



# Application for Development Consent

Application Reference Number: WWO10001

## Examining Authority's Second Written Round of Questions and Requests for Information

### Supporting Appendices

#### Houseboats Compensation Policy

Doc Ref: **APP68.01.01**



This document is issued in draft on 13 January 2014 to allow feedback from the Examining Authority and Interested Parties/Affected Persons. A final draft will be issued on 12 February 2014.

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# Thames Tideway Tunnel

## Houseboat compensation policy

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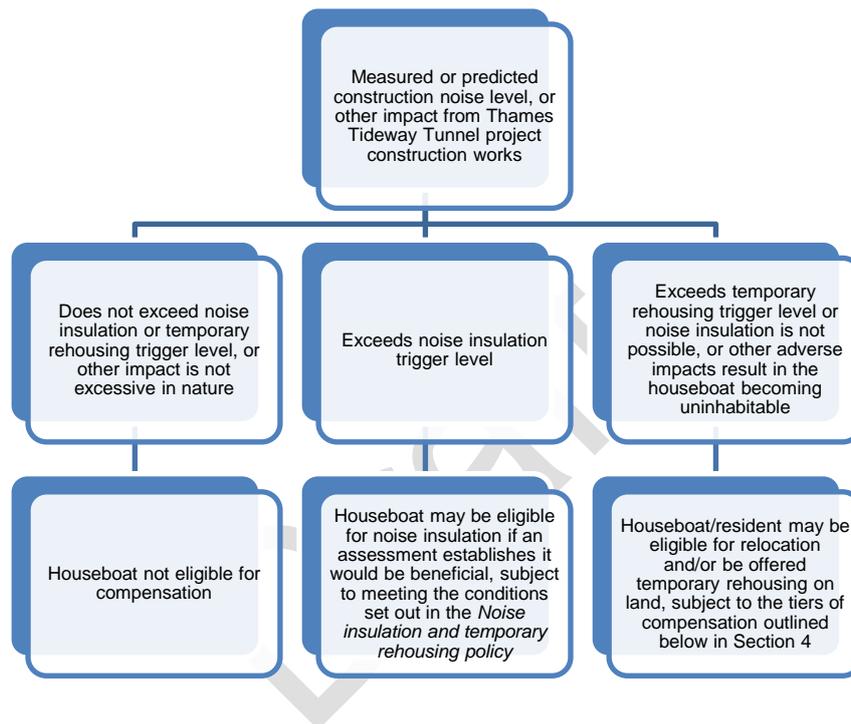
## 1 Introduction

- 1.1.1 The *Houseboat compensation policy (HCP)* is an annex to the *Non-statutory off-site mitigation and compensation policy* (Doc ref: APP68) which identifies houseboats as 'special cases' for the assessment of compensation claims resulting from noise.
- 1.1.2 Houseboat owners and tenants may be eligible for noise mitigation (where possible), rehousing on land or relocation of houseboats and/or residents. All claims for compensation will be assessed on case-by-case basis.
- 1.1.3 Trigger action plans (TAPs) will be prepared following consultation with the beneficiary and the relevant London borough for individual houseboats, or groups of houseboats, at the locations listed in the appendices.
- 1.1.4 Where qualification for mitigation or compensation is triggered, Thames Water's appointed contractor (the 'contractor') is responsible for the organisation, implementation and funding of the plan, facilitated by Thames Water. In some instances, mitigation or other measures may be undertaken by Thames Water prior to the appointment of the contractor; for example, those houseboats which require relocation to accommodate Thames Tideway Tunnel project (the 'project') works.
- 1.1.5 Each main contractor will be responsible for enforcing the *Code of Construction Practice* and the *HCP*, together with the *Non-statutory off-site mitigation and compensation policy*, to its subcontractors and trade contractors.
- 1.1.6 In order to ensure that Thames Water remains impartial in all matters relating to compensation, two bodies have been introduced: The Independent Advisory Service (IAS) and the Independent Compensation Panel (ICP)
- 1.1.7 The IAS will provide potential claimants with free and independent advice in respect of the *Non-statutory off-site mitigation and compensation policy* and the settlement, subsoil and exceptional hardship policies.
- 1.1.8 The ICP will supervise the implementation of all compensation policies to ensure they are effective and accessible, and to recommend any changes it sees fit. It will also resolve any disputes arising between Thames Water and a claimant. The decision of the ICP will be final and binding. See the *Non-statutory off-site mitigation and compensation policy* for further details on the IAS and ICP.

## 2 Qualification

- 2.1.1 Compensation for houseboat owners and/or residents will be offered to qualifying parties when construction noise from the project works exceeds the trigger levels set out in the *Non-statutory off-site mitigation and compensation policy*.
- 2.1.2 Other impacts from project works, such as dust, may also trigger compensation. See Figure 2.1 below for a summary of this process.

**Figure 2.1 Summary of the qualification process**



## 3 Houseboat compensation

- 3.1.1 Three tiers of compensation have been established for assessing the level of compensation a houseboat may receive. These tiers apply across all project sites.
- 3.1.2 Each application for compensation from a houseboat owner or resident will be assessed on a case-by-case basis, and the level and extent of any compensation will depend on the following factors:
- a. Whether the houseboat is required to move to accommodate the project works
  - b. The extent and duration of noise or other impact on the vessel
  - c. The length of licence/security of tenure the houseboat currently enjoys
  - d. The basis on which the houseboat is occupied (ie, owner occupied or tenanted).
- 3.1.3 TAPs will be prepared following consultation with the beneficiary and the relevant London borough for individual houseboats, or groups of houseboats, at the locations listed in the appendices.
- 3.1.4 Each TAP will define noise and vibration trigger values, and the mitigation or compensation package that would be implemented in the event that those trigger values were exceeded for predefined periods.
- 3.1.5 See the *Non-statutory off-site mitigation and compensation policy* for further information on TAPs.

### 3.2 Tier 1 compensation – houseboats requiring relocation

- 3.2.1 Tier 1 will apply to houseboat owners whose vessels need to be moved to accommodate the project works.
- 3.2.2 The project team is aware of vacant moorings and houseboats for sale with mooring rights along the River Thames. As the need arises, Thames Water will proactively purchase rights at alternative locations in order to secure locations to move affected houseboat owners or residents.
- 3.2.3 Houseboat owners requiring relocation will be offered alternative moorings as close to their present mooring as possible. These would, as a minimum, match the security of tenure they currently enjoy. For owners that rent out their houseboats, Thames Water may be able to offer compensation for loss of income, with their vessel stored for the duration of works, subject to agreement with individual owners.
- 3.2.4 Alternatively, houseboat owners may request that they are compensated by prior agreement with Thames Water and surrender their mooring rights, subject to negotiation.
- 3.2.5 Thames Water does not have any rights at Nine Elms Pier or Putney Embankment Foreshore, and therefore is unable to offer an absolute

guarantee to displaced vessels that they would be able to return to their original moorings.

### **3.3 Tier 2 compensation – houseboat owners**

3.3.1 Tier 2 compensation will apply to houseboat owners whose boats are not required to move for project works but may be adversely affected by noise, dust or other excessive impacts caused by project construction activity.

#### **a) Owner-occupier residents**

3.3.2 Should limits set out in the *Non-statutory off-site mitigation and compensation policy* be exceeded, owner-occupied houseboats would be offered noise and/or other mitigation, where this is practical and beneficial, or an alternative mooring or houseboat elsewhere. Alternative accommodation on land may also be provided where this is preferred by the owner.

3.3.3 The duration of any agreement will be agreed through negotiation with individual owners on a case-by-case basis. This will take into account the length of licence the owner has and the duration and level of any noise impact.

#### **b) Houseboat owners with tenants**

3.3.4 Houseboat owners with tenants that are unable to occupy due to excessive noise from the project works in breach of the limits set in the *Noise insulation and temporary rehousing policy* will not be financially disadvantaged. A compensation package will be agreed through negotiation which reflects any loss of income.

3.3.5 Tenants of houseboat owners that are subjected to excessive noise above the prescribed thresholds will fall into Tier 3 compensation (see Section 3.4 below).

#### **c) Noise insulation**

3.3.6 Due to the nature and construction of houseboats, they are inherently difficult structures to insulate. However, should a houseboat owner request it, an assessment of a vessel may be carried out to establish if the installation of noise insulation measures would have a significant impact in mitigating noise from the project worksites.

3.3.7 In circumstances where noise mitigation may be beneficial, measures, such as secondary glazing or standalone air-conditioning, may be fitted, subject to the constraints of individual houseboat design and agreement with the houseboat owner.

### **3.4 Tier 3 compensation – houseboat tenants**

3.4.1 Tenants of houseboats who are unable to remain in occupation due to excessive noise or other impacts may be offered a compensation package reflecting their individual circumstances and security of tenure. This may include temporary rehousing on land for a short period.

- 3.4.2** A table outlining the three tiers of compensation can be found in Appendix B.

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## 4 Site-specific issues

- 4.1.1 There are three sites at which Thames Water anticipates construction works will, or may, have an impact on houseboats. Specific issues have been identified at each site and are addressed further in the appendices. The three sites are:
- a. Putney Embankment Foreshore (Appendix C)
  - b. Kirtling Street and Heathwall Pumping Station (Appendix D)
  - c. Chambers Wharf (Appendix E).
- 4.1.2 Should potential impacts on houseboats be identified at any other site during the project, applications for compensation will be considered on a case-by-case basis, in accordance with the *HCP*.
- 4.1.3 At Putney Embankment Foreshore and Kirtling Street, houseboats could be impacted by project construction works. Houseboats in the proximity of Chambers Wharf may be affected by noise from the site or other impacts, such as wash from passing barges. A map showing the location of the three affected sites can be found in Appendix A.

## Abbreviations

HCP	Houseboat Compensation Policy	IAS	Independent Advisory Service
ICP	Independent Compensation Panel	NEP	Nine Elms Pier

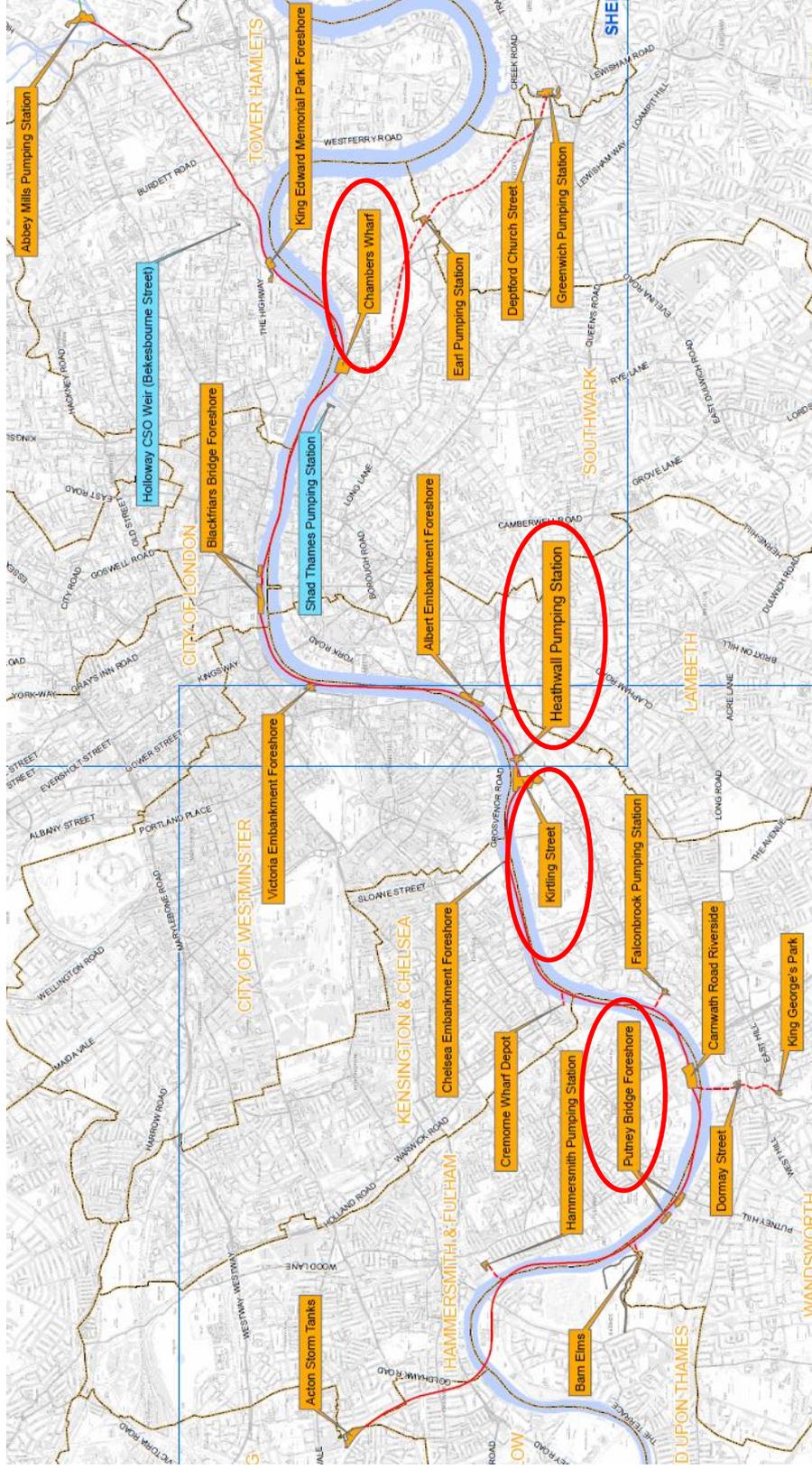
## References

Title	Reference number
<i>Non-statutory off-site mitigation and compensation policy</i>	APP68

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# Appendix A: Houseboat locations

Figure A.1 Map of houseboat locations



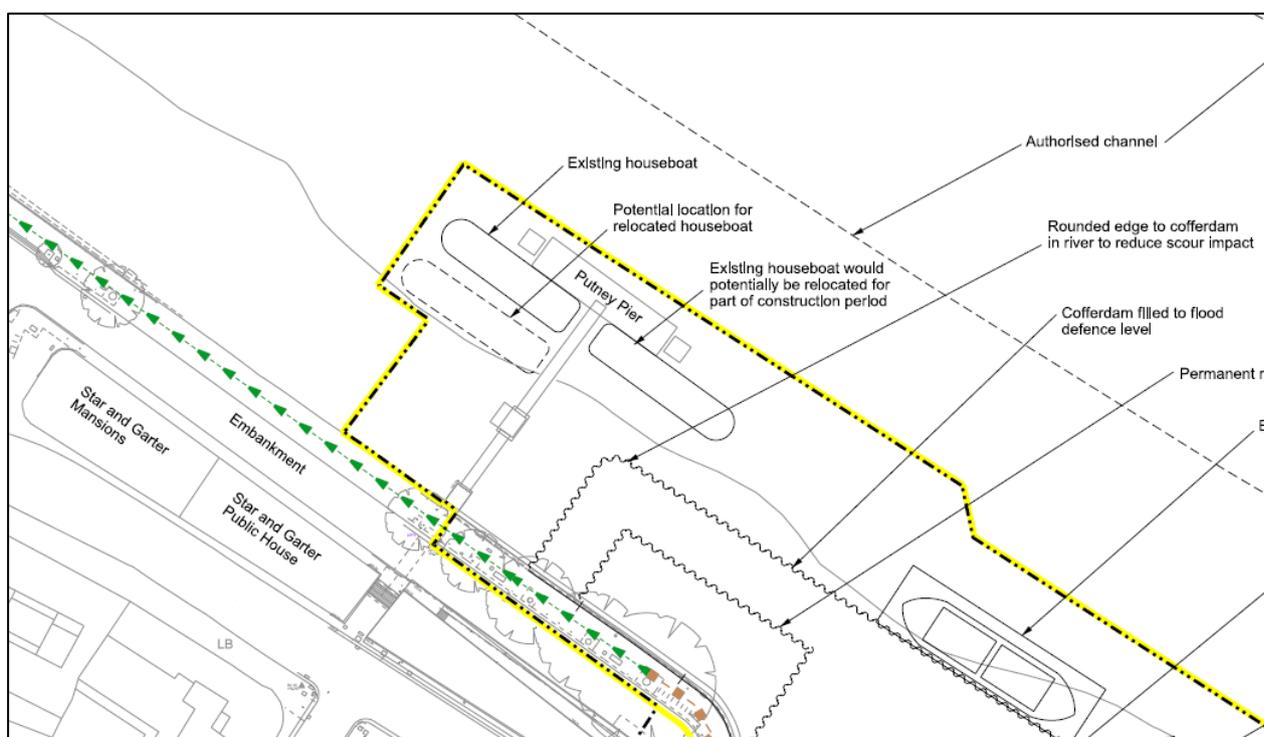
## Appendix B: Houseboat compensation tiers

<p><b>Tier 1</b> Houseboats requiring relocation due to TTT construction works</p>	<p><b>a) Relocation of existing houseboats</b> In this regard, we now have a schedule of available moorings (some with existing houseboats) with a licence duration which would, as a minimum, match the security of tenure currently enjoyed by the individual houseboat owner. The proposal is to actively pursue, with full transparency, all of the available options within a reasonable distance of the houseboats existing mooring.</p> <p><b>b) Compensation package alternative</b> An individual may request that they are compensated by prior agreement and their interest is extinguished, an individual compensation agreement would be negotiated.</p>
<p><b>Tier 2</b> Houseboats remaining in their current location</p>	<p>In this case, the final construction design at Kirtling Street, Putney Embankment Foreshore and Chambers Wharf will determine whether noise limits are breached as outlined in the TTT "Noise Insulation and Temporary Rehousing Policy". The full impact of TTT construction work will only be able to be assessed once work commences on site</p> <p><b>a) Owner occupier residents</b> Where an owner occupier is subject to excessive noise effects, compensation packages will be available which may include the relocation of their houseboat to another jetty, accommodation on an alternative houseboat or relocation to a land based accommodation. The duration of any alternative arrangement will be subject to further individual discussion taking into account the duration of the noise nuisance and the duration of their existing mooring contract.</p> <p><b>b) Houseboat owner with tenants</b> Again, subject to the caveat of excessive noise effects, where tenants are unable to occupy, the houseboat owners will not be financially disadvantaged and a compensation package will be proposed which matches any loss of income. The tenants themselves will fall into tier three.</p> <p><b>c) Noise insulation</b> Where a houseboat owner wishes, noise insulation or stand alone air conditioning may be proposed although this may be subject to the constraints of individual houseboat design.</p>
<p><b>Tier 3</b> Tenants of houseboats with short term mooring rights/terminable licences</p>	<p>In these cases, each individual will be subject to a detailed review of their circumstances, and may be offered a limited compensation package if relocation becomes necessary.</p>

## Appendix C: Putney Embankment Foreshore

- C.1.1 The project works at Putney Embankment Foreshore would be adjacent to Putney Pier and would require the relocation of one houseboat.
- C.1.2 Illustrative construction plans, submitted as part of the application for development consent, have allowed for the relocation of the affected houseboat to moor alongside the other houseboat on the pier. However, this may not be possible due to access issues. An annotated plan can be found below in **Figure C.1**
- C.1.3 The houseboat owner may be eligible for compensation in relocation to alternative mooring or other compensation package, subject to individual agreement with the owner, as outlined in **Section 4** above.

**Figure C.1 Annotated plan of proposed barge relocation**

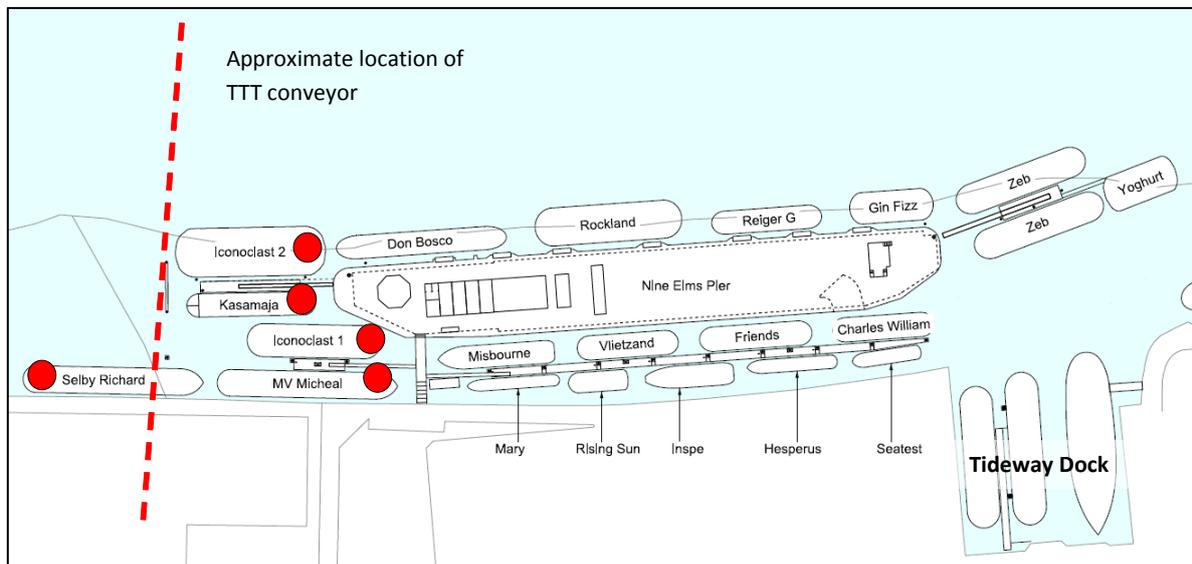


## Appendix D: Kirtling Street and Heathwall Pumping Station

### D.1 Nine Elms Pier

D.1.1 The project works at Kirtling Street would be adjacent to Nine Elms Pier (NEP), on which 21 houseboats are moored, five of which would require relocation for the construction of a conveyor to take spoil to the new project jetty. See Figure D.1 below for an annotated plan of Nine Elms Pier.

**Figure D.1 Annotated plan of Nine Elms Pier**



● Houseboats that need to be moved for construction of TTT conveyor

D.1.2 The pier is owned by NEP Ltd, which has a licence from the Port of London Authority (PLA) and Crown expiring in 2051. There are six directors of NEP Ltd who own eight of the houseboats on the pier; their houseboats have a recognisable legal interest in the pier, expiring at the same time as the Crown/PLA licence in 2051. Other houseboats on the pier have three-month rolling licences.

D.1.3 The five houseboats that require relocation for the construction of a new project conveyor will, subject to individual agreement, be offered compensation in accordance with the tiers of compensation outlined in **Section 4** above.

D.1.4 Houseboats remaining on NEP that do not require relocation for the project works may also be eligible for compensation should noise breach thresholds set out in the *Non-statutory off-site mitigation and compensation policy*. Other potential adverse impacts may also result in compensation being offered to houseboat owners and/or residents, subject to individual circumstances.

## D.2 Tideway Dock

- D.2.1 Tideway Dock is located in-between the project construction sites at Kirtling Street and Heathwall Pumping Station.
- D.2.2 There are three vessels moored in the dock which, between them, house circa 100 residents.
- D.2.3 It is anticipated that the vessels in the dock would not be significantly affected by noise from the project works at Kirtling Street. The vessels are moored in an inset in the river wall, as shown in Figure D.1 above.
- D.2.4 Should impacts exceed thresholds as set out in the *Non-statutory off-site mitigation and compensation policy*, vessel owners and/or residents may be eligible for compensation, subject to individual circumstances. However, due to practical constraints, it would not be possible to relocate the vessels to alternative moorings.

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## Appendix E: Chambers Wharf

- E.1.1 Chambers Wharf is located on the southern bank of the River Thames, circa 750m east of Tower Bridge. There are two houseboat communities which may be impacted by project construction activity at the double drive site.
- E.1.2 Hermitage Community Moorings is located approximately 200m north of Chambers Wharf on the opposite bank of the River Thames and provides berths for 20 vessels.
- E.1.3 Downings Road Moorings is located circa 80m upstream of the Chambers Wharf site and provides berths for 43 vessels.
- E.1.4 Houseboat owners and/or residents at both moorings may be eligible for compensation should certain thresholds be breached, as set out in the *Non-statutory off-site mitigation and compensation policy*, subject to individual circumstances.

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