



EMPLOYMENT TRIBUNALS

Claimant: J Powell & others

Respondent: Folkstone Fixings Limited (in administration)

JUDGMENT BY CONSENT

By consent the Judgment of the Tribunal is in the terms of the Annexed Judgment by Consent.

Approved by:

Employment Judge Heath

17th June 2025

Judgment sent to parties on:
17th June 2025

For the Tribunal Office

Notes

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision. If written reasons are provided they will be placed online.

All judgments (apart from judgments under Rule 51) and any written reasons for the judgments are published, in full, online at <https://www.gov.uk/employment-tribunal-decisions> shortly after a copy has been sent to the claimants and respondents.

If a Tribunal hearing has been recorded, you may request a transcript of the recording. Unless there are exceptional circumstances you will have to pay for it. If a transcript is produced it will not include any oral judgment or reasons given at the hearing. The transcript will not be checked, approved or verified by a judge. There is more information in the joint Presidential Practice Direction on the Recording and Transcription of Hearings and accompanying Guidance, which can be found here:

www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/

ANNEXE

IN THE LONDON SOUTH EMPLOYMENT TRIBUNAL

CASE NUMBER: 2312573/2024 & Others

J Powell & Others

Claimants

and

Folkestone Fixings Limited (in administration)

Respondent

JUDGMENT BY CONSENT

Upon the Claimants, represented by CFS Redundancy Payments, reaching agreement with the Respondent as to the terms of this Judgment, and by consent, the Judgment of the Tribunal is as follows:

1. The Tribunal makes a protective award under section 189(2) of the Trade Union and Labour Relations (Consolidation) Act (1992) ("TULR(C)A") in respect of the individuals who fall within the descriptions set out in the Schedule (and for those Claimants listed in the Schedule), who were dismissed by the Respondent as redundant following the administration of the Respondent.
2. The protected period for each individual set out in the Schedule under section 189(4), TULR(C)A, is a period of 90 days beginning on the date that the first of the dismissals in the relevant establishment took effect (described in the Schedule as "First Termination Date at Establishment"). The recoupment regulations apply to the protective awards.

REASONS

3. This Judgment reflects the terms agreed between the parties. Under Rule 62 the Tribunal may make a judgment in agreed terms.
4. This Judgment is restricted to those matters over which the Tribunal has jurisdiction.
5. This protective award applies only in respect of those individuals who fall within the description set out the Schedule and no other Claimant in these proceedings or any other person shall be entitled to participate in such award by reason of this Judgment. The Respondent makes no admissions of liability in respect of any other Claimant in these proceedings or in respect of any former employee of the Respondents who does not fall within the description of individuals detailed within the Schedule.
6. However, the Tribunal notes that the parties are also agreed on the following:
 - a. CFS Redundancy Payments shall write to the Claimants listed within the Schedule to confirm that a protective award has been made along with the details of the process associated in claiming any sums due (including the process by which a claim may be submitted to the Redundancy Payments Service ("RPS")) within 28 days of the date of this Judgment.
 - b. Any part of any award which is not paid to the relevant individual by the RPS following submission of an application to the RPS by (or on behalf of) the relevant individual will rank as an unsecured creditor claim in the administration of the Respondent.
 - c. The parties have agreed not to make any costs applications arising out of the matters referred to in this Judgment.

SCHEDULE

In accordance with Paragraph 2 above, the individuals who shall be entitled to receive a 90 day protective award are all those employees of the Respondent who were employed at the Dyna House and H Block establishments and who were dismissed by the Respondent by reason of redundancy where the effective date of termination fell after 20 September 2024 (but excluding those who commenced employment with the relevant Respondent after 20 September 2024). For each establishment employing this class of employee, the first dismissals took effect on the following dates:

Case number	Name	Establishment	First Termination Date at Relevant Establishment
2312573/2024	Andrew Derrett	Dyna House, Lympne Distribution Park, Otterpool Lane, Lympne, Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Billy Castle	Dyna House, Lympne Distribution Park, Otterpool Lane, Lympne, Hythe, Kent, CT21 4LR	20/09/2024

2312573/2024	Bryony Saunders	Dyna House,Lympne Distribution Park,Otterpool Lane,Lympne,Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Cameron Thresher	Dyna House,Lympne Distribution Park,Otterpool Lane,Lympne,Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Cara Harford	Dyna House,Lympne Distribution Park,Otterpool Lane,Lympne,Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Carl Hutchinson	Dyna House,Lympne Distribution Park,Otterpool Lane,Lympne,Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Catherine Gaskin	Dyna House,Lympne Distribution Park,Otterpool Lane,Lympne,Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Chantel Lopez	Dyna House,Lympne Distribution Park,Otterpool Lane,Lympne,Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Charlotte Purdie	Dyna House,Lympne Distribution Park,Otterpool Lane,Lympne,Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Christopher Hibbard	Dyna House,Lympne Distribution Park,Otterpool Lane,Lympne,Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Christopher Ferguson	Dyna House,Lympne Distribution Park,Otterpool Lane,Lympne,Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Christopher Gibson	Dyna House,Lympne Distribution Park,Otterpool Lane,Lympne,Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Don Gilliland	Dyna House,Lympne Distribution Park,Otterpool Lane,Lympne,Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Elaine Harvey	Dyna House,Lympne Distribution Park,Otterpool Lane,Lympne,Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Emma Fitzpatrick	Dyna House,Lympne Distribution Park,Otterpool Lane,Lympne,Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Fraser Haywood	Dyna House,Lympne Distribution Park,Otterpool Lane,Lympne,Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Gianfranca Curtis	Dyna House,Lympne Distribution Park,Otterpool Lane,Lympne,Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Hayley Ortis	Dyna House,Lympne Distribution Park,Otterpool Lane,Lympne,Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Ian Patterson	Dyna House,Lympne Distribution Park,Otterpool Lane,Lympne,Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Jack Branson	Dyna House,Lympne Distribution Park,Otterpool Lane,Lympne,Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Jack Taylor	Dyna House,Lympne Distribution Park,Otterpool Lane,Lympne,Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Jackie Nugent	Dyna House,Lympne Distribution Park,Otterpool Lane,Lympne,Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Jade Smeed	Dyna House,Lympne Distribution Park,Otterpool Lane,Lympne,Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Jasmin Hearn	Dyna House,Lympne Distribution Park,Otterpool Lane,Lympne,Hythe, Kent, CT21 4LR	20/09/2024

2312573/2024	Joe Thersher	Dyna House,Lympne Distribution Park,Otterpool Lane,Lympne,Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	John Purcell	Dyna House,Lympne Distribution Park,Otterpool Lane,Lympne,Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Jordan Boyd	Dyna House,Lympne Distribution Park,Otterpool Lane,Lympne,Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Karen Shepphard	Dyna House,Lympne Distribution Park,Otterpool Lane,Lympne,Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Katarina Isted Gabrisova	Dyna House,Lympne Distribution Park,Otterpool Lane,Lympne,Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Kelly Clayton	Dyna House,Lympne Distribution Park,Otterpool Lane,Lympne,Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Kelly-Ann Hearn	Dyna House,Lympne Distribution Park,Otterpool Lane,Lympne,Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Marina Burkin	Dyna House,Lympne Distribution Park,Otterpool Lane,Lympne,Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Meadow Bishop	Dyna House,Lympne Distribution Park,Otterpool Lane,Lympne,Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Molly Weston-Crockford	Dyna House,Lympne Distribution Park,Otterpool Lane,Lympne,Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Paul Mainwaring	Dyna House,Lympne Distribution Park,Otterpool Lane,Lympne,Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Paul Roby	Dyna House,Lympne Distribution Park,Otterpool Lane,Lympne,Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Richard Booth	Dyna House,Lympne Distribution Park,Otterpool Lane,Lympne,Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Robert Lyons	Dyna House,Lympne Distribution Park,Otterpool Lane,Lympne,Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Sadie Burgess	Dyna House,Lympne Distribution Park,Otterpool Lane,Lympne,Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Sneha Puthoor Vincent	Dyna House,Lympne Distribution Park,Otterpool Lane,Lympne,Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Susan Bush	Dyna House,Lympne Distribution Park,Otterpool Lane,Lympne,Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Thomas Fox	Dyna House,Lympne Distribution Park,Otterpool Lane,Lympne,Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Tiffany Torrance	Dyna House,Lympne Distribution Park,Otterpool Lane,Lympne,Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Tina Webb	Dyna House,Lympne Distribution Park,Otterpool Lane,Lympne,Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Tracey Silvester	Dyna House,Lympne Distribution Park,Otterpool Lane,Lympne,Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Kelly Davies	Dyna House,Lympne Distribution Park,Otterpool Lane,Lympne,Hythe, Kent, CT21 4LR	20/09/2024

2312573/2024	Lisa Johnson	Dyna House,Lympne Distribution Park,Otterpool Lane,Lympne,Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Roger Mew	Dyna House,Lympne Distribution Park,Otterpool Lane,Lympne,Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Ellie Moore	Dyna House,Lympne Distribution Park,Otterpool Lane,Lympne,Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Karen Allnutt	Dyna House,Lympne Distribution Park,Otterpool Lane,Lympne,Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Katie Edwards	Dyna House,Lympne Distribution Park,Otterpool Lane,Lympne,Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Abbey Bloxham	H Block, Lympne Distribution Park, Otterpool Lane, Lympne, Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Abigail Webb	H Block, Lympne Distribution Park, Otterpool Lane, Lympne, Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Ahmet Hoscan	H Block, Lympne Distribution Park, Otterpool Lane, Lympne, Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Arkadiusz Jonca	H Block, Lympne Distribution Park, Otterpool Lane, Lympne, Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Ashley Cleaver	H Block, Lympne Distribution Park, Otterpool Lane, Lympne, Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Ashley Pattenden	H Block, Lympne Distribution Park, Otterpool Lane, Lympne, Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Caroline Pritchard	H Block, Lympne Distribution Park, Otterpool Lane, Lympne, Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Ciprian Ciocan	H Block, Lympne Distribution Park, Otterpool Lane, Lympne, Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Graham Hull	H Block, Lympne Distribution Park, Otterpool Lane, Lympne, Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Gunta Kupla	H Block, Lympne Distribution Park, Otterpool Lane, Lympne, Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Jason Powell	H Block, Lympne Distribution Park, Otterpool Lane, Lympne, Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Karin Palenikova	H Block, Lympne Distribution Park, Otterpool Lane, Lympne, Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Lawrence Sawyers	H Block, Lympne Distribution Park, Otterpool Lane, Lympne, Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Lee Wild	H Block, Lympne Distribution Park, Otterpool Lane, Lympne, Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Lewis Richardson	H Block, Lympne Distribution Park, Otterpool Lane, Lympne, Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Liam Richardson	H Block, Lympne Distribution Park, Otterpool Lane, Lympne, Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Maia Cardos	H Block, Lympne Distribution Park, Otterpool Lane, Lympne, Hythe, Kent, CT21 4LR	20/09/2024

2312573/2024	Matthew Bryant	H Block, Lymgne Distribution Park, Otterpool Lane, Lymgne, Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Meriama Mills	H Block, Lymgne Distribution Park, Otterpool Lane, Lymgne, Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Michelle Feltham	H Block, Lymgne Distribution Park, Otterpool Lane, Lymgne, Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Mihai Ciurariu	H Block, Lymgne Distribution Park, Otterpool Lane, Lymgne, Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Natalie Hutchinson	H Block, Lymgne Distribution Park, Otterpool Lane, Lymgne, Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Nicolae-Florin Cardos	H Block, Lymgne Distribution Park, Otterpool Lane, Lymgne, Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Rachel Flood	H Block, Lymgne Distribution Park, Otterpool Lane, Lymgne, Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Reece Hook	H Block, Lymgne Distribution Park, Otterpool Lane, Lymgne, Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Sean Longley	H Block, Lymgne Distribution Park, Otterpool Lane, Lymgne, Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Sean Lewis	H Block, Lymgne Distribution Park, Otterpool Lane, Lymgne, Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Stephen Hurley	H Block, Lymgne Distribution Park, Otterpool Lane, Lymgne, Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Vlad Carlos	H Block, Lymgne Distribution Park, Otterpool Lane, Lymgne, Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Scott Hughes	H Block, Lymgne Distribution Park, Otterpool Lane, Lymgne, Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Alina Patterson	H Block, Lymgne Distribution Park, Otterpool Lane, Lymgne, Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Alistair Bond	H Block, Lymgne Distribution Park, Otterpool Lane, Lymgne, Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Emanuela Rotaru	H Block, Lymgne Distribution Park, Otterpool Lane, Lymgne, Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Ewa Szado	H Block, Lymgne Distribution Park, Otterpool Lane, Lymgne, Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Jacqueline Farrant	H Block, Lymgne Distribution Park, Otterpool Lane, Lymgne, Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Kevin Timmis	H Block, Lymgne Distribution Park, Otterpool Lane, Lymgne, Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Steven Richards	H Block, Lymgne Distribution Park, Otterpool Lane, Lymgne, Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Betim Bashota	H Block, Lymgne Distribution Park, Otterpool Lane, Lymgne, Hythe, Kent, CT21 4LR	20/09/2024
2312573/2024	Mihail Samarescu	H Block, Lymgne Distribution Park, Otterpool Lane, Lymgne, Hythe, Kent, CT21 4LR	20/09/2024

2312573/2024	Roxana Curtasu	H Block, Lymgne Distribution Park, Otterpool Lane, Lymgne, Hythe, Kent, CT21 4LR	20/09/2024
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