

INDEPENDENT COMPENSATION PANEL

MEETING #168 MINUTES

Purpose:	To determine medical, special cases and compensation claims.
Date and time:	Tuesday 12 January 2021 0900 - 1000 – Compensation cases (via Microsoft Teams) 1030 – 1300 – Medical and Special cases (via Zoom)
Location:	VIDEO CONFERENCE: (GP, SS, PE, RP and CK) Summary feedback: (LW, & MC – by video conference)
Panel Members:	0900: Graham Parry, (GP), Chris Kench (CK) and Richard Pugh (RP) 1030: Graham Parry (GP), Stephen Stansfeld (SS) and Phil Evans (PE)
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-732449

Item 1	Notes for the record
Applicant Reference	The Panel considered information pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-732447
Relevant Tideway site	Putney Embankment Foreshore
Decision	Business compensation is Awarded
Details of the award	<p>The Panel reviewed the latest forensic accountant's report dated 15 December 2020 and agrees the proposed award for the period April to September 2020.</p> <p>The award reflects the enforced closure of the business due to the Covid-19 pandemic and does not compensate the applicant for any theoretical Tideway related losses during the period when the business was closed for reasons unconnected with the Tideway project.</p> <p><u>All awards are subject to Tideway's Guidelines for Implementation of ICP decisions.</u></p> <p><u>https://www.tideway.london/media/4138/guidelines-for-implementation-of-icp-decisions_feb-2020.pdf</u></p>
Further information required/actions arising	None

Information/action requested from Tideway	None
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Item 2	Notes for the record
Applicant Reference	The Panel considered Information Pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-732476
Relevant Tideway site	Chambers Wharf
Decision	Part AWARDED
Details of the award	<p>The claimants report that they are affected by dust and noise. The Panel is fully aware of the various health issues of the family members which have been extensively reported in the past.</p> <p>The claimants report that they continue to be disturbed by noise from the site and provided a video which identified a level of noise from a vehicle.</p> <p>The Panel is aware of the various noise complaints from residents in the area and have noted that such complaints often relate to lorries waiting to access the construction site.</p> <p>Based on noise monitoring data for the area and the Panel's previous visits to the area, the Panel does not consider that there is sufficient disturbance from the site such as to warrant rehousing or respite.</p> <p>With respect to dust, the Panel has visited the area and does not believe that there is any greater soiling of windows than otherwise would be expected in London.</p> <p>The Panel is aware that air quality reports for the area consistently identify air quality levels which are significantly below the National Air Quality Objectives and, accordingly, no award is made in respect of air filters.</p> <p>Financial compensation has been requested; however, the Panel only awards such compensation for business losses and therefore no award is made.</p> <p>A request for blackout blinds has been made and the claimant should engage with Tideway directly regarding the implementation of their blackout blinds procedure.</p> <p>It is noted that some of the children will be receiving their education at home during the present lockdown and therefore an award of noise cancelling headphone sets for all of the children presently in education is made. The award is for noise cancelling headphones up to a maximum cost of £100 per set of headphones.</p> <p><u>All awards are subject to Tideway's Guidelines for Implementation of ICP decisions.</u></p> <p><u>https://www.tideway.london/media/4138/guidelines-for-implementation-of-icp-decisions_feb-2020.pdf</u></p>
Further information required/actions arising	None

Information/action requested from Tideway	With respect to blackout blinds/curtains, the claimant should be contacted directly by Tideway's Compensation & Mitigation Lead regarding implementation of Tideway's blackout blind procedure.
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Item 3	Notes for the record
Applicant Reference	The Panel considered information pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-732470
Relevant Tideway site	Chambers Wharf
Decision	NOT AWARDED
Details of the award	<p>The claimant is required to work shifts including early mornings, late nights and through the night. There is no medical information. She reports that she is woken early mornings by lorries with their engines running. She is requesting an air conditioning unit and blackout blinds.</p> <p>The Panel is aware of the various complaints from residents in the area and have noted that such complaints often relate to lorries waiting to access the construction site.</p> <p>The property is very close to the site entrance where vehicles enter and exit the site. Tunnelling has not as yet fully commenced and the slurry treatment plant will not yet be operating and it may be that noise levels could increase in the future. In this respect, the Panel will maintain a watching brief in respect of noise monitoring reporting and will also arrange a number of site visits in order to experience the existing noise climate, i.e. noise emissions from the site.</p> <p>The Panel has been made aware of air quality levels in the area which remain significantly below the National Air Quality Objectives. The Panel, whilst noting that the claimant is classed as a special case, does not consider that noisy activities occur at such a frequency as to require mitigation at this time. Accordingly, the Panel do not believe that there is a case for an award of air conditioning units.</p> <p>With respect to blackout blinds, Tideway will implement their blackout blind procedures.</p> <p><u>All awards are subject to Tideway's Guidelines for Implementation of ICP decisions.</u></p> <p><u>https://www.tideway.london/media/4138/guidelines-for-implementation-of-icp-decisions-feb-2020.pdf</u></p>
Further information required/actions arising	None
Information/action requested from Tideway	With respect to blackout blinds/curtains, the Panel understands that the claimant has been contacted directly by Tideway's Compensation & Mitigation Lead regarding implementation of Tideway's blackout blind procedure.

Item 4	Notes for the record
Applicant Reference	The Panel considered information pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-732473
Relevant Tideway site	Chambers Wharf
Decision	PART AWARDED
Details of the award	<p>The family have been working and schooling from home since March. The claimant is complaining of dust and noise exposure. She says that having to keep the windows closed has led to condensation and mould within the flat (as evidenced in the photographs within the information pack). She is requesting compensation for exposure over the last year.</p> <p>The Panel is fully aware of the various complaints from residents in the area and have noted that such complaints often refer to lorries waiting to access the construction site. However, the property is down a side street such that any noise impacts are significantly reduced. The Panel also notes from recent noise monitoring records that noise in the area has significantly reduced, apart from isolated activities on site. Additionally, the Panel is aware that air quality reports for the area consistently identify air quality levels which are significantly below the National Air Quality Objectives.</p> <p>The Panel does not make awards retrospectively except in specific urgent cases and this is not considered to be such a case. However, the Panel is particularly mindful of the health of the newborn child and, as a very precautionary measure, offer a dehumidifier system which should help to reduce the condensation and mould within the flat.</p> <p><u>All awards are subject to Tideway's Guidelines for Implementation of ICP decisions.</u></p> <p><u>https://www.tideway.london/media/4138/guidelines-for-implementation-of-icp-decisions_feb-2020.pdf</u></p>
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-732474
Relevant Tideway site	Chambers Wharf
Decision	AWARDED
Details of the award	Tideway communicated to residents via email on 5 January 2021 that all holiday and daily respite awards were suspended due to the latest Government lockdown. The claimant had been using the respite payments to pay for taxi fares to visit a friend (within recommended guidelines for support bubbles) who helps look after her son and the claimant would like to continue with this support. Tideway has

	<p>requested confirmation that, as this seems to fit within current guidelines, the claimant can continue to utilise the award in this way.</p> <p>The Panel determined that the respite could continue subject to there being no change in Government guidance with respect to support bubbles. The claimant is reminded that it is their responsibility to ensure that they do not put themselves at risk during the current pandemic and that they abide by all relevant Government guidance when travelling away from their home.</p> <p><u>All awards are subject to Tideway's Guidelines for Implementation of ICP decisions.</u></p> <p><u>https://www.tideway.london/media/4138/guidelines-for-implementation-of-icp-decisions-feb-2020.pdf</u></p>
Further information required/actions arising	None
Information/action requested from Tideway	None

ITEMS FOR DISCUSSION:	
Third Lockdown – suspension of ICP awards & extensions	Tideway provided a list of residents (Info pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-732475) who had been contacted regarding temporary suspension of ICP respite awards during the latest National Lockdown. The Panel determined to ratify the suspension of respite. All respite awards are suspended until further notice, with the exception of one claimant (See Item 5), and these respite awards will be revisited as Government guidance dictates.
(Chambers Wharf)	This claimant is affected by water main works due to restart in Bermondsey Wall East. The claimant is undertaking study and is also recovering from coronavirus. Accordingly, the Panel determined to alter the previous award which is no longer available to the claimant. The Panel awards 4 weeks access to temporary accommodation to be reviewed and extended as required based on the on-going street works. The Panel determined that, if there is a requirement for an extension of the award, this can be directly determined by Tideway such that the claimant does not need to come back to the Panel.
Site visits	The Panel will continue to make themselves available for site visits where and when it is safe to do so.

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

Signed

Graham Parry
Chair, Independent Compensation Panel

Date 2 February 2021