

INDEPENDENT COMPENSATION PANEL

MEETING #254 MINUTES

Purpose:	To determine medical, special cases and compensation claims.
Date and time:	Tuesday 26 March 2024 – 1000hrs to 1100hrs
Location:	Video Conference
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-740004

Item 1	Notes for the record
Applicant Reference	The Panel considered the information contained in pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-739964 plus 3 videos
Relevant Tideway site	Chambers Wharf
Decision	PART AWARDED
Details of the award	<p>The claimant and her husband work varying shifts, mostly at night, and they state they both need to be able to rest at home presumably during the day. The information pack includes a letter from the claimant's employer confirming her night shifts, but this is from 17th of October 2022.</p> <p>She includes some medical evidence (examination) and a prescription from July 2023.</p> <p>A number of awards have previously been made with the latest one being awarded by the ICP at the meeting in June 2023</p> <p>The claimant now reports that the noise has become unbearable and that it is affecting all members of the household. She states that there are no breaks between the vibrations from the site and the noise from digging, drilling, demolition, and construction. She has provided three videos which provide evidence of noise, probably concrete breaking or similar. These are taken through the ventilation door when the inner door is open. One video includes the inner door being open and then closed with a distinct reduction in internal noise levels to the extent that the noise is barely audible.</p>

	<p>The claimant is now seeking: <i>Daily respite for elderly mother and children; and a temporary respite break for the family away from the construction disturbance.</i></p> <p>Above ground construction activity is ramping up at CHAWF and the weekly reports from the weeks commencing 22nd and 29th of March 2024 were taken into consideration.</p> <p>Based upon this information, the following award is made:</p> <p>The Panel has determined that, considering the level of activity at the site and the needs of the family and that the children will be at school during the week, the following award is made:</p> <ul style="list-style-type: none"> • 2 days respite per week for the claimant, her husband and mother at the standard rate until the end of June 2024; • 1 day respite a week for each child at the standard rate until the end of June 2024. <p>The Panel having carefully considered all of the information available to them do not consider that a temporary respite break (holiday) is justified and, therefore, that element of the claim is not awarded.</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>None</p>

Item 2	Notes for the record
<p>Applicant Reference</p>	<p>The Panel considered the information contained in pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-739969</p>
<p>Relevant Tideway site</p>	<p>Chambers Wharf</p>
<p>Decision</p>	<p>AWARDED</p>
<p>Details of the award</p>	<p>The claimant states that she is being significantly disturbed by the ongoing works which are incessant and from 07:00 to 23:00 hours on most days but sometimes overnight. The claimant, as the ICP is aware, has some significant health issues.</p> <p>Construction activity is ramping up at CHAWF and the weekly reports from the weeks commencing 22nd and 29th of March 2024 have been taken into consideration.</p> <p>Given that works are again becoming significant and although these are not generally night-time, except for some early morning tide related barge movements, disturbance to those trying to rest during the day could be significant at times. Panel members have visited the site and have noted the intermittency of the noisy site activities.</p>

	<p>Based upon the above, the following award is made:</p> <p>The Panel, noting the health issues of the claimant, makes an award of daily respite at the standard rate until the end of June 2024. Additionally, the Panel has determined to make an award of one night of overnight accommodation a week at the standard rate until the end of June 2024.</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
Applicant Reference	The Panel considered the information contained in pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-739981
Relevant Tideway site	Chambers Wharf
Decision	PREVIOUS AWARD CONFIRMED
Details of the award	<p>Having reviewed previous information provided, the most recent awards made and given that works are again becoming significant and although these are not generally night-time, except for some early morning tide related barge movements, disturbance during the day could be significant at times. Panel members have visited the site and have noted the intermittency of the noisy site activities.</p> <p>It is clear that significant activity continues at the CHAWF site but that most of it is daytime only unless the works are tide dependent. The claimant is claiming for a holiday when she hasn’t used her previous award which should have been taken before the Christmas shutdown, but which was then extended. The Panel still see no justification for the substantial amount claimed.</p> <p>Based upon the above, the following award is made:</p> <p>The Panel notes that the previous award has not been taken, however, extension of the award of a holiday break to the end of May 2024 is offered. The Panel has determined that, as the award relates to the health of the claimant, it should be taken as soon as possible and must be taken before the end of May 2024 otherwise the award will be forfeited.</p> <p>The Panel is prepared to make a home visit if that would assist the claimant and if the claimant would like a member of the Southwark Law Centre to be present, then that would be acceptable to the Panel.</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-739974
Relevant Tideway site	Earl Pumping Station
Decision	PART AWARDED
Details of the award	<p>The claimant is now stating:</p> <p><i>Last year ... you offering me cash back for an away weekend to rest and be in a quiet place. Unfortunately, my health issue and my dog didn't allow me to travel, so I haven't used any of your recompensating options. Over a month the work has been ridiculous, drilling every day, all day sometimes until 10 p.m. I work from home 2/3 times a week and every time I have a massive headache from 2 pm due to a loud sound from the drilling. The temperature starting to change and my flat is facing the sun most of the day, so I have to open the balcony/windows Keeping windows open is crazy due to the loud sound of the work (hard to hear TV). I understand that you have to complete this project but since you started, life in my apartment has been a nightmare (soon 10 years) as I mentioned is not cheap living in my building when you have to deal with this discomfort.</i></p> <p>The claimant has booked a holiday to be in a quiet place where he can be stress-free and see trees, nature, and relax instead of builders and construction work.</p> <p>There do not appear to be any recent site updates for the EARPS site, but the claim is partly to re-allow a previous award that could not be taken for various reasons.</p> <p>Based upon the above, the following award is made:</p> <p>The Panel has determined to make an award of two nights overnight accommodation and two days of respite at the standard rate. The Panel has determined, as an exception, that this award can be commuted to the equivalent cash sum to be off-set against the prebooked holiday break.</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-739974
Relevant Tideway site	Greenwich Pumping Station
Decision	AWARDED
Details of the award	<p>The claimant has made various claims with the last one being considered by the ICP at meeting # 252 on Tuesday 27th of February 2024.</p> <p>The claimant has now come back to the ICP stating:</p> <p><i>I am completing this form as requested by Michele/the Panel in order to request an extension to the current respite award of and 2x days daytime respite until end of April 2024, in light of the information provided by Helpdesk.</i></p> <p>Works associated with the removal of the acoustic shed at the GREPS site have been extended until the end of April 2024. Residents in this area were previously subject to an area wide award when claims came in.</p> <p>Based upon the above, the following award is made:</p> <p>The Panel has considered this claim very carefully and mindful of the works occurring at Phoenix Wharf in particular, has determined to extend the existing respite at the standard rate until the end of April 2024.</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 6	Notes for the record
Applicant Reference	The Panel considered the information contained in pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-739985 (which includes 4 videos)
Relevant Tideway site	Greenwich Pumping Station
Decision	AWARDED
Details of the award	<p>The claimant’s health issues are known to the Panel.</p> <p>Works associated with the removal of the acoustic shed at the GREPS site have been extended until the end of April 2024. Residents in this area were previously subject to an area wide award when claims came in.</p> <p>Based upon the above, the following award is made:</p>

	<p>The Panel has considered the request to extend the previous award and has determined that the award of overnight accommodation is extended until the end of April 2024.</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

Item 7	Notes for the record
Applicant Reference	The Panel considered the information contained in pack 2350-TDWAY-TTTUN-990-ZZ-ZZ-739311 which was supplied previously
Relevant Tideway site	Victoria Embankment
Decision	AWARDED
Details of the award	<p>This case was considered at ICP meeting # 237 held on Tuesday 12 September 2023. At that meeting the following was determined:</p> <p><i>The Panel has determined that as the claim relates to damage to a refrigerator and cracking within the property the contractor needs to carry out an assessment to determine whether they are liable for any repairs.</i></p> <p>The claimant has now come back to the ICP and is seeking payment of the repair bill for the alleged damaged fridge and a home visit is being suggested although not all e-mails have been seen.</p> <p>Based upon the above, the following award is made:</p> <p>The Panel, which includes two noise & vibration experts, has determined that it is highly unlikely that vibration emanating from the site would result in damage to the claimant's property or the refrigerator. However, as this appeal has come back before the Panel and mindful of the costs involved in reconsidering this claim, the Panel has determined to award the sum against the Siemens invoice.</p> <p>Notwithstanding this award, the Panel reasserts that it does not consider that the TT works have resulted in the alleged damage and hence no further claims or liability will be considered by the Panel.</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
---	------

ANY OTHER BUSINESS	Notes for the record
Fast track awards scheme for CHAWF (similar to recent scheme for night works at GREPS)	<p>The Panel discussed a fast-track application system for Tideway to utilise for the CHAWF site. Following a conversation between the Panel members, it was agreed that the proposed method will be circulated for consideration by the Panel members.</p> <p>PMN:</p> <p>The CLWG suggested that they be included in determining an appropriate scheme and the Panel will give that request consideration.</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 A Parry*
Graham Parry
Chair, Independent Compensation Panel

Date 12 April 2024