



EMPLOYMENT TRIBUNALS

Claimants: Mr Costello, Mr Grosvenor and Ms Akerman

Respondents: R1 Laura Ashley Limited (in administration)
R2 AL Realisations Limited (in administration)
R3 Premier Home Logistics Limited (in administration)
R4 Texplan Manufacturing Limited (in administration)
R5 The Secretary of State for Business Energy and Industrial Strategy

JUDGMENT BY CONSENT

The terms of this Judgment by Consent are as follows:

1. The claimants in the attached Schedule to this Judgment (the “**Claimants**”) were all employed by the Fourth Respondent.
2. Robert Nicholas Lewis and Zelf Hussain were appointed as joint administrators of the First, Second, Third and Fourth Respondents on 23 March 2020 and Rachael Maria Wilkinson was appointed as a joint administrator of those Respondents on 17 April 2020. On 3 July 2020, Anthony John Wright and Paul Allen of FRP Advisory were appointed as additional administrators of the Second and Fourth Respondents.
3. On 31 July 2020, the Claimants were dismissed by the Fourth Respondent by reason for redundancy.
4. The Claimants have raised a complaint pursuant to section 189 of The Trade Union and Labour Relations (Consolidation) Act 1992 (“**the Act**”) and are seeking a protective award in respect of failure to consult in accordance with s.188 and s.188A of the Act.
5. The Claimants listed in the Schedule to this Judgment were all assigned to an establishment where 20 or more redundancies were proposed by their employer within a period of 90 days. The Fourth Respondent did not fully inform and consult with these Claimants in accordance with the provisions of s.188 and s.188A of the Act.

6. The Tribunal makes a protective award in favour of the Claimants listed in the Schedule to this Judgment for a protected period of 35 days, capped at the amount payable by the Redundancy Payments Service (“**RPS**”), in accordance with the RPS’s own regulations and limits and subject to any deductions required by law.
7. The parties agree that for the purposes of this Judgment, the protected period in relation to each of the claimants begins on their individual termination date as set out in the Schedule (being the date on which each claimant was dismissed by reason of redundancy) and lasts for a protected period of 35 days.
8. There is no order requiring any party to pay or reimburse another party’s costs or fees. Each party shall bear their own costs and fees.
9. For the avoidance of doubt, this Judgment applies to the Claimants listed in the attached Schedule only and it is agreed that the claims listed in the Schedule are extinguished in their entirety by this Consent Judgment.
10. The Recoupment Regulations apply to this Judgment. For the avoidance of doubt, any recoupment notice does not apply to the Secretary of State for Business, Energy and Industrial Strategy.

NOTES

Useful information

1. All judgments and any written reasons for the judgments are published, in full, online at <https://www.gov.uk/employment-tribunal-decisions> shortly after a copy has been sent to the claimants and respondents.
2. You can appeal to the Employment Appeal Tribunal if you think a legal mistake was made in an Employment Tribunal decision. There is more information here: <https://www.gov.uk/appeal-employment-appeal-tribunal>

Employment Judge Deeley

20 July 2021

Schedule - Claimants who are entitled to a protective award for a 35 day period and are included within the scope of the Consent Judgment

Claimants with Termination Date of 31 July 2020

	Claim Numbers	Name	Name	Termination Date
1.	1806247/2020	Danny	Costello	31/07/2020
2.	1806248/2020	Martin	Grosvenor	31/07/2020
3.	1806249/2020	Janine	Akerman	31/07/2020