

High Court injunction against mass picketing by Birmingham bin workers as Unite considers “watered down” proposal

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Birmingham City Council’s (BCC) using a High Court injunction to criminalise effective picketing by bin workers marks a renewed crackdown against the 11-week strike by 350 refuse drivers and loaders opposing job losses and £8,000 pay cuts.

Backed by the Starmer government, BCC is clearing the path for a brutal restructuring and downgrading of frontline jobs. It is implementing a £300 million cost-cutting operation overseen by unelected commissioners, appointed by the Conservative government in 2023 and retained under Labour after the UK’s second-largest city declared bankruptcy. It is a test case for rolling out austerity under Starmer across local councils, whose budgets have been slashed by up to 60 percent over the past decade.

The High Court on May 29 extended the interim injunction granted the previous week on an indefinite basis. West Midlands Police had withdrawn use of Section 14 Public Order Act 1986, previously invoked under “major incident” powers declared by BCC to break-up pickets with threats of fines and imprisonment.

Under the court’s terms, picketing is now restricted to six workers per site who must wear high-vis clothing and remain in designated zones. Any attempt to delay vehicles, “slow walk,” or sit on the road is banned. Violations can lead to jail time, fines, or asset seizure for “contempt of court.”

On May 22, a Unite member was arrested outside the Perry Barr depot under suspicion of public order offences and taken into custody by police for questioning, only to be released later without charge.

Unite, rather than mobilising its one million membership, including tens of thousands of council workers, to defeat this attack vowed compliance. BCC cited Unite’s cooperation:

“The terms of the order which Unite has now agreed is designed to ensure that this is all done within the confines of the law.”

Unite stated “we will continue to conduct a lawful, peaceful picket.” It claims it may “contest the injunction at a later date,” but its immediate retreat in the face of the intimidation of the striking bin workers proves this to be a lie.

The refusal to resist strikebreaking is part of Unite’s enforced isolation of the bin workers—the first major industrial struggle against Sir Keir Starmer’s Labour government since it took office nearly a year ago. This has taken the form of talks between Unite and BCC via the arbitration service ACAS, which began May 1. In a May 21 statement, General Secretary Sharon Graham admitted the promised “ballpark offer” from the talks had not materialised:

“The talks, which started on 1 May under the auspices of the conciliation service ACAS, set out a clear timeline for the discussed offer... This offer is still not with the union. Indeed, the receipt deadline agreed with ACAS has been broken three times.”

Unite had entered talks without any guarantees—despite BCC’s public insistence it would press ahead with restructuring. As the WSWS warned, ACAS is not a neutral body but a government-backed mechanism to bury workers struggles and impose employer terms.

Meanwhile, pickets have faced a coordinated strikebreaking operation involving agency workers, private contractors, and refuse crews from neighbouring authorities. Police have been deployed to escort trucks through picket lines. This has been greenlit by the government. Deputy Prime Minister Angela Rayner, promoted by union leaders as a friend of workers in Starmer’s government, publicly attacked strikers,

declaring, “they can’t be blocking lorries”. Rayner authorised the use of military personnel to coordinate the strike breaking operation in March.

The concern of Unite’s leadership is not defending jobs but preserving its role as partner in a cost-cutting operation. The “ballpark” proposal involved seeking higher one-off payments in exchange for scrapping the safety critical role among loaders of Waste Reduction and Collection Officer (WRCO). Unite’s only objective is a slightly improved compensation deal for workers losing up to £8,000 a year, in return for rubber-stamping job destruction.

More than 200 refuse truck drivers who have joined with loaders on strike are faced with similar downgrading plans to slash their pay by £8,000 to £10,000. Two weeks ago, they received emails offering voluntary redundancy.

Following Graham’s admission that the ACAS talks served as a political smokescreen for council leader John Cotton and Angela Rayner, Unite stated that a belated revised offer received last Friday would still be considered even after acknowledging it was sub-standard.

Graham said in a May 31 Unite press release:

“The proposal is not in line with the ballpark offer discussed at conciliation (ACAS) and has clearly been watered down by the government commissioners and the leader of the council, who were not in the negotiating room... Unite will be consulting with our reps over the weekend and will give a detailed response to this watered-down proposal, in advance of a reconvened ACAS meeting. The actual decision makers now need to be in the room at the further ACAS talks.”

Getting the key decision makers in the room with Unite negotiators is a recipe for a sellout. Birmingham bin workers need a strategy to defeat the lead architects of the strike breaking operation.

BCC pleads bankruptcy to cut jobs and slash pay of bin workers, but this has not prevented it from funnelling a figure heading towards a £1 million for the police operation to smash the strike.

On May 27 *Birmingham Live* published the results of their Freedom Of Information request on the cost of policing revealing that West Midlands Police deployed 1,787 officers including 211 sergeants and 78 inspectors from February 26 to May 16 at the three depots—Atlas in Tyseley, Lifford Lane and Perry Barr—costing £846,695. These figures do not cover the period of the on-off stoppages starting in January and the last two weeks of all-out strike action in May.

Graham’s description of this as a “costly shambles” is

to deflect from the Starmer government’s role in effectively providing a war chest to BCC and the refusal of the union to mount a challenge to the repressive anti-strike laws.

The Labour council, backed by Starmer, is carrying out a textbook fire-and-rehire attack. Unite has shown it will cross every red line to preserve its partnership with a government of Thatcherite warmongers. Its role is to contain resistance, block escalation, and manage discontent so the cuts can proceed.

Whatever statement arises following the weekend meeting with reps, the eleven weeks of all-out strike action has shown the conduct of the struggle cannot be entrusted to the Unite leadership.

Further talks through ACAS should be rejected. A strike committee needs to be formed of Birmingham workers at all three depots so any further talks have the direct oversight of the rank-and-file which must determine strategy and overcome the isolation to win the backing of the working class to defeat the strike busting.

The committee should issue its own list of non-negotiable demands:

- Full defence of the WRCO role
- No downgrading of driver positions
- No redundancies
- Restoration of all lost pay
- An end to legal intimidation and withdrawal of the injunction

It must reach out to other refuse workers—including in neighbouring councils and private firms like Veolia in Sheffield—and call for opposition to the scabbing operation. Links must be built with other public sector workers facing similar attacks.

The fight against mass downgrading and austerity must become a political fight against the Starmer government and its agents in local councils.

Birmingham’s refuse workers can win—by taking control through rank-and-file organisation, democratic decision-making, and united action across workplaces. Not one job, not one penny, for unelected commissioners and police strikebreaking to enforce austerity! Defend frontline jobs and public services!



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