

WITNESS STATEMENT

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

Statement of: LOVEDAY, MARTIN LEON

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

Occupation: CONSTRUCTION SITE MANAGER

This statement (consisting of 8 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: M LOVEDAY

Date: 24/10/2019

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

1 My name is Martin Leon LOVEDAY. I am employed by Skanska Construction Limited and work on the Gas Distribution Strategic Partnership (East) for tRIIO.

2 tRIIO is a joint venture between Skanska Construction UK Limited and Morrison Utility Services Limited.

3 I make this statement on my own behalf and do not speak for tRIIO.

4 The purpose of this statement is to respond to a request from the Metropolitan Police Service (MPS) dated 17 January 2019 for a witness statement in relation to my role in tRIIO's work at Grenfell Tower (the Tower), as part of its investigation into the Grenfell Tower fire.

5 I understand that Addleshaw Goddard received an e-mail from Emma WEST of the MPS on 19 February 2019 attaching a set of questions which the MPS would like my statement to cover.

My background

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6 My current role within tRIIO is Construction Project Manager for Special Projects. In this role I am responsible for project managing special construction projects from start to finish, primarily in relation to proactive works. Special construction projects are those that have some elements which are out of the ordinary and can be more technically involved than more simple ones. Proactive works are the replacement of gas networks where that replacement is part of a planned programme of replacement, and it is not made necessary by gas leaks or other similar issues.

7 My early background is in refrigeration and air conditioning and I worked in that field for over 15 years. I then started my own business in 2000 that specialised in plumbing, as well as doing electrical and steel piping, electrics and gas.

8 In April 2007 I began working for the North London Gas Alliance (NLGA), a joint venture between Skanska McNicholas and National Grid Transco, formed to carry out a major gas mains replacement programme across North London and East Anglia. I initially worked for them as Gas Technician and Electrical Engineer contractor, doing special projects (complex projects or those needing special attention), re-runs and ventilation. In September 2009 I then began working directly for NLGA as Supervisor of Internal Works.

9 I then became Riser Flats Manager for a year and took over the design team and all risers for NLGA.

10 My employment with tRIIO began in 2013 when the NLGA ended and tRIIO took over the gas replacement programme. I worked for tRIIO as a Riser Multi-Occupancy Buildings (MOBS) Manager.

11 At the end of 2013 I became a Compliance Officer for Downstream Gas Services for tRIIO. I supported the design team and worked as in-house technical support. In 2014 I became the technical assurance manager I reported directly to Matthew DOLAN and I ran a team of 8-9 employees who would manage technical assurance compliance.

12 In December 2016 tRIIO decided that rather than using a central compliance team, it would instead use site managers with Site Management Safety Training Scheme training. tRIIO's compliance officers

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who did not want to become site managers were offered redundancy. I did not want to become a site manager and so I was considering applying for a different job as a project manager for a medium pressure line, when I was asked to take over Harvey Smith's role working with MOBS (as he had recently resigned).

13 As my work background shows, at the time of getting involved with works at the Tower, I was highly experienced in both the gas and construction industries. I held a number of qualifications, the most relevant ones being:

- (a) Site Managers Safety Training Scheme
- (b) Utility SHEA (Gas)
- (c) NRSWA qualification
- (d) NEBOSH Construction
- (e) Competent Person for routine operations (SCO1, SCO2, and SCO5 qualified)
- (f) UKATA Asbestos Awareness qualified
- (g) Service and Mainlaying Skills for Managers
- (h) MET1
- (i) CCN1
- (j) Ventilation and Fire Safety Design Considerations for MOBS
- (k) Gas Safe Card holder

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14 I had also attended various training courses, covering aspects such as Supervisor Safety Leadership, how to carry out an LC21 survey, Risk Assessments, environmental awareness, and accident investigation.

My role

15 As set out above, I took over from Harvey SMITH on 6 February 2017.

16 It is important to note that responsibility for specific projects was not handed over to me by Harvey SMITH. Instead I worked in the office and when technical queries came in from various sites, I would help to deal with them. This was because at that point the two individuals with the most engineering experience in the office were myself and Cerianne TALBOT (tRIIO Pre-Construction Manager). I would describe my role at that stage as a Support Manager.

My involvement at the Tower

17 I did not have responsibility for the Tower. At the point I became involved with the Tower, the project was being managed by Andy RADLEY, who was tRIIO's site manager. I came in to assist Andy by taking the lead on tRIIO's response to the asbestos incident, which I address later in my statement.

18 I was not involved with the decision as to the route of the gas riser. The riser and laterals had been designed and installed, and the riser had been commissioned, prior to my involvement with the project. I therefore did not have any contact with any sub-contractors in relation to the route of the riser.

19 tRIIO had no involvement with the cladding of the Tower.

20 Michelle UMAGHO-UKUEKU was responsible for health and safety on behalf of tRIIO in relation to

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the site. She was the Safety, Health and Environment advisor for tRIIO working on MOBS. Her role was to inspect and advise on various sites as to health and safety compliance, with a focus on areas such as risk assessments and worker competencies. She would ensure that sub-contractors complied with tRIIO's health and safety policies. I did not have responsibility for the provision of health and safety training for sub-contractors or other people on site.

21 I have been asked if my work at the Tower was inspected or checked by anyone after completion. I did not carry out any physical work on the gas installation at the Tower, rather I supported Andy RADLEY in relation to specific issues.

22 I only attended the site twice; once in relation to the February 2017 asbestos disturbance, and once in March 2017 to inspect the installed pipework. It is possible I may have tried to attend a third time but could not gain access, but I cannot recall.

The asbestos incident

23 My first involvement with the Tower was following a disturbance of asbestos within Flat 12.

24 On 27 February 2017 I received a telephone call from Cerianne TALBOT, informing me that Express Builders had told her they suspected that asbestos had been disturbed within a flat at the Tower.

25 Chris MONAGHAN of Express Builders discovered debris that he suspected to be asbestos when he was attending Flat 12 to carry out carpentry work. I understand that Andy RADLEY had immediately instructed LAB UK to carry out an asbestos air test once he was aware of the report and that they had completed their testing by lunch time that day. T&S Environmental was also instructed on the same day to clean the debris and to dispose of the asbestos containing materials.

26 At this stage tRIIO understood that the asbestos had been disturbed on the same day, but it subsequently came to light that it had actually been disturbed on 16 February 2017. The incident took

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place when a worker called Deep BANGHARD, engaged by Holland Gas to relocate the gas meter within Flat 12, mistakenly drilled through a panel within the flat containing asbestos.

27 The day after being made aware of the incident, on 28 February 2017, I attended a meeting on site, together with John BLAKE (K&S), Nathan LITTLEBURY (Holland Gas), Michelle UMAGHO-UKUEKU (tRIIO H&S Manager) and Andy RADLEY (tRIIO Site Manager). We had a pre-meeting in the site welfare unit to discuss the incident. At this point I briefly looked at the MOBS Construction Pack (Site Pack). The Site Pack contains various documents including: the design and survey, site specific health and safety information and risk assessments, site rules, induction logs, the asbestos register, and training matrixes. This was the first I was aware of the design for the gas installation at the Tower. Following this, we then met with the Flat 12 resident, Zoe DANTON and her partner, in her flat, to discuss the incident. I led the meeting and the resident raised issues regarding the quality of tRIIO's work. Michelle, Andy and I photographed the pipework within the flat and I came up with a proposed new route for the pipework within the flat. LAB UK were then instructed to survey that route and ensure asbestos would not be disturbed.

28 Following the meeting in Flat 12, Michelle and I did a full inspection of the site welfare unit and the Site Pack. On inspection, I noted some problems with the Site Pack including certain missing information. It was also difficult to find things within the Site Pack as the documents were not ordered correctly.

29 Following the meeting:

(a) we insisted that Holland Gas obtain UKATA standard asbestos training within one week else they must cease working at the Tower;

(b) the Holland Gas fitter who disturbed the asbestos, Deep BANGHARD, was removed from working on tRIIO contracts with the approval of Matthew DOLAN;

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(c) Michelle and I completed an investigation report into the incident, which was subsequently sent to the HSE. I was named as the tRIIO contact for the HSE in relation to the asbestos incident; and

(d) I removed the Site Pack from the site in order to fully review it and ensure it was up to standard.

My second visit to the Tower

30 My second visit to the site took place on 22 March 2017.

31 On 21 March 2017 I had a telephone call from Pat KELLY (of Cadent). He asked me if I had been to the site and whether I was aware of certain potential issues with the gas installation. On the same day Steve JOHNSON (tRIIO Design Manager) also forwarded me a message he received from Mary RYAN (of Cadent) attaching photographs taken by Pat KELLY on site. She had queried the lack of boxing-in to the pipes and questioned the effect of the pipe penetration holes in the stairwell in the event of a fire.

32 I therefore attended site the next day and took photographs of all of tRIIO's work at the Tower. I went up to the top floor and walked down the stairs, and as I went down I took photographs of the riser, the laterals, the holes that had been drilled through the stairway wall to the communal areas, and the communal areas. I photographed all floors aside from the basement and ground floor, as I could not gain access.

33 I was concerned about the holes tRIIO had made between the lobbies and the stairwell, although at that stage I was unaware that the design provided for boxing-in in the lobbies and that boxing had been arranged but not yet completed. I also observed that flanged joints and Taylor Valves had been installed on the pipework, rather than welded joints as the design called for. My instinct was that these meant that the installation would not be compliant with IGEM/G/5 without boxing-in in the stairwell. I flagged this with Steve JOHNSON and it was agreed that he should get Express Builders to box-in the installation. It was subsequently decided to modify the design to provide for the riser to be fully boxed-in with fire rated

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materials. Steve JOHNSON's design team then produced an amended design and a Design Risk Assessment, providing for boxing in of the riser. A copy of the second design and the Design Risk Assessment would have gone into the Site Pack. Cadent were aware of the design amendment and the reasons behind it.

34 I understand that Steve JOHNSON and Alan MONAGHAN (of Express Builders) verbally agreed the specific manner in which the riser would be boxed-in at the end of March 2017. Steve JOHNSON told me to prepare an action plan to deal with the boxing and to make Andy RADLEY aware, so that he could ensure that the Express Builders subcontractors were properly inducted onto site. After the arrangements around the second design had been put in place, the site was 'given back' to Andy to manage.

35 The boxing-in work began in early-May 2017. The fire board was a Special order and the delay between the agreement to box-in in March and the work beginning in May was due to the time it took Express Builders to source the volume of specific fire-board required and to get it cut to the right size and shape off site.

Inspections

36 I have set out above the two points at which I attended the site.

37 When I attended Flat 12, as described above, I thought that the quality of outlet copper pipework I observed was poor. I therefore asked Andy RADLEY and Joe EDEN (a Holland Gas manager) to carry out independent audits on the other flats tRIIO had worked on to check the standard of the work and to ensure that tRIIO had not disturbed asbestos elsewhere. Prior to them completing these audits, I reviewed the photo job cards that are completed by each fitter who carries out internal work within a flat and are stored on our management system. They contain photographs of the meter installations. I reviewed the photographs contained on the job cards and flagged up potential concerns to Andy RADLEY via e-mail on 20 March 2017, ahead of him inspecting the works.

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38 Andy and Joe completed these inspections on 20 and 22 March 2017. Minor issues were reported (for example, issues with earth bonding cables not being correctly trunked) which were subsequently corrected. There were no reports of asbestos being disturbed.

39 The qualifications that made me suitable to carry out the various inspections detailed in this statement are as set out above.

Complaints

40 I have been asked various questions relating to complaints regarding fire safety at the Tower which I answer as follows.

41 As I co-ordinated tRIIO's response to the Flat 12 asbestos incident, I was involved with liaising with the flat resident, Ms DAINTON and Mary RYAN of Cadent, regarding the incident. This involved dealing with a number of complaints from Ms DAINTON, as well as answering queries and concerns relating to the safety of her property and the thoroughness of the testing done by LAB UK.

42 Other resident complaints were not made directly to me, although I became aware of them as they were often the original e-mail in an e-mail chain which I was sent by the KCTMO. The KCTMO would forward the complaint e-mail and ask me specific questions in relation to tRIIO's work. I assume that the KCTMO addressed the complaints made.

43 I can recall seeing two complaints from the Grenfell Tower Leaseholder's Association in March 2017. These raised concerns relating to the riser being located in the stairwell, and said that the residents intended to hire an independent health and safety inspector to attend the Tower to carry out a full inspection of the premises and to look at the level of risk relating to the gas riser in the stairwell. I also recall seeing two e-mails from residents complaining about the amount of time they had been without gas.

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44 These complaints prompted queries from Cadent and the KCTMO relating to the decision as to the riser route, the compliance of the installation, and timings for completion of the work. A lot of the KCTMO queries were directed at Cadent, who then sought answers from us. Andy RADLEY, Steve JOHNSON and I were involved in providing information necessary to address these queries.

45 A meeting was arranged with Cadent and the KCTMO to discuss and to address the resident concerns. This meeting was planned for 27 March 2017. However, this planned meeting was superseded by my site visit on 22 March 2017, which prompted an amendment to the installation design (as detailed above).

46 I did not have any contact with residents groups, forums or blogs.

47 I am not aware of any legal proceedings ever being initiated against or mentioned to any resident of the Tower as a result of any issue with that resident at the Tower.

48 I am not directly aware of specific complaints about building management at Grenfell Tower being made prior to the fire. Aside from my visit to Flat 12, I do not remember speaking to any residents on the times I attended the site. However the two complaints referred were on e-mail chains sent to me, so I had the impression that there was frustration amongst residents at the management of the building. I was not aware that there were problems between the residents and the building management in relation to the refurbishment prior to this.

Fire safety

49 When I inspected the Site Pack (as detailed above at paragraph 28), it contained a MOBS Site Emergency Plan. This is a general emergency plan which covers various health and safety risks on site. However, I noticed that the fire risk assessment part of the plan, which is contained at the back of the document, had not been completed. After removing the Site Pack from site, I instructed Andy RADLEY to complete the fire risk assessment. This was completed and dated 7 March 2017.

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50 I was not aware that the Tower had a stay put policy and I do not recall seeing an evacuation policy document or anything similar. I think that such information would likely have been in the site welfare office however. I did not see any signs in the Tower but I was only on site twice so they may have been there.

51 tRIIO's site welfare unit would have contained a fire extinguisher as standard, though this is for use in relation to work/emergencies done in close proximity to the unit. The individuals who carried out the internal works in the Tower would have taken fire extinguishers into building when carrying out 'hot works', such as welding/soldering. The subcontractors and tRIIO internal fitters would have supplied their own fire extinguishers.

Conclusion

52 I do not have any additional documents to provide. I understand that my tRIIO emails have been previously disclosed to the MPS and to the Grenfell Tower Public Inquiry by tRIIO.

53 I agree that this statement may be shared with the Grenfell Tower Public Inquiry.

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