

Monthly Report of the Independent Compensation Panel Chair

February 2016

The Independent Compensation Panel (the 'Panel') met on two occasions in February 2016.

10 February (am)

Purpose

To approve Trigger Action Plans for Battersea Barge houseboat (Nine Elms Lane) and houseboats at Putney Pier (The Embankment, Putney) and Tideway Dock (Tideway Walk, Kirtling Street).

Panel Members

I was joined by a Building Surveyor and a Noise and Vibration Specialist.

Decisions of the Panel

Battersea Barge – the Panel did not approve the Trigger Action Plan as there was an unacceptable level of errors in the document.

Putney Pier Houseboats – the Panel approved the Trigger Action Plan.

Tideway Dock Houseboats – the Panel did not approve the Trigger Action Plan as (i) it did not contain any maintenance and repair obligations and (ii) there was an unacceptable level of errors in the document.

10 February (pm)

Purpose

To consider:

1. The compensation being proposed for loss of rental income from the required vacation and removal of the Kasamaja houseboat from Nine Elms Pier to facilitate the construction works.
2. The Trigger Action Plan equivalent rehousing claim put before the Project by the owners of the Rockland houseboat (Nine Elms Pier) and the Project's response.

Panel Members

I was joined by a Building Surveyor, a Chartered Surveyor and a Noise and Vibration Specialist.

Decisions of the Panel

1. The Panel considered that the proposed weekly rental compensation would not be disadvantageous to the owners of Kasamaja.

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2. The Panel considered that alternative accommodation should be made available to the occupiers of Rockland as respite during the periods when they will be subjected to a significant adverse effect due to noise from the construction activities.

The alternative accommodation should be furnished, be of reasonably equivalent functional space to that currently enjoyed on the Rockland houseboat and a reasonable distance from Nine Elms Pier. The respite accommodation does not have to be of a similar size to Rockland, nor does it have to provide a river view, but needs to be sufficient for the houseboat owners to carry on, as far as is reasonably possible, their normal lives away from the construction site at times when they feel unable to remain on the Pier.

In reaching agreement on the Trigger Action Plan compensation package offered, there needs to be recognition that the Rockland houseboat is outside the LLAU and, therefore, the compensation package should not exceed that afforded to houseboat owners within the LLAU (whose residences have to be vacated and moved to facilitate the works).

Other Work

Protocol for Personal Representations before the Panel

The Panel produced a protocol for anyone (claimants or Project) wishing to make personal representation before the ICP (attached).

Non-statutory off-site mitigation and compensation policy

Proposed amendments to the *Non-statutory off-site mitigation and compensation policy* to reflect the role of the ICP where a compensation package is agreed between all parties were submitted to the Project for comments prior to consulting local authorities on the changes.

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Independent Compensation Panel (ICP) Personal Representation Protocol

The Independent Compensation Panel (ICP) will hear personal representations from claimants and the Project, individually, in accordance with the following protocol:

1. Written evidence is to be provided to the ICP no later than 7 days before the ICP meeting
2. All ICP meetings will take place at Tideway's offices - The Point, 37 North Wharf Road, Paddington, London
3. Claimants will be given an appointment and may address the ICP for no longer than 20 minutes
4. The ICP may ask questions to clarify any points but will not enter into any discussion on any aspect of the claim or the project, in general
5. The claimant will leave the meeting
6. The Project will be given an appointment and may address the ICP for no longer than 20 minutes
7. The ICP may ask questions to clarify any points but will not enter into any discussion on any aspect of the claim or the project, in general
8. The Project will leave the meeting
9. The ICP will write to all parties with its decision within 7 working days, subject to ICP members' availability to sign off the decision
10. There is to be no provision of additional information after the ICP meeting unless requested by the ICP
11. There is to be no lobbying of ICP members prior to the decision being announced