask the Member what celebrations the council have planned to recognise the 80<sup>th</sup> Anniversary of VE Day?

Councillor Hill thanked the Member for his question and responded in the following terms:

The upcoming 80th anniversary of Victory in Europe day is an important commemorative event and opportunity for communities to come together. Officers have been developing plans for a programme of activity related to the anniversary alongside consideration of support to local communities in developing their own remembrance plans.

Following on from previous, similar anniversaries, the Pageant Master has asked that councils and local communities consider taking part in a range of national and local events on 8th May. These include raising of the special VE 80th anniversary commemorative flag, reading of the declaration, reading of a VE Day tribute, pipers playing from the UK's four highest peaks, lighting of beacons, and gathering in community spaces together to reflect.

Plans are being developed by officers for the flag raising, reading of the Declaration and reading the VE Day Tribute. The readings will be pre-recorded and shared on social media at the appropriate times.

In addition, local communities will be encouraged to take part in as many of the national events as possible and a small amount of funding has been made available to provide assistance for arranging local events. Details of the fund are currently being finalised and will be issued shortly along with ongoing communications to raise awareness of the anniversary.

Information will also be shared with local schools who will be encouraged to consider delivering appropriate learning activities and events in their own school communities to mark this significant anniversary.

Further updates will be shared with members in the coming weeks as community plans continue to take shape.

Councillor T Ferguson thanked the Member for his response and noted thanks to Officers for their support to address issues faced by the community group on Cumbrae.

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

How many young people does North Ayrshire Council, or its staff, including teachers, social workers, support workers etc, assist in 'socially transitioning' without the knowledge of their parents/guardians?

Councillor Macaulay thanked the Member for his question and responded in the following terms:

We do not collect data or information around the number of young people who are being supported in this way.

However, social transitioning is a very personal, intimate, and complex journey and can vary from person to person. Staff would always encourage a young person to speak with family members where possible, as it is recognised that if a young person receives the right support, then it can be a positive, affirming experience for both the child and their family.

As a supplementary question, Councillor McLean asked about risk to North Ayrshire Council should they implement the guidance of LGBT Youth Scotland?

Councillor Macaulay responded and advised he would not comment on speculation and that the original question related to collecting data which had been asked and answered.

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

To ask the Cabinet Member to publish the Equality Impact Assessments carried out in respect of each individual school crossing patroller that will be removed as part of the Council's 2025/26 budget?

Councillor Macaulay thanked the Member for his question and responded in the following terms:

As part of the budget process a full Equality and Children's Rights Impact Assessment was carried out and published ahead of the budget meeting.

In addition, individual assessments were carried out for all 50 of the current school crossing locations. These are not easily accessible to non-specialists, so we are developing simplified summaries which we will share to ensure full transparency.

As a supplementary question, Councillor Bell asked who made the assessments when they were taken and what consultation took place with pupils, parents and carers and childcare providers. He commented on the importance of having the information publicly available.

The Chief Executive clarified that the decision had already been taken by Council and that the individual risk assessments were the traffic management studies which were undertaken at each site.

Councillor Macaulay responded and advised that the assessments will be shared with Members and that the Council will actively engage with schools and communities to promote road safety.

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

To ask the cabinet member if the council should follow the Scottish government and use the money in the SHIPs net-zero fund to build more houses instead of putting in expensive heating systems?

Councillor Hill thanked the Member for his question and responded in the following terms:

The Heat in Buildings Bill is still being developed by the Scottish Government and revised proposals are anticipated in due course.

In addition, as part of the decarbonisation approach to social housing, a new Scottish Housing Net Zero Standard (SHNZS) is currently under consideration nationally and will replace the previous Energy Efficiency Standard for Social Housing.

Compliance with the new standard is expected to be mandated and then monitored by the Scottish Housing Regulator.

Enhancing the quality of our existing Council housing to improve its energy efficiency contributes to our Council Plan priorities by helping alleviate fuel poverty and reducing the risk of dampness and mould by ensuring our homes are affordable to heat, reducing carbon emissions, and increasing thermal comfort which can prevent and/or alleviate respiratory and other health conditions.

For all of these reasons, it is important that we take a balanced and proportionate approach that includes investment in energy efficiency improvements to our existing housing stock alongside the implementation of the Council's housebuilding programme, as was approved as part of the HRA budget setting report to full Council on 12<sup>th</sup> February 2025.

As a supplementary question, Councillor Inglis asked the Cabinet Member if it was justifiable for the Council to choose to fit expensive systems over building more homes given the high numbers on the waiting list and the high number of residents still in temporary accommodation.

Councillor Hill responded and referred to the £185m allocation in the 30 year HRA business plan to make energy efficiency improvements across the existing stock. Capital plans include £105m for heating replacement although this is largely based on gas. Initial estimates for replacing the gas systems with, for example, air source heat pumps would cost in the region of £370m which is not currently budgeted for. Therefore, in order to prepare for the new standards, the Council has committed £500k to undertake a pathfinder project to look at what will be required to bring our

housing stock up to the standards as are about to be set by the Scottish Government.

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

What is the total cost budgeted in the 2025/26 budget for: a) teachers' pay awards? b) non-teaching NAC staff pay awards?, c) Chief Officer pay awards? d) Cabinet members pay uplifts(not including leader of the council)?, e) leader of the council pay uplifts?, f) Committee chair pay uplifts?, g) all other councillor pay uplifts (including leader of the opposition)?, h) The collective cost of all of the above?

Councillor Larsen thanked the Member for his question and responded in the following terms:

The budget planning assumption for 2025/26 in respect of staff pay is that the Council would fund up to 3% of any agreed increase. The approved Council budget included the sum of £7.115million which covers all assumed staff and elected member increases. The breakdown is as follows:-

- a) teachers' pay awards – £3.445m
- b) non-teaching NAC staff pay awards - £3.416m
- c) SLT pay awards - £0.059m

The total anticipated cost increase in staff pay is £6.920m. This figure does not include any increases in respect of the Health and Social Care Partnership. This cost is estimated at £2.727m and was included in the Budget report presented to the Integration Joint Board on the 20<sup>th</sup> March 2025.

The approach to elected members pay has been different this year as a result of the recommendations set out in the Scottish Local Authorities Remuneration Committee (SLARC) Review. The review recommended that:

- the role of councillors be treated as a public office in the same way as MSPs and MPs
- Councillors be paid a salary of 80% of the median salary for all public sector employees in Scotland - £25,982
- In respect of senior councillors holding specific responsibilities, there should be 3 bands based mainly on size. The salary of the Leader of the largest councils, Glasgow and Edinburgh, should be benchmarked at the salary of a MSP – Band D - £71,519, medium size councils - Band C - £60,791 and smaller councils - Band B, including North Ayrshire, £50,063
- Salaries of civic heads and senior councillors should be set locally but up to a maximum of 75% of the salary of the Council Leader

The total cost of this uplift is £0.195m and has been funded by the Scottish Government as part of the 25/26 budget settlement.

As a supplementary question, Councillor McLean referred to a number of issues including the cost-of-living crisis, low growth, including low private sector wage

growth, increases in energy costs, the impact of inflation and the Council tax increase and asked if it was moral to have implemented the rise in salaries.

Councillor Larsen responded and advised this was funded by the Scottish Government, that everyone is entitled to a pay rise, and that the independent review, which was subject to extensive consultation, looked at the appropriate rate for jobs. Councillor Larsen noted as this came from the Scottish Government review it does not have any bearing on Council finances.

(13) a question by Councillor Currie to the Leader of the Council in the following terms:

Can the Leader of the Council, as co-chair of the Ardrossan Harbour Task Force, update Council on when the next meeting of the Task Force will be held?

The Leader of the Council thanked the Member for his question and responded in the following terms:

The Ardrossan Task Force is expected to re-convene soon. We are currently looking to schedule this in April 2025. A date will be shared with Task Force members following confirmation with Fiona Hyslop, Cabinet Secretary for Transport as co-chair.

As a supplementary question, Councillor Currie asked as co-chair of the Ardrossan Task Force and in light of the urgency of the reinstatement of Ardrossan Harbour as the mainland port for Arran for the economies of Arran and the Three Towns, what powers the Leader of the Council has to call, or influence the calling of meetings of the Task Force to move the vital project forward.

The Leader of the Council responded and advised that she understood the Member's frustration and that as co-chair, any meetings of the Task Force must be agreed between both Chairs. The Leader noted that the Scottish Government is in the process of negotiating with Peel Ports to take ownership of the Harbour which is something that this Council had asked for in the past therefore she is hopeful that there will be useful discussions at a future meeting of the Task Force.

(14) a question by Councillor T Ferguson to the Cabinet Member for Education in the following terms:

To ask the cabinet member for education if there have been any inappropriate incidents reported relating to the use of gender-neutral toilets in our schools?

Councillor Macaulay thanked the Member for his question and responded in the following terms:

We do not systematically record or collect data on the number of such incidents. However, we can confirm that there have not been any formal complaints to date in this academic year relating to incidents in gender neutral toilets.

As a supplementary question, Councillor T Ferguson welcomed that there hadn't been any formal complaints, drew attention to incidents which have taken place in other authorities and asked that the Cabinet Member ensured Members have full

visibility of the Council's response to the upcoming Scottish Government consultation on single-sex spaces within the school provision prior to submission.

Councillor Macaulay responded and advised that it is routine that any consultation responses be taken to Cabinet for consideration prior to submission for which the papers are published publicly. Councillor Macaulay also noted that although he was unable to comment on incidents which have taken place in other authorities, to his knowledge, in North Ayrshire there had been no substantial issues with either the physical infrastructure or the day to day management of school toilets which would give rise to concern that the Council is not meeting its obligations under the Equality Act 2010, infringing on anyone's rights or that pupils are going to school in an unsafe environment. Councillor Macaulay encouraged any Member who has concerns about this to raise it with himself and the relevant Council Officer directly.

## **11. Motions**

In terms of Standing Order 15, submitted:

- (1) a motion by Councillor McLean, seconded by Councillor S Ferguson, in the following terms:

"Council agrees:

(1) to implement a policy that with it will not introduce car parking charges in any car park that it owns, controls or manages subject to the existing arrangements for car park charging in Largs remaining in place. It will also not introduce on-street parking charges. In the event that the Council operates the car park at Ardrossan Harbour as part of a future operating model, car park charging by the Council for the car park at the ferry terminal will also be permitted should that be required as part of any business case for Council funding of the redevelopment of Ardrossan Harbour in conjunction with partners. In addition, Council will not sell any car park that it owns or transfer the operation or management of any car park to any person or organisation which intends to charge for car parking with any contract for the sale or operation being subject to the continued requirement of free car parking; and

- (2) to receive a report to a future meeting of the Council on the feasibility of augmenting this policy through the formation of a byelaw on free parking."

The Monitoring Officer clarified that in terms of the motion which concerned charging in car parks, the electric vehicle charging points which may be situated within those car parks would not be affected as there are already contracts let in that regard, therefore the motion would not apply to of electric charging points.

Members asked questions and received clarification from the mover of the motion on:

- the length of time it takes to create a byelaw and the overall cost of this process;
- part one of the motion and whether this was enforceable should the carpark be sold to a third party;

- whether there was any precedent for a Council introducing a byelaw against itself; and
- the length of time it takes to revoke a byelaw.

As an amendment Councillor Cullinane, seconded by Councillor Bell, proposed the following:

“Council instructs officers not to bring forward a proposal to introduce town centre parking charges for the remainder of the Council term.”

Members asked questions of clarification of the mover of the amendment and received further information in relation to:

- whether Officers could bring forward proposals or if this was reserved for Councillors only;
- the difference between a proposal and options presented to Council with a recommendation;
- whether passing the amendment would preclude Members from asking for information for the remainder of the Council’s term; and
- whether there were any other policies implemented which would only operate for the duration of the Council term;

As a further amendment, Councillor Gurney, seconded by Councillor Collier moved the direct negative.

In terms of Standing Order 6.8, the Provost agreed that the meeting be adjourned at 3.21 p.m. for a short comfort break to consider the motion and amendment, reconvening at 3.34 p.m. with the same Members and Officers present.

In terms of Standing Order 15.1, Councillor Cullinane, seconded by Councillor Bell proposed the following updated amendment:

That Council does not introduce further town centre car parking charges for the remainder of the Council term. The position on parking charges in Largs and the Ardrossan Harbour business case will remain.

A Member asked a question of clarification and received further information on whether the amendment related to on-street car parking as well as Council owned carparks.

There followed summing up.

On a division and a roll call vote, there voted for the amendment (direct negative), Councillors Burns, Collier, Davidson, Dickson, Gurney, Hill, Johnson, Larsen, Macaulay, McClung, McTiernan and Robertson (12), for the motion, Councillors S Ferguson, T Ferguson, Gallacher, Inglis, McLean, Stalker and Stephen (7), with Councillors Angus-McDonald, Bell, Cullinane, Currie, Foster, Montgomerie, D. Reid, D.L. Reid and Sweeney (9) abstaining. The amendment was declared carried.

Councillor Cullinane sought clarification on whether the amendment became the substantive motion and subject to vote against the proposed Labour amendment.

The Monitoring Officer confirmed that in terms of Standing Orders, the direct negative having been approved by Council negated any other amendment.

The meeting ended at 3:45 p.m.