

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



**BETWEEN:**

**BIRMINGHAM CITY COUNCIL**

**KB-2026-BHM-000043**

**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**

---

**BEFORE** Her Honour Judge Emma Kelly sitting in the High Court of Justice, King's Bench Division, Birmingham District Registry on 17 March 2026 and considering the matter on the papers

**UPON** the Claimant's application, dated 25 February 2026, seeking permission to amend the Claim Form in the form of the draft Amended Claim Form attached to the application notice ("the Application")

**AND UPON** the Claimant issuing the Claim Form on 6 February 2026 and the Claim form being deemed served on 9 February 2026

**AND UPON** the Judgment of Mr Justice Pepperall being handed down on 20 February 2026 and granting an interim injunction in favour of the Claimant

**AND UPON** the Claimant filing its Particulars of Claim on 23 February 2026

**IT IS ORDERED THAT: -**

1. The Applicant is granted. The Claimant has permission under CPR 17.1(2)(b) to amend the Claim Form in the form of the draft Amended Claim Form filed with the application notice, dated 25 February 2026.
2. The Claimant shall file the Amended Claim Form, within 7 days of the date of service of this Order on the Claimant.
3. This Order and the Amended Claim shall be deemed served on the Defendants pursuant to CPR 6.27 upon completion of all of the following steps:
  - a. Uploading a copy of the Order and the Amended Claim Form onto the Website (as defined in the interim injunction order of Pepperall J dated 20 February 2026).
  - b. Sending an email to [neiltodd@thompsons.law](mailto:neiltodd@thompsons.law); [sharon.graham@unitetheunion.org](mailto:sharon.graham@unitetheunion.org); [onay.kasab@unitetheunion.org](mailto:onay.kasab@unitetheunion.org); [annmarie.kilcline@unitetheunion.org](mailto:annmarie.kilcline@unitetheunion.org); [enquiries@wsp.org.uk](mailto:enquiries@wsp.org.uk); [birminghamsocialistparty@gmail.com](mailto:birminghamsocialistparty@gmail.com); [info@reelnews.co.uk](mailto:info@reelnews.co.uk); and [strikemap@gftu.org.uk](mailto:strikemap@gftu.org.uk), attaching in each case a copy of this Order and the Amended Claim Form.
  - c. Affixing a copy of the Order and the Amended Claim Form 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 Order and Amended Claim Form giving details of the Website.
  - e. Publishing details of this Order and the Amended Claim Form on the Claimant's social media channels that the Order and the Amended Claim Form can be accessed on the Website.
4. No order as to the costs of the Application.
5. By this order the Court has disposed of an application without service. Any party affected by this order may apply to have it set aside or varied, with any such application to be made within 7 days of service of this order on the party making the application.

Brief Reasons

- (a) By order of Pepperall J, dated 20 February 2026, the claim form in this case was deemed served on 9 February 2026. Accordingly, pursuant to CPR 17.1(2) any subsequent amendment of the claim form requires (a) the written consent of all the other parties (not practicable with persons unknown defendants) or (b) the permission of the Court.
- (b) The proposed amendment is limited to the insertion of the words “until 1 January 2028” in the Claim Form in respect of the temporal limit of the injunction that is sought. The Claim Form in its original form was silent as to the duration of injunction order that was being sought. The Court has a wide discretion to grant permission to amend. The Court considers it appropriate to grant permission in circumstances where the Application is made at an early stage of proceedings, it reduces rather than expands the scope of the final relief sought, and it ensures the Claim Form accords with the relief sought in the Particulars of Claim. There is no material prejudice to the Defendants.
- (c) There will be no order as to the costs of the Application. The practical effect of this will be that the Claimant will have to bear its own costs of the

Application. That is appropriate given the omission to include the duration on the original Claim Form is an error of the Claimant's own making.

Dated 17<sup>th</sup> day of March 2026