

SECTION 222 LOCAL GOVERNMENT ACT 1972 INJUNCTION - POWER OF ARREST

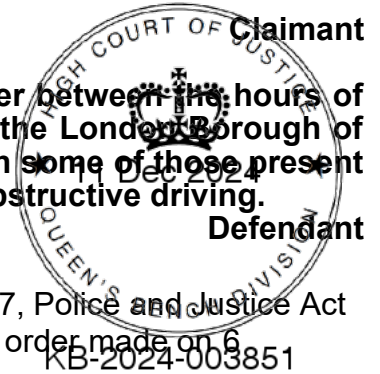
Under section 27, Police and Justice Act, 2006. Claim no KB-2024-003851

IN THE HIGH COURT OF JUSTICE KING'S BENCH DIVISION

BEFORE MRS JUSTICE HILL

LONDON BOROUGH OF ENFIELD

Persons Unknown who participate as a driver, rider or passenger 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) in a motor-vehicle in which some of those present engage in motor racing or motor stunts or other dangerous or obstructive driving.



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

*(Where marked * delete as appropriate)*

The court orders that a power of arrest under section 27, Police and Justice Act 2006, applies to the following paragraphs of the above order made on 6 December 2024.
KB-2024-003851

1. The Defendant SHALL NOT (whether by himself or by instructing, encouraging or allowing any other person) participate as a driver, rider or passenger in the activities set out in paragraph 2 of this Power of Arrest ('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 Power of Arrest.
2. "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.

And the said activities, 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.

3. In this Power of Arrest, 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.

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

Power of Arrest 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 Shall continue until the hearing of the Claim unless previously 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.

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- 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 Mrs Justice Hill

On 6th December 2024

