



EMPLOYMENT TRIBUNALS

Claimant: Mr T Townsend

Respondents: Biffa Municipal Ltd

Heard at: London South Employment Tribunal by video

On: 29 March 2022

Before: Employment Judge L Burge

Appearances

For the Claimant: Did not attend

For the Respondent: M Stanley, Counsel

PRELIMINARY HEARING JUDGMENT

It is the Judgment of the Tribunal that:

1. The Claimant's claim is struck out.

REASONS

1. By letter dated 3 December 2021 the parties were given notice that there would be a Preliminary Hearing on 29 March 2022 to decide whether the claim should be struck out or whether a deposit order should be paid as a condition of continuing the claims.
2. On 15 February 2022 the Tribunal wrote to ask if the parties were ready to proceed with the hearing.
3. On 2 March 2022 the Tribunal wrote again, saying that the letter dated 15 February 2022 had not been responded to and that an Employment Judge

may consider striking out the claim as it did not appear that the claim was being actively pursued.

4. The Claimant replied to this email on 10 March 2022 confirming that he was ready to proceed with the hearing.
5. On 28 March 2022 the Respondent emailed the Claimant and the Tribunal with a bundle and a draft list of issues.
6. At the start of the hearing the Tribunal tried to telephone the Claimant a number of times but there was no answer. He did not attend.
7. The Tribunal has therefore decided to strike out the Claimant's claim pursuant to Rule 38 of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013 as the Claimant is not actively pursuing his claims.
8. The Claimant knew that the hearing was to consider whether his claims should be struck out and so he had reasonable opportunity to make representations but did not attend.
9. The hearing fixed for 11 and 12 August 2022 will not take place.

Employment Judge L Burge

Dated: 29 March 2022

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