

# INDEPENDENT COMPENSATION PANEL

## MEETING #214 MINUTES

<b>Purpose:</b>	To determine medical and special case claims
<b>Date and time:</b>	Tuesday 23 August 2022 – 1000hrs to 1100hrs
<b>Location:</b>	Video Conference
<b>Panel Members:</b>	Graham Parry (Chair) Stephen Stansfeld (Medical) Phil Evans (Noise)
<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>	2350-TDWAY-TTTUN-990-ZZ-ZZ-735586

Item 1	Notes for the record
<b>Applicant Reference</b>	The Panel considered the information contained in pack <b>2350-TDWAY-TTTUN-990-ZZ-ZZ-735584</b>
<b>Relevant Tideway site</b>	Carnwath Road
<b>Decision</b>	<b>NOT AWARDED</b>
<b>Details of the award</b>	<p>The Panel is aware of the claimant's personal circumstances and health issues.</p> <p>The Panel notes that the property does not have any direct views of the construction site.</p> <p>The site activities have remained the same since June last year, with tunnel secondary lining works which are carried out from within the acoustic enclosure continuing until May 2023.</p> <p>The Panel has reviewed the s.61 and the site noise levels are reported to remain well below the trigger levels and, recognising the location of the claimant's property, noise is not considered to result in an issue. With respect to dust, as many of the site activities occur within the acoustic enclosure and taking into account the location of the claimant's property, which is effectively shielded from the site, the Panel does not believe that there should be any significant dust from the site at the property resulting in health impacts or dust soiling of the windows.</p> <p><b>The Panel has determined that, given that tunnelling has now ceased at this site and secondary works are being undertaken, there is no evidence that noise or dust conditions are any worse</b></p>

	<p>than they were in 2017 when the previous claim was declined due to the location and aspect of the claimant's property. On this basis, this claim is not awarded.</p> <p><u>All awards are subject to Tideway's Guidelines for Implementation of ICP decisions.</u></p> <p><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></p>
Further information required/actions arising	None
Information/action requested from Tideway	None

Item 2	Notes for the record
<b>Applicant Reference</b>	The Panel considered the emails contained in pack <b>2350-TDWAY-TTTUN-990-ZZ-ZZ-735583</b>
<b>Relevant Tideway site</b>	Chambers Wharf
<b>Decision</b>	<b>AWARD REVISED</b>
<b>Details of the award</b>	<p>In response to a request by the claimant and in advance of ICP meeting #214, the ICP Chair advised the claimant that the award previously identified at ICP meeting #213 is extended until the end of September 2022. It should be noted that this was a one-off decision which reflects the particular extenuating circumstances of the claimant.</p> <p><b>The decision of the Chair that the award was extended until the end of September 2022 is ratified by the Panel members, noting that receipts will be required by Tideway.</b></p> <p><u>All awards are subject to Tideway's Guidelines for Implementation of ICP decisions.</u></p> <p><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></p>
Further information required/actions arising	None
Information/action requested from Tideway	None

Item 3	Notes for the record
<b>Applicant Reference</b>	The Panel considered the emails contained in pack <b>2350-TDWAY-TTTUN-990-ZZ-ZZ-735606</b>
<b>Relevant Tideway site</b>	Chambers Wharf
<b>Decision</b>	<b>AWARDED</b>
<b>Details of the award</b>	The Panel is aware of the personal circumstances of the family and has also reviewed a large number of videos which have been made available by the claimant in respect of noise from the site activities.

	<p>The Panel has reviewed the site update for the week commencing 19th August 2022 and notes that none of these works would appear to be particularly noisy and that it is individual events at the site which have been identified by the claimant as being disturbing.</p> <p><b>Recognising the personal circumstances of the claimant, the Panel makes an award of respite for the claimant and her son until the end of September 2022.</b></p> <p>The claimant also complains of light shining into her and her son's bedroom windows which affects her sleep and has knock on effects on her health. Tideway has a specific process in place which considers the need for blackout blinds and Tideway is requested to put in place the blackout blind procedure to determine whether such blinds should be installed.</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>
<p><b>Further information required/actions arising</b></p>	<p><b>None</b></p>
<p><b>Information/action requested from Tideway</b></p>	<p><b>Implement blackout blinds investigation procedure</b></p>

<p><b>Item 4</b></p>	<p><b>Notes for the record</b></p>
<p><b>Applicant Reference</b></p>	<p>The Panel considered the emails contained in pack <b>2350-TDWAY-TTTUN-990-ZZ-ZZ-735623</b></p>
<p><b>Relevant Tideway site</b></p>	<p>Acton Storm Tanks</p>
<p><b>Decision</b></p>	<p><b>DEFERRED</b></p>
<p><b>Details of the award</b></p>	<p>The Noise &amp; Vibration Specialist and the Medical Specialist previously carried out a very brief visit to the claimant's home. Following that meeting, an award was made at Meeting #213.</p> <p><b><i>It is the Panel's view that the previous award should have assisted with ensuring that the claimant's husband was not disturbed by noise from the site and that they were both able to work from home when required. Therefore, the Panel is not minded to alter the previous award unless compelling evidence is made available to change this decision.</i></b></p> <p>The claimant has subsequently corresponded by email to request further access to hotel accommodation to cover all occasions when the husband is working night shifts.</p> <p>The Panel has reviewed the various site activities identified in the s.61 for Phases 3 and 4 of the works.</p> <p><b>The Panel consider that it is particularly important that a home visit is conducted with the Chair in attendance, such that they have a full understanding of the arrangement of the rooms within the property and an opportunity to discuss sleep and work arrangements and the usefulness of previously offered</b></p>

	<p>mitigation. The Panel regret that it is not possible to further determine this claim until the home visit is organised.</p> <p><u>All awards are subject to Tideway's Guidelines for Implementation of ICP decisions.</u></p> <p><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></p>
Further information required/actions arising	None
Information/action requested from Tideway	None

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

Signed

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

Date 5 September 2022