

INDEPENDENT COMPENSATION PANEL

MEETING #171 MINUTES

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| Purpose: | To determine medical, special cases and compensation claims. |
| Date and time: | Tuesday 9 February 2021 Compensation cases - 0900hrs to 1000hrs Medical & Special cases – 1030hrs – 1230hrs |
| Location: | Video Conference |
| Panel Members: | Graham Parry (Chair) Phil Evans (Noise & Vibration) Stephen Stansfeld (Medical) Chris Kench & Richard Pugh (Compensation Specialists) |
| 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-732605 |

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| Site visit | Wednesday 3 February 2021 the ICP Chair, accompanied by the Noise & Vibration specialist, made unannounced site visits to the Tideway site areas at Chambers Wharf and also at Greenwich. |
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| Item 1 | Notes for the record |
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| Applicant Reference | The Panel considered information pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-732603 |
| Relevant Tideway site | King Edward Memorial Park |
| Decision | AWARDED |
| Details of the award | <p>The Panel considered the information pack which included, to a great extent, information which had previously been available to the Panel. Panel members had also recently visited the general area around the construction site to gauge the extent to which it is impacting on nearby residents.</p> <p>The Panel awards the sum claimed for the loss of rental income due to Tideway works for the period from 1 September 2019 to 31 January 2021, which is understood to be the date that the tenants vacated the flat before the expiry of the tenancy.</p> <p>With respect to the request for blackout blinds the claimant is directed towards Tideway's blackout blinds procedure which involves the assessment of the extent to which light trespass occurs at the property.</p> |

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| | <p>The Panel is unable to comment on any effect on the capital value of the flat from Tideway’s permanent works.</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 | Tideway to implement their blackout blind procedure |

| Item 2 | Notes for the record |
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| Applicant Reference | The Panel considered information pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-732619 |
| Relevant Tideway site | Chambers Wharf |
| Decision | PART AWARDED |
| Details of the award | <p>The Panel is aware of the family health issues.</p> <p>Members of the Panel carried out an unannounced site visit on the 3rd February 2021 to determine the extent to which noise from the site would result in disturbance to occupiers of property in the immediate vicinity of the site. The visit confirmed that, at that time, noise levels in the area were relatively low.</p> <p>The Panel has considered the award with respect to what has been requested and all awards are made with respect to the individual requirements of the claimant and acknowledging the difficulties that result from lockdown particularly where respite has previously been awarded. The awards are proportionate to the circumstances of the claimants and are awarded on the basis of where the Panel considers that most benefit can occur in relation to any impacts that may arise from the Tideway project.</p> <p>The Panel’s award includes:</p> <ul style="list-style-type: none"> • Various forms of respite; • Noise cancelling headphones to a maximum cost of £100/set for all children in full-time education. <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 3 | Notes for the record |
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| Applicant Reference | The Panel considered information pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-732635 |
| Relevant Tideway site | Chambers Wharf |
| Decision | AWARDED |
| Details of the award | <p>The Panel is aware of the family health issues.</p> <p>Members of the Panel carried out an unannounced site visit on the 3rd February 2021 to determine the extent to which noise from the site would result in disturbance to occupiers of property in the immediate vicinity of the site. The visit confirmed that, at that time, noise levels in the area were relatively low.</p> <p>The Panel has considered the award with respect to what has been requested and all awards are made with respect to the individual requirements of the claimant and acknowledging the difficulties that result from lockdown particularly where respite has previously been awarded. The awards are proportionate to the circumstances of the claimants and are awarded on the basis of where the Panel consider that most benefit can occur in relation to any impacts that may arise from the Tideway project.</p> <p>The Panel made an award of various forms of respite.</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 4 | Notes for the record |
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| Applicant Reference | The Panel considered information pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-732620 |
| Relevant Tideway site | (Water main replacement works) Chambers Wharf |
| Decision | NOT AWARDED |
| Details of the award | <p>The claimant is requesting financial compensation for disturbance related to the water main replacement which affects their working at home.</p> <p>Members of the Panel carried out an unannounced site visit on the 3rd February 2021 to determine the extent to which noise from the site would result in disturbance to occupiers of property in the immediate vicinity of the site. The visit confirmed that, at that time, noise levels in the area were relatively low. The water main works were paused at the time of the site visit, although the Panel understands that noisy work will recommence and that work, whilst of relatively short duration, would be completed by the end of March 2021.</p> |

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| | <p>The claimant requested financial compensation; however, the claim is not considered to warrant an exceptional circumstances award and therefore no financial award is made.</p> <p>All awards are subject to Tideway's Guidelines for Implementation of ICP decisions.</p> <p>https://www.tideway.london/media/4138/guidelines-for-implementation-of-icp-decisions_feb-2020.pdf</p> |
| Further information required/actions arising | None |
| Information/action requested from Tideway | Tideway to engage with claimant to discuss possible other forms of mitigation until the water main works are completed. |

| Item 5 | Notes for the record |
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| Applicant Reference | The Panel considered information pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-732615 |
| Relevant Tideway site | (water main replacement works) Chambers Wharf |
| Decision | PART AWARDED |
| Details of the award | <p>The claimant is currently working from home and reports that she is suffering greatly from the disturbance caused by the water main works and is asking to be relocated for the duration of the water main replacement works.</p> <p>Members of the Panel carried out an unannounced site visit on the 3rd February 2021 to determine the extent to which noise from the site would result in disturbance to occupiers of property in the immediate vicinity of the site. The visit confirmed that, at that time, noise levels in the area were relatively low. The water main works were paused at the time of the site visit, although the Panel understands that noisy work will recommence and that work whilst of relatively short duration would be completed by the end of March 2021.</p> <p>The Panel considered very carefully the case put by the claimant and, as a very precautionary measure makes an award of access to a serviced apartment on an as required basis. Additionally, an offer of a pair of noise cancelling headphones to a maximum cost of £100 is made.</p> <p>All awards are subject to Tideway's Guidelines for Implementation of ICP decisions.</p> <p>https://www.tideway.london/media/4138/guidelines-for-implementation-of-icp-decisions_feb-2020.pdf</p> |
| Further information required/actions arising | None |
| Information/action requested from Tideway | Tideway to remind the contractors for the water main works to ensure that all barriers are secure and safe so as not to fall over. |

| Item 6 | Notes for the record |
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| Applicant Reference | The Panel considered information pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-732616 |
| Relevant Tideway site | Chambers Wharf |
| Decision | PART AWARDED |
| Details of the award | <p>The Panel has previously considered a number of claims from the claimant and has visited the claimant's property and are fully aware of his health issues.</p> <p>Members of the Panel carried out an unannounced site visit on the 3rd February 2021 to determine the extent to which noise from the site would result in disturbance to occupiers of property in the immediate vicinity of the site. The visit confirmed that, at that time, noise levels in the area were relatively low.</p> <p>The Panel has considered the award with respect to what has been requested and all awards are made with respect to the individual requirements of the claimant and acknowledging the difficulties that result from lockdown particularly where respite has previously been awarded. The awards are proportionate to the circumstances of the claimants and are awarded on the basis of where the Panel consider that most benefit can occur in relation to any impacts that may arise from the Tideway project. Where specific award requests have not been made, this is because the Panel determined that they were not appropriate forms of respite/mitigation.</p> <p>The Panel made an award of various forms of respite.</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 7 | Notes for the record |
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| Applicant Reference | The Panel considered information pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-732617 |
| Relevant Tideway site | Chambers Wharf |
| Decision | PART AWARDED |
| Details of the award | <p>The Panel are fully aware of the family health issues.</p> <p>Members of the Panel carried out an unannounced site visit on the 3rd February 2021 to determine the extent to which noise from the site would result in disturbance to occupiers of property in the</p> |

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| | <p>immediate vicinity of the site. The visit confirmed that at that time noise levels in the area were relatively low.</p> <p>The Panel has considered the award with respect to what has been requested and all awards are made with respect to the individual requirements of the claimant and acknowledging the difficulties that result from lockdown particularly where respite has previously been awarded. The awards are proportionate to the circumstances of the claimants and are awarded on the basis of where the Panel consider that most benefit can occur in relation to any impacts that may arise from the Tideway project.</p> <p>The Panel made an award of various forms of respite.</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 8 | Notes for the record |
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| Applicant Reference | The Panel considered information pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-732636 |
| Relevant Tideway site | Chambers Wharf |
| Decision | NOT AWARDED |
| Details of the award | <p>The claimant was relocated at their request due to the impact that the Thames Tideway works at Chambers Wharf was having. The claimant is now stating that the size of the flat is insufficient for their work activities. The request for alternative accommodation was previously turned down by Tideway and the claimant is now appealing against that decision and this has been brought to the ICP for further consideration.</p> <p>As far as the Panel is aware, at the time of their award of accommodation away from Chambers Wharf, the claimant did not make a case for the provision of any space to carry out their business.</p> <p>Following due consideration, and on the basis that the claimant has been offered appropriate alternative accommodation and in respect of the above considerations, the Panel rejects this appeal.</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 |

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| Information/action requested from Tideway | None |
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| Item 9 | Notes for the record |
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| Applicant Reference | The Panel considered information pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-732640 |
| Relevant Tideway site | Chambers Wharf |
| Decision | PART AWARDED |
| Details of the award | <p>The Panel is aware of the claimant's health issues and the previous awards that have been made to her.</p> <p>Members of the Panel carried out an unannounced site visit on the 3rd February 2021 to determine the extent to which noise from the site would result in disturbance to occupiers of property in the immediate vicinity of the site. The visit confirmed that, at that time, noise levels in the area were relatively low.</p> <p>The Panel notes that secondary glazing of the balcony doors remains to be completed and urges the claimant to contact Tideway to arrange these works as soon as possible.</p> <p>The Panel has considered the award with respect to what has been requested and all awards are made with respect to the individual requirements of the claimant and acknowledging the difficulties that result from lockdown particularly where respite has previously been awarded. The awards are proportionate to the circumstances of the claimants and are awarded on the basis of where the Panel consider that most benefit can occur in relation to any impacts that may arise from the Tideway project. Where specific requests have not been awarded, this is because the Panel determined that they were not appropriate forms of respite/mitigation.</p> <p>The Panel made an award of various forms of respite.</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 | Tideway to engage with the claimant to arrange a suitable date for the installation of secondary glazing to the balcony doors |

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

Signed

Graham Parry
Chair, Independent Compensation Panel

Date 25 February 2021