

C. Claimant's evidence

(1) Birmingham City Council
(2) Claimant
(3) Statement of Michelle Lowbridge
(4) 1st
(5) Exhibits”
(6) 13/10/2022
Claim No:

IN THE HIGH COURT OF JUSTICE
QUEEN’S BENCH DIVISION
BIRMINGHAM DISTRICT REGISTRY

In the matter of an application for an injunction under s.37(1), Senior Courts Act 1981, s.1, Localism Act 2011, s.222, Local Government Act 1972 and s.130, Highways Act 1980.

B E T W E E N :

BIRMINGHAM CITY COUNCIL

Claimant

and

(1) D1 AHZI NAGMADIN
D2 JESSICA ELLEN ROBERTS
D3 CHARLTON BECKFORD
D4 RASHONI REID
D5 THOMAS WHITTAKER
D6 ARTHUR ROGERS
D7 [REDACTED]

(8) PERSONS UNKNOWN WHO PARTICIPATE OR INTEND TO
PARTICIPATE IN STREET-CRUISES IN BIRMINGHAM, AS CAR
DRIVERS, MOTORCYCLE RIDERS, PASSENGERS AND/OR
SPECTATORS AND/OR WHO ORGANISE/PROMOTE/PUBLICISE IN ANY
MANNER STREET CRUISES

Defendants

**WITNESS STATEMENT OF
MICHELLE ELIZABETH
LOWBRIDGE**

I, Michelle Elizabeth Lowbridge, of Birmingham Community Safety Team Birmingham City Council, WILL SAY as follows:

1. I am the above-named person and I am presently employed by Birmingham City Council (BCC) as an Anti-social Behaviour Manager. I have worked for the Department for approximately nineteen years. The information contained within this statement is from my own knowledge unless otherwise stated. I make this statement in support of the Claimant and I am duly authorised to do so.
2. The Birmingham City Council local authority (Birmingham) is a large metropolitan area containing over 4.330,000 people as at 2022. There are numerous major roads including dual carriageways and motorways linking Birmingham with the surrounding local authority areas including Solihull, Sandwell, Walsall and Warwickshire including the A38, A38M, A45, A41, M42 and parts of the M6.
3. In about 2008 the Council began to get complaints about street racing and my colleagues at the Birmingham Anti-Social Behaviour Unit dealt with these complaints. I can recall that they issued warning letters and there were joint operations with the police to try to educate and deter those taking part. At that time the main area involved was Garrisons Road and Garrisons Lane, in Bordesley Green. Complaints continued and this led to the Council's application for an injunction.
4. On 1 March 2010 HHJ Oliver-Jones QC granted an injunction restraining "car cruises" in the specific areas affected. I exhibit a copy of the Judgement as **MEL1**. The injunction was effective in deterring car cruisers in that area and expired on 22 September 2013.
5. On 1 December 2014 HHJ Robert Owen QC heard an application for a similar type of injunction on behalf of Wolverhampton City Council Dudley MBC, Walsall MBC and Sandwell MBC. The injunction granted became known as the Black Country Injunction and covered each authority's area. The injunction covered areas to the north, north east and west of Birmingham. Signs were put up throughout the Black County

areas warning drivers that there was a High Court injunction in place against Car Cruisers. I exhibit a copy of this injunction as **MEL2**

6. Following the granting of the Black County injunction there was an element of displacement and car cruising activities increased in Birmingham. Complaints from members of the public increased leading to the need for the Council to act.
7. The problem of street cruising is a wide-spread problem. The central attraction at these events is people racing cars and motorbikes on the highway. It is an activity which attracts not only those who come with vehicles to take part, but spectators, and it brings with it some undesirable criminal and other unlawful activity, ranging from drug dealing to dropping litter. Those who attend often have high performance modified cars and want to show them off to spectators. The drivers perform stunts and race other vehicles often in front of hundreds of spectators. There is noise nuisance as drivers rev the engines of their vehicles and race and from the crowds who gather to watch. The racing is dangerous, and this is no doubt its attraction for some. The consequences for those who take part or watch or just get caught up in the events and their aftermath can be terrible. But even without the dangers presented by fast cars and bikes crashing, the noise and nuisance the activity causes to those who live in the neighbourhood or wish to use the public highway for lawful purposes are obvious.
8. On 12th September 2016 the Claimant applied to the High Court in Birmingham for an injunction to prevent the sort of activities set out above. The injunction was to cover those who took part in street cruising events including drivers, motorcycle riders, passengers and spectators. Street Cruising was defined in the following way;

'A person participates in a street cruise whether or not he is the driver or rider of, or passenger in or on, a motor vehicle, if he is present and performs or encourages any other person to perform any activity to which paragraphs 1-2 apply ...'

The activities to which paragraphs 1-2 apply were as follows;

(1) Street-cruise means a congregation of the drivers of 2 or more vehicles (including motor-cycles) on the public highway or at any place to which the public have access within the ... City of Birmingham ... at which any person, whether or not a driver or rider, performs any of the activities

set out in para 2 below, so as, by such conduct, to cause any of the following:

- (i) Excessive noise*
- (ii) Danger to other road users (including pedestrians)*
- (iii) Damage or the risk of damage to private property;*
- (iv) Litter;*
- (v) Any nuisance to another person not participating in the car [street] cruise.*

(1) The activities referred to at para 1 above are:

- (i) Driving or riding at excessive speed, or otherwise dangerously;*
- (ii) Driving or riding in convoy;*
- (iii) Racing against other motor-vehicles;*
- (iv) Performing stunts in or on motor-vehicles;*
- (v) Sounding horns or playing radios;*
- (vi) Dropping litter;*
- (vii) Supplying or using illegal drugs;*
- (viii) Urinating in public;*
- (ix) Shouting or swearing at, or abusing, threatening or otherwise intimidating another person;*
- (x) Obstruction of any other road user.*

9. The areas particularly effected by street cruising were the A38 (also known as the Tyburn Road, the area of Castle Bromwich to the North of the area and the M6 toll motorway, Edgbaston and West Boulevard Highway, Coleshill Heath Road, Stretchford Business Park, Small Heath By pass Nechells Parkway, St Andrews Retail Park, Applegreen service station and Kitts Green.

10. The Council assembled a substantial body of evidence to support the proposition that this is an activity which should be restrained. The evidence consisted of witness statements from Police Officers who were

responsible for policing the areas set out above. In addition evidence was provided by those who lived in and/or worked in the affected areas.

11. Filed in support of these proceedings is a copy of the evidence filed in support of the Claimant's first application for a street cruising injunction. His Honour Judge Worster granted an injunction on 24th October 2016 the order to continue until 24 October 2019.

12. On the 13th July 2018 my colleague Oliver Humpidge filed a witness statement setting out the current situation and a copy of this statement is filed in support of these proceedings. My colleague confirmed that the injunction had been enforced by way of committal proceedings and at the time of the statement 15 committal orders had been made following breach of the injunction. He confirmed that the results of the court proceedings – suspended prison sentences and one immediate outright order were well publicised and this had assisted in reducing street cruising in Birmingham. He advised that there had been a steady reduction in logs of calls to the police with complaints of street racing and since the introduction of the order calls to service had reduced by 38%.

13. On 16TH September 2018 Mr Harun Mansoor Sharif was arrested for allegedly breaching the street cruising injunction. Mr Sharif applied to discharge the injunction on the basis that it was plainly wrong to have granted it and that there was an error of principle in the reasoning which led to its grant. It was argued that a Public Spaces Protection Order (PSPO) was the specific remedy provided by Parliament to deal with the problem of street cruising. On the 24TH May 2019. HHJ McKenna refused Mr Sharif's application.

14. On 16th October 2019 the Claimant applied to vary the order of 3rd October 2016 by extending the term of the order. Police Officer Mark Campbell provided a statement in support of the application and his statement dated 15th October 2019 is filed in support of these proceedings.

15. PO Mark Campbell records whilst there were still hot spots there had been a dramatic reduction in calls for service allowing police officers to concentrate on other policing. The injunction had proved a significant deterrent. The s222 injunction was extended and expires on 1st September 2022.

16. Mr Sharif was granted permission to appeal to the Court of Appeal and thereafter the Council could not enforce the injunction through committal proceedings because when street cruisers were brought before the court, the court stayed the Council's committal application pending the outcome of Mr Sharif's appeal. On the 10th November 2020 the Court of Appeal dismissed Mr Sharif's appeal.

17. By that time, however, some other decisions of the High Court and Court of Appeal had been made in relation to cases where the defendants were described as “Persons Unknown” , which held that the court did not have the jurisdiction, save in exceptional cases, to grant injunctions against people whose names were unknown and who may not yet have committed the acts which the injunction prohibited (so-called “newcomers”). These cases (such as the *Canada Goose* case) cast doubt on whether the Council’s street-cruiser injunction was lawful, and the Council suspended enforcement of it while further cases went to the Court of Appeal. The fact that the Council’s injunction was not being enforced I understand was well known to street cruisers.

18. My understanding of the current legal position is that as a result of the Court of Appeal’s decision in the *Barking & Dagenham LBC v Persons Unknown* case, the law has been returned, to essentially the position it was in prior to *Canada Goose* and the various High Court judgements in the *Barking & Dagenham* case itself. The Council have therefore considered whether it is proportionate and necessary to apply for a new injunction.

19. I have read the statement of PC Mark Campbell. In it he records that he has been the Police lead for Operation Hercules, West Midlands Police’s tactical response to street cruising across the region for over three years. He describes extremely high number of vehicles meeting to race which in turn attracts large numbers of spectators and due to the nature of the activity poses serious risks to public safety.

20. PC Campbell states that street cruising events are increasing and regularly occurring at both the weekend and during the week. On some occasions he has observed over 500 vehicles and 500 spectators at such a gathering with average meetings attracting between 150-200 vehicles. The events are pre-organised and posted on social media platforms. Police intelligence shows that there are a number of known organisers, often using anonymous social media accounts who are believed to have in the region of 50000 followers indicating the potential for large numbers of people and vehicles to attend events.

21. Whilst Operation Hercules is a regional response to this type of anti-social behavior PC Campbell cites the locations in the Birmingham City Council Local Authority area most affected as the A47, Heartlands Parkway, A47 Fort Parkway, Saltley Gate, Tyburn Road, Bromford Lane, A38 and Sutton bypass , West Boulevard, Quinton/Weoley Castle.

22. I have also viewed the DVD evidence exhibited to PC Campbell's statement; **MRC1, MRC2, MRC3** It is clear that that the problem with car cruising is getting worse, becoming more frequent and poses a serious risk to public safety.

23. In my role I am responsible for the North of the city - specifically Sutton Coldfield and Erdington constituencies - which include a number of the aforementioned locations. I facilitate the North Local Partnership Delivery Group, which is a partnership meeting attended by statutory partners, third sector and nominated local Birmingham City Councillors to address serious anti-social behaviour and community safety issues. Street cruising has been raised as a problem at a number of these meetings by partners and the local Ward Councillor for the Sutton Walmley and Minworth Ward who has stated he has received a number of complaints from his constituents.

24. Police Officer Campbell's statements shows that the behaviour complained of presents a real risk to the local community so as to justify seeking an injunction. However I have considered whether there are other remedies which could provide the same protection to the local community.

25. I have considered whether a PSPO might be a way of preventing car cruising. A PSPO prohibits activities in public spaces within a restricted area. A PSPO to prohibit car cruising in the whole of Birmingham could raise potential difficulties about what does or does not constitute a public space and the extent of the restricted area. The consultation requirements for such an Order would be time-consuming, complex and difficult to operate, especially when highways are involved. Even were such an Order to be made, it would not, in my view, be effective to solve the problems I have referred to above.

(a) The Council seeks an injunction that would also cover the activities of those who organize or advertise street cruising this is an important part of the injunction requested and I believe that it would be difficult to include such activities in a PSPO.

(b) There is no power to arrest a person for breach of a PSPO, so that it would be very difficult to find people in breach in order to fine them.

(c) A PSPO is enforced by a fixed penalty notice FPN (of up to £100) or summons to the magistrates' court where the penalty is a level 3 fine (maximum of £1,000).

26. The Council has tried to deter those taking part from attending these events. The police have been using CPWs and have also used criminal proceedings to try to resolve this problem. But the problem remains.

27. During the period when the Council could not enforce the injunction, we worked with the police on a pilot scheme to deter those on the periphery of car cruising events such as spectators by offering an alternative to enforcement through the courts. The pilot scheme would involve an offer to attend an awareness course – in much the same way as a speed awareness course – however the course is tailored towards educating the attendees on the dangers of car cruising. Those attending would pay a fee of £65.00. This scheme has not started, and we do not know if it will be successful. We think it unlikely that the hardcore group involved in racing and organising the car cruises would be deterred by payment of a small fee or FPN of £100 for breach of a CPN. The amount of the penalty would, in my view, be completely inadequate to act as a deterrent, as I believe is the case with the PSPO.

28. We have also considered dispersal orders. The police have in the past used Dispersal Orders under s.35 of the Anti-social Behaviour Crime and Policing Act 2014 to try and tackle car cruising. However, these are not suitable for this type of anti-social behaviour as they would require the same car to be stopped twice within the prohibited area within a 48hr period. Also, these types of orders do not prevent or deter drivers or spectators turning up to an event so have limited impact.

29. I have also read the statements the Council filed in support of its application in 2016, those statements record the problems with street cruising at that time and set out all the attempts the Council and West Midlands Police had made to prevent this activity. Those attempts did not work then and I can not see any reason why they would work any better now.

30. As I have set out above the Council's attempts to deal with street cruising by means short of an injunction have not been successful.

31. PC Campbell deals with the issue of identifying the defendants. As already stated, the events can attract driver and spectators well into the hundreds which make it impossible to police and deal with each individual. The racers move between the local authority areas and often travel from other local authority areas to come to Birmingham to watch or participate in racing. This makes it very difficult to identify defendants by name. Different participants and spectators attend different cruises in different locations in very large numbers. It is this transient nature of the participants and locations that makes it so difficult to address this type of anti-social behaviour with the use of ordinary policing tactics and anti-social behaviour remedies. The difficulty in identifying those involved and the large numbers associated also make the use of traditional injunctions against an individual

problematic. It would not be possible to either identify or issue several hundred injunctive proceedings to participants after each event. Using number plate readers has proven ineffective as a means of identifying drivers in the past due to the registered keeper frequently not being the person participating in the cruise, and the Council not being able to find out who was the driver.

32. Whilst the Council cannot name those involved in car cruising, we can give effective notice of an injunction if the court is prepared to grant an order. We will seek to advertise it as widely as possible in as many media channels as is possible. We will use social media to make people aware that the order is in force. We will issue publicity – social media – Birmingham live, the Council's website, West Midlands Police will advertise through WMP website, facebook and twitter.

33. In addition large signs warning street cruisers that a High Court Injunction is in place are up at the following locations set out in PO Campbell's witness statement paragraph 55.

34. The Council has asked for a power of arrest to be attached to the injunction. I believe that the conditions for attaching a power of arrest are met. There is in my view a clear risk of significant harm caused by cruising to both local residents, businesses and their staff (who suffer serious disturbance including sleep loss, and disruption to their lawful activities), as well as to other road-users and the participants themselves. The event in Stevenage on 17 July 2019, when two drivers lost control of their cars while racing and ploughed into the crowd of spectators injuring I believe around 18 people, is a graphic illustration of the harm that can be caused. (I exhibit a newspaper report of this incident as exhibit **MEL3**.)

35. In addition a power of arrest is the only effective means of enforcement. It enables officers to remove a person suspected of car cruising from the scene immediately preventing any further risk. It enables the driver of the vehicle to be properly identified and for their full details including address to be taken. It enables the injunction to be enforced quickly and decisively. There is a preventative element as well, if the police attend and arrest someone taking part in car cruising this quickly leads to others involved leaving. The paper committal process is lengthy and does not have the same effect and would also come up against the same issues of identification as I have already referred to above. The behaviour complained of is dangerous and there is a significant risk of harm to other road users, members of the local community, spectators, and police officers.

36. I have considered the Equality Act 2010 and the Council's public sector Equality Duty. I exhibit my proportionality assessment as exhibit **MEL4**.

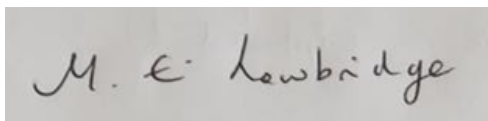
3. I am willing to attend court to give evidence.

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 honest belief in its truth

Signed

A rectangular box containing a handwritten signature in dark ink. The signature appears to be 'M. E. Lowbridge' written in a cursive, slightly slanted script.

Birmingham City Council

Dated this 13th day of October 2022

(1) Birmingham City Council
(2) Claimant
(3) 1st
(4)
(5) Exhibit: “”
(6) / /22

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

Claim Number:

B E T W E E N:

BIRMINGHAM CITY COUNCIL

Claimant

- and -

PERSONS UNKNOWN

Defendant

EXHIBIT “MEL1”

This is the Exhibit marked “MEL1 ” referred to in the Witness Statement of Michelle Elizabeth Lowbridge.



Case No: 0BM70352

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

Birmingham Civil Justice Centre
1st March 2010

Between :

BIRMINGHAM CITY COUNCIL
- and -
PERSONS UNKNOWN

Claimant

Defendants

Jonathan Manning Counsel for the Claimant

[Instructed by David Tatlow, Director of Legal Services, Birmingham City Council, Ingleby House, 11-14 Cannon Street, Birmingham B2 5EN, solicitor for the Claimant]

No Defendant appeared nor was there any representation
Hearing date: 10th February 2010

Approved Judgment

I direct that pursuant to CPR PD 39A para 6.1 no official shorthand note shall be taken of this Judgment and that copies of this version as handed down may be treated as authentic.

.....
HIS HONOUR JUDGE OLIVER-JONES QC SITTING AS A JUDGE OF THE HIGH COURT

His Honour Judge Oliver-Jones QC :

1. On 10th February 2010 I granted an interim injunction against 'Persons Unknown' restraining them "*from participating in a car-cruise*" within a defined geographical area. Notwithstanding that there was no opposition to the application for the injunction, given the circumstances in which I was being asked to consider it, I indicated that I would give my reasons for granting it in a written reserved judgment. This is that judgment.
2. By an Application for an Injunction (in Form N16A) issued on 2nd February 2010, and a Claim Form filed and issued pursuant to my order dated 11th February 2010, the Claimant applied for, and claimed, an injunction against persons unknown, to restrain an activity known as 'car-cruising'. The application and the claim in the Particulars of Claim were made under and pursuant to section 222 of the Local Government Act 1972, section 130 of the Highways Act 1980 and section 2 of the Local Government Act 2000, and were supported by no fewer than twelve witness statements.
3. 'Car-cruises' are briefly described in paragraphs 9 to 14 (inclusive) of the Particulars of Claim. In essence, these events attract the drivers of cars, including what are colloquially known as 'Boy Racers', who show-off to crowds of 'car-cruise' supporters by racing their cars and performing driving stunts and time trials. The vehicles that are used include high performance cars and cars which have been modified in terms of their power. The activities in which drivers engage are noisy, dangerous and illegal, obstructing highways and the premises bordering them, damaging property and putting spectators or other road users at risk of injury or worse. They attract those to whom such anti-social behaviour is an excuse, if they need one, for other types of anti-social behaviour including the harassment and intimidation of law abiding citizens, the threatening and abuse of those who challenge them and the activities in which they are engaging, the use of foul language and the misuse of drugs. By its very nature, those attending car-cruising events, whether as drivers, passengers or spectators will vary from day-to-day and event-to-event. However, the total number of attendees will regularly run to several hundred people. They are attracted by advertising on the Internet and in magazines, as well as word of mouth.
4. Car-cruising occurs most commonly on Saturday and Sunday nights, but can occur on any day and at any time of the day or night. The noise of revving engines, car horns, racing cars and spectators will thus frequently disturb those local residents who are trying to sleep as well as those conducting commercial businesses. The evidence which I have, relates to one particular area of the City of Birmingham, namely that area of Bordesley which includes Garrison Street and Garrison Lane, where there are both residential and commercial premises. However, historically, car-cruising has taken place in other areas of the City.
5. The problems created by car-cruising are not new and have taxed the resources and tactics of those charged with the duties of policing, managing highways and tackling anti-social behaviour. The evidence before me includes that of

- Mrs. Jagveen Bagary, the Claimant's Anti-social Behaviour Unit's Operations Manager;
 - Police Inspector Jennings, the Sector Inspector responsible for the local policing plan for Bordesley and surrounding areas;
 - Police Sergeant Comerford who has particular responsibility for road policing issues in the Bordesley area and who has very long experience of the problems associated with car-cruising; annexed to his witness statement is a document entitled 'Boy Racers / Cruisers – Problem Profile'.
 - Local residents and the operators of local businesses.
6. Notwithstanding many initiatives and efforts to prevent car-cruising these have proved to be ineffective. Details of steps taken, including Dispersal Orders, traffic calming measures and police presence, are set out in the Particulars of Claim and the witness statements. Dispersal Orders under section 30 of the Anti- Social Behaviour Act 2003, whilst effective to break up a particular event, are not capable of preventing another event from occurring for more than 24 hours.
7. One of the particular difficulties, and probably the most significant, is what I was told is the impossibility of identifying those participating in car-cruises "*in sufficient numbers or with sufficient particularity to take proceedings against named participants*" under the criminal law generally or in respect of anti-social behaviour in particular.
8. Given the failure of determined efforts to prevent car-cruising, I questioned whether the granting of injunctive relief, if permissible, would be any more effective. I had in mind the comment of Romer LJ in *Re Liddell's Settlement Trusts* [1936] Ch. 365 at 374 : "*An injunction will not be granted if it would be pointless or ineffective, but it is not the habit of the court, in considering whether or not it will make an order, to contemplate the possibility that it will not be obeyed*"; see also *Broadmoor Special Hospital v Robinson* [2000] QB 775 where Lord Woolf MR observed, at page 790, that "*injunctions should not be granted if they are unlikely to be effective*." I was told that if an injunction were granted, its existence and terms would be publicised, and that if this proved ineffective *per se* to prevent car-cruising, then copies would be served on those participating in car-cruising so that they could then be joined to the proceedings as defendants and, if necessary, be subject to enforcement proceedings. This general approach had the support of all agencies having responsibility for dealing with anti-social behaviour in the City. They all believe that it would be effective and I am unable to conclude that this belief is misplaced.
9. The hearing was, obviously, one-sided. The defendants are described as '*persons unknown*'. The injunction sought was in the nature of a *quia timet* injunction intended to restrain future activities of those who might choose to attend car-cruising and who might never have done so before. I was particularly concerned about the following matters which I required Mr. Manning to address, and to satisfy me were not insurmountable obstacles to the granting of the relief which was sought :

- (a) whether, because the Claimant relied, inter alia, upon section 222 of the Local Government Act 1972 as the basis for bringing proceedings, the decision of the Court of Appeal in the case of *Birmingham City Council v Shafi and Ellis* [2008] EWCA Civ 1186 (hereinafter '*Shafi*') prevented me from granting injunctive relief;
- (b) whether I could, in the circumstances of this case, grant an injunction effectively *contra mundum*;
- (c) whether (as indicated above), any injunction would be likely to be effective by geographical insufficiency or otherwise;
- (d) whether delay in bringing matters before the civil courts was a relevant factor;
- (e) whether the granting of the relief sought in the circumstances of these proceedings was compliant with human rights legislation.

10. The foundation of the claim

The Claimant, as 'a local authority' within the meaning of section 270(1) of the Local Government Act 1972, relied upon the powers given to it under sections 111(1) and 222(1) of that Act, as well as its powers as a highway authority under section 130 of the Highways Act 1980. It also relied upon its powers under section 2 of the Local Government Act 2000.

Those statutory powers are as follows:

s. 111 Local Government Act 1972

- (1) Without prejudice to any powers exercisable apart from this section but subject to the provisions of this Act, a local authority shall have power to do anything (whether or not involving the expenditure, borrowing or lending of money or the acquisition or disposal of any property or rights) which is calculated to facilitate, or is conducive or incidental to, the discharge of any of their functions.

s. 222 Local Government Act 1972

Power of local authorities to prosecute or defend legal proceedings.

- (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.

s.130 Highways Act 1980

Protection of public rights.

- (1) It is the duty of the highway authority to assert and protect the rights of the public to the use and enjoyment of any highway for which they are the highway authority, including any roadside waste which forms part of it.
- (2) Any council may assert and protect the rights of the public to the use and enjoyment of any highway in their area for which they are not the highway authority, including any roadside waste which forms part of it.
- (3) Without prejudice to subsections (1) and (2) above, it is the duty of a council who are a highway authority to prevent, as far as possible, the stopping up or obstruction of—
 - (a) the highways for which they are the highway authority, and
 - (b) any highway for which they are not the highway authority, if, in their opinion, the stopping up or obstruction of that highway would be prejudicial to the interests of their area.
- (4) Without prejudice to the foregoing provisions of this section, it is the duty of a local highway authority to prevent any unlawful encroachment on any roadside waste comprised in a highway for which they are the highway authority.
- (5) Without prejudice to their powers under section 222 of the Local Government Act 1972, a council may, in the performance of their functions under the foregoing provisions of this section, institute legal proceedings in their own name, defend any legal proceedings and generally take such steps as they deem expedient.
- (6)
- (7)

s. 2 Local Government Act 2000

Promotion of well-being.

- (1) Every local authority are to have power to do anything which they consider is likely to achieve any one or more of the following objects—
 - (a) the promotion or improvement of the economic well-being of their area,
 - (b) the promotion or improvement of the social well-being of their area, and
 - (c) the promotion or improvement of the environmental well-being of their area.
- (2) The power under subsection (1) may be exercised in relation to or for the benefit of—
 - (a) the whole or any part of a local authority's area, or
 - (b) all or any persons resident or present in a local authority's area.
- (3) In determining whether or how to exercise the power under subsection (1), a local authority must have regard to their strategy under section 4.
- (4) The power under subsection (1) includes power for a local authority to—
 - (a) incur expenditure,
 - (b) give financial assistance to any person,
 - (c) enter into arrangements or agreements with any person,
 - (d) co-operate with, or facilitate or co-ordinate the activities of, any person,
 - (e) exercise on behalf of any person any functions of that person, and
 - (f) provide staff, goods, services or accommodation to any person.
- (5) The power under subsection (1) includes power for a local authority to do anything in relation to, or for the benefit of, any person or area situated outside their area if they consider that it is likely to achieve any one or more of the objects in that subsection.
- (6) Nothing in subsection (4) or (5) affects the generality of the power under subsection (1).

11. In addition, section 37(1) of the Senior Courts Act 1981 provides that

“37 (1) The High Court may by order (whether interlocutory or final) grant an injunction or appoint a receiver in all cases in which it appears to the court to be just and convenient to do so.”

12. As was made clear in the case of *Shafi* (supra) the power vested in local authorities by section 222 of the Local Government Act 1972 reflects the power available to the Attorney General at common law to bring proceedings in support of public rights. For present purposes I do not consider that the Highways Act 1980 adds anything to the court's powers. The case of *Shafi* (in which Mr. Manning appeared for the Claimant/Appellant council) concerned the local authority's claim, relying upon section 222, for injunctions aimed at controlling the activities, and particularly the movements, of those whom it was alleged were members of gangs which indulged in criminal activities on the streets of Birmingham. Interim injunctions prevented named individuals from being with other named individuals in any public place in the City of Birmingham, and prevented those individuals from entering identified parts of the City. At a final hearing His Honour Judge Macduff QC (now Macduff J.) concluded that the court had no jurisdiction to grant such injunctions and that, even if it did, he would have refused to grant them. He discharged the interim injunctions. The City council appealed with the permission of the lower court.

13. The appeal in *Shafi* raised two questions which were identified by Sir Anthony Clarke MR as follows:

“These are, first, whether this is the type of case in which the court, acting in accordance with established principles, or any logical extension of them, can grant injunctions of the kind sought against the defendants and secondly, if so, whether it should do so in the exercise of its discretion.”

The Master of the Rolls then went on to point out that the courts had considered the correct approach to the exercise of the power under section 222 in the public interest in two principal contexts: the restraint of breaches of the criminal law and the suppression of public nuisances. He then reviewed cases where the granting of injunctions in aid of the criminal law, and to restrain the commission of a public nuisance, had been considered and where relief had been granted, ultimately concluding that although the court did have jurisdiction to grant injunctive relief in the circumstances presented in *Shafi* it would be wrong in principle for the court to exercise its discretion by doing so. The reason why it was wrong in principle to grant the injunctive relief was expressed in the following passages of the judgment of the Master of the Rolls:-

Paragraph 44

“The terms of the injunction sought in this action are typical of an ASBO and, as already indicated, on the facts of this case they are identical or almost identical to the terms of an ASBO.....”

“...where, as here, Parliament has legislated in detail to deal with a particular problem, the courts should in general leave the matter to be dealt with as Parliament intended and, save perhaps in exceptional circumstances, refuse to grant injunctive relief of the kind which can be obtained by an ASBO.”

Paragraph 45

“Parliament has recently legislated to restrain anti-social behaviour in a particular way and subject to particular safeguards. In our view the court should have that fact

well in mind in deciding how to exercise its discretion whether or not to grant an injunction in a particular case.”

Paragraph 59 “The critical factor in the present case is in our opinion that, whether the council seeks an injunction in aid of the criminal law or on the basis of an alleged public nuisance, the essential remedy sought is an ASBO.”

Paragraph 60 Thus we conclude, for the reasons we have given, that the court should not indulge in parallel creativity by the extension of general common law principles..... It seems to us that, where (as here) a council seeks an injunction in circumstances in which an ASBO would be available, the court should not, save perhaps in an exceptional case, grant an injunction but leave the council to seek an ASBO so that the detailed checks and balances developed by Parliament and in the decided cases will apply” [underlining emphasis added].

14. In paragraph 46 of his judgment in *Shafi*, the Master of the Rolls considered the nature of an ASBO and its statutory framework in section 1 of the Crime and Disorder Act 1998. He then observed, significantly in my judgment, that

“the critical features of section 1 are that the defendant must have acted in an anti-social manner in the past and that an order must be necessary to protect the public from further anti-social acts in the future. That is precisely the case made against [‘Shafi’]”

15. On the evidence available to me in the instant case, I am not satisfied that the circumstances are such that “an ASBO would be available”, contrary to what was considered to be the defining feature in the case of ‘*Shafi*’ which militated against the grant of injunctive relief. Whilst, as in the case of all public nuisances, the occurrence of a car-cruise event includes elements of both criminal behaviour (such as dangerous/careless driving, criminal damage and may include collateral criminal behaviour such as public order offences and drug dealing) and anti-social behaviour (particularly noise nuisance and public disorder), the essential feature of car-cruising is the sheer volume of participants, whether drivers or spectators. Given that car-cruising occurs mainly at night, it has proved to be impossible to identify individuals who may attend car-cruises on a regular basis or to distinguish any particular groups of individuals. In these circumstances it has been impossible to show that any particular individual has acted in an anti-social manner in the past, as would be necessary to secure an ASBO.

Car-cruising depends for its ‘attractiveness’ upon mass participation. If individuals or small groups of individuals regularly indulge in car-racing or stunt-driving on public roads, then the police have the resources to deal with such individuals and, where appropriate, to prosecute them and / or to seek ASBOs. In my judgment it is quite a different matter where hundreds of individuals congregate for such purposes and where, from event-to-event, the individuals attending may be different. Whether such circumstances are described as exceptional, or whether they are simply not susceptible to the application of ASBO legislation, I am satisfied that I should exercise my discretion to grant, and that there is sufficient evidence to justify my granting, injunctive relief, with the object of preventing a serious multi-faceted public nuisance. Consequently, I do not consider that *Shafi* presents an insurmountable hurdle, and I distinguish the instant case on its facts.

16. An injunction is usually granted only against a named defendant. Sometimes the names of defendants are unknown but they can be clearly identified by what they have done in the past or are doing at the time the injunction is sought. A good example of this is where travellers unlawfully occupy private land. Their names may be unknown, but they are identified as being those 'persons unknown' who are in occupation of the land. In recent years there have been examples of orders made *contra mundum*, that is, against the whole world : see *Venables v News Group Newspapers Ltd* [2001] Fam. 430; *X (a Woman formerly known as Mary Bell) v SO* [2003] 2 F.C.R. 686 and *Bloomsbury Publishing Group Ltd and Rowling v News Group Newspapers Ltd* [2003] 1 WLR 1633.
17. In the *Bloomsbury* case it was held, granting an application for an injunction against an unidentified person or persons offering, without authority, an unpublished book for sale to the press, that

"following the introduction of the CPR there was no requirement that the defendant must be named, merely a direction that he should; that since the overriding objective and the obligations cast on the court were inconsistent with an undue reliance on form over substance, the joinder of a defendant by description rather than by name was not impermissible; and that, accordingly, the claimants were entitled to join the person or persons unknown as defendants; further, there was jurisdiction to grant an injunction against persons unknown provided that their description in the order was sufficiently certain as to identify those who were included and those who were not."

Schedule 2 of the injunction in the instant case spells out precisely what is meant by "participating in a car-cruise" and, consequently, who are the participants whose conduct is sought to be restrained. I am satisfied that 'the persons unknown' by name are identified by a description which is sufficiently certain to identify those who are restrained.

18. I have already dealt, in general terms, with the issue of the effectiveness of injunctive relief. However, I should draw attention to the fact that paragraph 24 of the Particulars of Claim is pleaded in the following terms:

"...unless the relief sought is granted so as to encompass the whole of the Claimant's district, the Defendants will simply move into the activities complained of from Garrison Street and / or Garrison Lane to another location within the City of Birmingham."

Notwithstanding that plea, the terms of the injunction sought which were placed before me, restricted the effect of the injunction to a very particular locality identified on a plan annexed to the draft order. Whilst the plea may be seen to make sense, this, in my judgment, is no reason to refuse an injunction limited to a particular locality. Such an injunction will benefit a substantial population of residents and commercial businesses in that particular locality and thus, to that extent, will be effective.

19. Although, when a judge is considering the exercise of discretion, delay is a relevant factor and may defeat a claim for an injunction, given that the evidence supports, in my judgment, a regular and continuing public nuisance, the fact that car-cruising has been going on in the City since "about 2001" is not, per se, something which disentitles the Claimant to the relief sought, particularly given the fact that the injunction is, at this stage, interlocutory.

20. Finally, I have considered whether the granting of an injunction in the circumstances of this case is compliant with human rights legislation. Given the terms of Schedule 3 to the Order, I am quite satisfied that there is, in particular, no breach of the requirements of Article 6 ECHR. It is axiomatic that before any proceedings can be brought against a named individual for contempt of court (disobedience of the terms of the injunction) that individual must have been served with a copy of the injunction and all relevant papers (as provided for in the Schedule). Committal proceedings will be subject to the terms of the 'Practice Direction – Committal Applications' (RSC PD 52). The Order itself provides the opportunity for anyone served with the order to apply to vary or discharge it. Further, and for the avoidance of doubt, anyone served with the injunction order whilst attending a car-cruise, will not, having regard to the procedure identified in paragraphs 3, 4, 5 and 6 of Schedule 3, be subject to contempt proceedings simply by remaining at that particular event.
21. This application for an injunction has been necessarily made without serving notice of the application. Practice Direction PD 23, para.3 provides that an application may be made without serving an application notice, in defined circumstances. In my judgment the overriding objective is best furthered by proceeding in the way in which the Claimant has, but, if necessary, I give my permission for the making of what is an ex parte application.
22. A copy of this judgment can, of course, be made available to anyone affected by the terms of the injunction so that they may understand the factors of which I have taken account in reaching my decision to grant the injunction sought.

His Honour Judge Oliver-Jones QC

1st March 2010

(1) Birmingham City Council
(2) Claimant
(3) 1st
(4)
(5) Exhibit: “”
(6) / /22

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

Claim Number:

B E T W E E N:

BIRMINGHAM CITY COUNCIL

Claimant

- and -

PERSONS UNKNOWN

Defendant

EXHIBIT “MEL2”

This is the Exhibit marked “MEL2 ” referred to in the Witness Statement of Michelle Elizabeth Lowbridge.

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 |
|-----|---------------------|

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

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.

**INJUNCTION - SECTION 37(1) SENIOR COURTS ACT 1981 –
(PROCEEDINGS BROUGHT PURSUANT TO SECTION 222 LOCAL
GOVERNMENT ACT 1972) - POWER OF ARREST**

Under section 27 Police and Criminal Justice Act 2006

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

| | |
|---|------------|
| WOLVERHAMPTON CITY COUNCIL, DUDLEY MBC, SANDWELL MBC AND WALSALL MBC | Claimants |
| PERSONS UNKNOWN | Defendants |

(Here set out
those provisions
of the order to
which this
power of arrest
is attached and
no others)

(Where marked
* delete as
appropriate)

**POWER OF
ARREST**

This power
expires at 11:59
p.m. on

Note to
arresting officer

The court orders that a power of arrest under section 27 Police and Criminal Justice Act 2006 applies to the following paragraph(s) of an order made on 01 December 2014:

- 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’.**

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.

01 February 2018

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

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.

(1) Birmingham City Council
(2) Claimant
(3) 1st
(4)
(5) Exhibit: “”
(6) / /22

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

Claim Number:

B E T W E E N:

BIRMINGHAM CITY COUNCIL

Claimant

- and -

PERSONS UNKNOWN

Defendant

EXHIBIT “MEL3”

This is the Exhibit marked “MEL3” referred to in the Witness Statement of Michelle Elizabeth Lowbridge.

PROPORTIONALITY ASSESSMENT

| | |
|---|-----------------|
| Name of Respondent | PERSONS UNKNOWN |
| Address of Respondent | UNKNOWN |
| Type of action being considered: e.g. Injunction, demotion, possession etc. | INJUNCTION |

| | |
|---|--|
| List the informal and formal action that has been taken in this matter so far e.g. ABC? Mediation? Visits? | Verbal warnings, dispersal orders, previous injunction. |
| Does the Respondent have any vulnerability? e.g. Learning difficulty? Victim of Domestic Abuse? Age? | Not known. Given the nature of the application it is not possible to identify if there are persons with vulnerabilities affected. If defendants are engaging in car cruising the impact of the local community will be severe. Some of those affected may well have vulnerabilities. |

| | |
|--|--|
| <p>Is it believed that the Respondent/is disabled within the meaning of the Equality Act 2010?</p> <p>e.g. registered disabled?</p> <p>e.g. Mental health history (previously been sectioned or known to mental health team?)</p> <p>If Yes, please give details including whether it is believed that the anti-social or criminal behaviour is linked to this disability.</p> | <p>Not known. It is possible that some people who engage in car cruising have disabilities however the proposed order is to stop behaviour which is having a significant risk of harm and causes nuisance and annoyance to the local community who may well also have protected characteristics.</p> |
| <p>Has the Respondent been offered or referred for any support?</p> <p>If yes, to who?</p> <p>When was last contact made and how?</p> | <p>The defendants are unknown, so this is not possible</p> |
| <p>What impact is the behaviour having on victims/wider community/partner resources?</p> | <p>There is significant impact on the local community. People complain of noise, the danger to themselves and other road users, the fact that car cruising often occurs late at night and prevents people sleeping and enjoying their own home. There is litter left in some areas where large groups of spectators and the car racers have gathered. There are also complaints of anti -social behaviour including people using flares.</p> |

| | |
|---|---|
| Has re-housing been considered and by who? | n/a |
| Have you had due regard to the Public Sector Equality Act (s.149 Equality Act 2010)? (Please see Appendix 1 attached) | Yes, however the behaviour complained of is having a significant impact on the local community, the environments, public order and safety and so these proceedings are in the public interest and proportionate. |
| Summarise why the proposed action is considered to be necessary and proportionate | <p>It is possible that some of the unknown defendants may have a disability or vulnerability, however the behaviour complained of has had a significant impact on the local community. People complain of noise, the danger to themselves and other road users, the fact that car cruising often occurs late at night and prevents people sleeping and enjoying their own home. The activities are extremely dangerous, there is racing at high speed, performing stunts, whilst other people are on the road. Hundreds gather for these events to take part and to spectate. There is litter left in some areas where large groups of spectators and the car racers have gathered. There are also complaints of anti -social behaviour including people using flares.</p> <p>Some members of the local community affected by this behaviour may also have a disability or vulnerability. It is the significant effect of the actions of street cruisers on the local community that makes an injunction proportionate and necessary.</p> |

I can confirm that I have reviewed this case and the facts above and believe that the action suggested is necessary and proportionate means to achieving a legitimate aim.

Signed

Job Title

Date

Have you had due regard to the public sector equality duty (s.149 Equality Act 2010)?

Relevant protected characteristic includes age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

In reaching a decision on what action to take you should bear in mind the need to:

- Eliminate discrimination, harassment and victimisation.
- Advance equality of opportunity and foster good relations between people who share a relevant protected characteristic and people who do not share it.

In particular you should consider the need to:

- remove or minimise disadvantages suffered by persons with a relevant protected characteristic (*eg. Someone with bipolar disorder who is experiencing a manic phase may be disadvantaged in a meeting about their behaviour by an inability to concentrate, racing thoughts and rapid speech*);
- take steps to meet the needs of people who have a relevant protected characteristic where they are different from the needs people who do not share it (*eg. If someone is depressed you might need to take different steps to help them to engage with you such as home visits and face-to-face meetings rather than written warnings only*); and;
- encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low;
- tackle prejudice *and* the need to promote understanding (*this may be demonstrated by a policy or initiative that you have in place*).

Please record any particular steps you have taken and consideration you have given to the above.

(1) Birmingham City Council
(2) Claimant
(3) Statement of Michelle Lowbridge
(4) 2nd
(5) Exhibits”
(6) 28/11/2022

Claim No: KB-2022-BHN-000221

IN THE HIGH COURT OF JUSTICE

KING’S BENCH DIVISION

BIRMINGHAM DISTRICT REGISTRY

In the matter of an application for an injunction under s.37(1), Senior Courts Act 1981, s.1, Localism Act 2011, s.222, Local Government Act 1972 and s.130, Highways Act 1980.


B E T W E E N:

BIRMINGHAM CITY COUNCIL

Claimant

and

(1) D1 AHZI NAGMADIN
D2 JESSICA ELLEN ROBERTS
~~D3 CHARLTON BECKFORD~~
D4 RASHANI REID
D5 THOMAS WHITTAKER
D6 ARTHUR ROGERS


D7 ABC

(8) PERSONS UNKNOWN WHO PARTICIPATE OR INTEND TO
PARTICIPATE IN STREET-CRUISES IN BIRMINGHAM, AS CAR
DRIVERS, MOTORCYCLE RIDERS, PASSENGERS AND/OR
SPECTATORS AND/OR WHO ORGANISE/PROMOTE/PUBLICISE IN ANY
MANNER STREET CRUISES

Defendants

**WITNESS STATEMENT OF
MICHELLE ELIZABETH
LOWBRIDGE**

I, Michelle Elizabeth Lowbridge, of Birmingham Community Safety Team Birmingham City Council, WILL SAY as follows:

1. I am the above-named person, and I am presently employed by Birmingham City Council (BCC) as an Anti-social Behaviour Manager. I have worked for the Department for approximately nineteen years. The information contained within this statement is from my own knowledge unless otherwise stated. I make this 2ND statement in support of the Claimant and further to my statement dated 13th October 2022. I am duly authorised to do so.
2. In my first statement at paragraph 23 I referred to an incident in Stevenage, where racing cars ploughed into a crowd of spectators injuring about 18 people in July 2019, in order to highlight the dangerous nature of the activities pursued by the Defendants.
3. Sadly, there have been further incidents which have resulted in death and injury to those racing and or spectating at car cruises.
4. On the 10 April 2022 in Warrington, I understand that a collision took place between a vehicle and pedestrian, a twenty year old male which resulted , sadly in his death. It is widely reported that both were believed to be attending a street cruising meeting. I exhibit marked MEL5 a report taken from the ITV website dated 11 April 2022.
5. On the 24 September 2022 in Scunthorpe, there was another incident where there were reports of cars racing up and down a strip of road on the Flixborough Industrial Estate. This resulted I understand in 11 people being injured and 1 later died in hospital of their injuries. A pregnant woman also lost her baby in this collision. I exhibit marked MEL6 a report of this incident taken from Grimsby Live dated 28 September 2022.
6. The urgency of this application and the need for an order to be in place with a power of arrest is I believe shown by the events in Sandwell. On 20th November 2022 I understand that local residents called West

Midlands Police to advise that the 'boy racers' were out near Kenrick Way - a well-known street cruising location. It is reported that a street cruising meet took place with cars going up and down the road at high speed and local residents also reported groups of people congregating and gathering prior to hearing a loud bang which is believed to have been the collision. Unfortunately, a vehicle which does not appear to have been travelling at speed left the road and collided with spectators resulting in two deaths, a 16yr old girl and a 19 yr old male. Two further people were injured in the collision. I exhibit marked MEL07 a report of this incident taken from Express & Star dated 22nd November 2022.

7. As can be demonstrated the situation with street cruising continues on a regular basis both within the Birmingham Local Authority area and also within the neighbouring Local Authorities. Partnerships between the authorities have tried a number of options to try and tackle this issue , including engagement and enforcement options but it still persists and has now sadly resulted , very recently , in the death of two young people and serious injury of two more a short distance away. It is therefore deemed imperative that we are granted this Injunction for Birmingham in order to try and provide some protection and reassurance for residents of Birmingham , but also to serve as a deterrent and also provide enforcement powers against those individuals who persist in taking part in street cruising events.

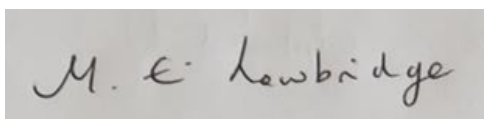
8. I am willing to attend court to give evidence.

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 honest belief in its truth

Signed

A rectangular box containing a handwritten signature in cursive script that reads "M. E. Lowbridge".

Birmingham City Council

Dated this 28th day of November 2022

(1) Birmingham City Council
(2) Claimant
(3) 1st
(4)
(5) Exhibit: “”
(6) / /22

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

Claim Number:

B E T W E E N:

BIRMINGHAM CITY COUNCIL

Claimant

- and -

PERSONS UNKNOWN

Defendant

EXHIBIT “MEL5”

This is the Exhibit marked “MEL5 ” referred to in the Witness Statement of Michelle Elizabeth Lowbridge.

Police investigating the death of a 20-year-old in **Warrington** are appealing for witnesses and video footage.

Sam Harding, from Stockport, died after he was hit by an Audi at a 'car meet' in an industrial estate on Sunday 10 April.

A 21-year-old man from Morley in Leeds who was arrested on suspicion of causing death by dangerous driving, has been released under investigation.

Sam Harding played for England schoolboys Credit: Twitter

In a tribute, Mr Harding's family said: "Our beautiful son was tragically taken away from us on Sunday, 10 April 2022.

"A much loved son, brother, grandson, nephew and friend to many. We will never ever forget you Sam and will love you forever."

Sam played for England schoolboys and also number of non-league football clubs across the northwest, who are now paying tribute.

Prescot Cables said: "The club is deeply saddened to learn of the passing of Sam Harding, who was killed in a car accident last night. Sam made a number of appearances for Prescot Cables during the 2019-2020 season. Our thoughts are with his friends, former teammates and family at this time. RIP Sam".

Sam also played for Runcorn Linnets and Glossop North End who have both paid tribute on social media.

Cheshire Police say they are in the early stages of the investigation and have appealed for witnesses and video footage from the car meet.

Kingsland Grange. Credit: Google Maps

Sergeant Simon Degg, from the Serious and Complex Collision Investigation Unit, said: "We know that there were a large number of people present and as part of our investigation we are keen to hear from anyone who witnessed the collision.

"The same goes for anyone with any video footage from the event - both of the collision itself and before and after the incident."

Anyone with any information or video footage is asked to contact **Cheshire Police** or call 101. Information can also be reported anonymously via Crimestoppers on 0800 555 111.

- [GRANADA](#)
- [STOCKPORT](#)
- [WARRINGTON](#)
- [CHESHIRE POLICE](#)

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Corporate

- ITV Plc
- Social Purpose

(1) Birmingham City Council
(2) Claimant
(3) 1st
(4)
(5) Exhibit: “”
(6) / /22

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

Claim Number:

B E T W E E N:

BIRMINGHAM CITY COUNCIL

Claimant

- and -

PERSONS UNKNOWN

Defendant

EXHIBIT “MEL6”

This is the Exhibit marked “MEL6 ” referred to in the Witness Statement of Michelle Elizabeth Lowbridge.

1. [frontpage](#)
2. [News](#)
3. [Local News](#)
4. [Scunthorpe](#)

[News](#)

Scunthorpe Car Meet 'like a horror scene' after 11 injured in collision with car

A 17-year-old has been arrested on suspicion of causing serious injury by dangerous driving after Flixborough incident

• **SHARE**



BY

[Luke Green](#)Reporter

- 14:45, 25 SEP 2022
- **UPDATED** 14:48, 25 SEP 2022

• **Bookmark**

[Enter your postcode for local news and info](#)See news near you

Go

VIDEO LOADING
VIDEO UNAVAILABLE

Video will play in

Scunthorpe Car Meet Crash Aftermath

We pay for stories! Send your videos to video@trinitymirror.com

A man who saw a vehicle hit bystanders during a car meet near Scunthorpe said it was "like a horror scene".

Police said [11 people were injured in a collision](#) on the Flixborough Industrial Estate on Saturday night. Four people were seriously hurt, one critically.

The man who spoke to [Scunthorpe](#) and Grimsby Live today said: "All of a sudden there was a big bang. We saw a woman go flying off the bonnet of the car and end up underneath it. It was like a horror scene, something I never want to see again."

READ MORE: ['Desperate' family with disabled daughter 'cramped' in two-bed house refused home swap](#)

A 17-year-old has been arrested on suspicion of causing serious injury by dangerous driving. However, police stressed today that their investigations were at an early stage and appealed for witnesses to come forward.

Pictures shared with Scunthorpe and Grimsby Live showed a police cordon and a damaged red car, thought to be a Ford Fiesta, at the scene of the accident. Police retained a presence on the estate this morning, where tyre marks, debris and other evidence of an accident could be seen.

A red car, thought to be a Fiesta, behind a police cordon (Image: Submitted Image)

The witness, who asked not to be named, said the event, called the Scunthorpe Car Meet, had "started well" at the M&S car park in the town, where various tyre marks could be seen today. Vehicles then moved to the Flixborough estate where he described some drivers "getting carried away and showing off".

A second man who spoke to Scunthorpe and Grimsby Live said he had heard a loud bang and then rushed to check on injured people. He said: "We heard a massive bang, I thought it was a pop from a car at first, but as soon as someone said there'd been a crash we went straight over."

"It was a horrible shock to see so many people lying about injured, and everyone rushed over to help when we realised what was happening." He added: "We went over to two kids to make sure they were alright, they couldn't have been any older than six."

Read More

- [11 injured as car hits people at Scunthorpe Car Meet at](#)

[Flixborough - updates](#) **GrimsbyLive**

(1) Birmingham City Council
(2) Claimant
(3) 1st
(4)
(5) Exhibit: “”
(6) / /22

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

Claim Number:

B E T W E E N:

BIRMINGHAM CITY COUNCIL

Claimant

- and -

PERSONS UNKNOWN

Defendant

EXHIBIT “MEL7”

This is the Exhibit marked “MEL7” referred to in the Witness Statement of Michelle Elizabeth Lowbridge.

Home

News

Sport

Entertainment

Services

Notification Settings

Subscribe to one or all notification sources from this one place.

Newsletter

Subscribe to our newsletter to get the day's top stories sent directly to you.

Sign Me Up

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[More](#)

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Roadside tributes left to girl, 16, and 19-year-old man killed in Oldbury crash

[OldburyCrime](#)Published: Nov 22, 2022Last Updated: Nov 22, 2022

Floral tributes have been left at the scene of a crash that left two people dead and two more fighting for their lives in hospital.

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SANDWELL COPYRIGHT TIM STURGESS EXPRESS AND STAR..... 22/11/2022

Flowers at the scene where a blue Nissan Skyline hit a number of pedestrians who had gathered on the A457 Birmingham Road and Oldbury Road near to the junction with Crystal Drive....

A 16-year-old girl and 19-year-old man were killed when a blue Nissan Skyline crashed into a group of onlookers in Oldbury at around 11.30pm on Sunday.

A man and a woman, both in their 20s, were also seriously injured and taken to hospital where their conditions were described as life-threatening.

By Tuesday, dozens of bunches of flowers had been left at the site of the crash on the A457 Birmingham Road and Oldbury Road, along with messages and other tributes.

The messages paid tribute to the deceased, named on the tributes as Lib and Ben, with one saying "Taken from the world too soon! You'll always be the king of crocs".

Another to Lib said: "From going TikTok Live to chilling the cars, I never thought we would be here writing this. You were always so polite with the most beautiful smile. God took you away too soon. Fly high angel."

The tributes covered up the wall that was demolished in the crash near the junction for Crystal Drive, which left bricks and debris from the Skyline scattered in the area.

<img src="https://www.expressandstar.com/resizer/iLknmmilmVYfjntsg-eGXxOX-XE=/1200x0/cloudfront-us-east-

1.images.arcpublishing.com/mna/UW6P3NQKPBCNZB5ED3YDUOYP5U.jpg"

class="lazy-image-image with-dimensions" alt="The 16-year-old girl and 19-year-old man were both pronounced dead at the scene"/>

The 16-year-old girl and 19-year-old man were both pronounced dead at the scene

A 54-year-old man was arrested on suspicion of causing death by dangerous driving. He remained in custody on Monday.

West Midlands Police has been contacted for an update on the investigation.

One resident living nearby said there were a lot of people standing around along the road on Sunday night.

Mohammed Khan, aged 44, who lives off Oldbury Road told the Express & Star: "We heard a massive bang, and when we looked up the road saw people running all over the place and screaming. It is such a shame two young people have died."

Mr Khan said he and others have complained about the road "for years", adding: "I do not allow my children out on their own at anytime of the day.

<img

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1.images.arcpublishing.com/mna/CIPNYOFFTBH6NEMHREXYO5PPFU.jpg"

class="lazy-image-image with-dimensions" alt="Dozens of flowers have been left at the scene of the fatal crash"/>

Dozens of flowers have been left at the scene of the fatal crash

"There will now be a type of shrine built to victims on the road which I will have to pass every day with my children and have to explain why people died so near their home."

West Midlands Police closed off the road for nine hours from Sunday night to Monday morning as crash investigation officers combed the area for clues about the crash.

Detective Sergeant Paul Hughes, from the force's Serious Collision Investigation Unit, said: "This is a tragic incident and our thoughts remain with all the families affected. We have specialist family liaison officers supporting them at this terrible time.

"We know that there were lots of people who had gathered in the area at the time of the collision and would have witnessed what happened. I would urge those people to get in touch if they haven't already done so."

He also urged people not to share photos or video from the incident on social media.

"I would ask people not to share videos or photos on social media. If you have anything that could help with our investigation, then please get in touch," he continued.

"This is very distressing for the families affected and it's not appropriate for them to see things that could upset them on social media."

West Midlands Ambulance Service sent three ambulances, two paramedic officers, a MERIT trauma doctor and critical care paramedic, and a BASICS emergency doctor to the scene where they found five patients.

<img

src="https://www.expressandstar.com/resizer/yv2UJ7aEZICQ0MDxdmxQ1PkUDik=/1200x0/cloudfront-us-east-

1.images.arcpublishing.com/mna/3KSCPNNYQJG3BNRYNWAE5I54RA.jpg"

class="lazy-image-image with-dimensions" alt="Police have put up signs asking for more information as they investigate the crash"/>

Police have put up signs asking for more information as they investigate the crash
A spokeswoman confirmed the 16-year-old girl and 19-year-old man died at the scene.

"Two more pedestrians, a woman and a man had sustained life-threatening injuries," she said.

"They received advanced trauma care from ambulance staff at the scene and en route to Queen Elizabeth Hospital.

"The fifth, the driver of the car was assessed by ambulance staff at the scene. He had sustained non-life threatening injuries and was discharged at the scene."

Anyone with information is asked to contact West Midlands Police by email to FL_COLLISION_INVEST@westmidlands.police.uk, messaging Live Chat at westmidlands.police.uk between 8am and midnight, or call 101. Quote log number 3732 of 20 November.

(1) Birmingham City Council
(2) Claimant
(3) Statement of Michelle Lowbridge
(4) 3rd
(5) Exhibits "MEL8-MEL9"
(6) 05/12/2022

Claim No: KB-2022-BHN-000221

IN THE HIGH COURT OF JUSTICE

KING'S BENCH DIVISION

BIRMINGHAM DISTRICT REGISTRY

In the matter of an application for an injunction under s.37(1), Senior Courts Act 1981, s.1, Localism Act 2011, s.222, Local Government Act 1972 and s.130, Highways Act 1980.

B E T W E E N:

BIRMINGHAM CITY COUNCIL

Claimant

and

(1) D1 AHZI NAGMADIN

D2 JESSICA ELLEN ROBERTS

~~D3 CHARLTON BECKFORD~~

~~D3~~ 4-RASHONI REID

D5 ~~4~~THOMAS WHITTAKER

D6~~5~~ ARTHUR ROGERS

D7~~6~~ [REDACTED]

D6 ABC

(8) PERSONS UNKNOWN WHO PARTICIPATE OR INTEND TO
PARTICIPATE IN STREET-CRUISES IN BIRMINGHAM, AS CAR
DRIVERS, MOTORCYCLE RIDERS, PASSENGERS AND/OR
SPECTATORS AND/OR WHO ORGANISE/PROMOTE/PUBLICISE IN ANY
MANNER STREET CRUISES

Defendants

**WITNESS STATEMENT OF
MICHELLE ELIZABETH
LOWBRIDGE**

I, Michelle Elizabeth Lowbridge, of Birmingham Community Safety Team Birmingham City Council, WILL SAY as follows:

1. I am the above-named person, and I am presently employed by Birmingham City Council (BCC) as an Anti-social Behaviour Manager. I have worked for the Department for approximately nineteen years. The information contained within this statement is from my own knowledge unless otherwise stated. I make this 3rd statement in support of the Claimant and further to my statements dated 13th October 2022 and 28th November 2022. I am duly authorised to do so.
2. Following notice that the hearing was due to take place on 7th December 2022 a number of measures have been taken on behalf of Birmingham City Council and West Midlands Police to publicize the hearing. Also measures have been taken to make individuals known to have taken part in, or known to have organised street cruising events previously, aware that the hearing is taking place.
3. A number of the court papers were placed on Birmingham City Council's website which included the Notice of the Hearing Date , N208 Amended Claim Form, N16A Particulars of Claim, Draft Orders , Witness Statements of Police Officer Campbell and my witness statements and contact details for a full copy of the court bundle on Thursday 1st December 2022.
4. The link to this page and papers were tweeted on Twitter by the Community Safety Team on that day.
5. I also notified PC Mark Campbell of the details of this webpage as referred to in his statement he then arranged for this link to be shared on West Midlands Police's website as well as on their Facebook and Twitter accounts.
6. I understand from PC Campbell that those involved in street cruising would view those pages as they follow the police website and social media accounts.

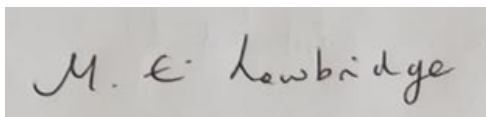
7. In relation to notifying individuals who are known to take part on street cruising events, a letter has been sent to 71 individuals who stopped as part of a police operation on 30th May 2020 to advise them of the proceedings. These were sent on the morning of 1st December 2022 using first class post via franking so was not affected by a Royal Mail strike that day. I now exhibit a copy of this letter as MEL8
8. With regards to the named defendants the claimant has attempted to serve them personally and I exhibit a copy of the Certificates of Service as MEL9 detailing these attempts. The only defendant where no papers were left by process servers was Rashoni Reid however I understand that Rashoni Reid contacted PC Campbell on 2nd December 2022 and said that he was aware of the proceedings.
9. I am willing to attend court to give evidence.

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 honest belief in its truth

Signed

A rectangular box containing a handwritten signature in cursive script that reads "M. E. Lowbridge".

Birmingham City Council

Dated this 5th day of December 2022

(1) Birmingham City Council
(2) Claimant
(3) 1st
(4)
(5) Exhibit: "MEL8"
(6) 05/12/22

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

Claim Number:

B E T W E E N:

BIRMINGHAM CITY COUNCIL

Claimant

- and -

PERSONS UNKNOWN

Defendant

EXHIBIT "MEL8"

This is the Exhibit marked "MEL8" referred to in the Witness Statement of Michelle Elizabeth Lowbridge.

City Solicitor and Monitoring Officer:
Satinder Sahota (Interim)

Our Ref: LS/HGL/HM/150673
Your Ref:
Date: 30 November, 2022
Mr xxxxx

Telephone No: 0121 303 2808
Facsimile No: 0121 303 4447
Contact: Hilary MacPherson

Dear Mr xxxxx,

RE Birmingham City Council v Persons Unknown.
Claim no: KB-2022-BHM-000221
Hearing 7th December 2022 at 10.30

We act for Birmingham City Council.

We understand that in May 2020 you were stopped by West Midlands Police as part of a police operation against street cruising. We are advised that you were given a copy of the Council's Street cruising injunction which was in force at that time.

We confirm that Birmingham City Council are apply to the High Court on the 7th of December 2022 at 10.30 at the Birmingham District Registry, Civil Justice Centre, The Priory Law Courts 33 Bull Street Birmingham B4 6DS for a new injunction designed to prevent street cruising in the Birmingham area. A copy of the notice of hearing, application for the injunction, draft injunction, power of arrest, map and the Council's evidence can be viewed on the Council's website <http://www.birmingham.gov.uk> or via the following link;
https://www.birmingham.gov.uk/car_crusiers_injunction_order

Should you wish to make any representations to the court about this application you should attend on the 7th of December 2022.

Yours faithfully

Legal and Governance Department

Legal & Governance Department

(1) Birmingham City Council
(2) Claimant
(3) 1st
(4)
(5) Exhibit: "MEL9"
(6) 05/12/22

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

Claim Number:

B E T W E E N:

BIRMINGHAM CITY COUNCIL

Claimant

- and -

PERSONS UNKNOWN

Defendant

EXHIBIT "MEL9"

This is the Exhibit marked "MEL9" referred to in the Witness Statement of Michelle Elizabeth Lowbridge.

Certificate of service

Name of court
HIGH COURT AT BIRMINGHAM

Claim Number
KB-2022-BHM-
000221

Name of Claimant

BIRMINGHAM CITY COUNCIL

Name of Defendant AHZI NAGMADIN

On what day did
you serve?

3 / 12 / 2022

The date of service is

5 / 12 / 2022

What documents did you serve?

Please attach copies of the documents you
have not already filed with the court

Covering letter, BUNDLE containing N208, N16A, Draft injunction, power of
arrest, witness statements as per the index attached.
All in a sealed plastic bag marked private and confidential.

On whom did you serve?

(If appropriate include their position
e.g. partner, director).

AHZI NAGMADIN whose mother confirmed residence but that the
Defendant was not in.

How did you serve the documents?

(please tick the appropriate box)

☐ by first class post other service which provides for
delivery on the next business day

☒ by delivering to or leaving at a permitted place

by personally handing it to or leaving it with
(.....9.50am.....time left, where document is other
than a claim form) (please specify)

☐

by other means permitted by the court
(please specify)

☐

by Document Exchange

by fax machine (.....time sent, where document
is other than a claim form) (you may want to enclose a
copy of the transmission sheet)

☐ by other electronic means (.....time sent, where
document is other than a claim form) (please specify)

☐

Give the address where service effected, include fax or DX number, email address or other electronic identification

36 Pickering Croft
Bartley Green
Birmingham B32 2LN

Being the ☐ claimant's ☒ defendant's

☐ solicitor's ☐ litigation friend
☒ usual residence

☐ last known residence

☐ place of business

☐ principal place of business

☐ last known place of business

☐ last known principal place of business

☐ principal office of the partnership

☐ principal office of the corporation

☐ principal office of the company


place of business of the partnership/company/
☐ corporation within the jurisdiction with a connection
to claim

☐ other (please specify)

I believe that the facts stated in this certificate are true.

Full name Michael John Seymour

Signed


(Claimant) (Defendant) ('s solicitor) ('s friend)

Process Server

Date

06 / 12 / 2022

Certificate of service

Name of court
HIGH COURT AT BIRMINGHAM

Claim Number
KB-2022-BHM-
000221

Name of Claimant

BIRMINGHAM CITY COUNCIL

Name of Defendant JESSICA ROBERTS

On what day did
you serve?

3 / 12 / 2022

The date of service is

3 / 12 / 2022

What documents did you serve?

Please attach copies of the documents you
have not already filed with the court

Covering letter, BUNDLE containing N208, N16A, Draft injunction, power of
arrest, witness statements as per the index attached.
All in a sealed plastic bag marked private and confidential.

On whom did you serve?

(If appropriate include their position
e.g. partner, director).

JESSICA ROBERTS

How did you serve the documents?

(please tick the appropriate box)

☐ by first class post other service which provides for
delivery on the next business day

☐ by delivering to or leaving at a permitted place

☒ by personally handing it to or leaving it with
(10.30.....time left, where document is other
than a claim form) (please specify)

JESSICA ROBERTS

☐ by other means permitted by the court
(please specify)

☐ by Document Exchange

☐ by fax machine (.....time sent, where document
is other than a claim form) (you may want to enclose a
copy of the transmission sheet)

☐ by other electronic means (.....time sent, where
document is other than a claim form) (please specify)

Give the address where service effected, include fax or DX
number, email address or other electronic identification

25 Ballams Wood Drive
Northfield
B31 5HF

Being the ☐ claimant's ☒ defendant's

☐ solicitor's ☐ litigation friend

☒ usual residence

☐ last known residence

☐ place of business

☐ principal place of business

☐ last known place of business

☐ last known principal place of business

☐ principal office of the partnership

☐ principal office of the corporation

☐ principal office of the company

☐ place of business of the partnership/company/

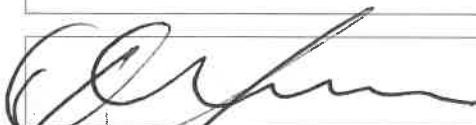
☐ corporation within the jurisdiction with a connection
to claim

☐ other (please specify)

I believe that the facts stated in this certificate are true.

Full name Michael John Seymour

Signed



(Claimant) (Defendant) ('s solicitor) ('s friend)

Process Server

Date

05 / 12 / 2022

Certificate of service

Name of court
HIGH COURT AT BIRMINGHAM

Claim Number
KB-2022-BHM-
000221

Name of Claimant

BIRMINGHAM CITY COUNCIL

Name of Defendant THOMAS WHITTAKER

On what day did
you serve?

2 / 12 / 2022

The date of service is

5 / 12 / 2022

What documents did you serve?

Please attach copies of the documents you
have not already filed with the court

Covering letter, BUNDLE containing N208, N16A, Draft injunction, power of
arrest, witness statements as per the index attached.
All in a sealed plastic bag marked private and confidential.

On whom did you serve?

(If appropriate include their position
e.g. partner, director).

THOMAS WHITTAKER whose mother Julie Smith confirmed that Thomas was
aware of the matter as his sister had called to let him know injunctions were on the
way. The mother confirmed that she would arrange for Thomas to collect the
paperwork asap.

How did you serve the documents?

(please tick the appropriate box)

☐ by first class post other service which provides for
delivery on the next business day

☒ by delivering to or leaving at a permitted place

☐ by personally handing it to or leaving it with
(.....1pm.....time left, where document is other
than a claim form) (please specify)

by other means permitted by the court
(please specify)

by Document Exchange

☐ by fax machine (.....time sent, where document
is other than a claim form) (you may want to enclose a
copy of the transmission sheet)

☐ by other electronic means (.....time sent, where
document is other than a claim form) (please specify)

Give the address where service effected, include fax or DX
number, email address or other electronic identification

61 Westcroft Avenue
Wolverhampton
WV10 8NQ

Being the ☐ claimant's ☒ defendant's

☐ solicitor's ☐ litigation friend
☒ usual residence

☐ last known residence

☐ place of business

☐ principal place of business

☐ last known place of business

☐ last known principal place of business

☐ principal office of the partnership

☐ principal office of the corporation

☐ principal office of the company

place of business of the partnership/company/

☐ corporation within the jurisdiction with a connection
to claim

☐ other (please specify)

I believe that the facts stated in this certificate are true.

Full name

Michael John Seymour

Signed



(Claimant) (Defendant) ('s solicitor) ('s friend)

Process Server

Date

05 / 12 / 2022

Certificate of service

Name of court
HIGH COURT AT BIRMINGHAM

Claim Number
KB-2022-BHM-
000221

Name of Claimant

BIRMINGHAM CITY COUNCIL

Name of Defendant ARTHUR ROGERS

On what day did
you serve?

4 / 12 / 2022

The date of service is

5 / 12 / 2022

What documents did you serve?

Please attach copies of the documents you
have not already filed with the court

Covering letter, BUNDLE containing N208, N16A, Draft injunction, power of
arrest, witness statements as per the index attached.
All in a sealed plastic bag marked private and confidential.

7 Enclosures

On whom did you serve?

(If appropriate include their position
e.g. partner, director).

ARTHUR ROGERS

Papers left at property, neighbour confirmed residence.

How did you serve the documents?

(please tick the appropriate box)

☐ by first class post other service which provides for
delivery on the next business day

☒ by delivering to or leaving at a permitted place

☐ by personally handing it to or leaving it with
(.....10.05am.....time left, where document is
other than a claim form) (please specify)

☐ by other means permitted by the court
(please specify)

☐ by Document Exchange

☐ by fax machine (.....time sent, where document
is other than a claim form) (you may want to enclose a
copy of the transmission sheet)

☐ by other electronic means (.....time sent, where
document is other than a claim form) (please specify)

Give the address where service effected, include fax or DX
number, email address or other electronic identification

5 Brambling
Wilnecote
Tamworth
Staff B77 5PQ

Being the ☐ claimant's ☒ defendant's

☐ solicitor's ☐ litigation friend

☒ usual residence

☐ last known residence

☐ place of business

☐ principal place of business

☐ last known place of business

☐ last known principal place of business

☐ principal office of the partnership

☐ principal office of the corporation

☐ principal office of the company


☐ place of business of the partnership/company/
corporation within the jurisdiction with a connection
to claim

☐ other (please specify)

I believe that the facts stated in this certificate are true.

Full name Michael John Seymour

Signed


(Claimant) (Defendant) ('s solicitor) ('s friend)

Process Server

Date 06 / 12 / 2022

Certificate of service

Name of court
HIGH COURT AT BIRMINGHAM

Claim Number
KB-2022-BHM-000221

Name of Claimant

BIRMINGHAM CITY COUNCIL

Name of Defendant **ABC**

On what day did you serve? 2 / 12 / 2022

The date of service is 5 / 12 / 2022

What documents did you serve?
Please attach copies of the documents you have not already filed with the court

Covering letter, BUNDLE containing N208, N16A, Draft injunction, power of arrest, witness statements as per the index attached.
All in a sealed plastic bag marked private and confidential.

On whom did you serve?
(If appropriate include their position e.g. partner, director).

ABC
confirmation from **ABC** mother that **ABC** continues to reside at **ABC** and would be home later that day.

How did you serve the documents?
(please tick the appropriate box)

- ☐ by first class post other service which provides for delivery on the next business day
- ☒ by delivering to or leaving at a permitted place
- ☐ by personally handing it to or leaving it with (.....1.45pm.....time left, where document is other than a claim form) (please specify)
- ☐ by other means permitted by the court (please specify)
- ☐ by Document Exchange
- ☐ by fax machine (.....time sent, where document is other than a claim form) (you may want to enclose a copy of the transmission sheet)
- ☐ by other electronic means (.....time sent, where document is other than a claim form) (please specify)

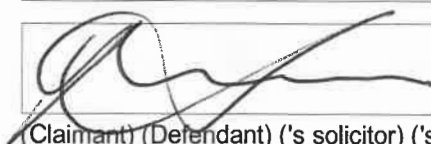
Give the address where service effected, include fax or DX number, email address or other electronic identification

- Being the ☐ claimant's ☒ defendant's
- ☐ solicitor's ☐ litigation friend
- ☒ usual residence
- ☐ last known residence
- ☐ place of business
- ☐ principal place of business
- ☐ last known place of business
- ☐ last known principal place of business
- ☐ principal office of the partnership
- ☐ principal office of the corporation
- ☐ principal office of the company
- place of business of the partnership/company/
- ☐ corporation within the jurisdiction with a connection to claim
- ☐ other (please specify)

I believe that the facts stated in this certificate are true.

Full name Michael John Seymour

Signed



(Claimant) (Defendant) ('s solicitor) ('s friend)

Process Server

Date 05 / 12 / 2022

A. Application & Draft Orders

- | | | |
|----|-----------------------|-------------|
| 1. | Notice of hearing | A 1 - A 2 |
| 2. | N208 | A 3 - A 6 |
| 3. | N16A | A 7 |
| 4. | Draft Injunction | A 8 - A 16 |
| 5. | Draft power of arrest | A 17 - A 19 |

B. Particulars of Claim

- | | | |
|----|----------------------|------------|
| 1. | Particulars of Claim | B 1 |
| 2. | Particulars of Claim | B 2 - B 14 |

C. Claimant's Evidence

- | | | |
|-----|---|---------------|
| 1. | Witness statement of Michelle Lowbridge | C 1 - C 10 |
| 2. | Exhibit.MEL1 | C 11 |
| 3. | mel1 bcc v persons unknown approved judgment 1.3.10.pdf | C 12 - C 20 |
| 4. | Exhibit.MEL2 | C 21 |
| 5. | MEL2 Wolverhampton/ Black Country Injunction | C 22 - C 27 |
| 6. | Exhibit.MEL3 | C 28 |
| 7. | MEL3 | C 29 - C 31 |
| 8. | Exhibit.MEL4 | C 32 |
| 9. | Proportionality Assessment Form & Public Sector Equality Duty doc.doc | C 33 - C 36 |
| 10. | 2nd Witness statement of Michelle Lowbridge | C 37 - C 40 |
| 11. | Exhibit.MEL5 | C 41 |
| 12. | Grimsby Live 28/9/22 | C 42 - C 43 |
| 13. | Exhibit.MEL6 | C 44 |
| 14. | ITV 11/4/22 | C 45 - C 46 |
| 15. | Exhibit.MEL7 | C 47 |
| 16. | Express and Star 22/11/22 | C 48 - C 51 |
| 17. | Witness statement of Mark Campbell 24-10-2022.doc | C 52 - C 77 |
| 18. | Exhibit.MRC/1 | C 78 |
| 19. | Exhibit.MRC/2 | C 79 |
| 20. | Exhibit.MRC/3 | C 80 |
| 21. | 10297205 - SR Maps.pptx | C 81 - C 85 |
| 22. | Witness statement Ian Sturme | C 86 |
| 23. | Witness statement Cllr Barrie | C 87 - C 88 |
| 24. | Witness statement Harry Stileman | C 89 - C 90 |
| 25. | Witness statement Joe Kelly | C 91 - C 93 |
| 26. | Witness statement Richard Evans | C 94 - C 95 |
| 27. | Witness statement Nask Ali | C 96 - C 97 |
| 28. | Witness statement Alan Robinson | C 98 - C 99 |
| 29. | Witness statement Brett. Newell | C 100 - C 101 |
| 30. | Witness statement Terrence Newell | C 102 |

- | | | |
|-----|--------------------------------|---------------|
| 31. | 10297162 - Carole SHARPE.pdf | C 103 - C 104 |
| 32. | Witness statement Lou Richards | C 105 - C 107 |
| 33. | 10297248 - MG11 Kabba Ndow.pdf | C 108 - C 109 |

E. Further statements filed in support

- | | | |
|----|--|---------------|
| 1. | PO CAMPBELL in support of application to extend dated 15/10/19 | E 1 - E 33 |
| 2. | W/S Oliver Humpage- review | E 34 - E 39 |
| 3. | PART 1 Original application | E 40 - E 57 |
| 4. | Bundle Part 2 - 40-139 | E 58 - E 156 |
| 5. | Bundle Part 3 (A) - 140-169 | E 157 - E 187 |
| 6. | Bundle Part 3 (B) - 170-240 | E 188 - E 257 |
| 7. | Bundle Part 4 (A) - 241-273 | E 258 - E 290 |
| 8. | Bundle Part 5 - scanned by legamncn at 07/08/2019 14:04:09 | E 291 - E 388 |
| 9. | Bundle Part 6 - scanned by legamncn at 07/08/2019 14:11:37 | E 389 - E 474 |

added to the bundle Witness statement of PO Campbell dtd 1 December 22 C110-C114

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

In the matter of an application for an injunction under s.37(1), Senior Courts Act 1981, s.1, Localism Act 2011, s.222, Local Government Act 1972 and s.130, Highways Act 1980.

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**

Defendants

WITNESS STATEMENT OF MICHELLE LOWBRIDGE

I, Michelle Elizabeth Lowbridge, of Birmingham Community Safety Team Birmingham City Council, WILL SAY as follows:

1. I am the above-named person, and I am presently employed by Birmingham City Council (BCC) as an Anti-social Behaviour Manager. I have worked for the Department for approximately nineteen years. The information contained within this statement is from my own knowledge unless otherwise stated. I make this statement in support of the Claimant's application for alternative service of the Claim Form, Particulars of Claim, and evidence in support of the claim on the Eighth and Ninth Defendants. I am duly authorised to do so.
2. The Eighth and Ninth defendants are identified by description of "Persons Unknown". For that reason, it is impossible for the Claimant to serve the Claim Form, Particulars of Claim, and evidence in support of the claim on the Eighth and Ninth defendants personally, electronically, or by directing them to a known address. That notwithstanding, the Claimant can take the following steps, which can reasonably be expected to bring the proceedings to the attention of those defendants.
 - (1) Posting a copy of the Claim Form, Particulars of Claim, and Evidence in Support of the Claim on the Claimant's website.
 - (2) Publicising the link to the webpage regarding these proceedings on the Claimant's and West Midlands Police's Facebook, Twitter, Instagram and Youtube accounts.
 - (3) Contacting known car fan clubs to request that they advertise the Claim on their social media channels.
 - (4) Sending, or using all reasonable endeavours to send, a link to the Claim Form, Particulars of Claim and supporting evidence to Instagram accounts identified by the Claimant as likely to be used to organise car-cruising events.
 - (5) Issuing a press release.
3. I am confident that these measures will bring these proceedings to the attention of the Eighth and Ninth Defendant as these are the means by which the Claimant has successfully notified defendants identified by a similar description of its applications for injunction to prevent car cruising in the past. I discuss each method in more detail below.

(1) Posting a copy of the Claim Form, Particulars of Claim, and Evidence in Support of the Claim on the Claimant's website

4. On 01 December 2022, the Claimant created a webpage for these proceedings at https://www.birmingham.gov.uk/car_cruisers_injunction_order.
5. Following the hearing on the application on 07 December, and the Seventh Defendant's successful application for an anonymity order, the Claimant removed this page from its website so that the relevant papers could be anonymised and redacted.
6. On 07 December 2022 Birmingham City Council's website was updated to include information that that a hearing had taken place that day, that the case had been adjourned until 14 December 2022 and that the updated court documents would be uploaded. Due to the fact that the webpage referred to above at paragraph 4 had to be closed to enable the documents to be redacted and anonymised details of the new hearing can be viewed at: https://www.birmingham.gov.uk/downloads/download/3084/street_cruisers_injunction_order_dated_22_october_2019_has_now_expired . However, a new webpage will be created with an appropriate title for the current proceedings as soon as these appropriate redactions have taken place.
7. The Claimant is in the process of updating the webpage and uploading the anonymised and redacted court papers to the webpage.

(2) Publicising the link to the webpage regarding these proceedings on the Claimant's and West Midlands Police's Facebook, Twitter and YouTube pages.

8. The Claimant's Facebook page is followed by 37,000 people. On Twitter, the Claimant has 169,200 followers. On 02 December 2022 the Claimant posted on both its Twitter and Facebook page publicising these proceedings, and the link to the relevant documents on its website.
9. The Claimant's community safety team has 2,480 followers on twitter. On 02 December, the Claimant's community safety team publicised these proceedings on twitter, including a

link to the relevant webpage. This was retweeted by both Birmingham Police and West Midlands Police.

10. Birmingham Police's Facebook page is followed by 134,000 people. On Twitter, Birmingham Police has 183,800 followers. On 02 December 2022, Birmingham Police publicised these proceedings on its Facebook page, including a link to the relevant webpage of the Claimant's website. This post received 72 likes, 57 shares, and 22 comments. In particular, this post was shared by "Car Club West Midlands UK", and "Birmingham & UK News".
11. West Midlands Police's Facebook page is followed by 523,000 people. On 02 December 2022, West Midlands Police shared Birmingham Police's post publicising these proceedings on its Facebook page. This post received 154 likes, 21 shares, and 95 comments.
12. Birmingham City Council has 12,200 followers on Instagram. It proposes to create a post explaining proceedings are being brought, the nature of the conduct that is sought to be prohibited, and directing readers to the Council's website where the Claim form, Particulars of Claim, supporting evidence and any relevant Court Orders / Hearing Notices can be located.
13. Birmingham City Council has 1390 subscribers on YouTube. It proposes to create a short video explaining that these proceedings are being brought, the nature of the conduct that is sought to be prohibited, and a link to the Council's website where the Claim form, Particulars of Claim, supporting evidence and any relevant Court Orders / Hearing Notices can be located.
14. If alternative services is granted, the Claimant will publicise the link to its website containing the Claim Form, Particulars of Claim, evidence in support of the claim, and all relevant Court Orders (including notices of hearings) on these social media platforms, which will bring the proceedings to the attention to all of the Claimant's followers.
15. We are aware that this social media campaign has already brought these proceedings to the attention of those involved in street cruising, as on 07 December 2022 the Seventh

Defendant informed the Claimant that a number of known individuals had seen these posts and that [REDACTED] was attending court on their behalf.

(3) Contacting known car fan clubs to request that they advertise Claim on their social media channels.

16. Motorheadz.uk is Birmingham based car and bike enthusiast club. It has pages on Instagram (5847 followers), Facebook (5100 followers), Twitter (6172 followers) and YouTube (11 subscribers). The Claimant can directly message Motorheadz.uk via these sites, inform them of these proceedings and politely request the organisers advertise the Claimant's webpage containing the Claim Form, Particulars of Claim and supporting evidence on their Social Media channels as the claim may affect / be of interest to some of their followers.

(4) Sending, or using all reasonable endeavours to send, a link to the Claim Form, Particulars of Claim and supporting evidence to Instagram accounts identified by the Claimant as likely to be used to organise car-cruising events.

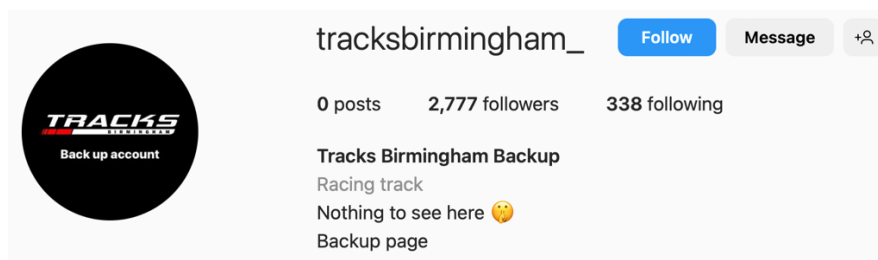
17. The Claimant and / or West Midlands Police have identified the following Instagram accounts that it considers that are likely to be used to organise car-cruising events.

- (a) @Forza_Birmingham – an investigation by West Midlands Police has identified this account as being responsible for the organization, publicising and advertising car cruising events. West Midlands Police have attributed this account to the First Defendant.
- (b) @Birminghamoutlaws – this is an open account with 15000 followers. An investigation by West Midlands Police has identified this account as being responsible for the organization, publicising and advertising car cruising events. West Midlands Police have attributed this account to the Fourth Defendant.
- (c) @WV racetracks – an investigation by West Midlands Police has identified this account as being responsible for the organization, publicising and advertising car cruising events. West Midlands Police have attributed this account to the Fifth Defendant.

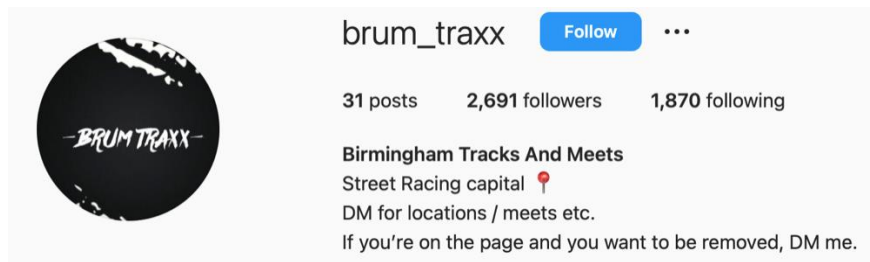
- (d) @midlands.modified - an investigation by West Midlands Police has identified @Modified midlands as being responsible for the organization, publicising and advertising car cruising events. West Midlands Police have attributed this account to the Fifth Defendant. The Claimant believes that this account is a 'back up account' to @modified midlands as that account has now been identified by the Police. This account records the next meet as TBA.



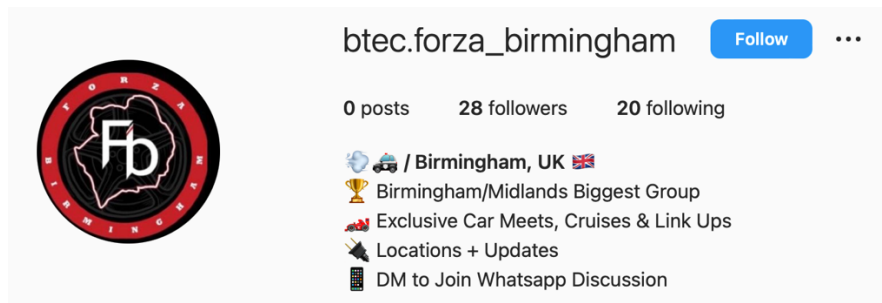
- (e) [REDACTED] - an investigation by West Midlands Police has identified this account as being responsible for the organization, publicising and advertising car cruising events. West Midlands Police have attributed this account to the Sixth Defendant.
- (f) @mostwanted_brum – this is an open account with 1385 followers. It advertises street cruising meets, and posts videos of the meets in progress.
- (g) @tracksbirmingham_ this is a private Instagram group, however the bio is as follows:



(h) @brum_traxx - this is a private Instagram group, however the bio is as follows:



(i) @btec.forza_birmingham – this is a private Instagram group, however the bio is as follows:



18. Whilst @Forza_Birmingham, @WV racetracks, [REDACTED] and @Birminghamoutlaws have been attributed to named defendants, anyone can access these accounts if they have the login details.

19. Where the accounts are public, the Claimant can comment on any of the posts with a link to the Claimant's webpage containing the Claim Form, Particulars of Claim and supporting evidence. This comment will then be viewable by anyone who reads the post.

20. Where the accounts are private, the Claimant can send a private message to the account holder with information about this application and a link to the Claimant's webpage containing the Claim Form, Particulars of Claim and supporting evidence.

21. Per paragraph 12 above, the Claimant proposes to use Instagram in order to promote the hearing and any subsequent order if granted.

(5) Press

22. Following the post on the Council's website on the 1st of December 2022, of details of the court hearing:

(a) On the 3rd December 2022, Birmingham Live, the online outlet for the Birmingham Mail, reported that Birmingham City Council were applying for a street cruising injunction and gave details of the Court hearing date under the link: <https://www.birminghammail.co.uk/news/midlands-news/birmingham-city-council-applying-street-25665218>

(b) On the 3rd December 2022, MSN messenger webpage which reports current news posted under the title Birmingham City Council applying for street cruising injunction under the link <https://www.msn.com/en-gb/news/newsbirmingham/birmingham-city-council-applying-for-street-cruising-injunction-amid-warning-they-could-become-daily-events/ar-AA14RI0o>

23. The Claimant will issue a press release informing readers of these proceedings and providing them with the link containing the Claim Form, Particulars of Claim and supporting evidence, Court Orders and notices of hearing on the Claimant's website. The Council's press office has an extensive list of media outlets where press releases are sent, including the following publications:

- (a) Local media- such as Blive, Express and Star
- (b) Local community media
- (c) Broadcast media including the BBC, ITV, Midlands Today, Radio WM
- (d) Log bloggers- the council has details of those with large followings.

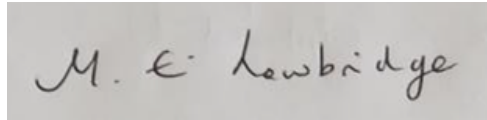
24. I am confident that publicising the proceedings in each of the ways described will bring the proceedings to the attention of the Eighth and Ninth Defendants.

25. I am willing to attend Court to give evidence.

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 honest belief in its truth.

Signed

A rectangular box containing a handwritten signature in cursive script that reads "M. E. Lowbridge".

Dated 09 December 2022

(1) Birmingham City Council
(2) Claimant
(3) Statement of Michelle Lowbridge
(4) 5th
(5) Exhibits "MEL12-13"
(6) 23/12/2022

Claim No: KB-2022-BHN-000221

IN THE HIGH COURT OF JUSTICE

KING'S BENCH DIVISION

BIRMINGHAM DISTRICT REGISTRY

In the matter of an application for an injunction under s.37(1), Senior Courts Act 1981, s.1, Localism Act 2011, s.222, Local Government Act 1972 and s.130, Highways Act 1980.

B E T W E E N:

BIRMINGHAM CITY COUNCIL

Claimant

and

(1) D1 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

Defendants

**WITNESS STATEMENT OF
MICHELLE ELIZABETH
LOWBRIDGE**

I, Michelle Elizabeth Lowbridge, of Birmingham Community Safety Team Birmingham City Council, WILL SAY as follows:

1. I am the above-named person, and I am presently employed by Birmingham City Council (BCC) as an Anti-social Behaviour Manager. I have worked for the Department for approximately nineteen years. The information contained within this statement is from my own knowledge unless otherwise stated. I make this 5th statement in support of the Claimant and further to my statements dated 13th October 2022, 28th November 2022, 9th December 2022 and 19th December 2022 I am duly authorised to do so.
2. Following the hearing which took place on 20th and 21st December 2022 and the Order for an Interim Injunction with a Power of Arrest made by The Honourable Mrs Justice Hill, a number of measures have been taken on behalf of Birmingham City Council and West Midlands Police to publicise the existence of these orders.
3. As stated at Schedule 3(ii) of the Order a media release was prepared and issued on Thursday 22nd December 2022 by Birmingham City Council's Corporate Communications Team advising that Birmingham City Council had obtained an Interim High Court Injunction and a Power of Arrest. This contained the copies of the orders and a summary of what they involve, the date and time and location of the next hearing, the claimant's contact details, the address of the dedicated webpage <https://www.birmingham.gov.uk/streetcruiseapplication2022> and information of where and how copies of the documents and evidence may be obtained. I exhibit a copy of this press release as **MEL12**.
4. Links to this press release were then circulated by the Corporate Communications Team on Birmingham City Council's corporate Facebook, Twitter, Linked In and Instagram accounts as directed at Schedule 3(iii) of the Order.

5. A link to this press release was also placed on Birmingham City Council Community Safety Team's Twitter account on Friday 23rd December 2022 and was pinned to the top of this page.
6. Birmingham City Council's website was updated on Friday 23rd December 2022 as specified at Schedule 3 (iv) of the Order, at <https://www.birmingham.gov.uk/streetcruiseapplication2022> and contains the High Court Interim Injunction Order and the Power of Arrest, the court documents, the evidence and a sealed copy of the Orders made on 21st December 2022.
7. I exhibit a screenshot of the Council's homepage at [Birmingham City Council Homepage](#) as **MEL13**. The press release has now been pinned in the news feed on the homepage where it will remain and provides a direct link to the designated webpage.
8. On Thursday 21st December 2022 a video was compiled with Councillor John Cotton, Cabinet Member for Social Justice, Community Safety and Equalities. In the video he summarises the Interim Injunction and Power of Arrest, the time and location of the next hearing date, the claimant's contact details and the address of the designated webpage where further information can be found and the court documents and evidence are held. It was posted on YouTube that day and can be viewed at [Birmingham City Council granted injunction to ban street cruising - YouTube](#) The link to it was also circulated on the other corporate social media, Facebook , Instagram, Twitter and Linked In. The link to the video was also posted on the Community Safety Team's Twitter account.
9. Copies of the documents and the evidence placed at Woodcock Street have been updated to include copies of the Interim Injunction Order and the Power of Arrest as specified at Schedule 3 (vi).
10. On Thursday 22nd December 2022 a request was made to West Midlands Police for the press release to be placed on West Midlands Police's website and a link to be shared on its Facebook and Twitter accounts.
11. In relation to Schedule 3(viii) of the Order, the social media Officer for Birmingham City Council messaged the cited Instagram accounts that would enable messaging on Friday 23rd December 2022.
12. Three accounts were open and allowed for a message to be sent to them informing them of the Interim Injunction and Power of Arrest with a link to the designated web page. These were @tracksbrum (which is the

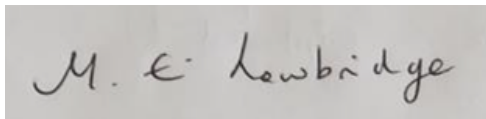
real account for @tracksbirmingham which appears to be a back-up account) @motorheads_uk and @midlands.modified.

13. Four accounts which were found to be private have ignored requests to follow Birmingham City Council so messages cannot be sent to them with a link to the designated web page or advising them of the existence of the orders. These are @Forza_Birmingham, @mostwanted_brum, @brum traxx and @btec.forza_birmingham. One account which was private has now been deleted and this is @Birminghamoutlaws.
14. I believe that the steps taken above have brought to the attention of the public at large the existence of the Interim Injunction Order and Power of Arrest. In addition, it should be clear to those likely to be affected by the order, the date and location of the final hearing and details of what steps need to be taken should a member of the public wish to take part in the proceedings by filing an acknowledgment of service.
15. I am willing to attend court to give evidence.

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 honest belief in its truth

Signed

A handwritten signature in black ink, reading "M. E. Lowbridge", is written on a light-colored rectangular background.

Birmingham City Council

Dated this 23rd day of December 2022

(1) Birmingham City Council
(2) Claimant
(3) 1st
(5)
(5) Exhibit: "MEL12"
(6) 23/12/22

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

Claim Number:

B E T W E E N:

BIRMINGHAM CITY COUNCIL

Claimant

- and -

PERSONS UNKNOWN

Defendant

EXHIBIT "MEL12"

This is the Exhibit marked "MEL12" referred to in the Witness Statement of Michelle Elizabeth Lowbridge.

City council granted injunction to ban street cruising

Published: Thursday, 22nd December 2022

A High Court order banning street cruising across Birmingham has been granted to Birmingham City Council after its application was heard at Royal Courts of Justice in London yesterday (21 December).

This interim injunction – which comes into force at 00:01hrs on Saturday (24 December 2022 - prohibits drivers, riders or passengers participating in a street cruise anywhere in Birmingham.

Any driver or rider or passenger breaching the order could be arrested immediately, and could face up to two years in prison, a fine, or have their assets seized.

The full terms of the injunction, power of arrest, applications for alternative service and interim injunction, documents and evidence can be found at <https://www.birmingham.gov.uk/streetcruiseapplication2022>.

Cllr John Cotton, Cabinet Member for Social Justice, Community Safety and Equalities, said: “Street cruising is dangerous as well as being a nuisance for law-abiding citizens.

“By working with our partners at the police on applying for this injunction, we have shown we understand and share the continued concerns raised by many residents, about this anti-social and life-threatening behaviour.

“Past court action shows that we won’t hesitate to ensure justice is served upon offenders, who have no excuse for their actions. There are plenty of lawful ways to exhibit and demonstrate their vehicles – but our roads are not the place for it.”

Although the application for this order has been made by Birmingham City Council Community Safety Team, officers from West Midlands Police will be responsible for its enforcement.

Chief Superintendent Ian Green, from West Midlands Police, said: “We have been working jointly with all local authorities over the past few years and are determined to tackle dangerous and reckless driving which puts the safety of others and themselves at risk.

“Alongside our partners we do not tolerate illegal car gatherings due to the danger and nuisance they create to communities and the wider public going about their lives.

"We have officers dedicated to addressing the issue from both neighbourhood teams and specialist traffic resources, who are also working with the insurance industry and providing diversionary and educational courses.

“We will take every opportunity to intervene and enforce against this activity and this includes spectators and those organising or promoting these events.”

The court also granted an application led by Wolverhampton City Council on behalf of local authorities in the Black Country.

If anyone sees any street cruising taking place, they should contact police via Live Chat at west-midlands.police.uk between 8am and midnight, call 101 anytime or 999 in an emergency.

The Birmingham High Court at Priory Law Courts, 33 Bull Street, Birmingham will consider the case again on a date to be set between 1 - 10 February 2023. Details of the new hearing date will be put on the council's website.

Anyone wanting to take part at the next hearing should file an acknowledgement of service – a form to show individuals wish to take part – seven days before the new hearing date.

The council's contact details are: Birmingham City Council Legal and Governance, PO Box 15992 B2 2UQ quoting ref LS/CSY/HM/150673. Alternatively, email HousingLitigationTeam@birmingham.gov.uk or call 0121 303 2808.

Copies of the documents and evidence filed in the case may be obtained from the city council's offices at 10 Woodcock Street, Birmingham, B7 4BL.

Useful links

- [More articles in the news archive](#)
- [News RSS feed](#)

Categories

- [More articles in the news archive](#)
- [News RSS feed](#)

(1) Birmingham City Council
(2) Claimant
(3) 1st
(5)
(5) Exhibit: "MEL13"
(6) 23/12/22

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

Claim Number:

B E T W E E N:

BIRMINGHAM CITY COUNCIL

Claimant

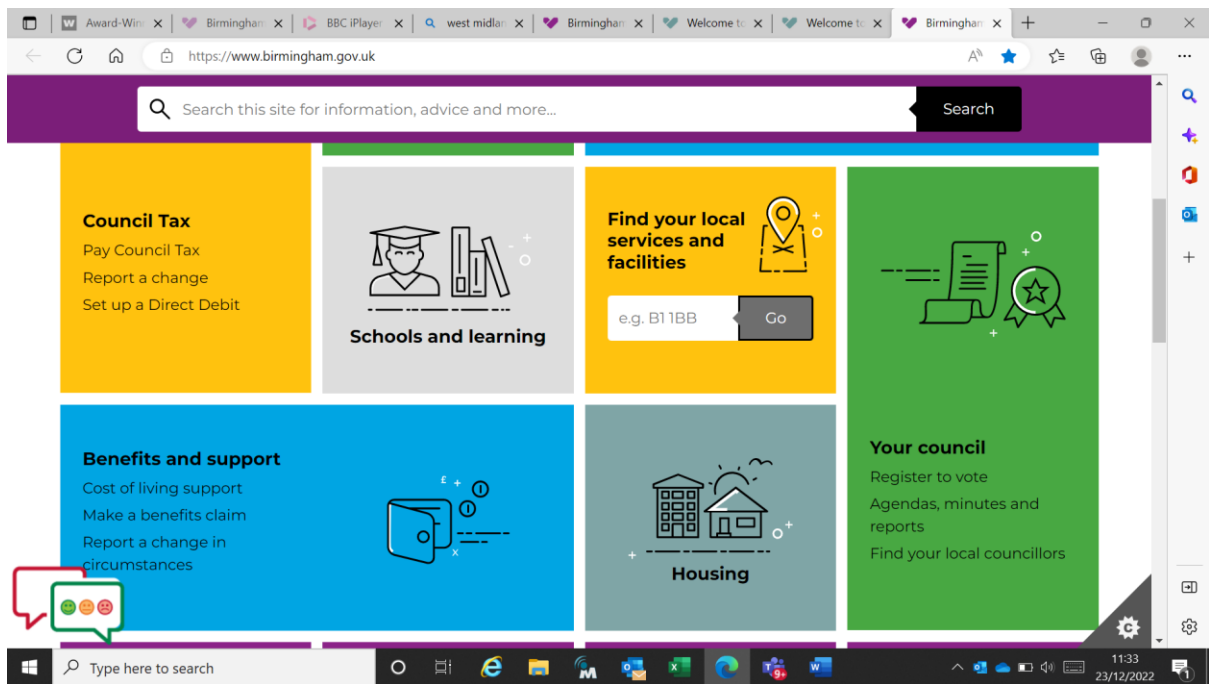
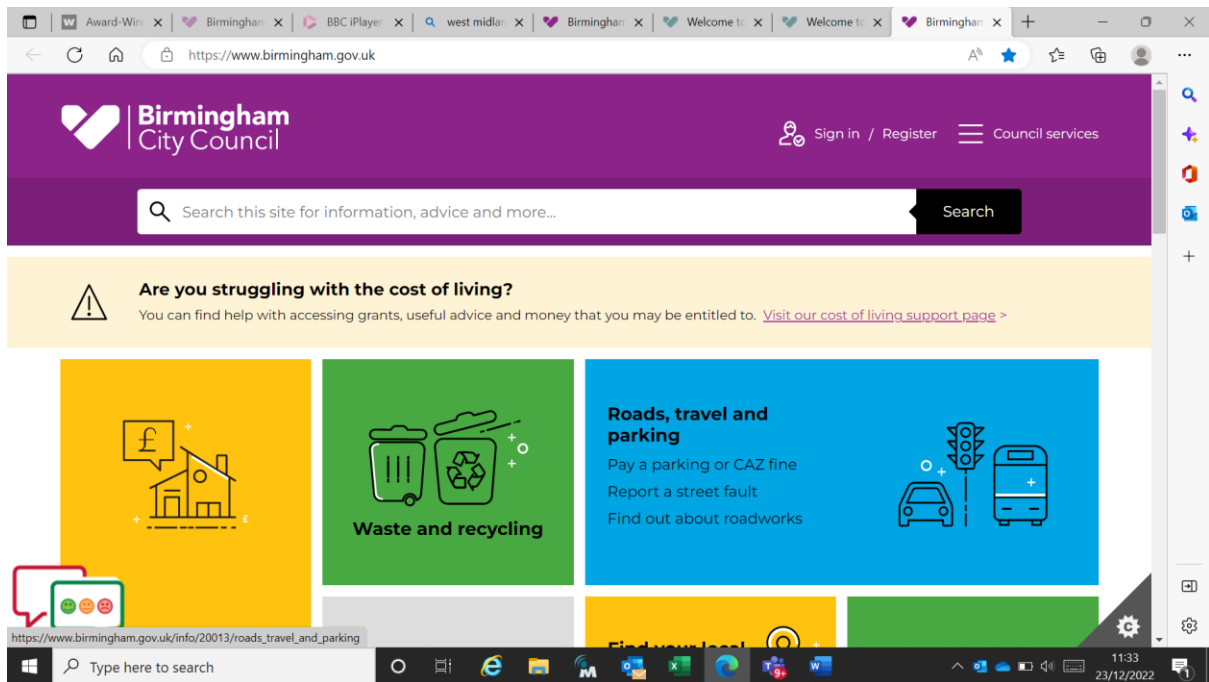
- and -

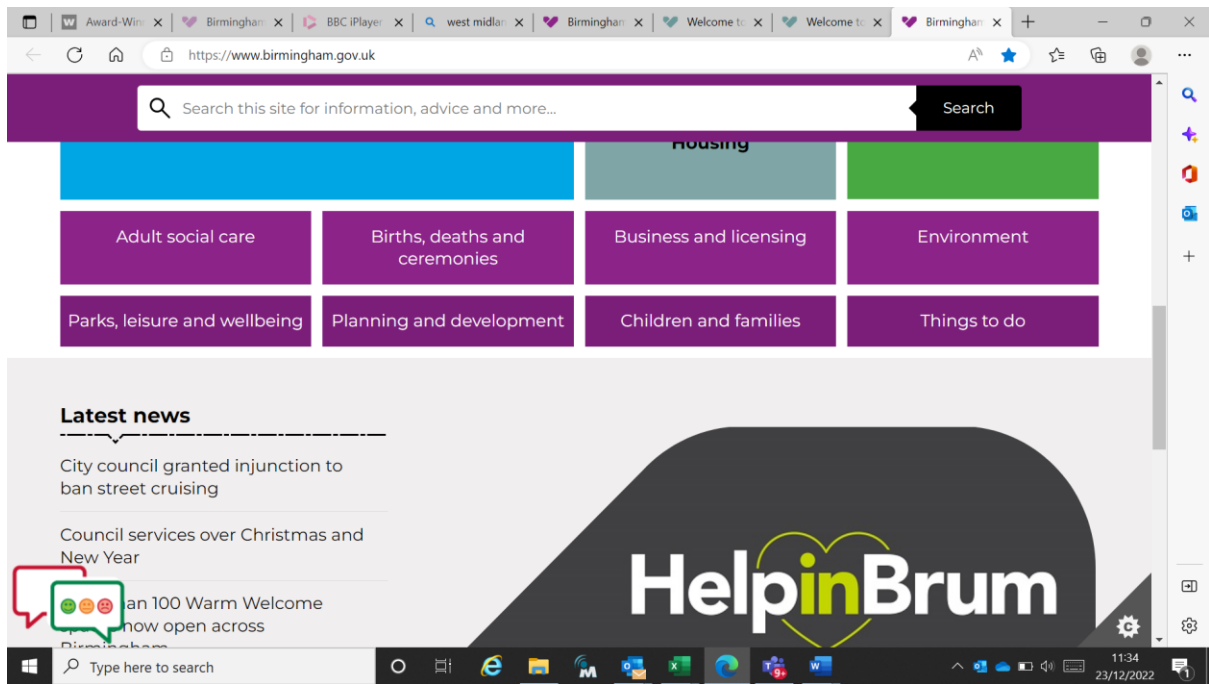
PERSONS UNKNOWN

Defendant

EXHIBIT "MEL13"

This is the Exhibit marked "MEL13" referred to in the Witness Statement of Michelle Elizabeth Lowbridge.







(1) Birmingham City Council
(2) Claimant
(3) Statement of Michelle Lowbridge
(4) 6th
(5) Exhibits "MEL 14-MEL22"
(6) 30/01/2023
Claim No: KB-2022-BHN-000221

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

In the matter of an application for an injunction under s.37(1), Senior Courts Act 1981, s.1, Localism Act 2011, s.222, Local Government Act 1972 and s.130, Highways Act 1980.

B E T W E E N:

BIRMINGHAM CITY COUNCIL

Claimant

and

(1) D1 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

Defendants

**WITNESS STATEMENT OF
MICHELLE ELIZABETH
LOWBRIDGE**

I, Michelle Elizabeth Lowbridge, of Birmingham Community Safety Team Birmingham City Council, WILL SAY as follows:

1. I am the above-named person, and I am presently employed by Birmingham City Council (BCC) as an Anti-social Behaviour Manager. I have worked for the Department for approximately nineteen years. The information contained within this statement is from my own knowledge unless otherwise stated. I make this 6th statement in support of the Claimant and further to my statements dated 13th October 2022, 28th November 2022 , 9th December 2022 , 19th December 2022 and 23rd December 2022 I am duly authorised to do so.
2. In relation to the order made by Judge Kelly following the hearing on 14th December 2022 and 6(i) of the Interim Injunction Order made on 22nd December 2022 by The Honourable Mrs Justice Hill, data analytics have been provided by Birmingham City Council's WebTeam as can be viewed in **MEL14**. As can be seen in second graph which provides figures of views of the dedicated web pages <https://www.birmingham.gov.uk/streetcruiseapplication2022> from 14th December 2022 until 22nd December 2022 there were 82 views of these pages with 36 unique views. For clarity a unique view means that these are 36 separate individuals and page views mean that those 36 have revisited the pages numerous times. The WebTeam have also confirmed that these analytics exclude anybody accessing the pages from Birmingham City Council so are external views.
3. In relation to social media posts, Birmingham City Council's Press Office Social Media Officer has provided the following figures in relation to the same period of time 14th December until 22nd December 2022. The press release issued on 16th December on numerous social media sites and reached 70 100 people on Facebook , received 32 shares , 61 likes , 11 comments 349 clicks and 447 views.
4. On Twitter it received 19 100 impressions , received 13 shares , had 53 likes , 7 comments , 130 clicks and 760 views. On LinkedIn it reached 3 100 people, received 1 share, 33 likes and 62 clicks. On Instagram it

reached 1 800 people, received 65 likes, 1 comment and 772 views. The video posted to YouTube received 51 views.

5. A link to the press release was also placed on Birmingham City Council Community Safety Team's Twitter account on December 16th 2022. This received 298 impressions, 3 likes and 1 retweet. There are currently 2499 followers to this account.
6. In relation to 6(ii) of the Interim Injunction order made by The Honourable Mrs Justice Hill on 22nd December 2022 data analytics have been provided by Birmingham City Council's WebTeam **MEL14** which shows then number of visits to the dedicated web pages <https://www.birmingham.gov.uk/streetcruiseapplication2022> once it had been updated with the Interim Injunction Order and Power Arrest and following the press release issued on 22nd December 2022 for the period until 24th January 2023.
7. The third graph in **MEL14** shows that from 23rd December until 24th January 2023 there were 54 unique views and in total 74 page views of those dedicated pages. Additionally key word searches were set up on the home page of Birmingham City Council's website to take those visiting it to the appropriate dedicated pages. From 14th December 2022 until 24th January 2023 there were 4 searches using the term 'car cruising' , 1 using the search term 'car cruising application' , 1 using the term 'car cruising bundle' , 1 using the term 'street cruising ban' , 1 using the term 'street racing order' and 1 using the word 'injunction'.
8. In relation to social media posts, Birmingham City Council's Press Office Social Media Officer has provided the following figures in relation to the press release issued on 22nd December on numerous social media sites. As at 24th January 2023 it had reached 2 800 people on Facebook, received 12 shares, 10 likes , 2 comments 28 clicks and 1000 views the link to this is [https://fb.watch/hAlV6js_2-/](https://fb.watch/hAlV6js_2/)
9. On Twitter it received 23 800 impressions , received 17 shares , had 30 likes , 7 comments , 67 clicks and 5 300 views the link to this is <https://twitter.com/BhamCityCouncil/status/1605986832226861062>. On LinkedIn it reached 3 100 people, received 0 shares, 24 likes and 18 clicks the link to this https://www.linkedin.com/posts/birmingham-city-council_city-council-granted-injunction-to-ban-street-activity-7011752510935756801-dSss?utm_source=share&utm_medium=member_android On Instagram it reached 5000 people, received 69 likes, 4 comments and 5 100 views the link to this is <https://www.instagram.com/reel/CmesUWqv->

[6c/?igshid=YmMyMTA2M2Y=](https://www.youtube.com/watch?v=6c/?igshid=YmMyMTA2M2Y=) . The video posted to YouTube received 53 views and the link to this is https://youtu.be/-_bl1d8Ao-U

10. In relation to Schedule 3(viii) of the Order, the Social Media Officer for Birmingham City Council messaged the cited Instagram accounts as stated in my previous statements. He has confirmed that there has been no contact from any of these accounts to date.
11. A link to this press release was also placed on Birmingham City Council Community Safety Team's Twitter account on Friday 23rd December 2022 and was pinned to the top of this page. This received 1049 impressions, 3 likes and 3 retweets.
12. As stated at Schedule 3(ii) of the Order a media release was prepared and issued on Thursday 22nd December 2022 by Birmingham City Council's Corporate Communications Team advising that Birmingham City Council had obtained an Interim High Court Injunction and a Power of Arrest. This contained the copies of the orders and a summary of what they involve, the date and time and location of the next hearing, the claimant's contact details, the address of the dedicated webpage <https://www.birmingham.gov.uk/streetcruiseapplication2022> and information of where and how copies of the documents and evidence may be obtained. This was previously exhibited as **MEL12**.
13. The press release issued was posted and also pinned to the homepage of Birmingham City Council's website as exhibited at **MEL13**. The Web Team have provided data analytics as can be seen in the first graph of **MEL14** which shows the number of views to that page between 22nd December 2022 and 24th January 2022. There were 256 views of this page and of these 230 were unique views.
14. Following the press release there was an item covering the Interim Injunction along with the Black Country's Interim Injunction on Midlands Today News on the evening of Thursday 22nd December 2023. It was the third item on the bulletin and can be viewed from 4.41 to 5.19 at <https://www.bbc.co.uk/iplayer/episode/m001gdnq/midlands-today-evening-news-22122022>
15. On 22nd December an article appeared in the Birmingham Mail on 22nd December 2022 and can be viewed at <https://www.birminghammail.co.uk/black-country/street-racing-ban-granted-across-25821415>. I have taken screenshots of this article and exhibit them as **MEL 15**.

16. An article about the Interim Injunction also appeared on the Local Government website and can be viewed at <https://www.localgov.co.uk/Council-seeks-court-order-to-crack-down-on-street-cruising/55354> I have taken screenshots of this article and exhibit them as **MEL16**
17. The press release was also taken up by Free Radio and appeared on their website on 23rd December 2023 and can be viewed at [Injunction granted to ban street cruising in Birmingham and the Black Country | News - Free Radio \(Birmingham\) \(planetradio.co.uk\)](https://www.planetradio.co.uk/news/free-radio-birmingham/injunction-granted-to-ban-street-cruising-in-birmingham-and-the-black-country/) I have taken screenshots of this article and exhibit them as **MEL17**.
18. With reference to Schedule 3 1(i) in relation to the maintenance of the permanent signs at the locations listed at Schedule 4 of the Interim Injunction Order stickers have been placed across the signs covering the previous website address , which was obsolete , with the current website address <https://www.birmingham.gov.uk/streetcruiseapplication2022>. This informs people of the Order and Power of Arrest , the area in which they have effect and how more information about the Claim and copies of the application and supporting documents can be found. I exhibit a photograph of the updated signage as **MEL18**.
19. Due to having to have these manufactured and delivered there was a delay to expediting this because of the Christmas and New Year period and it was not possible to do this by 10th January 2023 as stipulated in Schedule 3 1(i) of the order. However the signs were updated on 27th January 2023.
20. In order to publicise the Interim Injunction as widely as possible arrangements were made to use electronic signage around the Birmingham Local Authority area. There are two types of signs that are being utilised which will intermittently display messages about the Injunction. The smaller signs display the message 'STREET CRUISING PROHIBITED BIRMINGHAM' and are referred to as BI or M signs. There are also larger signs referred to as CAZ signs and these display a slightly longer message 'INJUNCTION IN FORCE PROHIBITING STREET CRUISING IN BIRMINGHAM' . Examples of these signs with the messaging , along with a list of the locations of these signs in Birmingham can be seen in exhibit **MEL19**.
21. A photograph showing one of the signs displaying the messaging was taken and I attach this as exhibit **MEL20**.

22. In relation to Schedule 3 1(iv) of the Interim Injunction Order on receiving Notice of The Hearing for 6th February 2023 at 10.30 am at Birmingham Civil Justice Centre the dedicated web page at <https://www.birmingham.gov.uk/streetcruiseapplication2022> was updated with this notice on Monday 23rd January 2023.
23. The press release, which appears on the homepage of Birmingham City Council's website and is pinned to the top of the newsfeed was also updated on 27th January 2023 to include details of the hearing date and location. I have taken a screenshot of this and it can be viewed in exhibit **MEL21**.
24. On the 26 JANUARY 2023 process servers posted by 1st class post letters to all those against whom Birmingham City Council brought enforcement proceedings in relation to the injunction and power of arrest prohibiting street cruises granted by His Honour Worster on 3 October 2016 and extended by His Honour Judge Rawlins on 22 October 2019, advising them of the new injunction and power of arrest and of the hearing date of 6th February 2023. I exhibit a copy of the letter sent by the Claimant **MEL22**.
25. Following the hearing which took place on 20th and 21st December 2022 and the Order for an Interim Injunction with a Power of Arrest made by The Honourable Mrs Justice Hill, a number of measures have been taken on behalf of Birmingham City Council and West Midlands Police to publicise the existence of these orders as widely as possible.
26. I believe that the steps taken above have brought to the attention of the public at large the existence of the Interim Injunction Order and Power of Arrest. In addition, it should be clear to those likely to be affected by the order, the date and location of the final hearing and details of what steps need to be taken should a member of the public wish to take part in the proceedings by filing an acknowledgment of service.
27. I am willing to attend court to give evidence.

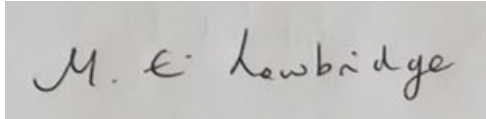
STATEMENT OF TRUTH

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 honest belief in its truth

Signed

A rectangular box containing a handwritten signature in dark ink. The signature appears to read "M. E. Lowbridge" in a cursive, slightly slanted script.

Birmingham City Council

Dated this 30th day of January 2023

(1) Birmingham City Council
(2) Claimant
(3) 1st
(5)
(5) Exhibit: "MEL14"
(6) 27/01/23

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

Claim Number:

B E T W E E N:

BIRMINGHAM CITY COUNCIL

Claimant

- and -

PERSONS UNKNOWN

Defendant

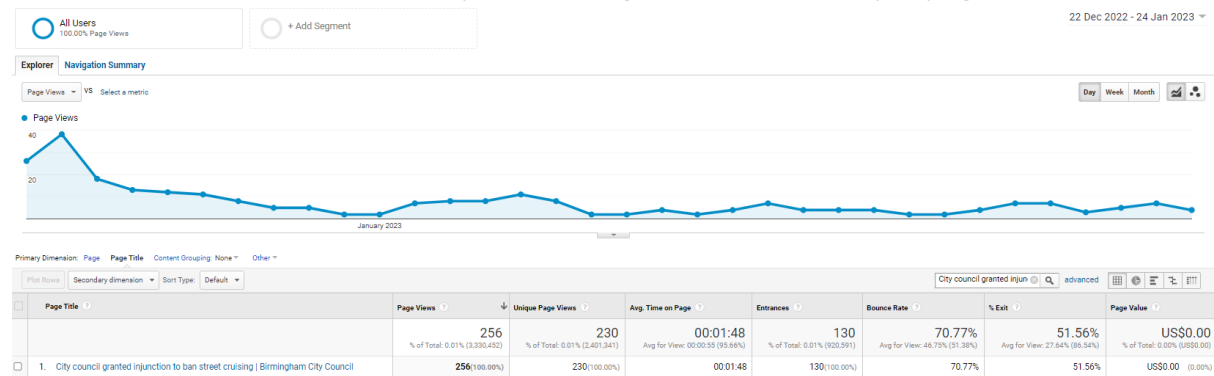
EXHIBIT "MEL14"

This is the Exhibit marked "MEL14" referred to in the Witness Statement of Michelle Elizabeth Lowbridge.

Car street cruising google analytics stats

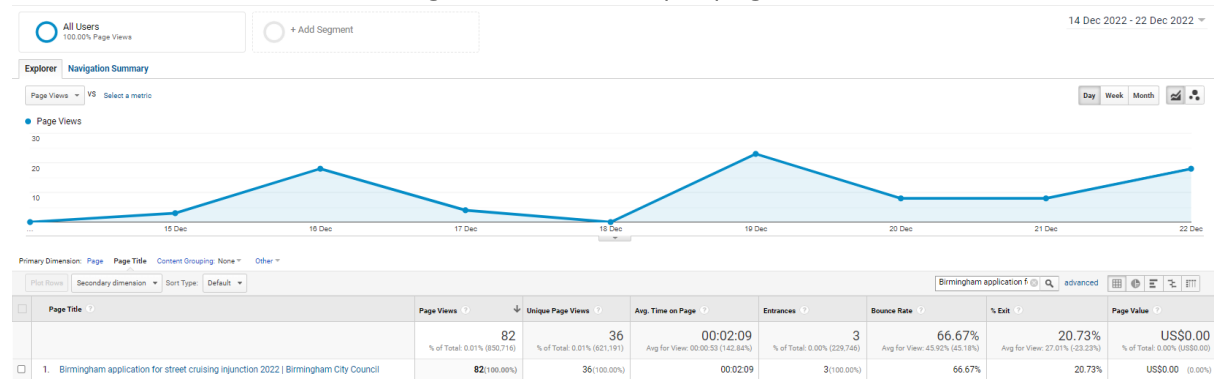
News article published 22 December 2022

22 December 2022 to 24 January 2023 – Page views 256, Unique page view 230

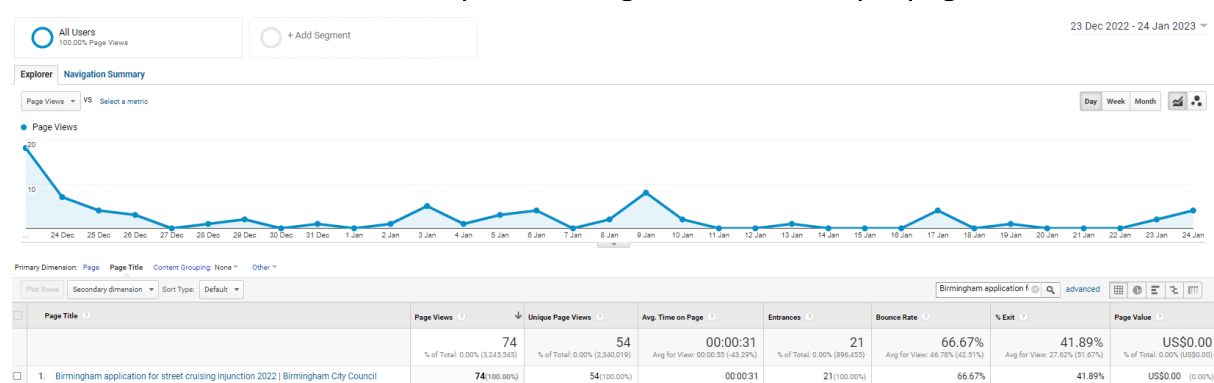


Birmingham application for street cruising injunction 2022

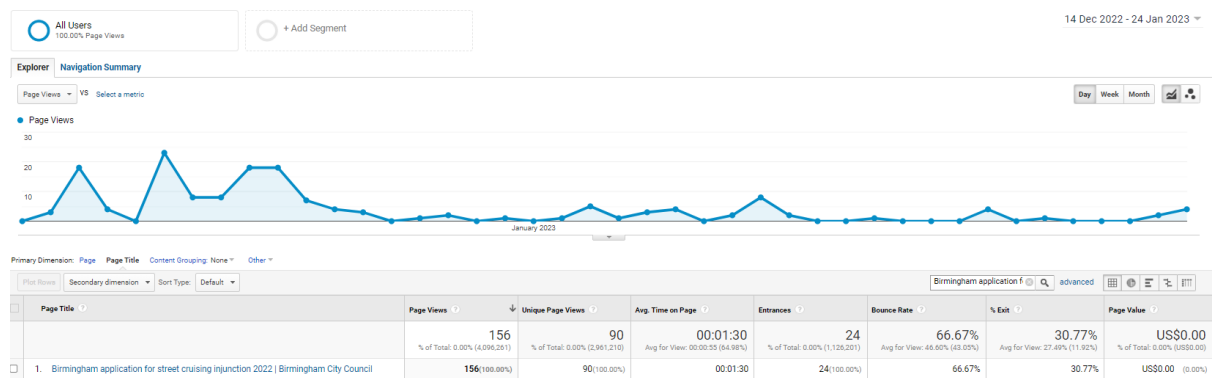
14 to 22 December 2022 – Page views 82, Unique page view 36



23 December 2022 to 24 January 2023 – Page views 74, Unique page view 54

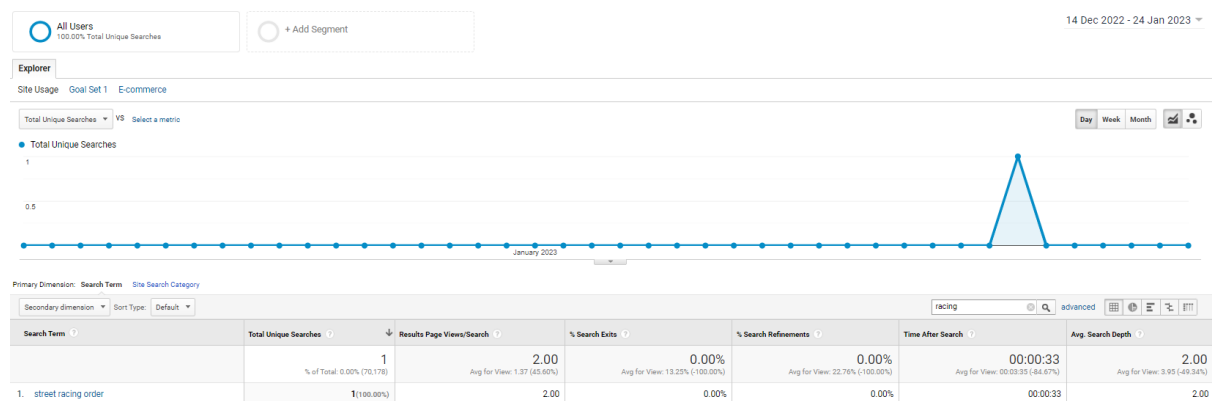
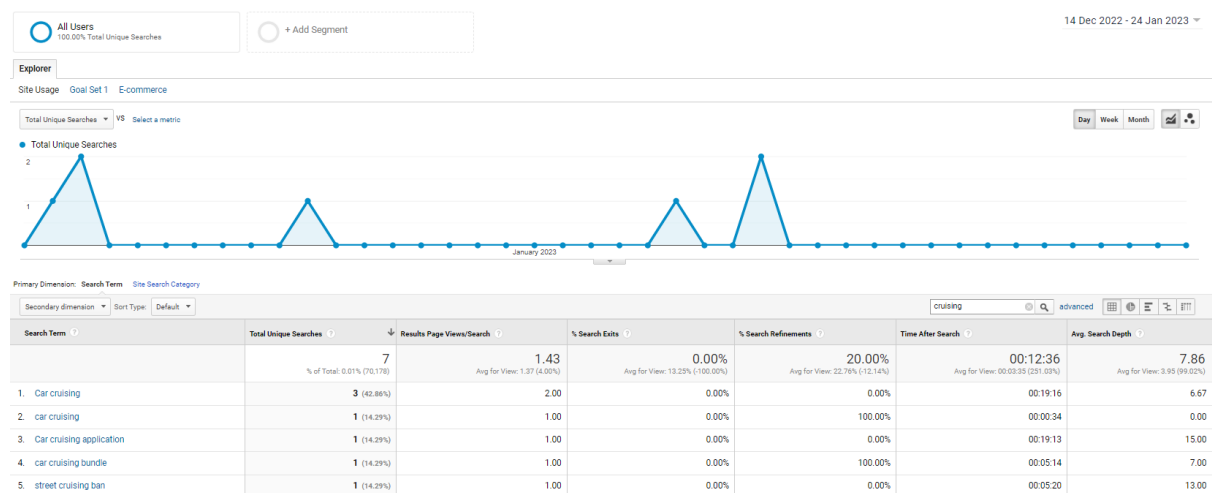


14 December 2022 to 24 January 2023 – Page views 156, Unique page view 90



Search terms - 14 December 2022 to 24 January 2023

- Car cruising = 3
- Car cruising = 1
- Car cruising application = 1
- car cruising bundle = 1
- street cruising ban = 1
- street racing order = 1
- injunction = 1



(1) Birmingham City Council
(2) Claimant
(3) 1st
(5)
(5) Exhibit: "MEL15"
(6) 27/01/23

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

Claim Number:

B E T W E E N:

BIRMINGHAM CITY COUNCIL

Claimant

- and -

PERSONS UNKNOWN

Defendant

EXHIBIT "MEL15"

This is the Exhibit marked "MEL15" referred to in the Witness Statement of Michelle Elizabeth Lowbridge.

Black Country West Midlands Police



Street racing ban granted across Birmingham and Black Country to put the brakes on 'reckless driving'

The ban on car cruising and street racing has been put in place across the West Midlands region and comes a month after two teens were tragically killed watching an event

BLACK COUNTRY By [Nick Horner](#) Senior reporter
20:00, 22 DEC 2022 | UPDATED 20:01, 22 DEC 2022

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A car cruising or street racing ban has been granted for [Birmingham](#) and all four [Black Country](#) areas after a successful application to the High Court in London. Applied for by [Birmingham City Council](#) along with a separate order sought by the City of [Wolverhampton](#) Council, on behalf of itself and for [Dudley](#) Council, [Sandwell](#) Council and [Walsall](#) Council, and both backed by [West Midlands Police](#), the ban comes into force on [Christmas](#) Eve (December 24) at a minute past midnight.

The ban prevents drivers, riders or passengers participating in a street cruise, with two or more people, who take part in motor racing or stunts or other dangerous or obstructive driving, anywhere in Birmingham and across all four quarters of the Black Country. Anyone breaching the orders can be arrested immediately, and could face up to two years in prison, a fine, or have their assets seized.

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Combat Siege

The orders were granted to the authorities by the Honourable Mrs Justice Hill on Wednesday (December 21). The new street racing ban was welcomed by Cllr John Cotton, cabinet member for Social Justice, Community Safety and Equalities at [Birmingham City Council](#).

Read more: [Teen victims killed in horrific 'car cruise' crash named as suspect bailed](#)

He said: "Street cruising is dangerous as well as being a nuisance for law-abiding citizens. By working with our partners at the police on applying for this injunction, we have shown we understand and share the continued concerns raised by many residents, about this anti-social and life-threatening behaviour.

"Past court action shows that we won't hesitate to ensure justice is served upon offenders, who have no excuse for their actions. There are plenty of

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lawful ways to exhibit and demonstrate their vehicles – but our roads are not the place for it."

As well as the Birmingham order, a similar order was granted for an application led by Wolverhampton City Council on behalf of local authorities in the Black Country. It was all the more poignant for that area after the [recent deaths in Oldbury Road](#) in Oldbury, where [two teens were killed](#) when a car hit a group of pedestrians.



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Street racing ban granted across Black Country

Cllr Jasbir Jaspal, the City of Wolverhampton Council's cabinet member for Public Health and Wellbeing, said: "We are delighted that the High Court has granted this interim injunction which will help authorities to tackle the menace of street racing in the Black Country. A similar injunction was in force between 2015 and 2021 which helped dramatically reduce instances of street racing across the region, and we are very confident this new interim injunction will have the same positive effect.


"Street racing, also sometimes described as car cruising, is noisy, dangerous and illegal and some events have resulted in serious injuries and even death, as we have sadly seen recently in Sandwell.


"After announcing our intention to seek a new injunction earlier this year, we were inundated with comments from residents and businesses whose lives are still being blighted by street racing, with evidence of dangerous driving, excessive noise, littering and people and vehicles obstructing highways and properties.


"These helped us to build what the High Court has recognised to be an

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https://www.birminghammail.co.uk/black-country/street-racing-ban-granted-across-25821415

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highways and properties.


"These helped us to build what the High Court has recognised to be an overwhelming case for this interim injunction, which will give the authorities the powers they need to crack down on street racing as and when it occurs."


Read more: 'Boy racer' noise cameras could arrive after two teenagers killed at 'car meet'

While applied for by the councils, the orders will be enforced by West Midlands Police. Chief Superintendent Ian Green, from the force, said: "We have been working jointly with all local authorities over the past few years and are determined to tackle dangerous and reckless driving which puts the safety of others and themselves at risk.

"Alongside our partners we do not tolerate illegal car gatherings due to the danger and nuisance they create to communities and the wider public going about their lives. We have officers dedicated to addressing the issue from both neighbourhood teams and specialist traffic resources, who are also working with the insurance industry and providing diversionary and



Major West Midlands Metro expansion project to bring 150 jobs after 'challenging' 2022
BirminghamLive  2




Ex-cop busts speed camera myths including '10 percent rule'

13:48
27/01/2023

going about their lives. We have officers dedicated to addressing the issue from both neighbourhood teams and specialist traffic resources, who are also working with the insurance industry and providing diversionary and educational courses.

"We will take every opportunity to intervene and enforce against this activity and this includes spectators and those organising or promoting these events."



West Midlands Police
SERIOUS COLLISION

If you own a mouse, you have to try this game. No Install. Play for free.
Combat Siege

Game Where Everything Is Allowed
BuzzDaily Winners

Valentte

Anyone who witnesses any street racing or car cruising is urged to contact police via Live Chat at [west-midlands.police.uk](https://www.west-midlands.police.uk) between 8am and midnight, call 101 anytime or 999 in an emergency.

There will be a further High Court hearing early next year to consider whether the interim injunction should remain in force or be amended. Birmingham City Council added anyone wanting to take part at the next hearing should file an acknowledgement of service – a form to show individuals wish to take part – seven days before the new hearing date.

The council's contact details are: Birmingham City Council Legal and Governance, PO Box 15992 B2 2UQ quoting ref LS/CSY/HM/150673. Alternatively, email: HousingLitigationTeam@birmingham.gov.uk or call 0121 303 2808. While in the Black Country Incidents of street racing should be reported via asbu@wolverhamptonhomes.org.uk or to West Midlands Police as above.

Stay up to date with the very latest from your Birmingham or West Midlands street or neighbourhood with our [Birmingham News Email Updates](#).

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(2) Claimant
(3) 1st
(5)
(5) Exhibit: "MEL16"
(6) 27/01/23

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

Claim Number:

B E T W E E N:

BIRMINGHAM CITY COUNCIL

Claimant

- and -

PERSONS UNKNOWN

Defendant

EXHIBIT "MEL16"

This is the Exhibit marked "MEL16" referred to in the Witness Statement of Michelle Elizabeth Lowbridge.

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Analysis

Labour market exploitation: How do you know where to look?

Nottingham Trent University researchers Rich Pickford, Ian Clark and James Hunter look at how local authorities can identify labour exploitation.

William Eichler 22 December 2022

Council seeks court order to crack down on 'street cruising'

Birmingham City Council is seeking a High Court order to ban street cruising from all city roads.

Street cruising is when two or more motor vehicles drive together on a public road for recreational purposes posing a possible danger to other road users.

The interim injunction, if successful, will prohibit people from participating in street cruises in Birmingham. This includes spectators.

Image: Bordovski Yauheni/Shutterstock.com

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and James Hunter look at how local authorities can identify labour exploitation.

Opinion

Building a robust pothole-related injury legal defence

Ravinder Johal, a partner at law firm Shakespeare Martineau, discusses the importance of a robust legal defence in the face of personal injury claims.

from participating in street cruises in Birmingham. This includes spectators.

Anyone breaching the order could be arrested and face up to two years in prison, a fine, or have their assets seized.

Cllr John Cotton, cabinet member for Social Justice, Community Safety and Equalities, said: 'Street cruising is dangerous as well as being a nuisance for law-abiding citizens.'

'By working with our partners at the police on applying for this injunction, we have shown we understand and share the continued concerns raised by many residents, about this anti-social and life-threatening behaviour.'

'Past court action shows that we won't hesitate to ensure justice is served upon offenders, who have no excuse for their actions. There are plenty of lawful ways to exhibit and demonstrate their vehicles – but our roads are not the place for it.'

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(1) Birmingham City Council
(2) Claimant
(3) 1st
(5)
(5) Exhibit: "MEL17"
(6) 27/01/23

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

Claim Number:

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Claimant

- and -

PERSONS UNKNOWN

Defendant

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Address bar: <https://planetradio.co.uk/free/local/news/injunction-granted-to-ban-street-cruising-in-birmingham-and-the-black-country/>

and the Black Country

The High Court granted the applications.



Free Radio logo | Hattie Pearson | Free Radio (Birmingham) | Play button

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https://planetradio.co.uk/free/local/news/injunction-granted-to-ban-street-cruising-in-birmingham-and-the-black-country/

Published 23rd Dec 2022

The interim injunction comes into force tomorrow (24 December) and prohibits drivers, riders or passengers participating in a street cruise anywhere in Birmingham and the Black Country.

Any driver or rider or passenger breaching the order could be arrested immediately, and could face up to two years in prison, a fine, or have their assets seized.

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Cllr John Cotton, Cabinet Member for Social Justice, Community Safety and Equalities at Birmingham City Council, said: "Street cruising is dangerous as well as being a nuisance

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https://planetradio.co.uk/free/local/news/injunction-granted-to-ban-street-cruising-in-birmingham-and-the-black-country/

Cllr John Cotton, Cabinet Member for Social Justice, Community Safety and Equalities at Birmingham City Council, said: "Street cruising is dangerous as well as being a nuisance for law-abiding citizens.

"By working with our partners at the police on applying for this injunction, we have shown we understand and share the continued concerns raised by many residents, about this anti-social and life-threatening behaviour.

"Past court action shows that we won't hesitate to ensure justice is served upon offenders, who have no excuse for their actions. There are plenty of lawful ways to exhibit and demonstrate their vehicles – but our roads are not the place for it."

Chief Superintendent Ian Green, from West Midlands Police, said: "We have been working jointly with all local authorities over the past few years and are determined to tackle dangerous and reckless driving which puts the safety of others and themselves at risk.

"Alongside our partners we do not tolerate illegal car gatherings due to the danger and

Free RADIO Hattie Pearson
Free Radio (Birmingham)

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14:29 27/01/2023

(1) Birmingham City Council
(2) Claimant
(3) 1st
(5)
(5) Exhibit: "MEL18"
(6) 27/01/23

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

Claim Number:

B E T W E E N:

BIRMINGHAM CITY COUNCIL

Claimant

- and -

PERSONS UNKNOWN

Defendant

EXHIBIT "MEL18"

This is the Exhibit marked "MEL18" referred to in the Witness Statement of Michelle Elizabeth Lowbridge.



(1) Birmingham City Council
(2) Claimant
(3) 1st
(5)
(5) Exhibit: "MEL19"
(6) 30/01/23

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

Claim Number:

B E T W E E N:

BIRMINGHAM CITY COUNCIL

Claimant

- and -

PERSONS UNKNOWN

Defendant

EXHIBIT "MEL19"

This is the Exhibit marked "MEL19" referred to in the Witness Statement of Michelle Elizabeth Lowbridge.

Electronic Signage

For BI and M signs:



For CAZ signs



| Site | Description | Northing | Easting | Latitude |
|-------|--|----------|---------|----------|
| BI01 | A453 Tamworth Rd nr Junction of Weeford Rd Sutton Coldfield | 296858 | 412035 | 52.5791 |
| BI02 | A38W Kingsbury Rd Sutton Coldfield | 292445 | 415100 | 52.91 |
| BI03 | A34 South Walsall Rd nr Church Rd Birmingham | 292312 | 406200 | 52.5283 |
| BI04 | A34 North High Street Newtown | 288932 | 407089 | 52.4978 |
| BI05 | A45 East Small Heath Highway nr Ackers Trust Entrance Birmingham | 285004 | 409829 | 52.4607 |
| BI06 | A45 West Coventry Rd nr Gilberstone Avenue Birmingham | 284266 | 413905 | 52.4557 |
| BI07 | A435N Alcester Rd South Birmingham | 279901 | 407449 | 52.4125 |
| BI08 | A441N Redditch Rd Kings Norton | 278180 | 404327 | 52.3985 |
| BI09 | A38N Bristol Road South Northfield | 278992 | 401662 | 52.4085 |
| BI11 | A41N Soho Hill Birmingham | 289048 | 405448 | 52.4981 |
| BI12 | A456W Hagley Road Birmingham | 286003 | 403672 | 52.4716 |
| BI13 | A47N Nechells Parkway Birmingham | 288114 | 408233 | 52.4901 |
| BI14 | A4121N Barnes Hill West Boul Birmingham | 282194 | 401626 | 52.4278 |
| CAZ01 | CAZ sign - Bristol Road | 283715 | 405771 | 52.4513 |
| CAZ02 | CAZ sign - Hagley Road | 286155 | 402855 | 52.4733 |
| CAZ03 | CAZ sign - Pershore Road | 283231 | 405942 | 52.4470 |
| CAZ04 | CAZ sign - Small Heath Highway | 284701 | 410413 | 52.460 |
| CAZ05 | CAZ sign - Dudley Road | 287645 | 404410 | 52.4866 |
| CAZ06 | CAZ sign - Saltley Road | 288280 | 409035 | 52.4923 |
| CAZ07 | CAZ sign - Holyhead Road | 290076 | 403179 | 52.5085 |
| CAZ08 | CAZ sign - Walsall Road (High Street) | 289150 | 407161 | 52.5001 |
| CAZ09 | CAZ sign - Stratford Road | 283453 | 409451 | 52.4489 |
| CAZ10 | CAZ sign - Gravelly Hill | 290547 | 410150 | 52.512 |
| M002 | Bristol road inbound outside 197 | 0 | 0 | |
| M004 | Dudley Road (Spring Hill nr Spring Hill Passage) N/S | 287534 | 405349 | 52.4857 |
| M005 | Nechells Parkway nr St Vincents Church (Centre Res) | 287794 | 408206 | 52.4879 |
| M006 | Newtown Row nr Moorsom St (Center Res) | 288459 | 407165 | 52.4939 |
| M007 | Hagley Rd nr Windsor Terrace (Centre Res) | 285990 | 404787 | 52.4718 |

| | | | | |
|------|--|--------|--------|---------|
| M008 | Stratford Rd nr Camp Circus (Centre Res) | 285570 | 408352 | 52.4681 |
| M009 | Small Heath Highway nr Dixon Rd I/B (Centre Res) | 285699 | 408877 | 52.4691 |
| M010 | Lichfield Rd nr Aston Cross O/S R&D Signs N/S | 289065 | 408115 | 52.4994 |
| M011 | Soho Hill nr Hamstead Rd (Centre Res) | 288970 | 405519 | 52.4981 |
| M012 | Pershore Rd nr Belgrave Rd N/S | 291238 | 408406 | 52.4540 |

(1) Birmingham City Council
(2) Claimant
(3) 1st
(5)
(5) Exhibit: "MEL20"
(6) 27/01/23

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

Claim Number:

B E T W E E N:

BIRMINGHAM CITY COUNCIL

Claimant

- and -

PERSONS UNKNOWN

Defendant

EXHIBIT "MEL20"

This is the Exhibit marked "MEL20" referred to in the Witness Statement of Michelle Elizabeth Lowbridge.



(1) Birmingham City Council
(2) Claimant
(3) 1st
(5)
(5) Exhibit: "MEL21"
(6) 30/01/23

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

Claim Number:

B E T W E E N:

BIRMINGHAM CITY COUNCIL

Claimant

- and -

PERSONS UNKNOWN

Defendant

EXHIBIT "MEL21"

This is the Exhibit marked "MEL21" referred to in the Witness Statement of Michelle Elizabeth Lowbridge.

Welcome to the intranet x enre.fa.em3.oraclecloud.com x City council granted injunction to: x +

https://www.birmingham.gov.uk/news/article/1253/city_council_granted_injunction_to_ban_street_cruising

Search this site for information, advice and more... Search

"We will take every opportunity to intervene and enforce against this activity and this includes spectators and those organising or promoting these events."

The court also granted an application led by Wolverhampton City Council on behalf of local authorities in the Black Country.

If anyone sees any street cruising taking place, they should contact police via Live Chat at west-midlands.police.uk between 8am and midnight, call 101 anytime or 999 in an emergency.

The Birmingham High Court at Priory Law Courts, 33 Bull Street, Birmingham will consider the case again on 6th February 2023 at 10.30 at Birmingham Civil Justice Centre. Details of the new hearing date will be put on the council's website.

Anyone wanting to take part at the next hearing should file an acknowledgement of service – a form to show individuals wish to take part – seven days before the new hearing date.

The council's contact details are: Birmingham City Council Legal and Governance, PO Box 15992 B2 2UQ quoting ref LS/CSY/HM/150673. Alternatively, email HousingLitigationTeam@birmingham.gov.uk or call 0121 303 2808.

Copies of the documents and evidence filed in the case may be obtained from the city council's

Type here to search

11:59 30/01/2023

(1) Birmingham City Council
(2) Claimant
(3) 1st
(5)
(5) Exhibit: "MEL22"
(6) 30/01/23

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

Claim Number:

B E T W E E N:

BIRMINGHAM CITY COUNCIL

Claimant

- and -

PERSONS UNKNOWN

Defendant

EXHIBIT "MEL22"

This is the Exhibit marked "MEL22" referred to in the Witness Statement of Michelle Elizabeth Lowbridge.

Janie Berry
City Solicitor & Monitoring Officer

Legal & Governance Department
PO Box 15992
Birmingham B2 2UQ
Document Exchange: MDX 326401
Birmingham 87

Our Ref: LS/HGL/HM/
Your Ref:
Date: 24 January 2023

Telephone No: 0121 303 2808
Facsimile No: 0121 303 4447
Contact: Hilary MacPherson

MR

Dear

Birmingham City Council v Persons Unknown
CLAIM NUMBER: KB-2022-BHM-000221
HEARING 6TH FEBRUARY 2023 AT 10.30 TIME ESTIMATE 1 DAY

We are writing to inform you that the Council have made a new application to prevent street cruising.

Details of the new interim injunction, power of arrest dated 22 December 2022, notice of the new hearing date, and the Council's evidence can be found at
<https://www.birmingham.gov.uk/streetcruiseapplication2022>

Alternatively, a paper copy of all the documents can be obtained on request at the Council's offices at 10 Woodcock Street Birmingham.

The case is due to be heard again on 6th February 2023 at the Birmingham Civil Justice Centre Priory Law Courts 33 Bull Street Birmingham B4 6DS

If you would like to take part in this hearing, you need to file an Acknowledgement of Service no later than 7 days before the hearing date or you can still attend court to make your views heard.

Yours faithfully

Legal and Governance

Legal & Governance Department

(1) Birmingham City Council
(2) Claimant
(3) Statement of Michelle Lowbridge
(4) 7th
(5) Exhibits "MEL 23-MEL25"
(6) 22/02/2023
Claim No: KB-2022-BHM-000221

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

In the matter of an application for an injunction under s.37(1), Senior Courts Act 1981, s.1, Localism Act 2011, s.222, Local Government Act 1972 and s.130, Highways Act 1980.

B E T W E E N:

BIRMINGHAM CITY COUNCIL

Claimant

and

(1) D1 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

Defendants

**WITNESS STATEMENT OF
MICHELLE ELIZABETH
LOWBRIDGE**

I, Michelle Elizabeth Lowbridge, of Birmingham Community Safety Team Birmingham City Council, WILL SAY as follows:

1. I am the above-named person, and I am presently employed by Birmingham City Council (BCC) as an Anti-social Behaviour Manager. I have worked for the Department for approximately nineteen years. The information contained within this statement is from my own knowledge unless otherwise stated. I make this 7th statement in support of the Claimant and further to my statements dated 13th October 2022, 28th November 2022, 9th December 2022 , 19th December 2022, 23rd December 2022 and 30th January 2023 and I am duly authorised to do so.
2. I make this statement in relation to the Order made by the Honourable Mr Justice Freedman on 16th February 2023 and following the hearings on 6th February 2023 and 13th February 2023 in relation to Birmingham City Council's application for a Section 222 High Court Injunction to prohibit street cruising in Birmingham. Since that time I have carried out a number of measures on behalf of Birmingham City Council to comply with the order, and publicise both the outcome of the hearing and also that the Interim Injunction and Power of Arrest granted by the Honourable Mrs Justice Hill on 22nd December 2022 continue to remain in place until a further hearing ,or it is varied or discharged by the court.
3. In relation to 8(1) of the Judge Freedman's Order a press release was issued by Birmingham City Council's Press Office on Wednesday 15th February 2023 which contained a summary of the Order , that a hearing is due to take place but the date is currently unknown, the link to the dedicated webpage, the claimant's contact details and where and how copies of the documents and evidence may be obtained. This can be viewed at :
https://www.birmingham.gov.uk/news/article/1282/city_council_injunction_to_ban_street_cruising_%E2%80%93_13_feb_2023_update. I have taken screenshots of this press release which I now attach as **MEL23**

4. Following this on Wednesday 15th February 2023 links to the press release were also circulated on Birmingham City Council's social media sites. These are Facebook , Twitter , Linked In and Instagram. This relates to 8(2) of the Order.
5. In addition to this Birmingham City Council's Community Safety Team tweeted from their Twitter account the following message on 21st February 2023 'The Interim High Court order banning #streetcruising across #Birmingham stays in force until trial , after a review of the order was heard at the #Bham High Court on 13th Feb 2023. This can be viewed at <https://twitter.com/bhamcomsafety/status/1628089556799979536?s=20>
6. On 20th February 2023, and on receipt that day of a copy of Judge Freedman's Order dated 16th February 2023, a request was made to Birmingham City Council's WebTeam to update the dedicated webpage <https://www.birmingham.gov.uk/streetcruiseapplication2022> with a copy of the order. The webpage was updated on the afternoon of 20th February 2023 displaying a copy of the Order.
7. With regards to 8(4) of Judge Freedman's Order I can confirm that the homepage of Birmingham City Council's website retains the prominent link to the dedicated webpages via the updated press release. I have taken screen shots of this which shows this and exhibit as **MEL24**.
8. 8(5) -on 20 February 2023 copies of Judge Freedman's Order were placed in reception at the Claimant's offices at Woodcock Street Birmingham with other documents relating to this case, including the interim injunction and power of arrest dated 22 December 2022, should anyone attending wish a hard copy of the court papers in this case.
9. With reference to 8(6) of the Order a request was made to Birmingham City Council's Press Office to update the YouTube video posted in December 2022 to inform those viewing it of the update following the hearings on 6th and 13th February 2023. This took a little longer to arrange with all involved but I can confirm that this was done today, Wednesday 22nd February 2023 and have taken a screenshot of this which I now attach as **MEL25**.
10. On 15th February 2023 Birmingham City Council's Social Media Officer sent the following message on Instagram to the accounts that have throughout this application been identified to allow messaging: 'City Council injunction to ban street cruising- interim High Court Order stays

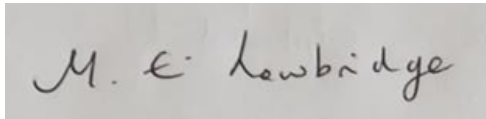
in force. Full details and response: orlo.uk/lg.Jq5. The accounts that this was sent to are @midlands.modified , @tracksbrum and @motorheads.uk. It has been identified that @Forza_Birmingham ,@Birminghamoutlaws , @mostwanted_brum, @tracksbirmingham, @brum_traxx and @btec.forza_birmingham either do not allow messaging and have refused requests to allow this or in fact no longer exist.

11. On 15th February 2023 Birmingham City Council's Press Office forwarded a copy of the press release they had issued to West Midlands Police's press office with a request to circulate this and place it on their website as directed by Judge Freedman at 8(8) of his Order.
12. In relation to the maintenance of permanent signage in the Birmingham Local Authority Area in 8(9) of the Order, as demonstrated in my 6th witness statement dated 30th January 2023 , these signs were updated on 27th January 2023 with stickers carrying the website address to the designated web page on the Birmingham City Council's website <https://www.birmingham.gov.uk/streetcruiseapplication2022>. As the web page has since been updated to contain Judge Freedman's Order and continues to contain the previous court orders, documents and evidence these signs remain up to date and maintained. This can be seen in **MEL18**.
13. In addition to the steps set out in Judge Freedman's Order I can also confirm that Birmingham City Council are continuing to use electronic signage throughout the city to publicise the existence of the Interim Injunction as widely as possible. I referred to this in my 6th witness statement and examples of the messaging and locations of these signs can be seen in exhibit **MEL19**. A photograph showing one of the signs displaying one of the messages can also be seen in exhibit **MEL20**.
14. I believe that the steps taken above have brought to the attention of the public at large the existence of Judge Freedman's Order of 16th February 2023 and of the Interim Injunction Order and Power of Arrest. In addition, it should be clear to those likely to be affected by the order the details of what steps need to be taken should a member of the public wish to take part in the proceedings by filing an acknowledgment of service.
15. I am willing to attend court to give evidence.

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 honest belief in its truth

Signed

A rectangular box containing a handwritten signature in dark ink. The signature appears to read "M. E. Lowbridge" in a cursive, slightly slanted script.

Birmingham City Council

Dated this 22nd day of February 2023

(1) Birmingham City Council
(2) Claimant
(3) 1st
(5)
(5) Exhibit: "MEL23"
(6) 22/02/23

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

Claim Number:

B E T W E E N:

BIRMINGHAM CITY COUNCIL

Claimant

- and -

PERSONS UNKNOWN

Defendant

EXHIBIT "MEL23"

This is the Exhibit marked "MEL23" referred to in the Witness Statement of Michelle Elizabeth Lowbridge.

Browser tabs: Welcome to..., HR Service..., CSP - Manu..., Team meet..., CSP - Manu..., Join conver..., Housing..., City council...

URL: https://www.birmingham.gov.uk/news/article/1282/city_council_injunction_to_ban_street_cruising_-_13_feb_2023_update

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Home / Latest news / City council injunction to ban street cruising – 13 Feb 2023 update

City council injunction to ban street cruising – 13 Feb 2023 update

Published: Wednesday, 15th February 2023

The Interim High Court order banning street cruising across Birmingham stays in force until trial, after a review of the order was heard at the Birmingham High Court on 13 February 2023.

The injunction prohibits drivers, and riders/passengers participating in a street cruise anywhere in Birmingham.

Any driver or rider or passenger breaching the order could be arrested immediately, and could face up to two years in prison, a fine, or have their assets seized.

The full terms of the injunction, power of arrest, applications for alternative service and interim injunction, documents and evidence can be found at <https://www.birmingham.gov.uk/streetcruiseapplication2022>.

Cllr John Cotton, Cabinet Member for Social Justice, Community Safety and Equalities, said: "Street cruising is dangerous as well as being a nuisance for law-abiding citizens.

"By working with our partners at the police on applying for this injunction, we have shown we understand and share the continued concerns raised by many residents, about this anti-social and life-threatening behaviour.

"Past court action shows that we won't hesitate to ensure justice is served upon offenders, who have no excuse for their actions. There are plenty of lawful ways to exhibit and demonstrate their vehicles – but our roads are not the place for it."

Although the application for this order has been made by Birmingham City Council's Community Safety Team, officers from West Midlands Police will be responsible for its enforcement.

Chief Superintendent Ian Green, from West Midlands Police, said: "We have been working jointly

Windows taskbar: Type here to search, 14:16 15/02/2023

Browser tabs: Welcome to..., HR Service..., CSP - Manu..., Team meet..., CSP - Manu..., Join conver..., Housing..., City council...

URL: https://www.birmingham.gov.uk/news/article/1282/city_council_injunction_to_ban_street_cruising_-_13_feb_2023_update

Birmingham City Council Sign in / Register Council services

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"By working with our partners at the police on applying for this injunction, we have shown we understand and share the continued concerns raised by many residents, about this anti-social and life-threatening behaviour.

"Past court action shows that we won't hesitate to ensure justice is served upon offenders, who have no excuse for their actions. There are plenty of lawful ways to exhibit and demonstrate their vehicles – but our roads are not the place for it."

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Chief Superintendent Ian Green, from West Midlands Police, said: "We have been working jointly

Windows taskbar: Type here to search, 14:17 15/02/2023

Browser tabs: Welcome to..., HR Service..., CSP - Man..., Team meet..., CSP - Man..., Join conver..., Housing..., City council...

Address bar: https://www.birmingham.gov.uk/news/article/1282/city_council_injunction_to_ban_street_cruising_-_13_feb_2023_update

Search bar: Search this site for information, advice and more... Search

Chief Superintendent Ian Green, from West Midlands Police, said: "We have been working jointly with all local authorities over the past few years and are determined to tackle dangerous and reckless driving which puts the safety of others and themselves at risk.

"Alongside our partners we do not tolerate illegal car gatherings due to the danger and nuisance they create to communities and the wider public going about their lives.

"We have officers dedicated to addressing the issue from both neighbourhood teams and specialist traffic resources, who are also working with the insurance industry and providing diversionary and educational courses.

"We will take every opportunity to intervene and enforce against this activity and this includes spectators and those organising or promoting these events."

The court also granted an application led by Wolverhampton City Council on behalf of local authorities in the Black Country.

If anyone sees any street cruising taking place, they should contact police via Live Chat at [west-midlands.police.uk](https://www.west-midlands.police.uk) between 8am and midnight, call 101 anytime or 999 in an emergency.

Useful links

Windows taskbar: Type here to search, 14:18 15/02/2023

(1) Birmingham City Council
(2) Claimant
(3) 1st
(5)
(5) Exhibit: "MEL24"
(6) 22/02/23

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

Claim Number:

B E T W E E N:

BIRMINGHAM CITY COUNCIL

Claimant

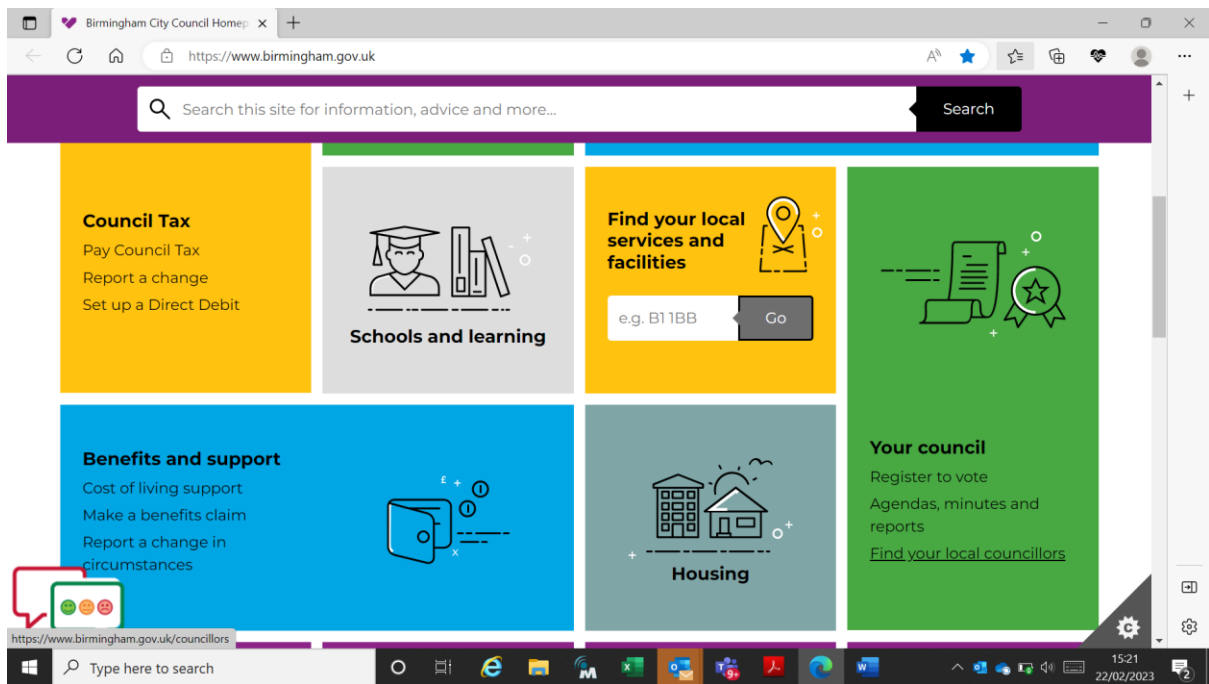
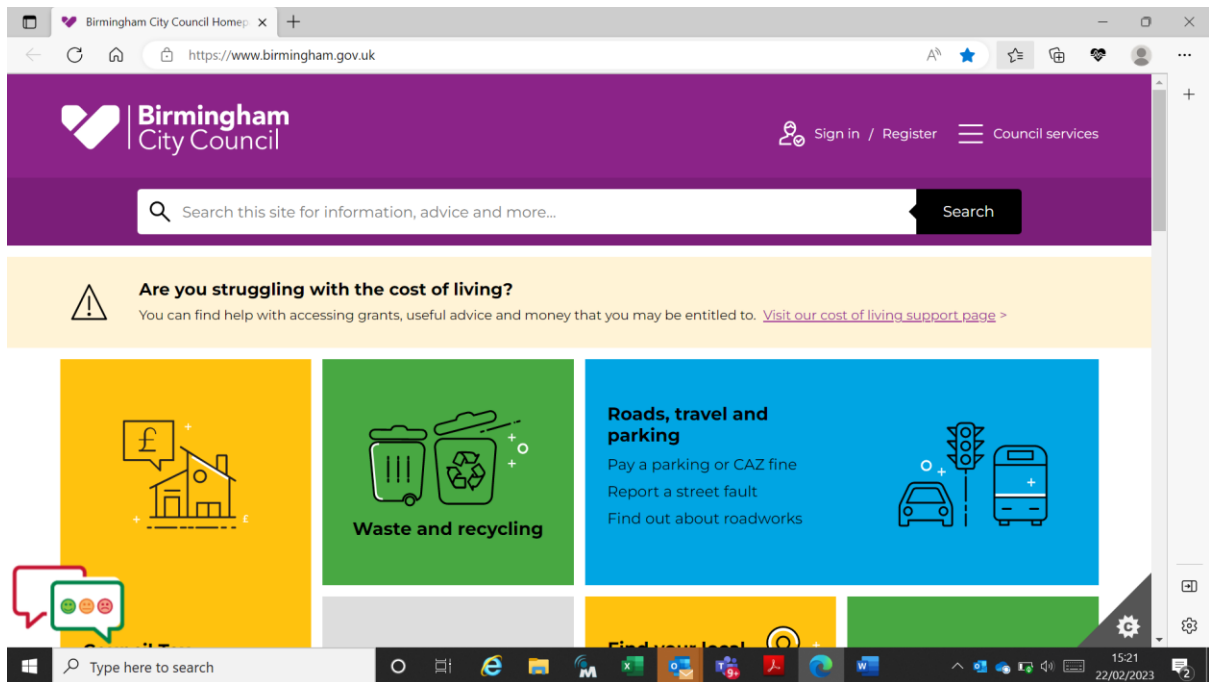
- and -

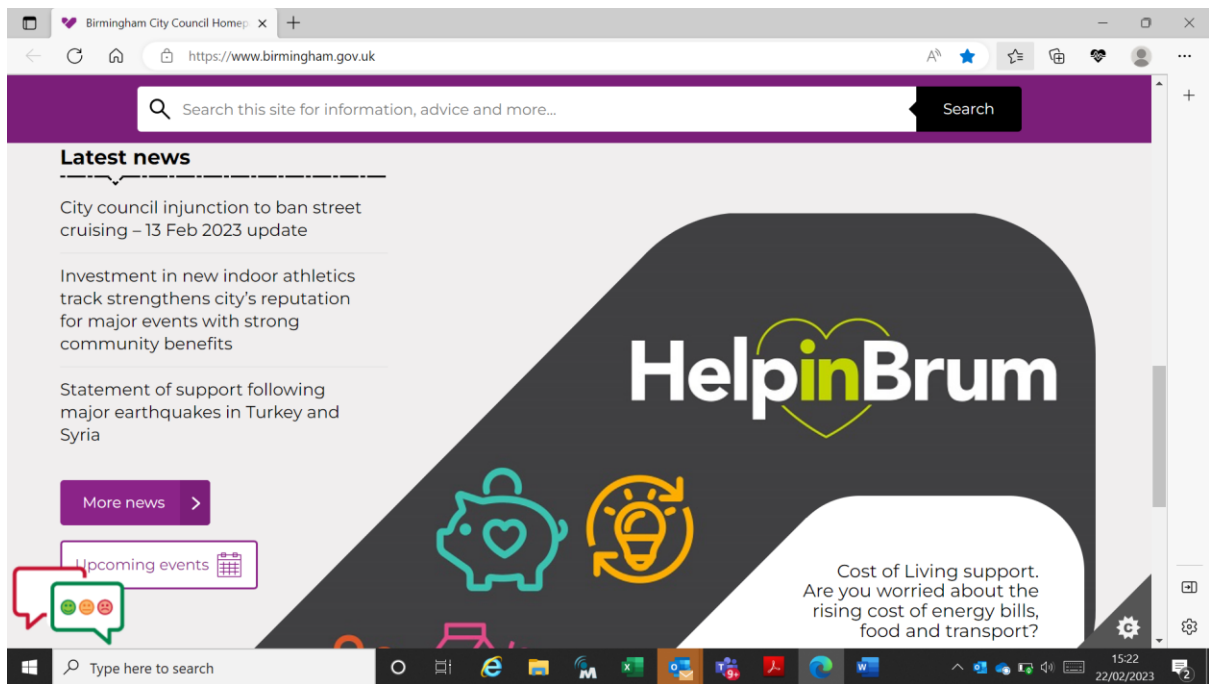
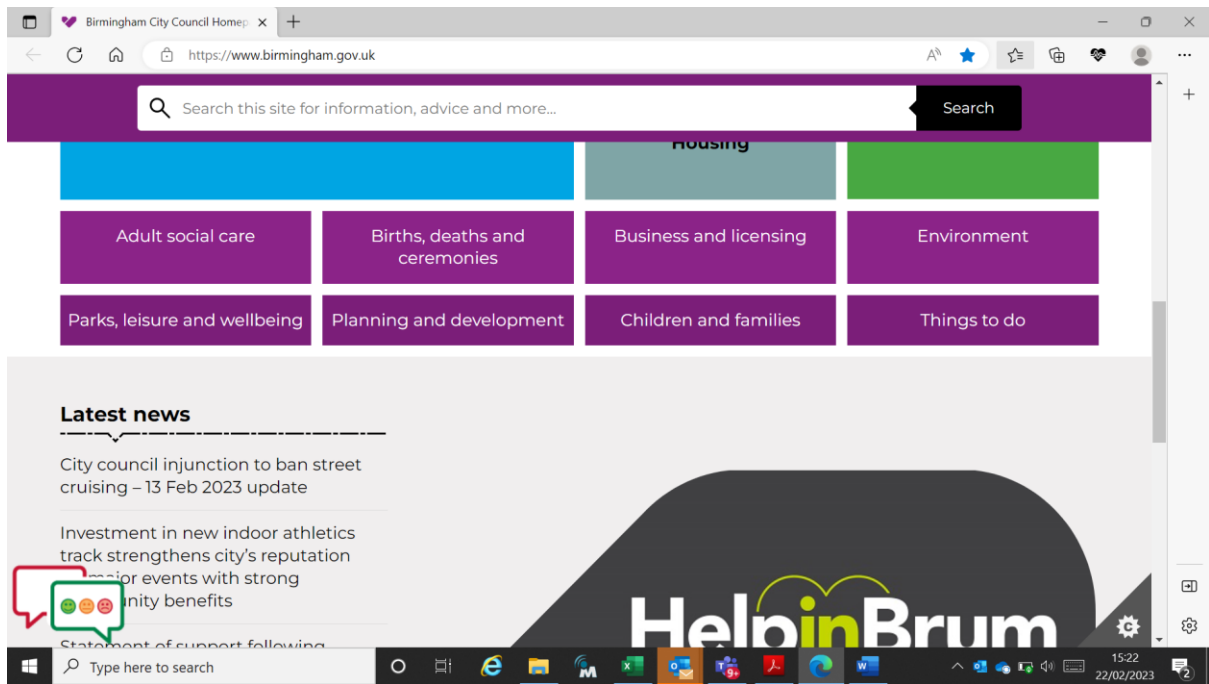
PERSONS UNKNOWN

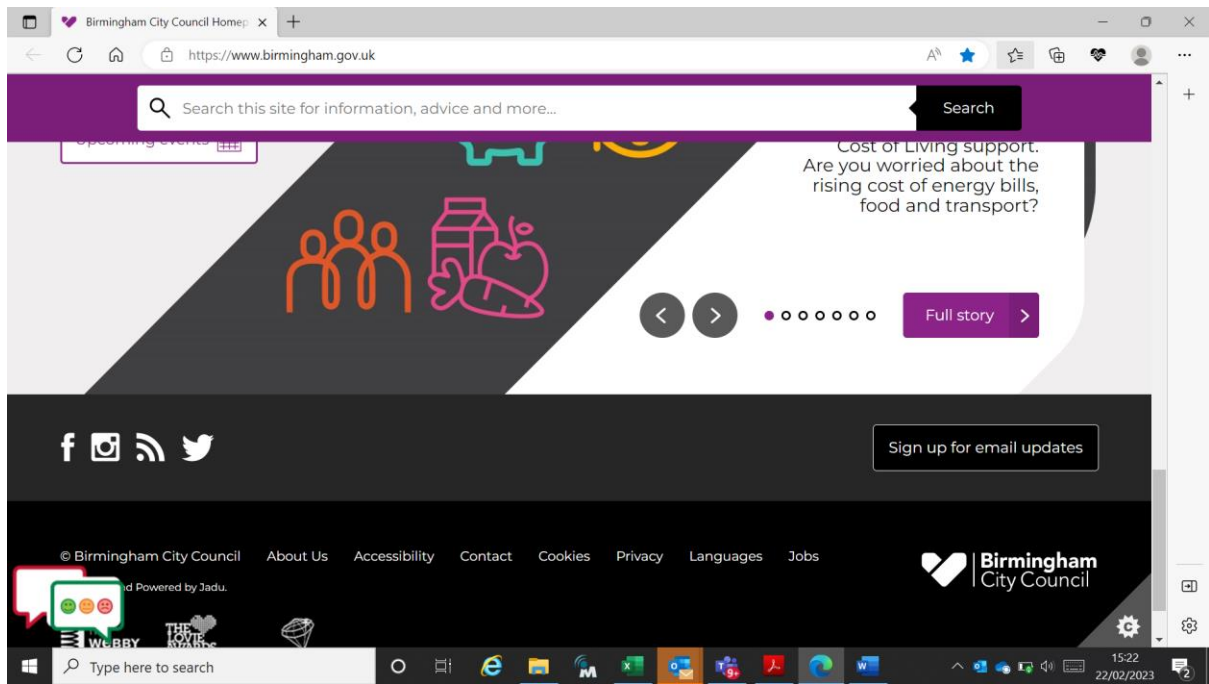
Defendant

EXHIBIT "MEL24"

This is the Exhibit marked "MEL24" referred to in the Witness Statement of Michelle Elizabeth Lowbridge.







(1) Birmingham City Council
(2) Claimant
(3) 1st
(5)
(5) Exhibit: "MEL25"
(6) 22/02/23

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

Claim Number:

B E T W E E N:

BIRMINGHAM CITY COUNCIL

Claimant

- and -

PERSONS UNKNOWN

Defendant

EXHIBIT "MEL25"

This is the Exhibit marked "MEL25" referred to in the Witness Statement of Michelle Elizabeth Lowbridge.

Birmingham City Council gr... X +

https://www.youtube.com/watch?v=-_bl1d8Ao-U

YouTube GB

street cruising birmingham

Cllr John Cotton - Social Justice, Community Safety & Equalities

High Court injunction and the power of arrest

Birmingham City Council granted injunction to ban street cruising

Birmingham City Co... 1.44K subscribers

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64 views 22 Dec 2022

A High Court order banning street cruising across Birmingham has been granted to Birmingham City Council, after its application was heard at the Royal Courts of Justice in London yesterday (21 December). The Interim High Court order banning street cruising across Birmingham stays in force until trial, after a review of the order was heard at the Birmingham High Court on 13 February 2023.

Cllr John Cotton, Cabinet Member for Social Justice, Community Safety & Equalities talks about what being granted this order means.

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14:34 22/02/2023

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KHOU 11

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Birmingham City Council

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FOX 4 Dallas-Fort Worth

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(1) Birmingham City Council
(2) Claimant
(3) Statement of Michelle Lowbridge
(4) 8th
(5) Exhibits "MEL 26"
(6) 05/05/2023

Claim No: KB-2022-BHN-000221

IN THE HIGH COURT OF JUSTICE

KING'S BENCH DIVISION

BIRMINGHAM DISTRICT REGISTRY

In the matter of an application for an injunction under s.37(1), Senior Courts Act 1981, s.1, Localism Act 2011, s.222, Local Government Act 1972 and s.130, Highways Act 1980.

B E T W E E N:

BIRMINGHAM CITY COUNCIL

Claimant

and

(1) D1 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

Defendants

**WITNESS STATEMENT OF
MICHELLE ELIZABETH
LOWBRIDGE**

I, Michelle Elizabeth Lowbridge, of Birmingham Community Safety Team Birmingham City Council, WILL SAY as follows:

1. I am the above-named person, and I am presently employed by Birmingham City Council (BCC) as a Community Safety Manager. I have worked for the Department for approximately twenty years. The information contained within this statement is from my own knowledge unless otherwise stated. I make this 8th statement in support of the Claimant and further to my statements dated 13th October 2022, 28th November 2022, 9th December 2022 , 19th December 2022, 23rd December 2022, 30th January 2023 and 22nd February 2023 and I am duly authorised to do so.
2. I make this statement in relation to the Order made by the Honourable Mr Justice Freedman on 16th February 2023 and following the hearings on 6th February 2023 and 13th February 2023 in relation to Birmingham City Council's application for a Section 222 High Court Injunction to prohibit street cruising in Birmingham.
3. Since making my last statement I am aware that a further statement has been made by PC Mark Campbell dated 2nd May 2023. I have read this 5th Witness Statement and I can confirm that it has been added to the dedicated web page containing court papers relating to the application at <https://www.birmingham.gov.uk/streetcruiseapplication2022>.
4. On 5th May 2023 copies of the statement were also added to the copies of the court bundle papers available to be accessed at Birmingham City Council Offices, 10 Woodcock Street, Birmingham, B7 4BL.
5. Since making my last statement I have made enquiries with the Birmingham City Council Web Team about the number of views of both the dedicated web pages relating to Birmingham's Street Cruising Injunction application and also the press release which is pinned to the home page of Birmingham City Council's website.
6. A data analytical report detailing these views has been produced by the Web Team. This covers the time period of 25th January 2023 (the end

date of the last report produced and exhibited as **MEL14)** to 3rd May 2023 and I now produce this as **MEL26**.

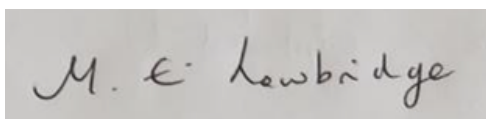
7. The first graph details the number of views to the dedicated web page <https://www.birmingham.gov.uk/streetcruiseapplication2022> . This shows that there were 92 unique views and, in total during that time period, 142 page views of those dedicated web pages. For clarity a unique view means that these are 92 separate individuals and page views means that those 92 individuals have revisited the pages numerous times. With regards to key word searches set up during that time period there was only one key word search used and this was 'street cruising'.
8. The second graph details the views of the press release pinned to the home page of the website https://www.birmingham.gov.uk/news/article/1282/city_council_injunction_to_ban_street_cruising_%E2%80%93_3_march_2023_update. It shows that since 25th January 2023 to 3rd May 2023 there have been 158 unique views and 177 page views.
9. I believe that the steps taken above have brought to the attention of the public at large the existence of Judge Freedman's Order of 16th February 2023 and of the Interim Injunction Order and Power of Arrest. In addition, it should be clear to those likely to be affected by the order the details of what steps need to be taken should a member of the public wish to take part in the proceedings by filing an acknowledgment of service.
10. I am willing to attend court to give evidence.

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 honest belief in its truth

Signed

A rectangular box containing a handwritten signature in dark ink. The signature appears to be 'M. E. Lowbridge' written in a cursive, slightly slanted style.

Birmingham City Council

Dated this 5th day of May 2023

(1) Birmingham City Council
(2) Claimant
(3) 1st
(5)
(5) Exhibit: "MEL26"
(6) 05/05/23

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

Claim Number:

B E T W E E N:

BIRMINGHAM CITY COUNCIL

Claimant

- and -

PERSONS UNKNOWN

Defendant

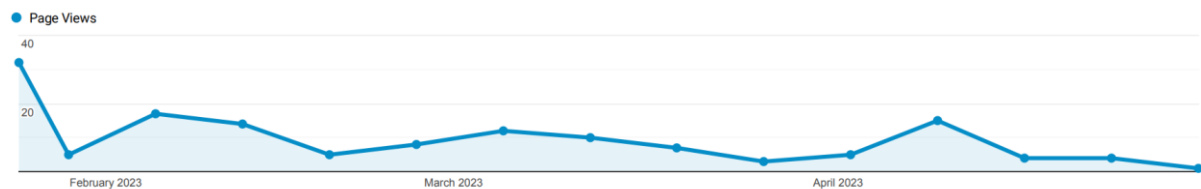
EXHIBIT "MEL26"

This is the Exhibit marked "MEL26" referred to in the Witness Statement of Michelle Elizabeth Lowbridge.

Car street cruising Google Analytics statistics

Birmingham application for street cruising injunction 2022

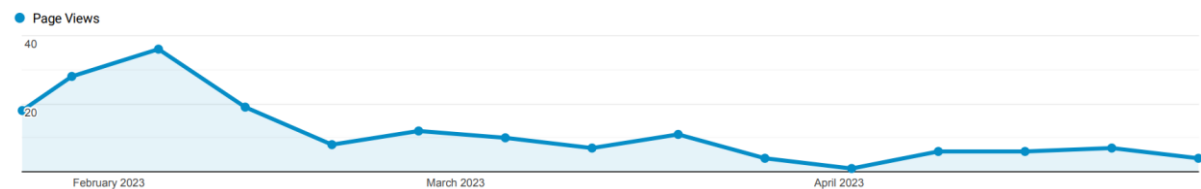
Page views from 25 January 2023 to 3 May 2023



| Page | Page Views | Unique Page Views | Avg. Time on Page | Entrances | Bounce Rate | % Exit | Page Value |
|---|--|--|---|--|--|---|---|
| | 142 % of Total: 0.00% (11,137,758) | 94 % of Total: 0.00% (7,852,539) | 00:00:21 Avg for View: 00:00:56 (-62.14%) | 27 % of Total: 0.00% (3,003,211) | 66.67% Avg for View: 44.62% (49.41%) | 28.17% Avg for View: 26.96% (4.47%) | US\$0.00 % of Total: 0.00% (US\$0.00) |
| 1. /streetcruiseapplication2022 | 140 (98.59%) | 92 (97.87%) | 00:00:21 | 25 (92.59%) | 64.00% | 27.14% | US\$0.00 (0.00%) |
| 2. /streetcruiseapplication2022?fbclid=IwAR2TPbg4qUz59sLVNraCogupm0WrwNbpmbHhAL0_JOeqDArdL8UpKol7hM | 1 (0.70%) | 1 (1.06%) | 00:00:00 | 1 (3.70%) | 100.00% | 100.00% | US\$0.00 (0.00%) |
| 3. /streetcruiseapplication2022. | 1 (0.70%) | 1 (1.06%) | 00:00:00 | 1 (3.70%) | 100.00% | 100.00% | US\$0.00 (0.00%) |

City council granted injunction to ban street cruising

Page views from 25 January 2023 to 3 May 2023



| Page | Page Views | Unique Page Views | Avg. Time on Page | Entrances | Bounce Rate | % Exit | Page Value |
|--|--|---|--|--|--|--|---|
| | 177 % of Total: 0.00% (11,137,758) | 158 % of Total: 0.00% (7,852,539) | 00:01:34 Avg for View: 00:00:56 (67.19%) | 86 % of Total: 0.00% (3,003,211) | 68.60% Avg for View: 44.62% (53.75%) | 52.54% Avg for View: 26.96% (94.86%) | US\$0.00 % of Total: 0.00% (US\$0.00) |
| 1. /news/article/1253/city_council_granted_injunction_to_ban_street_cruising | 177 (100.00%) | 158 (100.00%) | 00:01:34 | 86 (100.00%) | 68.60% | 52.54% | US\$0.00 (0.00%) |

Search terms

Number of times search terms were used from 25 January 2023 to 3 May 2023

- car cruising = 0
- street racing = 0
- injunction = 0

- street cruising = 1



| Secondary dimension | Sort Type: Default | street cruising advanced | | | | |
|----------------------------|----------------------------------|--------------------------------------|--|---|--|--------------------------------------|
| Search Term ? | Total Unique Searches ? ↓ | Results Page Views/Search ? | % Search Exits ? | % Search Refinements ? | Time After Search ? | Avg. Search Depth ? |
| | 1 % of Total: 0.00% (197,240) | 1.00 Avg for View: 1.37 (-26.85%) | 0.00% Avg for View: 13.95% (-100.00%) | 100.00% Avg for View: 22.96% (335.45%) | 00:02:35 Avg for View: 00:03:37 (-28.67%) | 1.00 Avg for View: 3.90 (-74.34%) |
| 1. what is street cruising | 1(100.00%) | 1.00 | 0.00% | 100.00% | 00:02:35 | 1.00 |

(1) Birmingham City Council
(2) Claimant
(3) Statement of Michelle Lowbridge
(4) 9th
(5) Exhibits "MEL 27-29"
(6) 11/05/2023

Claim No: KB-2022-BHN-000221

IN THE HIGH COURT OF JUSTICE

KING'S BENCH DIVISION

BIRMINGHAM DISTRICT REGISTRY

In the matter of an application for an injunction under s.37(1), Senior Courts Act 1981, s.1, Localism Act 2011, s.222, Local Government Act 1972 and s.130, Highways Act 1980.

B E T W E E N:

BIRMINGHAM CITY COUNCIL

Claimant

and

(1) D1 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
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(9) PERSONS UNKNOWN WHO, OR WHO INTEND TO, ORGANISE,
PROMOTE OR PUBLICISE STREET CRUISES IN BIRMINGHAM

Defendants

**WITNESS STATEMENT OF
MICHELLE ELIZABETH
LOWBRIDGE**

I, Michelle Elizabeth Lowbridge, of Birmingham Community Safety Team Birmingham City Council, WILL SAY as follows:

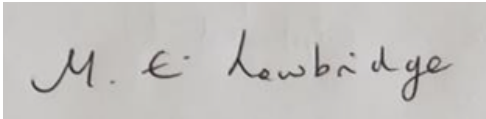
1. I am the above-named person, and I am presently employed by Birmingham City Council (BCC) as a Community Safety Manager. I have worked for the Department for approximately twenty years. The information contained within this statement is from my own knowledge unless otherwise stated. I make this 8th statement in support of the Claimant and further to my statements dated 13th October 2022, 28th November 2022, 9th December 2022 , 19th December 2022, 23rd December 2022, 30th January 2023, 22nd February 2023 and 5th May 2023 and I am duly authorised to do so.
2. I make this statement in relation to the Order made by the Honourable Mr Justice Freedman on 16th February 2023 and following the hearings on 6th February 2023 and 13th February 2023 in relation to Birmingham City Council's application for a Section 222 High Court Injunction to prohibit street cruising in Birmingham.
3. At the time of that hearing a further court date had not been set so I was unable to make reference to the means taken to publicise this date, particularly in relation to the persons unknown defendants 8 and 9, at the time of writing my 7th witness statement on 22nd February 2023.
4. In making my 8th witness statement on Friday 5th May 2023 I have unfortunately omitted the steps I took to publicise this court date once it was known so now wish to make a further statement setting this out.
5. On 3rd March 2023 having been notified that the next court hearing was set for 10.30am on Monday 15th May 2023 at High Court, Birmingham, I made arrangements for the press release which is pinned to the homepage of Birmingham City Council's website to be updated to contain the details of the court hearing. This can be viewed at https://www.birmingham.gov.uk/news/article/1282/city_council_injunction_to_ban_street_cruising_%E2%80%93_3_march_2023_update. I have taken screenshots of this and can now produce them as **MEL27**.

6. The press release contains a link taking those reading it to the dedicated web page <https://www.birmingham.gov.uk/streetcruiseapplication2022> This contains copies of the court papers and the court orders relating to the application.
7. The press release containing the court date was also circulated and tweeted by the Community Safety Team Twitter account. This can be seen at https://twitter.com/bhamcomsafety/status/1631678928854065155?t=SeXBkQPZAWskikO_zvE8_g&s=19 I have taken a screenshot of this and can produce this as exhibit **MEL28**.
8. I can confirm that the data analytical report prepared by Birmingham City Council's Web Team referred to in my 8th Witness Statement as **MEL26** covers this period and, as can be seen ,there were a substantial amount of views following the updated press release issued on 3rd March 2023.
9. On 10th March 2023 a copy of the notice of hearing was placed with the other court papers at the reception of Birmingham City Council offices at 10 Woodcock Street, Birmingham, B7 4BL
10. As the initial press release notifying of the hearing on 15th May 2023 was a couple months ago , in an attempt to remind members of the public that the hearing is next week ,on 11th May 2023 I made arrangements for a message to be tweeted on Birmingham City Council Community Safety Team's Twitter account. I have taken a screenshot of this and now produce this as exhibit **MEL29**. This can also be viewed at <https://twitter.com/bhamcomsafety/status/1656634443270946818?s=20>
11. On Thursday 11th May I made arrangements for my 7th and 8th Witness Statements to be added to the dedicated web pages relating to the street cruising injunction application along with the other court papers. This can be seen at <https://www.birmingham.gov.uk/streetcruiseapplication2022>
12. I believe that the steps taken above have brought to the attention of the public at large the existence of Judge Freedman's Order of 16th February 2023 and of the Interim Injunction Order and Power of Arrest and also the details of the court hearing on Monday 15th May 2023. In addition, it should be clear to those likely to be affected by the order the details of what steps need to be taken should a member of the public wish to take part in the proceedings by filing an acknowledgment of service.
13. I am willing to attend court to give evidence.

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 honest belief in its truth

Signed

A rectangular box containing a handwritten signature in dark ink. The signature appears to be 'M. E. Lewbridge' written in a cursive, slightly slanted script.

Birmingham City Council

Dated this 11th day of May 2023

(1) Birmingham City Council
(2) Claimant
(3) 1st
(5)
(5) Exhibit: "MEL27"
(6) 11/05/23

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

Claim Number:

B E T W E E N:

BIRMINGHAM CITY COUNCIL

Claimant

- and -

PERSONS UNKNOWN

Defendant

EXHIBIT "MEL27"

This is the Exhibit marked "MEL27" referred to in the Witness Statement of Michelle Elizabeth Lowbridge.

Welcome to the intranet x 6th Witness statement of M.Low x Stolen cars and 'cannabis farm' x City council injunction to ban street cruising x

https://www.birmingham.gov.uk/news/article/1282/city_council_injunction_to_ban_street_cruising_-_3_march_2023_update

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Home / Latest news / City council injunction to ban street cruising – 3 March 2023 update

City council injunction to ban street cruising – 3 March 2023 update

Published: Friday, 3rd March 2023

The Interim High Court order banning street cruising across Birmingham stays in force until trial on 15 May 2023 after a review of the order was heard at the Birmingham High Court on 13 February 2023.

Categories

Type here to search

11:54 11/05/2023

Welcome to the intranet x 6th Witness statement of M.Low x Stolen cars and 'cannabis farm' x City council injunction to ban street cruising x

https://www.birmingham.gov.uk/news/article/1282/city_council_injunction_to_ban_street_cruising_-_3_march_2023_update

Search this site for information, advice and more... Search

force until trial on 15 May 2023 after a review of the order was heard at the Birmingham High Court on 13 February 2023.

The injunction prohibits drivers, and riders/passengers participating in a street cruise anywhere in Birmingham.

Any driver or rider or passenger breaching the order could be arrested immediately, and could face up to two years in prison, a fine, or have their assets seized.

The full terms of the injunction, power of arrest, applications for alternative service and interim injunction, documents and evidence can be found at <https://www.birmingham.gov.uk/streetcruiseapplication2022>.

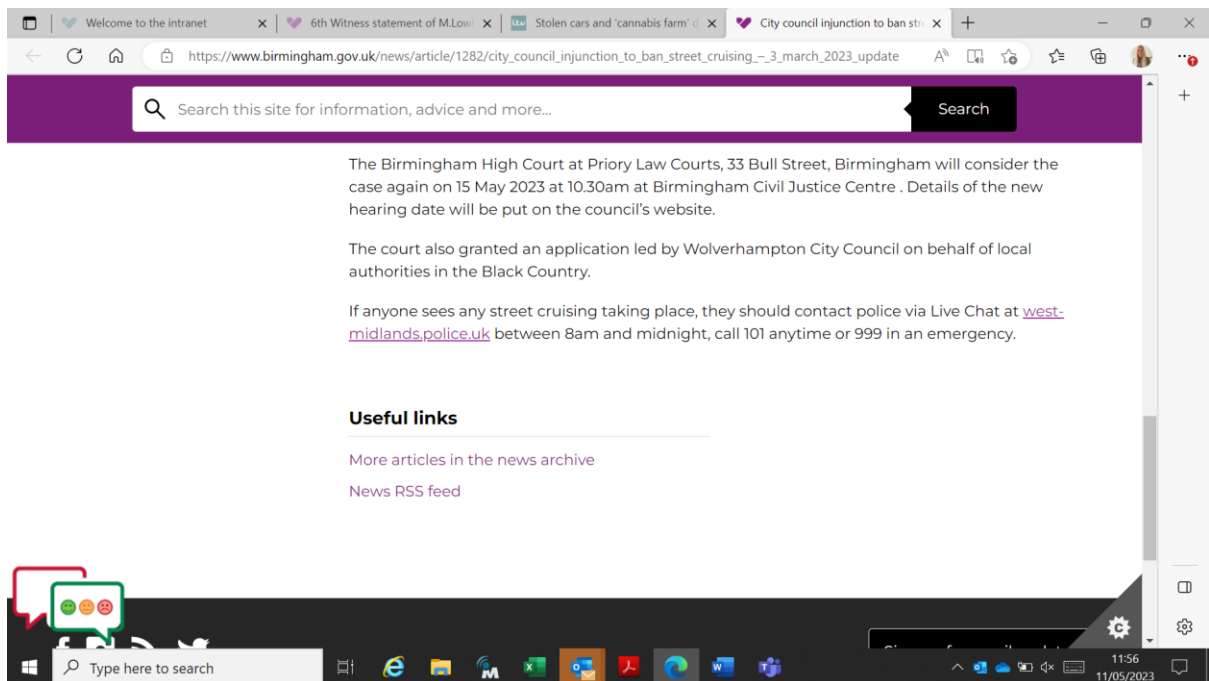
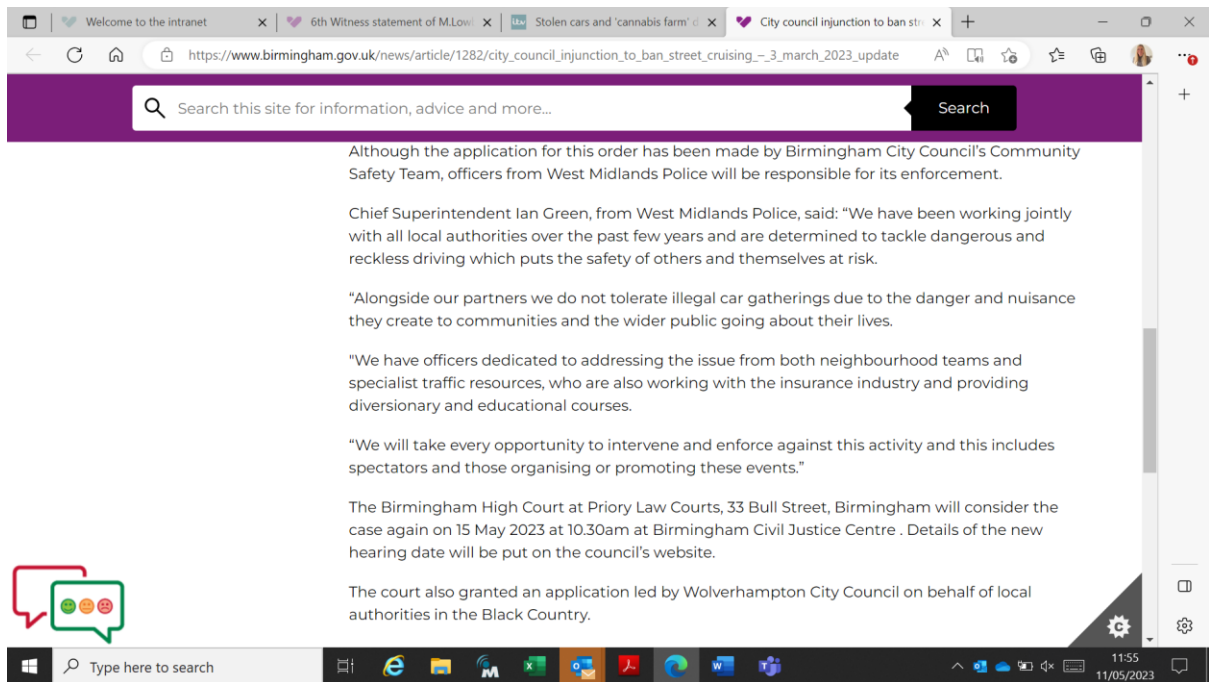
Cllr John Cotton, Cabinet Member for Social Justice, Community Safety and Equalities, said: "Street cruising is dangerous as well as being a nuisance for law-abiding citizens.

"By working with our partners at the police on applying for this injunction, we have shown we understand and share the continued concerns raised by many residents, about this anti-social and life-threatening behaviour.

"Past court action shows that we won't hesitate to ensure justice is served upon offenders, who have no excuse for their actions. There are plenty of lawful ways to exhibit and demonstrate their vehicles – but our roads are not the place for it."

Type here to search

11:55 11/05/2023



(1) Birmingham City Council
(2) Claimant
(3) 1st
(5)
(5) Exhibit: "MEL28"
(6) 11/05/23

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

Claim Number:

B E T W E E N:

BIRMINGHAM CITY COUNCIL

Claimant

- and -

PERSONS UNKNOWN


Defendant


EXHIBIT "MEL28"

This is the Exhibit marked "MEL28" referred to in the Witness Statement of Michelle Elizabeth Lowbridge.

Browser tabs: Welcome to the intranet | 6th Witness statement of | Stolen cars and 'cannabis' | City council injunction to | BhamCommunitySafety or |

Address bar: https://twitter.com/bhamcomsafety/status/1631678928854065155?t=SeXBkQPZAWskikO_zvE8_g&ks=19

 Tweet






 **BhamCommunitySafety**
@bhamcomsafety

The Interim High Court order banning [#streetcruising](#) across [#Birmingham](#) stays in force until trial on 15 May 2023 after a review of the order was heard at the Birmingham High Court on 13 February 2023.

More info here
[birmingham.gov.uk/news/article/1...](https://www.birmingham.gov.uk/news/article/1...)


3:32 pm · 3 Mar 2023 · 239 Views


3 Retweets 3 Likes

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The official Twitter feed of Birmingham Community Safety Partnership. Follow us for community

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People on Twitter are the first to know.

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Windows taskbar: Type here to search |  | 12:23 11/05/2023

(1) Birmingham City Council
(2) Claimant
(3) 1st
(5)
(5) Exhibit: "MEL29"
(6) 11/05/23

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

Claim Number:

B E T W E E N:

BIRMINGHAM CITY COUNCIL

Claimant

- and -

PERSONS UNKNOWN



Defendant

EXHIBIT "MEL29"


This is the Exhibit marked "MEL29" referred to in the Witness Statement of Michelle Elizabeth Lowbridge.

Browser tabs: Welco x, 6th Wi x, Stolen x, Birmin x, BhamC x, Birmin x, BhamC x, BhamC x, Birmin x, BhamC x

Address bar: <https://twitter.com/bhamcomsafety>



BhamCommunitySafety
11.5K Tweets [Follow](#)


 **BhamCommunitySafety** @bhamcomsafety · 12m

[#UPDATE](#)
Our S.222 Interim High Court Injunction banning [#streetcruising](#) across [#birmingham](#) is back in court for a review hearing on Monday 15th May at 1030hrs.

Stay tuned for updates...

[#OpHercules](#)
[#Traffic](#)
[#StreetRacing](#)
[#WestMidlands](#)
[#Court](#)
[@Trafficwmp](#) [@CMPG](#) [@BhamCityCouncil](#)

 1  1  57 

 **BhamCommunitySafety** @bhamcomsafety · 4 May

BEFORE & AFTER

Our City Centre Intervention Officers came across this area which was full of litter and waste posing as a health & safety issue to the public.


[Helping with @BhamCityCouncil Street Cleaning teams on roads to](#)

Search Twitter

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Trending in United Kingdom
Jamie Foxx
124K Tweets

Trending in United Kingdom
Supreme Court
210K Tweets

Trending in United Kingdom
Sheikh Jassim

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Windows taskbar: Type here to search, 13:29, 11/05/2023

(1) Birmingham City Council
(2) Claimant
(3) Statement of Michelle Lowbridge
(4) 10th
(5) Exhibits "MEL 30-35"
(6) 18/05/2023

Claim No: KB-2022-BHN-000221

IN THE HIGH COURT OF JUSTICE

KING'S BENCH DIVISION

BIRMINGHAM DISTRICT REGISTRY

In the matter of an application for an injunction under s.37(1), Senior Courts Act 1981, s.1, Localism Act 2011, s.222, Local Government Act 1972 and s.130, Highways Act 1980.

B E T W E E N:

BIRMINGHAM CITY COUNCIL

Claimant

and

(1) D1 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
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Defendants

**WITNESS STATEMENT OF
MICHELLE ELIZABETH
LOWBRIDGE**

I, Michelle Elizabeth Lowbridge, of Birmingham Community Safety Team Birmingham City Council, WILL SAY as follows:

1. I am the above-named person, and I am presently employed by Birmingham City Council (BCC) as a Community Safety Manager. I have worked for the Department for approximately twenty years. The information contained within this statement is from my own knowledge unless otherwise stated. I make this 10th statement in support of the Claimant and further to my statements dated 13th October 2022, 28th November 2022, 9th December 2022, 19th December 2022, 23rd December 2022, 30th January 2023, 22nd February 2023, 5th May 2023 and 11th May 2023 and I am duly authorised to do so.
2. I make this statement in relation to the Order made by the Honourable Mr Justice Freedman on 16th February 2023 and following the hearings on 6th February 2023 and 13th February 2023 in relation to Birmingham City Council's application for a Section 222 High Court Injunction to prohibit street cruising in Birmingham.
3. In relation to Section 8 of the Order I wish to add, which was omitted from my 7th statement made on 22nd February 2023, the press release issued on 15th February 2023 would have been made available to all local print publications and local media websites as well as local radio stations and local television stations as specified. I have been advised by colleagues in the press office that this is standard practice for every release but take up of a particular story or article would be down to the individual news provider.
4. In addition to that Birmingham City Council's press office, as a matter of course, work closely with West Midlands Police's press office and routinely send our press releases to them which I am told is standard practice. I can confirm that this press release issued on 15th February 2023 was also sent to them that day. I cannot determine what the take up was of this press release by West Midlands Police at that time.

5. It has been commented by colleagues in the press office however that there is likely to be little interest in the reissued press releases as – to an outsider or general reader - this application has been going on for some time and there have not been any perceived major developments so as such isn't particularly 'newsworthy' so interest and take up of individual releases may be diluted, affected or limited as time has gone on.
6. Despite this and mindful that some time had passed from the hearing in February and issuing of subsequent press releases, on the morning of Friday 12th May 2023 , in an effort to remind the wider public of the hearing set for Monday 15th May 2023 I requested that Birmingham City Council's Press Office issue a short press release on our social media sites.
7. This was done that day and I have taken a screenshot of this from Birmingham City Council's Twitter account and now produce that as exhibit **MEL30**.
8. I am aware that on Friday 12th May 2023 West Midlands Police also posted on their social media a reminder of the court hearing for Monday 15th May 2023. I have conducted a search and found a tweet on their Twitter account in relation to this. I have taken a screenshot of this and now produce this as **MEL31**.
9. Shortly after 3pm on Friday 12th May 2023 however, I received an email from Adam Sheen , Solicitor in Wolverhampton and involved in what is being referred to as the 'Black Country Application' running alongside Birmingham's Section 222 application. It was marked urgent and referenced that both the Black Country application and Birmingham City Council's Section 222 application review hearings had both been vacated from the 12th May 2023 due to the Judge being unavailable.
10. In light of this I made immediate contact with Birmingham City Council's Press Office and requested that they issue an urgent short press release. This advised that the hearing on 15th May 2023 had been vacated and informed those reading it of the new time and date of the hearing taking place at 10.30am on Friday 19th May 2023 at Birmingham High Court. This was issued that afternoon and can be viewed at [City council injunction to ban street cruising – 12 May 2023 update - 15:55hrs | Birmingham City Council](#). I have taken a screenshot of this press release and now produce it as **MEL32** This is pinned to the homepage of Birmingham City Council's website. Within this press release is the link to the dedicated web page

<https://www.birmingham.gov.uk/streetcruiseapplication2022>. I have taken a screenshot of the homepage and now produce this as **MEL33**.

11. This press release was circulated on Birmingham City Council's Social Media sites Twitter and Facebook. I have taken a screenshot of this <https://twitter.com/BhamCityCouncil/status/1657038931987251202> from Twitter. The press office stated that they had posted this as a quote retweet, as one had already been posted earlier that day, so as people had context. I now produce the screenshot as **MEL34**.
12. It was also posted on Birmingham City Council's Facebook account and I have taken a screenshot of this which I can now produce as **MEL35**.
13. The tweet sent from Birmingham City Council's Twitter account was also retweeted from Birmingham City Council's Community Safety Team's Twitter account on Friday 12th May 2023.
14. As part of circulating the press release, and despite knowing that Birmingham City Council's (BCC) Press Office liaise with West Midlands Press Office (WMP) as a matter of course, I specifically made a request that BCC make a request that WMP recirculate the press release and also post it on their own social media sites. This was with an effort to inform as many people as possible, and by as many means as possible, of the change of date.
15. I was mindful of the very short notice given that the hearing had been vacated and didn't want anyone attending court on the vacated date. I have not been made aware that anybody attended court mistakenly on Monday 15th May 2023 in relation to this application.
16. I believe that the steps taken above have brought to the attention of the public at large the existence of Judge Freedman's Order of 16th February 2023 and of the Interim Injunction Order and Power of Arrest. Also it demonstrates the efforts made to remind people of the hearing that was due to take place on 15th May 2023.
17. On being made aware of the hearing being vacated last Friday afternoon it also shows the efforts made that day to alert the public, and prior to the weekend, to the fact the hearing date set for Monday 15th May had changed in advance of that date and also advise of the details of the new time, date and location of the hearing on Friday 19th May 2023.
18. In addition, it should be clear to those likely to be affected by the order the details of what steps need to be taken should a member of the public

wish to take part in the proceedings by filing an acknowledgment of service.

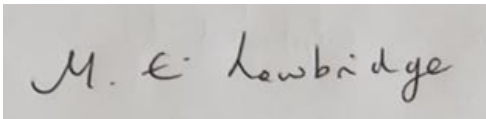
19. I am willing to attend court to give evidence.

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 honest belief in its truth

Signed

A handwritten signature in cursive script, reading "M. E. Lewbridge", is written on a light-colored rectangular background.

Birmingham City Council

Dated this 18th day of May 2023