



EMPLOYMENT TRIBUNALS

Claimant: Miss R Toner

Respondent: 1. Herbivore Restaurants Limited (in administration)
2. The Secretary of State for Business,
Energy and Industrial Strategy

Heard at: Central London Employment Tribunal (by CVP)

On: 21 June 2024

Before: Employment Judge Brown (sitting alone)

Appearances:
For the Claimant: Ms N Toner, Solicitor
For the Respondents: Did not attend and was not represented

JUDGMENT

The judgment of the Tribunal is that:

1. The First Respondent breached its duties to consult about the dismissal, as redundant, of 20 or more employees at one establishment within a period of 90 days, pursuant to s188 and 188A Trade Union and Labour Relations Consolidation Act 1992.
2. The First Respondent was a single establishment for the purposes of s188 TULCRA 1992.
3. A protective award is made under s189 TULRCA 1992, for the protected period of 90 days, commencing on 2 May 2023, ordering that the First Respondent pay remuneration for the protected period, in respect of the First Respondent's employees.

Employment Judge

Date 21 June 2024

JUDGMENT SENT TO THE PARTIES ON

27 June 2024

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FOR THE TRIBUNAL OFFICE

Notes

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.

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.

Recording and Transcription

Please note that if a Tribunal hearing has been recorded you may request a transcript of the recording, for which a charge may be payable. If a transcript is produced it will not include any oral judgment or reasons given at the hearing. The transcript will not be checked, approved or verified by a judge. There is more information in the joint Presidential Practice Direction on the Recording and Transcription of Hearings, and accompanying Guidance, which can be found here:

<https://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/>