



EMPLOYMENT TRIBUNALS

Claimant: Mr W Roe & Others
(see attached Schedule)

Respondent: 1. Autorestore Limited (in administration)
2. Secretary of State for Business, Energy & Industrial Strategy

JUDGMENT

- (1) The first respondent has failed to comply with a requirement of section 188 of the Trade Union & Labour Relations (Consolidation) Act 1992. The claim for a protective award succeeds.
- (2) The Tribunal makes a protective award in respect of the claimants who worked at the respondent's establishment at Signal House, Crown Way, Crown Park, Rushden NN10 6BS and who were dismissed as redundant on or after 14 June 2022 that the employer pay remuneration for the protected period which begins on 14 June 2022 and is for a period of 90 days. The Recoupment Regulations apply.

REASONS

1. There are 42 claimants.
2. The claimants appear to have presented their claims within the statutory time limit as extended by reason of the early conciliation provisions.
3. It appears that the claimants were employed at the same establishment in Rushden and were made redundant on or after 14 June 2022
4. The claimants assert that there was no recognised trade union or elected employee representatives.

5. It appears that 20 or more employees at the establishment were made redundant or placed at risk of redundancy, on or within 90 days of 14 June 2022.
6. The claimants claim that they were dismissed during this period without any consultation having taken place.
7. The first respondent has not filed a response and the second response has filed a response admitting that the first respondent is insolvent within the meaning in the Employment Rights Act 1996. In these circumstances it would be disproportionate to convene a hearing.
8. There appears to be no reason to depart from the principle that protective awards are punitive and should be for the maximum period unless there are circumstances making it just not to do so

Regional Employment Judge Foxwell

Date: 22 February 2023

JUDGMENT SENT TO THE PARTIES ON
27 February 2023

FOR THE TRIBUNAL OFFICE

Public access to employment tribunal decisions

Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.

Multiple Schedule

Case Number	Case Name
3311834/2022	Mr Wayne Roe -v- Autorestore Limited (in administration) & Others
3311835/2022	Mr wayne roe -v- Autorestore Limited (in administration) & Others
3311836/2022	Miss roseina dilley -v- Autorestore Limited (in administration) & Others
3311837/2022	Mr adam cifola -v- Autorestore Limited (in administration) & Others
3311838/2022	Mr simon forrester -v- Autorestore Limited (in administration) & Others
3311839/2022	Mrs shona salter -v- Autorestore Limited (in administration) & Others
3311840/2022	Miss agata krakowiak -v- Autorestore Limited (in administration) & Others
3311841/2022	Mr leigh brown -v- Autorestore Limited (in administration) & Others
3311842/2022	Miss chloe leonard -v- Autorestore Limited (in administration) & Others
3311843/2022	Mrs anette turner -v- Autorestore Limited (in administration) & Others
3311844/2022	Mr steven figg -v- Autorestore Limited (in administration) & Others
3311845/2022	Miss reanne lewis -v- Autorestore Limited (in administration) & Others
3311846/2022	Miss ellie cooper -v- Autorestore Limited (in administration) & Others
3311847/2022	Mr daniel cootes -v- Autorestore Limited (in administration) & Others
3311848/2022	Mr michael burns -v- Autorestore Limited (in administration) & Others
3311849/2022	Mr ross cooper -v- Autorestore Limited (in administration) & Others
3311850/2022	Mr scott chadwick -v- Autorestore Limited (in administration) & Others
3311851/2022	Mr nicholas chambers -v- Autorestore Limited (in administration) & Others
3311852/2022	Mr lee shepherd -v- Autorestore Limited (in administration) & Others
3311853/2022	Mr andris vasiljevs -v- Autorestore Limited (in administration) & Others
3311854/2022	Mr andrew thomas -v- Autorestore Limited (in administration) & Others
3311855/2022	Mr douglas hastings -v- Autorestore Limited (in administration) & Others
3311856/2022	Mr allan maclennan -v- Autorestore Limited (in administration) & Others
3311857/2022	Mr paul bell -v- Autorestore Limited (in administration) & Others
3311858/2022	Mr robert loades -v- Autorestore Limited (in administration) & Others
3311859/2022	Miss debra porter -v- Autorestore Limited (in administration) & Others
3311860/2022	Mr john mellon -v- Autorestore Limited (in administration) & Others
3311861/2022	Mr philip porter -v- Autorestore Limited (in administration) & Others
3311862/2022	Mr christopher golesworth -v- Autorestore Limited (in administration) & Others
3311863/2022	Mr matthew layton -v- Autorestore Limited (in administration) & Others
3311864/2022	Mr christopher boyling -v- Autorestore Limited (in administration) & Others
3311865/2022	Mr mark brown -v- Autorestore Limited (in administration) & Others
3311866/2022	Mr elliot brown -v- Autorestore Limited (in administration) & Others
3311867/2022	Mr hammad hassan -v- Autorestore Limited (in administration) & Others
3311868/2022	Mr sean hall -v- Autorestore Limited (in administration) & Others
3311869/2022	Mr paul curnick -v- Autorestore Limited (in administration) & Others
3311870/2022	Mr tim byrne -v- Autorestore Limited (in administration) & Others
3311871/2022	Mr denis tracey -v- Autorestore Limited (in administration) & Others
3311872/2022	Mr jonathan irwin -v- Autorestore Limited (in administration) & Others
3311873/2022	Mr julian bulmer -v- Autorestore Limited (in administration) & Others
3311874/2022	Mr christopher norman -v- Autorestore Limited (in administration) & Others
3311875/2022	Mr Leigh Brown -v- Auto Restore Limited (in administration) & Others