

INDEPENDENT COMPENSATION PANEL

MEETING #235 MINUTES

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| Purpose: | To determine medical, special cases and compensation claims. |
| Date and time: | Tuesday 8 August 2023 08.30 – 09.30 – Compensation cases (Microsoft Teams) 09.15 – 10.15 - Special & Medical cases (Zoom) |
| Location: | Video Conference (via Zoom and Microsoft Teams) |
| Panel Members: | Graham Parry (Chair) Stephen Stansfeld (Medical) Phil Evans (Noise) Chris Kench & Richard Pugh (Compensation) |
| 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-739244 |

| Item 1 | Notes for the record |
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| Applicant Reference | The Panel considered the information contained in pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-739233 |
| Relevant Tideway site | Chambers Wharf |
| Decision | AWARDED (subject to further information) |
| Details of the award | <p>The Panel has reviewed the information provided by the claimant and has determined to make the following award subject to further information from the claimant being made available.</p> <p>The Panel considered the latest claim and made an award for the current year, from July 2023 to July 2024.</p> <p>The Panel also invites the claimant to submit a further claim for the same amount in July 2024, which will be considered in the light of information available about the remaining Tideway works at that time, including whether they are likely to be concluded before the expiry of the tenancy.</p> <p>The additional information required from the claimant prior to the claim being ratified is whether the new tenant is known to the claimant and any evidence in respect of marketing the property to identify that losses have been mitigated as much as possible.</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> |

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| 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 2350-TDWAY-TTTUN-990-ZZ-ZZ-739245 |
| Relevant Tideway site | Chambers Wharf |
| Decision | PART AWARDED |
| Details of the award | <p>The claimant and family are complaining about noise, dust and poor air quality associated with the site. They are also complaining that they have not been treated as others have who have received various forms of compensation.</p> <p>The Panel took into consideration the 6-month summary of work provided by Tideway. The current s.61 extends until the 31st of December 2023 but does not include site demobilisation so works are likely to continue into 2024.</p> <p>The Panel also considered the site updates of the 4th and 11th of August.</p> <p>From the information available to the Panel, it is not considered that dust at an elevated height from the construction works would be at such a level as to result in health issues and therefore air purifiers are not awarded.</p> <p>Compensation has been requested retrospectively; however, it is the case that any compensation can only be awarded when a claim is made, except in very exceptional circumstances and it is the decision of the Panel that this is not such a case and therefore no retrospective award for respite is made.</p> <p>The Panel has considered the request for the electricity costs of using two fans to prevent overheating and the Panel makes an award at the standard rate for the two fans for one year from the date of this meeting.</p> <p>The Panel also makes an award of one day of respite per week until the end of September 2023 at the standard rate. (Note that children under the age of one year do not qualify for this respite award).</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 |
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| Applicant Reference | The Panel considered the information contained in pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-739246 |
| Relevant Tideway site | Chambers Wharf |
| Decision | AWARDED |
| Details of the award | <p>The claimant and her family states they can't escape the noise in any of their rooms. She continues to work night shifts and states: <i>When I get back home I'm not able to have a peaceful sleep due to ongoing works.</i></p> <p>The claimant has not identified specifically what she is claiming; however, the claimant and her personal circumstances are known to the Panel.</p> <p>The Panel took into consideration the 6-month summary of work provided by Tideway.</p> <p>The current s.61 extends until the 31st of December 2023 but does not include site demobilisation so works are likely to continue into 2024.</p> <p>The Panel also considered the site updates of the 4th and 11th of August.</p> <p>The Panel has determined to make an award of one day of respite per week until the end of September 2023 for all family members at the standard cost.</p> <p><u><i>NB: Any award made by the Panel is under the assumption that any previous award made has been fulfilled by Tideway after the provision of the relevant receipts from the Claimant. If any paperwork is outstanding, Tideway will take that into consideration when implementing this award.</i></u></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 4 | Notes for the record |
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| Applicant Reference | The Panel considered the information contained in an email from the claimant dated 12 July in Info Pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-739249 |
| Relevant Tideway site | Hammersmith Pumping Station |
| Decision | AWARDED |
| Details of the award | At the ICP meeting # 232 of the 11th of July 2023, an award was made and the claimant is now seeking payment for the period June |

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| | <p>2023 to June 2024. He is also querying the amount that is paid given the rising costs of electricity.</p> <p>The Panel makes an award of electricity costs for the year June 2023 to June 2024 for the two A/C units previously awarded. The Panel is of course aware that electricity prices have fluctuated; however, the Panel notes that the award covers a period when works are expected to reduce significantly and also at a time of the year when temperatures will have reduced. In these circumstances, the fixed electricity award is not altered.</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 |
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| Applicant Reference | The Panel considered the information contained in pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-739247 |
| Relevant Tideway site | King Edward Memorial Park Foreshore |
| Decision | DEFERRED |
| Details of the award | <p>The claimants state that for the last four/five years they have put up with endless noise, vibration and dust pollution without complaint and have had to keep their windows shut in the recent hot weather.</p> <p>It is their understanding that the removal of the coffer dam will cause more persistent disturbance for another year and consider this unacceptable, not least because it will make it even harder for them work from home. They are requesting compensation but have not stated in what form.</p> <p>Information regarding the cofferdam removal was reviewed.</p> <p>These works will potentially be noisy and disturbing albeit probably daytime unless tide dependent. It is not clear where the claimants flat is located, hence the Panel is uncertain as to the extent of any noise disturbance. The information note also does not state how long the works are likely to take although the Panel understand it will be carried out in stages.</p> <p>The last s.61 the Panel has for this site is dated 1st December 2022 but only extends to the end of July 2023.</p> <p>It is the Panel’s understanding that the Administrator for the ICP has tried to make contact by telephone with the claimant on three separate occasions to ascertain the precise nature of the claim; however, the claimant has refused to engage with her.</p> <p>The Panel has therefore reluctantly deferred this claim until such further information is provided.</p> |

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| | <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 |
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| Applicant Reference | The Panel considered the information contained in pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-73924 |
| Relevant Tideway site | Chambers Wharf |
| Decision | PART AWARDED & PART DEFERRED |
| Details of the award | <p>The claimants are seeking appropriate noise reduction solutions for their property including double glazing, wall insulation, blackout blinds and specialised noise-cancelling equipment. They are also stating that they cannot work from home effectively and the following is required for one person:</p> <ol style="list-style-type: none"> 1. Co-working Space Rentals: the expense of renting a suitable workspace, where they (but only one space is requested) can work undisturbed by the noise and vibrations from the construction site. 2. Transportation: The additional cost for commuting to and from the co-working space. 3. Food and Beverages: The additional cost of meals, which were previously prepared at home. <p>They have also requested a meeting to discuss “fair and justifiable compensation”.</p> <p>The 6-month summary of work was reviewed.</p> <p>The current s.61 extends until the 31st of December 2023 but does not include site demobilisation so works are likely to continue into 2024.</p> <p>The site updates of 4th and 11 August were reviewed</p> <p>The Panel has reviewed a video provided by the claimant which identifies the location of the property and the nature of noise presently emanating from the site.</p> <p>The Panel has reviewed the Trigger Action Plan for the property and note that it was not identified as requiring secondary glazing and therefore no award for this element of the claim is made.</p> <p>The Panel makes an immediate award of two pairs of noise cancelling headphones to assist with working from home.</p> <p>With respect to physical damage to the property, Tideway will contact the contractors to arrange a surveyor’s inspection.</p> |

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| | <p>In respect of the request for blackout blinds, Tideway has a separate procedure for this and will contact the claimant in respect of the requirements.</p> <p>All other matters relating to this claim are deferred until a home visit, as requested by the claimants, can be arranged.</p> <p><u>All awards are subject to Tideway's Guidelines for Implementation of ICP decisions.</u></p> <p>https://www.tideway.london/media/4138/guidelines-for-implementation-of-icp-decisions_feb-2020.pdf</p> |
| Further information required/actions arising | Home visit to be arranged. |
| Information/action requested from Tideway | <p>Tideway to contact contractor to arrange a surveyor's visit to inspect physical damage to the property.</p> <p>Tideway to contact claimant and implement the blackout blind procedure.</p> |

| Item 7 | Notes for the record |
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| Applicant Reference | The Panel considered the information contained in pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-739262 plus 1 video |
| Relevant Tideway site | Greenwich Pumping Station |
| Decision | AWARDED |
| Details of the award | <p>The is requesting a set of noise cancelling headphones to assist working from home.</p> <p>The works update for the GREPS site was reviewed.</p> <p>There is a s.61 in place dated 7th February 2023; however, it does not seem to state the duration of the works although the Panel is aware that demolition works will continue at until September 2023.</p> <p>The Panel has determined to make an award of one set of noise cancelling headphones.</p> <p><u>All awards are subject to Tideway's Guidelines for Implementation of ICP decisions.</u></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 |

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

Signed

Date 28 September 2023

Graham Parry
Chair, Independent Compensation Panel