

Covid-19 and outdoor recreation – lessons from Pollok Country Park

Description



Acres of space by the Burrell collection, Pollok, Weds 5.00pm. Two very small groups of people just on boundary of field centre and left

Because perceptions about the risks of Covid-19 vary widely across the population, I think its important to be clear about my own starting point. I write this as someone who is not scared of catching COVID-19, as the risk to fit 60 year olds is very low, but has no wish to do so, or to spread it to other people.

I have, like most of the population, been observing the physical distancing guidance and have managed to do so everywhere except when in the supermarket (ironically the only place I go where there is a legal requirement to keep people 2m apart). I am not too perturbed about that, however, as the science of respiratory viruses suggests that unless you spend 15 minutes in closer physical

proximity or the other person coughs or sneezes, the risk of transmission is low. Hence, why the staff in supermarkets are not all off sick – which is not to say that supermarkets couldn't have done more to protect their staff or to say that I don't try and minimise the time I spend passing people in supermarket isles.

I have not been in a car or been outwith my part of the southside of Glasgow – mostly Nicola Sturgeon's constituency – since the Covid-19 "lockdown", although I know much of the countryside is completely empty and there are plenty of places I could go and be unlikely to see anyone. Instead, I have been running to and around Pollok Park, just over a mile from my home, every day.

This post takes a look at what that experience says about the clampdown by government on outdoor recreation and access during the corona crisis and the Stay at Home message, designed in London for that city.

The new crimes of being outdoors

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Six out of the eight people in this photo would appear NOT to have a reasonable excuse for leaving their house as they are not taking exercise. Three are sitting on separate benches, two are sitting on the ground and one is supervising a child (see below).

I have not been in the habit of breaking the law but, since the introduction of the Health Protection (Coronavirus) (Restrictions) (Scotland) Regulations 2020 three weeks ago, have almost certainly been committing criminal offences on an almost daily basis despite observing the 2m physical distancing guidance.

It is important to note here that there is NO provision in the Regulations requiring people when going out to keep 2m distance from people who don't live in their household. That is guidance, not the law (sensible guidance though!). The only legal requirement for physical distancing in the Regulations is that the businesses that have been allowed to remain open to the public (e.g. shops, funeral parlours) must put in place arrangements to keep the PUBLIC (not their staff) 2m apart when on their premises. This means that if someone outdoors deliberately brushes against you, instead of swerving, that is quite legal as long as you both had a reasonable excuse to be out. I would actually welcome a Regulation that required people to keep 2m apart wherever reasonably possible.

To get back to my daily run, this is quite lawful because as everyone knows one of the "reasonable

excuses” for being outdoors is to take physical exercise. Most days, however, while running I have come across people I know. Usually, both they and I stop, we take a look around to see we are not blocking others (the social etiquette about this is developing the whole time), stand well apart – I usually go for 4 metres while stationary – and then have a catch-up (not too long, maybe up to 5 minutes). I see many other people doing the same (both when taking exercise and when going to the shops). People are doing this because they are human. The contribution that being able to talk directly to people makes to all of our mental well-being and sense of community cannot be underestimated.

However, almost everyone that has been doing this has been guilty of committing not just one, but two criminal offences. First, the list of reasonable excuses for leaving where you are living only covers physical exercise, not mental well-being. As soon as I, or the other people stop, we have by definition ceased taking physical exercise. We would therefore appear, in the eyes of our governments, to be committing a criminal offence. (Whether the courts would agree or not is another issue). In addition, if I or the other person are with another member of our households, we have formed a gathering of more than two people and thus committed a further criminal offence.

I probably stop once every second day, so that makes 20 potential offences. Among the people who have stopped to talk with me are a hospital consultant and someone who worked in public health. That they have been happy to do so has provided added confirmation that it's the physical distancing “rules” that matter, not why you are out of doors. Their confidence about stopping and having a chat stems, I believe, from basic medical knowledge about how respiratory viruses are transmitted – hence the 2m “rule”. That understanding is why initially Professor Jason Leitch defended the former Chief Medical Officer, Catherine Calderwood, for travelling to Fife saying she and her family had observed the social distancing rules and put no-one in danger.

While in Pollok Park, I have also observed many other people adhering to the physical distancing rules but who, because they were not doing physical exercise, have almost certainly been committing criminal offences (see photo). Examples include sitting alone on a bench, sitting on the ground, reading a book, bird watching, taking photos (as I did for this blog).

The fundamental issue here is whether the legal restriction of basic civil liberties to go outdoors is proportionate and necessary to protect people’s health ([see here for post on access rights and human rights](#)). I would contend that they are not and people should be allowed to BE outdoors, for all sorts of activities, not just physical exercise, as long as they observe the physical distancing guidance. .

While its understandable that emergency legislation might be poorly drafted, without all the consequences being thought through, under the Coronavirus Restriction Regulations:

“(2) The Scottish Ministers must review the need for restrictions and requirements imposed by these Regulations at least once every 21 days, with the first review being carried out by 16 April 2020.”

That period is now up. Scottish Ministers have published no information to show how they have reviewed the need for all the requirements in the regulations and their wording remains the same as when they came into force on 26th March ([see here for Regs](#)). There was not a single question about this at either First Minister’s Questions or Scottish Parliamentary Questions at the end of last week and there has been no scrutiny of the original regulations. Scotland doesn’t appear to take civil liberties seriously. That surely should be a priority for the new Committee of the Scottish Parliament which is,

belatedly, being set up to provide some critical oversight to the Scottish Government's handling of the crisis.

The government's advice

Both the UK and Scottish government's advice goes far further than the law and suggests that in going out for physical exercise, people should limit themselves to once a day and for a maximum of one hour. The main justification for this appears to be government fears that if everyone were to go out, open spaces might get overcrowded. Hence the Stay at Home message.

My experience of Pollok Park over the last 3 weeks is that even in a Park surrounded by dense urban settlement there is more than enough space to observe social distancing.



Weds 5pm. Pollok Woods.

The number of people I have seen off path, while greater than normal (I run off path through these woods regularly) is still very few and there is NO problem avoiding others.



Part of the mountain bike trails which are also used by walkers and trail runners

The mountain bike trails are similarly quiet. There is plenty of space to avoid bikes and I have found those biking unfailingly polite, with people stopping or veering off to let me past even though on formal trails like this I believe it should be up to others to step aside.



Large space by road (right) exiting from Burrell c5.30pm Wednesday. There are further playing fields on far side of band of trees on left.

I have NEVER seen more than half a dozen people on this space (some boggy sections in middle). Early last week I ran past a couple with a baby sitting in the grass enjoying the sun the only people in this large area. Under the regulations they were committing a crime. I believe they were doing the right thing and the shame is that so many young families who might have benefitted from being outdoors have been frightened into staying indoors.



Weds 5.10pm. The two runners on the right are members of my household.

On the main thoroughfares through the Park, there is plenty of space for people to pass despite the laybys – which could have offered even more space – being blocked off. I am sure there are more people earlier in the day, that sometimes this road is busier, but the point is there is lots of space to keep 2m apart.



Path on southside of River Cart by golf course

There are only two places in the whole of the Park where I have found any difficulty in keeping 2m apart from others. One is by a path round the Stable Block, the other pictured above, is where the path runs between two hedges for 60m or so . These have barbed wire fences running through them, making it difficult to step aside and it's difficult to see ahead. I have come across people on this stretch a couple of times, we have turned our heads and stepped into the hedge. To me, that is an acceptable solution that I am sure other people are applying to constricted paths in the countryside. I guess the government, if it has bothered to think about the issues, must believe so too, otherwise they should have done something to help people to manage the risks.

If public health – who have been completely sidelined in this crisis – thought the risk was unacceptable, there are always solutions. In this case you could make this section of path one way and, for anyone

returning, could divert them along the golf course that lies on the other side of the left hand hedge. That, however, would require our public authorities to take a pro-active role. Unfortunately, our countryside management teams, just like the NHS, have been slashed under austerity. There are far fewer people working at Pollok Park than in the past.

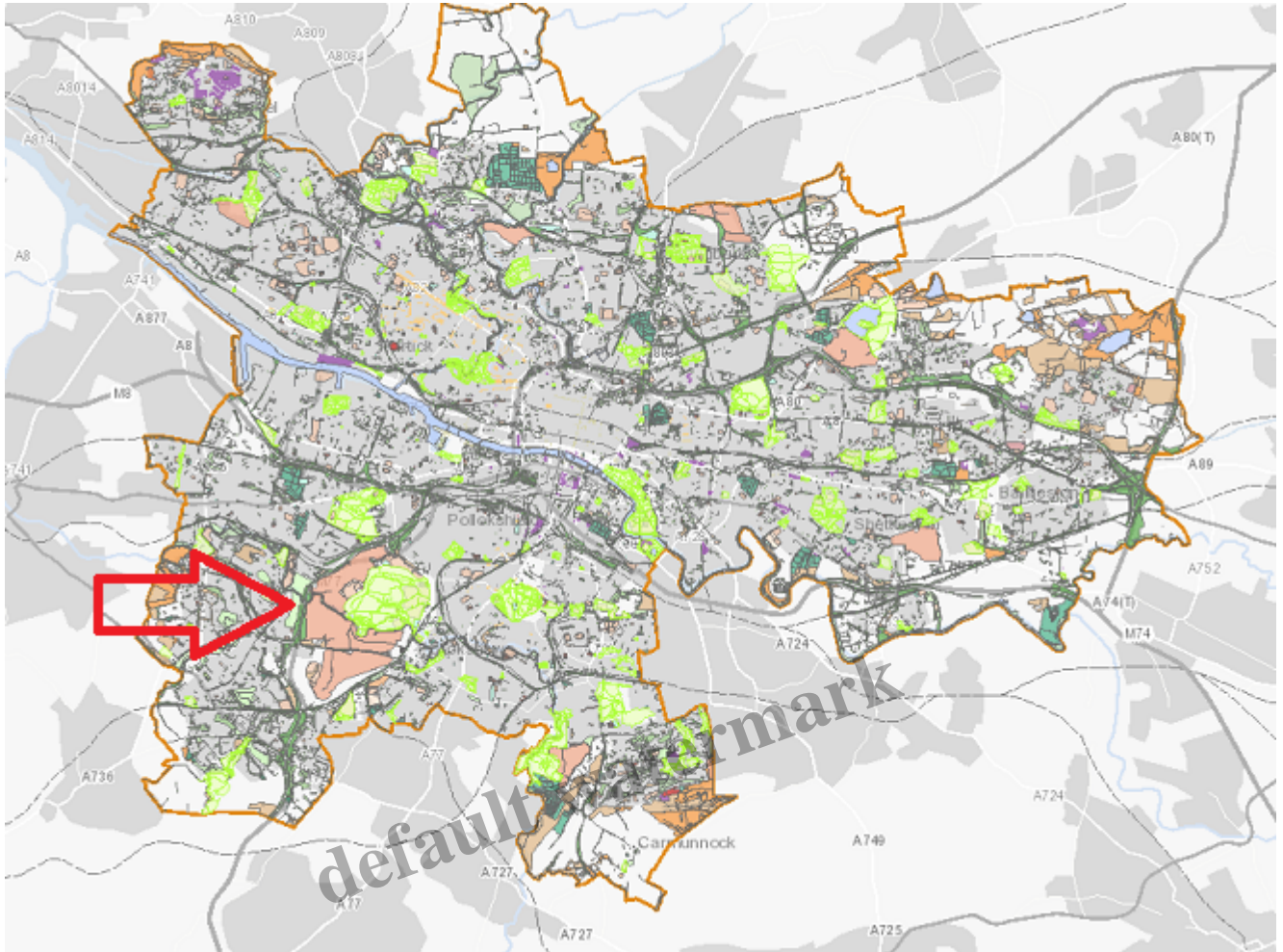


Looking in the opposite direction to the previous photo where the path emerges from the hedges and trees to run along the side of the golf course

On the golf course – where access rights apply – just beyond the narrow section of path, there is even more space. Golf is one of the few organised sports where it should be very easy to maintain social distancing yet rather than trust golf clubs to ensure this happens – they could keep club houses closed etc – they have been shut down. I don't believe that was necessary but, having shut them down, that creates more space in urban areas for people to walk. So, why try and limit people to an hour?

Impact of government measures on use of Pollok Park

While Glasgow has lots of green space, Pollok Park and its environs is the largest open space in the city and should have been playing a key role in enabling people to go outdoors while observing physical distancing during the corona crisis.



The Red Arrow points to Pollok Park, green but round about (in brown) is a huge area of open space, including the golf course, marked in brown

Yet, both the Scottish Government government and Glasgow City Council have been making it harder for people to get to the Park.

The latest Scottish Government utterances that people shouldn't drive to take exercise and should limit exercise to one hour, has made it increasingly difficult for people to get to the Park. I live a mile and a bit away and can run there in about 12 minutes (you can tell how slow I am getting!) through rich and spacious West Pollokshields. If you have a young family and stay where I do, it would be quite challenging to get to the Park within half an hour by foot. By which time, according to the Scottish Government, the responsible thing is to turn back. I think that's nonsense.

Its also deeply discriminatory. Pollok Park is partly cut off by motorway – remember the Free Pollok State protests against the M77 which cut the Park off from working class communities? The main group of people who can easily the Park on foot live in leafy West Pollokshields and after that come people from Shawlands. So, the biggest space in Glasgow is mainly accessible to the richer half of the population. It would be worth further study, but the people who have most need to get out, those who lives in tenements and flats without gardens, appear to be being forced by the government's guidance into the smallest greenspace. So much for social justice.



Shields Rd entrance gates – the main entrance from West Pollokshields – taken from within the Park have never known a car to come into the Park by this entrance (except for film crews) so why Glasgow Council suddenly thought it necessary to block the road off I am not certain.

While the Scottish Government has been ramping up its exhortations not to go out, Glasgow City Council gradually shut down the Park to cars. After shutting down the main car parks – which had been far less crowded than usual – it has made extraordinary efforts to block off entrances (see above) and laybys.



Had this been done to provide MORE space for people to walk safely – because cars do force people onto the side of the road – or indeed to reduce traffic pollution (now there's a thought!) I might have had some sympathy. But, actually what the closure to the Park to vehicles has done is to deprive people who are unable to walk or bike from being able to enjoy the largest and safest open space in Glasgow. So, the situation in the city mirrors what has been happening in the countryside.



Note the reference to “authorised parking pass”

Instead of using its resources to HELP people get outdoors safely, the Council appears to be employing someone specifically to watch out for any vehicle that dares pass the barriers and tow it away.



The outdoor recreation boorach

The diagram on this sign is very helpful, it's focuses on the key issue and mercifully doesn't tell people to get out the Park after an hour. I don't think we should call it "social distancing", however, its physical distancing. People should be allowed to stop and talk as long as they are keep their PHYSICAL distance.

But why then pick on sunbathing rather than all the other activities that DON'T involve physical exercise? If you think about it, you are even less likely to be sneezed on someone lying on the grass than you would from someone walking or cycling past. (Indeed, us runners have been accused of being a danger because of spluttering). Passing 2m by someone who is horizontal poses even fewer risk than passing 2m by someone who is vertical. So, why ban sunbathing when there is so much empty space? Why too when we know that the Vitamin D you get from the sun plays an important role in boosting immune systems ([see here](#)) and lack of it is associated with Scotland having the highest rates of Multiple Sclerosis in the world? Another example, to join a long list, of the adverse consequences of the Stay at Home message.

Technically, of course, the Council is right, sunbathing is against the law but that makes the law disproportionate and an unjustifiable curtailment of civil liberties.



The Council, however, has done one thing right, its left the remaining public toilets – those at the Burrell are closed – open.



What's more, the toilets are clean, there is lots of soap and hot water and a very helpful message. Just what our Public Authorities should be doing. What a contrast to the Loch Lomond and Trossachs National Park Authority, which closed all its toilets even before the lockdown, and to Councils like Argyll and Bute that have done the same. Whoever is responsible deserves to be congratulated.

What can we learn from Pollok Park?

Unfortunately, I don't believe the Scottish Government has paid any attention to how open space might be used to support people during the corona crisis. The result is that people are being confined to their homes unnecessarily, with all the adverse consequences that has (mental well-being, strain on relationships, domestic violence, alcohol and drug abuse etc etc). These adverse consequences are the opposite of all the benefits that are listed in the many government policy documents extolling the virtues of physical activity and open spaces.

I can understand the Scottish Government has greater priorities (like personal protective equipment, getting support to people without income) than dealing with outdoor recreation, but the answer to that, surely, is instead of following London and trying to manage everything centrally, is that we should be delegating and devolving decision making. All the government needs to do is change the regulations to allow people to leave their homes for their mental well-being as for physical exercise and then to set out some rules about travel ([\(see here\)](#) for developments in England, the subject of a future post) and it could then leave any management issues to our Local Authorities and our National Parks. It will need to do that eventually anyway.

Today has been beautiful and sunny and I suspect that Pollok Park will have been relatively crowded (I am about to go out). While I know there is a lot of space in the Park as a whole, just like there is in the countryside in Scotland, there may have been some pressure points. We need our public authorities to address those pressure points, whether in urban parks or the countryside. It shouldn't be difficult. Councils that employ rangers might not even need to put them on site. A few signs pointing people to alternatives if it looks like physical distancing might be an issue, would in most cases be enough.

My experience is that those venturing out are being responsible and, like me, have no wish to pass on the virus. It's time government respected that and started to facilitate people getting out, whether within in our towns or our countryside, rather than trying to restrict this. The more spaces open to people to visit, the easier it is for people to keep their physical distance.

Category

1. Access rights

Tags

1. access rights
2. LLTNPA
3. Scottish Government
4. visitor management

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