



EMPLOYMENT TRIBUNALS

Claimant: Mr M Pater

Respondent: Safe Transport (Southwest) Ltd

JUDGMENT ON RECONSIDERATION

The Judgment issued under Rule 21 of the Employment Tribunals Rules of Procedure 2013 is set aside under Rule 20.

REASONS

1. The Tribunal issued a judgment under Rule 21 on 22 June 2016, since no response has been presented. By letter dated 28 June 2016, the respondent applied for reconsideration of that judgment and for an extension of time to present the response. It made further representations in support of that application on 8 August 2016. The claimant resisted the respondent's application by his letters dated 22 July 2016 and 8 August 2016. Neither party sought a hearing before the Tribunal and it appeared appropriate under Rule 20 and Rule 72 of the Employment Tribunals Rules of Procedure 2013 to determine the application without a hearing.
2. The respondent has shown an arguable defence to the claim in its letters together with an explanation for its omission to present a response in time as a result of a change of premises and breakdown of mail redirection. In those circumstances, the interests of justice require that a full hearing of the claim is held and that the judgment made under Rule 21 be set aside in accordance with Rule 20.
3. Notice of a hearing at Bristol Employment Tribunal with a time allocation of three hours and case management orders will be issued.

Regional Employment Judge Parkin

Date: 12 August 2016

JUDGMENT SENT TO THE PARTIES BY EMAIL ON

18 August 2016

Case No: 1400751/2016

AND ENTERED IN THE REGISTER

FOR THE TRIBUNAL OFFICE