

## Monthly Report of the Independent Compensation Panel Chair

### April 2016

The Independent Compensation Panel (the 'Panel') met on two occasions in April 2016.

#### 12 April (am)

##### *Purpose*

To consider:

1. A paper prepared by the Project proposing the basis for compensating various types of houseboat interests at Nine Elms Pier.
2. A proposed FLO Trigger Action Plan Implementation Plan
3. A claim for compensation for the necessary relocation of a business owing to the stopping up of Deptford Church Street during utility diversion works.

##### *Panel Members*

I was joined by two Chartered Surveyors.

##### *Decisions of the Panel*

##### Compensating various types of houseboat interests at Nine Elms Pier (NEP)

The Panel recommended changes to some of the proposed wording.

##### Proposed FLO Trigger Action Plan Implementation Plan

The Panel considered that the provisions do not appear to be unreasonable or disadvantage any beneficiaries.

##### Claim for compensation for the necessary relocation of a business

The Panel considered that there were suitably evidenced aspects of the claim but that further evidence was required for the Panel to approve the entire claim.

##### ***Other Matters***

The Panel met with Project staff to clarify its role in relation to compensation matters. The Project is to seek legal advice as to how the *Non-statutory Off-site mitigation and compensation policy* could be amended accordingly.

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**12 April (pm)**

### *Purpose*

To consider 5 residential special cases for noise insulation or temporary rehousing.

### *Panel Members*

I was joined by a Building Surveyor, a Medical Specialist and a Noise and Vibration Specialist.

### *Decisions of the Panel*

#### Special Cases

Claimant 1 - The additional information requested regarding X (Item 2, ICP#17 Minutes) was received by the Panel.

The Panel determined that:

1. X is a Special Case within the terms of Section 7 of the the Project's Non-statutory Off-site mitigation and compensation policy (on medical grounds).
2. Suitable temporary rehousing to be provided in the locality until such time as the proposed mitigation package is installed, at which point the situation is to be reviewed by the family.

The Panel stressed the importance of installing the mitigation package as soon as possible so as to minimise the distress to the family caused by being temporarily separated from their normal place of residence

Claimant 2 – A claim was considered for respite on medical grounds.

The Panel sought further information and deferred the matter until its next meeting on 10 May 2016.

Claimant 3 – The additional information requested regarding Ms X (Item 1, ICP#17 Minutes) was received by the Panel.

The Panel determined that:

1. Ms X is a Special Case within the terms of Section 7 of the the Project's Non-statutory Off-site mitigation and compensation policy (on medical grounds).
2. The matter be deferred to the 10 May Panel meeting to determine the level of compensation payable.
3. The claimant is to provide documentary evidence of the financial information used as a basis for the compensation she is seeking.

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Claimant 4 - The additional information requested regarding Ms X (Item 5, ICP#17 Minutes) was received by the Panel, including a noise report.

The Panel determined that:

1. Mr X is a Special Case within the terms of Section 7 of the the Project's *Non-statutory Off-site mitigation and compensation policy* (on the grounds that he is a night worker).
2. A noise mitigation package is to be installed to the same standard as for properties with a Trigger Action Plan. The package is to include measures to upgrade the performance of the blank façade panels.
3. Temporary rehousing to be provided until the mitigation package is installed and this is to be expedited as soon as possible.

Claimant 5 - The additional information requested regarding Ms X (Item 4, ICP#17 Minutes) was received by the Panel

The Panel considered that further acoustical information was required before determining the claim and deferred the matter until its next meeting on 10 May 2016.

### **Other Matters**

1. The Panel remain concerned at the lack of information provided with each case it is being asked to consider.

The Panel seeks an Information Pack (similar in concept to a Trigger Action Plan) and Decision Sheet (as provided by the Project for houseboat compensation claims) for each claim going forward. This will enable the Panel to understand:

- a) The claim in detail (evidenced, as appropriate)
- b) The juxtaposition of the claimant's property to the construction works
- c) The duration, nature and predicted impacts of the works
- d) Construction and interior layout of the claimant's property
- e) What the Panel is being asked to determine

This will minimise the number of times when additional information is sought, thereby reducing the number of occasions when the Panel cannot determine a claim at its first hearing.

The core documents to be provided in the Information Pack are appended.

### **Other Work**

I commenced work on my first annual report.

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## INFORMATION PACK CORE DOCUMENTS

### All

- History and summary of claim
- Location plan
- Work site location
- Decision Sheet
- All documents previously submitted to ICP about a claim and the appropriate meeting Minutes

### Compensation Claims

#### *Existing Property*

- Location Plan
- Site Plan
- Building Plans
- Schedule of areas
- Photographs
- Lease

#### *Proposed Property*

- Location Plan
- Site Plan
- Building Plans
- Schedule of areas
- Photographs
- Lease
- Marketing Information

#### *Other Information*

- Marketing report for locality setting out availability and recent deals.
- Overview of the scheme and the impact of the works and why is the compensation being considered under the Non Statutory policy
- Details of the claimant's claim.
- An outline of discussions with the claimant and details of any offers made.

#### *Decision Required*

- The basis of the instruction for the IPC to consider i.e. is this a dispute or confirmation of an agreement?

### Noise/Vibration/Other Environmental Impact Claims

- Location plan

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- Plan of the adjacent TT works site
- Details of the appropriate construction activities (including duration)
- Interior layout and photos of the claimant's building and the respective elements under review (e.g. window, door etc.), where applicable
- Predicted noise/vibration levels or other environmental impacts (as presented in the Environmental Statement or augmented, where appropriate)
- Measured levels of environmental emission of concern (where applicable)
- Mitigation options appraisal (where applicable)
- Other pertinent information relative to any pleas made by a claimant

### **Medical Claims**

- Relevant medical reports from hospital admissions, and/or outpatient clinics, where available.
- Letters from hospital consultants, general practitioners, other specialists where relevant.
- Reports from other professions associated with medicine (where relevant) e.g. psychology assessments, occupational therapy reports, social services reports.
- List of current medication.

### **Exceptional Hardship Claims**

- Documentary evidence to demonstrate compliance with the criteria detailed in Section 6 of the *Exceptional Hardship Procedure*