

Street Racing – Seize It, Confiscate It, Crush It

This Council notes that:

- Illegal street racing, dangerous driving and vehicle-related anti-social behaviour can cause significant noise, intimidation and disruption to residents, while placing pedestrians, other motorists, spectators and those taking part at serious risk.
- Residents should be able to enjoy their homes and communities without public roads being treated as racetracks by a reckless minority.
- Police already possess powers under section 59 of the Police Reform Act 2002 to seize vehicles being used in an anti-social manner, and those powers have recently been strengthened by Parliament by removing the previous requirement for a warning before seizure in qualifying circumstances.
- However, seizure does not necessarily mean permanent confiscation. Under the current system, vehicles seized using a number of police powers may ultimately be reclaimed once the relevant legal requirements and recovery charges have been met.

This Council believes that:

- Illegal street racing is not a harmless hobby or a minor motoring infringement. Deliberately using a public highway as a racetrack endangers innocent people, causes fear and intimidation within communities and shows contempt for other road users and residents.
- The law should provide a substantially stronger deterrent against those who deliberately use vehicles for illegal street racing.
- Where a court is satisfied that a vehicle has been deliberately used in illegal street racing, the offender should face the prospect of permanently losing that vehicle, in addition to any fine, driving disqualification, penalty points or custodial sentence imposed for the underlying offence.
- There should be appropriate safeguards for innocent third-party owners, including cases involving stolen vehicles, vehicles used without the owner's consent, legitimate hire or leasing arrangements, and other circumstances where confiscation would unjustly penalise someone who was not responsible for the offence.
- Subject to those safeguards and the completion of any criminal proceedings, vehicles permanently forfeited as a consequence of illegal street racing should be capable of being destroyed and crushed rather than returned to the offender.

This Council resolves to:

- Call on the Government to legislate so that, following conviction and subject to appropriate judicial safeguards, courts have clear powers to order the permanent confiscation of vehicles used for illegal street racing.
- Call for vehicles permanently forfeited under such a regime to be capable of being destroyed and crushed, rather than subsequently being returned to the offender.
- Support appropriate statutory protections for genuinely innocent third parties, including owners whose vehicle has been stolen or used without their knowledge or consent.
- Request that the Leader of the Council writes to the three Labour Members of Parliament representing communities within Newcastle-under-Lyme Borough - Adam Jogee MP, David Williams MP and Leigh Ingham MP - asking each of them to publicly support this campaign and to co-sign a joint cross party letter calling for this change in the law.
- Subject to the response of those Members of Parliament, request that the Leader seeks to send a joint cross-party letter, co-signed by the Leader and participating local MPs, to the Home Secretary and Secretary of State for Transport, calling on the Government to introduce the necessary legislation.
- If any of the three MPs declines to support or co-sign the proposed letter, request that the Leader nevertheless writes to the Home Secretary and Secretary of State for Transport on behalf of the Council setting out the Council's agreed position and seeking a formal Government response.
- Send a copy of this motion to Staffordshire Police and the Staffordshire Commissioner for Police, Fire & Rescue and Crime, inviting them to support the principle of stronger national powers against illegal street racing and permanent forfeiture for the most serious offenders.
- Reaffirm this Council's commitment, working through the Newcastle-under-Lyme Community Safety Partnership and alongside Staffordshire Police and other partners, to tackling dangerous and anti-social use of vehicles and supporting robust enforcement action against those whose behaviour causes fear, danger and misery for residents.