



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr M Kersley

**Respondent:** Airvending Limited

## JUDGMENT

The application for reconsideration is refused. There is no reasonable prospect of the judgment being varied or revoked.

### REASONS

1. The claimant's detailed grounds seeking reconsideration set out arguments which if accepted at the hearing might have resulted in me reaching different conclusions on this case. The claimant contends that paragraphs 4, 5, and 6 of the judgment are incorrect. The claimant has set out in 22 clearly argued paragraphs why he puts forward the proposition that I should come to a different factual conclusion. In paragraph 23-28 the claimant set out his conclusion to the effect that "justice may not have been served" by the conclusions I arrived at.
2. The claimant's submissions in my view do not demonstrate an error of law or persuade me that my factual conclusions are wrong, or may be wrong, or that there is any other good reason why I should set about reopening the factual conclusions I came to. What the application does is put forward alternative (or additional) submission which should have been made at the conclusion of the full merit hearing. It is not appropriate for to reopen the considerations in this case simply on the basis that there are further alternative submissions that could be made
3. The claimant's submission does not include any basis for concluding that there was an error of law.
4. The application for reconsideration is refused.

---

Employment Judge Gumbiti-Zimuto  
Date: 10 May 2022

Sent to the parties on: 27/5/2022

N Gotecha

For the Tribunals Office

**Public access to employment tribunal decisions:**

All judgments and reasons for the judgments are published, in full, online at [www.gov.uk/employment-tribunal-decisions](http://www.gov.uk/employment-tribunal-decisions) shortly after a copy has been sent to the Claimant(s) and Respondent(s) in a case.