



EMPLOYMENT TRIBUNALS

BETWEEN

Claimants

Baleson and others

-and-

Respondents

- (1) Midas Group Ltd
- (2) Midas Construction Ltd
- (3) Mi-Space (UK) Ltd
- (4) Midas Commercial Developments Ltd
- (5) Midas Retail Ltd
- (6) Mi-Space Property Services Ltd
- (7) Falmouth Developments Ltd
- (8) Bell Decorating Group Ltd
- (9) Secretary of State for BEIS

Held at: Bristol (by telephone)

On: 14 November 2022

Employment Judge Livesey

Appearances

For the Claimants:

Mr Oldale, solicitor (Baleson Claimants)
Miss Ahari, counsel (Stradling Claimants and Mr Testro)
Mrs Brodie, solicitor (Claimants Winskill and Taylor)
Mr Allen, in person
Mr Batson, in person
Mr Hawkes, in person
Mr King, in person
Mr Selwyn, in person

For the Respondents:

Mrs Coutts, solicitor (Eighth Respondent, Bell Decorating Group Ltd)

JUDGMENT

1. The complaint that the First Respondent failed to comply with a requirement of section 188 of the Trade Union and Labour Relations (Consolidation) Act 1992 is well founded in respect of those employees of the First Respondent at its premises at Bristol and Newton Abbot as shown in Schedule 2A of the Response who were dismissed as redundant on or after 8 February 2022 and who are entitled to a protective award. The Tribunal orders the First Respondent to pay those employees remuneration for the protected period of 90 days beginning on 8 February 2022.
2. The complaint that the Second Respondent failed to comply with a requirement of section 188 of the Trade Union and Labour Relations (Consolidation) Act 1992 is well founded in respect of those employees of the Second Respondent as shown in Schedule 3A of the Response (save with the exception of claim No. 1401905/2022, but including those of 1301810/2022 and 1301771/2022) who were dismissed as redundant on or after 8 February 2022 and who are entitled to a protective award. The Tribunal orders the Second Respondent to pay those employees remuneration for the protected period of 90 days beginning on 8 February 2022.
3. The following claims were dismissed upon withdrawal;
 - a. All claims against the Third, Fourth, Fifth, Sixth and Seventh Respondents;
 - b. The complaint under s. 188 TULR(C)A within Mr Testro's claim No. 1401418/2022;
 - c. Ms Baleson's claim (No. 1401877/2022);
 - d. Mr Jamieson's claim (No. 1401901/2022);
 - e. Mr Paul Nicholls' claim (No. 1401904/2022);
 - f. Ms Stradling's claim (No. 1301762/2022);
 - g. Mr Selwyn's claims of unfair dismissal, unlawful deductions from wages, unpaid holiday pay and breach of contract (1401582/2022);
 - h. Mr King's claims of breach of contract and unlawful deductions from wages (1400749/2022).
4. Mr Testro's claim No. 1401418/2022 against the Third Respondent (Mi-Space (UK) Ltd) is stayed unless or until the Claimant obtains consent from the Joint Administrators or an order of the court to allow it to proceed.

Employment Judge Livesey

Dated 14 November 2022

Judgment sent to Parties on

30 November 2022