

INJUNCTION

Between

- (1) Wolverhampton City Council
- (2) Dudley Metropolitan Borough Council
- (3) Sandwell Metropolitan Borough Council
- (4) Walsall Metropolitan Borough Council

Claimants

- AND -

PERSONS UNKNOWN

Defendants

To:	WHOM IT MAY CONCERN
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IN THE HIGH COURT OF JUSTICE QUEEN'S BENCH DIVISION BIRMINGHAM DISTRICT REGISTRY

Claim no:	A90BM228
Claimants	WOLVERHAMPTON CITY COUNCIL & OTHERS
Defendants	PERSONS UNKNOWN

IF YOU DO NOT OBEY THIS ORDER, YOU WILL BE GUILTY OF CONTEMPT OF COURT AND YOU MAY BE SENT TO PRISON

If you do not understand anything in this order, you should go to a Solicitor, Legal Advice Centre or a Citizens Advice Bureau.

Any party can apply to the court for this order to be varied or discharged. But you must obey the order unless it is varied or discharged by the Court.

On 01 December 2014 Before His Honour Judge Owen QC sitting at the High Court of Justice, Birmingham District Registry, Priory Courts, 33 Bull Street, Birmingham, B4 6DS

UPON hearing Counsel for the Claimants and upon considering an application for an injunction brought by the Claimants pursuant to section 222 Local Government Act 1972 inviting the Court to exercise its discretion to grant injunctive relief pursuant to section 37(1) Senior Courts Act 1981

AND FURTHER UPON the Court finding in the circumstances that it is just and convenient to grant injunctive relief in the terms set out herein

IT IS ORDERED THAT:

- 1. IT IS FORBIDDEN for anyone to participate in "car cruising" (as defined in the Schedule attached hereto) anywhere within the Claimants' combined geographical area as illustrated on the map attached hereto marked "Annexe A" and known locally as the Black Country Area.**

- 2. IT IS ALSO FORBIDDEN for anyone to promote, organise, or publicise via e-mail, the Internet or any publication or broadcast, any “car cruising” within the defined geographical area (as delineated on the map attached hereto marked “Annexe A”)**
- 3. A power of arrest pursuant to section 27 Police and Criminal Justice Act 2006 shall apply to clause 1 above.**
- 4. The order and power of arrest shall continue for 3 years following the commencement of this order or until it is varied or discharged by the court. This order shall come into effect at midnight on 2 February 2015 provided that the Claimants, by their proper officer has given to the court written notice that the steps identified at paragraph 5 below have been completed. Such notice shall be in the form of a witness statement from the Claimants’ proper officer (solicitor or administrative staff official.) It shall, subject to further order, expire at midnight 1 February 2018**
- 5. Personal service of this injunction is dispensed with pursuant to rule 81.8 of the Civil Procedure Rules. Service of this injunction and accompanying power of arrest shall be effected namely upon 02 February 2015, from which date this injunction and power of arrest shall come into force, following the Claimants’ conclusion of the following steps and written notice thereof having been given to the court in accordance with paragraph 4 above:**
 - (a) Placing a copy of the Injunction and Power of Arrest in the Dudley, Halesowen, Stourbridge, Sandwell, Walsall and Wolverhampton editions of the Express & Star newspaper (to be published simultaneously after the grant of the injunction.)**
 - (b) Producing a leaflet being a copy of the terms of the injunction, power of arrest and map to be published as a supplement to accompany the free newspapers that are distributed throughout the Claimants’ local authority areas.**

- (c) Publishing a copy of the injunction and power of arrest on each of the Claimants' websites and official social media pages (Twitter and Facebook) and likewise on the website and social media pages of West Midlands Police.**
- (d) Uploading to the video sharing website "You Tube", a video of someone presenting and reciting a copy of the terms of the injunction with a stark warning that should people be tempted to participate in car cruising in the Black Country they may be in breach of the injunction and liable to committal proceedings for contempt of court.**
- (e) Erecting official road signs (fixed, temporary and electronic) throughout the Black Country Area in locations that are, or have been, hotspots of car cruising activity.**
- (f) Liaising with local television and radio broadcasters with a view to publicising and explaining the terms and consequences of the injunction.**
- (g) Ensuring that copies of the Injunction and Power of Arrest are available at the front desks of the Claimants' main offices. West Midlands Police will ensure that copies of the Injunction and Power of Arrest are available at the front desks of their stations throughout the Black Country Area.**

6. A review hearing will take place in open court (time estimate 30 minutes) before a judge of the high court (section 9 if practicable) after this order has been in force for at least 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 order including, for example, breaches, warnings or problems, if any, arising out of the order (including the Power of Arrest)

Ordered by: His Honour Judge Owen QC

On: 01 December 2014

The court office at the High Court of Justice, Birmingham District Registry, 5th Floor, Priory Courts, 33 Bull Street, Birmingham, B4 6DS (telephone: 0121 681 4441) is open between 10 a.m. to 4 p.m. Mondays to Fridays (excluding public holidays.) When contacting the court please mark any correspondence for the attention of the Court Manager and always quote the Claim number.

SCHEDULE

1. "Car Cruising" means 2 or more motor vehicles (including motorbikes) between the hours of 3:00 p.m. and 7:00 a.m. being on a highway or in a publicly accessible place within the Black Country Area as defined on the map attached hereto marked "Annexe A" at which any such vehicle or occupant of a vehicle performs any of the prohibited activities listed in clause 3 below which causes, or is capable of causing, any of the prohibited consequences set out in clause 4 below.
2. "Participating in car cruising" means being the driver of, or being carried in (or on), a motor vehicle (including motorbikes) in circumstances in which paragraph 1 above applies.
3. The prohibited activities referred to in clause 1 above are:
 - (a) speeding;
 - (b) driving in convoy;
 - (c) racing;
 - (d) performing stunts;
 - (e) sounding horns (as to cause a significant public nuisance);
 - (f) playing music (as to cause a significant public nuisance);
 - (g) using foul or abusive language;
 - (h) using threatening, intimidating behaviour towards another person; and
 - (i) causing obstruction on a public highway, whether moving or stationary.
4. The prohibited consequences referred to in clause 1 above are:
 - (a) excessive noise;
 - (b) danger or risk of injury to road users (including pedestrians);
 - (c) damage or significant risk of damage to property;
 - (d) significant risk of harm;
 - (e) significant public nuisance; and
 - (f) significant annoyance to the public.