

## Monthly Report of the Independent Compensation Panel Chair

### November 2016

The Independent Compensation Panel (the 'Panel') met on four occasions in November 2016.

#### 8 November (ICP40)

##### *Purpose*

To determine compensation claims for six medical special cases and to ratify an amended Nine Elms Pier Trigger Action Plan.

##### *Panel Members*

I was joined by a Medical Specialist and a Noise & Vibration Specialist.

##### *Decisions of the Panel*

##### Medical special case 1

1. The Panel re-considered medical case 2350-TDWAY-TTTUN-990-ZZ-OL-100028 and approved rehousing subject to conditions relating to the construction activities taking place and monitoring information.
2. Requires that the landlord will not let the Claimant's flat out to individual(s) who have a medical condition that is likely to be exacerbated by the Tideway construction activities.

##### Medical special case 2

The Panel considered medical case 2350-TDWAY-TTTUN-990-ZZ-OL-100031 and approved the installation of the sound insulation mitigation package in all habitable rooms

##### Medical special case 3

The Panel considered medical case 2350-TDWAY-TTTUN-990-ZZ-OL-100027 and approved rehousing subject to conditions relating to the construction activities taking place and monitoring information.

##### Medical special case 4

The Panel considered medical case 2350-TDWAY-TTTUN-990-ZZ-OL-100032 and determined that there are medical grounds for granting compensation and invites a specific evidence-based compensation claim for consideration by a future ICP.

##### Medical special case 5

The Panel considered medical case 2350-TDWAY-TTTUN-990-ZZ-OL-100029 and requires additional information before the claim can be determined

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### Medical special case 6

1. The Panel re-considered medical case 2350-TDWAY-TTTUN-990-ZZ-OL-100030 and approved rehousing subject to conditions relating to the construction activities taking place and monitoring information.
2. Requires that the landlord will not let the Claimant's flat out to individual(s) who have a medical condition that is likely to be exacerbated by the Tideway construction activities.

### Nine Elms Pier Trigger Action Plan

The Panel had ratified the Trigger Action Plan for Nine Elms Pier (ref.100-LA-TAP-KRTST-000002 AA January 2016) at its meeting on 29 January 2016 (ICP#13). A change had been made in a later version (ref.100-LA-TAP-KRTST-000002 AA August 2016 / 2130-TDWAY-KRTST-152-TZ-PQ-000001 REV P01) to reflect the London Borough of Wandsworth's approval of the noise trigger levels for houseboats (paragraph 4.8). The Panel was asked to note the change and ratify the latest document to be incorporated in the individual Trigger Action Plans for the Nine Elms Pier houseboat owners/tenants.

The Panel agreed the changes and also corrected some typographical errors. A new version of the document was created (ref. 100-LA-TAP-KRTST-000002 AB November 2016).

## **8 November (ICP41)**

### *Purpose*

To determine compensation claims.

### *Panel Members*

I was joined by a two Chartered Surveyors.

### *Decisions of the Panel*

#### Trigger Action Plan 1

The Panel considered a compensation claim for loss of rental income (ref. 2000-TDWAY-CHAWF-990-CB-ZZ-100008). The Panel concluded that the claim could not be determined at this stage as the Claimant had not taken up the offer of the sound insulation package in order to reduce the noise impact on his tenant i.e. had not taken reasonable steps to mitigate his loss as required by Paragraph 8.2.2 of the Project's *Non-statutory Off-site mitigation and compensation policy*. The Panel will consider an evidenced-based claim for loss of rent once the sound insulation package has been installed.

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### Trigger Action Plan 2

The Panel considered a compensation claim for loss of rental income (ref. 2000-TDWAY-CHAWF-990-ZZ-CB-100005). The Panel determined that it does not appear that the Claimant is being disadvantaged by the offer.

### Trigger Action Plan 3

The Panel considered a compensation claim for loss of rental income (ref. 2000-TDWAY-CHAWF-990-CB-ZZ-100001). The Panel determined that it does not appear that the Claimant is being disadvantaged by the offer.

## 8 November (ICP42)

### *Purpose*

To determine three Trigger Action Plans for Nine Elms Pier houseboat owners.

### *Panel Members*

I was joined by a two Chartered Surveyors.

### *Decisions of the Panel*

#### Trigger Action Plan 1

The Panel considered a Trigger Action Plan for the owner of the houseboat 'Hesparus II' (ref.2000-TDWAY-TTTUN-990-ZZ-PQ-100035). The Trigger Action Plan was **Not Approved** owing to the lack of evidence of the availability of suitable accommodation that will accept a dog. Such information is required by the ICP in order to ratify the Trigger Action Plan at a future ICP meeting

#### Trigger Action Plan 2

The Panel considered a Trigger Action Plan for the owner of the houseboat 'Mary' (ref.2000-TDWAY-TTTUN-990-ZZ-PQ-100034). The Trigger Action Plan was **Approved for a 12-month period**, subject to conditions.

#### Trigger Action Plan 3

The Panel considered a Trigger Action Plan for the owner of the houseboat 'Misbourne' (ref.2000-TDWAY-TTTUN-990-ZZ-PQ-100033). The Trigger Action Plan was **Approved**, subject to conditions.

## 25 November (ICP43)

### *Purpose*

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To determine ten Trigger Action Plans for Nine Elms Pier houseboat owners/tenants.

### *Panel Members*

I was joined by a two Chartered Surveyors.

### *Decisions of the Panel*

#### Trigger Action Plan 1

The Panel considered a Trigger Action Plan for the owner of the houseboat 'Rockland' (ref.2000-FLOJV-KRTST-990-ZZ-OM-100008). The Trigger Action Plan was **Not Approved**. A simultaneous email was sent to both FLO and the Claimant on the day requiring that additional evidence of actual lettings be provided a day before the next meeting of the Panel (6th December 2016).

#### Trigger Action Plans 2 to 6

The Panel considered Trigger Action Plan for the owners of the houseboats 'Hesparus II' (ref. 2000-FLOJV-KRTST-990-ZZ-OM-100015), 'Charles Williams' (ref.2000-FLOJV-KRTST-990-ZZ-OM-100007), houseboat 'Don Bosco' (ref.2000-FLOJV-KRTST-990-ZZ-OM-100006), 'Ginn Fizz' (ref.2000-FLOJV-KRTST-990-ZZ-OM-100004 and 'Zeb 0' (ref.2000-FLOJV-KRTST-990-ZZ-OM-100005). They were all Approved, subject to conditions.

#### Trigger Action Plans 7 to 10

The Panel considered Trigger Action Plan for a tenant of the houseboat 'Zeb 1' (ref.2000-FLOJV-KRTST-990-ZZ-OM-100016), and three tenants of houseboat 'Zeb 0' (ref.2000-FLOJV-KRTST-990-ZZ-OM-100013, ref.2000-FLOJV-KRTST-990-ZZ-OM-100017 and ref.2000-FLOJV-KRTST-990-ZZ-OM-100018). None could be determined without additional information relating to their current accommodation.

### **Other Work**

During discussions with representatives from FLO, the Panel amended Tideway document 2350-TDWAY-TTTUN-990-PF-ZZ-100006-P01 to clarify the compensation eligibility of NEP houseboat owners on a three month rolling mooring contract.