

INDEPENDENT COMPENSATION PANEL

MEETING#231 MINUTES

Purpose:	To determine medical, special cases and compensation claims.
Date and time:	Tuesday 27 June 2023 – 1000hrs to 1130hrs
Location:	Video Conference
Panel Members:	Graham Parry (Chair) Stephen Stansfeld (Medical) Phil Evans (Noise)
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-739151

Item 1	Notes for the record
Applicant Reference	The Panel considered the information contained in pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-739109 plus 4 videos.
Relevant Tideway site	Chambers Wharf
Decision	AWARDED
Details of the award	<p>The Panel has reviewed the information provided in the claim form and have viewed several videos of site activities provided by other claimants.</p> <p>From the programme update of the 19th of June for Chambers Wharf, along with the Air Treatment Unit (ATU) interior walls being poured, the team has started constructing the shaft precast beam falsework platform.</p> <p>Previous information, for the week commencing the 19th of June was also taken into consideration.</p> <p>The Panel is aware from various recent site visits that most of the sites including CHAWF are quiet most of the time with occasional noisy events.</p> <p>The Panel has determined to make a respite award or each family member, at the standard rate, until the end of September 2023.</p> <p>The Panel considered the request for secondary glazing and note that these properties were excluded from the Trigger Action Plan for secondary glazing. Noting the difficulties with</p>

	<p>providing any secondary glazing to this property and the review of noise levels for the site, the Panel has not awarded secondary glazing.</p> <p>With respect to the request for blackout blinds, it is the Panel's understanding that an award for blackout blinds has already been agreed.</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	Tideway to contact claimant with respect to the blackout blinds procedure and payment.

Item 2	Notes for the record
Applicant Reference	The Panel considered the information contained in pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-738990
Relevant Tideway site	Chambers Wharf
Decision	AWARDED
Details of the award	<p>The claimant and her family are known to the Panel from previous claims.</p> <p>The claimant is requesting daily respite for her and her family and a temporary respite holiday break for the family from noise disturbance which they state is continuous.</p> <p>The Panel has several videos provided by a number of claimants which provide evidence of noise from the site.</p> <p>The programme update of the 19th of June for Chambers Wharf was taken into consideration, along with previous information, for the week commencing the 19th of June.</p> <p>The Panel is aware from various recent site visits that most of the sites including CHAWF are quiet most of the time with occasional noisy events.</p> <p>The Panel has determined to extend the daily respite for each family member until the end of September 2023 at the standard rate. Additionally, the Panel makes an award of a holiday break for all family members to be taken before the end of September 2023.</p> <p><u>All awards are subject to Tideway's Guidelines for Implementation of ICP decone-week</u>https://www.tideway.london/media/4138/guidelines-for-implementation-of-icp-decisions_feb-2020.pdf</p>
Further information required/actions arising	None

Information/action requested from Tideway	None
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Item 3	Notes for the record
Applicant Reference	The Panel considered the information contained in pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-738992 plus sound recording
Relevant Tideway site	Chambers Wharf
Decision	AWARDED
Details of the award	<p>The claimant has stated that that noise from the CHAWF site is still continuous daily, which disturbs her family. She states that the banging, drilling, and lorries etc is still happening on a daily basis.</p> <p>The Panel has reviewed a number of videos which provide evidence of noise from the site from various activities and plant.</p> <p>The programme update of the 19th of June for Chambers Wharf was taken into consideration, along with previous information, for the week commencing the 19th of June.</p> <p>The Panel is aware from various recent site visits that most of the sites including CHAWF are quiet most of the time with occasional noisy events.</p> <p>The Panel has determined to extend the daily respite for each family member until the end of September 2023 at the standard rate. Additionally, the Panel makes an award of a holiday break for all family members to be taken before the end of September 2023.</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 considered the information contained in pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-738821
Relevant Tideway site	Chambers Wharf
Decision	AWARDED
Details of the award	<p>The claimant has previously contacted the Panel and her family circumstances and medical issues are known to the Panel.</p> <p>The Panel has viewed several videos which provide evidence of noise from the site due to various activities and plant.</p>

	<p>The programme update of the 19th of June for Chambers Wharf was taken into consideration, along with previous information, for the week commencing the 19th of June.</p> <p>The Panel is aware from various recent site visits that most of the sites including CHAWF are quiet most of the time with occasional noisy events.</p> <p>The Panel has determined to make a respite award for all family members ordinarily resident at the claimant's property. The respite is at the standard rate and is until the end of September 2023.</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 the information contained in pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-738919 plus video
Relevant Tideway site	Carnwath Road
Decision	AWARDED
Details of the award	<p>The Panel is aware of the location of the claimant's property in relation to on-going works at the Carnwath Road site. The Panel previously reviewed several videos and photographs provided by the claimant which identified noisy activities at the site.</p> <p>Previously the Panel made a respite award.</p> <p>The Panel understand that there have been some difficulties in providing reimbursement to the claimant and the Panel therefore requests that Tideway expedite the award as soon as possible. Additionally, the existing award is extended until the end of September 2023.</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	Expedite award payments as soon as possible.

Item 6	Notes for the record
Applicant Reference	King Edward Memorial Park Foreshore
Relevant Tideway site	King Edward Memorial Park Foreshore
Decision	PART AWARDED
Details of the award	<p>It is not entirely clear where this property is located, but the post code and Google Earth indicate that a nearby part of the building would provide some screening of noise from the site.</p> <p>The claimant needs to keep the windows open but says this will be intolerable if work is noisy and there is no warning.</p> <p>The site update from May 2023 has been taken into consideration.</p> <p>Four monthly noise reports have been submitted but these don't cover the proposed or current works and neither of the two monitoring locations are representative of the claimant's property, so they do not provide any useful information.</p> <p>From the s.61 dated 1.12.22, works are covered up to the end of July 2023 with cofferdam removal in June and July (although the cofferdam removal will extend beyond July 2023). There does not appear to be any receptor representative of the claimant's property as the receptors that are included are on the outer western, exposed, side of Free Trade Wharf. From the above information, some of the activities will be noisy and will extend over the next few months which are the warmest months of the year.</p> <p>The Panel has determined to make an award of noise cancelling headphones to a maximum cost of £100. Additionally, the Panel makes a respite award until the end of September 2023 at the standard rate.</p> <p>The Panel carefully considered the request for an air conditioning unit; however, based on the information available to the Panel that 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 7	Notes for the record
Applicant Reference	The Panel considered the information contained in pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-735289
Relevant Tideway site	Chambers Wharf
Decision	AWARDED

<p>Details of the award</p>	<p>There have been multiple previous claims from the claimant.</p> <p>This resident was previously awarded TAPS mitigation or cost of TAPS to go towards secondary glazing. This was in 2016/17 and to date this has not been installed.</p> <p>The claimant has now come back to the ICP stating that the family are struggling with the site activity in various ways:</p> <ul style="list-style-type: none"> • Light from site activities shining into the property day and night with this to be intensifying in the next few years • Noise from activities including piling activities, concrete breaking and noises from staff talking to one another. The endless noise was akin to 'torture' and can be relentless in nature. This is taking a toll on the family's health and wellbeing. • Dust and air quality – the children were suffering with breathing/respiratory issues <p>Medical evidence has been requested from the children's GP; they were both born after the project started. The medical evidence/reports from the GP in relation to the children are still outstanding, however a discharge letter from a hospital admission was attached.</p> <ul style="list-style-type: none"> • Unable to open windows in hot weather due to site activities • Difficulty concentrating while working from home • Difficulty in coping in a small flat with a lot of people inside <p>Surface work will continue at Chambers Wharf until the team vacates site. Upcoming work over the next two years is scheduled to include:</p> <ul style="list-style-type: none"> • River wall construction and piling activities • Concrete breaking • Acoustic shed demolition • Cofferdam (including piling removal) • Site demobilisation <p>The claimant has identified various reasons why the secondary glazing, mechanical ventilation and blackout blinds previously offered are not appropriate for her property and seeks to claim the following:</p> <p>External Blinds – mitigation for light from site activities</p> <p>External, mechanically operated window blinds - These would be located on the external wall of habitable rooms and hidden within external roof rafters (It was noted that this would require consent from the freeholder and that this may not be granted).</p> <p>Short Term Respite – mitigation from noise from site activities and difficulty in coping in a small flat with a lot of people inside</p> <p>Daily Respite – Alternative Office Accommodation - mitigation from noise whilst working from home.</p>
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	<p>Noise cancelling headphones –This would allow the claimant to work at busy times and help while working from home.</p> <p>Permanent Air Conditioning – mitigation for dust and air quality issues and unable to open windows in hot weather.</p> <p>The Panel has carefully considered the various requests from the claimants and have taken into account, the personal circumstances of the claimant, the location of the property, information with respect to site activities and various site visits that Panel members have made to the area.</p> <p>The Panel has determined to make a respite award until the end of September 2023 for all family members at the standard rate.</p> <p>The Panel also makes an award of access to alternative office accommodation for one day a week until the end of September 2023. The costs are to be agreed with Tideway.</p> <p>The Panel did not consider that it was appropriate to make an award for air conditioning noting that ventilation is available from the east facing windows of the property.</p> <p>With respect to the blackout blinds request, the claimant is referred back to the Tideway blackout blinds procedure.</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>
<p>Further information required/actions arising</p>	<p>None</p>
<p>Information/action requested from Tideway</p>	<p>Tideway to contact claimant with respect to the blackout blinds procedure.</p>

Item 8	Notes for the record
<p>Applicant Reference</p>	<p>The Panel considered the information contained in pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-739136</p>
<p>Relevant Tideway site</p>	<p>Kirtling Street</p>
<p>Decision</p>	<p>DEFERRED</p>
<p>Details of the award</p>	<p>A previous claim was heard by the ICP at meeting held on the 14th of June 2022.</p> <p>The Panel has limited information with respect to on-going activities at Kirtling Street and had previously requested a home visit which we understand the claimant is willing to facilitate. Accordingly, this claim is deferred until a home visit can be made (Note: The Panel has availability on the 12th July).</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 9	Notes for the record
Applicant Reference	The Panel considered the information contained in pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-739119
Relevant Tideway site	Carnwath Road
Decision	AWARDED
Details of the award	<p>The Panel is aware of the location of the claimant's property in relation to the on-going works at the Carnwath Road site and the nature of those works.</p> <p>The claimant has requested a cooling system or an air purifier to assist with the levels of noise and dust near his workspace. He states that the double-glazed windows provide a level of noise absorption but the main issue is the heat.</p> <p>The Panel has determined to make an award of an air conditioning unit and electricity costs for one year.</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

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

Signed

Date 10 July 2023

Graham Parry

Chair, Independent Compensation Panel