

# INDEPENDENT COMPENSATION PANEL

## MEETING #225 MINUTES

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| <b>Purpose:</b>         | To determine medical, special cases and compensation claims.  |
| <b>Date and time:</b>   | Tuesday 14 March 2023 – 1000hrs to 1100hrs  |
| <b>Location:</b>        | Video Conference  |
| <b>Panel Members:</b>   | Graham Parry (Chair)<br>Stephen Stansfeld (Medical)<br>Phil Evans (Noise)   |
| <b>Abbreviations:</b>   | 'Panel' means the Independent Compensation Panel<br>'Project' means Tideway<br>'ICC' means the Independent Complaints Commissioner for the Project<br>'Non-Stat Policy' means the Non-Statutory Off-site mitigation and compensation policy |
| <b>Document Number:</b> | <b>2350-TDWAY-TTTUN-990-ZZ-ZZ-738850</b>  |

| Item 1                       | Notes for the record   |
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| <b>Applicant Reference</b>   | The Panel considered the information contained in pack <b>2350-TDWAY-TTTUN-990-ZZ-ZZ-738843</b>  |
| <b>Relevant Tideway site</b> | Chambers Wharf   |
| <b>Decision</b>              | <b>AWARDED</b>   |
| <b>Details of the award</b>  | <p>The claimant has requested an extension of the previously awarded respite to include a further week during the Easter school holiday. The Panel is aware of the personal circumstances of the claimant and her family.</p> <p>The Panel understands that there are several on-going noisy activities at the construction site which includes breaking out concrete using a pneumatic pecker and will include rotary piling works. The Panel understand that the concrete breaking out works will be carried out during the daytime period only. The Panel have also reviewed two recent videos of noisy activities occurring at the site.</p> <p><b>The Panel has determined to extend the existing award until the end of April 2023. Additionally, for the Easter school holiday period, which the Panel understand is the 3<sup>rd</sup> April to the 17<sup>th</sup> April 2023, the family is awarded an additional day of respite a week, making two days of respite for those specific weeks.</b></p> <p>The Panel will be making site visits during March and April to the Chambers Wharf area to consider the extent to which noise disturbance is occurring and will also be reviewing noise monitoring reports and predicted noise levels for the site area.</p> |

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|  | <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 2                                       | Notes for the record   |
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| Applicant Reference                          | The Panel considered the information contained in pack <b>2350-TDWAY-TTTUN-990-ZZ-ZZ-738862</b> and two videos   |
| Relevant Tideway site                        | Chambers Wharf   |
| Decision                                     | <b>AWARDED</b>   |
| Details of the award                         | <p>The claimant has requested an extension of the previously awarded respite to include a further week during the Easter school holiday. The Panel is aware of the personal circumstances of the claimant and her family.</p> <p>The Panel understands that there are several on-going noisy activities at the construction site which includes breaking out concrete using a pneumatic pecker and will include rotary piling works. The Panel understand that the concrete breaking out works will be carried out during the daytime period only. The Panel have also reviewed two recent videos of noisy activities occurring at the site.</p> <p><b>The Panel has determined to extend the existing award until the end of April 2023. Additionally, for the Easter school holiday period, which the Panel understand is the 3<sup>rd</sup> April to 17<sup>th</sup> April 2023, the family is awarded an additional day of respite a week, making two days of respite for those specific weeks.</b></p> <p>The Panel will be making site visits during March and April to the Chambers Wharf area to consider the extent to which noise disturbance is occurring and will also be reviewing noise monitoring reports and predicted noise levels for the site area.</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 3              | Notes for the record  |
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| Applicant Reference | The Panel considered the information contained in pack <b>2350-TDWAY-TTTUN-990-ZZ-ZZ-738847</b> |

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| <b>Relevant Tideway site</b>                        | Greenwich Pumping Station   |
| <b>Decision</b>                                     | <b>PART AWARDED</b>   |
| <b>Details of the award</b>                         | <p>The Panel noted that there was no recent site update for this site but from the update for February 2023 it was identified that through to July 2023 the remaining temporary concrete structures in Phoenix Wharf will be removed. Those works will be during normal working hours with an increase in vehicle movements during the day.</p> <p>The site update indicates that works are declining but there still may be occasional works which may be disturbing during the daytime only.</p> <p>The claimant moved into the property with the full knowledge of the site activities.</p> <p>The claimant has stated that there is unacceptable noise 24 hours a day especially very loud noise from the shaft. He reports that the construction noise continues to after 8pm or even until midnight. The vehicles waiting outside the property do not turn off their engines and the acoustic blankets on the generators do not work and the noise becomes very annoying during the night. They find that the blinds do not help to keep out the light and they have to keep their windows closed all of the time.</p> <p><b>The Panel is aware of the on-going works at the site and has determined to make an award to assist with working from home of three sets of noise cancelling headphones. Additionally, the Panel makes an award in respect of the claimant only, of access to alternative office space for up to 3 days a week until the end of May 2023.</b></p> <p>The claimant has mentioned that light from the site is very bright and the claimant is referred to Tideway's blackout blinds application procedure.</p> <p>The contractor is reminded that they have a responsibility to implement best practicable means with respect to controlling noise from 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> |
| <b>Further information required/actions arising</b> | None  |
| <b>Information/action requested from Tideway</b>    | <p><b>Tideway to implement the blackout blind application procedure.</b></p> <p><b>Tideway to remind the contractor of their responsibility to implement BPM with respect to noisy activities.</b></p>  |
| <b>Item 4</b>                                       | <b>Notes for the record</b>   |
| <b>Applicant Reference</b>                          | The Panel considered the information contained in pack <b>2350-TDWAY-TTTUN-990-ZZ-ZZ-738846</b>   |

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| <b>Relevant Tideway site</b>                        | Greenwich Pumping Station  |
| <b>Decision</b>                                     | <b>AWARDED</b>   |
| <b>Details of the award</b>                         | <p>The Panel noted that there was no recent site update for this site but from the site update for February 2023 it has been identified that through to July 2023 the remaining temporary concrete structures in Phoenix Wharf will be removed. Those works will be during normal working hours with an increase in vehicle movements during the day.</p> <p>The site update indicates that works are declining but there still may be occasional works which may be disturbing during the daytime only.</p> <p>The Panel understand that the claimant's property has direct line of sight towards the site and will experience noise from the site during breaking out works. The claimant works from home '80%' of the week and his partner is at home on maternity leave with their young child. The claimant is requesting two pairs of noise cancelling headphones.</p> <p><b>The Panel has carefully considered the location of the claimant's property and the extent to which noise disturbance may occur and makes an award of two sets of noise cancelling headphones.</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 5</b>                | <b>Notes for the record</b>   |
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| <b>Applicant Reference</b>   | The Panel considered the information contained in pack <b>2350-TDWAY-TTTUN-990-ZZ-ZZ-7388488</b>  |
| <b>Relevant Tideway site</b> | Kirtling Street   |
| <b>Decision</b>              | <b>AWARDED</b>  |
| <b>Details of the award</b>  | <p>The Panel note that there appears to be no recent update for the KRTST site, although we are aware of the road replacement works which are being managed on an intermittent basis to provide respite from the associated breaking out works. The s.61 for the works has been viewed and spans the period 23rd June 2022 to 31st May 2023. Works during this period appear to require some night-time working.</p> <p>The predicted construction noise levels for core hours are lower than the designated baseline ambient levels. Combining baseline ambient and construction noise levels, results in a small increase in the overall noise levels.</p> <p>The claimant is reporting that he is '<i>severely impacted by the ongoing continual noise from the Kirtling Street site, especially from concrete breaking, jack hammering and other machinery.</i>' He finds that this</p> |

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|  | <p>affects his ability to concentrate on his work and hold business calls and reports of medical issues as a result.</p> <p><b>The Panel makes an award of respite plus access to alternative office accommodation until the end of May 2023. The cost of such accommodation must be agreed with Tideway in advance.</b></p> <p><b><u>All awards are subject to Tideway’s Guidelines for Implementation of ICP decisions.</u></b></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 6                       | Notes for the record  |
|------------------------------|---|
| <b>Applicant Reference</b>   | The Panel considered the information contained in pack <b>2350-TDWAY-TTTUN-990-ZZ-ZZ-738827</b> and various email correspondence.   |
| <b>Relevant Tideway site</b> | Chambers Wharf  |
| <b>Decision</b>              | <b>AWARDED</b>  |
| <b>Details of the award</b>  | <p>The Panel has further reviewed correspondence from the claimant and a letter from a medical specialist. The Panel is aware of the ongoing construction activities at Chambers Wharf.</p> <p>The Panel have reviewed the letter report from the specialist (dated 10<sup>th</sup> March 2023) noting that she considers that further treatment would be beneficial for the claimant.</p> <p><b>The Panel has determined to make an award of further treatment, after which, the Panel would require a further report from the specialist identifying the progress which has been made and the extent to which further treatment would be beneficial for the claimant. Additionally, the Panel extends the existing award until the end of May 2023.</b></p> <p>The Panel note that the claimant has questioned the usefulness of a visit to her property by the Panel as it would be able to review the noise monitoring records for the area. The claimant has misunderstood the purpose of such a visit, in that the Panel find it useful to discuss with claimant’s the impact that site activities are having and to personally experience noise from within the property.</p> <p>The Panel members will be carrying out several visits to the site area before the end of May 2023 to understand the nature of noise disturbance and particularly the frequency of occurrence. If the claimant is able to enable a home visit, then the Panel members will endeavour to agree a date with the claimant as to when that could occur.</p> <p><b><u>All awards are subject to Tideway’s Guidelines for Implementation of ICP decisions.</u></b></p> |

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|   | <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> |
| <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

Date 27 March 2023

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