

IN THE HIGH COURT OF JUSTICE
KINGS BENCH DIVISION
BEFORE MRS JUSTICE HILL DBE
IN THE MATTER OF AN APPLICATION FOR
AN INJUNCTION UNDER THE
LOCAL GOVERNMENT ACT 1972, S.22
AND THE HIGHWAYS ACT 1972, S.130



KB-2024-003851

BETWEEN:

LONDON BOROUGH OF ENFIELD

CLAIMANT

- 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 London Borough of Enfield, Map Exhibit MR1/1 (attached) which some of those present engage in motor racing or motor stunts or other dangerous or obstructive driving.**
2. **Persons unknown who participate between the hours of 3:00pm and 7:00am in a gathering of 2 or more persons within the London Borough of Enfield, Map Exhibit MR1/1 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 and/or 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 London Borough of Enfield, Map Exhibit MR1/1.**

DEFENDANTS

INTERIM INJUNCTION ORDER

PENAL NOTICE

**IF YOU DO NOT COMPLY WITH THIS ORDER YOU MAY BE HELD IN
CONTEMPT OF COURT AND IMPRISONED OR FINED OR YOUR ASSETS
MAY BE SEIZED**

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

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.

ANY OTHER PERSON WHO KNOWS OF THIS ORDER AND DOES ANYTHING WHICH HELPS OR PERMITS 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

IMPORTANT:-

NOTICE TO DEFENDANTS

This Order prevents you from doing the acts set out in the Order. You should read it all carefully. You are advised to consult a Solicitor as soon as possible. You have a right to ask the Court to vary or discharge this Order;

UPON considering the Claimant's application for an interim prohibitory injunction

against the Defendants pursuant to the Local Government Act 1972, s.222 and the Highways Act 1972, s.130 with a power of arrest, filed without notice

BUT UPON the Claimant having alerted those potentially affected by this injunction of this application and hearing date by publishing a notice of the date and location of the hearing, the Part 8 Claim Form and Particulars of Claim dated 15 November 2024; the application notice dated 19 November 2024, the witness statement of Martin Rattigan dated 13 November 2024, the exhibit bundle to Mr Rattigan's witness statement, the draft order and the Claimant's skeleton argument on the Claimant's website, at approximately 11:30 am on 3 December 2024;

UPON THE COURT CONSIDERING the Claimant's skeleton argument, the Part 8 Claim Form and Particulars of Claim, the Application Notice for the interim injunction, the witness statements of Inspector Richard Lee dated 1 March 2024, PS Mark Wells dated 2 February 2024; PC 2067T Luke Heming dated 22 December 2023; PC Paige dated 17 April 2024; Martin Rattigan dated 13 September 2024 with the Exhibits MR1/1-92 attached thereto in support of the claim; and the statement of Balbinder Kaur dated 3 September 2024

AND UPON HEARING FROM Francis Hoar, counsel for the Claimant, the Defendants not attending or being represented at a hearing on 4 December 2024

AND UPON THE COURT CONSIDERING it just and convenient, and proportionate, to grant the interim injunction and power of arrest in the following terms;

AND UPON THE COURT BEING SATISFIED for the purposes the Police and Justice Act 2006, s.27(3) that there is a significant risk of harm to a person or persons from the conduct prohibited by this Order, that harm being the risk of personal injury or death from activities prohibited in this order, and that a power of arrest should therefore be granted

IT IS ORDERED THAT

1. **IT IS FORBIDDEN** for the Defendants to participate in the activities set out in Schedule 2 to this Order (**'the Prohibited Activities'**, any one of which are referred to as **'a Prohibited Activity'**) between the hours of 3 pm and 7 am in a gathering of 2 or more persons within the Claimant's local government area (known as "Enfield"), the boundaries of which are delineated in red on a map attached to this Order at Schedule 1;
2. **IT IS FORBIDDEN** for the Defendants to participate in a gathering of 2 or more persons between the hours of 3 pm and 7 am within Enfield with the intention or expectation that some of those present will engage in a Prohibited Activity;
3. **IT IS FORBIDDEN** for the Defendants to promote, organise or publicise by any means and manner whatsoever a Prohibited Activity in a gathering of 2 or more persons with the intention or expectation that some of those present in the gathering that is promoted, organised or publicised will engage in a Prohibited Activity within Enfield (as delineated at Schedule 1 to this Order);
4. A power of arrest, pursuant to the Police and Justice Act 2006, s.27 shall apply to clause 1 and 2 above, in relation to any person participating in a Prohibited Activity who is the driver of, or a passenger in, any Motor-Vehicle as defined in paragraph 4 of Schedule 2 below to which paragraphs 1, 2 and 3 of Schedule 2 to this Order apply. For the avoidance of doubt, the power of arrest granted by this Order does not apply to any other person participating in a Prohibited Activity within the meaning of Schedule 2 to this Order;
5. Personal service of this injunction is dispensed with pursuant to CPR Rule 81.4(2)(d);
6. Pursuant to CPR Rules 6.1, 6.27 and 81.4(2)(d) the Claimant shall be permitted to serve the Claim Form, Application Notice and supporting documents relied on, and this Order and power of arrest, by the alternative methods specified at Schedule 3 to this Order; and the time for serving the Claimant's Claim Form, Application Notice and supporting documents shall be extended, pursuant to CPR Rule 7.6 until 11.59 pm on 11 December 2024;
7. The deemed date of service of the documents referred to at paragraph 6 above

shall be the date of the relevant certificate of service on completion of the steps described in Schedule 3 to this Order, from which date this Injunction and power of arrest shall become effective;

8. 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;
9. This Order and power of arrest shall come into force at 12.00 am on 12 December 2024 and thereafter shall remain in force for one year, until 11.59 pm on 12 December 2025 unless previously varied or discharged by the Court; and it will come into effect on that day provided that the steps taken to serve the Order set out in Schedule 3 paragraphs 1(i) and (iii) have been completed even if the steps set out in Schedule 3 paragraphs 1(ii) and (iv) have not been completed but the Claimant must complete those steps (set out in paragraphs 1(ii) and (iv) by **4 pm on 10 January 2025**;
10. The Claimant shall, by **4 pm on 1 September 2025**, file and publish on its website a witness statement setting out evidence of suspected breaches of this Order and attempts to enforce it;
11. This matter shall be listed for review on the first available date after **21 November 2025**, with a time-estimate of **2 hours**, and the following directions shall apply:
 - (1) Any person claiming to be affected by this Order may file and serve evidence but shall do so not later than 4 pm on **24 October 2025**;
 - (2) The Claimant shall by 4 pm on **7 December 2024** file and publish on its website an electronic bundle comprised of the Claim Form, Application Notice, Particulars of Claim, this and any other Order all witness statements and exhibits, including any served by a person claiming to be affected by this Order pursuant to para 10(1) of this Order and the Claimant's skeleton argument for the hearing on 4 December 2024; and
 - (3) Any person claiming to be affected by this Order may appear and make submissions in person or through counsel at the hearing;

12. The costs in this Application do be reserved.

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

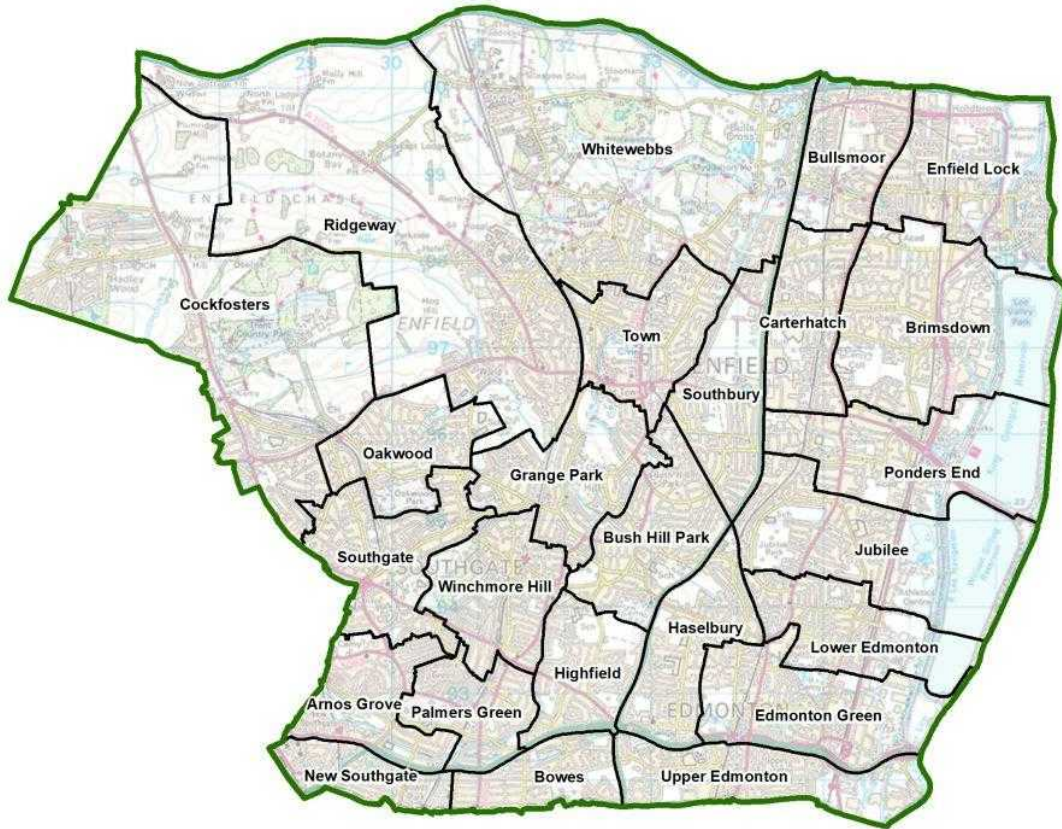
Name and Address of Claimant's Solicitor

Legal Services,
The Council of the London Borough of Enfield,
Silver Street,
Enfield EN1 3XA

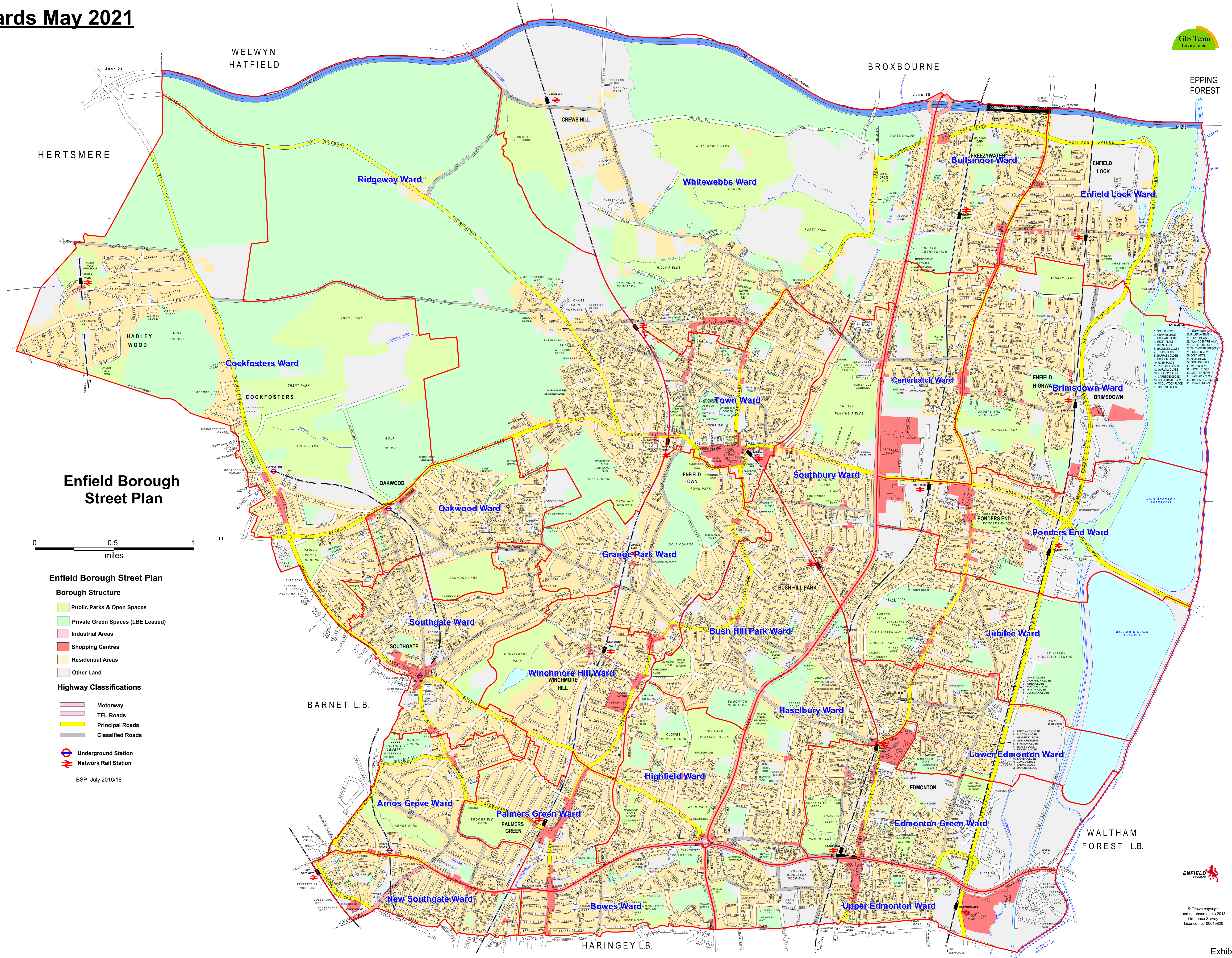
Telephone: 020 8132 0091

Email: Balbinder.Kaur@Enfield.gov.uk.

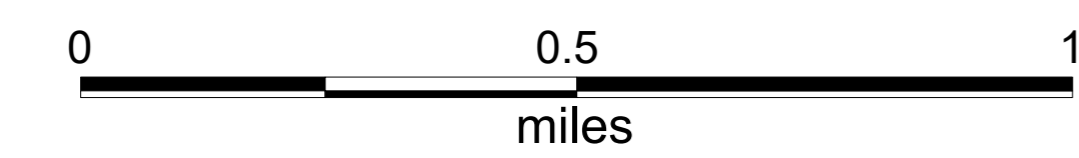
SCHEDULE 1



LBE New Wards May 2021



Enfield Borough Street Plan



Enfield Borough Street Plan

Borough Structure

- Public Parks & Open Spaces
- Private Green Spaces (LBE Leased)
- Industrial Areas
- Shopping Centres
- Residential Areas
- Other Land

Highway Classifications

- Motorway
- TFL Roads
- Principal Roads
- Classified Roads

- Underground Station
- Network Rail Station

BSP July 2016/18

Objectid	Wardname
1	New Southgate Ward
2	Upper Edmonton Ward
3	Bowes Ward
4	Palmers Green Ward
5	Arnos Grove Ward
6	Edmonton Green Ward
7	Highfield Ward
8	Lower Edmonton Ward
9	Haselbury Ward
10	Winchmore Hill Ward
11	Southgate Ward
12	Jubilee Ward
13	Bush Hill Park Ward
14	Ponders End Ward
15	Grange Park Ward
16	Oakwood Ward
17	Southbury Ward
18	Town Ward
19	Carterhatch Ward
20	Brimsdown Ward
21	Enfield Lock Ward
22	Cockfosters Ward
23	Bullsmoor Ward
24	Ridgeway Ward
25	Whitewebbs Ward



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SCHEDULE 2

“Prohibited Activity”

1. “Prohibited Activity” means a gathering of the drivers of two 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 “Enfield”) 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 at excessive speed, or otherwise dangerously;
 - (ii) driving in convoy;
 - (iii) racing against other motor vehicles;
 - (iv) performing stunts in motor vehicles;
 - (v) sounding horns or playing amplified music;
 - (vi) revving engines;
 - (vii) obstructing any other road-user.

“Participating in a Prohibited Activity”

3. A person participates in a Prohibited Activity whether or not he or she is the driver of, or passenger in, a Motor-Vehicle (as defined in paragraph 4 below), if he or she 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 Prohibited Activity” shall be interpreted accordingly.

“Motor vehicle”

4. In this Order, the term “motor vehicle” means any vehicle on wheels, having its own motor for use on streets or public highways or at any place to which the public have access including but not limited to car parks, waste land or other areas within Enfield.

SCHEDULE 3

1. Service of the proceedings and this Order shall be effected by:
 - (i) Maintaining signs informing people of this Order and the area in which it has effect in prominent locations and particularly at its boundaries on major roads (in general accordance with the plan attached herewith) and other areas where Prohibited Activities have been prevalent, namely:
 - The A10;
 - Enfield Retail Park EN1 1TH;
 - The A406;
 - Ravenside Retail Park N18 3HA;
 - Tesco Car Park in Glover Drive N18 3HF;
 - Millmarsh Lane EN3;
 - Riverwalk Road Business Park EN3 7QN;
 - Colosseum Business Park EN1 3FD;
 - ASDA in Edmonton;
 - Morrisons, Southbury Road; and
 - Southbury Leisure Centre
 - (ii) Ensuring that the details of the Injunction and power of arrest are clearly publicised in a newspaper(s) circulating in the Claimant's area;
 - (iii) Posting a copy of the Order and power of arrest, together with the Claim Form, Application Notice and supporting documents relied on, on its website, and publicising them using the Claimant's Facebook page and X account, and requesting that local police publicise them via their Facebook and X accounts;
 - (iv) Taking all reasonable steps to secure the publication of the Order and power of arrest, and/or information about where they and the documents referred to at (iii) above can be obtained, on other relevant social media sites and in motoring and other publications likely to be read by some of the participants including:
 - (a) motorheadz.uk;

- (b) Cruise-Herts Facebook and Instagram pages;
- (c) Herts Car Society Facebook page;
- (d) Herts BMW Owner Club Facebook page;
- (e) Royal Herts Statics Facebook page;
- (f) Static Takeover Facebook page;

and/or in any other like manner as appears to the Claimant to be likely to bring the proceedings and this Order to the attention of persons likely to be affected by it.

2. If the Claimant takes enforcement proceedings against any person in respect of this Order, the Claimant shall, if so directed by the Court, serve on that person:
 - (i) A copy of the Claim Form, Application Notice, witness statements, exhibits and all supporting documents relied on to obtain the Injunction Application and this Order; and
 - (ii) A copy of this Order and power of arrest.
3. The Claimant shall not, however, be required to disclose 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; and the question of the anonymity of the said complainant shall be reviewed by the Court at which the person served appears if the Claimant applies to commit him or her for contempt of court through breaching this Order.
4. The Court will consider whether to join the person served to the proceedings as a named Defendant and whether to make any further Order.

Dated 6th December 2024