

MR [REDACTED] M [REDACTED] - v - Southampton City Council

Appeal Details

Case number:	SN00091-2507	Appeal Raised:	16/07/2025
Vehicle:	[REDACTED]	Hearing:	There was no hearing
Representative:	N/A	Decision:	07/08/2025
Number of PCNs:	1	Adjudicator:	Adjudicator Hockaday

Decision - PCN SN59649918

MR [REDACTED] M [REDACTED], you have lost this appeal.

You need to pay the penalty charge to Southampton City Council.

Penalty Charge Amount: £70.00

Issued: 02/07/2025

Contravention: 25/05/2025 17:16

Portswood So17 2ng

47 - Stopped on a restricted bus stop or stand

Please see the next page for the Adjudicator's Reasons

Adjudicator's Reasons

1. The penalty charge notice (PCN) is for stopping on a restricted bus stop on 25 May 2025. I have considered all the evidence. The Council relies on a video which shows the car approach and stop in the bus stop and then the driver opens the door and gets out.
2. Mr M [REDACTED] replied that he is an 'Uber taxi' driver who just drops off a passenger and then leaves. He said there was no other safe place to drop off as he cannot stop in the middle of the road.
3. For this Tribunal, Mr M [REDACTED] says he works as a 'taxi' driver and the PCN is totally unfair. He says he got out to help his passenger with luggage. He says if a passenger is forcing 'pls drop me at bus stop' he cannot stop in the road. He feels that the Council's action of issuing the PCN will stop him from working and force him to sit at home and claim benefits and is discriminatory.
4. For the reasons set out below, I find that Mr M [REDACTED] has not shown a reason to win his appeal.
5. The evidence shows that Mr M [REDACTED] holds a licence as a Private Hire Vehicle (PHV) driver. His vehicle is not a licensed hackney carriage taxi. This is an important difference. As a PHV driver, he does not qualify for the exemption which the law gives to a licensed hackney carriage taxi to stop in a restricted bus stop to drop off or pick up a passenger. I explain below.
6. The prohibition against stopping in a restricted bus stop means exactly that. I find that the markings and sign are in good condition and sufficiently comply with the regulations and are adequate to inform drivers of the prohibition against stopping in this bus stop (regulation 18 of The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996).
7. The yellow markings convey the 'clearway' status of the bus stop and warn drivers 'no stopping' even before the supporting yellow sign is seen. The broad yellow line next to the kerb means 'no stopping' and alerts drivers that this is a restricted bus stop. This is explained in the Highway Code.
8. There is no general exemption for all vehicles to stop to pick up or drop off a passenger. There is a narrow exemption but only if the vehicle is licensed as a hackney carriage taxi: see Traffic Signs Regulations and General Directions 2016 at Schedule 7, Part 6, paragraph 4(2)(c) and the definition of 'taxi' in schedule 1. A PHV does not qualify for this exemption.
9. Some members of the public may not be aware of the difference between a PHV and a hackney carriage taxi and might use the word 'taxi' in a loose sense for either type. But a PHV and a hackney carriage taxi have a different legal status and different licensing. A key difference is that a hackney carriage taxi may ply or stand for hire on-street in its licensed area, whilst a PHV can only undertake a pre-booked journey. As a licensed PHV driver, Mr M [REDACTED] can reasonably be expected to have known that a PHV and a hackney carriage taxi are different, and that a PHV is not a 'taxi' for the purposes of signs on the public highway or for this exemption.
10. I find that Mr M [REDACTED] stopped his PHV inside the bus stop. He should have chosen a different place to stop. If a passenger asks him to stop at the bus stop, that does not give him good reason to do so. He is responsible for his decision about where he stops. He can explain to the passenger that the law does not allow him to stop at a restricted bus stop. The contravention is proved. There is no evidence of discrimination. Mr M [REDACTED] has not shown a reason to win this appeal.
11. The amount starts at £70. The law requires the Council to offer a 50% discount in the PCN. The Council offered another chance to pay 50% in the Notice of Rejection but Mr M [REDACTED] did not take that offer. I conclude that he is liable to pay £70.

Adjudicator Hockaday

Adjudicator

07/08/2025