

Covid-19 – Police Scotland, Loch Lomond and the closure of the countryside

Description



People 'acting as if nothing going on' turn Loch Lomond into lockdown breach hotspot

Severin Carrell
Libby Brooks
Pamela Duncan

Politicians and police have urged the public to stay away from Loch Lomond after it emerged that thousands of people have breached the lockdown around the beauty spot.

The district, which includes the villages of Balloch and Luss on the banks of the loch, has the highest number of lockdown breaches of any in Scotland,

with police ordering 2,291 people in 30 days to go home.

Shopkeepers in Balloch, the centre of Loch Lomond's tourism industry, said the rush of visitors at weekends and on sunny days often dwarfed normal numbers.

"It's been really mad," said John Gray at Lomond Stores, close to the village's railway station. "Even on a normal summer's day it's not as busy as it has been these last few weeks. People are out with their pals as if there's nothing going on."

Robin Rankin, a house painter, said: "We saw the riot squad in the park. Police were turning people back at the station."

The local area of West Dunbartonshire accounted for 11% of the 21,487 lockdown breaches since Police Scotland began recording data by subdivision on 6 April, and the highest number of £60 fines issued, at 167.

The data shows breaches at weekends and on sunny days are increasing. On Wednesday 6 May, officers dispersed nearly 190 people in the area



▲ Janet Moore has covered up signs at her cafe advertising ice-creams



▲ House painter Robert Rankin saw police turning back visitors to Balloch

Anyone not knowing the River Leven might at first glance mistake the moored boats as showing that flocking to Loch Lomond.

- the highest number of lockdown breaches since the subdivision since the lockdown on 23 March.

Similar problems have been reported in Stirling, the largest town in the region, and in other parts of the eastern and northern regions, as well as in popular climbing areas.

Bruce Crawford, a Scottish National party MSP for the Glasgow, North East constituency, said: "The police have been trying to persuade people to stay away from the beauty spots. Officers have often oversteered and complained about it."

"The police have been sending a message from the top that people should stay away from Loch Lomond and that they should stay at home."

Crawford added that the police were not closing locations completely, but getting stronger compliance by encouraging people to be safe to do so.

Janet Moore, who runs a cafe and sells hot drinks and ice cream in Balloch, has covered up signs advertising ice-cream to avoid long queues. She said: "I don't want to see local people and tourists."

"But if I was doing it, I'd have been closed down," she says. "We're doing everything we can. As long as we can work and they can work, that's fine."

She added: "We're not key workers and we're not in hospital."

Police Scotland has consistently tried to prevent people from heading to the loch, including closing beaches in Ardsay and Troon, issuing fines, and speaking to the press and social media.

Chief Superintendent John Rankin said: "We have had a lot of officers had been out there every day. I have made it clear we are fortunate to have a lot of outstanding breaches, this is not the case," he said.



This story, which appeared in the Guardian last Saturday,

appears to have been placed by Police Scotland. It was headed by the quote – cut off in extract above – on the left. The article fails to answer the obvious question, why are the police saying *"This is not the time to visit our areas of outstanding beauty"*? It also appears to have been designed to mislead; and fails to consider the very real challenges faced by people locked down in urban areas

An interesting aspect of our governments management of the Covid-19 crisis has been the different responses of the Police in England and the Police in Scotland to laws which, until last week when in England the law was changed to allow people to leave their houses for their mental well-being, were almost identical ([see here](#)) . In England most of the police interpreted the law as allowing people to travel a reasonable distance for exercise, in Scotland generally they haven't. Indeed in some areas the Police appear to have been actively involved in closing down car parks to stop people travelling ([see here for case at Helensburgh seafront](#)) and even closing what are public roads.



This photo was taken in mid-April but I have no reason to believe the situation has changed

The legal basis for the closure of public car parks and public roads is not clear. If placed by the Police, the Guardian story provides another illustration of the harsher enforcement of the lockdown in the countryside in Scotland.

Lies, damned lies and statistics

The article is a demonstration of how statistics are being manipulated to create fear and concern. 11% of the 21,487 alleged “breaches” of the lockdown sounds more impressive than 2,363.57 (clearly a false figure) and a lot more than c78. That is average number of alleged breaches each day in the West Dunbartonshire Police District which includes Balloch, the busiest visitor hotspot in the National Park. 2,363 is not a lot compared to the 4 million people who visit the Loch Lomond and Trossachs

National Park each year and c78 not many compared to the thousands who normally visit Balloch on a sunny day.

The Guardian article refers to 21,487 “breaches” of the lockdown since 6th April without explaining what these are. The term “breaches” is in my view misleading. The Police Statistics ([see here](#)) are broken down into: “dispersed when informed”; “dispersed but only when instructed”; “dispersed using reasonable force”; “Issued an FPN” (Fixed Penalty Notice) and “Arrested”. They give no indication of why people were “dispersed”, fined or arrested, where the incident took place, whether if it was outdoors (and not a house party), whether the people counted came under their own steam or by car, or how far they had come. You cannot tell from the statistics how many of the “thousands of people” (actually c2,363 at the time) alleged to have breached the lockdown by visiting Loch Lomond were local people sitting on a park bench in the sun (now a criminal offence).

Challenged by the Police, few people dare contest the fact that their fundamental human rights are being breached because they are being prevented from going outside and, possibly talking to others, for their own mental well-being. They move on, rather than risking a fine or arrest. Hence why the Police record “dispersed when informed”. “Dispersed when instructed” appears to record the people who try to stand up for their rights but who then do what they are told, rather than be fined. I have extracted the statistics for the West Dunbartonshire, LA sub-division, up to 13th May ([see here](#)) and they show:

• dispersed when informed	2626
• dispersed but only when instructed	387
• dispersed using reasonable force	17
• Issued an FPN	177
• Arrested	4

How many of these people were actually risking spread of the virus by not keeping apart? We don’t know but I suspect very few.

Enforcement targeted at closing down the countryside

What’s happening at South Loch Lomond raises the issue about how the Covid19 Restrictions Regulations are being enforced. Running back through Maxwell Park on Glasgow Southside yesterday, I did a quick count. There were over 40 individuals or small groups of people sitting on the grass or benches in the sun. All committing criminal offences, but not a police officer in sight. If the police had been present and challenging people they would have been just as overstretched as the article claimed they are in Balloch. It appears the Police in Glasgow have taken a different approach.

What appears to be happening is police effort is being focused on stopping people getting out from the towns into the countryside where there is more space. I have had reports of ever tighter road blocks around the City of Edinburgh so that it’s now almost impossible to park anywhere near the Pentlands. Hence too why the West Dunbartonshire breach figures are a high proportion of Scotland’s total.

Our Public Authorities – and unfortunately our politicians – seem paranoid about the possibility of people “flocking” to beauty spots. As one of the most accessible beauty spots for the 1.5 million people who live in the Clyde conurbation, Loch Lomond appears to have been singled out for attention

and that in part explains West Dunbartonshire accounts for 11% of all Police Enforcement Action.

Is there really any problem?

In England last weekend the predicted surge in visitors to “beauty spots”, after the lockdown rules were relaxed to allow people to get outdoors more easily, never materialised. A photo was released and published in several newspapers ([see here](#)) claiming crowds at Dovedale, a beauty spot in the Peak District. It shows small groups of people collecting at the famous stepping stones across the river. The numbers are far far lower and less crowded together than the people queuing at my local Morrisons two days ago. If you discount the propaganda, it should be quite obvious that if people can get out of their cars safely in their local supermarkets and then queue apart to get in, they can manage any car park or path network in the countryside. Its much easier to negotiate your way round people on a footpath than it is on a supermarket aisle.

So, what about the claim in the article from John Gray of Lomond Stores that Balloch has been busier the last few weeks than it normally is on a summer's day? And what about Janet Moore reporting queues outside her shop and the abuse she has received because of this? Well, apart from this being good for the local economy, as long as people observe the physical distance rules, there is an explanation which the Guardian article failed to consider. The west of Glasgow is the worst area in the city for access to greenspace and neighbouring open space, such as Mugdock Country Park, has been effectively closed down to cars ([see here](#)). As a consequence, thousands of people have been forced onto the Forth Clyde Canal walkways and the cycle path out to Loch Lomond. Some get there. Others, seeking less crowded paths, drive as it's one of the few places close to Glasgow where it's still possible to park since, while our Public Authorities can close private car parks they cannot shut down on-street parking. After arrival, some of these people pop into the local shop to get refreshments. So what, as long as the queues are orderly and people keep their distance?

Outdoor recreation – the missed opportunity

If the Loch Lomond and Trossachs National Park Authority was worthy of its name it would have been re-assuring local people that visitors pose no risk as long as they stay apart, defending local shop keepers like Janet Moore from hate crime and deploying its Ranger service to enable people to enjoy the lochshores safely instead of turning this into a police matter. Rather than do this, which might involve some work, the LLTNPA is still putting out the message that Loch Lomond is off-limits ([see here](#)). That has never been the case since the beginning of lockdown. The Restriction Regulations have always allowed people to take unlimited physical exercise and now the Scottish Government's Guidance says that too. Yet the Park's Chief Executive, Gordon Watson, is effectively claiming that people shouldn't even be cycling out to Loch Lomond. Hasn't he heard of people going out for the day for exercise?

The failure of leadership here is fundamental and stems right back to the camping byelaws. Gordon Watson claims getting out can wait, as Loch Lomond will still be there. Meanwhile an epidemic of ill-health, both mental and physical, is sweeping Scotland as a direct consequence of the lockdown ([see here](#)).

What should have been the greatest opportunity Scotland has ever had to improve people's physical and mental health, by getting people outside when they couldn't go to work, has been turned into another health disaster. It will long outlast the Covid-19 crisis. The people our public authorities should be worrying about are not the 20% of the population who are trying to get out to the countryside – and can do so quite safely by staying apart – but the 80% who aren't.

Unfortunately, judging by Nicola Sturgeon's speech earlier in the week ([see here](#)), I don't expect the Scottish Government's unnecessary restrictions on outdoor recreation to change significantly before the end of May.

Category

1. Access rights
2. Loch Lomond and Trossachs

Tags

1. access rights
2. Camping bye laws
3. LLTNPA
4. Local communities
5. outdoor recreation
6. paths
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Author

nickkempe