



EMPLOYMENT TRIBUNALS

Claimant: Miss E Pinnington

Respondent: Elegant Address South of France Ltd

JUDGMENT having been sent to the parties on 4 March 2021 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) The Judgment was made under Rule 21 of the Employment Tribunal Rules of Procedure 2013. Rule 21 applies when the time limit for presenting the response to the claim has expired and no response has been presented.
- (2) Rule 21 requires an Employment Judge to determine, on the material available, whether a determination of the claim could properly be made. The claim is a simple claim for notice pay claim. The claimant set out why she believed she was entitled to notice pay and, in response to correspondence from the Tribunal, had quantified the claim in the sum set out in the Judgment.
- (3) In those circumstances, the Tribunal considered that a determination could properly be made of that claim and issued Judgment accordingly.
- (4) The Judgment was sent to the respondent's registered address, as shown on Companies House records. As that registered address had changed on 29 October 2020 (over three months after the date the response had been due) the Tribunal did not consider that the change of address meant that a determination could not properly be made of the claim.
- (5) The respondent has now applied for an extension of time to present its response and a reconsideration of the Judgment on the basis that it did not receive the claim form and related documentation. That application will be determined at a hearing in due course.

Employment Judge Dunlop

Date 7 May 2021

Case No: 21406172/2020

REASONS SENT TO THE PARTIES ON

.11 May 2021

FOR THE TRIBUNAL OFFICE