

IN THE GRENFELL TOWER INQUIRY

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WITNESS STATEMENT OF TONY PEARSON

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I, **ANTHONY EDWIN PEARSON**, will say as follows —

**1. Introduction**

- 1.1 I was previously employed as a Senior Consultant in the Fire Engineering team at Exova (UK) Limited (“**Exova**”).
- 1.2 I make this statement in response to the request from the Grenfell Tower Inquiry dated 15 August 2019, to provide factual evidence for the purpose of Phase 2 of the Inquiry.
- 1.3 The facts to which I refer are within my own knowledge and are true, except where they are matters of information and belief, in which case I identify the source, and they are true to the best of my knowledge, information and belief.
- 1.4 Exhibited to this Witness Statement is a short bundle of documents, labelled **TP1** to **TP11**, containing copies of certain documents to which I refer below. In doing so I indicate the relevant exhibit number and also the unique document number used by the Inquiry.

**2. My Background**

- 2.1 I studied mechanical engineering at the Swiss Federal Institute of Technology in Zurich. I also served as an on-call firefighter in the local brigade. Following my degree I undertook a PhD in fire behaviour, which was co-supervised by the University of Poitiers in France and Professor Dougal Drysdale of the University of Edinburgh. After graduating from the PhD I briefly worked as a computational fluid dynamics engineer in the fire safety department of Gruner AG, a Swiss civil engineering consultancy, before joining what was then Bodycote Warringtonfire, which later became Exova Warringtonfire, in 2008. Parallel to my work as a fire safety consultant, I joined Surrey Fire and Rescue Service in 2011 to serve as an on-call firefighter.

2.2 I was initially employed by Bodycote Warringtonfire as a Graduate in January 2008. During my employment, I progressed from Graduate to Consultant and then, in the autumn of 2013 to Senior Consultant. I remained a Senior Consultant until I left what by then had become Exova in January 2016. I am currently working in a similar role as a Fire Engineering Manager with International Fire Consultants Ltd.

### 3. Involvement with the Refurbishment Fire Strategy Report

3.1 I had very little involvement with the Grenfell Tower refurbishment and I am unable to address directly many of the issues raised by the Inquiry in its letter of 15 August 2019. However, I set out below the detail of my involvement and the information of which I am aware which may assist the Inquiry.

3.2 As I understand it, Exova was appointed in or around 2012 to work on a project in relation to Kensington Aldridge Academy (“**KAA**”) and the neighbouring Leisure Centre (collectively referred to as the “**KALC project**”) and, separately, in relation to the nearby Grenfell Tower.

3.3 I was not involved at the outset of Exova’s work on either project and so was not aware of the original briefs, contractual arrangements, or time frames.

3.4 My recollection is that initially the work on both projects was primarily undertaken by my colleagues James Lee (a Senior Consultant) and Terry Ashton (an Associate). However, Mr Lee was employed with Exova for only around six months, and after he left the firm in the summer of 2012, responsibility as Exova’s lead consultant on both projects passed to Terry Ashton. I also recall that Ben Rogerson (another Senior Consultant) undertook much of the work on the KALC project, including the development of a computational fluid dynamics study for the design of the smoke ventilation systems at KAA, and became Exova’s lead consultant for that project in the summer or autumn of 2012.

3.5 My own involvement was mainly in relation to the KALC project. I became more involved in this because Mr Rogerson was based in Manchester, and the KALC project required attendance at meetings and site visits. Around about the time when I was promoted to Senior Consultant, in autumn 2013, Mr Rogerson was transferred to one of Exova’s offices in Australia. Following his departure abroad, I became Exova’s lead consultant on the KALC project.

3.6 Because my colleagues were working on the Grenfell Tower refurbishment, as well as the close proximity of that project to KALC, I became aware of some isolated bits of information regarding the Grenfell Tower refurbishment.

- 3.7 I have a vague recollection about being asked to appraise the layout of the entrance area of the boxing gym in Grenfell Tower and its connection to the rest of the building, and particularly the requirement for fire doors – possibly I was asked by Mr Ashton to review an e-mail he had drafted. As a general rule at Exova, technical advice would not be sent to external clients without two people considering the advice; it was therefore not uncommon for Mr Ashton to discuss technical queries with me or other Senior Consultants. The reason this particular instance has stuck in my memory is because it is unusual for there to be a public assembly premises within a block of flats. However, I am no longer able to recall the exact issues which were being debated or the specific fire safety measures which were incorporated into the design to address them.
- 3.8 In late October 2013, I was asked to peer review a revision to the fire strategy report prepared by Mr Ashton for the Grenfell Tower refurbishment.
- 3.9 The process of peer reviewing a report involves comparing what is written in the report with any floor plans provided and ensuring (i) that the report is factually correct; (ii) that it correlates with the plans; (iii) that the approach taken is appropriate, e.g. that the design is based on the appropriate design code(s), or any fire engineering analyses are based on sound principles; (iv) that it is correct where the report says that there is compliance with the cited design code(s); and (v) that the facts, logic and mathematics of any fire engineering analyses are correct.
- 3.10 The original version of the fire strategy report (“Issue 01”, Exova doc ref MT13779R) is dated 31 October 2012 (TP/1: EXO: ), and had been authored by Mr Ashton and reviewed by my colleague Seán Mc Eleney. The version I was asked to review was “Issue 02” (TP/2: EXO: ). It contained a number of changes from the original version, including a revision of the overview of the project in the Introduction, acknowledgement of the repealing in January 2013 of section 20 of the London Building Acts (Amendment) Act 1939 and changes to the description of the means of escape. I note that the draft sent to me for review still contains the same reference number as Issue 1, and Mr Mc Eleney’s signature, and that the issue date in the revision history on page 2 is given as “00/10/13”. This is because, under Exova’s document control procedures, the correct signature, date, and updated document reference number would be added to a document by the administration team at a later stage, immediately prior to the document being issued.
- 3.11 When reviewing the report, I proposed a change to section 3.1.1 relating to the description of the means of escape from the mezzanine level of the building. This change introduced an acknowledgement that the means of escape did not fully comply with modern design

guidance, due to the sharing of the stair between some of the flats and the boxing gym (i.e. between residential and non-residential accommodation).

- 3.12 The change I proposed to the report was based upon my understanding of the existing means of escape (i.e. the existing stair and layout of the lower floors of the building) and was made in the context of Regulation 3(2) of the Building Regulations 2010, which states that an alteration to an existing building is only material for the purposes of the regulations if it creates a non-compliance with the relevant “functional requirements” – the design standards – or, if a non-compliance already exists, it creates conditions that are less satisfactory than before.
- 3.13 My amendment in the report was intended to indicate that, while the addition of the boxing gym was not in line with standard guidance due to the mixed use, conditions were not being made worse by this alteration, and therefore it did not amount to a material alteration: and, moreover, that in fact the risk to occupants was not significantly different from the risks in a typical block of flats without a gym. This is due to the fact that the fire load in a boxing gym would be unlikely to be higher than that in a typical flat.
- 3.14 Issue 02 of the report was issued on 24 October 2013, with my signature as reviewer and an updated document reference number (MT14634R) (TP/3: EXO: ).
- 3.15 On the evening of the 24 October 2013 Mr Ashton e-mailed me (TP/4: EXO: ), expressing concern about the amendment I had made to section 3.1.1 of the report. I have only a vague recollection of this email conversation. Specifically, Mr Ashton stated that he thought my amendment was “*debatable*”.
- 3.16 I have since become aware of two further version of the report, both bearing the designation “Issue 03” (TP/5: EXO: and TP/6: EXO ). The first has a date on the front page of 5 November 2013 and the second 7 November 2013. In order to distinguish between them, I will refer to them as “**Issue 03a**” and “**Issue 03b**” respectively.
- 3.17 It appears to me that Issue 03a was a draft. I say this because it contains, in the footer, the same document reference number as Issue 2 (MT14634R), it has a date in the revision history of 00/11/13, and a number of passages are highlighted in yellow: this is something that I recall Mr Ashton often did in draft reports to indicate which parts had been changed from a previous version. I see that Issue 03a contains my signature: I suspect that (as with Mr Mc Eleney’s signature on the draft of Issue 02 that I was asked to review), this was simply carried over from the previous issue, in the expectation that it would be updated by the

administration team when the document was finalised, given a new reference number, and approved for issue.

- 3.18 I do not recall reviewing this version. I have since read an email sent by Mr Ashton to Tomas Rek and Bruce Soules on 5 November 2013, which attaches Issue 03a, and states that the report is a “*draft with changes highlighted in yellow*” (TP/7: EXO ). I did not see this email at the time it was sent, though it would not have caused me any concern, because at this point Issue 03a was issued a draft document.
- 3.19 Issue 03b by contrast appears to be the document as formally issued. It has been given a new reference number (MT14652R) and, in the revision history, an issue date of 7 November 2013. It contains Mr Mc Eleney’s signature as reviewer. I would note that it was not uncommon, if a report has been previously reviewed and minor changes have been inserted (as was the case here), for someone to be asked simply to review those minor changes, rather than unnecessarily repeating the full review.
- 3.20 Both Issue 03a and Issue 03b contain the same language in relation to the “mixed use” issue identified above, which differed slightly from Issue 2. In particular, it omitted my earlier comment that this did not create a non-compliance with Building Regulations. It continued, however, to note that the plans involved mixed use of the staircase, and that this was not in line with guidance at the time, but that the typical fire loads would be no greater, and that the non-residential accommodation would be separated by ventilated lobbies, so the risks to occupants were not considered significantly greater.
- 3.21 I do not recall having discussed with Mr Ashton the reasons why the text of Issue 2 of the report was changed but am happy that the revised wording in Issue 03a and Issue 03b adequately highlighted the point and reached the correct conclusion.
- 3.22 I am not aware of the reasons why Mr Mc Eleney was chosen to review the final version of the report, but would note that whenever there was a need to issue a minor amendment to a report urgently, the choice of reviewer was often dictated by who was available in the office at the time. I do not recall whether I would have been available at that time. This fact, and practice I have mentioned of asking reviewers of a document that was subject only to minor changes to appraise only the changes might explain why Mr Mc Eleney’s name appears on the final version of the report.

#### 4. Other involvement with the Grenfell Tower


- 4.1 There are some other isolated situations in which I was involved in the exchange of e-mail relating to Grenfell Tower. I discuss these below.
- 4.2 On 5 November 2012, Mr Rogerson e-mailed me and Mr Ashton with a query from Neil Crawford of Studio E regarding the fire service access strategy for the Grenfell Tower project (TP/8: ). I have no recollection of receiving this e-mail or discussing it with Mr Ashton. I would have seen that the e-mail was sent to Mr Ashton, and given that it related to Grenfell Tower rather than the KALC project, conclude that I must have left it for him to deal with.
- 4.3 I have recently read the e-mail from Mr Rogerson and see that it relates to the fire service access arrangements for the Grenfell Tower. Given my involvement with KALC I am familiar with the area surrounding Grenfell Tower and I am aware that the fire service access route has not changed. The refurbishment of the Grenfell Tower did not, therefore, worsen an existing situation in this regard, and thus did not create a non-compliance with the Building Regulations.
- 4.4 On 25 February 2013, Mark Maddison, a Graduate Engineer at Exova at that time, sent me an e-mail referring to "*southern external fire spread analysis, with the midpoint between KAA and Grenfell Tower*" (TP/9: EXO ). This communication relates to the KALC project, not Grenfell Tower, and refers to calculations carried out in line with the guidance in Section 13 of Approved Document B (2013 version, vol 2, which was applicable to KAA) to ensure the external walls on the southern side of the KAA building – the walls which face Grenfell Tower – comply with requirement B4 of the Building Regulations, i.e. to verify that there is no significant risk that a fire in KAA could spread to adjacent buildings.
- 4.5 On 31 March 2015, I sent an e-mail to Mr Ashton (TP/10: EXO ). I do not recall this email but I see that it contains what appears to be a draft response to a query received by Mr Ashton by e-mail from Neil Crawford from Studio E earlier that day (TP/11: EXO ). I do not recall why I was involved in the conversation, although as already noted, it was not uncommon for Mr Ashton to discuss technical matters with other staff, as all e-mail containing technical information had to be approved by at least two people, and this might explain my involvement.
- 4.6 I have no recollection of any further involvement in the discussion about the external walls. I am not aware that the final conclusion of the discussion about the required standards of fire resistance was ever communicated to me.

4.7 I have no recollection of other involvement with Grenfell Tower or the refurbishment project.

#### STATEMENT OF TRUTH

I believe that the facts stated in this witness statement are true.

Signed

  
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Full name

Anthony Edwin Pearson

Position or Office held

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Dated

16 October 2019