

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

BEFORE [INSERT]

DATED 20 April 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
- (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

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CERTIFICATE OF URGENCY

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1. The Claimants have today issued the enclosed application (the "**Application**") to extend the interim injunction of Mr Justice Pepperall by order of 20 February 2026 (the "**Order**") to prevent the Defendants from, without the consent of the Claimant:
  - (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, West Midlands, B30 3JJ (as shown edged in red on the attached Plan 2 in Schedule 1)

c. Perry Barr Depot, Holford Drive, Perry Barr, Birmingham, West Midlands, B42 2TU  
(as shown edged in red on the attached Plan 3 in Schedule 1)

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

(Together "**the Premises**")

(ii) blocking or obstructing the exiting or entering of any other individual or vehicle to or from the  
Premises or otherwise impeding the exiting or entrance of such individuals or vehicles; or

(iii) blocking or otherwise obstructing the public highway within the boundary marked 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.

2. The Application is brought in the context of 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) Application Notice Form N244 dated 20 April 2026, together with the draft order sought;

(B) Supporting witness statement of Deborah Carter-Hughes dated 20 April 2026 (being her Third  
statement in respect of this claim) with accompanying Exhibit DCH3 of equal date;

(C) Supporting witness statement of Carol Culley dated 20 April 2026 (being her Second statement in  
respect of this claim).

4. I certify that the claim is urgent for the following reasons as detailed in the Third witness statement of  
Deborah Carter-Hughes, and, further to 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  
week commencing 27 April 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 injunction order on 23 May 2025 by Mrs  
Justice Dias to restrain unlawful picketing and protesting. UNITE having breached that order  
and subsequently admitted contempt, by a judgment handed down on 17 March 2026,

UNITE was ordered to pay a fine in the sum of £265,000 to HM Courts and Tribunals Service.

B. Following its admission that it was in breach of the injunction order, UNITE ceased its unlawful protest and picketing activities. However, substantially similar activities were quickly resumed by the Defendants with the levels of disruption escalating from December 2025 onwards. This activity caused severe disruption to the provision by the Claimant of its waste collection service for the residents of Birmingham. As a result, the Claimant applied for an injunction against Persons Unknown on 3 February 2026 which was granted by Mr Justice Pepperall in an order dated 20 February 2026 (sealed on 23 February 2026) (“the Order”).

C. Since the Order, there has been protest activity at the site of Tom Whites in Coventry on 13 March 2026 and 1 April 2026. Tom Whites is a contractor who have been undertaking waste collection services in Birmingham on behalf of the Claimant.

D. If a further order is not made, the Interim Injunction will expire on 20 May 2026. The fact that the activities by Persons Unknown were escalating up to the date of the injunction application and only ceased because of the subsequent Order combined with recent protest activity at Tom Whites, shows that 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.

E. The Application is technically *ex parte* as it is brought against Persons Unknown. Nonetheless, the Claimants are under an obligation to take reasonable steps to notify individuals who may be affected by the Application. The Claimants propose to notify the Defendants of the Application documents via the same means as the original Order i.e. utilising 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 week commencing 27 April 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 in the period 29 April – 1 May 2026.

Signed:

A handwritten signature in black ink, appearing to read 'Jonathan 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: 20 April 2026

**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**



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**PLAN 3 – PERRY BARR DEPOT**

**Perry Barr Depot**



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**SCHEDULE 2 – MAP OF PROHIBITED TERRITORY**

