

INDEPENDENT COMPENSATION PANEL

MEETING #81 MINUTES [EDITED]

Purpose:	To determine special medical case and compensation claims.
Date and time:	Tuesday 6 March 2018 – 09.00 to 14.30
Location:	Tideway, Cottons Centre, Cottons Lane, London SE1 2QG
Panel Members:	John Wade [Chair] Chris Kench [Compensation Specialist] for items 1 and 4 to 8 Richard Pugh [Compensation Specialist] for items 1 and 4 to 8 Stephen Stansfeld [Medical Specialist] for items 1 to 5 Graham Parry [Noise & Vibration Specialist] for items 1 to 5
Abbreviations:	'ES' means the Environmental Statement Volume 18: Blackfriars Bridge Foreshore site assessment (Doc Ref: 6.2.18) 'Panel' means the Independent Compensation Panel 'Project' means Tideway 'Section 61' refers to Section 61 of the Control of Pollution Act 1974 'TAP' means Trigger Action Plan
Document Number:	2350-TDWAY-TTTUN-990-ZZ-ZZ-717857

Item	Notes for the record
1	The Panel discussed the compensation claim following the visit to the Claimant's offices (ICP#80, item 4 refers) and noted his request of 13 February 2018 (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-717852).

Decision:	On the basis that the office is used from time to time for teleconferences in line with an executive office use, the ICP have determined that, until such time as the coffer dam works are completed, then the business should have access to an office of comparable size and standard as and when it needs it. Such office should preferably be within the existing building to facilitate ease of use, either to an office that is further away from (or with no line of sight of) the construction site or an office which benefits from secondary or double-glazing with alternative means of ventilation to allow the windows to be kept closed during the summer months.
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Item	Notes for the record
2	The Panel received an email from a Claimant regarding the text of the ICP#80 Minutes (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-717883) and raising some other points.

Decision:	<p>On the basis of the precautionary principle, the Panel Approves respite breaks for two days a week (up to a maximum of £30 per day, on production of receipts and in accordance with Tideway's standard conditions) subject to conditions.</p> <p>The Panel answered the Claimant's queries and requested that the Project take some actions without delay.</p>
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Item	Notes for the record
3	The Panel considered a claim for respite (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-717854).

Decision:	<p>Determination The requested respite was Approved, subject to a defined end date.</p> <p>Request for information from the Project The Panel requested some information on operational matters raised by the Claimant ready for the ICP meeting of 26 March 2018.</p>
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Item	Notes for the record
4	The Panel received an email from the Project regarding a Claimant's abuse of temporary accommodation the Panel approved (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-717849).

Comment:	The Panel offered advice in relation to (i) this Claimant's case and (ii) agreements that may be entered into with Claimants in the future.
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Item	Notes for the record
5	The Panel received the additional information it had requested at its meeting on 12 December 2017 (ICP#76) in relation to a claim for legal costs (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-717855).

Decision:	As (i) the claim was unsuccessful, (ii) no fee agreement has been sought with Tideway and (iii) the requested copy of the letter of engagement was not supplied, the Panel does not award any legal costs .
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Item	Notes for the record
6	The Panel received a claim for compensation for loss of rent (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-717850).

	The Claimant purchased the property in full knowledge of the Project and the Panel has to assume that, acting as a prudent investor owner, he would have researched the levels of rent that could be achieved both during and after the works and reflected this in the price he paid for the property. On the assumption that the price paid reflected the works and their effect on rental value, the applicant has suffered no loss.
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Decision:	The Panel considers that the Claimant has not suffered any loss and, therefore, no compensation is payable.
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Item	Notes for the record
7	The Panel received additional information in relation to a claim for loss of rent (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-717851); ICP#76 refers.

Decision:	The Panel awarded an appropriate level of compensation having regard to similar levels the Panel has awarded to other Claimants.
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Item	Notes for the record
8	The Panel received a compensation claim for loss of business (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-717853).

Decision:	The Panel awarded an interim payment covering the period of the claim.
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I confirm that these minutes are an accurate record of the proceedings of the meeting.

Signed *John Wade*

Date 12 March 2018

John Wade
Chair, Independent Compensation Panel