



EMPLOYMENT TRIBUNALS

Claimant

Respondent

Mr A.P. Roadknight-Scott

-v-

Solihull Metropolitan Borough Council

FINAL MERITS HEARING

Heard: Remotely by the Cloud Video Platform On: **21, 22, 23, 25, 28, 30 September and 1 October 2020**

Before: **Employment Judge Perry** (sitting alone)

Appearances

For the Claimant:

in person

For the Respondent:

Mr D Brown (counsel)

JUDGMENT

1. The claimant's complaints of constructive unfair dismissal and that the respondent failed to compensate him at the end of his employment for leave accrued but not taken are not well founded and are dismissed. It follows the claimant's complaint pursuant to s.38 Employment Act 2002 fails and is dismissed.
2. Having relayed my decision to the parties the respondent made an application for the summary assessment of its costs to be payable by the claimant and sought to email the papers it wished to rely upon to the tribunal. By 4:15 pm those papers had still not been received by me and so I adjourned that application to a later date.

ORDER

1. The parties are to liaise to attempt to resolve the cost issue but if that cannot be achieved the respondent shall confirm within 28 days of today if the costs application is renewed and if so lodge a written application and any rationale/submissions and supporting documents it relies upon for seeking the same.
2. If the claimant intends to rely upon his financial circumstances to oppose that application, he shall lodge within 42 days of today a witness statement setting out in detail his means, to include any assets, liabilities, income and outgoings and which shall have attached documentary evidence supporting the same.
3. Also, within 42 days of today the claimant shall lodge any rationale/submissions and supporting documents he wishes to rely upon to oppose the application.
4. If pursued the respondent's costs application shall be listed before me (sitting alone) to be heard by CVP on the first available date after 56 days of today (time estimate 3 hours). The respondent shall be responsible for preparing a



paginated bundle which shall be sent to the claimant and tribunal in both hard (2 copies) and electronic format.

5.

Employment Judge Perry

Dated: 2 October 2020

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Note. 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.