



EMPLOYMENT TRIBUNALS

Claimants: Mr M Robinson and others (see attached schedule)

Respondents: Roanza Solutions Limited (In Administration)(1)
Roanza Ltd (In Administration) (2)
Premier Truck and Van Limited (In Administration)(3)
“Roanza Truck and Van” (4)
The Secretary of State for Business, Energy and
Industrial Strategy (5)

Heard: In chambers, papers only **On:** 20 August 2021

Before: Employment Judge JM Wade

RULE 21 JUDGMENT

UPON considering the information on these files:

1. Case number 1802705/2021, Mr L Gravill, is struck out.
2. The first respondent failed adequately to comply with a requirement of section 188 of the Trade Union & Labour Relations (Consolidation) Act 1992 and each claim (for themselves only) of the Claimants listed in the schedule attached, for a Protective Award under section 189 of the Trade Union & Labour Relations (Consolidation) Act 1992, succeeds.
3. The First Respondent is ordered to pay remuneration for a protected period of 90 days beginning on 7 September 2020 (being the date on which the first of the dismissals to which the complaint relates took effect) to each Claimant in the schedule attached.
4. The recoupment regulations may apply to this Judgment.

REASONS

1. Mr Gravill's claim was presented on 28 April 2021, with ACAS conciliation 27 to 28 April 2021. The complaint related to a proposal to dismiss as redundant with his dismissal on 8 September 2020. The last dismissal evidenced on these files is 14 September 2021 (Mr Ellison). ACAS conciliation should therefore have been commenced at the latest by 13 December 2020 to gain an extension in the time limit. It was not commenced in this claim until 27 April 2021.

**Case No: 1805301/2020
and others (see attached schedule)**

2. In a letter dated 13 May 2021 the claimant was invited to provide reasons against striking his claim out because of the failure to present within three months (or contact ACAS within three months), or to request a hearing. He did not provide such reasons nor requested a hearing.
3. All claimants in the schedule contacted ACAS before 13 December 2020 and presented their claims within the required period (see Section 189(5) of the Trade Union and Labour Relations (Consolidation) Act 1992).
4. The time limit for Protective Awards refers to a three month period from the last of the dismissals to which the complaint relates. The last dismissal date discernible on the files is 14 September 2021.
5. All claimants in the schedule have received consent from the administrator for a Protective Award claim only to proceed against the first respondent only.
6. The Secretary of State has provided information on the law applicable to protective awards but is neutral on whether or not an award should be made.
7. There are no responses to the claims from any of the respondents named by the claimants.
8. There is sufficient information for me to give Judgment.

Employment Judge JM Wade
20 August 2021

Case Number	Claimant
1805301/2020	Mr M Robinson
1805314/2020	Mr D Williams
1805338/2020	Mr T Farooq
1805355/2020	Mr C Copeland
1805399/2020	Mr S Marshall
1805406/2020	Mr M Kirkpatrick
1805422/2020	Mr K Johnston
1805446/2020	Mr A Leggett
1805449/2020	Mr S McKeown
1805657/2020	Mr S Gowler
1805673/2020	Mr A Savidge
1805686/2020	Mr I Broadhead
1805693/2020	Mr K Smith
1805839/2020	Mr I Robson
1806491/2020	Mr G Young
1806663/2022	Mr D Herbert
1806750/2020	Mr J Kelsey