

INDEPENDENT COMPENSATION PANEL

MEETING #154 MINUTES

Purpose:	To determine medical and special case claims
Date and time:	Tuesday 9 June 2020 – 1030hrs to 1230hrs
Location:	Video conference
Panel Members:	Graham Parry (Chair) Phil Evans (Noise & Vibration) Stephen Stansfeld (Medical)
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 'TAP' means Trigger Action Plan
Document Number:	2350-TDWAY-TTTUN-990-ZZ-ZZ-729105

Item 1	Notes for the record
Applicant Reference	The Panel considered information pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-729107
Relevant Tideway site	Kirtling Street
Decision	Agreed respite was AWARDED
Details of the award	<p>Due to the claimant's inability to take the previously awarded respite because of the current pandemic, she is requesting funding for alternative activities. The Panel is aware of the claimant's circumstances and the extent to which she is affected by noise from the muck bin area.</p> <p>The Panel therefore awards two days respite a week at the rate of £30/day which can be used for alternative activities. The award may be aggregated to £240/month.</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 2	Notes for the record
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Applicant Reference	The Panel considered information pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-729108
Relevant Tideway site	Kirtling Street
Decision	Agreed respite was AWARDED
Details of the award	<p>The Panel is fully aware of the claimant's personal and health problems.</p> <p>The claimant is requesting an alternative to holiday respite because of the pandemic lockdown regulations. The claimant is requesting the costs of hiring a car, to see friends and family in a socially distanced way, until respite restrictions are lifted and requests a number of items to assist her in not being disturbed by noise and allowing her to sleep at night.</p> <p>The Panel makes an award of £100/week towards the costs associated with hiring a car until such time as the current restrictions are lifted. In respect of the claimant's health problems and as a precautionary approach the Panel makes an award of up to £220 for the cost of those items as identified in emails from the claimant dated 05/06/2020.</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 3	Notes for the record
Applicant Reference	The Panel considered information pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-729110
Relevant Tideway site	Kirtling Street
Decision	Mitigation was AWARDED
Details of the award	<p>The claimant is complaining of being exposed to dust and air pollution for the past two years, noise including extended working hours from 8 am to 10 pm as well as 24 hour working, and excessive heat and lack of ventilation. Because of the lockdown, she is confined to her home more than usual and her workplace suggests that she remains working from home at present. She is requesting a portable air conditioner/fan.</p> <p>The Panel is aware of the of the noise issues at the property and notes the claimant's proximity to the muck bin area. The Panel has inspected the photographs provided but could not identify a significant issue related to dust.</p> <p>The Panel makes an award of portable air conditioning unit up to a cost of £300 and £55/ year towards the electricity cost of running the unit.</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-729111
Relevant Tideway site	Hammersmith Pumping Station
Decision	Mitigation is in PART AWARDED
Details of the award	<p>The claimant is requesting:</p> <ul style="list-style-type: none"> • 2x noise cancelling earphones • 1x air conditioning unit/fan • 1x air purifier • Replacement outdoor furniture • Cracks in apartment to be subject to structural survey and rectified • Lock on front door to be fixed/replaced • Deep clean of the apartment and outside areas (including windows and balcony glass) once work is completed <p>The claimant and her partner complained of struggling to work from home because of exposure to noise and vibration and states that it is impossible to carry out video conferencing because of the noise. She is also complaining of severe vibrations causing the building to shake and related cracking in the walls and jamming of the door lock. The claimant has sought medical treatment for allergies and also reports a lot of dust exposure, has been sneezing constantly and been unable to sleep most nights because of the dust and heat. She is requesting two noise-cancelling headphones, one air conditioning unit, one air purifier, replacement outdoor furniture, a deep clean of the apartment and that the cracks in apartment and door of apartment are dealt with.</p> <p>With respect to cracking in the property and jamming of the door lock, this issue should be taken up with the contractors; however, the Panel considers that vibration from the site is unlikely to have resulted in these defects/issues.</p> <p>The Panel has previously visited the area and does not consider that dust is a particular issue from the site and therefore no award is made for a deep clean of the claimant's property.</p> <p>The Panel reviewed the photograph of the outdoor furniture; however, the Panel does not believe that there is any mechanism by which the site activities could result in damage and therefore no award is made for replacement furniture.</p>

	<p>The Panel is aware of the present noise issues at the site and makes an award of two noise cancelling headphones to a cost of £100 each and also one air conditioning unit to a cost of £300 plus £55 towards the cost of running the unit for a year.</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	None

Item 5	Notes for the record
Applicant Reference	The Panel considered information pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-729112
Relevant Tideway site	Kirtling Street
Decision	Mitigation is AWARDED
Details of the award	<p>The claimant and his wife report that, because of the noise, they cannot open their windows or balcony doors and, due the resultant heat, they are unable to sleep or work properly under lockdown conditions. The claimant's work entails early mornings and late nights he claims that he is unable to get a 'decent rest'. The Panel reviewed the medical evidence provided in respect of the claimant. He reports that his wife's concentration on work issues has been affected. They are requesting two cooling systems for their flat as well as blackout blinds because of light pollution.</p> <p>The Panel makes an award of two air conditioning units or fans to the cost of £300 each and an award of £110 towards the electricity costs of running the units for a year.</p> <p>With respect to blackout blinds, the claimant is directed towards Tideway's blackout blind procedure.</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	None

Item 6	Notes for the record
Applicant Reference	The Panel considered information pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-729113
Relevant Tideway site	Carnwath Road

Decision	Mitigation is AWARDED
Details of the award	<p>The claimant reports night-time noise disturbance due to having to keep his windows open because of heat issues in his apartment. He also reports dust. He is requesting an air conditioning unit for his bedroom. The claimant's property has a direct line of sight of the muck bin area and the barge area.</p> <p>The Panel notes the claimant's profession and therefore has decided to take a precautionary approach as a special case and makes an award of one air conditioning unit to a cost of £300 plus £55 towards the cost of running the unit for a year.</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 7	Notes for the record
Applicant Reference	The Panel considered information pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-729114
Relevant Tideway site	Kirtling Street
Decision	Mitigation is in PART AWARDED
Details of the award	<p>The claimant is asking the ICP approve several things:</p> <ul style="list-style-type: none"> • Reimbursement of cost of fans already bought • Noise cancelling headphones • Blackout blind reimbursement • Compensation for increase in electricity re fans • Air con unit on the balcony <p>The claimant has been working from home since March 2020. He has had to close his windows and sliding doors because of the noise and this has led to excessive heat in the flat. He says the noise problems have been on-going since October 2016. He would like recompense for the three fans he has bought, the window blinds he has bought, an extra air conditioning unit for the balcony, noise cancelling headphones and payment for the extra electricity bills from using his fans during the day and at night.</p> <p>The Panel has considered carefully the location of the claimant's property and also other awards made for residents of the property. The Panel makes an award of noise cancelling headphones to a cost of £100 and the cost of a mobile air conditioning unit to a cost of £300 plus £55 towards the electricity costs of the unit for one year. The air conditioning unit may be used anywhere within the property.</p>

	<p>The Panel has determined that no costs are awarded retrospectively in this case for any other aspects of the claim.</p> <p>All awards are subject to Tideway's Guidelines for Implementation of ICP decisions.</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	None

Item 8	Notes for the record
Applicant Reference	The Panel considered information pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-729115
Relevant Tideway site	Kirtling Street
Decision	Mitigation is AWARDED
Details of the award	<p>Because of the heat in the flat, and being unable to open doors or windows because of the noise, the claimant is asking for two air conditioning units for the bedroom and living room respectively while she and her partner work from home.</p> <p>The Panel has considered carefully the location of the claimant's property and also other awards made for other residents of the property.</p> <p>The Panel makes an award of two air conditioning units or fans to the cost of £300 each and an award of £110 towards the electricity costs of running the units for a year.</p> <p>All awards are subject to Tideway's Guidelines for Implementation of ICP decisions.</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	None

Item 9	Notes for the record
Applicant Reference	The Panel considered information pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-729116
Relevant Tideway site	Kirtling Street
Decision	Mitigation is in PART AWARDED
Details of the award	<p>The claimant and his wife live in a flat overlooking the Tideway site. They are finding that the heat due to having to keep their doors and windows shut because of the noise is having an effect on their working from home and their sleep. They are also complaining of</p>

	<p>dust deposition on their balcony. They are requesting two portable air conditioning units for the living room and bedroom, a weekly cleaner for their balcony and noise cancelling headphones.</p> <p>The Panel has considered carefully the location of the claimant's property and also other awards made for residents at the property.</p> <p>The Panel has visited the area on several occasions and do not consider that dust from the site is such a problem as to warrant an award of compensation for cleaning the apartment.</p> <p>The Panel makes an award of two air conditioning units to the cost of £300 each and an award of £110 towards the electricity costs of running the units for a year. Additionally, an award is made for the cost of two noise cancelling headphones up to a maximum cost of £100 each.</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

Date 29 June 2020

Graham Parry
Chair, Independent Compensation Panel