

INDEPENDENT COMPENSATION PANEL

MEETING #151 MINUTES

Purpose:	To determine medical, special cases and compensation claims.
Date and time:	Tuesday 12 th May 2020 – 1030hrs to 1230hrs
Location:	Video Conference
Panel Members:	Graham Parry (Chair) Phil Evans (Noise & Vibration) Stephen Stansfeld (Medical) Chris Kench & Richard Pugh (Compensation Specialists -exchange of emails)
Abbreviations:	'Panel' means the Independent Compensation Panel 'Project' means Tideway 'ICC' means the Independent Complaints Commissioner for the Project 'Non-Stat Policy' means the Non-Statutory Off-site mitigation and compensation policy
Document Number:	2350-TDWAY-TTTUN-990-ZZ-ZZ-721650

Item 1	Notes for the record
Applicant Reference	The Panel considered information pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-721609.
Relevant Tideway site	Kirtling Street & Heath Wall
Decision	Agreed compensation was AWARDED
Details of the award	<p>The Panel had been requested to determine compensation that apparently sat outside of a previous legal agreement with the claimant. An email communication from Tideway dated the 23rd April 2020 set out the basis of the claim. There is no dispute between Tideway and the claimant as to the calculated amount payable. The request from Tideway was for the ICP to ratify the amount and the methodology for determining future year applications. The Panel noted that the indexation formula method in the original legal agreement is intended to facilitate specific payments in a standard way. The Panel determined that the passing rents could be adjusted utilising the agreed indexing method on each anniversary to allow for notional rent increases.</p> <p><i>The Panel determined that it does not appear that the claimant is disadvantaged by the offer and the award of compensation is made.</i></p> <p><u>All awards are subject to Tideway's Guidelines for Implementation of ICP decisions.</u></p>

	https://www.tideway.london/media/3687/guidelines-for-implementation-of-icp-decisions_oct-2019.pdf
Further information required/actions arising	None
Information/action requested from Tideway	None

Item 2	Notes for the record
Applicant Reference	The Panel considered information pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-721661 .
Relevant Tideway site	Chambers Wharf
Decision	Decision DEFERRED
Details of the award	<p>The Panel is aware of the claimant's medical condition.</p> <p>The claimant had previously requested that her respite award should be altered to allow for meals to be delivered to her home. That request was turned down as it would not provide the necessary respite away from the site. The Panel viewed a number of videos which identified vehicles accessing and exiting the site on two dates in February 2020 and site activity including cutting with what appears to be a petrol disc cutter. These activities appear to be daytime only activities. Whilst the noise activities were very noticeable they can be mitigated by closing the door/window to reduce the levels internally.</p> <p>Also, as previously indicated, "The Panel noted that the final works on the slurry treatment plant construction are effectively complete and that all significant operations will be undertaken within acoustic enclosures and the noise impact on the resident will be further reduced".</p> <p>The request from the claimant was for respite as before and for that to be backdated to February excluding the lockdown period. It should be noted that except in very exceptional circumstances the Panel does not make retrospective awards.</p> <p><i>The Panel have deferred a decision as the Panel need to understand what noise levels are presently being experienced and what noise levels will be experienced in the future when the site becomes fully operational. The Panel would like a better understanding of what respite the claimant is requesting. Tideway are required to provide the most up to date noise reports for the site and an estimate as to when the slurry treatment plant will be operational.</i></p> <p><u>All awards are subject to Tideway's Guidelines for Implementation of ICP decisions.</u></p> <p>https://www.tideway.london/media/3687/guidelines-for-implementation-of-icp-decisions_oct-2019.pdf</p>
Further information required/actions arising	None

Information/action requested from Tideway	Tideway to provide up to date noise reports and site updates for the site
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Item 3	Notes for the record
Applicant Reference	The Panel considered information pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-721690
Relevant Tideway site	Greenwich Pumping Station
Decision	Offer of noise cancelling headphones
Details of the award	<p>The claimant's respite award had previously been suspended during the Government lockdown period however some work has now resumed on the site. The Panel is aware that secondary glazing would have been installed in April 2020 however at the claimant's request those works have been postponed.</p> <p>The claimant and his wife are both presently working from home and the claimant states that noise is a significant disturbance, although the Panel would have anticipated that presently with limited work on the site the overall noise levels would have reduced.</p> <p>The site update from the 23rd April 2020 indicated that ground treatment works were going to start up again and will take place over 6 to 10 weeks commencing on the 27th April 2020 and occurring between 10:00 and 20:00 hours Monday to Friday with the additional standard hour for start-up and shut-down of operations. Other operations will still be taking place within the regular 08:00 to 18:00 hours and dredging continues in the Creek.</p> <p><i>In order to mitigate the potential impacts of noise whilst the claimant and his wife work from home the Panel propose to offer an award towards the purchase of 2 No. noise cancelling headphones to a maximum cost of £100/ set.</i></p> <p>The Panel is presently unable to recommend any other form of respite that would not potentially compromise the wife's health, although the Panel is willing to receive representations from the claimant as to what could potentially be acceptable.</p> <p><u>All awards are subject to Tideway's Guidelines for Implementation of ICP decisions.</u></p> <p><u>https://www.tideway.london/media/3687/guidelines-for-implementation-of-icp-decisions_oct-2019.pdf</u></p>
Further information required/actions arising	None
Information/action requested from Tideway	None

Item 4	Notes for the record
Applicant Reference	The Panel considered information pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-721696.
Relevant Tideway site	Kirtling Street

Decision	Requested mitigation was in PART AWARDED
<p>Details of the award</p>	<p>The claimant and family are reporting that they are being subjected to noise and air quality issues from the operations at Kirtling Street site. They find that they have to close their windows because of the noise which makes their flat very hot in summer and they have difficulty sleeping. They report that dirt and dust from the site get into their flat.</p> <p>The Panel had previously made a number of site visits to the area. The site had ceased major tunnelling activity prior to the Government lockdown.</p> <p><i>The Panel has determined that the claimant is awarded the cost of 2 No. fans or mobile air conditioning units to a cost of £300/unit which is considered to be proportionate to any issues related to overheating of the property.</i></p> <p><i>The Panel does not consider that dust or particulates from the site are at such a level as to require mitigation by way of a budget for cleaning materials etc.</i></p> <p><u>All awards are subject to Tideway’s Guidelines for Implementation of ICP decisions.</u></p> <p><u>https://www.tideway.london/media/3687/guidelines-for-implementation-of-icp-decisions_oct-2019.pdf</u></p>
<p>Further information required/actions arising</p>	<p>None</p>
<p>Information/action requested from Tideway</p>	<p>None</p>

I confirm that these minutes are an accurate record of the proceedings of the meeting.

Signed
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Date 1 June 2020

Graham Parry
Chair, Independent Compensation Panel