



# EMPLOYMENT TRIBUNALS

**Claimant**

Mr N J Bambridge & Others

v

**Respondent**

In Tandem Resources Limited;  
and Others

**Heard at:** Cambridge

**On:** 15 September 2021

**Before:** Employment Judge Tynan

**A RECONSIDERATION JUDGMENT** having been sent to the parties on 15 September 2021 and written reasons having been requested in accordance with Rule 62(3) of the Employment Tribunal Rules of Procedure 2013, the following reasons are provided:

## REASONS

1. By a Judgment sent to the parties on 29 January 2021, the Claim was struck out in its entirety, albeit potentially only as regards the Claim brought by the First Claimant. By a Reconsideration Judgment dated 15 September 2021, on its own initiative, the Tribunal considered that it was necessary in the interests of justice to reconsider that Judgment. It was varied so that the Claim was struck out as against the First Respondent only, namely: In Tandem Resources Limited (in compulsory liquidation).
2. By an email dated 12 October 2021, the Respondents' Solicitors requested written Reasons for that decision. I was only provided with the case file on 18 January 2022.
3. The history of the matters is as follows. On 20 January 2020, I directed that the proceedings against the First Respondent should be stayed on the grounds that it was in compulsory liquidation. Unfortunately, my direction was not correctly implemented, and the proceedings were stayed in respect of all three named Respondents. When the matter was referred again after six months, acting on the stay, another Employment Judge directed that a strike out warning should be issued as the Claimants (or possibly just the First Claimant) had not indicated that the Court's permission had been secured to allow the Claim to proceed. Acting on that subsequent direction I struck out the Claim. In doing so, I was unaware that my original direction of 20 January 2020 had not been correctly implemented. For these reasons I considered that it was necessary, in the interests of justice, to reconsider the Judgment and went

on to vary the Judgment to reflect my original direction of 20 January 2020. I additionally directed that there should be a strike out warning in respect of the Second to Sixth Claimants' Claims against the First Respondent as it was unclear on the face of the strike out warning and resulting Judgment that the strike out extended beyond the Claim brought by the First Claimant. I further directed the parties to inform the Tribunal whether the Case Management Orders made on 13 May 2019 had been complied with.

4. I dealt with the matter under Rule 72 of the Employment Tribunals Rules of Procedure as it was not clear to me that the error was capable of being corrected as a clerical mistake or accidental slip under Rule 69, though the parties are at liberty to make further submissions to the Tribunal in this regard.
5. In reconsidering the Judgment I failed to direct that the parties should be informed that this was the course of action I was proposing and the reasons why, with the result that they were not afforded a reasonable opportunity to make further written representations or to attend a Hearing, as envisaged by Rule 72(2). In the circumstances, but given my comments above, I shall await confirmation from the parties as to their intentions.
6. Should any party wish to pursue an Application for Reconsideration of the Reconsideration Judgment, they should do so **within 14 days** of the date on which these written Reasons are sent to them. In the event of any such Application, I consider that it should be capable of being dealt with on paper rather than at a Hearing. However, the parties are at liberty to make further representations in that regard.

24 January 2022

---

Employment Judge Tynan

Judgment sent to the parties on

28 January 2022

For the Tribunal office