

INDEPENDENT COMPENSATION PANEL

MEETING #145 MINUTES

Purpose:	To determine special case claims.
Date and time:	Tuesday 25 th February 2020 – 1030hrs to 1715hrs
Location:	Cotton Centre, Cotton Lane, 5 th Floor, SE1 0QG
Panel Members:	Graham Parry (Chair) Phil Evans (Noise & Vibration) Stephen Stansfeld (Medical) Chris Kench (Compensation) Richard Pugh (Compensation)
Abbreviations:	'Panel' means the Independent Compensation Panel 'Project' means Tideway 'ICC' means the Independent Complaints Commissioner for the Project 'Non-Stat Policy' means the Non-Statutory Off-site mitigation and compensation policy
Document Number:	2350-TDWAY-TTTUN-990-ZZ-ZZ-721510

Item 1	Notes for the record
Applicant Reference	The Panel considered information pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-721508 , which included a claim for loss of rent.
Relevant Tideway site	Chambers Wharf
Decision	The requested compensation was AWARDED
Details of the decision	The Panel reviewed the claim for loss of rent which is unchanged from the previous year. The Panel is of the view that the claim was reasonable and avoided losses which might otherwise occur due to voids in rental. All awards are subject to Tideway's Guidelines for Implementation of ICP decisions https://www.tideway.london/media/3687/guidelines-for-implementation-of-icp-decisions_oct-2019.pdf
Further information required/actions arising	None
Information/action requested from Tideway	None

Item 2	Notes for the record
Applicant Reference	The Panel considered information pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-721506 in respect of a clarification request on when the reinstated respite commenced.
Relevant Tideway site	Kirtling Street
Decision	The requested mitigation was AWARDED in part.
Details of the decision	<p>The Panel had reinstated the claimant's previous respite effective from the 11th February 2020 following a site visit on the 28th January 2020. The claimant had sought clarification as to whether the claim was backdated to when the previous respite had ceased.</p> <p>The Panel made the decision that it was reasonable to backdate the respite to when the claim came before the Panel on the 13th January 2020 as the Panel could potentially have made a site visit on that day.</p> <p>All awards are subject to Tideway's Guidelines for Implementation of ICP decisions https://www.tideway.london/media/3687/guidelines-for-implementation-of-icp-decisions_oct-2019.pdf</p>
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-721505 in respect of a request to reconsider a decision to not award holiday respite.
Relevant Tideway site	Chambers Wharf
Decision	The requested mitigation was NOT AWARDED
Details of the decision	<p>The claimant responded to the previous decision to not award a respite holiday by appealing that previous decision directly to the ICP. The Panel is aware that the claimant is a shift worker. The Panel noted that potentially noisy works at the site were now substantially complete and that there had been a significant reduction in noise from the site during the past year. The Panel will continue to review the monthly noise and air quality reports in order to inform its decision making in the future.</p> <p>The Panel therefore reconfirms its previous determination that there is no longer a case for on-going respite.</p> <p>The claimant identified that they were disturbed by light trespass and the claimant is advised to progress a claim directly with Tideway.</p> <p>All awards are subject to Tideway's Guidelines for Implementation of ICP decisions https://www.tideway.london/media/3687/guidelines-for-implementation-of-icp-decisions_oct-2019.pdf</p>

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-721507 in respect of a request to include another family member in the respite which was previously awarded on the 11 June 2019.
Relevant Tideway site	Chambers Wharf
Decision	The requested additional family member is not included in the previous award.
Details of the decision	The Panel considered very carefully the claimant's situation, however, note that the Minutes #121 which were previously provided to the claimant were very clear in respect of how many members of the family were included in the award. All awards are subject to Tideway's Guidelines for Implementation of ICP decisions https://www.tideway.london/media/3687/guidelines-for-implementation-of-icp-decisions_oct-2019.pdf
Further information required/actions arising	None
Information/action requested from Tideway	None

Item 5	Notes for the record
Applicant Reference	The Panel considered information pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-721456 in respect of a request to visit the property at night to experience the noise effects within the property.
Relevant Tideway site	Carnwath Road
Decision	The requested mitigation decision was DEFERRED.
Details of the decision	A site visit is to be arranged. All awards are subject to Tideway's Guidelines for Implementation of ICP decisions https://www.tideway.london/media/3687/guidelines-for-implementation-of-icp-decisions_oct-2019.pdf
Further information required/actions arising	None
Information/action requested from Tideway	None

Item 6	Notes for the record
Applicant Reference	The Panel considered information pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-721512 in respect of a request for reinstatement of respite.
Relevant Tideway site	Chambers Wharf
Decision	The requested mitigation was NOT AWARDED.
Details of the decision	<p>The Panel is aware of the family's medical conditions.</p> <p>It remains the case that as noise levels have reduced significantly, disturbance from the site is presently limited. The Panel received an update from Tideway personnel in respect of future operations on the site and note that other than for isolated events the levels of noise should remain relatively low compared to when an award was first made. The Panel will continue to review the monthly noise and air quality reports in order to inform our decision making in the future.</p> <p>All awards are subject to Tideway's Guidelines for Implementation of ICP decisions https://www.tideway.london/media/3687/guidelines-for-implementation-of-icp-decisions_oct-2019.pdf</p>
Further information required/actions arising	None
Information/action requested from Tideway	None

Item 7	Notes for the record
Applicant Reference	The Panel considered information pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-721504 in respect of a request for reinstatement of respite.
Relevant Tideway site	Chambers Wharf
Decision	The requested reinstatement of respite was NOT AWARDED.
Details of the decision	<p>The Panel is aware of the claimant and the family's medical conditions.</p> <p>It remains the case that as noise levels have reduced significantly, disturbance from the site is presently limited. The Panel received an update from Tideway personnel in respect of future operations on the site and note that other than for isolated events the levels of noise should remain relatively low compared to when an award was first made. The Panel will continue to review the monthly noise and air quality reports in order to inform our decision making in the future.</p> <p>All awards are subject to Tideway's Guidelines for Implementation of ICP decisions https://www.tideway.london/media/3687/guidelines-for-implementation-of-icp-decisions_oct-2019.pdf</p>
Further information required/actions arising	None
Information/action requested from Tideway	None

Item 8	Notes for the record
Applicant Reference	The Panel considered information pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-721458 in respect of a clarification request on when the reinstated respite recommenced.
Relevant Tideway site	Chambers Wharf
Decision	The requested reinstatement of respite was NOT AWARDED.
Details of the decision	<p>The Panel is aware of the child's medical condition.</p> <p>The Panel undertook a visit to the claimant's property on the 25th February 2020.</p> <p>It remains the case that as noise levels have reduced significantly, disturbance from the site is presently limited. The Panel received an update from Tideway personnel in respect of future operations on the site and note that other than for isolated events the levels of noise should remain relatively low compared to when an award was first made. The Panel will continue to review the monthly noise and air quality reports in order to inform our decision making in the future.</p> <p>All awards are subject to Tideway's Guidelines for Implementation of ICP decisions https://www.tideway.london/media/3687/guidelines-for-implementation-of-icp-decisions_oct-2019.pdf</p>
Further information required/actions arising	None
Information/action requested from Tideway	None

Item 9	Notes for the record
Applicant Reference	The Panel considered information pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-721503 in respect of a request of a request for mitigation away from the site.
Relevant Tideway site	King Edwards Memorial Park
Decision	The requested respite/mitigation was NOT AWARDED.
Details of the decision	<p>The claimant and his wife work from home and they are seeking compensation/respite from the site activities when noise makes it difficult to work from home.</p> <p>Based on the review of the noise data and the Noise & Vibration expert's findings the noise levels are not considered to be of sufficient magnitude to result in disturbance and work from home should be possible without the health impacts that the claimant has otherwise identified.</p> <p>All awards are subject to Tideway's Guidelines for Implementation of ICP decisions</p>

	https://www.tideway.london/media/3687/guidelines-for-implementation-of-icp-decisions_oct-2019.pdf
Further information required/actions arising	None
Information/action requested from Tideway	None

Item 10	Notes for the record
Applicant Reference	The Panel considered information pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-721509 in respect of a request for reinstatement of respite.
Relevant Tideway site	Chambers Wharf
Decision	The requested reinstatement of respite was NOT AWARDED.
Details of the decision	<p>The claimant is requesting reinstatement of respite because they consider that the project is still having a negative effect on the family's health.</p> <p>The Panel reviewed the noise and air quality reports and note that potentially noisy works at the site were now substantially complete and that there had been a significant reduction in noise from the site during the past year. The Panel will continue to review the monthly noise and air quality reports in order to inform our decision making in the future.</p> <p>All awards are subject to Tideway's Guidelines for Implementation of ICP decisions</p> <p>https://www.tideway.london/media/3687/guidelines-for-implementation-of-icp-decisions_oct-2019.pdf</p>
Further information required/actions arising	None
Information/action requested from Tideway	None

Item 11	Notes for the record
Applicant Reference	The Panel considered information pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-721514 in respect of a request for respite.
Relevant Tideway site	Chambers Wharf
Decision	The requested respite was NOT AWARDED.
Details of the decision	<p>The Panel reviewed the claimant's case including videos which were made available. It remains the case that as noise levels have reduced significantly, disturbance from the site is presently limited. The Panel also received an update from Tideway personnel in respect of future operations on the site and note that other than for isolated events the levels of noise should remain relatively low. The Panel will continue to review the monthly noise and air quality reports in order to inform our decision making in the future.</p> <p>All awards are subject to Tideway's Guidelines for Implementation of ICP decisions</p>

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

Item 12	Notes for the record
Applicant Reference	The Panel considered email correspondence in respect of a request for reinstatement of respite.
Relevant Tideway site	Chambers Wharf
Decision	The requested reinstatement of respite was NOT AWARDED.
Details of the decision	<p>The claimant, by way of emails dated 13th and 20th February 2020 identified site activities occurring within sight of the claimant's property and requested information in respect of the review that the Panel was carrying out of noise levels coming from the site. It remains the case that as noise levels have reduced significantly, disturbance from the site is presently limited. The Panel also received an update from Tideway personnel in respect of future operations on the site and note that other than for isolated events the levels of noise should remain relatively low. The Panel will continue to review the monthly noise and air quality reports in order to inform our decision making in the future.</p> <p>All awards are subject to Tideway's Guidelines for Implementation of ICP decisions https://www.tideway.london/media/3687/guidelines-for-implementation-of-icp-decisions_oct-2019.pdf</p>
Further information required/actions arising	None
Information/action requested from Tideway	Tideway to inform the other party named in the request that reinstatement of respite is not awarded.

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

Signed

Graham A Parry
Chair, Independent Compensation Panel

Date 29th February 2020