



N244

Application notice

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

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Name of court KBD Birmingham District Registry		Claim no. KB-2026-BHM-000043
Fee account no. (if applicable)	Help with Fees – Ref. no. (if applicable)	
PBA0087960	HWF- - - - -	
Warrant no. (if applicable)		
Claimant's name (including ref.) BIRMINGHAM CITY COUNCIL		
Defendant's name (including ref.) PERSONS UNKNOWN		
Date	12 MAY 2026	

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

DLA Piper UK LLP

2. Are you a Claimant Defendant Legal Representative

Other (please specify)

If you are a legal representative whom do you represent?

BIRMINGHAM CITY COUNCIL

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

An order that the proceedings be transferred to CPR Part 8

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

N/A

8. What level of Judge does your hearing need?

High Court

9. Who should be served with this application?

N/A

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

N/A

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.

1. These proceedings were issued in February 2026 under Part 7. Particulars of Claim were served on 23 February 2026. No Defence to the Claimant's claim has been submitted.
2. On 13 February 2026, the Claimant applied for an interim injunction to restrain the Defendants from carrying out protesting activity which involved blocking the free passage of the Claimant's waste collection vehicles as they sought to exit from the Claimant's premises and as they sought to proceed with waste collection within the City of Birmingham. At that hearing, there was no or no substantive challenge made by any Defendant to the evidence of protesting activity presented by the Claimant.
3. In a Judgment handed down following the Claimant's injunction application, and dated 20 February 2026, Mr Justice Pepperall observed (at paragraph 80) that the Part 7 procedure appeared to be inappropriate in this case but also noted that no application was before him for the matter to proceed under Part 8 and that he had not heard argument on the point.
4. On 23 March 2026, the Claimant was given permission to amend its Claim Form in order to show that it was seeking an injunction until 1 January 2028.
5. On 30 April 2026, the Claimant applied for an extension of its interim injunction. It was however, not possible for the application to be heard. The Court however issued directions under which the parties were to consider whether the Court should order that the claim should now proceed under Part 8, or in the alternative should propose case management directions for a speedy trial of this claim.
6. Given that the Claimant now seeks an injunction until 1 January 2028, it does not appear to be appropriate to seek directions for a speedy trial.
7. The Claimant therefore applies for an order that the claim should now proceed under Part 8. It does not appear to be the case that the facts on which it relies will be in dispute and the principal issue for the Court will be whether to grant an injunction to 1 January 2028, represents a proportionate interference with the Defendant's convention rights under Articles 10 and 11 ECHR.

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

D Carter-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

1	2	0	6	2	0	2	6
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Full name

DEBORAH CARTER-HUGHES

Name of applicant'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

Applicant'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
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If applicable

Phone number

Fax phone number

DX number

33866 Finsbury Square

Your Ref.

Email

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