



EMPLOYMENT TRIBUNALS

Appellant: Clark-Drain Limited

Respondent: Emma Bitz (on behalf of the Health & Safety Executive)

IN THE MATTER OF an appeal against Prohibition Notice INVGP17-EB-101024-01 regarding work on or near a fragile roof which was served by the Respondent upon the Appellant on 10 October 2024 pursuant to the Health & Safety at Work etc Act 1974

UPON the Respondent accepting that the Prohibition Notice was not properly served

AND UPON the Appellant and the Respondent having agreed the terms of this judgment

JUDGMENT BY CONSENT

1. The appeal is allowed.
2. The Prohibition Notice is cancelled.
3. Each party shall bear its own costs of this appeal.

Approved by:

**Regional Employment Judge Foxwell
30 January 2025**

JUDGMENT SENT TO THE PARTIES ON
7 February 2025

FOR THE TRIBUNAL OFFICE