



EMPLOYMENT TRIBUNALS

Claimant: Mr K Crossland

Respondent: (1) Chamberlains Security (Cardiff) Ltd
(2) Mr R Trevivian
(3) Mrs L Trevivian

JUDGMENT

The Claimant's application dated 21 July 2022, for reconsideration of the Judgment sent to the parties on 13 July 2021 ("Judgment"), is refused.

REASONS

1. Rule 70 of the Employment Tribunals Rules of Procedure ("Rules") notes that an application for reconsideration "*shall be presented in writing (and copied to all other parties) within 14 days of the date on which the written record ... of the original decision was sent to the parties*".
 2. In this case, the Judgment (the written record of the original decision) was sent to the parties on 13 July 2021. Any application for reconsideration should therefore have been submitted by 27 July 2021. However, the application was submitted on 21 July 2022, just under a year out of time. It was also not copied to the other parties.
 3. Whilst Rule 5 provides a general power for a Tribunal to extend time, the Claimant has provided no explanation for the delay. His application is therefore refused on the basis that it was submitted substantially out of time.
 4. In any event, the reconsideration application does not engage with the primary reason for the striking out of his claim, which was that there was no power to set aside the previous judgment of the Employment Tribunal sitting in Bristol chaired by Employment Judge Pirani in May 2017. There would therefore have been no reasonable prospect of the original decision being varied or revoked, and the application would also have been dismissed on that basis.
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Case No: 1602600/2020

Employment Judge S Jenkins

Date; 17 August 2022

JUDGMENT SENT TO THE PARTIES ON 19 August 2022

FOR THE TRIBUNAL OFFICE Mr N Roche