

Covid-19 – Public Authorities’ mis-management of Outdoor Recreation during the crisis

Description

[My apologies, first version of this post yesterday did not take account of latest advice from the Covid-19 Advisory Group. This has been corrected and post also updated to reflect what is going on in North Lanarkshire]

This post takes a look at how Public Authorities have been applying the Health Protection (Coronavirus) (Restriction) Regulations (Scotland) 2020 to open spaces and what this says about their attitudes to outdoor recreation by the public.

Glasgow City Council

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About a week ago these banners started to appear on the fences of parks in the Southside

The “Our Parks are open” betrays an attitude. Council Officers don’t see the City’s Parks as belonging to the people, rather they are treated like a corporate asset. Such attitudes have promoted the state sell-off of greenspace in Scotland, all the way through from the sell off of school playing fields in the Thatcher era to Flamingo Land ([see here](#)). Now, Councils are trying to impose unprecedented controls about HOW remaining public open space is used.

The banner includes two sensible public health messages about stopping the spread of Covid-19, the need to maintain physical distancing – along with illustrative arrow of what 2m looks like – and the “*please wash your hands as soon as you get home*”. It can be easy enough to forget to do that. The rest of the text is legally muddled, unhelpful and its status unclear.

The statement that the City’s Parks “*are open for exercise and active travel only*” effectively means unelected Council Officers are saying that the public cannot go into one of the City’s Parks for their

own mental well-being, whatever the need and whatever the circumstances. That is draconian.

The legal problem and the legal muddle arises because mental health and well-being are not included in the non-exhaustive list of reasonable excuses for leaving your home set out in the Restriction Regulations. Only Physical Activity is listed. This doesn't mean that taking a child out to look at the ducks might not constitute a reasonable excuse, but the problem is that the onus is on the person going out to prove that what they are doing is reasonable. That is having terrible mental health consequences for people who are staying at home because they are not confident about standing up to the police if challenged on matters such as sitting out on the grass in their local park or who are worried about the vigilantes clying on them. The Scottish Greens have provided a clear explanation of the issues and called on the Scottish Government to clarify the position ([see here](#)). The Green MSP, Andy Wightman, wrote to Scottish Ministers about this three weeks ago ([see here](#)) so the Scottish Government have no excuse for not changing the regulations when they review them this week.

Meantime, while Glasgow City Council has not gone so far as the Scottish Government, who claim that Physical Exercise should be only once a day and only for an hour, they have gone further than what the law says. Like the government and our National Parks, Council Officers appear to have forgotten all their policies on the importance of parks and open space. The most recent such policy in Glasgow was the Open Space Strategy approved in FEBRUARY this year ([see here](#)). This emphasised the importance of open space for PLAY (on the recommendation of Harry Burns, Scotland former Chief Medical Officer), EDUCATION and EXPERIENCING NATURE. None of those things count as Physical Exercise. The potential role of parks in home schooling during the crisis appears to have been totally ignored.

In Glasgow almost all power has now been handed to unelected officials under the nominal oversight of a greatly reduced Administration Committee of Councillors. At their last meeting on 23rd April, a paper listed the main delegated decisions that had been made by these officials ([see here](#)). There was no mention in this that public use of Parks would be restricted. The attempt to curtail the use of the Council Park was also contrary to the Council's approved Management Rules for Parks ([see here](#)) as these have not been suspended or rescinded. They allow a wide range of activities. So much for governance and democracy.

As a final illustration of the legal muddle, it's worth noting that "active travel", which the Council's banner says is allowed in its parks, is not necessarily legal under the Covid-19 restrictions. For example, you might walk or cycle through your local park go to some house party.....indeed about the only way to get to such a party is probably by active travel!

The Council would have been far better just restricting itself to the essential public health messages. Thankfully, the people who haven't been frightened and intimidated by the Scottish Government into staying in their homes, are ignoring both the Government and the Council's advice and continuing with a wide range of non-physical activities in the City's parks. Thankfully too, the police are generally more sensible than our government, though last week a reader commented on how he had been challenged FOR TAKING PHYSICAL EXERCISE in my local park – he had set up exercise rings on a tree and the police objected to pull-ups! He is now armed with a copy of the regulations.....

Urban citizens locked in

Yesterday was my birthday and I thought, for the first time in six weeks, I might try driving out to one of the open spaces close to Glasgow and going for a walk. I found that almost all have been shut off like Pollok Park ([see here](#)).



Whitelee windfarm is the nearest such large space to where I live and has no less than 130kms of tracks – the biggest path resource next to Glasgow. The only car park is closed. Fine, if you are reasonably fit and able to cycle uphill from Glasgow to get to the tracks (30 miles round trip from where I stay) but this resource has been put out of touch of everyone else.

A little closer to the city East Renfrewshire ([see here](#)) has closed the car parks in their parks “to prevent people driving to them and ignoring the stay at home guidance”. At least they don’t set out any further restrictions beyond “You should also adhere to the rules of social distancing and not gather in crowds.” So it looks like they are happy for you to visit their parks for purposes other than exercise. As an added bonus the disabled toilet facilities at Rouken Glen (like those in Pollok Park) remain open.



Mugdock Country Park Notice

Operations and businesses at Mugdock Country Park are now closed and there is NO access to any of the car parks. Please note that no-one should be driving to Mugdock Country Park. Scottish Government advice is to stay at home. Exercise is permitted each day, but only close to home. Unnecessary travel should be avoided, and travelling to the Country Park or any other natural beauty spots in the area by car is not essential travel.

Full details of East Dunbartonshire Council's service delivery can be found on their website at www.eastdunbarton.gov.uk

***Note for all East Dunbartonshire Parks and open spaces, including Mugdock Country Park.**

To help reduce the potential spread of coronavirus (COVID 19) please do not use parks to congregate in large groups. Government advice is to exercise in small family groups while observing social distancing and hygiene and to exercise outside for only a short period (one hour) a day. Maintenance of parks and open spaces is now suspended as services deal with emergency and essential works only.

Over in the North West Mugdock country Park is also closed to vehicles. A reader last week alerted me that the access roads have been fenced off making it really difficult for bikes to get through and that this large open space was almost entirely deserted. No-one exploring, experiencing or enjoying. What a failure but hardly surprising if you cannot get there. Mugdock, like Whitelee, is accessible to few people on foot.



The Park for People!

Covonavirus (Covid-19) Update - 3 April 2020

We have closed public access to Park buildings and car parks following government advice. All courses and events are postponed until further notice.

This has been done to ensure the safety and well-being of staff, local residents and visitors alike.

Please use your local area from your home for exercise, once a day. **DO NOT TRAVEL** to Clyde

Muirshiel or any other outdoor space. This is **NOT** essential travel. Follow all guidelines and good hygiene principles.

If you do need to contact Park staff please use email or direct messaging on social media.

In these uncertain times we thank you for your patience and look forward to seeing you again when it is safe to do so.

A little further away, the Regional Park in Clyde Muirshiel has also closed its main car park. A “Park for the People” no longer. This is another huge open space that is now only readily accessible for people living along the Clyde in places like Greenock.

Balloch Castle Country Park

Countryside Ranger Service, Balloch Country Park, Drymen Road, Balloch,
West Dunbartonshire, G83 8LX

Closing car parks

Working with Police Scotland, we'll be closing car parks to prevent vehicles accessing our parks and encourage people to follow social distancing measures which are in place for their protection.

The car parks at Moss o'Balloch, Balloch Parks, Overtoun Estate, Havoc and the Saltings are closed.

In addition, from 8 April the car park at Lusst Park that serves the Kilpatrick Hills will be closed.

Local people can continue to access parks in their area on foot and by cycle.

Thanks for your support.

Balloch Castle Country Park is one of the finest public spaces in the West of Scotland with fantastic views over Loch Lomond and plenty of things to see and do.



How to find us



Balloch Country Park may be “one of the finest public spaces in the West of Scotland” but it too has been put out of bounds for most. Car parks located by other open spaces have also been closed by West Dunbartonshire Council.

Chatelherault Country Park

South Lanarkshire Leisure and Culture

notice

Emergency Notice

Please note that Chatelherault and Calderglen Country Parks, James Hamilton Heritage Park, Hamilton Palace Sports Ground, Lanark Racecourse, Lanark Loch and Strathaven Park are closed to vehicles, ensuring legislation is being followed.

Click on this banner for more information

Its the same over in South Lanarkshire.

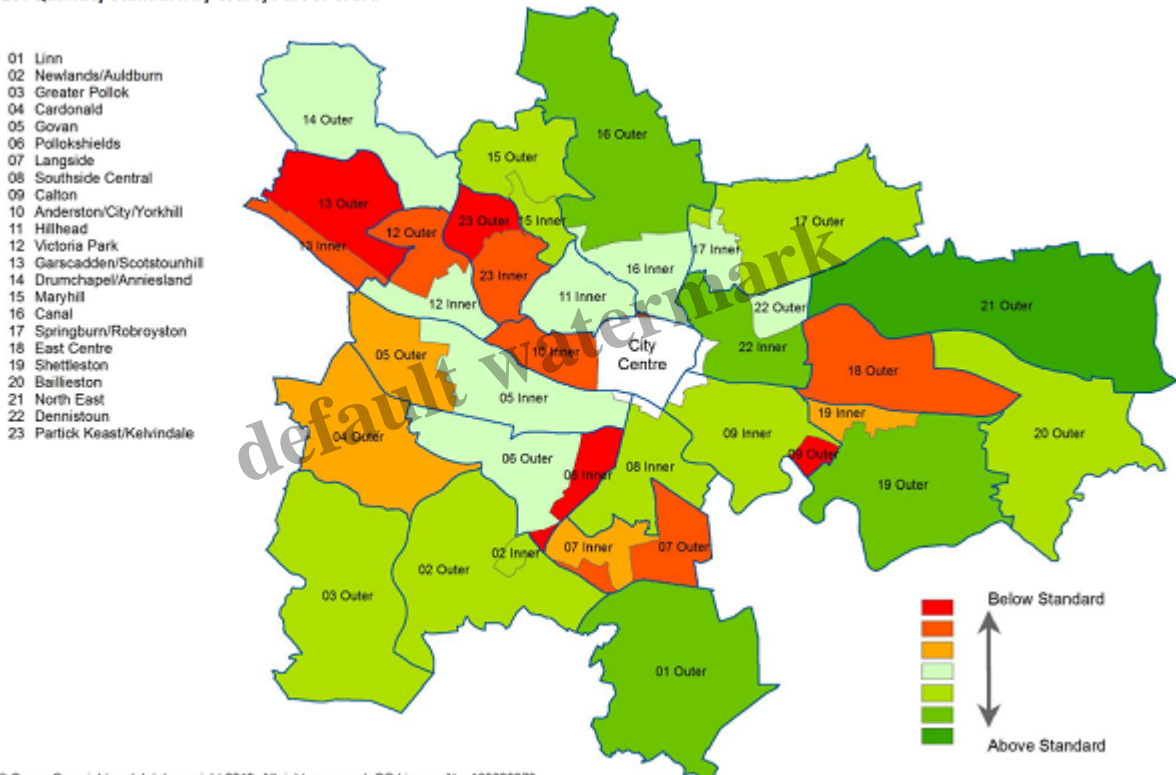
[Unfortunately, this para was incorrect. See comment below. It appears that North Lanarkshire is the only Council that has not bothered to update to update their website!]. (The ONLY Local Authority that has, as far as I have been able to establish, acted with any sense over this is North Lanarkshire

Council. They appear to have put no restrictions in place at either Strathclyde or Drumpellier Country Parks, despite the row about the number of visitors to Strathclyde Country Park that took place early in the crisis. If that's true they deserve congratulations.....and are the only public authority around Glasgow that appears to understand the importance of outdoor recreation.)

In effect what has happened is that an unjustifiable exclusion zone has been placed around most of Glasgow and the adjacent urban areas. This has been designed with the explicit purpose of stopping people going outdoors to the safest places for outdoor recreation.

The issues are well illustrated from this map from the Glasgow City Council Open Spaces Strategy approved in February this year:

Figure 10: Quantity Standard by Ward/Part of Ward



Key on right – red = far too little open space Pollok Park is northern section zone 2

Large parts of Glasgow had insufficient open space even BEFORE the corona crisis. The crisis has increased the demand for open space and I would hope that the space assessments will now be revised in the light of the crisis. Glasgow City Council's signs provide the case for this. Officials clearly don't believe there is at present enough space in the City to allow people to go out for their mental well-being. So much for Glasgow being promoted as the dear green place.....we clearly need a lot more space. Re-classify the light green spaces as orange and you will get some idea of the extent of the challenge.

The west of Glasgow is particularly poorly provided for open space and the nearest places people could go outside the city boundary, Mugdock, Kilpatrick Hills and Balloch have ALL had their car parks closed. Reports I have had are that cycle ways and canal paths in the west of the City are particularly

packed. Its the only way to get out or get somewhere approaching decent greenspace.

I found the same yesterday. I decided to bike down to Lochwinnoch from the southside. I have never seen the cycle path so busy (I sometimes take the train out to Lochwinnoch and run back). While that was great to see, and almost everyone was making a real effort to keep their distance, its only happened because of our government's curtailment of civil liberties. The ironic thing is that IF there is any significant risk of people passing on the virus when outdoors – which is what government claims to be concerned about – they have made this more likely by concentrating people into certain places and onto certain routes. Strangely enough, the longer I was out and the longer I ignored the government's advice to limit physical exercise to one hour, the fewer people I came across and the safer presumably, according to their logic, I got.

And over in Edinburgh.....

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Longniddry car park – which could have helped relieve pressure in Leith, one of the most densely populated places in Scotland



The Pentlands Regional Park is another huge open space that should have played a key role in the crisis helping people to get outdoors. It has been made almost completely inaccessible.



Similar advice to Glasgow but note the “*don't stop to eat or drink*” – advice worthy of a dictatorship. If this was in North Korea or the old eastern block countries our media would have had a field day. They have, mostly, been silent.



pentland hills regional park

Car park closures in the Regional Park

Following the government announcement on 23rd March 2020, the decision was taken to close car parks in the Pentland Hills Regional Park (PHRP).

The weekend of 21-22 March saw unprecedented numbers of visitors to the Pentland Hills, this caused road traffic safety issues, as well as a hugely increased risk of the Covid-19 virus being transmitted.

The key reason for closing all our car parks is to **restrict unnecessary travel**. This measure accords with Scottish and UK government guidance to help stop the spread of Covid-19 and keep our communities safe.

In addition, restricting vehicular journeys to the PHRP will help to:

- Prevent further gatherings of people in the hills, and the increased risk of Covid-19 virus transmission.
- Reduce pressure on the Emergency Services if a road accident were to occur.
- Reduce pressure on Mountain Rescue and other emergency services if you fall ill or get injured in a remote location. Mountain Rescue Services are run by volunteers and they may not be able to attend remote rescues if their volunteer base becomes depleted.
- Prevent the spread of Covid-19 virus in our farm communities – the PHRP is mainly a farming landscape. Reducing visitor numbers will help farm operations run with less worry over people management and the consequent increased risk of Covid-19 transmission.

We know it is inconvenient, and we know many of you still want to visit the Pentland Hills for your daily exercise. Under the government guidelines this is still acceptable, but you must not travel there by motorised vehicle. All Regional Park car parks are closed. This closure will be kept under review and accord with Scottish Government guidance.

DO NOT TRAVEL BY MOTORISED VEHICLE TO THE AREA. DO NOT PARK ON VERGES.

Please follow this guidance: hopefully we can all get back out to enjoy the Pentlands soon.

Thank you for your patience and understanding.

Footer Tagline

And this is a great example of blaming people for daring to go outdoors for their health:

- and what exactly is the risk of catching Covid-19 in the hills?
- and what did our Regional Parks and public authorities do to try and manage the numbers of visitors going out? .
- and in terms of reduce the pressure on emergency services what about the epidemic of ill-health, both physical and mental, which has contributed to the spike in death rates? How many people have died in Pentlands Regional Park over the last ten years? (A heart attack or two I guess).
- and as for farmers being worried ([see here](#)) is a single one of those concerns justified by evidence?

The cordon sanitaire isn't just around our two biggest cities, Glasgow and Edinburgh, though they illustrate the size of the issue best. The curtailment of civil liberties to go outdoors is across Scotland, from dense urban areas to small rural settlements. Nowhere does it make any sense.

What needs to happen (NB this updated since first published)

The Scottish Government this week refused (in response to a question from Neil Findlay MSP) to release the evidence about the transmission of the Covid 19 evidence being considered by its Advisory Group. The minutes, however, are recorded and that of 30th April stated that the Group was going to look at further evidence about the virus being spread outdoors. I was sceptical that anything would happen, however this is recorded for 4th May:

- 1. The Advisory Group discussed the evidence from SAGE [the UK Scientific Group for Emergencies] regarding outdoor transmission and agreed that, as the risk seems to be significantly lower than indoors, and the evidence is clear for the benefits of spending time outside, considering existing guidance on exercising outdoors as part of the overall consideration of any change to existing restrictions is advisable.*
- 2. The group agreed that clear messaging would be very important to avoid confusion in the case of any change. In particular, the message must be clear that people must still maintain distance and that hand hygiene and cough / sneeze etiquette would be more important than ever.*

At last some common sense/good science!

What our governments should do this week, as the first safe step towards release lockdown, is:

- Amend the regulations to allow people to go outdoors, whether it is for their physical or mental health, so long as physical distancing is observed. This should encompass ALL activities covered by access rights
- Amend all guidance that recommends the time people should spend outdoors is limited
- Allow other outdoor activities, where Physical distancing can be observed, from sports like golf to work in the countryside to re-start
- Relax the travel ban by allowing people to travel a reasonable distance to be outdoors (the Police Advice in England which advises that the travel time should be shorter than they time you spend

outside seems perfectly reasonable)

- Order all public authorities to open up their car parks again and put management arrangements in place where necessary to keep people safe in visitor hotspots.
- Re-open all public toilets to allow handwashing

Unfortunately, I am not convinced this will happen. The lockdown is being used by our governments to heap responsibility for all the deaths in the UK and Scotland onto the people, rather than taking responsibility for their own failures. Apart from crowded places like sports stadiums and railway platforms, where physical distancing couldn't be observed, the number of cases where the virus has been transmitted outdoors will have been minimal. Close contact or presence and hard surfaces that people touch regularly are the main reasons why the virus transmits. The restrictions on people going outdoors have never been justified. But they help divert people from the long list of our governments' failures which have caused and are still causing so many unnecessary deaths: care homes, the lack of PPE in hospital and care settings, allowing people into the country from airports without so much as a temperature check, the failure to set up contact tracing teams etc.

Because of this please consider lobbying MSPs and making them aware of the Advisory Group's advice that the restrictions on being outdoors could be safely relaxed so long as Physical Distancing is observed.

Category

1. Access rights

Tags

1. access rights
2. Covid-19
3. Scottish Government
4. visitor management

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