

Monthly Report of the Independent Compensation Panel Chair

December 2016

The Independent Compensation Panel (the 'Panel') met on Five occasions in December 2016.

6 December (ICP44)

Purpose

To determine compensation claims for two medical special cases

Panel Members

I was joined by a Medical Specialist and a Chartered Surveyor.

Decisions of the Panel

Medical special case 1

The Panel re-considered a compensation claim on medical grounds (ref. 2000-TDWAY-TTTUN-990-ZZ-PQ-100029) following the receipt of additional information requested on 8 November 2016. The Panel determined that insufficient evidence had been presented for granting mitigation on the basis that the Claimant's medical condition could be exacerbated by exposure to noise, vibration or dust from the Project's worksite.

Medical special case 2

The Panel considered a compensation claim on medical grounds (ref. 2000-TDWAY-CHAWF-990-ZZ-OM-100001). The claim for respite accommodation was **Approved**. This will need to be reviewed by the Panel after the Claimant's medical condition has improved and when the noise and vibration has lessened at the site.

6 December (ICP45) & 12 December teleconference

Purpose

To determine ten Trigger Action Plans for Nine Elms Pier houseboat owners/tenants.

Panel Members

I was joined by a two Chartered Surveyors.

Decisions of the Panel

Trigger Action Plan 1

The Panel considered a Trigger Action Plan for the owner of the houseboat 'Rockland' (ref.2000-FLOJV-KRTST-990-ZZ-OM-100008) following receipt of information from FLO and Savills requested by the Panel on 25 November 2016 (ICP#43).

The Trigger Action Plan as presented was **Not Approved** as it was considered that the Claimant would have been disadvantaged.

Monthly Report of the Independent Compensation Panel Chair

An amended Trigger Action Plan was **Approved**, subject to conditions.

Trigger Action Plans 2-15

The Panel considered a number of Trigger Action Plans for tenants of houseboats at Nine Elms Pier. FLO are to populate a template prepared by the Panel in time for its next meeting on 15 December 2016.

FLO to come up with a solution for those tenants who wish to return not having to give notice, otherwise they will have no right to return.

15 December (ICP46)

Purpose

To review and clarify previous decisions concerning a compensation claim for loss of rent following referral back by the ICC.

Panel Members

I was joined by a two Chartered Surveyors.

Decisions of the Panel

The Panel determined that:

1. The Panel's decision of 22 September 2016 (ICP#36) stood.
2. The Chair would be writing to the Claimant apologising for the lack of clarity in the Panel's Minutes of 10 May 2016 (ICP#23) and 22 September 2016 (ICP#36) and stating very clearly the evidence it would require for future claims.
3. The Panel will prepare a Compensation Claims Checklist to demonstrate that they have followed due process in determining compensation claims in accordance with the provisions of paragraphs 8.2.1 and 8.2.2 of the *Non-statutory Off-site mitigation and compensation policy*.
4. The Chair would be writing to the ICC stating the action the Panel has taken following her referral back.

20 December (ICP47)

Purpose

To determine Trigger Action Plans for Nine Elms Pier houseboat owners/tenants.

Panel Members

I was joined by a two Chartered Surveyors.

Monthly Report of the Independent Compensation Panel Chair

Decisions of the Panel

The Panel considered a number of Trigger Action Plans for tenants of houseboats at Nine Elms Pier and the spreadsheet submitted by FLO as requested by the Panel on 6 December 2016 (ICP#45).

The information provided by FLO was not as requested by the Panel and will be resubmitted (together with other information offered by FLO) in advance of the next meeting of the Panel on 10 January 2017.

20 December (ICP48)

Purpose

To determine compensation claims for two medical special cases

Panel Members

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

Decisions of the Panel

Medical special case 1

The Panel considered a compensation claim on medical grounds (ref. 2000-TDWAY-TTTUN-990-ZZ-PF-100139). The Panel concluded that it had insufficient information to be able to determine the claim and requires the further information by 19 January 2016, in time for its next meeting on 26 January 2017.

Medical special case 2

The Panel considered a compensation claim on medical grounds from (ref. 2000-TDWAY-TTTUN-990-ZZ-PF-100140). The Panel concluded that it had insufficient information to be able to determine the claim and requires the further information by 19 January 2016, in time for its next meeting on 26 January 2017.

The Claimant further requested that there should be a Trigger Action Plan in place for Trigger Action Plan for 1-7 Fountain Green Square

The Panel has reviewed the noise monitoring report for the period 2 October 2016 to 8 November 2016 at 8-14 Fountain Green Square and found insufficient evidence to support a Trigger Action Plan for 1-7 Fountain Green Square.

Other Work

I was requested by the Project to meet with Dave Warner of the Southwark Mediation Centre (SMC) as the organisation had recently taken on the role of chairing the Chambers Wharf Community Liaison Group (CWCLG).

I met with Dave on 8 December 2016, the result of which being that I chaired a meeting during the afternoon of 20 December 2016 with a view to SMC,

Monthly Report of the Independent Compensation Panel Chair

Southwark Citizens Advice and Southwark Law Centre having a greater appreciation of the role of the Panel and the information required to support claims for the Panel's consideration.

The three Panel members who most frequently consider claims in relation to the Chambers Wharf site (Medical Specialist, Chartered Surveyor and Noise & Vibration Specialist) joined me, together with, at my request, the Independent Complaints Commissioner and a representative from the Independent Advisory Service. The Project was represented by the Community Engagement Manager, Compensation & Mitigation Executive and Property Administrator & Compensation Coordinator.

The meeting was not an easy one to chair, as the Southwark Citizens Advice and Southwark Law Centre kept attempting to advance matters that were outside the scope of the meeting.

It was agreed that an information sheet on the Panel would be prepared by the Chair and the Compensation & Mitigation Executive for circulation by the end of January 2017. The Chair also agreed to send all attendees a copy of the information required for each type of claim that the ICP had prepared in early 2016.