



EMPLOYMENT TRIBUNALS

Claimant: Mr K Gorringe
Respondent: Center Parcs Limited
Heard at: Bury St Edmunds
On: 14 November 2024
Before: Employment Judge Graham

Representation
Claimant: Did not attend
Respondent: Mr M Hall, Head of HR

JUDGMENT

1. The claim is dismissed in full.

REASONS

1. By ET1 dated 3 July 2023 the Claimant complained of unfair dismissal and also discrimination on grounds of disability and age. The Claimant's employment ended at some point in August 2022, therefore the claim appeared to have been brought outside of the primary time limits. ACAS Early Conciliation took place outside of the primary time limit in June 2023.
2. A preliminary hearing for case management took place on 27 February 2024 where Employment Judge Palmer listed this matter for a public preliminary hearing to determine time as a preliminary issue. This was listed as an in person hearing.
3. There have been delays in today's hearing taking place due to numerous postponements, some of which were due to lack of judicial availability.
4. On 29 April 2024 Regional Employment Judge Foxwell refused the Claimant's application to convert this to a telephone hearing on grounds that it was not suitable for conversion to a telephone hearing.
5. The hearing listed for 13 September 2024 was postponed upon the

Claimant's application.

6. Today's hearing was listed on 2 October 2024. At that time it was listed as an in person hearing to take place in Norwich.
7. On 24 October 2024 the Respondent applied for today's hearing to be postponed however that was refused by Employment Judge Postle.
8. On 25 October 2024 the Claimant applied for this hearing to be converted to a telephone hearing due to his mental illness for which he said he was now receiving critical mental health treatment due to an emergency referral from his doctor and he would not be able to attend Norwich. No medical evidence was included.
9. Having checked the Tribunal files I cannot see that the application was dealt with, however the hearing was subsequently moved to this Tribunal which is close to where the Claimant lives.
10. The Claimant did not attend today's hearing. I asked the administrative staff to repeatedly check the Tribunal inbox for any up to date correspondence from the Claimant, however there was none. I had started the hearing late after 10:15am for that purpose.
11. Having considered the information before me, I did not grant the Claimant's application to convert the hearing to a telephone hearing as it was not suitable for this hearing to take place in that way as the Regional Employment Judge had previously decided on 29 April 2024.
12. I determined that the Claimant was aware of the date and venue of today's hearing, and whereas he had not had a reply to his application he had nevertheless decided not to attend today.
13. Rule 47 of the Employment Tribunal Rules of Procedure 2013 provides:

"If a party fails to attend or to be represented at the hearing, the Tribunal may dismiss the claim or proceed with the hearing in the absence of the party. Before doing so, it shall consider any information which is available to it after any enquiries that may be practicable, about the reasons for party's absence."
14. Having taken all of the matters into account, including the number of postponements in this matter, the delays which had been experienced to date, the lack of medical evidence, and the fact that the Tribunal venue was very close to the Claimant's home, as well as the Overriding Objective of the Tribunal, I decided that the claim should be dismissed in full under Rule 47.
15. The claim is therefore dismissed in full.

Employment Judge Graham
Date: 14 November 2024

JUDGMENT & REASONS SENT TO THE PARTIES ON
19/12/2024

FOR THE TRIBUNAL OFFICE
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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.

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.

Recording and Transcription

Please note that if a Tribunal hearing has been recorded you may request a transcript of the recording, for which a charge may be payable. 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:

<https://www.judiciary.uk/guidance-and-resources/employment-rules-and-legislation-practice-directions/>