

21 November 2019

Mr Carl Stokes **% Watson Burton LLP** 1 St James' Gate Newcastle upon Tyne NE99 1YQ

By email only: Tom.Thurlow@watsonburton.com

Dear Mr Stokes,

Carl Stokes - Request for Evidence under Rule 9 of the Inquiry Rules 2006 ("the Rules")

Further to the witness statement that you provided to the Inquiry dated 28 September 2018, this is a request under Rule 9 of the Inquiry Rules 2006 for you to provide a further written statement which addresses the issues identified below.

Some of the requests require the production of further documentary evidence, which should be exhibited to your witness statement. Please ensure that all documents are provided in native format. If any of the requested documents have already been provided to the Inquiry, please provide the URNs of the same.

If you are not in a position to answer any of the requests, because they lie outside your area of responsibility or knowledge, please provide the names of individuals who would be able to appropriately answer them.

Unless stated otherwise, all references to paragraph numbers are to your witness statement dated 28 September 2018.

Your additional witness statement is to be submitted to the Inquiry by no later than **4pm**, **16 December 2019**.

Please address or include the following in your witness statement:

Qualifications and Training

- 1. In paragraph 10, you state that on 10 December 2007 you were awarded the Fire Risk Assessment Certificate by the Northern Ireland Fire Safety Panel and CS Todd & Associates Limited. Please provide the following:
 - a. a copy of the certificate;
 - b. the name of the course and detail of the course content.

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- 2. Please explain what training and/or continuing professional development you have undertaken since 2007.
- 3. Please provide the dates and details of any training you have undertaken in respect of high-rise residential buildings.
- 4. Please explain the dates and content of any fire safety training you provided to any of the Kensington and Chelsea Tenant Management Organisation ("TMO") staff, but particularly the Estate Services Assistants (ESAs), and please provide the training material and any notes which you used.
- 5. In respect of CST00001854, please explain:
 - a. Who authored the document;
 - b. Who provided training on 2 December 2016;
 - c. If you provided training on that date, the reason for which you were asked to provide training on that date and your instructions.
- 6. In respect of the fire safety checks carried out by the TMO ESAs, please provide details on whether you gave any advice or had any other input into their system of monthly and weekly fire safety checks.

Visit to Grenfell Tower in 2009

- 7. In paragraph 15, you state that you visited the Tower on 30 September 2009 for the purposes of carrying out a fire risk assessment ("FRA") and you were provided with "various information" by the TMO. Please detail how this information was given to you, by whom and please list all of the information you were given.
- 8. In respect of CSS/2 [CST00003121 and CST00003124] please explain who provided the documents to you and the purpose for which they were provided.

Tender

9. In paragraph 17 you explain that you were invited to tender for the TMO's fire risk assessment work on 'medium' risk buildings in your own right as CS Stokes and that you subsequently submitted a tender. Please provide a copy of the tender invitation and the tender application.

Contract with KCTMO

10. In paragraph 22, you explain that you charged £410 plus VAT for "new FRAs" and £320 plus VAT for "FRA reviews". Please explain the differences, if any, in your approach between carrying out a "new FRA" and a "FRA review". In particular, please provide detail regarding any differences in the information gathered and/or the assessment process.

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11. With reference to paragraph 22, please explain why you charged £410 plus VAT for the June 2016 Fire Risk Assessment.

Fire Risk Assessments of Grenfell Tower: General

- 12. In paragraph 35, you state that "the risk assessment methodology was developed in accordance with the Health and Safety Executive's 5 Steps to Risk Assessment and PAS 79 'Fire Risk Assessment Guidance and a recommended methodology'". Please explain which version/s of PAS 79 you used when conducting your fire risk assessments of Grenfell Tower between 2009 and 2016.
- 13. At paragraph 52 you explain: "Initially, if I carried out a FRA in a given year for a particular 'high' risk building, including the Tower, it was intended that the FRA would be reviewed in-house by the KCTMO the next year, and I would then undertake a fresh FRA the year after that."
 - a. Please clarify whether you considered the fire risk assessments undertaken in December 2010, November 2012, October 2014, April 2016 and June 2016 were "fresh" Fire Risk Assessments or reviews.
 - b. Please explain whether you were provided with copies or details of the KCTMO's in-house review of the FRA of Grenfell Tower in the years when you did not undertake an FRA and please provide copies of those reviews.
- 14. At paragraph 119, you describe using a copy of the Significant Findings Schedule from the 2014 Fire Risk Assessment and using it to make notes when undertaking your inspection to complete the April 2016 Fire Risk Assessment. Please can you explain whether you adopted this approach for each Fire Risk Assessment which you undertook, ie in November 2012, October 2014 and June 2016 and if so, please provide the manuscript notes that you made at the time. If you do not have a copy of the notes, please explain.

Fire Risk Assessments of Grenfell Tower: Specific

Flat Entrance Fire Doors

- 15. Please explain the advice you gave, whether orally or in writing, including when and how it was given, on the replacement flat entrance fire doors at Grenfell Tower, including on the following topics:
 - a. The advantages and use of a procurement company to select the fire door supplier;
 - b. The procurement process itself, including the selection of companies to invite to tender;
 - c. The tender bids submitted;
 - d. The selection of Manse Masterdor Limited ("Manse Masterdor") to supply and install the fire doors;
 - e. The fire safety requirements for the fire doors, aside from the letter of 24 June 2011 [CST00003149];

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- f. Self-closing devices, including:
 - i. the significance of self-closing devices;
 - ii. the risk of them being disabled;
 - iii. the importance for rapid repair and frequency of inspection;
 - iv. the use of a concealed self-closing device; and
 - v. potential problems that can occur with a concealed self-closing device, aside from the letter of 30 April 2010 [CST00002284]; and
- g. What checks should be conducted by LHC when inspecting installed fire doors.
- 16. In respect of paragraph 88 and exhibit CSS/30, please explain when and how you were provided with the literature from Manse Masterdor.
- 17. Please confirm that you are the author of the document titled "Criteria for prioritising the fitting of new entrance doors to flats" [CST00001156] which was sent to Janice Wray by email on 4 November 2010 [CST00001155] and please explain the purposes for which you authored this document. Please provide any further details, if known to you, as to whether this document was used by the TMO and if so, how. If you understand that it was not used, please explain.
- 18. From documents such as [CST00003149] and [CST00002791] it is understood that you carried out certain checks to ensure that the fire doors supplied by Manse Masterdor complied with required fire safety standards when they were first fitted. Please give details of all steps you took to satisfy yourself that the fire doors did so, including details of:
 - a. Any fire test reports, certificates or third-party assurances about the fire doors or their hardware that you considered;
 - b. What documentation was provided initially by Manse Masterdor and on request; and
 - c. Any physical inspections of a sample fire door or the first fire door installed at the Tower that you conducted.
- 19. In paragraph 89, you indicate that you attended the trial installation of the first installed fire door at the Tower. Please explain in more detail the purpose of your attendance and the instructions, if any, that you were given.
- 20. Further, in paragraph 89, you indicate that you did not initially think the form and content of the LHC report was sufficiently detailed. In relation to that LHC report:
 - a. What, if anything, changed that initial view?
 - b. What was the response of TMO to your comments on the LHC report?
 - c. What was the purpose of the LHC inspection of installed doors?
- 21. In paragraph 90(iii) you refer to "a number of occasions where I observed the self-closing devices either not to be present or damaged". You indicate that you either raised this with TMO as part of an FRA or in separate correspondence, for example, in CST00001425. Please give details, including dates and supporting documentation, of all other occasions when you notified TMO of either:

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- a. Faulty or missing self-closing devices on flat entrance fire doors at the Tower; or
- b. Of flat entrance fire doors which had faulty self-closing devices at the time of installation in properties across TMO stock.
- 22. In paragraph 48, you explain that you carried out a "primarily visual (non-destructive) inspection of the Tower, plus some additional inspection of the inside of front doors where I could gain access from a resident and was given permission to do so. In those circumstances...I would check the self closer". Please explain in respect of each fire risk assessment inspection visit of Grenfell Tower:
 - a. Whether you had a target number of flat entrance doors to inspect internally;
 - b. How many flat entrance doors you inspected internally?
 - c. Whether the flat entrance doors you inspected internally were leaseholder or tenant doors;
 - d. How the flat entrance doors you inspected internally were distributed within the Tower;
 - e. How such inspections were recorded?
 - f. Whether prior arrangements were made to gain access to the flats or prior notice given, such as can be seen in [CST00002861].
- 23. In an email dated 17 October 2012 [TMO10028220] Janice Wray indicated that you had informed her that the original flat entrance doors at the Tower were nominal fire rated doors and, unless highlighted in your FRA, they could remain in situ. Please indicate:
 - a. Whether you did provide this advice;
 - b. If you did provide the advice, the basis for that conclusion;
 - c. What information you considered in coming to that conclusion, including whether you considered the Rand Associates survey which indicated that the original flat front doors at the Tower required changing;
 - d. When this conclusion was reached? and
 - e. When and how it was communicated to the TMO?
- 24. Please indicate what role you played in the TMO policy review of the Fire Safety Strategy as regards self-closing devices, and set out in [TMO00832724], including:
 - a. Advice given in relation to documents [CST00002235] and [CST00002371] (and the emails attaching them [CST00002234) and [CST00002370]);
 - b. Any other advice given in relation to that policy review; and
 - c. Whether the revised Fire Safety Strategy incorporated your advice in relation to the inspection and maintenance to self-closing devices and if it did not, in what respects did it fail to do so.
- 25. In paragraph 91, you provide an example of a specific flat entrance door that you were requested to inspect (flat 45). Please set out details of any other flat entrance doors in Grenfell Tower for which you were specifically requested to inspect and please provide documentation detailing your inspection and advice.

Refurbishment Doors

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- 26. In paragraph 95, you stated that "the relevant minutes [CSS/45: CST00003072] suggested that Building Control did not require Strips and Seals on these doors". Please explain:
 - a. How you obtained a copy of the minutes?
 - b. Why they were given to you?
 - c. Where the statement you rely upon as set out above in paragraph 95 is set out in the minutes?
 - d. If the statement you rely upon is not set out in the minutes, please attach documentation to evidence your statement and please clarify how you came to understand that Building Control did not require Strips and Seals on these doors.

Lobby Doors

- 27. The questions under this heading concern the doors fitted in the lift-lobby area between the lobby and the stairwell and between the lobby and the refuse chute room.
- 28. In paragraph 87(iv), you set out your understanding of the "original doors" in Grenfell Tower as "the original 44mm timber doors which were not changed as part of the 2012 replacement programme or the Refurbishment (eg the doors providing access from the lift-lobby areas to the stairs and the refuse chute rooms), which were nominally compliant." Please explain:
 - a. Whether it is your understanding that these were the doors installed on floors four and above in Grenfell Tower;
 - b. What you mean by the phrase "nominally compliant"?
 - c. What information you considered to determine that the doors were "nominally compliant" and 30-minute fire rated, as set out in your fire risk assessments? Please explain how you obtained such information.
 - d. Whether you assessed that the doors were nominally compliant and how you undertook your assessment. Please set out when you undertook this assessment.
- 29. In respect of paragraph 100, you state that "Whilst the specification of whether or not Strips and Seals were to be used was not my responsibility, I appreciated that as they had not been required by Building Control...". Please explain when you were told or learned from Building Control or the London Fire Brigade that the lobby doors on floors four and above did not require intumescent seals and/or smoke strips. Please provide documents to support your answer.
- 30. In respect of CSS/49 [CST00003088] and as far as it is within your knowledge, please explain whether the TMO obtained the information you had recommended in paragraphs 1 to 9 of your letter. Please detail whether you requested this information from the TMO and if you did make a request, the dates of such a request and the person to whom you made it. Please provide any such documents in support and any response received.

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- 31. In respect of CSS/50 [CST00003116] and as far as it is within your knowledge, please explain whether the TMO obtained the information you had recommended in respect of the newly installed strips and seals on the flat lift lobby area to staircase doors and their effect on the new AOV system. Please detail whether you requested this information from the TMO and if you did make a request, the dates of such a request and the person to whom you made it. Please provide any such documents in support and any response received.
- 32. In paragraph 101, you reference an email you wrote to Janice Wray on 9 May 2015 [CST00001575] in which you stated: "Just to confirm from a Fire Risk Assessment point of view, the work undertaken on the flat lift lobby area to staircase doors of Grenfell Tower is not up to the required standards, please see previous letter reference the work undertaken".
 - a. Please confirm that the letter to which you refer is the letter dated 10 April 2015 [CST00001769]. If not, please provide the reference of the letter to which you refer.
 - b. Please explain whether, to your knowledge, the issues you had identified in your letter of 10 April 2015 and email of 9 May 2015 were rectified by the TMO. Did you request further information on the matters you raised? If so, please provide details.

<u>Lifts</u>

- 33. Please explain how you obtained the Apex Health and Safety File [CST00000384] and whether you considered and/or used the documents within it in your assessment of the lifts and whether they were firefighting lifts.
- 34. Aside from the Apex Health and Safety File [CST00000384], please explain whether you obtained any other independent information regarding the lifts, such as but not limited documentation produced by the company which installed the lifts in 2005 (Apex Lifts & Escalator Engineers Ltd) and/or documents such as drawings, the scope of works documents, the order progress sheets and the commissioning certificates.
 - a. If you did not obtain any such information, please explain why not.
 - b. If you did obtain such information, please set out what information you obtained and how, if at all, you considered and used this information in your assessment of the compliance of lifts with the industry standards.
- 35. In paragraph 124, you explain that you believed the lifts at Grenfell Tower to be 'firefighting lifts' "based on confirmation from KCTMO that this was the case". In paragraph 125, you state that you would have expected the lifts to have been compliant with EN81. In this respect, please set out:
 - a. What was your understanding of the definition of a 'firefighting lift' as set out in EN81? Do you agree that it is this definition of a firefighting lift (rather than any custom definition used by TMO) that the lifts had to meet and to which your assessments related?

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- b. In the e-mail between TMO and LFB forwarded to you on 6 June 2012 (CST00002920), referred to in your paragraph 124, Janice Wray stated that "many of our lifts meet the majority, but not all, of the criteria for fire fighting lifts...It was agreed that we would clarify the criteria that our "fire fighting lifts" do meet and I have attached an email to the then Borough Commander, Brian Deans, setting out these criteria". The email concerning TMO's criteria attached (CST00002922) stated that "our lifts do not fully satisfy all the criteria for fire-fighting lifts" but set out several criteria said to have been met. On the basis of this correspondence:
 - i. Were you involved in the fire risk assessment work to which the email refers and were you involved in compiling the details of the lifts' features?
 - ii. did you consider that the TMO had its own criteria for 'firefighting lifts' which differed substantially from the nationally recognised definition in EN81?
 - iii. Did you recognise and/or highlight the potential for confusion when two, substantially different definitions of 'firefighting lift' are used?
- c. In respect of paragraph 130 and your reply [CST00001426] to Claire Williams' e-mail of 12 March 2014 querying whether the lifts at Grenfell Tower were firefighting lifts, you confirmed that "both lifts...are fire fighting lifts". In doing so, what criteria did you apply to determine that the lifts were fire fighting lifts?
- d. If the lifts at Grenfell Tower failed to meet one or more of the requirements for firefighting lifts as set out in EN81 (such as the absence of an escape hatch), on what basis did you deem them to be 'firefighting lifts' in the FRA?
- 36. In paragraph 126, you refer to several firefighting lift features which you deemed to be present at Grenfell Tower. Your FRA recorded the absence of an escape hatch (one of the requirements for a firefighting lift per EN81). In this respect, please confirm:
 - a. Whether you ascertained (personally or via reference to lift specialists engaged by TMO) that the lifts at Grenfell Tower met all of the other requirements for a firefighting lift in EN81 including built in water protection from firefighting run-off, the ability to reach furthest floor in 60 seconds, a protected lift shaft etc.
 - b. If yes, how you ascertained the above information.
 - c. If not, please explain why you did not obtain the information.
- 37. In paragraph 127, you suggest that "the primary function of a 'firefighting lift'" is "the ability for the Fire Service to control the lift". In this respect, please set out:
 - a. The basis of this understanding (with reference to any training, guidance or other materials contributing to your understanding of firefighting lifts' requirements);
 - b. Whether you were aware that the presence of a fire control switch (and thus the ability for the Fire Service to control the lift) is a basic requirements distinct from the numerous further requirements for a firefighting lifts as per EN81?
- 38. In relation to paragraphs 128 and 129, what if any steps did you take to ensure that (a) the fire control switch was adequately tested by the lift maintenance company (in

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particular, did you see documentary confirmation that this was being done) and/or (b) checking and/or testing the fire control switch operation yourself.

<u>AOV</u>

39. In relation to the design and intended operation of the new AOV system, did you form any independent view of its effectiveness/functionality or were you entirely reliant on Building Control's assessment of the AOV system?

External Walls of the Tower

40. In respect of your assessment of the external façade of the Tower, as detailed in paragraphs 114 to 123 of your statement, please explain whether you requested and/or viewed any documentation regarding the materials to be used on the façade of the building. If you obtained documentation, please provide copies.

Passive Fire Protection Measures

- 41. In respect of your assessment of compartmentation, as you set out in paragraphs 40 to 42 of your statement, and other passive fire protection measures, in particular cavity barriers, please explain whether you requested and/or viewed any documentation regarding the location of these measures and the materials used. If you obtained documentation, please provide copies.
- 42. At any time on your visits to the Tower in 2014 and 2016, were you or did you become aware that insulation was being installed to the outside of the building?
- 43. If you were aware, did you carry out any enquiries into the type of insulation used and its properties or seek and further information about whether it complied with the building regulations?
- 44. If so, what information did you ask for and what were you provided with (please provide any relevant documents)?
- 45. At any time on your visits to the Tower in 2014 and 2016, did you observe that cavity barriers were installed in the rainscreen cladding system?
- 46. Did you carry out any enquiries into the type of cavity barriers used, where and how they were installed?
- 47. If, so what were the nature of the enquiries, information sought and what were you provided with (please provide any relevant documents)?
- 48. At any time on your visits to the Tower in 2014 and 2016, did you observe that Aluglaze infill panels were installed in the rainscreen cladding system?

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- 49. If you were aware, did you carry out any enquiries into the type of panel used and its properties or seek and further information about whether it complied with the building regulations?
- 50. If so, what information did you ask for and what were you provided with (please provide any relevant documents)?
- 51. At any time on your visits to the Tower in 2014 and 2016, did you inspect the crown of the building?
- 52. Did you seek any information about the construction of the crown?
- 53. If so, what information did you ask for and what were you provided with (please provide any relevant document)?

Disabled People

- 54. In respect of section 13 titled "Disabled Persons" of your fire risk assessments, please explain the following:
 - a. You say "at the time of the fire risk assessment there was no evidence of any resident within the premises who suffers from sensory impairment that would prevent them from hearing a shouted warning of fire". From whom did you obtain the information about those with disabilities in the building? What information were you provided with? When were you provided with this information? Please provide a copy of the information you used.
 - b. Who provided you with the information that the TMO had introduced a "comprehensive programme to gather information about tenants including any disabilities and their physical ability and mobility to respond to any emergency situations"? When were you provided with this information? Please explain in further detail your understanding of the programme introduced.
 - c. Did you ask to see the "TP tracker system"? If you did not, please explain the reasons. If you did, please provide details.
 - d. Did you request and/or review any Personal Emergency Evacuation Plan of any resident in Grenfell Tower? If yes, please provide details and any documents that you were given. If not, please explain the reasons.
 - e. What information, if any, did you obtain to find out if staff were trained to use the "firefighter/evacuation lifts"?
 - f. What information, if any, did you obtain about the location of the keys for the lifts and whether they were "readily available" for staff members?

<u>Other</u>

55. On 10 January 2013, Paul Dunkerton asked you to comment on Exova's report [CST00003104]. You replied to Paul Dunkerton's email on 22 January 2013 stating: "There appears to be areas where work may not be required as indicated within the

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(Exova) strategy documents but first I would need to look at the drawings and do an on site visit" [CST00000899]. Please explain:

- a. Which areas you refer to "where work may not be required";
- b. Why work was not required in those areas?
- c. Whether you followed this up by inspecting the drawings and visiting the site?
- d. If you did, did your opinion remain the same?
- e. If not, please explain.
- f. Whether you explained to Paul Dunkerton which areas did not require work and why.
- 56. On 28 January 2014, Paddy Glennon on behalf of Studio E sent to you 15 drawings of Grenfell Tower [CST00001491]. Please explain the purpose for which Mr Glennon sent you these drawings and any response and/or advice you provided to him.
- 57. On 11 December 2015, you received an email from Janice Wray with the subject title "Re: Just gave your mobile number to Robert Speak one of our surveyors who want [sic] to talk about compartmentation" and you confirmed on the same date that you had spoken with him [CST00001735]. Insofar as you can recall, please set out the details of your conversation.
- 58. On 4 May 2016, you and Janice Wray engaged in email correspondence about the fitting of a secure information box in Grenfell Tower [CST00001131]. In the email timed at 01:05:55 PM you stated: "There is no requirement for the TMO to provide an information box". Please explain the basis for your advice.
- 59. On page 6 of [TMO10041292], the following is set out: "Worked towards clarifying A&R concerns re: FRAs. Arranged several meetings with Fire Consultant & A&R and where possible have taken on board & incorporated their recommendations / concerns and amended process accordingly. Further, have encouraged A&R to consult with the Fire Consultant and have demonstrated the value of engaging with him early in a major project. Consequently, this has led to Carl's recent involvement with David Gibson's team in relation to Grenfell Tower project." Please explain:
 - a. Whether you are the "Fire Consultant" that met with the A&R [Assets & Regeneration] team?
 - b. If so, the nature and content of your discussions with that team. Please provide any notes or minutes from the meetings.
 - c. What involvement you had with David Gibson's team on the Grenfell Tower Project? Please provide any notes or other documents that may be relevant.
- 60. On 23 February 2016, Progress Meeting No. 20 took place. The minutes are at [TMO10012397]. At Item 2.20, "Fire Compartmentation action update" it is minuted that "SB (Simon Blake) met with Carl Stokes (TMO Fire Risk Assessor) advised Rydon not to introduce or alter any further works and nothing further is to be progressed. CW (Clare Williams) to liaise with Carl and confirm."
 - a. In relation to this item in the minutes, please could you explain what advice you gave to Simon Blake?

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- b. On what factual basis and pursuant to what guidance did you reach the conclusion that no further works should be introduced or altered with regards to fire compartmentation?
- c. Did you liaise with Clare Williams about this?

Format etc. of witness statements

The Inquiry has given detailed guidance on the style, format and content of witness statements. In this regard, you are referred to the Witness Statement Protocol, a copy of which can be found on the Inquiry's website (Documents/Key Documents/Protocols).

If you wish to refer to any documents these should be identified in the witness statement and a copy should be provided to the Inquiry with the statement.

Disclosure of Phase 2 witness statements

Similar requests, under rule 9 of the Rules, have been made to various corporate and governmental bodies, and other individuals. Once your witness statement has been provided in response to this request, the Chairman will consider when and to what extent your statement will be circulated to these individuals and if it will also be published on the Inquiry's website.

Yours faithfully

& Schwikkard

Emily Schwikkard Assistant Solicitor to the Inquiry

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