

EMPLOYMENT TRIBUNALS (SCOTLAND)

Case Number: 112210/2011

Ms M Livingstone

Claimant

Argyll & Bute Council

Respondent

JUDGMENT

The claim is struck out under rule 37 of the Rules contained in Schedule 1 of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013 on the grounds that the claim has not been actively pursued in terms of rule 37(1)(d).

REASONS

1. The claimant's solicitors having withdrawn from acting on her behalf, a strike out warning letter was sent to her on 6 November 2023 on the direction of an Employment Judge, following the claimant's failure to reply to the Tribunal's status enquiry letter asking for confirmation of her intention with regard to this claim.

2. That correspondence has been returned to the Tribunal Office indicating that the claimant no longer resides at the address provided on the ET1.

3. The claimant telephoned to advise that they have moved house and would provide their new address. No steps have been taken by the claimant to provide the Tribunal of her new address. In the absence of this information the tribunal cannot communicate with the claimant. The Tribunal have been unable to give the claimant notice under rule 37(2) of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013.

4. The Tribunal assumes in these circumstances that she no longer wishes to pursue her claim, which is struck out under rule 37(1)(d) of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013.

Employment Judge (signature)

Frances Eccles
Employment Judge (Name)

26/01/2024

Date of judgment