

On behalf of: Claimant
By: Carol Culley
No: First
Exhibit: CC
Date: 3 February 2026

CLAIM NO: [TBC]

IN THE HIGH COURT OF JUSTICE

KING'S BENCH DIVISION

BETWEEN:

(1) BIRMINGHAM CITY COUNCIL

Claimant

- and -

(1) PERSONS UNKNOWN

Defendant

**WITNESS STATEMENT OF
CAROL CULLEY**

I, CAROL CULLEY OBE, of BIRMINGHAM CITY COUNCIL WILL SAY as follows:

- 1 I am employed by Birmingham City Council (**Council**) as the Executive Director of Finance and s.151 Officer. I am the statutory S151 Officer for the Council with responsibility for ensuring sound administration of the Council's financial affairs.

- 2 I joined BCC on 17 March 2025, having previously held roles with Manchester City Council as Deputy Chief Executive and City Treasurer, Best Value Commissioner as part of Government Intervention at Woking Borough Council and I am a past President of the Chartered Institute of Public Finance and Accountancy (CIPFA). I am a qualified CIPFA Accountant.

Cross Undertaking In Damages

- 3 The Council's solicitors have explained to me that should the injunction sought by the Council be granted by the Court, then a cross-undertaking in damages will be required to cover any loss suffered by the Defendants in the event that it is established in the future that the injunction sought should not have been granted (**Damages**).
- 4 I am authorised by the Council to offer on their behalf such an undertaking but I need to explain the unusual circumstances of the Council.
- 5 BCC is a Local Authority with powers under the Local Authority Act 1972 and 2000 and under s.1 of the Localism Act 2011 (the “general power of competence”).
- 6 On 5 September 2023 BCC issued a formal notice under section 114 of the Local Government Act 2020. Shortly thereafter, the UK Government appointed a panel of Commissioners with responsibility for governance, scrutiny of strategic decision making, finance and senior appointments (**Commissioners**). Since 5 October 2023, those Commissioners have had oversight of BCC's operations. A copy of the Directions detailing the Commissioners powers is included in the exhibits to this statement CC1.
- 7 Birmingham City Council is in formal intervention with the appointment of Best Value Commissioners and is still, for the time being, operating under a S114 notice with the associated controls over expenditure due to the concerns about the financial position. However, the Council will shortly be delivering a balanced Medium Term Financial Plan for 2026/2027 without the need for exceptional financial support.
- 8 Despite these budget pressures there remains over £150m of usable reserves. Whilst not large for an authority of this size I can confirm the Council would be able to meet any legal obligations.
- 9 I can also confirm that the Commissioners are supportive of the action we are taking.
- 10 I can therefore confirm, therefore, that BCC has funds to meet any Damages arising in respect of the current application.

Statement of Truth

11 I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Dated 3 February 2026

Signed by:

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CAROL CULLEY

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