



EMPLOYMENT TRIBUNALS

Claimant: Miss. A Moorcroft & Others (see attached schedule)

Respondents: Shearings Limited (In Administration) (R1)
Secretary of State for Business, Energy & Industrial Strategy (R2)

Heard at: Nottingham **On:** 30th April 2021

Before: Employment Judge Heap (sitting alone)

JUDGMENT BY CONSENT

UPON reading the joint application submitted by the Claimants and First Respondent on behalf of the parties and the Second Respondent having consented to that application.

AND UPON the parties having agreed to the terms of the Judgment set out below by consent:

The Judgment of the Employment Tribunal made under Rule 64 of Schedule 1 of the Employment Tribunals (Constitution & Rules of Procedure) Regulations 2013 is that:

1. Permission for the claims presented by the Claimants named in the attached Schedule to this Judgment to proceed against the First Respondent, and the lifting of the moratorium in relation to those claims, is granted by the administrators of the First Respondent.

2. Protective Award

- 2.1 The Claimants marked in the Schedule attached were employed by the First Respondent.
- 2.2 Beginning on the 22nd May 2020, the Claimants set out in the Schedules attached were dismissed by the First Respondent by reason of redundancy.
- 2.3 In relation to the Claimants named in the attached Schedule to this Judgment the First Respondent, failed to adequately comply with a requirement of section 188 of the Trade Union & Labour Relations (Consolidation) Act 1992 and the claim for a protective award brought under section 189 of the Trade Union & Labour Relations (Consolidation) Act 1992 succeeds.
- 2.4 The First Respondent is Ordered to pay remuneration to the Claimants named in the attached Schedules for a protected period of 60 days beginning on 22nd May 2020 (being the date on which the first of the dismissals to which the complaint relates took effect).
- 2.5 All further proceedings of the Claimants in this action be stayed and all claims against any named Respondent other than the First Respondent are dismissed on withdrawal.
- 2.6 The Recoupment Regulations apply to this award.

3. Preferential debts

- 3.1 Subject to the normal categories of preferential debts set out in Schedule 6 of the Insolvency Act 1986, any payments made by the First Respondent (rather than the Secretary of State) pursuant to this Judgment will be paid as an unsecured dividend.

Case No: 2414406/2020 & Others on attached schedule

4. Costs

4.1 There shall be no Order as to costs and each party shall bear their own costs in these proceedings.

Employment Judge Heap

Date 6th May 2021

JUDGMENT SENT TO THE PARTIES ON

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FOR THE TRIBUNAL OFFICE

Schedule of Claimants

2414406/2020 Miss Abbie Moorcroft

Case No: 2414406/2020 & Others on attached schedule

2414549/2020	Mr	Adam	Fox
2414472/2020	Mrs	Adele Louise	Sharrock
2414420/2020	Mr	Adrian	Konowalek
2414602/2020	Miss	Agnieszka	Czerwicz
2414512/2020	Mrs	Alison	Foster
2414459/2020	Mrs	Amanda	Goulding
2414488/2020	Miss	Amy	Irving
2414598/2020	Miss	Amy	Howden-Moore
2414422/2020	Mrs	Andrea	Stott
2414442/2020	Mrs	Andrea	McQuade
2414404/2020	Mr	Andrew	McKinnon
2414445/2020	Mr	Andrew Harry	Stocks
2414468/2020	Mr	Andrew David	McDonald
2414476/2020	Mr	Andrew	Robertson
2414497/2020	Mr	Andrew Leslie	Kay
2414547/2020	Mr	Andrew	Sowry
2414562/2020	Mr	Andrew	Darlington
2415131/2020	Mrs	Ann	Nuttall
2415596/2020	Ms	Anne Marie	Clare
2414403/2020	Mrs	Annette	Williams
2414446/2020	Ms	Annette	Eastham
2414458/2020	Miss	Annmarie	Kenney
2414451/2020	Mr	Balch	Chris
2414589/2020	Mr	Ben	Kearsley
2414533/2020	Mr	Benjamin George Norman	Robinson
2414501/2020	Mrs	Breda	Mitchell
2414489/2020	Miss	Candice	Casey
2414433/2020	Miss	Carmen	Foster
2414423/2020	Mrs	Carol	Roberts
2414467/2020	Mrs	Carol	Holding
2414569/2020	Ms	Carol	Carpenter
2414441/2020	Mrs	Caroline	Roberts
2414599/2020	Mrs	Catherine Diane	Lewty
2414493/2020	Ms	Catherine	McCann
2414591/2020	Miss	Cheryl	Perkins
2414444/2020	Miss	Christie	Tierney
2414434/2020	Mr	Christopher	Duchemin
2414518/2020	Mr	Christopher	Knowles
2414541/2020	Mrs	Claire	Dutton
2414450/2020	Mr	Craig	Forshaw
2414219/2020	Mr	Daniel	Stoker
2414471/2020	Miss	Danielle	Stuart
2414515/2020	Mr	Dariel	Richards
2414571/2020	Mr	Dariusz	Porebski
2414402/2020	Mr	David Anthony	Hill
2414421/2020	Mr	David	Wormall
2414494/2020	Mr	David	Ewart-Jones
2414514/2020	Mr	David	Clarke
2414548/2020	Mr	David	McGregor
2414559/2020	Mr	David	Hogg
2414582/2020	Mr	David Alfred	Fairclough
2414584/2020	Mr	David	Ayres
2414606/2020	Mrs	Dawn	Seeds

Case No: 2414406/2020 & Others on attached schedule

2414592/2020	Mrs	Debra	Meredith
2414570/2020	Mr	Denis John	McLafferty
2414498/2020	Mrs	Denise	Price
2414269/2020	Mrs	Denise	Martin
2414508/2020	Mr	Derek	Cook
2414521/2020	Ms	Diane	Wilding
2414603/2020	Mrs	Donna	Roe
2414470/2020	Mr	Duane	Whitehouse
2414537/2020	Miss	Ella	Priest
2414520/2020	Miss	Ellie	Jackson
2414539/2020	Miss	Ellie	Hayes- Jackson
2414931/2020	Miss	Emma	Finch
2414580/2020	Mr	Gary James	Clare
2414583/2020	Mr	Gary	Cooper
2414407/2020	Mr	Geoffrey	Coyne
2414513/2020	Mr	George	Bruce
2414440/2020	Mr	Glen	Brown
2414568/2020	Mr	Gordon	Thomas Ainsley
2414212/2020	Mr	Graeme	Lawson
2414532/2020	Mr	Graham	Howatson
2414505/2020	Miss	Hannah	Dempsey
2414554/2020	Ms	Hannah	Ashall
2414410/2020	Mrs	Heather	Sturgeon
2414452/2020	Mrs	Helen	Baylis
2414405/2020	Miss	Hollie	Warburton
2414528/2020	Mr	Howard	Gulley
2414395/2020	Mr	Ian Rhodri	Jenkins
2414509/2020	Mr	Ian	Knowles
2414201/2020	Mr	Ian	Cooper
2414419/2020	Mr	Jack	McGarry
2414435/2020	Mr	Jack	Walker
2414389/2020	Mr	James	Bodington
2414398/2020	Mr	James Peter	Dunn
2414463/2020	Mr	James	Ferguson
2414486/2020	Mr	James	Robert Walker
2414511/2020	Mr	James	Guthrie
2414575/2020	Mrs	Janette	Price
2414205/2020	Mr	Jason	Forbes
2414590/2020	Mr	Jefferson	Smyth
2414585/2020	Mrs	Jennifer	Kinnaird
2414198/2020	Ms	Jo	Collins
2414495/2020	Miss	Joanne	McDowall
2414573/2020	Miss	Joanne	Catherine Moffatt
2414460/2020	Mrs	Joanne	Heley
2414484/2020	Mrs	Joanne	Mort
2414535/2020	Mrs	Joanne	Priest
2414408/2020	Miss	Jodie	McAuley
2414490/2020	Miss	Jodie	Dunford
2414560/2020	Mr	John	Roughley
2414209/2020	Mr	John Barry	Jarvis
2414556/2020	Mr	Jonathan Haliueul	Smethills
2414531/2020	Mrs	Julie Ann	Dainty
2414430/2020	Miss	Karen	Kearsley

Case No: 2414406/2020 & Others on attached schedule

2414686/2020	Ms	Karen	Tattersall
2414449/2020	Mr	Karl	Antony Grisedale
2414522/2020	Mrs	Kathryn	Morris
2414534/2020	Miss	Kelsey	Crawford
2414485/2020	Mr	Kenneth	Witts
2414506/2020	Mr	Kenneth	Richardson
2414216/2020	Mr	Kenneth	Potter
2414524/2020	Mr	Kevin	Thompson
2414586/2020	Mr	Kevin	Pittman
2414577/2020	Mr	Kieran	Paul Priest
2414461/2020	Miss	Laura	Marsh
2414503/2020	Miss	Leanne	Mitchell
2414409/2020	Mr	Lee	Gilmore
2414208/2020	Mr	Lee	Horton
2414566/2020	Mrs	Lesley	Manley
2414482/2020	Miss	Linda	Wells
2414553/2020	Mrs	Linda	Hodson
2414416/2020	Mrs	Lindsey	Jones
2414492/2020	Ms	Lorraine	Palfrey
2414604/2020	Miss	Louise	Oxley
2414605/2020	Mrs	Louise Jane	Walsh
2414462/2020	Miss	Lucy	Corrigan
2414396/2020	Mrs	Lynsay	Dean
2414457/2020	Mr	Macauley	Zarrentino
2414392/2020	Mr	Marcus	Bateson
2414576/2020	Mrs	Margaret	Etherington
2414387/2020	Mr	Mark	Booth
2414516/2020	Mr	Mark	Dodd
2414519/2020	Mr	Mark Stephen	Murphy
2414538/2020	Mr	Mark	Crompton
2414555/2020	Mr	Mark	Hall
2414390/2020	Mr	Martin	Rhys Davies
2414474/2020	Mr	Martin Cameron	Trafford
2414475/2020	Mr	Marvin	Hewitt
2414388/2020	Mr	Matthew	Alderton
2414507/2020	Mrs	Maureen	Richardson
2414213/2020	Mr	Maurice Paul	Markham
2414558/2020	Miss	Megan	Owens
2414428/2020	Miss	Melanie	Nash
2414394/2020	Mr	Michael	Hopkins
2414436/2020	Mr	Michael	Penkethman
2414545/2020	Mr	Michael Kenneth	Walls
2414565/2020	Mr	Michael	Thornton Howard
2415446/2020	Mr	Michael	Kan
2414417/2020	Miss	Michelle	Richards
2414581/2020	Miss	Michelle	Harris
2414544/2020	Mr	Mirko	Sose
2414415/2020	Mr	Mitchell	Brown
2414481/2020	Miss	Monica	Mocroft
2414386/2020	Ms	Natalie	Cartwright
2414391/2020	Miss	Natasha	Green
2414469/2020	Mr	Neil	Lake
2414526/2020	Mr	Neil	Weston

Case No: 2414406/2020 & Others on attached schedule

2414578/2020	Mr	Neil	McFarlane
2414204/2020	Mr	Neil	Denniss
2414454/2020	Miss	Nichola Jayne	Riding
2414510/2020	Miss	Nicola	Sim
2414414/2020	Mrs	Nicola	Bickell
2414220/2020	Mrs	Nicola	Tanner
2414448/2020	Mr	Nigel Alan	Taylor
2414215/2020	Mr	Nigel	Mytton
2414551/2020	Mrs	Patricia	Parry
2414543/2020	Mr	Patrick John	McQuade
2414483/2020	Mr	Paul	Swainsbury
2414529/2020	Mr	Paul	Douglas Baker
2414552/2020	Mr	Paul	Zywicki
2414593/2020	Mr	Paul	Miller
2414595/2020	Mr	Paul	Wharmby
2414413/2020	Mr	Peter	Allen
2414426/2020	Mr	Peter Rhys	Jenkins
2414437/2020	Mr	Peter	Collinge
2414487/2020	Mr	Peter	Cougill
2414500/2020	Mr	Peter	McKenna
2414542/2020	Mr	Peter	Richard Zglobis
2414600/2020	Mr	Peter	Ward
2414218/2020	Mr	Peter	Southworth
2414443/2020	Mr	Peter J	Saniford
2414447/2020	Mr	Philip	Hotchkiss
2414601/2020	Mr	Philip	Yardley
2414540/2020	Mrs	Phillipa	Trow
2414400/2020	Miss	Rachel	Ashurst
2414393/2020	Mr	Raymond	Brett
2414504/2020	Mr	Reece	Jones
2414456/2020	Mr	Richard	Warren
2414211/2020	Mr	Richard	Knox
2414429/2020	Mr	Robert	McFarlane
2414478/2020	Mr	Robert	Watson
2414564/2020	Mr	Robert	Dick
2414567/2020	Mr	Robert	Kemp
2414464/2020	Mr	Roger	Cleaver
2414546/2020	Mr	Roger	Butler
2414491/2020	Mr	Rory Kenneth	Sheath
2414424/2020	Mr	Roy	Morris
2414477/2020	Mr	Roy	Balch
2414479/2020	Mr	Ryan	Smith
2414427/2020	Mrs	Saira	Beedle
2414550/2020	Mrs	Sandra	McGregor
2414530/2020	Miss	Sarah	Cowley
2414594/2020	Mr	Sebastien	Wakefield
2414411/2020	Mrs	Sharon Marie	Coyne
2414574/2020	Mrs	Sheila	Riley
2414418/2020	Mrs	Shirley	Greenall
2414557/2020	Mr	Simon	Celebicanin
2414203/2020	Mr	Simon	Crosby
2414527/2020	Miss	Sophie	Neylon
2414431/2020	Miss	Stephanie	Williams

Case No: 2414406/2020 & Others on attached schedule

2414561/2020	Miss	Stephanie	Greenwood
2414455/2020	Mr	Stephen	Baylis
2414496/2020	Mr	Stephen	Robert Knowles
2414579/2020	Mr	Stephen	Furniss
2414588/2020	Mr	Steven	McMahon
2414397/2020	Mr	Stewart	Walker
2414412/2020	Mr	Stuart	Dobson
2414217/2020	Mr	Stuart John	Sinclair
2414401/2020	Miss	Susan	Varey
2414466/2020	Mrs	Susan Rosemary	Labib
2414597/2020	Mrs	Suzannah	Kennedy
2414473/2020	Mrs	Suzanne	Chapman
2414279/2020	Mrs	Suzanne	Hetherington
2414523/2020	Mrs	Sylvia	Hayes
2414572/2020	Mr	Terence	Henderson
2414453/2020	Mr	Thomas	Martin
2414587/2020	Mr	Thomas	Ainsworth
2414439/2020	Mr	Timothy	Roberts
2414432/2020	Mr	Tom	Costelloe
2414438/2020	Miss	Tracy	Annette Mercer
2415083/2020	Mr	Trevor	Leadley
2414502/2020	Mrs	Victoria	Mulqueeney
2414525/2020	Mrs	Wendy	Meleady
2414517/2020	Ms	Wendy	Rothwell
2414465/2020	Mr	William	Blower