

On behalf of: Claimant
By: Anthony Cox
No: Second
Exhibit: AC2
Date: 15 May 2026

KB--2026-BHM-000043

IN THE HIGH COURT OF JUSTICE

KING'S BENCH DIVISION

BIRMINGHAM DISTRICT REGISTRY DISTRICT REGISTRY

BETWEEN:

(1) BIRMINGHAM CITY COUNCIL

Claimant

- and -

(1) PERSONS UNKNOWN

Defendant

**WITNESS STATEMENT OF
ANTHONY COX**

I, **ANTHONY COX**, of The Council House, Victoria Square, Birmingham, B1 1BB
WILL SAY as follows:

- 1 I am the City Solicitor (Monitoring Officer) of Birmingham City Council (**Council**). I have been in this role since June 2025. I am responsible for leading the Council's legal team and have ultimate responsibility for the Council's legal issues.
- 2 I am a solicitor of the Senior Courts of England and Wales. I qualified as a solicitor in 1992. Prior to joining the Council last year, I was Director of Legal and Governance and Monitoring Officer at Walsall Metropolitan Borough Council.
- 3 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 a full and frank disclosure in respect of the situation. In preparation of this statement, I have sought to comply with this duty.

- 4 I am duly authorised by the Council to make this witness statement on behalf of the Council in relation to the ongoing protests affecting the Council's waste collection service for the city and the Council's application for an extension of the injunction against the Defendants in respect of the same.
- 5 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.
- 6 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.
- 7 There is now produced and shown to me an accompanying exhibit marked "Exhibit AC2". These documents are identified in this witness statement by references to the page numbers in the form "[**AC2/tab no**]".

Election Update

- 8 I have previously provided a statement in this matter addressing the statement made by Councillor John Cotton on 27 April 2026 regarding a deal having been reached with Unite to resolve the industrial dispute which has led to protests by the Defendants.
- 9 As outlined in my previous statement, Cllr Cotton's statement was made during a pre-election period of sensitivity and was made in his capacity as "Leader of the Labour Group" and not as Leader of Birmingham City Council. The statement made was on behalf of a political grouping not the Council as a whole and no deal has been agreed between the Council and Unite.
- 10 The Council's election took place on 7 May 2026 with the following results for the 101 available seats:


- 10.1 Conservative - 16
 - 10.2 Green Party - 19
 - 10.3 Reform UK - 23
 - 10.4 Labour and Co-operative Party - 1
 - 10.5 Labour - 16
 - 10.6 Liberal Democrats - 12
 - 10.7 Independent - 13
 - 10.8 Workers Party – 1
- 11 The result means that no single party or even two parties combined, has the majority required (51) to take control of the Council. I understand that discussions are taking place between elected councillors in an effort to reach an agreement on a coalition to lead the Council. I am not privy to those discussions but have noted some press reports speculating on the issue [**AC2/1**].
- 12 Cllr Cotton was unsuccessful in seeking re-election. The Labour Group (representing both Labour and the Labour and Co-Operative Party) previously led by Cllr Cotton obtained 17 seats.
- 13 The election of a new Council Leader will take place at the Annual General Meeting of Council on the 19 May 2026. No Council meetings are expected prior to that.
- 14 It is usual for the position of Leader of the Council to be determined by a simple majority vote at the Annual General Meeting of Council. This meeting will also stipulate the term of office for the Leader. Nominations will be made to Council and votes taken to determine the leadership of the Council. If the political groups are not in a position to determine who the Leader of the Council should be at the Annual General Meeting on the 19 May 2026 it is likely that the meeting will be adjourned off to a later date to see if political agreement could be reached on this matter.

15 As indicated in my previous statement, whichever coalition of parties form the next administration, they will need to be briefed about the detail of the waste dispute and the options available to settle the dispute. This could take time and even if the newly formed Cabinet decided to support the proposal made by the Labour Group, it could take up to six months for the Council to be in a position to decide on and implement an approach to settle the dispute. It is also a possibility that any newly formed Council Cabinet would not support the proposal made by the Labour Group. I am not privy to the parties' positions but have noted comments in the press regarding their apparent positions on the dispute [AC2/2].

Statement of Truth

16 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 15 May 2026

Signed by:

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ANTHONY COX

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ANTHONY COX**

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Ref: EAB/EAB/36257/120050/UKM/212260690.2
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