



EMPLOYMENT TRIBUNALS

Claimant: Mrs. S. Debenham and Others

Respondents: 1. Star Leisure Limited t/a Fortuna Entertainment (in Administration) 2. FRP Advisory - Ben Stanyon (Administrator)

Heard at: London South Employment Tribunal (via CVP video conference)

On: 24th July 2024

Before: Employment Judge Sudra (sitting alone)

Appearances:
Claimant: In-person (unrepresented)
Respondents: Failed to Attend

JUDGMENT

1. The Claimant's complaints under section 189 of the Trade Union and Labour Relations (Consolidation) Act 1992 (TULR(C)A) of a failure by the Respondent to comply with the requirements of section 188 of TULR(C)A is well founded.
2. The Respondent is ordered, by way of a protective award under section 189(3) of TULR(C)A, to pay remuneration to the Claimant named in the attached schedule for a protected period of 90 days beginning on 27th July 2023 (being the date on which the dismissal to which the complaints relate took effect).
3. The Employment Protection (Recoupment of Jobseeker's Allowance and Income Support) Regulations 1996 apply to this award.

Employment Judge Sudra
Date: 17 January 2025

Sent to the parties on
Date: 27 January 2025

Notes

1. A protective award is a two-stage process. The tribunal at this stage makes no financial award, but give a judgment that the claimant is entitled to a protective award in the terms set out above. The claimant must then seek payment of his award from the respondent, quantifying the amount.
2. Failure to pay (should that occur), or any dispute as to the amount payable, then becomes a matter for a further separate claim under s192 of the Trade Union and Labour Relations (Consolidation) Act 1992 for payment of the award.
3. 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 displayed on the tribunal's online register of judgments, which is visible to internet searches.

STAR LEISURE LIMITED - TRIBUNAL CLAIM - CASE NUMBER: 2304158/2023

**EMPLOYEES MAKE INSTANTLY REDUNDANT WITH NO CONSULATION - 27JULY2023,
PAID NO JULY 2023 WAGES, HAVING WORKED UNTIL 27JULY2023**

EMPLOYEE NAME	ANNUAL SALARY	8-WKS SALARY	NEW JOB
	£	£	START DATE
SUSAN DEBENHAM	37500.00	5144.00	01/10/2023
FRED STEELE	24000.00	3692.31	29/08/2023
JOSEPH DEBENHAM	8503.04	1308.16	05/08/2024
AMANDA LUCKMAN	25000.00	3846.15	01/11/2023
JANE MCENTEE	40000.00	5144.00	02/10/2023
NICOLA MANWARING	25000.00	3846.15	01/09/2023
STELLA HAFFENDEN	21700.00	3338.46	01/08/2023
JESSICA MCDUGALL	21700.00	3338.46	18/08/2023
ANN MULKERRINS	21700.00	3338.46	14/08/2023
CAROL WHITTAKER	13004.16	2000.64	30/10/2023
DANIEL STUBBINGS	30000.00	4615.38	01/08/2023
JASON HUNT	26193.60	4029.78	NOT WORKING
PETER NEWBOLD	27000.00	4153.85	NOT WORKING
NEIL SIMMONDS	45000.00	5144.00	09/10/2023
STUART ARNOLD	40000.00	5144.00	01/08/2023
MARK BLAKE	32000.00	4923.08	22/07/2024
MASON SANDERS	19760.00	3040.00	01/10/2023
CHRISTOPHER STEER	18000.00	2769.23	01/11/2023
RONNIE STROUD	23000.00	3538.46	31/07/2023
LUKASZ RUSZKIEWICZ	26666.40	4102.52	01/08/2023

**KEPT ON BY THE ADMINISTRATORS AND PAID THEIR JULY 2023 WAGES,
HOWEVER NO CONSULATION**

EMPLOYEE	ANNUAL SALARY	8-WKS SALARY	NEW JOB
	£	£	START DATE
JENNIFER CROSSLEY	25000.00	3846.15	11/09/2023
CAROLINE BRYNE	21700.00	3338.46	29/08/2023
EILEEN ELIAS	21700.00	3338.46	11/09/2023
ALFIE SANSOM	23000.00	3538.46	01/10/2023
MICHAEL CROSSLEY	21676.60	3334.86	21/08/2023
**DAMIEN HOAD	16900.00	2600.00	01/08/2023
DANIEL PINK	22000.00	3384.62	11/09/2023

CLAIM TOTAL FOR ALL 27 EMPLOYEES = £99,838.12

** DAMIEN HOAD WAS ASKED TO STAY, HOWEVER DECLINED