

# INDEPENDENT COMPENSATION PANEL

## MEETING #174 MINUTES

<b>Purpose:</b>	To determine medical, special cases and compensation claims.
<b>Date and time:</b>	Tuesday 23 March 2021 0900 – 1000 – Compensation cases (via Microsoft Teams) 1030 – 1215 – Medical and Special cases (via Zoom)
<b>Location:</b>	VIDEO CONFERENCE: Summary feedback: (LW, KP & MC – by email)
<b>Panel Members:</b>	Graham Parry (Chair) Phil Evans (Noise & Vibration) Stephen Stansfeld (Medical) Chris Kench & Richard Pugh (Compensation Specialists)
<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-732952</b>

Item 1	Notes for the record
<b>Applicant Reference</b>	The Panel considered information pack <b>2350-TDWAY-TTTUN-990-ZZ-ZZ-732950</b>
<b>Relevant Tideway site</b>	Adjacent to both Heathwall Pumping Station and Kirtling Street sites
<b>Decision</b>	<b>DEFERRED</b>
<b>Details of the award</b>	<p>The Panel reviewed the Tideway Dock Mitigation Proposal provided by FLO.</p> <p><b>The Panel determined that there were a number of questions that they had with respect to the submission and therefore require an online meeting with JC prior to finalising a decision and accordingly a decision is deferred.</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/4138/guidelines-for-implementation-of-icp-decisions_feb-2020.pdf">https://www.tideway.london/media/4138/guidelines-for-implementation-of-icp-decisions_feb-2020.pdf</a></u></b></p>
<b>Further information required/actions arising</b>	<b>Meeting with JC (FLO) to be arranged</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 <b>2350-TDWAY-TTTUN-990-ZZ-ZZ-732972</b>
<b>Relevant Tideway site</b>	Kirtling Street
<b>Decision</b>	<b>PART AWARDED</b>
<b>Details of the award</b>	<p>The Panel is fully aware of the claimant’s health issues and the extent to which noise has previously affected the property. The Panel has also visited the property.</p> <p>The Panel has reviewed the s.61 noise predictions for the period from 1st January 2021 to 31st December 2021 and recent noise monitoring data and note that noise levels do not presently appear to be particularly high. The Panel also reviewed the raw noise measurement data for the noise monitor which is in closest proximity to the claimant’s property which indicates noise levels lower than the predicted noise levels except for the night-time period; however, the night-time noise levels are closer to the original pre-existing ambient noise levels. Monitored noise levels which include traffic noise are in all likelihood slightly lower due to lockdown and lower volumes of traffic than when the original ambient noise surveys were completed.</p> <p>The Panel has reviewed the claim and all of the information available and also taken into account a number of fact-finding site visits made to the area.</p> <p><b>The Panel has determined that an award is <u>not made</u> for an air purifier system.</b></p> <p><b>The works in the area are anticipated to be intermittent; however, noting the difficulties that the claimant has with respect to using noise cancelling headphones for working from home, the Panel makes a precautionary award of access to a ‘hotdesk’ office space for two days a week until the works in that area are completed or as and when noise monitoring data indicates that noise should not result in significant disturbance to the claimant.</b></p> <p><b>The previously awarded overnight respite not taken from 2020 is not carried forward as the purpose of the respite is to provide respite at those times when the muck storage area was operational which is no longer the case.</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/4138/guidelines-for-implementation-of-icp-decisions_feb-2020.pdf">https://www.tideway.london/media/4138/guidelines-for-implementation-of-icp-decisions_feb-2020.pdf</a></u></b></p>
<b>Further information required/actions arising</b>	<b>None</b>
<b>Information/action requested from Tideway</b>	<b>Monthly updates on monitored noise levels</b>

Item 3	Notes for the record
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<b>Applicant Reference</b>	The Panel considered information pack <b>2350-TDWAY-TTTUN-990-ZZ-ZZ-732964</b>
<b>Relevant Tideway site</b>	Carnwath Road
<b>Decision</b>	<b>PART AWARDED</b>
<b>Details of the award</b>	<p>The claimant's health issues are fully known to the ICP.</p> <p>Site activities at Carnwath Road have undergone change in recent months with the completion of the main tunnelling works and a reduced muck bin operational area.</p> <p>The Panel has reviewed the current s.61 which spans the period 1<sup>st</sup> of January 2021 to 31<sup>st</sup> of March 2022 and also noise monitoring data.</p> <p>The majority of the noise data set is well under the predicted worst case of 62 dB which includes all noise activities in the area.</p> <p><b>The Panel has determined that, based on the claimant's health issues, an award of two days of respite is made in line with similar awards elsewhere for use on meals/takeaway meals/transport etc. for the claimant and her carer until the end of June 2021. The award is at the standard rate applied elsewhere on the project for such interim awards.</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/4138/guidelines-for-implementation-of-icp-decisions_feb-2020.pdf">https://www.tideway.london/media/4138/guidelines-for-implementation-of-icp-decisions_feb-2020.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>

<b>Item 4</b>	<b>Notes for the record</b>
<b>Applicant Reference</b>	The Panel considered information pack <b>2350-TDWAY-TTTUN-990-ZZ-ZZ-732973</b>
<b>Relevant Tideway site</b>	Heathwall Pumping Station
<b>Decision</b>	<b>DEFERRED</b>
<b>Details of the award</b>	<p>On November 24<sup>th</sup> 2020, the ICP did not award further respite because barge activity was due to cease. In March 2021, the claimant is reporting that the situation has become untenable once more with 24/7 works involving steel fixing at the bottom of the shaft (finishes end of March 2021) and work on the south-westerly storm relief drain (finishes end of May 2021).</p> <p>The Panel has reviewed the video evidence which was submitted with the claim and have also analysed the most appropriate noise monitoring data provided. Monitored noise levels for the last two weeks of data up to 22<sup>nd</sup> March 2021 are not particularly high during the night-time period.</p>

	<p>The noise monitoring data does not support the level of disturbance which the claimant describes and therefore the Panel would like to visit the claimant's property prior to determining this claim. Accordingly, a decision on the claim is deferred.</p> <p><u>Post meeting note:</u> The claimant has declined the offer of a site visit and it is not therefore possible to advance this claim any further unless the claimant indicates that the Panel can visit the property or if the Panel become aware of a change in circumstances around the site.</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/4138/guidelines-for-implementation-of-icp-decisions_feb-2020.pdf">https://www.tideway.london/media/4138/guidelines-for-implementation-of-icp-decisions_feb-2020.pdf</a></u></b></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 <b>2350-TDWAY-TTTUN-990-ZZ-ZZ-732963</b>
Relevant Tideway site	Chambers Wharf
Decision	<b>AWARDED</b>
Details of the award	<p>The claimant works from home and is requesting noise cancelling headphones.</p> <p>The Panel carried out a site visit to the Chambers Wharf area in February 2021 and are aware of the existing noise climate. <b>Accordingly, the Panel makes an award for noise cancelling headphones to a maximum cost of £100.</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/4138/guidelines-for-implementation-of-icp-decisions_feb-2020.pdf">https://www.tideway.london/media/4138/guidelines-for-implementation-of-icp-decisions_feb-2020.pdf</a></u></b></p>
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 <b>2350-TDWAY-TTTUN-990-ZZ-ZZ-732965</b>
Relevant Tideway site	Carnwath Road

Decision	NOT AWARDED
<b>Details of the award</b>	<p>The Panel notes that the original claim form is dated 23<sup>rd</sup> July 2018 and is aware that noise from the site activities has reduced significantly since that time. It is also the case that the claimant's property is both substantially shielded from activities related to the construction site by other buildings and is also distant from the site. A previous site visit in the proximity of the claimant's property identified that noise levels were relatively low and unaffected by noise from the site.</p> <p><b>Under the above circumstances, the Panel regrets that they are unable to make an award for respite.</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/4138/guidelines-for-implementation-of-icp-decisions_feb-2020.pdf">https://www.tideway.london/media/4138/guidelines-for-implementation-of-icp-decisions_feb-2020.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>

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

Signed

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

Date 07 April 2021