

WITNESS STATEMENT

Criminal Procedure Rules, r27.2; Criminal Justice Act 1967, s.9; Magistrates' Courts Act 1980, s.5b

Statement of: MCTAGUE, ROBERT

Age if under 18: OVER 18 (if over 18 insert 'over 18')

Occupation:

This statement (consisting of 5 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Signature: R MCTAGUE

Date: 22/04/2021

Tick if witness evidence is visually recorded ☐ (supply witness details on rear)

Further to my statement dated 30th January 2020, I have been asked to provide additional information for the Operation Northleigh Investigation Team.

I have been asked about an Action noted on the minutes of a meeting between the Kensington and Chelsea Tenant Management Organisation (KCTMO) Health & Safety Team and members of the local Fire Safety Team. The meeting in question was one of regular bi-monthly meetings and was held on 29th March 2017. The Action states:

'12.1 Grenfell Tower - installation of new gas riser by National Grid

Twenty of the flats at Grenfell Tower have been without a gas supply since the middle of last year and so National Grid are currently on site installing a new gas riser and connecting up these flats. This has been installed within the means of escape staircase and we have been advised that this will be encased in 2-hour fire-rated enclosure - specification is awaited. It seems National Grid is not required to submit an application to Building Control for Building Regulation approval. Further, as they are a statutory provider we have no contractual arrangement with them. Therefore, we are seeking the LFB's view on this installation. Robert agreed to speak to the LFB engineers and report back to Janice.

Action: Robert (MCTAGUE) to raise with LFB engineers and advise Janice (WRAY) of their view'.

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I have no specific re-collection of this meeting or the Action attributed to me, or of having consulted the LFB Fire Engineering Team on this specific issue. It seems, from the minutes, that the KCTMO were still awaiting the specifications from National Grid at the time of the meeting. I would not have contacted the Fire Engineers before receiving the documents and first reviewing them myself. If I had referred this to the Fire Engineering department, it would have been initially via phone call, followed up by an email, inviting any comments or reply. Most of the Engineers are allocated certain buildings and a lot of my communications were with Lynsey SEAL, who oversaw certain areas of work and she would probably have allocated an engineer to do the reply. It would also be registered as a numbered Job on the FARYNOR system.

Historically and not specifically relating to Grenfell Tower, we used to have a generic issue with gas pipes. They were a 19 or 22 millimetre bore gas pipe, of yellow plastic, spured off the main gas pipe into each particular property. The problems that were identified were that they couldn't put the pipework outside of the building, going in. There was the possibility of the pipes being damaged by children hanging on them, people moving in or out of the properties and damaging it or even hanging their washing from it. One proposal was to change the pipework to stainless steel and to embed it.

In relation to Grenfell Tower, I would have reviewed any documentation given to me by the KCTMO, regarding the installation of the pipework. This would have been things such as a 2 hour fire-rated enclosure that is sealed all the way from the outside, to the path into the building, how it is split at every floor and finally, to whatever facility the gas was to be used for.

I would then have referred to the Fire Engineering Team, asking the relevant questions. These would have been around the type of pipework; the fixings; how much of it is embedded. In relation to the building and in order not to chisel out chunks of concrete up through the building and walls, they would have had to find a solution of how to make it safe, bearing in mind issues such as mechanical shock, environmental impact etc. The proposals may have been deemed acceptable or further specific questions may have been asked, prior to any decisions. I would have brought the findings to the next meeting.

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Means of escape have to be sterile with nothing going through it, however there have to be exceptions, the stairs can be used for utilities with appropriate fire safety measures, which are set out in approved documents. The only other means of getting the gas pipe into the building would have been through the lift shaft, which would not be acceptable for a whole range of reasons. I may have said this at the meeting and told Janice (WRAY) I would go away and find out the Fire Engineers' view. I would not have consulted with the Fire Engineering department unless I had received the full specifications from the KCTMO. I do not recall having any consultation regarding this specific issue.

The National Grid have statutory obligations to inform the various emergency services if they plan to do works on the roads, it is different for buildings. They do not necessarily have to inform the LFB if they are planning to repair or upgrade existing installations. If what they are doing fundamentally changes the risks to the building, it should automatically trigger a new Fire Risk Assessment, this is clear in the Regulatory Reform Order. Significant works, such as this, are kept under review every few months, as they are progressed and to make sure the measures in place are still appropriate.

It may not be a statutory requirement but if gas is being added to the building, the Fire Brigade should be informed, simply because it changes the operational strategy for that building.

The building would be audited by the Fire Safety Team, once a new Risk Assessment has been done (by the Responsible Person), the local Station would do a firefighting (7 2d) visit to look at the changes and up-date the Mobile Data Terminal (MDT).

When something is being built, there should be a system in place called Construction Design Management (CDM) which is kept and updated by the company building the project. This has anything and everything about the design of the building and the considerations in relation to that building - such as Health & Safety; Building Standards; Construction, who is on site; who they are; what they are doing etc. There are caveats for when the work is being undertaken on an existing building and it is occupied during the works. In such cases the Freeholder, KCTMO/ RBKC in the case of Grenfell Tower, has to be involved for phased work to be agreed and undertaken and hence close collaboration would be required. There also has to be an element of 'residents-buy-in' for the works to be progressed. At the completion, a

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Regulation 38 package should be handed over from the Construction Team to the Freeholder within 24 hours of it going from site/construction to takeover.

There is a system for reporting complaints from the public. Unless they know a particular officer and how to contact them, the process would be that they would get information of how to contact the Brigade from its' website. The phone number given is a central number - which is manned from 8am to 5pm and after that time it will be routed to Central Mobilising Control or Regional Mobilising Control. The person manning it would route it to the appropriate part of the organisation - ie the Fire Safety Department. The person managing the Fire Safety desk would take the details, find out exactly what the issue is and then will either email, and also telephone if urgent, the local Team Leader or Deputy who will review the issue. I used to do this for Ben DEWIS all the time and if it was an urgent issue, I would go down to the venue immediately or find someone who was already in the vicinity, brief them and ask them to attend. The issue would be reviewed by a Fire Safety Officer - it could be a smaller or greater problem than that thought by the member of the public - but either way, something has to be done. If it can affect the operational part of the Fire Brigade, an email will also be sent to the Station Commander of the local 'take Station'. If they need to do something, they will usually send an appliance to the venue to check out the circumstances of the complaint or issue.

If we got a message saying that a resident has an issue with the gas pipe works, I would find out what the actual issue was. You cannot attend for every complaint as there are so many of them, so you would need to know what the fire safety concern was and if it was a valid complaint. Gas is fairly high up in the priorities if they are reporting smell of gas etc. If however they are complaining about noise level or conduct of the builders, it would not be, there has to be a balance and a professional judgement has to be made. If it is a problem, an ongoing issue, the Fire Safety department will raise it internally. Questions asked would be: what work is being undertaken; what is being done; who has approved it; do we have a copy of the CDM; are they stepping outside of the agreed footprint of what the CDM says - if they are, the issue has to be fixed immediately. The CDM is like a Bible, it tells everyone exactly what they are allowed to do, how they are to do it, what they are not to do and the best practice to ensure it is done properly.

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If we received a communication from residents saying they had concerns over the fire safety of the building due to the location of the gas pipe being in the stairwell - the only means of escape, we would check the specifications in relation considerations given to mitigate the fire risk, such as the 2 hour fire-rated enclosure, which are laid out in the Approved Documents. If the complaint was about poor workmanship we would check the CDM to see what the plan was to safely get the gas from the street, into the flats and check that this was being adhered to. If it was not, the work would have to stop until a satisfactory solution can be reached. This would have to involve meetings with the builders and the architects etc. to discuss why the CDM Regs provisions were not being met. If a solution cannot be found, a new design would have to be submitted for consideration.

From the perspective of a resident who does not feel safe in the building due to the gas works taking place; who has no knowledge of the various fire safety considerations and who has approached the Fire Brigade for advice and assurance, I expect the following to be done:

Gather all their information, share your work details with them, communicate clearly about what they are asking to be done and what we can try to do for them. I would brief the Team Leader of the issue, my findings and what needs to be done, in my professional opinion. I would contact the resident and inform them of what we have done or doing to address their concerns.

I would be surprised if a response to such a complaint was answered by stating that the matter was not under the jurisdiction of the Fire Brigade and to contact the National Grid. I can however understand if it was explained that the matter did not fall to the LFB legislatively or technically and that they cannot physically fix that issue. The National Grid is a highly technical organisation and lots of things they do are potentially very dangerous and clearly they are working with massive amounts of energy and there was nothing the LFB could fix, it would be stepping out of their remit. It should be explained that due to the specific technicality of the work, it needs to be done by someone with the understanding, knowledge and professionalism for that work. If fire safety was impacted, that would be looked at by Fire Safety but it has to be a collegiate response with all the other services and professional bodies in agreement.

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