

## London Borough of Southwark v Mrs D Wanambwa

**Case Reference 2030235349**

**PCN SO75047775**

### **DECISION**

The wrong issue has been addressed in this case up to now. The facts are that the Appellant stopped to drop off her husband to go to the bank. Because he is a wheelchair user, she took his wheelchair out of the vehicle and took him into the bank. She returned within a short time to move the vehicle. The Appellant has thought of her taking out the wheelchair as unloading and has claimed the unloading exemption. The loading exemption does not apply at this location because loading is expressly prohibited. However, this is not an unloading case at all. The circumstances are squarely within the boarding/alighting exemption, which does apply even where loading is prohibited. It is understandable that the Appellant, as a lay person, focused on the wrong exemption. It is, however, very surprising that the Council did not recognise the circumstances for what they were. Had it done so, this matter should never have needed to get as far as an appeal. I allow this appeal.

**Adjudicator Mr Martin Wood**  
**Decision Allowed**