



CLAIM NO: KB-2026-BHM-000043

**IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION
BIRMINGHAM DISTRICT
REGISTRY
The Hon Mr Justice
Pepperall
20 February 2026**

KB-2026-BHM-000043

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**
- (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 STREET MANAGEMENT
VEHICLES INCLUDING BUT NOT LIMITED TO; WASTE COLLECTION VEHICLES,
STREET SCENE, TRADE WASTE AND CLINICAL WASTE VEHICLES WITHIN THE
CITY OF BIRMINGHAM**

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 OF COURT 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, issued on 6 February 2026

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

AND UPON the Claimant's further application dated 11 February 2026 seeking to dispense with service of the claim form (the "Service Application")

AND UPON the Claimant notifying Persons Unknown of the Claim Form, injunction application and evidence ("the Documents") in support by carrying out each of the following steps (a) uploading copies of the Documents onto the following website: <https://www.birmingham.gov.uk/WasteInjunctionPersonsUnknown> (the "**Website**") with the notice of the hearing dated 5 February 2026 being uploaded to the Website on the same date, additional evidence being uploaded on 11 and 12 February 2026 in advance of the hearing which took place on 13 February 2026 (the "**Hearing**"), and the Service Application being uploaded on 11 February 2026; (b) on 3 February 2026, 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 (the "Third Parties") stating that a claim has been brought and an application made, and that the Documents can be found on the Website; (c) on 5 February 2026, sending emails to the Third Parties to notify them of the Hearing and providing a copy of the Court's Hearing Order; (d) on 4 February 2026, delivering a hard copy of the Documents to Unite the Union at Unite House, 128 Theobalds Road, Holborn, London, WC1X 8TN; (e) on 4 February 2026, affixing a notice at those locations marked with an "x" on Plans 1-4 setting out that the Documents can be

found on the Website and updating the notices from 6 February 2026 to include details of the Hearing and displaying the notice of the Hearing also, with checks being undertaken by the Claimant on a daily basis to ensure that the notices remained in place; (f) on 4 February 2026, 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 publishing further updates on 5 and 12 February 2026 to include details of the Hearing; and (g) leafleting of persons in attendance at the Premises to notify them of the Application and the Hearing on 6, 10, 12 and 13 February 2026

AND UPON hearing Leading Counsel for the Claimants and representations from Stuart Richardson (who identified himself as a Defendant) and Alistair Wingate (who identified himself as a member of the public opposed to the Claimant's application) at the hearing on 13 February 2026

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 at Schedule 2

IT IS ORDERED THAT: -

INJUNCTION

1. Until **20 May 2026**, 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 **20 May 2026**, 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 **20 May 2026**, 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 do any of these things (a) himself , herself or themselves, or in any other way; or (b) by means of another person acting on his/her/their behalf or acting on his/her/their instructions.
5. This injunction does not prohibit picketing or protesting in accordance with s.220(1) of the 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.
6. Further, this injunction does not prohibit protesting anywhere within the area shown on the map in Schedule 2 provided that such protesting does not otherwise breach the terms of this Order.

VARIATION

7. 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 Claimant's 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 Claimant's solicitors at least 48 hours in advance of any hearing.
8. Any person applying to vary or discharge this Order must provide the court and the Claimant's solicitors with their full name, address and address for service.

9. The Claimant has liberty to apply to vary this Order.

SERVICE AND NOTIFICATION

10. The Court directs pursuant to r.6.15(2) that the steps already taken to notify the Defendants of these proceedings and set out in the recitals above constitute good service of the claim form on those Defendants who have previously protested in the vicinity of the depot gates to any of the Premises on or between 17 September 2025 and 12 February 2026 [“the Existing Protesters”].

11. The Court further directs pursuant to r.6.27 that such steps above constitute good service of the remaining documents uploaded to the Website on the Existing Protesters.

10. This Order shall be deemed to have been served pursuant to r.6.27 on the Existing Protesters and any further Defendants who attend in the vicinity of the depot gates at any of the Premises while the notices referred to in paragraph (c) below remain affixed to such entrance upon the Claimant 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 along with a notice directing the Defendants to the Website.
- d. Distributing leaflets at each of the Premises notifying those present in the vicinity of the depot gates of the granting of the Order and giving 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.

12. The Claim Form is deemed to have been served on 9 February 2026. Accordingly:

- a. the Claimant must file Particulars of Claim by 4pm on 23 February 2026;
- b. the Defendants must file any acknowledgment of service by 4pm on 23 February 2026;
- c. in the event of any acknowledgment of service being filed, the Defendants shall file their Defence or any admissions by 9 March 2026.

FURTHER DIRECTIONS

13.Liberty to apply.

14.Costs are reserved.

COMMUNICATIONS WITH THE CLAIMANT

15.The Claimant's solicitors and their contact details are:

DLA Piper UK LLP

160 Aldersgate Street

London

EC1A 4HT

Telephone: 0207 3490296

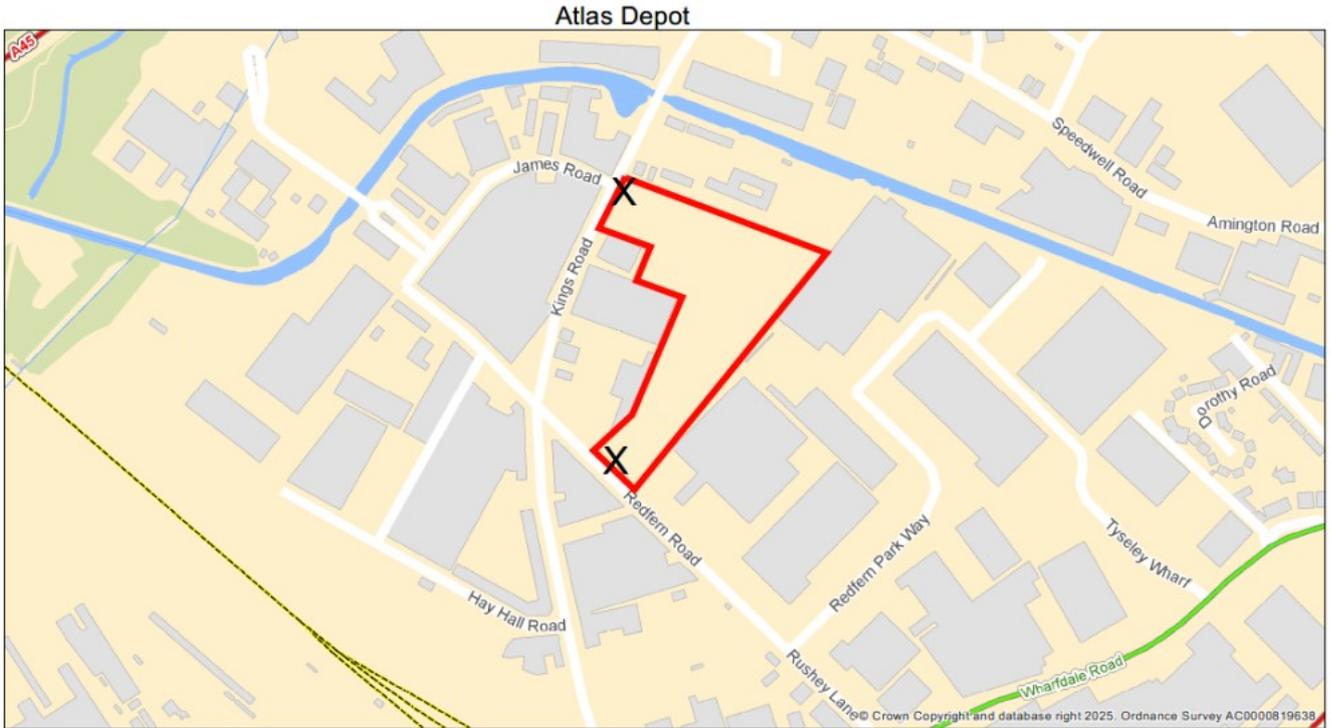
Contact name: Euan Bruce

Out of hours contact no: 07738295509 (Euan Bruce)

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



Date of Map Creation: 02/02/2026

Map Created By: Nick Massey

Scale: 1:4,504.26

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PLAN 3 - PERRY BARR DEPOT

Perry Barr Depot



Date of Map Creation: 02/02/2026

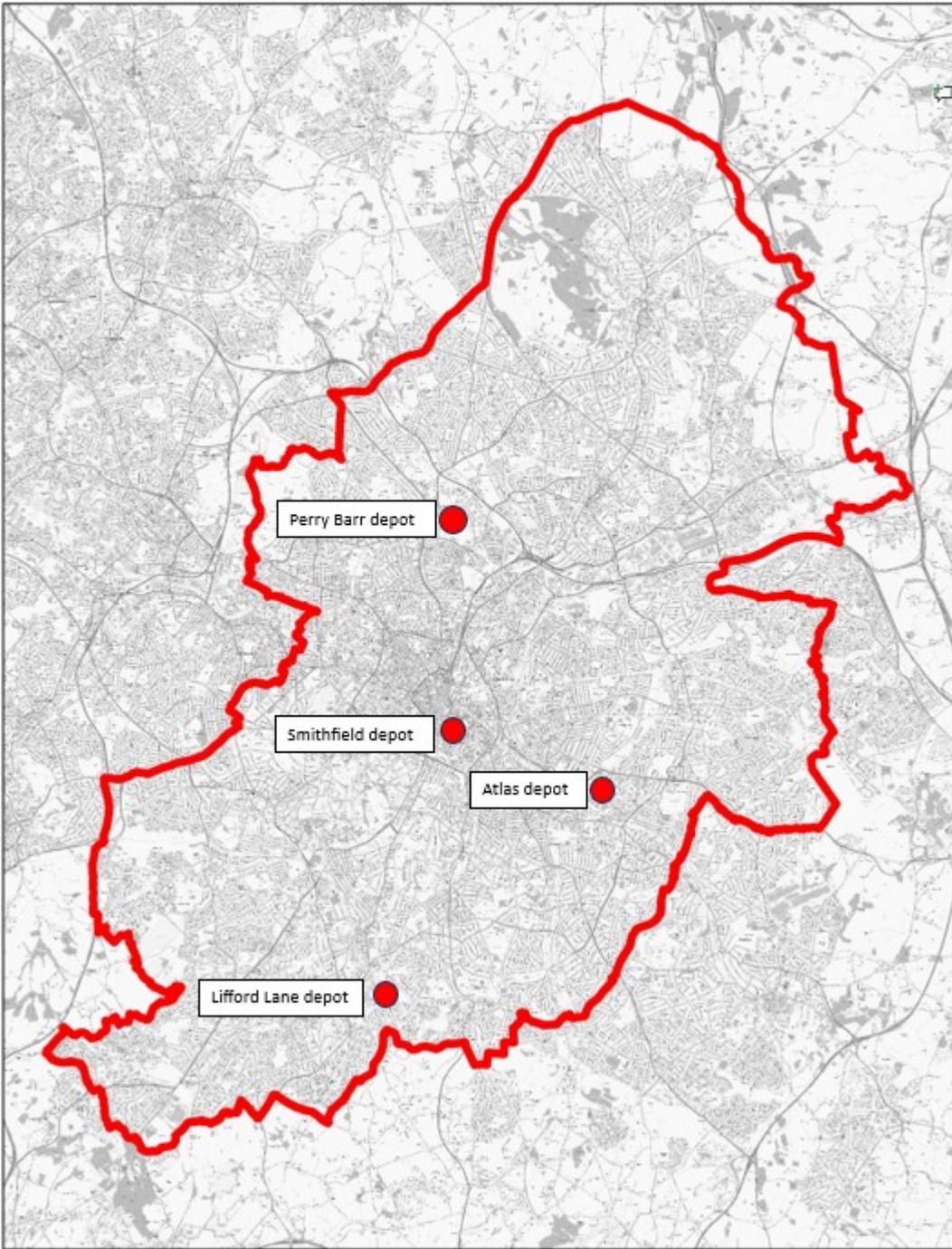
Map Created By: Nick Massey

Scale: 1:4,504.26

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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;
5. Witness statement of Carol Culley dated 3 February 2026 with accompanying Exhibit CC;
6. First witness statement of Deborah Carter-Hughes dated 11 February 2026 with accompanying Exhibit DCH.
7. Second witness statement of Deborah Carter-Hughes dated 12 February 2026 with accompanying Exhibit DCH2.

SCHEDULE 4

Undertakings
given to the
Court by the
Claimant

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.