

INDEPENDENT COMPENSATION PANEL

MEETING #85 MINUTES [EDITED]

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| Purpose: | To determine special medical case and compensation claims. |
| Date and time: | Wednesday 25 April 2018 – 09.45 to 16.15 |
| Location: | Tideway, Cottons Centre, Cottons Lane, London SE1 2QG |
| Panel Members: | John Wade [Chair] Stephen Stansfeld [Medical Specialist] Graham Parry [Noise & Vibration Specialist] |
| Abbreviations: | 'Panel' means the Independent Compensation Panel 'Project' means Tideway 'TAP' means Trigger Action Plan |
| Document Number: | 2350-TDWAY-TTTUN-990-ZZ-ZZ-718778 |

| Item | Notes for the record |
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| 1 | The Panel received an email from a Claimant (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-718766) regarding the ICP's visit to assess the thermal comfort within his flat that the ICP requested before the compensation claim could be determined (ICP#78 refers). |

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| Decision: | The Panel is offered a date to visit. |
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| Item | Notes for the record |
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| 2 | The Panel received an email from a Claimant (ref. 2350-TDWAY-TTTUN-990-ZZ- ZZ-718770) following the ICP's request on 13 March 2018 (ICP#82) for additional information. |

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| Decision: | The Panel awarded respite for the Claimant until the acoustic shed is constructed. |
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| Item | Notes for the record |
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| 3 | The Panel received a request for periodic respite from a Claimant (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-718767). The ICP approved a claim for respite, in principle, on 14 November 2017 (ICP#74), but was unclear as to the Claimant's wishes, requesting that the Project discussed the possible options with her so that the ICP could agree specific respite at some future date. |

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| Decision: | The Panel awarded respite for the Claimant and a carer until the acoustic shed is constructed. |
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| Item | Notes for the record |
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| 4 | The Panel received additional information (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-718773) requested by the ICP on 13 March 2018 (ICP#82) pertaining to a claim. |

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| Decision: | The Panel needs to visit the Claimant's property before determining the claim. This has been provisionally arranged for 3 May 2018. |
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| Item | Notes for the record |
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| 5 | The Panel received a special medical case claim for daytime respite payments (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-718768). |

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| Decision: | <p>Whilst noise levels at the Claimant's property are not predicted to be particularly high, the Panel is awarding the Claimant one day respite per week as a precaution against a risk of relapse (up to £30 per day, on production of receipts and in accordance with Tideway's standard conditions).</p> <p><u>The Panel will review the claim at its meeting on 23 October 2018 when additional on-site mitigation is expected to be in place.</u></p> |
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| Item | Notes for the record |
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| 6 | The Panel received a special medical case claim for (i) replacement of existing windows with up to date, more effective double glazing and (ii) air conditioning that would vent through external wall vents (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-718771). The Project notes that the Freeholder will not allow any openings in the facade. |

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| Decision: | The Panel needs to visit the Claimant's property before determining the claim. This has been provisionally arranged for 3 May 2018. |
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| Item | Notes for the record |
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| 7 | The Panel received a special medical case claim for (i) daily daytime respite for herself and her friend (acting as a carer) and (ii) mechanical ventilation with HEPA filtration (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-718772). |

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| Decision: | <p>The Panel awarded the following:</p> <ol style="list-style-type: none"> 1. One day respite break per week <u>with a carer</u> until such time as the footpath has been reinstated, the hoarding for the river wall removed and the footpath is considered fit to be reopened by the London Borough of Hammersmith and Fulham (up to £30 per day, on production of receipts and in accordance with Tideway's standard conditions). 2. Recognising (i) the time that it would take to install a mechanical ventilator with HEPA filter and (ii) the time remaining for the river wall works to be completed, the Panel considers that the most expeditious solution would be to provide funding for a free-standing mechanical unit with HEPA filtration until the footpath has been reinstated, the hoarding for the river wall removed and the footpath is considered fit to be reopened by the London Borough of Hammersmith and Fulham. |
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| Item | Notes for the record |
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| 8 | The Panel received a special medical case claim for financial compensation (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-718774) for both the Claimant and her son. |

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| Decision: | <p>The Panel determined the following:</p> <p><u>Claimant</u> Information from the Claimant's GP on the severity of her asthma, medication history and current status of her underactive thyroid is required before the claim can be determined</p> <p>The Claimant is to note that the Standard Case payments of £30 per day were a Tideway initiative and not awarded by the ICP. The ICP does not award financial compensation without justifiable reason. Should the ICP make an award in this case, it would be in the form of respite, the costs associated with which would need to be claimed on production of receipts (up to a cap that the ICP would specify) and in accordance with Tideway's standard conditions.</p> <p><u>Claimant's son</u> The Panel is of the view that the Claimant's son has access to many places that offer a quiet study environment (e.g. university or local library) and, therefore, dismisses this aspect of the claim.</p> |
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| Item | Notes for the record |
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| 9 | <p>The Panel received a special medical case claim for (i) on-going respite and (ii) temporary rehousing for himself, his wife and his undergraduate son for the length of the project at Carnwath Road (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-718769).</p> <p><u>Post meeting note</u> - the Chair became aware after the meeting that (i) the Claimant's property is eligible for TAP noise mitigation and that (ii) the Claimant only recently verbally accepted the TAP noise mitigation package.</p> |

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| Decision: | <p>The Panel considers that there is insufficient evidence that the levels of noise that the Claimant will be exposed to going forward is sufficient to warrant temporary rehousing. However, there is a medical case that renders the Claimant sensitive to noise and respite was awarded.</p> <p>The Claimant's son is at university. The Panel is of the view that the Claimant's son has access to many places that offer a quiet study environment (e.g. university or local library) until the TAP mitigation is in place and, therefore, dismisses this aspect of the claim.</p> |
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| Item | Notes for the record |
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| 10 | <p><i>Urgent Medical Case</i></p> <p>There were no cases received after the cut-off date for receipt of papers that required urgent attention by this Panel.</p> |

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

Signed *John Wade*

Date 26 April 2018

John Wade
Chair, Independent Compensation Panel