

Witness Statement: Warren Jenchner

No of statement: 2

Exhibits

Date of statement: 10th December 2020

GRENFELL TOWER PUBLIC INQUIRY

ADDITIONAL WITNESS STATEMENT OF WARREN JENCHNER

I, Warren Jenchner, will say as follows:

1. I make this additional statement at the request of the Inquiry, in connection with a fire that broke out at Grenfell Tower located at the Lancaster West Estate in North Kensington, London W11.

Additional Questions asked by the Inquiry

Question 1: In the Witness Statement, you stated that: *“The preparation of the contract and therefore the specification of the work was the responsibility of BYCL, on the instruction of their client. Once completed and disseminated to Apex, there would be no scope for Apex to enter into any discussions regarding changes to the proposed work, design issues and suggestion for alternative plans.”*

- a. If Apex had concerns about the specification (whether regarding compliance with the Relevant Standards or general design issues), does this mean that Apex would be unable to raise those concerns with the client

or lifts consultant? If so, please explain why (if necessary, by reference to any industry guidance, contractual provisions or otherwise.)

Answer: BYLC were the lift consultants for this contract. In that role BYLC would have had the relevant initial discussions with the client, understood their requirements and it is usual for compliance issues to be discussed. This is likely to have taken place when there was discussion about matters such as the increased lift size in respect of the entrance size and car.

These discussions would have happened before Apex were engaged. Apex, were not engaged as the consultant but as lift contractor and were required specifically to tender to the specification that had been provided by BYLC.

Once awarded the contract, site meetings would be held prior to the project starting and any issues could have been raised with BYLC at this time. Given the passage of time and the lack of documentation I cannot assist in advising whether any concerns were raised and if they were, the nature of those concerns.

It was BYLC's decision whether they took on board any concerns raised.

Question 2: To what extent do you consider that Apex, as a lift contractor, was required (whether under industry good practice, contractual provisions or otherwise) to consider whether the lifts were compliant with the Relevant Standards?

Answer: Apex at the time considered compliance of the works to HO 90&91 with BS5655 part 11 and EN81-1 which were the relevant standards at the time. The lifts were compliant to these standards.

Question 3: If Apex had considered the lifts to be non-compliant with the Relevant Standards or, at least, that there were doubts regarding the extent of compliance, with whom would those matters be raised and why?

Answer: As set out above if Apex had concerns they could have been raised with BYLC, as a result any concerns could have been aired with all those attending the pre start meetings. The employee from Apex that would have attended at such meetings was Gary Poynter.

I understand from Mr Poynter that he has no recollection of those meetings nor does he have any contemporaneous notes, diary entries or any other aides-memoir.

Question 4: Was there any reason why, as a lift contractor, Apex could not have made suggestions as to how the features of a firefighting lift could be incorporated into the design of the lifts?

Answer: As advised above Apex were not the lift consultant on this project and had no input into the design process. The requirements of the client were dealt with by BYLC and Apex were not party to the client meetings and unaware of their needs, and any constraints which they would have needed to know in order to deal with design issues.

The relevant standards to apply to lifts in existing buildings, BS5655 part 11 and EN81-1, did not require any features of a firefighting lift to be incorporated. At that time, the industry practice was for fireman's lifts to be modernised with no amendment to the fireman's features. It was not until 2016 that BS8899 was published giving guidance on the modernisation of fireman's lifts.

Question 5: At paragraph 354 of his report, Roger Howkins (the Inquiry's Lift Expert) concludes that *"Overall, my view in relation to Project 1 is that Apex did not act as a responsible lift contractor ought to because they failed to flag to B&Y that the lift specification was non-compliant with the relevant codes, particularly in relation to firefighting lifts."* What is your response to Mr Howkins' conclusion?

Answer: I do not agree with Mr Howkins conclusion. I have set out above in the answers to the questions raised of me in this and my other statement, the roles that parties played. This was not a new lift at which time such considerations may have been given to firefighting lifts. The lifts were modernised lifts. I do not agree that EN 81-72 applies.

Question 6: In the Witness Statement, you stated that the lift works carried out as part of Project 1 on Lifts H090 and H091 were refurbishment works only. You stated that the lifts were not new lifts. According to the Specification, the only pieces of equipment to be retained were the guide rails, a single riser of car guide brackets, and landing back boxes. Drawings indicate the guide rails were relocated. In circumstances where the majority of the components of the lifts were replaced, was there:

- a. a requirement under the Relevant Standards; and/or
- b. requirement or expectation under good industry practice; and/or,
- c. at least an opportunity to install as many of the features of a firefighting lift as were reasonably practicable to improve the firefighting capabilities of the lifts?

Answer: In relation to matters a and b, this was a modernised lift not a new lift. Please see the responses I have already provided above.

In respect of matter c, there was an opportunity but ultimately the specification was entirely a matter for BYLC.

Question 7: Was there any consideration or discussion by any organisation involved in the lifts works about whether some or all features of a firefighting lift were reasonably practicable to include as part of the Project 1 works at Grenfell Tower? If so, please set out when, with whom and in what terms this consideration/discussion took place and whether it was recorded/noted in any way;

Answer: I am unable to assist on this matter.

Question 8: In relation to the second lift works, Project 2, what do you know about the installation of a second fire control switch on the Walkway floor at Grenfell Tower? If so, please provide details as to when this switch was installed, why, by whom and when it was disconnected.

Answer: I have no knowledge of the installation of a second fire control switch at this location.

Statement of Truth

I believe that the contents of this statement are true to the best of my knowledge and belief.

I am willing for this statement to form part of the evidence before the Inquiry and published on the Inquiry's web site;

Signed



Dated

10th December 2020