



**SUFFOLK
CONSTABULARY**
Taking pride in keeping Suffolk safe

Freedom of Information Request Reference N°: FOI 003002-19

I write in connection with your request for information received by Suffolk Constabulary on the 19 August 2019 in which you sought access to the following information:

"I am greatly concerned by the problems caused to pedestrians by the parking of motor vehicles on pavements in Ipswich.

It is on the basis of this concern that I am asking you to provide information on what use Suffolk Police make of Highways Act 1835 s.72 (which makes it an offence to 'wilfully to ride or drive on the footway').

I note that the 'House of Commons Briefing Paper SN01170' (page 5) states that this offence applies 'even though the driving may last only for a few seconds (McArthur v Jack 1950 S.C.(J.) 29)'.

Could you please tell me how many prosecutions Suffolk Constabulary made under this law in Ipswich during the calendar year 2018 (or for Suffolk County if that is easier).

Of these, please tell me how many related to driving a vehicle on a footway next to a carriageway on which motor vehicles were allowed (thereby excluding offences that took place on footpaths, bridleways and other thoroughfares along which motor traffic is banned).

This second question is vitally important to my enquiry given that Highways Act 1835 s.72 is more commonly used to prosecute people for riding motorbikes and mopeds on rural footpaths and bridleways. It is for this reason that I have constrained my query to one year and one district to make it easier for to do a brief manual review of the cases as this is required to ascertain the above."

Response to your Request

The response provided below is correct as of 28 August 2019

Suffolk Constabulary has considered your request for information and the response is below.

The Constabulary has completed a search of the Central Ticket Office database for all offences recorded under Section 72 of the Highways Act 1835, offence code HY35001 Drive / ride a motor vehicle on a footpath / causeway beside a road

During 2018 there were not any tickets for that offence issued in Ipswich.



Please note that parking in Ipswich Town Centre has been decriminalised and tickets can be issued by the Borough Council so we would suggest this request is also sent to Ipswich Borough Council.

Should you have any further queries concerning this request, please contact Clair Pack, FOI Decision Maker, quoting the reference number shown above.

A full copy of the Freedom of Information Act (2000) can be viewed on the 'Office of Public Sector Information' web-site;
<http://www.opsi.gov.uk/>

Suffolk Constabulary is not responsible for the content, or the reliability, of the website referenced. The Constabulary cannot guarantee that this link will work all of the time, and we have no control over the availability of the linked pages.



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Your Right to Request a Review of Decisions Made Under the Terms of the
Freedom of Information Act (2000).

If you are unhappy with how your request has been handled, or if you think the decision is incorrect, you have the right to ask Suffolk Constabulary to review their decision.

Ask Suffolk Constabulary to look at the decision again.

If you are dissatisfied with the decision made by Suffolk Constabulary under the Freedom of Information Act (2000), regarding access to information, you must notify Suffolk Constabulary that you are requesting a review within 40 working days of the date of its response to your Freedom of Information request. Requests for a review should be made in writing and addressed to:

*Freedom of Information Decision Maker
Information Management Department
Suffolk Constabulary
Police Headquarters
Martlesham Heath
Ipswich
Suffolk
IP5 3QS
OR
Email: information@suffolk.pnn.police.uk*

In all possible circumstances Suffolk Constabulary will aim to respond to your request for us to look at our decision again within 20 working days of receipt of your request for an internal review.

The Information Commissioner.

After lodging a request for a review with Suffolk Constabulary, if you are still dissatisfied with the decision, you can apply to the Information Commissioner for a decision on whether the request for information has been dealt with in accordance with the requirements of the Act.

For information on how to make application to the Information Commissioner please visit their website at www.ico.org.uk or contact them at the address shown below:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Telephone: 01625 545 700