

Anti-Social Behaviour Injunction Power of Arrest

Legal Services
Hertfordshire County Council
County Hall
Hertford
SG13 8DE

In the County Court at Luton	
Case Number	G00LU797
Claimant (including ref.)	Stevenage Borough Council
Defendant (including ref.)	Persons Unknown



The court orders that a power of arrest under section 27, Police and Justice Act 2006, applies to the following paragraphs of an order made on 16 September 2020:

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.
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 below (i.e. excluding motor cycles but including quadbikes) 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 car-cruise within the meaning of Schedule 2 to this Order.

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 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) 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;
- (xi) stopping or parking vehicles or otherwise congregating at the location of a car-cruise for the purpose of watching it.

"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-Vehicle (as defined in paragraph 4 below), 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.

4. In this Order, the term "Motor-Vehicle" means a motorized or automotive vehicle with more than 2 wheels (including quad bikes) but excludes motor-cycles (including any motor-cycles with more than 2 wheels).

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.

Produced by: J Harper
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The court thinks that—

(b) 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.

Shall come into force at 12.01 am on 18 September 2020 and continue until 10:00am on 7 December 2020 unless previously varied or discharged by the Court.

Defendant

Note to Arresting Officer

Persons Unknown	<p>Where the defendant is arrested under the power given by section 155 of the Housing Act 1996, or section 27 of the Police and Justice Act 2006; or section 43 of the Policing and Crime Act 2009; or section 4 of the Anti-Social Behaviour, Crime and Policing Act 2014:</p> <ul style="list-style-type: none">• the defendant shall be brought before the judge within the period of 24 hours beginning at the time of their arrest;• a constable shall inform the person on whose application the injunction was granted, forthwith where the defendant is arrested under the power given by section 155 of the Housing Act 1996 or as soon as reasonably practicable where the defendant is arrested under the power given by section 27 of the Police and Justice Act 2006 or section 43 of the Policing and Crime Act 2009 or section 9 of the Anti-Social Behaviour, Crime and Policing Act 2014. <p>Nothing in section 155 of the Housing Act 1996 or section 27 of the Police and Justice Act 2006 or section 43 of the Policing and Crime Act 2009 or section 4 of the Anti-Social Behaviour, Crime and Policing Act 2014, shall authorise the detention of the respondent after the expiry of the period of 24 hours beginning at the time of their arrest.</p> <p>In calculating any period of 24 hours, no account shall be taken of Christmas Day, Good Friday or any Sunday.</p>
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