



EMPLOYMENT TRIBUNALS (SCOTLAND)

Case No: 2201829/2018

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Held in Glasgow on 15 May 2019

Employment Judge: Ian McPherson

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**Mr Stewart Kyle
T/A Facelook Hair & Beauty**

**Appellant
Represented by:
Mr Stephen Smith -
Solicitor**

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**Commissioners for Her Majesty's Revenue
& Customs
C/O Office of the Advocate
General for Scotland**

**Respondent
Represented by:
Ms Elisabeth Roxburgh -
Advocate**

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JUDGMENT OF THE EMPLOYMENT TRIBUNAL

Having heard the solicitor for the appellant, and counsel for the respondent, at this
25 Preliminary Hearing, the Tribunal, **of consent of both parties**, and in terms of **Rule
64 of the Employment Tribunals Rules of Procedure 2013**, and it being in the
interests of justice to do so, issues this Consent Judgment dismissing the appellant's
appeal against the respondents' Notice of Underpayment, and that without any
award of costs or expenses against either party ; and, having done so, the Tribunal
30 cancels the Final Hearing listed for 11 and 12 June 2019, those dates being vacated
on account of parties' settlement of the appeal on agreed terms.

REASONS

1. In terms of a Notice of Preliminary Hearing issued by the Tribunal, on 8 May
2019, this case was listed for a one day Preliminary Hearing today, before me
35 as an Employment Judge sitting alone, preceding a 2 day listed Final Hearing
assigned for 11 and 12 June 2019, as per Notice of Final Hearing issued by

E.T. Z4 (WR)

the Tribunal on 2 March 2019, setting aside two days for the case's full disposal, including remedy, if appropriate.

2. While listed to start at 10:00am, parties' representatives requested, and I allowed, an opportunity for them to have discussions regarding a possible settlement of the case.
3. As a result of those discussions, when the public Hearing commenced at 10:49am, I was invited to grant a **Rule 64** Consent Judgment. It being in the interests of justice to do so, I stated that I would proceed forthwith to issue this Judgment in the agreed terms, of consent of both parties.
4. These Tribunal proceedings, initiated in England & Wales, but transferred to Scotland, are accordingly now at an end.

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Employment Judge: Ian McPherson
Date of Judgment: 15 May 2019
Entered in register: 17 May 2019
and copied to parties