

## INDEPENDENT COMPENSATION PANEL

### MEETING #140 MINUTES

<b>Purpose:</b>	To determine compensation and special case claims.
<b>Date and time:</b>	Tuesday 10 December 2019 – 9.30am to 1.30pm
<b>Location:</b>	Cotton Centre, Cotton Lane, 5 <sup>th</sup> Floor, SE1 0QG
<b>Panel Members:</b>	Fiona Penhallurick (Chair) Graham Parry (Noise & Vibration) (item 4 onwards) Aurelia Richards (Medical) (item 4 onwards) Chris Kench (Compensation) (items 1-3) Richard Pugh (Compensation) (items 1-3)
<b>Abbreviations:</b>	'Panel' means the Independent Compensation Panel 'Project' means Tideway 'ICC' means the Independent Complaints Commissioner for the Project 'TAP' means Trigger Action Plan
<b>Document Number:</b>	2350-TDWAY-TTTUN-990-ZZ-ZZ-721364

Item 1	Notes for the record
<b>Applicant reference</b>	The Panel considered information pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-721361 in respect of a claim for professional fees in support of a claim for business compensation.
<b>Relevant Tideway site</b>	Victoria Embankment
<b>Decision</b>	<b>The requested mitigation was AWARDED IN PART. Insufficient evidence had been provided to support all of the sum claimed.</b>
<b>Further information required/actions arising</b>	<b>None</b>
<b>Information/action requested from Tideway</b>	<b>None</b>

Item 2	Notes for the record
<b>Applicant reference</b>	The Panel considered information Pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-721377 in support of a claim for business compensation.
<b>Relevant Tideway site</b>	Kirtling Street
<b>Decision</b>	<b>The requested compensation was AWARDED.</b>

Further information required/actions arising	None
Information/action requested from Tideway	None

Item 3	Notes for the record
Applicant reference	The Panel considered information Pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-721369 following the decision of the ICC of 8 October 2019 requesting that the Panel gave further reasoning for its decision and conformed that it had considered certain evidence.
Relevant site	Thames Water Shad Thames Pumping Station
Decision	<b>The Panel upheld its decision and provided greater clarity on the rationale for it as requested by the Independent Compensation Commissioner.</b>
Further information required/actions arising	None
Information/action requested from Tideway	None

Item 4	Notes for the record
Applicant reference	The Panel considered information Pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-720950 in respect of the extension of daily respite pending mitigation measures being fitted.
Relevant Tideway site	Chambers Wharf
Decision	<b>The daily respite mitigation is to cease on 24 December 2019 when the site closes for the Christmas shut down and will not be continued beyond that date.</b>
Details of the award	<p>The Panel considered recent noise data from the site which shows daytime noise levels in the range 57-60LAeq and night-time noise levels in the range 40-51LAeq with very occasional excursions above these levels. The Panel notes that the noise emitting from the site has significantly reduced since the TAP noise insulation was originally awarded. The resident will also have the benefit of some noise reduction from the windows which have had the secondary glazing installed. The combination of noise mitigation already installed and the original windows of the property would mean that internal noise levels are estimated to be at a level which is not regarded as intrusive or likely to impact on the normal use of the property by the applicant taking her circumstances into account.</p> <p>The Panel therefore does not consider that the current noise levels arising from the site mean that there is a continuing need for daily respite mitigation, even in the absence of the secondary glazing for the lounge window. The daily respite will therefore cease on 24. December 2019 when the site closes for the Christmas break.</p>

<b>Further information required/actions arising</b>	<b>None</b>
<b>Information/action requested from Tideway</b>	<b>None</b>

<b>Item 5</b>	<b>Notes for the record</b>
<b>Applicant reference</b>	The Panel considered information Pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-721378 in respect of a claim for black-out blinds.
<b>Relevant Tideway site</b>	Carnwath Road
<b>Decision</b>	<b>The requested mitigation was AWARDED.</b>
<b>Details of the award</b>	<p>The Panel do not normally make retrospective awards. However, the timing of the purchase of the blinds directly correlates with the complaint about light intrusion and the Panel notes that the blinds chosen were of modest cost and achieved the required effect.</p> <p>The Panel understands that a light audit has now been undertaken by Tideway for the site and that the lighting has been adjusted to reduce glare for the resident.</p> <p>The Panel notes that the claimant is applying for further blackout blinds through the Tideway process.</p>
<b>Further information required/actions arising</b>	<b>None</b>
<b>Information/action requested from Tideway</b>	<b>None</b>

<b>Item 6</b>	<b>Notes for the record</b>
<b>Applicant reference</b>	The Panel considered information Pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-721376 in respect of a claim for reinstatement of daily respite which had been terminated by the Panel earlier in the year.
<b>Relevant Tideway site</b>	Chambers Wharf
<b>Decision</b>	<b>The requested mitigation was NOT AWARDED.</b>
<b>Details of the award</b>	<p>The Panel considered recent noise data from the site which shows daytime noise levels in the range 57-60LAeq and night-time noise levels in the range 40-51LAeq with very occasional excursions above these levels.</p> <p>The Panel considered in detail reports made by the claimant in respect of noise and light intrusion.</p> <p><b>Noise</b></p> <p>The Panel noted that noise occurring on the site now are within the limits set by London Borough of Southwark and may reasonably be considered as general construction noise. Louder noise events are much less frequent and of short duration and may be considered to</p>

	<p>be appropriately mitigated by the secondary glazing which has been provided to the claimant.</p> <p><b>Light Intrusion</b></p> <p>The Panel has previously awarded black out blinds to this claimant.</p> <p>The Panel remains of the view that the provision of blackout blinds/curtains to the claimant is appropriate and proportionate mitigation for the level of light intrusion affecting the claimant.</p>
<b>Further information required/actions arising</b>	<b>None</b>
<b>Information/action requested from Tideway</b>	<b>None</b>

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

Signed

Date 12 December 2019

**Fiona Penhallurick**

*Chair, Independent Compensation Panel*