



EMPLOYMENT TRIBUNALS

Claimant: James Edmondson

Respondent: The Nest Group Ltd

JUDGMENT

Employment Tribunals Rules of Procedure 2013 – Rule 21

1. The Respondent's application for postponement of today's hearing is refused. I remind myself of Rule 30A (2) where a party makes an application for a postponement of a hearing less than 7 days before the date on which the hearing begins, the Tribunal may only order the postponement where—

- (a) all other parties consent to the postponement and—
 - (i) it is practicable and appropriate for the purposes of giving the parties the opportunity to resolve their disputes by agreement; or
 - (ii) it is otherwise in accordance with the overriding objective;
- (b) the application was necessitated by an act or omission of another party or the Tribunal; or
- (c) there are exceptional circumstances.

Given that

- the claimant does not consent to the postponement and
- notwithstanding the Respondent's stated intentions on two separate occasions in correspondence to resolve this matter without a hearing; and
- The claimant having provided the respondent with his schedule of loss with supporting documents on 1 May 2021; and
- The respondent has known of today's hearing for 5 weeks; and
- The respondent has taken no steps to contact the claimant to resolve the issue since 1 May 2021.

I am satisfied in accordance with Rule 30A(2)(a)(i) it is not practicable and appropriate for the purposes of giving the parties the opportunity to resolve their disputes by agreement to postpone the hearing.

2. The claim succeeds and the remedy to which the claimant is entitled will be determined at a Remedy Hearing at 12 noon on 2 December 2021. The parties have 7 days from receipt of this judgment to notify the court if that date is unsuitable, provide evidence why and apply for a new date.

3. The claimant is ordered to serve his statement of loss and documents in support upon the respondent and the court in an electronic bundle (PDF) no later than 7 days before the date of the Remedy Hearing stated above.

Employment Judge Allen

Date: 30 July 2021

JUDGMENT SENT TO THE PARTIES ON

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AND ENTERED IN THE REGISTER

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FOR THE TRIBUNAL OFFICE