

**IN THE HIGH COURT OF JUSTICE**  
**KINGS BENCH DIVISION**  
**BIRMINGHAM DISTRICT REGISTRY**  
**BETWEEN:**

**Claim No: KB-2022-BHM-000221**



**BIRMINGHAM CITY COUNCIL**

**KB-2022-BHM-000221**

Claimant

-and-

**VICTORIA ADSHEAD**

Defendant

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**ORDER**

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**BEFORE** Her Honour Judge Emma Kelly sitting in the High Court of Justice, King's Bench Division, Birmingham District Registry on 8<sup>th</sup> July 2024

**UPON** hearing Counsel, Ms Aruci, for the Claimant and Solicitor, Mr Robinson, for the Defendant

**AND UPON** the Defendant having been arrested on 23<sup>rd</sup> June 2024 for alleged breach of the injunction granted by Mr Justice Knowles on 27<sup>th</sup> February 2024 ("the Injunction")

**AND UPON** the Defendant admitting that she had actual knowledge of the Injunction prior to arrest

**AND UPON** the Defendant making an admission in writing that she has breached the Injunction as alleged save that: (1) she had driven at 70mph on Heartlands' Parkway as opposed to 100mph; (2) she did not break heavily to avoid overshooting an island

; and (3) she did not break heavily to avoid a collision with a member of the public.

**AND UPON** the Claimant accepting the bases of the Defendants admissions and the Court sentencing on the basis of the admissions

**AND UPON** the Defendant consenting to being served with the documents in the case by email on her Solicitor

**AND UPON** the Court expressing as to whether the current version of the home (or landing) page to the Claimant's website complies with the requirement of para. 1(iv) of schedule 3 to the Injunction to retain a prominent direct link to the dedicated street cruise webpages

**IT IS ORDERED THAT:**

1. Service of the Injunction in accordance with paragraph 1(iv) of Schedule 3 to the Injunction is dispensed with for the purposes of the contempt application against the Defendant.
2. The Claimant's contempt application, dated 1st July 2024, against the Defendant is granted.
3. The Defendant is sentenced to 26 days' imprisonment suspended for a period of 12 months on condition of compliance with the terms of the Injunction, or any subsequent amendment to the Injunction, in accordance with the N603 Order on determination of proceedings for contempt of court.
4. The Defendant shall pay the Claimant's costs of the contempt application, summarily assessed in the sum of £2,174.30, by way of instalments of £250 per month. The Defendant shall make a first payment on or before 4pm on 8<sup>th</sup> August 2024 and thereafter on or before the 8<sup>th</sup> of each month until the full sum is paid.

1. The Defendant do be added as the 25<sup>th</sup> Defendant to the application for a final injunction (Claim No: KB-2022-BHM-000221) and an amended Claim Form, Particulars of Claim, Injunction and Power of Arrest shall be filed by 4pm on 22<sup>nd</sup> July 2024. Such amendment to be limited to the addition of the 25<sup>th</sup> Defendant.
2. The Claimant shall serve a copy of the Amended Claim Form, Particulars of Claim, Injunction, Power of Arrest and supporting evidence on the Defendant by way of email on the Defendant's Solicitor by 4pm on 29<sup>th</sup> July 2024.
3. Service of the amended Claim Form, Particulars of Claim, Injunction and Power of Arrest on all of the other Defendants is dispensed with.
4. A transcript of the sentencing judgment is to be obtained on an expedited basis and at the public expense. It is to be uploaded onto the judiciary website in due course.
5. Any appeal against this order by the Defendant must be brought in the Court of Appeal (Civil Division) by 4pm on 29<sup>th</sup> July 2024.
6. The Claimant shall by 4pm on 22<sup>nd</sup> July 2024 file and serve a witness statement setting what steps the Claimant has taken to comply with paragraph the requirement of para. 1(iv) of schedule 3 to the Injunction to retain a prominent direct link to the dedicated street cruise webpages. The witness statement should identify any period after 27<sup>th</sup> February 2024 when no direct link was in place and what link is in place now, including screenshots of the relevant page.
7. The substantive claim shall be listed for a review of the alternative service provisions at the conclusion of the hearing in this claim that is already listed for the determination of the contempt application against Kim Lucombe on 25 July 2024 at 10.30am. (The existing time estimate of 1.5 days shall remain.)
8. A copy of this order and the witness statement referred to in paragraph 10 above shall be served by the claimant on any named defendants to the substantive claim by email to email

addresses previously provided and shall be served on the 8<sup>th</sup>-10<sup>th</sup> defendants by compliance with paragraphs 1(iii), (iv) and (v) of schedule 3 to the Injunction.