

IN THE HIGH COURT AT BIRMINGHAM

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

BETWEEN

BIRMINGHAM CITY COUNCIL

Claimant

-V-

AHZI NAGMADIN & OTHERS

Defendant(s)

REVIEW HEARING ON 26 FEBRUARY 2026 AT 10:30AM

OFFICIAL

A. Claim Form & Particulars of Claim

- | | | |
|----|----------------------|-------------|
| 1. | Claim Form | A 1 - A 11 |
| 2. | Particulars of Claim | A 12 - A 30 |

B. Court Orders & Judgment

- | | | | |
|----|--|------------|-------------|
| 1. | Sealed Judgment of Mr Justice J Knowles from Hearing on 3 September 2024 | 03-09-2024 | B 1 - B 23 |
| 2. | Sealed Judgment of Mr Justice Ritchie from Hearing on 26 February 2025 | 26-02-2025 | B 24 - B 39 |
| 3. | Final Injunction Order of the Honourable Mr Justice Julian Knowles dated 27 February 2025 | 27-02-2025 | B 40 - B 50 |
| 4. | Power of Arrest Granted by Mr Justice Julian Knowles dated 27 February 2025 | 27-02-2025 | B 51 - B 53 |
| 5. | Injunction Order of the Honourable Mr Justice Ritchie Amended Under the Slip Rule on 4 March 2025 with Power of Arrest | 04-03-2025 | B 54 - B 66 |
| 6. | Amended Injunction Order and Court Order made by HHJ Kelly dated 1 July 2025 | 01-07-2025 | B 67 - B 85 |
| 7. | Order of HHJ Kelly dated 1 July 2025 - BCC -v- Ahmed & Roberts | 01-07-2025 | B 86 - B 88 |
| 8. | Notice of Review Hearing on 26 February 2026 | 26-02-2026 | B 89 - B 90 |

C. Evidence of Service

- | | | | |
|----|---|------------|-----------|
| 1. | Witness Statement of Service Michelle Lowbridge dated 18 March 2025 | 18-03-2025 | C 1 - C 4 |
| 2. | Affidavit of Service for Michelle Lowbridge dated 10 July 2025 | 10-07-2025 | C 5 - C 7 |

C. Claimant's Evidence in Support of the Review Hearing on 26 February 2026

- | | | | |
|----|--|------------|------------|
| 1. | Witness Statement of Mark Campbell dated 29.12.2025 | 29-12-2025 | C 1 - C 7 |
| 2. | Witness Statement of Michelle Lowbridge dated 30.01.2026 | 30-01-2026 | C 8 - C 11 |

D. Committal Orders

- | | | |
|----|-----------------------------------|-------------|
| 1. | Committal Order - Aneel Farid | D 1 - D 4 |
| 2. | Committal Order - Ismail Ashfaq | D 5 - D 8 |
| 3. | Committal Order - George Roberts | D 9 - D 12 |
| 4. | Committal Order - Hassan Ahmed | D 13 - D 16 |
| 5. | Committal Order - Aakaash Changaz | D 17 - D 20 |
| 6. | Committal Order - Husnain Mahmood | D 21 - D 24 |

A. Claim Form & Particulars of Claim



Claim Form (CPR Part 8)

In the High Court, Kings Bench Division
Birmingham District Registry

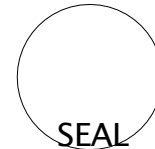
Claim no. KB-2022-000221

Fee Account no. P/W F 005443

Help with Fees -
Ref no. (if appli-
cable) -

Claimant

BIRMINGHAM CITY COUNCIL



Defendant(s)

(1) AHZI NAGMADIN. (2) JESSICA ELLEN ROBERTS, (4) RASHANI REID, (5) THOMAS WHITTAKER, (6) ARTHUR ROGERS, (7) ABC, (8) PERSONS UNKNOWN WHO PARTICIPATE OR INTEND TO PARTICIPATE IN STREET-CRUISES IN BIRMINGHAM, AS CAR DRIVERS, MOTORCYCLE RIDERS, PASSENGERS AND/OR SPECTATORS, (9) PERSONS UNKNOWN WHO, OR WHO INTEND TO, ORGANISE, PROMOTE OR PUBLICISE STREET CRUISES IN BIRMINGHAM (10) Persons Unknown who participate or intend to participate in street cruises in Birmingham as car drivers, motorcycle riders or passengers in motor cars or on motorcycles. (11) 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)

The Claimant claims an injunction pursuant to s222 Local Government Act 1972, s1 of the Localism Act 2011, s130 Highways Act 1980 to promote and protect the interests of the inhabitants of the Claimant's local authority area as delineated on the map annexed to the Particulars of Claim by restraining the Defendants by way of injunction from committing tortious and criminal acts and including acts amounting to public nuisance and to deliberate and flagrant breaches of the criminal law and which use of the criminal law is unable to prevent or control. To protect the rights of the public to the use and enjoyment of the highways within its district. The Claimant believes that the conduct complained of includes significant risk of harm to local residents, its officers and members of the public so that it is necessary for a power of arrest pursuant to s27 Police and Justice Act 2006 to be attached to the injunction.

Defendant's
name and
address

See attached sheet.

£

Court fee	528.00
Legal representative's costs	TBA
Issue date	

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.

Details of claim (continued)

See re-amended Particulars of Claim attached.

Birmingham City Council
Legal and Governance Department
PO Box 15992
B2 2 UQ

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

07

Month

12

Year

2022

Full name

Hilary MacPherson

Name of claimant's legal representative's firm

Birmingham City Council Legal and Governance Department

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
- (36) Aakaash Changaz
- (37) Hassan Ahmed
- (38) George Roberts
- (39) Ismail Ashfaq
- (40) Aneel Farid

Defendant(s)

OFFICIAL

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(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 Defednant

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
- 36) Thirty Sixth Defendant
REDACTED
- 37) Thirty Seventh Defendant
96 Ludlow Road, Alum Road, Birmingham, B8 3BS
- 38) Thirty Eighth Defendant
1 HOLT ROAD, BURBAGE, LEICESTERSHIRE LE10 2PY

OFFICIAL

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

Claim No: KB-2022-000221

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- (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:

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QUEEN'S BENCH DIVISION
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- 28) Benjamin Dunn
- 29) Mohammed
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- 30) Marlon Farrell
- 31) Jacob Williams
- 32) Matthew Oliver
Brayne
- 33) Abdulrahman
Abdulkader
- 34) Adam Jordan
Yeomans
- 35) Husnain
Mahmood
- 36) Aakaash
Changaz
- 37) Hassan Ahmed
- 38) George Roberts
- 39) Ismail Ashfaq
- 40) Aneel Farid

Defendant(s)

OFFICIAL

**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.

Page 2 of 17

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:

B. Court Orders & Judgment



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 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 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.



Neutral Citation Number: [2025] EWHC 1102 (KB)

Claim No.: KB-2022-BHM-000221

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

Wednesday, 26 February 2025

BEFORE:

MR JUSTICE RITCHIE

BETWEEN:

BIRMINGHAM CITY COUNCIL

Claimant

and

Persons Participating, or Intending to Participate in, Street Cruises

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

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

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

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

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

AND THE NAMED DEFENDANTS LISTED AT SCHEDULE 1

Defendants

Case No: KB-2022-BHM-000188

(1) WOLVERHAMPTON CITY COUNCIL
(2) DUDLEY METROPOLITAN BOROUGH COUNCIL

(3) SANDWELL METROPOLITAN BOROUGH COUNCIL
(4) WALSALL METROPOLITAN BOROUGH COUNCIL

Claimants

- and -

Persons Participating in Street Cruises

1. PERSONS UNKNOWN WHO PARTICIPATE BETWEEN THE HOURS OF 3:00PM AND 7:00AM IN A GATHERING OF 2 OR MORE PERSONS WITHIN THE 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

Persons Attending or Intending to Participate in Street Cruises

2 PERSONS UNKNOWN WHO PARTICIPATE BETWEEN THE HOURS OF 3:00PM AND 7:00AM IN A GATHERING OF 2 OR MORE PERSONS WITHIN THE 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

Persons Promoting Street Cruises

**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 AREA SHOWN ON PLAN A (ATTACHED)**

Drivers, Riders or Passengers in or on Motor Vehicles who take part in Street Cruises

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

AND THOSE PERSONS LISTED AT SCHEDULE 2 AS NAMED DEFENDANTS

Defendants

MS CHARLOTTE CROCOMBE appeared for the Claimants in *Birmingham*.
MR MICHAEL SINGLETON appeared on behalf of the Claimants in *Wolverhampton*.

JUDGMENT

(Transcript of extempore judgment Approved 6.5.2025)

Mr Justice Ritchie

Introduction

1. This hearing relates to a review of quasi-final injunctions granted in two cases. The first is *Birmingham City Council v Persons Unknown* (PUs) and another 35 Defendants. That was issued with case number KB-2022-BHM-000221. The second is *Wolverhampton City Council, Dudley Metropolitan Borough Council, Sandwell Metropolitan Borough Council and Walsall Metropolitan Borough Council v Persons Unknown* v various named Defendants issued with case number KB-2022-BHM 000188.

Undertakings

2. None of the Defendants attended. However, the first Defendant in *Birmingham* sent along his wife who informed me of his position. His position is that he is in prison having been convicted of organising street racing and being sentenced to, I believe, more than 3 years imprisonment as a result. He no longer wishes to be involved in street racing and it may be that he will give an undertaking to that effect so that he may be released from these proceedings.
3. The fourth and seventeenth Defendants in *Birmingham* likewise have communicated with Birmingham City Council and it may be that they will provide undertakings as well.
4. In submissions I was prepared to accept that a sensible way forward would be for a council officer to attend on those Defendants or for them to attend on a council officer and for the undertaking to be read to the Defendant/s so that they understood it, for a witness statement to be signed by the council officer and for the undertakings, when signed, to be exhibited to that and sent to the court. That would be acceptable to me as sufficient for them to be deleted as a party to these proceedings.

Bundles

5. I am grateful to both counsel for their assistance. Firstly, in relation to bundles. There were five bundles, two skeleton arguments and a note relating to authorities. One of those bundles was a bundle of authorities. One of the other bundles had various authorities within it, despite the fact that it also had documents.

Claims

6. Turning the to the proceedings. In the *Birmingham* action, a claim form was issued on 7 December 2022 naming Defendants 1 to 7 and also naming three categories of unknown persons, who either participated or intended to participate in street cruising as drivers, passengers or spectators, or who organised or intended to organise, promote or publicise street cruises.
7. In the claim form, the causes of action were to apply for an injunction under section 222 of the *Local Government Act 1972*, under section 1 of the *Localism Act 2011* and under section 130 of the *Highways Act 1986*. The injunction was against feared torts and crimes. The Claimants stated they were unable to control or prevent the significant risk of harm and injury to the public and they sought a power of arrest.
8. On 9 December 2022 Birmingham applied ex parte for an interim injunction. Re-amended Particulars of Claim are in my bundle. They asserted that the first, second and fourth, fifth, sixth and seventh Defendants had Instagram pages or WhatsApp group

chats and with substantial thousands of followers, through which they organised street cruising events. Historically, it was set out that in Birmingham, from about 2008, on the A47 there were many street cruises. In 2010 the Claimants applied for an injunction which was granted but expired in 2013.

9. *Wolverhampton* and the three other borough councils applied for injunctions in February 2015 which were granted. However, after the Birmingham injunction expired, the street cruising in Birmingham increased.
10. HHJ Worster granted an injunction to Birmingham in October 2016 which lasted until 2022. Under that there were 30 committal applications. One was challenged and the challenge went up to the Court of Appeal, the case name was *Sharif v Birmingham City Council* [2020] EWCA Civ. 1488, but the challenge was not successful. Then, litigation arising from a case called *Canada Goose UK v Persons Unknown* [2019] EWHC 2459 gave rise to certain worries about the nature of final or interim injunctions. Those took a while and were eventually sorted out by the Supreme Court in *Wolverhampton v London Gypsies* [2023] UKSC 47, which I shall return to in a minute.
11. The basis for the quia timet injunctions sought in the Reamended Particulars of Claim in *Birmingham* arose from dangerous driving, stunts, obstructing roads, noise, spectators potentially being injured but also behaving badly and harassing residents, setting off fireworks, damaging property and gathering together in large crowds. This behaviour led to complaints from residents; it often happened at weekends.
12. As for potential defences, there were none, save as to the freedom of peaceful assembly which is a qualified right under Article 11 of the *European Convention on Human Rights*, (ECHR), qualified that is by proportionality and the right of Parliament to pass laws to protect the general public.
13. The police had attempted to stop street cruising. They executed Operations “Shield” and “Hercules” and had carried out prosecutions and issued fixed penalty notices, but their resources were strained and they were insufficient to properly protect the public and hence the relief was claimed.
14. The current *Wolverhampton* action was started on 13 December 2022 and ran in parallel with *Birmingham*. They have been case managed together.

Orders

15. On 22 December 2022 interim injunctions were granted by Hill J with a power of arrest attached. I refer to the judgment provided by Hill J and incorporate it here.
16. On 13 February 2023 Freedman J confirmed and continued the interim injunctions. I refer to the judgment passed down by him in relation to that hearing and incorporate it here.
17. On 19 May 2023 the interim injunctions came before me to determine whether they would continue to be in force. I amended the interim injunctions in both claims, defining the unknown persons more narrowly and defining street cruising more narrowly to exclude letting off fireworks, in public urination and various other non-street cruising activities, and focused the injunctions on the mischief which the contra mundum, that means against the world, injunctions were intended to be focused on and that is people who organise and take part in dangerous activities on public highways in motor vehicles. A power of arrest was attached in relation to drivers and passengers.

18. On 27 February 2024 Julian Knowles J continued the injunctions but re-widened them. It is apparent from his judgment that he does not seem to have been shown the narrowing injunctions that I made. If he was shown them, he did not agree with my narrowing and went back to the wider wording which mirrored the wording that had been set out in the *Sharif* case, which I have already referred to. In any event, it is those final injunctions that come before me for review on 26 February 2025. Julian Knowles J set out in his judgment, given seven months after the hearing, the history of the proceedings, his rationale and set out that he applied the factors that I had set out in a case called *Multiplex Construction Europe Ltd v Persons Unknown* [2024] EWHC 239 (KB). These were the same factors that I had set out in a previous case called *Valero Energy Ltd v Persons Unknown* [2022] EWHC 911 (QB). That is the brief chronology.

Service and new evidence

19. As for service and new evidence, I have read the affidavit of Michelle Lowbridge, dated 4 April 2024, about the service of the quasi-final injunctions ordered by Julian Knowles J in February 2024, through press releases, radio and online social media, through front desk hard copies and on signage around town.
20. I have also read the witness statement of Oliver Humpidge, dated 19 February 2025, who is the Community Safety Partnership Manager in Birmingham. He says that the quasi-final injunction and the interim injunctions massively reduced complaints from members of the public about street cruising, namely by 52 per cent in Birmingham. There had been 30 breaches which had been dealt with by committal and the punishments were handed out in each case. In general, the injunctions had been very successful in protecting the public. It is his evidence to this court that it is essential that they continue.
21. I also read the witness statement from PC Campbell, dated 20 February 2025. He is in charge of the police response to organised street cruising. He gives evidence in his witness statement that the injunctions have pretty much eliminated large scale organised street cruising. They have not eliminated small, irregular street cruising. He informs the court, most interestingly, that the police reorganised after the injunctions to focus on street cruising and that he had been able to inject the seriousness of the situation into the thinking of the senior ranks. A road harm prevention team had been set up and the interim and quasi-final injunctions had had a gradual and beneficial effect. In evidence, he showed that the complaint calls in 2023 were 442 but that complaint calls in 2024 were reduced to 209, which was just over a 50 per cent reduction. He was worried that street cruising had been displaced to Milton Keynes and Coventry; it does not appear that either Milton Keynes or Coventry are covered by similar injunctions.
22. Interestingly, PC Campbell, who has really dug into this field and it seems to me has become an expert in street cruising and how to deal with it and the people that are involved in it, said that one of the people he spoken to confessed that: "I do not do drugs, I do not do drink, my drug is street racing". This is a fascinating insight into the thought processes of some, but maybe not all, of those that get involved in this dangerous activity.
23. The police have also put in place, or are putting in place, CCTV at hotspots and use stingers (that is spikes that cross the road to pop tyres). They put up, as do the local authority, signs to warn of the injunctions, have an aeroplane that flies overhead to identify where street cruising is taking place. The police also carry out the normal arrest

- activities. PC Campbell notices that nobody he has ever arrested and put through the committal proceedings has ever reoffended in the same field such that he or she has been rearrested, which he takes as a good sign.
24. The police of course gather evidence to start criminal proceedings. Conspiracy charges are levelled against organisers and some have been imprisoned for quite long periods of time. They also instigate evidence to start dangerous driving proceedings against various drivers.
 25. PC Campbell summarised the range of weapons available to the police to combat this dangerous activity. At the top are criminal charges, in the middle are the injunctions and at the bottom are fixed penalty notices. They find that this range is effective.
 26. Some of the restrictions on which range to use are of course due to police funding, also that the police can only arrest one driver or passenger at a time. In relation to spectators, there is no power of arrest attached to the injunction. However, PC Campbell says enforcement against drivers is crucial and important. However, if the injunction was to be enforced against spectators it would be an “on paper” enforcement and I am not aware that any of the committal applications so far have been against spectators. Neither counsel contradicted that observation.
 27. As for the organisers, some have been prosecuted. Three have been found guilty, that is Mr Nagmadin, Ms Roberts and Mr Reid and they were sentenced to between 3 and 4 years in prison.
 28. I also take into account the witness statement of Ms M Lowbridge of 24 February 2025 about service online and notice of the review hearing. I take into account the witness statement of Fahmida Begum dated 24 February 2025 about service by post.
 29. I then turn to the *Wolverhampton* evidence which is set out in the following witness statements. Adam Sheen 18 February 2025; P Brown 24 February 2025; P Nagra 23 January 2025. P Nagra is the “antisocial team” leader, a rather marvellous title, but a very important job. P Nagra states that the injunctions have reduced racing and in the Wolverhampton area have led to nine committal applications. Before these proceedings were started, tragically, on 20 November 2022, one street racer lost control of the car and caused two fatalities and very serious injuries to three members of the public.
 30. Next, I come to the other witness statement of PC Campbell dated 15 January 2025 relating to the *Wolverhampton* case, not *Birmingham*. In that he says that the injunctions have reduced complaints from members of the public by 38 per cent. There have been three arrests since February 2024. There was a near fatal collision in December 2024 but it was unrelated to street cruising.
 31. More importantly, he gave live evidence before me. He highlighted that there is a slight lack of police focus, manpower or finance in the West Midlands in the four authorities, not Birmingham, and this may be leading to reduced enforcement there. There is some displacement of car racing activity from Birmingham to there, he thinks. There was an increase in activity there in the last week. He considered there was more focused enforcement in Birmingham.
 32. In relation to my question why the police needed the injunction he stated that the injunction is useful when arresting people. A message is sent out: this is what we are doing. Street cruising almost stops when somebody is arrested. I asked whether that

would occur if the arrest was merely for a crime and what he said is that they arrest for both but then the police determine whether they are going to go through the cascade of potential routes of punishment, the highest level being crime, the middle level being civil committal and the lower level being fixed penalty.

33. The fact that there are three available routes seems to be useful to the police so they can choose what is the most effective method. The reason why committal under the injunction is effective is because the alleged contemnors are brought before a High Court judge within a day and sentenced or dealt with, or acquitted, usually within 4 weeks and this gets the message out to potential street cruisers that it is fast and effective punishment. Whereas criminal proceedings, particularly for dangerous driving or conspiracy, may take up to a year or much more and that does not get the message out quick enough to put the word around to create a deterrent effect.
34. He also said that he helps a lot of other forces around the country. Birmingham are doing better than most others because most others do not have the benefit of a council injunction banning street cruising. He speaks to other police forces and lectures other police forces on what is going on in Birmingham. Those other police forces and councils were not interested before, but they have a massive problem in other areas and conversations are beginning to enfranchise them to take things more seriously. He did a presentation recently in Wales.
35. When I asked him about banger racing and why there is nowhere around here that cars can race around a mud circuit or a track circuit, with adequate protection for spectators, he told me they were “all gone”. In any event, those street racers that he has spoken to want to race on the streets, they are not interested in racing in airfields like Santa Pod. He knows many of the individuals who have been involved and he knows the families of the individuals who have been killed by car cruising. One is Damian Corfield, whose son was killed as a result of a car cruising accident. He is involved with Mr Corfield to try and create videos to be shown in schools to nip this in the bud in young men and women. That is a laudable way forward. He is worried about what may happen in neighbouring counties which have no injunctions.

Submissions

36. It was submitted on behalf of all the Claimants as follows. Street cruising and racing on public highways involves speeding, loud noise, convoys, races, stunts and obstructions. It is organised online. It is antisocial and it leads to antisocial behaviour by spectators including setting off fireworks, drug taking, littering and shouting. The risk is that which is highlighted by the event on 20 November 2022: losing control of a car, hitting spectators and killing them or seriously injuring them. The history is set out well in the evidence that has been gathered by previous judges in these claims and are set out in their judgments.
37. It was submitted by Ms Crocombe, through her skeleton and verbally, that these injunctions are needed to continue to prevent dangerous activities on the streets of Birmingham which would not be effectively prevented by the criminal law. They were not prevented by the criminal law in the past so they were granted and they will not be prevented by the criminal law if they are reviewed into extinction. It was submitted that they are needed to save lives, to save injuries and to reduce street cruising. It was

submitted that the updated evidence shows that they work. The larger cruises are not being organised and are not taking place. Albeit smaller cruises continue, they are being cracked down upon and committal proceedings are being taken.

Committal orders to date

38. I have a list of committal orders. I apologise if my spelling of some names is occasionally inaccurate. Just running through a few of them, Mohammed Daynard was given 28 days; Bradley Hayes 23 days, Mohammed Wajahat 31 days; Zoe Lloyd 14 days; Callum Blunderfield 46 days; Gurinder Sahota 28 days; Connor Hill 23 days; Asim Rahman 23 days; Aman Kayani 23 days; Adhnan Mohammed 22 days; Joseph Dawson 23 days; Daniel Gordon 23 days; Raaghib Afsar 28 days; Umar Mahmood 28 days; Victoria Adshead 26 days; Aaron Kirk 32; Bilal Ajmal 40. And there are many others.
39. For Wolverhampton, it was submitted there is a pressing need for continuance of these injunctions. The criminal law, it was submitted, works in tandem with these civil law injunctions. These injunctions focus on the mid-rank offences rather than more serious ones. Although the injunctions catch the more serious ones the police take the more serious ones to criminal trial rather than to civil committal. These injunctions do not, I should say, focus on the more trivial offences of spectators who may be urinating against trees or setting off fireworks, because the powers of arrest are not attached to those breaches.
40. I am going to come to how I am going to alter at least the *Birmingham* injunction in a minute.
41. It was raised by Mr Singleton that street cruising gives rise to insurers withdrawing insurance and the actual cruising not being covered by the insurance because policies generally have a “no racing” clause. That of course triggers the liability of the Motor Insurers Bureau for the street cruising, an area of practice which is particularly difficult, but this raises the prospect of member of the public getting injured and not getting full compensation, particularly if the driver was untraced. The *Untraced Drivers Agreement* provides a different structure than common law damages under the *Uninsured Drivers Agreement*.
42. Both counsel dealt with a recent case: *MBR Acres Limited & Ors v Free the MBR Beagles & Ors* [2021] EWHC 2996 (QB). *MBR* raises various issues of law which I am going to deal with in a minute.

The law

43. Next, I come to the law relevant to the decision that I have to take. First, I am going to deal with the factors that need to be considered on a review, which are similar to the factors that needed to be considered when these injunctions were granted in the first place. However, there are two factors that need to be added at the end. There are 15 such factors, not 13 as I set out paragraph 57 of the judgment in *Valero No.1* and I am going to run through them.

A: the substantive requirements

44. Firstly, there needs to be a **cause of action**. These claims have already been dealt with as quia timet causes of action but they are more than a quia timet. They relate not just to what the Claimants fear, but also what is happening. The Claimants have proven what it is happening. The Claimants seek help to let them stop the danger based on past crimes

and torts as well as quia timet. The facts are well set out in the pleadings in all five Claimants' particulars of claim and the factual matrix has been fully accepted by the previous judges who granted the interim and quasi final injunctions so I do not need to go back into them.

45. Secondly, **full and frank disclosure**. Both *Birmingham* and *Wolverhampton* have done their best to provide full and frank disclosure. I am grateful to counsel and the councils for doing their best to be frank about the benefits and the disadvantages of these injunctions.
46. **Sufficient evidence to prove the claim**. There must be sufficient and detailed evidence before the court on a review to justify either continuing the injunctions, altering them or not continuing them. For the reasons that I have set out and on the evidence that has been put before me, I consider that there is sufficient evidence on the balance of probabilities to justify continuing injunctions, but there are other factors I will come to in a minute.
47. As for there being **no realistic defence**, I have taken into account the *European Convention on Human Rights* and the right to free and unfettered assembly but it is a qualified right. That qualification is qualified by Parliament passing laws against crimes and also by this court passing injunctions against future crimes and torts. I do not consider that the Article 11 right grants young men or women the right to get into fast cars, to drive dangerously and to put elderly or any member of the public at risk from their dangerous driving.
48. The balance of convenience test is displaced in cases such as this, so that it becomes a **compelling justification test**, that is what was set out in the *Wolverhampton v London Gypsies* case. I consider that compelling justification is well proven, despite the qualified rights under both Articles 10 and 11 of the European Convention, on the evidence before me. These injunctions are working and they are working in a way that has been maturely applied by the councils and the police. They are stratifying the appropriate punishment system according to the seriousness of the offending. That is going to have an effect at the lower end of the offending and I am going to come to that in a minute when redrafting the injunction.
49. **Damages are clearly not an adequate remedy**. They were not an adequate remedy before and they are not an adequate remedy now. Just to explain why: if members of the public are going to lose their ability to walk and become paraplegic, of course compensation will assist in care, accommodation and other matters, but they do not want compensation, they want their bodies back. Street cruising takes away their ability to play sport or perhaps through brain damage their ability to think and provide a useful life and compensation is not adequate for that. In any event, there is no guarantee that the people carrying out the street cruising have insurance and there is no guarantee that the Untraced Drivers Agreement, if that is the one that applies because the street cruiser is not caught, is going to provide full compensation. I do not consider damages to be an adequate remedy for the risk and the dangers involved in street cruising.

B, the procedural requirements

50. **Identifying the PUs**. I am going to be redrafting the orders slightly so that there are headings on the PUs so it is easier for members of the public to understand which

categories are caught. Otherwise, the PUs are tightly drawn and properly focussed at the moment, if slightly legalistically.

51. As for **the terms of the injunctions**. I am going to be redrafting those so that they do not catch people who are supplying or using illegal drugs, urinating in public, shouting or swearing or abusing, threatening or otherwise intimidating each other, setting off fireworks. Those are either serious crimes or wholly unpleasant illegal and nuisance causing criminal activities, but this is a street cruising injunction and intended to stop street cruising. It is not some form of backup against urinating in public or setting off fireworks. I am going to alter the injunctions so that those are deleted in the *Birmingham* cases from the definition of street cruising. The definition of street cruising involves the activities which are in 1 to 5 in Schedule 2 of the *Birmingham Order*: driving or riding at excessive speed or dangerously; driving or riding in convoy; racing; performing stunts or obstructing the highway or any private property. Those are the focus of the street cruising injunctions.
 52. **The prohibitions must match the claim**. I consider with the paired down versions they will match the claim.
 53. **Geographic boundaries**, they are well set out in the previous injunctions and they do not need any amendment in my judgment.
 54. **Temporal limits**. These are quasi final injunctions which are reviewed every year. I consider at the moment that review each year is necessary going forwards, although I could see a time when that review could either be every two years or three years depending on the way the councils wish to put it and the evidence obtained from the police. I can, I should say, also see a time when these injunctions should no longer continue despite the risk of street cruising, because if these injunctions were to become nationwide, so they are not just **contra mundum in person**, but their geographical boundaries become widened so that they are **contra the whole country**, so if every council gets a similar back to back injunction, then it seems to me that there are moral and legislative issues about whether the judiciary may be trespassing on what is truly legislative territory. I raise no more than my concern about that here. It is for others in future cases to decide whether that concern is becoming more serious. Maybe others higher up the judicial ladder than I.
 55. **Temporal limits, duration**, I have just mentioned my concerns about this but currently the limits are appropriate.
 56. **Service**. I consider that the Defendants should be served in the usual way. The PUs who are Defendants, who are not identified, need to be served in the same ways that were set out in the previous injunctions and orders. I will come back to a case that may have created some difficulties for that, namely the decision in *MBR* in a minute
 57. **As for the right to set aside or vary**, the quasi-final orders contain that and that will continue because the Supreme Court said that such a right must be granted to unknown persons.
 58. **As for review**, I have already passed some comment upon that and I consider that this quasi-final injunction should be reviewed each year.
 59. As for the **costs undertakings**, those should be continued.
- The issues**

60. I come to the issues in this case. Review: the first relates to the specific factors that should be considered on review. In *Wolverhampton City Council & Others v London Gypsies and Travellers and Others* [2023] 2 WLR 45, at paragraph 225, the Supreme Court ruled that:

"...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 and whether there is any proper justification for continuance and whether and on what basis a further order should be made."

Let me just split that up.

61. **Appropriate evidence.** Is there appropriate evidence supporting the application? I have found that it is.
62. **Effectiveness.** How effective has the order been? I find that it has been very effective in protecting the public, catching the criminals, bringing them before the courts quickly and giving them a punishment that seems to be working.
63. **Discharge.** Are there any reasons or grounds for its discharge that have emerged? In my judgment, not yet. Firstly, the police and the councils are enforcing this, this is a *sine qua non*, or something that is necessary, otherwise a council will not get the injunction going forwards. These Claimants are enforcing.
64. **Any other reasons?** I have foreseen a cloud on the horizon, which I have mentioned, about whether it is proper countrywide to be providing these injunctions, but that is a cloud that is not above my head and hence I am not going to deal with it today.
65. **Are there any other reasons or grounds for discharge to have emerged?** I do not find that they are. These street cruises have not stopped, they are going on, they are just displacing elsewhere. The danger continues. Fortunately, this injunction together with police and local authority action has probably saved lives and I would say very probably saved injuries. The local councils and the police should be congratulated for doing that.
66. Whether there is any **proper justification for continuance.** I have just given it.
67. Whether and on what basis a further order should be made. I am going to tweak the orders in a minute.

Law relating to review

68. Next, I humbly cite my own judgment in *HS2 v Persons Unknown* [2024] EWHC 1277 at paragraphs 32 to 33:

"[32] Drawing these authorities together, on a review of an interim injunction against PUs," and I would add now on a review of a quasi-final injunction against PUs, "and named Defendants, the court is not starting **de novo**, the judges who have previously made the interim injunctions have made findings justifying the interim injunctions. It is not the task of the court on review to query or undermine those. However, it is vital to understand why they were made, to read and assimilate the findings, to understand the substrata of the **quia timet**, the reasons for the fear of unlawful direct action. Then it is necessary to determine, on the evidence, whether anything

material has changed. If nothing material has changed, if the risks still exist as before and the Claimants remain rightly and justifiably fearful of unlawful attacks, the extension may be granted so long as procedural and legal rigour has been observed and fulfilled.

[33] On the other hand, if material matters have changed, the court is required to analyse the changes, based on the evidence before it, and in the full light of past decisions, to determine anew, whether the scope, details and need for the full interim injunction should be altered. To do so the original thresholds for granting the interim injunctions still apply."

69. I have considered those matters. I consider that the test on review is passed. I have given the reasons why. I consider that a slightly late but adequate notice and service has been given to the PUs and to the Defendants. I consider that the definition of PUs needs to be changed in the way discussed with counsel. Counsel are going to send me through draft amended injunctions. I may amend them a little bit more to tailor the PU definitions but that is to come. I consider that the definition of street cruising in the Birmingham case is not appropriate and drugs, urination, shouting and fireworks need to be taken out so that the focus is on dangerous driving.

70. I consider that the benefits of continuing the injunctions are the speed of result, the immediacy, the deterrent factor, the fact that they are stratified just under serious crime but above non-serious fixed penalty crime, the fact they are better than public space protection orders because they are wider and the entrenched thinking of some street cruisers, that they do not really seem to get that they should not be doing it, they need to get their thrills some other way.

***MBR Acres Ltd and others v McGivern* [2022] EWHC 2072**

71. As for the four factors raised in *MBR*, I should deal with each of them because counsel have properly raised *MBR*, under their duty to show this court, on an ex parte application against PUs, that there may be headwinds or rocks in the course of the boat carrying the injunction which need to be dealt with.

72. The first point is that judges should give **permission for committal** before committal proceedings are started in PU injunction cases. I am afraid I do not agree. I do not expect the police to have to come to court to get permission to start proceedings against somebody they have just arrested for street racing, driving far too fast, overtaking an elderly gentleman on a dual carriageway in a dangerous manner and putting spectators at risk. Nor do I expect Birmingham City Council to have to come to me for permission before they start committal proceedings. These are responsible, grown up, longstanding public authorities who take their responsibilities very seriously (albeit *Birmingham* is financial bankrupt). In any event, if such an arrested person is to be committed, they are brought before a High Court judge within a day. Any concerns can be dealt with by that High Court judge the next day. I have myself dealt with a few of these, as I know many of the senior judges here do. That is a sufficient filter to protect the previously unknown persons who become known when they are arrested.

73. Secondly, **actual knowledge of the injunction** is required to be proved in the committal proceedings. I do not need to enter into the dispute about whether actual knowledge is

required in the committal proceedings here because these are not committal proceedings. Nor do I need to set out the criteria for committal in an injunction order. I would not presume to do so, even if others have. There are very clear procedures and substantive requirements for committal proceedings to protect those who are the subject of allegations that they should be committed for contempt. It is a field in which judges take their responsibilities very seriously. I will leave that up to any judge who has to deal with somebody brought before him or her on a committal application brought by the Claimants.

74. Thirdly, there is no need for **alternative service** according to Nicklin J because they are unknown persons and it is a new type of injunction contra mundum. This is set out in paragraph 399(2). I am going to follow the Supreme Court's rulings on whether service is required for PUs because I am bound by it. I consider that, as a matter of principle, where the nuclear option of an injunction against the world is granted by a court, every possible protection should be given to those who may be affected by it, including methods of alternative service, to publicise the application for the injunction or the review thereof and the passing of the injunction. Publication will also assist in committal proceedings.
75. Finally, the **definition of PUs**. According to Nicklin J, at paragraph 360, this is no longer necessary because they are injunctions contra mundum. I am going to follow the rulings of the Supreme Court to the effect that: because these are the nuclear weapons of the civil courts, they should be very carefully deployed and in circumstances which are very focused. I intend to continue the definitions in these claims, ensuring that the PUs are narrowly defined, so that only those who are properly defined are caught. If I turn out to be wrong about that, it makes absolutely no difference in this case because the operative parts of the injunctions match the operative parts of the definition of PUs and it will not be affecting the PUs who might be affected by the injunction and those are the ones that are important.
76. Therefore, I do not consider that any of those four concerns stand in my way for continuing the injunctions.
77. I have dealt with service but I should also mention there is one other witness statement from Shaheen Akhtar dated 25 February 2025 about some Defendants who contacted the councils after the event.

Conclusion

78. In conclusion, I have gone through the nature of the applications, the chronology of the cases, the previous judgments, the new evidence, the 15 factors required in *Valero* to consider on review and the main 4 factors about new evidence and whether anything has changed on review. I have sought to explain why I consider all factors are satisfied and why the orders can continue in an amended form. I will be inviting counsel to send draft orders to my clerk so that I can sign those off in the forthcoming days.
79. Just to make it clear, in the interim, the injunctions currently in place will continue until I make a further order.

SCHEDULE 1

Named Defendants in *Birmingham*

- (1) AHZI NAGMADIN**
- (4) RASHANI REID**
- (5) THOMAS WHITTAKER**
- (6) ARTHUR RODGERS**
- (7) ABC**
- (11) MR MOHAMMED WAJAHAS SHABBIR**
- (12) ZOE LLOYD**
- (13) CALLUM BLUNDERFIELD**
- (14) GURBINDER SINGH SAHOTA**
- (15) CONNOR HILL**
- (16) ASIM RAHMAN**
- (17) AMAN KAYANI**
- (18) ADHNAN MOHAMMED**
- (19) MOHAMMED DAANYAAL**
- (20) BRADLEY HAYES**
- (21) JOSEPH DAWSON**
- (22) DANIEL GORDON**
- (23) RAGHIB AFSAR**
- (24) UMAR MAHMOOD**
- (25) VICTORIA ADSHEAD**
- (26) AAROON KIRK**
- (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**

SCHEDULE 2

(named Defendants in *Wolverhampton*)

Defendant Number	Defendant Name	Date Defendant added as a party (and judge making order)
5	Mr ANTHONY PAUL GALE	4 October 2023 (HHJ Kelly)
6	Miss WIKTORIA SCZCUBLINSKA	4 October 2023 (HHJ Kelly)
7	Mr ISA IQBAL	1 November 2023

		(HHJ Kelly)
8	Mr MASON PHELPS	29 January 2024 (HHJ Kelly)
9	Ms REBECCA RICHOLD	27 February 2024 (Julian Knowles J)
10	Mr OLIVER DAVID CLARKE	21 May 2024 (HHJ Kelly)
11	Mr SIKANDER HUSSAIN	23 May 2024 (HHJ Kelly)
12	Mr OMAR TAGON	12 November 2024 (HHJ Wall)
13	Mr TY HARRIS	25 November 2024 (HHJ Wall)
14	Mr VIVKASH BALI	25 November 2024 (HHJ Wall)

END



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

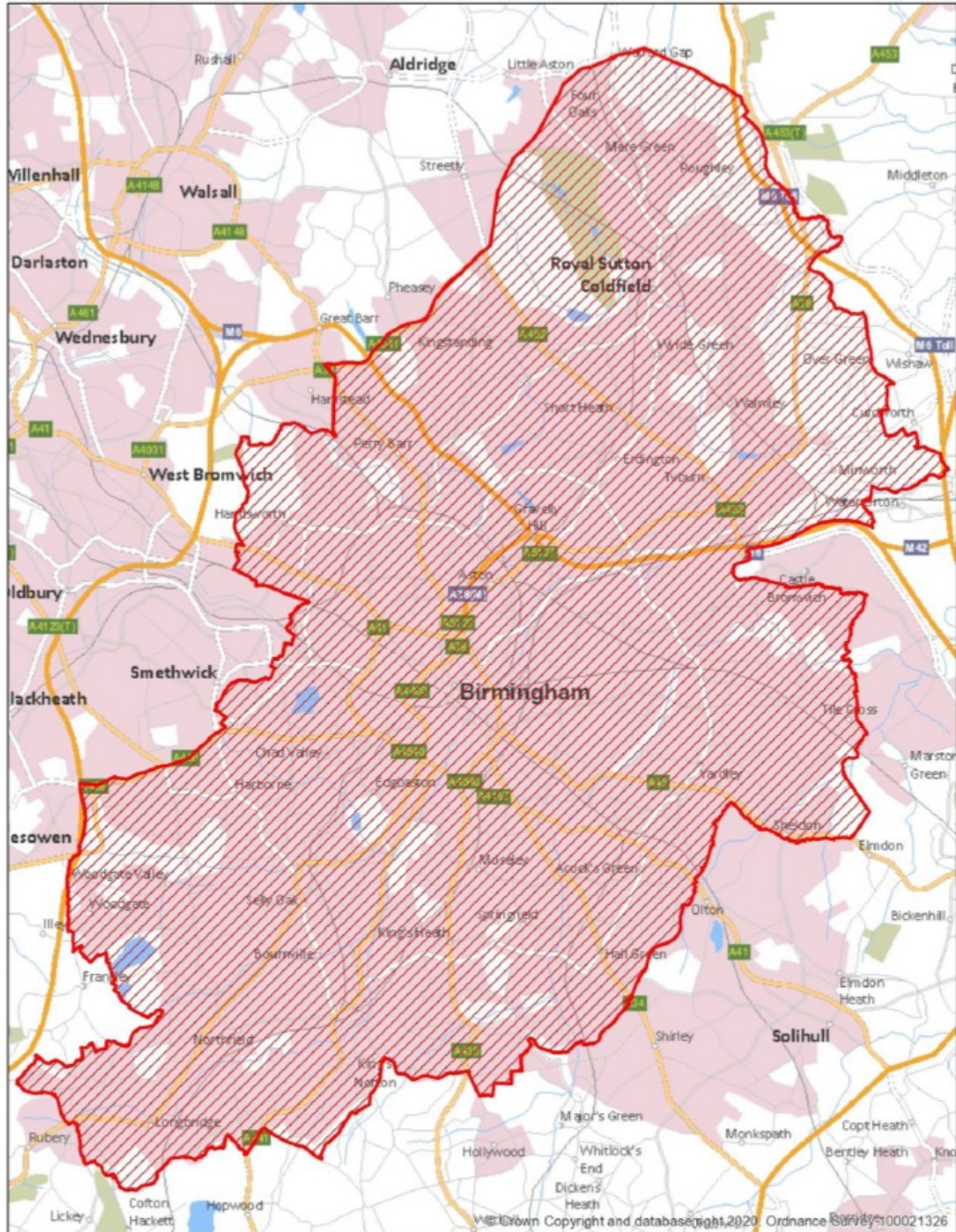
E: HousingLitigationTeam@birmingham.gov.uk

T: 0121 303 2808

DX: MDX 326401 Birmingham 87

SCHEDULE 1

Birmingham Administrative Boundary



The thick red line indicates the Birmingham administrative boundary.



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.

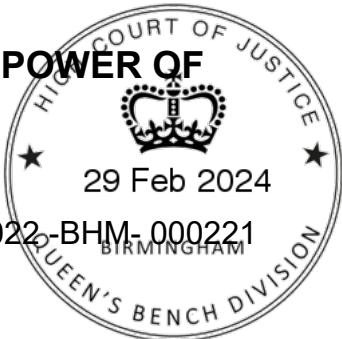
SECTION 222 LOCAL GOVERNMENT ACT 1972 INJUNCTION – POWER OF ARREST

Under section 27, Police and Justice Act, 2006.

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

Claim no: KB – 2022-BHM- 000221

KB-2022-BHM-000221



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

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

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

(Where marked * delete as appropriate)

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

Schedule 2

“Street-Cruise”

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

at Schedule 1, at which any person performs any of the activities set out at para.2 below, so as, by such conduct, to cause any of the following:

- (i) excessive noise;
- (ii) danger to other road users (including pedestrians);
- (iii) damage or the risk of damage to private property;
- (iv) any nuisance to another person not participating in the street-cruise.

2. The activities referred to at para.1, above, are:

- (i) driving or riding at excessive speed, or otherwise dangerously;
- (ii) driving or riding in convoy;
- (iii) racing against other motor-vehicles;
- (iv) performing stunts in or on motor-vehicles;
- (v) obstructing the highway or any private property;
- (vi) supplying or using illegal drugs;
- (vii) urinating in public;
- (viii) shouting or swearing at, or abusing, threatening or otherwise intimidating another Person; and/or
- (ix) setting off fireworks.

Power of Arrest

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

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

This Power of Arrest

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

**Note to the
Arresting Officer**

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

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

Ordered by

On

27 February 2024

As amended pursuant to CPR 40.12 on 4 March 2025



Claim No. KB-2022-BHM-000221

KB-2022-BHM-000221

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

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

B E T W E E N

BIRMINGHAM CITY COUNCIL

Claimant

and

Persons Participating, or Intending to Participate in, Street Cruises

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

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

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

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

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

AND 30 NAMED DEFENDANTS LISTED AT SCHEDULE 4

Defendants

INJUNCTION ORDER
amended pursuant to CPR 40.12 on 4 March 2025

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

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

History:

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

Current hearing:

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

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

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

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

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

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

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

NOW IT IS ORDERED THAT

INJUNCTION

PARTICIPATING IN A STREET CRUISE

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

ORGANISING OR PROMOTING

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

SPECTATING

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

POWER OF ARREST

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

DEFINITIONS

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

Review Hearings

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

Liberty to Apply.

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

Service on the 1st and 4th Defendants

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

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

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

Service on the 8th-10th Defendants

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

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

Costs

12. There shall be no order as to costs.

Signed: Ritchie J

Made: 3.3.2025

Amended 4.3.2025

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

THE CLAIMANT'S CONTACT DETAILS

Birmingham City Council Legal and Governance

Ref: LSCSY/HM/210929

PO Box 15992

Birmingham B2 2UQ

E: HousingLitigationTeam@birmingham.gov.uk

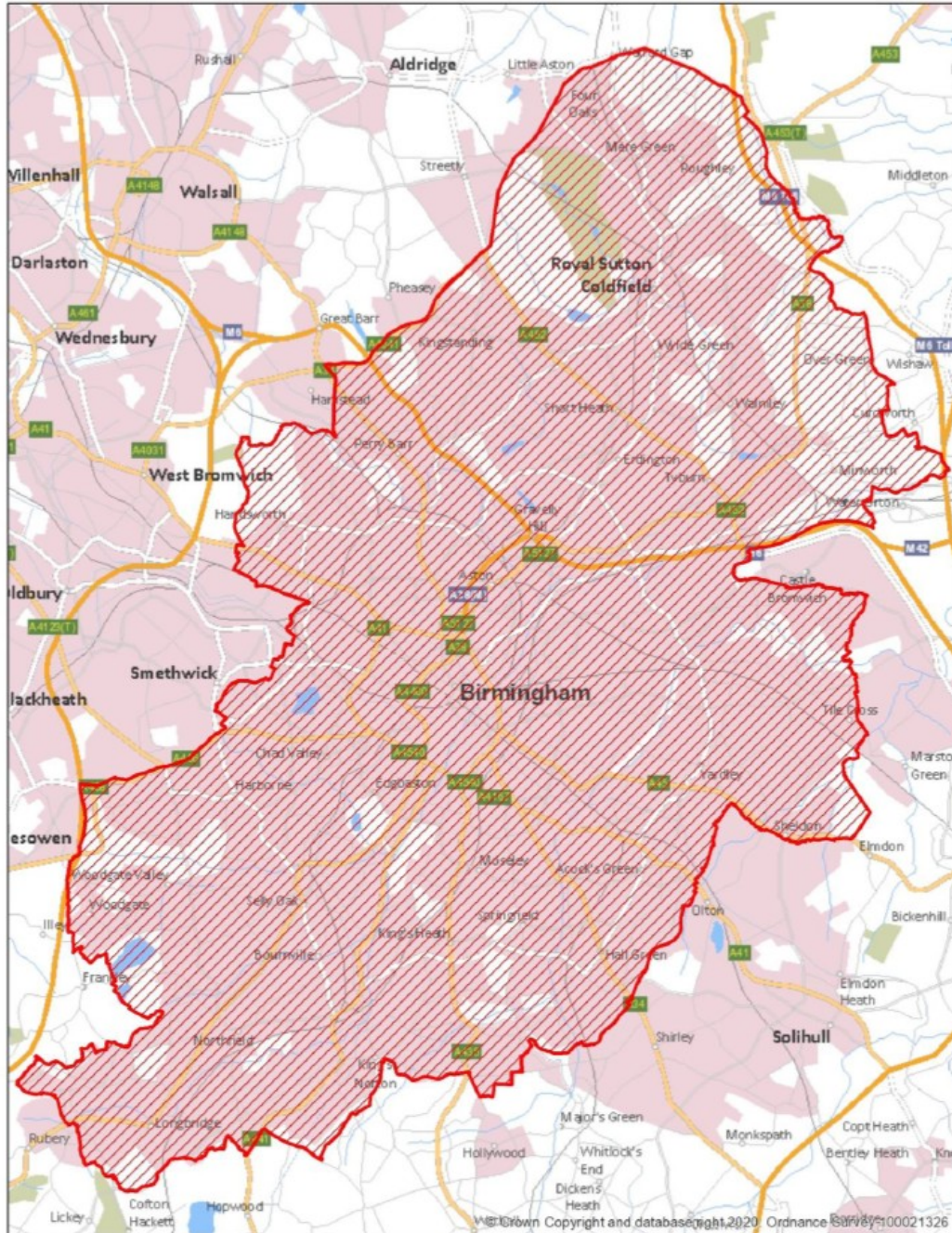
T: 0121 303 2808

DX: MDX 326401 Birmingham 87

SCHEDULE 1

MAP

Birmingham Administrative Boundary



The thick red line indicates the Birmingham administrative boundary.



0 1.25 2.5 5 Kilometers



SCHEDULE 2

DEFINITIONS

“Street-Cruise”

1. **“Street-Cruise”** means a congregation of the drivers of 2 or more motor-vehicles (including motor-cycles) on the public highway or at any place to which the public have access within the Claimant’s local government area (known as the City of Birmingham) as shown delineated in red on the map at Schedule 1, at which any driver, rider or passenger in or on a motor vehicle, performs any of the activities set out at para.2 below, so as, by such conduct, **to cause any of the following:**

- (i) excessive noise;
- (ii) danger to other road users (including pedestrians);
- (iii) damage or the risk of damage to private property;
- (iv) any nuisance to another person not participating in the activity.

2. **The activities** referred to at para.1, above, are:

- (i) driving or riding at excessive speed, or otherwise dangerously,
- (ii) driving or riding in convoy;
- (iii) racing against other motor-vehicles;
- (iv) performing stunts in or on motor-vehicles;
- (v) obstructing the highway or any private property.

“Participating in a Street-Cruise”

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

SCHEDULE 3

SERVICE

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

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

Such release must provide:

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

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

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

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

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

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

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

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

SCHEDULE 4

(1) AHZI NAGMADIN

(4) RASHANI REID

(5) THOMAS WHITTAKER

(6) ARTHUR RODGERS

(7) ABC

(11) MR MOHAMMED WAJAHAS SHABBIR

(12) ZOE LLOYD

(13) CALLUM BLUNDERFIELD

(14) GURBINDER SINGH SAHOTA

(15) CONNOR HILL

(16) ASIM RAHMAN

(17) AMAN KAYANI

(18) ADHNAN MOHAMMED

(19) MOHAMMED DAANYAAL

(20) BRADLEY HAYES

(21) JOSEPH DAWSON

(22) DANIEL GORDON

(23) RAGHIB AFSAR

(24) UMAR MAHMOOD

(25) VICTORIA ADSHEAD

(26) AAROON VIRK

(27) BILAL AMJAD

(28) BENJAMIN DUNN

(29) MOHAMMED KHALIL

(30) MARLON FARRELL

(31) JACOB WILLIAMS

(32) MATTHEW OLIVER BRAYNE

(33) ABDULRAHMAN ABDULKADER

(34) ADAM JORDAN YEOMANS

(35) HUSNAIN MAHMOOD

END

SECTION 222 LOCAL GOVERNMENT ACT 1972 INJUNCTION – POWER OF ARREST

Under section 27, Police and Justice Act, 2006.

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

Claim no: KB – 2022-BHM- 000221



KB-2022-BHM-000221

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

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

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

(Where marked * delete as appropriate)

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

Schedule 2

“Street-Cruise”

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

at Schedule 1, at which any person performs any of the activities set out at para.2 below, so as, by such conduct, to cause any of the following:

- (i) excessive noise;
- (ii) danger to other road users (including pedestrians);
- (iii) damage or the risk of damage to private property;
- (iv) any nuisance to another person not participating in the street-cruise.

2. The activities referred to at para.1, above, are:

- (i) driving or riding at excessive speed, or otherwise dangerously;
- (ii) driving or riding in convoy;
- (iii) racing against other motor-vehicles;
- (iv) performing stunts in or on motor-vehicles;
- (v) obstructing the highway or any private property;
- (vi) supplying or using illegal drugs;
- (vii) urinating in public;
- (viii) shouting or swearing at, or abusing, threatening or otherwise intimidating another Person; and/or
- (ix) setting off fireworks.

Power of Arrest

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

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

This Power of Arrest

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

**Note to the
Arresting Officer**

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

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

Ordered by

On

27 February 2024



As amended by Order of Her Honour Judge Emma Kelly on 1 July 2025

As amended pursuant to CPR 40.12 on 4 March 2025

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

Claim No: KB-2022-BHN-000221

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.

B E T W E E N:

BIRMINGHAM CITY COUNCIL

Claimant

-and-

Persons Participating, or Intending to Participate in, Street Cruises

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

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

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

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

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

AND 30 33 NAMED DEFENDANTS LISTED AT SCHEDULE 4

Defendants

INJUNCTION ORDER

amended pursuant to CPR 40.12 on 4 March 2025

varied on 1 July 2025

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

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

History:

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

Current hearing:

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

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

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

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

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

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

- a) A draft consent order.

b) A witness statement from the Claimant's solicitor which:

- i. Exhibits a copy of the named Defendant's signed undertaking, inter alia not to breach the injunction.
- ii. Explains that the undertaking is acceptable to the Claimant and that the effect of the undertaking was explained to, and understood by, the Defendant when they signed it.

NOW IT IS ORDERED THAT

INJUNCTION

PARTICIPATING IN A STREET CRUISE

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

ORGANISING OR PROMOTING

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

SPECTATING

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

POWER OF ARREST

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

DEFINITIONS

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

Review Hearing

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

Liberty to Apply

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

Service

- 7A. For the avoidance of doubt, service of this Order as varied by the Court on 1 July 2025 shall be effected in accordance with the provisions set out in paragraph 4 and 6 of the Court's Order dated 1 July 2025 rather than as set out at paragraphs 8-12 of, and Schedule 3 to, this Order.

Service on the 1st and 4th Defendants

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

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

10. Pursuant to CPR rules 6.15, 6.27 and 81.4(2) (c) and (d), the Claimant shall be permitted to serve this injunction and power of arrest on the 5th-7th and 11th-35th Defendants using

email and/or postal addresses that have been provided to the Claimant in the course of these proceedings.

Service on the 8th-10th Defendants

11. Pursuant to CPR rules 6.15, 6.27 and 81.4(2) (c) and (d), the Claimant shall be permitted to serve this injunction and power of arrest on the 8th-10th Defendants by the alternative methods specified at Schedule 3 to this Order.
12. The deemed date of service of the injunction and power of arrest on the 8th, 9th and 10th Defendants shall be the date of completion of the steps described in paragraph 1 of Schedule 3 to this Order. The completion of those steps is to be verified by a witness statement or certificate of service to be filed at Court and uploaded to the Claimant's dedicated webpage referred to at para.1(iii) of Schedule 3 to this Order within 7 days of completing those steps. Service of the said witness statement on the 8th 9th and 10th Defendants is dispensed with.

Costs

13. There shall be no order as to costs.

Signed: Ritchie J

Made: 3.3.2025

Amended: 4.3.2025

Signed: Her Honour Judge Emma Kelly

Dated: 1 July 2025

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

THE CLAIMANT'S CONTACT DETAILS

Birmingham City Council Legal and Governance

Ref: LSCSY/HM/210929

PO Box 15992

Birmingham B2 2UQ

E: HousingLitigationTeam@birmingham.gov.uk

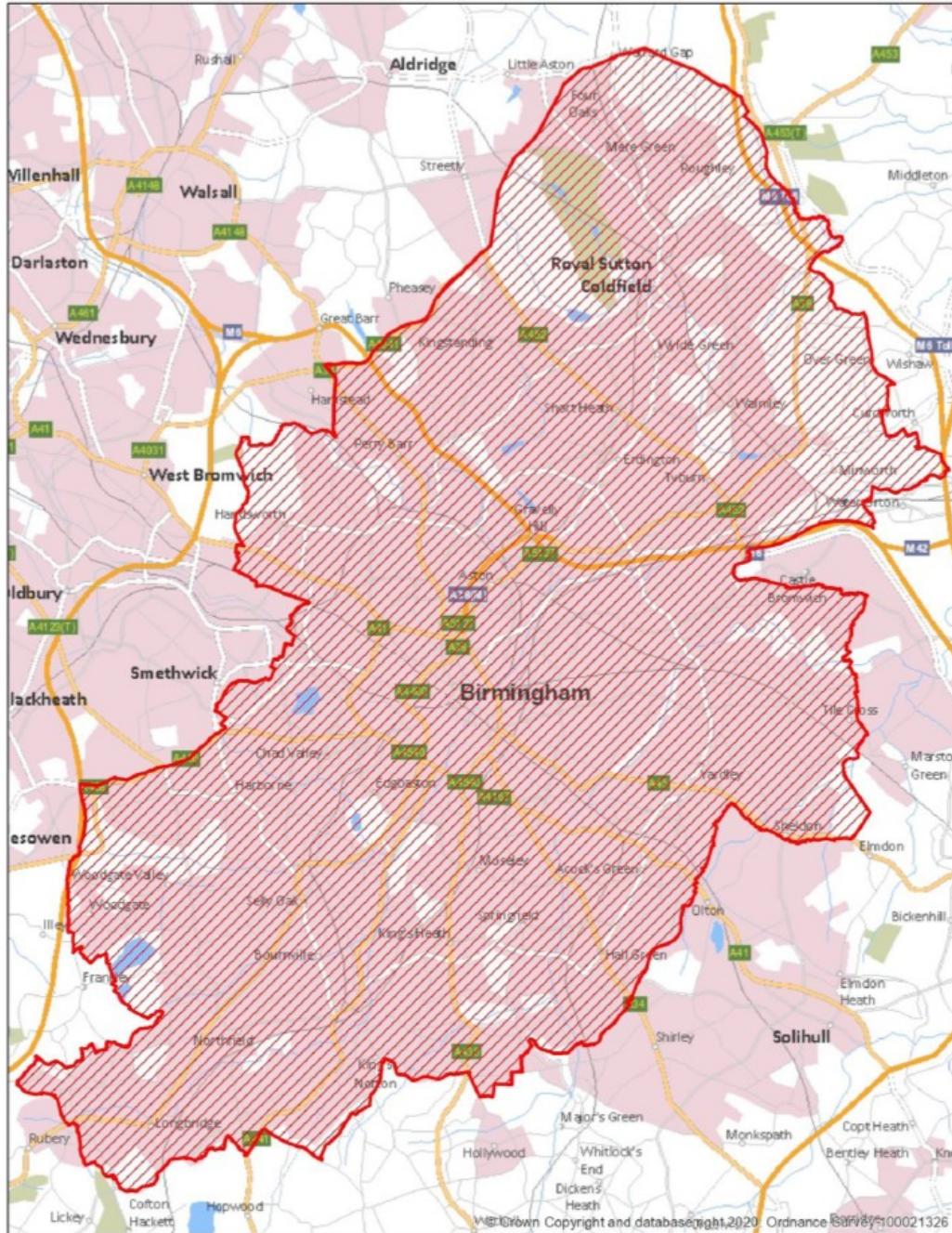
T: 0121 303 2808

DX: MDX 326401 Birmingham 87

SCHEDULE 1

MAP

Birmingham Administrative Boundary



The thick red line indicates the Birmingham administrative boundary.



0 1.25 2.5 5 Kilometers



SCHEDULE 2

DEFINITIONS

“Street-Cruise”

1. **“Street-Cruise”** means a congregation of the drivers of 2 or more motor-vehicles (including motor-cycles) on the public highway or at any place to which the public have access within the Claimant’s local government area (known as the City of Birmingham) as shown delineated in red on the map at Schedule 1, at which any driver, rider or passenger in or on a motor vehicle, performs any of the activities set out at para.2 below, so as, by such conduct, **to cause any of the following:**

- (i) excessive noise;
- (ii) danger to other road users (including pedestrians);
- (iii) damage or the risk of damage to private property;
- (iv) any nuisance to another person not participating in the activity.

2. **The activities** referred to at para.1, above, are:

- (i) driving or riding at excessive speed, or otherwise dangerously,
- (ii) driving or riding in convoy;
- (iii) racing against other motor-vehicles;
- (iv) performing stunts in or on motor-vehicles;
- (v) obstructing the highway or any private property.

“Participating in a Street-Cruise”

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

SCHEDULE 3

SERVICE

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

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

Such release must provide:

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

Such release shall be made to, but is not limited to, local print publications including the Express and Star, Chronicle Week, the Birmingham Mail, Halesowen & Dudley News and Stourbridge News; local radio stations including BBC WM, Free Radio, Signal 107, WCR FM and Heart; the website Birmingham Live (aka) BLive; and the following television stations, BBC (to include the Midlands Today programme) and ITV Central by 23:59 hours on ~~11th March 2025~~ 12th March 2025.

- (ii) Placing on the Claimant's social media including Twitter, Facebook and Instagram links to the above media release regarding this Order and the power of arrest by 23:59 hours on ~~11th March 2025~~ 12th March 2025.
- (iii) Updating the dedicated pages on the Claimant's website about the Applications to the High Court for an injunction and power of arrest

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

Such page shall carry a link to this Order and the power of arrest by 23:59 hours on 11th March 2025.

- (iv) Ensuring that the home (or landing) page of the Claimant's website have and retain a prominent direct link to the dedicated webpages referred to above by on 11th March 2025.
- (v) ~~(vi)~~ Ensuring that hard copies of this Order and the power of arrest **can be made** available at the front desks of the Claimant's main office **upon request** by 23:59 hours on 11th March 2025
- (vi) ~~(vii)~~ Request that West Midlands Police post on their website and Instagram, Twitter and Facebook accounts a link to the media release referenced at (i) above. Such request to be made by 23:59 hours on 11th March 2025.

2. If the Claimant takes enforcement proceedings against any of the 8th, 9th or 10th Defendants in respect of this Order, the Claimant shall, if so directed by the Court, serve on that Defendant:

- (i) a copy of the Claimant's application and all supporting documents relied on to obtain this Order and power of arrest; and
- (ii) a copy of this Order and power of arrest.

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

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

SCHEDULE 4

- (1) AHZI NAGMADIN**
- (4) RASHANI REID**
- (5) THOMAS WHITTAKER**
- (6) ARTHUR RODGERS**
- (7) ABC**

- (11) MR MOHAMMED WAJAHAS SHABBIR**
- (12) ZOE LLOYD**
- (13) CALLUM BLUNDERFIELD**
- (14) GURBINDER SINGH SAHOTA**
- (15) CONNOR HILL**
- (16) ASIM RAHMAN**
- (17) AMAN KAYANI**
- (18) ADHNAN MOHAMMED**
- (19) MOHAMMED DAANYAAL**
- (20) BRADLEY HAYES**
- (21) JOSEPH DAWSON**
- (22) DANIEL GORDON**
- (23) RAGHIB AFSAR**
- (24) UMAR MAHMOOD**
- (25) VICTORIA ADSHEAD**
- (26) AAROON VIRK**
- (27) BILAL AMJAD**
- (28) BENJAMIN DUNN**
- (29) MOHAMMED KHALIL**
- (30) MARLON FARRELL**
- (31) JACOB WILLIAMS**
- (32) MATTHEW OLIVER BRAYNE**
- (33) ABDULRAHMAN ABDULKADER**
- (34) ADAM JORDAN YEOMANS**
- (35) HUSNAIN MAHMOOD**
- (36) AAKAASH CHANGAZ**
- (37) HASSAN AHMED**
- (38) GEORGE ROBERTS**



Claim No. KB-2022-BHM-000221

KB-2022-BHM-000221

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

B E T W E E N

BIRMINGHAM CITY COUNCIL

Claimant

and

- (8) PERSONS UNKONWN WHO PARTICIPATE IN 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
(37) HASSAN AHMED
(38) GEORGE ROBERTS

Defendants

ORDER

BEFORE Her Honour Judge Emma Kelly as a Judge of the High Court in the High Court of Justice, King's Bench Division, Birmingham District Registry on 1 July 2025.

UPON the first annual review of the final injunction and power of arrest in this claim granted by Mr Justice Julian Knowles on 27 February 2024 (together, the "Final Injunction"), having taken place before Mr Justice Ritchie on 26 February 2025

AND UPON Mr Justice Ritchie having continued the final injunction and power of arrest as amended by his Order of 4 March 2025 (together, the "Amended Final Injunction"), such that

reservice was required on the named Defendants and, by alternative means, on the 8th-10th (Persons Unknown) Defendants.

AND UPON the hearing of an application made by the Claimant, dated 25 June 2025:

- (i) To vary the time limits for compliance with the service requirements contained within Schedule 3, paragraphs 1 of the Amended Final Injunction to 23:59 on 12 March 2025,
- (ii) To vary the service requirement in Schedule 3, paragraph 1(iii) of the Amended Final Injunction Order,
- (iii) For retrospective approval of service of the Amended Final Injunction Order on the 8th, 9th and 10th Defendants, and
- (iv) For permission to rely on any witness statement and/or certificate of service filed in the application for a final injunction to prove service of any injunction granted in future applications for committal.

AND UPON the Court noting that the only Defendants who have been served with the aforementioned application are Mr Ahmed (the 37th Defendant) and Mr Roberts (the 38th Defendant).

AND UPON hearing counsel for the Claimant and the solicitor for Mr Ahmed and Mr Roberts.

IT IS ORDERED THAT:

1. The Claimant's application to vary the time limits for compliance with the service requirements contained within Schedule 3, paragraph 1(i) and (ii) of the Amended Final Injunction is granted. It is unnecessary to vary the time limits for compliance contained within paragraph 1(iii), (iv), (vi) and (vii) as the Claimant has complied with those requirements in any event.

2. The Claimant's application to vary the service requirement in Schedule 3, paragraph 1 (vi) of the Amended Final Injunction is granted to the extent that it will be made clear that the front desk of the Claimant's main office will be able to facilitate the printing of copies of any injunction and/or power of arrest granted in these proceedings upon request by any person who attends those offices for that purpose.
3. Service of the Amended Final Injunction on the 8th, 9th and 10th Defendants in accordance with Schedule 3 as varied by this Order, paragraphs 1 & 2 above (the "Varied Amended Final Injunction") is retrospectively approved as constituting good service.
4. Service of this Order, the application documents (the N244 dated 25 June 2025, draft orders and two affidavits of Michelle Lowbridge dated 25 June 2025) and the Varied Amended Final Injunction on the 8th, 9th and 10th Defendants shall be undertaken by the following alternative methods by 16:00 on 11 July 2025:

- (i) Updating the dedicated pages on the Claimant's website about the Applications to the High Court for an injunction and power of arrest

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

Such page shall carry a link to this Order and the Varied Amended Final Injunction by 16.00 on 11th July 2025.

- (ii) Posting the link to the Claimant's dedicated page (referred to at 4(i) above) on the Claimant's X, Facebook and Instagram accounts, with a reminder that the most up-to-date version of the Injunction and Orders made in this case are available there.

(iii) Ensuring that hard copies of this Order and the Varied Amended Final Injunction can be made available at the front desks of the Claimant's main offices on request.

5. The completion of the steps at para. 4 above is to be verified by an affidavit to be filed at Court and uploaded to the Claimant's dedicated webpage referred to at para. 4(i), within 7 days of completing those steps. Service of the said affidavit on the 8th, 9th and 10th Defendants is dispensed with.
6. Service of this Order, the application documents, the affidavit required by para.5 above, together with service of the Varied Amended Final injunction, is dispensed with in relation to all other named Defendants.
7. The Claimant's application for permission to rely on any witness statement and/or certificate of service filed in relation to service of the Varied Amended Final Injunction to prove service in any future applications for contempt is refused.
8. This order disposes of the Claimant's application, dated 25 June 2025, without service save as to the 37th and 38th Defendants. Any party not served with the application, including persons unknown defined as the 8th, 9th and 10th Defendants, may apply to the Court to vary or set aside this order with any such application to be made within 14 days of service of this Order on the party making the application.
8. There shall be no order as to costs on the Claimant's application, dated 25 June 2025.

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

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

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

*(Where marked * delete as appropriate)*

1.

The Defendants are forbidden to participate in a street-cruise within the Claimant’s local government area (known as the City of Birmingham) the boundaries of which are delineated in red on a map attached to this Order at Schedule 1.
4.

A power of arrest, pursuant to s.27 Police and Justice Act 2006 shall apply to paragraph 1 above, in relation to any of the 1st and 4th-20th Defendants who participates in a street-cruise as the driver or rider of, or a passenger in or on, any vehicle to which paras 1 and 2 of Schedule 2 to this Order applies. For the avoidance of doubt, the power of arrest granted by this Order does not apply to any other person participating in a street-cruise within the meaning of Schedule 2 to this Order, for example, as a spectator.

Schedule 2

“Street-Cruise”

1.

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

at Schedule 1, at which any person performs any of the activities set out at para.2 below, so as, by such conduct, to cause any of the following:

- (i) excessive noise;
- (ii) danger to other road users (including pedestrians);
- (iii) damage or the risk of damage to private property;
- (iv) any nuisance to another person not participating in the street-cruise.

2. The activities referred to at para.1, above, are:

- (i) driving or riding at excessive speed, or otherwise dangerously;
- (ii) driving or riding in convoy;
- (iii) racing against other motor-vehicles;
- (iv) performing stunts in or on motor-vehicles;
- (v) obstructing the highway or any private property;
- (vi) supplying or using illegal drugs;
- (vii) urinating in public;
- (viii) shouting or swearing at, or abusing, threatening or otherwise intimidating another Person; and/or
- (ix) setting off fireworks.

Power of Arrest

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

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

This Power of Arrest

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

Note to the Arresting Officer	<div>Where a person is arrested under the power given by section 27, Police and Justice Act 2006, the section requires that:</div> <div><ul style="list-style-type: none">• 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—<div><div>(a) a judge of the High Court or a judge of the county court, if the injunction was granted by the High Court;</div><div>(b) a judge of the county court, if—<div><div>(i) the injunction was granted by the county court, or</div><div>(ii) the injunction was granted by a youth court but the respondent is aged 18 or over;</div></div></div></div>(c) a justice of the peace, if neither paragraph (a) nor paragraph (b) applies.<div><ul style="list-style-type: none">• 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.</div></div>
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Ordered by	
On	27 February 2024

ADDED DEFENDANTS

- (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 Brane**
- (33) Abdulrahman Abdulkader**
- (34) Adam Jordan Yeomans**
- (35) Husnain Mahmood**
- (36) Aakaash Changaz**
- (37) Hassan Ahmed**
- (38) George Roberts**

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

Claim No: KB-2022-BHM-000221



B E T W E E N

BIRMINGHAM CITY COUNCIL

KB-2022-BHM-000221

Claimant

-v-

HASSAN AHMED

-and-

GEORGE ROBERTS

Defendants

ORDER

BEFORE Her Honour Judge Emma Kelly sitting in the High Court of Justice, King's Bench Division, Birmingham District Registry on 01 July 2025.

UPON hearing Counsel Ms Crocombe for the Claimant, and Solicitor Mr Harrington for the Defendants.

AND UPON Mr Ahmed having been arrested on 7 June 2025 for alleged breach of the injunction granted by Mr Justice Julian Knowles on 27 February 2024, and as continued in an amended form by the Order of Mr Justice Ritchie on 4 March 2025 (the "Amended Final Injunction"),

AND UPON Mr Roberts having been arrested on 15 June 2025 for alleged breach of the Amended Final Injunction.

AND UPON Mr Ahmed and Mr Roberts admitting the allegation of breach as set out in the Claimant's N600 application at the first available opportunity.

AND UPON the Court being satisfied such that it is sure that Mr Ahmed and Mr Roberts breached paragraph 1 of the Amended Final Injunction.

AND UPON the Court having retrospectively approved service of the Amended Final Injunction on Mr Ahmed and Mr Roberts by way of alternative service as permitted by Schedule 3 of the injunction at 23:59 on 12 March 2025 and, in any event, both Defendants accepting that they had been served with the Amended Final Injunction.

AND UPON the Court varying the Amended Final Injunction on 01 July 2025 (“the Varied Amended Final Injunction”).

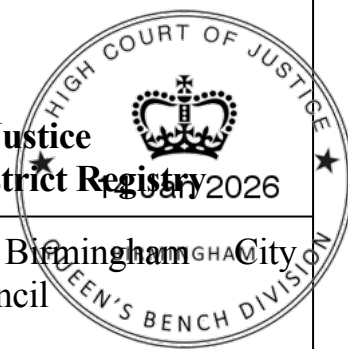
AND UPON the Court informing Mr Ahmed and Mr Roberts that they have the right to appeal to the Court of Appeal (Civil Division), the time for which expires at 16:00 on 22 July 2025.

AND UPON the Court informing the Mr Ahmed and Mr Roberts by this Order that the next review hearing of the injunction granted in these proceedings will be held on 26 February 2026 at 10:30am at Birmingham District Registry, The Priory Courts, 33 Bull Street, Birmingham B4 6DS.

IT IS ORDERED THAT:

1. The Claimant is granted permission to rely on the two affidavits of Ms Michelle Lowbridge dated 25 June 2025.
2. The Claimant’s applications for committal against Mr Ahmed and Mr Roberts are granted.
3. Mr Ahmed is sentenced to 28 days’ imprisonment, suspended for 12 months on condition that he comply with terms of the injunction made by Ritchie J on 3 March 2025, as amended on 4 March 2025 and further varied on 1 July 2025, or with any subsequent version of the injunction should it be further varied.
4. Mr Ahmed shall pay the Claimant’s reasonably incurred costs which the Court summarily assessed at £2449.33. The first instalment must be paid in the sum of £1,000.00 by 15 July 2025. Thereafter the balance must be paid by instalments of £200.00 on the 15th day of each following month until the total amount has been paid.
5. Mr Roberts is sentenced to 24 days’ imprisonment, suspended to 12 months on condition that he comply with terms of the injunction made by Ritchie J on 3 March 2025, as amended on 4 March 2025 and further varied on 1 July 2025, or with any subsequent version of the injunction should it be further varied.

6. Mr Roberts shall pay the Claimant's reasonably incurred costs which the Court summarily assessed at £2660.12 in instalments of £200.00 per month, the first instalment to be paid by 11th July 2025 and a further instalment of £200.00 to be paid by the 11th day of each following month until the total amount has been paid.
7. Mr Ahmed is to be added as the 37th Defendant and Mr Roberts is to be added as the 38th Defendant to the application for an injunction (claim number KB-2022-BHM-000221), Varied Amended Final Injunction and power of arrest.
8. The Claimant has permission to amend the Claim Form, Particulars of Claim, Varied Amended Final Injunction and Power of Arrest ("the amended Claim documents") to reflect the addition of Mr Ahmed and Mr Roberts as defendants to the application for a final injunction.
9. The Claimant has permission to serve the amended Claim documents and evidence in support, of its application for a final injunction, Varied Amended Final Injunction and power of arrest upon Mr Ahmed and Mr Roberts by email. Service on these Defendants must be completed by 16:00 on 11 July 2025.
10. A transcript of the judgment made in relation to these committal applications is to be obtained on an expedited basis and at the public expense. It is to be uploaded onto the judiciary website.
11. Any appeal against this order by the Mr Ahmed or Mr Roberts must be brought in the Court of Appeal (Civil Division) by 16:00 on 22 July 2025.
12. The Claimant is to pay the Defendants' costs of the hearing on 24 June 2025, summarily assessed by the Court in the sum of £600.00, within 14 days.



		Claimant	1. Birmingham City Council
		Defendant	<p>KB-2022-BHM-000221</p> <p>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. Raghbir Afsar, 24. Umar Mahmood, 25. Victoria Adshead, 26. Aaroon Virk, 27. Husnain Mahmood, 28.</p>

			Mohammed Khalil, 29. Marlon Farrell
		Date	14-01-2026

Notice of Hearing

TAKE NOTICE that the **Review Hearing** will take place on

Thursday 26th February 2026 at 10:30am

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.**

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 **HILARY MACPHERSON** to
serve onto all parties.

C. Evidence of Service

(1) Birmingham City Council
(2) Claimant
(3) Statement of Michelle Lowbridge
(4) 20th
(5) Exhibits
(6) 17/03/2025

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

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 20th 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, 2nd August 2024 and 24th February 2025.

2. I make this further statement following the review hearing of the Section 222 High Court Injunction which took place on Wednesday 26th February 2025 heard by the Honourable Mr Justice Ritchie. This statement relates to the Injunction Order and Order made by the Honourable Mr Justice Ritchie on 26th February 2025 both amended on 4th March 2025 and the service of both of these Orders on the named defendants and also persons unknown.
3. With regards to service of the named defendants on Thursday 13th March 2025 I printed off copies of both of the aforementioned Orders as well as personalized covering letters and , due to having no email address , posted these first class that day to D5, D6, D7, D12 , D18, D20 , D21, D22 , D23 , D25, D27, D29, D31, D32, D33, D34 and D35.
4. As service by email had been agreed with the other named defendants also on Thursday 13th March 2025 I personally emailed copies of both of the Orders as well as personalized covering letters to D11, D13, D14 , D15, D16, D17 , D19, D24, D26, D28, D30 and D36.
5. A separate statement will be provided in relation to service of the first two named defendants , D1 and D4.
6. In relation to Schedules 2 and 3 of the Orders , on receipt of the sealed Orders on 11th March 2025 I made a request to the Birmingham City Council Communications Team that a press release be issued that day containing all of the necessary information.
7. However due to reasons beyond my control , and to further explain this , specifically because of the unprecedented media interest that day to wards Birmingham City Council due to the all out strike by waste management operatives, it was not possible to issue the release that day due to the fact that the communications team were fully committed to responding to enquiries and interview requests about the bin strike.

8. As a result the following day on 12th March 2025 a press release was issued , this included information that the High Court has continued the injunction and Power of Arrest in an amended form, a summary of the Order and Power of arrest , details of the next review hearing on 26th February 2026, the addresses of the dedicated Birmingham City Council web pages containing information and all of the Orders and court documents, the Claimant's contact details and how copies of the documents and evidence can be obtained. This press release can be viewed at [Crackdown on Illegal Street Cruising Continues as High Court Upholds Injunction | Birmingham City Council](#) as stipulated at Schedule 3 1 i) of the Orders.
9. Following the issue of this press release also on that day on 12th March 2025 this was circulated on Birmingham City Council's social media platforms, specifically Facebook , X , Instagram and Linked In as set out at Schedule 3 1 ii).
10. On 11th March 2025 I liaised with Birmingham City Council's Web Team and on that day copies of both of the Orders made by the Honourable Mr Justice Ritchie were uploaded to the website and these can be viewed at https://www.birmingham.gov.uk/info/20095/antisocial_behaviour_and_neighbour_disputes/1911/birmingham_street_cruising_injunction. As set out at 1 iii) of Schedule 3.
11. In relation to Schedule 3 iv) , a prominent link to the dedicated web pages remains on the home page. This is very clear to anyone accessing the website as appears towards the top of the home page in one of the tiles concerning Highways issues and is entitled 'Street Cruising Injunction'.
12. In addition to this direct link , a key word search was previously set up for the search bar and this remains in place so would direct anyone searching for this information to the correct pages.
13. Also on the homepage , following the press release issued on 12th March 2025 a link to this release appears in the listed new feed towards the bottom of this page.
14. As over time this press release will inevitably be replaced by more current stories and releases the latest press release has been pinned in the news carousel at the bottom of the page and is the second story. This will remain there and also carries a link to the dedicated web pages.

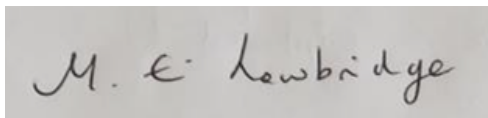
15. In relation to 1 vi) information of how copies of the Orders can be obtained are included in the press release and also on the website on request to Birmingham City Council's Litigation Team from the Council House , 1 Victoria Square , Birmingham , B1 1BB.
16. With regards to West Midlands Police publicizing the press release following it's issue on 12th March 2025 , Birmingham City Council's Communications team liaised with West Midlands Police's Corporate Communications Team and requested that they recirculate this release, post it on their website and also circulate it on their social media platforms.
17. I trust that this demonstrates all of the steps taken to adhere to the Orders made by the Honourable Mr Justice Ritchie and specifically to effect service on the named defendants (with the exception of D1 and D4) and the steps taken to serve 8th , 9th and 10th defendants or 'persons unknown'.
- .

STATEMENT OF TRUTH

I believe that the facts stated in this Witness Statement are true. I

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

Signed

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

Birmingham City Council

Dated this 18 March 2025

(1) Claimant
(2) Deponent: Michelle Elizabeth Lowbridge
(3) 5th
(4) Exhibits

(5) Sworn: 10/7/2025

Claim No: KB-2022-BHM-000221

IN THE HIGH COURT OF JUSTICE

KING'S BENCH DIVISION

BIRMINGHAM DISTRICT REGISTRY

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

B E T W E E N:

BIRMINGHAM CITY COUNCIL

Claimant

And

AHZI NAGMADIN & OTHERS

Defendants

**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 5th Affidavit in support of the Claimant.

2. I make this further affidavit following the hearing and Orders made by her Honourable Judge Kelly on Tuesday 1st July 2025 in respect of the High Court Injunction and Power of Arrest in place prohibiting street cruising in the Birmingham Local Authority Area.
3. This affidavit is to set out the steps taken to effect service on the 8th, 9th and 10th defendants of the Varied Amended Final Injunction Order, Judge Kelly's Order, the application documents (the N244 dated 25th June 2025, draft orders and my third and fourth affidavits dated 25th June 2025.)
4. In relation to 4(i) of Judge Kelly's Order, on 8th July 2025 I requested that copies of the documents listed above be uploaded to Birmingham City Council's website on the dedicated pages at <https://www.birmingham.gov.uk/info/20095/antisocial-behaviour-and-neighbour-disputes/1911/birmingham-street-cruising-injunction>
5. On 9th July 2025 I was informed that this had been done and checked myself that the Orders and documents were there and that the pages were up to date.
6. After this on 9th July 2025 I made a request to Birmingham City Council's Corporate Communications Team as per 4(ii) of Judge Kelly's Order. I asked that they post links to the above web pages on X, Facebook and Instagram reminding those viewing it that there is an injunction in place and up to date copies of the Orders could be viewed at <https://www.birmingham.gov.uk/info/20095/antisocial-behaviour-and-neighbour-disputes/1911/birmingham-street-cruising-injunction>
7. I received confirmation that this had been done on the same day. The link relating to this on Facebook can be viewed at <https://www.facebook.com/birminghamcitycouncil/posts/1164352875737227#> and on X it can be viewed at <https://x.com/BhamCityCouncil/status/1942938609805316569>
8. In relation to Instagram, I was advised by the Communications Team that they don't include links on Instagram as they can't be clicked on. However they amended the original link in the bio to this new one and it can be viewed at <https://www.instagram.com/p/DL44qLjRNJ8/>

9. In relation to 4(iii) of Judge Kelly's Order , today Thursday 10th July 2025 I have taken hard copies of Judge Kelly's Order and copies of the Varied Amended Final Injunction and placed them in envelopes to be retained at the Reception desk and available on request by anyone wishing to obtain a hard copy at the Council House , Victoria Square, Birmingham, B1 1BB.

SWORN by the said

M. E. Lowbridge

In the County of West Midlands

)

The 10 day of July 2025

)

at Birmingham Civil Justice Centre.

33 Bull Street, B'ham B4 6DS
in the County of West Midlands

)

Before me

E Caines Elizabeth Caines.

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

C. Claimant's Evidence in Support of the Review Hearing on 26 February 2026

(1) Birmingham City Council
(2) Claimant
(3) Statement of Mark Campbell

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 Roads Policing Unit, WILL SAY AS FOLLOWS:

1. I am PC 6018 Campbell and I am making this statement on behalf of the West Midlands Police in support of the continuation of the current Section 222 High Court car cruising injunction in force in Birmingham City Council's local authority area. I have been a Police officer for 28 years and have worked on a number of specialist teams. I am now subject lead for Operation Hercules, which is the West Midlands Police tactical approach to street cruising.
2. I have been the West Midlands lead on this subject for approximately 7 years. In that time I have witnessed the increased professionalism that car cruising organisers have

taken to organising meets. Such meets take place throughout the country, but mainly within the West Midlands Force area. I have had a leading role in a number of different approaches to tackle the issues that street cruising causes. The West Midlands Police fully support the continuation of the current car cruising injunction to help the Police and local authority to tackle the unlawful behaviour of the individuals who put the public at risk on an increasingly frequent basis.

3. Over the last seven years I have taken a prominent lead in tackling car cruising in the Black Country, West Midlands and further afield, such as London, North and South Wales, West Mercia, Warwickshire, Yorkshire and many more. All of these named areas are attempting to deal with the issues linked to this dangerous activity and are have a varied degree of success. However, the West Midlands area has seen a dramatic decrease in the number of organised car cruising events. Over the last couple of months, the Police have seen virtually no large-scale car cruising events and only a small amount of small gatherings of friends. I would go as far as to say in the seven years I have been involved in tackling car cruising, I have never seen such low levels of organised meets in the West Midlands area.

Organisers

4. The West Midlands has for many years been known as street racing capital of the United Kingdom and has attracted large numbers of car cruisers from all over the country. Over the last couple of years, I have seen numerous street cruising groups organise the gatherings via social media, hiding behind the anonymity that platforms such as Instagram, TikTok and Snapchat provide.
5. In the last year, and since the 2025 review hearing, the principal car cruising organiser (@forza_birmingham) has come to the forefront in terms of organising large-scale gatherings. This group has a following of over 52 thousand people and is recognised as the organiser of the largest car cruises in the Country. However, within the West Midlands Road Policing unit, a dedicated team of officers actively enforce the Sec 222 High Court injunction and use the criminal law against street cruisers, and the organisers and attendees of races know that the streets of the Birmingham a no-go area for racing. "forza_birmingham" even publicly stated that they will not be organising any meets in the West Midlands for the foreseeable future. This has proven to be the case and I have not seen any large-scale car cruising meets for approximately 6 months. In recent car cruising social media sites, snap polls have been advertised asking where the relevant groups want to attend. In nearly all of these polls, numerous followers have stated not to go to the West Midlands as everyone is either getting driving bans or are being prosecuted for breaching the local sec 222 High Court car cruising injunctions.
6. This is not to say, however, that street cruises no longer take place. The street cruises have instead been displaced to neighbouring areas, such as West Mercia. Moreover, a new organising group called @represent.mids has been founded, which links up with

forza_birmingham to organise street cruises. For this reason, I remain very concerned that if the high court injunction were to be discharged, street cruisers would quickly return to Birmingham.

Calls to service

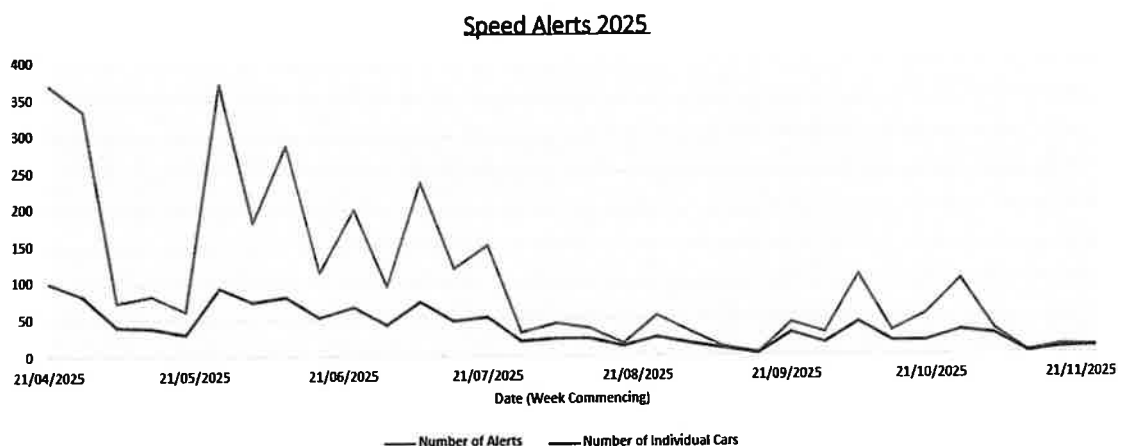
7. I have attached the below data in relation to calls to service West Midlands Police has received in relation to street cruising, speeding and anti-social behaviour.

2023	Birmingham	2024	Birmingham	2025	Birmingham
Mar	60	Mar	103	Mar	91
Apr	155	Apr	141	Apr	101
May	157	May	144	May	143
Jun	125	Jun	177	Jun	174
Jul	142	Jul	123	Jul	166
Aug	215	Aug	72	Aug	100
Sep	220	Sep	79	Sep	75
Oct	139	Oct	64	Oct	69
Nov	83	Nov	66	Nov	57
Total	1296	Total	969	Total	967

8. Whilst the above data appears to show very little change in the number of calls to service from 2024 to 2025, there is a distinct reduction of calls to service between 2023 when the Police received 1296 calls compared to 2025, when the Police received 967 a reduction of 329 or approximately 25%.

Speed Alert Data

9. The below graph shows ANPR (Automatic Number Plate Recognition) data alerts between 21/04/2025 to 23/11/2025 for West Midlands area. The ANPR alerts are created when any individual vehicle activates two ANPR cameras within a road system, the alert is created when a specific vehicle driven between two points at an average speed of 58 mph or over.



10. The Blue line represents the individual alerts over a seven-day period. The Red line represents the number of vehicles activating the alerts.
11. The above results clearly represent a massive decrease in the number of vehicles taking part in street cruising/street racing over the 7-month period and provides a clearer picture of the amount of car cruising taking place on a monthly basis. There are a couple of peaks in numbers of activations in October 2025, which intelligence has suggested was caused by street cruising groups attempting to test the West Midlands Police capability to enforce against the attending street cruisers. On each date a robust enforcement plan was put in place to displace and disrupt these attending groups. Many of which simply left the West Midlands force area.

Criminal law

12. On many levels prosecuting individual drivers via the criminal justice system comes with its own individual problems, in previously years before the obtaining of the new Sec 222 injunction the only way to prosecute the cruisers/drivers was to see a moving traffic offence and prosecute for that offence such as Dangerous drive, careless driving, speeding or simply a construction and use offence. When a car cruiser is arrested for Dangerous drive or reported for careless drive the length of time it is taking to get the defendants into criminal court is recently taking months if not years to see a court room. These defendants are well aware of the judicial issues from speaking to others on their social media accounts, and are being informed that the criminal law system is struggling to deal with all matters and the car cruisers see little point in providing a guilty plea as the cases are sometimes being heard as far away as 2028. The use of the High Court injunction allows for the defendant's case to be heard within months, with large fines or suspended sentences being issued. These court results again sends a positive message to any other attendees wishing to take part in these illegal gathers. Injunctive relief operates to prevent the conduct described above from taking place, with the effect that residents, businesses and other road users are not affected and do not have to wait for a further disruptive event before action can be taken. injunction serves not only as a clear and immediate deterrent, but also as a means of immediate removal of the issue before an event can even begin.

Injunctions use in preventing cruises

13. There are numerous ways in which the current Sect 222 high Court car cruising injunction has helped in reducing the numbers of large-scale gatherings/car cruises, whether from the positive enforcement of the injunction, the advertising of court results to the regular social media reporting of the injunction powers including the power of arrest has sent the message not to attend the Birmingham local authority area. West Midlands police is well aware that the main organisers have and are continuing to attend any other locations where they do not have in place a High Court injunction. The actual amount of car cruises that have been prevented in the Birmingham is hard to put a number on, however over the last three months there

has been only 1 large scale meeting in the Birmingham area, with approximately 25 vehicles having attended, the Police are still seeing smaller friendship type gathers taking place where 5 to 10 vehicles will gather, these groups are very hard to Police though as we get little reporting on such groups.

Re-attending car cruisers

14. On reviewing the previously convicted car cruisers, at present there have no repeat offenders who have come to Police notice. It is impossible to state 100% that none of these individuals have re attended, but due to the massive reduction in organised car cruising meets in Birmingham there is limited opportunities to car cruise in Birmingham. The lack of car cruising meets over the last six months have provided the residents and businesses of Birmingham with a respite from this anti-social behaviour. In previous years I had been contacted by regular caller whether that be from residents or businesses, however I have not received one complaint from a local business and very few calls from previous local residents.

Diversionsary Courses

15. The Operation Hercules team has continued to run street cruising diversionsary courses in conjunction with the West Midlands Fire service, local authorities and West Midlands Police. These courses are for drivers who have been identified as attending street cruising meets, have been arrested under the terms of the high court injunction and/or have been prosecuted for traffic offences such as dangerous driving. At present 258 individuals have attended the diversionsary course and received education around the dangers of street cruising. Of those 258 individuals, 138 attended courses after the review hearing in February 2025.
16. On a positive note the running of these courses is proving harder to organize due to the lack of identified delegates, this shows the correlation between the decrease in street cruising events. West Midlands Police are currently working closely with the probation service in relation to drivers receiving community orders in criminal courts. Those individuals found guilty and receiving a rehabilitation orders are then requested to attend the diversionsary course, again to highlight the dangers around attending street cruising meets.

Strategic Approach

17. Due to the impact the current High Court injunction has had on illegal street cruising events held with the West Midlands, West Midlands Police have been able to re-structure their approach to dealing with car cruisers. The fact that the Police are seeing virtually no organised street racing has allowed the Road Policing unit to change their approach to targeting the street cruisers. The known hot spots for street cruising within Birmingham city council's local authority area is still patrolled on a regular basis, however mobile technology is also being used by officers on patrol to help obtain real time intelligence and proactively monitor locations and individual vehicles linked to car

cruising. This has provided West Midlands Police with the ability to actively patrol areas where they believe that a street cruise may occur, disrupt it, and displace any potential gatherings in a more effective manner. This effective targeting of the street cruising groups has allowed West Midlands Police to police those events in a more structured approach and in turn has allowed less resources to active patrol street cruising locations.

18. The Road Policing department has recently invested further in the Road Harm Prevention Team by providing more investigators, thereby giving the team the ability to target the main street cruising organisers. A product of this investment is that the team has been able to identify a previously unknown organiser. This organiser had previously organised a meet in Birmingham, which involved a number of vehicles attending before moving from the location onto the Black Country area. This individual has since been arrested and is awaiting a decision on prosecution, following which their details will be shared with BCC for enforcement. The positive message created from this type of enforcement reinforces the message that street cruising will not be tolerated.
19. I have seen first-hand the benefits of High Court injunctions which contain the power of arrest. I have spoken to numerous car cruisers in my role at the diversionary courses and whilst dealing with racers when I am policing street cruising events. They are all aware of the two High Court Injunctions with the West Midlands area. I cannot overstate the benefit of the current injunction and the importance of maintaining it. There is no silver bullet to deal with illegal street cruising as many of the individuals who attend, spectate and/or participate see the street cruises as their main social events and as I have previously mentioned in earlier statements to many the meets are like a religion. The approach to tackling car cruising relies on a number of tactics, including the enforcement of the High Court injunction and traffic legislation. I believe this is an ongoing problem, at present the Birmingham local authority area is seeing a huge drop in organised meets, however it is only a matter of time before we see the return of the car cruises, the renewal of the injunction will allow the officers from the West Midlands Police to carry on the good work already conducted over the last 12 months.

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 and honest belief in its truth.

Full Name: Mark Campbell **Position:** Police Constable

Name of Claimant: Birmingham City Council

Signed:  608
Dated: 29/12/2025

(1) Birmingham City Council
(2) Claimant
(3) Statement of Michelle Lowbridge
(4) 21st
(5) Exhibits
(6) 30/01/2026

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

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 twenty-two years. The information

contained within this statement is from my own knowledge unless otherwise stated. I make this 21st 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, 2nd August 2024, 24th February 2025 and 17th March 2025.

2. For the past three years as part of my role within the Community Safety Team I have been the lead officer in relation to tackling street cruising in the Birmingham Local Authority area and have made previous statements and attended the High Court to give evidence at hearings for the current Section 222 High Court Injunction that is in place prohibiting street cruising in the city.
3. I make this further statement prior to the annual review hearing which is set to take place at the High Court, Bull Street, Birmingham on Thursday 26th February 2026 in support of the injunction's effectiveness and requesting that the Court deem it appropriate for it to remain in force for a further twelve months.
4. In the past twelve months since the last review hearing held on 27th February 2025 there has been a noticeable reduction in incidents of street cruising in the Birmingham Local Authority area. This is evident from the number of breaches prosecuted during this twelve month period and also the lack of complaints to Birmingham City Council about the issue.
5. With regards to breaches since the last review hearing there have been five individuals successfully committed for breaching the injunction who have since been added as D36 , D37, D38 , D39 and D40. These received suspended sentences ranging from 24-32 days imprisonment and received costs of between £2105.25 - £3265.80. This is a clear reduction from the previous twelve months, and period covered by the Interim Injunction. During the previous twelve months 21 breaches were committed.
6. Also of note, none of the named defendants have ever gone on to breach the injunction again, which demonstrates that the sanctions given have prevented further breaches.
7. Complaints of street cruising within Birmingham made to Birmingham City Council are directed to me for a response. Historically, key locations

included, but were not limited to the A38, A47 Fort Parkway, Heartlands Parkway and Nechells Parkway. These were locations that residents would regularly complain about and these complaints were often escalated to their Ward Councillors. These Councillor enquiries would come to me for information, a response and action. However, in the past twelve months I have not received or been made aware of any complaints.

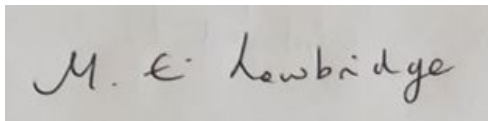
8. As part of my day-to-day role I have a responsibility for an area of the city and facilitate monthly community safety meetings, Local Community Safety Partnerships with statutory partners, third sector organisations and also community groups. At these meetings we discuss serious anti-social behaviour and community safety issues. I have four colleagues covering the rest of the city. In the past twelve months street cruising has not been raised by the group or at the meetings I facilitate. I have not had the issue raised to me from colleagues covering the rest of the city.
9. We continue to use electronic signage around the city informing people travelling within the Local Authority Area that there is a High Court Injunction in place and permanent signage is also in place.
10. Birmingham City Council seek to continue to promote the injunction with press releases and social media posts and as part of this sanctions given to those who have breached it are often included. I believe this has had a positive effect in deterring further breaches due to what most would see as severe sanctions both in sentences passed and costly fines. These figures are also publicised on the website in an effort to also deter people from breaching the injunction.
11. I have read PC Campbell's statement and would agree from a Birmingham City Council perspective that incidents of street cruising appear to have reduced in the last twelve months from the reduced number of breaches and the lack of complaints about this issue to Birmingham City Council in this time.
12. I am aware that there is a belief that street cruises have been displaced to neighbouring areas that do not have an injunction in place. On this basis I do feel the current Injunction is effective and prevents incidents and street cruise meets in Birmingham. I fear that should the injunction be discharged or varied street cruising would very quickly return to the Birmingham area having a very detrimental effect on residents and businesses.

13. I therefore respectfully request that the Court deem it appropriate to maintain the Injunction to prohibit street cruising within the Birmingham Local Authority area.

STATEMENT OF TRUTH

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

Signed

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

Birmingham City Council

Dated this 30th January 2026

D. 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

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.)

Aneel Farid

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

01

Month

07

Year

2025

☐ 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

The Defendant's term of imprisonment is suspended for 12 months on the condition that he comply with terms of the injunction made by Ritchie J on 3 March 2025, as amended on 4 March 2025 and further varied on 1 July 2025, or with any subsequent version of the injunction.

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
<input type="text" value="12"/>	<input type="text" value="09"/>	<input type="text" value="2025"/>

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.)

Ismail Ashfaq

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

01

Month

07

Year

2025

☐ 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

The Defendant's term of imprisonment is suspended for 12 months on the condition that he comply with terms of the injunction made by Ritchie J on 3 March 2025, as amended on 4 March 2025 and further varied on 1 July 2025, or with any subsequent version of the injunction.

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
<input type="text" value="12"/>	<input type="text" value="09"/>	<input type="text" value="2025"/>

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.)

George Roberts

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

04

Month

03

Year

2025

☐ 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

The Defendant's term of imprisonment is suspended for 12 months on the condition that he comply with terms of the injunction made by Ritchie J on 3 March 2025, as amended on 4 March 2025 and further varied on 1 July 2025, or with any subsequent version of the injunction should it be further varied.

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
<input type="text" value="01"/>	<input type="text" value="07"/>	<input type="text" value="2025"/>

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.)

Hassan Ahmed

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

04

Month

03

Year

2025

☐ 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

The Defendant's term of imprisonment is suspended for 12 months on the condition that he comply with terms of the injunction made by Ritchie J on 3 March 2025, as amended on 4 March 2025 and further varied on 1 July 2025, or with any subsequent version of the injunction should it be further varied.

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
<input type="text" value="01"/>	<input type="text" value="07"/>	<input type="text" value="2025"/>

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

Claim no.

KB-2022-BHM-000221

Claimant's name (including ref.)

BIRMINGHAM CITY COUNCIL

Defendant's name (including ref.)

AKAASH CHANGAZ

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

That the Defendant do comply with the terms of the injunction granted by Ritchie J on 3rd March 2025.

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

£ 3,265.80

☐ 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

The Court of Appeal, Civil Division

9. The Appellant's Notice must be filed at the appeal court by 4pm on

Day

Month

Year

26

03

2025

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

05

03

2025

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
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- ☐ 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