

**OFFICIAL**

Our Ref: IM-FOI-2022-0046  
Date: 3 February 2022



**FREEDOM OF INFORMATION (SCOTLAND) ACT 2002**

I refer to your recent request for information which has been handled in accordance with the Freedom of Information (Scotland) Act 2002.

For ease of reference, your request is replicated below together with the response.

**During the early stages of the pandemic/1st lockdown, Police Scotland blocked off driver access to a number of areas; in relation to North Ayrshire, this involved beach access (i.e Stevenston beach was blocked off (Shore Road to Stevenston Point, just after Clark Crescent), Saltcoats Harbour etc).**

**Could Police Scotland please provide details of what permissions (legally, legislatively etc) they had/believed they had, allowing for closing off access to public areas for drivers.**

**For the avoidance of doubt, I'm looking for specific legislation that granted the Police powers to close off these areas (i.e were closures legal/illegal).**

I can advise you that Police Scotland does not hold the information requested. In terms of Section 17 of the Act, this letter represents a formal notice that information is not held.

By way of explanation, Ayrshire Division have advised that Police Scotland did not block off access in the Stevenston or Saltcoats areas (beaches, car parks or otherwise) apart from an operational decision due to an ongoing incident, which was not related to Covid-19.

North Ayrshire Council, in keeping with the approach taken by South and East Ayrshire Councils did close local authority car parks and toilets etc.

The matter was discussed at the weekly Covid-19 meetings with partners in North Ayrshire, including legal and a number of other departments from the local authority and Chief Inspector Shaw was fairly resolute that it required to be a council decision in terms of which closures they implemented. Similarly, when the areas were being opened up again the decision to do so lay with the local authority.

By way of assistance, I have provided the link below to North Ayrshire's website who maybe able to provide further information.

<https://www.north-ayrshire.gov.uk/council/access-to-information/foi.aspx>

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Should you require any further assistance concerning this matter please contact Information Management – Glasgow at [foiglasgow@scotland.police.uk](mailto:foiglasgow@scotland.police.uk) quoting the reference number given.

If you are dissatisfied with the way in which Police Scotland has dealt with your request, you are entitled, in the first instance, to request a review of our actions and decisions.

Your request must specify the matter which gives rise to your dissatisfaction and it must be submitted within 40 working days of receiving this response - either by email to [foi@scotland.police.uk](mailto:foi@scotland.police.uk) or by post to Information Management (Disclosure), Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH.

If you remain dissatisfied following the outcome of that review, you are thereafter entitled to apply to the Office of the Scottish Information Commissioner within six months for a decision. You can apply [online](#), by email to [enquiries@itspublicknowledge.info](mailto:enquiries@itspublicknowledge.info) or by post to Office of the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife, KY16 9DS.

Should you wish to appeal against the Office of the Scottish Information Commissioner's decision, there is an appeal to the Court of Session on a point of law only.

As part of our commitment to demonstrate openness and transparency in respect of the information we hold, an anonymised version of this response will be posted to the Police Scotland Freedom of Information [Disclosure Log](#) in seven days' time.