



EMPLOYMENT TRIBUNALS

Claimant: Mr Stephen Pakes
Respondent: Instant Landscapes Ltd

Heard at: Watford Employment Tribunal
On: 19 January 2026
Before: Employment Judge Alliott

Representation

Claimant: Did not attend
Respondent: Mr Nick Angel (managing director)

JUDGMENT

The judgment of the tribunal is that:

1. The claimant's claim of unfair dismissal is dismissed upon withdrawal.
2. The claimant's claims for breach of contract and unauthorised deduction of wages are dismissed.

REASONS

The claimant's absence

1. On 16 January 2026 at 05:51 hours the claimant sent an email to the tribunal as follows:-

"I write to inform the Court and the Respondent that, due to unforeseen circumstances, I am unable to attend the hearing listed for Monday 19 January.

Given the late notice and the uncertainty surrounding my availability to attend any rescheduled hearing, I respectfully request that my claim be withdrawn. Please accept this email as formal confirmation that I, Stephen Pakes, the claimant, no longer wish to pursue my claim for unfair dismissal against the respondent.

I apologise to the court for the late notice and for any inconvenience caused."

2. Due to the equivocal nature of the claimant's withdrawal, the following communication was sent to the claimant on 16 January 2026:-

“The case file has been referred to Employment Judge Allott:

“Thank you for your email sent 05:51 on 16th January 2026 stating that you wish to withdraw your claim for unfair dismissal. Your claim includes claims of breach of contract for notice pay and unauthorised deduction of wages.

Please inform the tribunal ASAP if you are also withdrawing the breach of contract and unauthorised deduction of wages claim. If so, the tribunal will dismiss all your claim upon withdrawal.”

3. On 18 January 2026 at 15:15 hours the claimant replied (without copying in the respondent) as follows:-

“Sorry about the late notice coming back to the court in regards to letters attached on the 16th Jan. I was travelling on this date from abroad and had no access to my emails or internet to be able to respond.

As my previous correspondence I am unable to attend the hearing on 19 Jan 2026. I was not previously aware that the tribunal may proceed in the absence of a party; however, having now been informed of this, I confirm that I do not object to the tribunal proceeding in my absence.

I understand that there may be practical and procedural complexities arising from my non-attendance, and that the tribunal may need to consider the matter without the benefit of my oral evidence. Based on my understanding, I believe that there is substantial evidence already before the tribunal which may assist it in proceeding in a fair and proportionate manner without my attendance.

I respectfully request that this letter be placed on the record. Please advise if any further information is required from me.

Thank you for your assistance.”

4. Today’s hearing was listed on 27 October 2025 at a hearing at which the claimant’s wife was present.
5. In the circumstances, it is clear to me that the claimant has known about today’s date for some time and has no intention of attending. Consequently, I decided to proceed in his absence.

The facts

6. There is a dispute between the parties as to whether the claimant effectively resigned on 16 August 2026 or was dismissed. It is the respondent’s case that the claimant did not attend to work on 19 August 2024 and resigned by conduct if not before. The claimant has withdrawn his unfair dismissal claim. It is the respondent’s case that the claimant was not entitled to notice pay as he resigned and did not work his notice. Further, it is the respondent’s case that pursuant to two training agreements signed by the claimant on 11 July 2022 and 24 November 2022 the respondent was entitled to deduct 50% of the training fees incurred in respect of training attended by the claimant.
7. Mr Nick Angel was sworn and confirmed that the contents of his witness statement were true to the best of his knowledge and belief. Mr Angel confirmed

to me that the claimant resigned, was not entitled to notice pay and that all deductions were made in accordance with contractual documentation. He confirmed that no monies were due to the claimant.

8. The claimant was not here to challenge Mr Angel's account or give evidence to me on the disputed matters of fact.
9. I find that the facts were in accordance with Mr Angel's witness statement.
10. Accordingly, all the claimant's claims are dismissed.

Approved by:

Employment Judge Alliot

30 January 2026

JUDGMENT SENT TO THE PARTIES ON

.....16 March 2026.....

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FOR THE TRIBUNAL OFFICE

Notes

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/