

As amended pursuant to CPR 40.12 on 4 March 2025



Claim No. KB-2022-BHM-000221

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.1, Localism Act 2011, s.222, Local Government Act 1972, and s.130 of the Highways Act 1980.

B E T W E E N

BIRMINGHAM CITY COUNCIL

Claimant

and

Persons Participating, or Intending to Participate in, Street Cruises

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

Persons Organising, Promoting or Publicising Street Cruises, or Intending to do so

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

***Persons Participating in, or Intending to Participate in, Street Cruises as Driver, Riders or
Passengers***

**(10) PERSONS UNKNOWN WHO PARTICIPATE OR INTEND TO PARTICIPATE
IN STREET CRUISES IN BIRMINGHAM AS CAR DRIVERS, MOTORCYCLE
RIDERS OR PASSENGERS IN MOTOR CARS OR ON MOTORCYCLES**

AND 30 NAMED DEFENDANTS LISTED AT SCHEDULE 4

Defendants

INJUNCTION ORDER

amended pursuant to CPR 40.12 on 4 March 2025

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

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

History:

On the 27th of February 2024, before The Honourable Mr Justice Julian Knowles, sitting in the High Court of Justice, at Birmingham District Registry, The Priory Law Courts, 33 Bull Street, Birmingham, B4 6DS the Court considered an application for a quasi-final injunction and granted the injunction.

Current hearing:

BEFORE the Honourable Mr Justice Ritchie, on 26th of February 2025, sitting at the High Court of Justice, Birmingham District Registry, The Priory Law Courts, 33 Bull Street, Birmingham, B4 6DS,

UPON the Court conducting a review of the operation of the final injunction and power of arrest granted by the Honourable Mr Justice Julian Knowles on 27th February 2024.

AND UPON hearing Counsel Ms Crocombe for the Claimant, and no Defendant attending.

AND UPON the Court concluding that it is appropriate to continue the final injunction and power of arrested granted by Knowles J in a modified form.

AND UPON the Court making an order ancillary to this injunction on the same date.

AND UPON the Court indicating that it will permit the Claimant to apply to remove any named Defendant from the list of Defendants in the action (with liberty to restore) without requiring a further oral hearing if the Claimant files with the Court:

- a) A draft consent order.
- b) A witness statement from the Claimant's solicitor which:
 - i. Exhibits a copy of the named Defendant's signed undertaking, inter alia not to breach the injunction.
 - ii. Explains that the undertaking is acceptable to the Claimant and that the effect of the undertaking was explained to, and understood by, the Defendant when they signed it.

NOW IT IS ORDERED THAT

INJUNCTION

PARTICIPATING IN A STREET CRUISE

1. The Defendants are forbidden from participating in a street-cruise within the Claimant's local government area (known as the City of Birmingham) the boundaries of which are delineated in black on a map attached to this Order at Schedule 1.

ORGANISING OR PROMOTING

2. The Defendants are also forbidden from organising, promoting or publicising in any manner any street-cruise intended to take place within the City of Birmingham, from encouraging, assisting or permitting any other person or persons to organise, promote, publicise or participate in any such street-cruise.

SPECTATING

3. The Defendants are also forbidden from spectating at a street-cruise within the Claimant's local government area (known as the City of Birmingham) the boundaries of which are delineated in black on a map attached to this Order at Schedule 1.

POWER OF ARREST

4. A power of arrest, pursuant to s.27 Police and Justice Act 2006 shall apply to paragraph 1 above, in relation to any person participating in a street-cruise who is the driver or rider of, or a passenger in or on, any vehicle to which paras 1 and 2 of Schedule to this Order applies.

DEFINITIONS

5. The terms "street-cruise" and "participating in a street-cruise" have the meanings set out in Schedule 2 to this Order.

Review Hearings

6. There shall be annual hearings to review the operation of this injunction and power of arrest, the second of which is to be held on 26th February 2026 at 10.30 am at Birmingham District Registry, The Priory Law Courts, 33 Bull Street, Birmingham, B4 6DS. The time estimate is 1 day. Local Authorities are to contact the Court no less than 14 days before the hearing date, if the time estimate is significantly different.

Liberty to Apply.

7. Any person served with a copy of, or affected by, this Order may apply to the Court to vary or discharge it, on 48 hours written notice to the Claimant at the address set out at the foot of this Order.

Service on the 1st and 4th Defendants

7. Pursuant to CPR rules 6.15, 6.27 and 81.4(2) (c) and (d), the Claimant shall be permitted to serve this injunction and power of arrest on the 1st and 4th Defendants by emailing HMP Morton Hall and HMP Featherstone respectively, attaching a copy of this injunction order and power of arrest, and requesting them to be printed and personally served on the 1st and 4th Defendants.
8. In the event that the 1st and 4th Defendants are no longer at HMP Morton Hall/Featherstone at the time at which those documents are required to be served, the Claimant shall be permitted to serve the 1st and 4th Defendants via the methods specified at paragraph 9 and/or 10-11 below.

Service on the 5th-7th and 11th-35th Defendants

9. Pursuant to CPR rules 6.15, 6.27 and 81.4(2) (c) and (d), the Claimant shall be permitted to serve this injunction and power of arrest on the 5th-7th and 11th-35th Defendants using email and/or postal addresses that have been provided to the Claimant in the course of these proceedings.

Service on the 8th-10th Defendants

10. Pursuant to CPR rules 6.15, 6.27 and 81.4(2) (c) and (d), the Claimant shall be permitted to serve injunction and power of arrest on the 8th-10th Defendants by the alternative methods specified at Schedule 3 to this Order.

11. The deemed date of service of the injunction and power of arrest on the 8th, 9th and 10th Defendants shall be the date of completion of the steps described in paragraph 1 of Schedule 3 to this Order. The completion of those steps is to be verified by a witness statement or certificate of service to be filed at Court and uploaded to the Claimant's dedicated webpage referred to at para.1(iii) of Schedule 3 to this Order within 7 days of completing those steps. Service of the said witness statement on the 8th 9th and 10th Defendants is dispensed with.

Costs

12. There shall be no order as to costs.

Signed: Ritchie J

Made: 3.3.2025

Amended 4.3.2025

If you do not fully understand this Order you should go to a solicitor, Legal Advice Centre or Citizens' Advice Bureau.

THE CLAIMANT'S CONTACT DETAILS

Birmingham City Council Legal and Governance

Ref: LSCSY/HM/210929

PO Box 15992

Birmingham B2 2UQ

E: HousingLitigationTeam@birmingham.gov.uk

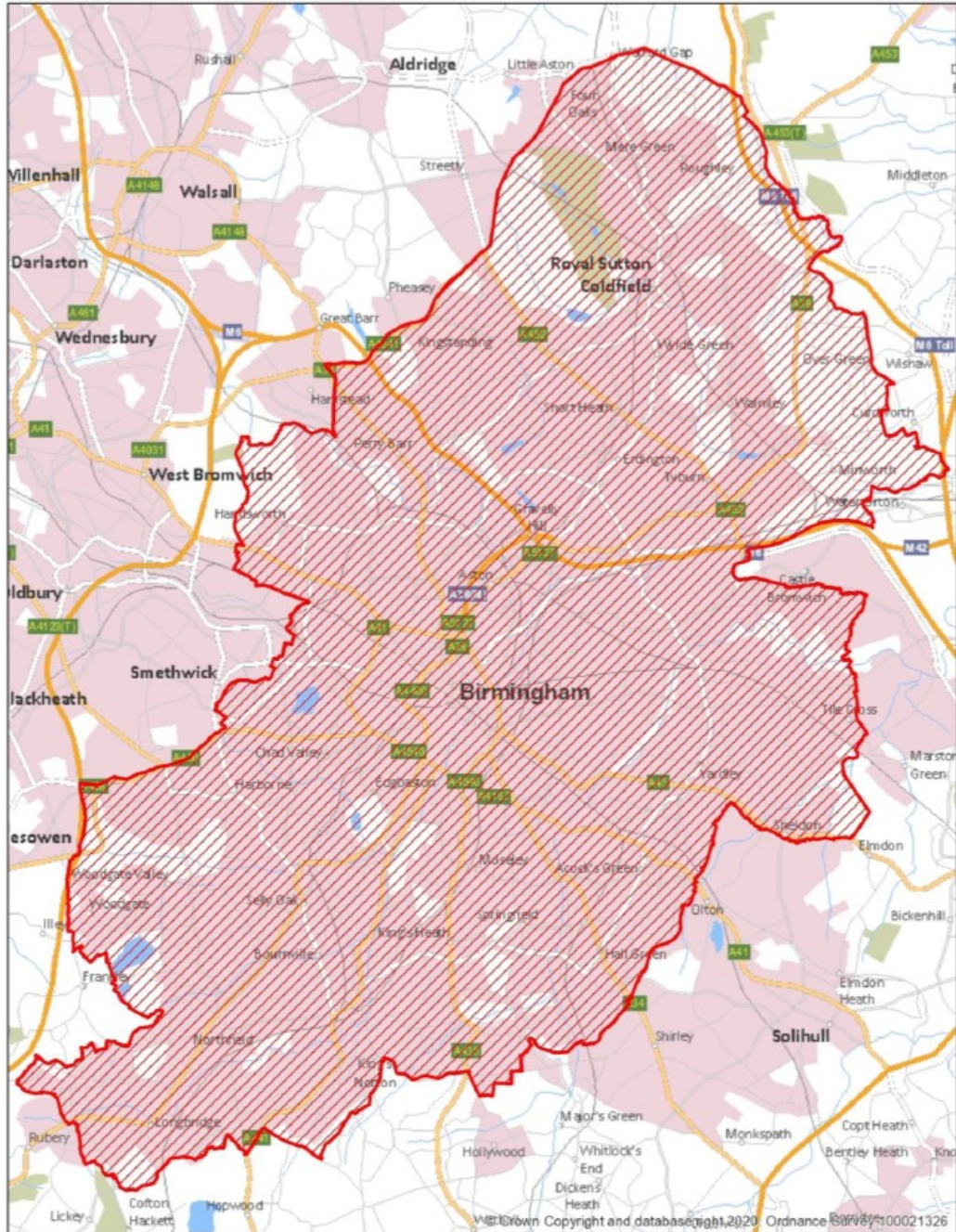
T: 0121 303 2808

DX: MDX 326401 Birmingham 87

SCHEDULE 1

MAP

Birmingham Administrative Boundary



The thick red line indicates the Birmingham administrative boundary.



0 1.25 2.5 5 Kilometers



SCHEDULE 2

DEFINITIONS

“Street-Cruise”

1. **“Street-Cruise”** means a congregation of the drivers of 2 or more motor-vehicles (including motor-cycles) on the public highway or at any place to which the public have access within the Claimant’s local government area (known as the City of Birmingham) as shown delineated in red on the map at Schedule 1, at which any driver, rider or passenger in or on a motor vehicle, performs any of the activities set out at 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) any nuisance to another person not participating in the activity.

2. **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) obstructing the highway or any private property.

“Participating in a Street-Cruise”

3. A person participates in a street-cruise if he or she is the driver or rider of, or passenger in or on, a motor-vehicle at a street cruise and performs or encourages any person there present to perform any activity, to which paras.1-2 above apply, and the term “participating in a street-cruise” shall be interpreted accordingly.

SCHEDULE 3

SERVICE

1. Service of this Order on the 8th, 9th and 10th Defendants shall be effected by

- (i) Issuing a media release stating that the High Court has continued the Injunction and Power of Arrest, in an amended form.

Such release must provide:

- (a) Summarise this Order and power of arrest obtained;
- (b) The date, time and location of the next hearing;
- (c) The addresses of the dedicated webpages maintained by the Claimant regarding street cruising;
- (d) The Claimant's contact details;
- (e) Details of where and how copies of the documents and evidence filed in the case may be obtained.

Such release shall be made to, but is not limited to, local print publications including the Express and Star, Chronicle Week, the Birmingham Mail, Halesowen & Dudley News and Stourbridge News; local radio stations including BBC WM, Free Radio, Signal 107, WCR FM and Heart; the website Birmingham Live (aka) BLive; and the following television stations, BBC (to include the Midlands Today programme) and ITV Central by 23.59 hours on 11th March 2025.

- (ii) Placing on the Claimant's social media including Twitter, Facebook and Instagram links to the above media release regarding this Order and the power of arrest by 23.59 hours on 11th March 2025.
- (iii) Updating the dedicated pages on the Claimant's website about the Applications to the High Court for an injunction and power of arrest

https://www.birmingham.gov.uk/info/20095/antisocial_behaviour_and_neighbour_disputes/1911/birmingham_street_cruising_injunction

Such page shall carry a link to this Order and the power of arrest by 23.59 hours on 11th March 2025.

- (iv) Ensuring that the home (or landing) page of the Claimant's website have and retain a prominent direct link to the dedicated webpages referred to above by 11th March 2025.
 - (vi) Ensuring that copies of this Order and the power of arrest are available at the front desks of the Claimant's main office by 23.59 hours on 11th March 2025.
 - (vii) Request that West Midlands Police post on their website and Instagram, Twitter, and Facebook accounts a link to the media release referenced at (i) above. Such request to be made by 23.59 hours on 11th March 2025.
2. If the Claimant takes enforcement proceedings against any of the 8th, 9th or 10th Defendants in respect of this Order, the Claimant shall, if so directed by the Court, serve on that Defendant:
- (i) a copy of the Claimant's application and all supporting documents relied on to obtain this Order and power of arrest; and
 - (ii) a copy of this Order and power of arrest.

The Claimant shall not, however, be required to (although it may) serve copies of the DVD evidence relied on to obtain this Order, or to divulge to the Defendant served the names or addresses of the witnesses whose statements are served in accordance with this paragraph.

3. The Court will consider whether to join the Defendant to the proceedings as a named Defendant and whether to make any further Order.

SCHEDULE 4

(1) AHZI NAGMADIN

(4) RASHANI REID

(5) THOMAS WHITTAKER

(6) ARTHUR RODGERS

(7) ABC

(11) MR MOHAMMED WAJAHAS SHABBIR

(12) ZOE LLOYD

(13) CALLUM BLUNDERFIELD

(14) GURBINDER SINGH SAHOTA

(15) CONNOR HILL

(16) ASIM RAHMAN

(17) AMAN KAYANI

(18) ADHNAN MOHAMMED

(19) MOHAMMED DAANYAAL

(20) BRADLEY HAYES

(21) JOSEPH DAWSON

(22) DANIEL GORDON

(23) RAGHIB AFSAR

(24) UMAR MAHMOOD

(25) VICTORIA ADSHEAD

(26) AAROON VIRK

(27) BILAL AMJAD

(28) BENJAMIN DUNN

(29) MOHAMMED KHALIL

(30) MARLON FARRELL

(31) JACOB WILLIAMS

(32) MATTHEW OLIVER BRAYNE

(33) ABDULRAHMAN ABDULKADER

(34) ADAM JORDAN YEOMANS

(35) HUSNAIN MAHMOOD

END

SECTION 222 LOCAL GOVERNMENT ACT 1972 INJUNCTION – POWER OF ARREST

Under section 27, Police and Justice Act, 2006.

IN THE HIGH COURT OF JUSTICE
KING’S BENCH DIVISION
ROYAL COURTS OF JUSTICE

Claim no: KB – 2022-BHM- 000221



KB-2022-BHM-000221

Birmingham City Council	Claimant
(1) Ahzi Nagmadin, (4) Rashani Reid (5) Thomas Whittaker (6) Arthur Rogers (7) ABC (8) Persons Unknown Who Participate Or Intend To Participate In Street-Cruises In Birmingham, As Car Drivers, Motorcycle Riders, Passengers And/Or Spectators (9) Persons Unknown Who, Or Who Intend To, Organise, Promote Or Publicise Street Cruises In Birmingham (10) Persons Unknown who participate or intend to participate in Street Cruises in Birmingham as car drivers, motorcycle riders, or passengers in motor cars or on motorcycles (11) Mohammed Wajahas Shabbir (12) Zoe Lloyd (13) Callum Blunderfield (14) Gurrinder Singh Sahota (15) Connor Hill(16) Asim Rahman (17) Aman Kayani (18) Adhnan Mohammed, (19) Mohammed Daanyaal, (20) Bradley Hayes	Defendants

The court orders that a power of arrest under section 27, Police and Justice Act 2006, applies to the following paragraph of an order made on 28 February 2024.

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

(Where marked * delete as appropriate)

1. The Defendants are forbidden to participate in a street-cruise within the Claimant’s local government area (known as the City of Birmingham) the boundaries of which are delineated in red on a map attached to this Order at Schedule 1.
4. A power of arrest, pursuant to s.27 Police and Justice Act 2006 shall apply to paragraph 1 above, in relation to any of the 1st and 4th-20th Defendants who participates in a street-cruise as the driver or rider of, or a passenger in or on, any vehicle to which paras 1 and 2 of Schedule 2 to this Order applies. For the avoidance of doubt, the power of arrest granted by this Order does not apply to any other person participating in a street-cruise within the meaning of Schedule 2 to this Order, for example, as a spectator.

Schedule 2

“Street-Cruise”

1. “Street-Cruise” means a congregation of the drivers of 2 or more motor-vehicles (including motor-cycles) on the public highway or at any place to which the public have access within the Claimant’s local government area (known as the City of Birmingham) as shown delineated in red on the map

at Schedule 1, at which any person performs any of the activities set out at 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) any nuisance to another person not participating in the street-cruise.

2. 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) obstructing the highway or any private property;
- (vi) supplying or using illegal drugs;
- (vii) urinating in public;
- (viii) shouting or swearing at, or abusing, threatening or otherwise intimidating another Person; and/or
- (ix) setting off fireworks.

Power of Arrest

The court thinks that—there is a significant risk of harm to a person.

A power of arrest is attached to the order whereby any constable may (under the power given by section 27 Police and Justice Act 2006) arrest without warrant a person if he or she has reasonable cause to suspect that the person is in breach of the provision.

This Power of Arrest

This Order attached Power of Arrest shall come into force 4.00 pm on 27 February 2024 and remain in force until 23:59 on 27 February 2027 unless varied or discharged by further Order of the Court.

**Note to the
Arresting Officer**

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

- A constable who arrests a person for breach of the injunction must inform the person who applied for the injunction.
- A person arrested for breach of the injunction must, within the period of 24 hours beginning with the time of the arrest, be brought before—
 - (a) a judge of the High Court or a judge of the county court, if the injunction was granted by the High Court;
 - (b) a judge of the county court, if—
 - (i) the injunction was granted by the county court, or
 - (ii) the injunction was granted by a youth court but the respondent is aged 18 or over;
 - (c) a justice of the peace, if neither paragraph (a) nor paragraph (b) applies.
- In calculating when the period of 24 hours ends, Christmas Day, Good Friday and any Sunday are to be disregarded.
- The judge before whom a person is brought under subsection (3)(a) or (b) may remand the person if the matter is not disposed of straight away.
- The justice of the peace before whom a person is brought under subsection (3)(c) must remand the person to appear before the youth court that granted the injunction.

Ordered by

On

27 February 2024
