

## Croydon LBC v Persons Unknown

Queen's Bench Division

30 September 2016

### Case Analysis

#### Where Reported

unreported;

#### Case Digest

**Subject:** Nuisance **Other related subjects:** Road traffic; Local government

**Keywords:** Dangerous driving; Drivers; Injunctions; Motorcycles; Public nuisance

**Summary:** The High Court granted a local authority an injunction to prevent motorcyclists and car drivers from engaging in illegal street racing. The activity was dangerous and a public nuisance, and other attempts to prevent it had failed.

**Abstract:** The applicant local authority applied for an injunction against persons unknown, namely car drivers and motorcyclists engaging in illegal street racing.

The local authority's case was that a large number of motorcyclists and drivers would regularly congregate in the local area at events known as "car cruises" and drive dangerously, at high speed and without regard to members of the public. Drivers often removed their number plates in order to avoid identification by the police. Further, loud noises were generated from engines, exhausts, tyres and the use of stereo systems. Drivers often acted in an intimidating manner if challenged. An injunction had previously been granted in 2013 to deal with the problem, and had been effective. However, it had not been extended as it was mistakenly believed that new powers would be able to deal with the issue.

The local authority submitted that the defendants' conduct was illegal and a public nuisance.

**Held:** Application granted.

It was appropriate to grant the injunction. Racing and performing stunts in the street were dangerous for the participants and the public. There had been numerous recent crashes: one motorcyclist had been killed, a 13-year old boy who had been riding a motorcycle without a helmet had broken his leg, and a participant had ended up on life support. The owner of a nearby hotel had explained the impact it had had on business. The activity constituted a serious public nuisance. There had been complaints from the public, the problem was getting worse, and other attempts to curb the racing had been unsuccessful.

**Judge:** Mrs K Steyn QC

**Counsel:** For the applicant: Kuljit Bhogal.

