



EMPLOYMENT TRIBUNALS

Claimant: Mr G Clark

Respondent: Barnett's Coaches Limited

DECISION ON RECONSIDERATION APPLICATION

Employment Judge S Connolly has decided that:

1. There is no reasonable prospect of the judgment being revoked or varied so the respondent's application for a reconsideration dated 13 February 2025 in relation to the judgment issued at the preliminary hearing on 4 February 2025 is refused.
2. There is no reasonable prospect of the judgment being revoked or varied so the claimant's application for a reconsideration dated 15 February 2025 in relation to the judgment issued at the preliminary hearing on 4 February 2025 is refused.

REASONS

Background

1. A judgment was delivered at the hearing on 4 February 2025. This related to the claimant's claims for wages, holiday pay and other payments ("the Wages Claims"). The claimant was awarded the sum of £2,119.17.
2. This was issued following the late submission of a response by the respondent and an application dated 23 January 2025 to extend time for a response under Rule 21 of the Employment Tribunal Rules of Procedure 2024.
3. The application was considered at the preliminary hearing. The application was rejected in relation to the Wages Claims. The application was allowed for all other claims. Reasons were given orally.
4. The respondent submitted an application for reconsideration dated 13 February 2025.
5. The claimant wrote to the Tribunal on 15 February 2025. He essentially objected to the respondent's application but also made his own application

for a reconsideration of the sums awarded.

6. The respondent sent further correspondence on 18 February 2025 in response to the claimant's letter of 15 February 2025.

Respondent's application - Reasons

7. In essence, the respondent argues that it should have had the chance to make representations in relation to quantum. The respondent states that it had a reasonable expectation that, at the preliminary hearing, the Tribunal would make case management decisions only and that this would not be a final hearing in any respect.
8. The respondent also submitted it is correspondence of 18 February 2025 that the detail provided by the claimant in his letter of 15 February 2025 (arguing that his award should be higher) is further evidence to suggest that the Tribunal judgment should be reconsidered so the respondent can make full representations on quantum.
9. Given that the application under Rule 21 was not accepted in relation to the Wages Claims, it was within the discretion of the Tribunal to make a decision at the hearing without further participation from the respondent on remedy. The Tribunal had sufficient information from the claimant so that a determination could be made and in these circumstances, the respondent is only able to participate to the extent permitted by the Tribunal. As such, there should have been no expectation on the part of the respondent that it should have been able to participate in relation to remedy on the Wages Claims in a situation where its response had been rejected in relation to those claims.
10. On this basis, there is no reasonable prospect of the judgment being revoked or varied so the respondent's application for a reconsideration dated 13 February 2025 in relation to the judgment issued at the preliminary hearing on 4 February 2025 is refused

Claimant's Application – Reasons

11. The claimant wrote to the Tribunal on 15 February 2025. He essentially objected to the respondent's application but also made his own application for a reconsideration of the sums awarded. He made additional submissions and attached additional evidence. He submitted that he had miscalculated the sums and the reason for this was due to missing evidence, which he had now obtained.
12. In reaching its original decision, the Tribunal considered the claimant's evidence that was presented at the hearing. The claimant cannot submit additional evidence after the hearing in order to change the decision.
13. On this basis, there is no reasonable prospect of the judgment being revoked or varied so the claimant's application for a reconsideration dated 15 February 2025 in relation to the judgment issued at the preliminary hearing on 4 February 2025 is refused.

Approved by:

Employment Judge S Connolly

Date 22 July 2025

SENT TO THE PARTIES ON

31 July 2025

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FOR THE TRIBUNAL OFFICE