

INDEPENDENT COMPENSATION PANEL

MEETING #236 MINUTES

Purpose:	To determine medical, special cases and compensation claims.
Date and time:	Tuesday 22 August 2023 – 1000hrs to 1200hrs
Location:	Video Conference & telephone discussion
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-739282

Item 1	Notes for the record
Applicant Reference	The Panel considered the information contained in pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-739271
Relevant Tideway site	Chambers Wharf
Decision	Awarded
Details of the award	<p>The Claimant 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 ICP has reviewed the site updates and is aware of exposure around the site from recent site visits. Whilst work is now mostly daytimes and Saturdays, the ICP is aware that some of the works are noisy.</p> <p>The resident made a recent claim that was considered by the ICP at meeting # 231 on the 27th of June 2023. The claim was due to adverse light, noise, dust and AQ issues and she was claiming various items including whole house air conditioning (A/C).</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>The resident has raised various queries in relation to the A/C.</p> <p>The Panel has considered this request and agree in principle that this is approved but the grant should only be for the mechanical ventilation aspect of the TAPS which would need to</p>

	<p>be approved by Tideway and to a standard in line with the Noise Insulation Regulations. Any claim should be supported by receipts covering the works.</p> <p>All awards are subject to Tideway's Guidelines for Implementation of ICP decisions.</p> <p>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

Item 2	Notes for the record
Applicant Reference	The Panel considered the information contained in pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-739270
Relevant Tideway site	Albert Embankment Foreshore
Decision	Not applicable
Details of the award	<p>Previous claims were considered by the ICP at meeting # 162 on the 13th of October 2020 and meeting # 163 on the 27th of October 2020. At that time, the claimant wanted the cranes removed. She was awarded noise cancelling headphones, but nothing more given her limited exposure.</p> <p>She has provided an update to the handwritten claim form submitted at that time. It is not clear what she is seeking other than cessation of the works and removal of residual apparatus. She also states by e-mail:</p> <p><i>Further to our email correspondence below, I would appreciate an update on the works being carried out by Tideway. You clarified below that they would be finished by 2023 and all equipment removed.</i></p> <p><i>I am currently viewing two platforms, two cranes and the noise today is unacceptable. You would think we live on a building site. This is a residential area and the situation is unacceptable. I look forward to receiving an update and an explanation for the noise.</i></p> <p>The Panel has reviewed the information provided by the Claimant and, subject to receipt of any further information on a claim, considers that the Claimant just requires an update on the construction programme including full completion of works and removal of all plant.</p> <p>All awards are subject to Tideway's Guidelines for Implementation of ICP decisions.</p> <p>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	Tideway to provide the Claimant with an update on the construction programme including full completion of works and removal of all plant.
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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-739272 plus 5 videos
Relevant Tideway site	Chambers Wharf
Decision	Deferred
Details of the award	<p>The resident is complaining of intermittent sound / noise disturbance from the Tideway site on Chambers Street, plus the increased levels of dust.</p> <p>The Claimant states he is a sound and music professional and he works from home. The Claimant's work involves detailed listening, writing, and sometimes recording other people, which includes recording podcasts - and most of this takes place at his home. He states that it is important that he is able to operate in an environment that can be silent and peaceful, which is why he decided to buy his property, due to the fact that it's very silent.</p> <p>The Claimant has provided five recordings of noise in his front room with photographs of the room and the recording device.</p> <p>The Claimant states that when the noise is exceptionally bad, he has to stop work - whether this is recording something/someone or just because he's unable to concentrate on what he's working on - even when he's wearing professional headphones, which is often. He states the noise coming from Tideway can sometimes last for up to 2-3 hours, and ranges from a high-pitched whistle sound to something resembling a deep pile driver (as can be heard on the recordings attached).</p> <p>On top of the noise issues, he states he is constantly having to deal with the continual dust from the site, whether on the windows of his flat, or inside the flat, especially the room which he has his electronic music equipment in.</p> <p>The ICP has reviewed the site updates and is aware of exposure around the site from recent site visits. Whilst work is now mostly daytimes and Saturdays, the ICP is aware that some of the works are noisy.</p> <p>The Claimant's property is distant from the site and is protected from noise from the site by the barrier effects of other properties and the Tideway accommodation block and hence the exposure of noise to this property is limited. Furthermore, no Tideway traffic is allowed west of the site entrance along Chambers Street so the Claimant should not be affected by HGV traffic associated with the site. The</p>

	<p>Claimant has also been resident in his property since December 2017 and this is his first claim.</p> <p>The Panel has considered the information made available for the claim and appreciates that the Claimant's work is particularly noise sensitive. However, due to the expected low exposure to noise from the site, a decision on the claim is deferred pending a home visit to better understand the noise and dust effects at the property.</p> <p>With regard to retrospective compensation, this cannot be awarded as awards are only made from the date of any claim, except in very exceptional circumstances, This claim is not considered to have any exceptional circumstances. With regard to an air purifier and cleaning costs due to the dust from the Tideway site, dust from the site at this location is most unlikely and would not come from Tideway related traffic as that is prohibited from west of the site entrance.</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 the Claimant to request a site/home visit by the ICP.</p>

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

Signed

Date 30 August 2023

Graham Parry
Chair, Independent Compensation Panel