

MR [REDACTED] G [REDACTED] - v - Brighton & Hove City Council

Appeal Details

Case number:	BH00512-2608	Appeal Raised:	21/08/2026
Vehicle:	[REDACTED]	Hearing:	There was no hearing
Representative:	[REDACTED]	Decision:	01/09/2026
Number of PCNs:	1	Adjudicator:	Adjudicator Gibbs

Decision - PCN BH93113005

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

You need to pay the penalty charge to Brighton & Hove City Council within 28 days.

Penalty Charge Amount: £70.00

Issued: 16/07/2026

Contravention: 09/07/2026 19:14

Preston Road (j)

46 - Stopped where prohibited (on a red route or clearway)

Please see the next page for the Adjudicator's Reasons

Adjudicator's Reasons

1. A penalty charge notice ("PCN") was issued in respect of the appellant's vehicle, following the vehicle being parked in a loading bay on a red route, on 9 July 2026. The vehicle was observed on CCTV parked in the restricted area.
2. The appellant does not dispute that the vehicle was parked in the loading bay. The appellant has confirmed that the vehicle was stopped for "genuine business-related loading/unloading" at a nearby business, [REDACTED]. A representative of [REDACTED], Mr A [REDACTED], was attending in the appellant's vehicle for a business delivery and prospective wholesale discussion. The appellant has stated that the vehicle was stopped "only for the time reasonably required for the delivery."
3. Evidence has been provided from [REDACTED], which states that Mr A [REDACTED] attended the premises for the above reasons.
4. In response the local authority has indicated that the evidence refers to the delivery of 12 bottles of kombucha samples and that "while this supports a business purpose, the quantity and size of the goods do not appear sufficient to require use of a red-route loading bay. The CCTV footage shows no continuous loading activity. The vehicle remained stationary in a red-route loading bay without visible loading. For red route loading bays, loading must be ongoing, visible, and involve goods of a size or weight that require a vehicle".
5. By way of response, the appellant has further stated "The goods were a commercial delivery being transported from the business to another business. The relevant question is whether the goods, in their circumstances, reasonably required transportation by vehicle to the receiving premises, rather than whether the authority considers 12 bottles to be a large quantity."
6. The Brighton & Hove Various Controlled Parking Zones Consolidation Order 2024, at item 17 of the evidence tab on the appeals portal, provides an exemption to the general rule of stopping or waiting in a restricted area, this exemption being where "the vehicle is being used for the purpose of delivering or collecting goods including loading or unloading the vehicle at premises adjoining that road".
7. A commercial context is often relevant in deciding whether an activity falls within the exemption, especially in the case of couriers and other professional deliverers. However, it is not the case that moving an item, no matter how small, is covered merely because it is the course of trade or business. The smaller the item the more difficult it will be for the motorist to persuade the Council or an Adjudicator that an exemption applies.
8. In the circumstances described, I am satisfied that a vehicle was required for the purposes of delivery and unloading. However, whilst the completion of necessary paperwork will normally be viewed as part and parcel of the loading process, the exemption from the no stopping restriction does not extend to other business-related activities, such as discussing commercial prospects with a retailer. In these circumstances the driver / sales representative should have moved the vehicle to a legal parking place to engage in these discussions with the retailer.
9. I therefore find that a contravention has occurred and the appellant's representative was not engaged in an exempt activity. The appeal is therefore dismissed.

Adjudicator Gibbs

Adjudicator

01/09/2026