

Monthly Report of the Independent Compensation Panel Chair

April 2017

The Independent Compensation Panel (the 'Panel') met on two occasions in April 2017.

4 April (ICP60)

Purpose

To determine a number of medical special case claims and other matters.

Panel Members

I was joined by a Medical Specialist, a Noise & Vibration Specialist and a Compensation Specialist (for items 1 and 2).

Decisions of the Panel

Item 1

The Panel received a claim for compensation (ref. 2000-TDWAY-TTTUN-990-ZZ-OM-100168) following the Panel's request for information of the nature, duration and dates of the respite being sought and the sort of costs likely to be incurred at its last meeting (ICP#59, 20 March 2017). The Panel required more information to justify the claim

Item 2

The Panel received a claim for compensation (ref. 2000-TDWAY-TTTUN-990-ZZ-OM-100165) for alternative premises from which to run his businesses. The Panel required more information from both the Project and the Claimant to determine the claim.

Item 3

The Panel received a special case claim (ref. 2000-TDWAY-TTTUN-990-ZZ-OM-100167). The Panel Approved the claim for the Trigger Action Plan noise mitigation packages to be installed in both bedrooms in recognition of the shift working patterns of the residents.

Item 4

The Panel received a special medical case claim (ref. 2000-TDWAY-TTTUN-990-ZZ-OM-100166). The Panel was advised by the Project that a Trigger Action Plan for the property would be submitted to the Panel for approval at its next meeting (25 April 2017). The Panel determined the claim with this in mind.

The Panel determined that:

1. Temporary rehousing be provided for 4 months, commencing 01 May 2017.
2. The Trigger Action Plan noise mitigation package be installed in all habitable rooms ready for 01 September 2017, when the family will return home.

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Item 5

The Panel received further information from a Claimant to support her claim for respite holiday for her mother (ref. Email 290317) following the Panel's request for further information at its meeting of 14 March 2017 (ICP#58). The claim was Not Approved as more local respite is deemed more appropriate having regard to the medical conditions of both the Claimant's mother and brother. The Panel invites the Claimant to submit a claim for respite locally.

Additional matter

The Chair proposed a more formalised way of working, centred around the fortnightly ICP meetings which was approved by the Panel. The Chair also set out a more structured arrangement for his working days.

25 April (ICP61)

Purpose

To determine a draft Trigger Action Plan, a number of medical special case claims and other matters.

Panel Members

I was joined by a Medical Specialist, a Noise & Vibration Specialist and Building Surveyor (items 1 to 3).

Decisions of the Panel

Item 1

The Panel received a draft Trigger Action Plan for Leeward Court, 7-17 Yeoman Street for review and approval (ref. 2000-TDWAY-EARPS-990-ZZ-OL-100000).

The draft Trigger Action Plan was Not Approved. The Panel determined that:

1. The Project is to explore ventilation options and revert back to the Panel with a proposal that provides suitable and sufficient ventilation using a means that is fit for purpose.
2. The Project is to have regard to the Panel's comments regarding the balcony screening options presented and revert back to the Panel once more detailed investigations and assessments has been undertaken with a view to providing noise mitigation to both inset and cantilevered balconies.

Item 2

The Panel received an email from the Project dated 21 April 2017 at 12:02:33 which included email correspondence from a Claimant in relation to the Panel's determination of his claim (ICP#60, item 4). The Panel responded to the queries raised.

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Item 3

The Panel received a special medical case claim (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-714405). The claim was Approved.

Item 4

The Panel received a special medical case claim (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-714408). Further information was required in order for the Panel to determine the claim.

Item 5

The Panel received an email from the Project dated 24 April 2017 at 12:14:18 regarding the outstanding Chambers Wharf construction site light audit (ICP#58). The Panel was told that the Project will be settling the outstanding claim that came before the Panel and will be providing blinds for other residents (if they so wish) rather than undertaking the light audit.

The Panel noted the Project's response and actions. The Panel will no longer be requiring the light audit with respect to the light intrusion at the Claimant's flat and the Chair will be writing to the Claimant, accordingly.