



EMPLOYMENT TRIBUNALS

Claimant: Mr R Drake

Respondent: The Smokehouse at the Chequers Limited (Dissolved)

Heard at: Bury St Edmunds

On: 17 October 2025

Before: Employment Judge Graham

Representation

Claimant: Did not attend

Respondent: Did not attend

JUDGMENT

1. The proceedings are dismissed in full under Rule 47 Employment Tribunal Rules of Procedure 2024.

REASONS

1. The Claimant filed the ET1 on 4 September 2023 and sought to recover arrears of pay. The ET1 was served by the Tribunal on 3 November 2023 indicating that an ET3 response was due on or by 1 December 2023. No response was received.
2. Today's final hearing was listed on 25 June 2025.
3. A check of Companies House today records that a company matching the name of the Respondent (but at a different registered address) was dissolved on 12 March 2024.
4. Neither party attended today. A search of the Tribunal's email inbox did not reveal any recent correspondence from either side.
5. Rule 47 provides as follows:

"Non-attendance

47. If a party fails to attend or to be represented at a hearing, the Tribunal may dismiss the claim or proceed with the hearing in the absence of that party. Before doing so, it must consider any information which is available

to it, after any enquiries that may be practicable, about the reasons for the party's absence."

6. Rule 3 provides the following:

"Overriding objective

3.—(1) The overriding objective of these Rules is to enable the Tribunal to deal with cases fairly and justly.

(2) Dealing with a case fairly and justly includes, so far as practicable—

(a) ensuring that the parties are on an equal footing

(b) dealing with cases in ways which are proportionate to the complexity and importance of the issues,

(c) avoiding unnecessary formality and seeking flexibility in the proceedings,

(d) avoiding delay, so far as compatible with proper consideration of the issues, and

(e) saving expense.

(3) The Tribunal must seek to give effect to the overriding objective when it—

(a) exercises any power under these Rules, or

(b) interprets any rule or practice direction.

(4) The parties and their representatives must—

(a) assist the Tribunal to further the overriding objective, and

(b) co-operate generally with each other and with the Tribunal."

7. I have no information to explain the non-attendance from the Claimant. The Respondent no longer exists as a legal entity in any event.
8. At 10:20am I determined that the case should be dismissed in full under Rule 47 due to non-attendance as that would be in furtherance of the Overriding Objective of the Employment Tribunal to avoid further time and costs being wasted. I was particularly mindful that today's hearing time could have been given to other tribunal users waiting for their day in court.
9. The claim is therefore dismissed in full.

Approved by:

Employment Judge Graham
17 October 2025

JUDGMENT SENT TO THE PARTIES
ON

.4 November 2025.....

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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. If written reasons are provided they will be placed online.

All judgments (apart from judgments under Rule 51) and any written reasons for the judgments are published, in full, online at <https://www.gov.uk/employment-tribunal-decisions> shortly after a copy has been sent to the claimants and respondents.

If a Tribunal hearing has been recorded, you may request a transcript of the recording. Unless there are exceptional circumstances, you will have to pay for it. 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:

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