



KB-2026-BHM-000043

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

BEFORE MR JUSTICE CHOUDHURY

DATED 18 May 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

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 amended and reissued on 23 March 2026 pursuant to the Order of HHJ Emma Kelly dated 17 March 2026

AND UPON the Claimant's application of 3 February 2026 for an interim injunction heard before Mr Justice Pepperall on 13 February 2026 at a hearing attended by Leading Counsel for the Claimant and 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)

AND UPON the Claimant's application of 12 May 2026 for the claim to be transferred to Part 8 of the Civil Procedure Rules

AND UPON an order for an interim injunction being made by Mr Justice Pepperall on 20 February 2026 until 20 May 2026, final determination of the claim or further order

AND UPON the Claimant's application of 20 April 2026 for extension of the interim injunction ("**Extension Application**")

AND UPON the Claimant notifying Persons Unknown of the Extension 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 relisted hearing dated 12 May 2026 being uploaded to the Website on 13 May 2026, additional evidence being uploaded on 15 May 2026 in advance of the hearing which took place on 18 May 2026 (the "**Hearing**") (b) on 20 April 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 strikeimap@gftu.org.uk (the "**Third Parties**") stating that the Extension Application has been made, and that the Documents can be found at the Website (c) on 12 May 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 21 April 2026 delivering a hard copy of the Documents to Unite the Union at Unite House, 128 Theobalds Road, Holborn, London, WC1X 8TN (e) on 21 April 2026 affixing a notice at those locations marked with an "x" on Plans 1-4 setting out that these documents can be found on the Website and updating the notices from 13 May 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 22 April 2026 publishing on the Claimant's social media channels that the Extension Application has been made and that the Documents can be accessed on the Website and publishing further updates on 13 May 2026 to include details of the Hearing; (g) leafleting of persons in attendance at the Premises to notify them of the Application and the Hearing on 21 April 2026 and 13 May 2026 respectively.

AND UPON hearing Leading Counsel for the Claimants at the Hearing

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, entitled Map 1 at Schedule 2

IT IS ORDERED THAT: -

INJUNCTION

1. Until 20 November 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 November 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 November 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; (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
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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 13 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.
12. The 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.

APPLICATION TO TRANSFER CLAIM TO PART 8

13. The claim shall continue to proceed under Part 7 of the Civil Procedure Rules.

FURTHER DIRECTIONS

14. Liberty to apply.
15. Costs are reserved.

COMMUNICATIONS WITH THE CLAIMANT

16. The Claimants solicitors and their contact details are:
-

DLA Piper UK LLP
160 Aldersgate Street
London
EC1A 4HT
Telephone: 0207 3490296

Contact names: 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

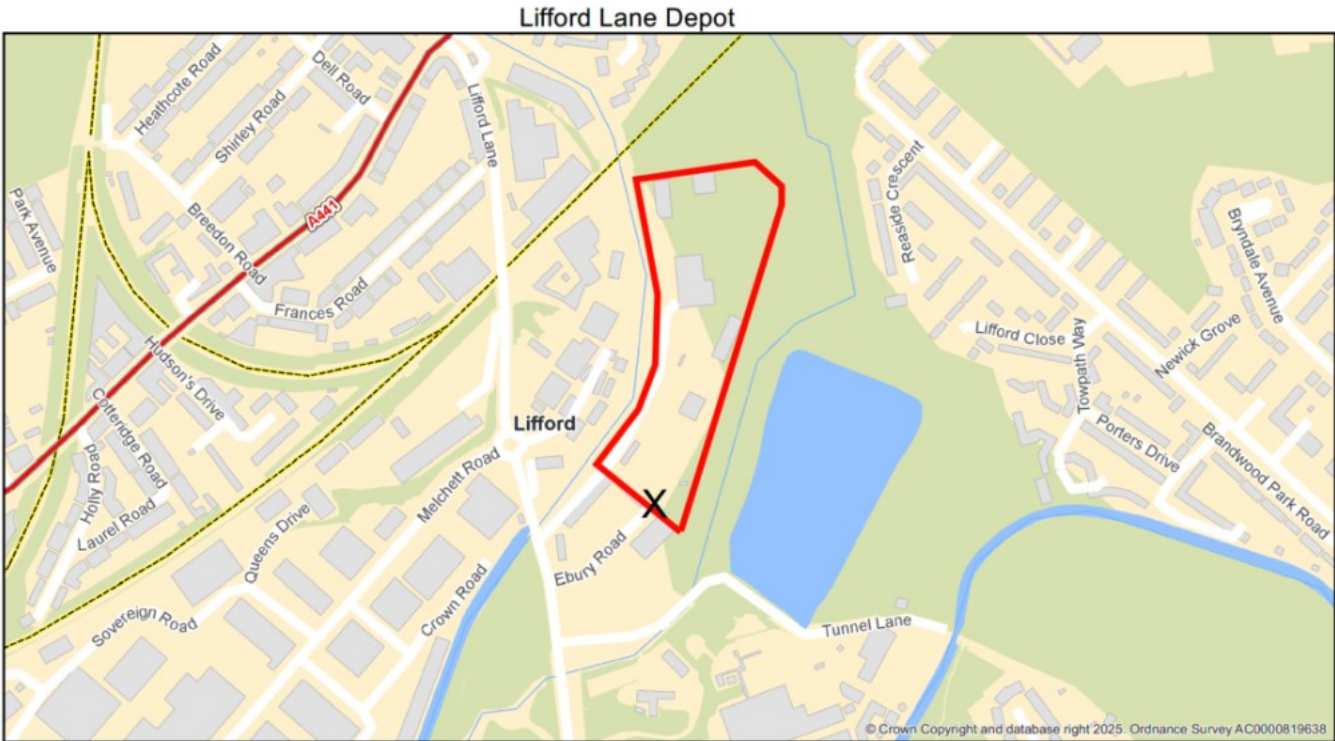
Map Created By: Nick Massey

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

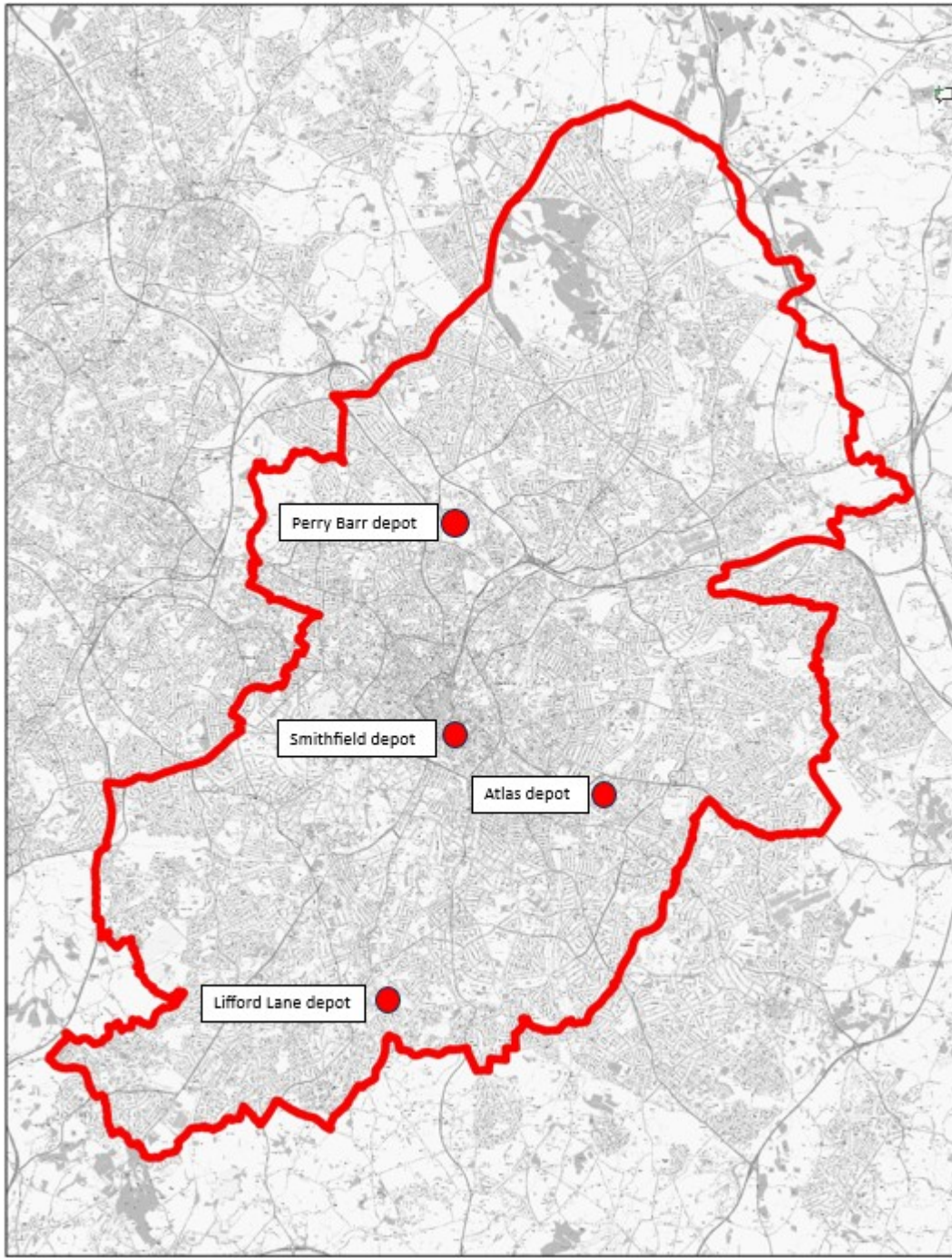
Map Created By: Nick Massey

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. Third witness statement of Deborah Carter-Hughes dated 20 April 2026 with accompanying Exhibit DCH3 of the same date;
2. Fourth witness statement of Deborah Carter-Hughes dated 28 April 2026 with accompanying Exhibit DCH4 of the same date;
3. Fifth witness statement of Deborah Carter-Hughes dated 29 April 2026 with accompanying Exhibit DCH5 of the same date;
4. Sixth witness statement of Deborah Carter-Hughes dated 15 May 2026 with accompanying Exhibit DCH6 of the same date;
5. First witness statement of Anthony Cox dated 29 April 2026 with accompanying Exhibit AC1
6. Second witness statement of Anthony Cox dated 15 May 2026 with accompanying Exhibit AC2
7. Second witness statement of Carol Culley dated 20 April 2026.

SCHEDULE 4

**Undertakings given to
the Court by the
Claimant**

1. 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.

2. As soon as reasonably practicable to apply to the Court for further review of this order in the event that agreement is reached between the Claimant and Unite the Union in respect of the underlying trade dispute.