

INDEPENDENT COMPENSATION PANEL

MEETING #163 MINUTES

Purpose:	To determine medical and special cases
Date and time:	Tuesday 27 October 2020 – 1000hrs to 1400hrs
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
Document Number:	2350-TDWAY-TTTUN-990-ZZ-ZZ-729972

Item 1	Notes for the record
Applicant Reference	The Panel considered information pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-729980 plus environmental data provided by Tideway.
Relevant Tideway site	Carnwath Road
Decision	AWARDED
Details of the award	<p>The claimant has a number of new and historical serious health/medical issues which are known to the Panel which have been fully taken into account. The daytime noise and site activity affects her ability to relax and the 24/7 activity affects her sleep which has knock-on effects on her physical and mental health. She is requesting an extension to her respite award of two days away from the site weekly.</p> <p>A review of the s.61 which ended May 2020, but was extended until 30th November 2020, identifies that noise levels in the vicinity of the claimant's property are predicted to be relatively low and recent noise monitoring data confirms this to be the case. Monitoring data for the site indicate that period noise levels are generally below 60 dB L_{Aeq} during the day and well below this at night. A recent site visit to the area confirmed that noise levels from site activities were considered to be low and not particularly disturbing.</p> <p>The Panel determined to take a very precautionary approach based on the claimant's health issues and extends the respite award until December 2021 to take into account works related to the connection tunnel.</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/4138/guidelines-for-implementation-of-icp-decisions_feb-2020.pdf</u></p>
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-729977 .
Relevant Tideway site	Chamber Wharf
Decision	DEFERRED
Details of the award	<p>The claimant's health problems are known to the Panel and have been taken fully into account. The claimant was recently awarded holiday respite and is now seeking additional mitigation as a result of recent activities related to drilling and grouting works which occurred to the north of the claimant's property. He is also requesting additional daily respite throughout the year. He feels that the previous award did not take sufficient account of his medical problems and provided additional medical information.</p> <p>The claimant has tangential views from the rear of his property over the south east corner of the site. His bedrooms have secondary glazing but his lounge does not.</p> <p>Noise monitoring reports from 7th September to 5th October 2020 identify that there were no TAP or s.61 exceedances and noise levels were generally well below these limits. However, the noise monitoring does not span the period from which the complaints originate which would appear to be after the 5th October. Richard Earis, EPO for Southwark has visited the site and found the noise to be loud and disruptive but within limits.</p> <p>An update from Tideway indicates that most of the works should now be complete and the grouting is starting which should not be noisy. However, grout compaction works may be required using a percussion rig which could be noisy and last for a few weeks.</p> <p>From a recent site visit by members of the Panel on the 22nd October 2020, it is apparent that noise from the site is very low, although it is accepted that noise levels change on a daily basis. The Panel also notes that the rooms which the claimant has identified as using within the property are on the south side of the building facing away from the current external works area.</p> <p>The Panel determined that they need to review noise data for the month of October to date, in order to determine this claim and therefore a decision is deferred.</p> <p><u>All awards are subject to Tideway's Guidelines for Implementation of ICP decisions.</u></p>

	https://www.tideway.london/media/4138/guidelines-for-implementation-of-icp-decisions_feb-2020.pdf
Further information required/actions arising	None
Information/action requested from Tideway	The Panel requires the raw noise data for the site for October 2020.

Item 3	Notes for the record
Applicant Reference	The Panel considered information pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-729976
Relevant Tideway site	Chambers Wharf
Decision	PART AWARDED
Details of the award	<p>The claimant and her family's health issues are known to the Panel and have been fully taken into account.</p> <p>On October 21st, in an email, she is now requesting air filters and an 'electric allowance', £30 per day respite money for two days a week so her children can participate in preschool and after school activities away from the site and a week's family holiday. She says that her children are exposed to air pollution from lorries parked nearby on their way to school and on other journeys from their flat. She also states that lorries park outside the school where two of her children attend.</p> <p>The Panel has inspected recent air quality reports for the site and finds that particulate (dust) levels are acceptable and therefore does not award air filters.</p> <p>Based on where the claimant's property is located, the Panel determined that a respite holiday was not awarded as the occupiers of the property are not significantly affected by noise or poor air quality associated with the site.</p> <p>The Panel has determined, however, that on a very precautionary basis with respect to the children's health, one day of respite is awarded a week for the next six months until the end of April 2021 for the two eldest children's attendance at pre-school and after school activities.</p> <p><u>All awards are subject to Tideway's Guidelines for Implementation of ICP decisions.</u></p> <p>https://www.tideway.london/media/4138/guidelines-for-implementation-of-icp-decisions_feb-2020.pdf</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-729978 .
Relevant Tideway site	Chambers Wharf
Decision	DEFERRED
Details of the award	<p>The claimant's property was eligible for TAP noise mitigation which the ICP understands has to date not been installed in the lounge for a number of reasons. Her health issues are known to the Panel and have been fully taken into account.</p> <p>The claimant's representative has reported drilling noise from grouting on the eastern side of the site which has currently paused but may soon start up again. She is requesting two days respite a week accompanied by her son.</p> <p>The Panel determined that they need to review noise data for the month of October to date, in order to determine this claim and therefore a decision is deferred.</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/4138/guidelines-for-implementation-of-icp-decisions_feb-2020.pdf</u></p>
Further information required/actions arising	None
Information/action requested from Tideway	The Panel requires the raw noise data for the site for October 2020.

Item 5	Notes for the record
Applicant Reference	The Panel considered information pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-729975 plus 16 videos
Relevant Tideway site	Chambers Wharf
Decision	PART AWARDED
Details of the award	<p>The claimant is complaining of ongoing disturbance from the site mostly which appears to be associated with deliveries and vehicles in the road outside. The latest noise monitoring data for the area spanning the period 7th September to 5th October 2020 indicates no s.61 or Trigger Action Plan (TAP) exceedances and noise levels are significantly below these limits. Additionally, previous noise reports did not identify particularly high levels of noise around the Chambers Wharf site. Similarly, air quality monitoring reports identify that particulate levels are significantly below the Air Quality Objective levels.</p> <p>As noise is already monitored in the vicinity of the claimant's property, the ICP will not be requesting that additional noise monitoring should be installed at the claimant's property.</p>

	<p>It is accepted that noise from deliveries, particularly abnormal loads which occur outside of core working hours, can be disturbing; however, such events occur on a relatively infrequent basis.</p> <p>Noise levels are very low in the area and this was evidenced by a recent panel visit to the Chambers Wharf area.</p> <p>Based on the claimant’s identified health problems and the disturbance that has been reported, the Panel determined to make a very precautionary award of one day respite a week for the claimant and his partner for a period of six months ending April 2021.</p> <p>Secondary glazing is not awarded as the TAP noise limits are not predicted to be exceeded.</p> <p>Air conditioning units are not awarded as noise and air quality levels are not at levels such as to be significantly affected by the opening of windows.</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/4138/guidelines-for-implementation-of-icp-decisions_feb-2020.pdf</u></p>
<p>Further information required/actions arising</p>	<p>None</p>
<p>Information/action requested from Tideway</p>	<p>None</p>

Item 6	Notes for the record
<p>Applicant Reference</p>	<p>The Panel considered noise monitoring data provided by Tideway subsequent to the meeting on 13 October 2020 (Info Pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-729941).</p>
<p>Relevant Tideway site</p>	<p>Albert Embankment Foreshore</p>
<p>Decision</p>	<p>NOT AWARDED</p>
<p>Details of the award</p>	<p>The claimant reports that noise from the site disturbs her whilst working from home and sleeping. She reports a restricted view from her windows, night noise in the heat of summer, day noise whilst working and feeling shocked that the cranes and platform will remain in situ until 2023. She would like the cranes to be removed.</p> <p>The Panel has engaged with Tideway and the contractor team to understand the nature of the works activities at the site. The contractor team has indicated to the Panel that in the main works will now be carried out within core hours such that the early morning disturbance which the claimant would have previously encountered should not now occur.</p> <p>Based on the assurances that the Panel has now received in respect of site activities and that a further review of Best Practicable Means for the site will be implemented, the Panel does not make any award.</p> <p>It should be noted that the Panel does not have any powers with respect to how the contractors carry out their work activities and</p>

	<p>therefore it is not in the Panel's gift to request that the cranes are moved.</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/4138/guidelines-for-implementation-of-icp-decisions_feb-2020.pdf</u></p>
Further information required/actions arising	None
Information/action requested from Tideway	None

Item 7	Notes for the record
Applicant Reference	The Chair updated the Panel members with respect to the current situation for the claimant and with details of the video call with JM, LW, the Noise Specialist and the Chair on 20 October 2020.
Relevant Tideway site	Albert Embankment Foreshore
Decision	NOT AWARDED
Details of the award	<p>The Panel had previously awarded noise cancelling headphones and air conditioning units for use by the residents of the property. The claimant reports that he and his flatmates are being disturbed by daytime and night-time noise from the site. He is requesting rehousing.</p> <p>The Panel has engaged with Tideway and the contractor team to understand the nature of the works activities at the site. The contractor team has indicated to the Panel that, in the main, works will now be carried out within core hours such that the early morning disturbance which the claimant has previously encountered should not now occur on a regular basis.</p> <p>The Chair and the Noise Specialist carried out a visit to the site area on the 22nd October 2020 to observe the various activities occurring at the work site.</p> <p>Based on the assurances that the Panel has now received in respect of site activities and that a further review of Best Practicable Means for the site will be implemented, the Panel does not make an award of rehousing.</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/4138/guidelines-for-implementation-of-icp-decisions_feb-2020.pdf</u></p>
Further information required/actions arising	None
Information/action requested from Tideway	None

ITEMS FOR DISCUSSION	
Low frequency noise	The Panel had a general discussion with respect to LFN.
Site visits	<p>The Chair and the Noise & Vibration Specialist carried out site visits on the 22nd October 2020 to the following site areas:</p> <ul style="list-style-type: none">• Albert Embankment• Heathwall• Kirtling Street• Carnwath Road• King Edward Memorial Park• Chambers Wharf <p>With the exception of the Albert Embankment works, there were very limited noisy activities occurring from the Tideway sites.</p>

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

Signed

Graham Parry
Chair, Independent Compensation Panel

Date [REDACTED] 2020