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14 October 2020

**Planning Casework Unit**  
5 St Philip's Place  
Colmore row  
Birmingham B3 2PW

[Redacted]  
[Redacted]  
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**Submitted via email**

Dear Sir/Madam

**Royal Mail Group Ltd**  
**Torbay Council (Crossways Shopping centre) Compulsory Purchase Order 2020**

I am instructed by Royal Mail Group Ltd (Royal Mail) to respond to the above Order Notice dated 16 September 2020.

Royal Mail is the freehold owner and current occupier of the land identified as '21' on the map accompanying the above Order and where new rights are proposed to be created.

For the reasons set out below, Royal Mail objects to the Order.

I confirm the following contact name and address for the Objector:

Denise Stephenson  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]

**Background**

Royal Mail is the UK's designated Universal Postal Service Provider, supporting customers, businesses and communities across the country. This means it is the only company to have a statutory duty to collect and deliver letters six days a week (and packets five days a week) at an affordable and geographically uniform price to every address in the UK. Royal Mail's services are regulated by Ofcom.

The Act provides that Ofcom's primary regulatory duty is to secure the provision of the Universal Postal Service. Ofcom discharges this duty by imposing regulatory conditions on Royal Mail, requiring it to provide the Universal Postal Service. The Act includes a set of minimum standards for Universal Service Providers, which Ofcom must secure. The conditions imposed by Ofcom reflect those standards.

Royal Mail is under some of the highest specification performance obligations for quality of service in Europe. Its performance of the Universal Service Provider obligations is in the public interest and this should not be affected detrimentally by any development project.

The Government imposes financial penalties on Royal Mail if its Universal Service Obligation service delivery targets are not met. These penalties relate to time targets for:

- Collections,
- Clearance through plant, and
- Delivery.

Locally, this service is provided by the Paignton Delivery Office (DO) (site '21' on the Order Map). Royal Mail occupies and owns the freehold of the DO and it has no current intentions to move or alter its operations. Royal Mail is an important employer in the area and provides an essential service for the postal areas it covers. This has been particularly important during the Covid-19 pandemic where Royal Mail has been tasked with moving vital testing kits around the country.

The Paignton DO serves postcode areas TQ3 and TQ4 comprising approximately 26,000 households. The site currently has 72 staff that typically work shifts between the hours of 04:00 and 19:00, 6 days a week. A fleet of 26 delivery vans is based at the site but it also handles larger delivery lorries based off site. Vehicle movements generally take place between the hours of 02:00 and 14:30 but they could occur at any time throughout the day or night.

In addition to the above there is also located at the front of the building a Post Office Limited outlet that provides Counter services for the members of the public. This is operated by Post Office Limited which is still owned by the Government and is not part of the Royal Mail Group. This outlet provides essential services for the local residents in terms of collection of pensions and benefit payments along with all the other agency services which Post Office Limited provide.

### **Grounds of Objection**

Royal Mail has recently commented on the associated planning application for the regeneration of the shopping centre (ref: P/2020/0731). Royal Mail is generally supportive of the Council's development proposals subject to ensuring that appropriate safeguards are in place to protect new residents from possible noise and disturbance from its ongoing operations at the DO.

We understand that the Council is in the process of making a CPO to acquire interests and rights necessary for delivering the above development. As far as Royal Mail's interest is concerned, we understand from correspondence with Burges Salmon (acting on behalf of Torbay Council) that the Council is seeking to obtain a right to oversail cranes in the airspace above the Paignton DO. We also understand that the Council would like to establish this right through a voluntary agreement with Royal Mail. We are not aware that the Council is seeking to establish other rights potentially affecting the operation of the Paignton DO or Post Office Counter, either by CPO or voluntary agreement.

At present, there is uncertainty with the proposed development. Planning permission is pending. The nature and duration of enabling and construction activities is unknown. Additionally, there are likely to be party wall issues to be resolved as a result of the proposed scheme. Royal Mail therefore has no information on the extent to which the development could impact on its essential day-to-day operations. In the absence of such information, Royal Mail is currently not able to support the CPO or enter into a voluntary agreement with the Council.

Royal Mail confirms that it will be necessary to have comfort on the following matters in order to withdraw its objection to the CPO or to advance a voluntary agreement:

- Approval of a Construction Management Plan that identifies and properly controls/mitigates any potential effects on the operation of the DO, including specific measure identified in the points below.

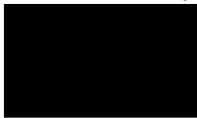
- Unfettered vehicle access to the DO site throughout the enabling, construction and operational phases of development, including Royal Mail's prior approval of any relevant highways works/restrictions in the vicinity of the DO.
  - No loading or unloading of any construction plant/materials or routing of construction traffic via Dendy Road.
  - Measures to ensure the safety and wellbeing of Royal Mail staff during the enabling and construction phases of the development, to be agreed with Royal Mail and relevant Union and Safety representatives.
  - Measures to ensure that the security of the DO is not compromised, including temporary works required to maintain a defensible boundary.
  - Measures to ensure that the DO is not materially affected by debris, dust, noise or other potential disturbances.
  - A commitment to regular liaison between the construction site manager and the DO Manager in order to discuss any matters of grievance or neighbourly issues arising.
- Full details of the extent of airspace (or other) rights required over the Paignton DO and Post Office Site.
  - Full details of the works to be undertaken which may impact the operations from the DO.
  - Confirmation of the duration required for the oversail licence.
  - Crane oversailing of the DO site will only take place during times agreed with the DO Manager.

### **Concluding Remarks**

Royal Mail supports the principle of regenerating the Crossways Shopping Centre for mixed-uses. However, in the absence of any detail on the nature and extent to which the day-to-day operation of the Paignton DO or Post Office Counter may be affected by the development and its construction, Royal Mail has no option but to object to the CPO and refrain from entering into any voluntary agreement with the Council at the current time.

I confirm that Royal Mail will be pleased to continue to engage with the Council and its representatives with the intention of facilitating a development that will not materially affect its day-to-day operations. Accordingly, Royal Mail looks forward to receiving details of any approved development scheme and its planned implementation in due course.

Yours faithfully



**Chris Hays**  
Partner  
UK Development, Planning

CC. Royal Mail Group – Denise Stephenson  
CC. Burges Salmon – Lynsey Reid