

# INDEPENDENT COMPENSATION PANEL

## MEETING #82 MINUTES [EDITED]

<b>Purpose:</b>	To determine special medical case claims and Trigger Action Plans.
<b>Date and time:</b>	Tuesday 13 March 2018 – 09.00 to 19.30
<b>Location:</b>	Tideway, Cottons Centre, Cottons Lane, London SE1 2QG
<b>Panel Members:</b>	John Wade [Chair] Graham Parry [Noise & Vibration Specialist] Alan Doherty [Building Surveyor] for items 1 to 3 Richard Pugh [Compensation Specialist] for item 4 Stephen Stansfeld [Medical Specialist] for items 4 to 11
<b>Abbreviations:</b>	'Panel' means the Independent Compensation Panel 'Project' means Tideway 'TAP' means Trigger Action Plan 'FLO' means Ferroviol Agroman Laing O'Rourke JV
<b>Document Number:</b>	2350-TDWAY-TTTUN-990-ZZ-ZZ-717896

Item	Notes for the record
1	<p>The Panel received an update on the noise mitigation proposals for Leeward Court (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-717892); ICP#80 refers. The floor plan provided is reproduced below with room numbers added in blue for ease of reference.</p> <p style="text-align: center;"><b>Figure 2.3 – Titon Sonair Penetration Proposed Location</b></p> <p style="text-align: center;">Rm1 Rm2 Rm3 Rm4 Rm5 Rm6 Rm7 Rm8 Rm9 Rm10 Rm11</p>

	We have assumed all other floors match this floor layout and, therefore, our comments apply to all floors.
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<b>Decision:</b>	<p><b>Ventilation</b></p> <ol style="list-style-type: none"> <li>1. The Panel requires (i) as-built drawings to show the position of the rainwater downpipes, and (ii) information from CVB to understand why this may affect the Sonair penetration. The Panel is aware from Stephen Scanlon (CVB) that such drawings are available.</li> <li>2. Rooms 1 &amp; 11 – it is stated that the Sonair penetration is not suitable in these rooms. Have alternative elevations been considered? There is no reason why the Sonair units need to be on the same elevation as windows provided with secondary glazing required by the TAP (provided they still serve the mitigated room).</li> <li>3. Rooms 5 &amp; 8 – it is stated that the Sonair penetration is not suitable in these rooms. The floor plan indicates an area of brick/blockwork on one side of the balcony. The Panel wishes to understand why this masonry area is not suitable for the Sonair penetration works?</li> <li>4. Room 10 requires further deliberation.</li> <li>5. The Panel requires a phased programme of the TAP mitigation works where Sonair penetration works have been shown to be feasible to ensure that the TAP mitigation works now progress in a timely manner.</li> <li>6. The Panel requires evidence that the Local Planning Authority has stated that Planning Permission is required for the Sonair penetration works.</li> </ol> <p><b>Balcony screening</b></p> <ol style="list-style-type: none"> <li>7. The Panel understands from Stephen Scanlon that a structural survey has been undertaken of the balconies to determine their load-bearing capacity; the Panel requires the survey report.</li> </ol> <p><b>General</b></p> <ol style="list-style-type: none"> <li>8. The Panel requires the latest section 61, Dispensation and Variation applications to better understand the potential noise impacts on Leeward Court residents.</li> <li>9. Latest 6-month look ahead.</li> </ol> <p>The Panel requires all of this information for its 26 March 2018 meeting.</p>
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Item	Notes for the record
2	The Panel received an acoustic report and update from FLO in response to the Conditions imposed by the ICP on the Camelford House TAP at meetings #72 and #77 (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-717887).

	<p>The noise report submitted by the contractors in respect of the testing of the sound insulation characteristics of Camelford House is accepted as being appropriate to inform the noise mitigation measures for the property. We note however that the reference in the text refers to the use of the <i>British Standard EN ISO 140-5:1998 (Acoustics – Measurement of sound insulation in buildings and of building elements – Part 5: Field measurements of airborne sound insulation of facade elements and facades)</i>. It should be noted that the British Standard has been updated and should properly be referenced as the replacement <i>BS EN ISO 16283-3:2016</i>. The ICP Noise and Vibration Specialist panel member is of the view that technically there would have been no difference to the results identified in the Camelford House – Window Sound Insulation Test Results (21st February 2018) report or the conclusions to be drawn from that report.</p>
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<b>Decision:</b>	The Panel cleared Conditions 2, 3, 4 and 5 and awaits the programme required by Condition 1.
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Item	Notes for the record
3	The Panel received a draft TAP for Link Financial Services, Camelford House (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-717893).

<b>Decision:</b>	<p>The Panel <b>Approved</b> the Link Financial Services' TAP, <u>subject to the following Conditions being met:</u></p> <ol style="list-style-type: none"> <li>1. The ICP being provided with the programme for monitoring the performance of the mechanical ventilation system during the works (this is a requirement for all Tideway TAPs).</li> <li>2. Corrective actions that will be taken in the unforeseen event that measured noise or vibration were to reach the trigger values without required off-site mitigation being in place are to be submitted to the ICP for approval (this is a requirement for all Tideway TAPs).</li> </ol> <p>The programme of repairs proposed is sufficient insofar as it relates to the secondary glazing only.</p>
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Item	Notes for the record
4	<p><i>Urgent Medical Case</i></p> <p>The Panel received a special medical case claim on behalf of a Claimant (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-717901).</p>

<b>Decision:</b>	The Panel granted (i) some conditional respite and (ii) conditional therapy sessions.
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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-717889).

<b>Decision:</b>	The Panel determined that it would be helpful to have (i) an up to date account of the Claimant's condition following a recent medical appointment and (ii) her own account of how the Tideway construction works are affecting her health before we can make a decision.
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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-717890).

<b>Decision:</b>	The Panel determined that a suitably adapted TAP noise mitigation package to facilitate ease of opening the primary and secondary glazing, together with mechanical ventilators (to reduce the need to open windows for ventilation), would be the best solution for the Claimant. An Occupational Therapist would be able to give the Project the appropriate adaptation advice.
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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-717888).

<b>Decision:</b>	The Panel requires current section 61 noise predictions and with the acoustic shed in place at the Claimant's property to inform our decision.
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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-717891).

<b>Decision:</b>	The Panel requires the latest section 61 application and noise measurement results for the past month from the noise monitor closest to the Claimant's property to inform our decision.
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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-717894).

Decision:	The Panel awarded respite, with conditions.
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Item	Notes for the record
10	<i>Urgent Medical Case</i> The Panel received an email from a Claimant (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-717900) rejecting the respite awarded by the Panel on 13 February 2018 (ICP#80).

Decision:	<p>The decision of the Panel of respite breaks stands. The Panel has recommended a level of respite similar to other families with children with asthma whom the Panel has reviewed.</p> <p>Should we receive further information about the Claimant's medical condition from her GP and whether it is considered to be worsened by exposure to Tideway construction activities, we will review whether the level of respite should be increased.</p> <p>The Panel would find it helpful to have information on the structure of a certain building element and a view on the possibility of installing a HEPA ventilator into it.</p>
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Item	Notes for the record
11	<p>The Panel visited a Claimant to assess light intrusion (ICP#80 refers). The claim related to three matters: noise, dust and light intrusion. Taking each in turn,</p> <p><u>Noise</u> The acoustic shed has been constructed which for shaft and tunnelling works reduces noise levels and acts as a noise barrier for many of the other activities on the site. This was erected earlier than required which has meant reduced noise on site for a longer period. Predicted construction noise levels are relatively low compared to existing ambient noise levels and are shown in the s61 as ranging between 63-67 L<sub>Aeq</sub> for January to March 2018. There are no predicted exceedances of the noise insulation or temporary housing limits and recent nearby noise monitoring also indicates no exceedances of the noise limits. A site visit to the Claimant's property on the 13 March 2018 identified that site noise levels were presently indistinguishable from ambient noise levels from traffic on the main road and other construction activities in the immediate area.</p> <p><u>Lighting</u> Light levels from the Tideway site did not intrude into the property and there was no discernible glare from the lighting on the construction site. This was in marked contrast to the level of lighting on another construction site where a large number of bright lights dominated the area.</p>

	<p><u>Dust</u> There were accumulations of dust on the frame of the louvre windows in the window garden and on the tops of the louvre glass panes themselves which, according to the Claimant, had accumulated over a few months.</p> <p>The Claimant commented that noisy activities and lights change on the site which cause her problems; once she contacts the Project, the matters are rectified.</p>
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<p><b>Decision:</b></p>	<p>The Panel makes the following recommendations:</p> <ol style="list-style-type: none"><li>1. The Project to employ best practicable means at all times, especially when introducing a new or altered activity which may give rise to noise or light impacts.</li><li>2. The Claimant to record in writing any site activities that cause her a problem, even if they happen at night, and pass the information to Louise Davis, in the first instance. If such occurrences become too frequent and/or the problem(s) persist, the Claimant is asked to make <a href="mailto:admin@tidewayicp.london">admin@tidewayicp.london</a> aware.</li><li>3. The Claimant to clean the winter garden area (particularly the frame of the louvre windows and the tops of the louvre glass panes) and submit photos after one month to <a href="mailto:admin@tidewayicp.london">admin@tidewayicp.london</a> if she finds an unacceptable level of new dust deposition.</li></ol>
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I confirm that these minutes are an accurate record of the proceedings of the meeting.

Signed *John Wade*

Date 15 March 2018

**John Wade**  
*Chair, Independent Compensation Panel*