

Monthly Report of the Independent Compensation Panel Chair

June 2017

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

13 June (ICP64)

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 Building Surveyor for appropriate items.

Decisions of the Panel

Item 1

The Panel met with representatives of the Project, CVB and Bryden Wood following their request of 2 June 2017 for a meeting to clarify details of the feedback provided on the noise mitigation measures proposed for Leeward Court, 7-17 Yeoman Street at the last Panel meeting (ICP#63).

The Panel and the representatives agreed the following way forward regarding Leeward Court:

1. The Project will submit a short technical report to the Panel detailing the difficulties with providing acoustic screening to the balconies, with options. This will include a spreadsheet showing possible mitigation measures for each flat (as a reference) and where certain elements of mitigation may not be feasible.
2. The Project to report back to the Panel regarding any issues associated with providing mechanical ventilation to qualifying rooms through glazed elements or cladding, including permissions and warranty matters.

In relation to payments to Luna House residents, CVB offered to contact Ms Cruise O'Brien and undertake a letter drop to qualifying residents.

Item 2

The Panel received a special medical case claim (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-7146468). The Panel determined that there is a medical case for the provision of air conditioning with a Hepa filter within the TAP noise mitigation package to exclude dust entry to the flat.

Item 3

The Panel received a special medical case claim (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-7146466).

The Panel determined that respite leave is Approved, subject to conditions.

Item 4

The Panel received a special case claim (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-7146471). The Panel Approved the claim.

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Item 5

The Panel received additional medical information from a Claimant's GP (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-7146467), as requested by the Panel (ICP#61). The Panel approved the claim, in part.

Item 6

The Panel received a special case claim (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-7146503). The Panel Approved the claim, in part and requested additional information in order to determine the remaining matters.

Item 7

Panel received a compensation claim (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-7146465). In principle, the Panel accepts that the loss of rent has been evidenced, however the actual loss and fees associated have not be fully quantified.

Item 8

The Panel received a compensation claim (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-7146472) as a result of the temporary loss of car parking spaces. The Panel Approved the claim.

Item 9

The Panel received the additional information from a Claimant (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-716521) concerning cleaning, redecorating etc. in relation to a void claim that it had requested (ICP#63). The Panel invites the Claimant to submit a quantified claim for the void period with evidence

Other matters

1. The Panel would find it most helpful to have up to date information on the programme of works and predicted noise levels when considering special case claims. To this end, we request that we be provided with 1-month and 6-month programme of works and the contractors' section 61 applications containing details of the activities and predicted noise levels on the first of each month for the sites relating to the claims we are considering (currently, Chambers Wharf, Kirtling Street, Earl Pumping Station, Carnwath Road and King Edward Memorial Park).
2. The Panel raised concerns during its discussions regarding Leeward Court (item 1) that the Project and its Contractors may be exposing themselves to a risk if the TAP mitigation measures approved by the Panel are not implemented due to the occupiers/freeholders not wanting them, in full or in part. The Panel recommends that occupiers/freeholders put their refusal to have the TAP mitigation measures installed (in full or in part) in writing or the Project brings individual cases to the Panel.

27 June (ICP66)

Purpose

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

Panel Members

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

Monthly Report of the Independent Compensation Panel Chair

Decisions of the Panel

Item 1

The Panel received a special medical case claim (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-716559). The claim was Approved.

Item 2

The Panel received a special medical case claim (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-716558). The claim was Approved.

Item 3

The Panel received a special medical case claim (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-716557). The claim was Not Approved.

Item 4

The Panel received an appeal against the proposed Camelford House TAP (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-716552, 2350-TDWAY-TTTUN-990-ZZ-ZZ-716610 and 2350-TDWAY-TTTUN-990-ZZ-ZZ-716613). The Panel determined the claim.

Item 5

The Panel received a request from a Claimant for further explanation of the Panel's decision on 9 May 2017 (ICP#62) regarding his claim for additional compensation (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-7146608).

The Panel provided further explanation.

Item 6

The Panel received a draft TAP for Camelford House, 89 Albert Embankment, London SE1 7TW (ref. 2350-TDWAY-TTTUN-990-ZZ-ZZ-7146560). The TAP in its current form was Not Approved.