EMPLOYMENT TRIBUNALS

Heard at:	Croydon (by video)	**On:** 9 July 2024

Claimant: Mr Daniel Sargent

Respondent: Marstons plc

Before: Employment Judge Fowell

Representation:

Claimant Mr Stephen Lampard (friend)

Respondent Ms Grace Corby of counsel, instructed by Howes Percival LLP

JUDGMENT ON A PRELIMINARY ISSUE

1. The claim of harassment or discrimination on grounds of sex is struck out under rule 37(1)(a) as out of time, on the basis that there is no reasonable prospect of the tribunal having jurisdiction to consider it.

2. All other claims, i.e. those based on the claimant's dismissal, including allegations of harassment on grounds of disability and sexual orientation said to have culminated in his dismissal, shall proceed to a final hearing on 10 February 2025.

Employment Judge Fowell
Date **9 July 2024**

JUDGMENT & REASONS SENT TO THE PARTIES ON
24 July 2024

FOR THE TRIBUNAL OFFICE

Notes

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.

Public access to employment tribunal decisions

Judgments and reasons for the judgments are published, in full, online at www.gov.uk/employment-tribunal-decisions shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.

Recording and Transcription

Please note that if a Tribunal hearing has been recorded you may request a transcript of the recording, for which a charge may be payable. If a transcript is produced it will not include any oral judgment or reasons given at the hearing. The transcript will not be checked, approved or verified by a judge. There is more information in the joint Presidential Practice Direction on the Recording and Transcription of Hearings, and accompanying Guidance, which can be found here:

https://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions