



EMPLOYMENT TRIBUNALS

Claimant: Mr M McDonald

Respondent: New Cross Inn Limited

Heard at: London South Employment Tribunal (by CVP)

On: 20 February 2026

Before: Employment Judge T Perry

Representation

Claimant: in person

Respondent: Mr S Nundy

JUDGMENT

- 1. The Claimant was neither a worker nor an employee under section 230 Employment Rights Act 1996.**
- 2. It follows that the Claimant's claim to have been owed the national minimum wage is not well founded and is dismissed.**

Approved by:

Employment Judge T Perry

20th February 2026

Judgment sent to parties:
19th March 2026

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/