

IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION

CLAIM NO. HQ16X02994

BEFORE MRS KAREN STEYN QC
(Sitting as a Judge of the High Court)

B E T W E E N:-

**THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF CROYDON**

Claimants

and

PERSONS UNKNOWN

Defendants



ORDER

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

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

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

BEFORE Karen Steyn QC sitting as a Deputy High Court Judge on 30 September 2016.

UPON hearing Counsel for the Claimants and upon considering an application for an injunction brought by the Claimants pursuant to section 222 Local Government Act

1972 inviting the Court to exercise its discretion to grant injunction relief pursuant to section 37(1) Senior Courts Act 1981;

AND UPON reading the Claim Form and Application Notice dated 12.9.16 and the evidence in support;

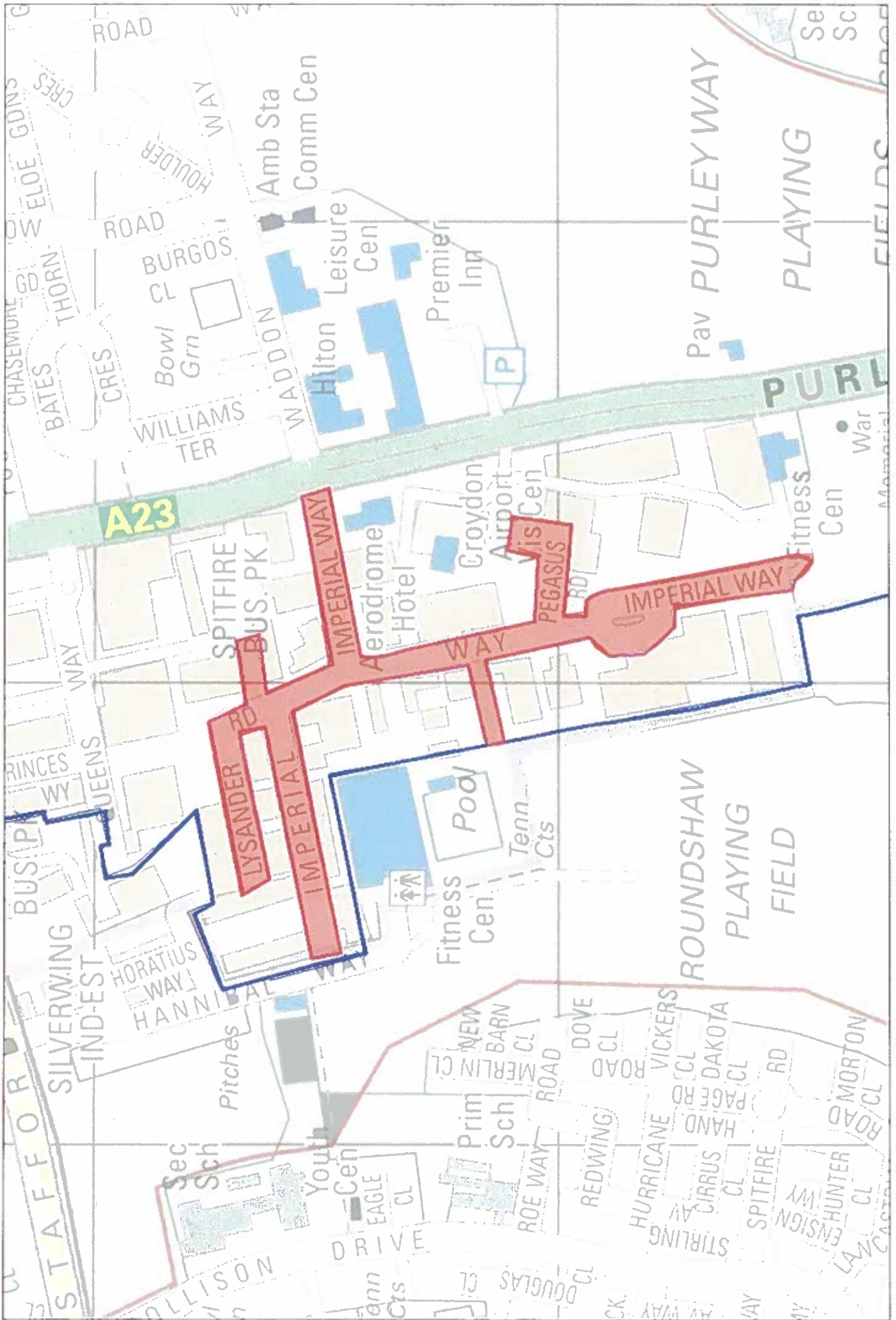
AND UPON the Court being satisfied pursuant to section 27(3) of the Police and Criminal Justice Act 2006 that the relevant conduct consists of or includes the use or threatened use of violence and/or there is a significant risk of harm to a person mentioned in section 27(2) of the said Act;

IT IS ORDERED THAT:

- (1) All persons are forbidden from participating in a Car Cruise within the area delineated red on a map attached to this Order at Schedule 1.
- (2) The term "Car Cruise" and "participating in a Car Cruise" have the meanings set out in Schedule 2 to this Order.
- (3) Any persons served with a copy of this Order may apply to the Court to vary or discharge it, on 48 hours' notice to the Claimant.
- (4) The provisions of Schedule 3 to this Order shall apply.
- (5) A Power of Arrest pursuant to section 27 of the Police and Criminal Justice Act 2006 shall apply to paragraph 1 above.
- (6) This Order and Power of Arrest shall continue for three years following the commencement of this Order or until it is varied or discharged by the Court. The expiry date for the Order and Power of Arrest is 29 September 2019.
- (7) A review hearing will take place in open court (time estimate 30 minutes) before a Judge of the High Court after this order has been in force for twelve months. The Claimant shall file with the Court a succinct report to inform the Court of their experience of with the publication, operation and enforcement of

the Order including, for example, breaches, warnings or problems if any, arising out of the Order or Power of Arrest.

Dated: 30 September 2016



Schedule 2

'Car Cruise'

1. Car Cruise means a congregation of the drivers and/or passengers of 2 or more motor vehicles (including motor cycles and quad bikes) at any time on the public highway or at any place to which the public have access within the Borough of Croydon the boundaries of which are delineated on the map at Schedule 1 at which any such driver and/or passenger and/or driver and/or passenger of any other vehicle perform any of the activities set out at paragraph 2 below, to cause any of the following:

- i. excessive noise of any kind;
- ii. danger to other road users and pedestrians;
- iii. damage or risk of damage to any property;
- iv. creating or causing litter;
- v. any nuisance to another person not participating in the Car Cruise.

2. The activities referred to at paragraph 1 above are:

- i. driving at excessive speed;
- ii. driving in convoy;
- iii. racing other motor vehicles (including motor cycles and quad bikes)
- iv. performing stunts in motor vehicles (including motor cycles and quad bikes);
- vi. sounding horns or playing radios;
- vii. dropping litter;
- viii. shouting or swearing at, abusing or threatening or otherwise intimidating another person.

'Participating in a Car Cruise'

3. A person participates in a Car Cruise when he is the driver of, or passenger in, a vehicle to which paragraphs 1 and 2 above apply and the term 'participating in a Car Cruise' shall be interpreted accordingly.

Schedule 3

1. Service of this Order shall be effected by an officer of the Metropolitan Police force or an employee of the Claimant who shall record the name and address of the person upon whom the Order is served and shall communicate the same, together with the time and date of service, to the Claimant. Where a person served does not give any or the correct name/address to the Officer or employee, the Officer or employee shall communicate the same to the Claimant and for the avoidance of doubt good service shall not be dependent on the Officer or employee obtaining any, or the correct name and/or address of the person served.
2. At the same time the Order is served the person shall be given the Explanatory Notice in the form attached to this Schedule.
3. If a correct name and address has been provided by the person served (see paragraph 1 above), or if such name can be obtained by the Claimant using all reasonable efforts, the Claimant shall serve a copy of the application for the injunction herein, together with Particulars of Claim and witness statements in support upon the person served in accordance with the provisions of this Schedule. The Claimant shall not be required to (although it may) serve copies of any DVD evidence relied on, or to divulge to the person served the names and addresses of the witnesses whose statements are served in accordance with this paragraph.
4. Service shall be effected by first class post to the address referred to at paragraph 1 above or, where no or no correct address was obtained in accordance with the said paragraphs, to the address subsequently obtained by the Claimant and within 14 days after service of the Order or if later, after the date on which the Claimant obtained the correct address for the person served.

5. The Claimant shall notify the Court of the name and address of any person served with a copy of this Order, the time and date of service and confirmation that paragraphs 3 and 4 have been complied with:
 - i. The court will then consider whether to join the person served to the proceedings as a named Defendant and whether to make any further order
 - ii. The Claimant will advertise a summary of the terms and effect of the Order as soon as practicable, in particular by:
 - a. Publishing notices in at least 2 local newspapers;
 - b. Erecting notices at the sites the subject of this Order;
 - c. Ensuring that copies of the Injunction and Power of Arrest are available at the front desks at the Claimant's main offices, including the Croydon Town Hall;
 - d. Ensuring that copies of the Injunction and Power of Arrest are available at the front desks of the police stations in the Claimant's area;
 - e. By uploading to the video sharing website 'You Tube' a video of someone presenting and reciting a copy of the terms of the injunction with a stark warning that should people be tempted to participate in car cruising in the area covered by this Order that may be in breach of this Order and liable to committal proceedings for contempt of court;
 - f. Publishing the Order and Power of Arrest on the Claimant's website and posting information about the making of this Order on the Claimant's Twitter and Facebook pages.

EXPLANATORY NOTICE

You have been served with an injunction.

If you participate in a Car Cruise anywhere within the Borough of Croydon as shown on the attached map you will be in contempt of court and you may be sent to prison.

You will receive additional information by post within the next 2 weeks.

Failure to provide your name and address when served with the injunction may affect whether you receive the additional information within 2 weeks, or at all.



DATED the 30 September 2016

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QUEEN'S BENCH DIVISION

BEFORE MRS KAREN STEYN QC
Sitting as a judge of the High Court

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF CROYDON

-and-

PERSONS UNKNOWN

ORDER

IHQ/16/0564

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London Borough of Croydon
Housing Legal
Bernard Weatherill House
8 Mint Walk
Croydon, CR0 1EA

Claimant in Person

Person Unknown

C.c. Clerk of the Lists

If you have a query with this Order please contact Viral Patel on telephone no. 020 7947 6799 outside the usual court sitting times of 10.30am to 1.00pm and 2.00pm to 4.30pm. Please address any correspondence to the Queen's Bench Associates' Department, WG04, The Royal Courts of Justice, Strand, London WC2A 2LL DX 44450 Strand.