

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

BETWEEN:

BIRMINGHAM CITY COUNCIL

APPLICANT

- AND -

PERSONS UNKNOWN

RESPONDENTS

APPLICATION HEARING ON 13 FEBRUARY 2026 - BUNDLE VOLUME I

TAB	DOCUMENT	DATE	Page Numbers
PART 1 - INJUNCTION APPLICATION DOCUMENTS			
1.	Application Notice	03 February 2026	8-12
2.	Claim Form	06 February 2026	13-19
3.	Certificate of Urgency	03 February 2026	20-27
4.	Claimant's Draft Order	03 February 2026	28-58
5.	Order of HHJ Emma Kelly	04 February 2026	59-60
PART 2 - WITNESS STATEMENTS – INJUNCTION APPLICATION			
6.	Witness Statement of Christopher Smiles and Exhibit CS Coversheet and Index	03 February 2026	61-98
7.	Witness Statement of Dean Smith and Exhibit DS Coversheet and Index	03 February 2026	99-112
8.	Witness Statement of Richard Smith and Exhibit RS Coversheet and Index	03 February 2026	113-130
9.	Witness Statement of David Miller and Exhibit DM Coversheet and Index	03 February 2026	131-150
10.	Witness Statement of Carol Culley and Exhibit CC Coversheet and Index	03 February 2026	151-155

PART 3 – NOTIFICATION OF DEFENDANTS			
11.	Witness Statement of Deborah Carter-Hughes and Exhibit DCH Coversheet and Index	11 February 2026	156-173
12.	DCH/1 – Email correspondence to Strike Map regarding Notice of Injunction Application	03 February 2026	174
13.	DCH/2 - Email correspondence to SWP regarding Notice of Injunction Application	03 February 2026	175
14.	DCH/3 - Email correspondence to Reel News regarding Notice of Injunction Application	03 February 2026	176
15.	DCH/4 - Email correspondence to Birmingham Socialist Party regarding Notice of Injunction Application	03 February 2026	177
16.	DCH/5 – Email correspondence to Unite regarding Notice of Injunction Application	03 February 2026	178-179
17.	DCH/6 – Letter to Unite regarding Injunction Application	04 February 2026	180-181
18.	DCH/7 – Hand delivery of documents to Unite	04 February 2026	182
19.	DCH/8 – Notice of Injunction Application to Persons Unknown	04 February 2026	183
20.	DCH/9 – Email correspondence regarding Notices at Atlas	04 February 2026	184-185
21.	DCH/10 – Photograph at Atlas 1	04 February 2026	186
22.	DCH/11 – Photograph at Atlas 2	04 February 2026	187
23.	DCH/12 – Photograph at Atlas 3	04 February 2026	188
24.	DCH/13 – Daily Operational Situation Report	06 February 2026	189-192
25.	DCH/14 – Email correspondence regarding Notices at Atlas	04 February 2026	193-197
26.	DCH/15 – Statement of Process Server Glenn Marriott	04 February 2026	198
27.	DCH/16 – Exhibit GM2	04 February 2026	199-201
28.	DCH/17 – Email correspondence re Notices at Perry Barr	04 February 2026	202-215
29.	DCH/18 – Perry Barr – Photograph 1	04 February 2026	216
30.	DCH/19 - Perry Barr – Photograph 2	04 February 2026	217

31.	DCH/20 – Perry Barr – Photograph 3	04 February 2026	218
32.	DCH/21 – Perry Barr – Photograph 4	04 February 2026	219
33.	DCH/22 – Perry Barr – Photograph 5	04 February 2026	220
34.	DCH/23 – Perry Barr – Photograph 6	04 February 2026	221
35.	DCH/24 – Perry Barr – Photograph 7	04 February 2026	222
36.	DCH/25 – Perry Barr – Photograph 8	04 February 2026	223
37.	DCH/26 – Perry Barr – Photograph 9	04 February 2026	224
38.	DCH/27 – Perry Barr – Photograph 10	04 February 2026	225
39.	DCH/28 – Perry Barr – Photograph 11	04 February 2026	226
40.	DCH/29 – Perry Barr – Photograph 12	04 February 2026	227
41.	DCH/30 – Perry Barr – Photograph 13	04 February 2026	228
42.	DCH/31 – Email correspondence re Notices at Smithfield	04 February 2026	229
43.	DCH/32 – Smithfields Photograph 1	04 February 2026	230
44.	DCH/33 – Smithfields Photograph 2	04 February 2026	231
45.	DCH/34 – Smithfields Photograph 3	04 February 2026	232
46.	DCH/35 – Smithfields Photograph 4	04 February 2026	233
47.	DCH/36 – BCC Social Media Posts	04 February 2026	234-237
48.	DCH/37 – Email correspondence to Birmingham Socialist Party regarding the Injunction Hearing	05 February 2026	238-239
49.	DCH/38 - Email correspondence to Reel News regarding the Injunction Hearing	05 February 2026	240-241
50.	DCH/39 - Email correspondence to SWP regarding the Injunction Hearing	05 February 2026	242-243

51.	DCH/40 - Email correspondence to Strike Map regarding the Injunction Hearing	05 February 2026	244-245
52.	DCH/41 - Email correspondence to Unite regarding the Injunction Hearing	05 February 2026	246-247
53.	DCH/42 – BCC Website Link to Notice of Hearing	05 February 2026	248-250
54.	DCH/43 – BCC Download Page for Hearing Documents on Website Link	05 February 2026	251
55.	DCH/44 – BCC Social Media Posts	05 February 2026	252-255
56.	DCH/45 – Updated Notice to Persons Unknown regarding the Hearing Date	05 February 2026	256
57.	DCH/46 – Email correspondence regarding notices at Redfern Road and Kings Road	06 February 2026	257-258
58.	DCH/47 – Photograph of Notices at Redfern Road and Kings Road 1	06 February 2026	259
59.	DCH/48 - Photograph of Notices at Redfern Road and Kings Road 2	06 February 2026	260
60.	DCH/49 - Photograph of Notices at Redfern Road and Kings Road 3	06 February 2026	261
61.	DCH/50 - Photograph of Notices at Redfern Road and Kings Road 4	06 February 2026	262
62.	DCH/51 – Email correspondence regarding Order at both entrances	10 February 2026	263-265
63.	DCH/52 – Email correspondence from David Miller regarding the Hearing Order	10 February 2026	266
64.	DCH/53 – Photograph of Hearing Order	10 February 2026	267
65.	DCH/54 – Photograph of Hearing Order 2	10 February 2026	268
66.	DCH/55 – Statement of Process Server Glenn Marriott	06 February 2026	269-270
67.	DCH/56 – Exhibit GM5	06 February 2026	271-272
68.	DCH/57 – Email correspondence regarding notices at Perry Barr	06 February 2026	273
69.	DCH/58 – Photograph of Notices at Perry Barr 1	06 February 2026	274
70.	DCH/59 – Photograph of Notices at Perry Barr 2	06 February 2026	275

71.	DCH/60 – Email correspondence regarding the Hearing Order	10 February 2026	276-281
72.	DCH/61 – Email correspondence regarding notices at Smithfield	10 February 2026	282-285
73.	DCH/62 – Email correspondence regarding Notices at Smithfield	06 February 2026	286
74.	DCH/63 – Photograph of Notices at Smithfield 1	06 February 2026	287
75.	DCH/64 – Photograph of Notices at Smithfield 2	06 February 2026	288
76.	DCH/65 – Photograph of Notices at Smithfield 3	06 February 2026	289
77.	DCH/66 – Photograph of Notices at Smithfield 4	06 February 2026	290
78.	DCH/67 – Photograph of Notices at Smithfield 5	06 February 2026	291
79.	DCH/68 – Exhibit GM6	06 February 2026	292-295
80.	DCH/69 – Daily Operational Situation Report	04 February 2026	296-298
81.	DCH/70 – Daily Operational Situation Report	05 February 2026	299-301
82.	DCH/71 – Daily Operational Situation Report	09 February 2026	302-305
83.	DCH/72 – Spreadsheet regarding checks of the notices at Atlas	Undated	306
84.	DCH/73 – Email correspondence regarding notices at Lifford Lane	04 February 2026	307-322
85.	DCH/74 – Email correspondence regarding signs at Lifford Lane Depot	10 February 2026	323-325
86.	DCH/75 – Email correspondence regarding checks at Lifford Lane Depot	10 February 2026	326-329
87.	DCH/76 – Email correspondence regarding notices at Perry Barr	04 February 2026	330-334
88.	DCH/77 – Photograph of Notices at Perry Barr 1	04 February 2026	335
89.	DCH/78 – Photograph of Notices at Perry Barr 2	04 February 2026	336
90.	DCH/79 – Photograph of Notices at Perry Barr 3	04 February 2026	337

91.	DCH/80 – Photograph of Notices at Perry Barr 4	04 February 2026	338
92.	DCH/81 – Email correspondence regarding notices at Perry Barr	08 February 2026	339
93.	DCH/82 – Photograph of Notices at Perry Barr 1	08 February 2026	340
94.	DCH/83 – Photograph of Notices at Perry Barr 2	08 February 2026	341
95.	DCH/84 – Email correspondence regarding Notices at Perry Barr	09 February 2026	342-346
96.	DCH/85 – Perry Barr Photograph 1	09 February 2026	347
97.	DCH/86 – Perry Barr Photograph 2	09 February 2026	348
98.	DCH/87 – Smithfield Notice Checklist	04 February 2026	349-350
99.	DCH/88 – Email correspondence regarding updates at Smithfield	10 February 2026	351-355
100.	DCH/89 – Article by Birmingham Live	04 February 2026	356-358
101.	DCH/90 – Article by the Institute of Employment Rights	04 February 2026	359-363
102.	DCH/91 – Article by the Morning Star	04 February 2026	364-367
103.	DCH/92 – Article by Rayo	04 February 2026	368-369
104.	DCH/93 – Updates from Unite	31 January-6 February 2026	370-371
105.	DCH/94 – Strike Map Updates	2 February – 5 February 2026	372-380
106.	DCH/95 – Express & Star Article	31 January 2026	381-389
107.	DCH/96 – Express & Star Article	05 February 2026	390
108.	DCH/97 – Statement Glenn Marriott	10 February 2026	391-392
109.	DCH/98 Exhibit GM7	10 February 2026	393-398
110.	DCH/99 – BCC Social Media Posts	10 February 2026	399-400

111.	DCH/100 – Daily Operational Situation Report	10 February 2026	401-404
112.	DCH/101 – Daily Activist Engagement Log	10 February 2026	405-408
113.	DCH/102 – Daily Activist Engagement Log Email Correspondence	10 February 2026	409

Application notice

For help in completing this form please read the notes for guidance form N244Notes.

Find out how HM Courts and Tribunals Service uses personal information you give them when you fill in a form: <https://www.gov.uk/government/organisations/hm-courts-and-tribunals-service/about/personal-information-charter>

Name of court	Claim no.
Fee account no. (if applicable)	Help with Fees – Ref. no. (if applicable)
	H W F - <input type="text"/> <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/> <input type="text"/>
Warrant no. (if applicable)	
Claimant's name (including ref.)	
Defendant's name (including ref.)	
Date	

1. What is your name or, if you are a legal representative, the name of your firm?

2. Are you a Claimant Defendant Legal Representative
 Other (please specify)

If you are a legal representative whom do you represent?

3. What order are you asking the court to make and why?

4. Have you attached a draft of the order you are applying for? Yes No

5. How do you want to have this application dealt with? at a hearing without a hearing
 at a remote hearing

6. How long do you think the hearing will last? Hours Minutes
 Is this time estimate agreed by all parties? Yes No

7. Give details of any fixed trial date or period

8. What level of Judge does your hearing need?

9. Who should be served with this application?

9a. Please give the service address, (other than details of the claimant or defendant) of any party named in question 9.

10. What information will you be relying on, in support of your application?

- the attached witness statement
- the statement of case
- the evidence set out in the box below

If necessary, please continue on a separate sheet.

11. Do you believe you, or a witness who will give evidence on your behalf, are vulnerable in any way which the court needs to consider?

Yes. Please explain in what way you or the witness are vulnerable and what steps, support or adjustments you wish the court and the judge to consider.

No

Statement of Truth

I understand that proceedings for contempt of court may be brought against a person 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.

- I believe** that the facts stated in section 10 (and any continuation sheets) are true.
- The applicant believes** that the facts stated in section 10 (and any continuation sheets) are true. **I am authorised** by the applicant to sign this statement.

Signature

DCarter-Hughes

- Applicant
- Litigation friend (where applicant is a child or a Protected Party)
- Applicant's legal representative (as defined by CPR 2.3(1))

Date

Day

Month

Year

Full name

Name of applicant's legal representative's firm

If signing on behalf of firm or company give position or office held

Applicant's address to which documents should be sent.

Building and street

Second line of address

Town or city

County (optional)

Postcode

--	--	--	--	--	--	--	--

If applicable

Phone number

Fax phone number

DX number

Your Ref.

Email



Claim Form

You may be able to issue your claim online which may save time and money. Go to www.moneyclaims.service.gov.uk/make-claim to find out more.

In the	HIGH COURT OF JUSTICE KING'S BENCH DIVISION
Fee Account no.	PBA0087960
Help with Fees - Ref no. (if applicable)	06 Feb 2026 BIRMINGHAM
For court use only	
Claim no.	
Issue date	KB-2026-BHM-000043



Claimant(s) name(s) and address(es) including postcode

BIRMINGHAM CITY COUNCIL
Council House, Victoria Square, Birmingham B1 1BB



Defendant(s) name and address(es) including postcode

Persons Unknown who, in connection with strikes organised by UNITE the Union, and without the consent of the Claimant, either occupy, remain on, or prevent, slow down or otherwise interfere with the entrance of exit of individuals and or vehicles operated from the Claimant's Depots ("the Depots") specified in the continuation sheet and/or block or obstruct the Claimant's Waste Collection Vehicles engaged in the provision of waste collection service within the City of Birmingham as set out in the continuation sheet

Brief details of claim

The Defendants are engaged in protest activity in the form of direct action at or adjacent of the Depots which action takes the form of impeding or preventing the Claimant's vehicles and personel from entering or exiting those Depots. In addition, the Defendants have also engaged in direction action by blocking the Claimant's vehicles on the public highway where such vehicles have been able to leave the Depots. The Claimant's seek an injunction for a period of six months to restrain the Defendants from further engaging in such activity by preventing them from:

- (a) entering, occupying or remaining on the Claimant's land at the Depots;
- (b) blocking, slowing down or otherwise preventing or impeding the Claimant's vehicles from exiting or entering the Depots;
- (c) blocking, slowing down or otherwise preventing or impeding the progress of Claimant's vehicles in the course of their waste collection activities in the City of Birmingham.

The addresses of such Persons Unknown are not known to the Claimant but the Claimant will take the steps set out in the continuation sheet in order to notify the Defendants of the claim documents

Value

N/A

Defendant's name and address for service including postcode

As above

	£
Amount claimed	N/A
Court fee	646
Legal representative's costs	to be assessed
Total amount	646

For further details of the courts www.gov.uk/find-court-tribunal. When corresponding with the Court, please address forms or letters to the Manager and always quote the claim number.



Claim no.

You must indicate your preferred County Court Hearing Centre for hearings here
(see notes for guidance)

Birmingham District Registry - King's Bench Division

Do you believe you, or a witness who will give evidence on your behalf, are vulnerable in any way which the court needs to consider?

- Yes. Please explain in what way you or the witness are vulnerable and what steps, support or adjustments you wish the court and the judge to consider.

- No

Does, or will, your claim include any issues under the Human Rights Act 1998?

- Yes
 No

Claim no.

Particulars of Claim

attached

to follow

Statement of truth

Note: you are reminded that a copy of this claim form must be served on all other parties.

I understand that proceedings for contempt of court may be brought against a person 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.

- I believe** that the facts stated in this claim form and any attached sheets are true.
- The claimant** believes that the facts stated in this claim form and any attached sheets are true. **I am authorised** by the claimant to sign this statement.

Signature

DCarter-Hughes

- Claimant
- Litigation friend (where claimant is a child or protected party)
- Claimant's legal representative (as defined by CPR 2.3(1))

Date

Day Month Year

03	02	2026
----	----	------

Full name

DEBORAH CARTER HUGHES

Name of claimant's legal representative's firm

DLA Piper UK LLP

If signing on behalf of firm or company give position or office held

ASSISTANT DIRECTOR LEGAL SERVICES

Claimant's or claimant's legal representative's address to which documents should be sent.

Building and street

160 Aldersgate Street

Second line of address

Barbican

Town or city

London

County (optional)

Postcode

E C 1 A 4 H T

If applicable

Phone number

020 7349 0296

DX number

33866 Finsbury Square

Your Ref.

36257/120050

Email

Jonathan.Exten-Wright@dlapiper.com
Euan.Bruce@dlapiper.com

Continuation Sheet: Claim Form

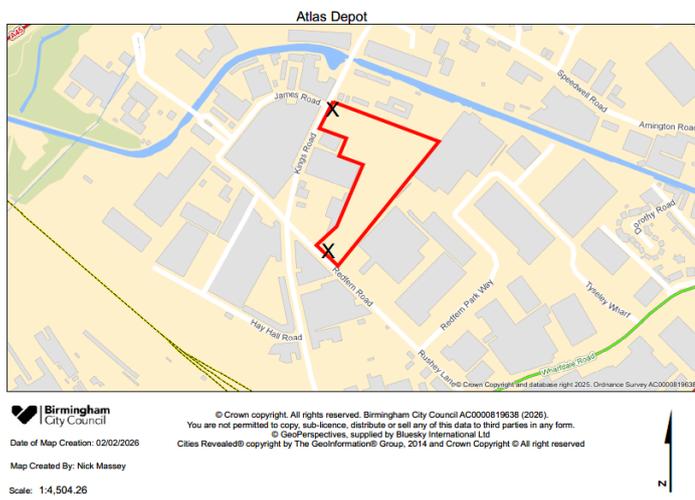
The Depots:

- (A) Atlas Depot – 70/72 King’s Road, Tylsley, Birmingham B11 2AS
- (B) Lifford Land Depot – Ebury Road, Kings Norton, Birmingham B30 3JJ
- (C) Perry Barr Depot – Holford Drive, Birmingham B42 2TU
- (D) Smithfield Depot – Sherlock Street, Birmingham B5 6HX

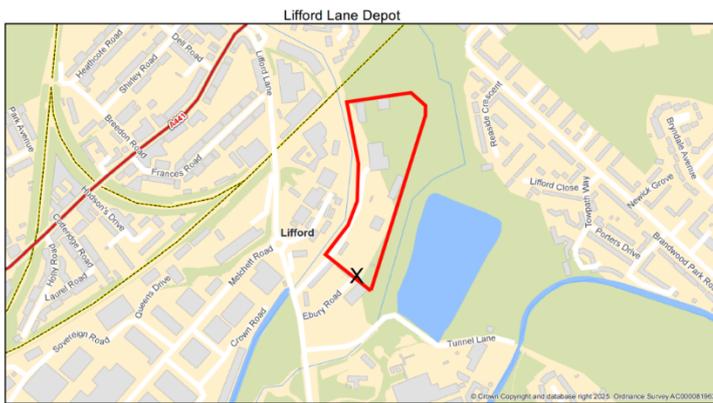
Steps taken to notify the Defendants

- a) uploading copies of the application documentation onto the following website:
<https://www.birmingham.gov.uk/WasteInjunctionPersonsUnknown>
- b) sending an email to the following: neiltodd@Thompsons.law; sharon.graham@unitetheunion.org; onay.kasab@unitetheunion.org; annmarie.kilcline@unitetheunion.org; enquiries@swp.org.uk; birminghamsocialistparty@gmail.com; info@reelnews.co.uk; and strikemap@gftu.org.uk stating that a claim has been brought and an application made, and that the Documents can be found at the website
- c) delivering a hard copy of the Documents to Unite the Union at Unite House, 128 Theobalds Road, Holborn, London, WC1X 8TN
- d) affixing a notice at those locations marked with an “x” on the following Plans 1-4:

a. PLAN 1 – ATLAS DEPOT



b. PLAN 2 – LIFFORD LANE DEPOT

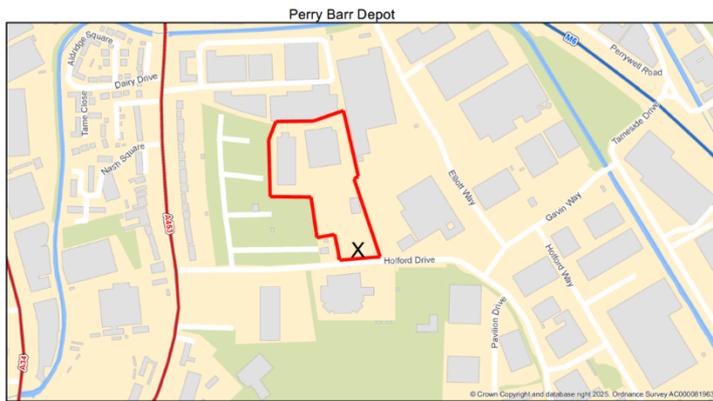


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c. PLAN 3 – PERRY BARR DEPOT



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d. PLAN 4 – SMITHFIELD DEPOT



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CLAIM NO:

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

BEFORE [INSERT]

DATED [X]

BETWEEN:

BIRMINGHAM CITY COUNCIL

Claimant

-and-

PERSONS UNKNOWN WHO, IN SUPPORT OF STRIKES ORGANISED BY UNITE THE UNION
AND WITHOUT THE CLAIMANT'S CONSENT

(1) ENTER OCCUPY OR REMAIN ON, OR BLOCK OR OBSTRUCT THE ENTERING OR EXITING
OF ANY OTHER INDIVIDUAL OR VEHICLE TO OR FROM THE FOLLOWING LOCATIONS:

(A) ATLAS DEPOT, 70/72 KINGS ROAD, TYSELEY, BIRMINGHAM, B11 2AS (AS SHOWN EDGED
RED ON THE ATTACHED PLAN 1)

(B) LIFFORD LANE DEPOT, EBURY ROAD, KINGS NORTON, BIRMINGHAM B30 3JJ (AS
SHOWN EDGED RED ON THE ATTACHED PLAN 2)

(C) PERRY BARR DEPOT, HOLFORD DRIVE, BIRMINGHAM, B42 2TU (AS SHOWN EDGED RED
ON THE ATTACHED PLAN 3)

(D) SMITHFIELD DEPOT, SHERLOCK STREET, BIRMINGHAM, B5 6HX (AS SHOWN ON THE
ATTACHED PLAN 4)

AND/OR

(2) BLOCK OR OBSTRUCT ANY OF THE CLAIMANT'S STREET MANAGEMENT VEHICLES
INCLUDING BUT NOT LIMITED TO; WASTE COLLECTION VEHICLES, STREET SCENE,
TRADE WASTE AND CLINICAL WASTE VEHICLES WITHIN THE CITY OF BIRMINGHAM (AS
SHOWN ON EDGED RED ON THE ATTACHED MAP, MAP 1)

Defendants

CERTIFICATE OF URGENCY

1. The Claimants have today issued the enclosed claim (the "Claim") and application for an injunction to prevent Persons Unknown (the "Defendants") from, without the consent of the Claimants:
 - (i) entering, occupying or remaining upon the following sites:
 - a. Atlas Depot, 70/72 Kings Road, Tyseley, Birmingham, B11 2AS (as shown edged in red on the following Plan 1 in Schedule 1)
 - b. Lifford Lane Depot, Ebury Road, Kings Norton, Birmingham B30 3JJ (as shown edged in red on the attached Plan 2 in Schedule 1)
 - c. Perry Barr Depot, Holford Drive, Birmingham B42 2TU (as shown edged in red on the

attached Plan 3 in Schedule 1)

- d. Smithfield Depot, Sherlock Street, Birmingham, B5 6HX (as shown edged in red on the attached Plan 4 in Schedule 1).

(Together "**the Premises**")

(ii) blocking or obstructing or otherwise interfering with the access of any other individual or vehicle to or from the Premises; or

(iii) blocking or obstructing the public highway within the City of Birmingham with the purpose or effect of preventing, slowing or otherwise disrupting the passage of Street Management vehicles including but not limited to; waste collection vehicles, street scene, trade waste and clinical waste vehicles operating out of the Premises.

2. The Claim and Application are brought in the context of ongoing disruptive direct action engaged in by the Defendants in connection with strikes organised by UNITE The Union ("UNITE").

3. The filed documents include the following:

(A) Claim Form dated 4 June 2025 dated 3 February 2026 (with continuation sheet);

(B) Application Notice Form N244 dated 3 February 2026 with continuation sheet, together with the draft order sought;

(C) Supporting witness statements of:

(a) Witness Statement of Christopher Smiles dated 3 February 2026 with accompanying Exhibit CS of equal date;

(b) Witness statement of Dean Smith 3 February 2026 with accompanying Exhibit DS of equal date;

(c) Witness Statement of Richard Smith 3 February 2026 with accompanying Exhibit RS of equal date;

(d) Witness statement of David Miller 3 February 2026 with accompanying Exhibit DM of equal date; and

(e) Witness statement of Carol Culley 3 February 2026 with accompanying Exhibit CC of equal date.

4. I certify that the claim is urgent for the following reasons, as detailed in the witness statement of Christophr Smiles, and DLA Piper UK LLP having liaised with the Court Office as to availability, respectfully request that the Court list the Application for the injunction to be heard on 12 or 13 February 2026:

A . The strike action organised by UNITE and associated protest activity has been ongoing since 2 January 2025 and has been the subject of an order on 23 May 2025 by Mrs Justice Dias to restrain unlawful picketing and protesting. The terms of that Order have been breached by UNITE and the outcome of a consequent contempt hearing is still awaited.

B. However, since mid-January 2026, the protest activity which was the subject of the Claimant's application for an injunction and its subsequent contempt application has significantly escalated in terms of direct action, including trespass and/or private nuisance and/or obstruction of the highway. This activity has caused, and is continuing to cause, severe disruption to the provision by the Claimant of its waste collection service for the residents of Birmingham;

C. There remains a real and imminent risk of further direct action by the Defendants unless and until UNITE's demands are satisfied. The situation shows no signs of being resolved and the escalation of direct action appears set to continue and/or increase. Both the Claimant and the local community are continuing to suffer substantial harm as a direct result of the Defendants' direct action; and

D. The Claim and the Application are technically ex parte as they are brought against Persons Unknown. Nonetheless, the Claimants are under an obligation to take reasonable steps to notify individuals who may be affected by the Claim and Application. The Claimants propose to notify the Defendants of the Claim and Application documents via various electronic and hard copy materials, including website uploads, emails and notices affixed at site locations operated by the Claimant or at which the relevant protesting activity has been taking place. A hearing on 12 or 13 February 2026 will therefore allow sufficient time for the Defendants to be notified of the Application and to make preparations accordingly, whilst also taking into account the need for this Application to be heard as soon as possible.

5. The time estimate for the hearing of the Application is 3 hours, to include pre-reading and judgment

(if appropriate), but this may be affected by whether the Defendants intend to take an active part in the Claim and Application.

6. In all the circumstances, I believe that the Application is fit to be heard on an urgent basis and the Claimant therefore respectfully requests that the Court lists the application for a 3-hour hearing on 12 or 13 February 2026.

Signed:

A handwritten signature in black ink, appearing to read 'J Exten-Wright', is written over a light grey rectangular background.

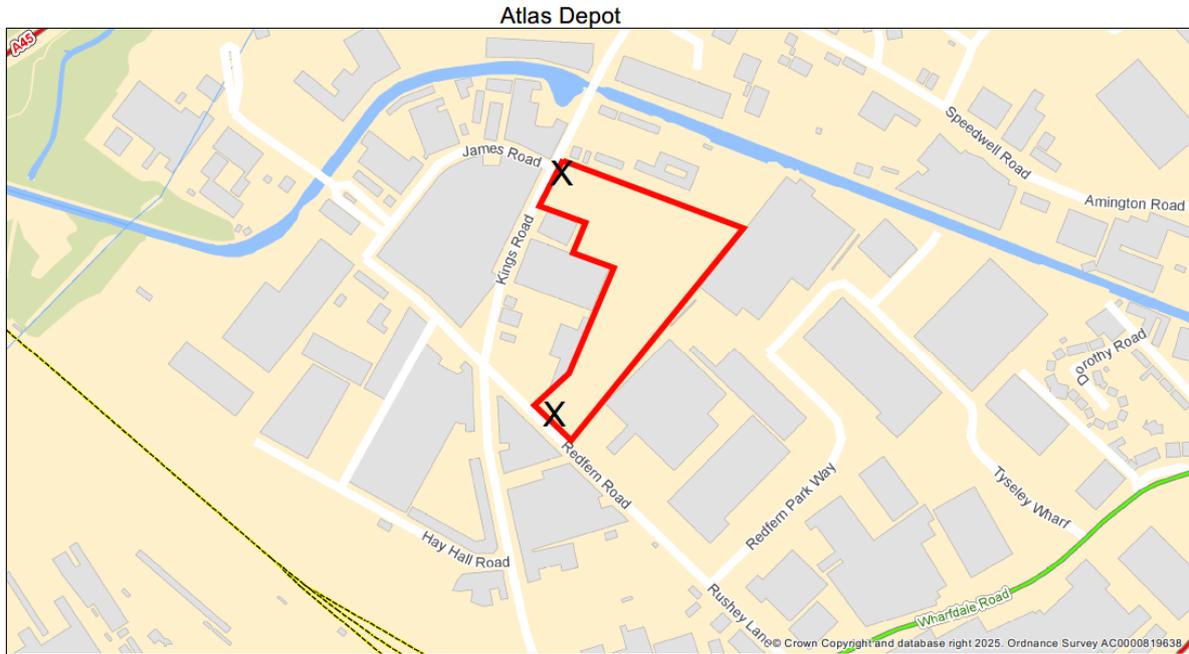
Full name: Jonathan Exten-Wright

Position or Office held: Claimant's solicitors – Partner, DLA Piper UK LLP

Date: 3 February 2026

**SCHEDULE 1 – PLANS 1-4 – PLANS OF THE PREMISES BEING
THE CLAIMANT’S DEPOTS**

PLAN 1 – ATLAS DEPOT



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PLAN 2 – LIFFORD LANE DEPOT

Lifford Lane Depot



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PLAN 3 – PERRY BARR DEPOT

Perry Barr Depot



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CLAIM NO:

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

BEFORE [INSERT]

DATED [X]

BETWEEN:

BIRMINGHAM CITY COUNCIL

Claimant

-and-

PERSONS UNKNOWN WHO, IN SUPPORT OF STRIKES ORGANISED BY UNITE THE UNION AND
WITHOUT THE CLAIMANT'S CONSENT

(1) ENTER OCCUPY OR REMAIN ON, OR BLOCK OR OBSTRUCT THE ENTERING OR EXITING OF ANY
OTHER INDIVIDUAL OR VEHICLE TO OR FROM THE FOLLOWING LOCATIONS:

(A) ATLAS DEPOT, 70/72 KINGS ROAD, TYSELEY, BIRMINGHAM, B11 2AS (AS SHOWN EDGED RED ON
THE ATTACHED PLAN 1)

(B) LIFFORD LANE DEPOT, EBURY ROAD, KINGS NORTON, BIRMINGHAM B30 3JJ (AS SHOWN EDGED
RED ON THE ATTACHED PLAN 2)

(C) PERRY BARR DEPOT, HOLFORD DRIVE, BIRMINGHAM, B42 2TU (AS SHOWN EDGED RED ON THE
ATTACHED PLAN 3)

(D) SMITHFIELD DEPOT, SHERLOCK STREET, BIRMINGHAM, B5 6HX (AS SHOWN ON THE ATTACHED
PLAN 4)

AND/OR

(2) BLOCK OR OBSTRUCT ANY OF THE CLAIMANT'S STREET MANAGEMENT VEHICLES INCLUDING
BUT NOT LIMITED TO; WASTE COLLECTION VEHICLES, STREET SCENE, TRADE WASTE AND
CLINICAL WASTE VEHICLES WITHIN THE CITY OF BIRMINGHAM (AS SHOWN ON EDGED RED ON
THE ATTACHED MAP, MAP 1)

Defendants

ORDER FOR AN INJUNCTION

PENAL NOTICE

IF YOU THE WITHIN DEFENDANTS OR PERSONS UNKNOWN OR ANY OF YOU DISOBEY THIS ORDER OR
INSTRUCT OR ENCOURAGE OTHERS TO BREACH THIS ORDER YOU MAY BE HELD TO BE IN CONTEMPT
OF COURT AND MAY BE IMPRISONED, FINED OR HAVE YOUR ASSETS SEIZED. ANY OTHER PERSON WHO
KNOWS OF THIS ORDER AND DOES ANYTHING WHICH HELPS OR PERMITS THE DEFENDANTS OR
PERSONS UNKNOWN TO BREACH THE TERMS OF THIS ORDER MAY ALSO BE HELD IN CONTEMPT
OFCOURT AND MAY BE IMPRISONED, FINED OR HAVE THEIR ASSETS SEIZED

IMPORTANT NOTICE TO THE DEFENDANTS AND PERSONS UNKNOWN

This Order prohibits you from doing the acts set out in this Order. You should read it very carefully. You are advised to consult a solicitor as soon as possible. You have the right to ask the Court to vary or discharge this Order.

UPON the Claimant's Claim Form, [DATED]

AND UPON the Claimant's application of 3 February 2026 for an interim injunction

AND UPON the Claimant notifying Persons Unknown of the Claim Form, Application Notice and evidence ("the Documents") in support by carrying out each of the following steps (a) uploading copies onto the following website: <https://www.birmingham.gov.uk/WasteInjunctionPersonsUnknown> (the "Website") (b) sending an email to the following: neiltodd@Thompsons.law; sharon.graham@unitetheunion.org; onay.kasab@unitetheunion.org; annmarie.kileline@unitetheunion.org; enquiries@swp.org.uk; birminghamsocialistparty@gmail.com; info@reelnews.co.uk; and strikemap@gftu.org.uk stating that a claim has been brought and an application made, and that the Documents can be found at the Website (c) delivering a hard copy of the Documents to Unite the Union at Unite House, 128 Theobalds Road, Holborn, London, WC1X 8TN (d) affixing a notice at those locations marked with an "x" on Plans 1-4 setting out that these documents can be found on the Website (e) publishing on the Claimant's social media channels that the application has been made and that the Documents can be accessed on the Website.

AND UPON hearing Leading Counsel for the Claimants at a hearing on [DATED]

AND UPON the Claimant giving and the Court accepting the undertakings set out at Schedule 4 to this Order

AND UPON the "Premises" being defined as

- (i) Atlas Depot, (70/72 Kings Road, Tyseley, Birmingham, B11 2AS)
- (ii) Lifford Lane Depot, (Ebury Road, Kings Norton, Birmingham, West Midlands, B30 3JJ)
- (iii) Perry Barr Depot (Holford Drive, Perry Barr, Birmingham, West Midlands, B42 2TU)
- (iv) Smithfield Depot, (Sherlock Street, Birmingham, West Midlands, B5 6HX)

AND UPON the "Prohibited Territory" being defined as those public highways within the boundary marked on the map, entitled Map 1 at Schedule 2

IT IS ORDERED THAT: -

INJUNCTION

1. Until [date] final determination of the claim or further order, whichever shall be the earlier, the Defendants must not, without the consent of the Claimant, enter, occupy or remain upon the Premises.

2. Until [date] final determination of the claim or further order, whichever shall be the earlier, the Defendants must not, without the consent of the Claimant, block or obstruct the exiting or entering of any other individual or vehicle to or from the Premises or otherwise impede the exiting or entrance of such individuals or vehicles.
3. Until [date] final determination of the claim or further order, whichever shall be the earlier, the Defendants must not block or otherwise obstruct the public highway within the Prohibited Territory as marked as the area within the boundary as drawn on the map at Schedule 2 with the purpose or effect of preventing, slowing or otherwise disrupting the passage of Street Management vehicles including but not limited to; waste collection vehicles, street scene, trade waste and clinical waste vehicles operating out of the Premises.
4. In respect of paragraphs 1 to 3, the Defendants must not: (a) do it himself/herself/themselves or in any other way; (b) do it by means of another person acting on his/her/their behalf or acting on his/her/their instructions.
5. For the avoidance of doubt, this injunction does not prohibit picketing or protesting in accordance with s.220(1) Trade Union Labour Relations (Consolidation) Act 1992 and the injunction order of Mrs Justice Dias dated 27 May 2025, as extended to trial or further order by consent in an order of 29 May 2025 and as extended to the Smithfield Depot by consent in an order dated 25 June 2025 the terms of which are appended at Schedule 5 or otherwise protesting within the area shown on the map in Schedule 2 providing that such protesting does not otherwise breach the terms of this Order.

VARIATION

6. Anyone served with or notified of this Order may apply to the Court at any time to vary or discharge this Order or so much of it as affects that person but they must first give the Claimants' solicitors 72 hours' notice of such application. If any evidence is to be relied upon in support of the application the substance of it must be communicated in writing to the Claimants' solicitors at least 48 hours in advance of any hearing.
7. Any person applying to vary or discharge this Order must provide their full name, address and address for service.
8. The Claimant has liberty to apply to vary this Order.

SERVICE AND NOTIFICATION

9. Service of the Application and this Order is dispensed with, pursuant to CPR 6.16, 6.28 and 81.4(2)(c).
10. The Order shall be notified to Persons Unknown by the Claimants carrying out each of the following steps:
 - a. Uploading a copy of the Order onto the Website.
 - b. Sending an email to neiltodd@Thompsons.law; sharon.graham@unitetheunion.org; onay.kasab@unitetheunion.org; annmarie.kilcline@unitetheunion.org; enquiries@swp.org.uk; birminghamsocialistparty@gmail.com; info@reelnews.co.uk; and strikemap@gftu.org.uk, attaching in each case a copy of this Order.
 - c. Affixing a copy of the Order in A4 size at the entrance to each of the Premises. Monitoring that the warning notices remain affixed and legible is to be carried out by the Claimant in the first week of each month until discharge of this Order.
 - d. Distributing leaflets at each of the Premises notifying those present of the granting of the Order and which give details of the Website.

- e. Publishing details of the Order on the Claimant's social media channels and that the Order can be accessed on the Website.
11. Notification to Persons Unknown of any further applications shall be effected by the Claimants carrying out each of the following steps:
- a. Uploading a copy of the application onto the Website.
 - b. Sending an email to neiltodd@Thompsons.law; sharon.graham@unitetheunion.org; onay.kasab@unitetheunion.org; annmarie.kilcline@unitetheunion.org; enquiries@swp.org.uk; birminghamsocialistparty@gmail.com; info@reelnews.co.uk; and strikeamp@gftu.org.uk, stating that an application has been made and providing those application documents.
 - c. Affixing a notice at the entrance to the Premises stating that the application has been made and where it can be accessed online.
 - d. Monitoring that the notice remains affixed and legible is to be carried out by the Claimants in the first week of each month.
 - e. Publishing details of the application on the Claimant's social media channels and that the relevant documents can be accessed on the Website.
12. In respect of paragraphs 9-11 above, effective notification will be deemed to have taken place on the date on which all of the relevant steps (except for the monitoring requirements in paragraph 11) have been carried out.

FURTHER DIRECTIONS

13. Liberty to apply.
14. Costs are reserved.

COMMUNICATIONS WITH THE CLAIMANT

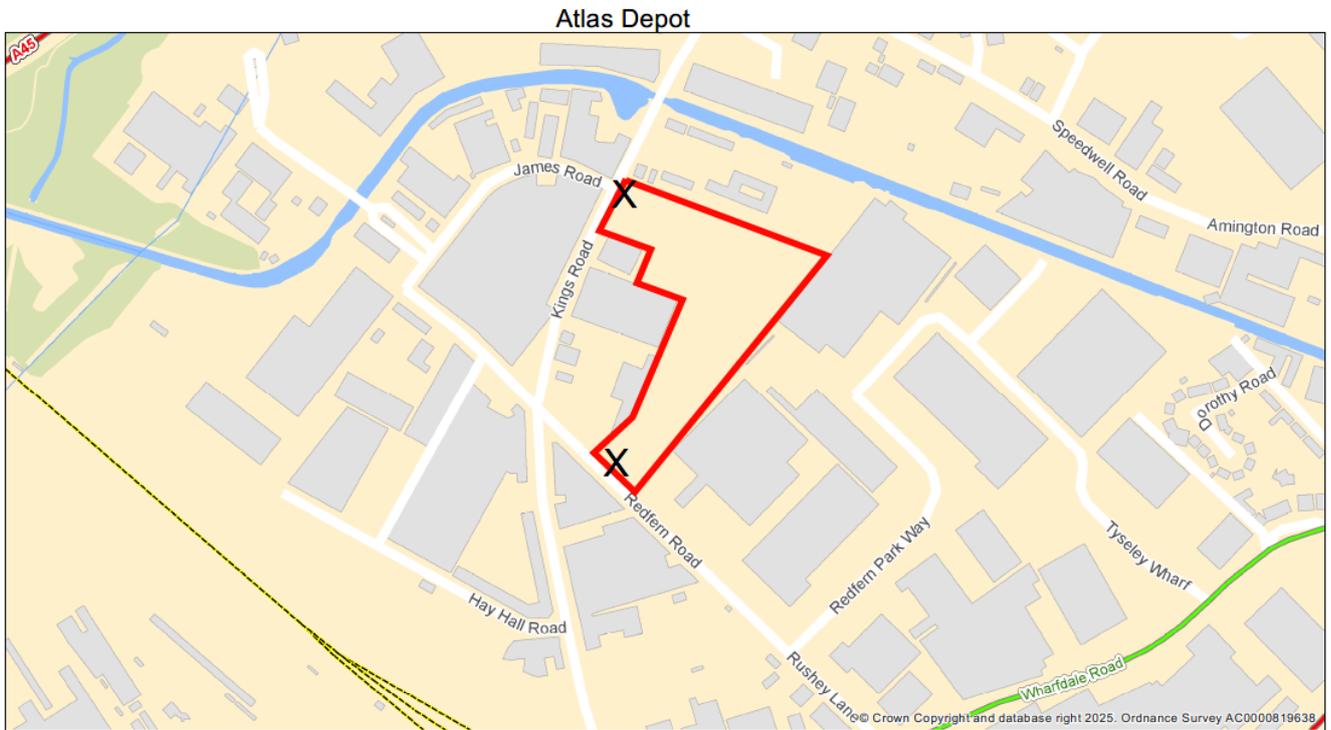
15. The Claimants solicitors and their contact details are:

DLA Piper UK LLP
160 Aldersgate Street
London
EC1A 4HT
Telephone: 0207 3490296

Email SM-BCCInjunction@dlapiper.com

SCHEDULE 1 – PLANS 1-4 – PLANS OF THE PREMISES BEING THE CLAIMANT’S DEPOTS

PLAN 1 – ATLAS DEPOT



Date of Map Creation: 02/02/2026

Map Created By: Nick Massey

Scale: 1:4,504.26

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PLAN 2 – LIFFORD LANE DEPOT

Lifford Lane Depot



Date of Map Creation: 02/02/2026

Map Created By: Nick Massey

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PLAN 3 – PERRY BARR DEPOT

Perry Barr Depot



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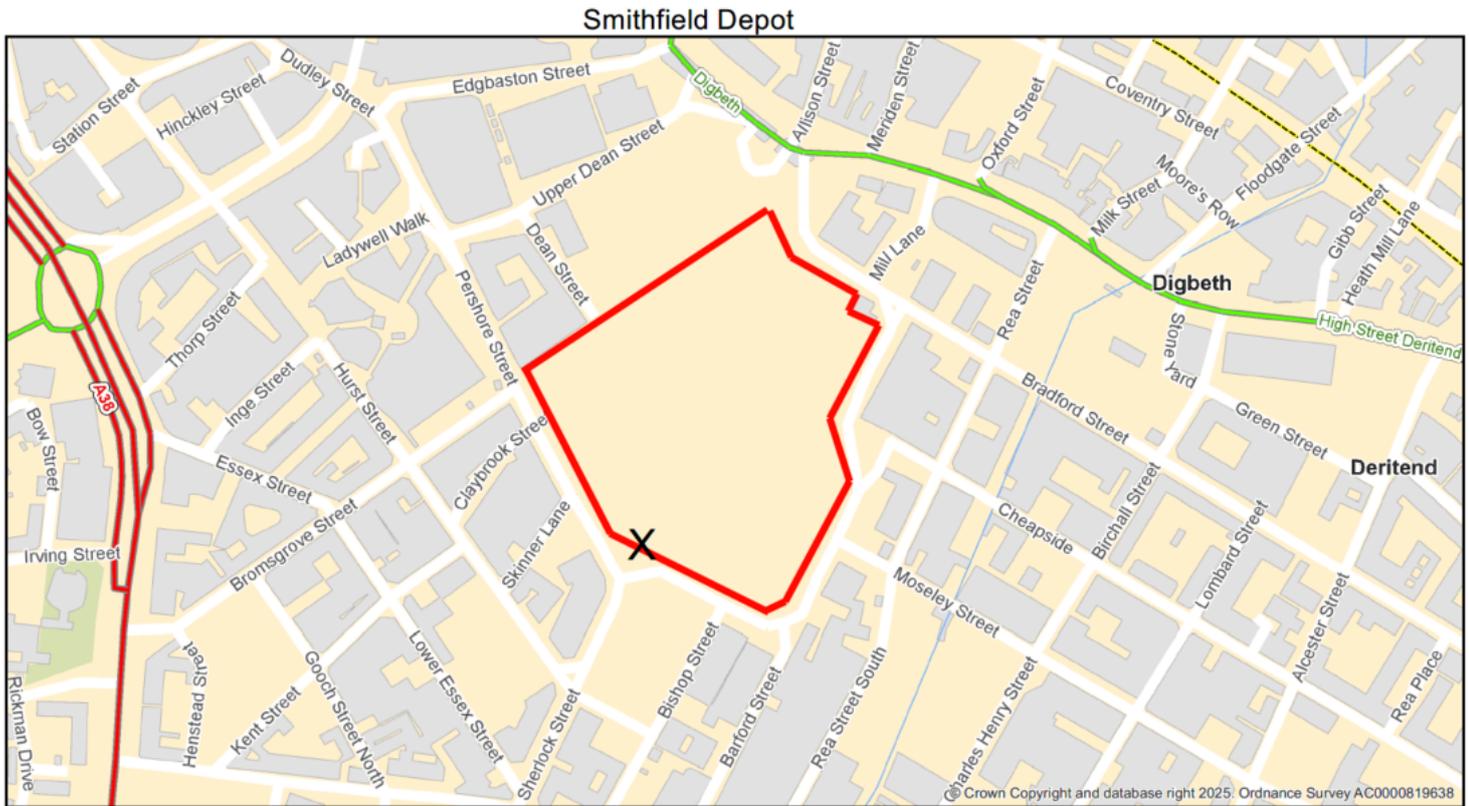
Date of Map Creation: 02/02/2026

Map Created By: Nick Massey

Scale: 1:4,504.26



PLAN 4 – SMITHFIELD DEPOT



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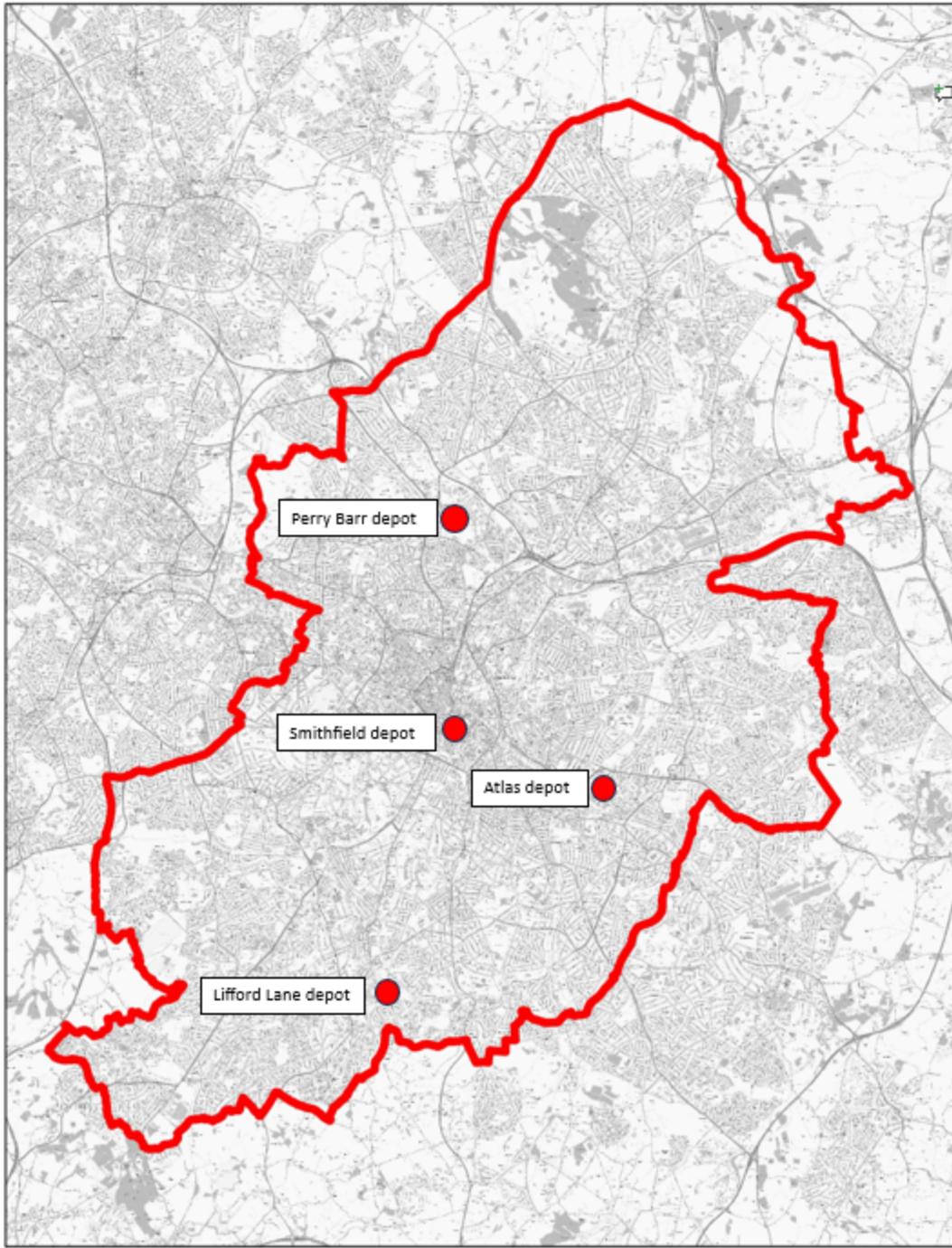
Date of Map Creation: 02/02/2026

Map Created By: Nick Massey

Scale: 1:4,504.26



SCHEDULE 2 - MAP OF PROHIBITED TERRITORY



SCHEDULE 3 – WITNESS STATEMENTS

The Claimant relied on the following Witness Statements:

1. Witness Statement of Christopher Smiles dated 3 February 2026 with accompanying Exhibit CS;
2. Witness statement of Dean Smith dated 3 February 2026 with accompanying Exhibit DS;
3. Witness Statement of Richard Smith dated 3 February 2026 with accompanying Exhibit RS;
4. Witness statement of David Miller dated 3 February 2026 with accompanying Exhibit DM; and
5. Witness statement of Carol Culley dated 3 February 2026 with accompanying Exhibit CC.

SCHEDULE 4

Undertakings given to
the Court by the
Claimant

1. To pay any damages that the Defendants (or any other party served with or notified of this Order) shall sustain that the Court considers the Claimant should pay.

SCHEDULE 5 – INJUNCTION ORDERS OF MRS JUSTICE DIAS

IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION

Claim No. KB-2025-001839

BEFORE MRS JUSTICE DIAS

DATED 23 MAY 2025



IN AN INTENDED ACTION BETWEEN

BIRMINGHAM CITY COUNCIL

Intended Claimant

And

UNITE THE UNION

Intended Defendant

INJUNCTION ORDER

PENAL NOTICE

IMPORTANT:-

NOTICE TO THE INTENDED DEFENDANT ("the Defendant")

(1) This Order prohibits you from doing the acts set out in this 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.

(2) If you disobey this Order you may be found guilty of Contempt of Court and may be sent to prison or fined or your assets may be seized.

An Application was made on 23 May 2025 by Counsel for Birmingham City Council (who is to be the Claimant in a Claim against Unite the Union) to the Judge who heard the Application supported by the Witness Statements / affidavits listed in schedule 1 to this order, and accepted the undertakings in Schedule 2 at the end of this Order. The application was attended by Counsel for the Defendant

IT IS ORDERED that up to and until Thursday 29 May 2025 at 2.00 pm "the Return Date"

(1) the Defendant whether by itself or by its employees, officers, agents or otherwise howsoever,

will, take all reasonable steps to ensure that its members or relevant officials:

a. will refrain from picketing activities in connection with its current campaign of industrial action other than at the site entrances to the :

- (i) Atlas Depot, (70172 Kings Road, Tyseley, Birmingham, B11 2AS),
- (ii) Lifford Lane Depot, (Ebury Road, Kings Norton, Birmingham, West Midlands, B30 3JJ); and
- (iii) Perry Barr Depot (Holford Drive Perry Barr, Birmingham, West Midlands, B42 2TU).

(together "**the Depots**")

And will do so solely for the purpose of peacefully persuading any person to work or abstain from working; and only at the pickets' own place of work (or in the case of a trade union official at or near the place of work of a member of his trade union whom he is accompanying and whom he represents) in accordance with the provisions of section 220 Trade Union & Labour Relations Act 1992

b. Will, at any one time, have no more than 6 pickets at the entrance to the respective work place(s) of such person or persons picketing ("**the Designated Pickets**") each of whom will wear High-Vis vests or other clothing enabling their identification as one of the Designated Pickets. The Designated Pickets:

- i. will refrain from seeking to prevent any vehicle from passing through the site entrance to each of the Depots, including by forming a blockade, sitting in the road or slow walking in front of the entrances to or the road leading to each of the Depots;
- ii. will limit their activities to explaining their case to those entering and leaving the Depots and peacefully seeking to persuade or asking them not to do so in accordance with the provisions of the Code of Practice on Picketing dated March 2024.

c. refrain from carrying out any protesting activities outside of the designated Assembly Areas ("**the Assembly Areas**") identified at Schedule 3 to this order.

(2) In order to comply with the provisions of paragraph (1) of this Order, the Defendant will take steps including but not limited to:

- a. as soon as is reasonably practicable take such steps as are reasonably necessary to ensure that its members are aware of the terms of this order and are informed that they should comply with its terms;
- b. taking reasonable steps to inform its members present at the Depots of the requirement to remain within the Assembly Areas.

VARIATION OR DISCHARGE OF THIS ORDER

The Defendant may apply to the Court at any time to vary or discharge this Order but if he wishes to do so he must first inform the Claimant's solicitors in writing.

NAME AND ADDRESS OF CLAIMANT'S SOLICITORS

The Claimant's solicitors are: DLA Piper UK LLP, 160 Aldersgate Street, London EC1A 4HT, 020 7349 0296.

INTERPRETATION OF THIS ORDER

- (1) In this Order the words "he" "him" or "his" include "she" or "her" and "it" or "its".
- (2) Where there are two or more Defendants then (unless the contrary appears):
 - a. References to "the Defendant" mean both or all of them;
 - b. An Order requiring "the Defendant" not to do anything requires each Defendant not to do it; and
 - c. A requirement relating to service of this Order or of any legal proceedings on "the Defendant" means on each of them.

THE EFFECT OF THIS ORDER

- (1) A Defendant who is an individual who is ordered not to do something must not do it himself or in any other way. He must not do it through others acting on his behalf or on his instructions or with his encouragement.
- (2) A Defendant that is a corporation and is ordered not to do something must not do it itself or by its directors, officers, employees, agents or in any other way.

SERVICE OF THIS ORDER

This Order shall be served by the Claimant on 24th May 2025.

Dated this 23rd day of May 2025.

Mrs Justice Dias DBE

SCHEDULE 1

Witness statements

The Claimant relied on the following Witness Statements:

1. Witness Statement of Richard Brooks
2. Witness Statement of Carol Culley
3. Witness Statement of Christopher Smiles
4. Witness Statement of Dean Smith
5. Witness Statement of Richard Smith
6. Witness Statement of Robert Edmondson

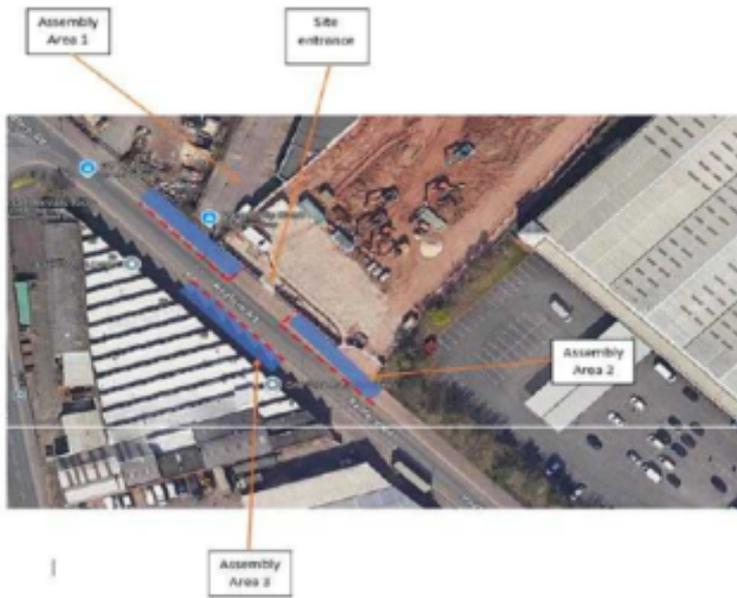
SCHEDULE 2

Undertakings
given to the Court
by the Claimant

1. To pay any damages that the Defendants (or any other party served with or notified of this Order) shall sustain that the Court considers the Claimant should pay.
2. To issue a Claim Form and pay the appropriate fee on this or the next working day and to serve the Claim Form on the Defendant as soon as practicable.
3. To file an up to date hearing bundle for use by the judge no later than 10.00am the business day before the Return Date to include copies of this Order, the issued application for today's hearing and the issued application for the Return Date, any documents required by the Court to be provided by the previous order, skeleton arguments, reading lists, bundles of authorities and a full bundle for the hearing together with an updated estimate of the length of the hearing.

Schedule 3

Atlas Depot, 70-172 Kings Road, Tyseley, Birmingham, B11 2AS



Lifford Lane Depot, Ebury Road, Kings Norton, , Birmingham, West Midlands, B30 3JJ



Perry Barr Depot, Holford Drive, Perry Barr, Birmingham, West Midlands, B42 2TU



IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION
BEFORE MRS JUSTICE DIAS

Claim No. KB-2025-001839

DATED 29 May 2025



KB-2025-001839

BETWEEN:

BIRMINGHAM CITY COUNCIL

Claimant

And

UNITE THE UNION

Defendant

ORDER FOR AN INJUNCTION

PENAL NOTICE

IMPORTANT:-

NOTICE TO THE INTENDED DEFENDANT ("the Defendant")

(1) This Order prohibits you from doing the acts set out in this 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.

(2) If you disobey this Order you may be found guilty of Contempt of Court and may be sent to prison or fined or your assets may be seized.

UPON the Claimant's application of 23 May 2025 for an interim injunction heard before Mrs Justice Dias on 23 May 2025 at a hearing attended by Leading Counsel for the Claimant and Leading Counsel for the Defendant.

AND UPON an order for an interim injunction being made by Mrs Justice Dias with a return date of 29 May 2025

BY CONSENT IT IS ORDERED that until trial or further order:

- (1) the Defendant whether by itself or by its employees, officers, agents or otherwise howsoever, will, take all reasonable steps to ensure that its members or relevant officials:
 - a. will refrain from picketing activities in connection with its current campaign of industrial action other than at the site entrances to the :
 - (i) Atlas Depot, (70172 Kings Road, Tyseley, Birmingham, B11 2AS),
 - (ii) Lifford Lane Depot, (Ebury Road, Kings Norton, Birmingham, West Midlands, B30 3JJ); and
 - (iii) Perry Barr Depot (Holford Drive Perry Barr, Birmingham, West Midlands, B42 2TU).(together "**the Depots**")

And will do so solely for the purpose of peacefully persuading any person to work or abstain from working; and only at the pickets' own place of work (or in the case of a trade union official at or near the place of work of a member of his trade union whom he is accompanying and whom he represents) in accordance with the provisions of section 220 Trade Union & Labour Relations Act 1992
 - b. Will, at any one time, have no more than 6 pickets at the entrance to the respective work place(s) of such person or persons picketing ("**the Designated Pickets**") each of whom will wear High-Vis vests or other clothing enabling their identification as one of the Designated Pickets. The Designated Pickets:
 - i. will refrain from seeking to prevent any vehicle from passing through the site entrance to each of the Depots, including by forming a blockade, sitting in the road or slow walking in front of the entrances to or the road leading to each of the Depots;
 - ii. will limit their activities to explaining their case to those entering and leaving the Depots and peacefully seeking to persuade or asking them not to do so in accordance with the provisions of the Code of Practice on Picketing dated March 2024.
 - c. refrain from carrying out any protesting activities outside of the designated Assembly Areas ("**the Assembly Areas**") identified at Schedule 3 to this order.
- (2) In order to comply with the provisions of paragraph (1) of this Order, the Defendant will take steps including but not limited to:
 - a. as soon as is reasonably practicable take such steps as are reasonably necessary to ensure that its members are aware of the terms of this order and are informed that they should comply with its terms;
 - b. taking reasonable steps to inform its members present at the Depots of the requirement to remain within the Assembly Areas.

COSTS

Costs reserved.

VARIATION OR DISCHARGE OF THIS ORDER

Either party may apply to the Court at any time to vary or discharge this Order but if he wishes to do so he must first inform the other party's solicitors with 48 hours notice.

INTERPRETATION OF THIS ORDER

- (1) In this Order the words "he" "him" or "his" include "she" or "her" and "it" or "its".
- (2) Where there are two or more Defendants then (unless the contrary appears):
 - a. References to "the Defendant" mean both or all of them;
 - b. An Order requiring "the Defendant" not to do anything requires each Defendant not to do it; and
 - c. A requirement relating to service of this Order or of any legal proceedings on "the Defendant" means on each of them.

THE EFFECT OF THIS ORDER

- (1) A Defendant who is an individual who is ordered not to do something must not do it himself or in any other way. He must not do it through others acting on his behalf or on his instructions or with his encouragement.
- (2) A Defendant that is a corporation and is ordered not to do something must not do it itself or by its directors, officers, employees, agents or in any other way.

WE AGREE TO AN ORDER BEING MADE IN THE ABOVE TERMS

Signed: *Mrs Justice Dias DBE*

Dated: 29 May 2025

SCHEDULE 1

Witness statements

The Claimant relied on the following Witness Statements:

1. Witness Statement of Richard Brooks
2. Witness Statement of Carol Culley
3. Witness Statement of Christopher Smiles
4. Witness Statement of Dean Smith
5. Witness Statement of Richard Smith
6. Witness Statement of Robert Edmondson

The Defendant relied on the following Witness Statement:

1. Witness Statement of Onay Kasab

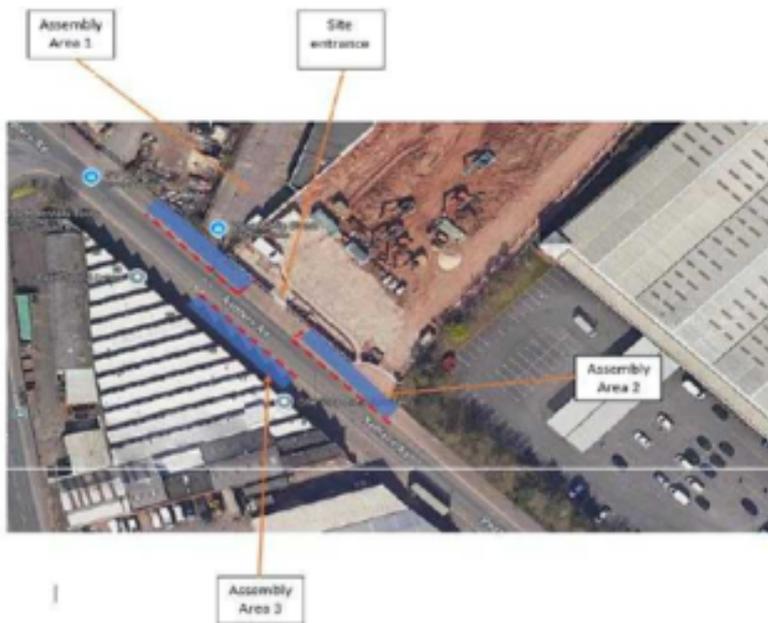
SCHEDULE 2

**Undertakings given to
the Court by the
Claimant**

1. To pay any damages that the Defendants (or any other party served with or notified of this Order) shall sustain that the Court considers the Claimant should pay.
2. To issue a Claim Form and pay the appropriate fee on this or the next working day and to serve the Claim Form on the Defendant as soon as practicable.
3. To file an up to date hearing bundle for use by the judge no later than 10.00am the business day before the Return Date to include copies of this Order, the issued application for today's hearing and the issued application for the Return Date, any documents required by the Court to be provided by the previous order, skeleton arguments, reading lists, bundles of authorities and a full bundle for the hearing together with an updated estimate of the length of the hearing.

Schedule 3

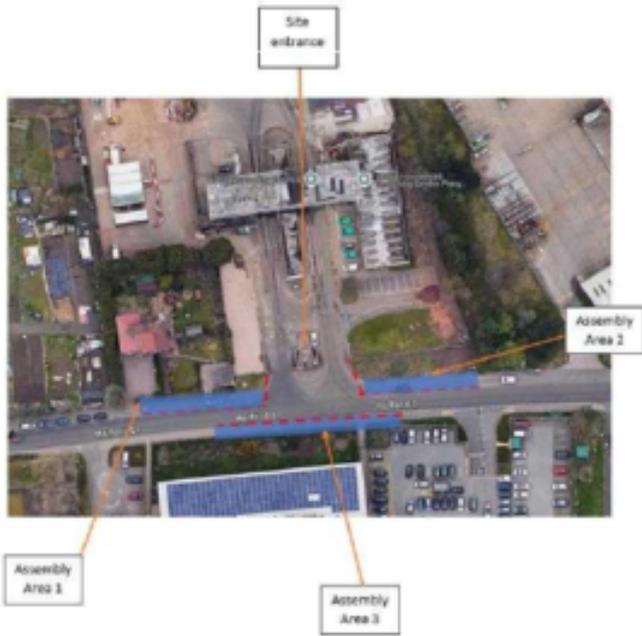
Atlas Depot, 70-172 Kings Road, Tyseley, Birmingham, B11 2AS



Lifford Lane Depot, Ebury Road, Kings Norton, , Birmingham, West Midlands, B30 3JJ



Perry Barr Depot, Holford Drive, Perry Barr, Birmingham, West Midlands, B42 2TU



IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION

Claim No. KB-2025-001839

BEFORE THE HONOURABLE MR JUSTICE CALVER

BETWEEN:-



KB-2025-001839

BIRMINGHAM CITY COUNCIL

Claimant

And

UNITE THE UNION

Defendant

ORDER

UPON the Claimant's application of 23 May 2025 for an interim injunction heard before Mrs Justice Dias on 23 May 2025 at a hearing attended by Leading Counsel for the Claimant and Leading Counsel for the Defendant.

AND UPON an order for an interim injunction being made by Mrs Justice Dias with a return date of 29 May 2025

AND UPON an order by consent being entered into by the parties dated 29 May 2025

BY CONSENT IT IS ORDERED that until trial or further order:

(1) The order of Mrs Justice Dias dated 29 May 2025 (**Order**) is varied as follows:

- a. The list of Depots at paragraph 1(a) of the Order is varied to include Smithfields Depot, (Sherlock Street, Birmingham, West Midlands, B5 6HX) (the **Additional Site**)
- b. Schedule 3 is varied to include the Additional Site



(2) The provisions of the Order (as varied) will apply to the Additional Site with effect from the date the parties signed the consent order.

(3) In order to comply with the provisions of the Order as now varied so as to also apply to the Additional Site, the Defendant will as soon as is reasonably practicable take such steps as are reasonably necessary to ensure that its members are aware of the variation and are informed that they should comply with its terms.

(4) The Claimant's legal representative will effect service of the sealed consent order upon the Defendant's legal representative.

(5) Costs of this application be costs in the case.

Dated 24 June 2025



CLAIM NO: ~~KB-2026-BEV-000043~~ ~~KB-2026-BHM-000043~~ KB-2026-BHM-000043

IN THE HIGH COURT OF JUSTICE

KING'S BENCH DIVISION

BIRMINGHAM DISTRICT REGISTRY

BEFORE HHJ EMMA KELLY

DATED 4 FEBRUARY 2026

BETWEEN:

BIRMINGHAM CITY COUNCIL

Claimant

-and-

PERSONS UNKNOWN WHO, IN SUPPORT OF STRIKES ORGANISED BY UNITE THE UNION AND WITHOUT THE CLAIMANT'S CONSENT

(1) ENTER OCCUPY OR REMAIN ON, OR BLOCK OR OBSTRUCT THE ENTERING OR EXITING OF ANY OTHER INDIVIDUAL OR VEHICLE TO OR FROM THE FOLLOWING LOCATIONS:

- (A) ATLAS DEPOT, 70/72 KINGS ROAD, TYSELEY, BIRMINGHAM, B11 2AS (AS SHOWN EDGED RED ON THE ATTACHED PLAN 1)**
- (B) LIFFORD LANE DEPOT, EBURY ROAD, KINGS NORTON, BIRMINGHAM B30 3JJ (AS SHOWN EDGED RED ON THE ATTACHED PLAN 2)**
- (C) PERRY BARR DEPOT, HOLFORD DRIVE, BIRMINGHAM, B42 2TU (AS SHOWN EDGED RED ON THE ATTACHED PLAN 3)**
- (D) SMITHFIELD DEPOT, SHERLOCK STREET, BIRMINGHAM, B5 6HX (AS SHOWN ON THE ATTACHED PLAN 4)**

AND/OR

(2) BLOCK OR OBSTRUCT ANY OF THE CLAIMANT'S STREET MANAGEMENT VEHICLES INCLUDING BUT NOT LIMITED TO; WASTE COLLECTION VEHICLES, STREET SCENE, TRADE WASTE AND CLINICAL WASTE VEHICLES WITHIN THE CITY OF BIRMINGHAM (AS SHOWN ON EDGED RED ON THE ATTACHED MAP, MAP 1)

Defendants

ORDER

Upon the Court reviewing the Claimant's application, dated 3 February 2026, for an interim injunction ("the Claimant's Interim Injunction Application") on issue of the same

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And upon the Court noting that the Claimant's certificate of urgency and the draft order attached to the Claimant's Interim Injunction Application envisage that a claim form has been filed and issued but no such claim form having been filed to date

And upon no explanation having been provided as to why a claim form has not been filed

IT IS ORDERED THAT: -

1. The Claimant's Interim Injunction Application shall be listed for hearing before a High Court Judge at **10.30am on Friday 13 February 2026 at Birmingham Civil and Family Justice Centre**, The Priory Courts, 33 Bull Street, Birmingham B4 6DS. Time estimate 3 hours.
2. The Claimant shall forthwith and in any event by 4pm on 10 February 2026 file a claim form.
3. The Claimant shall by 4pm on 11 February 2026 file a witness statement setting out what steps it has taken to notify the Defendants of the Claimant's Interim Injunction Application and this order, including highlighting the date, time and location of the hearing referred to in paragraph 1 of this order.
4. The Claimant shall by no later than 4pm on 11 February 2026 file an electronic and hard copy paginated and indexed hearing bundle.
5. Any skeleton arguments shall be filed and exchanged by 4pm on 11 February 2026.
6. This order has been made of the Court's own initiative. Any party affected by the order may apply to have the order set aside, varied or stayed, with any such application to be made within 7 days of service of his order on the party making the application.

Dated this 4th day of February 2026

HHJ Emma Kelly

On behalf of: Claimant
By: Christopher Smiles
No: First
Date: 3 February 2026

CLAIM NUMBER; [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
CHRISTOPHER SMILES**

I, **CHRISTOPHER SMILES**, of City Operations Directorate, Birmingham City Council, PO Box 2122, B3 3BU **WILL SAY** as follows:

- 1 I am employed by Birmingham City Council (**Council**) as Head of Waste, Logistics and Collection. I am duly authorised by the Council to make this statement.
- 2 This statement is provided in support of the Council's injunction application against those persons unknown who have undertaken protests in apparent support of striking bin workers in the period 17 September 2025 to date (Defendants).
- 3 This statement has been prepared with the assistance of the solicitors for the Claimant, DLA Piper LLP, through the exchange of emails and videoconferencing meetings.

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OFFICIAL

- 4 I understand that due to the nature of the application being made by the Council, there is a requirement on myself and the Council to provide full and frank disclosure in respect of the situation. In preparation of this statement, I have sought to comply with this duty.
- 5 The facts and matters set out by me in this statement are either known by me directly and are true or are known by me indirectly and are believed to the best of my knowledge to be true. In relation to matters falling into the latter category, I have set out the source of my knowledge and belief.
- 6 There is now produced and shown to me an accompanying exhibit marked "Exhibit CS". These documents are identified in this witness statement by references to the page numbers in the form "[**CS/Tab no**]".
- 7 My role has responsibility for the Council's waste service which operates from the following sites:
- 7.1 Atlas Depot, 70-172 Kings Road, Tyseley, Birmingham, B11 2AS shown edged red on the plan at [**CS/1**] (**Atlas Depot**).
- 7.2 Perry Barr Depot, Holford Drive, Perry Barr, Birmingham, West Midlands, B42 2TU, shown edged red on the plan at exhibit [**CS/2**] (**Perry Barr Depot**).
- 7.3 Lifford Lane Depot, Ebury Road, Kings Norton, Birmingham, West Midlands, B30 3JJ, shown edged red on the plan at exhibit [**CS/3**] (**Lifford Lane Depot**).
- 7.4 Since 16 June 2025, Smithfield Depot, (Sherlock Street, Birmingham, West Midlands, B5 6HX, shown edged red on the plan at [**CS/4**] (**Smithfield Depot**) has housed the Refuse Service for the south side of Birmingham.
- (together the **Depots**, and each individually a **Depot**)
- 8 Due to renovations at the Lifford Lane Depot, between April and 16 June 2025 the waste service was redeployed from its usual base on site to an annex on site known as the Remakery. This was susceptible to particular disruption during the industrial action due to the layout of the Lifford Lane site. As a result, the service was redeployed to the Smithfield Depot from

16 June 2025. The Lifford Lane Depot is still used for offloading of waste and the intention is that the service would return to the Remakery at the Lifford Lane site once industrial action is at an end.

- 9 I get briefed daily by the Service Managers for each of the operational Depots, and they are supported by Assistant Service Managers (ASMs) at each of the sites. We usually share messages and calls throughout the period of deployment each morning. When the service is running normally we exchange messages and calls from 05:30 to about 08:00, with deployment of waste collection vehicles usually scheduled for 06.30. If there is any disruption to the deployment, then the briefings carry on until about 11:00. The Business Support team prepare a situation report which reflects the exchange of information through the morning based on input from myself, Rob Edmondson and the Service Managers. This is issued daily around 08.30, with an update, if required, thereafter, to confirm once all vehicles have been deployed. I am usually on the ground at one of the Depots each morning. We have a weekly Waste Strategic meeting which is chaired by the Executive Director for City Operations. I am also the chair of the Tactical Waste Group which meets once a week and reports into the Strategic Waste Group to provide an operational overview.
- 10 The Council is applying for an injunction against the Defendants to bring an end to blockades of the Council's waste depots, which have meant that to the week ending 30 January 2026, around 67,000 of the 340,000 households in the city (nearly 19%) having not received their waste collection, despite additional resource utilised by the Council [**CS/34**]. The Council has seen a steady increase in blockades by the Defendants since early December 2025, but the frequency and the impact of the blockades on the waste service have increased significantly in January 2026. The disruption has affected the ability of the Council to provide a key service for the residents of the city.
- 11 The levels of disruption experienced due to the Defendant's behaviour in the week of 26 January 2026, culminating on 30 January 2026 in the complete closure of waste services across all Depots and interference with other Council depots and services which are not part of the industrial dispute with Unite, mean that we have reached a tipping point that we cannot remedy the level of shortcomings caused by the Defendant's

actions through the available mitigation. This means we are at the point that the numbers of missed collections will grow week on week and waste will build up on the city's streets. Given the lack of engagement from the police to address the issue, action is urgently required by the Court to address the unlawful behaviour which is at its cause.

12 To assist the Court in navigating this witness statement, it is made up of the following sections:

12.1 Section 1 – Industrial Action and Injunction against Unite

12.2 Section 2 – The Contempt Proceedings against Unite

12.3 Section 3 – Summary of Disruption by the Defendants

12.4 Section 4 - Impact of Disruption by the Defendants

12.5 Section 5 – Engagement with Police

12.6 Section 6 – Order Sought

Section 1 - Industrial Action and Injunction against Unite

13 The background to the protests being undertaken by the Defendants is that since 2 January 2025, members of Unite the Union (**Unite**) have been taking industrial action in respect of a trade dispute with the Council. Discontinuous strike action by Unite and its members commenced on 6 January 2025 and continuous strike action has been ongoing since 11 March 2025. Strike action has taken place at the Depots since then, with strike action being undertaken moving to Smithfield when the service relocated to there from Lifford Lane on 16 June 2025.

14 Since the commencement of the industrial action by Unite, a contingency waste service has been in operation and the Council has made adjustments to its normal collection routes and model to make efficiencies. This has meant that, when it has been free from blockade and disruption, the contingency service has been successful in providing a waste service for the residents of Birmingham once a week. However, disruption of the service, previously by Unite and now by the Defendants, has prevented this.

- 15 In the period March - May 2025 the Waste Service was the subject of significant disruption led by Unite. It is the Council's position that the behaviour of Unite went beyond any attempt at peaceful picketing, and instead amounted to unlawful, tortious behaviour which had a significant impact on the Council's ability to undertake the waste service for the residents of Birmingham. This behaviour involved Unite protestors blockading the Council's waste vehicles and preventing them from deploying from the gates of the Depots.
- 16 Unite's actions led to waste building up on the city's streets and, on 31 March 2025, a "*Major Incident*" was declared in accordance with the Civil Contingencies Act 2004 due to concerns for public health due to the build-up of waste on the streets [**CS/5**]. At the time that the Major Incident was declared, the volume of waste which was uncollected in the city was 22,000 tonnes.
- 17 The declaration of a Major Incident allowed the Council to put additional contingencies into effect and to implement closer working relationships between the Council and other organisations to assist with remedying the Major Incident.
- 18 Around the same time, on 3 April 2025, West Midlands Police indicated that they were prepared to issue a "*Section 14 Notice*" under the Public Order Act 1986. This allows police to impose conditions on public assemblies, including pickets. The effect of this would be to restrict the pickets' presence to fenced off areas at the gates of each depot and preventing the obstruction of vehicles leaving the Depots and travelling on the surrounding roads.
- 19 Discussions between West Midlands Police and Unite resulted in Unite agreeing to voluntarily comply with the Police request with no need for the Section 14 Notice to be formally made.
- 20 The areas identified in the Section 14 Notice where picketing was to be permitted are identified as follows and as show in the diagrams at [**CS/6**]. These areas were identified by the waste team in discussions with the police and were subsequently adopted as the Assembly Areas of the injunction obtained by the Council against Unite (see para 25 below);

- 20.1 Atlas – This site has three designated assembly areas. Two are immediately adjacent to the site entrance and the third is directly opposite the site entrance, thus enabling picketers to be seen and heard by both the site owners/management and members of the public. Assembly area 1 is to the immediate left of the entrance gate, assembly area 2 is to the immediate right of the entrance gate and assembly area 3 is directly opposite the site entrance on the opposite side of the road. All three areas are demarked using barriers between the pavement and the roadway.
- 20.2 Lifford Lane – This site has two designated assembly areas. Both are immediately adjacent to the site entrance, thus enabling picketers to be seen and heard by both the site owners/management and members of the public. Assembly area 1 is to the immediate left of the entrance gate and assembly area 2 is to the immediate right of the entrance gate. Both areas are demarked using barriers between the pavement and the roadway.
- 20.3 Perry Barr - This site has three designated assembly areas. Two are immediately adjacent to the site entrance and the third is directly opposite the site entrance, thus enabling picketers to be seen and heard by both the site owners/management and members of the public. Assembly area 1 is to the immediate left of the entrance gate, assembly area 2 is to the immediate right of the entrance gate and assembly area 3 is directly opposite the site entrance on the opposite side of the road. All three areas are demarked using barriers between the pavement and the roadway.
- 21 The s.14 Order remained in place from 4 April to 14 May 2025. During that period there were a number of occasions where obstruction of vehicles and aggressive behaviour from the Unite pickets took place. Nonetheless, during this period the effect of the s.14 Order, together with the additional contingencies brought in to support with the Major Incident, allowed the Council to address the build-up of waste on the streets.
- 22 When West Midlands Police communicated on 14 May 2025 that they no longer felt that the legal threshold for the s.14 Order was met, there was an immediate return to blockading of the Depots by Unite the next morning.

That disruption escalated until the Council was compelled to seek an injunction to restrain Unite from what the Council alleges amounted to breaches of section 220(1) Trade Union Labour Relations (Consolidation) Act 1992 and a public nuisance.

- 23 Shortly before the injunction application came to be made, Unite's solicitors (Thompsons Solicitors) wrote to the Council's solicitors (DLA Piper) on 21 May 2025 [CS/7]. In that letter, Unite put forward a proposal under which, in their words "*both (i) picketing; and (ii) protesting can take place going forward that will avoid the need for recourse to litigation.*" The letter then set out in some detail Unite's position in relation to both of these activities and, with regard to the right to protest, specifically referred to the rights derived from Articles 10 and 11 of the European Convention on Human Rights. Having set out its position, Unite then offered assurances that the number of pickets at each relevant location would be kept to 6 and that protesting would be confined to the Assembly Areas that had previously been identified.
- 24 Unite's offer was put forward with an implementation date of 27 May 2025 (after the bank holiday weekend) however, given the impact of ongoing disruption at its Depots, the Council was not willing to accept the proposed delay until 27 May 2025. In response Unite offered earlier assurances on picketing, but not any restriction on protesters. The Council was prepared to accept Unite's assurances. However, on 23 May 2025, despite the pickets being limited to six, Unite's protestors completely blockaded the Council's refuse trucks preventing the deployment of vehicles. As a result, the Council felt obliged to make an application for the court for an interim injunction, albeit based on earlier implementation of terms that Unite itself had offered.
- 25 The Council's application resulted in an interim injunction being granted against Unite by Mrs Justice Dias on 23 May 2025 [CS/8]. The interim injunction was subsequently extended by consent until trial or further order on 29 May 2025 [CS/9] and on 25 June 2025 to cover the Smithfield Depot [CS/10] (together "**the Order**").
- 26 In summary, the terms of the Order require that Unite take all reasonable steps to ensure that its members or relevant officials:

- 26.1 refrain from picketing activities in connection with its current campaign of industrial action except for picketing at the site entrance to the Depots solely for the purpose of peaceful picketing.
- 26.2 will have no more than 6 pickets at the entrance to each Depot, with each picket clearly designated by high-visibility clothing. The pickets must also refrain from preventing any vehicle from passing through the site entrance to the Depots including by forming a blockade, sitting in the road or slow walking in front of the entrances to or the road leading to each of the Depots.
- 26.3 refrain from carrying out any protesting activities outside of the designated Assembly Areas (**Assembly Areas**) identified in the Order.

Section 2 – The Contempt Proceedings against Unite

- 27 Despite the Order being in place, there continued to be further disruption by Unite of the waste service in breach of the injunction.
- 28 After some initial issues with Unite protestors not remaining within the Assembly Areas on 27 May and 3 June 2025, this escalated to blockades at the Depot gates at the Perry Barr Depot (23 June, 25 June and 3 July 2025) and Atlas Depot (24 June 2025).
- 29 From 8 July 2025 Unite's tactics changed so that blockades of vehicles took place away from the Depot gates. Unite's approach was to block the access roads from the Perry Barr and Atlas Depots and to slow-walk in front of the vehicles.
- 30 At the Atlas Depot, this involved Unite protestors funnelling the waste vehicles onto specific routes, with protestors from Unite blocking off turns to force vehicles onto certain roads where they were blockaded and held for extended periods. This tactic was particularly seen around 300 meters from the exit to the Atlas Depot at the junction of Wharfdale Road and Redfern Road. In the period up to 30 July 2025, there were frequently Unite protestors present at the junction to prevent the waste vehicles from turning off. They were instead funnelled straight ahead onto a narrow lane (Rushey Lane) where other members of Unite would form a blockade.

Further detail of this pattern of behaviour is set out in the statement of my colleague David Miller who is the Service Manager for Atlas.

- 31 At Perry Barr, Unite protestors would slowly walk in the road and blockade vehicles along Holford Drive which acts as the main deployment route for vehicles from the Depot. In most cases this was around 500 – 700m from the Depot gates.
- 32 These breaches by Unite of the Order led to repeated correspondence between the Council's solicitors and those of Unite to seek to address matters. When this was not successful in resolving issues, the Council made a contempt application against Unite on 24 July 2025. Despite the application by the Council, breaches of the Order continued until 30 July 2025.
- 33 Unite originally attempted to argue that they had understood the Order to permit them to protest away from the Depots. However, in their affidavit evidence in response to the contempt application it was conceded that this was incorrect and that Unite was in breach of the Order on at least 10 occasions between 8 and 21 July 2025. The contempt application was heard before Mrs Justice Jefford on 14 October 2025 with Unite accepting that it will be fined for its repeated breaches. A judgment is awaited by the parties to that action and I understand the Council's legal team have been told it should be handed down imminently. The underlying claim for a final injunction and for damages against Unite is due for a Costs and Case Management Conference, expected to be in May of this year.
- 34 The industrial action by Unite is continuing, subject to the terms of the Order. The most recent ballot by Unite took place on 17 November 2025, providing a mandate for continuing industrial action until May 2026.
- 35 I have been involved in dealing with the disruption stemming from Unite's industrial action since its inception and have given evidence for the Council at each stage of the litigation against Unite. Given my involvement in matters, as well as my position with the Council, I am familiar with the members of Council staff who are taking part in the industrial action, particularly the key actors who have been involved in the disruption such as picket supervisors and national representatives from Unite.

Section 3 – Summary of Disruption by the Defendants

- 36 By obtaining the Order and pursuing the contempt application against Unite, the Council has, since 31 July 2025, succeeded in preventing disruption to the service by Unite. However, the actions that Unite are prohibited from undertaking by the terms of the Order are now, since 17 September 2025, being performed by the Defendants. The very same activities which led to the injunction application and to the further application for contempt, have, on the face of it simply been outsourced from Unite and its members, to the Persons Unknown who are now the subject of this application – the Defendants, in simple terms, are doing what Unite and its members were doing previously and which has been the subject of first, an injunction and secondly, a contempt application. The slow walking, blockading of vehicles and preventing them from using the highway, is now being carried out by the Defendants. Furthermore, in social media posts, various organisations sympathetic to the Unite cause, have said in terms that this action is called for due to the restrictions to which Unite and its members are subject. I refer to these in more detail below.
- 37 Whilst initially sporadic in the aftermath of the Council's contempt application against Unite, the disruption by the Defendants has become more regular during December 2025 and its frequency has increased significantly throughout January 2026, resulting in the Council making this application.
- 38 The Council has sought to address the Defendants' protests by engaging with the police as outlined in Section 5 below. However, the support provided by the police has not been effective at addressing the Defendants' behaviour and their willingness to intervene to prevent or bring an end to the protests has diminished significantly in the week of 26 January 2026 as set out in detail in Section 5 below.
- 39 Details of the disruption by the Defendants are set out in the witness statements of my colleagues who are the Service Managers for each of the Depots. However, I look to provide a brief summary here of the pattern of disruption that we have seen by the Defendants across the sites, with

occasional disruption occurring in the period May 2025 to November 2025 and more regular protests from December 2025 to date.

40 17 September

40.1 As outlined above, following the Council's contempt application against Unite for breach of the Order, disruption by Unite was curtailed from 31 July 2025.

40.2 Following a period without disruption over the summer, an incident then occurred on 17 September 2025 next to the Atlas Depot. Vehicles which were being deployed were stopped at the junction of Wharfdale Road and Redfern Road by the Defendants in hi-vis vests.

40.3 After vehicles had been deployed and were driving down Redfern Road, the Defendants wearing high-vis vests ran into the road to block the vehicles at the junction with Wharfdale Road. Details of the disruption are set out in the statement of David Miller (Service Manager for Atlas). Deborah Carter Hughes in the Council's legal team passed me details of a Facebook post indicating that members of the Birmingham Socialist Party had been responsible for the protest along with other "*independent activists*" [CS/11].

40.4 The post suggested that the action had been taken by the Defendants due to Unite being unable to "*picket effectively*". However, this is clearly not the case as the terms of the Order only require that Unite conduct picketing in accordance with the Code of Practice on Picketing. The post went on to say "*that is why independent activists have taken matters into their own hands*", again suggesting that the motivation is simply to by-pass the effect of the injunction granted against Unite.

40.5 Whilst the Birmingham Socialist Party had claimed to be involved in the incident, one of my Service Managers was informed by an anonymous source that did not wish to be named that a representative of Unite had been responsible for organising the protest and that further similar protests were planned for the following day. Given this information and the similarities which the

incident bore with previous, regular disruption by Unite at the same junction from July 2025, we asked our solicitors (DLA Piper UK LLP) to write to Unite's solicitors to address this point. They did so by letter of 17 September 2025 [**CS/12**]. Unite's solicitors (Thompsons LLP) responded by email of 18 September 2025 refuting that Unite had any involvement in the incident and they reiterated this position at the contempt hearing on 17 October 2025 [**CS/13**].

40.6 As indicated would be the case by our source, the Defendants were present the following day. However, the advance notice that this would be the case allowed us to make arrangements so that the vehicles could take an alternative route.

41 Depot Blockades by the Defendants

41.1 Following the blockade of the highway on 17 September 2025, there was occasional disruption by the Defendants at the Atlas depot on 17 October and 25 November 2025. These protests involved the Defendants standing across the exit or walking in circles to block vehicles from exiting.

41.2 From 5 December 2025, we started to see these sporadic disruptions by the Defendants becoming more regular and causing a greater impact on the service particularly in late January 2026. On each occasion, the Defendants would block the exits to the Depots, either by slowly walking in circles in front of the gates or simply standing and blockading the exit:

- (a) 5 December 2025: Atlas
- (b) 12 December 2025: Perry Barr; and Smithfield
- (c) 19 December 2025: Smithfield
- (d) 22 December – 2 January 2026: over the festive period, there were no protestors or Unite pickets present at any of the Depots. Unite pickets returned to the Depots on 5 January 2026.

- (e) 8 January 2026: Perry Barr; and Atlas
- (f) 12 January 2026: Perry Barr; and Atlas
- (g) 15 January 2026: Smithfield; and Atlas
- (h) 19 January 2026: Perry Barr
- (i) 21 January 2026: Perry Barr; and Atlas
- (j) 27 January 2026: Perry Barr; and Atlas
- (k) 28 January 2026: Perry Barr; and Atlas
- (l) 29 January 2026: Smithfield; Perry Barr; and Atlas

41.3 Whilst the Defendants have generally conducted their protests in a peaceful manner, the level of protestors in attendance has increased over the last two days, together with use of flares and tannoys as part of the protests.

42 Megapicket – 30 January 2026

42.1 On 30 January 2026, an event was held which has been advertised as a "*Megapicket*".

42.2 The event took place across all of the Council's Depots, as well as at the Council's Brewery Depot (Brewery Street, Birmingham, B6 4JB), which houses the Council's Street Scene team. This seemed to be caused by the decision to redeploy some Street Scene vehicles from Perry Barr to Brewery Depot in anticipation of the Megapicket. The disruption resulted in a number of roadsweeping and other vehicles blockaded by Defendants slow walking at the gates and letting off flares [**CS/14 – 16**]. The Street Scene team are not part of the industrial dispute between the Council and Unite. In one of the videos a Defendant speaking to the driver of the vehicle references that it is the street cleaners that he is speaking to and is clearly aware that they were not part of the industrial dispute [**CS/17**]. Further images of the disruption are shown at [**CS/18 – 22**].

- 42.3 The Defendants blockaded each of the Depots and Brewery Street and the significant numbers of Defendants present meant that it was not possible to deploy vehicles from any of the Operational Depots. As recorded in the sit report for the day protestors dispersed around 10.00 but this was due to the fact that a decision had been made to withdraw the service for the day [**CS/23**]
- 42.4 Based on promotional material we had seen for the event, we had anticipated that the event would also target following sites, but these were unaffected on the day:
- (a) the depot of Tom Whites (contractors engaged by Coventry City Council and provided to support us through mutual aid to do waste collections in the Perry Barr area and who travel from their own depot in Ryton, Coventry); and
 - (b) an energy recovery facility operated by Veolia in the Tyseley area, where the Council's waste service vehicles go to deposit waste for incineration.
- 42.5 This is the third such event which has been held following events a similar event on 25 July 2025 and an earlier event which affected the Lifford Lane Depot on 9 May 2025. These earlier events occurred amidst the period of disruption by Unite. The events appear to have been arranged by an organisation called Strike Map, who I understand are a voluntary organisation of trade union activists whose website provides details of industrial action taking place across Britain and Ireland. In previous correspondence with Unite regarding the event on 25 July 2025, they have disavowed having any involvement in organising the event [**CS/24**].
- 42.6 Promotional material for the event on 30 January suggests that Strike Map were responsible for the event, but that it was supported by a number of trade unions and other organisations: "*ASLEF, AEP, BFAWU, Birmingham TUC, Blacklist Support Group, CWU, Equity, FBU, GFTU, Green Party, Manchester TUC, NEU, NHS Workers Say Not, NSSF, PCU PCS, RMT, RCPOD, Troublemakers at work, UNISON Greater Manchester Transport*

Branch, UNISON Homerton Hospital Branch, We Demand Change, Wolverhampton TUC and Your Party" [CS/25].

42.7 An article in the Morning Star on the day of the event by the co-founders of Strike Map noted that previous events had "*successfully shut sites when Unite's injunction prevented workers from doing so themselves*". The article demonstrates the intention of Strike Map and the Defendants to exert leverage over the Council by undertaking actions which Unite are prevented from doing by the Order. The article suggests that there was a need to "*embrace the kind of direct action we have seen developing in Birmingham over recent weeks, led by activists supporting striking workers and causing daily disruption at key sites*" and that the escalation of direct action was a "*key tactic for winning disputes*". I also note from the article that Unite are now a "*national affiliate*" of Strike Map [CS/26].

43 Week commencing 2 February 2026

43.1 Whilst the Council continues to monitor matters in the course of preparing this statement, there have not been any blockades by the Defendants on 2 or 3 February 2026.

44 Along with my colleagues from the relevant Depots, I have reviewed the images and videos of the Defendants' protests as outlined in this Section 3 and do not recognise any individual involved in the disruption outlined as being Council employees taking part in strike action or individuals known or believed to be employees or representatives of Unite. Nor do I know their identity in any other capacity.

45 As well as the increasing frequency with which the disruption has been taking place, we were also able to gather some further information about the Defendant's protests:

45.1 8 January 2026 - A post was made on social media by a group called "*Justice for Refuse Workers & Cleansers*" indicating that protests at "*a couple of depots*" meant that they were "*apparently prevented from operating by a group of plucky activists*" (coinciding with disruption at Perry Barr and Atlas that day). The image on the

post shows the banner which had been used at Perry Barr that day reading "Labour members for the bin strikers" [CS/27] and also contained further encouragement to action in concluding with the words "get stuck right in folks".

45.2 12 January 2026 - During a discussion between the Depot Manager for Atlas (David Miller) and one of the protestors, the protestor indicated that they intended to blockade three times a week going forward. An anonymous source who does not wish to be named also informed me around that time that the Defendants intended to target multiple Depots going forward. Based on the disruption we had seen at that time, I understood this together to mean that disruption would take place at the Perry Barr and Atlas Depots three times a week going forward.

45.3 21 January 2026 - I was made aware of a video which had been posted on both YouTube [CS/28] and Facebook [CS/29] by a group called Reel News. It showed video footage which seemed to be from 12 January 2026 and the protest which took place at Perry Barr. The commentary accompanying the video shows, as seen most clearly in the Facebook post at [CS/30], that the intention of the protestors actions is to put pressure on the Council in respect of the trade dispute with Unite. The post and videos also encourage members of the public to attend at the Depots and block the exit of vehicles by walking in front of them. This is the conduct prohibited by the Order against Unite. The post contains the following words:

"The video shows how you can shut down a depot with footage from one of the solidarity pickets on January 12. So now it over to you. UNITE is banned from organising these actions but the rest of us can; so why not turn up at a depot with your mates one morning and do a slow walk yourself."

45.4 The video commentary also suggests (incorrectly) that Unite members are not allowed to picket their own depots and then says, "so supporters decide independently to shut down the job."

45.5 On or around 27 January 2026, I was also made aware of earlier Facebook posts by the Birmingham Socialist Party regarding their involvement in the protests on 25 November [CS/31] [CS/32] and 5 December [CS/33]. The 5 December post contains the following words:

“We joined independent community activists to block wagons to subvert Labour’s attempts to prevent effective picketing.”

46 When I was informed of the comment made by the protestor to David Miller on 12 January 2026, I carried out an initial rough calculation of the impact that this would have on the service was that that level of disruption across two sites until around 10.30 as we had seen to date, occurring three times a week would see the service fall 2 days behind in collections by the end of week one, adding on 2 days of backlog each week. As a rough calculation only, I estimated that the threatened level of disruption by the Defendants could lead to a build up of 2,500 tonnes of waste on the city's streets each week.

47 The comment and the prospect of significant waste build ups occurring on the streets again caused significant concern within the Council. I viewed the comments as credible given they matched with an increasing pattern of disruption to the Service since early December and it was at this point that the Council took steps to begin exploring further legal action to prevent the disruption.

48 My concerns were heightened further by the comments in the Reel News video posted on 21 January 2026. I was particularly concerned by the encouragement to members of the public to attend at the Depots to undertake their own protests. As well as the additional disruption to the service that this would cause, there is a considerable health and safety risk for any individual who attends and seeks to block the HGVs used by the service. The suggestion in the Reel News video that they viewed such action as being necessary as Unite are prevented from undertaking picketing by the terms of the Order is also clearly untrue and misleading. Unite remain entitled to picket, provided they do so in accordance with the

Code of Conduct on Picketing and the Order. If they choose not to undertake picketing, then that is a choice for them.

Section 4 – Impact of Disruption by the Defendants

- 49 The Council has faced disruption of its waste service for a period of over 12 months since Unite began its industrial action. We recognise and respect the right of Unite and its members to take lawful industrial action and, in the meantime, the Council put into effect a contingency service with reduced staffing and vehicles, which (when Unite have complied with the Order) has been successful in continuing to deliver a weekly waste collection service for the residents of Birmingham.
- 50 When Unite's behaviours went beyond lawful picketing, there was a heightened impact on the waste service which had a real effect on the residents of Birmingham and made carrying out their duties very difficult for our non-striking staff. As a result, the Council took action to obtain the Order and it was a huge relief to the service and its staff when this was obtained.
- 51 When Unite continued to demonstrate unlawful behaviours in breach of the Order, the negative impact on staff and the service returned. The Council was forced, once again, to seek legal redress to prevent unlawful disruption to the service and ensure that collections could continue for the residents of Birmingham.
- 52 The terms of the Order clearly prohibit Unite and its members from blockading, delaying or obstructing the waste vehicles as they look to deploy from the Depots or on their deployment routes. Unite and its members are entitled to lawfully picket and engage with crews to look to persuade them that they should join the picket. They are also entitled to lawfully protest by doing so within the Assembly Areas identified in the Order.
- 53 The Defendants currently disrupting the waste service suggest in their social media comments that this is not the case and that Unite and its members are prevented from lawfully picketing and that their actions, with the intention to "*shut down*" the Depots as stated in the Reel News video, are necessary as a result. This is simply untrue. Despite this the

Defendants have effectively taken over the baton from Unite's previously unlawful actions in order to do what Unite is prevented from doing i.e. unlawfully obstruct the provision of Birmingham's waste service from being delivered.

- 54 The disruption by the Defendants has an obvious and direct impact on the service being provided to the residents of Birmingham. It is clear from the comments which have been made by or in support of the Defendants in the Reel News video and comments made online by the Birmingham Socialist Party that this is entirely the intention of the Defendants. It is a clear effort to exert leverage over the Council in its dispute with Unite as the Defendants either do not understand or do not agree with the terms of the Order.
- 55 The day to day impact of the protests varies depending on various factors, particularly the frequency of the disruption over recent days, the number of vehicles which we are able to deploy prior to the blockades and the police response and length of time they allow the protests to continue on any particular day (which is considered in detail below).
- 56 The frequency of disruption has grown since early December as shown by the first graph at [CS/34]. This graph shows the cumulative number of missed collections in the period since 1 December 2025. We moved onto a new system at this time and do not have data for previous months.
- 57 Where collections are missed, residents of the city are being directly disadvantaged as a result of the Defendant's actions. The disruption by the Defendants means that the Council is unable to operate a consistent service and where disruption occurs on the same days and same depots each week, it is the same residents whose rounds are repeatedly missed and so the impact on those individuals is intensified.
- 58 To avoid disruption to residents, the Council has deployed additional resource, where it is available, to try and catch up on those missed collections. In the period of disruption up to 25 January 2026, the Council was able to use additional resource from Tom Whites and the Council's own staff, such that missed collections were rectified ahead of the week commencing 26 January 2026.

- 59 We would normally have a steady level of missed collections as part of our normal operation. This is shown in the graph at [CS/34] for the period of December where, despite some disruption, we were able to maintain a steady level due to the use of overtime after an initial spike in the first week of December when the service was closed on 1 December by the commencement of strike action by agency staff and then a day of disruption by the Defendants on 5 December. There was a considerable spike in the number of missed properties due to disruption by the Defendants on 8 January followed immediately by bad weather on 9 January 2026. The peaks and troughs thereafter show the periods of disruption by the Defendants and the Council's efforts to remedy these through use of overtime and additional resource to prevent the level of missed collections from growing.
- 60 The week of 26 January 2026 has seen the service face the most considerable levels of disruption by the Defendants to date. This has included blockading on four days out of five, with all of our operational sites affected and preventing us from mitigating the disruption. Alongside this there has been a reduction in levels of police support as described in Section 5 below. This disruption means that as of close of the service on 1 February 2026 when overtime work was conducted to try and catch up on missed collections through the week, we had over 67,000 properties who did not receive their collection that week (19% of the total households in the city). This means those households must either hold their waste in the household, or it spills into the street.
- 61 Even assuming that the disruption caused by the Megapicket event on 30 January would not be repeated on a regular basis, if the same level of disruption that we have seen in the remainder of the week were to be replicated in the weeks going forward then the Council will simply not be able to catch up on the missed collections based on its current position. This is shown in the projection on the graph at [CS/34] which shows that the number of missed collections will continue to climb now that we have passed the tipping point.
- 62 This is because the Council is limited in the amount of overtime it can ask staff to undertake due to limitations on working and driving hours. We have

also been reliant on staff and managers supporting other sites to maximise our overtime deployment.

- 63 The second graph at [CS/34] shows the tonnages of waste on the street as a result of the disruption, again showing a considerable reduction in waste through January to try and address the period of disruption but this climbing in the week of 26 January and projected as increasing consistently going forward based on the levels of disruption experienced.
- 64 Furthermore, whilst the Council has been able to address the number of missed collections in the period up to 25 January 2026, doing so comes at additional cost to the Council. For the week of 26 January – 1 February 2026, the costs of deploying additional resources to seek to redress the missed collections was £113,798.47. This brings the total cost of overtime and additional resource in January to £411,522.58. This is compared with total costs of £97,612.40 for the entirety of December (at a time when we were already seeing disruption by the Defendants start to increase) [CS/35].
- 65 As outlined above, even with these additional costs, we do not anticipate being in a position to reduce the number of missed collections.
- 66 Such considerable additional cost is unsustainable for the Council. If the levels of disruption observed in the week of 26 January were to continue throughout February and March, then maintaining the current levels of overtime costs for February and March increasing to £430,404.19 and £476,518 respectively, bringing the total additional expenditure for the period December - March to over £1.4 million.
- 67 Other options to mitigate the impact of the Defendants actions have been considered as part of an internal options paper [CS/36]. Alongside use of overtime, this has looked at the possibility of sourcing additional resource through direct recruitment or obtaining additional support from Tom Whites and also at the appointment of more fly-tipping crews to respond to the build up of fly-tipped waste. We have also looked at opportunities to redeploy staff and vehicles between the Depots, but given all of our operational Depots have been targeted, we have reached the view that having crews spread across the Depots offers the most resilient option.

We have also considered deploying vehicles to undertake mobile collection of waste, which was one of the measures adopted during disruption by Unite last year. However, we found that this often encouraged people to fly-tip and generated more waste on the streets.

68 There has also been a wider impact on other teams within the Council, with the Defendants not discriminating between different types of Council vehicles. During previous protests by Unite, their usual approach was that only waste collection vehicles were blockaded, with other services free to come and go at the Depots. However, that has not been the approach of the Defendants, meaning that vehicles of other Council services have been impacted by the blockade. Furthermore, other operators have been significantly impacted by the blockades, particularly Veolia who own the Perry Barr site. During the megapicket they were forced to cancel their bulk haulage operations and have seen these significantly impacted on days when our vehicles are blockaded at the Depot exit.

69 This has had the impact that Street Scene teams are unable to respond to instances of fly-tipping in the city, which adds to the accumulation of waste on the streets in some areas of the city. The issue has been highlighted by recent social media posts by Unite [CS/37] and in both local [CS/38] and national press [CS/39].

70 In addressing the overspill of waste and increased fly-tipping which have accompanied the disruption of the waste service, the Street Scene team are unable to undertake their normal day to day tasks and this has further knock on impacts for residents, who see their streets becoming more littered, which can then leach into the environment.

71 The pressure faced by crews during the blockades and obstructions is considerable. Although the disruption by the Defendants has generally been peaceful, the drivers and crews are being held for several hours at a time. During that time, they must be ready to respond to unpredictable behaviour by the Defendants stepping in front of their vehicles. The Defendants are not familiar with the layout of the sites, the operational approach of the service and the risks associated with the vehicles involved. Suggestions by the protestors that members of the public should "turn up" at the Depots and "do a slow walk themselves" as suggested in the Reel

News video from 21 January 2026 further exacerbates the risks involved. There was also one incident where an ASM at our Atlas Depot was repeatedly called a "scab" in an intimidating manner by a Defendant.

- 72 For our staff to be placed in this situation despite the efforts which the Council has already taken to ensure that they can carry out their duties without unlawful interference, is incredibly discouraging for them and the Council and places huge amounts of additional pressure on their wellbeing.
- 73 As well as the obvious impact on residents who do not receive a waste collection each week due to the disruption by the Defendants, our Public Health team, led by Sally Burns (Director of Public Health) is examining the longer term impact on residents of the continuing disruption stemming from the disruption by Unite and now the Defendants, which has now been continuing for over 12 months. Whilst we recognise that this is in part due to lawful industrial action, some of the most disruptive acts have been the result of unlawful action by Unite and the Defendants and there is concern that the presence of waste is having an impact on the mental health of residents. There is particular concern for the most vulnerable groups in the city, such as elderly residents and those with disabilities.

Section 5 – Engagement with Police

- 74 I would say that the police's response to the Defendant's behaviour since it began has been muted. Until recently they have adopted the approach of allowing protestors to remain in situ for three hours at a time before being willing to intervene. This was increasingly leading to periods of protests lasting for four hours and more before vehicles could be deployed. However, as the disruption has escalated in the week of 26 January 2026 and we have sought support from the police to intervene, their response has been to step away from providing such support and leaving the protestors to determine for themselves how long the protest should last.
- 75 I understand from discussions with senior police representatives that the three hour approach which had been adopted by the police is in response to the legal case of *DPP v Zeigler* [2021] UKSC 23 and that three hours is

their interpretation of what is a reasonable time to allow members of the public to protest when considered from a criminal law perspective.

- 76 On 17 September 2025, the police attended and instructed the Council's vehicles to move off the highway to avoid blocking traffic. However, they did not take any steps to stop the Defendants from blocking the vehicles. The protests lasted around 90 minutes until the Defendants chose to stop and the vehicles were then free to move on.
- 77 As outlined in the sit report for the day **[CS/40]** we had sought a debrief from the police on their approach to the incident and we wanted to set up a meeting to ensure a fair and transparent approach was taken to addressing the issues. I exchanged some messages to with Superintendent Jack Hadley on 17 September 2025 regarding the incident but when I pressed him for a debrief I did not get a response **[CS/41]**.
- 78 When subsequent blockades by the Defendants took place on 17 October and 25 November I had some further messages with Superintendent Hadley to make him aware of the issues **[CS/41]** and I recall speaking with him on these occasions and when the disruption began to take place more regularly in December and early January. The police would attend these incidents but their approach was to allow the protests to take place for three hours before stepping in to address matters. This is the same as the approach taken by police during previous disruption by Unite. The exception to this was during the period when the s.14 Order was in effect.
- 79 In light of the escalating disruption by the Defendants I reached out by text message to Superintendent Hadley on 8 January 2026 when disruption was taking place at the Atlas and Perry Barr depots **[CS/42]**. This is in accordance with the escalation process in place for dealing with police matters. Bronze level referrals are dealt with by the Depot Service Managers and the local police sergeant dealing with the disruption. If necessary, matters are escalated to me at Silver level, where I would reach out to Superintendent Hadley. If necessary to escalate matters further, it would go to Rob Edmondson at Gold level and he would interact with Assistant Chief Constable (ACC) Mike O'Hara or Ian Parnell.

- 80 I did not receive a response to my text to Superintendent Hadley on 8 January 2025. I sought to contact him again on 12 January 2025 when further disruption was taking place at the Atlas and Perry Barr depots [CS/42]. This was also the day on which a Defendant suggested to David Miller that blockades would be carried out three days a week going forward at the Atlas and Perry Barr Depots. I called Superintendent Hadley and informed him that the protestors had agreed to release one vehicle every 15 mins. However, the Defendants failed to do this so I tried calling him again. His response was to ask me to contact the Force Incident Manager (FIM) instead. I did this but I also messaged Superintendent Hadley to make clear that a meeting was needed to agree a better approach in light of the threat of increased levels of disruption going forward. I also notified him that the Defendants were not complying with what had been agreed by the police on that day, with complete blockades ongoing for four hours by that stage. In his response he indicated that he felt there was some mixed messaging which was confusing matters and that officers had seen other cleaning vehicles leaving the site and thought that waste vehicles were being released [CS/43].
- 81 Rob Edmondson and I then met with Superintendent Hadley and ACC Parnell on 13 January 2025 to discuss their application of their three-hour rule. During the discussion we challenged them on their approach and made clear that their delay in dealing with the protests was causing a significant disruption to the deployment of our waste vehicles. We challenged why, if they were insisting on a period of time, it could not be a one-hour period but they maintained that it was appropriate to allow the protests to take place for three hours before intervening on the basis of the Zeigler judgment. We have asked to be provided with minutes taken by the police's note-taker during this meeting but the police have refused to provide them.
- 82 Rob and I disagreed with this and felt that this seemingly standardised approach from a case involving a different situation (single day, protest outside an exhibition) did not take account the particular circumstances and the impact on the Council and residents of the city but we were simply told that this would remain the police's approach.

- 83 As a result of the police being unwilling to change their approach, Rob and I felt we had no choice but to at least try and get an agreed memorandum of understanding between ourselves and the police. Whilst we strongly disagreed with the police's position, this was to try and ensure that, if it had to be the case that vehicles would be held for three hours, that the Defendants would not be allowed to continue their protests for any longer than that and that prompt action would be taken by the police to intervene and clear all vehicles at that time. This was because we had frequently been experiencing disruptions for longer than the three-hour Zeigler period, and we wanted to get the vehicles deployed as soon as possible.
- 84 During the meeting Rob and I also challenged Superintendent Hadley and ACC Parnell on the differing approaches which had arisen on different days, particularly a more robust response which had been seen at Smithfield over the Christmas period. I was told that this was down to local police taking differing approaches and that it was ultimately a matter for their discretion.
- 85 I had further text messages with Superintendent Hadley on 15 January 2025 when protests were taking place at Smithfield and Atlas [**CS/44**] and [**CS/45**]. I provided him with the police reference numbers for the disruption at both. A few hours later I messaged him again to flag that the local police contact at Atlas at Bronze level had indicated that vehicles would not be released until 10am, 4 hours after protests were first reported. I queried whether this was a change to the three-hour approach and was informed that there was no change to the general rule but that the situation was "*being led by Birmingham*". I understood this to mean it was essentially a decision being taken at a local police level and longer periods of disruption were possible.
- 86 I followed up with Superintendent Hadley and ACC Parnell by email later that morning to provide a summary of how the police's approach had differed between the Smithfield and Atlas depots. The response at Smithfield had involved the police reaching an agreement with the Defendants that one vehicle could leave every 15 minutes and they adhered to this until 09.00 when the police required the release of all vehicles as three hours had passed [**CS/46**].

- 87 In light of the frustrations about the differing approaches being taken by the police between sites and the delays to deployment lasting over 3 hours, I emailed Superintendent Hadley and ACC Parnell again on 15 January 2026 to provide them with a draft memorandum of understanding which Rob Edmondson and I had prepared [**CS/47**] and [**CS/48**]. As noted, the purpose of sending this was, as a last resort, to try and ensure that, if the police were adamant that the three hour rule needed to be applied, then even though we disagreed with that, there were at least clear processes in place to ensure that the start time of the blockade was accurately recorded, the matter reported to the police and that the police then took appropriate steps to ensure that all vehicles at the relevant Depot were released within ten minutes of the three hour period coming to an end.
- 88 There was and has been no reply to my emails on 15 January 2026. In the meantime, Councillor Majid Mahmood, who is the Council's Cabinet member for Environment and Transport, wrote to both ACC Parnell [**CS/49**] and the Home Secretary [**CS/50**]. The letters outlined the Council's concerns regarding the threat of increasing disruption from protestors and the impact this would have on the Council's ability to fulfil a weekly collection for every household in the city. The letter clearly set out the Council's view that the police's application of the three-hour rule to comply with the Zeigler ruling was not reflective of the level of disruption being caused to the residents of Birmingham and seeking a meeting to review the situation.
- 89 My next contact with Superintendent Hadley was a text message to flag that further disruption was taking place on Monday 19 January 2026 [**CS/51**]. I was seeking support to ensure that the Defendants would not be permitted to remain for any longer than the three-hour period adopted by the police. I did not receive a reply to this message and understand that both Superintendent Hadley and ACC Parnell have been absent during this time.
- 90 There was also no immediate response to Councillor Mahmood's letters. However, an article on BirminghamLive on 20 January 2026 [**CS/52**] addressed the letter to ACC Parnell and included the following comment from an unnamed police spokesperson: "*We continue to have a police presence at depots as and when required. Birmingham City Council was*

granted an injunction last year to manage the impact of this disruption. We continue to liaise closely with Birmingham City Council throughout the industrial action."

- 91 I would take issue with the statement in two respects. First, the grant of an injunction is irrelevant as it applies only to Unite and it is the Defendants who are causing the disruption at the present time. It requires Unite and its members to refrain from any sort of blockade of the Councils' waste vehicles, but Unite have repeatedly told us that the disruption which has taken place since 31 July 2025 is nothing to do with them. We have, therefore, been reliant on the police taking appropriate action to prevent the current protestors from disrupting the service. Their application of the so called "Zeigler rule" means that this has not occurred. Secondly, whilst there have been ongoing discussions with the police, these have been completely ineffective and the police approach has not altered in light of the disruption we have repeatedly faced and made them aware of.
- 92 In the absence of Superintendent Handley I reached out to Superintendent Paul Minor on 19 January 2026 to try and identify an alternative point of contact [CS/53]. After some confusion over who the appropriate point of contact was, I was first put in contact with James Littlehales as the FIM and he supported in relation to disruption on 21 January 2026 [CS/54]. I was then put in contact with Superintendent Karl Thomas. However, when I contacted him on 20 January 2026 to flag disruption at the Depots, I did not get a response (as was the case the following day when I messaged him again) [CS/55]. When I emailed Superintendent Thomas on 20 January 2026 to arrange a meeting, it was clear he knew nothing about the situation and the issues which the Council was facing [CS/56]. I felt that our issues were simply being ignored.
- 93 ACC Parnell replied to Rob and I by email on 22 January 2026 [CS/57] and identified Chief Inspector (CI) Chris Grandison as the designated lead on the matter going forward. CI Grandison also emailed me the same day to suggest that in the previous discussion with ACC Parnell we had discussed a "number of vulnerabilities" with the Order and that the Council would seek to amend or clarify the order [CS/58]. I do not agree that this was discussed and do not know where CI Grandison took this point from as it was not referenced by ACC Parnell's email. The terms of the Order are

clear in that they apply to Unite and its members and not any other persons and the Council has always understood that.

- 94 On 23 January 2026, a response was also received from ACC Parnell to Councillor Mahmood's letter [CS/59]. The letter simply mirrored the statements which had been made to the press previously.
- 95 The same day, I was emailed by CI Chris Grandison [CS/60]. His email provided an updated operational plan for "*Operation Dusker*" (the police response to the industrial action with Unite) which had been provided to officers involved. My reading of the email was that officers would continue not to intervene until three hours had passed and that the police's position was unchanged. I also took issue with the suggestion within the update to officers that "*it has been agreed with Birmingham City Council that three hours is a general benchmark for acceptable disruption before officers should begin actively considering escalation options*". There was no such agreement.
- 96 In response to the emails from ACC Parnell and CI Grandison, I sent an email on 26 January 2026. The purpose of my email was threefold. First, I wanted to make clear that the Council had not and did not agree with the three-hour approach applied by the police. Secondly, to make clear that the three-hour approach was causing a disruptive effect on the City's waste service. Finally, to make clear the existing injunction was solely against Unite, which the police do not seem to appreciate, and set out the Council's intention to seek an injunction against the Defendants. I also asked CI Granison if the police could help identify any protestors should further legal action be necessary [CS/61].
- 97 CI Grandison replied the following day saying asking for details of the dates when disruption had taken place and then followed up to provide details of individuals whose names had been taken during disruption on the dates identified [CS/61]. This set out all of the names of individuals who had been taken throughout Operation Dusker, but these were all Unite individual (or members of my own staff) and I was satisfied related to issues from last year as I have not witnessed Unite protesters involved in the present disruption by the Defendants.

- 98 I was also in contact with the police throughout the morning of 27 January 2026 when disruption was taking place at the Atlas and Perry Barr depots. I first spoke with a Sergeant Hill at 05.35 to report the presence of the Defendants at the Perry Barr depot. I pressed him to confirm how deployment would be managed but was informed that officers on the ground would manage matters. I then called again at 06.17 to report the disruption at Atlas. During that discussion I was asked if it was right that there is a "*general agreement that [the Defendants] can blockade for a period of time*" and I stressed that there was no such agreement and that this may be the police position but the Council were not in agreement. I was then informed by Sergeant Hill that the local police at Perry Barr had indicated that they had mediated between management and the Defendants that vehicles would be released every 5 – 15 minutes. I made clear that this was not being observed by the Defendants. The release of vehicles was sporadic at best and served no real benefit to the Council. I relayed this to the force decision makers who relayed the information to local officers. Ultimately deployment was delayed by over 4 hours at Perry Barr and over 3 hours at Atlas.
- 99 I was in contact with police on 28 January 2026 when the Defendants were again blockading Perry Barr and Atlas. I was told by one of the Force Decision Makers in the in the police control room. They were clearly unaware of any plan of action and how they should respond. They said that the protesters had the right to protest for three hours. The police confirmed that they had agreed with the Defendants to let vehicles out in 15, 10 and then 5 minute intervals but this did not occur to any useful extent. After protests at Atlas started at around 05.50, only one vehicle had been released by 08.00 and it was not until 10.04 that deployment was completed (over four hours). Deployment at Perry Barr was not completed until 10.45 (five hours).
- 100 A similar situation arose during further disruption at all three operational Depots on 29 January 2026. I again raised the disruption with the Force Decision Makers in the police control room. I then spoke with Sergeant Hill who indicated that they only had 6 officers available to deal with the issue and that he was not prepared to enforce the three hour period. He instead indicated that the protestors were causing reasonable disruption

which was permitted. I pressed the Sergeant to explain to me what reasonable disruption amounted to but he was unable to give me an explanation. I spoke to CI Grandison and pressed him on the same point but he was unable to give an answer. We were told that vehicles would be released in intervals of 15 minutes between 0600 – 0700, then 10 minutes from 0700-0800 and then every 5 minutes from 0800 – 0900. However, these intervals were not honoured at Perry Barr and Smithfield (there was some deployment from Atlas but this was still delayed fully until 10.10). It was only when the Defendants chose to leave that the disruption came to an end. At Perry Barr this resulted in a delay to deployment of over 5 hours.

- 101 The police's approach seems to have been to drop the three-hour Zeigler approach but without any credible alternative to replace it. Seeking agreement from the Defendants to release vehicles is ineffective from the Council's perspective as it is either not complied with or allows very limited delayed deployment. As a consequence, the Defendants are allowed to remain in situ for extended periods and the disruption to the waste service has increased.
- 102 As a result of the issues faced, Rob Edmondson wrote to ACC Parnell on 29 January 2026 seeking to clarify the approach being taken by the police, which had left us without even the clarity of the three hour rule, which we had thought was excessive but at least provided a clear end point. He received a response later that day indicating that they were considering the position [**CS/62**].

Section 6 - Order Sought

- 103 By reason of the matters set out above, I respectfully ask the Court to make an order in the form of the draft provided against the persons unknown who have been responsible for the continuing protests.
- 104 The principal relief which is sought is an order restraining persons unknown from obstructing the public highway and committing public and private nuisance.
- 105 During previous disruption by Unite, we have seen crews being isolated by protestors and subjected to abuse and intimidation. Whilst the crews and

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vehicles are being blockaded at the depots is frustrating and has a significant impact on the service, we are at least able to protect and support the crews whilst they are being subject to disruption. There is the real prospect of them being blockaded at any time during their rounds and if an individual crew is blocked then it is a much more personal attack on that crew and there is the prospect of escalation as a result. As such, we ask that the injunction provides protection for our crews across the city.

106 In respect of the claim for an interim Injunction, the evidence is that the persons unknown have committed torts are likely to continue to do so, whilst encouraging other members of the public to join their actions.

107 Continued commission of these torts will have a considerable impact on:

107.1 the Council's ability to provide waste collection services;

107.2 the safety and wellbeing of the Council's staff; and

107.3 the public health of the people of Birmingham.

108 A monetary award would be insufficient remedy for the Claimant in these circumstances as losses are likely to be impossible or difficult to quantify and arise over an extended period of time. The loss is intangible but very real to the people of Birmingham. In any event, any prospect of enforcing any sort of award is somewhat unrealistic when dealing with protests by persons unknown.

109 The Council has given careful consideration to seeking an injunction in these circumstances. We are cognisant of the fact that there is a legitimate right to protest but consider that the actions of the persons unknown are unlawful and disproportionate to any legitimate protest being undertaken. The terms of the Order already give a clear ability to peaceful protest which is available to the persons unknown without impacting on the waste service.

Statement of Truth

110 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

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document verified by a statement of truth without an honest belief in its truth.

Dated 3 February 2026

Signed by:

452AB940D508485:.....

CHRISTOPHER SMILES

On behalf of: Claimant
By: Christopher Smiles
No: First
Date: 3 February 2026

CLAIM NUMBER; [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
CHRISTOPHER SMILES**

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Solicitors for the CLAIMANT

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On behalf of: Claimant
By: Christopher Smiles
No: First
Exhibit: CS
Date: 3 February 2026

IN THE HIGH COURT OF JUSTICE

KING'S BENCH DIVISION

BETWEEN:

(1) BIRMINGHAM CITY COUNCIL

Claimant

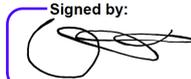
- and -

(1) PERSONS UNKNOWN

Defendant

EXHIBIT OF CHRISTOPHER SMILES

This is the exhibit marked "**CS**" in the witness statement of **CHRISTOPHER SMILES** dated this 3 day of February 2026.

Signed by: 
Signed.  452AB940D508485:.....

No.	Title	Page Numbers
1	Atlas Depot Plan (27 January 2026)	5
2	Perry Barr Depot Plan (30 January 2026)	6
3	Lifford Lane Depot Plan (30 January 2026)	7
4	Smithfield Depot Plan (27 January 2026)	8
5	Major incident communication (Undated)	9-10
6	Diagram of Permitted Picketing (Undated)	11-14
7	Letter from Thompsons Solicitors LLP (21 May 2025)	15-19
8	Injunction Order (27 May 2025)	20-28
9	Order for an Injunction (29 May 2025)	29-36
10	Order (25 June 2025)	37-39
11	Facebook post by Birmingham Socialist Party (17 September 2025)	40
12	Letter from DLA Piper UK LLP to Thompsons Solicitors LLP (17 September 2025)	41-42
13	Email correspondence re BCC v Unite - Claim No: KB-2025-001839 (18 September 2025)	43-48
14	Video footage at Brewery Depot - Video 1 (30 January 2026)	49
15	Video footage at Brewery Depot - Video 2 (30 January 2026)	50
16	Video footage at Brewery Depot - Video 3 (30 January 2026)	51
17	Video footage at Brewery Depot - Video 4 (30 January 2026)	52
18	Photograph - Brewery Depot 1 (30 January 2026)	53
19	Photograph - Brewery Depot 2 (30 January 2026)	54
20	Photograph - Brewery Depot 3 (30 January 2026)	55
21	Photograph - Brewery Depot 4 (30 January 2026)	56
22	Photograph - Brewery Depot 5 (30 January 2026)	57
23	Daily Operational Situation Report (30 January 2026)	58-63
24	Letter from Thompsons Solicitors LLP to DLA Piper UK LLP(24 July 2025)	64-66
25	Megapicket 3D Material (Undated)	67
26	Morning Star article Megapicket: the third dimension is union power (30 January 2026)	68-72
27	Facebook post by Justice For Refuse Workers & Cleansers (8 January 2026)	73
28	YouTube video posted by ReelNews (21 January 2026)	74
29	Facebook video from Reel News (21 January 2026)	75
30	Video by Reel News (21 January 2026)	76

31	Facebook post by Birmingham Socialist Party (26 November 2025)	77-78
32	Facebook post by Birmingham Socialist Party (27 November 2025)	79-81
33	Facebook post by Birmingham Socialist Party (10 December 2025)	82-83
34	Waste projections (Undated)	84-90
35	Cost projections (Undated)	91
36	Delegated Authority Report (20 January 2026)	92-97
37	Facebook posts by Unite For A Workers' Economy (20 - 25 January 2026)	98-102
38	Facebook post by Unite For A Workers' Economy regarding post by Birmingham Live (3 January 2026)	103
39	BBC News article Bin collections suspended because of 'mega-picket' (30 January 2026)	104-107
40	Daily Operational Situation Report (17 September 2025)	108-109
41	Text messages (24 July 2025 - 8 January 2026)	110-114
42	Text messages (8 - 12 January 2026)	115
43	Text messages (12 January 2026)	116
44	Text messages (15 January 2026)	117
45	Text messages (15 - 19 January 2026)	118
46	Email correspondence re Blockading at Birmingham City Council Depot - 15th January 2026 (15 January 2026)	119-120
47	Email correspondence re Blockading at Birmingham City Council Depot - 15th January 2026 (19 January 2026)	121-123
48	Memorandum of Understanding (Undated)	124-125
49	Letter to Assistant Chief Constable Parnell (16 January 2026)	126
50	Letter to Home Secretary (16 January 2026)	127
51	Text message (19 January 2026)	128
52	Birmingham Live article Anger as police 'fail to stop' Birmingham bin protestors blocking rubbish trucks out of depots (20 January 2026)	129-131
53	Text messages (19 - 21 January 2026)	132-137
54	Text messages (21 January 2026)	138
55	Text messages (20 - 21 January 2026)	139-140
56	Email correspondence re Operation Dusker (20 January 2026)	141-148
57	Email correspondence re Blockading at Birmingham City Council Depot - 15th January 2026 (22 January 2026)	149-152
58	Email correspondence re Operation Dusker (22 January 2026)	153-159
59	Letter to Councillor Mahmood from Ian Parnell (23 January 2026)	160
60	Email correspondence re Op Dusker updated plan (23 January 2026)	161-164
61	Email correspondence re Op Dusker updated plan (29 January 2026)	165-176

62	Email correspondence re Response to Protestors (1 February 2026)	177-180
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On behalf of: Claimant
By: Dean Smith
No: 1
Exhibit: DS
Date: 3 February 2026

CLAIM NO: TBC

IN THE HIGH COURT OF JUSTICE

KING'S BENCH DIVISION

BETWEEN:

BIRMINGHAM CITY COUNCIL

Claimant

- and -

PERSONS UNKNOWN

Defendant

**WITNESS STATEMENT OF
DEAN SMITH**

I, **DEAN SMITH**, of Smithfield Depot, Sherlock Street, Birmingham, West Midlands, B5 6HX **WILL SAY** as follows:

- 1 I am the Service Manager at the Smithfield Depot, Sherlock Street, Birmingham, West Midlands, B5 6HX (**Depot**) which is part of the refuse collection arm of Birmingham City Council (**Council**). The Depot at Smithfield is being utilised by the waste collection service whilst renovations are made to the usual depot for which I have responsibility, which is Lifford Lane Depot, Ebury Road, Kings Norton, Birmingham, West Midlands, B30 3JJ (**Lifford Lane**). Renovation work has been ongoing at the Lifford Lane depot since April 2025 and the layout of the site during those works meant that the impact of the industrial action and unlawful behaviours by Unite the Union (**Unite**) were heightened. As a result, a decision was made to relocate the waste service from Lifford Lane to Smithfield whilst the industrial action and renovations remained ongoing

JJ

OFFICIAL

together. The move took place on 16 June 2025 and we will return to the Lifford Lane Depot once the industrial action is concluded.

- 2 I have been in my position since May 2024 and have extensive experience in managing waste management operations across the city.
- 3 I provide this statement in relation to the ongoing protests by persons unknown (**Defendants**) which seek to disrupt the Council's waste collection service at the Smithfield Depot and other operation depots at Atlas and Perry Barr and the Council's application for an injunction in respect of the same.
- 4 This statement has been prepared with the assistance of the solicitors for the Claimant, DLA Piper LLP, through the exchange of emails and videoconferencing meetings.
- 5 I understand that due to the nature of the application being made by the Council, there is a requirement on myself and the Council to provide full and frank disclosure in respect of the situation. In preparation of this statement, I have sought to comply with this duty.
- 6 The facts and matters set out in this statement are true to the best of my knowledge and belief. They are within my own knowledge unless otherwise stated. Where I refer to information supplied by others, the source of the information is identified.
- 7 There is now produced and shown to me an accompanying exhibit marked "**Exhibit DS**". These documents are identified in this witness statement by references to the page numbers in the form "**[DS/tab no]**".

Site Summary

- 8 The Smithfield Depot is shown in the plan at **[DS/1]**.
- 9 The Depot is part of a much larger open site which previously housed markets and was more recently used for events at the Commonwealth Games. The site is owned by Lendlease and is planned for significant development, with construction due to commence this year. The Depot takes up a small section of the wider site with portacabins providing office space.

- 10 There are 150 staff based at the site including management, loaders, drivers and support staff who have relocated from Lifford Lane. We have 45 waste vehicles based on the site and it also acts as a storage site for new food waste and recycling bins which are due to be issued to residents ahead of transformation of the waste service.
- 11 Under our agreement with the site owner, we have use of a single access gate to the site onto the junction of Pershore Street and Sherlock Street. There are other access points on the site but we do not have agreement from the site owner to use these for deployment of vehicles.
- 12 In my role I am supported by 6 Assistant Service Managers (**ASM**) that manage the day to day running of people and operations of the Depot. I also have a team of business support officers that carry out administration for the depot.

Industrial Action at Lifford Lane and Smithfield

- 13 The background to the industrial action by members of Unite has been set out by my colleague Chris Smiles in his statement and, therefore, I do not repeat that here.
- 14 When the industrial action commenced in January 2025, the Smithfield Depot was not used for deployment of waste vehicles. Vehicles currently deployed from Smithfield were instead deployed from the Lifford Lane depot (Ebury Road, Kings Norton, Birmingham, West Midlands, B30 3JJ). The Lifford Lane depot was the subject of picketing and protesting by Unite throughout the period January – May 2025 and I had the same responsibility for managing that site and the deployment of waste vehicles during that period.
- 15 From my involvement throughout the industrial action, I am familiar with the Council staff from the Lifford Lane/Smithfield Depot who are on strike as part of the industrial dispute, particularly the picket supervisors and those regularly taking part in the pickets. I have also come to know and recognise a number of national employees and representatives of Unite.
- 16 The Council obtained its injunction against Unite on 23 May 2025 (the "**Order**") and the service redeployed to Smithfield on 16 June 2025.

Although the service had redeployed away from the Lifford Lane site, it was necessary at that time for vehicles to collect staff from there before commencing their rounds and there was an incident on 14 July 2025 when Unite protestors were present in the roads around the depot making vehicles turn away from the Lifford Lane depot.

- 17 I am also aware of some of the striking staff and Unite protestors from Lifford Lane being present during subsequent disruption near the Atlas depot in the period up to 30 July 2025.
- 18 Since relocating to the Smithfield depot, there have been pickets and protests by Unite protestors who have redeployed from Lifford Lane but they have been in compliance with the terms of the Order. Whilst I am aware that the Perry Barr and Atlas depots continued to be disrupted by Unite protestors up to 30 July 2025, we have not experienced any disruption to the service by Unite protestors since relocating from Lifford Lane. We continue to see around 40 – 60 Unite protestors in attendance each day within the Assembly Areas required by the Order.

12 December 2025

- 19 I was aware of occasional disruption at other depots by the Defendants in the period September – November 2025. The first time that we saw any such disruption at Smithfield was on 12 December 2025.
- 20 The Smithfield depot was targeted by a group of the Defendants for the first time on 12 December 2025 with around 40 Defendants in attendance from 05:30.
- 21 Images taken on the day show the Defendants blocking the gate **[DS/2]** and **[DS/3]**. A further image showed the Defendants standing on the opposite side of the road displaying a banner which reads "*From Brum to Chennai*" (**Chennai Banner**) **[DS/4]**.
- 22 Whilst the protests meant that vehicles were prevented from being deployed, police were in attendance and took prompt action to intervene and move the Defendants away from the exit **[DS/5]**. This meant that all vehicles were deployed by 07.10 as shown by the daily sit report **[DS/6]**.

- 23 The police response that day was excellent. They came on site with riot vans and police cars, sought me out and had a clear understanding of the background of the situation. We spoke about the need to deploy and they instructed me to line up our vehicles ready for deployment. The police themselves lined up and gave warnings to the Defendants that they needed to clear the exit. When they did not do so, the police line pushed the protestors back to clear the exit and we deployed the vehicles nose to tail.
- 24 The sit report also confirms that there was a similar protest at the Perry Barr depot on the same day. However, the police approach there was to allow the protests to continue for three hours.
- 25 The next working day's sit report shows that the blockades at the Smithfield and Perry Barr Depots on 12 December 2025 meant that 85% of scheduled collections across the operational depots were made (15% missed) [DS/7]. This amounts to a total of 10,416 properties not receiving their collection that day.

19 December 2025

- 26 The Smithfield Depot was targeted again on 19 December 2025 with around 80 of the Defendants in attendance and a group of them again walking in front of the exit gate to prevent deployment from the Depot as shown by the video at [DS/8] and images at [DS/9-20]. The timing of the images show the same vehicle (VX25 UZC) being held at the gate for at least 30 minutes.
- 27 As captured in the daily sit report [DS/21], I spoke with the Defendant who seemed to be in charge of the protests that day and reached an agreement that the waste vehicles would be allowed to leave the Depot one at a time after each one stopped to speak with the Defendants. Myself or one of the ASMs will normally try and speak to the Defendants. They wear masks with Oscar the Grouch or balaclavas so I do not know who any of them are. Some won't talk to us but on this occasion, due to the frustration of the situation I had approached their huddle and asked who I should speak to as I needed to get my vehicles out.

- 28 The police were active in helping to manage the agreement and if drivers didn't want to stop to speak with the Defendants then the police helped to ensure that they were not detained. Whilst this still caused a considerable delay, it at least allowed for a gradual release of the vehicles. This allowed all vehicles on site to be deployed by 08.15 (around a 2-hour delay from normal).
- 29 As can be seen from the images and the sit report, the police were in attendance and supported with the agreed deployment.
- 30 No other sites were disrupted on this date. The next working day's sit report shows that the blockade meant that 99% of scheduled collections were made (1% missed) [DS/22]. This amounts to a total of 694 properties not receiving their collection that day.

15 January 2026

- 31 The next instance of disruption at Smithfield was on 15 January when 21 vehicles were prevented from deploying by the Defendants walking in front of the gate as shown by the videos at [DS/23-24] and the images taken from vehicle VS25 UZF at [DS/25-28]. I was not present on this date but the deployment was managed by one of the Depot's ASMS, Cameron Baynes.
- 32 As shown by the daily sit report [DS/29] and follow up email [DS/30] police were in attendance as of 08.00 but did not intervene to clear the Defendants until after 09.00.
- 33 On the same day there was a similar protest at the Atlas Depot.
- 34 The next working day's sit report shows that the disruption meant only 77% scheduled collections were made (23% missed) [DS/31]. This amounts to a total of 17,238 properties not receiving their collection that day.

29 January 2026

- 35 Further disruption took place on 29 January 2026 when 30 vehicles were prevented from deploying. The Defendants were blockading and pigeon walking slowly in circles in front of the gates. This is shown in the images at [DS/32] and [DS/33] and video [DS/34].

- 36 The sit report for the day confirms that protests also took place at Atlas and Perry Barr that day [DS/35].
- 37 The Defendants were present at the Depot at 05:30. I spoke with them and asked them to move but did not receive a response despite asking three times. These interactions with the Defendants were recorded in an addendum to the sit-report [DS/36].
- 38 The blockade was reported to the police at 06:25 but their response was non-committal. Two officers came to the site but they did not have an understanding of the background to the situation. I informed them about the approaches which had helped us with deployment on 15 and 19 December 2025. The police then spoke with the Defendants who said they were willing to allow us to deploy a vehicle every 15 minutes. That came from the Defendants who essentially told the police what they are willing to allow and the police seemed to simply accept the situation. I told the police that this was unacceptable but their response was that they viewed it as safe protesting with no criminal behaviour and that they did not have the numbers to intervene in any event.
- 39 We were forced to sit and wait for the Defendants to let trucks leave. I sought to prioritise the deployment of our trade and flat collection vehicles. However, the 15-minute intervals we were promised were not abided by. When one truck had been sitting for over 20 minutes, I asked one of my ASMs (Tyrone Quddus) to raise this with the Defendants. The Defendant who responded (who refused to give his name) suggested that our watches were fast and then turned away.
- 40 We had anticipated that there might be disruption at the Depot on this day from information passed to us by an anonymous source who does not wish to be named. I had, therefore, made a plan for alternative deployment in the event of a blockade. The previous day I had asked one of the ASMs to ensure that one of the alternative gates could be opened. I had to take the decision to do this despite not having the landlord's permission to use the gate as I felt that this was necessary in the event of a blockade.
- 41 At the start of the day there had been Defendants present at the alternative gate but as the blockade was continuing they had moved away. I arranged

for some vehicles to line up and block the view of the alternative gate from the main gate. The remaining trucks then lined up to the alternative gate and one of the ASMs (Vic Walker) opened up the gate. Our hope was that if we could get the first vehicle out then the others would follow nose to tail.

42 Unfortunately, the open layout of the site (as can be seen from [DS/37]) meant that Defendants could see the vehicles driving at pace towards the alternative gate. This meant that a group of around 20 Defendants could run round to the alternative gate. There were also Defendants sitting in cars at the alternative gate and together they blocked the exit when the gate was opened.

43 We were eventually able to deploy out of the alternative gate as the protestors started to drift away. Vehicles were fully deployed at 10:05 as confirmed by the follow up email to the sit report [DS/38].

44 There are other gates on the site and we have looked at using these for deployment. However, many of the exits are unsuitable due to their size or are blocked off with concrete bollards to prevent unauthorised access. During previous disruption during a Megapicket event on 25 July 2025 (described further below), we had tried using one of these but again the Defendants were already waiting at the gate and they seem to monitor all of the gates to prevent us from using them.

45 The sit report for the following day shows that disruption at Atlas, Perry Barr and Smithfield on this date resulted in 53% of total collections (47% missed) being made [DS/39]. This amounts to a total of 35,226 properties not receiving their collection that day

Megapicket – 30 January 2026

46 On 30 January 2026 a mass protest event advertised as a "Megapicket" took place across the Council's Depots.

47 This was the third such event after a similar event at Lifford Lane on 9 May 2025 and a second event across all of the Depots on 25 July 2025.

48 As noted in the day's sit report, the event saw disruption by the Defendants at Atlas, Perry Barr, Lifford Lane, Smithfield and also at other Council depots unrelated to the dispute with Unite [DS/39].

- 49 There were about 100 – 120 Defendants in attendance at the Depot and they blockaded the exit. They were present from around 06.05 and set up tents and a metal tin fire. Speeches took place from around 08.00 using microphones which had been set up.
- 50 The Defendants, which appeared to include members of the firefighter's union can be seen in the following images which show both the blocking of the exit and those within the Assembly Area [DS/40] to [DS/50]. Some of the Defendants blocking the exit are shown holding Unite flags and banners. However, I do not recognise those carrying the Unite flags and those individuals from Unite who I recognised as being present (which included Unite's National Lead Officer, Onay Kasab) remained within the designated Assembly Area.
- 51 The level of disruption across the Depots resulted in a decision being taken to cancel deployment of any vehicles. As confirmed by the day's sit report no vehicles were deployed across any of the Depots [DS/39].
- 52 By 10:00, the Defendants had dispersed from all Depots. This is shown in the sit report for the day. This also records the police's view that the Defendants as a result of the deployment being cancelled and that had if vehicles had deployed the protest would have become more aggressive and continued for longer [DS/39].
- 53 The sit report for the following day shows that disruption at Atlas, Perry Barr, Smithfield and Brewery Lane on this date resulted in 23% of total collection being made (77% missed) [DS/51].

Identity of Defendants

- 54 Throughout the disruption which I have outlined above, I have been present at the Depot during the incidents or have reviewed the images and videos of the Defendants undertaking the protests along with the ASMs at the site. I do not recognise the Defendants as being employees of the Council or being members or representatives of Unite who have been involved in previous disruption.
- 55 I have started to notice that it is the same people who are attending regularly, for example one regular protestor is in a wheelchair and I see

that they are regularly attending the protests across the Depots, but I do not know the identities of any of the Defendants. In my previous discussion with the Defendant who seemed to be in charge on 19 December 2025, he mentioned that he was a student so I would guess that many of the Defendants are also students given their ages.

Site Specific disruption

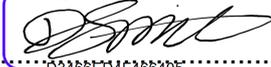
56 The protests by the Defendants are having an impact on the staff at the Depot. When they are unable to deploy there is a clear frustration amongst the crews when they are held by the blockades for extended periods. They know what is happening and they want to get out and do their jobs but they are being prevented from doing so.

57 There is also a clear impact on the management team at the site. They are having to focus a lot of their time and energy on the welfare of the crews but they share the frustration of not being able to get out and complete the work. The common consensus across the workforce is that everyone is sick of the situation, having endured previous disruption by Unite which is now being picked up by the Defendants.

58 **Statement of Truth**

59 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:

.....
D3466ED4F466405...

DEAN SMITH

On behalf of: Claimant
By: Dean Smith
No: 1
Exhibit: DS
Date: 3 February 2026

CLAIM NO: TBC

IN THE HIGH COURT OF JUSTICE

KING'S BENCH DIVISION

BETWEEN:

BIRMINGHAM CITY COUNCIL

Claimant

- and -

PERSONS UNKNOWN

Defendant

**WITNESS STATEMENT OF
DEAN SMITH**

DLA Piper UK LLP
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Ref:
YAH/EAB/36257/120050/UKM/210224013.11
Solicitors for the Claimant

On behalf of: Claimant
By: Dean Smith
No: First
Exhibit: CS
Date: 3 February 2026

IN THE HIGH COURT OF JUSTICE

KING'S BENCH DIVISION

BETWEEN:

(1) BIRMINGHAM CITY COUNCIL

Claimant

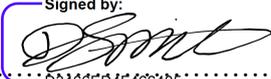
- and -

(1) PERSONS UNKNOWN

Defendant

EXHIBIT OF DEAN SMITH

This is the exhibit marked "DS" in the witness statement of **DEAN SMITH** dated this 3 day of February 2026.

Signed by: 
Signed.....03466ED4F466405.....

No.	Title	Page Numbers
1	Smithfields Depot (27 January 2026)	4
2	Photograph - Smithfields 1 (12 December 2025)	5
3	Photograph - Smithfields 2 (12 December 2025)	6
4	Photograph - Smithfields 3 (12 December 2025)	7
5	Video footage at Smithfields (12 December 2025)	8
6	Daily Operational Situation Report (12 December 2025)	9-12
7	Daily Operational Situation Report (15 December 2025)	13-14
8	Video at Smithfields (19 December 2025)	15
9	Photograph at Smithfields 1 (19 December 2025)	16
10	Photograph at Smithfields 2 (19 December 2025)	17
11	Photograph at Smithfields 3 (19 December 2025)	18
12	Photograph at Smithfields 4 (19 December 2025)	19
13	Photograph at Smithfields 5 (19 December 2025)	20
14	Photograph at Smithfields 6 (19 December 2025)	21
15	Photograph at Smithfields 7 (19 December 2025)	22
16	Photograph at Smithfields 8 (19 December 2025)	23
17	Photograph at Smithfields 9 (19 December 2025)	24
18	Photograph at Smithfields 10 (19 December 2025)	25
19	Photograph at Smithfields 11 (19 December 2025)	26
20	Photograph at Smithfields 12 (19 December 2025)	27
21	Daily Operational Situation Report (19 December 2025)	28-29
22	Daily Operational Situation Report (22 December 2025)	30-31
23	Video at Smithfields (15 January 2026)	32
24	Video at Smithfields 2 (15 January 2026)	33
25	Photograph at Smithfields 1 (15 January 2026)	34
26	Photograph at Smithfields 2 (15 January 2026)	35
27	Photograph at Smithfields 3 (15 January 2026)	36
28	Photograph at Smithfields 4 (15 January 2026)	37
29	Daily Operational Situation Report (15 January 2026)	38-40
30	Email correspondence regarding 15 January Situation Report (15 January 2026)	41-43
31	Daily Operational Situation Report (16 January 2026)	44-46
32	Photograph at Smithfields 1 - 29 January 2026	47

33	Photograph at Smithfields 2 - 29 January 2026	48
34	Video at Smithfields (29 January 2026)	49
35	Daily Operational Situation Report (29 January 2026)	50-51
36	Daily Activist engagement log (29 January 2026)	52-53
37	Photograph at Smithfields (29 January 2026)	54
38	Follow up email to Situation Report (29 January 2026)	55-59
39	Daily Operational Situation Report (30 January 2026)	60-65
40	Photograph at Smithfields 1 (30 January 2026)	66
41	Photograph at Smithfields 2 (30 January 2026)	67
42	Photograph at Smithfields 3 (30 January 2026)	68
43	Photograph at Smithfields 4 (30 January 2026)	69
44	Photograph at Smithfields 5 (30 January 2026)	70
45	Photograph at Smithfields 6 (30 January 2026)	71
46	Photograph at Smithfields 7 (30 January 2026)	72
47	Photograph at Smithfields 8 (30 January 2026)	73
48	Photograph at Smithfields 9 (30 January 2026)	74
49	Photograph at Smithfields 10 (30 January 2026)	75
50	Photograph at Smithfields 11 (30 January 2026)	76
51	Daily Operational Situation Report (2 February 2026)	77-80

On behalf of: Claimant
By: Richard Smith
No: First
Exhibit: RS
Date: 3 February 2026

CLAIM NUMBER: [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
RICHARD SMITH**

I, RICHARD SMITH, of Perry Barr Depot, Holford Driver, Perry Barr, Birmingham B42 2TU **WILL SAY** as follows:

- 1 I am the Service Manager for the Perry Barr Depot (**Depot**) which is part of the refuse collection arm of Birmingham City Council (**Council**). I have been in this position for twelve years and have extensive experience in managing waste management operations across the city.
- 2 This statement is provided in relation to the ongoing protests affecting the Council's waste collection service for the city and the Council's application for an injunction in respect of the same.
- 3 This statement has been prepared with the assistance of the solicitors for the Claimant, DLA Piper LLP, through the exchange of emails and videoconferencing meetings. I understand that due to the nature of the application being made by the Council, there is a requirement on myself

FFH

and the Council to provide full and frank disclosure in respect of the situation. In preparation of this statement, I have sought to comply with this duty.

- 4 The facts and matters set out in this statement are true to the best of my knowledge and belief. They are within my own knowledge unless otherwise stated. Where I refer to information supplied by others, the source of the information is identified.
- 5 There is now produced and shown to me an accompanying exhibit marked "Exhibit RS". These documents are identified in this witness statement by references to the page numbers in the form "[RS/tab no]".

Site Summary

- 6 The Perry Barr Depot is located on Holford Drive in the North of Birmingham and is shown on the diagram at [RS/1]. The Depot is owned by the Council. The Depot is accessed via one main entrance on Holford Drive.
- 7 Around 230 people work at the Depot. Roughly 169 people are deployed on the refuse and recycling service and the remainder work across Street Management and other support services. There are roughly 59 vehicles deployed from the depot daily (including 2 clinical waste vehicles) as part of normal operations but that is reduced to around 34 vehicles due to the industrial action which has been ongoing with Unite the Union (**Unite**) since January 2025 and has been taking place continuously since 11 March 2025. The total numbers deployed also includes 7 vehicles which are deployed each day by Tom Whites Waste Management, a third party based in Coventry who have provided supported during the industrial action by Unite.

Industrial Action

- 8 The background to the Birmingham bin strikes and the legal proceedings between the Council and Unite has been set out by my colleague Chris Smiles in his own statement.
- 9 I do not propose to repeat the background here. However, it is important to note that picketing and protests by Unite continue at the Depot. This

includes pickets at the gate and Unite protestors attending on a daily basis and protesting within designated assembly areas. Those members of Unite who are participating in those activities are subject to the terms of the interim injunction made against Unite by Mrs Justice Dias on 23 May 2025 [**RS/2**]. The interim injunction was subsequently extended by consent until trial or further order on 29 May 2025 [**RS/3**] and on 25 June 2025 to cover the Smithfield Depot [**RS/4**] (together “**the Order**”).

- 10 After the Order was in place, there continued to be some disruption of vehicles deployed from the Depot until around 18 July 2025. This included some blockades at the Depot gates on 23 June, 25 June and 3 July 2025. Thereafter, disruption took place away from the Depot on the access roads close by, with Unite protestors slow walking in front of vehicles on the highway, particularly along Holford Drive and around the Holford Estate. This continued until around 18 July 2025 and caused significant delay to the deployment of vehicles.
- 11 I understand that Unite have accepted that this continued disruption was in breach of the Order as part of the contempt proceedings.
- 12 Unite protestors continue to attend the Depot on a daily basis with around 30 – 40 usually in attendance. They are generally well behaved and remain within the Assembly Areas that they are required by the Order, though there are occasional instances of verbal abuse towards the Depot staff.
- 13 This statement is to address the disruptive behaviour of the Defendants, being persons unknown who I have not recognised as being either employees of BCC or representatives or employees of Unite.

Sporadic Disruption at other Depots

- 14 Disruption led by Unite continued at Perry Barr until 18 July 2025 and the other depots until 31 July 2025 but ceased thereafter as the Council pursued a contempt application against Unite for breach of the Order.
- 15 I was aware of sporadic disruption by the Defendants thereafter at other Depots, but the Perry Barr Depot was not affected by this.

16 The Depot did not see any further disruption until early December when instances of disruption by the Defendants began to take place regularly across all three operational depots, which by this time was Perry Barr, Atlas and Smithfield.

12 December 2025

17 The first instance which the Perry Barr Depot faced disruption by the Defendants was on 12 December 2025. This was on the same day as similar disruption at the Smithfield Depot. This is shown by the daily sit-report which is issued to stakeholders in the waste service each day to document deployment issues [**RS/5**].

18 The disruption involved the Defendants walking in circles in front of the Depot gates (as shown by the video at [**RS/6**]) and preventing all Council vehicles from exiting the Depot. I was aware that this was a similar tactic to that which had been deployed previously by the Defendants at the Atlas depot in late November and early December.

19 Although the Depot deploys vehicles for both the waste service and other services such as the street cleansing team, the Defendants would not let any Council vehicles in or out. This was a different approach from previous blockades by Unite, as they had generally let out any vehicles not associated with the waste service as they were aware that those other services were not part of the dispute with Unite.

20 Police were in attendance but did not take action to remove the Defendants. I understand from discussions with Chris Smiles (Head of Waste, Logistics and Collection) that the police's view is that it is reasonable to allow the protests to continue for three hours and this is what we saw on the day. This meant that vehicles which would normally be deployed from the Depot by 06.30 were delayed until 09.40, as shown by the update to the sit report [**RS/7**]. However, I understand that although similar disruption took place at Smithfield on the same day, it was addressed much more promptly by the police moving on the Defendants and preventing them from blockading the depot there with minimal delay.

21 The next working day's sit report shows that the blockades at Perry Barr and Smithfield on 12 December 2025 meant that 85% of scheduled

collections were made (15% missed) [RS/8]. This amounts to a total of 10,416 properties not receiving their collection that day.

8 January 2026

- 22 Following a quiet period over Christmas and New Year when all Unite's protesting and picketing at the Depot ceased and the Defendants were not protesting, the Defendants were present at the Depot again on 8 January. They again blocked the exit gate, whilst holding a banner across the road and walking around in circles on the road which is shown by the following videos and images: [RS/9] - [RS/13]. This is also shown by the video at [RS/14].
- 23 Police were in attendance throughout the protest but allowed the Defendants to continue their blockade and did not intervene until 09.00, with all vehicles being deployed by 09.10 [RS/15].
- 24 As shown by the sit report, similar disruption by the Defendants took place on the same day at the Atlas Depot [RS/16]. After the police intervened at Perry Barr, I understand that the police then moved on to Atlas to address the Defendant's protests there.
- 25 I was made aware of a post on Facebook on 8 January 2026 by a group called Justice for Refuse Workers & Cleaners indicated that protests at "a couple of depots" had been undertaken by a group of activists unhappy with the Labour Council. The image on the post shows the Defendants at the Depot with their banner which read "*Labour members for the bin strikers*" (**Labour Banner**) [RS/17].
- 26 The next working day's sit report shows that the blockades at Perry Barr and Atlas on 8 January 2026 meant that 82% of scheduled collections were made (18% missed) [RS/18]. The amounts to a total of 13,491 properties not receiving their collection that day.

12 January 2026

- 27 As shown by the sit report for the day, it was only possible to deploy a single vehicle from the Depot on 12 January 2025 before the Defendants formed a blockade by pigeon walking slowly in circles at the exit from the

Depot [**RS/19**]. Disruption by the Defendants also took place at Smithfield depot on this date [**RS/20**].

- 28 Vehicles were not deployed from Perry Barr until 10.15, a delay of around 4 hours on usual deployment. This is confirmed by the follow up email to the day's sit report [**RS/21**].
- 29 The next working day's sit report shows that the blockades at Perry Barr and Smithfield on 12 January 2026 meant that only 22% of scheduled collections were made (78% missed) [**RS/22**]. This amounts to a total of 56,973 properties not receiving their collection that day.
- 30 I have been made aware of a video posted on Facebook [**RS/23**], [**RS/24**] and YouTube [**RS/25**] by an organisation called Reel News on 21 January 2026. The video indicates that the footage was taken at the Depot on 12 January 2026 and shows the Defendants walking in front of various Council waste vehicles as they try to deploy. The video confirms that the Defendants are purely targeting Council vehicles, with vehicles from Veolia and "*anybody who wants to get in*" not being obstructed. However, there were other vehicles from the Council's street cleaning and grounds maintenance teams (who are not party to the dispute with Unite) which were held up in the blockade.
- 31 The video also suggests that more members of the public should join the Defendants by turning up at the Depots to walk in front of vehicles. This is something I certainly would not want to see. The Depot is based in an industrial estate which sees a lot of traffic including HGVs, particularly during working hours and particularly at the moment as we have roadworks in the area. There is also a school nearby, so we get children walking in the vicinity. The Defendants we are already seeing in attendance are standing in live lanes of traffic. As the waste vehicles are being blocked, they are having to line up at the exit, which blocks the exit lane for other HGVs and vehicles using the site, meaning that these vehicles are having to use a single lane for both entry and exit. I feel that it is an accident waiting to happen and that an accident could leave someone with life changing injuries.

19 January 2026

- 32 It was only possible to deploy three vehicles from the site before the Defendants blockaded the exit by pigeon walking slowly in circles. This is confirmed by the sit-report for the day [RS/26] and is shown by the video at [RS/27] and image at [RS/28]. These were taken by me.
- 33 Police were called to the site but refused to intervene until three hours had passed. As a result, vehicles were not deployed until 10.20, as confirmed by the update to the sit-report [RS/29]. A delay of almost 4 hours to our usual deployment. I escalated this up to the chain to Chris Smiles but the response we kept getting back was that three hours was their standard approach and that it was for local police to determine what is reasonable, even though we were seeing delays of much longer than three hours.
- 34 The next working day's sit report shows that the blockade meant that 75% of scheduled collections were made (25% missed) [RS/30]. This amounts to a total of 18,261 properties not receiving their collection that day.

21 January 2026

- 35 14 of the 22 vehicles to be deployed were delayed due to protestors blocking the gate as shown by the images at [RS/31] – [RS/33]. As shown by the sit report this coincided with disruption by the Defendants at the Atlas Depot on the same day [RS/34].
- 36 One of the images obtained that day [RS/35] is an image taken from a waste vehicle showing the Defendants circling in front of the vehicle, with the Labour banner used previously by protestors on 8 January being held by other protestors in the background. Other images show the Defendants holding a GMB Union flag [RS/36] and a Socialist Workers Party flag [RS/37]. This is something we have started to see more and more of, with other unions and organisations being represented by flags and banners of those in attendance.
- 37 The delayed vehicles were not released until 09.40 as shown by the update to the sit report [RS/38]. This represents a delay of over three hours.
- 38 The next working day's sit report shows that the blockades at Perry Barr and Atlas on 21 January 2026 meant that 52% of all scheduled collections

were made (48% missed) [RS/39]. This amounts to a total of 35,816 properties not receiving their collection that day.

27 January 2026

- 39 The Defendants were again in attendance at the Depot on 27 January 2026, with a blockade formed by the Defendants walking in front of the Depot exit as shown by the video at [RS/40] and image at [RS/41].
- 40 The sit report for the day confirms that protests also took place at Atlas that day [RS/42].
- 41 The Defendants were in place from 05.35 and the blockade was reported to police at that time. One of the Service Managers for the Depot (Justin Hilyer) spoke with the police sergeant dealing with matters who indicated that there was an agreement in place between the Defendants and management that vehicles would be released every 5 minutes. However, there was no such agreement from the Council and this was addressed by Chris Smiles with senior police contacts but we were told that Silver-level police support was being withdrawn as management support was not warranted.
- 42 It is common for the ASMs to speak with police to try and reach a way to get vehicles deployed as quickly as possible. Sometimes the Defendants will allow trucks to be released in intervals but when they do indicate that vehicles will be released they don't always abide by it. On this occasion they allowed a vehicle from our Street Cleaning team and our clinical waste vehicles to leave but the waste service vehicles were held in the blockade. I usually leave the ASMs to have these discussions and stay away from the front gate, following previous instances where abuse from Unite protestors in the Assembly Areas has been targeted at me, suggesting that they know where I live.
- 43 Justin asked the local police to intervene and to obtain detail of the Defendants involved but the sergeant refused to do so. These interactions with the police and the Defendants were recorded in an addendum to the sit-report [RS/43].

- 44 Vehicles were fully deployed by 09.30 as confirmed by the follow up email to the sit-report [**RS/44**].
- 45 The sit report for the following day shows that disruption at Atlas and Perry Barr on this date resulted in 93% of total collections being made (7% missed) [**RS/45**]. This amounts to a total of 5,088 properties not receiving their collection that day.

28 January 2026

- 46 There was a significant escalation in the number and approach taken by the Defendants the following day. A large number of Defendants were in attendance and they were letting off flares, with lots of shouting and chanting over a tannoy. This was very intimidating for my staff and myself and I was stopped briefly by the protestors when trying to get into the Depot in the morning.
- 47 12 vehicles were delayed being deployed due to the Defendants present at the Depot, with a blockade formed at the deployment gates. The Defendants were pigeon walking and stood holding a banner shown in images [**RS/46**] to [**RS/56**].
- 48 The sit report for the day confirms that protests also took place at Atlas that day [**RS/45**].
- 49 The activists were in place from 05:15 and the issue was reported to the police at 05:21. The police attended the Depot shown in image [**RS/57**] and [**RS/58**].
- 50 One of the ASMs for the Depot, Michael Chipman, spoke with the police sergeant dealing with matters who indicated that the Defendants might let the vehicles leave at 06:00 and at specific intervals. They did allow some to depart but they were not at the intervals which had been promised. I asked the police to ascertain IDs of the Defendants but they were not able to do this. These interactions with the police were recorded in an addendum to the sit-report [**RS/59**].
- 51 I also spoke with a police inspector on the same day and the discussion was very positive, saying he thought they would be able to get agreement

from the Defendants to release a vehicle every five minutes, but that was not borne out.

52 Vehicles were fully deployed by 10:45 as confirmed by the follow up email to the sit-report [**RS/60**].

53 The sit report for the following day shows that disruption at Atlas and Perry Barr on this date resulted in 84% of total collections being made (16% missed) [**RS/61**]. This amounts to a total of 11,939 properties not receiving their collection that day.

29 January 2026

54 Further disruption at the Depot took place on 29 January 2026 and there was again an increased level of attendance and disruption.

55 22 vehicles were delayed being deployed as the Defendants were pigeon walking in front of the deployment gates. This is shown in the following images [**RS/62**] and [**RS/63**] and videos [**RS/64**] and [**RS/65**].

56 The sit report for the day confirms that protests also took place at Atlas and Smithfield that day [**RS/61**].

57 The activists were in place from 05:10 and the issue was reported to the police at 05:18. Michael Chipman (ASM) spoke with police sergeant dealing with matters who indicated that the Defendants might let the vehicles leave at 06:00 and specific intervals. These interactions with the police were recorded in an addendum to the sit-report [**RS/66**]. The Defendants indicated that they would allow trucks to leave, first at 15-minute intervals, then 10-minute intervals and then 5-minute intervals. However, whilst the Defendants allowed some vehicles to be released, including the two clinical waste vehicles, there was no regular release as had been suggested.

58 I challenged the police on this they said they were under resourced and couldn't escalate matters without back up. I also advised the police that the Defendants were trespassing onto Council property by blocking 15/20 metres inside boundary rather than at the gates. The boundary is clearly marked by signage at the Depot making clear that there is no unauthorised admittance. The officer agreed with this but said that they did not have the

resources to act. I was forced to go out personally and make clear to the Defendants where the boundaries of the Council's property were due to my concern for the safety of people in attendance.

59 I would say that this is indicative of the police approach at the Depot throughout the disruption by the Defendants, where their attendance has mainly been to spectate during the disruption. They say that they are assessing matters on what is a reasonable level of protest. However, what is reasonable is completely unclear and does not take account of the fact that the Depot is being targeted repeatedly. The police have also been asked by ASMs to ascertain the IDs of the Defendants but they were not able to do this.

60 The lack of engagement from the police meant that vehicles were not fully deployed until 10:50, over 5 hours after the matter was first reported to police, as confirmed by the follow up email to the sit report [**RS/67**].

61 The sit report for the following day shows that disruption at Atlas and Perry Barr on this date resulted in 53% of total collections being made (47% missed) ([**RS/68**]). This amounts to a total of 35,226 properties not receiving their collection that day.

Megapickets - 30 January 2026

62 On 30 January 2026 a mass protest event was organised to take place across all of the Council's waste depots in support of the striking bin workers. Other sites were also affected. This was the third event of this type which had taken place since the start of the industrial action with Unite, with previous events having taken place on 9 May and 25 July 2025. Although I was not present at work on either of those dates I am aware that they caused significant disruption to the affected depots and that it had not been possible to deploy vehicles on those dates.

63 The event on 30 January 2026 saw significant numbers of Defendants protesting across all of the depots, which meant that no deployment could take place as confirmed by the sit report for that day [**RS/68**].

64 At Perry Barr there were around 50 – 70 Defendants in attendance blocking the exit gate. This can be seen in the videos at [**RS/69**] and

[**RS/70**] and images [**RS/71**] to [**RS/75**]. These were taken by me from the site office. The Defendants let off flares and were playing loud music which could be heard from the site office and including swearing. There were also speeches given by attendees over the loudspeakers.

65 I did not see anyone I recognised from Unite outside of the Assembly Areas. The blockading and associated disruption was done by the Defendants.

66 The Defendants dispersed around 10:00. The police's view was that the reason dispersal was due to the cancellation of deployment which prevented a more aggressive and prolonged protest. This is confirmed by the sit report for the day [**RS/68**].

67 The sit report for the following day confirms that disruption at all Depots on this date resulted in 23% of total collections being made (77% missed) [**RS/76**].

Identity of Protestors

68 Throughout the disruption which I have outlined above, I have been present at the Depot during many of the incidents and I have also reviewed the images and videos of the Defendants along with the ASMs at the site. Having done so, I can confirm that I do not know the identities of the Defendants taking part in the disruption and do not recognise them as employees of the Council or being members or representatives of Unite who have been involved in previous disruption, or from anywhere else.

Site Specific disruption

69 The disruption by the Defendants has resulted in the general mood among staff being affected. They are fed up with having to sit around for extended periods at a time waiting to get out of the Depot. They hate sitting around doing nothing and it is soul destroying for them. Every day of disruption has an effect on them, dragging down the mood as they feel it is not worth coming into work.

70 The ASMs are also having to deal with the issues in the front line, which puts them in front of the Unite protestors who can be abusive. As noted

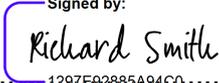
above, I have had to stay away from the area due to threats and abuse directed at me.

71 Veolia are the site custodians and they are also being affected by the Defendants actions. Although Veolia trucks are not being deliberately blockaded (as shown by the Reel News video), their access to the site and that of other contractors is being seriously impacted due to the waste vehicles being held in line at the exit. Their vehicles (some of which are 44 tonne trucks) are having to go into the opposite lane to get in and out of the site. The whole situation is a recipe for disaster.

Statement of Truth

72 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:

.....1297E92885A94C0.....

RICHARD SMITH

On behalf of: Claimant
By: Richard Smith
No: First
Exhibit: RS
Date: 3 February 2026

CLAIM NUMBER: [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
RICHARD SMITH**

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Ref: YAH/YAH/36257/120050/UKM/210200264.5
Solicitors for the CLAIMANT

On behalf of: Claimant
By: Richard Smith
No: First
Exhibit: RS
Date: 3 February 2026

IN THE HIGH COURT OF JUSTICE

KING'S BENCH DIVISION

BETWEEN:

(1 BIRMINGHAM CITY COUNCIL

Claimant

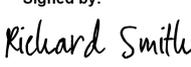
- and -

(1 PERSONS UNKNOWN

Defendant

EXHIBIT OF RICHARD SMITH

This is the exhibit marked "RS" in the witness statement of **RICHARD SMITH** dated this 3 day of February 2026.

Signed by: 
Signed . 

No.	Title	Page Numbers
1	Depot Plans (9 September 2022)	5
2	Sealed Order (23 May 2025)	6-14
3	Sealed Order (29 May 2025)	15-22
4	Sealed Consent Order (25 June 2025)	23-25
5	Daily Operational Situation Report (12 December 2025)	26-29
6	Video footage at Perry Barr (12 December 2025)	30
7	Email correspondence on 12 December Situation Report (12 December 2025)	31-33
8	Daily Operational Situation Report (15 December 2025)	34-35
9	Video footage of protestors at Perry Barr 1 (8 January 2026)	36
10	Video footage of protestors at Perry Barr 2 (8 January 2026)	37
11	Photograph of protestors walking in road at Perry Barr (8 January 2026)	38
12	Photograph of protestors holding banner at Perry Barr (8 January 2026)	39
13	Photograph of protestors holding banner at Perry Barr 2 (8 January 2026)	40
14	Video footage of protestors at Perry Barr 3 (8 January 2026)	41
15	Email correspondence regarding 8 January Situation Report (8 January 2026)	42-45
16	Daily Operational Situation Report (8 January 2026)	46-49
17	Facebook post about disruption at Perry Barr by Justice For Refuse Workers & Cleansers (8 January 2026)	50
18	Daily Operational Situation Report (9 January 2026)	51-52
19	Video footage at Perry Barr (12 January 2026)	53
20	Daily Operational Situation Report (12 January 2026)	54-56
21	Email correspondence regarding 12 January Situation Report (12 January 2026)	57-59
22	Daily Operational Situation Report (13 January 2026)	60-61
23	Facebook video from Reel News (21 January 2026)	62
24	Photograph of video on Reel News (21 January 2026)	63
25	Photograph of video on YouTube (21 January 2026)	64
26	Daily Operational Situation Report (19 January 2026)	65-68
27	Video footage Perry Barr (19 January 2026)	69
28	Photograph of protestors at Perry Barr (19 January 2026)	70
29	Email correspondence regarding 19 January Situation Report (19 January 2026)	71-73
30	Daily Operational Situation Report (20 January 2026)	74-76

31	Perry Barr - Blockades 1 (21 January 2026)	77
32	Perry Barr - Blockades 2 (21 January 2026)	78
33	Perry Barr - Blockades 3 (21 January 2026)	79
34	Daily Operational Situation Report (21 January 2026)	80-83
35	Perry Barr - Blockades 4 (21 January 2026)	84
36	Perry Barr - Blockades 5 (21 January 2026)	85
37	Perry Barr - Blockades 6 (21 January 2026)	86
38	Email correspondence regarding 21 January Situation Report (21 January 2026)	87-90
39	Daily Operational Situation Report (22 January 2026)	91-93
40	Video footage at Perry Barr (27 January 2026)	94
41	Photograph of Blockades at Perry Barr (27 January 2026)	95
42	Daily Operational Situation Report (27 January 2026)	96-97
43	Daily Activist engagement log - Perry Barr (27 January 2026)	98-99
44	Email correspondence regarding 27 January Situation Report (27 January 2026)	100-102
45	Daily Operational Situation Report (28 January 2026)	103-106
46	Perry Barr - Blockades 1 (28 January 2026)	107
47	Perry Barr - Blockades 2 (28 January 2026)	108
48	Perry Barr - Blockades 3 (28 January 2026)	109
49	Perry Barr - Blockades 4 (28 January 2026)	110
50	Perry Barr - Blockades 5 (28 January 2026)	111
51	Perry Barr - Blockades 6 (28 January 2026)	112
52	Perry Barr - Blockades 7 (28 January 2026)	113
53	Perry Barr - Blockades 8 (28 January 2026)	114
54	Perry Barr - Blockades 9 (28 January 2026)	115
55	Perry Barr - Blockades 10 (28 January 2026)	116
56	Perry Barr - Blockades 11 (28 January 2026)	117
57	Perry Barr - Blockades 12 (28 January 2026)	118
58	Perry Barr - Blockades 13 (28 January 2026)	119
59	Daily Activist engagement log report form (28 January 2026)	120-121
60	Follow up email to Situation Report (28 January 2026)	122-124
61	Daily Operational Situation Report (29 January 2026)	125-126
62	Photograph of disruption at Perry Barr 1 (29 January 2026)	127
63	Photograph of disruption at Perry Barr 2 (29 January 2026)	128
64	Video at Perry Barr 1 (29 January 2026)	129

65	Video at Perry Barr 2 (29 January 2026)	130
66	Daily Activist engagement log report form (29 January 2026)	131-132
67	Follow up email to Situation Report (29 January 2026)	133-137
68	Daily Operational Situation Report (30 January 2026)	138-143
69	Video footage at Perry Barr 1 (30 January 2026)	144
70	Video footage at Perry Barr 2 (30 January 2026)	145
71	Photograph - Perry Barr 1 (30 January 2026)	146
72	Photograph - Perry Barr 2 (30 January 2026)	147
73	Photograph - Perry Barr 3 (30 January 2026)	148
74	Photograph - Perry Barr 4 (30 January 2026)	149
75	Photograph - Perry Barr 5 (30 January 2026)	150
76	Daily Operational Situation Report (2 February 2026)	151-154

On behalf of: Claimant
By: David Miller
No: First
Exhibit: DM
Date: 3 February 2026

CLAIM NUMBER: TBC

IN THE HIGH COURT OF JUSTICE

KING'S BENCH DIVISION

BETWEEN:

BIRMINGHAM CITY COUNCIL

Claimant

- and -

PERSONS UNKNOWN

Defendant

**WITNESS STATEMENT OF
DAVID MILLER**

I, **DAVID MILLER**, of Atlas Depot, 170-172 Kings Road Tyseley, Birmingham, B11 2AS **WILL SAY** as follows:

- 1 I am the Service Manager at the Atlas Depot (**Depot**) which is part of the refuse collection arm of Birmingham City Council (**Council**). I have held this role since September 2024, having previously been employed at the Council's Lifford Lane depot for 23 years. This statement is in relation to the ongoing protests by the Defendants affecting the Council's waste collection service and application for an injunction in respect of the same.
- 2 This statement has been prepared with the assistance of the solicitors for the Claimant, DLA Piper LLP, through the exchange of emails and videoconferencing meetings.
- 3 I understand that due to the nature of the application being made by the Council, there is a requirement on myself and the Council to provide full

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and frank disclosure in respect of the situation. In preparation of this statement, I have sought to comply with this duty.

- 4 The facts and matters set out in this statement are true to the best of my knowledge and belief. They are within my own knowledge unless otherwise stated. Where I refer to information supplied by others, the source of the information is identified.
- 5 There is now produced and shown to me an accompanying exhibit marked “**Exhibit DM**”. These documents are identified in this witness statement by references to the page numbers in the form “[**DM/tab no**]”.
- 6 The background to the Birmingham bin strikes has been set out by my colleague Chris Smiles in his own statement and, therefore, I do not propose to repeat the background in my statement.

Site Summary

- 7 Atlas Depot is located on Kings Road which is a main road in the Tysley area of Birmingham. The Depot is owned by the Council. The area is largely industrial with other waste providers, such as Paul McGowen Grab Hire, located in the vicinity. Birmingham City Council's energy from waste facility is also located less than a mile from Atlas Depot.
- 8 The Depot is accessed from two entrances: one on Redfern Road and the other on Kings Road. Both entrances lead into the Depot directly from the public highway. Waste collective service vehicles are deployed only from the Redfern Road entrance as shown on the diagram at [*DM/1*]. It is not possible to deploy from the other exit as there is a weight limit of 7.5 tonnes which excludes all waste vehicles.
- 9 Around 400 people work at Atlas Depot, roughly 289 people are deployed on the refuse and recycling service. The remainder work across a variety of services including: Street Management, Business Development, Fleet Maintenance and a number of other support services.
- 10 There are roughly 106 vehicles deployed from the Depot daily as part of normal operations. During the period of industrial action, there has been a reduced deployment as part of the Council's contingency planning, with around 40 waste collection vehicles deployed daily.

Industrial Action at Atlas

- 11 Industrial action by Unite the Union (**Unite**) and its members has been ongoing at Atlas since 2 January 2025. Continuous strike action has been taking place since 11 March 2025.
- 12 During the industrial action, vehicles were regularly blocked from exiting the Depot by members of Unite. From being present during the disruption, speaking to those involved and reviewing photos and videos of the disruption I was able to identify employees of the Council and individuals who I knew to be either local elected representatives of Unite or who I understood to be national representatives from Unite.
- 13 The disruption led to the Council obtaining an injunction against Unite and its members to stop them from being able to blockade the Depot (**Order**). The terms of the Order mean that Unite and its members are still allowed to picket with up to 6 staff on the gate in high-vis clothing, but any additional Unite protestors in attendance must stay within designated Assembly Areas identified in the Order.
- 14 The Order was obtained on 23 May 2025 but there still continued to be disruption by Unite up to 31 July 2025. This was often focused on the deployment of vehicles from the Atlas Depot where Unite began to adopt a tactic of funnelling vehicles onto certain routes by blocking their ability to turn and then blockading vehicles on the public highway.
- 15 This tactic was mainly deployed at the at the junction of Redfern Road and Wharfdale Road which is about 300 meters from the Depot gate [**DM/2**]. The Unite protestors would block off the turns at the junction and force the vehicles onto Rushey Lane where they were then held up by further Unite protestors. An example of this behaviour is shown by the following images from 28 July 2025:
 - 15.1 Image taken from one of the Council's waste vehicles approaching the junction of Wharfdale Road and Redfern Road showing Unite protestors, including an individual (Lee (surname unknown)) understood to be a member of Unite's national organising committee preventing traffic from turning [**DM/3**].

15.2 Image from Rushey Lane (straight across from the perspective of the vehicle in the previous image) showing the same vehicle (V021 YUB) being blockaded by identified Council employees (Paul Jackson and Tom Brady) and Unite employees (Lee (surname unknown) and Mike (surname unknown)) [**DM/4**];

15.3 An image from the same location on Rushey Lane, showing the same vehicle (V021 YUB) being held by the same individuals in the same position 40 minutes later [**DM/5**].

16 I understand that Unite has admitted that this amounts to a breach of the injunction order as part of the contempt proceedings against them.

17 This type of disruption by Unite ceased from 31 July 2025. Since then, we have been generally able to deploy all vehicles from the site within an hour, meaning all vehicles are generally deployed by 07.00 each morning. Occasionally Unite pickets have sought to speak with the crews as they exit but most choose not to talk. Those that do will speak for a few minutes before exiting.

17 September 2025

18 After Unite protests had ceased from 31 July 2025, the next instance of disruption took place on 17 September 2025. It related to waste vehicles being deployed from the Atlas Depot.

19 After vehicles had been deployed and were driving down Redfern Road, the Defendants wearing high-vis vests ran into the road to block the vehicles at the junction with Wharfdale Road. Some of the group unfurled a banner on the road which reads "*Direct Action*". This is shown in the video exhibited at [**DM/6**] timed at 06:23.

20 The vehicle in question sought to reverse back along Redfern Road but it was blocked by the Defendants at both the front and back and held on Redfern Road. This is shown by the image taken from the same vehicle (VX25 UZU) at 07:10 [**DM/7**].

21 Further photos were taken of the Defendants responsible for the protest [**DM/8**] – [**DM/10**]. I have reviewed the images and video of the incident with my colleagues at the Atlas Depot. We do not recognise any of the

unmasked Defendants as being Council employees taking part in strike action or individuals known or believed to be employees or representatives of Unite.

- 22** The Defendants remained in place until 08.00 delaying the deployment of the vehicles at Atlas for around 90 minutes. This is confirmed by the daily sit report for that day [**DM/11**].
- 23** The following days' sit report confirmed that 93% of collections had been made to 17 September 2025 as a result of the protest [**DM/12**]. This amounts to a total of 5,223 properties not receiving their collection that day.
- 24** I was later made aware of posts on social media indicating that members of the Birmingham Socialist Party had been responsible for the protest along with other "*independent activists*" [**DM/13**] and [**DM/14**]. The post shows more clearly the banner used during the protest which reads "*Support the Strike – Direct Action*" (**Direct Action Banner**).
- 25** Whilst the Birmingham Socialist Party had claimed to be involved in the incident, I understand that one of the Depot Managers was informed by an anonymous source that did not wish to be named that a representative of Unite had been responsible for organising the Defendants and that further similar protests were planned for the following day.
- 26** I understand that the issue was raised with Unite via the Council's solicitors and that they denied any involvement in the incident.
- 27** The Defendants were present again at the junction the following day but as we had been told that protests might take place we were able to divert the vehicles away from the junction and avoid the blockade.

17 October 2025

- 28** The next instance of disruption at the Depot occurred on 17 October 2025. This involved a blockade being formed at the gate of the Depot by a group of around 6 Defendants wearing various masks and face coverings.

- 29** The Defendants stood across the Depot exit holding a banner which appeared to be the same Direct Action Banner as used in the previous protest [**DM/15**].
- 30** It was not possible to deploy any vehicles during the blockade. Police were called but allowed the protest to continue for around 3 hours until 10.00 when the Defendants moved on. This is confirmed by the daily sit-report from the day [**DM/16**] and the follow up email which confirmed final deployment time [**DM/17**].
- 31** The next working day's sit report shows that the blockade meant that 96% of scheduled collections across all operation depots were made (4% missed) [**DM/18**]. This amounts to a total of 2,778 properties not receiving their collection that day.

25 November 2025

- 32** Similar protests again took place at the Redfern Road gate on 25 November, with around 9 activists blocking the exit from the Depot. This prevented 16 of 34 waste vehicles from being deployed on time, as shown by the day's sit-report [**DM/19**]. Vehicles which should have deployed at 06.30 were delayed until 09.46, which is confirmed by the follow up email to the sit-report [**DM/20**].
- 33** The Police had attended an early stage in the protest but did not intervene to stop the protest. My Assistant Service Manager (ASM) who was on the gate that day saw the police speaking with the Defendants but did not engage with myself or anyone else from the Depot and then left. The ASMs take turns on manning the gate but I cannot recall who was responsible that day. My sense is that the Defendants have control over how the protests play out. They leave when they want to leave and if they are prepared to let out vehicles in intervals then they sometimes do so, but sometimes they say they will do this but do not actually allow vehicles to leave. The police are just there to observe and do not really provide us with any assistance. The Defendants decide what they are prepared to allow and we find ourselves arguing with the police who seem to side with the Defendants and say it is a peaceful protest and they have the right to protest so we just have to stand and wait.

- 34** Those involved in the protest were believed to be from the Socialist Workers Party due to a flag being carried by the Defendants in the images obtained of the Defendants. However, the image and video also show the Direct Action Banner being used by previous protests which had been attributed to the Birmingham Socialist Party [**DM/21**] and [**DM/22**].
- 35** A separate protest also blocked the staff entrance to the Depot at Kings Road, but waste vehicles are not deployed from this exit so there was no impact on deployment [**DM/23**].
- 36** On the day in question, I approached Unite's picket supervisor (Sam Yates) to ask for assistance in moving the group away from the exit and he responded to say that the group were "*nothing to do with us*". This message has been repeated by various Unite representatives who I have spoken with when they have been present in the Assembly Areas during the Defendants' blockades.
- 37** The next working day's sit report shows that the blockade meant that 91% of scheduled collections across all depots were made (9% missed) [**DM/24**]. This amounts to a total of 6,541 properties not receiving their collection that day.
- 38** I am aware of Facebook posts dated 26 and 27 November 2025 by the Birmingham Socialist Party sharing photos of the protests and appearing to take credit for some involvement in the protest, along with "*Socialist Students and other community activists*" [**DM/25**] and [**DM/26**].

5 December 2025

- 39** The Depot was again targeted by masked Defendants on 5 December 2025. The Defendants again stood in front of the deployment gate at the Depot holding the Direct Action Banner [**DM/27**] and [**DM/28**].
- 40** As shown by the sit-report for that day, the protest delayed the deployment of 15 vehicles from the Depot [**DM/29**] which were not fully deployed until 10.40 [**DM/30**]. This means staff have already worked for five hours and are still entitled to breaks as they have had to sit and wait ready to exit if circumstances allow. That leaves only two hours or so for the service to operate following the disruption.

- 41** The next working day's sit report shows that the blockade meant that 56% of scheduled collections across all depots were made (44% missed) [**DM/31**]. This amounts to a total of 30,554 properties not receiving their collection that day.
- 42** Again, I have been made aware of a Facebook post, dated 10 December 2025, by the Birmingham Socialist Party referencing them having taken direct action at the Tyseley Depot (Atlas Depot) and sharing details of this alongside other protests undertaken in support of the striking bin workers [**DM/32**].

8 January 2026

- 43** I was aware of similar protests happening at the other depots during December before the protests stopped over the Christmas and New Year period 22 December 2025 – 2 January 2026. Unite picketing and protests also stopped during this period.
- 44** The next disruption faced at the Atlas Depot was on 8 January 2026 with similar tactics to block the Depot exit.
- 45** There were around 8 Defendants present and they were again holding the Direct Action Banner [**DM/33**] - [**DM/37**]. One image of the protest also shows an individual holding a Socialist Worker Party flag [**DM/36**], whilst another attendee was wearing a hi-vis vest with a logo reading "SPS" which I do not recognise [**DM/36**].
- 46** I was aware that similar protests took place on the same day at the Perry Barr depot and these are recorded in the sit-report [**DM/38**].
- 47** As confirmed by the follow up email to the sit-report, all vehicles at the Depot were deployed by 10.10 after police intervened to clear the Defendants [**DM/39**].
- 48** I was made aware by a group WhatsApp with other Service Managers of a post on social media suggesting that a group of "*plucky group of activists*" had been responsible for the disruption. I cannot say who posted the image as the messages were deleted. The image shows disruption from the Perry Barr depot but there is reference to the same group being responsible for preventing the operation of the service at "*a couple of*

depots". The post was made by a group called Justice for refuse Workers and Cleansers [DM/40].

- 49 The next working day's sit report shows that the blockades on 8 January 2026 meant that 82% of scheduled collections across all depots were made (18% missed) [DM/41]. This amounts to a total of 13,491 properties not receiving their collection that day.

12 January 2026

- 50 Deployment from the Depot was again disrupted on 12 January 2026 when around half of the Depot's vehicles were deployed before the Defendants blockaded the exit gate. This is confirmed by the day's sit report, which also shows that similar disruption took place at the Perry Barr depot that day [DM/42].

- 51 Images show the Defendants walking across the gate at the Depot to prevent deployment of vehicles [DM/43] and [DM/44]. This is also shown by the video at [DM/45].

- 52 Vehicles were not deployed until 10.15, a delay of around 4 hours on usual deployment. This is confirmed the follow up email to the sit-report [DM/46].

- 53 The next working day's sit report shows that the blockades on 12 January 2026 meant that 22% of scheduled collections across all depots were made (78% missed) [DM/47]. This amounts to a total of 56,973 properties not receiving their collection that day.

- 54 Whilst the disruption was taking place on 12 January 2025, I made efforts to speak with the Defendants. I asked who was in charge and put in contact with a Defendant who said he was "*Matt*". I recognised him as having been present during protests previously. I asked him what their plan was and how long the blockade would last. This would be my normal approach of trying to be as peaceful as possible with the Defendants and generally the protests are peaceful with no animosity. I normally will make an effort to try and reach an agreement to release vehicles as early as possible. In doing so, it feels like I have to cut off my nose to spite my face, engaging with them and seeking to negotiate for the sake of getting a few more vehicles out a little earlier than they would otherwise. On this

occasion Matt said they were there to peacefully protest but refused to negotiate the release of any vehicles unless the police were there. He refused to say how long they would be there but said "*you will see a lot of us*" and indicated that they would be protesting three days a week going forward.

- 55** Given the potential level of disruption that this could cause I spoke with my line manager Chris Smiles (Head of Waste, Logistics and Collection) to flag the issue.
- 56** When I have spoken with some of the Defendants in the past, they have made comments to suggest that there would be further disruption, such as saying "*we will see you tomorrow*". These have not always come to fruition, so I took the comments from Matt with a pinch of salt. However, since he has said this the pattern of their protest has increased and put real strain on the service.

15 January 2026

- 57** Disruption occurred at the Depot again on 15 January 2026 with 17 vehicles prevented from deploying by the Defendants walking in front of the gate as shown by the images at [DM/48] and [DM/49] and the videos at [DM/50] and [DM/51].
- 58** Police attended from 08.00, as confirmed by the day's sit report. The sit report also confirms that disruption also took place that day at the Smithfield Depot [DM/52]. A follow up email confirmed that vehicles were cleared by 10.05, although the Defendants left around an hour earlier at Smithfield despite police being present at both depots from 08.00 [DM/53].
- 59** Although the police were in attendance, there was no response from them. We report to them from the minute the protestors stand in front of the gate. However, the police just tell us that the Defendants are allowed to peacefully protest and on this occasion that last over four hours rather than the three-hour period we had been advised.
- 60** Placards left at the Depot by the Defendants were collected by colleagues at and were noted as being branded as Socialist Worker as shown in the

photos taken [DM/54] and [DM/55]. We are increasingly seeing lots of different flags for different groups as part of the disruption.

- 61 The next working day's sit report shows that the blockades on 15 January 2026 meant that 77% of scheduled collections across all depots were made (23% missed) [DM/56]. This amounts to a total of 17,238 properties not receiving their collection that day.

21 January 2026

- 62 Further blockades took place on 21 January 2026 with half of the Council's vehicles prevented from deploying from the Depot until 09.40, a delay of over three hours. This is confirmed by the day's sit report [DM/57] and follow up email confirming deployment [DM/58]. Disruption also took place at the Perry Barr depot on the same day.

- 63 The images exhibited at [DM/59] – [DM/65] show the group of around 10 Defendants walking in front of the gates, preventing deployment of the vehicles on 21 January 2026.

- 64 The next working day's sit report shows that the blockades on 21 January 2026 meant that 52% of scheduled collections were made (48% missed) [DM/66]. This amounts to a total of 35,816 properties not receiving their collection that day.

- 65 Whilst the Defendants' protests have generally been conducted peacefully, there was an incident this day where an unidentified female Defendant was abusive towards one of ASMs (Chelsea O'Connor). The Defendant called her a scab and made comments about "*illegal rules*" but I am not sure what was meant by this. One of the crews waiting to deploy then joined Chelsea and there was an exchange of words between the crew member and the Defendant, who then asked Chelsea to "*control her pitbull*". The Defendant then called Chelsea a scab several more times before Chelsea walked away. Although police were parked nearby and appeared to observe the incident, they remained in their vehicle and did not intervene. Chelsea was clearly very frustrated by the incident and let down by the police not addressing the behaviour despite seeing the incident.

27 January 2026

- 66** From 27 January 2026 the level of disruption by the Defendants has increased. They have changed their tack to offer to let vehicles out at intervals. However, they know how many trucks we have and that, in order for us to deploy the number of trucks we need to, they will still be able to delay our full deployment for several hours based on the intervals they offer. This approach seems to appease the police and so they do not intervene.
- 67** The Defendants were again in attendance at the Depot and at Perry Barr on 27 January 2026 as shown by the sit report for the day [**DM/67**]. The Defendants arrived at Atlas Depot at 05.45 and a report was formally made to police at 06.00, albeit police were already on site from 05.30. This is captured in the addition to the sit report setting out my interactions with the police and the Defendants [**DM/68**]. In my interactions with an unidentified Defendant, he initially indicated that vehicles would be let out every 15 minutes. The police later asked for this to be reduced and the Defendant agreed to release every 10 minutes, and then every 5 minutes from 08.30 before the Defendants left at 09.00.
- 68** A video showing the Defendants blocking the exit gate is shown at [**DM/69**] as well as an image at [**DM/70**].
- 69** The Defendants left at 9am and the remaining vehicles were deployed thereafter, as confirmed by the follow up email to the sit-report [**DM/71**]. This was through the Defendants' own choice rather than any action from the police, who appeared anxious to intervene in any way.
- 70** The following day's sit report [**DM/72**] showed that the disruption at Atlas and Perry Barr resulted in 93% of collections being made across all depots (7% missed). This amounts to a total of 5,088 properties not receiving their collection that day.

28 January 2026

- 71** Further disruption took place on 28 January 2026 due to the Defendants walking in front of the Depot gates. The disruption meant that, as of 08.30, eight Council vehicles were still to be deployed. This is shown by the day's sit report at [**DM/72**]. All vehicles were deployed by 10.00, as shown by the follow up email at [**DM/73**].

- 72** The video exhibited at **[DM/74]** shows Defendants holding a banner and various flags in front of the deployment gates.
- 73** The video also shows a Defendant talking to a member of staff at the Depot. This is the individual who has identified himself as "Matt". I spoke with him and he agreed that the Defendants would allow a vehicle to depart every 15 minutes.
- 74** Police did not attend the Depot to deal with the protest. I understand that Chris Smiles spoke with the police control room and was told that police would not be sent out as they did not view the stopping of the waste vehicles to amount to disruption.
- 75** The sit report for the following day shows that disruption at Atlas and Perry Barr on this date resulted in 84% of total collections being made (16% missed) **[DM/75]**. This amounts to a total of 11,939 properties not receiving their collection that day.

29 January 2026

- 76** Disruption occurred at all of the Council's depots on 29 January 2026. This included the Defendants walking in front of the Depot gates stopping vehicles from deploying. The disruption meant that as of 08.30, eighteen Council vehicles were still to be deployed from Atlas Depot. This is shown by the day's sit report at **[DM/75]**.
- 77** I spoke with one of the Defendants at the outset of the disruption and he indicated that they would be there until 10.00. I sought to keep the peace and engage with them and they did agree to release vehicles at intervals as a result. However, I was still left with 9 vehicles waiting to deploy when the Defendants chose to leave and we were unable to complete their deployment until 10.10, as shown by the email at **[DM/76]**.
- 78** The video exhibited at **[DM/77]** shows the Defendants standing at the Depot gates holding flags. One of the flags has Anti-Imperialist Front branding.
- 79** The sit report for the following day shows that disruption at Atlas, Perry Barr and Smithfield on this date resulted in 53% of total collections being

made (47% missed) *[DM/78]*. This amounts to a total of 35,226 properties not receiving their collection that day.

Megapicket Events

- 80** On 30 January 2026 a third Megapicket event was held across the depots. This followed previous events across the Council's depots on 9 May and 25 July 2025. I understand that these events have been organised to show support for the striking Unite members.
- 81** The event on 30 January meant that there were Defendants at Atlas Depot as well as Perry Barr and Smithfield. There was also disruption at the Council's Brewery Lane depot which is part of the Street Cleaning team and completely separate from the waste team.
- 82** Two coaches with the Defendants attended at Atlas, totalling around 100 – 150 Defendants who blockaded the Depo as can be seen in images at *[DM/79]* and *[DM/80]*.
- 83** The ASMs and I did not have any interaction with the Defendants as the gates remained closed throughout. As of 08.30, there had not been any Council vehicles deployed from Atlas Depot and decision was ultimately taken to cancel deployment across all depots for the day. This is shown by the day's sit report at *[DM/78]*.
- 84** As of 10.00, the Defendants had dispersed from all depots, including Atlas Depot, as shown by the sit report for the day at *[DM/78]*.
- 85** West Midlands Police were of a view that the Defendants dispersed from all of the depots because the Council vehicles were not being deployed, and that had Council vehicles been deployed, the protest would have continued for longer. This is shown by the sit report for the day at *[DM/78]*.
- 86** The sit report for the following day shows that disruption at Atlas, Perry Barr, Smithfield and Brewery Lane on this date resulted in 23% of total collections being made (77% missed) *[DM/81]*.

Identity of the Defendants

87 Throughout the disruption which has taken place at the Atlas Depot, I have either been present at the Depot during the incidents or have reviewed the images and videos of the Defendants along with the Assistant Service Managers at the site.

88 I can confirm that I do not know the identities of those individuals taking part in the disruption and do not recognise them as employees of the Council or being members or representatives of Unite who have been involved in previous disruption. I have started to notice the same people taking part in the disruption. There is nobody that I know or recognise, but the Defendants are increasingly confident, choosing not to wear masks and just showing their faces, so we can see the same people in attendance.

Site Specific disruption

89 The biggest impact of the Defendants' behaviour is on the city residents. They are taxpayers who are not getting the service that they pay for and that is frustrating for the service.

90 I also see a significant impact on the morale of the workforce who are coming to work at 05.30 and having to deal with the disruption and then sit in their vehicles for four hours or more each day. We cannot send them for breaks during that time as they need to be ready to deploy but that leaves little time once they are deployed to fulfil their rounds.

91 There is also a very real impact on the managers who are facing pressure from residents in the run up to an election period as well as from private sector customers who are seeing their waste collection disrupted. Morale has certainly been affected.

Statement of Truth

92 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:

David Miller

7DA572E57PAA4D1...

DAVID MILLER

On behalf of: Claimant
By: David Miller
No: First
Exhibit: DM
Date: 3 February 2026

CLAIM NUMBER: TBC

IN THE HIGH COURT OF JUSTICE

KING'S BENCH DIVISION

BETWEEN:

BIRMINGHAM CITY COUNCIL

Claimant

- and -

PERSONS UNKNOWN

Defendant

**WITNESS STATEMENT OF
DAVID MILLER**

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Ref: YAH/EAB/36257/120050/UKM/210223981.9
Solicitors for the

On behalf of: Claimant
By: David Miller
No: First
Exhibit: DM
Date: 3 February 2026

IN THE HIGH COURT OF JUSTICE

KING'S BENCH DIVISION

BETWEEN:

(1) BIRMINGHAM CITY COUNCIL

Claimant

- and -

(1) PERSONS UNKNOWN

Defendant

**EXHIBIT OF
DAVID MILLER**

This is the exhibit marked "**DM**" in the witness statement of **DAVID MILLER** dated this 3 day of February 2026.

Signed  Signed by:
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No.	Title	Page Numbers
1	Depot Entrances (9 September 2022)	4
2	Wharfdale Road and Redfern Junction Map (30 January 2026)	5
3	Atlas - Photo (28 July 2025)	6
4	Atlas - Photo 2 (28 July 2025)	7
5	Atlas Depot - Wharfdale Road - Photo 1 (28 July 2025)	8
6	Video of disruption at Atlas (17 September 2025)	9
7	Photo - Protestors holding a banner at Atlas Depot Obstruction (17 September 2025)	10
8	Photo of four protestors in high visibility jackets at Atlas Depot Obstruction (17 September 2025)	11
9	Photo of three protestors in high visibility jackets at Atlas Depot Obstruction (17 September 2025)	12
10	Photo of singular protestor in a high visibility jacket at Atlas Depot Obstruction (17 September 2025)	13
11	Daily Operational Situation Report (17 September 2025)	14-15
12	Daily Operational Situation Report (18 September 2025)	16-17
13	Screenshot of Birmingham Socialist Party claiming credit for 17 September disruption (17 September 2025)	18
14	Birmingham Socialist Party Facebook Post (17 September 2025)	19-20
15	Photograph of Blockade at Atlas Depot (17 October 2025)	21
16	Daily Operational Situation Report (17 October 2025)	22-23
17	Email Correspondence from BCC regarding 17 October Situation Report (17 October 2025)	24-26
18	Daily Operational Situation Report (20 October 2025)	27-28
19	Daily Operational Situation Report (25 November 2025)	29-30
20	Email Correspondence from BCC regarding 25 November Situation Report (25 November 2025)	31-33
21	Photo - Atlas Depot - SWP Blockade (25 November 2025)	34
22	Video - Atlas Depot - SWP Blockade (25 November 2025)	35
23	Photo - Atlas Depot - SWP Kings Road (25 November 2025)	36
24	Daily Operational Situation Report (26 November 2025)	37-38
25	Birmingham Socialist Party Facebook Post (26 November 2026)	39-40
26	Birmingham Socialist Party Facebook Post 2 (27 November 2025)	41-43
27	Photo of Blockade at Atlas with Activists and Large Banner (5 December 2025)	44
28	Photo 2 of Blockade at Atlas with Activists and Large Banner (5 December 2025)	45
29	Daily Operational Situation Report (5 December 2025)	46-47
30	Email Correspondence from BCC regarding 5 December Situation Report (5 December 2026)	48-50
31	Daily Operational Situation Report (8 December 2025)	51-53
32	Birmingham Socialist Party Facebook Post (10 December 2025)	54-55
33	Photograph 1 of protestors holding banner at Atlas with faces visible (8 January 2026)	56
34	Photograph 2 of protestors holding banner at Atlas with faces visible (8 January 2026)	57
35	Photograph 3 of protestors holding banner at Atlas with faces visible (8 January 2026)	58
36	Photograph 4 of protestors holding banner at Atlas (8 January 2026)	59
37	Photograph 5 of protestor holding banner in front of vehicle at Atlas (8 January 2026)	60
38	Daily Operational Situation Report (8 January 2026)	61-64
39	Email Correspondence from BCC regarding 8 January Situation Report (8 January 2026)	65-68

40	Facebook post about disruption at Perry Barr by Justice For Refuse Workers & Cleansers (8 January 2026)	69
41	Daily Operational Situation Report (9 January 2026)	70-71
42	Daily Operational Situation Report (12 January 2026)	72-74
43	Photograph of protestors walking in the road at Atlas (12 January 2026)	75
44	Photograph 2 of protestors walking in the road at Atlas (12 January 2026)	76
45	Atlas - Video (12 January 2026)	77
46	Email Correspondence from BCC regarding update to 12 January Situational Report	78-81
47	Daily Operational Situation Report (13 January 2026)	82-83
48	Photograph 1 of Blockade at Atlas (15 January 2026)	84
49	Photograph 2 of Blockade at Atlas (15 January 2026)	85
50	Atlas - Video 1	86
51	Atlas - Video 2	87
52	Daily Operational Situation Report on 15 January 2026 (15 January 2026)	88-90
53	Email Correspondence from BCC regarding 15 January Situation Report (15 January 2026)	91-93
54	Photograph 1 of Socialist Worker signs left at Atlas (15 January 2026)	94
55	Photograph 2 of Socialist Worker signs left at Atlas (15 January 2026)	95
56	Daily Operational Situation Report (16 January 2026)	96-98
57	Daily Operational Situation Report (21 January 2026)	99-102
58	Email Correspondence from BCC regarding 21 January 2026 Situation Report (21 January 2026)	103-106
59	Atlas - Blockades 1 (21 January 2026)	107
60	Atlas - Blockades 2 (21 January 2026)	108
61	Atlas - Blockades 3 (21 January 2026)	109
62	Atlas - Blockades 4 (21 January 2026)	110
63	Atlas - Blockades 5 (21 January 2026)	111
64	Atlas - Blockades 6 (21 January 2026)	112
65	Atlas - Blockades 7 (21 January 2026)	113
66	Daily Operational Situation Report (22 January 2026)	114-116
67	Daily Operational Situation Report (27 January 2026)	117-119
68	Addendum to 27 January 2027 Situation Report	120
69	Atlas - Video (27 January 2026)	121
70	Blockage of exit gate (27 January 2026)	122
71	Follow-up Email on 27 January 2026 Situation Report (27 January 2026)	123-125
72	Daily Operational Situation Report (28 January 2026)	126-129
73	Follow-up Email on 28 January 2026 Situation Report (28 January 2026)	130-132
74	Atlas - Blockades (28 January 2026)	133
75	Daily Operational Situation Report (29 January 2026)	134-135
76	Follow-up Email on 29 January 2026 Situational Report (29 January 2026)	136-140
77	Atlas - Video 1	141
78	Daily Operational Situational Report (30 January 2026)	142-147
79	Atlas Photo 1 (30 January 2026)	148
80	Atlas Photo 2 (30 January 2026)	149
81	Daily Operational Situation Report (2 February 2026)	150-153

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:

.....0DC8C1901E9844B.....

CAROL CULLEY

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**

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

IN THE HIGH COURT OF JUSTICE

KING'S BENCH DIVISION

BETWEEN:

(1) BIRMINGHAM CITY COUNCIL

Claimant

- and -

(1) PERSONS UNKNOWN

Defendant

EXHIBIT OF CAROL CULLEY

This is the exhibit marked "**CC**" in the witness statement of **CAROL CULLEY** dated this 3 day of February 2026.

Signed by:

Signed.....0DC8C1901E9644B.....

On behalf of: Claimant
By: Deborah Carter-Hughes
No: First
Exhibit: DCH
Date: 11 February 2026

Claim No: KB-2026-BHM-000043

IN THE HIGH COURT OF JUSTICE

KING'S BENCH DIVISION

BETWEEN:

(1) BIRMINGHAM CITY COUNCIL

Claimant

- and -

(1) PERSONS UNKNOWN

Defendant

**WITNESS STATEMENT OF
DEBORAH CARTER-HUGHES**

I, DEBORAH CARTER-HUGHES, of The Council House, Victoria Square, Birmingham, B1 1BB **WILL SAY** as follows:

- 1 I am the Assistant Director Legal Services – Corporate Law & Deputy Monitoring Officer at Birmingham City Council (**Council**). I have been in this role since January 2024. I am responsible for leading the Council's internal legal team, ensuring a robust and innovative legal services and lead on complex and high-profile cases for the Council as appropriate. I have been the lead internal legal advisor on the waste strikes since January 2025.
- 2 I am a solicitor of the Senior Courts of England and Wales. I qualified as a solicitor in 2008 and have worked in local government since 2006. Prior to starting at the Council, I was Executive Director at Pathfinder Legal

Services, a local authority owned law firm providing legal advice to four founder local authorities.

- 3 This statement has been prepared with the assistance of the solicitors for the Claimant, DLA Piper UK LLP (**DLA**), through the exchange of emails and videoconferencing meetings. I understand that due to the nature of the application being made by the Council, there is a requirement on myself and the Council to provide full and frank disclosure in respect of the situation. In preparation of this statement, I have sought to comply with this duty.
- 4 This statement is provided in relation to the ongoing protests affecting the Council's waste collection service for the city and the Council's application for an injunction in respect of the same. In particular, this statement is intended to set out the efforts made by the Council to notify the Defendants of the Council's application and the hearing which has been scheduled to take place on 13 February 2026.
- 5 I am duly authorised by the Claimant to make this witness statement on behalf of the Claimant in relation to the ongoing protests affecting the Council's waste collection service for the city and the Council's application for an injunction in respect of the same.
- 6 The facts and matters set out in this statement are true to the best of my knowledge and belief. They are within my own knowledge unless otherwise stated. Where I refer to information supplied by others, the source of the information is identified.
- 7 In making this witness statement I do not intend to waive privilege in any respect and am not authorised by the Claimant to do so.
- 8 There is now produced and shown to me an accompanying exhibit marked "Exhibit DCH". These documents are identified in this witness statement by references to the page numbers in the form "[**DCH/tab no**]".

Background

- 9 Industrial action by Unite the Union (**Unite**) at the Council's Atlas, Lifford Lane and Perry Bar Depots has been ongoing since 2 January 2025. Continuous strike action has been taking place since 11 March 2025.

Industrial action at the Council's Smithfield Depot has been ongoing since 16 June 2025 when services were redeployed there from the Lifford Lane Depot. The Atlas, Lifford Lane, Perry Bar and Smithfield Depots are together referred to as the **Depots**.

- 10 As outlined in detail in the witness statement of Christopher Smiles, the Council has encountered blockading of waste vehicles by Persons Unknown in support of Unite's industrial action. This initially took place on a sporadic basis from 17 September 2025 but grew in frequency over December 2025 and January 2026 resulting in the Council making an injunction application on 3 February 2026 (**Application**).

Notification of the injunction application and other documents

- 11 In preparation for the Application being submitted, the Council had prepared a webpage upon which the documentation relating to the Application could be made available to the public following submission: https://www.birmingham.gov.uk/info/20009/waste_and_recycling/3164/waste_injunction_for_persons_unknown (**Webpage**). The Webpage also included a link to YouTube, where the video evidence relied upon by the Council in its Application was made available.

- 12 Once the Application was submitted, the following items were uploaded to the Webpage and were available online:

- 12.1 Application Notice;
- 12.2 Claim Form;
- 12.3 Certificate of Urgency;
- 12.4 Draft Order;
- 12.5 Witness statements and exhibits:
 - (a) Christopher Smiles;
 - (b) Dean Smith;
 - (c) Richard Smith;

(d) David Miller; and

(e) Carol Culley.

13 With the exception of the exhibit of Carol Culley, these items were uploaded to the Webpage on the evening of 3 February 2026. The exhibit of Carol Culley was initially omitted in error, but was uploaded the following morning (4 February 2026).

14 I instructed DLA to take steps immediately following submission of the Application to notify Unite and other organisations who were identified as having potential contact with the Defendants of the Application. I understand that after the Application was made, DLA did the following:

14.1 On 3 February 2026, DLA sent separate emails to: Strike Map [**DCH/1**], the Socialist Workers Party [**DCH/2**]; Reel News [**DCH/3**]; and the Birmingham Socialist Party [**DCH/4**]. The emails notified the organisations of the Application and provided a link to the Webpage.

14.2 On 3 February 2026, DLA sent an email to Sharon Graham, Onay Kasab and Annmarie Kilcline at Unite copying Neil Todd of Thompsons (Unite's solicitors in relation to the injunction obtained by the Council against Unite). The email contained an electronic link to a shared drive containing the documents filed with the court in relation to the Application and a link to the Webpage where the documents can be accessed. The email was resent to Mr Kasab after a typographical error in his email address when sending initially [**DCH/5**].

14.3 On 4 February 2026, DLA delivered a cover letter and hard copies of the documents filed with the Court in relation to the Application by hand to Unite's head office [**DCH/6**]. The following image shows the documents being delivered [**DCH/7**].

15 I also gave instructions to both Council staff and (via DLA) process servers for notices in the form at [**DCH/8**] to be printed on A4 paper and put up at the Depots to notify the Defendants about the Application. The notices

included a QR code to allow anyone viewing the notice to access the Webpage. It has been confirmed to me that the following steps were taken:

- 15.1 Atlas Depot: on 4 February 2026, David Miller (Service Manager) emailed me to confirm [**DCH/9**] that he had affixed two copies of the notice at either side of the gate at the Redfern Road exit from the Depot at 03:48. This is shown in the following images [**DCH/10-12**]. The sit report for 6 February 2026 confirmed the notices were in place at 03:48 [**DCH/13**]. It was later clarified to David that the notice should also be placed at the Kings Road exit and he confirmed that this had been done by an email sent at 12:35 on 4 February 2026 [**DCH/14**].
- 15.2 Lifford Lane Depot: I instructed DLA to appoint process servers to put up the notices at the Lifford Lane Depot as we did not have anyone available to put up the notice at the Depot. The process servers who were appointed were Expert Investigations Limited (c/o 8 Elm Court, Arden Street, Stratford upon Avon, Warwickshire CV37 6PA) (**Expert Investigations**). Glenn Marriott of Expert Investigations has provided a witness statement which confirms that he attended the Lifford Lane Depot at 05:55 on 4 February 2026 and affixed two copies of the notice to the gate using cable ties [**DCH/15**]. The notices can be seen in the following images [**DCH/16**].
- 15.3 Perry Barr Depot: on 4 February 2026, Richard Smith (Depot Manager) emailed me at 03:52 to confirm that he had affixed two copies of the notice to the fence at the Perry Barr Depot, one next to the pedestrian entrance to the Depot and the other next to the gate where blockades had been taking place [**DCH/17**]. These are shown at the following images [**DCH/18-30**]. This is also confirmed by the sit report for 6 February 2026 [**DCH/13**].
- 15.4 Smithfield Depot: on 4 February 2026, Dean Smith (Depot Manager) contacted me by email to confirm that at 04:30 he had affixed three copies of the notice at the entrance to the Depot, on the fence to the left and right of the gate, and on the retractable gate itself [**DCH/31**]. These can be seen in the following images

[**DCH/32-35**]. This is also confirmed by the sit report for 6 February 2026, although the sit report gives the exact time as 04:36 [**DCH/13**].

16 I gave instructions for details of the Application to be published on the Webpage and on social media. On 4 February 2026, the Council made posts on X, LinkedIn, Bluesky, Facebook and the Birmingham City Council News page, about the Application which included a link to the documents filed with the court in relation to the Application on the Webpage [**DCH/36**].

Notification of the injunction hearing

17 I was made aware by DLA on the morning of 5 February 2026 that the Court had listed a hearing to take place in respect of the Application at the Birmingham Civil and Family Justice Centre, the Priory Courts, 33 Bull Street, Birmingham B4 6DS, at 10.30am on Friday 13 February 2026 (**Hearing**).

18 I instructed DLA to take further steps to notify Unite and other organisations of the Hearing. As shown by the relevant exhibits, DLA sent separate emails to the Birmingham Socialist Party, Reel News, SWP Birmingham, and Strike Map notifying them of the Hearing [**DCH/37-40**]. The notice made clear that the hearing served as an opportunity for the Defendants to make representations regarding the Application.

19 On the same day, DLA also sent an email to Sharon Graham, Onay Kasab and Annmarie Kilcline at Unite copying Neil Todd of Thompsons (Unite's solicitors in relation to the injunction obtained by the Council against Unite) to notify them of the Hearing [**DCH/41**].

20 I also gave instructions for details of the Hearing to be published on the Webpage and further updates to be published on social media. The following steps were taken:

20.1 On 5 February 2026, the Council published details of the Hearing and a link to the Court Order dated 5 February 2026 (**Hearing Order**) on the Webpage [**DCH/42-43**].

20.2 On 5 February 2026, the Council made posts on X, LinkedIn, Bluesky, and Facebook about the Hearing which included the date,

time and location of the hearing and a link to the Webpage where the Hearing Notice was available [**DCH/44**].

21 I also gave instructions for notices in the form at [**DCH/45**] to be printed on A4 paper and put up at each of the Depots alongside a copy of the Hearing Order. The revised notices included details of the Hearing and I asked that these be put up in place of those original notices which had been posted on 4 February 2026. It has been confirmed to me that the following steps were taken:

21.1 Atlas Depot: on 6 February 2026, David Miller (Depot Manager) emailed me at 10:00 to confirm [**DCH/46**] that he had affixed the new notices at both the Redfern Road and Kings Road entrances that morning at 04.00. The sit report references this as 04.35 and I understand that this time was the time of a message that was sent after the notices were put up [**DCH/13**]. David provided photos showing the notices placed alongside, rather than instead of, the original notice at the Redfern Road entrance [**DCH/47-50**]. After clarifying with David, the Hearing Order was put up at both entrances at 12:00 on 9 February 2026, as shown by the email at [**DCH/51**]. The Hearing Order is shown in the photographs attached to the email sent by David Miller on 10 February at 10:18 [**DCH/52**]. The photographs are at [**DCH/53-54**].

21.2 Lifford Lane Depot: I instructed DLA to appoint process servers to put up the notices at the Lifford Lane Depot. The process servers who were appointed were Expert Investigations. Glenn Marriott of Expert Investigations has provided a witness statement which states that he attended the Lifford Lane Depot at 06:00 on 6 February 2026 and affixed two copies of the updated notice and two copies of the Hearing Order to the gate using cable ties [**DCH/55**]. The notices can be seen in the image at [**DCH/56**].

21.3 Perry Barr Depot: on 6 February 2026, Justin Hillyer (Service Manager) emailed me at 09:33 to confirm that he had put the revised notice up that morning [**DCH/57**]. This is shown in the images at [**DCH/58-59**]. The Hearing Order was not initially put up alongside the revised notice. When I queried this, the Hearing

Order was put up at 14:15 on 9 February 2026 by Richard Smith [DCH/60]. The Hearing Order is shown in photographs included in an email sent by Richard Smith at 10:17 on 10 February 2026 [DCH/61].

21.4 Smithfield Depot: on 6 February 2026, Dean Smith (Service Manager for Smithfield) contacted me by email at 04:22 to confirm that the updated notice and Court Order had been affixed to the entrance to the Depot, on the left gate, right gate and centre gate [DCH/62]. These can be seen in the following images [DCH/63-67] and is confirmed by the sit report for the day [DCH/13].

22 I also gave instructions for DLA to appoint process servers to hand out leaflets at each of the Depots on 6 February 2026. Glenn Marriott of Expert Investigations attended each of the Depots to hand out leaflets. Mr Marriot attended each of the Depots in sequence: Lifford Lane, Smithfield, Atlas and Perry Barr. However, there were no protestors present at any of the Depots for him to provide leaflets to [DCH/55]. This is shown by the images at [DCH/68].

Checking the notices

23 I asked the Depot managers to check that the notices remained in place at the Depots each day and this was captured in the sit reports over the subsequent days [DCH/13] and [DCH/69-71]. However, the information provided was incomplete and I understand that the reason for this is that the sit reports are populated using the times from text messages that can be sent after the time that the checks have been completed. I therefore followed up where necessary to clarify timings of checks with the respective sites and understand the checks were completed as follows:

24 In respect of Atlas Depot:

24.1 The spreadsheet at [DCH/72] shows that the notices at the Kings Road and Redfern Road entrances to Atlas Depot were in place when they were checked at 04:00 and 16:40 and 04:05 and 16:45 respectively on 5 February 2026 by David Miller.

24.2 As outlined at 21.1 above, I was in contact with David in the period thereafter to clarify the notices which had been put up and pictures are exhibited above. I know from Mr Miller that he has continued to check that the orders are in place twice each day.

25 In respect of Lifford Lane:

25.1 On 4 February 2026, Dean Smith contacted me at 07:25 to confirm that the notices were in place [**DCH/73**].

25.2 I was informed by Dean Smith that Siobhan Stubbs (Veolia Site Manager) carried out checks of the notices at around 6:30 daily between 5 February 2026 and 10 February 2026, excluding weekends. No issues with the notices have been recorded. This is shown by the emails at [**DCH/74-75**].

26 In respect of Perry Barr Depot:

26.1 Following the departure of the protestors on the morning of the 4 February 2026, Richard Smith informed me by email that the notices remained in situ as of 09:30 [**DCH/76**]. This is shown at the following images [**DCH/77-80**].

26.2 On 5 February 2026, the notices were checked at 14:00 and 15:15 by Richard Smith. This is shown by the sit report for 6 February 2026 [**DCH/13**].

26.3 On 6 February 2026, Justin Hilyer emailed to confirm that he had put the revised notice up [**DCH/57**]. The notices are visible in the photographs that were sent by Justin Hilyer [**DCH/58-59**].

26.4 On 7 February 2026, the notices were checked by William Owen (ASM) and they were still in place. This is shown by the email at [**DCH/81**] and the images at [**DCH/82-83**].

26.5 On 9 February 2026, Justin Hillyer sent me an email at 09:25 to confirm that he had removed the original notices [**DCH/84**]. The photographs that were attached to his email show that the notices were still in place [**DCH/85-86**].

26.6 On 10 February 2026, the notices and Hearing Order were still in place, as shown by the photographs included in the email from Richard Smith at [**DCH/61**].

27 In respect of Smithfield Depot:

27.1 On 4 February 2026, the notices were checked at 15:00 by the security guards at the depot and there was no damage to the notices. This is shown in the sit report for 6 February 2026 at [**DCH/13**], the excel document at [**DCH/87**] and the email at [**DCH/88**].

27.2 On 5 February 2026, the signs were checked at 5:30 and 15:00 by Cameron Baynes and the security guards at the depot respectively, and there were no issues reported. This is shown by the excel document at [**DCH/87**] and the email at [**DCH/88**] although there is a disparity in the check being carried out at 05.00 or 05.30 in the two documents and the exact timing of the check is unclear as the sit report suggests it was done at 04:46 [**DCH/13**].

27.3 On 6 February 2026, new notices were put up as outlined above. These were checked by Dean Smith at 04:35 and 15:00, as shown by the excel document at [**DCH/87**].

27.4 On 8 February 2026, the notices were checked by Desmond McNamara at 05:00 and 15:00, and there were no issues to report [**DCH/87**].

27.5 On 9 February 2026, the notices were checked at 04:15 and 15:00 by Dean Smith and there were no issues to report [**DCH/87**]. This is also shown by the sit report for the day, although the sit rep gives the time of 04:40am [**DCH/71**].

27.6 On 10 February 2026, the notices were checked by Dean Smith at 04:10 and 15:00, and there were no issues to report [**DCH/87**].

Press articles and social media posts

28 I am aware of the following press articles in relation to the Application:

- 28.1 "Urgent Birmingham legal bid to stop protests outside bin depots or risk 'rubbish mountain'" posted by Birmingham Live dated 4 February 2026 [**DCH/89**];
- 28.2 "Birmingham City Council seeks injunction to ban 'Megapickets' and solidarity action" posted by Institute of Employment Rights dated 4 February 2024 and quoting Strike Map co-founder Henry Fowler; Fire Brigades Union General Secretary Steve Wright; and ASLEF General Secretary Dave Calfe [**DCH/90**];
- 28.3 "Birmingham council accused of cowardice as it seeks ban on protests in support of bin workers" posted by Morning Star dated 4 February 2026 and quoting Strike Map co-founder Henry Fowler; Fire Brigades Union General Secretary Steve Wright; and ASLEF General Secretary Dave Calfe [**DCH/91**]; and
- 28.4 "Birmingham City Council seeking injunction to stop protests outside depots" posted by Rayo dated 4 February 2026 and quoting Strike Map co-founder Henry Fowler [**DCH/92**].
- 29 I am also aware of social media posts by Unite For A Workers' Economy and Strike Map about the injunction, including a post by Strike Map dated 4 February 2026 quoting Strike Map co-founder Henry Fowler. These are shown at [**DCH/93-94**]. The Facebook post by Unite For A Workers' Economy posted on 31 January 2026 shares an article by Express and Star that is available at [**DCH/95**]. The Facebook post by Strike Map posted on 5 February 2026 shares an article by Express and Star that is available at [**DCH/96**].

Further Planned Steps

- 30 Ahead of the hearing on 13 February 2025, I have provided DLA with further instructions for process servers to undertake leafleting at all four Depots on the mornings of 10, 12 and 13 February 2025.
- 30.1 10 February 2026 – Glenn Marriott of Expert Investigations was again asked to attend the Depots to provide leaflets to any protestors present. He attended in sequence of: Perry Barr, Smithfields; Atlas; and Lifford Lane. The only protestors who he

encountered were at Smithfield where a blockade took place (see below). Mr Marriott sought to provide leaflets to the protestors who were responsible for the blockade, but they refused to accept the leaflets provided. There were no other protestors present at any of the other Depots. Mr Marriott has provided a statement and exhibit setting out his actions [**DCH/97-98**].

- 31 I have also asked staff at the Depots to continue to check twice daily to confirm that the notice documentation and Hearing Order remains displayed.
- 32 Further posts were made on the Council's social media channels to reiterate the details of the Hearing Order on 10 February 2026 [**DCH/99**]. Further posts are planned for 12 February 2026.

Further Disruption

- 33 The incidents of disruption are detailed in Dean Smith, David Miller and Richard Smith's witness statements, so I do not plan to discuss the disruption in detail. However, since the Application was made, further disruption took place at Smithfield Depot on 10 February 2026, with six of the Defendants slowly pigeon walking in front of the three exits to the depot stopping vehicles from deploying. This is shown by the sit report and enclosed images for the day at [**DCH/100**].
- 34 Dean Smith asked the Defendants to allow trucks to leave, which resulted in an agreement to allow one truck to leave every 15 minutes. Site staff also managed to get twelve vehicles out through an alternative exit. However, following this, two of the Defendants moved to the alternative exit and the Defendants stopped all vehicles from leaving the Depot. The Defendants left the gates at around 08:05. This is shown by the Daily Activist Engagement Log for the day at [**DCH/101**] and the email at [**DCH/102**].
- 35 All vehicles were deployed from Smithfield Depot by 08:07 as shown by the sit report at [**DCH/100**].

36 I understand that the Smithfield Depot was also blockaded by the Defendants on the morning of 11 February 2026, but I await further details at the time of signature.

Statement of Truth

37 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 11 February 2026

Signed by:

3C5B2G2A1A004E8.....

DEBORAH CARTER-HUGHES

On behalf of: Claimant
By: Deborah Carter-Hughes
No: First
Exhibit: DCH
Date: 11 February 2026

Claim No: KB-2026-BHM-000043

IN THE HIGH COURT OF JUSTICE

KING'S BENCH DIVISION

BETWEEN:

(1) BIRMINGHAM CITY COUNCIL

Claimant

- and -

(1) PERSONS UNKNOWN

Defendant

**WITNESS STATEMENT OF
DEBORAH CARTER-HUGHES**

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Solicitors for the CLAIMANT

FÎ J

On behalf of: Claimant
By: Deborah Carter-Hughes
No: First
Exhibit: DCH
Date: 11 February 2026

Claim No: KB-2026-BHM-000043

IN THE HIGH COURT OF JUSTICE

KING'S BENCH DIVISION

BETWEEN:

(1) BIRMINGHAM CITY COUNCIL

Claimant

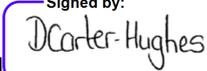
- and -

(1) PERSONS UNKNOWN

Defendant

**EXHIBIT OF DEBORAH
CARTER-HUGHES**

This is the exhibit marked "**DCH**" in the witness statement of **DEBORAH CARTER-HUGHES** dated this 11 day of February 2026.

Signed by:

Signed 3C5B2C2A1A004E8...

No.	Title	Date	Page Numbers
1	DCH/1 – Email correspondence to Strike Map regarding Notice of Injunction Application	03 February 2026	5
2	DCH/2 - Email correspondence to SWP regarding Notice of Injunction Application	03 February 2026	6
3	DCH/3 - Email correspondence to Reel News regarding Notice of Injunction Application	03 February 2026	7

4	DCH/4 - Email correspondence to Birmingham Socialist Party regarding Notice of Injunction Application	03 February 2026	8
5	DCH/5 – Email correspondence to Unite regarding Notice of Injunction Application	03 February 2026	9-10
6	DCH/6 – Letter to Unite regarding Injunction Application	04 February 2026	11-12
7	DCH/7 – Hand delivery of documents to Unite	04 February 2026	13
8	DCH/8 – Notice of Injunction Application to Persons Unknown	04 February 2026	14
9	DCH/9 – Email correspondence regarding Notices at Atlas	04 February 2026	15-16
10	DCH/10 – Photograph at Atlas 1	04 February 2026	17
11	DCH/11 – Photograph at Atlas 2	04 February 2026	18
12	DCH/12 – Photograph at Atlas 3	04 February 2026	19
13	DCH/13 – Daily Operational Situation Report	06 February 2026	20-23
14	DCH/14 – Email correspondence regarding Notices at Atlas	04 February 2026	24-28
15	DCH/15 – Statement of Process Server Glenn Marriott	04 February 2026	29
16	DCH/16 – Exhibit GM2	04 February 2026	30-32
17	DCH/17 – Email correspondence re Notices at Perry Barr	04 February 2026	33-46
18	DCH/18 – Perry Barr – Photograph 1	04 February 2026	47
19	DCH/19 - Perry Barr – Photograph 2	04 February 2026	48
20	DCH/20 – Perry Barr – Photograph 3	04 February 2026	49
21	DCH/21 – Perry Barr – Photograph 4	04 February 2026	50
22	DCH/22 – Perry Barr – Photograph 5	04 February 2026	51
23	DCH/23 – Perry Barr – Photograph 6	04 February 2026	52
24	DCH/24 – Perry Barr – Photograph 7	04 February 2026	53
25	DCH/25 – Perry Barr – Photograph 8	04 February 2026	54
26	DCH/26 – Perry Barr – Photograph 9	04 February 2026	55
27	DCH/27 – Perry Barr – Photograph 10	04 February 2026	56
28	DCH/28 – Perry Barr – Photograph 11	04 February 2026	57
29	DCH/29 – Perry Barr – Photograph 12	04 February 2026	58
30	DCH/30 – Perry Barr – Photograph 13	04 February 2026	59
31	DCH/31 – Email correspondence re Notices at Smithfield	04 February 2026	60
32	DCH/32 – Smithfields Photograph 1	04 February 2026	61
33	DCH/33 – Smithfields Photograph 2	04 February 2026	62
34	DCH/34 – Smithfields Photograph 3	04 February 2026	63
35	DCH/35 – Smithfields Photograph 4	04 February 2026	64
36	DCH/36 – BCC Social Media Posts	04 February 2026	65-68
37	DCH/37 – Email correspondence to Birmingham Socialist Party regarding the Injunction Hearing	05 February 2026	69-70
38	DCH/38 - Email correspondence to Reel News regarding the Injunction Hearing	05 February 2026	71-72
39	DCH/39 - Email correspondence to SWP regarding the Injunction Hearing	05 February 2026	73-74
40	DCH/40 - Email correspondence to Strike Map regarding the Injunction Hearing	05 February 2026	75-76
41	DCH/41 - Email correspondence to Unite regarding the Injunction Hearing	05 February 2026	77-78
42	DCH/42 – BCC Website Link to Notice of Hearing	05 February 2026	79-81
43	DCH/43 – BCC Download Page for Hearing Documents on Website Link	05 February 2026	82
44	DCH/44 – BCC Social Media Posts	05 February 2026	83-86
45	DCH/45 – Updated Notice to Persons Unknown regarding the Hearing Date	05 February 2026	87
46	DCH/46 – Email correspondence regarding notices at Redfern Road and Kings Road	06 February 2026	88-89
47	DCH/47 – Photograph of Notices at Redfern Road and Kings Road 1	06 February 2026	90
48	DCH/48 - Photograph of Notices at Redfern Road and Kings Road 2	06 February 2026	91

49	DCH/49 - Photograph of Notices at Redfern Road and Kings Road 3	06 February 2026	92
50	DCH/50 - Photograph of Notices at Redfern Road and Kings Road 4	06 February 2026	93
51	DCH/51 – Email correspondence regarding Order at both entrances	10 February 2026	94-96
52	DCH/52 – Email correspondence from David Miller regarding the Hearing Order	10 February 2026	97
53	DCH/53 – Photograph of Hearing Order	10 February 2026	98
54	DCH/54 – Photograph of Hearing Order 2	10 February 2026	99
55	DCH/55 – Statement of Process Server Glenn Marriott	[February 2026]	100-101
56	DCH/56 – Exhibit GM5	06 February 2026	102-103
57	DCH/57 – Email correspondence regarding notices at Perry Barr	06 February 2026	104
58	DCH/58 – Photograph of Notices at Perry Barr 1	06 February 2026	105
59	DCH/59 – Photograph of Notices at Perry Barr 2	06 February 2026	106
60	DCH/60 – Email correspondence regarding the Hearing Order	10 February 2026	107-112
61	DCH/61 – Email correspondence regarding notices at Smithfield	06 February 2026	113-116
62	DCH/62 – Email correspondence regarding Notices at Smithfield	06 February 2026	117
63	DCH/63 – Photograph of Notices at Smithfield 1	06 February 2026	118
64	DCH/64 – Photograph of Notices at Smithfield 2	06 February 2026	119
65	DCH/65 – Photograph of Notices at Smithfield 3	06 February 2026	120
66	DCH/66 – Photograph of Notices at Smithfield 4	06 February 2026	121
67	DCH/67 – Photograph of Notices at Smithfield 5	06 February 2026	122
68	DCH/68 – Exhibit GM6	06 February 2026	123-126
69	DCH/69 – Daily Operational Situation Report	04 February 2026	127-129
70	DCH/70 – Daily Operational Situation Report	05 February 2026	130-132
71	DCH/71 – Daily Operational Situation Report	09 February 2026	133-136
72	DCH/72 – Spreadsheet regarding checks of the notices at Atlas	Undated	137
73	DCH/73 – Email correspondence regarding notices at Lifford Lane	04 February 2026	138-153
74	DCH/74 – Email correspondence regarding signs at Lifford Lane Depot	10 February 2026	154-156
75	DCH/75 – Email correspondence regarding checks at Lifford Lane Depot	10 February 2026	157-160
76	DCH/76 – Email correspondence regarding notices at Perry Barr	04 February 2026	161-165
77	DCH/77 – Photograph of Notices at Perry Barr 1	04 February 2026	166
78	DCH/78 – Photograph of Notices at Perry Barr 2	04 February 2026	167
79	DCH/79 – Photograph of Notices at Perry Barr 3	04 February 2026	168
80	DCH/80 – Photograph of Notices at Perry Barr 4	04 February 2026	169
81	DCH/81 – Email correspondence regarding notices at Perry Barr	08 February 2026	170
82	DCH/82 – Photograph of Notices at Perry Barr 1	08 February 2026	171
83	DCH/83 – Photograph of Notices at Perry Barr 2	08 February 2026	172
84	DCH/84 – Email correspondence regarding Notices at Perry Barr	09 February 2026	173-177
85	DCH/85 – Perry Barr Photograph 1	09 February 2026	178
86	DCH/86 – Perry Barr Photograph 2	09 February 2026	179
87	DCH/87 – Smithfield Notice Checklist	04 February 2026	180-181
88	DCH/88 – Email correspondence regarding updates at Smithfield	10 February 2026	182-186
89	DCH/89 – Article by Birmingham Live	04 February 2026	187-189
90	DCH/90 – Article by the Institute of Employment Rights	04 February 2026	190-194
91	DCH/91 – Article by the Morning Star	04 February 2026	195-198
92	DCH/92 – Article by Rayo	04 February 2026	199-200

93	DCH/93 – Updates from Unite	31 January-6 February 2026	201-202
94	DCH/94 – Strike Map Updates	2 February – 5 February 2026	203-211
95	DCH/95 – Express & Star Article	31 January 2026	212-220
96	DCH/96 – Express & Star Article	05 February 2026	221
97	DCH/97 – Statement Glenn Marriott	10 February 2026	222-223
98	DCH/98 Exhibit GM7	10 February 2026	224-229
99	DCH/99 – BCC Social Media Posts	10 February 2026	230-231
100	DCH/100 – Daily Operational Situation Report	10 February 2026	232-235
101	DCH/101 – Daily Activist Engagement Log	10 February 2026	236-239
102	DCH/102 – Daily Activist Engagement Log Email Correspondence	10 February 2026	240

Yasmin Ahmad

From: BCCInjunction
Sent: 03 February 2026 23:48
To: strikemap@gftu.org.uk
Subject: Birmingham City Council Injunction Application [DLAP-UKMATTERS.FID6611373]

Dear Sirs

We write to notify you that Birmingham City Council has today issued an application for an injunction for 6 months prohibiting protesting activities by Persons Unknown who, in support of strikes organised by Unite the Union:

- (1) enter occupy or remain on, or block or obstruct the entering or exiting of any other individual or vehicle to or from the following locations:
 - (a) Atlas Depot, 70/72 Kings Road, Tyseley, Birmingham, B11 2AS;
 - (b) Lifford Lane Depot, Ebury Road, Kings Norton, Birmingham B30 3JJ;
 - (c) Perry Barr Depot, Holford Drive, Birmingham, B42 2TU;
 - (d) Smithfield Depot, Sherlock Street, Birmingham, B5 6HX.and/or
- (2) block or obstruct any of the claimant's waste collection vehicles engaged in waste collection services within the City of Birmingham.

The application will be heard at a date to be notified separately at which representations will be able to be made.

Take Notice: If the application is granted, anyone breaching the injunction could be imprisoned for up to 2 years, fined, and/ or have their assets seized for contempt of court.

Documents relating to the Application can be obtained from the Birmingham City Council website (<https://www.birmingham.gov.uk/WasteInjunctionPersonsUnknown>) which can also be accessed using the following QR Code:



Yours faithfully

DLA Piper UK LLP

Yasmin Ahmad

From: BCCInjunction
Sent: 03 February 2026 23:50
To: enquiries@swp.org.uk
Subject: Birmingham City Council Injunction Application [DLAP-UKMATTERS.FID6611373]

Dear Sirs

We write to notify you that Birmingham City Council has today issued an application for an injunction for 6 months prohibiting protesting activities by Persons Unknown who, in support of strikes organised by Unite the Union:

- (1) enter occupy or remain on, or block or obstruct the entering or exiting of any other individual or vehicle to or from the following locations:
 - (a) Atlas Depot, 70/72 Kings Road, Tyseley, Birmingham, B11 2AS;
 - (b) Lifford Lane Depot, Ebury Road, Kings Norton, Birmingham B30 3JJ;
 - (c) Perry Barr Depot, Holford Drive, Birmingham, B42 2TU;
 - (d) Smithfield Depot, Sherlock Street, Birmingham, B5 6HX.and/or
- (2) block or obstruct any of the claimant's waste collection vehicles engaged in waste collection services within the City of Birmingham.

The application will be heard at a date to be notified separately at which representations will be able to be made.

Take Notice: If the application is granted, anyone breaching the injunction could be imprisoned for up to 2 years, fined, and/ or have their assets seized for contempt of court.

Documents relating to the Application can be obtained from the Birmingham City Council website (<https://www.birmingham.gov.uk/WasteInjunctionPersonsUnknown>) which can also be accessed using the following QR Code:



Yours faithfully

DLA Piper UK LLP

Yasmin Ahmad

From: BCCInjunction
Sent: 03 February 2026 23:51
To: info@reelnews.co.uk
Subject: Birmingham City Council Injunction Application [DLAP-UKMATTERS.FID6611373]

Dear Sirs

We write to notify you that Birmingham City Council has today issued an application for an injunction for 6 months prohibiting protesting activities by Persons Unknown who, in support of strikes organised by Unite the Union:

- (1) enter occupy or remain on, or block or obstruct the entering or exiting of any other individual or vehicle to or from the following locations:
 - (a) Atlas Depot, 70/72 Kings Road, Tyseley, Birmingham, B11 2AS;
 - (b) Lifford Lane Depot, Ebury Road, Kings Norton, Birmingham B30 3JJ;
 - (c) Perry Barr Depot, Holford Drive, Birmingham, B42 2TU;
 - (d) Smithfield Depot, Sherlock Street, Birmingham, B5 6HX.and/or
- (2) block or obstruct any of the claimant's waste collection vehicles engaged in waste collection services within the City of Birmingham.

The application will be heard at a date to be notified separately at which representations will be able to be made.

Take Notice: If the application is granted, anyone breaching the injunction could be imprisoned for up to 2 years, fined, and/ or have their assets seized for contempt of court.

Documents relating to the Application can be obtained from the Birmingham City Council website (<https://www.birmingham.gov.uk/WasteInjunctionPersonsUnknown>) which can also be accessed using the following QR Code:



Yours faithfully

DLA Piper UK LLP

Yasmin Ahmad

From: BCCInjunction
Sent: 03 February 2026 23:52
To: birminghamsocialistparty@gmail.com
Subject: Birmingham City Council Injunction Application [DLAP-UKMATTERS.FID6611373]

Dear Sirs

We write to notify you that Birmingham City Council has today issued an application for an injunction for 6 months prohibiting protesting activities by Persons Unknown who, in support of strikes organised by Unite the Union:

- (1) enter occupy or remain on, or block or obstruct the entering or exiting of any other individual or vehicle to or from the following locations:
 - (a) Atlas Depot, 70/72 Kings Road, Tyseley, Birmingham, B11 2AS;
 - (b) Lifford Lane Depot, Ebury Road, Kings Norton, Birmingham B30 3JJ;
 - (c) Perry Barr Depot, Holford Drive, Birmingham, B42 2TU;
 - (d) Smithfield Depot, Sherlock Street, Birmingham, B5 6HX.and/or
- (2) block or obstruct any of the claimant's waste collection vehicles engaged in waste collection services within the City of Birmingham.

The application will be heard at a date to be notified separately at which representations will be able to be made.

Take Notice: If the application is granted, anyone breaching the injunction could be imprisoned for up to 2 years, fined, and/ or have their assets seized for contempt of court.

Documents relating to the Application can be obtained from the Birmingham City Council website (<https://www.birmingham.gov.uk/WasteInjunctionPersonsUnknown>) which can also be accessed using the following QR Code:



Yours faithfully

DLA Piper UK LLP

Yasmin Ahmad

From: BCCInjunction
Sent: 03 February 2026 23:47
To: Onay.kasab@unitetheunion.org
Subject: FW: Birmingham City Council Injunction Application - Persons Unknown [DLAP-UKMATTERS.FID6611373]

Dear Sir

Please see our email below which bounced back as we appear to have omitted a . in your email.

Yours faithfully
DLA Piper UK LLP

From: BCCInjunction
Sent: 03 February 2026 23:42
To: sharon.graham@unitetheunion.org; onaykasab@unitetheunion.org; annmarie.kilcline@unitetheunion.org
Cc: neil.todd@thompsons.law; williamwebb@thompsons.law
Subject: Birmingham City Council Injunction Application - Persons Unknown [DLAP-UKMATTERS.FID6097688]

Dear Sirs

We write to notify you that Birmingham City Council has today issued an application for an injunction for 6 months prohibiting protesting activities by Persons Unknown who, in support of strikes organised by Unite the Union:

- (1) enter occupy or remain on, or block or obstruct the entering or exiting of any other individual or vehicle to or from the following locations:
 - a) Atlas Depot, 70/72 Kings Road, Tyseley, Birmingham, B11 2AS;
 - b) Lifford Lane Depot, Ebury Road, Kings Norton, Birmingham B30 3JJ;
 - c) Perry Barr Depot, Holford Drive, Birmingham, B42 2TU;
 - d) Smithfield Depot, Sherlock Street, Birmingham, B5 6HX.

and/or

- (2) block or obstruct any of the claimant's waste collection vehicles engaged in waste collection services within the City of Birmingham.

Information on the hearing date, time and location will be provided when confirmed by the Court.

Electronic copies of documents relating to the Application are available to those on this email at the following link: [BCC submission docs](#) and will also be available from the Birmingham City Council website (<https://www.birmingham.gov.uk/WasteInjunctionPersonsUnknown>) which can also be accessed using the following QR Code:



Hard copies of the documents will be served tomorrow, 4 February 2026, c/o Unite's head office.

Yours faithfully

DLA Piper UK LLP



DLA Piper UK LLP
160 Aldersgate Street
London
EC1A 4HT
United Kingdom
DX: 33866 Finsbury Square
T: +44 (0) 20 7349 0296
F: +44 (0) 20 7796 6666
dlapiper.com

FAO: Sharon Graham, Annmarie Kilcline and Onay Kasab
Unite the Union
128 Theobolds Road
London
WC1X 8TN

Your reference

Our reference

SPA/SPA/36257/120050
UKM/210408250.2

By Hand Only

4 February 2026

Dear Sirs

Birmingham City Council (BCC)
Persons Unknown
Application for interim injunction
High Court claim no: [TBC]

We write further to our email of yesterday's date to Sharon Graham, Annmarie Kilcline and Onay Kasab regarding an application for an injunction for 6 months prohibiting certain protesting activities by Persons Unknown, in support of strikes organised by Unite the Union. Although Unite are not party to the application, we are providing these documents to you given the protests relate to ongoing industrial action by Unite.

Please find enclosed hard copies of the documents which were provided in our email, namely:

- Application Notice
- Claim Form
- Certificate of Urgency
- Draft Order
- Witness statements and exhibits
 - Christopher Smiles
 - Dean Smith
 - Richard Smith
 - David Miller

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A list of members is open for inspection at its registered office and principal place of business, 160 Aldersgate Street, London, EC1A 4HT and at the address at the top of this letter. Partner denotes member of a limited liability partnership.

A list of offices and regulatory information can be found at dlapiper.com.

UK switchboard
+44 (0) 20 7349 0296



- o Carol Culley

As our clients application is against persons unknown, documents have also been uploaded onto BCC's website and are available at <https://www.birmingham.gov.uk/WasteInjunctionPersonsUnknown>. Notices regarding the application, with a QR code to access the website and documentation have also been put up at the affected depots.

Yours faithfully

DLA Piper UK LLP

DLA Piper UK LLP

Enclosures



unite
the UNION

SPEAKER

additional news assistance

FIG

TO ALL PERSONS UNKNOWN

INVOLVED IN PROTEST ACTIVITY RELATING TO THE

INDUSTRIAL ACTION TAKEN BY MEMBERS OF UNITE

THE UNION

NOTICE OF INJUNCTION APPLICATION

On 3 February 2026, Birmingham City Council issued an application for an injunction prohibiting protesting activities by Persons Unknown who, in support of strikes organised by Unite the Union (“Unite”):

(1) enter occupy or remain on, or block or obstruct the entering or exiting of any other individual or vehicle to or from the following locations:

- (a) Atlas Depot, 70/72 Kings Road, Tyseley, Birmingham, B11 2AS;
- (b) Lifford Lane Depot, Ebury Road, Kings Norton, Birmingham B30 3JJ;
- (c) Perry Barr Depot, Holford Drive, Birmingham, B42 2TU;
- (d) Smithfield Depot, Sherlock Street, Birmingham, B5 6HX.

and/or

(2) block or obstruct any of the claimant’s waste collection vehicles engaged in waste collection services within the City of Birmingham.

The application does not seek to limit protesting activity that does not seek to block or obstruct the provision of waste services in the City of Birmingham nor to limit lawful picketing and protest activity carried out in accordance with the existing injunction granted by the High Court against Unite and in favour of Birmingham City Council (dated 27 May 2025, extended on 29 May and applied to the Smithfield Depot on 25 June 2025).

The application will be heard at a date to be notified separately at which representations will be able to be made.

Take Notice: If the application is granted, anyone breaching the injunction could be imprisoned for up to 2 years, fined, and/ or have their assets seized for contempt of court.

Documents relating to the Application can be obtained from the Birmingham City Council website using the QR Code.



Archived: 09 February 2026 16:53:34

From: [David P Miller](#)

Sent: Wed, 4 Feb 2026 04:05:09

To: [Deborah Carter-Hughes](#) [Euan Bruce](#) [Robert Edmondson](#) [Christopher Smiles](#) [Dean A Smith](#) [Richard J Smith](#) [Euan Bruce](#)

Subject: FW:

Importance: Normal

Sensitivity: None

****EXTERNAL****

Deborah

Notices attached at 0348am and photo's attached

Regards

David Miller
Service Manager
Street Scene
Atlas Depot
Tyseley
Birmingham
B11 2AS
07920750237

Email: david.p.miller@birmingham.gov.uk



Birmingham
City Council



OFFICIAL

From: David P Miller <David.P.Miller@birmingham.gov.uk>

Sent: Wednesday, February 4, 2026 3:40 AM

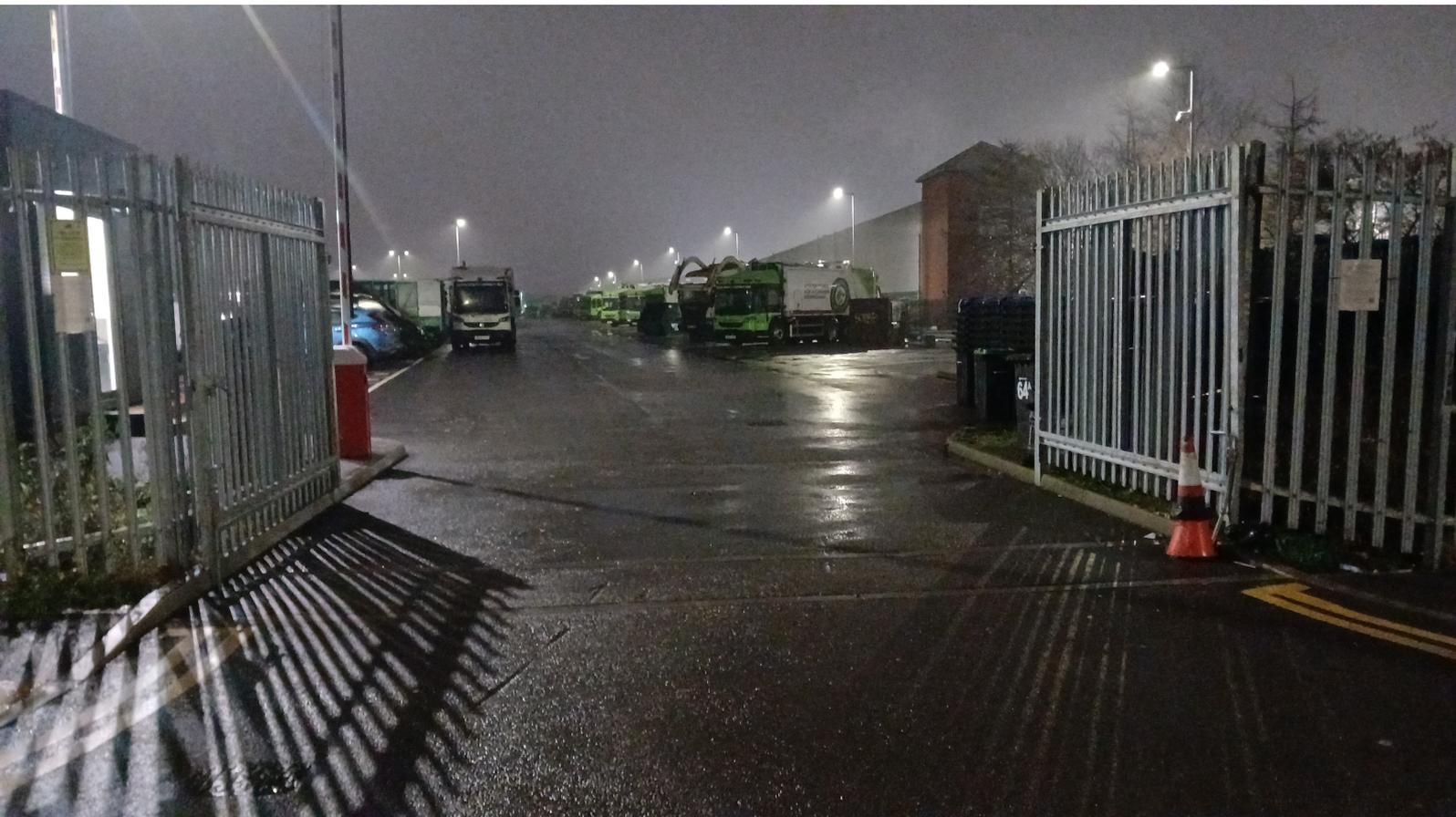
To: David P Miller <David.P.Miller@birmingham.gov.uk>

Subject:

Sent from [Outlook for Android](#)

OFFICIAL
FI I

Birmingham City Council The information contained within this e-mail (and any attachment) sent by Birmingham City Council is confidential and may be legally privileged. It is intended only for the named recipient or entity to whom it is addressed. If you are not the intended recipient please accept our apologies and notify the sender immediately. Unauthorised access, use, disclosure, storage or copying is not permitted and may be unlawful. Any e-mail including its content may be monitored and used by Birmingham City Council for reasons of security and for monitoring internal compliance with the office policy on staff use. E-mail blocking software may also be used. Any views or opinions presented are solely those of the originator and do not necessarily represent those of Birmingham City Council. We cannot guarantee that this message or any attachment is virus free or has not been intercepted and amended.



F11

**TO ALL PERSONS UNKNOWN
INVOLVED IN PROTEST ACTIVITY RELATING TO THE
INDUSTRIAL ACTION TAKEN BY MEMBERS OF UNITE
THE UNION
NOTICE OF INJUNCTION APPLICATION**

On 2 February 2020, Birmingham City Council issued an application for an injunction prohibiting unauthorised activities by persons connected with, or support of, or in aid of, the applicant, in connection with the following activities:

- (1) any activity or protest on, or near, or adjacent to the working or any other industrial or commercial premises at the following locations:
 - 60 Great Street, 127-73 High Street, Tenby, Birmingham B11 2AG
 - 60 Great Street, 127-73 High Street, Kings Norton, Birmingham B38 2JL
 - 10 Ford Lane, 100-102 Lane, Birmingham, B40 1TQ
 - 60 Southfield House, 100-102 Lane, Birmingham, B40 1TQ

and/or

(2) such an activity on or at the applicant's nearby premises which engage in some manner with the City of Birmingham.

The application also seeks to prevent any activity that does not relate to such as obstructing the operation of nearby premises in the City of Birmingham or to any other activity which might be in breach of the City of Birmingham (City Council) (Protest) (Restrictions) Order 2019, or any other activity which might be in breach of the City of Birmingham (City Council) (Protest) (Restrictions) Order 2019, or any other activity which might be in breach of the City of Birmingham (City Council) (Protest) (Restrictions) Order 2019.

The application will be heard on a date to be arranged separately at which representations will be able to be made.

Five Notice if the application is granted, anyone breaching the injunction could be imprisoned for up to 3 years. Please, read, and use these terms and conditions for more information.

Documents relating to the Application can be accessed from the following link: <https://www.birmingham.gov.uk/council-protest-restrictions>



24hr CCTV in Operation

Your safety is important, closed-circuit television system is operated on these premises for the purpose of prevention and detection of crime, safety and good management

This scheme is controlled by:

For further information contact:

TO ALL PERSONS IN POSSESSION
OF ANY PROPERTY OR RIGHTS IN THE
PREMISES, INCLUDING THE RIGHT TO
ENTER THE PREMISES, BY PERSONS BY WHOM
THE LAND

NOTICE OF PROVISION OF INFORMATION

PLEASE READ THIS NOTICE CAREFULLY AS IT CONTAINS IMPORTANT INFORMATION ABOUT THE CCTV SYSTEM OPERATED ON THESE PREMISES. THE INFORMATION CONTAINED HEREIN IS FOR YOUR INFORMATION AND TO ASSIST YOU IN UNDERSTANDING THE PURPOSES OF THE SYSTEM AND THE RIGHTS OF PERSONS IN RELATION TO THE SYSTEM.

THE SYSTEM IS OPERATED FOR THE PURPOSES OF PREVENTION AND DETECTION OF CRIME, SAFETY AND GOOD MANAGEMENT. THE SYSTEM IS OPERATED 24 HOURS A DAY, 7 DAYS A WEEK.

THE SYSTEM IS OPERATED BY THE PERSONS BY WHOM THE LAND IS POSSESSED. THE PERSONS BY WHOM THE LAND IS POSSESSED ARE THE PERSONS BY WHOM THE LAND IS POSSESSED.

IF YOU HAVE ANY QUESTIONS ABOUT THIS NOTICE, PLEASE CONTACT THE PERSONS BY WHOM THE LAND IS POSSESSED.

FOR FURTHER INFORMATION CONTACT:



Friday 6th February 2026

Daily Operational Sit Rep

8:30am morning update:

1. Morning deployment from depots:

Atlas and supporting depots: 36 BCC vehicles have been deployed from Atlas and alternative depots between 04:30am and 06:40am; 14 Coventry crews deployed. There is no picket at the depot this morning however there are approx. 30/40 protesters on Kings Road. All vehicles safely deployed by 06:40am.

Smithfield: 30 BCC vehicle has been deployed; 6 Coventry crews deployed. There is no picket at the depot however there are approx. 30/40 protesters outside the depot. There is no picket or protesters outside Lifford depot. All vehicles safely deployed by 06:45am.

Perry Barr: 22 BCC vehicles have been deployed from the depot: 6 Coventry crews deployed. There is no picket at the depot this morning however there are approx. 20/30 protesters. All vehicles safely deployed by 06:40am.

Total number of waste collection vehicles deployed today: 114, including 88 BCC vehicles and 26 for Coventry.

1 x MHRC running seven days a week.

2. Opening hours of the Household Waste & Recycling Centres: continued extended opening hours in operation: Kings Norton 07.00 - 21:00, weekends 08:00-18:00 and other centres 08.00 until 18:00 weekdays and 08:00-16:30 weekends. Between 21.12.2025 and 31.03.2026 all Household Waste and Recycling centres have extended opening hours from 07:00am until 21:00pm Monday to Friday and 08:00am until 18:00pm Saturday and Sunday. Booked slots are currently showing; 32% for Friday 6th February, 28% for Saturday 7th February and 23% for Sunday 8th February.

Please see below booking for the HWRC for Thursday 5th February 2026.

Thursday 05/02/2026 (Cars)				
LOCATION	AVAILABLE SLOTS	BOOKED SLOTS	REMAINING SLOTS	PERCENTAGE BOOKED
Sutton Coldfield	1696	543	1153	32.0%
Kings Norton	912	848	64	93.0%
Perry Barr	1176	311	865	26.4%
Castle Bromwich	0	0	0	#DIV/0!
Tyseley	1420	510	910	35.9%

Thursday 05/02/2026 (Vans)				
LOCATION	AVAILABLE SLOTS	BOOKED SLOTS	REMAINING SLOTS	PERCENTAGE BOOKED
Sutton Coldfield	24	24	0	100.0%
Kings Norton	0	0	0	
Perry Barr	24	21	3	87.5%
Castle Bromwich	24	17	7	70.8%
Tyseley	48	46	2	95.8%

Data report for Thursday 5th February.

How much waste has been collected by weight?

1342 tonnes collected at kerbside; 161 tonnes collected at the HWRC

Did we deliver the planned activity in the day?

No.

What is the overall level of residual waste?

80% of scheduled collections have been made. The delays are in the South of the City, (Smithfield) and 4 rounds in the East, (Atlas). These will be collected over the weekend.