

IN THE HIGH COURT AT BIRMINGHAM

CLAIM NUMBER: **KB-2022-BHM-000221**

BETWEEN

BIRMINGHAM CITY COUNCIL

Claimant

-v-

AHZI NAGMADIN & OTHERS

Defendant(s)

OFFICIAL

A. Claim Form & Particulars of Claim

- | | | |
|----|----------------------------------|-------------|
| 1. | Amended Claim Form.pdf | A 1 - A 7 |
| 2. | Amended Particulars of Claim.pdf | A 8 - A 24 |
| 3. | Final Injunction Order.docx | A 25 - A 34 |
| 4. | Power of Arrest.docx | A 35 - A 37 |

B. Court Orders and Judgments

- | | | |
|----|---|-------------|
| 1. | Notice Of Review Hearing listed on 26.02.25.pdf | B 1 - B 2 |
| 2. | Sealed Final Injunction dated 27.02.24.pdf | B 3 - B 13 |
| 3. | Sealed Power of Arrest 27.02.24.pdf | B 14 - B 16 |
| 4. | Sealed Judgment of Mr Justice J Knowles dated 3.9.24_Wolverhampton City Council v Persons Unknown.pdf | B 17 - B 39 |

C. Evidence of Service of the Injunction & Power of Arrest

- | | | |
|----|---|-----------|
| 1. | Affidavit of Michelle Lowbridge dated 4.4.24 re service of Final Inj & POA dated 27.02.25.pdf | C 1 - C 5 |
|----|---|-----------|

D. Evidence Concerning the Operation & Effectiveness of the Injunction Relief Granted by the Court on 27.02.24 from 27.02.24 to present

- | | | |
|----|---|------------|
| 1. | Witness Statement of Oliver Humpidge dated 19.02.25.pdf | D 1 - D 3 |
| 2. | Witness Statement of Mark Campbell dated 20.02.25.pdf | D 4 - D 12 |

E. Evidence of steps taken by the Claimants to publicise & give notice of the Review Hearing 26.02.25 in compliance with an order of the court dated 08.05.24 & steps taken to serve the named Defendants

- | | | |
|----|--|-----------|
| 1. | 19th Witness statement of Michelle Lowbridge.docx | E 1 - E 4 |
| 2. | Witness Statement of Hamida Begum dated 24.02.25.pdf | E 5 - E 6 |
| 3. | Witness Statement of Suraj Nahar dated 24.02.25.pdf | E 7 - E 8 |

F. Judgments & Committal Orders

- | | | |
|-----|--|-------------|
| 1. | BCC v MOHAMMED DAANYAL - Committal Order.pdf | F 1 - F 4 |
| 2. | BCC v BRADLEY HAYES - Committal Order.pdf | F 5 - F 8 |
| 3. | BCC v MR MOHAMMED WAJAHAS SHABBIR - Committal Order - Unsealed.pdf | F 9 - F 12 |
| 4. | BCC v ZOE LLOYD - Committal Order.pdf | F 13 - F 16 |
| 5. | BCC v CALLUM BLUNDERFIELD - Committal Order.pdf | F 17 - F 20 |
| 6. | BCC v GURINDER SINGH SAHOTA - Committal Order.pdf | F 21 - F 24 |
| 7. | BCC v CONNOR ADAM HILL - Committal Order.pdf | F 25 - F 28 |
| 8. | BCC v ASIM RAHMAN - Committal Order.pdf | F 29 - F 32 |
| 9. | BCC v AMAN KAYANI - Committal Order.pdf | F 33 - F 36 |
| 10. | BCC v MOHAMMED ADHNAN - Committal Order.pdf | F 37 - F 40 |
| 11. | BCC v JOSEPH DAWSON - Committal Order.pdf | F 41 - F 44 |
| 12. | BCC v DANIEL GORDON - Committal Order - Unsealed.pdf | F 45 - F 48 |
| 13. | BCC v RAGHIB AFSAR - Committal Order.pdf | F 49 - F 52 |
| 14. | BCC v UMAR MAHMOOD - Committal Order.pdf | F 53 - F 56 |

15.	BCC v VICTORIA ADSHEAD - Committal Order.pdf	F 57 - F 60
16.	BCC v AAROON VIRK - Committal Order.pdf	F 61 - F 64
17.	BCC v BILAL AMJAD - Committal Order.pdf	F 65 - F 68
18.	BCC v BENJAMIN DUNN - Committal Order.pdf	F 69 - F 72
19.	BCC v MR MOHAMMED KHALIL - Committal Order.pdf	F 73 - F 76
20.	BCC v MR MARLON FARRELL - Committal Order.pdf	F 77 - F 80
21.	BCC v JACOB WILLIAMS - Committal Order - Unsealed.pdf	F 81 - F 84
22.	BCC v ABDULRAHMAN ABDULKADER - Committal Order - Unsealed.pdf	F 85 - F 88
23.	BCC v ADAM JORDAN YEOMANS - Committal Order - Unsealed.pdf	F 89 - F 93
24.	BCC v MATTHEW OLIVER BRAYNE - Committal Order - Unsealed.pdf	F 94 - F 97
25.	BCC v MR HUSNAIN MAHMOOD - Committal Order.pdf	F 98 - F 101

G. Other Documents

A. Claim Form & Particulars of Claim



Claim Form (CPR Part 8)

In the	
Claim no.	
Fee Account no.	
Help with Fees - Ref no. (if applicable)	H W F - <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/>

Claimant



Defendant(s)

(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) Mr Mohammed Wajahas Shabbir (12) Zoe Lloyd (13) Callum Blunderfield (14) Gurinder Singh Sahota (15) Connor Hill (16) Asim Rahman (17) Aman Kayani (18) Adhnan Mohammed (19) Mohammed Daanyaal (please see attached document with Defendants)

Does your claim include any issues under the Human Rights Act 1998? Yes No

Details of claim (see also overleaf)

Defendant's name and address

£

Court fee	
Legal representative's costs	

Issue date	
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For further details of the courts www.gov.uk/find-court-tribunal.

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

Claim no.	
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Details of claim (continued)

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

Statement of Truth

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

I believe that the facts stated in these particulars of claim are true.

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

Signature

H. MacPherson

Claimant

Litigation friend (where claimant is a child or a Protected Party)

Claimant's legal representative (as defined by CPR 2.3(1))

Date

Day

Month

Year

Full name

Name of claimant's legal representative's firm

If signing on behalf of firm or company give position or office held

Find out how HM Courts and Tribunals Service uses personal information you give them when you fill in a form: <https://www.gov.uk/government/organisations/hm-courts-and-tribunals-service/about/personal-information-charter>

Additional Defendants added to the Claim Form and Particulars of Claim:

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

Claim No: KB-2022-000221

**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

- 21) Joseph Dawson**
- 22) Daniel Gordon**
- 23) Raghieb 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**

Defendant(s)

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

NAMED DEFENDANT'S ADDRESSES FOR SERVICE

1. First Defendant

36 Pickering Croft, Bartley Green, Birmingham, B32 2LN

2. Second Defendant

25 Ballams Wood Drive, Northfield, B31 5HF

3. Fourth Defendant

Flat 3,22 Radnor Road, B20 3SR

4. Fifth Defendant

61 Westcroft Avenue, Wolverhampton, WV10 8NQ

5. Sixth Defendant

5 Brambling, Wilnecote, Tamworth, Staff, B77 5PQ

6. Seventh Defendant

REDACTED

11. Eleventh Defendant

12 Twyford Road Birmingham B8 2NJ

12. Twelfth Defendant

10 Winnington Road Birmingham B8 2QH

13. Thirteenth Defendant

23 Wagtail Drive Stowmarket IP145GH

14. Fourteenth Defendant

61 Pear Tree Road Great Barr B4 36HX

15. Fifteenth Defendant

38 College Close Wednesbury, WS10 0BT

16. Sixteenth Defendant

380 Alum Rock Road, Birmingham B8 3DA

17. Seventeenth Defendant

7 Bordesley Green East, Birmingham B9 5SS

18. Eighteenth Defendant

49 George Arthur Road, Birmingham B8 1LN

19. Nineteenth Defendant

214 Aston Lane, Aston, Birmingham B20 3HE

20. Twentieth Defendant

2 Eastcroft Road, Wolverhampton, WV13 4NL

21. Twenty first Defendant

32 Staple Lodge Road, Northfield, Birmingham B31 2HG

22. Twenty second Defendant

19 Shipston Road, Northfield, Birmingham B31 2HA

23. Twenty third Defendant

39 Sandford Road, Moseley, Birmingham B13 9DE

24. Twenty fourth Defendant

52 Shaftmoor Lane, Acocks Green, Birmingham B27 7RS

25. Twenty Fifth Defendant

332 Stafford Road, Cannock, WS11 4AX

- 26) Twenty Sixth Defendant
67 Hayes End Drive, Middlesex, UB4 8HS
- 27) Twenty Seventh Defendant
17 St Edburghs Road, Yardley, Birmingham B25 8YA
- 28) Twenty Eighth Defendant
151 Wyckham Road, Birmingham B36 0HU
- 29) Twenty Ninth Defendant
21 Eddish Road, Birmingham B33 9RG
- 30) Thirtieth Defendant
2 Burtons Park Road, Smith Wood, Birmingham B36 0TW
- 31) Thirtieth First Defendant
49 Regan Crescent, Birmingham B23 5NN
- 32) Thirty Second Defendant
164 Tritford Road, Oldbury, Birmingham B69 4QF
- 33) Thirty Third Defendant
32 The Link, Birmingham B27 7SS
- 34) Thirty Fourth Defendant
29 Shopton Road, Birmingham B34 6NY
- 35) Thirty Fifth Defendant
47 Kenpas Highway, Coventry, CV3 6AX

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

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- (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**

Additional Defendants added to the Claim Form and Particulars of Claim:

**IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION
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- 22) Daniel Gordon
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- 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

Defendant(s)

**OR PASSENGERS IN MOTOR CARS OR ON
MOTORCYCLES**

- (11) Mr Mohammed Wajahas Shabbir
- (12) Zoe Lloyd
- (13) Callum Blunderfield
- (14) Gurinder Singh Sahota
- (15) Connor Hill
- (16) Asim Rahman
- (17) Aman Kayani
- (18) Adhnan Mohammed
- (19) Mohammed Daanyaal
- (20) Bradley Hayes

Defendants

FURTHER RE-AMENDED PARTICULARS OF CLAIM

The Claimant

1. The Claimant is a local authority within the meaning of s.270(1), Local Government Act 1972 and s.8(1), Localism Act 2011. It is a local highways authority within the meaning of s.1(2), Highways Act 1980, and the responsible authority within the meaning of s.5(1), Crime and Disorder Act 1998.
2. Section 1, Localism Act 2011 confers power on a local authority to do anything that individuals, with full capacity, generally may do, in any way whatever and unlimited by the existence of any other power of the authority which to any extent overlaps the general power.
3. Section 222, Local Government Act 1972 confers power upon a local authority to prosecute, defend or appear in legal proceedings, and to institute civil proceedings in its own name, where the authority considers it expedient to do so for the promotion or protection of the interests of the inhabitants of its area. The Claimant considers that the injunctive relief sought in these proceedings is expedient for such purposes.
4. Section 111, Local Government Act 1972 confers power upon a local authority to do anything which is calculated to facilitate, or is conducive to, or incidental to, the discharge of any of its functions.

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5. By section 130, Highways Act 1980, the Claimant is under a duty to

assert and protect the rights of the public to the use and enjoyment of any highway for which they are the highway authority. The Claimant considers that the injunctive relief sought in these proceedings is necessary to protect the rights of the public to the use and enjoyment of highways within its district.

6. By s.6(1),(8) of the Crime and Disorder Act 1998, the Claimant must formulate and implement, inter alia, a strategy for the reduction of crime and disorder in the area (including anti-social and other behaviour adversely affecting the local environment), which strategy the Claimant must keep under review for the purposes of monitoring its effectiveness and making any necessary or expedient changes.
7. By section 17, Crime and Disorder Act 1998, the Claimant is under a statutory duty to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area.

The Defendants

- 7A The First Defendant runs the Instagram account @Forza_Birmingham, which has 24000 followers, which he uses to organise, promote and/or publicise street cruising events within Birmingham which are attended by hundreds of vehicles, especially at the Asda superstore at Minworth, Heartlands Parkway, the A38, Sutton Bypass, and West Boulevard, Quinton. The First Defendant has been arrested for his role in organising street cruising events, but a charging decision is yet to be made.
- 7B The Second Defendant manages the closed WhatsApp Group "Rose Gold", which she uses to organise, promote and/or publicise street cruising events. She has organised a large number of events over the past three years, especially in Central Birmingham at Saltley Gate Island on Heartlands Parkway, the A38, Sutton Bypass and Asda at Minworth.
- 7C The Fourth Defendant runs the Instagram account @Birminghamoutlaws, which has 15000 followers, which he uses to

organise, promote and/or publicise street cruising events in Birmingham.

7D The Fifth Defendant runs the Instagram account WV racetracks, which has 700 followers, and which he uses to organise, promote and/or publicise street cruising events. Whilst these events frequently start in Wolverhampton, they travel through Birmingham especially to the A38 Sutton Bypass, Asda at Minworth, Spitfire Island, and Saltley Gate Island on Heartlands Parkway.

7E The Sixth Defendant runs the Instagram account @Modifiedmidlands, which has nearly 9000 followers and which he uses to organise, promote and/or publicise street cruising events throughout the West Midlands and Staffordshire, which typically start at Asda Minworth.

7F The Seventh Defendant runs the Instagram account REDACTED, which has 2500 followers and which they use to organise, promote and/or publicise street cruising events in Birmingham, especially at Heartlands Parkway and Spitfire Island.

Birmingham

8. The Birmingham City Council local authority area (“Birmingham”) is a large metropolitan area containing over 1.14 million people (based on the 2018 mid-year population estimate) and encompassing outlying urban areas such as Sutton Coldfield to the North East. The population continues to grow at an estimated 0.9% per year. It includes the following particular features:

- (i) 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, A38(M), A45, A41, M42, and parts of the M6, all of which carry large amounts of traffic both local and from a national catchment area;
- (ii) large centres of population, including residential and commercial properties of all different kinds;
- (iii) national attractions, such as the national indoor arena (the Utilita Arena), the International Conference Centre, Symphony

Hall, Birmingham City and Aston Villa football clubs, and Warwickshire County Cricket Club, with the attendant facilities situated in the locality;

- (iv) commercial, retail and entertainment parks containing retail outlets, cinemas and other entertainment venues, serviced by large car-parking areas.

The History

9. From about 2008, the area of the A47 from Heartlands to Fort Parkway, Chester Road and Dunlop Way and the surrounding roads and industrial estates has attracted car enthusiasts. In particular, large numbers of people congregated in this area to attend gatherings known, amongst other things, as “street-cruises” or “car-cruises”. Participants would race along the A47 Heartlands to Fort Parkway; on the Chester Road between Spitfire Island and Tyburn Island and/or Spitfire Island to the Ford Shopping Centre.
10. In February 2010, the Claimant applied for an injunction to restrain these activities in its local authority area. The application was successful and the activity abated. That injunction expired in 2013.
11. On 2 February 2015, Wolverhampton City Council, Dudley Metropolitan Borough Council, Sandwell Metropolitan Borough Council and Walsall Metropolitan Borough Council applied for an injunction under s.222, Local Government Act 1972 in similar terms to the Claimant’s 2010 injunction. That application was granted and the injunction made final on 1 December 2015.
12. After that, the Claimant saw these activities return throughout its local authority area. The congregations also included motorcycles, and separate events for motorcycles were organised and advertised. Numerous complaints were received from the general public.
13. On 3 October 2016, His Honour Judge Worster, sitting as a Deputy Judge of the High Court, granted the Claimant an injunction applicable to the whole of Birmingham against persons unknown, prohibiting street-cruising together with the organisation and promotion of street-

cruising (the “2016 injunction”). The Judge attached a power of arrest to the injunction pursuant to s.27, Police and Justice Act 2006.

14. The said injunction came into force on 24 October 2016 and was due to expire at midnight on 24 October 2019 but was extended on 22 October 2019 by His Honour Judge Rawlings (also sitting as a deputy Judge of the High Court) until 1 September 2022 (the “extended injunction”).
15. Since the grant of the 2016 injunction, West Midlands Police have arrested 30 individuals for breaching it, of which 16 have been successfully committed.
16. Between 2016 – 2019, the Claimant saw a reduction in telephone complaints regarding street-cruising of approximately 60%.
17. In 2019, however, as a result of a challenge to the 2016 injunction in the case of *Sharif v Birmingham CC* [2020] EWCA Civ 1488, many committal applications were stayed or adjourned generally with liberty to restore.
18. The *Sharif* challenge was ultimately dismissed by the Court of Appeal; Bean LJ stated that it was “a classic case for the grant of an injunction.”
19. As a result of the litigation in *Canada Goose v Persons Unknown* [2020] EWCA Civ 303, and the first instance judgment in *Barking & Dagenham LBC v Persons Unknown* [2021] EWHC 1201 (QB), it appeared doubtful whether the extended injunction could continue to be enforced, and given that the Covid 19 restrictions had suppressed the continuation of large-scale street cruising, the Claimant awaited the decision of the Court of Appeal in the Barking & Dagenham case before deciding what action to take. The Court of Appeal handed down judgment earlier this year [2022] EWCA Civ 13, overruling the first instance decision and declining to follow *Canada Goose* in the Court of Appeal.
20. Although on a smaller scale than prior to the grant of the 2016 injunction, street-cruising continues to exist. With the lifting of

restrictions connected to the COVID-19 crisis, the start of the summer season, and the imminent expiry the extended injunction, the Claimant is seriously concerned about the likely increase in incidents related to street-cruising, if left without the protection of an injunction to deter such behaviour. Accordingly, it has decided to apply for a new injunction to continue the protection afforded by the extended injunction.

The conduct

21. The conduct complained of affects the whole of the Claimant's area but is particularly focused on the following locations within Birmingham:

- (i) the A38:
 - i. often described as Bassetts Pole
 - ii. Sutton Coldfield Bypass, Minworth
 - iii. Tyburn Road
- (ii) the A47
 - i. Between Heartlands Parkway Island and Saltley Gate Island, Nechells Parkway
 - ii. Fort Parkway;
 - iii. Fort Parkway/Spitfire Island
 - iv. Nechells Parkway towards the A45 including St Andrews Retail Park and the Applegreen Service Station;
 - v. Bromford Lane
- (iii) the A45
 - i. Small Heath Highway
- (iv) the B4121
 - i. West Boulevard between Quinton and Weoley Castle
- (v) The Tyburn Industrial Estate, Ashold Farm Rd, Birmingham B24 9QG
- (vi) Morrisons Small Heath Car Park, 280 Coventry Rd, Small Heath, Birmingham B10 0XA
- (vii) Asda Minworth Car Park, Walmley Ash Rd, Minworth, Sutton Coldfield B76 1XL
- (viii) Asda Barnes Hill Car Park, 51 Barnes Hill, Birmingham B29 5UP
- (ix) Tesco Coleshill Rd, Hodgehill, Birmingham B36 8DT

- (x) Tesco Spring Hill, 32 Ellen St, Birmingham B18 7LF
- (xi) Landor Street, Birmingham
- (xii) Soho, Birmingham

22. At street-cruising events, participants drive cars or ride motorcycles (frequently high-performance vehicles which have been modified to increase their power and engine/exhaust noise) in a dangerous manner, causing obstruction and/or nuisance to other road users, pedestrians and to those living or working in the locality including, for example, by:
- (i) driving or riding fast and/or dangerously and/or
 - (ii) performing stunts and/or manoeuvres and/or racing while other road users are in the locality, and/or
 - (iii) obstructing the entrances and exits of public roads and/or commercial premises.
23. Street-cruises also attract participants who, whether or not taking part in the activities described in the last paragraph, attend for the purpose of any or all of the following activities:
- (i) watching and discussing the activities described in paragraph 22 above with other participants;
 - (ii) supporting or encouraging the participants in the activities described in paragraph 22 above;
 - (iii) showing off their own cars or motorcycles to other participants;
 - (iv) revving their engines;
 - (v) playing loud music on their car radios;
 - (vi) sounding their horns;
 - (vii) shouting and cheering, and using foul language;
 - (viii) harassing, intimidating and/or assaulting other people including throwing missiles such as fireworks;
 - (ix) causing damage to property, whether accidentally (e.g. by colliding with other vehicles, walls, fences etc.) or deliberately;
 - (x) generally behaving in an intimidating and harassing manner;
 - (xi) causing obstruction to the entrances of surrounding residential and commercial premises, including service stations;

- (xii) congregating in large crowds at the sides of dual carriageways and other roads, so as to cause obstruction to other road users and create a significant risk of harm.
24. Street-cruises are organised, promoted and publicised
- (i) on the Internet, including on websites such as a Facebook group called *Motorheadz.uk*, which also has a “bike division” for motorcycle cruises, and
 - (ii) by word of mouth across the West Midlands region and possibly further afield.
25. Complaints by local residents and businesses are made to West Midlands Police in relation to the above-mentioned activities. The matters complained of include:
- (i) noise and disruption to local residents caused by revving engines, squealing tyres and engines as the cars race, loud exhausts and loud music that often keeps residents awake and/or wakes them from sleep;
 - (ii) driving at high speed so as to cause a significant risk of harm to the drivers of the vehicles and other road users;
 - (iii) obstruction of public highways, entrances to commercial premises and residential premises;
 - (iv) disruption to local businesses, their staff and customers, including threats made to staff if they attempt to prevent participants from entering private premises by, for example, closing gates to car parks; and
 - (v) threatening and abusive language.
26. Street-cruises may occur on any day of the week, although they are most commonly held at the weekends and particularly on Sunday nights. They tend to begin in the mid-afternoon, usually with a convoy driving around a particular area of the city, before congregating in one particular spot where they will engage in the activities listed above until the early hours of the morning if left uninterrupted by the Police. The number and duration of street-cruises increases during the summer months. Such cruises are held virtually every week in at least one location in Claimant’s area.

27. The conduct described above constitutes the commission of criminal offences which are deliberate and flagrant and/or which cannot effectively be restrained by the use of criminal law sanctions.
28. The said conduct is also tortious and, in particular, constitutes a public nuisance.
29. Further, by engaging in the conduct described above, the Defendants infringe or threaten to infringe:
 - (i) other road users' and pedestrians' right to life, pursuant to Article 2, European Convention on Human Rights (the "Convention"). This is nationwide issue. On 18 July 2019, a crash occurred during a street-cruise in Stevenage resulting in 19 people being injured, many seriously; and/or
 - (ii) the right to respect for the private and family lives, pursuant to Article 8, Convention, of residents living in the locality of the roads or spaces used for street-cruising.
30. While all persons have the right to freedom of association and peaceful assembly (Convention, Art.11), these rights are qualified and may lawfully be interfered with in the interests of public safety, for the prevention of disorder or crime, for the protection of health or morals or for the protection of the rights and freedoms of others.
31. The relief sought is the only way to protect the rights referred to above. It is in accordance with a legitimate aim, is necessary in a democratic society and is proportionate.
32. The Claimant is satisfied that it is expedient for the promotion and protection of the interests of the inhabitants of Birmingham to seek the relief claimed.

Loss and Damage

33. The street-cruises have caused and continue to cause a significant nuisance, disturbance, annoyance and expense to residential and commercial occupiers in the Claimant's area.

PARTICULARS

- (i) Residents have suffered disturbance, harm and property damage by reason of the matters complained of.
 - (ii) Pedestrians and other road users have felt threatened and intimidated, and have been put at serious risk of harm by the said matters.
 - (iii) Businesses have had access to their premises obstructed and interrupted, causing financial loss as customers cannot access the premises to make purchases, and delivery drivers are unable to access or leave the premises.
 - (iii) Staff have also suffered intimidation and threats.
 - (iv) Businesses have also suffered damage to and interference with their property, and trespass to their sites.
34. The Claimant and West Midlands Police have attempted to prevent or curtail the activities described above and their effect on other people. The following principal steps have been taken, but have not been effective to prevent or curtail the conduct complained of, nor to reduce the number of participants in street-cruises attending this area.

PARTICULARS

- (i) Police teams from a number of different policing units have conducted two separate operations – Operation Shield and Operation Hercules – spanning a number of dates to disrupt the activities of street-cruisers, asked them to desist, and warned them as to their conduct.
- (ii) Individuals have been prosecuted for offences relating to street-cruising.
- (iii) Police have issued fixed penalty notices and powers under the Police Reform Act 2002 and the Anti-social Behaviour, Crime and Policing Act 2014 (“2014 Act”)
- (iv) The Claimant has considered the use of Public Spaces Protection Orders pursuant to the 2014 Act but these are not

considered to provide any real deterrent and could not be introduced immediately.

- (v) The various operations and attendance of Police officers has had an impact on police resources, caused adverse effects for the legitimate users of the roads in the area, strained police resources preventing those officers from attending more pressing Police matters and search operations which have, on occasions, involved multiple Police units including the Police helicopter.

Relief

- 35. The Claimant has identified as Defendants those who
 - (i) were and/or are still involved in organising, promoting and publicising street-cruising events;
 - (ii) were previously committed for breach of the injunction granted in October 2016;
 - (iii) are currently awaiting their committal trial.

- 36. However, in order for the injunction to serve its purpose, it is necessary for it to be granted against Persons Unknown as defined above.

- 37. The participants in the activities referred to above are transient and mobile. The highly transient nature of the boy-racer community renders it difficult for the Claimant or the Police to identify participants. Different participants and spectators attend different cruises in different locations and in very large numbers. If one group were to be prohibited from attending street-cruises, this would make little practical difference to the problem as other people could attend instead.

- 38. Further, when confronted, participants become aggressive and their conduct more dangerous to themselves, other road users and the Police by, for example, throwing fireworks or turning off their headlights so as to avoid detection.

- 39. Further, while there are currently several main locations at which street-cruises are commonly held, these are not the only affected parts of the area. Almost all of the major roads which run through the borough are

used by participants and spectators making their way to and from events, or could be used by participants for events if injunctive relief were limited to certain locations.

40. Moreover, the Claimant believes that an order covering the whole of its area is necessary and proportionate in that:

- (i) the Order contains only such measures as are necessary to control the problem of street-cruising, and do not seek to impose any broader prohibitions;
- (ii) the conduct sought to be prohibited is unlawful and dangerous, and has a severe effect on the human rights of law-abiding members of the community, businesses and the ability of law enforcement authorities including the Claimant to achieve a safe and law-abiding area; and
- (iii) without an Order covering the local authority area, the Claimant fears that the problems will simply be displaced to other parts of the area, and that it will not be possible to provide effective protection to cover those engaging in lawful activities in areas through which participants and spectators travel on the way to and from their events; the Claimant has already experienced the effect of such displacement as a result of the Order made in favour of the 5 local authorities referred to above, in December 2015.

41. The Claimant considers it appropriate and expedient for the promotion and protection of the interests of the inhabitants of their area that the defendants be restrained, by way of injunction, from committing tortious and criminal acts and, in particular (though without prejudice to the generality of the foregoing), acts amounting to a public nuisance and to deliberate and flagrant breaches of the criminal law (and which cannot be prevented by use of the criminal law). Specifically, but without prejudice to the generality of the foregoing, the Claimant considers that it is in the interests of the inhabitants of the Birmingham area:

- (i) that the Claimant endeavours to establish and maintain a law abiding community;
- (ii) that local businesses, residents and workers in the Birmingham area are protected from the serious and specific threats to their

safety, property, Convention rights and peaceful existence presented by the street-cruisers.

42. Further, or alternatively, the Claimant considers that the injunctive relief sought in these proceedings is necessary to protect the rights of the public to the use and enjoyment of highways within its district, for the reasons set out above.
43. Further, by these proceedings, the Claimant seeks to comply with its statutory responsibilities, as pleaded above at paragraphs 5-7.
44. The Defendants' said conduct will continue unless and until effectively restrained by the law, and nothing short of an injunction will be effective to restrain them. In particular, and without prejudice to the generality of the foregoing, it is the Claimant's case that:
 - (i) the criminal law is not an effective remedy in the circumstances of this case;
 - (ii) there is no other effective means of restraining the public nuisance constituted by the conduct complained of; and,
 - (iii) the Claimant is entitled to the relief sought in the furtherance of its own statutory responsibilities.
45. Further, for the reasons set out above, the Claimant believes that the conduct complained of includes a significant risk of harm to local businesses, residents, workers and road users together with the defendants themselves, so that it is necessary for a power of arrest pursuant to s.27, Police and Justice Act 2006 to attach to paragraph 1 of the draft injunction attached to these Particulars of Claim in relation to defendants who are drivers/riders of – or passengers in – vehicles.

AND the Claimant claims:

1. Final injunctive relief in the terms of the attached draft.
2. A power of arrest in the terms of the attached draft.

Jonathan Manning

STATEMENT OF TRUTH

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

Signed Michelle Lowbridge.....
Name MICHELLE LOWBRIDGE.....
Position or Office heldASB Partnership Manager.....
Dated this 18 October 2022

Reamended this 5 day of December 2022

Further Re amended 25/5/23,
8/9/23,5/10/23,17/10/23

Jonathan Manning
Charlotte Crocombe

Claim No:

IN THE HIGH COURT OF JUSTICE
QUEENS BENCH DIVISION
BIRMINGHAM DISTRICT REGISTRY

In the matter of an application for an injunction pursuant to s.222, Local Government Act 1972 and a power of arrest pursuant to s.27, Police and Justice Act 2006

BIRMINGHAM CITY COUNCIL

Claimant

and

VARIOUS DEFENDANTS

Defendants

PARTICULARS OF CLAIM

Hilary MacPherson, Solicitor
Community Safety Team
Legal and Governance
Department
PO Box 15992
Birmingham B2 2UQ
MDX 326401, Birmingham 87

Solicitor for the Claimant

Ref:

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

In the matter of an application for an injunction and power of arrest under s.1, Localism Act 2011, s.222, Local Government Act 1972, and s.130 of the Highways Act 1980 and s.27, Police and Justice Act 2006.

B E T W E E N

BIRMINGHAM CITY COUNCIL

Claimant

and

- (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) 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

Defendants

FINAL INJUNCTION ORDER

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

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

Upon hearing counsel for the Claimant, and [counsel for any other named party attending]

UPON hearing Counsel Mr Manning and Ms Crocombe for the Claimant, and upon the Second Defendant attending and giving an undertaking to the Court which the Court accepted.

AND UPON considering an application for a final injunction brought by the Claimant pursuant to the above statutory provisions, inviting the Court to exercise its discretion to grant injunctive relief pursuant to s.37(1) Senior Courts Act 1981;

AND UPON the Court concluding that there is a compelling need for the protection of civil rights and the enforcement of public law by the grant of the injunction sought, which is not currently being adequately met by any other remedy available to the Claimant.

AND UPON the Claimant having brought to the attention of the Court any matter which the 8th 9th or 10th Defendants might wish to raise by way of opposition to the making of the order.

AND UPON the Court considering that it is just and convenient in all the circumstances that an injunction ought to be made.

AND UPON the Court being satisfied for the purposes of s.27(3), Police and Justice Act 2006, that there is a significant risk of harm to a person or persons from the conduct prohibited by this Order and that a power of arrest should therefore be granted.

AND UPON the Claimant confirming that this Order is not intended to prohibit lawful motorsport taking place on private land where planning permission has been granted and such activities take place under an approved code or licence from a recognised regulatory body.

AND UPON it appearing to the Court that the means of notifying the 8th 9th and 10th Defendants of the making of this injunction Order and the attached Power of Arrest set out at Schedule 3 to this Order are appropriate and sufficient, or, in the alternative that there is good reason to authorise service of this Order and Power of Arrest by the alternative means set out at Schedule 3 pursuant to CPR rr.6.15, 6.27 and 81.4(ii)(c) and (d).

AND UPON the Orders of Her Honour Judge Emma Kelly dated 30 January 2024, 20 February 2024, 26 February 2024 having reserved to this hearing the question of how service is to be effected of the Amended claim documents and evidence in support of the application on the 15th to 20th Defendants.

AND UPON the Court accepting that good service of the documents referred to in the Order of her Honour Judge Emma Kelly dated 20 December 2023 had been effected as set out in the 14th witness statement of Michelle Lowbridge dated 25 January 2024

IT IS ORDERED THAT:

Final Injunction

1. The 1st and 4th – 35th 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
2. The 1st and 4th – 35th Defendants are also forbidden to organise, promote or publicise in any manner any street-cruise intended to take place within the City of Birmingham the boundaries of which are delineated in red on a map attached to this Order at Schedule 1.
3. The terms “street-cruise” and “participating in a street-cruise” have the meanings set out in Schedule 2 to this Order.
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-29th Defendants who participates in a street-cruise as the driver or rider of, or a passenger in or on, any vehicle to which paragraphs 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.
5. This Order and attached Power of Arrest shall come into force at 4:00pm 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.

Review Hearings

6. There shall be annual hearings to review the operation of this injunction and power of arrest, the first of which is to be held on 26 February 2025 at 10:30 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 11th-35th Defendants

8. The Claimant shall be permitted to serve the amended claim documents, this Order and Power of Arrest on the 11th -35th Defendants using email addresses that have been provided to the Claimant in the course of these proceedings. The Claimant shall also be permitted to serve by email the evidence in support of its claim upon the 15th-33rd Defendants.

Service on the 8th-10th 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 Order and Power of Arrest, on the 8th-10th Defendants by the alternative methods specified at Schedule 3 to this Order.

10. Service of the amended claim documents on the 1st and 4th-14th is dispensed with.

11. Service of amended claim documents on existing defendants is dispensed with hereafter in all cases where the only amendment is the addition of a new defendant pursuant to paras 2 and 3 of Schedule 3 to this Order (i.e. enforcement proceedings against the 8th 9th or 10th Defendant).

12. The deemed date of service of this Order 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.

Interim Injunction and Power of Arrest

13. The interim Order and Power of Arrest granted by Hill J on 22 December 2022, as amended on 19 May 2023 and re-amended on 30 August 2023, 4th September 2023, 5th October 2023 and 16th October 2023 shall be discharged upon completion by the Claimant of the steps specified at paragraph 1 of Schedule 3 to this Order.

Costs

14. There shall be no order as to costs.

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

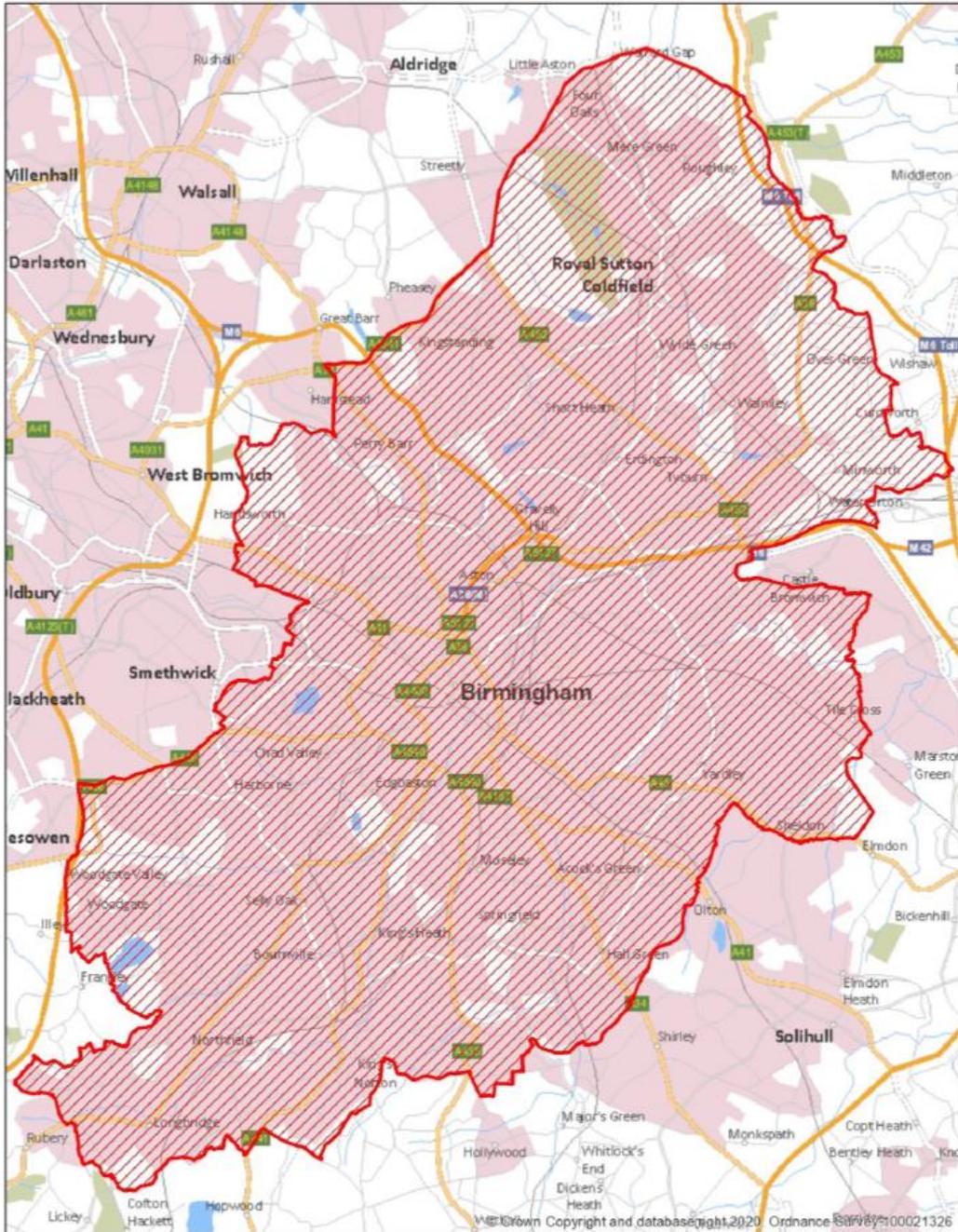
E: HousingLitigationTeam@birmingham.gov.uk

T: 0121 303 2808

DX: MDX 326401 Birmingham 87

SCHEDULE 1

Birmingham Administrative Boundary



The thick red line indicates the Birmingham administrative boundary.



0 1.25 2.5 5 Kilometers



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.

“Participating in a Street-Cruise”

3. A person participates in a street-cruise if he or she is

(i) 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, or

(ii) a spectator at a street cruise,

and the term “participating in a street-cruise” shall be interpreted accordingly.

SCHEDULE 3

1. Service of the Claimant’s application and of this Order and power of arrest on the 8th, 9th and 10th Defendants shall be effected by:

(i) Issuing a media release concerning the grant of a final injunction and power of arrest, which provides:

- (a) a summary of the effect of the final injunction and power of arrest;
- (b) the date, time and location of the review hearing, if known
- (c) the addresses of the dedicated webpages maintained by the Claimant regarding street cruising;
- (d) The Claimants’ contact details as set out above; and
- (e) Details of where and how copies of the final injunction, power of arrest, and the amended claim documents 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 on 5 March 2024

(ii) Placing on the Claimant's social media including X, Facebook and Instagram links to the above media release by 23:59 on 5th March 2024.

(iii) Updating the dedicated page on its website about the applications to the High Court for an injunction and power of arrest

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

This webpage shall carry a direct link to the Injunction Order, the Power of Arrest, this Order, the Claim form and the supporting documentation referred to at (1) above by 23:59 on 5 March 2024.

(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 23:59 on 5th March 2024.

(v) Ensuring that copies of this Order and Power of Arrest are available at the front desk of the Claimant's main office by 23:59 on 5th March 2024.

(vi) Using its best endeavours to post a link to its dedicated webpage on any open Instagram account listed below and to send a private message containing a link to that webpage to the account holder of any private Instagram account, requesting that the said link be posted on the said account. The accounts referred to are:

- (a) @Forza_Birmingham
- (b) @Birminghamoutlaws
- (c) @midlands.modified
- (d) @mostwanted_brum
- (e) @tracksbirmingham_
- (f) @brum_traxx
- (g) @btec.forza_birmingham
- (h) @motorheads_uk

(vii) Requesting that West Midlands Police post on their website and Instagram, X, and Facebook accounts, a link to the media release referred to at (i) above, such requests to be made by 23:59 on 5th March 2024.

(viii) Maintaining the existing road signs informing people of:

- (a) the injunction and power of arrest, and
- (b) the area in which they have effect, and
- (c) how they can find out more information about this Claim and obtain copies of the Claimant's application and supporting documents in the current locations

within the Claimant's local government area

2. If the Claimant takes enforcement proceedings against any of the 8th, 9th, 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.

The time for serving the Claimant's claim form and supporting documents shall be extended pursuant to CPR rule 7.6 until 27 February 2027.

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. The particular locations referred to at Paragraph 1 of Schedule 3 to this Order are as follows.
 - (i) Heartlands Parkway at Bromford Island
 - (ii) Heartlands Parkway at Cuckoo Road Island
 - (iii) Saltley Gate Island, Heartlands Parkway/Saltley Road
 - (iv) Nechells Parkway at Lawley Middleway
 - (v) A38 Sutton bypass (Bassett's Pole) into city.
 - (vi) A38 Sutton bypass, near M6 toll junction.
 - (vii) A38 Sutton bypass out of city.
 - (viii) A38 Sutton bypass at Minworth, Island into city.
 - (ix) Kingsbury Road at Minworth, Island out of city.
 - (x) Kingsbury Road at Tyburn House Island.
 - (xi) A45, Small Heath Highway at Poets Corner Island.
 - (xii) A45, Small Heath Highway at Heybarnes Island.
 - (xiii) A45, Coventry Road at Swan Island.
 - (xiv) A45, Coventry Road at Hobs Moat Road.
 - (xv) A45, Coventry Road at Goodway Road.

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

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, (21) Joseph Dawson (22) Daniel Gordon (23) Raghbir 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 Brane (33) Abdulrahman Abdulkader (34) Adam Jordan Yeomans (35) Husnain Mahmood	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)*

- 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.
- 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 – 35th 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”

- “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 car-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 4:00pm on 27 February 2024 and remain in force until the 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

B. Court Orders and Judgments



**HM Courts
& Tribunals
Service**



**In the High Court of Justice
Birmingham District Registry**

	Claimant	1. Birmingham City Council Case No: B-2022-BHM-000221
	Defendant	<ol style="list-style-type: none"> 1. Azhi Nagmadin, 2. Ellen Jessica Roberts, 3. Charlton Beckford, 4. Rashani Reid, 5. Thomas Whittaker, 6. Arthur Rodgers, 7. ABC ABC, 8. Persons Unknown, 9. Mr Mohammed Wajahas Shabbir, 10. Zoe Lloyd, 11. Callum Blunderfield, 12. Gurbinder Singh Sahota, 13. Connor Hill, 14. Asim Rahman, 15. Aman Kayani, 16. Adhnan Mohammed, 17. Mohammed Daanyaal, 18. Bradley Hayes, 19. Persons Unknown Who Participate Or Intend To Participate In Street-cruises In Birmingham, As Car Drivers, Motorcycle Riders, Passengers And/Or Spectators, 20. Persons Unknown Who, Or Who Intend To, Organise, Promote Or

		Publicise Street Cruises In Birmingham, 21. Joseph Dawson, 22. Daniel Gordon, 23. Raghil Afsar, 24. Umar Mahmood, 25. Victoria Adshead, 26. Aaroon Virk, 27. Husnain Mahmood, 28. Mohammed Khalil, 29. Marlon Farrell
	Date	21-02-2025

Notice of Hearing

TAKE NOTICE that the Review of the Injunction Application to be heard with KB-2022-BHM-000188 to take place on

Wednesday 26th February 2025 at 10:30am, before Mr Justice Ritchie

At the Birmingham Civil Justice Centre, Birmingham District Registry, King's Bench Division, Priory Courts, 33 Bull Street, Birmingham, B4 6DS

When you should attend, in person

1 day has been allowed for the HEARING

A HARD COPY HEARING BUNDLE MUST BE FILED BY 4 DAYS PRIOR TO THE HEARING AND CONTAIN A CASE SUMMARY, AGREED IF POSSIBLE. UNLESS ORDERED OTHERWISE

Please Note: This case may be released to another Judge, possibly at a different Court

SERVICE OF THE ORDER

The court has sent a sealed copy of this notice of hearing to Birmingham City Council Legal and Governance Department to serve onto all parties.



Claim No. KB-2022-BHM-000221

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

KB-2022-BHM-000221

In the matter of an application for an injunction and power of arrest under s.1, Localism Act 2011, s.222, Local Government Act 1972, s.130 of the Highways Act 1980 and s.27, Police and Justice Act 2006.

B E T W E E N

BIRMINGHAM CITY COUNCIL

Claimant

and

- (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) 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

Defendants

FINAL INJUNCTION ORDER

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

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 final injunction.

UPON hearing Counsel Mr Manning and Ms Crocombe for the Claimant, and upon the Second Defendant attending and giving an undertaking to the Court which the Court accepted.

AND UPON the Court considering an application for a final injunction brought by the Claimant pursuant to the above statutory provisions, inviting the Court to exercise its discretion to grant injunctive relief pursuant to s.37(1) Senior Courts Act 1981.

AND UPON the Court concluding that there is a compelling need for the protection of civil rights and the enforcement of public law by the grant of the injunction sought, which is not currently being adequately met by any other remedy available to the Claimant.

AND UPON the Claimant having brought to the attention of the Court any matter which the 8th 9th or 10th Defendants might wish to raise by way of opposition to the making of the order.

AND UPON the Court considering that it is just and convenient in all the circumstances that an injunction ought to be made.

AND UPON the Court being satisfied for the purposes of s.27(3), Police and Justice Act 2006, that there is a significant risk of harm to a person or persons from the conduct prohibited by this Order and that a power of arrest should therefore be granted.

AND UPON the Claimant confirming that this Order is not intended to prohibit lawful motorsport taking place on private land where planning permission has been granted and such activities take place under an approved code or licence from a recognised regulatory body.

AND UPON it appearing to the Court that the means of notifying the 8th 9th and 10th Defendants of the making of this injunction Order and the attached Power of Arrest set out at Schedule 3 to this Order are appropriate and sufficient, or, in the alternative that there is good reason to authorise service of this Order and Power of Arrest by the alternative means set out at Schedule 3 pursuant to CPR rr.6.15, 6.27 and 81.4(ii)(c) and (d).

AND UPON the Orders of Her Honour Judge Emma Kelly dated 30 January 2024, 20 February 2024, 26 February 2024 having reserved to this hearing the question of how service is to be effected of the Amended claim documents and evidence in support of the application on the 15th to 20th Defendants.

AND UPON the Court accepting that good service of the documents referred to in the Order of her Honour Judge Emma Kelly dated 20 December 2023 had been effected as set out in the 14th witness statement of Michelle Lowbridge dated 25 January 2024

IT IS ORDERED THAT:

Final Injunction

1. The 1st and 4th – 20th 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.
2. The 1st and 4th – 20th Defendants are also forbidden to organise, promote or publicise in any manner any street-cruise intended to take place within the City of Birmingham

the boundaries of which are delineated in red on a map attached to this Order at Schedule 1.

3. The terms “street-cruise” and “participating in a street-cruise” have the meanings set out in Schedule 2 to this Order.
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 paragraphs 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.
5. This Order and attached Power of Arrest shall come into force at 4:00pm 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.

Review Hearings

6. There shall be annual hearings to review the operation of this injunction and power of arrest, the first of which is to be held on 26 February 2025 at 10:30 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 11th-20th Defendants

8. The Claimant shall be permitted to serve the amended claim documents, this Order and Power of Arrest on the 11th-20th Defendants using email addresses that have been provided to the Claimant in the course of these proceedings. The Claimant shall also be

permitted to serve by email the evidence in support of its claim upon the 15th-20th Defendants.

Service on the 8th-10th 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 Order and Power of Arrest, on the 8th-10th Defendants by the alternative methods specified at Schedule 3 to this Order.
10. Service of the amended claim documents on the 1st and 4th-14th is dispensed with.
11. Service of amended claim documents on existing defendants is dispensed with hereafter in all cases where the only amendment is the addition of a new defendant pursuant to paras 2 and 3 of Schedule 3 to this Order (i.e. enforcement proceedings against the 8th 9th or 10th Defendant).
12. The deemed date of service of this Order 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.

Interim Injunction and Power of Arrest

13. The interim Order and Power of Arrest granted by Hill J on 22 December 2022, as amended on 19 May 2023 and re-amended on 30 August 2023, 4th September 2023, 5th October 2023 and 16th October 2023 shall be discharged upon completion by the Claimant of the steps specified at paragraph 1 of Schedule 3 to this Order.

Costs

14. There shall be no order as to costs.

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

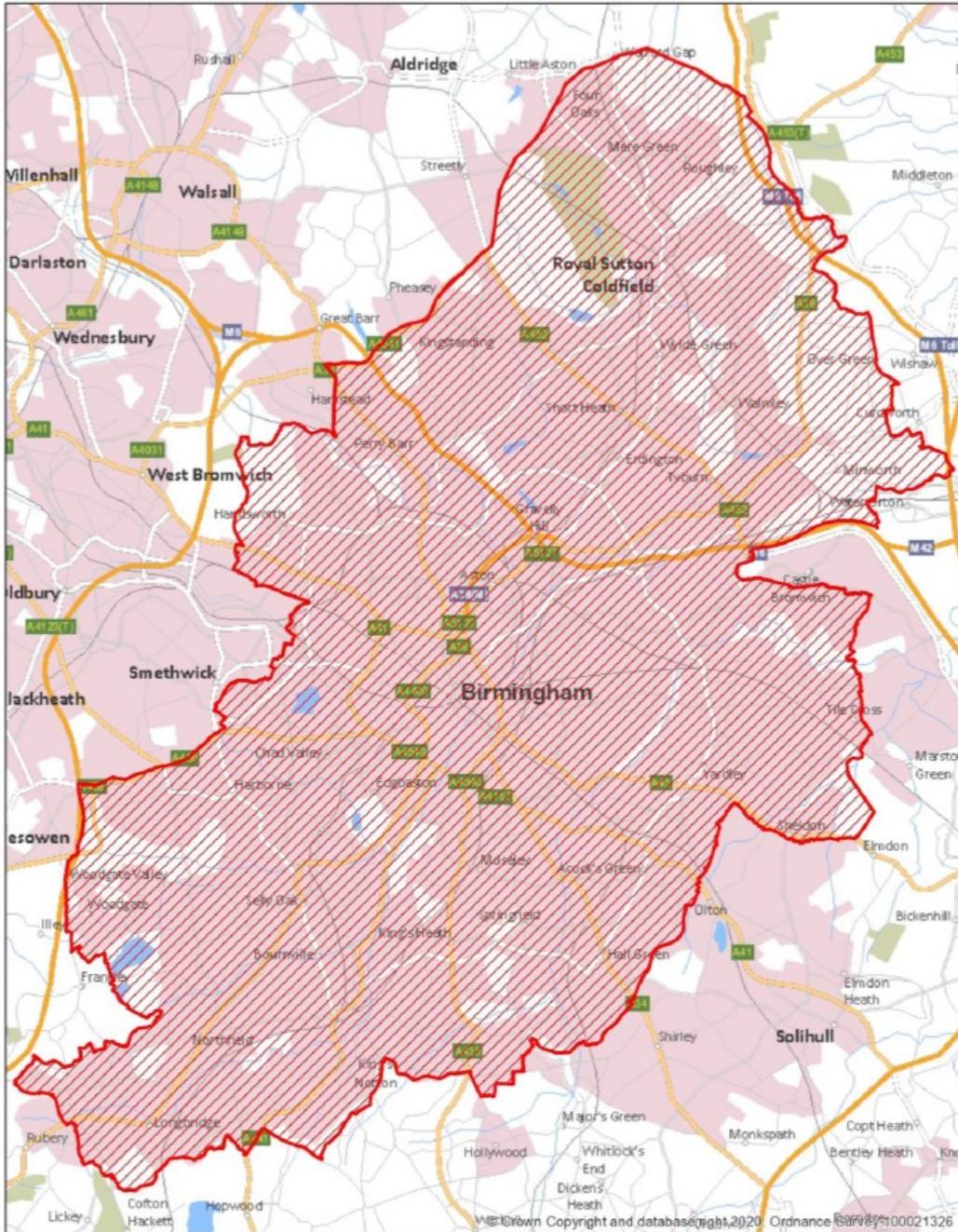
E: HousingLitigationTeam@birmingham.gov.uk

T: 0121 303 2808

DX: MDX 326401 Birmingham 87

SCHEDULE 1

Birmingham Administrative Boundary



The thick red line indicates the Birmingham administrative boundary.



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.

“Participating in a Street-Cruise”

3. A person participates in a street-cruise if he or she is

- (i) 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, or
- (ii) a spectator at a street cruise,

and the term “participating in a street-cruise” shall be interpreted accordingly.

SCHEDULE 3

1. Service of the Claimant's application and of this Order and power of arrest on the 8th, 9th and 10th Defendants shall be effected by:

(i) Issuing a media release concerning the grant of a final injunction and power of arrest, which provides:

- (a) a summary of the effect of the final injunction and power of arrest;
- (b) the date, time and location of the review hearing, if known
- (c) the addresses of the dedicated webpages maintained by the Claimant regarding street cruising;
- (d) The Claimants' contact details as set out above; and
- (e) Details of where and how copies of the final injunction, power of arrest, and the amended claim documents 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 on 5 March 2024

(ii) Placing on the Claimant's social media including X, Facebook and Instagram links to the above media release by 23:59 on 5th March 2024.

(iii) Updating the dedicated page on its website about the applications to the High Court for an injunction and power of arrest

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

This webpage shall carry a direct link to the Injunction Order, the Power of Arrest, this Order, the Claim form and the supporting documentation referred to at (1) above by 23:59 on 5 March 2024.

(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 23:59 on 5th March 2024.

(v) Ensuring that copies of this Order and Power of Arrest are available at the front desk of the Claimant's main office by 23:59 on 5th March 2024.

(vi) Using its best endeavours to post a link to its dedicated webpage on any open Instagram account listed below and to send a private message containing a link to that webpage to the account holder of any private Instagram account, requesting that the said link be posted on the said account. The accounts referred to are:

- (a) @Forza_Birmingham
- (b) @Birminghamoutlaws
- (c) @midlands.modified
- (d) @mostwanted_brum
- (e) @tracksbirmingham_
- (f) @brum_traxx
- (g) @btec.forza_birmingham
- (h) @motorheads_uk

(vii) Requesting that West Midlands Police post on their website and Instagram, X, and Facebook accounts, a link to the media release referred to at (i) above, such requests to be made by 23:59 on 5th March 2024.

(viii) Maintaining the existing road signs informing people of:

- (a) the injunction and power of arrest, and
- (b) the area in which they have effect, and
- (c) how they can find out more information about this Claim and obtain copies of the Claimant's application and supporting documents in the current locations within the Claimant's local government area

2. If the Claimant takes enforcement proceedings against any of the 8th, 9th, 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.

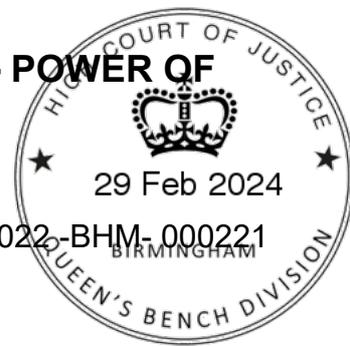
The Claimant shall not, however, be required to (although it may) serve copies of the DVD evidence relied on to obtain this Order, or to divulge to the Defendant served the names or addresses of the witnesses whose statements are served in accordance with this paragraph.

The time for serving the Claimant's claim form and supporting documents shall be extended pursuant to CPR rule 7.6 until 27 February 2027.

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

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)*

- 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.
- 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”

- “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



Neutral Citation Number: [2024] EWHC 2273 (KB)

Case Nos: KB-2022-BHM-000188
KB-2022-BHM-000221

IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION

Birmingham Civil Justice Centre
33 Bull Street
Birmingham
B4 6DS

Date: 03/09/2024

Before :

MR JUSTICE JULIAN KNOWLES

Between :

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

Claimants

- and -

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

Defendants

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

INTENTION OR EXPECTATION THAT SOME OF THOSE PRESENT WILL ENGAGE IN MOTOR RACING OR MOTOR STUNTS OR OTHER DANGEROUS OR OBSTRUCTIVE DRIVING

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

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

(5) ANTHONY PAUL GALE

(6) WIKTORIA SCZCUBLINSKA

(7) ISA IQBAL

(8) MASON PHELPS

(9) REBECCA RICHOLD

And between:

**Case: KB-
2022-BHM-
000221**

BIRMINGHAM CITY COUNCIL

Claimant

and

(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) 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

**Michael Singleton (instructed by Legal Services, Wolverhampton City Council) for
Wolverhampton City Council, Dudley Metropolitan Borough Council, Sandwell
Metropolitan Borough Council and Walsall Metropolitan Borough Council.**

The Defendants did not appear and were not represented

**Jonathan Manning and Charlotte Crocombe (instructed by Birmingham City Council) for
Birmingham City Council
D2 appeared in order to give an undertaking to the Court**

Hearing date: 27 February 2024

Approved Judgment

This judgment was handed down remotely at 10:30 on 3 September 2024 by circulation to the parties or their representatives by e-mail and by release to the National Archives.

.....

Mr Justice Julian Knowles:

Introduction

1. On 27 February 2024 I granted injunctions on the application of the Claimants (Cs) in the two cases captioned above, made pursuant to s 222, Local Government Act 1972, and s 130, Highways Act 1980 (amongst other provisions), and I made other ancillary orders, including powers of arrest under s 27(3), Police and Justice Act 2006, and an order joining the Ninth Defendant in KB-2022-BHM-000188 (the *Wolverhampton* et al case).
2. Save in one respect, none of the Defendants (Ds) appeared, and neither the Court, nor Cs, had received any notification that any other person wished to be joined as a party or to be heard. The one exception was D2, in KB-2022-BHM-000221 (the *Birmingham* case), who attended in order to give an appropriate undertaking, which I accepted.
3. I granted the injunctions to restrain what is euphemistically known as ‘car cruising’. I will say more about what this is in a moment.
4. These proceedings began in December 2022 under CPR Part 8. Hill J granted interim injunctions and powers of arrest on an urgent basis in orders sealed on 22 December 2022. Her judgment is reported at [2023] EWHC 56 (KB).
5. Freedman J continued the injunctions following a review hearing on 13 February 2023: see [2023] EWHC 722 (KB).
6. Since then, there have been further review hearings at which the injunctions have been continued and amended, as well as other hearings. There have also been committal proceedings for breaches of the injunction.
7. A substantial quantity of evidence was filed for the hearing. However, in the circumstances, it is not necessary to set out the detail of this. I read the necessary material in advance of the hearing and I heard from several of Cs’ witnesses at the hearing, who largely adopted their statements. The evidence was not disputed.
8. In short, I was wholly satisfied at the end of the hearing that it was appropriate to make the orders sought by Cs. These are my reasons.

The conduct to be restrained

9. ‘Car cruising’, or ‘street cruising’, was described by Bean LJ in *Sharif v Birmingham City Council* [2020] EWCA Civ 1488, [1], as referring to a ‘... form of anti-social behaviour which has apparently become a widespread problem in the West Midlands in particular.’ That said, other areas of the country have also been affected by similar behaviour. In [3] he said:

“Street cruising is not a statutory term. It was defined in a schedule to Judge Worster's order as follows:-

‘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 blue on the map at Schedule 1, at which any person, whether or not a driver or rider, 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) litter;
- (v) 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) 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.

‘Participating in a Street-Cruise’

3. 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 paras. 1-2

above apply, and the term "participating in a street-cruise" shall be interpreted accordingly.'

10. In her judgment in the present case at [5], Hill J described the behaviour in question thus:

"5. ... it involves ... gatherings of two or more people where some of those present engage in motor racing, motor stunts or other dangerous or obstructive driving. Street cruises also attract participants who, whether or not they are taking part in the driving or riding, support or encourage others to do so, play loud music, rev their engines, show off their own cars, and engage in other similar antisocial activities. These activities are highly dangerous, having caused serious injury and, in some cases, fatalities. The activities taking place at these cruises are frequently unlawful."

11. Paragraphs 2(2) and 2(4) of Cs' Particulars of Claim (PoC) in the *Wolverhampton et al* case (Version 5, dated 29 January 2024) define 'car cruising' and 'stunts' as follows:

"(2) 'Car Cruising' organised or impromptu events at which drivers of cars race, perform driving stunts, drive dangerously and drive in convoy. Such activities may be noisy, dangerous and illegal, obstructing highways and the premises bordering them, damaging property and putting the safety of spectators and other persons at risk.

...

(4) 'Stunts' Driving manoeuvres often undertaken as part of car cruising including:

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

(b) 'Donuts/Donutting' Causing a vehicle to rotate around a fixed point (normally the front axle) while not moving-off causing noise, smoke and tyre marks to be created.

(c) 'Drifting' Turning by placing the vehicle in a skid so that most sideways motion is due to the skid not any significant steering input.

(d) 'Undertaking' passing a vehicle on its nearside so as to overtake in circumstances not permitted by the Highway Code."

12. As I remarked at the hearing, so-called car cruising is often, in reality, organised dangerous driving. Although sometimes the gatherings in question occur impromptu, they are often organised in advance via social media and in other ways.
13. The present applications have been brought by local authorities whose areas, and whose residents, have been particularly affected by this sort of behaviour. The evidence graphically illustrates the real misery it causes in terms of noise, pollution and danger.
14. In preparing this judgment (and in preparing for the hearing) I (have) carefully considered the judgments of Hill J and Freedman J in particular. Parts of this judgment have been gratefully adapted from parts of their analysis and this judgment should therefore be read alongside these earlier judgments. As I shall explain, since the date of their judgments the law has moved on. I have therefore considered matters in light of the relevant up-to-date principles.

History and background to the present applications

15. This is fully set out in the judgment of Hill J in particular.
16. Injunctions to prevent car cruising were originally granted on Cs' application in 2014 and 2016. These ran until the early 2020s.
17. Towards the end of that period and subsequently, the law relating to injunctions against groups of unknown persons who engage in unlawful conduct began to develop. These cases sometimes, but not always, involved groups of people involved in protests.
18. The first relevant decision for present purposes was that of Nicklin J in *London Borough of Barking and Dagenham v Persons Unknown* [2021] EWHC 1201 (QB) (handed down on 12 May 2021). His decision was appealed to the Court of Appeal, which gave judgment on 13 January 2022: [2023] QB 295. The matter went to the Supreme Court, which handed down its judgment on 29 November 2023: *Wolverhampton City Council and others v London Gypsies and Travellers and others* [2024] 2 WLR 45.
19. In light of these developments, Cs rightly took the view that the legal landscape had altered considerably, and that fresh applications for injunctions would be more appropriate than attempting to amend and extend the original injunctions.
20. Cs' case as now presented is that those injunctions caused or contributed to a substantial reduction in car cruising in their areas and that the committal proceedings brought for breach of them served as a deterrent to persons contemplating engaging in car cruising. The problem however has not gone away. They therefore argue that fresh injunctions should be granted in order to maintain that broad success and that the grant of an injunction is appropriate and justified under the principles enunciated by the Supreme Court in *Wolverhampton City Council* and applied in similar comparable cases since. I will consider these principles later.

Cs' cause of action

21. Cs bring their claims for an injunction in order to enforce their statutory duties in relation to use of the highway and to prevent crime. They say that the injunction is necessary to protect the rights of the public to the lawful use and enjoyment of highways within their respective areas. The principal cause of action is public nuisance, with the constituent parts of the infringing conduct also being, in large measure, criminal in nature.

22. Paragraphs 17-20 of the PoC in the *Wolverhampton et al* case aver:

“17. By section 130, Highways Act 1980, the Claimants are under a duty to assert and protect the rights of the public to the use and enjoyment of any highway for which they are the highway authority. The injunctive relief sought in these proceedings is necessary to protect the rights of the public to the use and enjoyment of highways within the Claimants' districts.

18. By section 6 of the Crime and Disorder Act 1998, local authorities must formulate and implement, inter alia, a strategy for the reduction of crime and disorder in their areas (including anti-social and other behaviour adversely affecting the local environment), which strategy the authorities must keep under review for the purposes of monitoring its effectiveness and making any necessary or expedient changes.

19. Section 17(1) Crime and Disorder Act 1998 provides that:

“Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.”

20. The Claimants contend that taking measures to combat car cruising falls within and forms part of their statutory function (set out above) to reduce crime and disorder in their areas.”

23. Paragraphs 21-25C and 30 plead as follows:

“21. The Claimants will rely upon the witness statements filed with this Claim Form and those filed in support of the adjourned application to extend the Original Injunction.

22. In summary the Claimants aver that:

(1) Persons participating in car cruising meet on highways and areas adjacent to highways. Such areas include industrial estates and car parks.

(2) The locations for such meetings vary but are to be found throughout the Black Country.

(3) Such meetings may be publicised in advance via social media or word of mouth or may be impromptu.

(4) At such meetings some or all of the conduct set out above takes place.

(5) Such conduct affects the safety, comfort, well-being and livelihoods of inhabitants of the Black Country.

(6) Such conduct diverts the resources of the Police, Ambulance Service and hospitals away from other legitimate matters.

23. The Original Injunction was effective in reducing and inhibiting car cruising.

24. Since 2 February 2021 car cruising has again increased with more events and larger numbers of spectators at such events. The Police are receiving an increased volume of calls relating to such activities.

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

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

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

(1) Dangerous driving;

(2) Speeding;

(3) Racing;

(4) Driving without insurance

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

...

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

The position as it was before Hill J

24. I make clear, for the avoidance of doubt, that I have considered matters afresh. That said, I do not intend to repeat unnecessarily matters covered by Hill J and Freedman J.
25. The matter came before Hill J in December 2022 by way of an application for urgent relief. She summarised the position as follows.
26. The urgency was based in part upon a fatal accident on 20 November 2022, where two people who had been spectators at a car cruising event were killed when a car went out of control and into a crowd of spectators. The evidence showed that as at that date the police were anticipating an upsurge in car cruising events over the Christmas 2022 period. The previous year had seen a similar upsurge involving hundreds of vehicles, as well as other criminal behaviour such as criminal damage. The judge accepted that the evidence showed that there was ‘a very real and substantial risk of death or serious injury in the coming days due to car cruising’ (at [46]).
27. Hill J said that the evidence showed that the original injunctions had caused or contributed to a substantial reduction in car cruising in Cs’ areas, and that the committal proceedings brought for breaches had served as a deterrent to persons contemplating engaging in it.
28. She also found that the evidence showed that there had been a marked increase in car cruising since the lapse of those injunctions.

The up to date evidence before me

29. The material filed for the hearing runs to many volumes. I heard live evidence from: Pardip Nagra, Anti-Social Behaviour Team Leader of Wolverhampton Homes; Paul Brown, communications Manager in the communications at Wolverhampton City Council; and PC Mark Campbell, the subject lead for Operation Hercules, which is the West Midlands Police tactical approach to car cruising. They all adopted their witness statements as being true.
30. I am satisfied from the evidence I read and heard that the injunctions sought are necessary to restrain illegal and dangerous driving, with all its attendant consequences, both potential and real.
31. The evidence shows that whilst the situation has improved since the new injunctions were granted in December 2022, car cruising is still occurring, despite the injunctions. No-one argued to the contrary. For the reasons set out

in the evidence, and those below, I am satisfied that possible alternative remedies are likely to be impractical or ineffective.

Legal principles

The Court's general injunctive power

32. Under the Senior Courts Act 1981, s 37:

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

The test for precautionary relief, and the 'B&Q' and 'Bovis' criteria

33. These applications are - at least in part - for precautionary relief, or in the Latin, *quia timet* (although Latin is no longer to be used: *London Borough of Barking and Dagenham v Persons Unknown* [2023] QB 295, [8]), to prevent future car cruising. Cs submit that the evidence clearly shows that this will increasingly happen if not restrained.

34. The test for precautionary relief is whether there is an imminent and real risk of harm: *Ineos Upstream Ltd v Persons Unknown* [2019] 4 WLR 100, [34(1)] (Court of Appeal) and the first instance decision of Morgan J: [2017] EWHC 2945 (Ch), [88]. See also *High Speed Two (HS2) Limited v Four Categories of Persons Unknown* [2022] EWHC 2360 (QB), [99]-[101]. ‘Imminent’ in this context simply means ‘not premature’: *Hooper v Rogers* [1975] Ch 43, 49. I am satisfied that these applications are not premature.

35. As I have said, the claims are principally put on the basis that car cruising is a public nuisance, namely, a nuisance which materially affects the reasonable comfort and convenience of life of a class of His Majesty's subjects: *Attorney General v PYA Quarries Ltd* [1952] QB 169, 184.

36. Cs have various powers enabling them to bring proceedings to restrain such a nuisance. One of these powers is the Local Governments Act 1972, s 222. This provides that a local authority may bring civil proceedings in its own name where it considers it, ‘...expedient for the promotion or the protection of the interests of the inhabitants of its area.’

37. As to this power, in *Stoke-On-Trent City Council v B&Q (Retail) Ltd* [1984] 1 Ch 1, 23B, Lawton LJ observed that it is:

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

38. As I have said, much of what Cs seek to restrain amounts to criminal offences. In *City of London Corporation v Bovis Construction Ltd (No 2)* [1992] 3 All ER 697, the Court of Appeal considered an injunction granted under s 222 to tackle

nuisance caused by noise, which on the facts was also a criminal offence. Bingham LJ (as he then was) said this at p714:

“It is made plain by the highest authority that the jurisdiction to grant an injunction in support of the criminal law is exceptional and one of great delicacy to be exercised with caution (*Gouriet v Union of Post Office Workers* [1977] 3 All ER 70 at 83, 91, 99, 117, [1978] AC 435 at 481, 491, 500, 521). Where, as in the present case, Parliament has shown a clear intention that the criminal law shall be the means of enforcing compliance with a statute, the reasons for such caution are plain and were fully explained by their Lordships in *Gouriet*. The criminal law should ordinarily be pursued as the primary means of enforcement. The case law shows that the archetypal case in which this jurisdiction is exercised is one in which a criminal penalty has in practice proved hopelessly inadequate to enforce compliance ...

...

The guiding principles must I think be:

(1) that the jurisdiction is to be invoked and exercised exceptionally and with great caution ...;

(2) that there must certainly be something more than mere infringement of the criminal law before the assistance of civil proceedings can be invoked and accorded for the protection or promotion of the interests of the inhabitants of the area: see [*Stoke-on-Trent City Council v B & Q (Retail) Ltd* [1984] AC 754 at 767B, 776C], and *Wychavon District Council v Midland Enterprises (Special Events) Ltd* (1986) 86 LGR 83, 87; and

(3) that the essential foundation for the exercise of the court's discretion to grant an injunction is not that the offender is deliberately and flagrantly flouting the law but the need to draw the inference that the defendant's unlawful operations will continue unless and until effectively restrained by the law and that nothing short of an injunction will be effective to restrain them ...”

39. Cs also have a duty under the Highways Act 1982, s 130, to assert and protect the rights of the public to the use and enjoyment of the highway, which is reinforced in s 130(5) by the power to institute proceedings. In addition, they have a power under the Localism Act 2011, s 1, to do anything that individuals with full capacity generally may do in any way whatever and unlimited by the existence of any other power of the authority which to any extent overlaps with that general power.

40. Based on the evidence provided by Cs, I am satisfied not only that those who engage in car cruising are deliberately, intentionally and flagrantly flouting the law, but that they will continue to do so unless and until effectively restrained by an injunction, and that nothing short of an injunction will be effective to restrain them. I take fully on board Bingham LJ's principles. However, I am satisfied that they are met in this case.
41. This conclusion is supported by the observation of Bean LJ in *Sharif* at [42] about the 2016 *Birmingham* car cruising injunction to the effect that:
- “Judge Worster and Judge McKenna were well entitled to conclude, in the words of Bingham LJ's third criterion in *Bovis*, that car cruising in the Birmingham area would continue unless and until effectively restrained by the law, and that nothing short of an injunction would be effective to restrain them. I regard this is a classic case for the granting of an injunction.”
42. It is a feature of these applications that they seek borough-wide injunctions. This was a point considered by Hill J. Suffice to say I adopt the analysis in [56]-[57] of her judgment.
43. So far as the injunctions infringe or may infringe Ds' Convention right of freedom of assembly under Article 11(1), I am satisfied that this is a necessary and proportionate restriction on that right whose purpose is (*per* Article 11(2)): maintenance of public safety; the prevention of disorder and crime; and the protection of the rights and freedoms of others.

The 'persons unknown' aspects of Cs' applications

44. I now come to the aspect of Cs' application which has been most affected by the developments in the law since 2021 that I referred to earlier.
45. It is necessary for me to consider whether it is appropriate to grant an injunction in the terms sought against groups of unknown persons including those whose identities were not known or knowable. This requires consideration of the principles set out by the Supreme Court in the *Wolverhampton Travellers* case. These have been applied in a number of subsequent 'persons unknown' or 'newcomer' injunction cases including *Jockey Club Racecourses Ltd v Persons Unknown* [2024] EWHC 1786 (Ch); *Exolum Pipeline System Ltd and others v Persons Unknown* [2024] EWHC 1015 (KB); *Valero Energy Ltd v Persons Unknown* [2024] EWHC 134 (KB); and *Multiplex Construction Europe Ltd v Persons Unknown* [2024] EWHC 239 (KB).

Principles

46. In *Wolverhampton Travellers*, under the heading 'The problem', Lord Reed, Lord Briggs and Lord Kitchin (with whom Lord Hodge and Lord Lloyd-Jones agreed) described the context of the case as follows:

“1. This appeal concerns a number of conjoined cases in which injunctions were sought by local authorities to

prevent unauthorised encampments by Gypsies and Travellers. Since the members of a group of Gypsies or Travellers who might in future camp in a particular place cannot generally be identified in advance, few if any of the defendants to the proceedings were identifiable at the time when the injunctions were sought and granted. Instead, the defendants were described in the claim forms as ‘persons unknown’, and the injunctions similarly enjoined ‘persons unknown’. In some cases, there was no further description of the defendants in the claim form, and the court’s order contained no further information about the persons enjoined. In other cases, the defendants were described in the claim form by reference to the conduct which the claimants sought to have prohibited, and the injunctions were addressed to persons who behaved in the manner from which they were ordered to refrain.

2. In these circumstances, the appeal raises the question whether (and if so, on what basis, and subject to what safeguards) the court has the power to grant an injunction which binds persons who are not identifiable at the time when the order is granted, and who have not at that time infringed or threatened to infringe any right or duty which the claimant seeks to enforce, but may do so at a later date: ‘newcomers’, as they have been described in these proceedings.

3. Although the appeal arises in the context of unlawful encampments by Gypsies and Travellers, the issues raised have a wider significance. The availability of injunctions against newcomers has become an increasingly important issue in many contexts, including industrial picketing, environmental and other protests, breaches of confidence, breaches of intellectual property rights, and a wide variety of unlawful activities related to social media. The issue is liable to arise whenever there is a potential conflict between the maintenance of private or public rights and the future behaviour of individuals who cannot be identified in advance. Recent years have seen a marked increase in the incidence of applications for injunctions of this kind. The advent of the internet, enabling wrongdoers to violate private or public rights behind a veil of anonymity, has also made the availability of injunctions against unidentified persons an increasingly significant question. If injunctions are available only against identifiable individuals, then the anonymity of wrongdoers operating online risks conferring upon them an immunity from the operation of the law.”

47. I have taken the following summary of the effect of the *Wolverhampton Travellers* case from the judgment of Sir Anthony Mann (sitting as a judge of

the High Court) in the *Jockey Club* case which, at the time of writing, is the most recent application of *Wolverhampton I* I have been able to find. Although this judgment was given after the hearing before me, it does not state any new principles but contains a helpful up to date summary of the relevant pre-existing jurisprudence as it was at the date of that hearing.

48. The Supreme Court analysed the jurisdiction to grant injunctions against newcomers, and found that injunctions which in other contexts would be regarded as ‘final’ (as opposed to interim) were not in fact properly so regarded but were of a distinct kind. After an extensive review of authority the Court held:

“139 ... In sympathy with the Court of Appeal on this point we consider that this constant focus upon the duality of interim and final injunctions is ultimately unhelpful as an analytical tool for solving the problem of injunctions against newcomers. In our view the injunction, in its operation upon newcomers, is typically neither interim nor final, at least in substance. Rather it is, against newcomers, what is now called a without notice (ie in the old jargon *ex parte*) injunction, that is an injunction which, at the time when it is ordered, operates against a person who has not been served in due time with the application so as to be able to oppose it, who may have had no notice (even informal) of the intended application to court for the grant of it, and who may not at that stage even be a defendant served with the proceedings in which the injunction is sought. This is so regardless of whether the injunction is in form interim or final.”

49. This has consequences as to the requirements:

“142. Recognition that injunctions against newcomers are in substance always a type of without notice injunction, whether in form interim or final, is in our view the starting point in a reliable assessment of the question whether they should be made at all and, if so, by reference to what principles and subject to what safeguards. Viewed in that way they then need to be set against the established categories of injunction to see whether they fall into an existing legitimate class, or, if not, whether they display features by reference to which they may be regarded as a legitimate extension of the court's practice.”

50. The case before the Supreme Court involved Travellers, but while that context informed some of the requirements that the Court indicated should be fulfilled before a newcomer injunction is granted, most of its requirements are equally applicable to other types of cases including protest cases (of which there are now a number), and the case before me:

“167. These considerations lead us to the conclusion that, although the attempts thus far to justify them are in many respects unsatisfactory, there is no immovable obstacle in the way of granting injunctions against newcomer Travellers, on an essentially without notice basis, regardless of whether in form interim or final, either in terms of jurisdiction or principle. But this by no means leads straight to the conclusion that they ought to be granted, either generally or on the facts of any particular case. They are only likely to be justified as a novel exercise of an equitable discretionary power if:

(i) There is a compelling need, sufficiently demonstrated by the evidence, for the protection of civil rights (or, as the case may be, the enforcement of planning control, the prevention of anti-social behaviour, or such other statutory objective as may be relied upon) in the locality which is not adequately met by any other measures available to the applicant local authorities (including the making of byelaws). This is a condition which would need to be met on the particular facts about unlawful Traveller activity within the applicant local authority's boundaries.

(ii) There is procedural protection for the rights (including Convention rights) of the affected newcomers, sufficient to overcome the strong prima facie objection of subjecting them to a without notice injunction otherwise than as an emergency measure to hold the ring. This will need to include an obligation to take all reasonable steps to draw the application and any order made to the attention of all those likely to be affected by it (see paras 226-231 below); and the most generous provision for liberty (ie permission) to apply to have the injunction varied or set aside, and on terms that the grant of the injunction in the meantime does not foreclose any objection of law, practice, justice or convenience which the newcomer so applying might wish to raise.

(iii) Applicant local authorities can be seen and trusted to comply with the most stringent form of disclosure duty on making an application, so as both to research for and then present to the court everything that might have been said by the targeted newcomers against the grant of injunctive relief.

(iv) The injunctions are constrained by both territorial and temporal limitations so as to ensure, as far as practicable, that they neither outflank nor outlast the compelling circumstances relied upon.

(v) It is, on the particular facts, just and convenient that such an injunction be granted. It might well not for example be just to grant an injunction restraining Travellers from using some sites as short-term transit camps if the applicant local authority has failed to exercise its power or, as the case may be, discharge its duty to provide authorised sites for that purpose within its boundaries.”

51. Later in its judgment, the Court returned to procedural safeguards to give effect to those matters of principle, and set out the following procedural and other matters. I omit some points that are relevant to Traveller cases and which have no counterpart in this case, and adjust others by making appropriate edits:
- a. Any applicant for an injunction against newcomers must satisfy the court by detailed evidence that there is a compelling justification for the order sought. There must be a strong possibility that a tort is to be committed and that that will cause real harm. The threat must be real and imminent: see [188] and [218]. As I said earlier, ‘imminent’ in this context simply means ‘not premature’.
 - b. The applicant must show that all reasonable alternatives to an injunction have been exhausted, including negotiation: [189].
 - c. It must be demonstrated that the claimant has taken all other appropriate steps to control the wrong complained of: [189].
 - d. If byelaws are available to control the behaviour complained of then consideration must be given to them as a relevant means of control in place of an injunction. However, the Court seemed to consider that in an appropriate case it should be recognised that byelaws may not be an adequate means of control: see [216]-[217].
 - e. There is a vital duty of full disclosure on the applicant, extending to ‘full disclosure of all facts, matters and arguments of which, after reasonable research, it is aware or could with reasonable diligence ascertain and which might affect the decision of the court whether to grant, maintain or discharge the order in issue, or the terms of the order it is prepared to make or maintain. This is a continuing obligation on any local authority seeking or securing such an order, and it is one it must fulfil having regard to the one-sided nature of the application and the substance of the relief sought. Where relevant information is discovered after the making of the order the local authority may have to put the matter back before the court on a further application’: [219]. Although this is couched in terms of the local authority’s obligations, that is because that was the party seeking the injunction in that case. As Sir Anthony Mann said, the same duty plainly applies to any claimant seeking a newcomer injunction. It is a duty derived from normal without notice applications, of which a claim against newcomers is, by definition, one.

- f. The Court made it clear that the evidence must therefore err on the side of caution, and the court, not the applicant should be the judge of relevance: [220].
 - g. ‘The actual or intended respondents to the application must be identified as precisely as possible’: [221].
 - h. The injunction must spell out clearly, and in everyday terms, the full extent of the acts it prohibits, and should extend no further than the minimum necessary to achieve its proper purpose: [222].
 - i. There must be strict temporal and territorial limits: [225].
 - j. Injunctions of this kind should be reviewed periodically: [225]:

“This will give all parties an opportunity to make full and complete disclosure to the court, supported by appropriate evidence, as to how effective the order has been; whether any reasons or grounds for its discharge have emerged; whether there is any proper justification for its continuance; and whether and on what basis a further order ought to be made.”
 - k. Where possible, the claimant must take reasonable steps to draw the application to the attention of those likely to be affected: [226]
 - l. Effective notice of the order must be given, and the claimant must disclose to the court all steps intended to achieve that: [230] et seq.
 - m. The order must contain a generous liberty to apply: [232].
 - n. The court will need to consider whether a cross-undertaking in damages is appropriate, even though the application is not technically one for an interim injunction where such undertakings are generally required: [234].
52. In *Multiplex* at [11] *et seq*, Ritchie J summarised the *Wolverhampton Travellers* requirements under the following thirteen headings. This was the current case at the time of the hearing before me, and so in the following paragraphs I will set out the reasons why I granted the injunctions by reference to Ritchie J’s headings.
53. *Substantive requirements (there must be a civil cause of action)*: I explained earlier that the cause of action in these cases is public nuisance.
54. *Sufficient evidence to prove the claim*: I am satisfied that there is sufficient evidence to prove the claims as set out above. No defences to the claims have been filed. There have been proven contempts of the earlier injunction.
55. *Whether there is a realistic defence*: I do not consider that there is or can be a realistic defence to the claims (and, as I have said, none has been filed). The

behaviour which the injunction seeks to restrain is tortious and, in large measure, criminal.

56. *The balance of convenience and compelling justification*: in *Multiplex*, [15], Ritchie J said:

“It is necessary for the Court to find, in relation to a final injunction, something higher than the balance of convenience, but because I am not dealing with the final injunction, I am dealing with an interlocutory injunction against PUs, the normal test applies. Even if a higher test applied at this interlocutory stage, I would have found that there is compelling justification for granting the *ex parte* interlocutory injunction, because of the substantial risk of grave injury or death caused not only to the perpetrators of high climbing on cranes and other high buildings on the Site, but also to the workers, security staff and emergency services who have to deal with people who do that and to the public if explorers fall off the high buildings or cranes.”

57. In the case before me, not only is there a risk of grave injury and death, such has actually occurred, as I said earlier.
58. *Whether damages are an adequate remedy*: this criterion is plainly not applicable in the present case, where Cs seek to restrain conduct which has caused and is capable of causing considerable non-pecuniary harm to residents in the areas affected.
59. *Procedural requirements relating to the conduct*: these are, principally, that: (a) the persons unknown must be clearly identified by reference to the tortious conduct to be prohibited; and (b) there must be clearly defined geographical boundaries.
60. I am satisfied that these requirements have been fulfilled. While the geographical area concerned is substantial, that is no impediment to an injunction being granted of itself and, indeed, far more extensive injunctions have been granted. Like Hill J, I am satisfied that such an extensive area is necessary given that by its very nature street racing is a mobile activity that has occurred at multiple locations and can relocate easily. The geographical area is clearly outlined in the maps annexed to the injunction.
61. *The terms of the injunction must be clear*: the prohibited conduct must not be framed in technical or legal language. In other words, what is being prohibited must be clear to the reader. I am satisfied this requirement is made out. The prohibitions have been set out in clear words. The additional prohibitions that go beyond the interim order (namely those that apply to spectators and organisers) are clear, and the need for such prohibitions is considered below.
62. *The prohibitions must match the pleaded claim(s)*: I am satisfied that this requirement has been fulfilled.

63. *The geographical boundaries must be clear*: there are plans clearly indicating the area covered by the injunction. This condition is therefore satisfied.
64. *Temporal limits/duration*: the injunctions are time limited and provision is made for reviews. Furthermore, there is always the right of any person affected to come to court at any time to seek a variation or discharge of the injunction.
65. *Service of the order*: this is an especially important condition. I am satisfied that the service provisions contained in the orders (among other things) have been in the past, and will continue to be effective in the future, to bring the injunction to the attention of the public.
66. *The right to set aside or vary*: this is explicitly provided for in the injunction.
67. *Review*: as I have said, this is explicitly provided for.

Other matters requiring consideration

68. There are other matters requiring consideration, as follows.
69. *Traveller Cases*: the Supreme Court in the *Wolverhampton Travellers* case recognised that Travellers are a vulnerable group to whom particular duties are owed (see [190]-[203]). This issue does not arise in the present case.
70. *Convention rights*: this can arise in some cases involving, for example, protest and freedom of expression, but they do not arise in the present cases, save in the limited respect I have already dealt with.
71. *Adequacy of existing remedies*: this is a more substantial matter requiring consideration. Possible existing or alternative remedies are: (a) criminal law penalties; (b) Public Spaces Protection Orders; (c) local authority byelaws. I will consider each in turn.
72. *Criminal law*: Much of the conduct that the injunction seeks to restrain is criminal, for example, dangerous driving. However, the criminal law is reactive and not primarily preventative. The evidence from PC Campbell in Volume 1 in particular conclusively demonstrates that simply relying upon criminal sanctions would not be an adequate response to the problem of car cruising in Cs' areas.
73. *Public Spaces Protection Orders (PSPO)*: these are orders made under s 59 of the Anti-social Behaviour, Crime and Policing Act 2014. They were considered in *Sharif* and rejected as being ineffective. Bean LJ said at [39] that:

“39. ... the evidence in the present case was enough to indicate a PSPO might well be ineffective. Breach of a PSPO is a non-arrestable offence carrying only a financial sanction (whether by prosecution or by service of a fixed penalty notice). As one item of evidence (among many) mentioned by Mr Bird records, ‘a caller complains that the vehicles go when police arrive and simply return when the police have moved on’. There may also be potential

difficulties about what does or does not constitute a ‘public space’; how large that public space can be; and whether a PSPO can properly cover the activities of those who organise or advertise street cruises.”

74. I also accept the evidence of Mr Nagra in his seventh witness statement at [36] et seq, that PSPOs have been considered in the present cases, but the conclusion reached that they were not ‘viable, feasible or practicable’ to combat car cruising.
75. *Byelaws*: in light of concerns expressed by the Supreme Court in the *Wolverhampton Travellers* case (see [209]-[216]), the Cs examined the availability and utility of byelaws in car cruising cases. Again, I accept Mr Nagra’s evidence that they are not a realistic alternative to an injunction for the reasons he gives (seventh witness statement, [32]-[35]).
76. *Spectators etc*: the injunctions cover those who gather in order to watch or spectate at car cruising ‘events’. I am satisfied that extending the injunctions to cover these people is appropriate.
77. PC Campbell’s evidence in his fifth witness statement of 9 February 2024, and his video exhibits in particular, show the effects of large crowds on the driving of the active participants, and the danger they put themselves in. He said at [5]:

“5. Given the fact that street-cruising involves a large number of vehicles and spectators, it poses a very serious risk to public’s safety not only to the individuals who are often standing both on and off the carriageway watching in very close proximity and encouraging these activities, but also to other road users going about their business. In my experience there is never any kind of stewarding or marshalling of the spectators and again this significantly raises the threat, harm and risk factors relevant to those individuals. The dangers posed have been evidenced on numerous occasions in recent times, whereby 5 individuals have lost their lives due to dangerous driving stemming from illegal street cruising. These fatalities included spectators and drivers who were actively taking part in street cruising.”

78. At [22], [25]-[26] he said:

“22. This new Section 222 High Court Street cruising injunction application is requesting spectators to be included within the injunction. I would like to broach this issue with the court to highlight the dangers caused by the attending spectators.

...

25. I often call street cruising or street racing a spectator sport, in certain areas of the Black Country I have personally witnessed hundreds of spectators standing in very dangerous locations, they can be seen recording the footage on their phones, which later gets posted on the various social media sites. In my experience the more spectators line the streets, roundabouts or junctions the more dangerous I see the driving become. It is clear that the drivers will be encouraged to perform more stunts such as drifting around islands at greater speeds than would have been done without the crowds.

26. I cannot overstate how dangerous these meets are to spectators. Unfortunately, my concerns became a reality on 20th November 2022. On that evening a street cruising meet was gathered on Oldbury Road, Sandwell, when a street cruiser lost control of his vehicle, crashing into 5 spectators. This collision led to the loss of two young lives, individuals both of whom I personally knew from my involvement in tackling street racing. These two individuals had stood at the side of the road to spectate the racing on that stretch of road. The three other spectators received life changing injuries. Just one moment of madness led to change the lives of so many.”

79. I do not consider there is any risk that innocent bystanders would be unwittingly caught by the injunction, not least because Cs would need to prove ‘participation’, rather than mere presence, to the criminal standard in order to show a breach of the injunctions. Hence, I do not consider that a dog-walker crossing a car-park, or a pedestrian waiting to cross the road, would be at risk of breaching them. PC Campbell sets out the safeguards which the police will operate in order to ensure that only those properly *prima facie* in breach of the injunctions will be made subject to committal proceedings by the relevant local authority.
80. *Power of Arrest*: I am satisfied that a power of arrest in both cases is appropriate under s 27, Police and Justice Act 2006. I note that spectators are excluded from these.
81. *The Ninth Defendant in the Wolverhampton et al case*: for the reasons set out in C’s Skeleton Argument at [54] *et seq*, I am satisfied that it is appropriate to add her as a Defendant. On 9 January 2024 she was found to have breached the then existing injunction.

Conclusion

82. It is for these reasons that I granted the injunction and made the other orders I have mentioned.

C. Evidence of Service of the Injunction & Power of Arrest

IN THE HIGH COURT OF JUSTICE

(1) Claimant
(2) Deponent: Michelle Elizabeth Lowbridge
(3) 2nd
(4) Exhibits
(5) Sworn: 4 /04/2024
Claim No: KB-2022-BHM-000221

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
(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) 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

**AFFIDAVIT OF
MICHELLE ELIZABETH
LOWBRIDGE**

I, Michelle Elizabeth Lowbridge, of Birmingham Community Safety Team Birmingham City Council, MAKE OATH and 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 affidavit is from my own knowledge unless otherwise stated. I make this 2nd Affidavit in support of the Claimant.
2. I make this affidavit following the hearing held on Tuesday 27th February 2024 in relation to the Claimant's application for a Final High Court Injunction and the Orders made by The Honourable Mr Justice Julian Knowles dated 27th February 2024.
3. This affidavit is to confirm the steps taken to serve the Final Injunction Order, Power of arrest and if applicable amended Claim documents on the named and unnamed defendants as set out in the Final Injunction Order of Mr Justice Julian Knowles dated 27th February 2024.
4. In relation to Section 8 of the Final injunction Order the amended Claim documents, the Final Injunction Order and Power of Arrest were served on Defendants 11th-20th via email as follows: D11, D12, D14 D15, D16, D17,D18,D19,D20 were served on the 1 March 2024. D13 was served with the Final Injunction Order and Power of Arrest on the 29 February 2024 and the amended Claim documents on the 1 March 2024.
5. In relation to service on the 8th, 9th and 10th Defendants and to comply with Section 1(i) of Schedule 3 of Judge Knowle's Order I will first deal with the press release.

6. On 28th February 2024 a press release was issued by Birmingham City Council's Corporate Communications Team advising that a final Injunction and Power of Arrest had been granted at the hearing before Judge Knowles. This provided a summary of the final injunction and power of arrest, the website address of the dedicated Birmingham City Council web page which contains all of the court documents, the Claimants' details as well as where and how copies of the final Injunction, Power of Arrest and amended claim documents can be obtained. This can be seen at https://www.birmingham.gov.uk/news/article/1431/city_council_granted_full_injunction_to_ban_street_cruising
7. As cited in previous statements as a matter of course this and other press releases are made to the local publications, radio stations websites as listed at Section 1(i).
8. In relation to Section 1(ii) of the order links to this press release were circulated on Birmingham City Council's social media on 28th February 2024, specifically X, Facebook and Instagram.
9. In relation Section 1(iii) of the Order, on 1st March 2024 the Final Injunction and Power of Arrest were uploaded to the dedicated web page: <https://www.birmingham.gov.uk/streetcruiseapplication2022> This page already contains all of the other court documents, application, pleadings, witness statements and previous court Orders.
10. In relation to Section 1(iv) of the Order the home page of Birmingham City Council's web site was updated with a link to the aforementioned press release which contains the web page address on 5th March 2024.
11. With regards to Section 1(vi) of the Order on 22nd March 2024 Birmingham City Council's Social Media Officer sent a link to its dedicated web page to the accounts listed in the order. He has reported back that @Forza_Birmingham, @Brum_traxx and @btcc.forza_birmingham are all private accounts so do not allow messaging. Two accounts - @Birminghamoutlaws and @mostwanted_brum were not found. Messages were sent however to @midlands.modified, @tracksbirmingham_ and @motorheads_uk.
12. In relation to Section 1(v) copies of the Final Injunction and Power of Arrest were placed were placed at reception at the Claimant's offices at Woodcock Street Birmingham on the 4th of March 2024.
13. With regards to Section 1(vii) of the Order following the issue of the press release on 28th February 2024 Birmingham City Council's Corporate

Communications Team on that same day liaised directly with West Midlands Police's Communications Team and requested that they post a direct link on their website, Instagram , X and Facebook.

14. In relation to Section 1(viii) of the Order permanent signage continues to be used in the Birmingham Local Authority Area as previously set out and listed. This signage contains the website address <https://www.birmingham.gov.uk/streetcruiseapplication2022>
15. Birmingham City Council continue to use electronic signage throughout the Birmingham Local Authority area to try and publicise the existence of the Injunction as far and wide to those travelling through the city.
16. It should be clear as to the steps taken to comply with the court order and also publicise the existence of the Final Injunction and Power of Arrest prohibiting street cruising in Birmingham until 27th February 2027 unless varied or discharged by further Order of the Court.

SWORN by the said

M. E. Lowbridge

In the County of West Midlands)

The 4 day of April 2024)

at Birmingham Civil Justice Centre,
33 Bull Street Blenheim, B4 6DS.
in the County of West Midlands)

Before me)

E. Ceini Elizabeth Ceini

An Officer of the Court appointed by the Circuit Judge to take this Affidavit.

el

D. Evidence Concerning the Operation & Effectiveness of the Injunction
Relief Granted by the Court on 27.02.24 from 27.02.24 to present

(1) Birmingham City Council
(2) Claimant
(3) Statement of Oliver Humpidge
(4) Dated: 19th February 2025

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

Claim No: KB-2022-BHN-000221

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 & Others

Defendants

WITNESS STATEMENT OF

Oliver Humpidge

I, Oliver Humpidge, Community Safety Partnerships Manager for Birmingham City Council, WILL SAY AS FOLLOWS:

1. I am Oliver Humpidge and I am making this statement on behalf of Birmingham City Council in relation to the first yearly review of the current the Birmingham Section 222 High Court Street Cruising Injunction, which was granted on the 27th February 2024. I have worked within community Safety for Birmingham City Council for 20

years and within that time I have worked in a number of specialist roles, including Birmingham Anti Social Behaviour Unit and the current Community Safety Partnership dealing with all aspects of anti social behaviour and community safety including car cruising.

2. This review of the current Street cruising Injunction is of extreme importance to highlight the positive impact the current injunction has had on the wider community within the Birmingham local authority area, and to show the support Birmingham City Council have to the continuance of said injunction. The City Council strongly believes that the injunction is an important measure to protect the local community from the dangerous and potentially lethal effect of street cruising and will argue at the review hearing that it, together with the power of arrest should continue in their current form and on their current terms.
3. I have seen the statement of PC Mark Campbell and so far as I have knowledge of the issues he refers to, I agree with it and with his conclusions as to the effectiveness and the need to continue the injunction and power of arrest. "Operation Hercules" in conjunction with the operation of the injunction has massively reduced the amount of large scale meets taking place within the boundaries of Birmingham.
4. As PC Campbell has said, over the last 6 months of data the whole of the West Midlands area has seen a reduction of over 1100 calls to service. This is an incredible reduction across the Birmingham and Black Country, where the S. 222 High Court street cruising injunction is in place.
5. Over the past 12 months we have had 30 breaches of the S222 injunction, this in turn has had a significant positive impact on the residents living, and people working, in close proximity to the hot spots.
6. Where the Defendants have breached the injunction and this has been proven they have been given suspended sentences and or fines. The same Defendants have not been arrested again due to car cruising.
7. The police have also provided data to show a comparison of calls for service between 2023 to 2024, with a reduction of over 52% of calls received regarding street cruising/racing.
8. The current Section 222 High Court street cruising injunction was successfully obtained in February 27th 2024, the injunction came with a power of arrest. As mentioned above in paragraph 5 there have been 30 arrests made since this date and all defendants have been dealt with via the court system swiftly for breach of

the injunction. It is understood the first 5 named Defendants were also dealt with by the Criminal Courts.

9. In conclusion, I have no doubt that the obtaining of the new Birmingham Section 222 High Court street cruising injunction has had a very positive impact on organised street cruising meets. There has been over a 52% reduction in calls from the public from across the whole of the Birmingham local authority areas. This is extremely positive. Having considered a number of other tactics we have come back to the S222 injunction each time.
10. The Claimant local authority feel it is essential to continue with this injunction that has shown to be a very effective tool to tackle illegal street cruising issues in Birmingham.
11. I am willing to attend Court

Statement of Truth

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

Signed: Oliver Humpidge

Date 19/02/2025

Print name in full OLIVER HUMPIDGE

(1) Birmingham City Council
(2) Claimant
(3) Second Statement of PC Mark Campbell
(4) Date
(5) Exhibits

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

Claim No: KB-2022-BHN-000221

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 and others

Defendants

**WITNESS STATEMENT OF
MARK CAMPBELL**

I, MARK CAMPBELL, Police Constable 6018 of West Midlands Police currently stationed at Road Policing Unit headquarters, WILL SAY AS FOLLOWS:

1. I am PC 6018 Campbell and I am making this statement on behalf of the West Midlands Police in relation to the first annual review of the current the Birmingham Section 222 High Court Street Cruising Injunction ("the Street Cruising Injunction"), which was granted on the 27th February 2024. I have been a Police officer for 27 years and within that time I have worked on a number of specialist teams, including Road Policing units, response, Pro-active teams and

neighbourhood teams. I am currently West Midlands Police subject lead for Operation Hercules which is the West Midlands Police strategic and tactical response to street- cruising. I have held this position for approximately 6 years.

2. The organisation of street-cruising events is highly professional and businesslike. I comment on this aspect of the situation below in this statement. In my experience, therefore, an organised and proactive response by the authorities is essential. I have worked alongside Road Policing Units and Neighbourhood Teams within West Midlands Police to develop new tactical approaches to tackle the issues that street cruising causes and to try to make the streets of Birmingham and the Black Country safer for everyone's use. This is why, from the beginning, West Midlands Police has supported the Claimant's application for an injunction.
3. At the outset, I would like to emphasise that the Street Cruising Injunction has had an extremely positive impact on the problem of street cruising, and therefore on the community within Birmingham. West Midlands Police strongly supports its continuance.

The impact of the Injunction

4. The most striking effect of the Street Cruising Injunction has been the elimination of the largest street cruises (e.g. those attracting 200-300 participants and spectators). In addition, whilst we still encounter street cruises comprising between 30-50 people, these meets are significantly rarer.
5. It has taken time for the injunction to have this effect, the positive results of the new 2024 injunction has been heightened due to a number of reasons, the 1st being the increase of the Road Harm Prevention Team (RHPT), which has allowed greater coverage of the street racing "Hot Spots" and allowed larger more targeted operations with a larger increase in enforcement, 2nd being the ownership of Operation Hercules by Road Policing Unit. 3rd a greater buy and understanding of the issues from Senior ranks, including the Police and Crime Commissioner, Simon Foster, who has personally attended and worked alongside RHPT on an Operation Hercules evening. I have personally been able to attend local neighbourhood teams across the West Midlands force area and up skill these officers, who now help to cover areas classed as "Hot Spots" However, 2023 was somewhat of an anomaly with the Police seeing a larger amount of calls to service than in 2024, this was potentially down to the death

of one of the main street racing organisers, who passed away due to ill health. This death saw a large amount of memorial meets ongoing throughout the mid to later parts of 2023. The majority of these meets did not result in street racing, but did cause large amounts of discord from the public. During 2023, the Council and the Police publicised all the hearings that took place while the proceedings were continuing and also publicised the interim injunction itself (as it was amended by the Court in various respects on several occasions). Enforcement proceedings for breach of the interim injunction also took place during 2023 especially over the summer months and into the autumn. The final injunction was then granted in February 2024 and further publicity and enforcement proceedings ensued. I believe that it is as a result of these measures, together with the other enforcement activities undertaken by my team in the last two years which have led to the impact I have described.

6. The below table compares the number of calls to service received by West Midlands Police relating to potential car cruises in Birmingham between September – November 2023 to the same period in 2024 (when the Street Cruising Injunction was in force). It shows that there has been a reduction of 52%.

	BHAM		
	2023	2024	CHANGE
Sep	220	79	-64.09
Oct	139	64	-53.96
Nov	83	66	-20.48
TOTAL	442	209	-52.71

7. Over the last 6 months of data the whole of the West Midlands area has seen a reduction of over 1100 calls to service from members of the public relating to potential car cruises. This is an incredible reduction, which the police had been unable to achieve prior to the grant of the Street Cruising Injunction.

8. The matters set out above should not be taken to suggest that dedicated street cruisers are being rehabilitated. From discussions that I have had with my colleagues in Milton Keynes, Nottingham and Coventry it appears that the Street Cruising Injunction has, to an extent, displaced street cruisers to our neighbour regions. For example, I am aware that large numbers of street cruisers are driving to Nottingham to take part in their large-scale street cruising meets, this is also happening in Leicester and Milton Keynes. It is felt by the street cruisers that these meets are not being Policed in the same manner as in the West Midlands, due to the fact there are no specific injunctions in place. Areas of Milton Keynes and Leicester have Public space protection orders in place, but are not being Policed.

9. I have previously mentioned in earlier statements that members of Street cruising crews describe street racing as a “religion” to them and “their social life” & “I don’t smoke, do drugs or drink, this is my drug, racing” . There is a real feeling from individuals that I have spoken to that they have an entitlement to attend street cruising meets without being challenged and prosecuted by Police. This is just one of the reasons that many of the cruisers and spectators will travel to other regional areas. Previously before the successful application for the Section 222 Injunctions that attitude may have been the case, but with the large amounts of arrest made for breach of the injunction, plus the weekly enforcement of traffic legislation many attendees are preferring to drive out of Birmingham. One driver even stated that they prefer to go to West Mercia as they do not have an injunction and the Police are rarely seen. A small number of racers continue to state that there is nothing the Police can do to stop them, even after large scale enforcement. One young driver even informed me with sincerity that I would have to cut his legs off to prevent him racing other drivers. For that reason, I consider that, if the Street Cruising Injunction were to be discharged, the issue of street cruising in Birmingham would revert to exactly how it was prior to the Injunction being granted.

Policing the Injunction

10. This review of the Street Cruising Injunction is a useful opportunity for me to highlight the positive impact it has had on the wider community within the City of Birmingham with the support of West Midlands Police and the Council. I should now like to explain how we have policed the Injunction in order to achieve the results that I have referred to above.

11. The Road Harm Prevention Team is responsible for the weekly policing and enforcement of the Street Cruising Injunction; however the 24/7 Road Policing units are also tasked with targeting groups of street cruisers on weekends. This targeted approach has massively reduced the number of large scale meetings taking place within the boundaries of Birmingham.

12. Certain roads such as the A47 Heartlands/Fort Parkway and the A38 Sutton by pass, are still “hot spots” and areas of concern. These three roads have historically been the main areas where street racing/car cruising take place. These three roads are also where the majority of enforcement takes place across the West Midlands, with the largest amount of arrests coming from these roads. Target hardening is taking place, firstly on Heartlands Parkway, where collective work is being done with the Highways agency, whereby a CCTV camera has been put in place to monitor Saltley Gate Island, rumble strips/paint is being tested at this location to prevent drivers drifting around the Island and in the near future other technology will be put in place to deter speeding along this stretch of road. If this new approach proves successful it will be rolled out to other “Hot spot” locations. The City of Birmingham remains the highest attended location for street cruisers within the West Midlands, but it has also seen the largest reduction of organised street cruising. On the whole West Midlands Police are seeing a reduction of calls across the whole force area on a monthly basis. Since the grant of the final Street Cruising Injunction on the 27th February 2024, there have been 30 street cruisers arrested for breach, the vast majority of whom have been found to have breached the injunction resulting in suspended prison sentences, costs orders and large fines up to £3,630.32. It is notable that we have never arrested the same person for breach of the Street Cruising Injunction on more than one occasion, which shows the deterrent effect of the committal proceedings.

13. Alongside enforcement of the Street Cruising Injunction, the police have continued to enforce the criminal law by arresting the most serious perpetrators for dangerous or careless driving. We do this because the criminal sanctions include significant driving bans. By way of example, over the period of 01/06/24 to 01/09/24 West Midlands Police reported or arrested 10 street cruisers who were prosecuted for criminal offences for Dangerous Driving and received driving bans of up to 2 years. In other criminal proceedings, the organisers of various cruises were convicted of Conspiracy to cause a public nuisance and sentenced to terms of imprisonment of up to 4 years.

14. The decision as to whether to arrest a street cruiser for breach of the injunction, breach of the criminal law or to issue them with a fixed penalty notice (or a combination of these measures) is left to the police officers attending the incident. Our priority is always to arrest for breach of the injunction, but sometimes, the offending is so serious that the appropriate course is to prosecute where there is sufficient evidence available. In such cases, we would not always also enforce as a breach of the injunction, not because such breaches are not important but because we need to take a view as to the overall cost and proportionality of the enforcement action that we take.
15. In other cases, penalty notices may be given usually due to the resources available to police on the scene at the time. If, for example, only one police car is able to respond to a street cruising event (because, for example, other officers on duty are attending to a more serious callout) the most effective policing response may be to hand out Fixed Penalty Notices for breach of the criminal law. This is because the officers in the one police car can only arrest one driver at a time. The officers will then need to transfer the arrested person to the custody suite and complete the relevant paperwork, all of which takes several hours. This process enables the remainder of the street cruisers to continue racing in the absence of any police presence. That notwithstanding, when we are able, we have as many officers tasked with disrupting street cruising as possible, which enables us to keep a police presence on the roads whilst making multiple arrests.
16. The regular police presences in “hotspot” street cruising areas has also had an impact on deterring street cruisers from Birmingham. West Midlands Police continue to monitor the social media accounts through which street cruises are organised and have observed a trend of organisers contacting the account’s followers/subscribers to postpone a street cruise by several hours due to the police presence having been observed by them on the roads. This has even led to street cruises being cancelled/moved to locations outside Birmingham.
17. West Midlands Police have also created a number of new tactics to combat the issue of street cruising. For example, we are using new drone technology, National Police Air Support (Helicopter)(NPAS) or a fixed wing plane to locate and track vehicles from a distance, this helps in enabling Police to not engage in a pursuit, but for the Police vehicles to be located out of direct view of the

racing vehicles and then be guided to the vehicle observed, stop the driver and enforce either the injunction or Traffic legislation. Only recently a vehicle was observed by NPAS racing on Heartlands Parkway and completing multiple loops of this section of road, the vehicle was then followed by the helicopter whilst giving commentary to traffic officers to the exact location. On this occasion the driver was dealt with for the manner of his driving and is currently going through the court system. The Police have also used automated stingers, which are remote controlled, and have been particularly successful in bringing a safe conclusion to the larger gatherings of street cruisers. This tactic has been used for to target the vehicles travelling at excessive speeds, stinging all 4 tyres of the speeding vehicles. The street cruisers on seeing this tactic will normally put an end to the racing at that particular location, I am aware that the organisers are very fearful of the stinger and will direct the street racing crews to move from this location or end the night.

Spectators

18. The Street Cruising Injunction has also been invaluable in assisting West Midlands Police in tackling the issue of spectators, who are the most vulnerable to serious/fatal injury. Since the grant of the injunction, there are significantly less people congregating at the roadside to watch street cruises. Officers have attended and have tried to engage with the spectators, handing out warning leaflets and trying to educate, but the biggest issue relating to spectators is they are aware they are breaching the injunction and will just run off on seeing Police.
19. There is no power of arrest in relation to spectators and I am not suggesting that there should be a variation of the Order in that respect. It is my view that enforcement against the drivers of vehicles should generally be our priority and that effective enforcement against them deters events from taking place and keeps would-be spectators away from the roadside. Of course, in an appropriate case, we would certainly seek to obtain spectators' details and pass them to the Claimant for consideration of paper committal proceedings. So far, however, officers have not judged this to be necessary and so have not pursued spectators to obtain their details.

Organisers of Street Cruising

20. Organisers of street cruising events are professional. The main organisers within the West Midlands area are no doubt making money by using their social media accounts to organise street cruises, communicate with attendees and sell merchandise such as Sweaters/Hoodies, stickers and air-fresheners. If a social media account gets sufficient following, it can even be sold to organisers in regions, such as Essex, Paris, Yorkshire, Leicester, Nottingham, Milton Keynes and Telford for a substantial sum of money. In all of these locations there is now a Instagram street racing account called Forza_Essex, Paris, Leicester etc etc.
21. Organisers of street racing have successfully been targeted. In my statement in support of the application for the Street Cruising Injunction, I explained that Ahzi Nagmadin, Jessica Roberts and Rashani Reid were being prosecuted for causing a public nuisance by organising street racing across the streets of the West Midlands force area. Mr Nagmadin, Ms Roberts and Mr Reid all pleaded guilty and have received custodial sentences of between 3 and 4 years each. These sentences were unprecedented in the world of UK organised street cruising and have sent a clear message for the future that this activity will not go unpunished. Going forward the Op Hercules team will be expanding to allow more investigative work to be conducted around the main organisers of street cruising, which again we anticipate will lead to more prosecutions and/or committal proceedings and a further reduction of street cruising.

Conclusion

22. In conclusion, there is no doubt in my mind that the Street Cruising Injunction has had a positive impact on the large-scale organised street cruising meets. There has been over a 50% reduction in calls from the public from across the whole of the Birmingham local authority area. These results should be taken in a positive way, with the displacement of street cruising to other regions having been recorded by other force areas such as Milton Keynes, Leicester, Telford and Nottingham, all of whom have contacting Operation Hercules team for assistance in to combatting street cruising in their local areas. Police actively target the Birmingham area due to the issues of street cruising and take a robust approach to enforcing not only the injunction, but also traffic legislation. I will be looking at working closely with the local authority at obtaining average speed cameras along the A47, but in the meantime operations will be conducted with

the help of Force traffic, local neighbourhood teams, Drones and NPAS (Force helicopter) looking at street cruising and speed enforcement.

23. I have no doubt that the injunction is a vital tool in deterring street cruise organisers and participants and in allowing immediate enforcement by committal proceedings where necessary. I strongly support the continuation of the injunction and power of arrest on the current terms.

Statement of Truth

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

Signed  Date 20/2/25

Print name in full MARK CAMPBELL

DATE: 20/2/25

E. Evidence of steps taken by the Claimants to publicise & give notice of the Review Hearing 26.02.25 in compliance with an order of the court dated 08.05.24 & steps taken to serve the named Defendants

(1) Birmingham City Council
(2) Claimant
(3) Statement of Michelle Lowbridge
(4) 19th
(5) Exhibits
(6) 24/02/202

IN THE HIGH COURT OF JUSTICE Claim No: KB-2022-BHM-000221
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 & Others

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 19th 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, 11th May 2023, 18th May 2023, 23rd August 2023, 25th September 2023, 6th December 2023, 25TH January 2024, 13th February 2024, 22nd March 2024, 19th July 2024 and 2nd August 2024.

2. I make this further statement in advance of the review hearing of the Section 222 High Court Injunction Review hearing set to take place at 10.30 am on Wednesday 26th February 2025.
3. Today on Monday 24th February 2025 I arranged for a further four documents to be added to the designated web page on Birmingham City Council's Website [Birmingham application for street cruising injunction 2022 | Birmingham City Council](#) . These are the Trial Notices DJs General Hearing Date Notice, the Notice of Review Hearing, signed Witness Statement of Oliver Humpidge and further signed witness statement of PC Mark Campbell.
4. The date of the review hearing has been publicised on Birmingham City Council's website for many months and can be viewed here at [Birmingham street cruising injunction | Birmingham City Council](#). This specific page was last updated on 18th July 2024 so the details of the hearing have been there since that time.
5. Today Monday 24th February 2025 various posts were placed on Birmingham City Council's website alerting those reading them to the review hearing and also where updated court documents could be viewed.
6. On Birmingham City Council's Instagram account a story was placed about this and this can be viewed at [:https://www.instagram.com/stories/bhamcitycouncil/3575101615464592982/?utm_source=ig_story_item_share&igsh=NTc4MTlwNjQ2YQ%3D%3D](https://www.instagram.com/stories/bhamcitycouncil/3575101615464592982/?utm_source=ig_story_item_share&igsh=NTc4MTlwNjQ2YQ%3D%3D)
7. A post was placed on Birmingham City Council's X account and this can be viewed at <https://x.com/BhamCityCouncil/status/1894021203334963234>
8. A post was also placed on Birmingham City Council's Facebook account and this can be viewed at <https://www.facebook.com/birminghamcitycouncil/posts/pfbid0PvAgfwB>

[q5EnjiFK85d5ofL4jJofYw5XLTt2KsgLkCjF45zJVkPfbpMtHmRsUST8yl#](#)

9. In a further effort to publicise the upcoming review hearing as widely as possible also on Monday 24th February 2025 the four documents , the Trial Notices DJs General Hearing Date Notice, the Notice of Review Hearing, signed Witness Statement of Oliver Humpidge and further signed witness statement of PC Mark Campbell were also attached to the Birmingham Community Partnership Web Page which can be viewed at <https://www.birmingham-community-safety-partnership.co.uk/news/bcc-v-nagmadin-notice-of-review-hearing-26th-of-february-2025/>
10. A post was also sent out today from the Birmingham Community Safety X account to publicise the hearing and direct people viewing it to the updated court documents , this can be viewed at : <https://x.com/bhamcomsafety/status/1893986814362345972>
11. The date of the review hearing has been publicised on Birmingham City Council's website for many months and can be viewed here at [Birmingham street cruising injunction | Birmingham City Council](#). This specific page was last updated on 18th July 2024 so the details of the hearing have been there since that time.
12. I trust that this demonstrates the steps taken to publicise the details of the upcoming review hearing and also where copies of the updated court documents , including Notice of Hearing and further witness statements can be viewed on Birmingham City Council's website.

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

M. E. Lewbridge

Birmingham City Council

Dated this 24 February 2025

(1) Birmingham City Council
(2) Claimant
(3) Statement of Hamida Begum
(4) Dated: 24th February 2025

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

CLAIM NUMBER: KB-2022-BHM-000221

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.

BETWEEN:

(1) BIRMINGHAM CITY COUNCIL

Claimant

-AND-

(2) AHZI NAGMADIN & OTHERS

Defendant(s)

WITNESS STATEMENT
OF Hamida Begum

I, Hamida Begum, Paralegal for Birmingham City Council, will say as follows:

1. I am Hamida Begum, paralegal at Birmingham City Council, Legal and Governance Department and I am making this statement on behalf of Birmingham City Council in relation to the current Birmingham Section 222 High Court Street Cruising Injunction.
2. This statement is made in support of the proving that letters were sent out to each defendant on the 17th February 2025 and 21st February 2025 and 24th February 2025 via Press to Post.
3. On 17th February 2025 and 21 February 2025, I personally arranged for letters to be sent via Press to Post to each Defendant and to their respective addresses. The letters of the 17 February 2025 were to inform them of the Review Hearing date listed for 26 February 2025 at 10.30am as we had not received the sealed Notice of Hearing from the Court. The letter of 20^{1st} February was sent to serve the statements of Oliver Humpidge and PC Campbell and the

letter of 24th February 2025 was sending the Defendants the sealed Notice of Hearing received from the High Court on 21 February 2025.

4. A letter was also sent on 20th February to Mr Aakaash Changaz, who is currently waiting for his Committal Hearing on 5 March 2025 to inform him of the Review Hearing of 26 February 2025 and serve him with the statement of Oliver Humpidge and PC Mark Campbell.
5. The letters were sent via Birmingham City Council Digital mail solution which enables Birmingham City Council to send mail directly to Dollman Street to print and send correspondence on our behalf.
6. The letters were sent out to all the Defendants save for Mr Azhi Nagmadin and Rashani Reid as I understand that they are currently in prison. Jessica Roberts was also not sent any letters as she accepted an Undertaking.
7. I make this statement truthfully and in accordance with the Civil Procedure Rules Part 32.

STATEMENT OF TRUTH

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

Signed: H begum

Date: 24/02/2025

Print name in full: Hamida Begum

(1) Birmingham City Council
(2) Claimant
(2) Statement of Suraj Nahar
Dated: 24 February 2025

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

CLAIM NUMBER: KB-2022-BHM-000221

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.

BETWEEN:

(1) BIRMINGHAM CITY COUNCIL

Claimant

-AND-

(2) AHZI NAGMADIN & OTHERS

Defendant(s)

WITNESS STATEMENT
OF Suraj Nahar

I, Suraj Nahar, Paralegal for Birmingham City Council, will say as follows:

1. I am Suraj Nahar and I am making this statement on behalf of Birmingham City Council in relation to the current Birmingham Section 222 High Court Street Cruising Injunction.
2. This statement is made to confirm service of an unsealed Notice of Review Hearing on 26 February 2025 and Witness Statements of Oliver Humpidge and PC Mark Campbell were sent out to Azhi Nagmadin and Rashani Reid on the 20th February 2025 via email to Morton Hall and Featherstone as a way of service.
3. On 20th February 2025, I personally arranged for letters to be sent via email to Featherstone HMP to serve Azhi Nagmadin and to Morton Hall HMP to serve Rashani Reid and we received confirmation that they had been served.

4. On 21 February 2025, the High Court sent a sealed Notice of Hearing to the Claimant which was also sent to HMP Morton Hall and Featherstone HMP to serve on the Defendants Azhi Nagmadin and Rashani Reid.
5. To the best of my knowledge and belief, the letters were duly served, and no issues were reported regarding the process.
6. I make this statement truthfully and in accordance with the Civil Procedure Rules Part 32.

STATEMENT OF TRUTH

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

Signed: 

Date: 24 February 2025

Print name in full: Mr Suraj Nahar

F. Judgments & Committal Orders

Order on determination of proceedings for contempt of court

(issued under rule 81.9(1) of the Civil Procedure Rules)



KB-2022-BHM-000221

Name of court

KBD, Birmingham District Registry

Claim no.

KB-2022-BHM-000221

Claimant's name (including ref.)

BIRMINGHAM CITY COUNCIL

Defendant's name (including ref.)

MOHAMMED DAANYAAL

After hearing counsel for the claimant and for the defendant

And after

- considering an application by the claimant for an order determining contempt proceedings
- considering a summons issued rule under 81.6(3) of the Civil Procedure Rules
- reading the evidence filed by the parties and hearing oral evidence at the hearing of the application or summons

Note – In this order, 'claimant' means the person making the contempt application and 'defendant' means the person against whom the application was made.

The court being satisfied beyond reasonable doubt that the defendant is guilty of contempt of court

- in the manner stated in the court's judgment
- by breaching an order of the court made on

Day

22

Month

12

Year

2022

by breaching an undertaking given to the court on

Day

Month

Year

not to (state breach of undertaking etc.)

AND the matters required by Civil Procedure Rule 81.4(2) having been included in the

application

summons

It is ordered that:

1. The defendant be committed to prison for a period of

Days	Weeks	Months	Years
<input type="text" value="28"/>	<input type="text" value="0"/>	<input type="text" value="0"/>	<input type="text" value="0"/>

2. The committal of the defendant to prison under paragraph 1 above shall be suspended on the following terms - set out terms below

The Defendant's term of imprisonment is suspended for 12 months on the condition that he comply with Version 5 of the interim injunction granted by the Honourable Mrs Justice Hill on 22 December 2022 as amended by the Honourable Mr Justice Ritchie on 19 May 2023 and as further amended by the order of Her Honour Judge Kelly on 23 October 2023, or any subsequent amended or final injunction granted in this case.

3. The defendant shall pay to HM Paymaster General a fine of

£ within days

4. The relevant commissioners authorised for the purpose by the claimant and to be approved by the court shall be authorised at the request of the claimant to confiscate, seize and sequester the following real and personal property of the defendant

until they clear

their contempt **or**

until further order

5. The defendant shall pay the claimant's costs
 on the indemnity basis
 summarily assessed in the sum of
£
 to be subject to detailed assessment, if not agreed.
6. The defendant may apply under rule 81.10 of the Civil Procedure Rules 1998 to discharge this order.
7. The defendant has the right to appeal.
8. The court before which any appeal must be brought is
9. The Appellant's Notice must be filed at the appeal court by 4pm on
Day Month Year
10. A transcript of the judgment given at this hearing will be published on the website of the judiciary of England and Wales.

Dated

Day Month Year

Order on determination of proceedings for contempt of court

(issued under rule 81.9(1) of the Civil Procedure Rules)



KB-2022-BHM-000221

Name of court

KBD, Birmingham District Registry

Claim no.

KB-2022-BHM-000221

Claimant's name (including ref.)

BIRMINGHAM CITY COUNCIL

Defendant's name (including ref.)

BRADLEY HAYES

After hearing counsel for the claimant and for the defendant

And after

- considering an application by the claimant for an order determining contempt proceedings
- considering a summons issued rule under 81.6(3) of the Civil Procedure Rules
- reading the evidence filed by the parties and hearing oral evidence at the hearing of the application or summons

Note – In this order, 'claimant' means the person making the contempt application and 'defendant' means the person against whom the application was made.

The court being satisfied beyond reasonable doubt that the defendant is guilty of contempt of court

- in the manner stated in the court's judgment
- by breaching an order of the court made on

Day

22

Month

12

Year

2022

by breaching an undertaking given to the court on

Day

Month

Year

not to (state breach of undertaking etc.)

AND the matters required by Civil Procedure Rule 81.4(2) having been included in the

application

summons

It is ordered that:

1. The defendant be committed to prison for a period of

Days	Weeks	Months	Years
<input type="text" value="23"/>	<input type="text" value="0"/>	<input type="text" value="0"/>	<input type="text" value="0"/>

2. The committal of the defendant to prison under paragraph 1 above shall be suspended on the following terms - set out terms below

The Defendant's term of imprisonment is suspended for 12 months on the condition that he comply with Version 5 of the interim injunction granted by the Honourable Mrs Justice Hill on 22 December 2022 as amended by the Honourable Mr Justice Ritchie on 19 May 2023 and as further amended by the order of Her Honour Judge Kelly on 23 October 2023, or any subsequent amended or final injunction granted in this case.

3. The defendant shall pay to HM Paymaster General a fine of

£ within days

4. The relevant commissioners authorised for the purpose by the claimant and to be approved by the court shall be authorised at the request of the claimant to confiscate, seize and sequester the following real and personal property of the defendant

until they clear

their contempt **or**

until further order

5. The defendant shall pay the claimant's costs
 on the indemnity basis
 summarily assessed in the sum of
£
 to be subject to detailed assessment, if not agreed.
6. The defendant may apply under rule 81.10 of the Civil Procedure Rules 1998 to discharge this order.
7. The defendant has the right to appeal.
8. The court before which any appeal must be brought is
9. The Appellant's Notice must be filed at the appeal court by 4pm on
Day Month Year
10. A transcript of the judgment given at this hearing will be published on the website of the judiciary of England and Wales.

Dated

Day Month Year

Order on determination of proceedings for contempt of court

(issued under rule 81.9(1) of the Civil Procedure Rules)

Name of court

Claim no.

Claimant's name (including ref.)

Defendant's name (including ref.)

After hearing counsel for the claimant and for the defendant

And after

- considering an application by the claimant for an order determining contempt proceedings
- considering a summons issued rule under 81.6(3) of the Civil Procedure Rules
- reading the evidence filed by the parties and hearing oral evidence at the hearing of the application or summons

Note – In this order, 'claimant' means the person making the contempt application and 'defendant' means the person against whom the application was made.

The court being satisfied beyond reasonable doubt that the defendant is guilty of contempt of court

- in the manner stated in the court's judgment
- by breaching an order of the court made on

Day

Month

Year

by breaching an undertaking given to the court on

Day

Month

Year

not to (state breach of undertaking etc.)

AND the matters required by Civil Procedure Rule 81.4(2) having been included in the

application

summons

It is ordered that:

1. The defendant be committed to prison for a period of

Days

Weeks

Months

Years

2. The committal of the defendant to prison under paragraph 1 above shall be suspended on the following terms - set out terms below

3. The defendant shall pay to HM Paymaster General a fine of

£ **within** **days**

4. The relevant commissioners authorised for the purpose by the claimant and to be approved by the court shall be authorised at the request of the claimant to confiscate, seize and sequester the following real and personal property of the defendant

until they clear

their contempt **or**

until further order

5. The defendant shall pay the claimant's costs
 on the indemnity basis
 summarily assessed in the sum of
£
 to be subject to detailed assessment, if not agreed.
6. The defendant may apply under rule 81.10 of the Civil Procedure Rules 1998 to discharge this order.
7. The defendant has the right to appeal.
8. The court before which any appeal must be brought is
9. The Appellant's Notice must be filed at the appeal court by 4pm on
Day Month Year
10. A transcript of the judgment given at this hearing will be published on the website of the judiciary of England and Wales.

Dated

Day Month Year

Order on determination of proceedings for contempt of court

(issued under rule 81.9(1) of the Civil Procedure Rules)



KB-2022-BHM-000221

Name of court

HIGH COURT OF JUSTICE

Claim no.

KB-2022-BHM-000221

Claimant's name (including ref.)

BIRMINGHAM CITY COUNCIL

Defendant's name (including ref.)

ZOE LLOYD

After hearing counsel for the claimant and for the defendant

And after

- considering an application by the claimant for an order determining contempt proceedings
- considering a summons issued rule under 81.6(3) of the Civil Procedure Rules
- reading the evidence filed by the parties and hearing oral evidence at the hearing of the application or summons

Note – In this order, 'claimant' means the person making the contempt application and 'defendant' means the person against whom the application was made.

The court being satisfied beyond reasonable doubt that the defendant is guilty of contempt of court

- in the manner stated in the court's judgment
- by breaching an order of the court made on

Day	Month	Year
22	12	2022

by breaching an undertaking given to the court on

Day

Month

Year

not to (state breach of undertaking etc.)

participate in a street cruise as defined by Schedule 2 to the Interim Injunction granted by Hill J on 22 December 2022 as amended by Order of Ritchie J dated 19 May 2023.

AND the matters required by Civil Procedure Rule 81.4(2) having been included in the

application

summons

It is ordered that:

1. The defendant be committed to prison for a period of

Days	Weeks	Months	Years
<input type="text" value="14"/>	<input type="text" value="0"/>	<input type="text" value="0"/>	<input type="text" value="0"/>

2. The committal of the defendant to prison under paragraph 1 above shall be suspended on the following terms - set out terms below

The Defendant must until 4th September 2024 comply with the Injunction granted by Hill J on 22 December 2022 as amended by Ritchie J on 19th May 2023 and as may subsequently be amended in the future from time to time.

3. The defendant shall pay to HM Paymaster General a fine of

£ within days

4. The relevant commissioners authorised for the purpose by the claimant and to be approved by the court shall be authorised at the request of the claimant to confiscate, seize and sequester the following real and personal property of the defendant

until they clear

- their contempt **or**
 until further order

5. The defendant shall pay the claimant's costs
 on the indemnity basis
 summarily assessed in the sum of
£
 to be subject to detailed assessment, if not agreed.
6. The defendant may apply under rule 81.10 of the Civil Procedure Rules 1998 to discharge this order.
7. The defendant has the right to appeal.
8. The court before which any appeal must be brought is
9. The Appellant's Notice must be filed at the appeal court by 4pm on
Day Month Year
10. A transcript of the judgment given at this hearing will be published on the website of the judiciary of England and Wales.

Dated

Day Month Year

Order on determination of proceedings for contempt of court

(issued under rule 81.9(1) of the Civil Procedure Rules)



KB-2022-BHM-000221

Name of court

High Court of Justice, Kings Bench Division

Claim no.

KB-2022-BHM-000221

Claimant's name (including ref.)

Birmingham City Council

Defendant's name (including ref.)

Callum Blunderfield

After hearing counsel for the claimant and for the defendant

And after

- considering an application by the claimant for an order determining contempt proceedings
- considering a summons issued rule under 81.6(3) of the Civil Procedure Rules
- reading the evidence filed by the parties and hearing oral evidence at the hearing of the application or summons

Note – In this order, 'claimant' means the person making the contempt application and 'defendant' means the person against whom the application was made.

The court being satisfied beyond reasonable doubt that the defendant is guilty of contempt of court

- in the manner stated in the court's judgment
- by breaching an order of the court made on

Day

22

Month

12

Year

2022

by breaching an undertaking given to the court on

Day

Month

Year

not to (state breach of undertaking etc.)

AND the matters required by Civil Procedure Rule 81.4(2) having been included in the

application

summons

It is ordered that:

1. The defendant be committed to prison for a period of

Days

Weeks

Months

Years

46

2. The committal of the defendant to prison under paragraph 1 above shall be suspended on the following terms - set out terms below

The Defendant's term of imprisonment is suspended for 12 months on the condition that he comply with the interim injunction granted by the Honourable Mrs Justice Hill on 22 December 2022 as amended by the Honourable Mr Justice Ritchie on 19 May 2023, or any subsequent amended or final injunction granted in this case.

3. The defendant shall pay to HM Courts & Tribunals Service a fine of

£ within days

4. The relevant commissioners authorised for the purpose by the claimant and to be approved by the court shall be authorised at the request of the claimant to confiscate, seize and sequester the following real and personal property of the defendant

until they clear

their contempt **or**

until further order

5. The defendant shall pay the claimant's costs
 on the indemnity basis
 summarily assessed in the sum of
£
 to be subject to detailed assessment, if not agreed.
6. The defendant may apply under rule 81.10 of the Civil Procedure Rules 1998 to discharge this order.
7. The defendant has the right to appeal.
8. The court before which any appeal must be brought is
Court of Appeal (Civil Division)
9. The Appellant's Notice must be filed at the appeal court by 4pm on
Day Month Year
10. A transcript of the judgment given at this hearing will be published on the website of the judiciary of England and Wales.

Dated

Day Month Year

Order on determination of proceedings for contempt of court

(issued under rule 81.9(1) of the Civil Procedure Rules)



KB-2022-BHM-000221

Name of court

High Court of Justice, Kings Bench Division

Claim no.

KB-2022-BHM-000221

Claimant's name (including ref.)

Birmingham City Council

Defendant's name (including ref.)

Gurinder Singh Sahota

After hearing counsel for the claimant and for the defendant

And after

- considering an application by the claimant for an order determining contempt proceedings
- considering a summons issued rule under 81.6(3) of the Civil Procedure Rules
- reading the evidence filed by the parties and hearing oral evidence at the hearing of the application or summons

Note – In this order, 'claimant' means the person making the contempt application and 'defendant' means the person against whom the application was made.

The court being satisfied beyond reasonable doubt that the defendant is guilty of contempt of court

- in the manner stated in the court's judgment
- by breaching an order of the court made on

Day

22

Month

12

Year

2022

by breaching an undertaking given to the court on

Day

Month

Year

not to (state breach of undertaking etc.)

AND the matters required by Civil Procedure Rule 81.4(2) having been included in the

application

summons

It is ordered that:

1. The defendant be committed to prison for a period of

Days

Weeks

Months

Years

28

2. The committal of the defendant to prison under paragraph 1 above shall be suspended on the following terms - set out terms below

The Defendant's term of imprisonment is suspended for 12 months on the condition that he comply with Version 5 of the interim injunction granted by the Honourable Mrs Justice Hill on 22 December 2022 as amended by the Honourable Mr Justice Ritchie on 19 May 2023, or any subsequent amended or final injunction granted in this case.

3. The defendant shall pay to HM Courts & Tribunals Service a fine of

£ within days

4. The relevant commissioners authorised for the purpose by the claimant and to be approved by the court shall be authorised at the request of the claimant to confiscate, seize and sequester the following real and personal property of the defendant

until they clear

their contempt **or**

until further order

5. The defendant shall pay the claimant's costs
 on the indemnity basis
 summarily assessed in the sum of
£ 1700 within 28 days
 to be subject to detailed assessment, if not agreed.
6. The defendant may apply under rule 81.10 of the Civil Procedure Rules 1998 to discharge this order.
7. The defendant has the right to appeal.
8. The court before which any appeal must be brought is
Court of Appeal (Civil Division)
9. The Appellant's Notice must be filed at the appeal court by 4pm on
Day Month Year
6 11 2023
10. A transcript of the judgment given at this hearing will be published on the website of the judiciary of England and Wales.

Dated

Day Month Year
16 10 2023

Order on determination of proceedings for contempt of court

(issued under rule 81.9(1) of the Civil Procedure Rules)



KB-2022-BHM-000221

Name of court

High Court of Justice, Kings Bench Division

Claim no.

KB-2022-BHM-000221

Claimant's name (including ref.)

Birmingham City Council

Defendant's name (including ref.)

Connor Adam Hill

After hearing counsel for the claimant and for the defendant

And after

- considering an application by the claimant for an order determining contempt proceedings
- considering a summons issued rule under 81.6(3) of the Civil Procedure Rules
- reading the evidence filed by the parties and hearing oral evidence at the hearing of the application or summons

Note – In this order, 'claimant' means the person making the contempt application and 'defendant' means the person against whom the application was made.

The court being satisfied beyond reasonable doubt that the defendant is guilty of contempt of court

- in the manner stated in the court's judgment
- by breaching an order of the court made on

Day

22

Month

12

Year

2022

by breaching an undertaking given to the court on

Day

Month

Year

not to (state breach of undertaking etc.)

AND the matters required by Civil Procedure Rule 81.4(2) having been included in the

application

summons

It is ordered that:

1. The defendant be committed to prison for a period of

Days	Weeks	Months	Years
<input type="text" value="23"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

2. The committal of the defendant to prison under paragraph 1 above shall be suspended on the following terms - set out terms below

The Defendant's term of imprisonment is suspended for 12 months on the condition that he comply with Version 5 of the interim injunction granted by the Honourable Mrs Justice Hill on 22 December 2022 as amended by the Honourable Mr Justice Ritchie on 19 May 2023 and as further amended and extended by the order of Her Honour Judge Kelly on 23 October 2023, or any subsequent amended or final injunction granted in this case.

3. The defendant shall pay to HM Courts & Tribunals Service a fine of

£ within days

4. The relevant commissioners authorised for the purpose by the claimant and to be approved by the court shall be authorised at the request of the claimant to confiscate, seize and sequester the following real and personal property of the defendant

until they clear

their contempt **or**

until further order

5. The defendant shall pay the claimant's costs
 on the indemnity basis
 summarily assessed in the sum of
£ 830.00
 to be subject to detailed assessment, if not agreed.
6. The defendant may apply under rule 81.10 of the Civil Procedure Rules 1998 to discharge this order.
7. The defendant has the right to appeal.
8. The court before which any appeal must be brought is
Court of Appeal (Civil Division)
9. The Appellant's Notice must be filed at the appeal court by 4pm on
Day Month Year
10. A transcript of the judgment given at this hearing will be published on the website of the judiciary of England and Wales.

Dated

Day Month Year

Order on determination of proceedings for contempt of court

(issued under rule 81.9(1) of the Civil Procedure Rules)



KB-2022-BHM-000221

Name of court

High Court of Justice, Kings Bench Division

Claim no.

KB-2022-BHM-000221

Claimant's name (including ref.)

Birmingham City Council

Defendant's name (including ref.)

Asim Rahman

After hearing counsel for the claimant and for the defendant

And after

- considering an application by the claimant for an order determining contempt proceedings
- considering a summons issued rule under 81.6(3) of the Civil Procedure Rules
- reading the evidence filed by the parties and hearing oral evidence at the hearing of the application or summons

Note – In this order, 'claimant' means the person making the contempt application and 'defendant' means the person against whom the application was made.

The court being satisfied beyond reasonable doubt that the defendant is guilty of contempt of court

- in the manner stated in the court's judgment
- by breaching an order of the court made on

Day

22

Month

12

Year

2022

by breaching an undertaking given to the court on

Day

Month

Year

not to (state breach of undertaking etc.)

AND the matters required by Civil Procedure Rule 81.4(2) having been included in the

application

summons

It is ordered that:

1. The defendant be committed to prison for a period of

Days

Weeks

Months

Years

23

2. The committal of the defendant to prison under paragraph 1 above shall be suspended on the following terms - set out terms below

The Defendant's term of imprisonment is suspended for 12 months on the condition that he comply with Version 5 of the interim injunction granted by the Honourable Mrs Justice Hill on 22 December 2022 as amended by the Honourable Mr Justice Ritchie on 19 May 2023 and as further amended and extended by the order of Her Honour Judge Kelly on 23 October 2023, or any subsequent amended or final injunction granted in this case.

3. The defendant shall pay to HM Courts & Tribunals Service a fine of

£ within days

4. The relevant commissioners authorised for the purpose by the claimant and to be approved by the court shall be authorised at the request of the claimant to confiscate, seize and sequester the following real and personal property of the defendant

until they clear

their contempt **or**

until further order

5. The defendant shall pay the claimant's costs
 on the indemnity basis
 summarily assessed in the sum of
£
 to be subject to detailed assessment, if not agreed.
6. The defendant may apply under rule 81.10 of the Civil Procedure Rules 1998 to discharge this order.
7. The defendant has the right to appeal.
8. The court before which any appeal must be brought is
Court of Appeal (Civil Division)
9. The Appellant's Notice must be filed at the appeal court by 4pm on
Day Month Year
10. A transcript of the judgment given at this hearing will be published on the website of the judiciary of England and Wales.

Dated

Day Month Year

Order on determination of proceedings for contempt of court

(issued under rule 81.9(1) of the Civil Procedure Rules)



KB-2022-BHM-000221

Name of court

High Court of Justice, Kings Bench Division

Claim no.

KB-2022-BHM-000221

Claimant's name (including ref.)

Birmingham City Council

Defendant's name (including ref.)

Aman Kayani

After hearing counsel for the claimant and for the defendant

And after

- considering an application by the claimant for an order determining contempt proceedings
- considering a summons issued rule under 81.6(3) of the Civil Procedure Rules
- reading the evidence filed by the parties and hearing oral evidence at the hearing of the application or summons

Note – In this order, 'claimant' means the person making the contempt application and 'defendant' means the person against whom the application was made.

The court being satisfied beyond reasonable doubt that the defendant is guilty of contempt of court

- in the manner stated in the court's judgment
- by breaching an order of the court made on

Day

22

Month

12

Year

2022

by breaching an undertaking given to the court on

Day

Month

Year

not to (state breach of undertaking etc.)

AND the matters required by Civil Procedure Rule 81.4(2) having been included in the

application

summons

It is ordered that:

1. The defendant be committed to prison for a period of

Days

Weeks

Months

Years

23

2. The committal of the defendant to prison under paragraph 1 above shall be suspended on the following terms - set out terms below

The Defendant's term of imprisonment is suspended for 12 months on the condition that he comply with Version 5 of the interim injunction granted by the Honourable Mrs Justice Hill on 22 December 2022 as amended by the Honourable Mr Justice Ritchie on 19 May 2023 and as further amended and extended by the order of Her Honour Judge Kelly on 23 October 2023, or any subsequent amended or final injunction granted in this case.

3. The defendant shall pay to HM Courts & Tribunals Service a fine of

£

within

days

4. The relevant commissioners authorised for the purpose by the claimant and to be approved by the court shall be authorised at the request of the claimant to confiscate, seize and sequester the following real and personal property of the defendant

until they clear

their contempt **or**

until further order

5. The defendant shall pay the claimant's costs
 on the indemnity basis
 summarily assessed in the sum of
£
 to be subject to detailed assessment, if not agreed.
6. The defendant may apply under rule 81.10 of the Civil Procedure Rules 1998 to discharge this order.
7. The defendant has the right to appeal.
8. The court before which any appeal must be brought is
Court of Appeal (Civil Division)
9. The Appellant's Notice must be filed at the appeal court by 4pm on
Day Month Year
10. A transcript of the judgment given at this hearing will be published on the website of the judiciary of England and Wales.

Dated

Day Month Year

Order on determination of proceedings for contempt of court

(issued under rule 81.9(1) of the Civil Procedure Rules)



KB-2022-BHM-000221

Name of court

Birmingham District Registry

Claim no.

KB-2022-BHM-000221

Claimant's name (including ref.)

BIRMINGHAM CITY COUNCIL

Defendant's name (including ref.)

MOHAMMED ADHNAM

After hearing counsel for the claimant and for the defendant

And after

- considering an application by the claimant for an order determining contempt proceedings
- considering a summons issued rule under 81.6(3) of the Civil Procedure Rules
- reading the evidence filed by the parties and hearing oral evidence at the hearing of the application or summons

Note – In this order, 'claimant' means the person making the contempt application and 'defendant' means the person against whom the application was made.

The court being satisfied beyond reasonable doubt that the defendant is guilty of contempt of court

- in the manner stated in the court's judgment
- by breaching an order of the court made on

Day

22

Month

12

Year

2022

by breaching an undertaking given to the court on

Day

Month

Year

not to (state breach of undertaking etc.)

AND the matters required by Civil Procedure Rule 81.4(2) having been included in the

application

summons

It is ordered that:

1. The defendant be committed to prison for a period of

Days	Weeks	Months	Years
<input type="text" value="22"/>	<input type="text" value="0"/>	<input type="text" value="0"/>	<input type="text" value="0"/>

2. The committal of the defendant to prison under paragraph 1 above shall be suspended on the following terms - set out terms below

The Defendant's term of imprisonment is suspended for 12 months on the condition that he comply with Version 5 of the interim injunction granted by the Honourable Mrs Justice Hill on 22 December 2022 as amended by the Honourable Mr Justice Ritchie on 19 May 2023 and as further amended by the order of Her Honour Judge Kelly on 23 October 2023, or any subsequent amended or final injunction granted in this case.

3. The defendant shall pay to HM Paymaster General a fine of

£ within days

4. The relevant commissioners authorised for the purpose by the claimant and to be approved by the court shall be authorised at the request of the claimant to confiscate, seize and sequester the following real and personal property of the defendant

until they clear

- their contempt **or**
 until further order

5. The defendant shall pay the claimant's costs
 on the indemnity basis
 summarily assessed in the sum of
£
 to be subject to detailed assessment, if not agreed.
6. The defendant may apply under rule 81.10 of the Civil Procedure Rules 1998 to discharge this order.
7. The defendant has the right to appeal.
8. The court before which any appeal must be brought is
9. The Appellant's Notice must be filed at the appeal court by 4pm on
Day Month Year
10. A transcript of the judgment given at this hearing will be published on the website of the judiciary of England and Wales.

Dated

Day Month Year

Order on determination of proceedings for contempt of court

(issued under rule 81.9(1) of the Civil Procedure Rules)



KB-2022-BHM-000221

Name of court

High Court of Justice, Kings Bench Division

Claim no.

KB-2022-BHM-000221

Claimant's name (including ref.)

BIRMINGHAM CITY COUNCIL

Defendant's name (including ref.)

JOSEPH DAWSON

After hearing counsel for the claimant and for the defendant

And after

- considering an application by the claimant for an order determining contempt proceedings
- considering a summons issued rule under 81.6(3) of the Civil Procedure Rules
- reading the evidence filed by the parties and hearing oral evidence at the hearing of the application or summons

Note – In this order, 'claimant' means the person making the contempt application and 'defendant' means the person against whom the application was made.

The court being satisfied beyond reasonable doubt that the defendant is guilty of contempt of court

- in the manner stated in the court's judgment
- by breaching an order of the court made on

Day

27

Month

02

Year

2024

by breaching an undertaking given to the court on

Day

Month

Year

not to (state breach of undertaking etc.)

AND the matters required by Civil Procedure Rule 81.4(2) having been included in the

application

summons

It is ordered that:

1. The defendant be committed to prison for a period of

Days	Weeks	Months	Years
<input type="text" value="23"/>	<input type="text" value="0"/>	<input type="text" value="0"/>	<input type="text" value="0"/>

2. The committal of the defendant to prison under paragraph 1 above shall be suspended on the following terms - set out terms below

Suspended to 15 April 2025 on condition that he complies with the Final Injunction granted by Mr Justice Knowles on 27 February 2024, or any subsequent amended order granted in this case.

3. The defendant shall pay to HM Paymaster General a fine of

£ within days

4. The relevant commissioners authorised for the purpose by the claimant and to be approved by the court shall be authorised at the request of the claimant to confiscate, seize and sequester the following real and personal property of the defendant

until they clear

their contempt **or**

until further order

5. The defendant shall pay the claimant's costs
 on the indemnity basis
 summarily assessed in the sum of
£
 to be subject to detailed assessment, if not agreed.
6. The defendant may apply under rule 81.10 of the Civil Procedure Rules 1998 to discharge this order.
7. The defendant has the right to appeal.
8. The court before which any appeal must be brought is
9. The Appellant's Notice must be filed at the appeal court by 4pm on
Day Month Year
10. A transcript of the judgment given at this hearing will be published on the website of the judiciary of England and Wales.

Dated

Day Month Year

Order on determination of proceedings for contempt of court

(issued under rule 81.9(1) of the Civil Procedure Rules)

Name of court

Claim no.

Claimant's name (including ref.)

Defendant's name (including ref.)

After hearing counsel for the claimant and for the defendant

And after

- considering an application by the claimant for an order determining contempt proceedings
- considering a summons issued rule under 81.6(3) of the Civil Procedure Rules
- reading the evidence filed by the parties and hearing oral evidence at the hearing of the application or summons

Note – In this order, 'claimant' means the person making the contempt application and 'defendant' means the person against whom the application was made.

The court being satisfied beyond reasonable doubt that the defendant is guilty of contempt of court

- in the manner stated in the court's judgment
- by breaching an order of the court made on

Day

Month

Year

by breaching an undertaking given to the court on

Day

Month

Year

not to (state breach of undertaking etc.)

AND the matters required by Civil Procedure Rule 81.4(2) having been included in the

application

summons

It is ordered that:

1. The defendant be committed to prison for a period of

Days

Weeks

Months

Years

2. The committal of the defendant to prison under paragraph 1 above shall be suspended on the following terms - set out terms below

3. The defendant shall pay to HM Paymaster General a fine of

£ **within** **days**

4. The relevant commissioners authorised for the purpose by the claimant and to be approved by the court shall be authorised at the request of the claimant to confiscate, seize and sequester the following real and personal property of the defendant

until they clear

their contempt **or**

until further order

5. The defendant shall pay the claimant's costs
 on the indemnity basis
 summarily assessed in the sum of
£
 to be subject to detailed assessment, if not agreed.
6. The defendant may apply under rule 81.10 of the Civil Procedure Rules 1998 to discharge this order.
7. The defendant has the right to appeal.
8. The court before which any appeal must be brought is
9. The Appellant's Notice must be filed at the appeal court by 4pm on
Day Month Year
10. A transcript of the judgment given at this hearing will be published on the website of the judiciary of England and Wales.

Dated

Day Month Year

Order on determination of proceedings for contempt of court

(issued under rule 81.9(1) of the Civil Procedure Rules)



KB-2022-BHM-000221

Name of court

HIGH COURT KBD BIRMINGHAM

Claim no.

KB-2022-BHM-000221

Claimant's name (including ref.)

BIRMINGHAM CITY COUNCIL

Defendant's name (including ref.)

RAGHIB AFSAR

After hearing counsel for the claimant and for the defendant

And after

- considering an application by the claimant for an order determining contempt proceedings
- considering a summons issued rule under 81.6(3) of the Civil Procedure Rules
- reading the evidence filed by the parties and hearing oral evidence at the hearing of the application or summons

Note – In this order, 'claimant' means the person making the contempt application and 'defendant' means the person against whom the application was made.

The court being satisfied beyond reasonable doubt that the defendant is guilty of contempt of court

- in the manner stated in the court's judgment
- by breaching an order of the court made on

Day

27

Month

02

Year

2024

by breaching an undertaking given to the court on

Day

Month

Year

not to (state breach of undertaking etc.)

AND the matters required by Civil Procedure Rule 81.4(2) having been included in the

application

summons

It is ordered that:

1. The defendant be committed to prison for a period of

Days

Weeks

Months

Years

28

2. The committal of the defendant to prison under paragraph 1 above shall be suspended on the following terms - set out terms below

The committal shall be suspended to 23.59 on 2 June 2025 on condition that the Defendant do comply with the terms of the final injunction granted by Mr Justice Knowles on 27th February 2024 or any amended version of that order.

3. The defendant shall pay to HM Paymaster General a fine of

£

within

days

4. The relevant commissioners authorised for the purpose by the claimant and to be approved by the court shall be authorised at the request of the claimant to confiscate, seize and sequester the following real and personal property of the defendant

until they clear

their contempt **or**

until further order

5. The defendant shall pay the claimant's costs
 on the indemnity basis
 summarily assessed in the sum of
£
 to be subject to detailed assessment, if not agreed.
6. The defendant may apply under rule 81.10 of the Civil Procedure Rules 1998 to discharge this order.
7. The defendant has the right to appeal.
8. The court before which any appeal must be brought is
9. The Appellant's Notice must be filed at the appeal court by 4pm on
Day Month Year
10. A transcript of the judgment given at this hearing will be published on the website of the judiciary of England and Wales.

Dated

Day Month Year

Order on determination of proceedings for contempt of court

(issued under rule 81.9(1) of the Civil Procedure Rules)



KB-2022-BHM-000221

Name of court

HIGH COURT KBD BIRMINGHAM

Claim no.

KB-2022-BHM-000221

Claimant's name (including ref.)

BIRMINGHAM CITY COUNCIL

Defendant's name (including ref.)

UMAR MAHMOOD

After hearing counsel for the claimant and for the defendant

And after

- considering an application by the claimant for an order determining contempt proceedings
- considering a summons issued rule under 81.6(3) of the Civil Procedure Rules
- reading the evidence filed by the parties and hearing oral evidence at the hearing of the application or summons

Note – In this order, 'claimant' means the person making the contempt application and 'defendant' means the person against whom the application was made.

The court being satisfied beyond reasonable doubt that the defendant is guilty of contempt of court

- in the manner stated in the court's judgment
- by breaching an order of the court made on

Day

27

Month

02

Year

2024

by breaching an undertaking given to the court on

Day

Month

Year

not to (state breach of undertaking etc.)

AND the matters required by Civil Procedure Rule 81.4(2) having been included in the

application

summons

It is ordered that:

1. The defendant be committed to prison for a period of

Days

Weeks

Months

Years

28

2. The committal of the defendant to prison under paragraph 1 above shall be suspended on the following terms - set out terms below

The committal shall be suspended to 23.59 on 2 June 2025 on condition that the Defendant do comply with the terms of the final injunction granted by Mr Justice Knowles on 27th February 2024 or any amended version of that order.

3. The defendant shall pay to HM Paymaster General a fine of

£

within

days

4. The relevant commissioners authorised for the purpose by the claimant and to be approved by the court shall be authorised at the request of the claimant to confiscate, seize and sequester the following real and personal property of the defendant

until they clear

their contempt **or**

until further order

5. The defendant shall pay the claimant's costs
 on the indemnity basis
 summarily assessed in the sum of
£
 to be subject to detailed assessment, if not agreed.
6. The defendant may apply under rule 81.10 of the Civil Procedure Rules 1998 to discharge this order.
7. The defendant has the right to appeal.
8. The court before which any appeal must be brought is
9. The Appellant's Notice must be filed at the appeal court by 4pm on
Day Month Year
10. A transcript of the judgment given at this hearing will be published on the website of the judiciary of England and Wales.

Dated

Day Month Year

Order on determination of proceedings for contempt of court

(issued under rule 81.9(1) of the Civil Procedure Rules)



KB-2022-BHM-000221

Name of court

High Court of Justice, Birmingham DR

Claim no.

KB-2022-BHM-000221

Claimant's name (including ref.)

BIRMINGHAM CITY COUNCIL

Defendant's name (including ref.)

VICTORIA ADSHEAD

After hearing counsel for the claimant and for the defendant

And after

- considering an application by the claimant for an order determining contempt proceedings
- considering a summons issued rule under 81.6(3) of the Civil Procedure Rules
- reading the evidence filed by the parties and hearing oral evidence at the hearing of the application or summons

Note – In this order, 'claimant' means the person making the contempt application and 'defendant' means the person against whom the application was made.

The court being satisfied beyond reasonable doubt that the defendant is guilty of contempt of court

- in the manner stated in the court's judgment
- by breaching an order of the court made on

Day

27

Month

02

Year

2024

by breaching an undertaking given to the court on

Day

Month

Year

not to (state breach of undertaking etc.)

AND the matters required by Civil Procedure Rule 81.4(2) having been included in the

application

summons

It is ordered that:

1. The defendant be committed to prison for a period of

Days	Weeks	Months	Years
<input type="text" value="26"/>	<input type="text" value="0"/>	<input type="text" value="0"/>	<input type="text" value="0"/>

2. The committal of the defendant to prison under paragraph 1 above shall be suspended on the following terms - set out terms below

The committal shall be suspended to 23.59 on 7 July 2025 on condition that the Defendant do comply with the terms of the final injunction granted by Mr Justice Knowles on 27th February 2024 or any subsequent amended version of the injunction order in this case.

3. The defendant shall pay to HM Paymaster General a fine of

£ within days

4. The relevant commissioners authorised for the purpose by the claimant and to be approved by the court shall be authorised at the request of the claimant to confiscate, seize and sequester the following real and personal property of the defendant

until they clear

- their contempt **or**
 until further order

5. The defendant shall pay the claimant's costs
 on the indemnity basis
 summarily assessed in the sum of
£
 to be subject to detailed assessment, if not agreed.
6. The defendant may apply under rule 81.10 of the Civil Procedure Rules 1998 to discharge this order.
7. The defendant has the right to appeal.
8. The court before which any appeal must be brought is
9. The Appellant's Notice must be filed at the appeal court by 4pm on
Day Month Year
10. A transcript of the judgment given at this hearing will be published on the website of the judiciary of England and Wales.

Dated

Day Month Year

Order on determination of proceedings for contempt of court

(issued under rule 81.9(1) of the Civil Procedure Rules)



KB-2022-BHM-000221

Name of court

High Court of Justice (KBD), Birmingham

Claim no.

KB-2022-BHM-000221

Claimant's name (including ref.)

Birmingham City Council

Defendant's name (including ref.)

Mr Aaroon Virk

After hearing counsel for the claimant and for the defendant

And after

- considering an application by the claimant for an order determining contempt proceedings
- considering a summons issued rule under 81.6(3) of the Civil Procedure Rules
- reading the evidence filed by the parties and hearing oral evidence at the hearing of the application or summons

Note – In this order, 'claimant' means the person making the contempt application and 'defendant' means the person against whom the application was made.

The court being satisfied beyond reasonable doubt that the defendant is guilty of contempt of court

- in the manner stated in the court's judgment
- by breaching an order of the court made on

Day

27

Month

02

Year

2024

by breaching an undertaking given to the court on

Day

Month

Year

not to (state breach of undertaking etc.)

AND the matters required by Civil Procedure Rule 81.4(2) having been included in the

application

summons

It is ordered that:

1. The defendant be committed to prison for a period of

Days

Weeks

Months

Years

32

2. The committal of the defendant to prison under paragraph 1 above shall be suspended on the following terms - set out terms below

The sentence shall be suspended for a period of 12 months on condition of compliance with the order of Mr Justice Julian Knowles dated 27 February 2024 and any subsequent amendments made to that order

3. The defendant shall pay to HM Paymaster General a fine of

£

within

days

4. The relevant commissioners authorised for the purpose by the claimant and to be approved by the court shall be authorised at the request of the claimant to confiscate, seize and sequester the following real and personal property of the defendant

until they clear

their contempt **or**

until further order

5. The defendant shall pay the claimant's costs
 on the indemnity basis
 summarily assessed in the sum of
£
 to be subject to detailed assessment, if not agreed.
6. The defendant may apply under rule 81.10 of the Civil Procedure Rules 1998 to discharge this order.
7. The defendant has the right to appeal.
8. The court before which any appeal must be brought is
9. The Appellant's Notice must be filed at the appeal court by 4pm on
Day Month Year
10. A transcript of the judgment given at this hearing will be published on the website of the judiciary of England and Wales.

Dated

Day Month Year

Order on determination of proceedings for contempt of court

(issued under rule 81.9(1) of the Civil Procedure Rules)



KB-2022-BHM-000221

Name of court

High Court of Justice, King's Bench Division

Claim no.

KB-2022-BHM-000221

Claimant's name (including ref.)

Birmingham City Council

Defendant's name (including ref.)

Bilal Amjad

After hearing counsel for the claimant and for the defendant

And after

- considering an application by the claimant for an order determining contempt proceedings
- considering a summons issued rule under 81.6(3) of the Civil Procedure Rules
- reading the evidence filed by the parties and hearing oral evidence at the hearing of the application or summons

Note – In this order, 'claimant' means the person making the contempt application and 'defendant' means the person against whom the application was made.

The court being satisfied beyond reasonable doubt that the defendant is guilty of contempt of court

- in the manner stated in the court's judgment
- by breaching an order of the court made on

Day

27

Month

02

Year

2024

ing an undertaking given to the court on

Day

Month

Year

not to (state breach of undertaking etc.)

included in the ired by Civil Procedure Rule 81.4(2) having been

ication

It is ordered that:

1. sentenced to prison for a period of

Days	Weeks	Months	Years
4	-	-	-

2. sentence of the defendant to prison under paragraph 1 above shall be suspended on the following term -

... ly wi ... i ...
le Mr Justi les on 27 ... i
February 2024, or any subsequent amended or final i ... i

fine of

£ within days

4. officers authorised for the purpose by the claimant and to be approved by the court shall be authorised at the request of the claimant to confiscate, seize and sequester the following real and personal property of the defendant

[Empty box for listing property]

if they clear

- in contempt **or**
- in further order

5. imant's costs

indemnity basis

ily assessed in the sum of

£ 2,82 .

iled assessment, if not agreed.

6. The defendant may apply under rule 81.10 of the Civil Procedure Rules 1998 to discharge this order.

7. The defendant has the right to appeal.

8. The court before which any appeal must be brought is

I (i il i i ion)

ice must be filed at the appeal court by 4pm on

Day

Month

Year

25

11

2024

10. A transcript of the judgment given at this hearing will be published on the website of the judiciary of England and Wales.

Dated

Day

Month

Year

04

11

2024

Order on determination of proceedings for contempt of court

(issued under rule 81.9(1) of the Civil Procedure Rules)



KB-2022-BHM-000221

Name of court

County Court at Birmingham

Claim no.

KB-2022-BHM-000221

Claimant's name (including ref.)

BIRMINGHAM CITY COUNCIL

Defendant's name (including ref.)

BENJAMIN DUNN

After hearing counsel for the claimant and for the defendant

And after

- considering an application by the claimant for an order determining contempt proceedings
- considering a summons issued rule under 81.6(3) of the Civil Procedure Rules
- reading the evidence filed by the parties and hearing oral evidence at the hearing of the application or summons

Note – In this order, 'claimant' means the person making the contempt application and 'defendant' means the person against whom the application was made.

The court being satisfied beyond reasonable doubt that the defendant is guilty of contempt of court

- in the manner stated in the court's judgment
- by breaching an order of the court made on

Day

27

Month

02

Year

2024

by breaching an undertaking given to the court on

Day

Month

Year

not to (state breach of undertaking etc.)

AND the matters required by Civil Procedure Rule 81.4(2) having been included in the

application

summons

It is ordered that:

1. The defendant be committed to prison for a period of

Days	Weeks	Months	Years
<input type="text" value="28"/>	<input type="text" value="0"/>	<input type="text" value="0"/>	<input type="text" value="0"/>

2. The committal of the defendant to prison under paragraph 1 above shall be suspended on the following terms - set out terms below

Suspended until 23.59pm on 7 January 2026 on condition that he complies with the final Injunction granted by Mr Justice Julian Knowles on 27 February 2024, or any subsequent amended version of the injunction granted in this case.

3. The defendant shall pay to HM Paymaster General a fine of

£ within days

4. The relevant commissioners authorised for the purpose by the claimant and to be approved by the court shall be authorised at the request of the claimant to confiscate, seize and sequester the following real and personal property of the defendant

until they clear

their contempt **or**

until further order

5. The defendant shall pay the claimant's costs
 on the indemnity basis
 summarily assessed in the sum of
£
 to be subject to detailed assessment, if not agreed.
6. The defendant may apply under rule 81.10 of the Civil Procedure Rules 1998 to discharge this order.
7. The defendant has the right to appeal.
8. The court before which any appeal must be brought is
9. The Appellant's Notice must be filed at the appeal court by 4pm on
Day Month Year
10. A transcript of the judgment given at this hearing will be published on the website of the judiciary of England and Wales.

Dated

Day Month Year

Order on determination of proceedings for contempt of court

(issued under rule 81.9(1) of the Civil Procedure Rules)



KB-2022-BHM-000221

Name of court

HIGH COURT - BIRMINGHAM DISTRICT REGISTRY

Claim no.

KB-2022-BHM-000221

Claimant's name (including ref.)

BIRMINGHAM CITY COUNCIL
Ref: LS/HGL/SA/232109

Defendant's name (including ref.)

MR MOHAMMED KHALIL

After hearing counsel for the claimant and for the defendant

And after

- considering an application by the claimant for an order determining contempt proceedings
- considering a summons issued rule under 81.6(3) of the Civil Procedure Rules
- reading the evidence filed by the parties and hearing oral evidence at the hearing of the application or summons

Note – In this order, 'claimant' means the person making the contempt application and 'defendant' means the person against whom the application was made.

The court being satisfied beyond reasonable doubt that the defendant is guilty of contempt of court

- in the manner stated in the court's judgment
- by breaching an order of the court made on

Day

27

Month

02

Year

2024

by breaching an undertaking given to the court on

Day

Month

Year

not to (state breach of undertaking etc.)

AND the matters required by Civil Procedure Rule 81.4(2) having been included in the

application

summons

It is ordered that:

1. The defendant be committed to prison for a period of

Days	Weeks	Months	Years
<input type="text" value="28"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

2. The committal of the defendant to prison under paragraph 1 above shall be suspended on the following terms - set out terms below

Suspended for a period of 12 months from today on condition of compliance with the terms of the injunction Order of Mr Justice Knowles dated 27 February 2024, or any subsequent form of that Order should it be further amended.

3. The defendant shall pay to HM Paymaster General a fine of

£ within days

4. The relevant commissioners authorised for the purpose by the claimant and to be approved by the court shall be authorised at the request of the claimant to confiscate, seize and sequester the following real and personal property of the defendant

until they clear

their contempt **or**

until further order

5. The defendant shall pay the claimant's costs
 on the indemnity basis
 summarily assessed in the sum of
£
 to be subject to detailed assessment, if not agreed.
6. The defendant may apply under rule 81.10 of the Civil Procedure Rules 1998 to discharge this order.
7. The defendant has the right to appeal.
8. The court before which any appeal must be brought is
9. The Appellant's Notice must be filed at the appeal court by 4pm on
Day Month Year
10. A transcript of the judgment given at this hearing will be published on the website of the judiciary of England and Wales.

Dated

Day Month Year

Order on determination of proceedings for contempt of court

(issued under rule 81.9(1) of the Civil Procedure Rules)



KB-2022-BHM-000221

Name of court

HIGH COURT - BIRMINGHAM DISTRICT REGISTRY

Claim no.

KB-2022-BHM-000221

Claimant's name (including ref.)

BIRMINGHAM CITY COUNCIL
Ref: LS/HGL/SA/232109

Defendant's name (including ref.)

MR MARLON FARRELL

After hearing counsel for the claimant and for the defendant

And after

- considering an application by the claimant for an order determining contempt proceedings
- considering a summons issued rule under 81.6(3) of the Civil Procedure Rules
- reading the evidence filed by the parties and hearing oral evidence at the hearing of the application or summons

Note – In this order, 'claimant' means the person making the contempt application and 'defendant' means the person against whom the application was made.

The court being satisfied beyond reasonable doubt that the defendant is guilty of contempt of court

- in the manner stated in the court's judgment
- by breaching an order of the court made on

Day

27

Month

02

Year

2024

by breaching an undertaking given to the court on

Day

Month

Year

not to (state breach of undertaking etc.)

AND the matters required by Civil Procedure Rule 81.4(2) having been included in the

application

summons

It is ordered that:

1. The defendant be committed to prison for a period of

Days	Weeks	Months	Years
<input type="text" value="28"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

2. The committal of the defendant to prison under paragraph 1 above shall be suspended on the following terms - set out terms below

Suspended for a period of 12 months from today on condition of compliance with the terms of the injunction Order of Mr Justice Knowles dated 27 February 2024, or any subsequent form of that Order should it be further amended.

3. The defendant shall pay to HM Paymaster General a fine of

£ within days

4. The relevant commissioners authorised for the purpose by the claimant and to be approved by the court shall be authorised at the request of the claimant to confiscate, seize and sequester the following real and personal property of the defendant

until they clear

- their contempt **or**
 until further order

5. The defendant shall pay the claimant's costs
 on the indemnity basis
 summarily assessed in the sum of
£
 to be subject to detailed assessment, if not agreed.
6. The defendant may apply under rule 81.10 of the Civil Procedure Rules 1998 to discharge this order.
7. The defendant has the right to appeal.
8. The court before which any appeal must be brought is
9. The Appellant's Notice must be filed at the appeal court by 4pm on
Day Month Year
10. A transcript of the judgment given at this hearing will be published on the website of the judiciary of England and Wales.

Dated

Day Month Year

Order on determination of proceedings for contempt of court

(issued under rule 81.9(1) of the Civil Procedure Rules)

Name of court

HIGH COURT - BIRMINGHAM DISTRICT REGISTRY

Claim no.

KB-2022-BHM-000221

Claimant's name (including ref.)

BIRMINGHAM CITY COUNCIL
Ref: LS/HGL/SA/232109

Defendant's name (including ref.)

MR JACOB WILLIAMS

After hearing counsel for the claimant and for the defendant

And after

- considering an application by the claimant for an order determining contempt proceedings
- considering a summons issued rule under 81.6(3) of the Civil Procedure Rules
- reading the evidence filed by the parties and hearing oral evidence at the hearing of the application or summons

Note – In this order, ‘claimant’ means the person making the contempt application and ‘defendant’ means the person against whom the application was made.

The court being satisfied beyond reasonable doubt that the defendant is guilty of contempt of court

- in the manner stated in the court's judgment
- by breaching an order of the court made on

Day

27

Month

02

Year

2024

by breaching an undertaking given to the court on

Day

Month

Year

not to (state breach of undertaking etc.)

AND the matters required by Civil Procedure Rule 81.4(2) having been included in the

application

summons

It is ordered that:

1. The defendant be committed to prison for a period of

Days	Weeks	Months	Years
<input type="text" value="22"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

2. The committal of the defendant to prison under paragraph 1 above shall be suspended on the following terms - set out terms below

(1) Compliance with the terms of the Order of Mr Justice Knowles dated 27 February 2024, or any subsequent form of that Order should it be further amended; and
(2) The period of suspension to be 12 months from today's date.

3. The defendant shall pay to HM Paymaster General a fine of

£ within days

4. The relevant commissioners authorised for the purpose by the claimant and to be approved by the court shall be authorised at the request of the claimant to confiscate, seize and sequester the following real and personal property of the defendant

until they clear

their contempt **or**

until further order

5. The defendant shall pay the claimant's costs
 on the indemnity basis
 summarily assessed in the sum of
£
 to be subject to detailed assessment, if not agreed.
6. The defendant may apply under rule 81.10 of the Civil Procedure Rules 1998 to discharge this order.
7. The defendant has the right to appeal.
8. The court before which any appeal must be brought is
9. The Appellant's Notice must be filed at the appeal court by 4pm on
Day Month Year
10. A transcript of the judgment given at this hearing will be published on the website of the judiciary of England and Wales.

Dated

Day Month Year

Order on determination of proceedings for contempt of court

(issued under rule 81.9(1) of the Civil Procedure Rules)

Name of court

HIGH COURT - BIRMINGHAM DISTRICT REGISTRY

Claim no.

KB-2022-BHM-000221

Claimant's name (including ref.)

BIRMINGHAM CITY COUNCIL
Ref: LS/HGL/SA/232109

Defendant's name (including ref.)

MR ABDULRAHMAN ABDULKADER

After hearing counsel for the claimant and for the defendant

And after

- considering an application by the claimant for an order determining contempt proceedings
- considering a summons issued rule under 81.6(3) of the Civil Procedure Rules
- reading the evidence filed by the parties and hearing oral evidence at the hearing of the application or summons

Note – In this order, ‘claimant’ means the person making the contempt application and ‘defendant’ means the person against whom the application was made.

The court being satisfied beyond reasonable doubt that the defendant is guilty of contempt of court

- in the manner stated in the court's judgment
- by breaching an order of the court made on

Day

27

Month

02

Year

2024

by breaching an undertaking given to the court on

Day

Month

Year

not to (state breach of undertaking etc.)

AND the matters required by Civil Procedure Rule 81.4(2) having been included in the

application

summons

It is ordered that:

1. The defendant be committed to prison for a period of

Days	Weeks	Months	Years
<input type="text" value="32"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

2. The committal of the defendant to prison under paragraph 1 above shall be suspended on the following terms - set out terms below

(1) Compliance with the terms of the Order of Mr Justice Knowles dated 27 February 2024, or any subsequent form of that Order should it be further amended; and
(2) The period of suspension to be 12 months from today's date.

3. The defendant shall pay to HM Paymaster General a fine of

£ within days

4. The relevant commissioners authorised for the purpose by the claimant and to be approved by the court shall be authorised at the request of the claimant to confiscate, seize and sequester the following real and personal property of the defendant

until they clear

their contempt **or**

until further order

5. The defendant shall pay the claimant's costs
 on the indemnity basis
 summarily assessed in the sum of
£
 to be subject to detailed assessment, if not agreed.
6. The defendant may apply under rule 81.10 of the Civil Procedure Rules 1998 to discharge this order.
7. The defendant has the right to appeal.
8. The court before which any appeal must be brought is
9. The Appellant's Notice must be filed at the appeal court by 4pm on
Day Month Year
10. A transcript of the judgment given at this hearing will be published on the website of the judiciary of England and Wales.

Dated

Day Month Year

Order on determination of proceedings for contempt of court

(issued under rule 81.9(1) of the Civil Procedure Rules)

Name of court

HIGH COURT - BIRMINGHAM DISTRICT REGISTRY

Claim no.

KB-2022-BHM-000221

Claimant's name (including ref.)

BIRMINGHAM CITY COUNCIL
Ref: LS/HGL/SA/232109

Defendant's name (including ref.)

MR ADAM JORDAN YEOMANS

After hearing counsel for the claimant and for the defendant

And after

- considering an application by the claimant for an order determining contempt proceedings
- considering a summons issued rule under 81.6(3) of the Civil Procedure Rules
- reading the evidence filed by the parties and hearing oral evidence at the hearing of the application or summons

Note – In this order, ‘claimant’ means the person making the contempt application and ‘defendant’ means the person against whom the application was made.

The court being satisfied beyond reasonable doubt that the defendant is guilty of contempt of court

- in the manner stated in the court's judgment
- by breaching an order of the court made on

Day

27

Month

02

Year

2024

by breaching an undertaking given to the court on

Day

Month

Year

not to (state breach of undertaking etc.)

AND the matters required by Civil Procedure Rule 81.4(2) having been included in the

application

summons

It is ordered that:

1. The defendant be committed to prison for a period of

Days	Weeks	Months	Years
<input type="text" value="24"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

2. The committal of the defendant to prison under paragraph 1 above shall be suspended on the following terms - set out terms below

(1) Compliance with the terms of the Order of Mr Justice Knowles dated 27 February 2024, or any subsequent form of that Order should it be further amended; and
(2) The period of suspension to be 12 months from today's date.

3. The defendant shall pay to HM Paymaster General a fine of

£ within days

4. The relevant commissioners authorised for the purpose by the claimant and to be approved by the court shall be authorised at the request of the claimant to confiscate, seize and sequester the following real and personal property of the defendant

until they clear

their contempt **or**

until further order

5. The defendant shall pay the claimant's costs
 on the indemnity basis
 summarily assessed in the sum of
£
 to be subject to detailed assessment, if not agreed.
6. The defendant may apply under rule 81.10 of the Civil Procedure Rules 1998 to discharge this order.
7. The defendant has the right to appeal.
8. The court before which any appeal must be brought is
9. The Appellant's Notice must be filed at the appeal court by 4pm on
Day Month Year
10. A transcript of the judgment given at this hearing will be published on the website of the judiciary of England and Wales.

Dated

Day Month Year

Order on determination of proceedings for contempt of court

(issued under rule 81.9(1) of the Civil Procedure Rules)

Name of court

Claim no.

Claimant's name (including ref.)

Defendant's name (including ref.)

After hearing counsel for the claimant and for the defendant

And after

- considering an application by the claimant for an order determining contempt proceedings
- considering a summons issued rule under 81.6(3) of the Civil Procedure Rules
- reading the evidence filed by the parties and hearing oral evidence at the hearing of the application or summons

Note – In this order, 'claimant' means the person making the contempt application and 'defendant' means the person against whom the application was made.

The court being satisfied beyond reasonable doubt that the defendant is guilty of contempt of court

- in the manner stated in the court's judgment
- by breaching an order of the court made on

Day

Month

Year

by breaching an undertaking given to the court on

Day

Month

Year

not to (state breach of undertaking etc.)

AND the matters required by Civil Procedure Rule 81.4(2) having been included in the

application

summons

It is ordered that:

1. The defendant be committed to prison for a period of

Days

Weeks

Months

Years

2. The committal of the defendant to prison under paragraph 1 above shall be suspended on the following terms - set out terms below

3. The defendant shall pay to HM Paymaster General a fine of

£ within days

4. The relevant commissioners authorised for the purpose by the claimant and to be approved by the court shall be authorised at the request of the claimant to confiscate, seize and sequester the following real and personal property of the defendant

until they clear

their contempt **or**

until further order

5. The defendant shall pay the claimant's costs
 on the indemnity basis
 summarily assessed in the sum of
£
 to be subject to detailed assessment, if not agreed.
6. The defendant may apply under rule 81.10 of the Civil Procedure Rules 1998 to discharge this order.
7. The defendant has the right to appeal.
8. The court before which any appeal must be brought is
9. The Appellant's Notice must be filed at the appeal court by 4pm on
Day Month Year
10. A transcript of the judgment given at this hearing will be published on the website of the judiciary of England and Wales.

Dated

Day Month Year

Order on determination of proceedings for contempt of court

(issued under rule 81.9(1) of the Civil Procedure Rules)



KB-2022-BHM-000221

Name of court

Claim no.

Claimant's name (including ref.)

Defendant's name (including ref.)

After hearing counsel for the claimant and for the defendant

And after

- considering an application by the claimant for an order determining contempt proceedings
- considering a summons issued rule under 81.6(3) of the Civil Procedure Rules
- reading the evidence filed by the parties and hearing oral evidence at the hearing of the application or summons

Note – In this order, 'claimant' means the person making the contempt application and 'defendant' means the person against whom the application was made.

The court being satisfied beyond reasonable doubt that the defendant is guilty of contempt of court

- in the manner stated in the court's judgment
- by breaching an order of the court made on

Day

Month

Year

by breaching an undertaking given to the court on

Day

Month

Year

not to (state breach of undertaking etc.)

AND the matters required by Civil Procedure Rule 81.4(2) having been included in the

application

summons

It is ordered that:

1. The defendant be committed to prison for a period of

Days

Weeks

Months

Years

2. The committal of the defendant to prison under paragraph 1 above shall be suspended on the following terms - set out terms below

3. The defendant shall pay to HM Paymaster General a fine of

£ **within** **days**

4. The relevant commissioners authorised for the purpose by the claimant and to be approved by the court shall be authorised at the request of the claimant to confiscate, seize and sequester the following real and personal property of the defendant

until they clear

their contempt **or**

until further order

5. The defendant shall pay the claimant's costs
 on the indemnity basis
 summarily assessed in the sum of
£
 to be subject to detailed assessment, if not agreed.
6. The defendant may apply under rule 81.10 of the Civil Procedure Rules 1998 to discharge this order.
7. The defendant has the right to appeal.
8. The court before which any appeal must be brought is
9. The Appellant's Notice must be filed at the appeal court by 4pm on
Day Month Year
10. A transcript of the judgment given at this hearing will be published on the website of the judiciary of England and Wales.

Dated

Day Month Year

G. Other Documents