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# EMPLOYMENT TRIBUNALS

## Claimant

Mr T Teague

## Respondent

Lola Events Ltd

**Heard at:** London Central

**On:** 3 July 2017

**Before:** Employment Judge Lewzey

## Representation

Claimant: In person

Respondent: Mr T Boyeson-Corballis

**JUDGMENT** having been sent to the parties on 6 July 2017 and written reasons having been requested in accordance with Rule 62(3) of the Employment Tribunals Rules of Procedure 2013, the following reasons are provided:

## REASONS

1 This is an application for reconsideration made by Mr Boyeson-Corballis on behalf of the Respondent and pursuant to Rule 72 of the Employment Tribunal Rules of Procedure. Rule 70 provides that reconsideration may be where it is in the interests of justice.

2 This application is based on the assertion by Mr Boyeson-Corballis that he was not aware of the hearing that took place on 12 May 2017, in respect of which the judgment was sent to the parties on 15 May 2017. He personally may not have known of the hearing, however, by the Tribunal letter of 15 March the claim form was enclosed by way of service for the Respondent and the hearing on 12 May was listed all in the same letter. The Respondent entered a response on 3 April 2017, so must have had notice of the hearing.

3 Mr Boyeson-Corballis says he was given the response by the managing director in order to fill it in and indeed he did do so because the response was filed on 3 April. However, only one letter was ever sent to the Respondent and that letter not only served the claim form it also gave notice of the hearing.

4 The Respondent had notice of the hearing on 12 May, even if Mr Boyeson-Corballis did not know of it. Since the organisation had notice they could have attended and this is not a case where it is in the interests of justice for there to be any reconsideration. I therefore refuse the application for reconsideration and confirm the judgment.

5 Mr Teague applied for a preparation time order in respect of today's reconsideration hearing. Mr Teague also appears to be seeking reconsideration of the existing order contained in the judgment sent to the parties on 15 May 2017, which was to pay £185 in respect of preparation time costs. That figure represented five hours at £37 per hour based on my assessment on what was reasonable on the basis of my knowledge of claims that were before me and the likely time that a reasonable lay person would take to prepare these. If Mr Teague is seeking reconsideration to increase this to 18 hours 45 minutes he should have made an application for reconsideration within 14 days of 15 May 2017, which he has not done. Even had he done so, or if time were extended, such a reconsideration would have to be in the interests of justice. There have been no intervening events or change in circumstances. In those circumstances, it is not in the interests of justice to reconsider the order for preparation time costs.

6 The new application for preparation time costs arising from the application for reconsideration made by the Respondent, is made on the grounds that that application had no reasonable prospect of success. Without hearing from the Respondent what happened in relation to the notice of hearing it was not possible to assess one way or another whether the reconsideration application had any reasonable prospect of success.

7 The Respondent did have notice of the original hearing, although I am satisfied that Mr Boyeson-Corballis who appears today did not know of this and was simply handed the response to complete. The application for reconsideration by Mr Boyeson-Corballis has been unsuccessful. In any event Mr Teague's claim for 12¼ hours of preparation for this hearing is totally disproportionate. I refuse to exercise a discretion to award any further sum in respect of preparation time costs.

Employment Judge Lewzey  
7 July 2017