

Monthly Report of the Independent Compensation Panel Chair

July 2017

The Independent Compensation Panel (the 'Panel') met on two occasions in July 2017.

11 & 12 July (ICP66)

Purpose

To determine draft Trigger Action Plans, compensation claims and medical special case claims.

Panel Members

I was joined by a Medical Specialist, a Noise & Vibration Specialist, Compensation Specialists and a Building Surveyor for appropriate items.

Decisions of the Panel

Item 1

The Panel received a business compensation claim (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-716628). The Panel required more information before it could determine the claim.

Item 2

The Panel received a compensation claim (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-716627). The Panel required more information before it could determine the claim.

Item 3

The Panel received the additional information from a Claimant (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-716629) it had requested at its meeting on 23 June 2017 (ICP#64). The claim was deferred, pending further research.

Item 4

The Panel received a query from a Claimant (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-716635) regarding the compensation she was awarded by the Panel on 10 January 2017 (ICP#50). The Panel will review the compensation awarded following receipt of requisite documentation.

Item 5

The Panel received a revised draft Trigger Action Plan for Camelford House, 89 Albert Embankment, London SE1 7TW (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-716626) and FLO's supporting information pack (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-716560) following the last meeting of the Panel (ICP#65). The TAP was Approved in principle, subject to Conditions.

25 July (ICP67)

Purpose

To determine medical special case claims.

Panel Members

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

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Decisions of the Panel

Item 1

The Panel received a special medical case respite claim (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-716624). The claim for respite was Not Approved. The Panel determined, however, that the noise mitigation package (with HEPA filters) should be installed in all habitable rooms.

Item 2

The Panel received a special medical case respite claim (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-716640). The claim for respite was Not Approved. The Panel determined, however, that the noise mitigation package (with HEPA filters) should be installed in all habitable rooms.

Item 3

The Panel received a special medical case claim for respite and a fan (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-716642). The claim for respite and a fan was Not Approved owing to the likelihood of the noise and dust coming from the construction activities at St Michaels Catholic College.

Item 4

The Panel received a special medical case claim (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-716643). The Panel required more health information in terms of a letter from the General Practitioner and/or outpatient letters and medical/prescription histories before the claim can be determined.

Item 5

The Panel received a special medical case claim (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-716641). The Panel required more health information before the claim can be determined.

Item 6

The Panel received a special medical case claim (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-716639). The claim for respite was Not Approved.

Item 7

The Panel received an update on a special medical case (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-716672). The Panel determined that respite be extended until 31 March 2018; this will be reviewed in light of the medical consultation in January 2018.

Item 8

The Project received a request from a Claimant for further special case consideration following a period of respite (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-716673). The Project asked the Panel what additional information would be required before presenting the case to the Panel for its consideration. The Panel advised on the information required.

Other Matters

1. The Panel noted that a number of claims are being received relating to dust from the Chambers Wharf site. We would ordinarily anticipate that, with the Air Quality Management Plan and CEMP in place, there should not be claims relating to dust and would, therefore, respectfully request that CVB review their mitigation measures to ensure that they are fit for purpose.

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2. The Panel received a request from the Project for feedback on its attitude towards possible special case claims where residents request cash financial compensation for the impacts of Tideway construction works, whether on medical or other grounds, without a quantified justification, other than just wanting money. A few potential claimants are coming forward without respite contribution in mind, but with plain cash requests on a one-off or continuous calendar basis, as per the 'standard case' arrangements which have now ceased.

Panel's Comment

The ICP will automatically reject any claim for cash financial compensation without a quantified justification, other than just wanting money. Such claims should not be put before the ICP.

The ICP determines the nature and extent of the most appropriate form of mitigation/compensation having regard to the evidence-based individual circumstances of each claimant and/or beneficiary. Any request for monetary compensation has to be justified and quantified by a specific mitigation request (such as respite, rehousing, noise mitigation etc.) or ongoing/prospective financial loss of any kind that is related to the Tideway works.

3. The Panel's Noise & Vibration Specialist had written to Tideway's CEO expressing concern at the roll-out of the 'standard case' mitigation approach to other sites without going through the same rigour as had been applied at Chambers Wharf.