

Monthly Report of the Independent Compensation Panel Chair

September 2016

The Independent Compensation Panel (the 'Panel') met on three occasions in September 2016.

19 September

Purpose

To determine compensation claims for three medical special cases.

Panel Members

I was joined by a Medical Specialist and a Noise & Vibration Specialist.

Decisions of the Panel

Medical special case 1

The Panel considered medical case 2350-TDWAY-TTTUN-990-ZZ-MR-100001 and determined that:

1. Respite is to be offered for the duration of the demolition of the eastern section of the jetty when the noisy activities are at their worst.
2. Owing to the particular medical condition of the Claimant, the sound insulation mitigation package is to be installed in all habitable rooms on the southern facade of the property as part of an overall package of mitigation in all habitable rooms to protect the Claimant from the adverse impact of noise from construction activities on his health.

Medical special case 2

The Panel considered medical case 2350-TDWAY-TTTUN-990-ZZ-OL-100002. The Panel rejected the claim as there was no demonstrable link between the Claimant's medical conditions and noise and dust exposure.

Medical special case 3

The Panel considered medical case 2350-TDWAY-TTTUN-990-ZZ-OL-100003. The Panel determined that the Claimant should assess the effectiveness of the sound insulation mitigation package and make representation to the Panel at some date in the very near future should the medical conditions of the Claimant's relatives be found to be exacerbated by noise from the construction activities.

Other matters

The Panel confirmed the view of the Medical Specialist in email correspondence with one of the Project's Civil Design Engineers (ref. 2350-TDWAY-TTTUN-990-ZZ-OL-100006) that vibration would not be likely to affect the health of a young child who had previously been granted respite by the Panel for a short period as a special medical case.

The Panel noted that the outstanding offer of a noise survey had not been taken up by the Claimant.

Monthly Report of the Independent Compensation Panel Chair

22 September (am)

Purpose

To determine two compensation claims.

Panel Members

I was joined by a two Chartered Surveyors.

Decisions of the Panel

Claim 1

The Panel considered further a claim for compensation for the necessary relocation of a business it had discussed at its meeting on 12 April 2016 (ICP#19), following the receipt of additional information.

On balance, the Panel Approved the recommended settlement figure, provided it is in full and final settlement of all heads of claim.

Claim 2

The Panel considered the further information provided by the Claimant for loss of flat rental income and reconsidered the information originally provided for the meeting on 10th May 2016 (ICP#23).

The claim was Not Approved, but favourable consideration would be given to the claim by the Panel if evidence could be provided to prove that the loss of the additional nights' rental was as a direct consequence of the Project's construction works.

22 September (pm)

Purpose

To consider a proposal to provide a permanent replacement slipway to the Shadwell Basin Outdoor Activity Centre.

Panel Members

I was joined by a Chartered Surveyors and a Civil Engineer.

Decisions of the Panel

The Panel approved the principle of providing a permanent replacement slipway to SBOAC but required the final design to be brought before a future meeting of the Panel to address the concerns and issues raised.