



EMPLOYMENT TRIBUNALS (SCOTLAND)

Case Number: 4100031/2023

Employment Judge M Sangster

Mr H Rafferty

Claimant

Belmont Filmhouse Limited (In Administration)

Respondent

JUDGMENT

Rule 21 of the Employment Tribunal Rules of Procedure 2013

The Employment Judge has decided to issue the following judgment on the available material under rule 21.

1. The claimant is entitled to bring this claim because none of the situations in s.189(1)(a), (b) or (c) of the Trade Union and Labour Relations (Consolidation) Act 1992 apply and the claimant was an employee dismissed as redundant.
2. No response was presented to this claim within the applicable time limit.
3. The respondent is in administration but the administrator consented to the continuation of these proceedings in a letter dated 18 January 2023.
4. The complaint that the respondent failed to comply with a requirement of section 188 of the Trade Union and Labour Relations (Consolidation) Act 1992 is well founded.

5. The respondent dismissed as redundant more than 20 employees at one establishment within a period of 90 days or less.
6. The respondent failed to carry out any consultation at all with the appropriate representatives of affected employees in accordance with s.188.
7. The Tribunal makes a protective award in respect of each claimant and the respondent is ordered to pay remuneration for the protected period. The protected period begins with 6 October 2022 and is for 90 days.

Employment Judge: M Sangster
Date of Judgment: 23 May 2023
Entered in register: 25 May 2023
and copied to parties