

#### Report to TRO Panel

### Objection to Traffic Regulation Order – Time Restricted Parking, Beal Lane, Shaw

#### **Portfolio Holder:**

Councillor A Ur-Rehman, Cabinet Member for Neighbourhood Services

Officer Contact: Deputy Chief Executive – People and Place

Report Author: Sarah Robinson

**Ext.** 4377

30 January 2020

#### **Reason for Decision**

The purpose of this report is to consider 5 letters of objection and 1 letter of representation to the proposal to introduce time restricted parking along part of Beal Lane, Shaw.

Despite the proposal not being supported by Highway Engineers and Greater Manchester Police, the Panel approved the implementation of the scheme for a 12-month period to allow the effects to be monitored.

#### Recommendation

It is recommended that in view of the objections now received and the adverse effect the resulting displaced parking will have on the nearby streets, the proposal is rescinded.

TRO Panel 30 January 2020

#### Objection to Traffic Regulation Order - Time Restricted Parking, Beal Lane, Shaw

#### 1 Background

- 1.1 A proposal to introduce a 12-month Traffic Regulation Order along part of Beal Lane, Shaw, which restricted parking to a maximum stay of 3 hours, was approved by the Council's Traffic Regulation Order Panel. The request for the restriction was submitted via a petition, hence the decision made by the Panel. A copy of the report which considered this matter is attached at Appendix A.
- 1.2 The proposal was subsequently advertised and 5 letters of objection and 1 letter of representation have been received; these are attached at Appendix B.
- 1.3 The basis of the objections relates to the detrimental impact the proposal will have on residential parking along Beal Lane for residents who want to park longer than the 3 hours and for Cheetham Street residents who will suffer the problems generated by displaced parking.
- 1.4 This proposal is not supported by Highway Engineers or by Greater Manchester Police due to the highway safety issues that could result; this is detailed in the report attached at Appendix A. In view of the objections now received it is evident that some residents feel the proposal could also have an adverse effect on residential parking due to the displacement that will result.

#### 2 Options/Alternatives

- 2.1 Option 1 approve the proposal
- 2.2 Option 2 rescind the proposal
- 3 Preferred Option
- 3.1 Option 2 is the preferred option.
- 4 Comments of the Shaw Ward Councillors
- 4.1 The Ward Councillors have been consulted and no comments were received.
- 5 Financial Implications
- 5.1 These were dealt with in the previous report.
- 6 Legal Services Comments
- 6.1 These were dealt with in the previous report.

#### 7 Co-operative Agenda

- 7.1 In respect of the Beal Lane proposal there are no Co-operative issues or opportunities arising and the proposals are in line with the Council's Ethical Framework
- 8 Human Resources Comments
- 8.1 None.
- 9 Risk Assessments
- 9.1 None
- 10 IT Implications
- 10.1 None.
- 11 Property Implications
- 11.1 None.
- 12 **Procurement Implications**
- 12.1 None.
- 13 Environmental and Health & Safety Implications
- 13.1 These were dealt with in the previous report.
- 14 Equality, community cohesion and crime implications
- 14.1 These were dealt with in the previous report.
- 15 Equality Impact Assessment Completed?
- 15.1 No.
- 16 **Key Decision**
- 16.1 No.
- 17 Key Decision Reference
- 17.1 Not applicable.
- 18 **Background Papers**
- 18.1 The following is a list of background papers on which this report is based in accordance with the requirements of Section 100(1) of the Local Government Act 1972. It does not include documents which would disclose exempt or confidential information as defined by the Act:

None.

#### 19 Appendices

19.1 Appendix A – Copy of Delegated Report Appendix B – Copy of Objections

### APPENDIX A COPY OF TRO PANEL REPORT



#### **Delegated Decision**

### Proposed Time Restricted Parking – Beal Lane, Shaw

Report of: Deputy Chief Executive - People and Place

Officer contact: Sarah Robinson, Traffic Engineer

Ext. 4377

16 September 2019

#### **Purpose of Report**

The purpose of this report is to consider an instruction received from the Council's Traffic Order Panel for the introduction of time restricted parking along part of Beal Lane, Shaw to assist the businesses with customer parking.

#### Recommendation

It is recommended that the instructions of the Traffic Order Panel be acted upon by introducing time restricted parking between the hours of 8am – 6pm Monday - Friday which is subject to a maximum stay of 3 hours and a return prohibited within 3 hours, in accordance with the schedule at the end of this report and that a report on the first twelve months operation of the restrictions be submitted to a future meeting of the Traffic Order Panel.

#### Delegated Decision

#### Proposed Time Restricted Parking – Beal Lane, Shaw

#### 1 Background

1.1 A Petition containing 100 signatures was received by the Council on 21 January 2019 regarding a request from the public to consider the introduction of time restricted parking along Beal Lane between Jubilee Street and Cheetham Street. The Petition reads:

'We the undersigned appeal to Oldham Council to place limited waiting - restrictions on the north side of Beal Lane, between Jubilee Street and Cheetham Street.

Restricted parking in this section 8am - 6pm Monday to Friday except for 3 hours.

The purpose of this petition is to allow the shops to trade whilst preventing warehouse workers parking on the roadway when there is free off road parking available to them within the confines of the warehouse premises.'

#### 2 Highway Authority Consideration of Petition

- 2.1 Beal Lane varies in width between 6.1 and 6.5 metres; consequently, when vehicles are parked on one side of the road, the resulting width available for two way traffic varies approximately between 4.1 and 4.5 metres.
- 2.2 The length of Beal Lane where Time Restricted parking is being requested by the Petitioners is currently free of parking prohibitions, apart from short lengths of junction protection at Jubilee Street and Cheetham Street and a Bus Stop Clearway area; the long length of road space that is free of restrictions is regularly occupied by parked vehicles.
- 2.3 The minimum road width required for two-way traffic (comprising of mainly light vehicles) to pass safely, is 5.5 metres, consequently the current parking situation obstructs the two-way flow forcing motorists to operate what is less than an ideal, informal 'Give and Take' system for two reasons:
  - (i) Vehicles travelling from Jubilee Street towards Cheetham Street have to enter the oncoming lane at risk of traffic approaching from the opposite direction and from around a bend with limited forward visibility at a higher relative speed.
  - (ii) Vehicles travelling from Cheetham Street towards Jubilee Street have an increased advantage at the "Give and Take" section by virtue of the fact that they do not have to enter the opposing lane and can easily dominate the direction of flow at busy periods.

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- 2.4 The current arrangement often results in traffic queuing back to the roundabout at the nearby Distribution Centres, or motorists operating a bullish attitude by 'barging' their way along Beal Lane.
- 2.5 The introduction of Time Restricted Parking requires the provision of marked parking bays on the carriageway and an associated Traffic Regulation Order which restricts their use to maximum length of stay; however, when such orders are introduced, the Highway Authority has to be satisfied that when parking bays are introduced it is not at the detriment to moving traffic.
- 2.6 The primary purpose of a highway is for the safe and efficient passage of vehicles: roads and streets should not be automatically considered as a potential parking facility. It is appreciated that parking currently takes place at this location but this is as a result of motorists themselves <u>considering it reasonable to park there</u>; whereas the introduction of controlled parking bays will confirm to motorists that the Highway Authority is actually <u>recommending it</u> is acceptable and safe to park.
- 2.7 The nature of the residential properties along Beal Lane (terraced with no off-street parking) generate a high demand for on-street parking. Consequently, if measures were introduced to prevent this, it is highly likely that any proposal to introduce controlled parking bays would meet with strong objection and is unlikely to be successful.
- 2.8 In view of the above the Highway Authority does not support the introduction of time restricted parking along Beal Lane, Shaw.
- 3 Consideration by Traffic Order Panel
- 3.1 The petition was submitted to the Traffic Regulation Order Panel for consideration. The Panel considered the views of both the Highway Officers and the petitioners who attended the meeting. Although Highway Officers were opposed to the request, the Panel approved the introduction of the proposals for a 12 month period to allow the effect of the restrictions to be monitored.
- 4 Options/Alternatives
- 4.1 Option 1: To approve the recommendation
- 4.2 Option 2: Not to approve the recommendation
- 5 Preferred Option
- 5.1 The preferred option is Option 1 as instructed by the Traffic Order Panel.

#### 6 Justification

In view of the instruction given by the Traffic Order Panel for the introduction of time restricted parking a proposal has been drafted for advertisement and introduction if unopposed. The proposal can be seen on drawing number 47/A3/1542/1.

#### 7 Consultations

- 7.1 G.M.P. View The Chief Constable has been consulted and have commented: Having reviewed this location, Gtr Manchester Police would not support the introduction of parking bays on the highway due to safety concerns that this feature would introduce. Beal Lane is a busy commuter route with 2 way vehicular flows throughout the day. At peak times this area is already constrained due to the current on street parking. The carriageway dimensions would not support 2 way traffic if a formalised parking bay is introduced. That in turn would lead to potential safety concerns at the mini roundabout junction which services the industrial estates and lead to injudicious driving behaviour.
- 7.2 T.f.G.M. View The Director General has been consulted and has no comment on this proposal.
- 7.3 G.M. Fire Service View The County Fire Officer has been consulted and has no comment on this proposal.
- 7.4 N.W. Ambulance Service View The County Ambulance Officer has been consulted and has no comment on this proposal.

#### 8 Response to GMP Comments

8.1 In view of the comments received from the Chief Constable it is suggested the time restricted parking should not be progressed.

#### 9 Comments of Shaw Ward Councillors

- 9.1 The Ward Councillors have been consulted and Councillor H Sykes agrees with the proposal on the basis that this TRO Order formalises what currently occurs, but to the advantage of residents and businesses and will hopefully move mill employees who use the road as an unofficial car park in order to avoid using ample Distribution Centre parking.
- 9.2 Councillor H Gloster has commented: I concur with the instructions of the TRO Committee, this order will formalise what currently occurs, but to the advantage of the community, residents and businesses.

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#### 10 Financial Implications

10.1 The cost of introducing the Order is shown below:-

	£
Advertisement of Order	1,200
Introduction of Road Markings	500
Signs and Poles	700
TOTAL	2,400
Annual Maintenance costs (estimated July 2019)	270

- 10.2 The advertising, road marking and signage costs of £2,400 will be funded from the Highways Operations Unity budget.
- 10.3 The annual maintenance costs estimated at £270 per annum will be met from the Highways Operations budget. If there are pressures in this area as the financial year progresses, the Directorate will have to manage its resources to ensure that there is no adverse overall variance at the financial year end. (Nigel Howard)

#### 11 Legal Services Comments

- 11.1 The Council must be satisfied that it is expedient to make the Traffic Regulation Order in order to avoid danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising, or for preventing damage to the road or to any building on or near the road, or for facilitating the passage on the road or any other road of any class of traffic, including pedestrians, or for preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property or for preserving or improving the amenities of the area through which the road runs.
- 11.2 Section 32 (1)(b) of the Road Traffic Regulation Act 1984 gives local authorities the power by order to authorise the use as a parking place of any part of a road within their area. It must appear to the Council that the parking places are necessary for the purpose of relieving or preventing congestion of traffic. Under section 35 of the Act, the Council may impose restrictions on the use of the parking places and in particular, the vehicles which may be permitted to use them.
- In addition to the above, under section 122 of the Act, it shall be the duty of the Council so to exercise the functions conferred on them by the Act as to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway. Regard must also be had to the desirability of securing and maintaining reasonable access to premises, the effect on the amenities of any locality affected and the importance of regulating and restricting the use of roads by heavy commercial vehicles so as to preserve or improve the amenities of the areas through which the roads run, the strategy produced under section 80 Environmental Protection Act 1990 (the national air

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quality strategy), the importance of facilitating the passage of public service vehicles and of securing the safety and convenience of persons using or desiring to use such vehicles and any other matters appearing to the Council to be relevant. Given the above, it is recommended that great weight is given to the comments of the Chief Constable at paragraph 7.1 above when deciding whether to proceed with the proposals. (A Evans)

- 12 Co-operative Agenda
- 12.1 In respect of this proposal there are no Co-operative issues or opportunities arising and the proposals are in line with the Council's Ethical Framework
- 13 Human Resources Comments
- 13.1 None.
- 14 Risk Assessments
- 14.1 None.
- 15 IT Implications
- 15.1 None.
- 16 Property Implications
- 16.1 None.
- 17 Procurement Implications
- 17.1 None.
- 18 Environmental and Health & Safety Implications
- 18.1 Energy Nil.
- 18.2 Transport Nil.
- 18.3 Pollution Nil.
- 18.4 Consumption and Use of Resources In accordance with current specifications.
- 18.5 Built Environment Minor alteration to visual appearance of area.
- 18.6 Natural Environment Nil.
- 18.7 Health and Safety The proposal will create an obstruction for moving traffic.

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- 19 Equality, community cohesion and crime implications
- 19.1 The introduction of time restricted parking will have a detrimental effect on community cohesion due to the difficulties that will be created for the residents who may want to park for long periods of time.
- 20 Equality Impact Assessment Completed?
- 20.1 No.
- 21 Key Decision
- 21.1 No.
- 22 Key Decision Reference
- 22.1 Not applicable.
- 23 Background Papers
- 23.1 None.
- 24 Proposal
- 24.1 It is proposed that time restricted parking be introduced along part of Beal Lane, Shaw, and that a report on the first 12 months operation of the restrictions be submitted to a future meeting of the Traffic Order Panel as instructed by the Traffic Order Panel at their meeting on 6 June 2019, in accordance with the following schedule.

Add to the Oldham Borough Council (Crompton area) Consolidation Order 2003 Part 1 Schedule 1

Column 1	Column 2	Column 3	Column 4	Column 5
Item No	Length of Road	Duration	Exemptions	No Loading
	Beal Lane, Shaw (North Side)  From its junction with Jubilee Street for a distance of 10 metres in an easterly direction	At Any Time		

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#### Part 1 Schedule 2

Col 1	Col 2	Col 3	Col 4	Col 5	Col 6
Item No	Length of Road	Duration	Max. period for which a vehicle may wait	l	Exemptions
	Beal Lane, Shaw (North Side)  From a point 10 metres east of Jubilee Street for a distance of 78 metres in an easterly direction		3 Hours	3 Hours	

#### Introduce a Bus Stop Clearway

Road	Description
Beal Lane, Shaw	From a point 30 metres west of Cheetham Street for a distance of 23 metres in an easterly direction

**APPROVAL** 

Decision maker  Hague	Dated 23.09.19
Signed Cabinet Member, Neighbourhood Services	
In consultation with  Signed  Signed	Dated 17.09.19

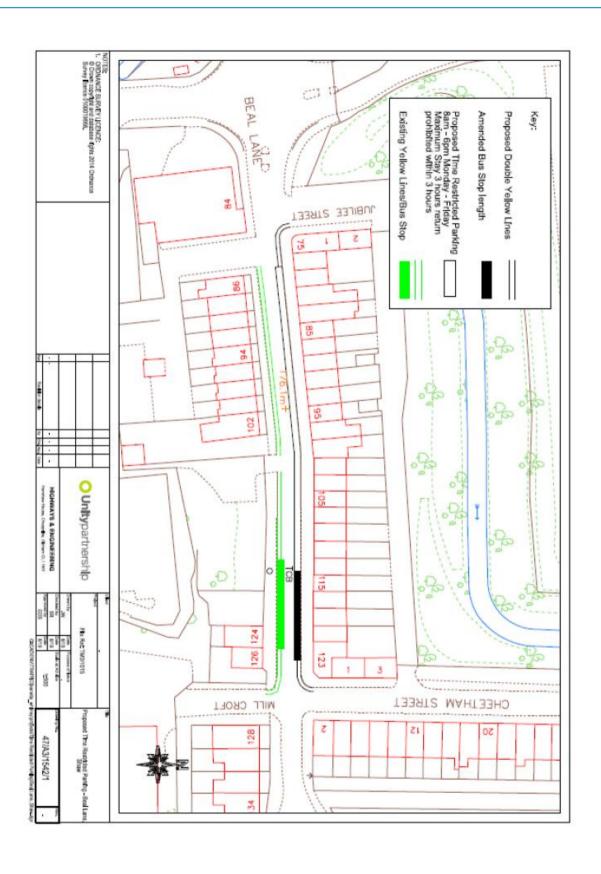
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Director Of Environmental	
Services	



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## APPENDIX B COPY OF OBJECTIONS

From:

Sent: 12 November 2019 12:34

To: Cc:

Subject: RE: Beal Lane Time Restricted Parking your ref:DE/GC/TM3/101

Darryll Elwood Linda Mills

Thanks for you prompt response.

In light that there seems to be a shirt suited plan to solve a problem with out consideration about what problems WILL be caused by this action.

I strongly object to the proposal !!

If there is a plan to look at the issue holistically for the area, I may reconsider.

Regards

On Tue, 12 Nov 2019 at 11:44, Darryll Elwood < Darryll. Elwood@unitypartnership.com> wrote:

I refer to your recent e-mail regarding the proposed time restricted parking on Beal Lane, Shaw.

I have noted your comments and advise you until the proposals have been implemented it is not possible to know the full effects they will be on the surrounding streets, however, it is more than likely the implementation of this proposal will effect parking on the surrounding streets due to long stay displaced parking.

With regards to you question "what plans are there to prevent displaced parking moving on to Cheetham Street", I can advise you it would not be possible to asses this situation until it occurs, however, there are no guarantees any measures would be introduced

to prevent additional parking on Cheetham Street.

In light of your comments relating to you current health issues, please forward any objection directly to myself and I will forward it to the Legal Department.

With Kind Regards

1

#### Mrs Darryll Elwood

Technical Support, Traffic & Network Management

### Unitypartnership

Henshaw House, Cheapside, Oldham, OL1 1NY

T: 0161 770 1946 | www.unitypartnership.com

Unity Partnership Limited I Registered in England No. 5916336

Registered Office: Henshaw House, Cheapside, Oldham, Oldham, OL1 1NY

From:

Sent: 11 November 2019 19:57

To: Darryll Elwood <Darryll.Elwood@unitypartnership.com>

Subject: Beal Lane Time Restricted Parking your ref:DE/GC/TM3/1015

Hi

I received correspondence in relation to the proposal for time restricted parking on Beal Lane,

I have no objection to this proposal IF due consideration is given to the knock on effects this will have on th surrounding streets.

A CONTRACTOR OF THE PARTY OF TH

I live on Cheetham St and for many years we have suffered from none residents parking on the street using Cheetham Street as a car park. People leave their cars parked on the street whilst they go to work at the local distribution warehouses or as an over spill car park when the tram station car park is full.

It is becoming increasingly difficult for the residents to park on the streets where they live or unload their vehicles after shopping, receive deliveries or work men to access the houses etc.

2

	e me that within this proposal there is a plan to support residents in livin ng problems this WILL cause, I will not object.	ng around the area with
If you cannot then I	will object.	
Cardidana alama		
Could you please ad	lvice what plans you have to prevent the issue causing problems for the	surrounding area.
Unfortunately I am u	unable to physically respond or get to the civic as I'm unwell.	
Could you please for	rward this on to the appropriate people?	
Regards		
neguros		

# 2.e. Proposed time restricted parking - Beal Lane, Shaw. Ref. LJM/T019/28

111 Beal Lane Shaw Oldham OL2 8PH

To whom it concerns

I am writing to you to express my objection to the above reference, as a resident of Beal Lane this is a concern.

believe certain restrictions should be put in slace as I have expressed concerns previously regarding the null workers using the road as their car park.

As an education provider the propiedsed plan will affect when I can park outside my house, during school holidays my car is usually parked on the road where if this plan is put in place I will not be able to. I have lived here over ten years and it may not seem like a big issue to some out with limited parking elsewhere it will become a issue for all Beal Lane residents.

What I suggest is a better plan is to provide all Beal Lane residents with parking permits which limits the number of cars parked on the road.

From the ten years I have lived here the cars sarked on Beal Lane have caused no issues or eccidents, individuals who have been injured recently were at fault, not the parked cars! look forward to hearing your response.

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Paul Entwistle

**Director of Legal Services** 

Oldham Council

27/11/2019

Ref LIM/TO19/28

Re Proposed Time Restricted Parking - Beal Lane Shaw.

Dear Sir/Madam

I Object to Beal Lane being a Time Restricted Parking area for the following reasons.

You haven't taken into account any of the residents that live on Cheetham Street

We have problems now with parking in front of our homes because of people going to the butchers; he has also informed me that he was the one that got over 100 signatures off customers going into his shop so these aren't even signatures off the residents that live on Beal Lane.

We get him and his employees parking on Cheetham Street this can be up to 5 cars on a daily basis, even though he puts a sign outside his shop asking customers to park over the road on the factory car park they don't and he doesn't.

People also leave their cars to go to work at the mills and also those that use the trams to go to work or to leave them overnight all this is before you even put the restrictions in place, it seems we don't matter because we are just a small Street.

You also get the residents on Cheetham Street that can't park blocking the turning points at the bottom of the Street and opposite number 12 so then you have to illegally reverse onto a main road.

I think no consideration has been put in place for the residents of Cheetham Street the least you could do is make it a residential only parking area like they have near the Tram Station or maybe we should do like Philip the x councillor does across the road, even though the land isn't his at the side of his house, and get our own Cones and just put them outside our houses to stop people parking.

You also have the butcher and cars parking right on the end of Cheetham Street making it hard to see oncoming traffic and also to see when you are entering Cheetham Street if cars are waiting to leave the Street, I am surprised there have been no accidents yet.

Not a Happy Resident.

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Shaw

Oldham

OL2 8PW

Friday 29th November 2019

File REF: TM3/1015

Drawing Ref: 47/A3/1542/1

Doc Ref: TM3/1015-Beal Lane - 06/11/19

Ref: LJM/T019/28

Proposed Time Restricted Parking - Beal Lane, Shaw

To whom it may concern,

We write to place our objections on record in regards to the above proposal as we do not believe that you have considered the implications to the residents of Cheetham Street.

- 1. Residents of Cheetham Street do not have an alternative place for their vehicles to be parked unlike those residents on Beal Lane. Can you ensure that residents and businesses on Beal Lane will use their alternative option at the rear of their houses / premises rather than parking on Cheetham Street?
- 2. There are already vehicles parked on Cheetham Street for lengthy periods of time whilst their owners work locally or while people use the tram. When asked about this, drivers have said that it is safer to park on Cheetham St due to the high levels of anti-social behaviour and damage to vehicles at the tram car park.
- 3. Have you explored a resolution with the business on Jubilee Street to enable those parking spaces to be used by people wishing to use the newsagents and hairdressers situated at that end of Beal Lane?
- 4. Have you looked at the unused land adjacent to the houses on Beal Lane to see if this could be used for parking? There is already a small car park there. Who can use this? Why is this not being developed as a solution?
- 5. Do you intend to introduce resident only parking on Cheetham Street to protect those drivers that need to park outside their own houses? As you will be aware, Oldham postcodes already suffer from high insurance costs when stating where vehicles are parked when not in use.
- 6. What provision do you have in place for inclement weather when drivers are reluctant to use Grains Road and instead leave their vehicles on lower ground? Again, this puts pressure on the availability of parking spaces on Cheetham Street.

We look forward to your response to our objections.

Yours Sincerely,

4	PEF DE/GS/TM3/10/5 13/11/2019
	BEAL STREET SHAN PARKING RISTRICTION
	DEAR OLDHAM COUNCIL
7	
	PLANING OF THE PARKING RETEKTION, WHICH I
0-	BELIEVE HAS BEEN DEVISED SOME 18 MONTHS  AGO! WHY - NOULD YOU AT THAT TIME NOT
	HAVE ALSO CONSIDERED THE DETRINENTAL
	CHEETHAM STREET ??? RESIDENTS ?
7	· WHERE WILL THE DESIDENTS OF BEAL LANE
7	PARL? YES - CHEETHAM STEFET
	WILLIAMS PARK 2 - YES CHEETHAM STILL
	· WHERE DO THE PERIDENTS OF CHEETHAM
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	ME CUPLENLY HAVE EMPLOYEES OF JD MILLARS PARK ON CHEETHAM ST, ADDRE WITH CUSTOMERS FROM THE BUTCHERS - WE CAN PUT UP WITH THE CUSTOMERS From THE BUTCHERS AT WE SUPPORT THE SMAL BUSINESS. TRAM WERRS + GYM USER AT TARA LEISURE.  WHY NOT ALONG WITH THE RESTRICTION IMPOSE A RESIDENTS PARKING 2 ALONG BEAR

	pro
THEM WITH THE PARKING PERMITS???	{
1 THINK OLDHAM COUNCIL + THE RESIDENTS	
NEED TO WORK TOGETHER ON 77-15 - NOT JUST	
HIT US ALL WITH THIS RESTRICTION TO LOOK	
AFTER THE SHOPS. TO NOT CONSIDER OTHER	-
OPTIONS IS LUDICROUS AND IF YOU ARE	
18 MONTHS IN THE PLANINING THIS	
RESIDENTS PERMIT SHOULD HAVE BEEN	~
CONSIDERED AT THAT TIME. IT IS THE	
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AS YOU WILL BE FAVOURING CUSTOMERS WHO SHOP	ç
OITER RESIDENTS 1111	_
I FER THIS IS A MASTE OF TAX PAYERS	C
MONTEY TO FAVOUR THE SHOPS OVER RESIDENTS	,
SthrmEful !!	

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jubilee street shaw ol2 8pn.

REF: DE/65/TM31015

re: proposed time restricted parking- beal lane shaw.

i agree with the proposed parking restriction on beal lane. i would like the parking restrictions to include jubilee st shaw. reason being i have constantly have vehicles parked out side my front door(jd williams,littlewoods, workers from these buisness will not use there own car park) also cars from shopers on beal lane, workers from jd williams,littlewoods congregate outside my home, loud music smoking (not all legal).this is very intimidating.when family or frends try to visit they cannot park outside my home or even near by. i am having the same issues as the buisness and residents on beal lane, i would appreciate if jubilee st could be included as well as beal lane.

YOULS FAITHFULLY.