

On behalf of: Claimant
By: Deborah Carter-Hughes
No: Second
Exhibit: DCH2
Date: 12 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

**SECOND 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 is the second witness statement I have provided in respect of this claim. Definitions used in my earlier statement are adopted here.
- 4 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.
- 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 DCH2**". These documents are identified in this witness statement by references to the page numbers in the form "[**DCH2/tab no**]".

Continued disruption

9 11 February 2026

9.1 As referenced in my previous statement, further disruption took place on 11 February 2026 at the Smithfields Depot. This is shown in the daily sit-report [**DCH2/01**] and I have also been able to obtain further detail of this.

- 9.2 The disruption at Smithfields day can be seen in the following two videos [**DCH2/02-DCH2/03**]. This shows protestors blockading the main exit from the Depot.
- 9.3 I was provided with a summary report of the disruption by the Smithfields Service Manager, Dean Smith, [**DCH2/04**]. Dean said he had spoken with the individual who seemed to be leading the Defendants, who identified himself as "*Jim*", and that he tried to persuade them to let out vehicles every 15 minutes and that he also tried to persuade them to let out the trade waste collection vehicles but Jim refused to release any vehicles.
- 9.4 The video at [**DCH2/03**] also shows (at 0.20) the Defendants taking photos of the Hearing Notice which is displayed to the right of the gate.
- 9.5 On 10 February the Depot had been able to deploy some vehicles by using an alternative exit from the Depot onto Upper Dean Street. I was told by the Depot's Service Manager, Dean Smith, that this was attempted on 11 February 2026 but was not successful due to the gate being blockaded by Defendants.

10 12 February 2026

- 10.1 Blockades took place at both the Atlas and Smithfield Depots on the morning of 12 February 2026 as shown by the daily sit report [**DCH2/05**].
- 10.2 Atlas
- (a) The videos at [**DCH2/06**] and [**DCH2/07**] show the Defendants slow walking in circles at the Depot's exit gate to form a blockade.
- (b) The video at [**DCH2/08**] shows the police negotiating with the Defendants to let the vehicle out of the Depot. However as shown in the video, two Defendants then slowly walked in the road to further delay the vehicle as it travelled down Redfern Road. Although not shown in the video, I understand from the Atlas Depot Service Manager, David

Miller, that this continued until the junction of Wharfdale Road, delaying the vehicle by a total of 15 minutes. The same process was repeated for the next vehicle [**DCH2/09**]. As a result of the disruption and delays to deployment, eight vehicles were prevented from any deployment.

10.3 Smithfield

- (a) At Smithfield, blockades by the Defendants were in place at multiple gates around the Depot:
 - (i) Images at [**DCH2/10-11**] and the video at [**DCH2/12**] show blockades of the main gate to the Depot;
 - (ii) Images at [**DCH2/13-16**] show blockades of a first gate onto Upper Dean Street;
 - (iii) The image at [**DCH2/17**] and the video at [**DCH2/18**] show blockades of a second gate onto Upper Dean Street;
 - (iv) The image at [**DCH2/19**] shows a blockade of a gate onto Dean Street.
- (b) The report from Dean Smith at [**DCH2/20**] shows his interactions with a male Defendant, who refused to allow trucks to leave until the police intervened. With assistance from the police it was agreed to let out 2 vehicles every 15 minutes from 9am onwards.

10.4 The day's sit report includes details of a conversation between Chris Smiles and West Midlands Police regarding the disruption to the service. The police response was that they would only attend if there were instances of criminality or a risk to public safety.

Checking the notices

11 I have continued to be provided with updates by the Service Managers at each of the Depots confirming that copies of the Hearing Order and the

Council's notice signposting the hearing and giving a QR code to allow access to the Webpage remain in place:

11.1 Smithfield Depot:

- (a) 11 February – email from Dean Smith [**DCH2/21**] and accompanying images [**DCCH2/22**];
- (b) 12 February – emails from Dean Smith [**DCH2/23**] and [**DCH2/24**] and accompanying images [**DCH2/25**].

11.2 Lifford Lane Depot:

- (a) 11 February - email from Dean Smith [**DCH2/26**];
- (b) 12 February – email from Dean Smith [**DCH2/24**]

11.3 Atlas Depot:

- (a) 10 February – email from Atlas Service Manager, David Miller [**DCH2/27**].
- (b) 11 February – email from David Miller [**DCH2/28**].
- (c) 12 February - email from David Miller [**DCH2/29**].

11.4 Perry Barr Depot:

- (a) 11 February – email from Perry Barr Service Manager Richard Smith [**DCH2/30**]
- (b) 12 February – emails from Richard Smith [**DCH2/31**] and [**DCH2/32**].

Additional notification

12 Following submission by the Claimant of the documentation to the Court on 11 February 2026, the following items were uploaded to the Council's Webpage and made available to the public:

- 12.1 My own first statement and exhibit dated 11 February 2026;
- 12.2 Counsel's skeleton submission on behalf of the Council;

- 12.3 Counsel's bundle of authorities;
- 12.4 The bundle of papers for the Hearing; and
- 13 A copy of the Council's application to dispense with service was uploaded to the Webpage on 12 February 2026.
- 14 The Council instructed DLA to provide further emails to Unite [**DCH2/33**], Reel News [**DCH2/34**], Socialist Workers Party [**DCH2/35**] and Birmingham Socialist Party [**DCH2/36**] to highlight that the hearing documentation was available on the Webpage.
- 15 Ahead of the hearing, we have also instructed Expert Investigations via DLA to undertake further leafleting of the Depots on 12 and 13 February 2026, distributing the notice shown at [**DCH2/37**].
- 15.1 12 February 2026 - This was undertaken Glenn Marriott of Expert Investigations who attended each of the Depots to hand out leaflets. Mr Marriot attended each of the Depots in the following sequence: Lifford Lane, Smithfield, Atlas and Perry Barr. He has confirmed that he encountered Defendants at all four Depots and was able to hand out leaflets, though some refused to accept the offered material. Mr Marriott has provided a statement and exhibit regarding his efforts [**DCH2/38-39**].
- 15.2 13 February 2026 – I can confirm that Mr Marriott is instructed to undertake leafleting at the four Depots in the same sequence as was undertaken on 12 February 2026.
- 16 The Webpage includes details of an email address that members of the public can contact if they need help to access a document. I can confirm that the mailbox has not received any emails regarding the documentation.
- 17 The Webpage also asks that if any Defendants intend to make representations at the Hearing that they contact DLA using an email address provided. I understand from DLA that it has not received any emails to the mailbox.

Press articles and social media posts

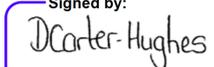
- 18 I am aware of a social media post on 11 February 2026 by Reel News on Facebook indicating an emergency demo outside the hearing planned for 13 February 2026 at 10am with the intention to stop the injunction [**DCH2/40**].

- 19 The Council has also, on 12 February 2026, posted its own social media posts reiterating that the Hearing will take place on 13 February 2026. Copies of posts made on X, LinkedIn, Bluesky and Facebook are exhibited at [**DCH2/41**].

Statement of Truth

20 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 12 February 2026

Signed by:

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DEBORAH CARTER HUGHES

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DEBORAH CARTER HUGHES**

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