



# EMPLOYMENT TRIBUNALS

**Claimant:** M Higginbotham

**Respondents:** 1. Factory Outlet (NW) Limited  
2. Christopher Grundy  
3. Paul Hornsby

## PRELIMINARY HEARING

**Heard at:** Manchester

**On:** 5 July 2023

**Before:** Employment Judge Batten (sitting alone)

**Representation:**

For the claimant: in person  
For the first and second respondents: B Davies, Counsel  
For the third respondent: no attendance

## JUDGMENT

Employment Tribunals Rules of Procedure 2013  
Rule 53

**Upon hearing from the parties present, the judgment of the Tribunal is that:**

1. The complaints of unfair dismissal, breach of contract and unauthorised deductions from wages/holiday pay are dismissed because they were not presented to the Tribunal in accordance with the relevant provisions of the Employment Rights Act 1996 in circumstances where the Tribunal was satisfied that it was reasonably practicable to present the complaints before the end of the period of three months;

2. The complaint of disability discrimination is dismissed because it was not presented to the Tribunal within the time limit prescribed by section 123(1) of the Equality Act 2010 and the Tribunal does not consider it just and equitable to extend time for this complaint; and
3. the complaints brought against the second and third respondents are struck out for having no reasonable prospects of success.

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Employment Judge Batten

Date: 5 July 2023

JUDGMENT SENT TO THE PARTIES ON:

Date: 11 July 2023

FOR THE TRIBUNAL OFFICE