

**INJUNCTION - SECTION 37(1) SENIOR COURTS ACT 1981 –
(PROCEEDINGS BROUGHT PURSUANT TO SECTION 222 LOCAL
GOVERNMENT ACT 1972) - POWER OF ARREST**
Under section 27 Police and Criminal Justice Act 2006



**IN THE HIGH COURT OF JUSTICE, QUEEN'S BENCH DIVISION,
BIRMINGHAM DISTRICT REGISTRY**

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|---|------------|
| WOLVERHAMPTON CITY COUNCIL, DUDLEY MBC, SANDWELL MBC AND WALSALL MBC | Claimants |
| PERSONS UNKNOWN | Defendants |

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

(Where marked * delete as appropriate)

POWER OF ARREST

This power expires at 11:59 p.m. on

Note to arresting officer

Ordered by

on

The court orders that a power of arrest under section 27 Police and Criminal Justice Act 2006 applies to the following paragraph(s) of an order made on 01 December 2014 and extended on 9th January 2018:

- 1. IT IS FORBIDDEN for anyone to participate in “car cruising” (as defined in the Schedule attached hereto) anywhere within the Black Country Area (being the area comprising the Claimants’ combined local authority areas as illustrated on the map attached hereto marked “Annexe A”)**

In respect of a power of arrest under section 27 Police and Criminal Justice Act 2006, the Court, upon being satisfied pursuant to section 27(3) Police and Criminal Justice Act 2006 that the relevant conduct consists of or includes the use or threatened use of violence and/or there is a significant risk of harm to a person mentioned in section 27(2) of the said Act, has ordered that a power of arrest be attached to the order.

A power of arrest is attached to the order whereby any constable may (under the power given by Section 27(4) Police and Criminal Justice Act 2006) arrest without a warrant a person whom he has reasonable cause for suspecting to be in breach of any of the provisions set out in this order or otherwise in contempt of court in relation to such provision.

01 February 2021.

Where a person is arrested under the power given by section 27(4) Police and Criminal Justice Act 2006, section 27(6) Police and Criminal Justice Act 2006 requires that:

- A constable shall after making such an arrest forthwith inform the person on whose application the injunction was granted;
- Such person shall be brought before the relevant judge within 24 hours beginning at the time of his arrest;
- And if the matter is not then disposed of forthwith, the Judge may remand such person.
- Nothing in section 155 authorises the detention of such person after the expiry of the period of 24 hours beginning at the time of his arrest, unless remanded by the court.
- In reckoning any period of 24 hours for these purposes, no account shall be taken of Christmas Day, Good Friday or any Sunday.

His Honour Judge McKenna

9th January 2018

SCHEDULE

1. "Car Cruising" means 2 or more motor vehicles (including motorbikes) between the hours of 3:00 p.m. and 7:00 a.m. being on a highway or in a publicly accessible place within the Black Country Area as defined on the map attached hereto marked "Annexe A" at which any such vehicle or occupant of a vehicle performs any of the prohibited activities listed in clause 3 below which causes, or is capable of causing, any of the prohibited consequences set out in clause 4 below.
2. "Participating in car cruising" means being the driver of, or being carried in (or on), a motor vehicle (including motorbikes) in circumstances in which paragraph 1 above applies.
3. The prohibited activities referred to in clause 1 above are:
 - (a) speeding;
 - (b) driving in convoy;
 - (c) racing;
 - (d) performing stunts;
 - (e) sounding horns (as to cause a nuisance);
 - (f) playing music (as to cause a nuisance);
 - (g) using foul or abusive language;
 - (h) using threatening, intimidating behaviour towards another person; and
 - (i) causing obstruction on a public highway, whether moving or stationary.
4. The prohibited consequences referred to in clause 1 above are:
 - (a) excessive noise;
 - (b) danger or risk of injury to road users (including pedestrians);
 - (c) damage or risk of damage to property;
 - (d) risk of harm;
 - (e) nuisance; and
 - (f) annoyance.