



EMPLOYMENT TRIBUNALS

Claimant: Mr Callum Nixon

Respondent: 1. NWMS Southern Division Limited (11995801)
2. North West Maintenance Solutions Limited (10869995) in voluntary liquidation

Heard at: Liverpool by CVP **On:** 30 June 2021
Before: Employment Judge Aspinall

Representation

Claimant: Mr P Nixon and Mrs Nixon (claimant's parents)
Respondents: no appearance by either respondent

UPON APPLICATION made by letter dated 1 May 2020 to reconsider the judgment under rule 71 Employment Tribunals Rules of Procedure 2013 dated **27 April 2020**

JUDGMENT on reconsideration

1. The judgment dated 27 April 2020 is varied to substitute the second respondent for the first respondent. The second respondent is in creditors voluntary liquidation from 25 February 2021 under Part IV Chapter IV Insolvency Act 1986. The liquidators are Jason Dean Greenhalgh and Paul Stanley of No 1 Old Hall Street Liverpool L3 9HF. This judgment will be served on them.
2. The second respondent was added to the claim on 8 December 2020 and served with the proceedings. It failed to enter a Response to the claim. This judgment is entered under Rule 21 of the Employment Tribunals Rules of Procedure 2013.
3. The second respondent has withheld pay and made unauthorised deduction from the claimant's wages and is ordered to pay the claimant the gross sum of £7860.25
4. The £ 7860.25 is made up as follows:

wages from 22.7.20 – 15.10 20	
12 weeks and 3 days @ £ 500 per week	£ 6 300.00
Less wages received	£ 2 159.75 £ 4 140.25

Plus	
Call out fees 15 @ £15 per call out	£ 225.00
Plus	
Mileage from 23.7.19 – 28.8.19	
7500 miles additional insurance costs	£ 120.00
7500 @ 45pence per mile	£ 3 375.00

Total ordered	£ 7860.25

Employment Judge Aspinall
30 June 2021

JUDGMENT SENT TO THE PARTIES ON

2 July 2021

FOR THE TRIBUNAL OFFICE



NOTICE

THE EMPLOYMENT TRIBUNALS (INTEREST) ORDER 1990

Tribunal case number: **2415077/2019**

Name of case: **Mr C Nixon** v **North West Maintenance Solutions Limited (10869995) in voluntary liquidation**

The Employment Tribunals (Interest) Order 1990 provides that sums of money payable as a result of a judgment of an Employment Tribunal (excluding sums representing costs or expenses), shall carry interest where the full amount is not paid within 14 days after the day that the document containing the tribunal's written judgment is recorded as having been sent to parties. That day is known as "*the relevant decision day*". The date from which interest starts to accrue is called "*the calculation day*" and is the day immediately following the relevant decision day.

The rate of interest payable is that specified in section 17 of the Judgments Act 1838 on the relevant decision day. This is known as "the stipulated rate of interest" and the rate applicable in your case is set out below.

The following information in respect of this case is provided by the Secretary of the Tribunals in accordance with the requirements of Article 12 of the Order:-

"the relevant judgment day" is: 2 July 2021

"the calculation day" is: 3 July 2021

"the stipulated rate of interest" is: **8%**

Mr S Artingstall
For the Employment Tribunal Office

INTEREST ON TRIBUNAL AWARDS

GUIDANCE NOTE

1. This guidance note should be read in conjunction with the booklet, 'The Judgment' which can be found on our website at www.gov.uk/government/publications/employment-tribunal-hearings-judgment-guide-t426

If you do not have access to the internet, paper copies can be obtained by telephoning the tribunal office dealing with the claim.

2. The Employment Tribunals (Interest) Order 1990 provides for interest to be paid on employment tribunal awards (excluding sums representing costs or expenses) if they remain wholly or partly unpaid more than 14 days after the date on which the Tribunal's judgment is recorded as having been sent to the parties, which is known as "the relevant decision day".
3. The date from which interest starts to accrue is the day immediately following the relevant decision day and is called "the calculation day". The dates of both the relevant decision day and the calculation day that apply in your case are recorded on the Notice attached to the judgment. If you have received a judgment and subsequently request reasons (see 'The Judgment' booklet) the date of the relevant judgment day will remain unchanged.
4. "Interest" means simple interest accruing from day to day on such part of the sum of money awarded by the tribunal for the time being remaining unpaid. Interest does not accrue on deductions such as Tax and/or National Insurance Contributions that are to be paid to the appropriate authorities. Neither does interest accrue on any sums which the Secretary of State has claimed in a recoupment notice (see 'The Judgment' booklet).
5. Where the sum awarded is varied upon a review of the judgment by the Employment Tribunal or upon appeal to the Employment Appeal Tribunal or a higher appellate court, then interest will accrue in the same way (from "the calculation day"), but on the award as varied by the higher court and not on the sum originally awarded by the Tribunal.
6. 'The Judgment' booklet explains how employment tribunal awards are enforced. The interest element of an award is enforced in the same way.