



EMPLOYMENT TRIBUNALS

Claimant: Mr C Bourne & 19 Others

Respondent: (1) Raleigh Property Transformations Ltd (In Creditors Voluntary Liquidation)
(2) The Bespoke Building Company (Devon) Ltd
(3) The Secretary of State for Business, Energy and Industrial Strategy

Heard at: Exeter Employment Tribunal **On:** 29 and 30 May 2019

Before: Employment Judge Midgley

Representation

Claimant: Ms C Ettery (a Claimant, in person)

First and Second Respondent: Ms L Denno

Third Respondent: Mr P Soni

JUDGMENT

1. The Tribunal has jurisdiction to hear the Claimants' claims for unfair dismissal, breach of contract (notice pay), unlawful deduction of wages and holiday pay ("The Claims"). It was not reasonably practicable for the Claimants to file the Claims within the primary time limit and the Claims were issued within a reasonable period thereafter.
2. There was a transfer of an undertaking within the meaning of Regulation 4 TUPE 2006 on 16 May 2018 between the First Respondent and the Second Respondent. That transfer occurred before an insolvency practitioner acted on behalf First Respondent (within the meaning of s.388 of the Insolvency Act) and Regulation 8 TUPE 2006 did not apply.
3. The application to amend the claims to add a claim Regulation 15 TUPE 2006 was withdrawn.
4. The claims against the Third Respondent are dismissed.

Case No: 1403078/2018 & 19 Others
(See attached schedule)

Employment Judge

Date: 3 June 2019

JUDGMENT SENT TO THE PARTIES ON

5 June 2019

FOR THE TRIBUNAL OFFICE

Note

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.

Case No: 1403078/2018 & 19 Others
(See attached schedule)

	Case no.	Claimant
1.	1403078/2018	Mr C Bourne
2.	1403089/2018	Mr C Bourne
3.	1403137/2018	Mr NJ Brookes
4.	1403141/2018	Mr M Saunders
5.	1403143/2018	Mr L Churchill
6.	1403149/2018	Mr D Lang
7.	1403250/2018	Mr S Narduzzo
8.	1403251/2018	Mr M Williams
9.	1403263/2018	Mrs M Leonard
10.	1403265/2018	Ms C Ettery
11.	1403266/2018	Mrs A Evans
12.	1403276/2018	Mr N Fisk
13.	1403281/2018	Mr T Bate
14.	1403307/2018	Mr D Lock
15.	1403308/2018	Mr D Lock
16.	1403432/2018	Mr A Oakden
17.	1403452/2018	Mr P Daly
18.	1403485/2018	Mr T Moore
19.	1403564/2018	Mr K Harlow
20.	1403953/2018	Mr A Shaw