

October 2017

The Independent Compensation Panel (the 'Panel') met on two occasions and undertook one visit to a Claimant's property in October 2017.

10 & 16 October (ICP72)

Purpose

To determine medical special case and compensation claims and ratify the FLO Trigger Action Plans for tenants of Camelford House.

Panel Members

I was joined by a Medical Specialist, a Noise & Vibration Specialist, Compensation Specialists and Building Surveyors as appropriate for the cases being considered.

Decisions of the Panel

Item 1

The Panel received additional information from the Claimant that it had requested on 8 August 2017 (ICP#68) (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-717113). The Panel requires information from the Project as to whether there are any practical difficulties associated with installing secondary glazing within the habitable rooms of his property.

Item 2

The Panel received a claim for a quiet study environment (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-717107).

The Panel determined that a home visit is necessary to assess the impact of noise from Tideway's construction activities. On the basis of the site visit, it was determined that noise from the Tideway construction activities would have a significant adverse effect on anyone studying within the lounge. The claim was Approved, subject to conditions

Item 3

The Panel received additional information from a Claimant that it had requested on 19 September 2017 (ICP#71) (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-717115).

The Panel determined that:

1. The TAP noise mitigation package with HEPA filters is to be provided to all habitable rooms. If there are delays to the implementation of the noise mitigation package then temporary rehousing should be considered until the erection of the acoustic shed.
2. Black out blinds are to be provided to the bedroom.
3. Holiday respite for the school half term holiday in October 2017, subject to a specific claim being submitted to the Panel for approval.
4. We will review the situation once again after the noise mitigation package has been installed.

Item 4

The Panel received a medical case claim (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-717112). The Panel determined that the TAP noise mitigation package with HEPA filters is to be provided to all habitable rooms. Temporary respite of a few days would be appropriate until the noise mitigation package is installed.

Item 5

The Panel received a special medical case claim (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-717090). The Panel determined that it was very unlikely that the Claimant's daughter's medical problems were exacerbated by dust from Tideway's construction activities owing to the aspect of her flat facing away from the Tideway site. The claim is, therefore, Not Approved.

Item 6

The Panel received a special medical case claim (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-717109). The Panel notes that the property is eligible for TAP noise mitigation but the Claimant has declined to have it installed. No medical special case claim will be considered until the TAP noise mitigation measures that have been already offered have been installed at the property.

Item 7

The Panel received a special medical case claim (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-717114). The Panel notes that the property is eligible for TAP noise mitigation but the Claimant has declined to have it installed. No medical special case claim will be considered until the TAP noise mitigation measures that have been already offered have been installed at the property.

Item 8

The Panel received a special medical case claim (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-717089). The Panel requires additional information from both the Project and the Claimant in order to determine the claim.

Item 9

The Panel received a response from the Project regarding **Leeward Court** that it had requested on 19 September 2017 (ICP#71) (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-717108). Whilst the Panel appreciates the difficulties experienced in obtaining required information from the freeholder and the leaseholders within Leeward Court, we determined that matters remain outstanding and now require escalation

Item 10

The Panel received a draft TAP for **Camelford House**, 89 Albert Embankment, London SE1 7TW (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-717120) for the majority of the tenants. The Panel determined the tenants' TAPs, subject to Conditions.

Other Matters

The Panel is becoming increasingly concerned over the difficulties the Project is having with Peabody Housing Association in obtaining agreement to install noise mitigation measures (as well as other temporary rehousing matters) to the detriment of the social landlord's tenants, many of whom are extremely vulnerable. The Panel urges Tideway's CEO to open doors of communication with the CEO of Peabody Housing Association so that any difficulties can be resolved and outstanding matters speedily progressed.

24 October (ICP73)

Purpose

To determine medical special case and compensation claims.

Panel Members

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

Decisions of the Panel

Item 1

The Panel met with two Tideway personnel to discuss the findings of the ICP's site visit to 11 Luna House on 12 October 2017 (item 2, ICP#72 Minutes refers) and matters relating to the installation of the TAP noise mitigation package without mechanical ventilators.

Item 2

The Panel received a medical case claim (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-717138). The Panel did not approve the claim owing to the location and aspect of the Claimant's flat in relation to the Tideway site.

Item 3

The Panel received a medical case claim (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-717140). The Panel approved the claim and noted that a similar level of respite should be offered to that Claimant reference case 2350-TDWAY-TTTUN-990-ZZ-ZZ-716798 in order to be equitable.

Item 4

The Panel received a medical case claim (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-717139). The Panel determined that the most appropriate noise mitigation measure would be to install the TAP noise mitigation package in his bedroom. Until the package is installed, the Claimant is to be temporarily rehoused.

Item 5

The Panel received a special medical case claim (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-717137). The Panel approved the claim.

Item 6

The Panel received a special medical case claim (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-717170). The Panel approved the claim, in part, and wished to visit the Claimant's premises to assess the non-determined part of the claim.

Item 7

The Panel received a special medical case claim (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-717141). The Panel requests that the Project provide the Panel with predicted noise levels at the property to assist us determine the claim.

Item 8

The Panel received an update on outstanding cases that had been requested by the Chair.

Item 9

The Panel received a referral back from the ICC regarding the ICP's determination of a special medical case claim (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-716797). The

Panel considered the claim at its meeting on 12 September 2016 (ICP#70) and determined only with respect to one family member, notwithstanding the fact that the claim was also for two other persons. The Panel wishes to apologise to the Claimant and her family for this oversight and any concern this has caused.

The claim for the two other persons was Not Approved as, given the location of the Claimant's flat, it is highly unlikely that activities at the Tideway construction site would exacerbate their medical conditions.

Item 10

The Panel received a special medical case claim for two Claimants (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-717192). The Panel approved the claim from one Claimant (subject to the provision of receipts). The other Claimant was referred back to her GP for further treatment.