

B E T W E E N:

- 1. WOLVERHAMPTON CITY COUNCIL**
- 2. DUDLEY METROPOLITAN BOROUGH COUNCIL**
- 3. SANDWELL METROPOLITAN BOROUGH COUNCIL**
- 4. WALSALL METROPOLITAN BOROUGH COUNCIL**

Claimants

-and-

1. PERSONS UNKNOWN WHO PARTICIPATE BETWEEN THE HOURS OF 3:00PM AND 7:00AM IN A GATHERING OF 2 OR MORE PERSONS WITHIN THE BLACK COUNTRY AREA SHOWN ON PLAN A (ATTACHED) AT WHICH SOME OF THOSE PRESENT ENGAGE IN MOTOR RACING OR MOTOR STUNTS OR OTHER DANGEROUS OR OBSTRUCTIVE DRIVING

2 PERSONS UNKNOWN WHO PARTICIPATE BETWEEN THE HOURS OF 3:00PM AND 7:00AM IN A GATHERING OF 2 OR MORE PERSONS WITHIN THE BLACK COUNTRY AREA SHOWN ON PLAN A (ATTACHED) WITH THE INTENTION OR EXPECTATION THAT SOME OF THOSE PRESENT WILL ENGAGE IN MOTOR RACING OR MOTOR STUNTS OR OTHER DANGEROUS OR OBSTRUCTIVE DRIVING

3. PERSONS UNKNOWN PROMOTING ORGANISING PUBLICISING (BY ANY MEANS WHATSOEVER) ANY GATHERING BETWEEN THE HOURS OF 3:00PM AND 7:00AM OF 2 OR MORE PERSONS WITH THE INTENTION OR EXPECTATION THAT SOME OF THOSE PRESENT WILL ENGAGE IN MOTOR RACING OR MOTOR STUNTS OR OTHER DANGEROUS OR OBSTRUCTIVE DRIVING WITHIN THE BLACK COUNTRY AREA SHOWN ON PLAN A (ATTACHED)

4. PERSONS UNKNOWN BEING DRIVERS, RIDERS OR PASSENGERS IN OR ON MOTOR VEHICLE(S) WHO PARTICIPATE BETWEEN THE HOURS OF 3:00PM AND 7:00AM IN A GATHERING OF 2 OR MORE PERSONS WITHIN THE BLACK COUNTRY AREA SHOWN ON PLAN A (ATTACHED) AT WHICH SUCH DEFENDANTS ENGAGE IN MOTOR RACING OR MOTOR STUNTS OR OTHER DANGEROUS OR OBSTRUCTIVE DRIVING

5. Mr ANTHONY PAUL GALE

6. Miss WIKTORIA SCZCUBLINSKA

7. Mr ISA IQBAL

8. Mr MASON PHELPS

Defendants

**CLAIMANTS' APPLICATION FOR INJUNCTIVE RELIEF
BUNDLE OF DOCUMENTS FOR USE AT A HEARING LISTED 27 FEBRUARY AND
28 FEBRUARY 2024**

SUPPLEMENTARY BUNDLE

A. Supplemetary Documents

1.	Skeleton Argument for Hearing on 27 February 2024	A 1 - A 20
2.	Receipt for Filing Skeleton Argument 21 02 24 1339 hrs	A 21
3.	Draft Claim Form Form N208 Late Feb 2024	A 22 - A 23
4.	Amended Particulars of Claim version 6	A 24 - A 38
5.	Draft Final Injunction (Black Country Claimanats)	A 39 - A 50
6.	Indices	A 51 - A 73
7.	Plan A	A 74
8.	Power of Arrest (Black Country Claimants) version 7	A 75 - A 77
9.	Plan A	A 78
10.	Directions (Black Country Injunction) for Hearing 27 February 2024	A 79 - A 91
11.	Pardip Sandhu February statement 6 20 02 24	A 92 - A 96
12.	Exhibit PS4 New Signage in Sandwell February 2024	A 97 - A 99
13.	Receipt filing 6th statement of Pardip Sandhu 20 02 24 1130 hrs via CE File	A 100
14.	Order from hearing 04 October 2024	A 101 - A 114

A. Supplementary Documents

Claim No. KB-2022-BHM-000188
IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION
BIRMINGHAM DISTRICT REGISTRY

B E T W E E N:-

1. WOLVERHAMPTON CITY COUNCIL
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COUNCIL
3. SANDWELL METROPOLITAN BOROUGH
COUNCIL
4. WALSALL METROPOLITAN BOROUGH
COUNCIL

Claimants

-and-

PERSONS UNKNOWN
& NAMED DEFENDANTS

Defendant

SKELETON ARGUMENT ON
BEHALF OF THE CLAIMANTS

Wolverhampton City Council,
Legal Services,
Civic Centre,
St Peter's Square,
Wolverhampton

Ref: LIJ017753P/01201576

Solicitor for the Claimants

IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION
BIRMINGHAM DISTRICT REGISTRY

Claim No. KB-2022-BHM-000188

For Hearing 27 February 2024 at 10.30am

In the matter of an application for an injunction under s.222 Local
Government Act 1972 and s.130 of the Highways Act 1980

B E T W E E N:-

1. WOLVERHAMPTON CITY COUNCIL
2. DUDLEY METROPOLITAN BOROUGH COUNCIL
3. SANDWELL METROPOLITAN BOROUGH COUNCIL
4. WALSALL METROPOLITAN
BOROUGH COUNCIL

Claimants

-and-

PERSONS UNKNOWN &
NAMED DEFENDANTS

Defendants

SKELETON ARGUMENT ON
BEHALF OF THE CLAIMANTS

Preliminary

1 The following matters are before the court:

- (1) The Claimants' application for a final injunction (with ancillary Power of Arrest); and

- (2) The Claimants' application to join a defendant, following the conclusion of contempt proceedings.
- 2 It should be noted that the final injunction sought is in broader terms than the current interim injunction.

Housekeeping

- 3 The Claimants have filed 5 bundles of evidence:
 - (1) Volume 1: material specifically filed for this hearing and the application to join a further defendant.
 - (2) Volume 2: material before the court when the application was first considered by Hill J on 22 December 2002 and on review by Freedman J on 6 & 13 February 2023.
 - (3) Volume 3: material before the court for a review hearing, held on 15 May 2023, before Ritchie J.
 - (4) Volume 4: material before the court for a review hearing held on 4 October 2023, before HHJ Kelly.
 - (5) Volume 5: material before the court for a further review hearing held on 20 December 2023, before HHJ Kelly.
- 4 For ease of reference the following convention has been applied.
Pages with a bundle are identified by volume number, then page

number and, if appropriate paragraph number e.g. [v1/B2/1] refers to volume 1, page B2 para 1.

History & Background

- 5 On 1 December 2014 HHJ Owen QC granted an injunction to restrain car cruising *Wolverhampton & Others v Persons Unknown* [2014] (Claim No A90BM228). [v2/H409] That injunction ('the Original Injunction') was subsequently renewed by HHJ McKenna on 9 January 2018 [v2/H414].
- 6 The Original injunction was in effect from 2 February 2015 until 1 February 2021.
- 7 Although application was made to further extend the order such application was adjourned following the first instance decision of Nicklin J in *Barking & Dagenham v Persons Unknown* [2021] EWHC 1201 (QB).
- 8 Following the decision of the Court of Appeal in *Barking & Dagenham*, reversing Nicklin J, it was apparent that the legal landscape has altered considerably since 2014 and a fresh application would be more appropriate (and likely to accord with the current

guidance) rather than attempting to amend and extend the Original Injunction.

- 9 The Claimants aver that the Original Injunction caused or contributed to a substantial reduction in car cruising in the Black Country and the committal proceedings brought for breach of the Original Injunction served as a deterrent to persons contemplating car cruising.
- 10 The Original Injunction did not eliminate car cruising but did cause a decrease in such activity. Since the order lapsed there has been a marked increase.

The impact of the Original Injunction

The position after 2014

- 11 The injunction which Judge Owen QC granted was successful in that it led to a significant reduction in car cruising, albeit such behaviour was not eliminated. See in particular:

(1) First witness statement of Pardip Nagra [v2/B12/32-B14/42]

- (2) First witness statement of PC Campbell [v2/B201/71]
- (3) First witness statement of Pardip Sandhu [v2/C7/6]
- (4) First witness statement of Steve Gittins [v2/C39/3]
- (5) First witness statement of PS Lee Plant [v2/C55-C73]
- (6) First witness statement of Jennifer Bateman [v2/D10/8-D11/14].

The position after expiry of the Original Injunction

12 Please see:

- (1) First witness statement of Pardip Nagra [v2/B15/43-B18/55; B19/59; &B21/70;]
- (2) First witness statement of PC Campbell [v2/B201/72-73]
- (3) First witness statement of Pardip Sandhu [v2/C8/13]
- (4) First witness statement of Jennifer Bateman at paras 8-11 [v2/D10/8-D11/11]
- (5) First witness statement Steve Gittins [v2/C40/6-C41/10]
- (6) First witness statement of Margaret Clemson [v2/D3].
- (7) First witness statement of Teja Sikhu [v2/D7]
- (8) First witness statement of Richard Hubbard Harris [v2/E16/4-E17/8]

- (9) Second witness statement of Richard Hubbard Harris [v2/E28/5-E32/12]
- (10) First witness statement of John Slater-Kiernan [v2/E53/3-E54/7]

The position since the grant of the interim injunction by Hill J

13 Please see:

- (1) Seventh witness statement of Pardip Nagra [v1/B2/3-B3/8]
- (2) Fifth witness statement of Pardip Sandhu [v1/B18/3-B19/10]
- (3) Fourth witness statement of Mark Wilson [v1/B79/5]
- (4) Second witness statement of Steve Gittins [v1/B84/5-B85/8]
- (5) Second witness statement of PC Campbell [v3/B23/4-B24/5]
- (6) Fourth Witness statement of Pardip Nagra [v4/B2/3-B3/8]
- (7) Second witness statement of Steve Gittins [v4/B-22/5-B22/7]
- (8) Third witness statement of PC Campbell [v4/ B28/11-B28/12]

14 Since the grant of the interim injunction the Claimants have brought 5 sets of committal proceedings. These are set in tabular form at [v1/B92-B93] and fuller details are at [v1/section F].

- 15 In summary while the making and enforcement of an Injunction is not quite a 'silver bullet' it has had the effect of reducing car cruising and deterring participation.

The Law

- 16 In *Wolverhampton CC v Emeka-Uduh* [2023] UKSC 47 the Supreme Court considered the appeal from the Court of Appeal in *Barking & Dagenham v Persons Unknown*.
- 17 In a unanimous judgment the court determined that the 'newcomer' injunction did not fit within existing categories of injunctive relief but nonetheless the courts had jurisdiction to make such orders binding persons who were not party to the proceedings.
- 18 At para 238 Lord Reed giving the Court's judgment summarised their conclusions.
- (1) A court may grant an injunction against newcomers i.e. "persons unknown".
 - (2) Such orders will bind anyone who has notice of them.
 - (3) In deciding whether to grant an order the court will consider:
 - (a) If existing remedies are inadequate;

- (b) Substance rather than form;
 - (c) Remedies should be flexible;
 - (d) New circumstances will require new remedies not necessarily constrained by rules or procedure.
- (4) Specific considerations will apply to orders against Travellers.
- 19 Since the decision of the Supreme Court a number of cases have come before the High Court where applications for injunctive relief have been made against persons unknown.
- 20 In *Multiplex Construction Europe v Persons Unknown* [2024] EWHC 239 (KB) Ritchie J identified (at para 10 et seq) 13 factors that needed to be addressed, albeit in the context of an interim application. Those factors are considered below

Analysis & Application

1 – Substantive requirements

- 21 There must be a civil cause of action identified in the claim form and particulars of claim.
- 22 In this case the conduct complained of is identified in Particulars of Claim [v5/A52/25-A54/25G] namely: the commission of criminal offences; public nuisance; and interference with Convention Rights.

23 It is worth noting the observation of Lawton LJ Court of Appeal in *Stoke-on-Trent Council v B&Q Ltd* [1984] 1 Ch 1 at 23H that it is

in everyone's interest, and particularly so in urban areas, that a local authority should do what it can within its powers to establish and maintain an ambience of a law-abiding community; and what should be done for this purpose is for the local authority to decide.

2 – Sufficient evidence to prove the claim

24 It is respectfully submitted that there is ample evidence to prove the claim. The proved contempts alone would be more than sufficient. However, the evidence set out above makes clear the nature and extent of the problem.

3 – Whether there is a realistic defence

25 As set out in the Particulars of Claim there can be no lawful justification for behaviour of the kind sought to be restrained. It is criminal, tortious and dangerous.

4 – The balance of convenience and compelling justification

“It is necessary for the Court to find, in relation to a final injunction, something higher than the balance of convenience, but because I am not dealing with the final injunction, I am dealing with an interlocutory injunction against PUs, the normal test applies. Even if a higher test applied at this interlocutory stage, I would have found that there is

compelling justification for granting the *ex parte* interlocutory injunction, because of the substantial risk of grave injury or death caused not only to the perpetrators of high climbing on cranes and other high buildings on the Site, but also to the workers, security staff and emergency services who have to deal with people who do that and to the public if explorers fall off the high buildings or cranes.” Ritchie J at para 15

26 In the instant case there is not only a risk of grave injury or death, it has actually occurred:

- (1) PC Campbell [v1/C3/10] provides details of five fatalities in the West Midlands. The events in November 2022 occurred in Sandwell (the Third Claimant)
- (2) The interim order has reduced car cruising and disrupted such activities [v1/C5/17]

5 – Whether damages are an adequate remedy

27 It is submitted that this is not the case, as the Claimants are local authorities acting for the benefit of residents, no claim for damages is brought and is difficult to see how the local authorities could formulate such a claim.

6 – The procedural requirements

28 The PUs must be clearly identified and plainly identified by reference to:

- (1) the tortious conduct to be prohibited and that conduct must mirror the torts claimed in the claim form; and
- (2) clearly defined geographical boundaries if that is possible.

29 These requirements have been satisfied. While the geographical area concerned is substantial (all four local authority areas) it is submitted that this is necessary given that by its very nature street racing is a mobile activity that has occurred at multiple locations and can relocate easily.

7 – The terms of the injunction

30 The prohibitions have been set out in clear words.

31 The additional prohibitions that go beyond the interim order namely those apply to spectators and organisers are clear and the need for such prohibitions is considered below.

8 – Prohibitions must match the pleaded claim

32 In this case they do.

9 – The geographical boundaries

33 Plan A [v1/A40] appended to the orders and Statement of Case is very clear.

10 – Temporal limits - duration

34 As the evidence demonstrates once an injunction is no longer in force the behaviour complained of reoccurs in short order. It is submitted that a renewable three-year term (with annual reviews) provides appropriate balance to allow the injunction to work without the risk that it becomes permanent.

11 – Service

35 The requirements for and evidence as to the service of this application and proposed service of the Final injunction are set out in:

- (1) the Combined Directions Order made by HHJ Kelly on 20 December 2023 [v1/E7/7-E9/8];
- (2) the 18th witness statement of Paul Brown [v1/D1-D28]; and
- (3) draft Final Order read with the filed directions order.

12 – The right to set aside or vary

36 This is explicitly provided for in the draft Final order and has always been a feature of the interim order

13 – Review

37 This is explicitly provided for in the draft Final order.

Further Considerations

38 These matters did not arise before Ritchie J in *Multiplex* but require consideration in light of the Supreme Court's judgment.

Traveller Cases

39 The Supreme Court recognised that travellers are a vulnerable group to whom particular duties are owed (see para 190-203).

40 This is not the situation in the instant case. No duties are owed to facilitate street racing nor are there competing convention rights.

41 Further, in protester cases there will be a need to take account of Convention rights. This is not a protester case.

Adequacy of Existing Remedies

42 It has been suggested that there are a number of possible existing remedies.

- (1) The Criminal Law
- (2) Public Spaces Protection Orders
- (3) Byelaws

Criminal Law

- 43 The criminal law is reactive. The Claimants seek a remedy that is proactive. Such action is endorsed by the police [v1/C11/39]. Penalties for breaking the criminal law are varied and sometimes provide only limited deterrence e.g. speeding fine and penalty points.
- 44 The shortcomings of a purely crime-based approach are described by PC Campbell [v1/C17/59-C18/65].
- 45 *Stoke-on-Trent Council v B&Q Ltd* [1984] 1 Ch 1 (noted above) was a case where the criminal law (the Shops Act 1950) had proved ineffective at deterring Sunday trading where the defendants were likely to continue deliberately and flagrantly ignoring the law.

Public Spaces Protection Orders

- 46 This is already the subject of authority. In *Sharif v Birmingham CC* [2020] EWCA Civ 1488 (a car cruising case) Bean LJ rejected the suggestion that because a PSPO was available an injunction could not be granted commenting at para 39:

a PSPO might well be ineffective. Breach of a PSPO is a non-arrestable offence carrying only a financial sanction (whether by prosecution or by service of a fixed penalty notice). As one item of evidence (among many) mentioned by

Mr Bird records, "a caller complains that the vehicles go when police arrive and simply return when the police have moved on". There may also be potential difficulties about what does or does not constitute a "public space"; how large that public space can be; and whether a PSPO can properly cover the activities of those who organise or advertise street cruises.

47 See also witness statement of Pardip Nagra [v1/B8/31-B9/35] & appended Briefing Note [v1/B106-B116]

48 Further a PSPO is likely to be impracticable [v1/C19/66]

Byelaws

49 In light of concerns expressed by the Supreme Court (see paras 209-216) the Claimants have examined the availability and utility of byelaws in car cruising cases. See witness statement of Pardip Nagra [v1/B9/35- B10/39] and appended Briefing Note [v1/B106-B116]

Prohibitions Sought

50 The Claimants have always sought an injunction that would cover the activities of those who attend and spectate at car meets. The

evidence of PC Campbell [v1/C6/22-C10/33 & C14/45-C16/55] and the video evidence in particular show the effects of large crowds on the driving of 'active participants'.

51 Concern has been expressed that innocent bystanders might be 'caught up' by the injunction. Respectfully it is submitted that such concerns can be alleviated by the following protections:

- (1) The burden and standard of proof. The Claimants would need to prove 'participation' rather than mere presence to the criminal standard. The dog-walker crossing a car-park or pedestrian waiting to cross the road would not be at risk.

Of course if they were seen at events on multiple occasions such an explanation might lack credibility.

- (2) Similar Considerations apply to planners. There would have to be credible evidence of their involvement in the planning and organisation of events before committal could be initiated.

The sophisticated nature of the organising of street cruises is set out within the witness statement of PC Campbell [v1/C13/44-C16/54].

- (3) No Power of Arrest is sought to be attached to these prohibitions so there is no danger of an arrest and overnight detention.

Power of Arrest

52 A Power of Arrest may be attached to an injunction, under s.27 Police and Justice Act 2006 if :

- (1) a local authority is a party by virtue of s.222 Local Government Act 1972;
- (2) the prohibited conduct is capable of causing nuisance or annoyance to a person; and
- (3) the court thinks that either–
 - (a) the conduct mentioned in subsection (2) consists of or includes the use or threatened use of violence, or
 - (b) there is a significant risk of harm to a person.

53 It is submitted that the criteria are fulfilled and the availability of the Power of Arrest is essential to the efficacy of the prohibition ('active participants') to which it has been and will be attached.

Rebecca Richold

54 This is a discrete application and relevant material is set out at section G of volume 1.

55 The issue can be stated shortly. Following a committal hearing on 9 January 2024 [v1/G32] where the Respondent admitted that she had breached the Interim Injunction the court imposed a suspended custodial sentence and costs .

56 However, the Respondent was not added as a party to the claim. Indeed no application to do so appears to have been made. The upshot is that the Respondent has a 'get out of jail free card'. She is no longer an unknown person nor is she named as a defendant.

57 The application is made to correct the unsatisfactory situation. The Respondent has been informed of this hearing [v1/G25 & G27]

Conclusions

58 The claimants submit that in light of the evidence there is good reason to:

- (1) grant an injunction in the terms sought;
- (2) attach a Power of Arrest to the fourth prohibition; and
- (3) join Rebecca Richold as a party.

MICHAEL SINGLETON

(Counsel for the Claimants)

21 February 2024

E-Filing Submission Confirmation

The following electronic filing(s) were successfully submitted. Please keep a copy of this confirmation for your records.

Submitted Number 1344241708522772372

Submitted Date 21-02-2024 01:39 PM

Filings Submitted:

Court	Case Number	Matter/Ref. Number	Filing Type(s)	Documents	Fees
Birmingham	KB-2022-BHM-000188	LIT/AS/LIJ017753P	Filing - Skeleton Argument	1	£ 0.00
<u>Total</u>					<u>£ 0.00</u>

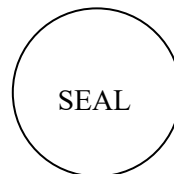


Claim Form (CPR Part 8)

In the	High Court of Justice, King's Bench Division, Birmingham District Registry
Claim no.	KB-2022-BHM-000188
Fee Account no.	PBA0082797
Help with Fees – Ref no. (if applicable)	H W F - <input type="text"/> - <input type="text"/>

Claimant

- (1) WOLVERHAMPTON CITY COUNCIL
- (2) DUDLEY METROPOLITAN BOROUGH COUNCIL
- (3) SANDWELL METROPOLITAN BOROUGH COUNCIL
- (4) WALSALL METROPOLITAN BOROUGH COUNCIL



Defendant(s)

(1-4) PERSONS UNKNOWN AS DESCRIBED IN THE ATTACHED AMENDED PARTICULARS OF CLAIM

- (5) ANTHONY PAUL GALE
- (6) WIKTORIA SZCZUBLINSKA
- (7) ISA IQBAL
- (8) MASON PHELPS
- (9) REBECCA RICHOLD

Does your claim include any issues under the Human Rights Act 1998?

Yes

☒ No

Details of claim (see also overleaf)

The Claimants respectfully invite the honourable court to grant injunctive relief (reinforced with a power of arrest) pursuant to the Court's powers under section 37(1) Senior Courts Act 1981, to restrain street racing and associated dangerous driving activities in the Black Country Area (which the Claimants define for the purposes of this injunction application, as the entirety of the combined local government areas of Dudley, Sandwell, Walsall and Wolverhampton Councils).

Should the honourable court be minded to grant the injunctive relief sought by the Claimant, the Claimants further invite the Court to exercise the discretion granted to it pursuant to rule 81.8 of the Civil Procedure Rules and dispense with the requirement to serve any injunction and power of arrest on Persons Unknown personally and instead serve any injunction and power of arrest granted by alternative means.

Full details of the Claim, together with draft orders and further details of the requisite steps the Claimants suggest would achieve effective alternative service of the order should the honourable court be minded to grant any injunction and power of arrest on persons unknown, and should the honourable court further be minded to permit the Claimants to serve any order by alternative means to personal service, are particularised in the attached documentation.

Defendant's name and address

(1-4) PERSONS UNKNOWN (as described in the Amended Particulars of Claim)
(5) Mr ANTHONY GALE (care of Messrs Waldrons Solicitors)
(6) Miss WIKTORIA SZCZUBLINSKA (care of Messrs Charles Strachan Solicitors)
(7) Mr Isa Iqbal (care of Messrs Waldrons Solicitors)
(8) Mr MASON PHELPS
(masonphelpsb36@hotmail.co.uk)
(9) Ms Rebecca Richold (Apartment 6, Portland Point, Armstrong Drive, Worcester, WR1 2GE)

	£
Court fee	569.00
Legal representative's costs	T.B.A.
Issue date	

For further details of the courts <http://www.gov.uk/find-court-tribunal>.

When corresponding with the Court, please address forms or letters to the Manager and always quote the claim number.

Claim no.	KB-2022-BHM-000188
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Details of claim (*continued*)

The Claimants would respectfully draw attention to the attached amended particulars of claim for full details of this claim.

Statement of Truth

The Claimants believe that the facts stated in these particulars of claim are true. **I am authorised** by the Claimants to sign this statement.

The Claimants understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Full name DAVID PATTISON

Name of claimants' legal representative's firm Legal Services, Wolverhampton City Council

signed _____

Claimants' Legal representative (as defined by CPR 2.3(1))

position or office held: Chief Operating Officer
(if signing on behalf of firm or company)

Date

FEBRUARY 2024

"BLACK COUNTRY CAR CRUISE"
Wolverhampton City Council, Civic Centre, St Peter's
Square, Wolverhampton WV1 1RG
DX744350 Wolverhampton 27
Ref: LIT/AS/LIJ017753P
E-mail: litigation@wolverhampton.gov.uk

Claimant's or claimant's legal representative's address to
which documents should be sent if different from overleaf.
If you are prepared to accept service by DX, fax or e-mail,
please add details.

Claim No. KB-2022-BHM-000188
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-and-

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6. Mis WIKTORIA SCZCUBLINSKA
7. Mr ISA IQBAL
8. Mr MASON PHELPS
9. Ms REBECCA RICHOLD

Defendants

PARTICULARS OF CLAIM (Version
6 amended pursuant to the
Order of [please complete] ,
dated 28 February 2024)

Wolverhampton City Council,
Legal Services,
Civic Centre,
St Peter's Square,
Wolverhampton, WV1 1RG
(Ref: LIJ017753P/01201576)

Solicitor for the Claimants

Amended pursuant to Order of the Court [please complete] made on 28 February 2024

IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION
BIRMINGHAM DISTRICT REGISTRY

Claim No. KB-BHM-2022-000188

In the matter of an application for an injunction under s.222 Local Government Act 1972 and s.130 of the Highways Act 1980

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9. Ms REBECCA RICHOLD

Defendants

PARTICULARS OF CLAIM (Version 6 amended pursuant to the Order of [please complete], dated 28 February 2024)

Introduction

- 1 Part 8 of the Civil Procedure Rules 1998 applies to this claim.
- 2 In these Particulars of Claim the following definitions have been applied:
 - (1) "The Black Country" the combined local authority areas of all the Claimants. The Claimants areas are shown on the plan annexed hereto (Plan A).
 - (2) "Car Cruising" organised or impromptu events at which drivers of cars race, perform driving stunts, drive dangerously and drive in convoy. Such activities may be noisy, dangerous and illegal, obstructing highways and the premises bordering them, damaging property and putting the safety of spectators and other persons at risk.
 - (3) The "Original Injunction" Injunction granted by HHJ Owen QC on 1 December 2014 and renewed by HHJ McKenna on 9 January 2018 in

Wolverhampton & Others v Persons Unknown [2014] (Claim No A90BM228) which was in effect from 2 February 2015

- (4) "Stunts" Driving manoeuvres often undertaken as part of car cruising including:
- (a) "Burnouts" Causing a vehicle to destroy its tyres by applying power to the drive wheels while braking so as to remain in place while the wheels revolve at speed.
 - (b) "Donuts/Donutting" Causing a vehicle to rotate around a fixed point (normally the front axle) while not moving-off causing noise, smoke and tyre marks to be created.
 - (c) "Drifting" Turning by placing the vehicle in a skid so that most sideways motion is due to the skid not any significant steering input.
 - (d) "Undertaking" passing a vehicle on its nearside so as to overtake in circumstances not permitted by the Highway Code.

3 The Claimants are local authorities with the meaning of the Local Government Act 1972.

The Defendants

3A The First, Second, Third and Fourth Defendants are persons, as yet unknown, who have engaged or intend to engage in the conduct that the Injunction seeks to restrain.

3B The Fifth, Sixth, ~~and~~ Seventh, Eighth and Ninth Defendants ("the Named Defendants") are persons who were found to be in breach of interim injunction

granted by the Honourable Mrs Justice Hill on 22 December 2022, and amended by the Honourable Mr Justice Ritchie on 19 May 2023 who thereby became parties to the claim [by subsequent orders of the court.](#)

- 4 The West Midland Police Force ('the Police') serve the areas of all the Claimants.
- 5 Since, at least, 2012 the Claimants have, in co-operation with the Police, have been attempting to eliminate car cruising in their areas.
- 6 By this claim the Claimants seek an injunction restraining car cruising across the whole of the Black Country.

Background

- 7 The Claimants obtained the Original Injunction which was in effect from 2 February 2015 until 1 February 2021.
- 8 The Claimants aver that the Original Injunction caused or contributed to a substantial reduction in car cruising in the Black Country and the committal proceedings brought for breach of the Original Injunction served as a deterrent to persons contemplating car cruising.
- 9 The Original Injunction did not eliminate car cruising but did cause a decrease in such activity. Since the order lapsed there has been a marked increase.

Relevant Enactments

10 Section 37(1) Senior Courts Act 1981 provides that:

11 For the reasons set out in the evidence filed herewith (and the evidence in
support of the application for the Original Injunction) the Claimants will contend
it is just and convenient for the honourable court to grant an injunction in this
instance.

12 Section 111(1) Local Government Act 1972 provides that:

13 Section 222 Local Government Act 1972 extends that power and empowers
local authorities to become involved in litigation if so doing facilitates the
discharge of their functions and is in the interest of their inhabitants.

14 Section 222(1) Local Government Act 1972 provides that:

(1) "Where a local authority consider it expedient for the promotion or
protection of the interests of the inhabitants of their area—

(a) they may prosecute or defend or appear in any legal proceedings
and, in the case of civil proceedings, may institute them in their
own name, and

(b) they may, in their own name, make representations in the interests
of the inhabitants at any public inquiry held by or on behalf of any
Minister or public body under any enactment."

15 Further, section 1 of the Localism Act 2011 provides that a local authority has
power to do anything that individuals may do.

- 16 Accordingly, the Claimants are entitled to bring this claim for the benefit of all inhabitants of the Black Country. Further it is just and convenient and in accordance with the overruling objective for all the Claimants to bring a single claim.
- 17 By section 130, Highways Act 1980, the Claimants are under a duty to assert and protect the rights of the public to the use and enjoyment of any highway for which they are the highway authority. The injunctive relief sought in these proceedings is necessary to protect the rights of the public to the use and enjoyment of highways within the Claimants' districts.
- 18 By section 6 of the Crime and Disorder Act 1998, local authorities must formulate and implement, *inter alia*, a strategy for the reduction of crime and disorder in their areas (including anti-social and other behaviour adversely affecting the local environment), which strategy the authorities must keep under review for the purposes of monitoring its effectiveness and making any necessary or expedient changes.
- 19 Section 17(1) Crime and Disorder Act 1998 provides that:
- 20 The Claimants contend that taking measures to combat car cruising falls within and forms part of their statutory function (set out above) to reduce crime and disorder in their areas.

Factual Background

- 21 The Claimants will rely upon the witness statements filed with this Claim Form and those filed in support of the adjourned application to extend the Original Injunction.
- 22 In summary the Claimants aver that:
- (1) Persons participating in car cruising meet on highways and areas adjacent to highways. Such areas include industrial estates and car parks.
 - (2) The locations for such meetings vary but are to be found throughout the Black Country.
 - (3) Such meetings may be publicised in advance via social media or word of mouth or may be impromptu.
 - (4) At such meetings some or all of conduct set out above takes place.
 - (5) Such conduct affects the safety, comfort, well-being and livelihoods of inhabitants of the Black Country.
 - (6) Such conduct diverts the resources of the Police, Ambulance Service and hospitals away from other legitimate matters.
- 23 The Original Injunction was effective in reducing and inhibiting car cruising.
- 24 Since 2 February 2021 car cruising has again increased with more events and larger numbers of spectators at such events. The Police are receiving an increased volume of calls relating to such activities.

25 Such increased activity has continued following the relaxation of restrictions on social gatherings imposed during the covid-19 pandemic. There appears to be a growing perception among those who engage in car cruising that the Claimants and the Police are impotent to restrict the activity.

25A The conduct described above frequently involves the commission of criminal offences which is deliberate and which cannot adequately be prevented or restrained by the use of criminal law sanctions.

25B Such offences may include but are not limited to:

- (1) Dangerous driving;
- (2) Speeding;
- (3) Racing;
- (4) Driving without insurance

25C The said conduct is also tortious and, in particular, constitutes a public nuisance.

25D Further, by engaging in the conduct described above, the Defendants infringe or threaten to infringe

- (1) other road users' and pedestrians' right to life, pursuant to Article 2, European Convention on Human Rights (the "Convention").

On 20 November 2022 a fatal road traffic collision occurred in the area of the Third Defendant when a vehicle collided with persons spectating at a cruise/street race.

and/or

(2) the right to respect for the private and family lives, pursuant to Article 8, Convention, of residents living in the locality of the roads or spaces used for street-cruising.

25E While all persons have the right to freedom of association and peaceful assembly (Convention, Art.11), such rights are qualified and may lawfully be interfered with in the interests of public safety, for the prevention of disorder or crime, for the protection of health or morals or for the protection of the rights and freedoms of others.

25F Such rights do not extend to permitting the commission of serious criminal activity that imperils the lives of others.

25G Injunctive relief sought is necessary in a democratic society and is proportionate. It represents the only way to protect the rights referred to above and is in accordance with a legitimate aim.

Justification for an Injunction

26 An Injunction in the terms sought would assist the Claimants in discharging their statutory duties set out above.

27 Such an Injunction would be of benefit to persons generally throughout the Black Country.

- 28 The proposed Injunction does not interfere with rights and freedoms of the Defendants since the behaviour that it seeks to prohibit is illegal and/or anti-social. The Defendants remain free to attend lawful motor-sports events and exhibitions.

Power of Arrest

- 29 Section 27 of the Police and Justice Act 2006 provides *inter alia*:

“(1) This section applies to proceedings in which a local authority is a party by virtue of section 222 of the Local Government Act 1972 (c 70) (power of local authority to bring, defend or appear in proceedings for the promotion or protection of the interests of inhabitants of their area).

(2) If the court grants an injunction which prohibits conduct which is capable of causing nuisance or annoyance to a person it may, if subsection (3) applies, attach a power of arrest to any provision of the injunction.

(3) This subsection applies if the local authority applies to the court to attach the power of arrest and the court thinks that either—

(a) the conduct mentioned in subsection (2) consists of or includes the use or threatened use of violence, or

(b) there is a significant risk of harm to the person mentioned in that subsection...”

- 30 The Claimants aver that car cruising causes and is capable of causing nuisance or annoyance to persons in the Black Country and that the car cruising creates a significant risk of harm to such persons.

Service of this Claim Form

- 31 The Claimants seek orders for service of the Claim Form and supporting documentation by alternative means pursuant to CPR 6.15 & 6.27. The proposed steps to effect service are set out in a draft Order. Such steps are likely to bring this Claim and the hearing of the application for an Injunction to the attention of those persons who may wish to oppose the making of the order or intervene in the proceedings.

Service of any Injunction Granted

- 32 The Claimants will also seek an order dispensing with personal service of the Injunction. The proposed steps to bring the order to the attention of persons likely to be affected by any Injunction are set out in a draft order.
- 33 The Claimants submit that such steps are likely to ensure that awareness of the existence of the Injunction will be widespread throughout the Black Country.

And the Claimants claim:

- (1) An Injunction Order in the form annexed hereto;
- (2) A Power of Arrest ancillary to such Injunction;
- (3) Such further or other relief as the Court thinks fit.

MICHAEL SINGLETON

DATED this 07 day of October 2022

The Claimants believe that the facts stated in these Particulars of Claim are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

I am duly authorised by all the Claimants to sign this statement.

FULL NAME: DAVID PATTISON

POSITION OR OFFICE HELD: CHIEF OPERATING OFFICER

A handwritten signature in cursive script, appearing to read 'David Pattison', written in black ink.

SIGNED

REDATED this Sixth day of June 2023

The Claimants believe that the facts stated in these Particulars of Claim (version 6) are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

I am duly authorised by all the Claimants to sign this statement.

FULL NAME: TRACEY CHRISTIE

POSITION OR OFFICE HELD: HEAD OF LEGAL SERVICES

A handwritten signature in black ink, consisting of a stylized, cursive letter 'Q' followed by a small horizontal dash.

SIGNED:

REDATED: this day of FEBRUARY 2024

IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION
BIRMINGHAM DISTRICT REGISTRY

Claim No. KB-2022-BHM-000188

[please complete] 28 February 2024

In the matter of an application for an injunction under s.222 Local
Government Act 1972 and s.130 of the Highways Act 1980

B E T W E E N:-

1. WOLVERHAMPTON CITY COUNCIL
2. DUDLEY METROPOLITAN BOROUGH COUNCIL
3. SANDWELL METROPOLITAN BOROUGH COUNCIL
4. WALSALL METROPOLITAN
BOROUGH COUNCIL

Claimants

-and-

1. PERSONS UNKNOWN WHO PARTICIPATE BETWEEN THE HOURS OF
3:00PM AND 7:00AM IN A GATHERING OF 2 OR MORE PERSONS WITHIN
THE BLACK COUNTRY AREA SHOWN ON PLAN A (ATTACHED) AT
WHICH SOME OF THOSE PRESENT ENGAGE IN MOTOR RACING OR
MOTOR STUNTS OR OTHER DANGEROUS OR OBSTRUCTIVE DRIVING

2 PERSONS UNKNOWN WHO PARTICIPATE BETWEEN THE HOURS OF
3:00PM AND 7:00AM IN A GATHERING OF 2 OR MORE PERSONS WITHIN
THE BLACK COUNTRY AREA SHOWN ON PLAN A (ATTACHED) WITH THE
INTENTION OR EXPECTATION THAT SOME OF THOSE PRESENT WILL
ENGAGE IN MOTOR RACING OR MOTOR STUNTS OR OTHER
DANGEROUS OR OBSTRUCTIVE DRIVING

3. PERSONS UNKNOWN PROMOTING ORGANISING PUBLICISING (BY ANY
MEANS WHATSOEVER) ANY GATHERING BETWEEN THE HOURS OF
3:00PM AND 7:00AM OF 2 OR MORE PERSONS WITH THE INTENTION OR
EXPECTATION THAT SOME OF THOSE PRESENT WILL ENGAGE IN MOTOR
RACING OR MOTOR STUNTS OR OTHER DANGEROUS OR OBSTRUCTIVE
DRIVING
WITHIN THE BLACK COUNTRY AREA SHOWN ON PLAN A (ATTACHED)

4. PERSONS UNKNOWN BEING DRIVERS, RIDERS OR PASSENGERS IN OR ON MOTOR VEHICLE(S) WHO PARTICIPATE BETWEEN THE HOURS OF 3:00PM AND 7:00AM IN A GATHERING OF 2 OR MORE PERSONS WITHIN THE BLACK COUNTRY AREA SHOWN ON PLAN A (ATTACHED) AT WHICH SUCH DEFENDANTS ENGAGE IN MOTOR RACING OR MOTOR STUNTS OR OTHER DANGEROUS OR OBSTRUCTIVE DRIVING

5. Mr ANTHONY PAUL GALE

6. Miss WIKTORIA SCZCUBLINSKA

7. Mr ISA IQBAL

8. Mr MASON PHELPS

9. Ms REBECCA RICHOLD

Defendants

Fourth Defendants added as parties pursuant to the Order of the Honourable Mr Justice Ritchie, made on 19 May 2023

Fifth and Sixth Defendants added as parties pursuant to the Order of HHJ Kelly made on 4 October 2023

Seventh Defendant added as a party pursuant to the Order of HHJ Kelly made on 1 November 2023

Eighth Defendant added as a party pursuant to the Order of HHJ Kelly made on 29 January 2024

Ninth Defendant added as a party pursuant to the order of _____ made on 28 February 2024

To:

1. the First, Second and Third Defendants being Persons Unknown:
 - a. who participate between the hours of 3:00pm and 7:00am in a_gathering of 2 or more persons within the Black Country area shown on plan A (attached) at which some of those present engage in motor racing or motor stunts or other dangerous or obstructive driving (First Defendants);

- b. who participate between the hours of 3:00pm and 7:00am in a gathering of 2 or more persons within the Black Country area shown on plan A (attached) with the intention or expectation that some of those present will engage in motor racing or motor stunts or other dangerous or obstructive driving (Second Defendants); and
 - c. promoting organising publicising (by any means whatsoever) any gathering between the hours of 3:00pm and 7:00am of 2 or more persons with the intention or expectation that some of those present will engage in motor racing or motor stunts or other dangerous or obstructive driving within the Black Country Area shown on plan A (attached) (Third Defendants)
2. the Fourth Defendants being Persons Unknown being drivers, riders or passengers in or on motor vehicle(s) who participate between the hours of 3:00pm and 7:00am in a gathering of 2 or more persons within the Black Country Area shown on Plan A (attached) at which such Defendants engage in motor racing or motor stunts or other dangerous or obstructive driving.

And to: the Fifth, Sixth, Seventh Eighth and Ninth Defendants ("the Named Defendants") being persons who have been found to be in breach of this Interim Injunction and who ~~thereby~~ became parties to the claim by subsequent orders of the court

PENAL NOTICE

IF YOU THE WITHIN NAMED PERSONS UNKNOWN AND THE NAMED DEFENDANTS, DO NOT COMPLY WITH THIS ORDER YOU MAY BE HELD TO BE IN CONTEMPT OF COURT AND IMPRISONED OR FINED, OR YOUR ASSETS MAY BE SEIZED.

ANY OTHER PERSON WHO KNOWS OF THIS ORDER AND DOES ANYTHING WHICH HELPS OR PERMITS ANY OF THE DEFENDANTS TO BREACH THE TERMS OF THIS ORDER MAY ALSO BE HELD IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE THEIR ASSETS SEIZED

IMPORTANT NOTICE TO THE DEFENDANTS

This Order prohibits you from doing the acts set out in this Order. You should read it very carefully. You are advised to consult a solicitor as soon as possible. You have the right to ask the Court to vary or discharge this Order but you must obey the order unless it is varied or discharged by the Court.

A Defendant who is an individual who is ordered not to do something must not do it himself/herself or in any other way. He/she must not do it through others acting on his/her behalf or on his/her instructions or with his/her encouragement.

This Order was made when the Defendants were not present at court but notice of the Claimants application had been given.

Before the Honourable sitting at the High Court of Justice, Birmingham District Registry, Priory Courts, 33 Bull Street, Birmingham, B4 6DS on 27 and 28 February 2024

Upon hearing Mr Singleton of counsel for the Claimants and there being no appearance by any other person and neither the Court nor the Claimants having received any notification that any other person wished to be joined as a party or heard

And Upon the Claimants' application, by an Application Notice dated 7 October 2022 for an injunction pursuant to section 222 Local Government Act 1972 and section 130 Highways Act 1980

And Upon the Court having granted an Injunction and Power of Arrest, by Order of the Honourable Mrs Justice Hill sealed on 22 December 2022

And Upon the Court having further reconsidered the grant of the Injunction and Power of Arrest (following a previous review held by the Honourable Mr Justice Freedman on 6 and 13 February 2023), as directed by paragraph 2 of the Order of Freedman J sealed on 16 February 2023

And Upon the court having exercised its discretion to grant injunctive relief pursuant to section 37(1) Senior Courts Act 1981;

And Upon the Court being satisfied for the purposes of s.27(3), Police and Justice Act 2006, that there is a significant risk of harm to a person or persons from the conduct prohibited by the Injunction Order and that a Power of Arrest should therefore be granted.

And Upon the Court noting the order of the Her Honour Judge Kelly sealed on 21 December 2023 giving directions and approving service by alternative means pursuant to CPR r.6.27 and CPR r.81.4 of: that order; and further evidence.

And Upon it appearing to the court that there is good reason to authorise service by a method or place not otherwise permitted by CPR Parts 6 & 81

And Upon the Claimants reconfirming that this Order is not intended to prohibit lawful motorsport taking place on private land where planning permission has been granted (or is not required) and such activities take place under an approved code or licence from a recognised regulatory body.

And further upon the Claimant undertaking, and being given permission, to file a further Amended Claim Form and further Amended Particulars of Claim to reflect the addition to the proceedings of the Ninth Defendant referred to above. Such amendments to be filed by 4.00pm, 12 March 2024 and served by the same date by adopting like measures to those set out at paragraph 9 of the Directions Order

IT IS ORDERED THAT:

Injunction in force

- 1 **IT IS FORBIDDEN** for any of the First Defendants or any of the Named Defendants being persons to participate between the hours of 3:00pm and 7:00am in a gathering of 2 or more persons within the Black Country area shown on plan A (attached) at which some of those present engage in motor racing or motor stunts or other dangerous or obstructive driving.

- 2 **IT IS ALSO FORBIDDEN** for any of the Second Defendants or any of the Named Defendants to participate between the hours of 3:00pm and 7:00am in a gathering of 2 or more persons within the Black Country area shown on plan A (attached) with the intention or expectation that some of those present will engage in motor racing or motor stunts or other dangerous or obstructive driving.

- 3 **IT IS ALSO FORBIDDEN** for any of the Third Defendants or any of the Named Defendants to promote organise publicise (by any means whatsoever) any gathering between the hours of 3:00pm and 7:00am of 2 or more persons with the intention or expectation that some of those present will engage in motor racing or motor stunts or other dangerous or obstructive driving within the Black Country Area shown on plan A (attached)
- 4 **IT IS ALSO FORBIDDEN** for any of the Fourth Defendants or any of the Named Defendants being a driver, rider or passenger in or on a motor vehicle to participate between the hours of 3:00pm and 7:00am in a gathering of 2 or more persons within the Black Country Area shown on Plan A (attached) at which such Defendants engage in motor racing or motor stunts or other dangerous or obstructive driving.

Stunts are driving manoeuvres often undertaken at such gatherings including but not limited to:

- (1) "Burnouts" Causing a vehicle to damage or destroy its tyres by applying power to the drive wheels while braking so as to remain in place while the wheels revolve at speed.

- (2) "Donuts/Donutting" Causing a vehicle to rotate around a fixed point (normally the front axle) while not moving off causing noise, smoke and tyre marks to be created.
 - (3) "Drifting" Turning by placing the vehicle in a skid so that most sideways motion is due to the skid not any significant steering input.
 - (4) "Undertaking" passing a vehicle on its nearside so as to overtake in circumstances not permitted by the Highway Code
- 5 A Power of Arrest, pursuant to 27(3), Police and Justice Act 2006, is attached, to paragraph 4 of this Order and shall remain in force until 23.59 on 1 March 2027 unless extended, varied or discharged by further Order of the Court

Definitions

- 6 In this Order the following definitions have been applied:
- (1) "the Final Injunction" this Order.
 - (2) "the Power of Arrest" means the Power of Arrest, made on 28 February 2024.
 - (3) "the Interim Relief Application" - the Application Notice of 13 December 2022, including the draft Injunction Order referred to therein.
 - (4) "the Alternative Service Application" – the Application Notice of 7 October 2022, seeking permission for alternative service of Claim Form.

- (5) "the Applications" – the Interim Relief Application, the Alternative Service Application and the application for a final injunction issued on 13 October 2022.
- (6) "the Documents"
 - (a) Notice of Hearing and a sealed copy of this Order
 - (b) Part 8 Claim Form;
 - (c) Particulars of Claim
 - (d) N16A application for an Injunction;
 - (e) Draft Injunction Order
 - (f) Draft Power of Arrest
 - (g) The Interim Relief Application;
 - (h) The Alternative Service Application.
- (7) "the Evidence" materials set out at Schedule A below
- (8) "the Directions Order" the Directions order made on 28 February 2024 in this claim.

Commencement, Term and Duration

- 7 This Final Injunction Order shall come into force immediately and be deemed served on the Defendants at 11.59 on the date upon which the final step in paragraphs 5 and 6 of the Directions Order have been complied with.

- 8 The Interim Injunction and Power of Arrest dated 22 December 2022 made by the Honourable Mrs Justice Hill as amended by the Honourable Mr Justice Ritchie on 16 May 2023 shall stand discharged once paragraph 7 has been complied with
- 9 This Order & Power of Arrest shall, expire at 11.59 pm on 1 March 2027 unless it is extended, varied or discharged by further order of the court.

Further Case Management

- 10 A review hearing will take place in open court (elh 30 minutes) before a Judge of the High Court (section 9 if practicable) after this order has been in force for 12 months and no longer than 14 months. The Claimants shall file with the court a succinct report to inform the court of their experience with the publication, operation and enforcement of the extended order, including for example, breaches, warnings or problems, if any arising out the extended order (including the Power of Arrest).

Further Matters

- 11 Without prejudice to the foregoing, any person affected by this Final Injunction or Power of Arrest may apply to the Court at any time to vary or discharge it but if they wish to do so they must inform the Claimants' solicitors immediately (and in any event not less than 48 hours before the hearing of any such application).
- 12 Further information on how to make such application and useful sources of information are set out in the Directions Order.
- 13 [Costs].

SCHEDULE A

Please see:

- (1) Material contained in the five Bundles of Evidence in support of this Application for an Injunction (the Indices of which are appended hereto)

B E T W E E N:

- 1. WOLVERHAMPTON CITY COUNCIL**
- 2. DUDLEY METROPOLITAN BOROUGH COUNCIL**
- 3. SANDWELL METROPOLITAN BOROUGH COUNCIL**
- 4. WALSALL METROPOLITAN BOROUGH COUNCIL**

Claimants

-and-

1. PERSONS UNKNOWN WHO PARTICIPATE BETWEEN THE HOURS OF 3:00PM AND 7:00AM IN A GATHERING OF 2 OR MORE PERSONS WITHIN THE BLACK COUNTRY AREA SHOWN ON PLAN A (ATTACHED) AT WHICH SOME OF THOSE PRESENT ENGAGE IN MOTOR RACING OR MOTOR STUNTS OR OTHER DANGEROUS OR OBSTRUCTIVE DRIVING

2 PERSONS UNKNOWN WHO PARTICIPATE BETWEEN THE HOURS OF 3:00PM AND 7:00AM IN A GATHERING OF 2 OR MORE PERSONS WITHIN THE BLACK COUNTRY AREA SHOWN ON PLAN A (ATTACHED) WITH THE INTENTION OR EXPECTATION THAT SOME OF THOSE PRESENT WILL ENGAGE IN MOTOR RACING OR MOTOR STUNTS OR OTHER DANGEROUS OR OBSTRUCTIVE DRIVING

3. PERSONS UNKNOWN PROMOTING ORGANISING PUBLICISING (BY ANY MEANS WHATSOEVER) ANY GATHERING BETWEEN THE HOURS OF 3:00PM AND 7:00AM OF 2 OR MORE PERSONS WITH THE INTENTION OR EXPECTATION THAT SOME OF THOSE PRESENT WILL ENGAGE IN MOTOR RACING OR MOTOR STUNTS OR OTHER DANGEROUS OR OBSTRUCTIVE DRIVING WITHIN THE BLACK COUNTRY AREA SHOWN ON PLAN A (ATTACHED)

4. PERSONS UNKNOWN BEING DRIVERS, RIDERS OR PASSENGERS IN OR ON MOTOR VEHICLE(S) WHO PARTICIPATE BETWEEN THE HOURS OF 3:00PM AND 7:00AM IN A GATHERING OF 2 OR MORE PERSONS WITHIN THE BLACK COUNTRY AREA SHOWN ON PLAN A (ATTACHED) AT WHICH SUCH DEFENDANTS ENGAGE IN MOTOR RACING OR MOTOR STUNTS OR OTHER DANGEROUS OR OBSTRUCTIVE DRIVING

5. Mr ANTHONY PAUL GALE

6. Miss WIKTORIA SCZCUBLINSKA

7. Mr ISA IQBAL

8. Mr MASON PHELPS

Defendants

**CLAIMANTS' APPLICATION FOR INJUNCTIVE RELIEF
BUNDLE OF DOCUMENTS FOR USE AT A HEARING LISTED 27 FEBRUARY AND
28 FEBRUARY 2024**

VOLUME ONE

A. SECTION A - Statements of Case

1.	N208 Claim Form (Amended) 29 Jan 2024 SEALED	A 1 - A 3
2.	Amended Particulars of Claim v5 30 01 24.pdf	A 4 - A 20
3.	Amended Injunction Version 5 (29 Jan 2024) Latest Version of Interim Injunction naming 5th-8th Defendants as Parties	A 21 - A 29
4.	Schedule A to Injunction Index to Injunction Order 19 May 2023.pdf	A 30 - A 39
5.	Plan A.pdf	A 40
6.	Power of Arrest 29 01 2024 v6 Latest Version of Interim Power of Arrest naming 5th-8th Defendants as Parties	A 41 - A 44
7.	Plan A.pdf	A 45

B. SECTION B - Overarching Evidence Filed on Behalf of The Claimant Councils For the Final Hearing

1.	Statement of Pardip Nagra 12 February 2024	B 1 - B 12
2.	Exhibit Cover - Exhibit PN1 Statement of Pardip Nagra February 2024	B 13
3.	Exhibit PN1 email from Mrs J Bateman 2 Feb 2024	B 14 - B 15
4.	Exhibit Cover - Exhibit PN2 Statement of Pardip Nagra February 2024	B 16
5.	Exhibit PN2 (part1) Statement of Pardip Sandhu Sandwell MBC 30 January 2024 (Exhibit PS3 part 1 of 3 to statement of Pardip Sandhu 30 01 2024)	B 17 - B 25
6.	Exhibit PN2 (part 2) (Exhibit PS3 part 2 of 3 to statement of Pardip Sandhu 30 01 2024)	B 26 - B 35
7.	Exhibit PN2 (Part 3) (Exhibit PS3 part 3 of 3 to statement of Pardip Sandhu 30 01 2024)	B 36 - B 39
8.	Exhibit Cover - Exhibit PN3 Statement of Pardip Nagra February 2024	B 40
9.	Exhibit PN3(1) Witness Statement of Andrew Clarke Sandwell MBC (Signage) 25 January 2024	B 41 - B 45
10.	Exhibit PN3(2) - Exhibit AC3 to Statement of Andrew Clarke (Sandwell MBC) 25 Jan 2024	B 46 - B 65
11.	Exhibit PN3(3) 3.1 Exhibit AC5 to Statement of Andrew Clarke (Sandwell MBC) 25 Jan 2024 Location List - Car Cruising Signage	B 66 - B 68
12.	Exhibit PN3(3) 3.2 Exhibit AC5 to Statement of Andrew Clarke (Sandwell MBC) 25 Jan 2024 Axletree Way, Wednesbury - Locations 1-4	B 69
13.	Exhibit PN3(3) 3.3 Exhibit AC5 to Statement of Andrew Clarke (Sandwell MBC) 25 Jan 2024 Hallens Drive, Wednesbury - Locations 5-8	B 70
14.	Exhibit PN3(3) 3.4 Exhibit AC5 to Statement of Andrew Clarke (Sandwell MBC) 25 Jan 2024 Navigation Roundabout, Great Bridge - Locations 9-12	B 71
15.	Exhibit PN3(3) 3.5 Exhibit AC5 to Statement of Andrew Clarke (Sandwell MBC) 25 Jan 2024 Dudley Port, Tipton - Location 13	B 72
16.	Exhibit PN3(3) 3.6 Exhibit AC5 to Statement of Andrew Clarke (Sandwell MBC) 25 Jan 2024 Kenrick Way, West Bromwich - Locations 14-16	B 73
17.	Exhibit PN3(3) 3.7 Exhibit AC5 to Statement of Andrew Clarke (Sandwell MBC) 25 Jan 2024 Black Lake, West Bromwich - Location 17	B 74
18.	Exhibit PN3(3) 3.8 Exhibit AC5 to Statement of Andrew Clarke (Sandwell MBC) 25 Jan 2024 Birchley Island, Oldbury - Locations 18-21	B 75
19.	Exhibit PN3(4) Exhibit AC5 to Statement of Andrew Clarke (Sandwell MBC) 25 Jan 2024	B 76

20.	Exhibit Cover - Exhibit PN4 Statement of Pardip Nagra February 2024	B 77
21.	Exhibit PN4 Statement of Mark Wilson Dudley MBC 1 February 2024	B 78 - B 81
22.	Exhibit Cover - Exhibit PN5 Statement of Pardip Nagra February 2024	B 82
23.	Exhibit PN5(1) Witness Statement of Steve Gittins (Walsall MBC) 5 February 2024	B 83 - B 89
24.	Exhibit PN5(2) Exhibit SJG1 to statement of Steve Gitins 5 Feb 2024 - Plan Depicting Locations of Car Cruising Injunction Signage (Walsall MBC)	B 90
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B E T W E E N:

- 1. WOLVERHAMPTON CITY COUNCIL**
- 2. DUDLEY METROPOLITAN BOROUGH COUNCIL**
- 3. SANDWELL METROPOLITAN BOROUGH COUNCIL**
- 4. WALSALL METROPOLITAN BOROUGH COUNCIL**

Claimants

-and-

1. PERSONS UNKNOWN WHO PARTICIPATE BETWEEN THE HOURS OF 3:00PM AND 7:00AM IN A GATHERING OF 2 OR MORE PERSONS WITHIN THE BLACK COUNTRY AREA SHOWN ON PLAN A (ATTACHED) AT WHICH SOME OF THOSE PRESENT ENGAGE IN MOTOR RACING OR MOTOR STUNTS OR OTHER DANGEROUS OR OBSTRUCTIVE DRIVING

2 PERSONS UNKNOWN WHO PARTICIPATE BETWEEN THE HOURS OF 3:00PM AND 7:00AM IN A GATHERING OF 2 OR MORE PERSONS WITHIN THE BLACK COUNTRY AREA SHOWN ON PLAN A (ATTACHED) WITH THE INTENTION OR EXPECTATION THAT SOME OF THOSE PRESENT WILL ENGAGE IN MOTOR RACING OR MOTOR STUNTS OR OTHER DANGEROUS OR OBSTRUCTIVE DRIVING

3. PERSONS UNKNOWN PROMOTING ORGANISING PUBLICISING (BY ANY MEANS WHATSOEVER) ANY GATHERING BETWEEN THE HOURS OF 3:00PM AND 7:00AM OF 2 OR MORE PERSONS WITH THE INTENTION OR EXPECTATION THAT SOME OF THOSE PRESENT WILL ENGAGE IN MOTOR RACING OR MOTOR STUNTS OR OTHER DANGEROUS OR OBSTRUCTIVE DRIVING WITHIN THE BLACK COUNTRY AREA SHOWN ON PLAN A (ATTACHED)

4. PERSONS UNKNOWN BEING DRIVERS, RIDERS OR PASSENGERS IN OR ON MOTOR VEHICLE(S) WHO PARTICIPATE BETWEEN THE HOURS OF 3:00PM AND 7:00AM IN A GATHERING OF 2 OR MORE PERSONS WITHIN THE BLACK COUNTRY AREA SHOWN ON PLAN A (ATTACHED) AT WHICH SUCH DEFENDANTS ENGAGE IN MOTOR RACING OR MOTOR STUNTS OR OTHER DANGEROUS OR OBSTRUCTIVE DRIVING

5. Mr ANTHONY PAUL GALE

6. Miss WIKTORIA SCZCUBLINSKA

7. Mr ISA IQBAL

8. Mr MASON PHELPS

Defendants

**CLAIMANTS' APPLICATION FOR INJUNCTIVE RELIEF
BUNDLE OF DOCUMENTS FOR USE AT A HEARING LISTED 27 FEBRUARY AND
28 FEBRUARY 2024**

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B E T W E E N:

- 1. WOLVERHAMPTON CITY COUNCIL**
- 2. DUDLEY METROPOLITAN BOROUGH COUNCIL**
- 3. SANDWELL METROPOLITAN BOROUGH COUNCIL**
- 4. WALSALL METROPOLITAN BOROUGH COUNCIL**

Claimants

-and-

1. PERSONS UNKNOWN WHO PARTICIPATE BETWEEN THE HOURS OF 3:00PM AND 7:00AM IN A GATHERING OF 2 OR MORE PERSONS WITHIN THE BLACK COUNTRY AREA SHOWN ON PLAN A (ATTACHED) AT WHICH SOME OF THOSE PRESENT ENGAGE IN MOTOR RACING OR MOTOR STUNTS OR OTHER DANGEROUS OR OBSTRUCTIVE DRIVING

2 PERSONS UNKNOWN WHO PARTICIPATE BETWEEN THE HOURS OF 3:00PM AND 7:00AM IN A GATHERING OF 2 OR MORE PERSONS WITHIN THE BLACK COUNTRY AREA SHOWN ON PLAN A (ATTACHED) WITH THE INTENTION OR EXPECTATION THAT SOME OF THOSE PRESENT WILL ENGAGE IN MOTOR RACING OR MOTOR STUNTS OR OTHER DANGEROUS OR OBSTRUCTIVE DRIVING

3. PERSONS UNKNOWN PROMOTING ORGANISING PUBLICISING (BY ANY MEANS WHATSOEVER) ANY GATHERING BETWEEN THE HOURS OF 3:00PM AND 7:00AM OF 2 OR MORE PERSONS WITH THE INTENTION OR EXPECTATION THAT SOME OF THOSE PRESENT WILL ENGAGE IN MOTOR RACING OR MOTOR STUNTS OR OTHER DANGEROUS OR OBSTRUCTIVE DRIVING WITHIN THE BLACK COUNTRY AREA SHOWN ON PLAN A (ATTACHED)

4. PERSONS UNKNOWN BEING DRIVERS, RIDERS OR PASSENGERS IN OR ON MOTOR VEHICLE(S) WHO PARTICIPATE BETWEEN THE HOURS OF 3:00PM AND 7:00AM IN A GATHERING OF 2 OR MORE PERSONS WITHIN THE BLACK COUNTRY AREA SHOWN ON PLAN A (ATTACHED) AT WHICH SUCH DEFENDANTS ENGAGE IN MOTOR RACING OR MOTOR STUNTS OR OTHER DANGEROUS OR OBSTRUCTIVE DRIVING

5. Mr ANTHONY PAUL GALE

6. Miss WIKTORIA SCZCUBLINSKA

7. Mr ISA IQBAL

8. Mr MASON PHELPS

Defendants

**CLAIMANTS' APPLICATION FOR INJUNCTIVE RELIEF
BUNDLE OF DOCUMENTS FOR USE AT A HEARING LISTED 27 FEBRUARY AND
28 FEBRUARY 2024**

VOLUME THREE

A. SECTION A - Statements of Case

- | | | |
|----|--|-----------|
| 1. | Wolverhampton CC & Ors v Persons Unknown - Statement of Case for Hearing 15 May 2023 | A 1 - A 7 |
|----|--|-----------|

B. SECTION B - Evidence Filed on Behalf of the Claimant

- | | | |
|-----|---|-------------|
| 1. | Witness Statement Pardip Nagra (Wolverhampton City Council) 02 May 2023 | B 1 - B 3 |
| 2. | Statement of Mark Wilson Dudley MBC 25 April 2023 | B 4 - B 6 |
| 3. | Statement of Pardip Sandhu 3 May 2023 | B 7 - B 17 |
| 4. | 03 05 23 Witness Statement of Steve Gittins | B 18 - B 21 |
| 5. | Statement of PC Mark Campbell 02 May 2023 | B 22 - B 25 |
| 6. | Notice of Moving - Paul Brown Statement no.7 | B 26 |
| 7. | 8th Statement of Paul Brown 28 April 23 | B 27 - B 31 |
| 8. | Exhibit PB8A | B 32 |
| 9. | Paul Brown Statement no 9 | B 33 - B 36 |
| 10. | Exhibit PB9A | B 37 - B 67 |

C. SECTION C - Evidence Filed on Behalf of The Defendant

- | | | |
|----|--|-----|
| 1. | Confirmation of No Evidence from Any Defendant | C 1 |
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D. SECTION D - Court Orders

- | | | |
|-----|---|--------------|
| 1. | SEALED INJUNCTION ORDER (Order of Hill J) 22.12.22 Wolverhampton City Council and others v Unknown KB-2022-BHM-000188 | D 1 - D 24 |
| 2. | SEALED POWER OF ARREST (Order of Hill J) 22.12.22 KB-2022-BHM-000188 | D 25 - D 27 |
| 3. | KB 2022 BHM 000188 - Wolverhampton City Council v Nagmadin Ors (21.12.22) - Approved judgment of Hill J | D 28 - D 45 |
| 4. | Order 16 Februray 2023 (Black Country Car Cruising Injunction) | D 46 - D 59 |
| 5. | Schedule A Index (Schedule to Order Sealed 16 February 2023) | D 60 - D 66 |
| 6. | Plan A | D 67 |
| 7. | TRANSCRIPT OF JUDGMENT 13 February 2023 - Wolverhampton City Council v Persons Unknown (KB-2022-BHM-000188) | D 68 - D 84 |
| 8. | Transcript of Hearing 06 February 2023 Wolverhampton City Council & Ors v Persons Unknown - KB.2022.BHM-00188 | D 85 - D 143 |
| 9. | Hearing Notice - Hearing: 15 May 2023 at 10.30 a.m. | D 144 |
| 10. | Hearing Notice - Hearing: 15 May 2023 at 10.30 a.m. | D 145 |

B E T W E E N:

- 1. WOLVERHAMPTON CITY COUNCIL**
- 2. DUDLEY METROPOLITAN BOROUGH COUNCIL**
- 3. SANDWELL METROPOLITAN BOROUGH COUNCIL**
- 4. WALSALL METROPOLITAN BOROUGH COUNCIL**

Claimants

-and-

1. PERSONS UNKNOWN WHO PARTICIPATE BETWEEN THE HOURS OF 3:00PM AND 7:00AM IN A GATHERING OF 2 OR MORE PERSONS WITHIN THE BLACK COUNTRY AREA SHOWN ON PLAN A (ATTACHED) AT WHICH SOME OF THOSE PRESENT ENGAGE IN MOTOR RACING OR MOTOR STUNTS OR OTHER DANGEROUS OR OBSTRUCTIVE DRIVING

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5. Mr ANTHONY PAUL GALE

6. Miss WIKTORIA SCZCUBLINSKA

7. Mr ISA IQBAL

8. Mr MASON PHELPS

Defendants

**CLAIMANTS' APPLICATION FOR INJUNCTIVE RELIEF
BUNDLE OF DOCUMENTS FOR USE AT A HEARING LISTED 27 FEBRUARY AND
28 FEBRUARY 2024**

VOLUME FOUR

A. SECTION A - Statements of Case

- | | | |
|----|--|-------------|
| 1. | Wolverhampton ats ors v PU Rep for 4OCT23.pdf | A 1 - A 7 |
| 2. | Pt 8 Claim form amended June 2023 Page 1 to 2.pdf | A 8 - A 9 |
| 3. | Car Cruise 2022 Pt 8 Signed Amended Particulars of Claim 6 June 2023 | A 10 - A 25 |
| 4. | Confirmation of Filing Amended Particulars of Claim 7 June 2023.pdf | A 26 |
| 5. | Confirmation of Filing Amended Part 8 Claim Form 7 June 2023.pdf | A 27 |

B. SECTION B - Evidence Filed on Behalf of the Claimant

- | | | |
|-----|---|---------------|
| 1. | Overarching Witness Statement Pardip Nagra (Wolverhampton City Council) 21.09.23 | B 1 - B 5 |
| 2. | Exhibit PN1 Pardip Nagra Statement 21 September 2023 | B 6 - B 7 |
| 3. | Exhibit PN2 (Statement of Pardip Nagra September 2023) (Sandwell MBC Overarching Statement) | B 8 - B 13 |
| 4. | Exhibit PN3A (Statement of Pardip Nagra) Dudley MBC Overarching Statement 22-09-23 | B 14 - B 17 |
| 5. | Exhibit PN3B (Statement of Pardip Nagra) (Exhibit to Dudley MBC Overarching Statement) | B 18 |
| 6. | Statement of PC Karam Soomal-Goode (Wolverhampton Signs) 18 September 2023 | B 19 - B 20 |
| 7. | Witness Statement of Steve Gittins (Walsall MBC) 22-09-23 | B 21 - B 24 |
| 8. | Statement of PC Mark Campbell 21 September 2023 | B 25 - B 29 |
| 9. | 10th Witness Statement of Paul Brown.pdf | B 30 - B 34 |
| 10. | EXHIBIT PB10A.pdf | B 35 - B 57 |
| 11. | 11th Witness Statement of Paul Brown 17 May 23.pdf | B 58 - B 62 |
| 12. | EXHIBIT PB11A .pdf | B 63 - B 82 |
| 13. | Notice of Moving 12th and 13th Witness Statements | B 83 |
| 14. | Witness Statement - 14th Statement of Paul Brown 22 9 23 | B 84 - B 92 |
| 15. | EXHIBIT PB14A (14th Statement of Paul Brown 22 Sept 2023) | B 93 - B 129 |
| 16. | EXHIBIT PB14B (14th Statement of Paul Brown 22 Sept 2023) | B 130 - B 131 |
| 17. | EXHIBIT PB14C (14th Statement of Paul Brown 22 Sept 2023) | B 132 - B 140 |
| 18. | Witness Statement -15th Statement of Paul Brown 22 9 23 | B 141 - B 144 |
| 19. | Exhibit Cover PB15A (15th Statement of Paul Brown Sept 2023) | B 145 |
| 20. | Exhibit PB15A (15th Stat Paul Brown Sept 2023) STREET RACING STATS 19 MAY TO 15 SEPTEMBER | B 146 - B 151 |

C. SECTION C - Evidence Filed on Behalf of The Defendant

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|----|--|-----|
| 1. | Confirmation of No Evidence from Any Defendant | C 1 |
|----|--|-----|

D. SECTION D - Court Orders

- | | | |
|----|--|-------------|
| 1. | Notice of Moving of court orders from original review hearing 04 October 2023 bundle | D 1 |
| 2. | Combined Directions Order 19 May 2023 (Sealed 23 May 2023) | D 2 - D 17 |
| 3. | Amended Injunction Order 19 May 2023 (Sealed 23 May 2023) | D 18 - D 35 |
| 4. | Amended Power of Arrest (Amended 19 May 2023; Sealed 23 May 2023) | D 36 - D 38 |

5.	Clearer Copy of Plan A for injunction (WCC & Ors v Persons Unknown KB-2022-BHM-000188)	D 39
6.	Letter WCC to Court 07 06 2023	D 40
7.	Letter WCC to Court 14 6 23	D 41
8.	Letter to Claimants from Court 3 July 2023	D 42
9.	Letter WCC to HHJ E. Kelly 26 July 2023	D 43 - D 44
10.	Confirmation of Filing Letter 26 July 2023	D 45
11.	Order of Her Honour Judge Kelly 26 July 2023	D 46 - D 49
12.	Letter from Claimants to Court 1 August 2023	D 50 - D 51
13.	Confirmation of Filing of Dates of Availability Aug to Sept 2023 1 August 2023 at 1202 hours	D 52
14.	Notice of Hearing 04 October 2023	D 53 - D 54
15.	Notice of Further Case Management Hearing 21 September 2023 (VACATED)	D 55 - D 56
16.	Notice of Further Case Management Hearing 10 November 2023 (VACATED)	D 57 - D 58

B E T W E E N:

- 1. WOLVERHAMPTON CITY COUNCIL**
- 2. DUDLEY METROPOLITAN BOROUGH COUNCIL**
- 3. SANDWELL METROPOLITAN BOROUGH COUNCIL**
- 4. WALSALL METROPOLITAN BOROUGH COUNCIL**

Claimants

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5. Mr ANTHONY PAUL GALE

6. Miss WIKTORIA SCZCUBLINSKA

7. Mr ISA IQBAL

8. Mr MASON PHELPS

Defendants

**CLAIMANTS' APPLICATION FOR INJUNCTIVE RELIEF
BUNDLE OF DOCUMENTS FOR USE AT A HEARING LISTED 27 FEBRUARY AND
28 FEBRUARY 2024**

VOLUME FIVE

A. SECTION A - Statements of Case For Hearing 20 December 2023

1.	Wolverhampton & ors v PU Case Summary for hearing 20 DEC 23	A 1 - A 26
2.	SIGNED N244 Relief from Sanctions Application (Car Cruising) 13 12 23	A 27 - A 31
3.	Car Cruising - Relief from sanctions - witness statement Mushtaq Ahmed-Khan 12 12 23	A 32 - A 34
4.	Draft Order for relief to accompany application for relief from sanctions 13 12 23	A 35 - A 38
5.	SIGNED Claim Form V4 13 12 2023.pdf	A 39 - A 42
6.	Amended Particulars of Claim v4 13 12 23	A 43 - A 59
7.	Black Country Car Cruising Injunction v4 13 December 2023	A 60 - A 68
8.	Schedule A to Injunction Index to injunction order 19 May 2023	A 69 - A 78
9.	Plan A	A 79
10.	Amended Power of Arrest (Version 4)	A 80 - A 83
11.	Plan A	A 84

B. SECTION B - Supreme Court Judgment in the WCC v London Gypsies and Travellers and Others case [2023] UKSC 47

1.	WCC v London Gypsies and Travellers Judgment Summary 29 11 23	B 1 - B 3
2.	WCC v London Gypsies and Travellers Judgment 29 11 23	B 4 - B 80
3.	E-mail WCC to Court 29 November 2023 at 20 36 hours Supreme Court Judgment	B 81
4.	Confirmation of Filing Supreme Court Judgment via CE File 29 November 2023	B 82
5.	Confirmation of Filing Supreme Court Judgment via KB Birmingham Addresss 30 November 2023 at 10 33 hrs	B 83 - B 84

C. SECTION C - Evidence Filed on Behalf of Claimants for Hearing 20 December 2023

1.	Witness Statement of Pardip Nagra 11.12.23	C 1 - C 5
2.	Exhibit PN1 Part 1 of 2 - Witness Statement of Pardip Sandhu 11.12.23	C 6 - C 12
3.	Exhibit PN1 Part 2 of 2 - Express & Star Article 5 December 2023	C 13 - C 18
4.	Exhibit PN2 -Third Witness Statement of Mark Wilson	C 19 - C 24
5.	Schedule of Committals re Black Country Car Cruising Injunction December 2022 to December 2023	C 25
6.	Exhibit PN3 Part One of Three - Witness Statement of Steve Gittins 30-11-23	C 26 - C 29
7.	Exhibit PN3 Part Two of Three -Witness Statement of Steve Gittins 8-12-23	C 30 - C 32
8.	Exhibit PN3 Part Three of Three -Exhibit SJG 5 to Statement of Steve Gittins 8 12 23 Car Cruising Sign Audit December 2023	C 33 - C 51
9.	17th Statement of Paul Brown 30 11 23	C 52 - C 55
10.	10-12-23 Statement of PC Mark Campbell	C 56 - C 59

D. SECTION D - Orders and Sealed Documents from Hearing 4 October 2023 and Claimants' evidence purporting to show compliance with those orders

1.	Order (re Persons Unknown) Hearing of 4 October 2023	D 1 - D 14
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2.	Sealed Amended Part 8 Claim Form 6 10 23	D 15 - D 17
3.	Car Cruise 2022 Part 8 Amended Particulars of Claim v3 Oct23	D 18 - D 35
4.	Sealed Wolverhampton CC v PU Interim Injunction v3 to include D5 and D6 4 Oct 2023	D 36 - D 44
5.	Sealed Plan A 9 October 2023	D 45
6.	Schedule A to Injunction Index to injunction order 19 May 2023 amended 4 October 2023	D 46 - D 55
7.	Amended Power of Arrest amended 04 10 23	D 56 - D 58
8.	Sealed Plan A 9 October 2023	D 59
9.	E-mail WCC to Solicitors for Mr A Gale and Miss W Szczublińska 11 October 2023 at 13 59 hrs	D 60 - D 61
10.	16th Statement of Paul Brown 20 10 23	D 62 - D 67
11.	PB Exhibit Cover.pdf	D 68
12.	EXHIBIT PB16A	D 69 - D 83

E. SECTION E - Statements of Case for Hearing on 04 October 2023

1.	Confirmation of Filing Amended Particulars of Claim 7 June 2023.pdf	E 1
2.	Car Cruise 2022 Pt 8 Signed Amended Particulars of Claim 6 June 2023	E 2 - E 17
3.	Pt 8 Claim form amended June 2023 page 3 signature page.pdf	E 18
4.	Pt 8 Claim form amended June 2023 Page 1 to 2.pdf	E 19 - E 20
5.	Wolverhampton ats ors v PU Rep for 4OCT23.pdf	E 20a - E 20g

F. SECTION F - Evidence Filed on Behalf of the Claimants For Hearing 04 October 2023

1.	Confirmation of Filing Amended Part 8 Claim Form 7 June 2023.pdf	F 1
2.	Overarching Witness Statement Pardip Nagra (Wolverhampton City Council) 21.09.23	F 2 - F 6
3.	Exhibit PN1 Pardip Nagra Statement 21 September 2023	F 7 - F 8
4.	Exhibit PN2 (Statement of Pardip Nagra September 2023) (Sandwell MBC Overarching Statement)	F 9 - F 14
5.	Exhibit PN3A (Statement of Pardip Nagra) Dudley MBC Overarching Statement 22-09-23	F 15 - F 18
6.	Exhibit PN3B (Statement of Pardip Nagra) (Exhibit to Dudley MBC Overarching Statement)	F 19
7.	Statement of PC Karam Soomal-Goode (Wolverhampton Signs) 18 September 2023	F 20 - F 21
8.	Witness Statement of Steve Gittins (Walsall MBC) 22-09-23	F 22 - F 25
9.	Statement of PC Mark Campbell 21 September 2023	F 26 - F 30
10.	10th Witness Statement of Paul Brown.pdf	F 31 - F 35
11.	EXHIBIT PB10A.pdf	F 36 - F 58
12.	11th Witness Statement of Paul Brown 17 May 23.pdf	F 59 - F 63
13.	EXHIBIT PB11A .pdf	F 64 - F 83
14.	12th Statement of Paul Brown 16 6 23.docx	F 84 - F 91
15.	Exhibit Cover PB12A.docx	F 92
16.	EXHIBIT PB12A.docx	F 93 - F 120

17.	Exhibit Cover PB12B.docx	F 121
18.	EXHIBIT PB12B.docx	F 122 - F 123
19.	13th Statement of Paul Brown 16 6 23.docx	F 124 - F 126
20.	Exhibit Cover PB13A.docx	F 127
21.	EXHIBIT PB13A.docx	F 128
22.	Witness Statement - 14th Statement of Paul Brown 22 9 23	F 129 - F 137
23.	EXHIBIT PB14A (14th Statement of Paul Brown 22 Sept 2023)	F 138 - F 174
24.	EXHIBIT PB14B (14th Statement of Paul Brown 22 Sept 2023)	F 175 - F 176
25.	EXHIBIT PB14C (14th Statement of Paul Brown 22 Sept 2023)	F 177 - F 185
26.	Witness Statement -15th Statement of Paul Brown 22 9 23	F 186 - F 189
27.	Exhibit Cover PB15A (15th Statement of Paul Brown Sept 2023)	F 190
28.	Exhibit PB15A (15th Stat Paul Brown Sept 2023) STREET RACING STATS 19 MAY TO 15 SEPTEMBER	F 191 - F 196

G. SECTION G - Evidence Filed on Behalf of The Defendant

1.	Confirmation of No Evidence from Any Defendant	G 1
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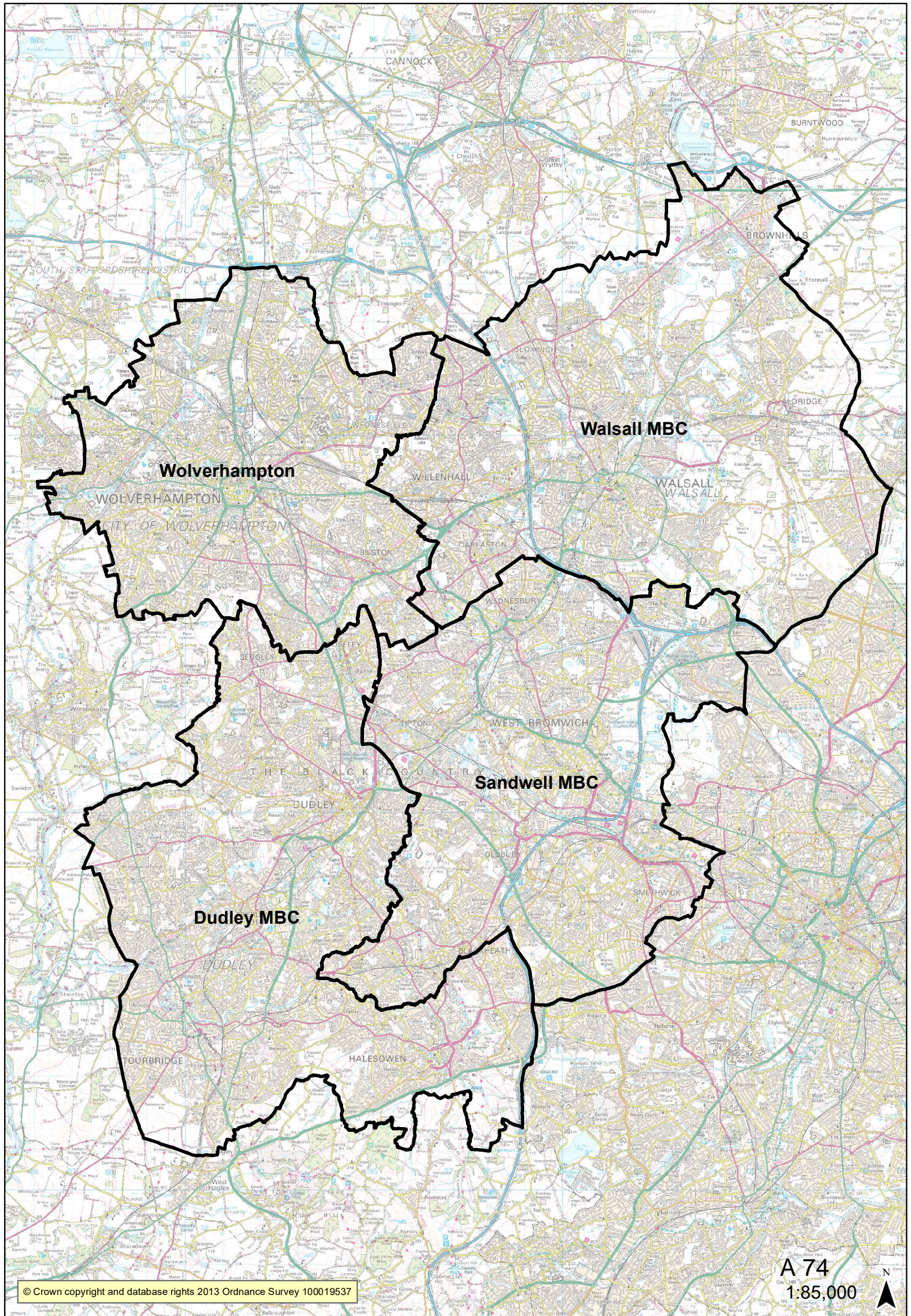
H. SECTION H - Court Orders, Judgments and Transcripts of Hearings and Correspondence with the Court

1.	SEALED INJUNCTION ORDER (Order of Hill J) 22.12.22 Wolverhampton City Council and others v Unknown KB-2022-BHM-000188	H 1 - H 24
2.	SEALED POWER OF ARREST (Order of Hill J) 22.12.22 KB-2022-BHM-000188	H 25 - H 27
3.	Wolverhampton City Council v Persons Unknown and Others: KB- 2022-BHM 000188 (21.12.22) - Approved judgment of Hill J	H 28 - H 45
4.	Order 13 02 23 (sealed 16 Februray 23) Wolverhampton City Council v Persons Unknown and Others 2023 KB-2022-BHM-000188	H 46 - H 59
5.	Schedule A Index (Schedule to Order Sealed 16 February 2023)	H 60 - H 66
6.	Plan A (attached to order 16 February)	H 67
7.	TRANSCRIPT of JUDGMENT 13 February 2023 - Wolverhampton City Council v Persons Unknown (KB-2022-BHM-000188)	H 68 - H 84
8.	TRANSCRIPT of HEARING 06 February 2023 Wolverhampton City Council & Ors v Persons Unknown - KB.2022.BHM-00188	H 85 - H 143
9.	Hearing Notice - Hearing: 15 May 2023 at 10.30 a.m.	H 144
10.	Combined Directions Order 19 May 2023 (Sealed 23 May 2023).pdf	H 145 - H 160
11.	Amended Injunction Order 19 May 2023 (Sealed 23 May 2023).pdf	H 161 - H 178
12.	Amended Power of Arrest (Amended 19 May 2023; Sealed 23 May 2023).pdf	H 179 - H 181
13.	Clearer Copy of Plan A for injunction (WCC & Ors v Persons Unknown KB-2022-BHM-000188).pdf	H 182
14.	Letter From WCC to Court 07 06 2023.pdf	H 183
15.	Letter from WCC to Court 14 6 23.pdf	H 184
16.	Letter to Claimants from Court 3 July 2023.pdf	H 185
17.	Letter WCC to Her Honour Judge E. Kelly 26 July 2023.pdf	H 186 - H 187
18.	Letter From Court to WCC 26 July 2023.pdf	H 188 - H 189
19.	Order of Her Honour Judge Kelly 26 July 2023.pdf	H 190 - H 193

20.	Confirmation of Filing Letter From Claimants to Court 26 July 2023	H 194
21.	Letter From Claimants to Court 1 August 2023.pdf	H 195 - H 196
22.	Confirmation of Filing of Dates of Availability Aug to Sept 2023 1 August 2023 at 1202 hours.pdf	H 197
23.	Notice of Hearing 04 October 2023.pdf	H 198 - H 199
24.	Notice of Further Case Management Hearing 21 September 2023 (VACATED).pdf	H 200 - H 201
25.	Notice of Further Case Management Hearing 10 November 2023 (VACATED).pdf	H 202 - H 203

I. SECTION I - Orders from Concluded Committal Proceedings Relating to this Injunction

1.	Committal Order WCC v Gale 03 10 23	I 1 - I 4
2.	Committal Order SMBC v Szczublińska 03 10 23	I 5 - I 8
3.	Committal Order WCC v Iqbal 1 11 23	I 9 - I 12
4.	Order SMBC v Gale 03 10 23	I 13 - I 15
5.	Order SMBC v Szczublińska 03 10 23	I 16 - I 17
6.	Order WCC v Iqbal 1 11 23	I 18 - I 19
7.	Certificate of Service WCC v Iqbal 1 11 23	I 20 - I 21



B E T W E E N:

(1) WOLVERHAMPTON CITY COUNCIL (2) DUDLEY METROPOLITAN BOROUGH COUNCIL (3) SANDWELL METROPOLITAN BOROUGH COUNCIL (4) WALSALL METROPOLITAN BOROUGH COUNCIL	Claimants
(1) PERSONS UNKNOWN WHO PARTICIPATE BETWEEN THE HOURS OF 3:00PM AND 7:00AM IN A GATHERING OF 2 OR MORE PERSONS WITHIN THE BLACK COUNTRY AREA SHOWN ON PLAN A (ATTACHED) AT WHICH SOME OF THOSE PRESENT ENGAGE IN MOTOR RACING OR MOTOR STUNTS OR OTHER DANGEROUS OR OBSTRUCTIVE DRIVING (2) PERSONS UNKNOWN WHO PARTICIPATE BETWEEN THE HOURS OF 3:00PM AND 7:00AM IN A GATHERING OF 2 OR MORE PERSONS WITHIN THE BLACK COUNTRY AREA SHOWN ON PLAN A (ATTACHED) WITH THE INTENTION OR EXPECTATION THAT SOME OF THOSE PRESENT WILL ENGAGE IN MOTOR RACING OR MOTOR STUNTS OR OTHER DANGEROUS OR OBSTRUCTIVE DRIVING (3) PERSONS UNKNOWN PROMOTING ORGANISING PUBLICISING (BY ANY MEANS WHATSOEVER) ANY GATHERING BETWEEN THE HOURS OF 3:00PM AND 7:00AM OF 2 OR MORE PERSONS WITH THE INTENTION OR EXPECTATION THAT SOME OF THOSE PRESENT WILL ENGAGE IN MOTOR RACING OR MOTOR STUNTS OR OTHER DANGEROUS OR OBSTRUCTIVE DRIVING WITHIN THE BLACK COUNTRY AREA SHOWN ON PLAN A (ATTACHED) (4) PERSONS UNKNOWN BEING DRIVERS, RIDERS OR PASSENGERS IN OR ON MOTOR VEHICLE(S) WHO PARTICIPATE BETWEEN THE HOURS OF 3:00PM AND 7:00AM IN A GATHERING OF 2 OR MORE PERSONS WITHIN THE BLACK COUNTRY AREA SHOWN ON PLAN A (ATTACHED) AT WHICH SUCH DEFENDANTS ENGAGE IN MOTOR RACING OR MOTOR STUNTS OR OTHER DANGEROUS OR OBSTRUCTIVE DRIVING (5) MR ANTHONY PAUL GALE (a Named Defendant) (6) MISS WIKTORIA SCZCUBLINSKA (a Named Defendant) (7) MR ISA IQBAL (a Named Defendant) (8) MR MASON PHELPS (a Named Defendant) (9) Ms REBECCA RICHOLD (a Named Defendant)	Defendants

INJUNCTION - SECTION 37(1) SENIOR COURTS ACT 1981
(PROCEEDINGS BROUGHT PURSUANT TO SECTION 222 LOCAL GOVERNMENT ACT 1972)

POWER OF ARREST (VERSION 7)
Under section 27 Police and Criminal Justice Act 2006

Granted by Order of [please complete] on 28 February 2024

The Court orders that a power of arrest under section 27 Police and Criminal Justice Act 2006 applies to the following paragraph of an order made by [please complete] on 28 February 2024

(Here set out the provisions of the order to which this power of arrest applies and no others).

(Where marked * delete as appropriate)

IT IS FORBIDDEN for any of the Fourth Defendants or any of the Named Defendants being a driver, rider or passenger in or on a motor vehicle to participate between the hours of 3:00 p.m. and 7:00 a.m. in a gathering of 2 or more persons within the Black Country Area shown on Plan A (attached) with the intention or expectation that some of those present will engage in motor racing or motor stunts or other dangerous or obstructive driving.

“Stunts” are driving manoeuvres often undertaken at such gatherings including but not limited to:

- a. “Burnouts” – Causing a vehicle to destroy its tyres by applying power to the drive wheels while braking so as to remain in place while the wheels revolve at speed.
- b. “Donuts/Donutting” – Causing a vehicle to rotate around a fixed point (normally the front axle) while not moving-off causing noise, smoke and tyre marks to be created.
- c. “Drifting” – Turning by placing the vehicle in a skid so that most sideways motion is due to the skid not any significant steering input.
- d. “Undertaking” – Passing a vehicle on its nearside so as to overtake in circumstances not permitted by the Highway Code

**POWER OF
ARREST**

In respect of a power of arrest under section 27 Police and Criminal Justice Act 2006, the Court, upon being satisfied pursuant to section 27(3) Police and Criminal Justice Act 2006 that the relevant conduct consists of or includes the use or threatened use of violence and/or there is a significant risk of harm to a person mentioned in section 27(2) of the said Act, has ordered that a power of arrest be attached to the order.

A power of arrest is attached to the order whereby any constable may (under the power given by Section 27(4) Police and Criminal Justice Act 2006) arrest without a warrant a person whom he has reasonable cause for suspecting to be in breach of any of the provisions set out in this order or otherwise in contempt of court in relation to such provision.

**This Power of
Arrest**

Shall come into effect on 12.01 a.m. (00:01 hours) on 1 March 2024 and shall continue until 11:59 pm (23:59 hours) on 1 March 2027, unless it is extended, varied or discharged by further order of the court.

**Note to the
Arresting Officer**

Where a person is arrested under the power given by section 27(4) Police and Criminal Justice Act 2006, section 27(6) Police and Criminal Justice Act 2006 requires that:

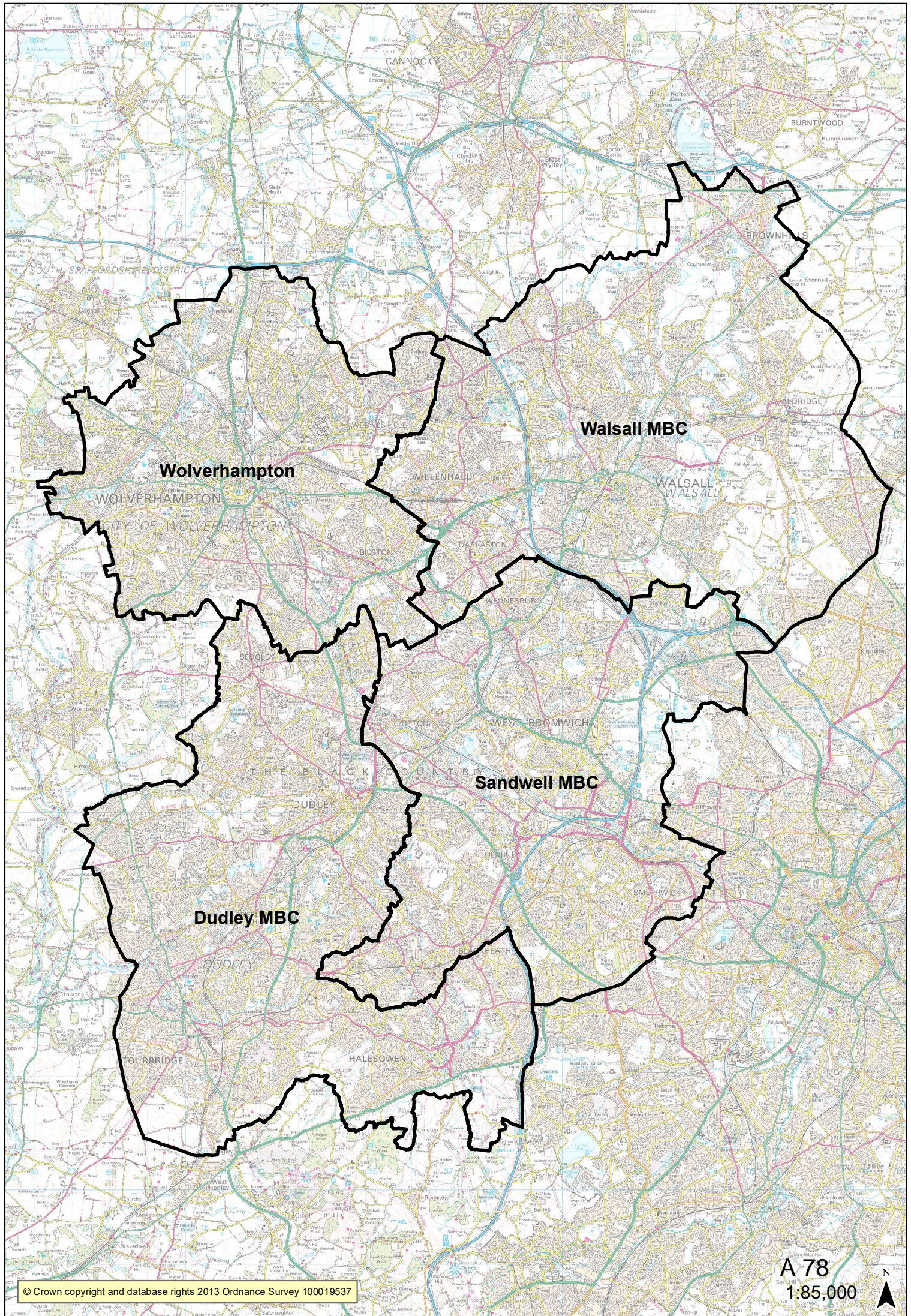
- A constable shall, after making such an arrest, forthwith inform the person on whose application the injunction was granted;
- Such person shall be brought before the relevant judge within 24 hours beginning at the time of his arrest; And if the matter is not then disposed of forthwith, the Judge may remand such person.
- Nothing in section 155 authorises the detention of such person after the expiry of the period of 24 hours beginning at the time of his arrest, unless remanded by the court.
- In reckoning any period of 24 hours for these purposes, no account shall be taken of Christmas Day, Good Friday or any Sunday.

Ordered by

[please complete]

On

28 February 2024.



IN THE HIGH COURT OF JUSTICE
KINGS'S BENCH DIVISION
BIRMINGHAM DISTRICT REGISTRY

In the matter of an application for an injunction under s.37(1), Senior
Courts Act 1981, s.222, Local Government Act 1972 and s.130,
Highways Act 1980.

B E T W E E N

- (1) WOLVERHAMPTON CITY COUNCIL
- (2) DUDLEY METROPOLITAN BOROUGH COUNCIL
- (3) SANDWELL METROPOLITAN BOROUGH COUNCIL
- (4) WALSALL METROPOLITAN BOROUGH COUNCIL

Claimants

and

(1) PERSONS UNKNOWN WHO PARTICIPATE BETWEEN THE
HOURS OF 3:00PM AND 7:00AM IN A GATHERING OF 2 OR MORE
PERSONS WITHIN THE BLACK COUNTRY AREA SHOWN ON
PLAN A (ATTACHED) AT WHICH SOME OF THOSE PRESENT
ENGAGE IN MOTOR RACING OR MOTOR STUNTS OR OTHER
DANGEROUS OR OBSTRUCTIVE DRIVING

(2) PERSONS UNKNOWN WHO PARTICIPATE BETWEEN THE
HOURS OF 3:00PM AND 7:00AM IN A GATHERING OF 2 OR MORE
PERSONS WITHIN THE BLACK COUNTRY AREA SHOWN ON

PLAN A (ATTACHED) WITH THE INTENTION OR EXPECTATION
THAT SOME OF THOSE PRESENT WILL ENGAGE IN MOTOR
RACING OR MOTOR STUNTS OR OTHER DANGEROUS OR
OBSTRUCTIVE DRIVING

(3) PERSONS UNKNOWN PROMOTING ORGANISING
PUBLICISING (BY ANY MEANS WHATSOEVER) ANY
GATHERING BETWEEN THE HOURS OF 3:00PM AND 7:00AM OF 2
OR MORE PERSONS WITH THE INTENTION OR EXPECTATION
THAT SOME OF THOSE PRESENT WILL ENGAGE IN MOTOR
RACING OR MOTOR STUNTS OR OTHER DANGEROUS OR OBSTRUCTIVE DRIVING
WITHIN THE BLACK COUNTRY AREA
SHOWN ON PLAN A (ATTACHED)

(4) PERSONS UNKNOWN BEING DRIVERS, RIDERS OR
PASSENGERS IN OR ON MOTOR VEHICLE(S) WHO PARTICIPATE
BETWEEN THE HOURS OF 3:00PM AND 7:00AM IN A GATHERING
OF 2 OR MORE PERSONS WITHIN THE BLACK COUNTRY AREA
SHOWN ON PLAN A (ATTACHED) AT WHICH SUCH
DEFENDANTS ENGAGE IN MOTOR RACING OR MOTOR STUNTS
OR OTHER DANGEROUS OR OBSTRUCTIVE DRIVING

(5) Mr ANTHONY GALE

(6) Miss WIKTORIA SZCZUBLINSKA

(7) Mr ISA IQBAL

(8) Mr MASON PHELPS

(9) Ms REBECCA RICHOLD

Defendants

BEFORE [please complete] , sitting in the High Court of Justice at the Birmingham District Registry, Birmingham Civil and Family Justice Centre, Priory Courts, 33 Bull Street, Birmingham B4 6DS on 27 and 28 February 2028

UPON hearing: Mr Singleton of counsel for the Claimants in Claim No. KB-2022- BHM-000188

AND UPON there being no appearance by any Defendant, and no other person having notified the Court, the Claimants that they wished to be joined as a party or heard.

AND UPON Claimants' application ,dated 9 December 2022, for an interim injunction and power of arrest pursuant to section 222 Local Government Act 1972 and section 130 Highways Act 1980.

IT IS ORDERED THAT:

1. Final Injunctions and Powers of Arrest are granted in the terms of the drafts annexed to this Order.

Case Management

2. Any person served with a copy of, or affected by, this Order including, for the avoidance of doubt, the Final Injunctions and Powers of Arrest, may apply to the Court to vary or discharge it, on 48 hours written notice to the claimants or, at the address

set out at the foot of this Order. Further information is contained at paragraphs 10 to 12 of and Schedule 1 to this Order.

Service

3. Pursuant to CPR r.6.27 and CPR r.81.4, the steps that the claimants have taken to serve the order of Ritchie J sealed on 16 May 2023; notice of this hearing and the further evidence filed in advance of this hearing shall amount to good and proper service on the each of the Defendants.

4. Personal service of this Order and the amended Claim Form, Particulars of Claim, Injunction and Power of arrest above is dispensed with in relation to the first, second, third and fourth Defendants

Service of this Order

5. The claimants shall serve this Order on the First, Second, Third and Fourth Defendants by completing the following steps before 16:00 on 15 March 2024:

(a) Issuing a media release highlighting the grant of a Final Injunction and Power of Arrest, such release must provide:

- (i) Details of the application and summarise the orders made;
- (ii) Any deadline for filing any documents by the Defendants;
- (iii) The date, time and location of any future hearings, if applicable;
- (iv) The addresses of the dedicated webpages maintained by the Claimants regarding car cruising;
- (v) The Claimants' contact details; and
- (vi) Details of where and how copies of the Injunction, Power of Arrest, this Order, the Documents and the Evidence may be obtained.

Such release shall be made to, but is not limited to, local print publications including the Express and Star, Chronicle Week, the Birmingham Mail, Halesowen & Dudley News and Stourbridge News; local radio stations including BBC WM, Free Radio, Signal 107, WCR FM and Heart; the website Birmingham Live (aka) BLive; and the following television stations, BBC (to include the Midlands Today programme) and ITV Central.

(b) Placing on the Claimants' social media including X (previously known as Twitter), Facebook and Instagram links to the above media release.

(c) Updating the dedicated pages on the websites of Wolverhampton City Council, Dudley Council, Sandwell Council and Walsall Council about the Injunction and Power of Arrest and this Order:

<https://www.wolverhampton.gov.uk/street-racing-injunction>

<https://www.dudley.gov.uk/residents/parking-and-roads/roadshighways-and-pavements/car-cruising-injunction>

https://www.sandwell.gov.uk/info/200284/roads_travel_and_parking/3231/street_racing

https://go.walsall.gov.uk/black_country_car_cruising_injunction

Such pages shall carry a direct link to this Order.

(d) Ensuring that the home (or landing) page of each of the Claimants' main websites have and retain a prominent direct link to the dedicated webpages referred to above.

(e) Ensuring that copies of the Injunction and Power of Arrest are available at the front desks of the Claimants' main offices by 12 March 2024.

(f) Causing to be displayed at regular intervals on the Claimants' electronic road signage the words "NEW HIGH COURT INJUNCTION PROHIBITING CAR CRUISING AND STREET RACING IN FORCE IN THIS AREA"; or words to the same effect and thereafter Causing to be displayed at regular intervals on the Claimants' electronic road signage the words "NEW HIGH COURT INJUNCTION PROHIBITING CAR CRUISING AND STREET RACING IN FORCE IN THIS AREA"; or words to the same effect and thereafter

Erecting and maintaining official road signs (fixed, and temporary) throughout the Black Country Area in locations that are, or have been, hotspots car cruising activity stating "NEW HIGH COURT INJUNCTION PROHIBITING CAR CRUISING AND STREET RACING IN FORCE IN THIS AREA";

The signage to be activated and in place by 00:01 on 15 March 2024

(g) Requesting that the police forces for the West Midlands, Warwickshire, West Mercia, Staffordshire and Leicestershire post on their website and Instagram, X (previously known as Twitter), and Facebook accounts, a link this Order.

6. The Claimants shall serve this Order on the fifth sixth seventh, eighth and ninth Defendants ('the named Defendants') by email, the named Defendants having agreed to accept service by this method. Service must be completed by 16:00 on 15 March 2024.

Amended Claim Documents, Injunction and Power of Arrest

7. The Claimants shall serve version 5 of the Claim Form, the Particulars of Claim (version 6) the Power of Arrest (version 7), and the Final Injunction on the First, Second,

Third and Fourth Defendants by completing the following steps before 16:00 on 15 March 2024:

(a) Uploading copies to the dedicated pages on the websites of Wolverhampton City Council, Dudley Council, Sandwell Council and Walsall Council about the Injunction and Power of Arrest and this Order:

<https://www.wolverhampton.gov.uk/street-racing-injunction>

<https://www.dudley.gov.uk/residents/parking-and-roads/roadshighways-and-pavements/car-cruising-injunction>

[https://www.sandwell.gov.uk/info/200284/roads travel and parking/3231/street racing](https://www.sandwell.gov.uk/info/200284/roads%20travel%20and%20parking/3231/street-racing)

[https://go.walsall.gov.uk/black country car cruising injunction](https://go.walsall.gov.uk/black-country-car-cruising-injunction)

(b) Placing on the Claimants' social media including X (previously known as Twitter), Facebook and Instagram links to the relevant website containing version 5 of the Claim Form, the Particulars of Claim (version 6) the Power of Arrest (version 7), and the Final Injunction.

(c) Placing hard copies of version 5 of the Claim Form, the Particulars of Claim (version 6) the Power of Arrest (version 7), and the Final Injunction at the front desks of the relevant Claimant's offices.

8. This Order shall be deemed served on the First, Second Third and Fourth Defendants at 23.59 on the date upon which, in each case, the final step in paragraph 7 has been complied with.

9. The Claimants shall serve version 5 of the Claim Form; version 6 of the Particulars of Claim, the Power of Arrest (version 7), and the Final Injunction, on the named Defendants by email. Service must be completed by 16:00 on 15 March 2024.

When providing copies of Version 7 of the Power of Arrest to the police the Claimants shall provide a copy of the Final Injunction.

Further matters

10. Without prejudice to the foregoing, any person wishing to exercise a right granted by paragraph 2 of this Order may apply to the Court at any but if they wish to do so they must inform the relevant Claimants' solicitors immediately (and in any event not less than 48 hours before the hearing of any such application) via the contact details set out below at the foot of this Order. Schedule 1 to this Order indicates the process which must be followed for any such application.

11. Any person applying to vary or discharge either Final Injunction or Power of Arrest must provide their full name and address, an address for service, and must also apply to be joined as a Named Defendant to the proceedings at the same time.

12. Any Defendant who fails to comply with paragraphs 10 and 11 above shall not be permitted to defend or take any role in these proceedings without further order of the Court and shall be liable to have injunctive relief continued against them.

Application by the Claimants to add Rebecca Richold as the Ninth Defendant

13. The application, dated 30 January 2024, by the Claimants to add Rebecca Richold as the Ninth Defendant is granted.

14. Further service of version 5 of the Claim Form, the Particulars of Claim (version 6) the Power of Arrest (version 7), the Final Injunction and this order on the Ninth Defendant is dispensed provided that paragraph 9 above is complied with.

Communications with Claimants and the Court

15. All communications to the Court about the claim (which should quote the case number) should be sent to:

Birmingham District Registry Civil Justice Centre

Priory Courts

33 Bull Street,

Birmingham B4 6DS

E: kb.birmingham@justice.gov.uk T: 0121 681 4441

DX: 701987 Birmingham 7

16. Any person who wishes to view or download copies of the documents shall contact the Claimants' solicitors via the contact details below:

The claimants' solicitors and their contact details are:

FAO: Black Country Car Cruise

Legal Services

Wolverhampton City Council

Civic Centre

St Peters Square

Wolverhampton

WV1 1RG

E: litigation@wolverhampton.gov.uk

T: T: 01902 556556

DX: 744350 Wolverhampton 27

Ref: LIT/AS/LIJ017753P

Costs

17. [Costs].

SCHEDULE 1 – STEPS TO VARY OR DISCHARGE THIS ORDER

If, in accordance with paragraph 2 above, any Defendant or any other person affected by this Order wishes to apply to vary or discharge this Order, to ensure effective case management by the Court the following indicative steps must be followed:

1. Any person seeking to contest the Claimants' entitlement to interim relief should file with the court (i.e. send to the court) and serve (i.e. send to the Claimants):

- (a) An N244 application form¹;
- (b) Written grounds (which may be contained in within the N244 application form or a separate document) for:
 - i. permission to bring the application; and
 - ii. the application (i.e. reasons for the proposed variation / discharge of the Order).
- (c) A witness statement(s) containing and/or appending all of the evidence to be relied upon in support of the application.

2. In order to file the above documents with the Court, the applicant should:

- (a) Send physical copies of the documents to the address at paragraph 15 of this Order; and/or
- (b) Speak to the Court to obtain an address to send electronic copies of the documents to.

¹ See the following link which provides a digital version of the form, and guidance notes:

<https://www.gov.uk/government/publications/form-n244-application-notice>

3. In order to serve the above documents on the Claimants, the applicant should:

(a) Send physical copies of the documents to the address at

Paragraph 16 of this Order; and/or

(c) Send electronic copies of the documents to the e-mail address at paragraph 16 above.

4. The person making the application should indicate to the Court and Claimants whether they consider the matter requires a court hearing or can be dealt with by the judge reviewing the paper application and any response from the Claimants.

5. Thereafter the Claimants shall have 14 days to file and serve evidence and submissions in response, including as to whether an oral hearing is required to determine the application.

6. Within 21 days the Court shall decide

(a) whether to grant permission for the application to proceed; and

(b) if permission is granted, whether a hearing is necessary, and/or may request from the parties evidence on any further matters necessary to determine the application. If the Court decides that a hearing is necessary, it shall seek to schedule the hearing (accommodating availabilities of the parties) within 42 days (6 weeks).

7. If the Court decides that further evidence is needed from any party, it may set strict deadlines by which that evidence must be filed. Both parties should be aware that the Court may restrict the use of evidence which is filed late or impose other penalties for non-compliance.

For: Claimants
Statement of: Pardip Sandhu
Statement no: 6
Exhibits: PS4
Date: 20th February 2024

IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION

CLAIM NO: KB-2022-BHM-000188

BETWEEN:

(1) WOLVERHAMPTON CITY COUNCIL
(2) DUDLEY METROPOLITAN BOROUGH COUNCIL
(3) SANDWELL METROPOLITAN BOROUGH COUNCIL
(4) WALSALL METROPOLITAN BOROUGH COUNCIL

Claimants

-and-

1. PERSONS UNKNOWN WHO PARTICIPATE BETWEEN THE HOURS OF 3:00PM AND 7:00AM IN A GATHERING OF 2 OR MORE PERSONS WITHIN THE BLACK COUNTRY AREA SHOWN ON PLAN A (ATTACHED) AT WHICH SOME OF THOSE PRESENT ENGAGE IN MOTOR RACING OR MOTOR STUNTS OR OTHER DANGEROUS OR OBSTRUCTIVE DRIVING

2 PERSONS UNKNOWN WHO PARTICIPATE BETWEEN THE HOURS OF 3:00PM AND 7:00AM IN A GATHERING OF 2 OR MORE PERSONS WITHIN THE BLACK COUNTRY AREA SHOWN ON PLAN A (ATTACHED) WITH THE INTENTION OR EXPECTATION THAT SOME OF THOSE PRESENT WILL ENGAGE IN MOTOR RACING OR MOTOR STUNTS OR OTHER DANGEROUS OR OBSTRUCTIVE DRIVING

3. PERSONS UNKNOWN PROMOTING ORGANISING PUBLICISING (BY ANY MEANS WHATSOEVER) ANY GATHERING BETWEEN THE HOURS OF 3:00PM AND 7:00AM OF 2 OR MORE PERSONS WITH THE INTENTION OR EXPECTATION THAT SOME OF THOSE PRESENT WILL ENGAGE IN MOTOR RACING OR MOTOR STUNTS OR OTHER DANGEROUS OR OBSTRUCTIVE DRIVING

WITHIN THE BLACK COUNTRY AREA SHOWN ON PLAN A (ATTACHED)

Defendants

WITNESS STATEMENT OF PARDIP SANDHU


I, Pardip Sandhu, Town Lead Anti-Social Behaviour Officer for Sandwell Metropolitan Borough Council, based in Oldbury, Sandwell, West Midlands, WILL SAY AS FOLLOWS:

1. Except where indicated to the contrary, the facts in this statement are within my knowledge and are true. Where the facts in this statement are not within my direct knowledge, they are based on the source indicated and are true to the best of my information and belief.
2. This is my sixth statement in this matter.
3. This statement is to confirm that new signage has now been installed in the following areas within Sandwell. These include Birmingham Road, Oldbury on the dual carriageway between the junctions of Rood End Road, and Mallin Street, Smethwick. The sign is double sided and visible to motorists travelling both east and west.
4. The other signs have been installed on Kenrick Way, West Bromwich, at the junction with Trinity Way. The sign is located on the centre refuge and visible to motorists travelling both east and west. The other sign is located on the centre refuge and visible to motorists travelling east towards Smethwick.
5. Another sign is located on the centre refuge and visible to motorists travelling south towards Smethwick. Photographs highlighting these signs are here marked as “**PS4**” which I exhibit to my statement.

Statement of Truth

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed



Date

20/2/2024

Print name in full Pardip Sandhu

**IN THE HIGH COURT OF JUSTICE
CLAIM NO KB-2022-BHM-000188
KING'S BENCH DIVISION**

- (1) WOLVERHAMPTON CITY COUNCIL**
- (2) DUDLEY METROPOLITAN BOROUGH COUNCIL**
- (3) SANDWELL METROPOLITAN BOROUGH COUNCIL**
- (4) WALSALL METROPOLITAN BOROUGH COUNCIL**

Claimants

-and-

1. PERSONS UNKNOWN WHO PARTICIPATE BETWEEN THE HOURS OF 3:00PM AND 7:00AM IN A GATHERING OF 2 OR MORE PERSONS WITHIN THE BLACK COUNTRY AREA SHOWN ON PLAN A (ATTACHED) AT WHICH SOME OF THOSE PRESENT ENGAGE IN MOTOR RACING OR MOTOR STUNTS OR OTHER DANGEROUS OR OBSTRUCTIVE DRIVING

2 PERSONS UNKNOWN WHO PARTICIPATE BETWEEN THE HOURS OF 3:00PM AND 7:00AM IN A GATHERING OF 2 OR MORE PERSONS WITHIN THE BLACK COUNTRY AREA SHOWN ON PLAN A (ATTACHED) WITH THE INTENTION OR EXPECTATION THAT SOME OF THOSE PRESENT WILL ENGAGE IN MOTOR RACING OR MOTOR STUNTS OR OTHER DANGEROUS OR OBSTRUCTIVE DRIVING

3. PERSONS UNKNOWN PROMOTING ORGANISING PUBLICISING (BY ANY MEANS WHATSOEVER) ANY GATHERING BETWEEN THE HOURS OF 3:00PM AND 7:00AM OF 2 OR MORE PERSONS WITH THE INTENTION OR EXPECTATION THAT SOME OF THOSE PRESENT WILL ENGAGE IN MOTOR RACING OR MOTOR STUNTS OR OTHER DANGEROUS OR OBSTRUCTIVE DRIVING

WITHIN THE BLACK COUNTRY AREA SHOWN ON PLAN A (ATTACHED)

EXHIBIT "PS4"

I verify that this exhibit is marked as "PS4" in my statement.

**IN THE HIGH COURT OF JUSTICE
CLAIM NO KB-2022-BHM-000188
KING'S BENCH DIVISION**

- (1) WOLVERHAMPTON CITY COUNCIL**
- (2) DUDLEY METROPOLITAN BOROUGH COUNCIL**
- (3) SANDWELL METROPOLITAN BOROUGH COUNCIL**
- (4) WALSALL METROPOLITAN BOROUGH COUNCIL**

Claimants

-and-

1. PERSONS UNKNOWN WHO PARTICIPATE BETWEEN THE HOURS OF 3:00PM AND 7:00AM IN A GATHERING OF 2 OR MORE PERSONS WITHIN THE BLACK COUNTRY AREA SHOWN ON PLAN A (ATTACHED) AT WHICH SOME OF THOSE PRESENT ENGAGE IN MOTOR RACING OR MOTOR STUNTS OR OTHER DANGEROUS OR OBSTRUCTIVE DRIVING

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3. PERSONS UNKNOWN PROMOTING ORGANISING PUBLICISING (BY ANY MEANS WHATSOEVER) ANY GATHERING BETWEEN THE HOURS OF 3:00PM AND 7:00AM OF 2 OR MORE PERSONS WITH THE INTENTION OR EXPECTATION THAT SOME OF THOSE PRESENT WILL ENGAGE IN MOTOR RACING OR MOTOR STUNTS OR OTHER DANGEROUS OR OBSTRUCTIVE DRIVING

WITHIN THE BLACK COUNTRY AREA SHOWN ON PLAN A (ATTACHED)

**WITNESS STATEMENT OF
PARDIP SANDHU**

Location : Birmingham Road, Oldbury

Dual carriageway between the junctions of Rood End Road and Mallin Street, Smethwick.

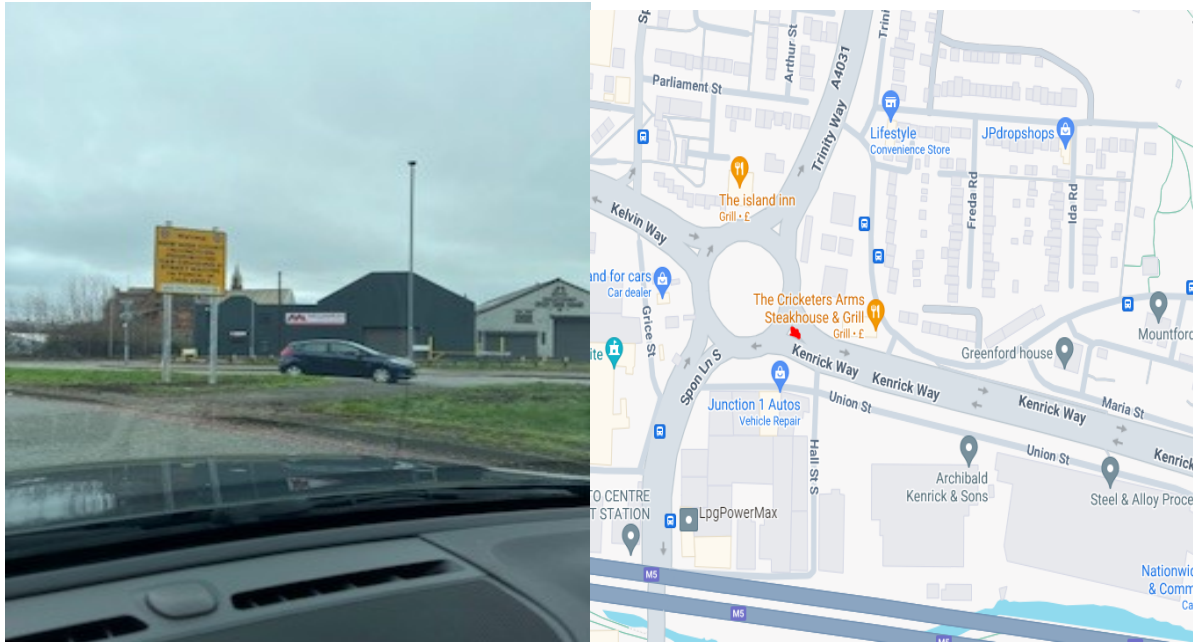
The sign is double sided and visible to motorists travelling both east and west



Location : Kenrick Way, West Bromwich

Kenrick Way, West Bromwich at the junction with Trinity Way.

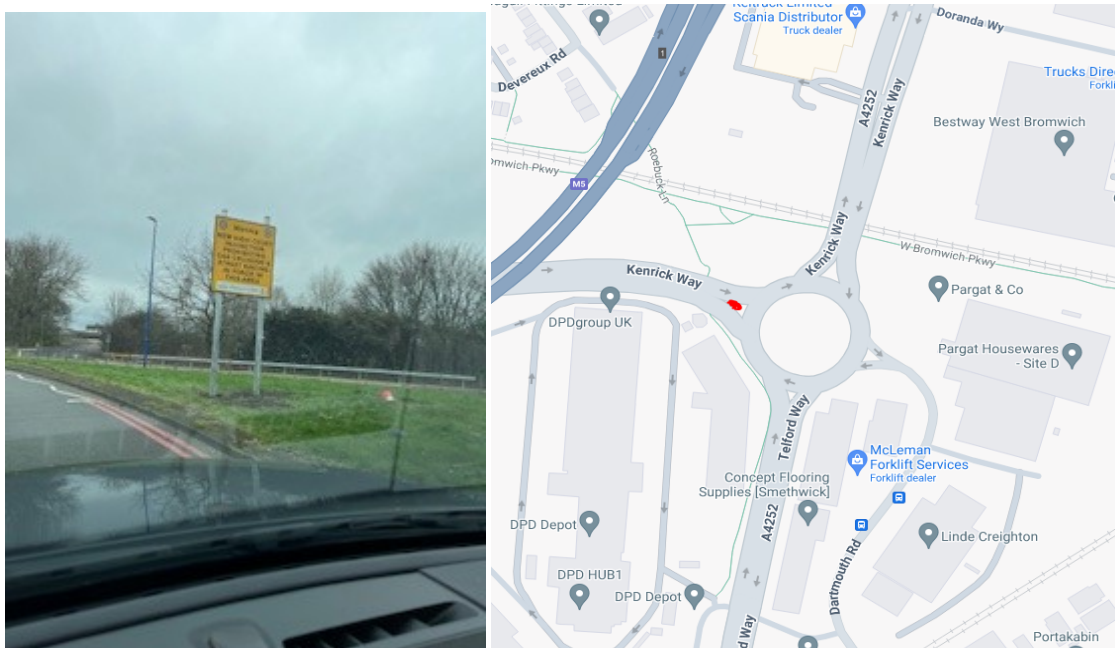
Sign is located on the centre refuge and visible to motorists travelling east towards Smethwick



Location : Kenrick Way, West Bromwich

Kenrick Way, West Bromwich at the junction Telford Way.

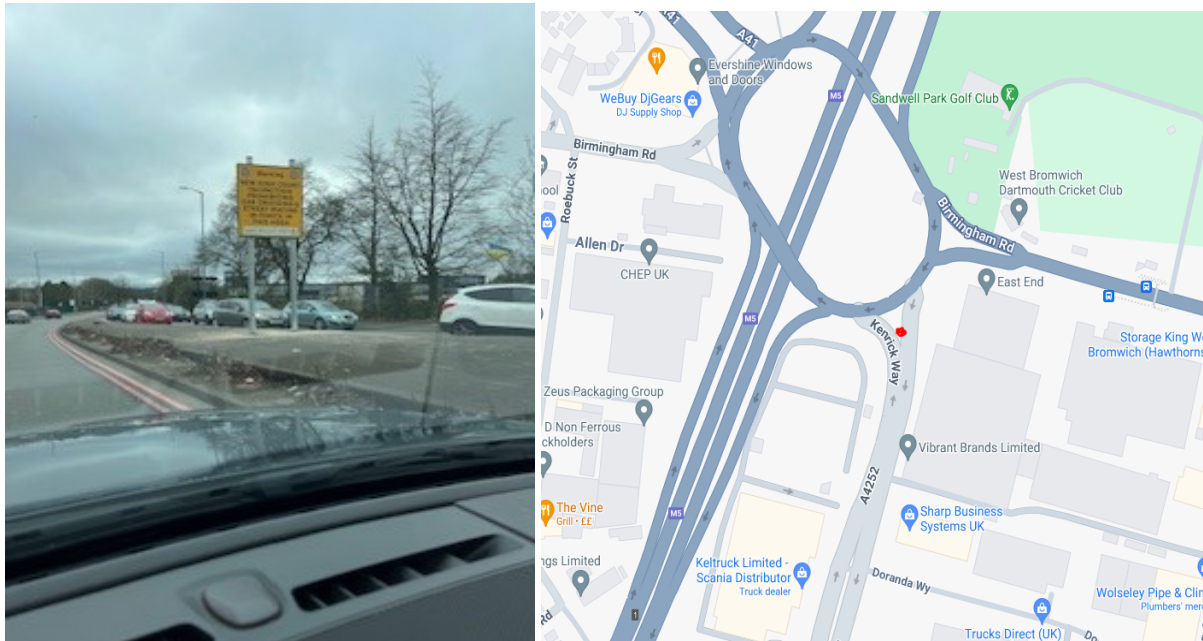
Sign is located on the centre refuge and visible to motorists travelling west towards West Bromwich.



Location : Kenrick Way, West Bromwich

Kenrick Way, West Bromwich at the junction with the M5, Junction 1 motorway island

Sign is located on the centre refuge and visible to motorists travelling south towards Smethwick



E-Filing Submission Confirmation

The following electronic filing(s) were successfully submitted. Please keep a copy of this confirmation for your records.

Submitted Number 1344241708428606702

Submitted Date 20-02-2024 11:30 AM

Filings Submitted:

Court	Case Number	Matter/Ref. Number	Filing Type(s)	Documents	Fees
Birmingham	KB-2022-BHM-000188	LIT/AS/LIJ017753P	Filing - Witness Statement - General	2	£ 0.00
<u>Total</u>					<u>£ 0.00</u>



Case No: KB-2022-BHM-000188
KB-2022-BHM-000221

**IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION
BIRMINGHAM DISTRICT REGISTRY**

KB-2022-BHM-000188

**In the matter of an application for an injunction under s.37(1), Senior
Courts Act 1981, s.222, Local Government Act 1972 and s.130,
Highways Act 1980.**

KB-2022-BHM-000188

B E T W E E N

- (1) WOLVERHAMPTON CITY COUNCIL**
- (2) DUDLEY METROPOLITAN BOROUGH COUNCIL**
- (3) SANDWELL METROPOLITAN BOROUGH COUNCIL**
- (4) WALSALL METROPOLITAN BOROUGH COUNCIL**

Claimants

and

**(1) PERSONS UNKNOWN WHO PARTICIPATE BETWEEN THE
HOURS OF 3:00PM AND 7:00AM IN A GATHERING OF 2 OR MORE
PERSONS WITHIN THE BLACK COUNTRY AREA SHOWN ON
PLAN A (ATTACHED) AT WHICH SOME OF THOSE PRESENT
ENGAGE IN MOTOR RACING OR MOTOR STUNTS OR OTHER
DANGEROUS OR OBSTRUCTIVE DRIVING**

**(2) PERSONS UNKNOWN WHO PARTICIPATE BETWEEN THE
HOURS OF 3:00PM AND 7:00AM IN A GATHERING OF 2 OR MORE
PERSONS WITHIN THE BLACK COUNTRY AREA SHOWN ON
PLAN A (ATTACHED) WITH THE INTENTION OR EXPECTATION
THAT SOME OF THOSE PRESENT WILL ENGAGE IN MOTOR
RACING OR MOTOR STUNTS OR OTHER DANGEROUS OR
OBSTRUCTIVE DRIVING**

**(3) PERSONS UNKNOWN PROMOTING ORGANISING
PUBLICISING (BY ANY MEANS WHATSOEVER) ANY
GATHERING BETWEEN THE HOURS OF 3:00PM AND 7:00AM OF 2
OR MORE PERSONS WITH THE INTENTION OR EXPECTATION
THAT SOME OF THOSE PRESENT WILL ENGAGE IN MOTOR
RACING OR MOTOR STUNTS OR OTHER DANGEROUS OR OBSTRUCTIVE
DRIVING WITHIN THE BLACK COUNTRY AREA
SHOWN ON PLAN A (ATTACHED)**

**(4) PERSONS UNKNOWN BEING DRIVERS, RIDERS OR
PASSENGERS IN OR ON MOTOR VEHICLE(S) WHO PARTICIPATE
BETWEEN THE HOURS OF 3:00PM AND 7:00AM IN A GATHERING
OF 2 OR MORE PERSONS WITHIN THE BLACK COUNTRY AREA**

**SHOWN ON PLAN A (ATTACHED) AT WHICH SUCH
DEFENDANTS ENGAGE IN MOTOR RACING OR MOTOR STUNTS
OR OTHER DANGEROUS OR OBSTRUCTIVE DRIVING**

**(5) Mr ANTHONY GALE
(6) Miss WIKTORIA SZCZUBLINSKA**

Defendants

AND

KB-2022-BHM-000221

B E T W E E N

BIRMINGHAM CITY COUNCIL

Claimant

-and-

**(1) AHZI NAGMADIN
(2) JESSICA ELLEN ROBERTS
(4) RASHANI REID
(5) THOMAS WHITTAKER
(6) ARTHUR ROGERS
(7) ABC
(8) PERSONS UNKNOWN WHO PARTICIPATE OR INTEND
TO PARTICIPATE IN STREET-CRUISES IN BIRMINGHAM,
AS CAR DRIVERS, MOTORCYCLE RIDERS, PASSENGERS
AND/OR SPECTATORS
(9) PERSONS UNKNOWN WHO, OR WHO INTEND TO,
ORGANISE, PROMOTE OR PUBLICISE STREET CRUISES
IN BIRMINGHAM
(10) PERSONS UNKNOWN WHO PARTICIPATE OR INTEND
TO PARTICIPATE IN STREET CRUISES IN BIRMINGHAM AS
CAR DRIVERS, MOTORCYCLE RIDERS OR PASSENGERS IN
MOTOR CARS OR ON MOTORCYCLES
(11) MOHAMMED SHABBIR
(12) ZOE LLOYD
(13) CALLUM BLUNDERFIELD**

Defendants

BEFORE Her Honour Judge Emma Kelly, sitting as a Judge of the High Court of Justice at the Birmingham District Registry, Birmingham Civil and Family Justice Centre, Priory Courts, 33 Bull Street, Birmingham B4 6DS on 4 October 2023.

UPON hearing:

- (i) Mr Singleton of counsel for the Claimants in Claim No. KB-2022- BHM-000188 (respectively the “Wolverhampton Claimants” and the “Wolverhampton claim”) and
- (ii) Mr Manning and Ms Crocombe of counsel for the Claimants in Claim No. KB-2022- BHM-000221 (respectively “Birmingham CC” and the “Birmingham claim”),

AND UPON there being no appearance by any Defendant, and no other person having notified the Court, the Wolverhampton Claimants or Birmingham CC that they wished to be joined as a party or heard.

AND UPON Birmingham CC’s application for an interim injunction and power of arrest dated 9 December 2022 pursuant to section 222 Local Government Act 1972 and section 130 Highways Act 1980 and the Wolverhampton Claimants’ like application dated 13 December 2022

AND UPON the Court reviewing the grant by the Honourable Mrs Justice Hill of Interim Injunctions and Powers of Arrest dated 22 December 2022 as amended by the Honourable Mr Justice Ritchie on 16 May 2023 in both the Wolverhampton claim and the Birmingham claim.

AND UPON the Court having dispensed with the need for Birmingham CC to serve the Eighth, Ninth and Tenth Defendants via the method stipulated in paragraph 13(6) of the Order of Mr Justice Ritchie dated 16 May 2023, the Court having concluded, for the reasons given in a Judgment in the case of Birmingham CC v Lloyd, on 4 September 2023, that paragraph 13(6) was impossible to comply with.

IT IS ORDERED THAT:

1. In both the Wolverhampton claim and the Birmingham claim, the Interim Injunctions and Power of Arrest granted by the Honourable Mrs Justice Hill, sealed on 22 December 2022, and as amended by the Honourable Mr Justice Ritchie on 16 May 2023 shall remain in force until the hearing until the hearing of the claim unless varied or discharged by further Order of the Court.

2. (i) Birmingham CC has permission to file and serve a version 4 of the Claim Form, Particulars of Claim, Interim Injunction and Power of Arrest so as to record the addition of the 13th Defendant as a party by 4.00 pm on 11 October 2023.
(ii) The Wolverhampton claimants shall have permission to file and serve version 3 of the Claim Form, the Particulars of Claim, and the Injunction and the Power of Arrest to add the 5th and 6th Defendants by 4.00 pm on 11 October 2023

Hereafter any amended Statements of Case and Orders shall be described in the following manner: identifying the nature of the document, which version of the document it is and when and by whom permissions to amend was given.

e.g. Particulars of Claim (version 2) amended pursuant to an order of Ritchie J made on 19 May 2023 would be the Wolverhampton Claimants Amended Particulars of Claim.

Case Management

3. There shall be the following further hearings set out below at which hearings the court will consider the Wolverhampton claim and the Birmingham claim together. For the avoidance of doubt, the Wolverhampton claim and the Birmingham claim have not been consolidated but it is convenient for them to be heard together as they raise similar issues.

4. A further review hearing shall take place before a High Court Judge at 10.30 am on 20 December 2023 in the High Court of Justice at the Birmingham District Registry, Birmingham Civil and Family Justice Centre, Priory Courts, 33 Bull Street, Birmingham B4 6DS, with a time estimate 1 day, and prior Judicial reading time of 1 day.

(a) Not less than 7 days prior to the hearing the Wolverhampton claimants and Birmingham CC shall file with the Court case summaries to inform the Court of the current position in particular in relation to the awaited judgment of the Supreme Court in *Wolverhampton CC v London Gypsies and Travellers and others* [2022] UKSC/0046 and any current enforcement proceedings and Defendants to be named in connection with the interim injunction and/or the power of arrest.

(b) The Wolverhampton claimants and Birmingham CC have permission to file updating evidence not less than 7 days prior to the hearing. Alternative service of any

such evidence may be effected by taking like steps to those set out at paragraphs 14 and 16 of this Order in the Wolverhampton claim and paragraphs 18 and 20 of this Order in the Birmingham claim.

(c) Not less than 7 days prior to the hearing the Wolverhampton claimants and Birmingham CC shall file with the Court a hard copy of each bundle containing all the Orders, application documents and evidence relevant to the application. It should also include drafts of any proposed orders.

(d) Both the Wolverhampton claimants and Birmingham CC must give active consideration as to whether this hearing can be converted into a final hearing if the judgment of the Supreme Court in *Wolverhampton CC v London Gypsies and Travellers and others* [2022] UKSC/0046 is handed down in good time prior to 20 December 2023. Any request that the hearing to be converted into a final hearing must be made in writing to the Court to include details as to what time estimate is being proposed and why, whereupon the matter shall be referred to HHJ Kelly for consideration as to further case management directions and as to whether the Court can accommodate a final hearing commencing on 20 December 2023

(e) At the review hearing, the Court will determine, amongst other things, the appropriate directions for the final hearing of each claim which has been listed in accordance with paragraph 5 of this Order.

5. There shall be a final hearing, before a High Court Judge at 10.30 am on 27 and 28 February 2024 in the High Court of Justice at the Birmingham District Registry, Birmingham Civil and Family Justice Centre, Priory Courts, 33 Bull Street, Birmingham B4 6DS, with a time of 2 days and prior Judicial reading time of 1 additional day.

6. Any person served with a copy of, or affected by, this Order including, for the avoidance of doubt, the Interim Injunctions and Powers of Arrest, may apply to the Court to vary or discharge it on 48 hours written notice to the Wolverhampton claimants or Birmingham CC, whichever be the relevant claimant, at the applicable address set out at the foot of this Order. Further information is contained at paras 21-23 of and Schedule 1 to this Order.

Service

7. In both the Wolverhampton claim and the Birmingham claim, and pursuant to CPR r.6.27 and CPR r.81.4, the steps that the Wolverhampton claimants and Birmingham CC have taken to serve the order of Ritchie J sealed on 16 May 2023; notice of this hearing and the further evidence filed in advance of this hearing shall amount to good and proper service on the each of the Defendants.

8. Personal service of this Order and the amended Claim Form, Particulars of Claim, Interim Injunction and Power of arrest above is dispensed with in relation to the first, second, third and fourth Defendants in the Wolverhampton claim, and in relation to the Eighth to Thirteenth Defendants inclusive in the Birmingham claim.

Service of this Order

9. The Wolverhampton claimants shall serve this Order on the First, Second, Third and Fourth Defendants by completing the following steps before 16:00 on 25 October 2023:

(a) Issuing a media release highlighting the continuation of the Injunction and Power of Arrest, such release must provide:

- (i) Details of the application and summarise the orders made;
- (ii) Any deadline for filing any documents by the Defendants;
- (iii) The date, time and location of the future hearings.
- (iv) The addresses of the dedicated webpages maintained by the Claimants regarding car cruising;
- (v) The Claimants' contact details; and
- (vi) Details of where and how copies of the Injunction, Power of Arrest, this Order, the Documents and the Evidence may be obtained.

Such release shall be made to, but is not limited to, local print publications including the Express and Star, Chronicle Week, the Birmingham Mail, Halesowen & Dudley News and Stourbridge News; local radio stations including BBC WM, Free Radio, Signal 107, WCR FM and Heart; the website Birmingham Live (aka) BLive; and the following television stations, BBC (to include the Midlands Today programme) and ITV Central.

(b) Placing on the Claimants' social media including X (previously known as Twitter), Facebook and Instagram links to the above media release.

(c) Updating the dedicated pages on the websites of Wolverhampton City Council, Dudley Council, Sandwell Council and Walsall Council about the Injunction and Power of Arrest and this Order:

<https://www.wolverhampton.gov.uk/street-racing-injunction>

<https://www.dudley.gov.uk/residents/parking-and-roads/roadshighways-and-pavements/car-cruising-injunction>

https://www.sandwell.gov.uk/info/200284/roads_travel_and_parking/3231/street_racing

https://go.walsall.gov.uk/black_country_car_cruising_injunction

Such pages shall carry a direct link to this Order.

(d) Ensuring that the home (or landing) page of each of the Claimants' main websites have and retain a prominent direct link to the dedicated webpages referred to above.

(e) Ensuring that a copy of this Order is available at the front desks of the Claimants' main offices.

(f) Requesting that the police forces for the West Midlands, Warwickshire, West Mercia, Staffordshire and Leicestershire post on their website and Instagram, X (previously known as Twitter), and Facebook accounts, a link to this Order on the dedicated web-pages referred to at (c) above.

10. The Wolverhampton Claimants shall serve this Order on the fifth and sixth Defendants ('the named Defendants') by email, the named Defendants having agreed to accept service by this method. Service must be completed by 16:00 on 11 October 2023.

11. Birmingham CC shall personally serve this Order on the First, Second, Fourth, Fifth, Sixth and Seventh Defendants by 16:00 on 18 October 2023.

12. Birmingham CC shall serve this Order on the Eighth, Ninth and Tenth Defendants by completing the following steps before 16:00 on 25 October 2023:

(a) Issuing a media release highlighting the continuation of the Injunction and Power of Arrest, such release must provide:

- (i) Details of the application and summarise the orders made;
- (ii) Any deadline for filing any documents by the Defendants;
- (iii) The date, time and location of the future hearings.
- (iv) The addresses of the dedicated webpages maintained by the Claimants regarding car cruising;
- (v) The Claimants' contact details; and
- (vi) Details of where and how copies of the Injunction, Power of Arrest, this Order, the Documents and the Evidence may be obtained.

Such release shall be made to, but is not limited to, local print publications including the Express and Star, Chronicle Week, the Birmingham Mail, Halesowen & Dudley News and Stourbridge News; local radio stations including BBC WM, Free Radio, Signal 107, WCR FM and Heart; the website Birmingham Live (aka) BLive; and the following television stations, BBC (to include the Midlands Today programme) and ITV Central.

(b) Placing on the Claimants' social media including X (previously known as Twitter), Facebook and Instagram links to the above media release.

(c) Updating its dedicated page on its website about the Injunction and Power of Arrest and this Order:

<https://www.birmingham.gov.uk/streetcruiseapplication2022>

Such page shall carry a direct link to this Order.

(d) Ensuring that the home (or landing) page of its main website has and retains a prominent direct link to the dedicated webpage referred to above.

(e) Ensuring that a copy of this Order is available at the front desks of the Claimants' main offices.

(f) Requesting that the police forces for the West Midlands, Warwickshire, West Mercia, Staffordshire and Leicestershire post on their website and Instagram, X (previously known as Twitter), and Facebook accounts, a link to this Order on the dedicated webpage referred to at (c) above.

13. Birmingham CC shall serve this Order on the Eleventh, Twelfth and Thirteenth Defendants by email, the said Defendants having agreed to accept service by this method. Service must be completed by 16:00 on 11 October 2023.

Service of the Amended Claim Documents, Interim Injunction and Power of Arrest

14. Wolverhampton Claimants shall serve version 3 of the Claim Form, the Particulars of Claim, and the Injunction and the Power of Arrest on the First, Second, Third and Fourth Defendants by completing the following steps before 16:00 on 25 October 2023:

(a) Uploading copies to the dedicated pages on the websites of Wolverhampton City Council, Dudley Council, Sandwell Council and Walsall Council about the Injunction and Power of Arrest and this Order:

<https://www.wolverhampton.gov.uk/street-racing-injunction>

<https://www.dudley.gov.uk/residents/parking-and-roads/roadshighways-and-pavements/car-cruising-injunction>

https://www.sandwell.gov.uk/info/200284/roads_travel_and_parking/3231/street_racing

https://go.walsall.gov.uk/black_country_car_cruising_injunction

(b) Placing on the Claimants' social media including X (previously known as Twitter), Facebook and Instagram links to the relevant website containing version 3 of the Claim Form, the Particulars of Claim, and the Injunction and the Power of Arrest.

(c) Placing hard copies of version 3 of the Claim Form, the Particulars of Claim, and the Injunction and the Power of Arrest at the front desks of the relevant Claimant's offices.

15. This Order shall be deemed served on the First, Second, Third and Fourth Defendants at 23.59 on the date upon which, in each case, the final step in paragraph 14 has been complied with.

16. The Wolverhampton Claimants shall serve version 3 of the Claim Form, the Particulars of Claim, and the Injunction and the Power of Arrest on the named Defendants by email, the said Defendants having agreed to accept service by email. Service must be completed by 16:00 on 11 October 2023.

17. Birmingham CC shall personally serve version 4 of the Claim Form, Particulars of Claim, Interim Injunction and Power of Arrest on the First, Second, Fourth, Fifth, Sixth and Seventh Defendants by 16:00 on 18 October 2023.

18. Birmingham CC shall serve version 4 of the Claim Form, Particulars of Claim, Interim Injunction and Power of Arrest on the Eighth Ninth and Tenth Defendants by completing the following steps before 16:00 on 25 October 2023:

(a) Uploading copies to its dedicated page on its website about the applications to the High Court for an injunction and power of arrest:

<https://www.birmingham.gov.uk/streetcruiseapplication2022>

(b) Placing on the Claimants' social media including X (previously known as Twitter), Facebook and Instagram links to the Fourth Amended Claim Form, Particulars of Claim, Interim Injunction and Power of Arrest.

(c) Placing hard copies of version 4 of the Claim Form, Particulars of Claim, Interim Injunction and Power of Arrest at the front desk of the Claimant's main office.

19. This Order shall be deemed served on the Eighth, Ninth and Tenth Defendants at 23:59 on the date upon which, in each case, the final step in paragraph 18 has been complied with.

20. Birmingham CC shall serve this Order on the Eleventh, Twelfth and Thirteenth Defendants by email, the said defendants having agreed to accept service by this method. Service must be completed by 16:00 on 11 October 2023.

Further matters

21. Without prejudice to the foregoing, any person wishing to exercise a right granted by paragraph 6 of this Order may apply to the Court at any time but if they wish to do so they must inform the relevant Claimants' solicitors in writing immediately (and in any event not less than 48 hours before the hearing of any such application) via the contact details set out below at the foot of this Order. Schedule 1 to this Order indicates the process which must be followed for any such application.

22. Any person applying to vary or discharge either Interim Injunction or Power of Arrest must provide their full name and address, an address for service, and must also apply to be joined as a Named Defendant to the proceedings at the same time.

23. Any Defendant who fails to comply with paragraphs 21 and 22 above shall not be permitted to defend or take any role in these proceedings without further order of the Court and shall be liable to have injunctive relief continued against them.

Communications with Claimants and the Court

24. All communications to the Court about the Wolverhampton claim or the Birmingham claim (which should quote the case number) should be sent to:

Birmingham District Registry Civil Justice Centre

Priory Courts

33 Bull Street,

Birmingham B4 6DS

E: kb.birmingham@justice.gov.uk T: 0121 681 4441

DX: 701987 Birmingham 7

25. Any person who wishes to make an application under para.6 and 21 of this Order or otherwise to contact the Wolverhampton claimants or Birmingham CC about these claims shall contact the relevant Claimants' solicitors via the contact details below:

The Wolverhampton claimants' solicitors and their contact details are:

FAO: Black Country Car Cruise

Legal Services
Wolverhampton City Council
Civic Centre
St Peters Square
Wolverhampton
WV1 1RG
E: litigation@wolverhampton.gov.uk
T: T: 01902 556556
DX: 744350 Wolverhampton 27
Ref: LIT/AS/LIJ017753P

Birmingham CC's solicitors' contact details are:
Birmingham City Council Legal and Governance
Ref: LSCSY/HM/150673
PO Box 15992
Birmingham B2 2UQ
E: HousingLitigationTeam@birmingham.gov.uk
T: 0121 303 2808
DX: MDX 326401 Birmingham 87

Costs

26. Costs in the application.

SCHEDULE 1 – STEPS TO VARY OR DISCHARGE THIS ORDER

If, in accordance with paragraph 6 above, any Defendant or any other person affected by this Order wishes to apply to vary or discharge this Order, to ensure effective case management by the Court the following indicative steps must be followed:

1. Any person seeking to contest the Claimants' entitlement to interim relief should file with the court (i.e. send to the court) and serve (i.e. send to the Claimants):

- (a) An N244 application form¹;
- (b) Written grounds (which may be contained in within the N244 application form or a separate document) for:
 - i. permission to bring the application; and
 - ii. the application (i.e. reasons for the proposed variation / discharge of the Order).
- (c) A witness statement(s) containing and/or appending all of the evidence to be relied upon in support of the application.

2. In order to file the above documents with the Court, the applicant should:

- (a) Send physical copies of the documents to the address at paragraph 24 of this Order; and/or
- (b) Speak to the Court to obtain an address to send electronic copies of the documents to.

3. In order to serve the above documents on the Claimants, the applicant should:

- (a) Identify the relevant Claimants (the Wolverhampton Claimants or Birmingham CC); and then
- (b) Send physical copies of the documents to the relevant address at paragraph 25 of this Order; and/or

¹ See the following link which provides a digital version of the form, and guidance notes:
<https://www.gov.uk/government/publications/form-n244-application-notice>

(c) Send electronic copies of the documents to the relevant e-mail address at paragraph 25 above.

4. The person making the application should indicate to the Court and Claimants whether they consider the matter requires a court hearing or can be dealt with by the judge reviewing the paper application and any response from the Claimants.

5. Thereafter the Claimants shall have 14 days to file and serve evidence and submissions in response, including as to whether an oral hearing is required to determine the application.

6. Within 21 days the Court shall decide

(a) whether to grant permission for the application to proceed; and

(b) if permission is granted, whether a hearing is necessary, and/or may request from the parties evidence on any further matters necessary to determine the application. If the Court decides that a hearing is necessary, it shall seek to schedule the hearing (accommodating availabilities of the parties) within 42 days (6 weeks).

7. If the Court decides that further evidence is needed from any party, it may set strict deadlines by which that evidence must be filed. Both parties should be aware that the Court may restrict the use of evidence which is filed late or impose other penalties for non-compliance.