

INDEPENDENT COMPENSATION PANEL

MEETING #90 MINUTES [EDITED]

Purpose:	To determine special medical case claims.
Date and time:	Tuesday 26 June 2018 – 09.45 to 17.35
Location:	Tideway, Cottons Centre, Cottons Lane, London SE1 2QG
Panel Members:	John Wade [Chair] Graham Parry [Noise & Vibration Specialist] Stephen Stansfeld [Medical Specialist]
Abbreviations:	'Panel' means the Independent Compensation Panel 'Project' means Tideway 'TAP' means Trigger Action Plan
Document Number:	2350-TDWAY-TTTUN-990-ZZ-ZZ-718948

Item	Notes for the record
1	The Panel received additional medical information from a Claimant (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-718903) in response to the ICP's request on 13 February 2018 (ICP#80).

Decision:	<p>The Panel is awarding the TAP noise mitigation package (comprising secondary glazing and Titon Sonair mechanical ventilation units incorporating F6 arrestment filters fitted to external walls to remove dust before the air enters the room) in all habitable rooms having line of sight of Tideway's worksite. The mechanical ventilation is awarded to enable the Claimant to keep her windows closed to (i) gain the full noise reduction from the secondary glazing and (ii) ensure rooms are ventilated to reduce the risk of condensation and associated mould that may exacerbate her existing respiratory problems.</p> <p>The Claimant will be paid £55 for each mechanical ventilator per year, in advance, for the anticipated electricity running costs.</p>
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Item	Notes for the record
2	The Panel received queries from a Claimant (ref. 2350-TDWAY-TTTUN-990-ZZ- ZZ-718946) regarding the ICP's decision of 13 March 2018 (ICP#82).

Decision:	The Panel answered the Claimant's queries.
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	There was an omission by the ICP in our last determination, for which we apologise to the Claimant for any concerns or anxiety this has caused.
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Item	Notes for the record
3	The Panel received emails from a Claimant (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-718936), together with noise information from the Project following the ICP's request for information (ICP#87).

Decision:	The Panel requires a statement from the Claimant's GP that noise from Tideway's construction activities is adversely affecting her health and what might be the basis for this.
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Item	Notes for the record
4	The Panel received a request from a Claimant to have HEPA filters instead of the TAP noise mitigation package awarded by the ICP on 13 March 2018, ICP#82 (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-718941).

Decision:	<p>The Panel is firmly of the opinion that the best option for the Claimant is to have the TAP noise mitigation package (comprising secondary glazing and Titon Sonair mechanical ventilation units incorporating F6 arrestment filters fitted to external walls to remove dust before the air enters the room) in all habitable rooms having line of sight of Tideway's worksite rather than free-standing units that merely circulate air within a room through a HEPA filter. This solution would enable the Claimant to keep her windows closed to (i) gain the full noise reduction from the secondary glazing and (ii) ensure rooms are ventilated to reduce the risk of condensation and associated mould that may give rise to respiratory problems.</p> <p>The Claimant will be paid £55 for each mechanical ventilator per year, in advance, for the anticipated electricity running costs.</p>
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Item	Notes for the record
5	The Panel received a special medical case claim (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-718942) for a range of mitigation and respite measures.

Decision:	The Panel requires a visit to the Claimant's flat in order to determine the claim; this visit has been arranged.
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Item	Notes for the record
6	The Panel received a special medical case claim (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-718943) for a range of mitigation and respite measures.

Decision:	The Panel determined that the reported medical conditions were very unlikely to be exacerbated by dust from Tideway’s construction activities owing to her flat being both entirely shielded from the Tideway site by intervening buildings and being some distance away from the site. The claim is, therefore, <u>Not Approved</u> .
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Item	Notes for the record
7	The Panel received a special medical case claim (ref.2350-TDWAY-TTTUN-990-ZZ-ZZ-718937).

Decision:	The Panel would need more information on the current situation before determining the claim.
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Item	Notes for the record
8	The Panel received a special medical case claim (ref.2350-TDWAY-TTTUN-990-ZZ-ZZ-718937) for a range of mitigation and respite measures.

Decision:	The Panel would normally award the TAP noise mitigation package in each habitable room but, because of installation difficulties at Jacobs House, temporary rehousing is awarded. This award is to be reviewed by the ICP when the acoustic shed is completed.
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Item	Notes for the record
9	The Panel received a special medical case claim (ref.2350-TDWAY-TTTUN-990-ZZ-ZZ-718938) for daytime respite.

Decision:	The Panel requires additional information from the Project before we can determine the claim.
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Item	Notes for the record
10	The Panel received a special medical case claim (ref.2350-TDWAY-TTTUN-990-ZZ-ZZ-718945) for a range of measures.

Decision:	The Panel requires the further information from both the Claimant and the Project in order to determine the claim.
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Item	Notes for the record
11	The Panel received a special medical case claim (ref.2350-TDWAY-TTTUN-990-ZZ-ZZ-718939) for TAP noise mitigation.

Decision:	<p>The Panel awards the TAP noise mitigation package in all habitable rooms (qualified).</p> <p>The Claimant will be paid £55 for each mechanical ventilator per year, in advance, for the anticipated electricity running costs.</p>
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Item	Notes for the record
12	The Panel received a query from a Claimant regarding returning home (ref.2350-TDWAY-TTTUN-990-ZZ- ZZ-718939).

Decision:	The Panel extends temporary rehousing until the acoustic shed is completed. It will be for the Claimant to make a decision as to whether to return home at the end of September or not.
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Item	Notes for the record
13	<p><i>Urgent medical case</i></p> <p>The Panel received a request from a Claimant (ref.2350-TDWAY-TTTUN-990-ZZ- ZZ-718952) in response to the ICP's determination of 12 June 2018 (ICP#89).</p>

Decision:	The Panel agreed with the request.
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Item	Notes for the record
14	The Panel were due to receive evidence from the Project to demonstrate, to the ICP's satisfaction, that the principles of best practicable means are being followed and adhered to at the Carnwath Road worksite. The Chair was offered a presentation after the deadline for receipt of papers. The Chair stated that he wanted the evidence in the form of a written report.

Decision:	The Panel ratified the Chair's decision. The offer of temporary night-time rehousing or mobile air conditioning units for each bedroom (ICP#89 refers) is extended until the end of July 2018 for those Claimants previously identified for such measures.
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Item	Notes for the record
15	<p><i>Urgent medical case</i></p> <p>The Panel received a query from a Claimant (refs.2350-TDWAY-TTTUN-990-ZZ- ZZ-718907 and 2350-TDWAY-TTTUN-990-ZZ- ZZ-718982) in response to the ICP's determination of 22 May 2018 (ICP#87).</p>

Decision:	The Panel requires a letter from the beneficiaries' GP responding to the following statement and question before we can determine the claim: [Statement and question redacted]
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Other matters:	<ol style="list-style-type: none"> 1. The Panel is surprised to see that CVB's section 61 application dated 27 April 2018 (ref. 5700-CVBJV-CHAWF-151-TZ-PF-004418-P02) indicates that the reduction in noise during Standard Working Hours at the Chambers Wharf worksite following the completion of the acoustic shed is not predicted to be materially significantly lower than before the acoustic shed is erected, contrary to the predicted large reduction during Extended Working Hours. In making awards for temporary rehousing and various forms of respite until the completion of the acoustic shed, the ICP has assumed that all particularly noisy activities would take place within the acoustic shed; this now does not appear to be the case and we may have to extend the temporary rehousing and respite awards further. <p>In order to help us understand the situation more fully, we invite CVB and Tideway's Noise & Vibration Advisor to meet with us and give a presentation on the activities that will take place outside the acoustic shed at our next meeting on 10 July 2018.</p> <ol style="list-style-type: none"> 2. The Panel met with the ICC regarding a case that we had considered. 3. The Panel were interviewed by Sarah Bell (University College London) as part of the community engagement with infrastructure research project funded by the Engineering and Physical Sciences Research Council.
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I confirm that these minutes are an accurate record of the proceedings of the meeting.

Signed *John Wade*

Date 28 June 2018

John Wade
Chair, Independent Compensation Panel