



EMPLOYMENT TRIBUNALS

Claimant: Mr H Bell

Respondent: Surrey Heath Borough Council

JUDGMENT

The appeals are struck out.

REASONS

1. A person on whom a Prohibition or Improvement notice is served may appeal to an employment tribunal; and on such an appeal the tribunal may either cancel or affirm the notice.
2. Prohibition and Improvement notices were served on Hugh Malcolm Ian Bell. Hugh Malcolm Ian Bell appealed against the notices and the appeals were listed to take place on the 14 April 2020.
3. On 5 September 2019 Hugh Malcom Ian Bell died. The company he ran, ATV go Karts Limited, has been wound up and ceased trading. The respondent to the appeals, Surrey Heath Borough Council, no longer seeks to rely on the notices. The employment tribunal hearing listed to take place on the 14 April 2020 will not be necessary because there is no longer any notice in respect of which the tribunal will be required to make a decision to cancel or affirm the notice. The proceedings are no longer necessary.
4. By Rule 37 of the Employment Tribunals Rules of Procedure 2013 the tribunal may on application or on its own initiative may make an order striking out a claim for a number of reasons including where there are no reasonable prospects of success or where a claim is not being actively pursued. In the circumstances of this case I am satisfied that the appeal should be struck out for the reasons stated above.

Employment Judge **Gumbiti-Zimuto**

1/11/19

JUDGMENT SENT TO THE PARTIES ON

.....1/11/19.....

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FOR THE TRIBUNAL OFFICE

All for the above claimant against the same respondent.

3330620/2018

3330619/2018

3330622/2018

3330604/2018

3312370/2019

3313730/2019

3313731/2019

3313732/2019