

23 April 2025

Lady Ross

Act: Mr R Dunlop KC (Dean of Faculty) *et* Mr D Welsh

Alt: Miss R Crawford KC

The Lord Ordinary, having heard senior counsel on the now unopposed motion of the first and second named petitioners and having considered the minute of the respondent number 10 of process and answers of the first and second named petitioners number 12 of process and proceedings and on cause shown:

1. grants an order in terms of the first and second named petitioners' first plea in law, that declares that the respondent's decision of 17 October 2024 not to uphold the petitioners' complaint was unlawful;
2. makes an order in terms of the first and second named petitioners' second plea in law, for reduction of the respondent's decision of 17 October 2024 not to uphold the petitioners' complaint;
3. grants an order in terms of the first and second named petitioners' third plea in law, that declares that Regulation 15 of the School Premises (General Requirements and Standards) (Scotland) Regulations 1967 requires, save where paragraph 15(1A) of the 1967 Regulations applies, mixed-sex schools within the meaning of Regulation 3(7) of the 1967 Regulations to provide separate sanitary accommodation for boys and girls with the required total number of appliances therein being determined by reference to Table VIII within Regulation 15 of the 1967 Regulations;
4. finds the respondent liable to the first and second named petitioners in the expenses of the process;
5. remits the accounts of expenses when lodged to the Auditor of Court to tax.

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The Lord Ordinary decerns against the respondent for payment to the first and second named petitioners of the expenses in the foregoing interlocutor as the same shall be taxed by the Auditor of Court.

Morag V Ross

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