

## IN THE GRENFELL TOWER INQUIRY

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### SECOND WITNESS STATEMENT OF TERENCE MARTIN ASHTON

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I, **TERENCE MARTIN ASHTON**, will say as follows —

#### 1. Introduction

- 1.1 This statement supplements to my first witness statement dated 27 September 2018. I would have given evidence following Cate Cooney, except that the Inquiry adjourned and I do not yet know when hearings will resume, so I am taking this opportunity to comment on a number of statements which were made by one of the earlier witnesses, Neil Crawford of Studio E, which I believe were incorrect.
- 1.2 I would like to respond to certain comments which I heard for the first time when Mr Crawford was giving evidence. These comments relate to the period after the third issue of Exova's fire strategy report on the refurbishment, when (as I explained in my earlier statement) I was approached on occasion with particular questions.
- 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.

#### 2. Evidence on 5 March 2020

*Celotex*

- 2.1 During questioning, Mr Crawford said this:<sup>1</sup>

*"I think when I spoke with Exova, it must have been 17 or 18 September, to confirm what ... confirm the compliance of the Celotex insulation and the proposed cavity barrier strategy, my understanding from the conversation with Exova is the ... that what was being proposed was compliant."*

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<sup>1</sup> Transcript 9/176/23

*... My understanding of the route to compliance was from the conversations I had with the fire specialist, Exova, round about 18 September.”*

- 2.2 I do not recall any conversation with Mr Crawford on either 17 or 18 September 2014. We did exchange emails at that time, which I dealt with in my first witness statement at paragraphs 5.14–21. These related to cavity barriers: the subject line of the email chain, is “Grenfell Tower Cavity Barriers” and the contents were on that topic. They did not relate to the use of Celotex.
- 2.3 Had Mr Crawford suggested using Celotex, I would have raised doubts about that. At the time, I was aware that there were some façade systems which used combustible insulation materials and were still considered acceptable, because the system as a whole was tested or assessed under BS 8414 and found to comply with BR 135, or was accepted as an engineered solution. However, where the ‘linear route’ to compliance under ADB was followed, it required insulation to be non-combustible or of limited combustibility, and I was not aware of any Celotex products that would meet that requirement.

#### *The façade generally*

- 2.4 Later in the same questioning, Mr Crawford said this:<sup>2</sup>

*“Q. ... [A]t the time of your involvement, did you investigate whether there were any BR 135 classification reports for the cladding system that had actually been specified for Grenfell Tower?”*

*A. I don’t recall that I did, no.*

*Q. Did you ever do so once the specifications had become fixed for RS5000, as it became, for the insulation and Reynobond PE 55 for the rainscreen?*

*A. I think I deferred the compliance in that respect to Exova, because I thought it beyond my expertise.”*

- 2.5 Mr Crawford did not ask me via email about the use of RS5000 for the insulation or Reynobond PE 55 for the rainscreen, and I do not believe he asked me about it verbally either. If I had been asked to advise on that, I would have needed to see information about the products in question, so I would have expected it to be the subject of email communications.
- 2.6 I am not aware of Mr Crawford having asked anyone else at Exova about this either. If he had done so, I would have expected them to pass the query on to me.

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<sup>2</sup> Transcript 9/187/7

### 3. Evidence on 9 March 2020

#### *Communications from Mr Crawford*

3.1 During questioning the following day, Mr Crawford said as follows:<sup>3</sup>

*“Q. ... Given your understanding that Exova was the authority in respect of all things fire related, why didn't you seek to get to the bottom of what their role actually was, given that they had not produced the promised analysis that they said they would do?”*

*A. Well, I saw the consultation with Exova as ongoing. So for example, as the details of the cladding became more apparent, I sent them to them.”*

3.2 I believe Mr Crawford's recollection is incorrect. I am not aware of receiving any further documents from Mr Crawford related to the cladding as the detail became more apparent, beyond those that I have already identified (as described in my first witness statement, particularly at paragraphs 5.14–32). In particular I was not told about, or asked for my views on, the products that were chosen.

#### *Celotex RS5000*

3.3 Later that day, Mr Crawford said the following:<sup>4</sup>

*“Q. So just so I've got your evidence clear on this, it's the class 0 fire performance throughout the entire product [Celotex RS5000] which to you meant that it was safe to use on buildings above 18 metres as an insulation product?”*

*A. No, no, it's the entire presentation material. I then sought to check that interpretation with Exova, which I did, and which I understood from what was fairly emphatic confirmation from Exova that it was applicable and that it could be used.*

*Q. Let's look --*

*A. Their understanding of how it was and how it could be used may have been different from mine. They may have had -- they work on hundreds of buildings. They may have had knowledge of BR 135 testing, for example, that led them to believe that it was applicable in this particular build-up.*

*Q. But you don't know that, do you?*

*A. No, but what I know is from the conversations I had with Exova, they were emphatic -- fairly emphatic about the fact that it was appropriate to use, and that's what they suggested to me. I mean, that was my understanding from the conversations I had with them. I asked them to put it in writing, they put it in writing, the contacts with the cavity barriers. On reflection, it is a tacit approval in writing,*

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<sup>3</sup> Transcript 10/38/11

<sup>4</sup> Transcript 10/58/1

*but from the conversations I had with them, I understood that it was appropriate to use.”*

3.4 I do not recall any conversations with Studio E at this time and, for the reasons I have given above, I am quite clear that I would not have said this. In fact, as I mentioned in my first witness statement, I clarified during the email exchanges on 17–18 September that “Class 0” products could not be assumed to be non-combustible: that was in the context of cavity barriers, where it had been wrongly suggested that the use of a Class 0 product would mean that cavity barriers were not required.

3.5 I was also not asked at any point about BR 135, BS 8414 testing, or the possibility of an assessment in lieu of a test.

#### *Aluminium Composite Material*

3.6 A little later, Mr Crawford again referred to our discussion on 17–18 September, and said that he had told me during that conversation that ACM rainscreen was to be used:<sup>5</sup>

*Q. Why didn't you say to Mr Ashton, "I should just tell you that the bits where it says zinc aren't right anymore, it's aluminium composite"?*

*A. But I think I did ... at the end of the conversation I think I did confirm with him that it was - my understanding was that we were running with ACM.”*

*Q. When was this conversation please?*

*A. At the same time.*

*Q. At the same time as?*

*A. 17th/18th conversation.*

*Q. That you referred to on Thursday when you told us that he had said that the Celotex was compliant, the same conversation as that; is that what you are saying?*

*A. I think it was, yes, I think it was.*

3.7 As stated above, I do not recall a discussion on 17–18 September, or at any other time.

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<sup>5</sup> Transcript 10/91/16

3.8 Mr Crawford then went on to say as follows:<sup>6</sup>

*Q. Right. So did you ever learn in the end whether RS5000 was in fact combustible, non-combustible or of limited combustibility?*

*A. I think I suspected it was limited combustibility, but my method of verification was -- for its suitability in the proposed build-up was with Exova.*

*Q. Just following that up, you say "I think I suspected it was limited combustibility"; did you ever actually learn whether it was?*

*A. Categorically, no."*

3.9 I do not understand what Mr Crawford means by this. I did not at any point give "verification" for the suitability of Celotex insulation, either in itself or as part of the "proposed build-up". I could not have done that: I did not have details of the proposed build-up.

3.10 Mr Crawford was also asked about an email I sent to him, in which I had referred to zinc cladding, whereas by that point (though I was not aware of it) the proposal had been changed to ACM:<sup>7</sup>

*"Q: Now, looking back at this email, as we can see from the second email down from the top of this page, which is from Terry Ashton to you, Mr Crawford, 31 March, you can see in the last sentence that Mr Ashton refers to zinc cladding; do you see?*

*A. Yes.*

*Q. Did you spot, when you received this email from Mr Ashton, that he was referring to zinc cladding?*

*A. I think I actually sent him an email afterwards and corrected him and said it was ACM."*

3.11 Again, I believe Mr Crawford is incorrect. I am not aware of ever having received such an email. I was not familiar with Reynobond PE 55 rainscreen panels and so would certainly have needed to see more information on the product in order to comment on it. I was not

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<sup>6</sup> Transcript 10/118/2

<sup>7</sup> Transcript 10/159/22

told that it (or indeed any form of ACM) was proposed for Grenfell, and therefore did not comment on its use. I did not learn that it had been used at Grenfell until after the fire.

## STATEMENT OF TRUTH

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

Signed

  
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Full name

Terence Martin Ashton

Dated

27 April 2020