

Injunction Order

Between Persons Unknown, Defendant
and Stevenage Borough Council, Claimant

In the County Court at
Luton

Claim Number	G00LU797
Claimant (including ref.)	Stevenage Borough Council
Defendant (including ref.)	Persons Unknown

Legal Services
Hertfordshire County Council
County Hall
Hertford
SG13 8DE



IF YOU, THE WITHIN NAMED 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.

On 7 December 2020, before Her Honour Judge Bloom, sitting in the County Court at Luton, the Court considered an application for an injunction.

Upon hearing counsel for the Claimant, the Defendants not appearing

AND UPON considering an application for an injunction and power of arrest brought by the Claimant pursuant to the above statutory provisions, inviting the Court to exercise its discretion to grant injunctive relief pursuant to s.38, County Courts Act 1981

AND FURTHER UPON the Court considering it just and convenient, and proportionate, to grant a final injunction and power of arrest in the following terms

IT IS ORDERED THAT

1. All persons are forbidden from participating in a car-cruise within the Claimant's local government area (known as "Stevenage") the boundaries of which are delineated in black on a map attached to this Order at Schedule 1.
2. It is also forbidden for anyone to promote, organise or publicise in any manner any car-cruise within Stevenage (as delineated at Schedule 1 to this Order).
3. The terms "car-cruise" and "participating in a car-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 clause 1 above, in relation to any person participating in a car-cruise who is the driver of, or a passenger in, any motor vehicle (as defined in paragraph 4 of Schedule 2 to this Order) 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 car-cruise within the meaning of Schedule 2 to this Order.
5. Personal service of this injunction is dispensed with pursuant to CPR Rule 81.8. The Claimant shall be permitted to serve the Claim Form, this Order and the said power of arrest by the alternative methods specified at Schedule 3 to this Order.
6. Any person served with a copy of this Order may apply to the Court to vary or discharge it, on 48 hours written notice to the Claimant.
7. This order and power of arrest shall remain in force for 2 years, until midnight on 7 December 2022 unless previously varied or discharged by the Court.

The court office at the County Court at Luton, Justice Centre, Arndale House, The Mall, Luton, LU1 2LJ. When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number. Tel: 0300 123 5577. Check if you can issue your claim online. It will save you time and money. Go to www.moneyclaim.gov.uk to find out more.

8. The time for serving the Claimant's Claim Form and supporting documents shall be extended, pursuant to CPR Rule 7.6 until 7 December 2022.

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

NAME AND ADDRESS OF THE CLAIMANT'S LEGAL REPRESENTATIVES

The Claimant's solicitors' contact details are:

Legal Services,
Hertfordshire County Council
County Hall
Hertford
SG13 8DE

SCHEDULE 1

[MAP]

SCHEDULE 2

"Car-Cruise"

1. "Car-Cruise" means a congregation of the drivers of 2 or more motor-vehicles (as defined in paragraph 4 below) on the public highway or at any place to which the public have access within the Claimant's local government area (known as "Stevenage") as shown delineated in black on the map at Schedule 1, at which any person, whether or not a driver, performs any of the activities set out at para.2 below, so as, by such conduct, to cause any of the following:

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

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

- (i) driving or riding at excessive speed, or otherwise dangerously,
- (ii) driving or riding in convoy;
- (iii) racing against other motor-vehicles;
- (iv) performing stunts in or on motor-vehicles;
- (v) 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 Car-Cruise"

3. A person participates in a car-cruise whether or not he is the driver of, or passenger in, a motor-car, 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 car-cruise" shall be interpreted accordingly.

"Motor vehicle"

4. In this Order, the term "motor vehicle" excludes motor-cycles but includes quad bikes.

SCHEDULE 3

1. Service of this Order shall be effected by:

- (i) placing signs informing people of this Order and the area in which it has effect in prominent locations throughout Stevenage and particularly at its boundaries on major roads;
- (ii) ensuring that the details of the injunction are clearly publicised in a newspaper circulating in the Claimant's area,
- (iii) posting a copy of the Order on its website, and publicising it using the Claimant's Facebook page and twitter account, and requesting that local police publicise it via their Facebook and twitter accounts,
- (iv) posting a copy of the Order on other relevant social media sites including motorheadz.uk, and/or

(v) in any other like manner as appears to the Claimant to be likely to bring the Order to the attention of persons likely to be affected by it.

2. If the Claimant intends to take enforcement proceedings against any person in respect of this Order, the Claimant shall, no later than the time of issuing such proceedings, serve on that person,

(i) a copy of the Claim Form of 20 August 2020, and all supporting documents relied on to obtain this Order; and
(ii) a copy of this Order.

The Claimant shall not, however, be required to divulge to the person served the names or addresses of any individual member of the public whose details appear in the evidence served in accordance with this paragraph.

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

You may be able to get free legal aid advice. Go online at www.gov.uk/legal-aid for further information