



EMPLOYMENT TRIBUNALS

Claimant: Mr Augustus Thompson

Respondent: Quiver Delivery Limited

Heard at: London South Employment Tribunal (in chambers)

Before: Employment Judge Abbott

RECONSIDERATION JUDGMENT (COSTS)

The preparation time order sent to the parties on 12 June 2026 is revoked.

REASONS

1. By a Judgment sent to the parties on 12 June 2026, I made a preparation time order in favour of the respondent in the sum of £500. This was on the basis of the claim having had no reasonable prospects of success (which is the same reason I struck out the claim).
2. By an application dated 14 June 2026, the claimant sought reconsideration of the preparation time order. I initially considered the application as required under Rule 70 of the Employment Tribunal Procedure Rules 2024 and decided it should proceed. I directed the following notice be sent (which was sent on 10 July 2026):

“Following the claimant’s application dated 14 June 2026 and an initial consideration, Employment Judge Abbott is of the opinion that the application should proceed.

The Employment Judge’s provisional view is as follows. The claimant has drawn the attention of the Tribunal to the fact that the Respondent was already in creditors voluntary liquidation by the date of the application for costs which was made on 24 April 2026. Under section 101 of the Insolvency Act 1986, all powers of the directors cease upon appointment of a liquidator unless sanctioned by the creditors. There is therefore a question as to whether Mr Barrie was acting with the authority of the liquidator in bringing the application for costs on behalf of the respondent. Also, it is not clear whether the time that was spent by Mr Barrie that is the subject of the preparation time order was before or after the liquidator was appointed and, if after, was authorised by the liquidator to be done on the respondent’s behalf.

[...]

If the respondent thinks that the judgment should not be reconsidered, the respondent must write to us, giving reasons, within 14 days. For present purposes, in light of the liquidation, it is the Joint Liquidators who are invited to respond, unless Mr Barrie can demonstrate he has been authorised to do so by the Joint Liquidators.

Both parties are asked to write to us within 14 days setting out their views on whether the application can be determined without a hearing. The Employment Judge's provisional view is that a hearing is not needed."

3. The notice was re-sent on 6 August 2026 directly to the address of the Joint Liquidators to ensure it had been received.
4. As of today (17 September 2026) no substantive response has been received from the respondent or the Joint Liquidators.
5. In all the circumstances, I consider it is in the interests of justice to (a) determine the reconsideration application without a hearing and (b) revoke the preparation time order. This is for the reasons set out in the notice of 10 July 2026. A hearing would be disproportionate when the respondent has not engaged with the queries I have raised. On the substance, I cannot be sure that the preparation time claimed (and awarded) was properly incurred with the authority of the Joint Liquidators.
6. I should record that the revocation of the preparation time order is no endorsement of the claimant in respect of the bringing of his original claim which was, as I have found, with no reasonable prospects of success. It simply reflects that I now regard the basis upon which the preparation time order was quantified as unsafe and, absent reassurance from the Joint Liquidators that the preparation time awarded was properly incurred, the order cannot fairly stand.

Approved by:
Employment Judge Abbott
Date: 17 September 2026

Sent to the parties on:
Date: 22 September 2026

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.