

September 2017

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

12 September (ICP70)

Purpose

To determine medical special case claims and receive a report regarding Leeward Court balcony screening.

Panel Members

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

Decisions of the Panel

Item 1

The Panel received a special medical case claim for temporary rehousing (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-716780). The Panel determined that the Claimant should have temporary rehousing until the erection of the acoustic shed.

Item 2

The Panel received a special medical case claim (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-716779).

1. The Panel determined that The TAP noise mitigation package and balcony screening be installed at the Claimant's property
2. Temporary accommodation be provided to the Claimant until such time that the noise mitigation package and balcony screening are installed.

Item 3

The Panel received a special medical case claim for daily respite (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-716770). The Panel determined that:

1. The TAP noise mitigation package be installed at the Claimant's property.
2. Respite (up to a maximum of £X a day per person) should be offered for Saturdays when both she and her son are exposed to noise and during one other day per week for the Claimant to have a break away from the site until the acoustic shed is in place.
3. No retrospective funding for a past holiday is granted.

Item 4

The Panel received a special medical case claim (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-716795). The Panel determined that further information is required before the claim can be determined.

Item 5

The Panel received a special medical case claim (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-716796). The Panel determined that the TAP noise insulation package with HEPA filtration be installed in the Claimant's flat.

Item 6

The Panel received a special medical case claim for respite (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-716797). The claim was Not Approved as, given the location of

the Claimant's flat, it is highly unlikely that noise from Tideway construction could be influencing her husband's headaches.

Item 7

The Panel received a special medical case claim for respite (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-716798). The Panel determined that:

1. Every effort should be made for a clear acrylic screen to be installed in front of his property instead of the current barrier which would allow him a view of the river.
2. There is a good medical case to support up to two regular daytime respite visits away from his home per month accompanied by a carer until the hoarding is removed.

Item 8

The Panel received a special medical case claim (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-716799). Panel determined that further medical information is required before the claim can be determined.

19 September (ICP71)

Purpose

To determine medical special case and compensation claims.

Panel Members

I was joined by a Medical Specialist, a Noise & Vibration Specialist and Compensation Specialists for appropriate items.

Decisions of the Panel

Item 1

The Panel met Tideway's Property Manager and Mitigation and Compensation Executive regarding the Panel's (i) query as to why elements of the TAP noise mitigation package can be declined by the recipient (Minutes of ICP#69 refers) and (ii) concerns as to whether best practicable means (bpm) is being employed during construction activities, given the number of occasions Claimants refer to the adverse impacts of dust on their health and some video footage the Chair has seen.

The Property Manager is to revert back to the Panel on both matters following discussions with Project Managers and reviewing dust complaint levels received by the Project.

Item 2

The Panel received a presentation from a Principle Environmental Consultant who deals with contaminated land and waste management issues associated with the Carnwath Road site following the Panel's request for VOC monitoring results (Minutes of ICP#69 refers).

Item 3

The Panel considered a special medical case claim for respite (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-716714) having regard to the information provided in the presentation on VOC's at the Carnwath Road site (item 2).

The Panel determined that:

1. Mechanical ventilators be provided in all rooms where the TAP secondary glazing has been installed. This will negate the need for the air conditioning units requested.
2. There is no case to warrant rehousing, either on VOC or noise exposure grounds after the acoustic shed is fully erected
3. Two days respite away from home is granted for the Claimant and her daughter during the October half-term.

Item 4

The Panel requested the following regarding **Leeward Court** at its meeting of 22 August 2017 (ICP#69):

A further update of the means of providing fresh air into each room fitted with secondary glazing is required by 17.00 hours Thursday 7 September 2017 ready for the next meeting of the Panel on Tuesday 19 September 2017.

No update was provided.

The Panel was very disappointed that its request had not been complied with and requires an urgent report for its 10 October 2017 meeting (ICP#72) on the progress to date and future proposals (including a timeline) for providing both the mechanical ventilation and balcony screening the Panel requires by virtue of its conditional approval of the TAP on 23 May 2017 (ICP#63).

Item 5

The Panel received a special medical case claim (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-716907). The Panel required additional information in order to determine the claim.

Item 6

The Panel received a proposal from the Project to approve the installation of blackout blinds without resort to the ICP, subject to suitable and sufficient evidence being provided of light intrusion from Tideway's works (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-716909).

The Panel Approved the revised local decision-making process, subject to:

1. The provision of photographic evidence taken from, and within, the applicant's property being obligatory (point 1)
2. Adding a clause that, where agreement cannot be reached, a claim can be submitted to the ICP
3. Including a question as to whether the TAP mitigation package was installed in the Application Form

Item 7

The Panel received a compensation claim for loss of rent (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-716712). The Panel required additional information in order to determine the claim.

Item 8

The Panel received a compensation claim for loss of rent (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-716908). The Panel required additional information in order to determine the claim.

Item 9

The Panel received the additional information from a Claimant it had requested on 13 June 2017 (ICP#64) (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-716711). The Panel approved the claim in part.

Item 10

The Panel received the additional information from a Claimant it had requested on 11 July 2017 (ICP#66, Part 1) (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-716778). The Panel required evidence to support the claim.