



# EMPLOYMENT TRIBUNALS

Claimants: (1) Mr Kevin Richard Smith  
(2) Mr Gary Farnworth

Respondent: Paul Jonathan Nunn trading as Allen & Son

## FINAL HEARING

Heard at: East London Hearing Centre (in private by CVP)

On: 5 June 2023

Before: Employment Judge Shore

### Appearances

For the claimants: In Person

For the respondent: No Appearance

## JUDGMENT

1. The correct name of the respondent is Paul Jonathan Nunn trading as Allen & Son.
2. The first claimant's claim for a statutory redundancy payment is well founded and succeeds.
3. The respondent will pay the first claimant, Kevin Richard Smith, **£12,600.00** (calculated as 20 weeks x 1.5 x £420.00 per week), gross, without deduction of tax or National insurance as a statutory redundancy payment.
4. The first claimant's claim of breach of contract (failure to pay notice pay) is well founded and succeeds.
5. The respondent shall pay the first claimant, Kevin Richard Smith, **£5,040.00** (calculated as 12 weeks x £420.00), gross, without deduction of tax or National insurance
6. The first claimant's claim for holiday pay is well founded and succeeds.

7. The respondent will pay the first claimant, Kevin Richard Smith, **£840.00** (calculated as 2 weeks x £420.00), gross, without deduction of tax or National insurance.
8. The total payable to Kevin Richard Smith by the respondent is **£18,480.00**.
9. The second claimant's claim for a statutory redundancy payment is well founded and succeeds.
10. The respondent will pay the second claimant, Gary Farnworth, **£6,840.00** (calculated as 12 weeks x 1.5 x £380.00), gross, without deduction of tax or National insurance
11. The second claimant's claim of breach of contract (failure to pay notice pay) is well founded and succeeds.
12. The respondent shall pay the second claimant, Gary Farnworth, **£4,560.00** (calculated as 12 weeks x £380.00), gross, without deduction of tax or National insurance
13. The second claimant's claim for holiday pay is well founded and succeeds.
14. The respondent will pay the second claimant, Gary Farnworth, **£1,292.00** (calculated as 17 days' pay at £76.00 per day), gross, without deduction of tax or National insurance.
15. The total payable to Gary Farnworth by the respondent is **£12,692.00**.

**Employment Judge Shore  
Dated: 5 June 2023**