**IN THE HIGH COURT AT THE ROYAL COURTS OF JUSTICE**

**CASE NO:**

**IN THE MATTER OF AN APPLICATION FOR AN INJUNCTION UNDER**

**S.222 LOCAL GOVERNMENT ACT 1972 AND**

**S.130 OF THE HIGHWAYS ACT 1980**

 **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) at 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.**

**PERSONS UNKNOWN**

**DEFENDANTS**

**Draft/**

 **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;**

On [DATE], before [JUDGE], the Court considered an application for an interim prohibitory injunction and power of arrest granted by this Court on [date];

**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 statement of Martin Rattigan dated 13 September 2024 with the Exhibits MR1/1-92 attached thereto in support of the claim; incorporating S9 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 and 2 anonymous civilian witnesses attached thereto in support of the claim;

**AND UPON** the application of the Claimant for an interim prohibitory injunction against the Defendants, filed without notice;

**BUT UPON** the Claimant having taken the following steps to alert those potentially affected by this injunction of this application and hearing date:

1. Publishing a notice of the date and location of this hearing, the application notice, Particulars of Claim, above witness statements and exhibits on the Claimant’s website, at …..;
2. Placing posters informing any person reading them about the above and adding a link and URN that links to the above at the following locations near the areas where the activities prohibited by this Order have taken place:
3. ….
4. …;

**AND UPON** the Court being satisfied for the purposes of s.27(3), Police and Justice Act 2006, 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;

**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 HEARING FROM** Counsel for the Claimant [*the Defendants not attending or being represented*] and upon considering an application for an injunction and with power of arrest pursuant to section 222 Local Government Act 1972 and the Court exercising its discretion to grant injunctive relief pursuant to section 37(1) Senior Courts Act 1981;

# 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**’) [at all]/[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 black on a map attached to this Order at Schedule 1;
2. **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 will engage in a Prohibited Activity Enfield (as delineated at Schedule 1 to this Order);
3. A power of arrest, pursuant to s.27 Police and Justice Act 2006 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;
4. Personal service of this injunction is dispensed with pursuant to CPR Rules 6.28 81.4(2)(d);
5. Pursuant to CPR rules 6.15 and 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 [date];
6. The deemed date of service of the documents referred to at paragraphs 4 and 5 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;
7. 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;
8. This Order and power of arrest shall come into force at 12.00 am on [date], and thereafter shall remain in force for one year, until 11.59 pm on [date] unless previously varied or discharged by the Court;
9. 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;
10. This matter shall be listed for a review on the first available date after 21 November 2025, with a time-estimate of one hour, and the following directions shall apply:
11. 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;
12. The Claimant shall by 4 pm on 7 November 2025 file and publish on its website an electronic bundle comprised of the Claim Form, Application Notice, Particulars of Claim, this and any other Order and 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
13. Any person claiming to be affected by this Order may appear and make submissions in person or through counsel at the hearing;
14. 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

[MAP]

# 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:
	1. excessive noise;
	2. danger to other road users (including pedestrians);
	3. damage or the risk of damage to private property;
	4. any nuisance to another person not participating in the Car-Cruise.
2. The activities referred to at para.1, above, are:
	1. driving at excessive speed, or otherwise dangerously;
	2. driving in convoy;
	3. racing against other motor vehicles;
	4. performing stunts in motor vehicles;
	5. sounding horns or playing amplified music;
	6. revving engines;
	7. supplying or using illegal drugs;
	8. Engaging in sexual activity in motor vehicles;
	9. urinating in public;
	10. shouting or swearing at, or abusing, threatening or otherwise intimidating another person; or
	11. obstructing any other road-user.

### “Participating in a Prohibited Activity”

1. 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”

1. In this Order, the term “motor vehicle” means any vehicle on [wheels](https://www.collinsdictionary.com/dictionary/english/wheel), having its own motor for use on [streets](https://www.collinsdictionary.com/dictionary/english/street) or public [highways](https://www.collinsdictionary.com/dictionary/english/highway) 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:
	1. Maintaining signs informing people of this Order and the area in which it has effect in prominent locations throughout Enfield and particularly at its boundaries on major roads (in general accordance with the plan attached herewith);
	2. Ensuring that the details of the Injunction and power of arrest are clearly publicised in a newspaper(s) circulating in the Claimant’s area;
	3. 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 Twitter account, and requesting that local police publicise them via their Facebook and Twitter accounts;
	4. 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 including:
		1. [motorheadz.uk](https://motorheadz.uk/);
		2. Cruise-Herts Facebook and Instagram pages;
		3. Herts Car Society Facebook page;
		4. Herts BMW Owner Club Facebook page;
		5. Royal Herts Statics Facebook page;
		6. 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.

1. 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:
	1. A copy of the Claim Form of 15 November 2024, Application Notice and all supporting documents relied on to obtain the Injunction Application and this Order; and
	2. A copy of this Order and power of arrest.
2. 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.
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.