

IN THE HIGH COURT OF JUSTICE
000188
KING'S BENCH DIVISION
BIRMINGHAM DISTRICT REGISTRY

CLAIM NO: KB-2022-BHM-



KB-2022-BHM-000188

In the matter of an application for an injunction under section 222
Local Government Act 1972 and section 130 Highways Act 1980

B E T W E E N:

- 1. WOLVERHAMPTON CITY COUNCIL**
- 2. DUDLEY METROPOLITAN BOROUGH COUNCIL**
- 3. SANDWELL METROPOLITAN BOROUGH COUNCIL**
- 4. WALSALL METROPOLITAN BOROUGH COUNCIL**

Claimants

-and-

Persons Participating in Street Cruises

- 1. PERSONS UNKNOWN WHO PARTICIPATE BETWEEN THE HOURS OF 3:00PM AND 7:00AM IN A GATHERING OF 2 OR MORE PERSONS WITHIN THE AREA SHOWN ON PLAN A (ATTACHED) AT WHICH SOME OF THOSE PRESENT ENGAGE IN MOTOR RACING OR MOTOR STUNTS OR OTHER DANGEROUS OR OBSTRUCTIVE DRIVING**

Persons Attending or Intending to Participate in Street Cruises

- 2. PERSONS UNKNOWN WHO PARTICIPATE BETWEEN THE HOURS OF 3:00PM AND 7:00AM IN A GATHERING OF 2 OR MORE PERSONS WITHIN THE AREA SHOWN ON PLAN A (ATTACHED) WITH THE INTENTION OR EXPECTATION THAT SOME OF THOSE PRESENT WILL ENGAGE IN MOTOR RACING OR MOTOR STUNTS OR OTHER DANGEROUS OR OBSTRUCTIVE DRIVING**

Persons Promoting Street Cruises

- 3. PERSONS UNKNOWN PROMOTING ORGANISING 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 THE BLACK COUNTRY AREA SHOWN ON PLAN A (ATTACHED)

Drivers, Riders or Passengers in or on Motor Vehicles who take part in Street Cruises

4. PERSONS UNKNOWN BEING DRIVERS, RIDERS OR PASSENGERS IN OR ON MOTOR VEHICLE(S) WHO PARTICIPATE BETWEEN THE HOURS OF 3:00PM AND 7:00AM IN A GATHERING OF 2 OR MORE PERSONS WITHIN THE AREA SHOWN ON PLAN A (ATTACHED) AT WHICH SUCH DEFENDANTS ENGAGE IN MOTOR RACING OR MOTOR STUNTS OR OTHER DANGEROUS OR OBSTRUCTIVE DRIVING

AND THOSE PERSONS LISTED AT SCHEDULE 1 AS NAMED DEFENDANTS

Defendants

ORDER

BEFORE HHJ Emma Kelly sitting as a Judge of the High Court at the High Court of Justice, King's Bench Division, Birmingham District Registry at Birmingham Civil and Family Justice Centre, Priory Courts, 33 Bull Street, Birmingham, B4 6DS on 10 April 2025 and considering the matter on the papers

UPON considering an application from the Claimants for relief from sanctions dated 9 April 2025 ('the Witness Statement Relief Application')

AND UPON para. 6 of the Directions Order of Ritchie J of 26 February 2025, as amended under the slip rule on 7 March 2025, ('the Order') having required the Claimants to file at court and upload a witness statement or certificate of service confirming completion of the alternative service steps within 7 days of completing those steps

AND UPON the Claimants having filed a witness statement and the First, Second and Third Defendants having uploaded a witness statement by 4pm on 28 March 2025 in accordance with para. 6 of the Order but the Fourth Claimant failing to do so until 1 April 2025

IT IS ORDERED THAT:

1. The date for compliance with para. 6 of the Order (as to the date for uploading a witness statement confirming service) is extended to 4pm on 2 April 2025.
2. So far as may be necessary, the Claimants are granted relief from any sanctions flowing from a failure of the Fourth Claimant to comply with para. 6 of the Order by uploading its witness statement as to service.

3. Pursuant to CPR 6.15 and 6.27 and the Court being satisfied the Claimants have now complied with the service requirements set out in the Order, the Injunction made in this matter by Julian Knowles J on 26 February 2024 and continued in its amended form by Ritchie J on 26 February 2025, is in full force and effect in its amended form.
4. The Claimants shall be permitted to serve the Witness Statement Relief Application and this order on:
 - a. The First to Fourth Defendants by the alternative methods set out in paragraphs (2), (3), (4) and (5) of Schedule 2 of the Order.
 - b. The Named Defendants (as defined in the Order) by using email and/or the postal addresses that have been provided to the Claimants in the course of these proceedings.The steps in paragraph 4(a) and (b) above steps must be completed by 4pm on 7 days after this order is served on the Claimants.
5. There be no order as to the costs of the Witness Statement Relief Application.
6. This order has been made under CPR 23.9 as the Court has disposed of the Witness Statement Relief Application without a hearing and without service. Any party affected by the order may apply to have the order set aside or varied, with any such application to be made within 7 days of the date of service of this order on the party making the application.

SCHEDULE 1
(Named Defendants)

Defendant Number	Defendant Name	Date Defendant added as a party (and judge making order)
5	Mr ANTHONY PAUL GALE	4 October 2023 (HHJ Kelly)
6	Miss WIKTORIA SCZCUBLINSKA	4 October 2023 (HHJ Kelly)
7	Mr ISA IQBAL	1 November 2023 (HHJ Kelly)
8	Mr MASON PHELPS	29 January 2024 (HHJ Kelly)
9	Ms REBECCA RICHOLD	27 February 2024 (Julian Knowles J)
10	Mr OLIVER DAVID CLARKE	21 May 2024 (HHJ Kelly)
11	Mr SIKANDER HUSSAIN	23 May 2024 (HHJ Kelly)
12	Mr OMAR TAGON	12 November 2024 (HHJ Wall)
13	Mr TY HARRIS	25 November 2024 (HHJ Wall)
14	Mr VIVKASH BALI	25 November 2024 (HHJ Wall)