

INDEPENDENT COMPENSATION PANEL

MEETING #103 MINUTES [EDITED]

Purpose:	To determine compensation and special medical case claims.
Date and time:	Tuesday 13 November 2018 – 09.00 to 16.30
Location:	Tideway, Cottons Centre, Cottons Lane, London SE1 2QG
Panel Members:	John Wade [Chair] Chris Kench [Compensation Specialist] for items 1 to 4 Helen Shann [Compensation Specialist] for items 1 to 4 Richard Pugh [Compensation Specialist] for items 1 to 4 Stephen Stansfeld [Medical Specialist] for items 4 to 12 Graham Parry [Noise & Vibration Specialist] for items 4 to 12
Abbreviations:	'Panel' means the Independent Compensation Panel 'Project' means Tideway 'TAP' means Trigger Action Plan
Document Number:	2350-TDWAY-TTTUN-990-ZZ-ZZ-719781

Item	Notes for the record
1	<p>The Panel received a progress report from Tideway on their discussions with a claimant (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-719783) in response to the ICP's request on 11 September 2018 (ICP#98) viz.</p> <p><i>Detailed discussions should take place between Tideway and the Claimant with a view to attempting to agree the appropriate level of compensation. The Panel wishes to receive a progress report on these discussions for our 13 November 2018 meeting.</i></p>

Decision:	The Panel wishes to receive an initial report from the newly appointed forensic accountant at the ICP's meeting on 15 January 2019, together with Tideway's view as to what further interim payment is now appropriate and why.
------------------	---

Item	Notes for the record
2	The Panel received a representation from a claimant in respect of her 2017 compensation payment (ref. 2350-TDWAY-TTTUN-990-ZZ- ZZ-719777).

Decision:	The Panel responded to the representation.
------------------	--

Item	Notes for the record
3	The Panel received a submission from claimants (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-719776) in relation to compensation for loss of rent.

Decision:	The Panel thanks the applicants for their very detailed submission but notes that, unfortunately, there is still some relevant information that the Panel needs to see before it can confirm any further award. The Panel specified the information required.
------------------	---

Item	Notes for the record
4	The Panel received a compensation claim for financial compensation for the noise disturbance and air pollution associated with activities at the Carnwath Road worksite (ref. 2350-TDWAY-TTTUN-990-ZZ- ZZ-719784).

Decision:	Based on the very limited information provided and our knowledge of noise and air quality as they affect The Piper Building, this does not appear to be a valid claim and, accordingly, is not approved .
------------------	--

Item	Notes for the record
5	The Panel received an email in relation to a claim for a respite holiday (ref. 2350-TDWAY-TTTUN-990-ZZ- ZZ-719778) in response to the ICP's determination on 26 June 2018 (ICP#90).

Decision:	The Panel awarded the claim in part, subject to conditions.
------------------	---

Item	Notes for the record
6	The Panel received a claim for TAP noise mitigation and respite breaks (ref. 2350-TDWAY-TTTUN-990-ZZ- ZZ-719774).

Decision:	The Panel awarded TAP noise mitigation and respite breaks, subject to conditions.
------------------	---

Item	Notes for the record
7	The Panel received a claim for a range of mitigation measures (ref. 2350-TDWAY-TTTUN-990-ZZ- ZZ-719785).

Decision:	<p>The claimant's flat looks westwards towards the acoustic shed and should be largely protected from construction noise events at night.</p> <p>As (i) the noise control measures for the site appear to be working and (ii) the noise levels are also not identified as exceeding any trigger action levels, the claim is not approved.</p>
------------------	--

Item	Notes for the record
8	The Panel received a special medical case claim requesting an extension to the respite the ICP awarded on 12 September 2017 (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-719775).

Decision:	<p>The claimant's property has direct line of sight towards the Chambers Wharf worksite. The respite should be extended until the acoustic shed is fully operational, although we will need to understand exactly what the noise levels are beyond that time should the Claimant wish to make a claim for a further extension of the agreed respite.</p>
------------------	--

Item	Notes for the record
9	The Panel received a special medical case claim for a range of mitigation measures (ref. 2350-TDWAY-TTTUN-990-ZZ- ZZ-719773).

Decision:	<p>The health of both claimants is seriously health compromised. However, their property is so far from the Carnwath Road worksite as to be unaffected now that the acoustic shed is in place and they should be reassured by this. Accordingly, the claim is not approved.</p>
------------------	--

Item	Notes for the record
10	The Panel received a special medical case claim for various forms of noise mitigation (ref. 2350-TDWAY-TTTUN-990-ZZ- ZZ-719782).

Decision:	<p>We are deferring our determination following receipt of information regarding the works programme after the meeting had closed. Unfortunately, the Panel is not able to reconvene until 20 November 2018 and our decision will appear in the Minutes of that meeting (ICP#104).</p>
------------------	--

Item	Notes for the record
11	The Panel received further information from Tideway relating to a request from the Panel on 23 October 2018, ICP#102 (ref. 2350-TDWAY-TTTUN-990-ZZ- ZZ-719792).

Decision:	We are deferring our determination following receipt of information regarding the works programme after the meeting had closed. Unfortunately, the Panel is not able to reconvene until 20 November 2018 and our decision will appear in the Minutes of that meeting (ICP#104).
------------------	---

Item	Notes for the record
12	The ICP's Medical Specialist, Noise & Vibration Specialist, myself and some members of Tideway's Property Team visited the Greenwich worksite area in anticipation of claims relating to out of hours working to erect the acoustic shed close to the DLR.

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

Signed *John Wade*

Date 16 November 2018

John Wade
Chair, Independent Compensation Panel