

INDEPENDENT COMPENSATION PANEL

MEETING #176 MINUTES

Purpose:	To determine medical, special cases and compensation claims.
Date and time:	Tuesday 27 April 2021 – 1000hrs to 1200hrs
Location:	Video Conference
Panel Members:	Graham Parry (Chair) Phil Evans (Noise & Vibration) Stephen Stansfeld (Medical)
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-733106

Item 1	Notes for the record
Applicant Reference	The Panel considered information pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-733123 plus video evidence (x11) and medical information which was made available by screen share
Relevant Tideway site	Greenwich Pumping Station
Decision	DEFERRED
Details of the award	<p>The claimant works for the NHS with a combination of home working and overnight shift patterns. Her husband works from home. They have a one year old child who has severe allergies. They cannot open the windows because of the noise and the flat becomes very hot in the summer. They are unable to use their balcony and the claimant reports that she has heard from Tideway that the disturbance is likely to get worse over the next 18 months.</p> <p>Noise data has been provided and the ICP Noise Specialist has carried out an analysis of that data.</p> <p>Recognising the health issues of the young child and the claimant's work in the NHS, the Panel is <u> minded </u> to award temporary rehousing as a very precautionary approach subject to a home visit. Accordingly, a decision in this case is deferred until a site visit has been undertaken.</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	Home visit to be arranged

Item 2	Notes for the record
Applicant Reference	The Panel previously considered information pack 2350-TIDWAY-TTTUN-990-ZZ-ZZ-733088 at ICP meeting #175 on 13 April 2021
Relevant Tideway site	Hammersmith Pumping Station
Decision	NOT AWARDED
Details of the award	<p>The Panel previously deferred a decision on this case subject to receiving further information from Tideway.</p> <p>The majority of the claimant's and his partner's work is carried out from home.</p> <p>The Panel reviewed the latest site update which included minutes from a CLWG meeting and a presentation from that meeting. In addition to the above, the residents have been informed by e-mail note (26th March 2021) that TT will be conducting some noisy activities in May, June and July 2021. The s.61 covering these works was reviewed to determine predicted noise levels for May, June & July.</p> <p>The Panel considered that, due to the somewhat more remote and shielded location of the claimant's apartment, construction noise levels from the TT site are unlikely to be high and noise levels would be dominated by the St George development works. On this basis, the Panel has determined that the requested award is not made.</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 3	Notes for the record
Applicant Reference	The Panel previously considered information pack 2350-TIDWAY-TTTUN-990-ZZ-ZZ-733086 at ICP meeting #175 on 13 April 2021
Relevant Tideway site	Hammersmith Pumping Station
Decision	AWARDED
Details of the award	<p>The Panel previously deferred a decision on this case subject to receiving further information from Tideway.</p> <p>The Panel reviewed the latest site update which included minutes from a CLWG meeting and a presentation from that meeting. In</p>

	<p>addition to the above, the residents have been informed by e-mail note (26th March 2021) that TT will be conducting some noisy activities in May, June and July 2021. The s.61 covering these works was reviewed to determine predicted noise levels for May, June & July.</p> <p>On a precautionary basis, the requested mitigation of a portable air conditioning unit is awarded with electricity costs.</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
Applicant Reference	The Panel previously considered information pack 2350-TIDWAY-TTTUN-990-ZZ-ZZ-733089 at ICP meeting #175 on 13 April 2021
Relevant Tideway site	Hammersmith Pumping Station
Decision	AWARDED
Details of the award	<p>The Panel previously deferred a decision on this case subject to receiving further information from Tideway.</p> <p>The claimant and his wife are concerned about the disturbance from the site and are working from home until September 2021 and are asking for office space nearby for May, June and July when the noisy works are expected to occur.</p> <p>The Panel reviewed the latest site update which included minutes from a CLWG meeting and a presentation from that meeting. In addition to the above, the residents have been informed by e-mail note (26th March 2021) that TT will be conducting some noisy activities in May, June and July 2021. The s.61 covering these works was reviewed to determine predicted noise levels for May, June & July.</p> <p>The Panel determined that, on a precautionary basis, the claim for access to office space for the months of May, June and July is awarded.</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-733110 plus video evidence
Relevant Tideway site	Earl Pumping Station
Decision	DEFERRED
Details of the award	<p>The claimant experiences noise during the day while working from home but also at night when it disturbs his sleep and he has to keep his windows shut and it becomes unbearably hot.</p> <p>The Panel reviewed the s.61 spanning the period December 2020 to December 2021 which has proved to be inconclusive without a site plan for the receptors. The Panel also reviewed a noise monitoring report for the February and March 2021 period and reviewed the air quality records for the area.</p> <p>The Panel determined that a home visit was required in order for the Panel to understand the degree of disturbance experienced at the property. For this reason, a decision is deferred.</p> <p>With respect to compensation for stress caused, the Panel only makes retrospective awards in very exceptional circumstances, and this claim is not considered to be exceptional and therefore no financial compensation is awarded.</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 6	Notes for the record
Applicant Reference	Email correspondence of 25 th April 2021
Relevant Tideway site	Chambers Wharf
Decision	NOT AWARDED
Details of the award	<p>The Panel considered an email request to extend the present award beyond the 9th May 2021 for a further week.</p> <p>The Panel determined that the claimant had ample opportunities to use the existing award up to the set weekly rate and accordingly the award is not extended.</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 & INFORMATION:	
Revision of Non Stat Policy	<p>The Chair reported to the Panel members that a request had been made by a claimant to revise the Non Stat Policy (NSP) with respect to houseboats and that he had reviewed relevant documents including PW17, the DCO and the Tideway Dock Trigger Action Plan.</p> <p>The Chair reported to the Kirtling Street and Heathwall CLWG that he was satisfied that the appropriate requirements were being implemented across the project such that there is no merit in amending the NSP and that it was the case that the Chair did not consider that anyone is presently being disadvantaged by the decision not to revise the NSP.</p>
Best Practicable Means	The Panel has reviewed a number of videos from claimants which clearly identify examples of poor site practice. <u>All</u> contractors are reminded of their responsibilities to implement BPM.
Site visits	The Panel will continue to make themselves available for site visits where it is safe to do so.

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

Signed

Date 26 May 2021

Graham Parry
Chair, Independent Compensation Panel