



**EMPLOYMENT TRIBUNALS (SCOTLAND)**

**Case No: 4101521/2019 as per multiple ref 8967**

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**Employment Judge S MacLean**

**Ms C Egan & others as per schedule**

**Claimant**

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**Boathouse Kilsyth Limited**

**First Respondent**

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**Town House Restaurants Limited (In Liquidation)**

**Second Respondent**

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**JUDGMENT OF THE EMPLOYMENT TRIBUNAL**

**ISSUED BY CONSENT UNDER RULE 64 OF THE EMPLOYMENT TRIBUNAL  
RULES OF PROCEDURE 2013**

0 The Judgment of the Employment Tribunal issued by consent of the parties is that:

1. The Claimants are as listed in the multiple Schedule to Tribunal claim 4101521/2019. The Claimants' respective claim numbers are 4101521/2019 410532/2019 inclusive.
2. The Claimants were never employed by Boathouse Kilsyth Limited. The Claimants' claims against Boathouse Kilsyth Limited are therefore dismissed following withdrawal.

**Z4(WR)**

3. The Claimants were employed by Town House Restaurants Limited - now known as Town House Restaurants Limited (In Liquidation) - in various roles.
4. On 28 September 2018, the Board of Town House Restaurants Limited approved a special resolution to voluntarily wind up its business. This was on account of the business being unable (in the view of the Board) to continue trading due to the level of liabilities on its books. At meetings of members and creditors on 12 October 2018, Town House Restaurants Limited was placed into liquidation.
5. On 30 September 2018, the Claimants were dismissed by Town House Restaurants Limited, by reason of redundancy.
6. Town House Restaurants Limited did not inform and consult with the Claimants on a collective basis, in accordance with the provisions of s. 188 and s. 188A of The Trade Union and Labour Relations (Consolidation) Act 1992 ("the Act"). Town House Restaurants Limited accepts that that the duty to collectively consult was triggered in relation to the Claimants' redundancy dismissals.
7. The Claimants have raised a complaint pursuant to section 189 of the Act seeking a protective award in respect of that failure.
8. The Tribunal declares the Claimant's protective award claims are well founded and makes a protective award in favour of the Claimants. The Tribunal orders the Respondent to pay remuneration for a protected period of 8 weeks from 30 September 2018.

Employment Judge: Shona MacLean  
Date of Judgment: 22 August 2019  
Entered in register: 18 September 2019  
and copied to parties

## *Multiple Schedule*

### **Multiple: 8967 - Boathouse Kilsyth Limited**

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<i>Case Number</i>	<i>Case Name</i>
4101521/2019	Ms Claire Egan -v- Boathouse Kilsyth Limited
4101522/2019	Mr Nicole Mitchell -v- Boathouse Kilsyth Limited
4101523/2019	Mrs Claire Egan -v- Boathouse Kilsyth Limited
4101524/2019	Mrs Joyce Brown -v- Boathouse Kilsyth Limited
4101525/2019	Mr Greg Mildum -v- Boathouse Kilsyth Limited
4101526/2019	Mr James Campbell -v- Boathouse Kilsyth Limited
4101527/2019	Ms Kloe Calder -v- Boathouse Kilsyth Limited
4101528/2019	Mr Kenneth Grant -v- Boathouse Kilsyth Limited
4101529/2019	Ms Grace Lauder -v- Boathouse Kilsyth Limited
4101530/2019	Ms Diane O'Donnell -v- Boathouse Kilsyth Limited
4101531/2019	Mrs Linda Fisher -v- Boathouse Kilsyth Limited
4101532/2019	Mrs Kathleen McArthur -v- Boathouse Kilsyth Limited