

## INDEPENDENT COMPENSATION PANEL

### MEETING #158 MINUTES

<b>Purpose:</b>	To determine medical, special cases and compensation claims
<b>Date and time:</b>	Tuesday 11 August 2020 – 1000hrs to 1145hrs
<b>Location:</b>	Video Conference
<b>Panel Members:</b>	Graham Parry (Chair) Phil Evans (Noise & Vibration) Stephen Stansfeld (Medical)
<b>Abbreviations:</b>	'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
<b>Document Number:</b>	<b>2350-TDWAY-TTTUN-990-ZZ-ZZ-729455</b>

<b>Site visit</b>	7 August 2020 – Re: agenda item 2
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Item 1	Notes for the record
<b>Applicant Reference</b>	The Panel considered information pack <b>2350-TDWAY-TTTUN-990-ZZ-ZZ-729460</b>
<b>Relevant Tideway site</b>	Kirtling Street
<b>Decision</b>	<b>Decision</b>
<b>Details of the award</b>	<p>The complainant is experiencing noise and dirt from the site. She highlights noise from the conveyor belt, diggers scraping the concrete, loud alarm noises amongst others. She also finds the flat gets very hot with the windows closed because of the noise.</p> <p>The Panel is fully aware of the noise issues at the property having previously visited the area and a number of other properties at the same address. The Panel is of the view that dust from the site is not a significant issue as evidenced by its various site visits and does not therefore make an award in respect of cleaning costs. Additionally, a special or medical case has not been made and therefore an award in respect of daily respite is not made.</p> <p><b>The Panel has determined that a pair of noise cancelling headphones should be awarded.</b></p> <p><b>Additionally, the Panel has determined that the claimant should be awarded a fan or a portable air conditioning unit to obviate the need to open windows.</b></p>

	<p><b><u>All awards are subject to Tideway’s Guidelines for Implementation of ICP decisions.</u></b></p> <p><b><u><a href="https://www.tideway.london/media/3687/guidelines-for-implementation-of-icp-decisions_oct-2019.pdf">https://www.tideway.london/media/3687/guidelines-for-implementation-of-icp-decisions_oct-2019.pdf</a></u></b></p>
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 [n/a on this occasion]
Relevant Tideway site	Hammersmith Pumping Station
Decision	<b>Decision</b>
Details of the award	<p>Currently the complainants are operating their business from home and are now requesting alternative office space as the noise and vibration makes it impossible to work from home. Noise data for the site has been examined and the Chair of the ICP visited the property.</p> <p><b>The Panel has determined that the claimants should be awarded the costs for one year’s access to alternative office space. Additionally, the Panel has determined that the claimants should be awarded one portable air conditioning unit to obviate the need to open windows when they are resident within the property.</b></p> <p><b><u>All awards are subject to Tideway’s Guidelines for Implementation of ICP decisions.</u></b></p> <p><b><u><a href="https://www.tideway.london/media/3687/guidelines-for-implementation-of-icp-decisions_oct-2019.pdf">https://www.tideway.london/media/3687/guidelines-for-implementation-of-icp-decisions_oct-2019.pdf</a></u></b></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 <b>2350-TDWAY-TTTUN-990-ZZ-ZZ-729461</b>
Relevant Tideway site	Hammersmith Pumping Station
Decision	<b>Decision</b>
Details of the award	<p>The claimant reports relentless noise from the site and high levels of dust. One family member apparently suffers from a number of health issues. As well as construction noise, the claimant reports shouting and foul language from the site and requests three air conditioning units for their apartment.</p> <p>A representative of the ICP recently made a visit to the building and was able to inform the Panel as to the very close proximity of the</p>

	<p>claimant's property to the site operations and the extent to which site noise could result in disturbance within the property.</p> <p><b>The Panel has determined that the claimants should be awarded three portable air conditioning units to obviate the need to open windows when working from home.</b></p> <p><b><u>All awards are subject to Tideway's Guidelines for Implementation of ICP decisions.</u></b></p> <p><b><u><a href="https://www.tideway.london/media/3687/guidelines-for-implementation-of-icp-decisions_oct-2019.pdf">https://www.tideway.london/media/3687/guidelines-for-implementation-of-icp-decisions_oct-2019.pdf</a></u></b></p>
<b>Further information required/actions arising</b>	<b>None</b>
<b>Information/action requested from Tideway</b>	<b>None</b>

**ITEMS FOR DISCUSSION:**

<b>Item 4</b>	<b>Notes for the record</b>
<b>Fraudulent claims</b>	<p>The Panel has been made aware of fraudulent claims and use of awards which have been determined by the ICP. The Panel discussed the various issues surrounding such claims and awards. It is the Panel's view that Tideway should be responsible for taking any action if claims are subsequently considered to be fraudulent. The Panel will continue to remain vigilant in respect of the information and evidence it receives and will be mindful of any apparent or potentially fraudulent activity if further claims are received.</p>
<b>Decision</b>	
<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>Site visits during coronavirus COVID - 19</b>	<p>During the lockdown, and subsequently, it has become increasingly difficult to determine claims that come before the ICP where a visit to the claimant's property would be required prior to determining a claim and in those cases a decision to defer has previously been made.</p> <p>Recognising the on-going uncertainty of the COVID – 19 situation, the Panel has decided to review those claims which have previously been deferred and will, in exceptional circumstances, make an interim award on a precautionary basis.</p>
<b>Decision</b>	
<b>Further information required/actions arising</b>	<b>None</b>
<b>Information/action requested from Tideway</b>	<b>None</b>

Item 6	Notes for the record
<b>ICC investigation</b>	The Chair updated the Panel members with respect to the current situation with respect to a complaint to be investigated by the ICC.
<b>Decision</b>	
<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

**Graham Parry**  
*Chair, Independent Compensation Panel*

Date 25 August 2020