



EMPLOYMENT TRIBUNALS

Claimant: Mr P Brooks

Respondent: Newbury Land (Developments) Limited

RECORD OF A PRELIMINARY HEARING

Heard at: Norwich (by telephone)

On: 25 August 2020

Before: Employment Judge Postle (sitting alone)

Appearances

For the Claimant: Did not attend and was not represented (Did not respond when called on the number provided).

For the Respondent: Ms S Robertson, Counsel.

COVID-19 Statement on behalf of Sir Ernest Ryder, Senior President of Tribunals.

This has been a remote hearing which has been consented to by the parties. The form of remote hearing was by telephone (A). A face to face hearing was not held because it was not practicable and no-one requested the same and all issues could be determined in a remote hearing.

JUDGMENT

1. The claimant's claims of unfair dismissal, holiday pay and arrears of pay (Working Time Regulations 1998) are dismissed as the claims are no longer actively pursued.

REASONS

1. There was a previous Case Management Hearing before Employment Judge Gumbiti-Zimuto on 7 August 2020. That hearing was originally an open preliminary hearing to consider jurisdictional matters, it had to be postponed as the claimant failed to attend and was not represented. That was a hearing by CVP.
2. It was noted by the Judge at that hearing that there had been no communication from the claimant to the Tribunal since December 2019. Given the claimant's failure to attend the CVP preliminary hearing on 7 August 2020 the Judge determined that he was considering striking out the claim because it was not being actively pursued. The claimant was warned that if he wished to object to the proposal he should give reasons in writing or request a hearing and should make them by 21 August 2020. At the time of today's hearing namely 25 August 2020 nothing further has been heard from the claimant so it is clear the claimant is not pursuing the claim.

Employment Judge Postle

Date: 26/08/2020

Sent to the parties on:

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For the Tribunal:

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