



Grenfell Tower Inquiry

Day 145

June 16, 2021

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1 Wednesday, 16 June 2021

2 (10.00 am)

3 SIR MARTIN MOORE—BICK: Good morning, everyone. Welcome to
4 today's hearing.

5 Today we're going to hear further evidence from
6 Ms Janice Wray, so I'm going to ask the usher to bring
7 Ms Wray back into the room, please.

8 MS JANICE WRAY (continued)

9 SIR MARTIN MOORE—BICK: Good morning, Ms Wray.

10 THE WITNESS: Good morning.

11 SIR MARTIN MOORE—BICK: Well, ready to carry on?

12 THE WITNESS: Oh, yes.

13 SIR MARTIN MOORE—BICK: Good, thank you very much.

14 Yes, Mr Millett.

15 Questions from COUNSEL TO THE INQUIRY (continued)

16 MR MILLETT: Mr Chairman, thank you, good morning. Members
17 of the panel, good morning to you.

18 Ms Wray, good morning to you. Final stretch,
19 I hope.

20 Can we pick up where we were yesterday by looking at
21 the quality of Mr Stokes' work for the TMO.

22 Can we start, please, by looking at {CST000010084}.

23 Now, this is an email, if we go to page 1, halfway
24 down, from Raymond Hylton to you, "Hi Janice", of
25 19 May 2017, so only a month before the fire at

1

1 Grenfell Tower:

2 "Attached are comments following a review of the two
3 FRAs."

4 Below that you can see a further email, and the
5 comments that are attached is in a separate document,
6 which is at {CST00010085}, the next one up in the
7 series. You can see that this covers, on page 1,
8 premises called The Sandhills at Limerston Street, SW10.

9 A. Yes.

10 Q. It covers, I should say, two premises.

11 If you go to page 7 of this document
12 {CST00010085/7}, it concludes:

13 "I do not believe that either of these FRAs are
14 'suitable and Sufficient' the advice has put TMO at risk
15 in both Whitchurch is completely wrong and I would
16 recommend new FRA is completed as soon as possible,
17 taking the new guidance for specialised housing into
18 consideration and do not rely on the advice the landlord
19 is responsible for the flat front door no matter what is
20 said in lease or any other agreement the LFB enforcement
21 will issue against TMO on every occasion.

22 "There were lots more that could have been pointed
23 to but no point in labouring the point."

24 Do you remember receiving these comments and reading
25 them at the time?

2

1 A. Yes.

2 Q. Were you concerned by them?

3 A. Initially I was concerned that I hadn't been advised
4 that these documents were being sent off to anybody to
5 be assessed, so it came — I think it came out of the
6 blue to me. The ... I was a bit surprised, actually,
7 because the Whitchurch House fire risk assessment, we'd
8 had quite protracted discussions with the Fire Brigade
9 at this time on that very matter. There was some
10 debate, because it's specialised housing, and there was
11 some debate about whether a stay-put strategy or a —
12 I've forgotten the terminology, but basically a partial
13 evacuation, so remove the people either side of the flat
14 on fire to behind the next self-closing door, so they're
15 in a separate compartment, and we'd had discussions with
16 the Fire Brigade about what was most appropriate. So it
17 had been discussed at length and no criticisms had been
18 made, so I was quite surprised at some of the comments.

19 Q. Did you discuss these comments with Raymond Hylton,
20 given what you have just told us about your surprise?

21 A. I believe so. I think he was really more the conduit
22 for providing the information to me. I don't ...

23 Q. What was his role?

24 A. He was — he worked in the contract management team, he
25 worked for Alex Bosman. I think he worked on the

3

1 electrical contract. So, again, I was surprised that he
2 had — he'd sort of sent these off to these individuals,
3 and, yeah, the whole thing was a bit of a surprise.

4 Q. In your discussions with Raymond Hylton, did he withdraw
5 all these criticisms and admit that he was wrong, or did
6 you accept that, at least in some respects, you were
7 happy to agree with them?

8 A. Some of them, I — so, for example, the leaseholder door
9 issue — so I think Carl's way of phrasing it was
10 a bit — was quite brusque. I mean, having spent
11 a great deal of time engaging with the Fire Brigade, in
12 getting counsel's opinion, engaging with individual
13 leaseholders to address potentially non-compliant
14 leaseholder doors, we were very clear that it was
15 a point at which we still didn't entirely agree with the
16 Fire Brigade, but we understood that, if they took any
17 action, it would be against us as the landlord. So our
18 way of trying to deal with it, when we had no
19 enforcement position with the leaseholder, was really to
20 try and encourage and explain the need to do this and
21 coax and cajole, and we had quite a lot of success.

22 So regardless of how he has worded it, we were quite
23 clear about what our role was and about who could take
24 enforcement action against us, so there was nothing
25 particularly surprising about that comment. I mean —

4

1 Q. Right.
 2 A. Sorry.
 3 Q. Did you forward these or send these to Carl Stokes and
 4 have a discussion about them with him?
 5 A. Yes, yes, I did.
 6 Q. Did he accept that, at least in some respects, these
 7 criticisms were justified, or did he deny all of them?
 8 A. Well, as I say, the one particularly — the one that's
 9 on the screen now about the leaseholder door I wasn't
 10 concerned about, because I was very clear about our
 11 responsibility and where we'd got to in terms of
 12 enforcement, so this didn't tell me anything that
 13 I didn't know. Without looking at the detail of the
 14 others, I can't remember his exact response, sorry.
 15 Q. Did you forward these to Barbara Matthews?
 16 A. I can't recall. I may well have done, but, I'm sorry,
 17 I can't recall.
 18 Q. Did you discuss these with Barbara Matthews?
 19 A. I probably did, but again, I don't specifically
 20 remember.
 21 Q. Now, I asked you whether you had forwarded these to
 22 Carl Stokes. In fact, if we go to the top of the email
 23 run I showed you before, we can see that you did do, and
 24 you wrote him a message. It's {CST00010084}, and you
 25 say:

5

1 "Carl
 2 "Prepare to be cross! One of my colleagues asked
 3 for a couple of our recent FRA reports — was a bit vague
 4 but said he had been to some seminar and wanted to look
 5 at these with Andy Jack and Graham Fieldhouse (H&S
 6 consultant currently working at Southwark I believe)."
 7 Andy Jack, of course, is LFB.
 8 A. Yes.
 9 Q. "He has now given me the attached reported with a load
 10 of issues raised and points challenged. I am going to
 11 try to meet with him next week to discuss in more detail
 12 but you will no doubt want to respond to some of the
 13 points they are raising."
 14 A. Yeah.
 15 Q. Now, did you have a meeting with him, that is —
 16 A. Raymond Hylton.
 17 Q. Oh, that's Raymond Hylton, is it?
 18 A. Yes, yes.
 19 Q. Not Andy Jack or Graham Fieldhouse?
 20 A. No, because Graham — sorry, Raymond Hylton had been my
 21 colleague who had asked for these documents and not
 22 really given me a steer of what he wanted them for, but
 23 fine, he requested them, and then suddenly I was hit
 24 with a load of criticisms without really knowing the
 25 backstory. So I would — I intended to meet with

6

1 Raymond Hylton.
 2 I can't honestly now tell you for sure whether I did
 3 or I didn't, but I certainly would have tried to meet
 4 with him. I think he wasn't actually working full-time
 5 at that stage as well, so there might have been some
 6 difficulty with diaries, but it was certainly my
 7 intention.
 8 Q. Did you take any action at that point to reconsider
 9 Carl Stokes' suitability as a fire risk assessor for the
 10 TMO?
 11 A. I think I would have looked in detail at the criticisms,
 12 and — we're in May 2017, aren't we? I would have
 13 looked in detail at the criticisms and I would have
 14 discussed with Carl, and I'm confident I would also have
 15 discussed with Barbara. I've commented on the
 16 leaseholder door issue. I think I've explained that
 17 with Whitchurch we were having protracted discussions
 18 with the Fire Brigade, so I was surprised that other
 19 criticisms were being raised, and really, without
 20 looking at the detail, I don't think I can give you
 21 a definite answer.
 22 Q. Did you take any action to review his other fire risk
 23 assessments? These are only two, Sandhills and
 24 Whitchurch, as we've seen. Did you take any action to
 25 review his other fire risk assessments or have them

7

1 reviewed by an independent third party?
 2 A. I can't recall doing so at this stage.
 3 MR MILLETT: No. Why is that?
 4 SIR MARTIN MOORE-BICK: Sorry, can you just remind me, what
 5 was Mr Hylton's field of activity?
 6 A. He was a contracts manager in the contracts management
 7 team. He reported to Alex Bosman, and I think he was
 8 the electrical contracts manager.
 9 SIR MARTIN MOORE-BICK: So did he have any experience in
 10 fire risk assessments?
 11 A. Not to my knowledge. He was — I think he was
 12 an interim, and he probably had a range of experience,
 13 but not to my certain knowledge, no.
 14 SIR MARTIN MOORE-BICK: All right, thank you.
 15 Yes, Mr Millett.
 16 MR MILLETT: What was the upshot of these criticisms from
 17 Mr Hylton?
 18 A. I'm sorry, I can't actually remember. I remember
 19 investigating them, and some of them I've commented on
 20 I didn't feel gave cause for concern, but without
 21 revisiting all of them now, I'm sorry, I can't actually
 22 recall.
 23 Q. As a matter of general recollection, do you recall
 24 whether, in May 2017, these comments caused you
 25 seriously to consider whether Carl Stokes was up to the

8

1 job of FRA for the TMO, or did you essentially satisfy
 2 yourself that there was nothing in these criticisms?
 3 A. As a matter of general recollection, I would have
 4 investigated all of the concerns, and some of them
 5 I felt were — did not give me cause for concern, and
 6 I don't recall being particularly worried, but obviously
 7 I was intending to meet with Raymond to see if I could
 8 find out if there was more information that I needed
 9 sight of.
 10 Q. Did the fact that Mr Hylton had no qualifications, so to
 11 speak, as a fire risk assessor cause you not to take his
 12 criticisms seriously —
 13 A. No.
 14 Q. — or give them due weight?
 15 A. No, I presumed what he was forwarding to me came
 16 directly from these other two individuals, and I've
 17 certainly met both of those individuals before and
 18 I know they have fire safety remits, so I would have
 19 taken them seriously. I didn't dismiss them, I would
 20 have investigated them.
 21 Q. Having investigated them, did you then discount or
 22 dismiss them completely, or were there some that gave
 23 you lingering concern?
 24 A. As I say, I don't think I can give you a full answer
 25 without looking at the detail of all of the individual

9

1 allegations. The ones that I've seen, I have tried to
 2 comment on, but I would have to revisit it, sorry. It's
 3 not really fresh in my mind. I mustn't have read this
 4 recently.
 5 Q. We could spend some time going through the document line
 6 by line and you could answer that, but my question is
 7 a more general one.
 8 There is no record of you doing anything in response
 9 to these criticisms. Do I take it, therefore, that
 10 either you didn't investigate them fully, or you did
 11 investigate them fully and were satisfied that each and
 12 every criticism was invalid?
 13 A. I would have investigated them fully, but in order to do
 14 that, I felt it was important to meet with
 15 Raymond Hylton, because he was the person who had had
 16 contact with the two people who were raising the
 17 criticisms. I really only had this document to go on.
 18 And what I can't recall is if I managed to have that
 19 meeting, and that's probably why there is no audit
 20 trail. It may have still been ongoing.
 21 Q. I see.
 22 Now, can we then turn to the question of audit.
 23 You were aware, I think, as you told us earlier in
 24 your evidence, of a standard called PAS 97.
 25 A. 79?

10

1 Q. Sorry, PAS 79.
 2 A. Yes.
 3 Q. And there is an August 2012 edition of that.
 4 Could we go to that. {LFB00116924}.
 5 I'm sorry, I have made a mistake. I'm actually
 6 referring you to a different document, which is PAS 7 of
 7 2013.
 8 A. Yes.
 9 Q. I had assumed that what I had put in my note is
 10 a typographical error; it is not, it is a completely
 11 different document.
 12 First of all, were you familiar with this document?
 13 A. Yeah.
 14 Q. You were?
 15 A. Yeah.
 16 Q. You can see that it's called "Fire risk management
 17 system — Specification".
 18 Can we go to page 23 in it {LFB00116924/23}, please.
 19 If you go to page 23 and look at the bottom half of the
 20 page, you can see that there is a heading, "7.4 Fire
 21 risk assessment"; do you see that?
 22 A. Yes.
 23 Q. Under 7.4.3 it says this:
 24 "The organization shall audit the fire risk
 25 assessment programme after the delivery of the risk

11

1 assessments.
 2 "7.4.4. The organization shall conduct a review
 3 meeting at planned intervals to discuss the results of
 4 fire risk assessment audits, and efforts to address
 5 findings."
 6 At and after 2013, when PAS 7 was published, do you
 7 remember being familiar with those principles I've just
 8 read to you?
 9 A. Yeah, I was aware that we should be doing regular
 10 audits, yeah.
 11 Q. Yes, and conducting review meetings at planned intervals
 12 to discuss the results —
 13 A. Yes.
 14 Q. — of fire risk assessment audits; yes?
 15 A. Yes.
 16 Q. And efforts to address findings; yes?
 17 A. Yes.
 18 Q. Yes.
 19 Did you ever arrange for the fire risk assessment
 20 programme to be audited?
 21 A. I didn't arrange it, no. I recall that initially
 22 when — I think when we still had Salvus, we discussed
 23 with them the need to have audits, and my then manager,
 24 Lornette, had requested a fire risk assessment audit.
 25 I think I may have explained before, perhaps not, that

12

1 audits were always commissioned at the executive team
 2 level, and I wasn't party to those discussions or the —
 3 I think they were agreed between internal audit at the
 4 council and our executive team. So we would then just
 5 get a programme of audits for the year, and that would
 6 happen.
 7 Q. So, you didn't arrange for fire risk assessments to be
 8 audited; did anybody ever arrange for the fire risk
 9 assessment programme to be audited?
 10 A. I think there were efforts made to include, to a small
 11 degree, fire risk assessment in the general health and
 12 safety audits which were undertaken, but not to the
 13 level of detail that this requires.
 14 Q. Right.
 15 Did you ever discuss this obligation or guidance,
 16 I should call it, with Barbara Matthews once she arrived
 17 in July 2015?
 18 A. I actually can't say I recall doing so. I should have
 19 done, but I'm not sure whether I did. I don't recall
 20 doing so.
 21 Q. And what about before that, between 2013 and 2015, with
 22 Anthony Parkes? Did you discuss the need to have
 23 an audit of the fire risk assessment programme with him?
 24 A. I think it likely that I did, but I doubt I could
 25 evidence it.

13

1 Q. Right.
 2 Did you ever arrange to audit Carl Stokes' fire risk
 3 assessments?
 4 A. No.
 5 Q. Looking at that, can you explain why there was no audit
 6 of either the fire risk assessment programme or review
 7 meetings at planned intervals, or audits of Carl Stokes'
 8 fire risk assessments?
 9 A. I can't explain. I think I've said before that we had
 10 a lot of contact, but we didn't have as much formal
 11 contact in the context of this as we should have done,
 12 and I can't give you an explanation, other than just
 13 I was raising issues as they were raised with me,
 14 for example the performance issues we just discussed,
 15 and seeking to investigate everything that was raised,
 16 keeping an eye on the programme, and I just ... it —
 17 I couldn't find the time to do it, which I know I should
 18 have done.
 19 Q. Right.
 20 Given that Mr Stokes, if you stand back and look at
 21 it more holistically, was the sole provider of all the
 22 risk assessments for all of the buildings in the TMO
 23 stock for which the TMO was the responsible person, did
 24 it not occur to you that it would be important to audit
 25 his work from time to time to check his competency, and

14

1 also the accuracy of his findings and the efficacy of
 2 his plans?
 3 A. I wouldn't dispute that for a moment, you're absolutely
 4 correct. I would say that we got some degree of
 5 reassurance by the amount of assessments which were
 6 requested by the Fire Brigade, and, you know, some of
 7 the fire inspecting officers particularly really did
 8 scrutinise them and come back with queries and
 9 questions. So we were having quite a lot of contact and
 10 dialogue, and when issues were raised, they were raised
 11 with the assessor and they were dealt with, but ...
 12 I accept that I should have done that.
 13 Q. In the light of that answer, and some of the answers you
 14 gave yesterday, would I be right in thinking, would it
 15 be a fair summary of your approach at the time, that you
 16 regarded the LFB as having some kind of audit function?
 17 A. I think that's possibly too formal. I think that I did
 18 get a degree of reassurance because of the amount of
 19 interaction we were having with them and the amount of
 20 assessments they were requesting and queries that they
 21 were raising, so I felt it did give me a degree of
 22 reassurance that the quality was the quality that they
 23 were expecting, that it was reaching suitable and
 24 sufficient standards, which is obviously the obligation
 25 that we were trying to meet.

15

1 Q. I mean, did anybody ever make it clear to you that the
 2 LFB's role under the RRO was as an enforcement body, not
 3 as an auditor?
 4 A. I'm well aware of that. I'm merely trying to explain
 5 the relationship that we had and the reassurance that it
 6 gave me. I know it wasn't their formal responsibility.
 7 Q. Right.
 8 A. I'm not suggesting that it was. I'm merely saying that
 9 I did get some degree of reassurance. We'd had a lot of
 10 dialogue, we wanted to work to not just comply with the
 11 legislation but actually to meet their requirements, and
 12 that's what we were endeavouring to do.
 13 Q. Would you agree that it would not be and was not
 14 reasonable to rely on inaction or silence from
 15 an enforcement body as the basis for yourself deciding
 16 whether the fire risk assessments were suitable and
 17 sufficient?
 18 A. I do agree, and I wasn't trying to make that point.
 19 Apologies if that's how it came across.
 20 Q. Thank you, that's helpful.
 21 Standing even further back, while we've got PAS 7 on
 22 the screen, can you tell us whether there was any formal
 23 introduction of this guidance into the TMO, whether
 24 there was any training on it, any presentation of it?
 25 A. I don't believe so.

16

1 Q. How did you come to learn of it?
 2 A. I think I just would regularly try and do my own
 3 research and keep up to date with CPD, and possibly
 4 through my IOSH role or possibly — I received quite
 5 a lot of emails from people, sometimes offering training
 6 or — so a variety of ways, professional journals,
 7 whatever.
 8 Q. Did you ever discuss its contents with Carl Stokes?
 9 A. I'm not sure if I did, actually.
 10 Q. No. Did you ever take any steps — I assume the answer
 11 is no, given what you have just said — to bring it to
 12 Carl Stokes' attention and discuss it with him?
 13 A. I don't recall doing.
 14 Q. Who was responsible for ensuring that the requirements
 15 of this guidance were observed? Who within the TMO was
 16 responsible for ensuring that the contents of this
 17 guidance were observed?
 18 A. Well, ultimately the chief executive, but in the first
 19 instance it would sit with Barbara and myself.
 20 Q. Right. You say ultimately the chief executive; did
 21 Robert Black know of the existence of this document?
 22 A. I'm not aware —
 23 Q. Right.
 24 A. — if he did or didn't.
 25 Q. You didn't bring it to his attention, did you?

17

1 A. I don't recall doing so, no.
 2 Q. Did you bring it to Barbara Matthews' attention, do you
 3 think?
 4 A. I think you've already asked me that, and I can't recall
 5 whether I did or I didn't.
 6 Q. Now, can I ask you to look on at {TMO00880329/85},
 7 please. We're not really changing topics, but we're
 8 slightly moving sideways to discuss the LFB and the
 9 enforcement role.
 10 What I'm showing you here is an extract from
 11 Barbara Matthews' notebook, and this relates to
 12 a meeting of 13 October 2015, where you can see she
 13 records, "RB/NM [it looks like]/DW/JW/BM".
 14 I'm assuming the JW is you, Ms Wray?
 15 A. That's right. It looks like team meeting, Rupa Bhola,
 16 Nural Miah and Dan Woods.
 17 Q. RB, I was going to ask you about that; that's not
 18 Robert Black, is it?
 19 A. No, it's not.
 20 Q. Rupa Bhola.
 21 A. We were all Barbara's direct reports, so it's a team
 22 meeting.
 23 Q. I see.
 24 And you told us what the other initials were, NM and
 25 DW, and BM is Barbara Matthews herself. NM is ...?

18

1 A. Nural Miah.
 2 Q. Nural Miah, and —
 3 A. Dan Wood.
 4 Q. Dan Wood. Right, thank you.
 5 Then on page 86 {TMO00880329/86}, you can see that
 6 Barbara Matthews has noted under "H&S" — do you see
 7 that?
 8 A. Yes.
 9 Q. "Deficiency notice from LFB"; yes?
 10 A. Yes.
 11 Q. Was that a reference to the Adair Tower deficiency
 12 notice dated 12 October 2015?
 13 A. Sorry, what was the date of this meeting again,
 14 apologies?
 15 Q. The date of the meeting is 13 October 2015.
 16 A. It probably was. That makes sense in terms of date.
 17 Q. Yes, it had come in the day before, 12 October.
 18 A. Yes, it probably was then. Yes.
 19 Q. Do you remember whether there was a discussion on that
 20 day about the deficiency notice?
 21 A. If there was, it probably wasn't too wide-reaching,
 22 because we were quite disparate, the people who reported
 23 to Barbara, so our team meetings — one dealt with
 24 finance, one dealt with IT, home ownership, health and
 25 safety, so we didn't go into too much detail. We did

19

1 that in our one-to-ones instead.
 2 Q. Given that you had received the deficiency notice
 3 yourself, because you're an addressee of it, from the
 4 LFB the previous day, 12 October 2015, can you help us
 5 with whether or not it was likely that you would have
 6 brought that document to the attention of this meeting
 7 the following day?
 8 A. Well, she's made specific reference to it, so I clearly
 9 did. My point is that I don't know to what extent
 10 I did, because my other colleagues filled very different
 11 roles and team meetings would have gone on for days if
 12 we'd all gone into every — sorry.
 13 Q. I'm just trying to identify whether it's that deficiency
 14 notice or something else. I'm assuming that's —
 15 A. That's the only one I remember receiving around that
 16 time, so I think it must be.
 17 Q. Yes.
 18 Can we go, then, to {TMO00840583}, please.
 19 Now, this is the TMO health and safety annual report
 20 for 2015 to 2016, as you can see from page 1.
 21 A. Yes.
 22 Q. You drafted this, didn't you?
 23 A. Yes, with input from other colleagues, yes.
 24 Q. Yes.
 25 If we go to page 6 {TMO00840583/6}, please, and look

20

1 at paragraph 7.8 in the middle of the page, you can see
2 there is a heading, "Engagement with LFB", and there is
3 a reference to the bi-monthly meetings.

4 Then if you look at the second paragraph down, it
5 says:

6 "Two LFB Enforcement Notices were received this
7 year. These followed a fire at Adair Tower in October
8 and these will be discussed in detail later in the
9 report (at point 9. Fire Safety).

10 "Six Notices of Safety Deficiencies were received —
11 five of these were issued on the same block and related
12 to small quantities of stored items within five of the
13 communal staircases."

14 Now, the sixth notice of deficiency was for
15 Adair Tower, wasn't it?

16 A. I believe so, yes.

17 Q. Yes. Why didn't you expressly say so here in this
18 report?

19 A. I've no idea, really. I mean, I didn't expressly state
20 the location of the others. There was ... they can be
21 quite long reports. I think I've always tried to be
22 mindful, if I make them too long, people aren't going to
23 read them. There was no reason not to, I just ...
24 I don't know if it's further down in the report when we
25 discussed the enforcement notices, I'm not sure.

21

1 Q. Well, you do discuss the enforcement notices at
2 paragraph 16.2 later in the document, but this document
3 was drafted and presented in June 2016.

4 A. Yeah.

5 Q. Given that the deficiency notice for Adair Tower
6 pre-dated the fire at Adair Tower by only a matter of
7 days, effectively, a couple of weeks, why did you not
8 expressly spell out the fact in this report?

9 A. I can't give you any explanation. I think the
10 enforcement notices obviously have entirely different
11 standing and are statutory notices, so I think I was
12 focusing on what they required and what action we took
13 to address that, and deficiency notices are
14 non-statutory notices and relatively more minor so there
15 was no reason not to put it in, I just didn't put
16 the addresses of any of them.

17 Q. Let's go on in this document to page 11
18 {TMO00840583/11}, please.

19 If we continue to page 11, you can see on that page
20 there that there's your report on the Adair Tower fire
21 as item 1 —

22 A. Yeah.

23 Q. — 31 October 2015, which starts:

24 "The first and potentially the most serious fire
25 occurred at Adair Tower on Saturday the 31st October

22

1 when a fire broke out within a flat on the third floor
2 (flat 15)."

3 By all means scan what you say in that section,
4 which continues over on to page 12, but we've not been
5 able to find any reference there to the deficiency
6 notice which was issued by the LFB before the fire.

7 A. Well, then, I didn't include it. As I say, I must have
8 decided that the important thing was to put the detail
9 of the statutory notice, the enforcement notices, and
10 what we were required to do and how we were required to
11 address them. So it was ... I've no idea. I mean, it
12 gets circulated for comment, and nobody helpfully said,
13 "Oh, why don't you add that level of detail", so there
14 was no reason not to.

15 Q. Well, there was every reason to, wasn't there, you see,
16 because the fact that the LFB had already served
17 a deficiency notice before the fire broke out would be
18 something that it would be important for the recipient
19 of this report to know; do you agree with that?

20 A. Well, I would agree with it if it hadn't been for the
21 fact that I was confident that we'd already provided
22 exactly that information to board, to TMO board, and the
23 recipients of this, because I'd already had to do
24 a considerable number of reports to the board and to the
25 TMO operations group and I thought that that had already

23

1 been included, or in Robert's briefing notes whenever he
2 does his chief executive's report. I thought that
3 information was already in the public — in the domain
4 of the recipients of this report.

5 Q. Right. Let's just examine that.

6 Can we go to {TMO00869159}, then, and see if we can
7 trace that through a little bit more closely.

8 A. Okay.

9 Q. This is an email from you to Robert Black, copied to
10 a list of other people within the TMO, including
11 Sacha Jevans.

12 A. Yeah.

13 Q. "Subject: RE: Fire Adair Tower.

14 "Hi

15 "Quick update."

16 Do you see that?

17 A. Yes.

18 Q. If you look down at the next page {TMO00869159/2} ...

19 A. "LFB carried out a recent audit of block and requested
20 confirmation of ..."

21 Yeah, so —

22 Q. Yes. This is your response to Robert Black's message of
23 the same day, 31 October 2015, on page 2.

24 A. Yeah.

25 Q. He says:

24

1 "Hi Janice and Sacha
 2 "As discussed it's attracting attention of the press
 3 and three areas emerging in terms of speculation."
 4 The third one is what we need to look at:
 5 "What are our fire procedures and processes for this
 6 block. Mentioned fire extinguishers etc.
 7 "Janice you say overall it's stay and be rescued and
 8 fb do not require fire extinguishers. You said you had
 9 recent audit with fb and we got some notice — small risk
 10 but of concern to me so I need to understand the risk."
 11 A. Yes.
 12 Q. Now, his reference there to "small notice", what was
 13 that a reference to?
 14 A. Well, I presume that he was talking about the deficiency
 15 notice. Because the fire — this was — the fire had
 16 been extinguished, but this was a very — this was on
 17 the day of the fire, so we were responding to that, so
 18 there was quite a lot of information being passed back
 19 and forth by telephone and by email, so I presume that
 20 I must have told him on the phone that the Brigade had
 21 done an audit and had issued a deficiency notice.
 22 Q. Do you remember when you told him that? Was it before
 23 the fire?
 24 A. Well, unlikely to be before the fire, because the fire
 25 was about 8.55 in the morning and this was 10.57, so

25

1 I probably started to have phone contact with him some
 2 time after 9 o'clock.
 3 Q. Indeed, the email starts, "As discussed", and it doesn't
 4 seem as if this follows on from any other email chain.
 5 So just to get the order of facts right, is this
 6 right: there was the fire, there was then a discussion
 7 between you and Robert Black and possibly Sacha Jevans
 8 as well, and then he sends this email. The question is:
 9 was it during that conversation, during the fire
 10 effectively, that you told him that you had received the
 11 deficiency notice?
 12 A. It's likely to have been. As we saw from Barbara's
 13 notebook, she was already aware of it, and I wouldn't
 14 have known whether she had mentioned that sort of level
 15 of detail in her one-to-ones or at exec team, I couldn't
 16 really say for sure, but I was reiterating.
 17 Q. Right.
 18 He says "got some notice". I don't know whether
 19 that's some notice or some notice very vaguely. Clearly
 20 he is not entirely clear about what it is.
 21 He says "small risk but of concern to me". Can you
 22 explain why he got the impression from the conversation
 23 that there was a small risk?
 24 A. I can't explain. I can only say that at the time we
 25 were juggling quite a lot, because the block had been

26

1 decanted, we were trying to get people to a local church
 2 which had opened up as a rest centre, we were trying to
 3 liaise with the Fire Brigade. At that stage I was still
 4 working remotely because I wasn't able to get there
 5 until — there was quite a lot going on, and there was
 6 quite — and he was operating off his phone, so none of
 7 this would be the way he would normally write things or
 8 the level of detail that would be — so I can't really
 9 tell you confidently.
 10 Q. Now, we can see your response at page 1, which I showed
 11 you, but if you go to page 2 {TMO00869159/2} and the
 12 last part of it, in the last paragraph you say:
 13 "LFB carried out recent audit of block and requested
 14 confirmation of extinguisher servicing and also raised
 15 concern that not all flat doors were self-closing."
 16 A. Yes.
 17 Q. You didn't say, "There was a deficiency notice dated
 18 12 October".
 19 A. No, you're right, I didn't.
 20 Q. Nor does it appear that you attached it to this email.
 21 A. I doubt, because he was operating off his phone, he
 22 would have been able to open it on his email. I mean,
 23 you're right, I could have done, but at the time, we
 24 were very much responding to a live incident, and so —
 25 Q. Well, I understand that, that I understand, but even

27

1 then, notwithstanding the live incident, this is, if
 2 I may say so, a lengthy, detailed and well-articulated
 3 email. Is there any reason why you couldn't have simply
 4 said to him, "Yes, we got a deficiency notice two weeks
 5 ago"?
 6 A. Well, no. I mean, clearly he's made reference to the
 7 notice, so I've clearly said that to him on the phone,
 8 but I haven't provided additional detail. And it could
 9 be that I didn't have my laptop, I don't know, maybe
 10 I couldn't even access the document. It was a pretty
 11 full-on —
 12 Q. Right.
 13 We see no record of this, but did you, do you
 14 remember, send him the deficiency notice that day or the
 15 day after, when things had calmed down a bit and you had
 16 access to your laptop?
 17 A. I honestly don't remember. As I'm sure you appreciate,
 18 this led to a great deal of briefing and almost a daily
 19 update with exec team members, and each ended up with
 20 a to-do list, an action list, for various individuals,
 21 so —
 22 Q. Do you remember what you told Robert Black about the
 23 level of risk which you had gleaned from the deficiency
 24 notice?
 25 A. I don't remember, no, sorry.

28

1 Q. Right.
 2 Can we please go back to the health and safety
 3 report at {TMO00840583/21}, please.
 4 We've seen so far that there's lots of detail about
 5 the fire at Adair Tower but no reference at all to the
 6 deficiency notice. Here on page 21 we see, at
 7 paragraph 16.2, under your conclusion, the following:
 8 "Whilst we received our first ever Enforcement
 9 Notices from the LFB in this period it should be noted
 10 that these were in relation to a non—accidental fire
 11 which broke out due to arson within a dwelling and which
 12 it would have been impossible for any landlord to
 13 prevent. Further, this building had been audited by the
 14 LFB Inspecting Officer the month before the fire and
 15 whilst several recommendations were received no comments
 16 were made about the ventilation arrangements (the
 17 significant factor in the Notices). However, we are
 18 committed to meeting the LFB requirements within
 19 timescales agreed with them and this work is on track
 20 and progressing well."
 21 Why did you refer to recommendations from the LFB
 22 inspection officer and not simply say, "It's a notice of
 23 deficiency"?
 24 A. I can't give you an explanation, it's just the way
 25 I write these things. Yeah, you're right, I could have

29

1 done, but there were probably other ways of describing
 2 it. There's no rhyme or reason to it.
 3 Q. Well, isn't there? I mean, this is gilding the lily,
 4 isn't it? It's a euphemism. Saying recommendations
 5 received is not the same thing as a formal notice of
 6 deficiency, with specific demands for correction with
 7 a specific date for cure?
 8 A. You're right, it isn't the same as that.
 9 Q. Were you trying to hide things from the readers of this
 10 document?
 11 A. Oh, for goodness' sake, no, I was not trying to hide
 12 things. I'm sorry, yes, I didn't explicitly state, and,
 13 like you said earlier, I didn't explicitly say
 14 the addresses of each of the deficiency notices, and
 15 part of the reason that I circulated this was to get
 16 other people to give me input, to advise what they
 17 thought this document should contain, and at no point
 18 did anybody say, "You should be explicit", and so
 19 I wasn't.
 20 I mean, I think all of the information is here, and
 21 from where we're standing now, yes, I definitely could
 22 have worded it differently, but I don't accept that
 23 I was gilding the lily.
 24 Q. Were you concerned that otherwise questions would be
 25 asked of you why a formal deficiency notice had been

30

1 served by LFB only a matter of a few weeks before
 2 a serious fire?
 3 A. I wasn't concerned. I'd escalated it to my exec team
 4 member, so if it got challenged then she had the
 5 information to hand and she could respond to it, and we
 6 were addressing it. We were continually trying to
 7 address it.
 8 I mean, we didn't hide deficiency notices. As time
 9 went on, we became more overt about publicising them,
 10 but generally we were having conversations with
 11 the Brigade about how best to respond to them, how best
 12 to address the issues that were raised, which to me was
 13 the important thing, to mitigate the risk and get on and
 14 do. And, yes, I probably could have communicated it
 15 better, undoubtedly, and as time went on I probably
 16 would have done, because Barbara was really quite
 17 proactive and often made recommendations for how I could
 18 do things better.
 19 Q. Now, as you have helpfully explained before,
 20 Barbara Matthews undoubtedly knew pretty soon after the
 21 notice that a deficiency notice had been received.
 22 Did you discuss with Barbara Matthews, or rather did
 23 Barbara Matthews comment with you, on the absence of any
 24 mention of the 12 October 2015 deficiency notice in this
 25 report?

31

1 A. No, because if she had, I would have amended the report.
 2 As I say, it was — it went to the health and safety
 3 committee for their approval before it was finalised.
 4 There's quite a lot of information in here that was
 5 provided to me by other people, so it was a sort of,
 6 you know, document that was produced after consultation,
 7 and I endeavoured to take on board comments. So, no, if
 8 it's not here then nobody has asked me to include it.
 9 Q. What was the intended readership of this document?
 10 A. I believe my understanding was initially, many moons ago
 11 when I was asked to produce it, it was so that at board
 12 level they could have an indication of what was going on
 13 and what our objectives were in the coming year, were
 14 there any trends, were there any changes in legislation,
 15 and it became — we tried to move it more towards
 16 reflecting performance.
 17 Q. I'm so sorry, I do apologise, this document —
 18 A. Yes.
 19 Q. — 2015/16, what was the intended readership? Who was
 20 intended to read this document?
 21 A. It went to, if not board, a board—level committee.
 22 I can't be absolutely sure which one, because that would
 23 have been — I wouldn't have known the governance
 24 arrangements. It would have gone to whichever committee
 25 I was asked to provide it to, and it would have gone to

32

1 the corporate health and safety manager at the council,
 2 and anyone — if Robert or Barbara or anyone else had
 3 a view of who else should have a copy, then it would
 4 have gone to them.
 5 Q. So leaving aside the executive officers of the TMO, it
 6 would have gone to the board of the TMO?
 7 A. That's — my belief is it went either to the board or to
 8 the ops group or to audit and risk. It went to
 9 a board—level committee, I just — I can't definitively
 10 say it was board, but it was one of their committees, if
 11 not directly to them.
 12 Q. And —
 13 A. To the corporate health and safety manager at the
 14 council.
 15 Q. Of RBKC?
 16 A. Yes.
 17 Q. Now, unless this report had identified the existence of
 18 a prior deficiency notice for Adair Tower from the LFB,
 19 how would either of those entities, either the TMO board
 20 or board—level committee, or RBKC, have known about it?
 21 A. In this instance, unless you tell me I'm wrong, I was
 22 confident that in the volume of reports that I was asked
 23 to write to board and to ops committee following the
 24 fire, that information was already contained in one of
 25 those reports. I mean, if you tell me differently, then

33

1 that's an oversight, but that was my understanding.
 2 MR MILLETT: Right.
 3 Now, can we go to {TMO00840583}, please.
 4 SIR MARTIN MOORE—BICK: Mr Millett, can I just alert you to
 5 the fact that deficiency notices issued by the LFB in
 6 relation to Adair Tower are mentioned earlier in the
 7 report. If you look at page 6 of the report
 8 {TMO00840583/6}, paragraph 7.8.
 9 (Pause)
 10 MR MILLETT: Yes.
 11 SIR MARTIN MOORE—BICK: I do that simply because you've put
 12 it to Ms Wray that she was perhaps not keen to refer
 13 expressly to the existence of deficiency notices. It's
 14 true they're not referred to in paragraph 7.8, I think
 15 we were looking at.
 16 MR MILLETT: No.
 17 SIR MARTIN MOORE—BICK: And, sorry, the earlier paragraph we
 18 were looking at.
 19 MR MILLETT: Mr Chairman, indeed, and I have been struggling
 20 myself to find any reference in this document to the
 21 deficiency notice of 12 October. If there is
 22 a reference —
 23 SIR MARTIN MOORE—BICK: Well, I can't speak to that one
 24 specifically, but it was just that I didn't want a point
 25 to be put to Ms Wray on a false basis, that's all.

34

1 MR MILLETT: No, entirely. Absolutely. Well, perhaps those
 2 behind me can just double check that I've been pursuing
 3 a correct line with the witness and, if wrong, obviously
 4 we will put a different question to her or revisit it.
 5 SIR MARTIN MOORE—BICK: I just didn't want it to be left on
 6 the basis that there was no reference to the deficiency
 7 notices because she was seeking to suppress their
 8 existence when, on the face of it, there seems to be
 9 other references, that's all.
 10 MR MILLETT: Yes. No, indeed. Yes. We can read the
 11 report, but I think I'm right in saying there is no
 12 specific reference to the Adair Tower deficiency notice
 13 of 12 October in here.
 14 SIR MARTIN MOORE—BICK: That may be.
 15 MR MILLETT: Yes.
 16 SIR MARTIN MOORE—BICK: All right.
 17 MR MILLETT: If that's wrong, of course we'll correct that.
 18 Now, can I then ask you about the deficiency notice
 19 in relation to Grenfell Tower.
 20 {TMO00873408}, please. This is dated 7 May 2014,
 21 and it's the minute of the TMO health and safety
 22 committee meeting. If we look at page 1, Ms Wray, we
 23 can see that you were present. Yes?
 24 A. Yes.
 25 Q. If you go to item 8.3 on page 5 {TMO00873408/5}, you can

35

1 see there that it says:
 2 "There had been a joint visit to Grenfell Tower and
 3 neighbouring finger blocks prior to major works taking
 4 place. This had resulted in a deficiency notice being
 5 served in respect of the ventilation/extraction system
 6 in the Tower. However, investigation confirmed that our
 7 ppm contractor had inspected & submitted confirmation
 8 that this system was fully operational in February as
 9 per requirement of British Standard. However, a further
 10 contractor has now been engaged to inspect and assess
 11 the system and report back."
 12 A. Yeah.
 13 Q. Now, that was the position as at May 2014.
 14 A. Yes.
 15 Q. There had, as I think we discussed earlier, been
 16 a deficiency notice for Grenfell on 24 March 2014,
 17 hadn't there?
 18 A. Mm—hm.
 19 Q. We looked yesterday at Carl Stokes' letter of 18 March,
 20 which was written after his visit on 17 March, which was
 21 in turn after the LFB's visit on 12 March, but before
 22 their deficiency notice of 24 March. Do you remember
 23 that?
 24 A. Yes.
 25 Q. Now, my question is: was the investigation that you

36

1 refer to in the third line here of this minute the
 2 investigation done by Carl Stokes on 17 March, or by
 3 anybody else?
 4 A. Sorry, could we just check if Alex Bosman was on the
 5 list of attendees?
 6 Q. Yes, of course. Can we go to page 1, please.
 7 A. Yes, he was.
 8 Q. He was.
 9 A. Then I believe that the investigation related to the
 10 certification in terms of planned maintenance.
 11 Q. Right.
 12 A. Which would be an investigation undertaken by his
 13 contractor to ensure that they'd been undertaking their
 14 regular checks and there was a current certificate.
 15 Q. Yes, I see.
 16 Let's pursue this a bit further, then. I think we
 17 can do this by reference to the Carl Stokes letter of
 18 18 March, {CST00003100/15}, please. I don't think
 19 I need to show you page 1 because we've already looked
 20 at it.
 21 A. Yeah.
 22 Q. This is where Mr Stokes annexes the maintenance log book
 23 for the smoke extraction system, and you can see there,
 24 in the leftest — hand column, "Date", second entry down,
 25 "15/15/13", I think that is.

37

1 A. Yeah.
 2 Q. Now, clearly there are not 15 months in the year, and
 3 that's a point that Carl Stokes makes, but you can see
 4 that before that, the last date for service was
 5 11 May 2010; yes?
 6 A. Yes, that's what it says.
 7 Q. Now, Carl Stokes, as I say, read 15 December 2013 to
 8 mean 15 February 2013. Do you agree? I mean, he did do
 9 that in the report.
 10 A. If that's what the report says, then yes.
 11 Q. If you go to page 16 {CST00003100/16}, a service
 12 maintenance engineer certificate appears there dated
 13 7 February 2014.
 14 A. Yes.
 15 Q. You can see that just faintly from the top right—hand
 16 corner of the document, which shows that the fire alarm
 17 panel was checked in February 2014.
 18 A. Yes.
 19 Q. Do you agree that that doesn't itself show that the
 20 smoke extraction system was checked in February 2014?
 21 A. I agree from what I can see that that is the case.
 22 My recollection is that Michael Lyons had done some
 23 investigation and had reported back to one of the
 24 committees.
 25 Q. Right.

38

1 A. And so I — and he at that stage partly reported in to
 2 Alex Bosman, which is why I think the information came
 3 from Alex at that meeting.
 4 Q. Right.
 5 Now, was the deficiency notice about the AOV from
 6 March 2014 reported to the executive team?
 7 A. I'm fairly confident that I would have advised
 8 Anthony Parkes, so — and obviously it's mentioned in
 9 the health and safety committee, and the health and
 10 safety committee minutes went to the executive team, so
 11 they would have been made aware of it.
 12 Q. Right. Well, let's see how this goes historically.
 13 Can we then go to {TMO00873405}. That is a minute
 14 of the TMO health and safety committee meeting of
 15 9 July 2014. You are present. Alex Bosman is also
 16 present.
 17 You can see, if you go, please, to page 2
 18 {TMO00873405/2}, paragraph 2.3:
 19 "Alex agreed to chase the contractor responsible for
 20 inspecting/assessing the Grenfell Tower
 21 ventilation/extraction system as this work remained
 22 outstanding. This had been raised by the LFB and it was
 23 likely they would seek an update with progress made
 24 since their inspection."
 25 Do you see that?

39

1 A. I do.
 2 Q. Now, the next health and safety meeting took place on
 3 10 September 2014, {TMO10007397}.
 4 The reason I'm showing you both is because, although
 5 we see reference to the Grenfell Tower
 6 ventilation/extraction system in the July minute, there
 7 is no mention of that in this minute, 10 September 2014.
 8 A. Okay.
 9 Q. Take it from me that there isn't.
 10 A. Okay.
 11 Q. My question is: did progress reports on deficiency
 12 notices, or did this one, drop off the agenda, do you
 13 think?
 14 A. It's possible that it dropped off this agenda because
 15 I was having separate meetings with Alex Bosman to chase
 16 up issues which were live and current.
 17 Q. Right. Was that —
 18 A. It should have reported — we should have kept it on the
 19 agenda until it was resolved, but I'm — and I'm
 20 actually also thinking that perhaps because the ops
 21 health and safety group was established, I think, in the
 22 July 2014, unless I've got my dates wrong, that it may
 23 be something that also got discussed at that venue.
 24 Q. Did progress reports on deficiency notices often drop
 25 off the agenda of health and safety committee meetings

40

1 without being resolved?
 2 A. No, I don't believe they did.
 3 Q. Can I then ask you about the residents' handbook. This
 4 is a completely different topic. It goes back to fire
 5 advice given to residents, and it's something that we
 6 discussed on the first or second day —
 7 A. We did.
 8 Q. — of your evidence. It seems like a long time ago.
 9 A. It does.
 10 Q. Can I just show you {TMO10041915}, please.
 11 This is an undated version of what we understand to
 12 be the residents' handbook or a residents' handbook. Is
 13 that right?
 14 A. I wouldn't know for sure, to be honest.
 15 Q. You wouldn't know.
 16 Just looking at the first page, which is striking
 17 for its monopoly houses and house keys, if nothing else,
 18 does this look familiar to you at all?
 19 A. I mean, my recollection is the format changed on
 20 a fairly regular basis.
 21 Q. Right.
 22 A. So I — it wouldn't necessarily — I think I explained
 23 before that I would be asked to review my section,
 24 I would send back the documents, and then I probably
 25 wouldn't necessarily see until the final version, so —

41

1 Q. Right.
 2 A. — I'm not sure.
 3 Q. Can we go to page 23 {TMO10041915/23}.
 4 We can see on page 23, running to page 26, some
 5 detailed fire safety advice. Does that look familiar to
 6 you?
 7 A. Erm ...
 8 Q. We can scroll down to the next page.
 9 A. Is that it or is there more?
 10 Q. No, there's more. We can scroll down to the next page,
 11 24, and then 25, which has advice if a fire breaks out
 12 in your home, and then 26.
 13 A. Yeah. I mean, that sort of would have been current at
 14 one stage, but I don't know when. Sorry.
 15 Q. Well, you say it would have been current at some stage
 16 or one stage. You have referred to the residents'
 17 handbook that contained fire safety advice; my question
 18 is: was this it?
 19 A. Yeah, my point is that it got reviewed regularly and,
 20 looking at this, I couldn't tell you when — at what
 21 point I provided this to colleagues who were preparing
 22 the handbook, and so therefore I don't know when it went
 23 into it or if it was subsequently reviewed again.
 24 Q. Right. What I'm really trying to get to the bottom of
 25 is: when you say it was reviewed, was it reviewed but

42

1 drafts kept changing, or was it reviewed and
 2 republished?
 3 A. Well, I can't really answer that, because it would be
 4 that — my policy colleagues, but I believe that they
 5 would issue information to the respective teams and say,
 6 "We're currently reviewing the handbook, do you want to
 7 make any changes or alterations to this?" I would send
 8 back my final version and then they would do the
 9 necessary. My understanding is it would be produced.
 10 I know the format changed. I think historically it
 11 was one document and then there was possibly a period
 12 where there were separate booklets, one for repairs and
 13 one for various aspects.
 14 Q. I see. You refer to policy colleagues; who were they?
 15 A. I think Janet Seward led on the handbook.
 16 Q. Yes.
 17 A. Yeah, I believe so.
 18 Q. What about Janice Jones?
 19 A. Janice Jones is a housing management colleague.
 20 Q. Right, she is housing management.
 21 Can I just ask you to look her witness statement,
 22 {TMO00900052}. This is Janice Jones' statement —
 23 A. Right.
 24 Q. — to the Inquiry about fire safety advice that was
 25 provided to new tenants at Grenfell Tower specifically,

43

1 and specifically during the period 2009 to 2017.
 2 Let's go to page 3 {TMO00900052/3}, paragraph 9 to
 3 start with. She says there:
 4 "I recall that the TMO had a stock pile of the
 5 Resident Handbook and the Repairs Handbook. When the
 6 Resident Handbook and the Repairs Handbook ran out
 7 completely, there was no plans to publish anymore books
 8 and it was decided later that the handbooks would be
 9 updated. This project was managed by a senior manager
 10 and I recall that the TMO then changed the make-up of
 11 the Welcome Pack. Given the time elapsed, I cannot
 12 recall the date of the change, although the Welcome Pack
 13 thereafter contained various different leaflets, rather
 14 than the letters mentioned above."
 15 Is that correct? Is what she says there correct?
 16 A. I'm not in a position to say, to be honest. Just to
 17 reiterate that my understanding was it was reviewed and
 18 republished on a regular basis. It was done by the
 19 central team, and then it would have been distributed by
 20 some — usually by a private company. So I honestly
 21 don't know.
 22 I would — my understanding was that it was being
 23 reviewed on a regular basis and that there was always
 24 a current handbook, so I'd be surprised, but I'm not in
 25 a position to say, really.

44

1 Q. Right.
 2 Can we go to page 5 {TMO00900052/5}, please, and see
 3 what she says there at paragraph 22. She says:
 4 "I understand from the Inquiry that Mr Rasoul has
 5 referred to receiving a copy of the TMO's Tenant's
 6 Handbook in 2004. The Inquiry has asked that I confirm
 7 over which period of time this Handbook was provided to
 8 Grenfell Tower Residents. As outlined above, I cannot
 9 recall with certainty when the stockpile of Tenant's
 10 Handbooks ran out, although I believe it would have been
 11 in or around 2008/2009."
 12 Is it correct that the stockpile of tenants'
 13 handbooks ran out in around 2008 to 2009, or at any
 14 other date?
 15 A. Again, I can't confirm or deny, but it was always my
 16 understanding that there was a current version, and if
 17 it had to be reprinted, then it was reprinted, or it was
 18 reviewed. And I know from going through my old records
 19 in order to come here that I can see that there's
 20 mention in health and safety committee in I think about
 21 May 2009, and as you know, I'd had correspondence with
 22 a resident in the south of the borough in 2011 where
 23 there was much more substantial fire safety — so I know
 24 that I was providing reviewed information on at least
 25 those two occasions, but I'm not aware if that — of

45

1 that ...
 2 Q. Right.
 3 Were you ever or were you routinely provided with
 4 the as-published editions of the tenants' handbook?
 5 A. Not necessarily, because they could be reasonably
 6 weighty. If we needed them, then we would go back to
 7 policy —
 8 Q. So as they were pumped out by the TMO, to your
 9 recollection, they didn't come through your office?
 10 A. No. I fed back my information and I would have likely
 11 asked for a timeframe for when it was going to be
 12 republished, but then it was someone else's role to get
 13 it out, so I, in good faith, thought that it was.
 14 Q. Just a little bit more material on this, if we may.
 15 {TMO00899762}. This is a witness statement from
 16 Daniel Lewis, who was a team administrator, and then
 17 a neighbourhood co-ordinator from 2016.
 18 If we go to page 4 in this statement {TMO00899762/4}
 19 which he has given to the Inquiry, he says at
 20 paragraph 14 there:
 21 "I have asked by the Inquiry to confirm if
 22 a resident's handbook was provided to new residents at
 23 Grenfell Tower and, if so, to confirm if the resident's
 24 handbook formed part of the Welcome Pack. I joined the
 25 Lancaster West Office in 2016 and cannot recall that the

46

1 resident's handbook was part of the Welcome Pack.
 2 I recall that when I joined the TMO I was told that the
 3 residents handbook had been a 'work in progress' for
 4 some time and was not finalised. I do not recall that
 5 it was ever finalised after I joined the TMO."
 6 Is he correct about any of that?
 7 A. Again, I ... it was always my understanding there was
 8 a current handbook. He's perhaps in a better position
 9 than I am to be definitive, but it was always my
 10 understanding, otherwise I'm not sure why I was
 11 providing reviewed information if it wasn't fed into
 12 something.
 13 With regard — as you know, we had a letter that we
 14 put in the welcome pack for new tenants which I can
 15 certainly date back at least to 2013. I thought there
 16 was a preceding one. But, yeah, it was always my
 17 understanding that there was a current one, and
 18 I can't ... sorry.
 19 Q. {IWS00001343}. This is an email from
 20 Millicent Williams, the TMO neighbourhood officer, who
 21 is corresponding with Shah Ahmed in Grenfell Tower, and
 22 she says — and this is an email from Millicent Williams
 23 to him, copied to Nicola Bartholomew and
 24 Councillor Blakeman, 24 October 2016:
 25 "Good morning Mr Shah

47

1 "Thank you for your email."
 2 I'm so sorry, let's just take a breath.
 3 You can see it's from Millicent Williams, goes to
 4 Shah Ahmed, copied to Nicola Bartholomew and
 5 Councillor Blakeman and other councillors. It's dated
 6 24 October 2016. Subject, "RE: [and then there is
 7 a long number] tenant handbook":
 8 "Good morning Mr Shah
 9 "Thank you for your email.
 10 "Unfortunately, I am unable to provide you with
 11 a copy of the Tenant's Handbook at this time as the
 12 manual is currently under review. It is hoped that the
 13 tenant's Handbook will be ready for distribution early
 14 next year (2017)."
 15 Did you know at that time that there was no tenants'
 16 handbook available because it was under review and would
 17 not be distributed until a few months hence?
 18 A. I don't believe I did.
 19 Q. No. Do you accept that, certainly looking at this
 20 document, the tenants' handbook was not finalised as at
 21 that date?
 22 A. That's what it says here, yeah.
 23 Q. Yes.
 24 Do you know who told you or suggested to you that it
 25 had been finalised, either then or at any past time?

48

1 A. I'm sure I would have had discussions with policy
2 colleagues after I'd resubmitted reviewed versions of my
3 information, so if it hadn't been finalised at the time
4 I was providing the review, I must have confidently come
5 away thinking it was imminently about to be published.
6 Q. Yes.
7 Did you ever check from time to time with the
8 housing team to see whether the residents' handbook was
9 being actually distributed?
10 A. I thought that I had. I thought that I had, and
11 I certainly thought that I had checked with the policy
12 team, who were responsible for producing it, but maybe
13 that was a long time ago, sorry.
14 SIR MARTIN MOORE—BICK: So, as far as you were aware, what
15 was being given to new tenants during the period —
16 let's say the two or three years up to 2016?
17 A. I can certainly see that I produced a letter in 2013 and
18 reviewed it in 2016, and gave it to colleagues who were
19 doing the sign-ups with new tenants, so it was
20 a two-page letter about fire safety and set out the
21 evacuation strategy and what they should do in the event
22 of a fire, and a bit more — just a little bit more
23 about self-closing devices and things. So that — there
24 was a pack that people received whenever they were new
25 tenants and moving into the property and that letter was

49

1 included in that, and I also asked the colleague to
2 include a copy of the home fire safety leaflet from the
3 Fire Brigade, so that people had my letter, and then if
4 they preferred to go straight to the Fire Brigade for
5 information, they could do that.
6 SIR MARTIN MOORE—BICK: All right. And when you refer to
7 a pack, do you know what form it took?
8 A. I believe it was produced in the office by my colleague
9 who — Moira MacDonald, who did most of the sign-ups,
10 and I think it had a range of information about their
11 tenancy.
12 SIR MARTIN MOORE—BICK: Yes, I'm sure it did, but was it in
13 a folder, lots of separate sheets in a folder, or was it
14 held together in some form?
15 A. I believe it was in a folder, but beyond that I probably
16 couldn't tell you for definite. I would have checked in
17 with her regularly to say, "Are you still distributing
18 that? Do you need additional copies of the home fire
19 safety leaflet?", so I'm confident that she was
20 including them, but I couldn't really give you the
21 detail because I don't think I looked at it in detail.
22 SIR MARTIN MOORE—BICK: All right. Thank you.
23 A. Okay.
24 MR MILLETT: Can I ask you to go to {TMO00865782}.
25 This is an email run from April 2016, and if we

50

1 could look at the second email down, halfway down your
2 screen, it's an email from you dated 15 April 2016 to
3 Councillor Mason, copied to Robert Black and
4 Barbara Matthews, subject: "Fire Safety Information for
5 KCTMO Residents".
6 In the first paragraph you identify how fire safety
7 information is provided to residents, and you say it is
8 provided in a number of ways. You refer there to the
9 website, and then you say:
10 "In addition, new tenants receive a letter outlining
11 their fire procedure, providing some fire safety advice
12 and enclosing a copy of the referral leaflet for anyone
13 wishing to arrange a free London Fire Brigade (LFB) Home
14 Fire Safety Visit — copies of letter and leaflet
15 attached. Fire Safety articles are regularly included
16 in our KCTMO publications: 'The Link' and the 'Home
17 Ownership Newsletter'."
18 There is no reference in there to a residents'
19 handbook or tenants' handbook, is there?
20 A. No, there isn't. How strange.
21 Q. Could we also go, then, to {TMO10045908}.
22 This is later in the year, 2016. It's an email from
23 you to, in fact, Councillor Blakeman, although her name
24 has been redacted out, copied to Robert Black,
25 Barbara Matthews again.

51

1 Here you tell her what is sent to residents by way
2 of fire safety advice, and you can see that in the
3 second main paragraph:
4 "With regard to fire procedures in Grenfell Tower,
5 I can confirm that these were included in newsletters to
6 the block and they are also documented on our website.
7 Further, we do publish regular fire safety articles in
8 'The Link' magazine to all residents and we write to all
9 new tenants to outline the fire strategy for their
10 block, the procedure to follow in the event of a fire in
11 their flat and also a fire elsewhere in their block and
12 advise them of the London Fire Brigade's (LFB) free Home
13 Fire Safety Visit and how to access this. Additionally,
14 I can advise that we are currently considering
15 a programme of installation of Fire Action Notices —
16 similar to those now installed at Adair and Hazlewood
17 Towers — across all blocks."
18 Then you go on to talk about a difference of opinion
19 about notices.
20 Again, no reference there to the residents' handbook
21 or tenants' handbook, is there?
22 A. No, there isn't, and I think I actually forgot to
23 include it in my statement, because I think that that's
24 a conversation that we'd had as well. I've no idea why.
25 Q. I mean, looking at those two communications I've shown

52

1 you, one from April 2016 and one from 24 November 2016,
 2 do you accept that, at that time at least, the
 3 residents' handbook was not a source of fire safety
 4 information to tenants?
 5 A. Well, I'm certainly not mentioning it, so ... I mean,
 6 it's possible at that time it was being reprinted or
 7 reviewed, I don't know. It's strange that I haven't
 8 mentioned it.
 9 Q. The explanation I would suggest to you is that had the
 10 tenants' handbook been a source of fire safety
 11 information to tenants, you would have referred to it in
 12 both of these or at least one of these emails.
 13 A. I would have expected to, yes.
 14 MR MILLETT: Yes.
 15 Ms Wray, I've come to the end of my prepared
 16 questions.
 17 Mr Chairman, that is, I would detect, an appropriate
 18 moment for a break anyway.
 19 SIR MARTIN MOORE-BICK: Yes. I think it's obviously
 20 sensible to combine the mid-morning break, so to speak,
 21 with the break that we would have at this point anyway.
 22 MR MILLETT: Yes.
 23 SIR MARTIN MOORE-BICK: If I were to say 11.25, would that
 24 give enough time to people who are not in the room to
 25 put forward their questions?

53

1 MR MILLETT: It might, but I would urge a little bit of
 2 caution, and I would ask for 11.30 with liberty to apply
 3 in the usual way, if I might.
 4 There reason I do that is because Ms Wray has been
 5 giving evidence over a very long period, and although
 6 there have been plenty of opportunities for those
 7 outside here and indeed for my team to review her
 8 evidence with a view to asking follow-up questions,
 9 nonetheless the end of the witness tends to concentrate
 10 minds.
 11 SIR MARTIN MOORE-BICK: Yes, all right.
 12 Well, we might have a slightly extended break at
 13 this point, Ms Wray. We will stop now and we'll resume
 14 at 11.30, please, and see whether there are further
 15 questions for you at that stage.
 16 THE WITNESS: Okay.
 17 SIR MARTIN MOORE-BICK: All right? Please remember not to
 18 talk to anyone about your evidence while you're out of
 19 the room.
 20 THE WITNESS: Okay.
 21 SIR MARTIN MOORE-BICK: Thank you very much.
 22 (Pause)
 23 Right, 11.30, then, please. Thank you.
 24 (11.09 am)
 25 (A short break)

54

1 (11.30 am)
 2 SIR MARTIN MOORE-BICK: All right, Ms Wray, we will see if
 3 there are any more questions for you.
 4 Mr Millett, are there?
 5 MR MILLETT: Yes, Mr Chairman, one or two.
 6 Now, Ms Wray, you told us that, from your
 7 perspective, and you agreed, that an FRA was to all
 8 intents and purposes a public document. That was at
 9 {Day142/173:5}.
 10 A. Yes.
 11 Q. You also told us that you would have made the FRAs
 12 widely available, and Mr Stokes knew that as well.
 13 A. Yes.
 14 Q. Can I ask you, first, were residents told how frequently
 15 an FRA was completed for their block, or the dates when
 16 they were completed?
 17 A. I'm not sure at that stage that they were told. When we
 18 did communication, we would always advise that there was
 19 a current risk assessment and that it would be reviewed
 20 on a regular basis. I'm not sure that we ever clarified
 21 the frequency. And obviously to some extent that would
 22 have been dictated by things like material alterations.
 23 So, no, I've got a feeling we didn't communicate that.
 24 Q. If you didn't communicate that, how would a resident
 25 know when a new FRA had been produced by the TMO so that

55

1 they could ask for it?
 2 A. The answer to that is that they wouldn't know, but they
 3 could always ask for it and I could give them the most
 4 recent one and advise them when the next one was
 5 programmed.
 6 Q. Was any consideration ever given to putting the FRAs on
 7 the TMO's website so that anybody could look at them?
 8 A. Not at that stage, and obviously the world has changed
 9 and people do things differently now, but I think it's
 10 probably a discussion that we had with peers across the
 11 sector, and I think it wasn't common practice at that
 12 time. But definitely the world now does that.
 13 Q. So post-Grenfell the world does it, but not before?
 14 A. I don't believe it did, no.
 15 Q. Right.
 16 A. Not routinely, anyway.
 17 Q. Was any actual consideration given to that possibility
 18 at any time, do you recall?
 19 A. I don't recall, sorry.
 20 Q. Right. Can you be clear, though, was there a decision
 21 made not to do it?
 22 A. No, no, no, there was no decision not to, I just can't
 23 be absolutely sure whether we had a conversation or
 24 whether it was something that happened subsequently and
 25 I've misremembered.

56

1 Q. Right.
 2 Now, a different topic, can I ask you, please, to go
 3 to your first witness statement at paragraph 109
 4 {TMO00000890/25} ...
 5 A. Yeah.
 6 Q. Right. I'm afraid I'm unable to ask you this question
 7 because I've not been provided with the right witness
 8 statement number, but let me see how I go.
 9 Do you recall in one of your witness statements you
 10 said that it was never suggested to you — let's try
 11 your third witness statement, rather than guessing,
 12 paragraph 109, and if that doesn't work I'll read out to
 13 you what is in one of your witness statements.
 14 A. Okay.
 15 Q. Let's just look at 109 {TMO00847305/30}.
 16 No. I'll read to you what you said in one of your
 17 witness statements, and I apologise I'm unable to
 18 provide you with a precise number or quotation on the
 19 screen.
 20 You say:
 21 "It was never suggested to me by the LFB or by
 22 Carl Stokes that this means of escape was unsatisfactory
 23 or posed a risk."
 24 Now, that was something you have said in your
 25 witness statements. Do you agree with that, first of

57

1 all?
 2 A. Yes.
 3 Q. Yes. Can I now ask you to look at a document which
 4 we've found the reference for, {TMO10016548}.
 5 This is an email from you to John Allen, who was in
 6 RBKC's building control department, of 3 April 2017.
 7 You say:
 8 "Thanks. We have now got their commitment to
 9 enclose the riser in a 2-hour fire-rated boxing.
 10 "Our Assessor has already highlighted the breaches
 11 in compartmentation and NG have confirmed these will be
 12 addressed."
 13 Then you say:
 14 "A number of residents very unhappy and perceive
 15 this to be potential a very high risk and were asking
 16 RBKC to appoint an independent consult to investigate!
 17 "LFB are saying ([though] not yet in writing) that
 18 they are unhappy about the riser being on the means of
 19 escape — but as it is already installed not sure this
 20 will have any input."
 21 Looking at that, do you accept that it was suggested
 22 to you by the LFB that the single staircase posed a risk
 23 in the context of the gas pipe works?
 24 A. Actually, no, they said they were unhappy, they didn't
 25 say it presented a risk. I raised this with them at the

58

1 liaison meeting because, as you initially saw, I'd
 2 consulted John Allen from building control on the issue
 3 of the riser, and he — his responses were that it
 4 should be fine, kind of distanced himself from it.
 5 I think I went back to him three times and he wouldn't
 6 engage. I raised it with the Fire Brigade because we
 7 were struggling to get National Grid to do the works
 8 that they said they were going to do to box in — the
 9 fire-rated boxing, et cetera, and make good breaches.
 10 I recall it was — I've forgotten his name, he was
 11 Rebecca's deputy, it will come to me, sorry, and he said
 12 that he thought the Fire Brigade would be unhappy about
 13 it but he'd refer it to his engineers and they would
 14 come back to me, and they never did come back to me.
 15 So I was trying to get a steer from people who might
 16 be able to exercise some influence, and I think I've
 17 read something subsequently that seemed to indicate that
 18 the Fire Brigade were suggesting that it be referred
 19 back to National Grid. So I don't think that's what it
 20 did say. I think, in an effort to try and — that we
 21 were making to try and get National Grid to make good
 22 the breaches and install the two-hour boxing, we were
 23 reaching out to all sorts of people who were saying
 24 things like, "Yeah, I'm not very happy", but actually
 25 weren't following it up with anything substantial.

59

1 Q. In the light of that, did it not occur to you to
 2 instigate the appointment of an independent health and
 3 safety inspection for the gas pipe replacement works so
 4 as to be able to reassure the residents that it was
 5 safe?
 6 A. To be honest, we thought ... we had struggled because we
 7 had no contractual relationship with the provider, which
 8 unfortunately is the way these things always work. We
 9 were trying to chase them and escalate to them
 10 constantly. We were reaching out to other people who we
 11 thought could perhaps impact on this. The residents
 12 were asking for an independent person, which would have
 13 been fine, but we still would have been in a position of
 14 trying to get National Grid to do what they said they
 15 were going to do, that was the fundamental issue.
 16 So I'm sure that if we'd appointed an independent
 17 person they would have told us quite a lot of things
 18 that we already knew, that we were using to try and get
 19 National Grid to expedite the works, but I'm not sure it
 20 would have brought us any closer to getting those works
 21 completed.
 22 Q. Maybe, but did you actually consider it internally at
 23 the TMO and come to the conclusion formally that you
 24 have just told us was your view?
 25 A. I think that we did. We'd been through the risk

60

1 assessor, we'd been through building control, we'd been
 2 through the Fire Brigade, we'd been hounding
 3 National Grid, finally got to meet with them. I believe
 4 that we did. But at that stage, nobody else wanted to
 5 be invested in it, so we were left with trying to put
 6 significant pressure on National Grid.
 7 Q. Now, Ms Wray, we've come to the end of your evidence,
 8 and there are questions I ask of certain witnesses in
 9 this Inquiry, and you are one of those witnesses.
 10 We have been discussing the past over the last five
 11 and a half days almost. Looking back on the evidence
 12 that we've discussed together, is there anything that
 13 you would have done differently?
 14 A. I think with more resource I could have done more, and
 15 I could have been more rigorous about auditing, that we
 16 discussed this morning, that's something that I would
 17 have liked to have done more on. I think with more
 18 resource across the whole stock, we could have done
 19 things more rigorously, and I think we should have been
 20 able to find a way of expediting the fire risk actions
 21 which were outstanding. But, to the best of my ability,
 22 I was unable to find my way through that, but it wasn't
 23 for the want of trying.
 24 Those are the things that spring to mind, really.
 25 MR MILLETT: Well, Ms Wray, it only remains for me to thank

61

1 you very much for the assistance that you have given to
 2 the Inquiry in your statements and your oral evidence
 3 over the last five and a half days. Thank you very
 4 much.
 5 THE WITNESS: Thank you.
 6 SIR MARTIN MOORE-BICK: Ms Wray, I must thank you on behalf
 7 of all the members of the panel for your coming to give
 8 evidence to us. I know it's taken a very long time to
 9 hear everything you have to tell us, and it can't have
 10 been an easy task for you to be here for so long, but we
 11 are very grateful because it's really important that we
 12 understand as much as we can about those aspects of the
 13 whole matter.
 14 So we're very grateful, thank you very much indeed,
 15 and now the ordeal is over and you're free to go. Thank
 16 you very much.
 17 THE WITNESS: Thank you.
 18 I'd just like to extend my sympathies to everybody
 19 who was affected by this tragedy. Sorry. Thank you.
 20 SIR MARTIN MOORE-BICK: Thank you very much.
 21 (The witness withdrew)
 22 SIR MARTIN MOORE-BICK: Right, thank you, Mr Millett.
 23 Now, we have another witness waiting in the wings;
 24 is that right?
 25 MR MILLETT: Yes, we do, and Mr Kinnier will be taking that

62

1 witness, but we will need a short break to arrange
 2 matters here.
 3 SIR MARTIN MOORE-BICK: All right.
 4 Well, we will rise, then, for a couple of minutes,
 5 and we will wait for the usher to come and tell us
 6 you're ready. All right?
 7 MR MILLETT: Thank you very much, Mr Chairman. Thank you.
 8 (11.41 am)
 9 (A short break)
 10 (11.50 am)
 11 SIR MARTIN MOORE-BICK: Yes, Mr Kinnier. Now, you have
 12 another witness for us?
 13 MR KINNIER: Sir, yes. May I call Rebecca Burton.
 14 SIR MARTIN MOORE-BICK: Thank you.
 15 MS REBECCA BURTON (sworn)
 16 SIR MARTIN MOORE-BICK: Thank you very much. Now, do sit
 17 down and make yourself comfortable.
 18 (Pause)
 19 All right?
 20 Yes, Mr Kinnier, when you're ready.
 21 Questions from COUNSEL TO THE INQUIRY
 22 MR KINNIER: Thank you, sir.
 23 First of all, would you mind confirming your name
 24 for the record.
 25 A. It's Rebecca Burton.

63

1 Q. Thank you.
 2 Now, three words of advice before we start: first of
 3 all, if you need a break at any time, please don't
 4 hesitate to ask for one; secondly, if any of my
 5 questions are unclear, please say so and I will rephrase
 6 them so they are clear; thirdly, please do keep your
 7 voice up, it's so the transcriber can capture everything
 8 you say. And I should say there is a fourth piece of
 9 advice, which is please do wait for the question to
 10 finish and then answer.
 11 Now, that all out of the way, first of all, thank
 12 you very much for attending to give evidence today, it's
 13 much appreciated.
 14 You have provided two witness statements to
 15 the Inquiry. The first is dated 29 January 2019, which
 16 can be found at {LFB00032331}. Is that that statement?
 17 A. Yes.
 18 Q. The second one is dated 20 December 2019, which can be
 19 found at {LFB00084098}. Again, is that that statement?
 20 A. It is, yes.
 21 Q. Thank you.
 22 Have you had the opportunity to read both of those
 23 statements recently?
 24 A. I have.
 25 Q. Subject to some corrections which we'll come to in due

64

1 course, are the contents of both those statements true?
 2 A. They are, yes.
 3 Q. Are you happy to have those statements taken as your
 4 evidence to this Inquiry?
 5 A. I am.
 6 Q. Thank you.
 7 Now, have you discussed the contents of your
 8 statement with anyone before coming today?
 9 A. Other than in preparation for giving the statement with
 10 my legal representatives, no.
 11 Q. Now, the first topic I'd like to discuss with you today
 12 is your role and training and the handover that you had
 13 when you assumed your position as team leader.
 14 First of all, you joined the LFB in September 2007
 15 as a fire safety inspecting officer; is that right?
 16 A. It is, yes.
 17 Q. From April 2014 until June 2017, you were the
 18 fire safety team leader assigned to Hammersmith, Fulham,
 19 Kensington and Chelsea fire safety team; is that right?
 20 A. Yes.
 21 Q. Can you confirm that the team leader role at Hammersmith
 22 and Fulham and Kensington and Chelsea to which you were
 23 promoted in 2014 was your first team reader role?
 24 A. It was.
 25 Q. Thank you.

65

1 Now, in June 2017, is it right that you left the
 2 fire safety team for a role within the LFB's Central
 3 Regulatory Enforcement Group?
 4 A. Yes.
 5 Q. In his evidence, Nicolas Comery said that he attended
 6 an intensive three-month course before starting in fire
 7 safety; did you attend any such intensive fire safety
 8 course before you started?
 9 A. When I became a fire safety inspecting officer we had
 10 an introduction period which was -- it was different to
 11 what Nick Comery attended. That course had no longer --
 12 was no longer available. We attended training sessions
 13 in-house rather than going away, which is what
 14 Nick Comery had done. So I undertook in-house training
 15 courses whilst being mentored within the fire safety
 16 team that I was placed in.
 17 Q. Thank you.
 18 If we can go to paragraph 17 of your first witness
 19 statement, which can be found at {LFB00032331/6}, and
 20 the last sentence in particular, you say there,
 21 following on from your answer:
 22 "I have completed some Fire Safety courses included
 23 Units 7, 8, 9, 10 and 11 of the Level 4 Fire Safety
 24 Certificate and Unit 15 of the Level 4 Fire Safety
 25 Diploma."

66

1 In broad terms, Ms Burton, what subjects or skills
 2 did that training cover?
 3 A. So they are fire safety qualifications and they cover
 4 things such as the Regulatory Reform (Fire Safety) Order
 5 and how we apply that legislation, Building Regulations,
 6 and how to undertake investigations.
 7 Q. When did you complete those units?
 8 A. So they were completed prior to submitting this
 9 statement.
 10 Q. So some time before --
 11 A. So some time before, yeah. So around 2015.
 12 Q. Thank you.
 13 If we can stay within this statement, but go to
 14 paragraph 5 at page 2 {LFB00032331/2}, you say in the
 15 first bullet point that the role of the fire safety team
 16 is, amongst other factors, to enforce the Regulatory
 17 Reform (Fire Safety) Order of 2005 through an inspection
 18 programme and reactive inspections.
 19 Now, in relation to high-rise residential buildings
 20 and as a general rule, how regularly would you inspect
 21 such buildings?
 22 A. At that time, they were coming through our inspection
 23 programme roughly once a year. We work on a risk-based
 24 approach, and each premises is given a risk score based
 25 on the inspection that's been carried out previously,

67

1 and most high-rise premises would come out as level 5,
 2 a risk score of 5 and above, so they would come out
 3 roughly every year.
 4 Q. When you're carrying out an inspection, what are you
 5 looking for?
 6 A. Fire safety deficiencies. So we would initially look at
 7 any paperwork associated with a premises, so the fire
 8 risk assessment, any maintenance records of fire safety
 9 systems, such as fire alarms, fire doors, emergency
 10 lighting, and then we'd conduct an actual physical
 11 inspection of the premises.
 12 Q. In what circumstances would the LFB issue a notice of
 13 deficiencies?
 14 A. A notice of deficiencies is our sort of lowest level of
 15 enforcement action that we would take, so we would take
 16 that action where we'd found some things that didn't
 17 require us to go back and ensure that they'd been
 18 completed. So we wouldn't follow up on a notice of
 19 deficiencies, we would leave that with the responsible
 20 person to manage themselves.
 21 Q. How would you make sure, therefore, that deficiencies
 22 had been cured within the time specified in the notice
 23 or at all?
 24 A. With a notice of deficiencies, unless there was
 25 a specific reason that we would go back, so for care

68

1 homes, for instance, we would go back for a notice of
 2 deficiencies and check at the end of the time that the
 3 works had been completed, but for other properties, it
 4 would be a case, when it came up for re-inspection, we'd
 5 check the previous history of that premises, we'd be
 6 aware that a notice was issued previously and we would
 7 take that into account on our new inspection.
 8 Q. In which circumstances would the LFB issue
 9 an enforcement notice?
 10 A. This is when there's more serious failings against the
 11 order, and we would set a timescale and we would always
 12 follow that up.
 13 Q. When you say more serious, do you mean systemic and
 14 chronic failure to comply with the order?
 15 A. Yes.
 16 Q. Just to assist the panel, in the hierarchy of regulatory
 17 action, where does the enforcement action sit? How
 18 serious is it, put differently?
 19 A. It's serious enough that we would issue a notice, we
 20 don't issue those lightly. If we're issuing
 21 an enforcement notice, it's because we have serious
 22 concerns that there are risks within the building to the
 23 relevant people there and we need to make sure that
 24 those risks are remediated.
 25 Q. We don't need to go to it, but in paragraph 6 of your

69

1 first statement {LFB00032331/3} you explain the role of
 2 team leader of the fire safety team, and at the second
 3 bullet point you refer to "Vetting of Enforcement
 4 Notices".
 5 As team leader, did you decide the level of
 6 regulatory action that was appropriate for perceived
 7 deficiencies in a particular building?
 8 A. That's initially completed by the inspecting officer.
 9 We have a mobile device that we complete our inspections
 10 on, and each article of the RRO is assigned a risk
 11 score, so it would either be broadly compliant, low risk
 12 or high risk, and that determines the outcome of the
 13 actual audit, whether that be a broadly compliant,
 14 a notice of deficiency or an enforcement. Once that
 15 audit is completed and it comes to me for vetting, we
 16 can adjust the score if I feel necessary.
 17 Q. Now, can we stay within this statement and go back to
 18 paragraph 17 at page 6 {LFB00032331/6}. You say that:
 19 "When I was first appointed as Team Leader, the
 20 previous Team Leader had already retired from the LFB
 21 some months before. I was therefore not afforded a hand
 22 over from the outgoing Team Leader."
 23 First of all, I understand there is a correction you
 24 want to make to that statement.
 25 A. Yes.

70

1 Q. What is that correction?
 2 A. So I was of the understanding that Nick Comery had
 3 retired from the LFB when I took up that post.
 4 Q. Hence no handover.
 5 A. In actual fact, he'd taken a period of leave before he
 6 retired.
 7 Q. Thank you.
 8 Now, if there was no handover, how did you educate
 9 yourself, how did you familiarise yourself with the
 10 current issues between the LFB and the TMO?
 11 A. So I — from that team, I'd moved from our enforcement
 12 team, where I worked under Andy Jack, and he'd obviously
 13 had a lot of liaisons with the TMO at Kensington and
 14 Chelsea and he briefed me on all of those relationships.
 15 There was also longstanding inspecting officers within
 16 the team that gave me a history of the work that had
 17 been undertaken.
 18 Q. Now, in relation to the TMO, were you told that liaison
 19 meetings were held once every two months?
 20 A. Yes.
 21 Q. Now, you say at paragraph 8 of this statement, which is
 22 at page 3 {LFB00032331/3}, that the purpose of those
 23 meetings was to:
 24 "... discuss matters relating to the whole of the
 25 KCTMO housing stock and followed a Standing Agenda

71

1 consisting of False Alarms, Shut in Lift occurrences,
 2 Enforcement action, Fires and anything else of note at
 3 the time."
 4 Is that a fair summary?
 5 A. Yes.
 6 Q. Now, if you had concerns about the management of
 7 fire safety at the TMO, would you have raised them at
 8 those bi-monthly meetings first of all?
 9 A. Yes.
 10 Q. When you joined, did you read the minutes of previous
 11 meetings so that you could familiarise yourself with
 12 what had been previously discussed?
 13 A. I didn't have access to previous meeting minutes.
 14 Q. Can you help us as to why not?
 15 A. There wasn't a process of them being stored and saved.
 16 Q. So they weren't available to you?
 17 A. So they weren't available, no.
 18 Q. Did you discuss what had gone on previously with
 19 inspecting officers Suhail Dadabhoy or Matthew Ramsey?
 20 A. Yes.
 21 Q. Did you have any contact with the TMO outside of these
 22 bi-monthly meetings?
 23 A. Occasionally I would receive emails, mainly from
 24 Janice Wray, or I would need to contact her if something
 25 came up within the team and they'd asked me to contact

72

1 her.
 2 Q. Now, you say in your first witness statement, and the
 3 reference is at paragraph 17 again {LFB00032331/6},
 4 third line down:
 5 "In terms of training, I was not given any specific
 6 training courses relating to my role."
 7 Did you expect to receive any training and it wasn't
 8 provided or was it just that no training was provided
 9 for the team leader position?
 10 A. At that time there wasn't a training programme in place
 11 for team leaders.
 12 Q. Did you feel that the lack of formal training for the
 13 team leader role impeded or hindered your performance as
 14 team leader in any way?
 15 A. No, because I'd worked with very experienced team
 16 leaders previously and understood the role that the team
 17 leader was to play, and I had access to experienced team
 18 leaders within my area.
 19 Q. Thank you.
 20 At the time, did the LFB consider that, in relation
 21 to residential high-rise buildings, fire safety guidance
 22 to responsible persons was primarily contained in the
 23 Local Government Association's guide entitled
 24 "Fire safety in purpose-built blocks of flats"?
 25 A. Yes.

73

1 Q. Were you yourself familiar with the contents of that
 2 guide?
 3 A. Yes.
 4 Q. Would you expect the responsible person to be familiar
 5 with the document?
 6 A. Yes.
 7 Q. And fire risk assessors?
 8 A. Definitely.
 9 Q. Did you or your team ever have cause to refer to any
 10 other published guidance, for instance the Government
 11 guide on sleeping accommodation which had been published
 12 in 2009?
 13 A. For premises that fell within the scope of that guide,
 14 yes.
 15 Q. And would you ever have cause to look at LACORS, the
 16 housing fire safety guide, which was published in 2008?
 17 A. Yes.
 18 Q. Again, would you expect the responsible person and fire
 19 risk assessors to be familiar with both those forms of
 20 guidance?
 21 A. Yes.
 22 Q. Now can I turn to a separate topic, which is your
 23 knowledge of historical issues between the LFB and the
 24 TMO.
 25 Now, on joining the team in April 2014, were you

74

1 made aware of any of these following matters, and we'll
 2 go through them: first of all, that a number of the
 3 TMO's lifts, including those at Grenfell Tower, did not
 4 meet all of the criteria of a firefighting lift, and the
 5 TMO was in fact applying its own criteria to define what
 6 these lifts were?
 7 A. No.
 8 Q. From your particular regulatory perspective, did you
 9 consider that a lift that only met some but not all of
 10 the criteria of a firefighting lift was nonetheless
 11 a firefighting lift?
 12 A. No. There's clear guidance on the requirements for
 13 a firefighting lift, and those requirements are there
 14 for the protection of our firefighters and for any
 15 persons that may need to be evacuated using that lift.
 16 So if it doesn't fit those requirements, I would not
 17 call it a firefighting lift.
 18 Q. Were you informed at any stage that the TMO had notified
 19 senior LFB officers, such as Brian Deans or Nick Comery,
 20 that they had their own definition of what constituted
 21 a firefighting lift?
 22 A. No.
 23 Q. Does it flow from your previous answer that information
 24 regarding what the TMO had previously told your
 25 predecessors would not be available to you?

75

1 A. Yes.
 2 Q. There was no capacity for storage.
 3 Secondly, were you aware of or had you been given
 4 a copy of the TMO's fire safety strategy from
 5 November 2013?
 6 A. I was given a copy, but not until late in 2015.
 7 Q. What were the circumstances in which you were given
 8 a copy of that strategy?
 9 A. It was specifically requested following the fire at
 10 Adair Tower.
 11 Q. By you?
 12 A. Yes.
 13 Q. Thirdly, were you aware of discussions between the TMO
 14 and the LFB about the applicable standards governing
 15 flat entrance doors?
 16 A. Yes.
 17 Q. Enforcement issues concerning non-compliant flat
 18 entrance doors of properties occupied by leaseholders?
 19 A. Yes.
 20 Q. Fourthly, were you ever made aware that on
 21 30 September 2010, Robert Black, the CEO of the TMO, had
 22 assured Brian Deans of the LFB that the TMO would be
 23 producing personal emergency evacuation plans for
 24 disabled residents "as and when people's disabilities
 25 are brought to our [that's the TMO's] attention"?

76

1 A. No.
2 Q. Were you aware of any discussions about PEEPs between
3 the LFB and representatives of the TMO at any stage
4 before you joined?
5 A. Before I joined? No.
6 Q. Were you made aware when you first started as team
7 leader of any concerns about the competence of
8 Carl Stokes?
9 A. Yes.
10 Q. When you started?
11 A. Yes.
12 Q. And what were the concerns that were raised with you and
13 by whom?
14 A. So they were raised by Andy Jack in his discussions with
15 me regarding KCTMO, and just general observations that
16 he may not be competent for his role.
17 Q. Can you give the panel a more detailed idea of the gist
18 of Mr Jack's reservations regarding Mr Stokes?
19 A. It was mainly around the flat front door issue. They
20 had opposing opinions around how to enforce against
21 leaseholder flat front doors, so it was the opinion that
22 if he wasn't to risk assess those doors adequately, then
23 that could cause problems.
24 Q. Thank you.
25 Now, can I turn to a separate topic, which is the

77

1 first bi-monthly meeting you held with the TMO, which
2 was on 14 June 2014.
3 Is it right that, at least to start off with, you
4 didn't attend all of the liaison meetings?
5 A. It is, yes.
6 Q. And instead you appointed Inspecting Officer
7 Suhail Dadabhoy to attend on the LFB's behalf?
8 A. Yes.
9 Q. Did you brief Mr Dadabhoy before those meetings as to
10 the points you wanted raised with the TMO?
11 A. No. So Suhail had been attending those meetings prior
12 to myself joining the team, so he had a better
13 understanding of what those meetings were for than I did
14 at that time.
15 Q. Would he debrief you afterwards?
16 A. Yes.
17 Q. Now, we don't need to go to it, but you say at
18 paragraph 8 of your first witness statement, which is at
19 page 3 {LFB00032331/3} and is on the screen at the
20 moment, that the minutes of the bi-monthly meeting were
21 prepared by Janice Wray; is that right?
22 A. Yes.
23 Q. Did you receive those minutes routinely following the
24 liaison meetings?
25 A. Yes.

78

1 Q. Did you read the minutes?
2 A. Yes.
3 Q. Did you ever comment on them and ask further questions
4 as to what was discussed, either with Janice Wray or
5 with Mr Dadabhoy?
6 A. No.
7 Q. Now, turning to the minutes of the first bi-monthly
8 meeting you attended, they can be found at
9 {LFB00032334/4}, and item 8.
10 You will see there, at the bottom of the page, under
11 the heading "FRA issues", the minutes record that
12 Janice Wray summarised the TMO's approach to FRAs, and
13 the minutes summarise, in the first line, "use of
14 consultant, PAS79 standard, rolling programme,
15 prioritised Action Plans etc".
16 Can you now remember what else or what further
17 detail Ms Wray gave you at that meeting?
18 A. So at that meeting she described what the process was,
19 which was to categorise their housing stock into low,
20 medium and high-risk premises based on the height and
21 also the type of occupancy, so whether it was general
22 needs, sheltered or care homes. That had taken about
23 five years to get through that programme of risk
24 assessing all of that stock, and that they were happy
25 that they'd carried out all of those risk assessments

79

1 and had completed the action plans, and she was
2 extremely happy that they only had, as it says here,
3 eight non-compliant fire doors for leaseholders.
4 Q. Did she offer or did you ask for copies of the FRAs and
5 the significant action plans?
6 A. No.
7 Q. Were you made aware during the course of that meeting
8 that the TMO had started a programme of FRAs for all
9 their properties in September 2009? And that date is
10 important.
11 A. I couldn't confirm the date, no.
12 Q. Were you aware that it had been agreed between the LFB
13 and the TMO that they had to have the entire property
14 portfolio assessed within three years and remedial works
15 to be fully compliant with the order within five?
16 A. Yes.
17 Q. Yes. So, applying the maths, the deadline for
18 completion of all work was September 2014.
19 A. Yes.
20 Q. Now, at that point in time, did Janice Wray give you any
21 indication that there was a backlog in dealing with FRA
22 actions?
23 A. No.
24 Q. So, just to make a more detailed point to you, she never
25 mentioned to you that in March 2014, ie three months

80

1 before this meeting, there had been some 1,400
 2 outstanding actions?
 3 A. No. The impression I was always given was that the
 4 action plans were always actioned, and I was never told
 5 about any outstanding actions from any of the risk
 6 assessments.
 7 Q. Can we take it from that that you felt you had no cause
 8 to interrogate Ms Wray's information any further?
 9 A. Yes.
 10 Q. Now, can I turn to a separate witness statement of
 11 yours, it's your second witness statement, which can be
 12 found at {LFB00084098/3}, and paragraph 5, which says:
 13 "From my review of the minutes, I can see that 'FRA
 14 issues' was an agenda item when I first attended and
 15 continued to be so up until 19th August 2015. This
 16 related to the initial FRA programme, which had been
 17 introduced by KCTMO, adopting a process that had been
 18 deployed by Croydon Borough Council called 'the Croydon
 19 model'."
 20 You go on in paragraph 6 to say this:
 21 "KCTMO was coming towards the end of this process of
 22 risk assessing all the buildings in their stock when
 23 I became team leader. Accordingly, 'FRA issues' fell
 24 off the agenda as a standing item once that process was
 25 complete."

81

1 Now, did the LFB consider that it had a role in
 2 ensuring that the TMO completed its programme of FRAs?
 3 A. Only in that when we inspect a premises, if there isn't
 4 a fire risk assessment available, then we would enforce
 5 against that.
 6 Q. Presumably, would the same answer apply to a question
 7 whether the TMO(sic) considered that it had a role in
 8 ensuring that the FRA outstanding actions were completed
 9 by September 2014, the agreed deadline?
 10 A. Yes.
 11 Q. Now can I turn to the next bi-monthly meeting, which was
 12 on 19 August 2015, and in particular discussion of the
 13 AOV system.
 14 Now, at the meeting — and the minutes can be found
 15 at {LFB00032329/4}, and if we look at item 9.1 in
 16 particular — we see that Claire Williams of the TMO
 17 informed you that the AOV system at Grenfell was "not
 18 yet fully up and running" and would not be until
 19 October.
 20 Now, at that stage, were you aware that
 21 Matthew Ramsey had undertaken an audit of Grenfell on
 22 14 March 2014, and the findings of his audit identified
 23 that approximately 25% of the automatically opening
 24 vents were not working?
 25 A. At that time, no, I wasn't.

82

1 Q. And presumably, for the reasons you gave earlier on, you
 2 didn't have a library of notices of deficiencies to
 3 examine in order to test what you had been told
 4 regarding previous compliance with regulatory action by
 5 the LFB?
 6 A. We would have a record of any deficiency notices served
 7 on our database, but unless I had a reason to
 8 interrogate that system ...
 9 Q. And you had no reason, can we take it from that, to look
 10 at the notice of deficiencies —
 11 A. No.
 12 Q. — from March 2014?
 13 So can we take it that you would have been unaware
 14 that the deadline for improvement of the AOV was
 15 5 May 2014?
 16 A. Yes, I wasn't aware.
 17 Q. Were you aware that some 11 months before, on
 18 18 September 2014, Suhail Dadabhoy had attended
 19 a bi-monthly meeting where Claire Williams had informed
 20 him that:
 21 "... the ventilation/extraction system in the
 22 communal lobbies is to be upgraded/refurbished as part
 23 of the project. This work is being prioritised and
 24 plans are currently being finalised. Suhail requested
 25 a timescale and Claire advised that we were hoping this

83

1 would be completed from Christmas."
 2 Were you aware of that?
 3 A. From reading the minutes, yes.
 4 Q. And you read the minutes for the purposes of preparing
 5 this statement or at the time?
 6 A. At the time.
 7 Q. Now, given that you had read that at the time, and the
 8 anticipated deadline was Christmas, ie Christmas 2014,
 9 were you concerned to know in August 2015 that the AOV
 10 was still not fully up and running, to use Ms Williams'
 11 formula?
 12 A. It didn't ring alarm bells, mainly because I knew our
 13 local crews were carrying out regular familiarisation
 14 visits at the premises, and they were not feeding back
 15 to me that they had any issues with the systems in
 16 place.
 17 Q. Now, in her evidence to the Inquiry, Claire Williams
 18 told the panel — this is {Day121/166:16} to
 19 {Day121/167:1} — that she believed she had informed the
 20 LFB that the AOV was not working.
 21 Do you recall Ms Williams contacting you at all with
 22 that information?
 23 A. No.
 24 Q. Do you know, to the best of your knowledge, whether she
 25 contacted anyone else in your team with that

84

1 information?
 2 A. Not to my knowledge.
 3 Q. Now, apart from the discussion between Claire Williams
 4 and Suhail Dadabhoy at the bi-monthly meeting in
 5 September 2014, were the LFB kept up to date between
 6 March 2014 and October 2015 by the TMO on the state of
 7 progress of works on the AOV?
 8 A. Grenfell Tower was a standing agenda item, so it
 9 possibly would have come up then, but without looking at
 10 all the minutes, I can't say for sure whether we
 11 specifically discussed ...
 12 Q. Put differently, can you remember having any
 13 reservations about the completeness of the information
 14 you were being provided with by the TMO regarding the
 15 AOV works?
 16 A. No.
 17 Q. Were you told that the AOV was not commissioned until
 18 the end of April 2016, so nearly two years after
 19 Mr Ramsey's notice of deficiencies was served?
 20 A. I can remember being told when it was up and running, so
 21 to speak. I can't recall what date that was, though.
 22 Q. Were you concerned that it had taken them so long to get
 23 the AOV fully functional, ie more than two years after
 24 Mr Ramsey had served his notice of deficiencies?
 25 A. At the time, I was aware that that piece of work had

85

1 been put on hold because they were carrying out the
 2 refurbishment work, so it was then migrated into that
 3 scheme of work, which seemed sensible. And I know
 4 they'd had some contractor issues. And the fact that
 5 they was keeping us up to date, it didn't concern me at
 6 the time, because the crews were also carrying out their
 7 familiarisation visits.
 8 Q. And they weren't reporting any reservations or concerns
 9 back to you?
 10 A. Yes.
 11 Q. Now can I turn to a separate topic, and that's one of
 12 flat front doors and self-closers.
 13 If we can go back to your second witness statement,
 14 which can be found at {LFB00084098/8}, and paragraph 13
 15 in particular, you say there:
 16 "I was also aware that self-closing doors had arisen
 17 as an issue on some of the Enforcement Notices and
 18 Notices of Deficiencies that I had vetted and, in the
 19 light of my reading of the Adair Tower FRA, now had
 20 concerns that there might be a more systemic problem
 21 regarding the KCTMO's approach to self-closers, hence
 22 wishing to raise it."
 23 First of all, what was the systemic problem you
 24 identified or feared?
 25 A. So up until around this time, I'd been working on the

86

1 assumption, from when I was first informed by Janice,
 2 that their stock only had eight remaining deficient fire
 3 doors within their stock. Around this time, my
 4 inspecting officers were starting to report that, when
 5 they were visiting premises, they were finding
 6 deficiencies mainly around self-closers, doors not
 7 having self-closers, which obviously triggered,
 8 you know, a moment of: well, I thought there was only
 9 eight within the stock that didn't have a self-closer,
 10 so what's gone wrong here? And then within the
 11 Adair Tower fire risk assessment, Mr Stokes had -- where
 12 it mentions self-closing devices, he had put "N/A", not
 13 applicable, and I can't see a reason why a self-closing
 14 device on a fire door would ever be not applicable.
 15 Q. So did the problem come into sharp relief after the
 16 Adair Tower fire?
 17 A. Yes.
 18 Q. Can you remember now more precisely how soon after the
 19 fire this issue struck you?
 20 A. It was obviously an issue during the fire, because the
 21 flat front door to the flat of fire origin was held
 22 open. Now, I don't know whether that was because there
 23 wasn't a self-closer on that flat front door, it might
 24 have been wedged open by debris or something, but that
 25 had allowed the smoke to enter the lobby and to spread

87

1 throughout the building, so I was aware from the onset
 2 that there was a problem with self-closing devices, and
 3 then when we received the risk assessment within
 4 a couple of days of the fire and reviewed it, obviously
 5 then I was made aware to the comment of them not being
 6 applicable.
 7 Q. So early November 2015?
 8 A. Yes.
 9 Q. Thank you.
 10 Now, bearing in mind that answer, can we now move on
 11 to consider what was discussed at a meeting between you
 12 and the TMO on 13 November 2015, so in broad terms
 13 two weeks after the Adair Tower fire.
 14 A. Yes.
 15 Q. Now, if we stay in your second witness statement and
 16 turn to paragraphs 14 and 15, which is at page 9
 17 {LFB00084098/9}, you refer there to an email you
 18 received from Janice Wray on 22 October 2015 in which
 19 she requested a meeting to discuss the issue of
 20 self-closers, and indeed that of fire risk assessments
 21 more generally.
 22 Now, if we go to that email, which is at
 23 {LFB00003440}, you will see at the bottom of that page,
 24 Ms Burton, the email from Janice Wray sent at 12.02 on
 25 22 October to you, "request for meeting please", and she

88

1 says in the second paragraph of that email this:
 2 "Our approach to self-closers has been dictated by
 3 our fire risk assessor following clarification he
 4 received from a discussion [with] the LFB Head of Policy
 5 & the Head of Enforcement ..."
 6 Stopping there for a moment, when she referred to
 7 the head of policy and the head of enforcement, do you
 8 know to whom she was referring?
 9 A. Yes, Nick Coombe and Andy Jack.
 10 Q. Thank you.
 11 Staying with this paragraph, Ms Wray then writes in
 12 the same sentence:
 13 "... and we have provided many FRAs to the LFB over
 14 the years but not been challenged about this approach.
 15 Therefore, in good faith, we considered we were applying
 16 the appropriate standard. If that is not the case or if
 17 the LFB standard has changed its position on this I need
 18 to understand this — not least because of the potential
 19 impact on our organisation."
 20 First of all, were you surprised by what Ms Wray
 21 said there in the second paragraph of her email?
 22 A. Very surprised.
 23 Q. How did you respond to her?
 24 A. Well, I believe my response is further up.
 25 Q. We can go to the top.

89

1 A. Yes. So I was not convinced that that is what — the
 2 discussions that were had with our policy and
 3 enforcement team.
 4 Q. Before we come on to the substantive response, maybe the
 5 better question from me should have been: had the LFB in
 6 fact changed the standard and policy it was applying?
 7 A. No.
 8 Q. Now, we see your reply there, sent at 15.18. You
 9 suggest the meeting date of 13 November and request any
 10 records regarding the discussion with policy and
 11 enforcement to clarify the position. You say in the
 12 second paragraph:
 13 "I am not aware of any guidance that we have been
 14 given to allow Fire Doors not to be self closing,
 15 especially ones leading onto the Means of Escape."
 16 Now, did you receive the information from
 17 Janice Wray that you sought there, ie —
 18 A. No.
 19 Q. — the detail regarding discussions with policy and
 20 enforcement?
 21 Did you ever receive anything —
 22 A. No.
 23 Q. — to clarify where she was coming from?
 24 A. No.
 25 Q. Now, bearing in mind your request for clarity here, on

90

1 1 November 2015, you emailed Andy Jack, Nick Coombe, who
 2 you referred to earlier on, and Nick Comery, copying in
 3 Spencer Sutcliffe, and that can be found at
 4 {LFB00001610}.
 5 We see your initial email at the bottom of that
 6 first page, sent at 21.27, and you say this:
 7 "I am hoping one or all of you could provide me with
 8 some clarification.
 9 "Over the past year I have attended meetings with
 10 Janice Wray and was under the impression that work
 11 programmes had been implemented to ensure all flat front
 12 doors met requirements. I had been told that a handful
 13 of leaseholder front doors were still outstanding, but
 14 that the TMO were still in negotiations with these
 15 people to complete works."
 16 Turning over the page {LFB00001610/2}:
 17 "Following recent inspections on properties owned by
 18 Kensington and Chelsea TMO, it has become apparent that
 19 a significant number of flat front doors are not self
 20 closing. In a FRA for Adair Tower, the Risk Assessor,
 21 Carl Stokes, goes so far as to say that Flat Front doors
 22 are not self closing and this is in agreement with the
 23 LFB.
 24 "As you can see from the email below, Janice Wray
 25 has provided details of a meeting attended by both sides

91

1 where this decision was apparently agreed. The date
 2 provided for the meeting is clearly incorrect ..."
 3 And you go on to say more, but you conclude with
 4 this request:
 5 "Can any of you provide any information relating to
 6 this meeting and what was discussed/information
 7 provided? This is of heightened importance following
 8 the flat fire at Adair Tower over the weekend which
 9 resulted in the common parts becoming involved in the
 10 fire and numerous fire survival calls being made."
 11 Now, if we can go back to page 1 of this email chain
 12 {LFB00001610/1}, we can see the reply from Andy Jack,
 13 and that's at the top.
 14 I'll just let you refresh your memory of that. If
 15 you would please indicate when you have finished reading
 16 his email.
 17 (Pause)
 18 A. Yeah.
 19 Q. Is it fair to say that Mr Jack did not give you the
 20 clarity you were seeking because he did not say what had
 21 been discussed about flat front doors and self-closing
 22 devices at the meeting?
 23 A. In that email, yes.
 24 Q. If we can scroll further down this page, we have the
 25 response from Nicholas Coombe, who said this:

92

1 "I think this meeting took place but don't think
2 I attended.
3 "I doubt whether Andy or Nick [would] have accepted
4 this."
5 Did Mr Coombe's email give you the clarity and
6 clarification that you sought in your email of
7 1 November?
8 A. Only in broad terms.
9 Q. Now, following those exchanges, on 4 November 2015, you
10 asked Janice Wray various questions relating to the
11 post-fire review report following the Adair Tower fire,
12 and we can find that at {TMO00869184/3}. There we go,
13 the email you sent to Ms Wray.
14 If we could turn over the page to page 4
15 {TMO00869184/4} and the second complete bullet point
16 from the top, you ask this:
17 " · What is current status regarding FRAs undertaken
18 for your estate and reviews undertaken? Do you have
19 a rolling programme that is completed by Carl on an
20 on-going basis?
21 " · What Systems are in place to act on significant
22 findings identified by the FRAs?"
23 Did you receive a response to those queries?
24 A. Not that I can recall.
25 Q. Now, you attended the meeting with Janice Wray on

93

1 13 November to discuss the matters raised in your email.
2 Before that meeting, did you discuss the substance
3 with either Andy Jack, Nick Coombe, Nick Comery or
4 Spencer Sutcliffe about the TMO's approach to
5 self-closing devices?
6 A. I spoke to Andy Jack to get an understanding of the
7 discussions he'd had previously with them and to
8 understand what programme of fire risk assessments he
9 thought should have been in place at that time.
10 Q. Can you give the panel the gist of what Mr Jack told
11 you, if you can remember?
12 A. Again, it was based on the Croydon model, which was
13 a process of identifying everything that you have in
14 your stock and risk assessing that based on low, medium
15 and high-risk, depending on the height of the building
16 and the occupancy.
17 Q. Was he able to give you any further detail as to what
18 had been discussed regarding self-closing devices at the
19 meeting in November 2012?
20 A. In relation to — it was flat front doors in general
21 rather than just self-closing devices. He told me that
22 in some of those premises the fire doors were as
23 existing from when they were built, and we don't
24 retrospectively apply regulations. So for some of their
25 stock they would only have what we refer to as nominal

94

1 fire doors, but that standard is still with
2 a self-closer.
3 Q. Thank you.
4 Now, moving on to the meeting on 13 November itself,
5 other than you and Ms Wray, who else, if anyone,
6 attended?
7 A. It was just the two of us.
8 Q. Now, you've summarised the discussions which took place
9 in an email, which can be found at {LFB00003445}, which
10 you sent to the area fire safety manager, who was
11 Spencer Sutcliffe.
12 A. Yes.
13 Q. Now, that update was sent some time after on 5 May 2016.
14 Now, if we look at the first page, which is on the
15 screen now, and in particular the blue text under
16 item 1, we see this:
17 "During the meeting with Janice Wray on
18 13th November 2015 I discussed the following areas of
19 concern that had arisen following the fire at
20 Adair Tower:—
21 "— TMO's approach to reviewing risk assessments and
22 acting on significant findings in a timely manner.
23 "— Suitability of Fire Risk Assessments particularly
24 regarding approach to flat front doors and self-closers.
25 "— Claim within the Fire Risk Assessment that

95

1 fire safety regulation had agreed self-closing flat
2 front doors are not required.
3 "— Apparent lack of systems in place to prevent the
4 hindrance of access to DRM [dry rising main] during
5 maintenance works.
6 "— Fire Risk Assessments not demonstrating an
7 understanding of the strategy for the building and how
8 persons will be kept safe in event of fire.
9 "It was agreed at this meeting that Janice Wray
10 would consider each of these points and discuss with
11 their Fire Risk Assessor improvements that could be
12 made."
13 Now, bearing in mind your email is dated May 2016,
14 on what basis did you provide this summary to
15 Mr Sutcliffe of a meeting which had been roughly
16 six months earlier?
17 A. So that action plan that's created immediately
18 post-fire, Dick Nye, who worked within our policy group,
19 would routinely ask for an update on those actions, so
20 this was me providing a summary of the actions that had
21 been taken from the original plan being made.
22 Q. So you're satisfied it's a fair and accurate summary of
23 the substance of the discussion you had with
24 Janice Wray?
25 A. Yes.

96

1 Q. During the course of this meeting, did you explain to
 2 Janice Wray that senior LFB officers had told you that
 3 they had effectively not indicated that self-closers
 4 were not required?
 5 A. Yes.
 6 Q. And what was her response to that?
 7 A. She was surprised. It wasn't her recollection.
 8 Q. Was she able to point you to any document to support her
 9 recollection, email of anything of that nature?
 10 A. No.
 11 Q. Did she give more detailed explanation to you as to why
 12 she'd reached the view that the LFB had endorsed absence
 13 of self-closing devices in certain circumstances?
 14 A. Only that she was advised by her risk assessor and would
 15 conduct her work based on his findings, as he was the
 16 competent person for that area.
 17 Q. Put differently, did you advise her that self-closing
 18 devices were required on flat entrance doors?
 19 A. Yes.
 20 Q. And you're absolutely clear about that?
 21 A. Yes.
 22 Q. Can you help the panel by giving them as much detail
 23 about what you precisely said to Ms Wray on that
 24 question? If you can't remember now, say so.
 25 A. I can't remember exactly, no, other than we would expect

97

1 to have a self-closer on any flat front doors that
 2 opened onto a protected means of escape.
 3 Q. Did Janice Wray give you any assurances or comfort as to
 4 what actions she would be taking in response to your
 5 statement that self-closing devices were required?
 6 A. She said she would take it up with her risk assessor.
 7 She explained it would be a large-scale piece of work
 8 that would need to be undertaken, and that would need to
 9 be programmed in and she would need to speak to
 10 obviously her chain of management in order to put
 11 a programme of works in place.
 12 MR KINNIER: Did you ask her —
 13 SIR MARTIN MOORE-BICK: I'm sorry to interrupt you,
 14 Mr Kinnier.
 15 Was there, as part of this debate, really, any
 16 discussion as to whether the area into which the front
 17 doors were opening was a protected space in the
 18 conventional sense?
 19 A. I made a —
 20 SIR MARTIN MOORE-BICK: Because it seems a bit surprising
 21 that there should be a debate about this, unless there
 22 were a question over the area into which the doors
 23 opened.
 24 A. Yes, so I had to make the distinction between enclosed
 25 protected means of escape and flat front doors that are

98

1 open to air. So that's where the clarification was.
 2 SIR MARTIN MOORE-BICK: Was it perhaps in the mind of
 3 Carl Stokes and perhaps Ms Wray that, in this instance,
 4 whether rightly or wrongly, the doors did not open into
 5 an enclosed space? I seem to recall there was some
 6 debate about whether they opened into an area which was
 7 wholly or partially open to the elements.
 8 A. It was partially open to the elements, but the majority
 9 of the doors in that block were — they weren't fitted
 10 with conventional self-closers, they had the old style
 11 Perko closers.
 12 SIR MARTIN MOORE-BICK: Yes.
 13 A. So they were originally fitted to those doors, just not
 14 maintained.
 15 SIR MARTIN MOORE-BICK: All right. But what I just wanted
 16 to pin down, if possible, was: was the root of the
 17 disagreement, if I can put it like that, about the need
 18 for self-closers related to the nature of the area into
 19 which the front doors were opening?
 20 A. That argument was never put to me in that context.
 21 SIR MARTIN MOORE-BICK: All right. Well, that's helpful,
 22 thank you.
 23 Yes, Mr Kinnier, sorry to interrupt you.
 24 MR KINNIER: Thank you, sir.
 25 Can we now turn to the 5 January 2016 bi-monthly

99

1 meeting, so the one immediately after your November one.
 2 Now, if we can go back to your second witness
 3 statement, which is at {LFB00084098/10}, paragraph 17,
 4 you say there:
 5 "The issues outlined above were discussed formally
 6 in the meeting on 5 January 2016."
 7 Why did those issues need to be discussed "formally"
 8 in January 2016?
 9 A. I was conscious that myself and Janice were the only
 10 people at that meeting, and neither of us had taken
 11 minutes of the meeting, so I wanted to make a formal
 12 record of those issues.
 13 Q. Now, had you received any further information from
 14 Ms Wray since your November meeting regarding the
 15 proposed programme of works to the self-closing devices?
 16 A. No.
 17 Q. Now, apologies for jumping around your statements, but
 18 if we could go back to your first witness statement,
 19 {LFB00032331/4}, and paragraph 10.
 20 Now, in paragraph 10, six lines down, you say this:
 21 "Following the fire at Adair Tower ..."
 22 Have you got that?
 23 A. Yeah.
 24 Q. "... on 31st October 2015, it had come to my attention
 25 that the self-closing devices were not being routinely

100

1 maintained. Janice Wray had confirmed to me that
2 self-closing devices were checked either when they were
3 reported as defective by a resident or when a property
4 became vacant. At this meeting, I explained that the
5 LFB would not accept this as sufficient maintenance to
6 comply with Article 17 of the ... Order ..."

7 The first question is the obvious one: why did you
8 consider the TMO's approach to be insufficient?

9 A. A self-closing device is crucial to a fire door. If
10 there isn't one, and a fire breaks out within
11 a premises, that's going to be its means for spreading
12 throughout the rest of the building and affecting the
13 other residents.

14 Now, the difficulty with self-closers on flat front
15 doors is they are liable to being tampered with or taken
16 off by the actual residents themselves because,
17 you know, the doors constantly slam closed. So to only
18 inspect those when a premises becomes vacant isn't going
19 to be often enough. You could have a resident in place
20 for sort of 20 years and never know the condition of
21 that self-closer, so that's not a routine maintenance
22 programme.

23 Q. What was Ms Wray's response to that view?

24 A. She thought it would be difficult to put in any other
25 sort of maintenance regime, because of access, and she

101

1 would need to speak to her line management chain in
2 order to come up with a programme of maintenance for
3 those.

4 Q. At that meeting, did she say or did she rely upon the
5 fact, in her view, the LFB had sanctioned the approach
6 that the TMO had historically been taking?

7 A. No.

8 Q. Now, in the next sentence of paragraph 10 of your first
9 witness statement, you say this:

10 "We discussed ways in which the TMO could implement
11 a new management process for maintaining self-closers
12 and fire doors which included incorporating a check with
13 any annual checks already being carried out such as
14 electrical and gas safety checks."

15 What system, what arrangements, did you expect to be
16 put in place by Ms Wray or the TMO?

17 A. So what I was looking for is — some of her properties
18 have caretakers on site, so they could be put in
19 a position to check the self-closers, or, as I've said,
20 these premises are subject to annual checks in other
21 ways; they could adjust their contracts to have those
22 people that are already getting access to those
23 buildings to add on a check on the fire doors and the
24 self-closers.

25 Q. Did you give or intimate a deadline by which you

102

1 expected remedial action to be taken, or at least in
2 part?

3 A. Not at that meeting, no, because she made me aware that
4 she would need to take it to a higher board.

5 Q. Now, there you suggest that annual checks would be
6 sufficient for the purposes of the order. The reason
7 I want to ask you a question about this is that the
8 LGA guide itself recommends an inspection regime on
9 a six-monthly basis. I can take you to it if needs be.

10 But given the LGA guide's recommendation of
11 a six-monthly inspection regime, why was an annual
12 inspection regime sufficient?

13 A. I was taking into account the size of their stock and
14 the difficulty that people have in actually getting
15 access to premises. I didn't want to make something too
16 onerous that then becomes impossible. I'd rather have
17 something less frequent but actually occurring than
18 making something more frequent and it's an impossible
19 task.

20 Q. Thank you.

21 Now, can we look at action taken after the
22 January 2016 meeting now.

23 Apologies again, if we can go back to your second
24 witness statement, {LFB00084098/10}, paragraph 17, and
25 the second line again dealing with the meeting in

103

1 January 2016, you say this:

2 "After that, I did not ask for the matters to be
3 listed again as specific agenda items for the bi-monthly
4 meetings as I did not feel it necessary to do so.
5 Rather, in my mind, they would have been followed up
6 under the standard/recurring items of Enforcement
7 Notices/Deficiency Notices/LFB communications etc and/or
8 in relation to a concern about a specific building."

9 Now, the one thing which is striking about that and
10 flows from the answer you gave earlier on in your
11 evidence is: how would the process you anticipate there
12 capture any further or continuing problems with,
13 for example, self-closing devices?

14 A. Can you rephrase that? Sorry.

15 Q. I suppose, put differently, given the problem was
16 continuing, looking at your words, how could the process
17 you set out in paragraph 17 there ensure that the TMO
18 was doing what they were meant to be doing?

19 A. As I said earlier, the high-risk premises generally come
20 up for inspection annually. At the next inspection, my
21 inspecting officers would routinely check fire doors, so
22 if it became — if it continued to be a problem and
23 resulting in notices of deficiencies or enforcement
24 notices, then that would tell me that they haven't
25 actioned what I'd asked them to action.

104

1 Q. And flowing from that, does that mean that you didn't
2 have cause to specifically instruct the teams who were
3 going round the tower to look out for flat entrance
4 doors and self-closing devices because it was done
5 automatically?
6 A. Yes.
7 SIR MARTIN MOORE-BICK: Isn't the problem here not so much
8 one of inspection but of method? I mean, if your team
9 turn up and find a self-closer not working, that will
10 only tell them it's not working today.
11 A. Exactly.
12 SIR MARTIN MOORE-BICK: It won't tell them whether it was
13 working yesterday.
14 A. No, so at these —
15 SIR MARTIN MOORE-BICK: What you needed to know, I assume,
16 was that there was a system in place for inspecting?
17 A. Yeah, so immediately following myself raising these
18 concerns, I knew there was a period where Janice needed
19 to firstly devise a programme, and then put it to
20 a board for that to be implemented.
21 At these meetings, she did update me as to what was
22 happening with those meetings, but we would also — if
23 my team had served any notices in between the meetings
24 that we had, they would always be discussed, so the
25 content of those notices would be discussed, and it

105

1 would be then that she would tell me what action had
2 been taken to remedy those deficiencies.
3 SIR MARTIN MOORE-BICK: All right.
4 MR KINNIER: I think the issue will become clearer as we go
5 through each of the bi-monthly meetings, I suspect, sir.
6 SIR MARTIN MOORE-BICK: Yes, you're probably right.
7 MR KINNIER: Imminently, we now turn to the 4 March 2016
8 meeting, which was the next bi-monthly.
9 Staying in your second witness statement, if we
10 could jump to paragraph 38, please, at page 20
11 {LFB00084098/20}, there you refer to a further
12 discussion about self-closers on 4 March 2016, and you
13 say in the second line of paragraph 38 this:
14 " ... Janice Wray noted she had become aware of
15 externally fitted self-closers. I advised that these
16 were acceptable for use on flat front doors. Whilst it
17 is not recorded in the minutes, I also recall that I did
18 comment that this would assist in a regular maintenance
19 regime as they can be seen from outside of the flat."
20 Did you know why Janice Wray had asked you about
21 externally fitted self-closing devices?
22 A. She regularly attended meetings with other housing
23 providers, and one of those had said that they'd
24 recently started to use them.
25 Q. Did you sense it was a properly considered suggestion

106

1 from her that external self-closing devices could be
2 fitted?
3 A. Yes.
4 Q. Now, at that meeting, did you receive any update on the
5 management process or the arrangements for a maintenance
6 regime that the TMO intended to implement for the
7 maintenance of self-closing devices?
8 A. I did receive an update, but I'm not sure if — I can't
9 be certain if it was at this meeting.
10 Q. If we can come at it perhaps a different way, and that's
11 via an email from James Swindells dated 1 August 2016,
12 and we can find that at {CST00009704/2}.
13 Now, we see an email there from Janice Wray to
14 James Swindells. He is one of your fire safety
15 inspecting officers, isn't he?
16 A. He was, yes.
17 Q. She says this in the fourth paragraph of her email:
18 "With regard to the doors I would highlight that the
19 majority of the tenanted doors in this block were
20 replaced with fully compliant self-closing FD30 door
21 sets in 2012/2013 as part of a larger door replacement
22 programme and clearly at the time of installation the
23 doors were fitted with operational self-closing devices.
24 I will investigate the timeframe you have requested
25 regarding reinstating any self-closers which have been

107

1 disabled or removed but I would emphasise that we cannot
2 control the action of residents. It is possible that
3 once reinstated you or one of your colleagues could
4 return to this block and find that a number of tenants
5 have again removed or disabled their self-closer."
6 Now, if we go to page 1 of the email chain
7 {CST00009704/1}, and it's Mr Swindells' response, you
8 see there in the middle of the page his email sent at
9 12.01 on 1 August.
10 If we could expand the third paragraph of that,
11 which starts with the word "Although", he said this:
12 "Although at the time of installation in 2012/2013
13 these doors may have been compliant, Article 11 of the
14 [order] places an onus on the Responsible Person to
15 monitor fire safety systems in place and Article 17
16 requires you to maintain fire safety systems.
17 I understand that residents may cause problems but if
18 you put a system in place to monitor and maintain and
19 the doors and the residents are not co-operative you
20 have shown due diligence and the residents then become
21 responsible under 5 (iii) and Article 22 with regards to
22 co-operation and communication. It might be appropriate
23 to remind residents of this and the fact that the
24 self closer on their own front door is not for their
25 protection but for their neighbours."

108

1 Now, you were copied in to Mr Swindells' response.
 2 Did he discuss the substance of that, can you
 3 remember, before he sent it, with you?
 4 A. I can't remember.
 5 Q. Is his response a fair reflection of the LFB's attitude
 6 to these matters at the time?
 7 A. Yes.
 8 Q. Following that communication in August 2016, were you
 9 ever made aware that the TMO had not put in place
 10 an inspection and maintenance programme for self-closing
 11 devices on flat entrance doors?
 12 A. From my memory, I wasn't aware that the system had
 13 actually been instigated.
 14 Q. But they hadn't put something in place, my question —
 15 A. Yeah, it was still in consultation.
 16 Q. Now can I turn to a separate topic, which is
 17 Michele McHugh's audit of the tower in October 2016.
 18 First of all, who is Michele McHugh?
 19 A. She was an inspecting officer in my team.
 20 Q. Thank you.
 21 Now, on 27 October 2016, she conducted a fire safety
 22 audit of the tower which resulted in the service of
 23 a notice of deficiencies dated 17 December 2016. The
 24 reference for that — but we don't need to go to it —
 25 is {TMO10017254}.

109

1 You say in your first witness statement, and we
 2 don't need to go to that, that Michele McHugh's audit of
 3 Grenfell was vetted by the deputy team leader,
 4 Watch Manager Clive Stewart. Is that right?
 5 A. Yes.
 6 Q. The reason I ask is that Michele McHugh states in her
 7 statement that she submitted the form to her team leader
 8 and that she discussed the notice of deficiencies with
 9 you. Can you help us? There seems to be a tension
 10 there as to who vetted what and when.
 11 A. So when inspecting officers submit their work for
 12 vetting, it goes into an area that myself and my deputy
 13 have access to, so we both undertake the role of
 14 vetting. That particular audit was vetted by
 15 Mr Stewart. It gets recorded by your pay number as to
 16 who vets what, and in terms of the conversation, I don't
 17 recollect that conversation.
 18 Q. Would you have seen or did you see the notice of
 19 deficiencies before it was issued or would you see it
 20 after, if at all?
 21 A. I wouldn't see it at all unless it was brought to my
 22 attention.
 23 Q. Can we turn to that deficiency notice briefly now,
 24 {TMO10017254}.
 25 You will see from the top left-hand corner it's

110

1 addressed to Ms Wray at the Kensington and Chelsea TMO.
 2 Why was it only addressed to Ms Wray and not Ms Wray
 3 and, for example, RBKC?
 4 A. So the standard of us addressing our notices, if it was
 5 an enforcement notice it would be addressed to the chief
 6 executive for the KCTMO, and for deficiencies notices
 7 they would go to Ms Wray.
 8 Q. Why wasn't it also addressed to the council?
 9 A. That wasn't our process.
 10 Q. I suppose, put a different way, who did you understand
 11 to be the responsible person for the tower?
 12 A. The KCTMO.
 13 Q. Alone?
 14 A. So it's a bit mixed in that the council have delegated
 15 responsibility to KCTMO, and they have control of the
 16 premises, but RBKC are still the freeholders and have
 17 control over some budgets. So it's — they can both be
 18 responsible. But in terms of the day-to-day control and
 19 management of the systems, the TMO were the responsible
 20 person.
 21 Q. For deficiency notices?
 22 A. Yes.
 23 Q. Now, just following on from that, can we turn to the
 24 enforcement notice for Adair, {RBK00029298}.
 25 We can see from the top that's addressed to the TMO,

111

1 and that's the TMO's address.
 2 If we could go to the bottom of page 2 of this
 3 enforcement notice {RBK00029298/2}, though, we will see
 4 there "cc", first to Janice Wray, but secondly the
 5 housing department at RBKC Town Hall, Hornton Street,
 6 W8.
 7 Can you help us as to why the enforcement notice was
 8 copied to the housing department of RBKC?
 9 A. The inspecting officer instructs who notices are cc'd
 10 to, so this would have been a decision by Matt Ramsey.
 11 Possibly because there was a substantial amount of works
 12 regarding the ventilation system, that might have fallen
 13 outside of the budget of KCTMO and therefore the council
 14 would need to be informed.
 15 Q. So is your assumption that he was taking a belt and
 16 braces approach to this, then?
 17 A. Yes.
 18 Q. Now, if we can park the Adair Tower notices for the
 19 moment and return to the Grenfell notice of deficiency,
 20 we don't need to go to it unless you would like to see
 21 it, but were you aware that missing self-closing devices
 22 had been identified as a problem, or as a deficiency, to
 23 be accurate?
 24 A. No, as I said, I didn't vet that notice myself so
 25 I hadn't seen it.

112

1 Q. So it wasn't something that Michele McHugh had
2 necessarily raised with you before she issued the
3 notice?
4 A. Not that I remember.
5 Q. And Watch Manager Stewart hadn't raised it with you
6 either?
7 A. No.
8 MR KINNIER: Now, can I turn to a bi-monthly meeting in
9 January 2017 now.
10 Sir, I think I can get this done in five minutes.
11 SIR MARTIN MOORE-BICK: Yes, very well.
12 MR KINNIER: Now, if we can go back to your second witness
13 statement, {LFB00084098/21}, and paragraph 41, there you
14 refer to a yet further discussion about self-closing
15 devices with Janice Wray at the bi-monthly meeting on
16 18 January 2017, which followed a notice of deficiencies
17 being served regarding Barandon Walk, another TMO
18 property.
19 You say in the middle of the third line this:
20 "I confirmed again in these discussions that the
21 LFB's position is that all doors opening onto the means
22 of escape should be fire rated, which is understood to
23 be self-closing, with windows fixed closed. I advised
24 that further discussions should be had with their Fire
25 Risk Assessor."

113

1 Was this discussion specifically in relation to flat
2 entrance doors at Barandon Walk or was it a broader
3 discussion involving all of the TMO housing stock?
4 A. It was specific to Barandon Walk. This was an odd
5 building in that it used to be open to air but they'd
6 then enclosed it with an atrium. So the original doors
7 were not fire resisting, and then once they enclosed it
8 they should have upgraded them.
9 Q. At this meeting, notwithstanding Barandon Walk, did you
10 have any further discussions with Janice Wray as to what
11 management processes had been put in place to ensure
12 a suitable and sufficient maintenance and inspection
13 regime for flat entrance doors and self-closing devices?
14 A. No.
15 Q. Before you left in June 2017, were you given any clarity
16 or assurance as to when a maintenance and inspection
17 regime would be put in place?
18 A. So the last update I'd had from Janice was that she had
19 written a strategy document which recommended
20 a three-year programme, and that she had taken that to
21 the board and they'd wanted to increase that to
22 five years, to which I'd said that that wouldn't be
23 acceptable.
24 Q. And did you give reasons to her as to why that wouldn't
25 be acceptable to the LFB?

114

1 A. Because we'd already given them time in the —
2 previously in — you know, when they first started their
3 risk assessments to carry out this work and been assured
4 that that work had actually been carried out, to the
5 extent that only eight leaseholder doors were now
6 deficient. So from our point of view, it was work that
7 should have already been done and we was disappointed
8 that it hadn't been done. And because flat front doors
9 are critical to the safety of persons within a premises,
10 we would want that work carried out sooner rather than
11 later.
12 MR KINNIER: Ms Burton, thank you very much.
13 Sir, it is nearly 1 o'clock.
14 SIR MARTIN MOORE-BICK: Yes.
15 MR KINNIER: That is a convenient place, subject to your
16 previously.
17 SIR MARTIN MOORE-BICK: Yes, certainly.
18 Well, time we all had a break for lunch, Ms Burton,
19 so we'll take that break now. We'll come back and
20 resume at 2 o'clock, please.
21 THE WITNESS: Okay.
22 SIR MARTIN MOORE-BICK: And I have to ask you, while you're
23 out of the room, please don't talk to anyone about your
24 evidence or anything relating to it. All right?
25 THE WITNESS: Okay, thank you.

115

1 SIR MARTIN MOORE-BICK: Thank you very much.
2 Would you like to go with the usher, then, please.
3 (Pause)
4 Thank you. 2 o'clock, then, please.
5 MR KINNIER: Thank you, sir.
6 SIR MARTIN MOORE-BICK: Thank you.
7 (1.00 pm)
8 (The short adjournment)
9 (2.00 pm)
10 SIR MARTIN MOORE-BICK: All right, Ms Burton, ready to carry
11 on?
12 THE WITNESS: Yes, thank you.
13 SIR MARTIN MOORE-BICK: Thank you very much.
14 Yes, Mr Kinnier.
15 MR KINNIER: Thank you, sir.
16 Now I'd like to ask you about concerns that the LFB
17 expressed about the fire risk assessor and which you
18 asked to be added as an agenda item for your meeting on
19 20 October 2015.
20 Now, if we could turn to paragraph 10 of your second
21 witness statement, which can be found at
22 {LFB00084098/4}, at the bottom of the page, going on,
23 you outline certain concerns which you had in relation
24 to the fire risk assessor after you had reviewed the
25 Adair Tower fire risk assessment.

116

1 If we turn over the page to page 5 {LFB00084098/5}
 2 and look at the end of the fifth line, you say this:
 3 "My review of the FRA made me concerned about what
 4 appeared to be the risk assessor's offhand approach to
 5 self—closing doors, which indicated, erroneously, that
 6 he believed that they were not required. I was also
 7 concerned by the reliance placed by the risk assessor on
 8 conversations apparently had with LFB personnel, which
 9 did not appear to me to accurately reflect the LFB
 10 position as I understood it, and which diverted from the
 11 risk assessor's obligation to assess the relevant risk."
 12 Now, when you say he had an offhand approach to
 13 self—closing doors, what did you mean by that phrase?
 14 A. So that directly related to his "not applicable" comment
 15 in his risk assessments, where it says self—closers on
 16 fire doors and he's put not applicable.
 17 Q. How was reliance that he placed on conversations with
 18 LFB personnel diverting from his obligation to assess
 19 the relevant risk?
 20 A. Because he was saying that there had been an agreement
 21 with the LFB that self—closers were not required, if you
 22 just had that as a blanket statement for every door, you
 23 don't actually look at the risk that is posed by
 24 a particular door not having a self—closer.
 25 Q. And when you had these concerns, did you understand them

117

1 to be confined to Adair Tower, or did you fear that they
 2 were of broader application?
 3 A. I feared it was a broader application.
 4 Q. Now, if we can go to your first witness statement,
 5 paragraph 11, which can be found at {LFB00032331/4}, and
 6 there we see the start of paragraph 11, you also suggest
 7 that by the time of the bi—monthly meeting on
 8 5 January 2016 that, starting in the second line:
 9 "[Inspecting officers] had brought to my attention
 10 that the assessor would, in some instances rely on
 11 inspections carried out by the LFB as justification for
 12 his FRA, would refer to meetings held with senior
 13 officers within the LFB, where agreements were said to
 14 have been made, without evidence and in one instance had
 15 used a lack of fires to justify missing fire doors
 16 without risk assessing the effect these missing doors
 17 would have if there was to be a fire."
 18 Now, when did the inspecting officers bring their
 19 concerns to you?
 20 A. So it was all around the same time as the Adair Tower
 21 fire.
 22 Q. So last quarter of 2015?
 23 A. Yes.
 24 Q. And had those concerns been raised previously?
 25 A. Not with specific examples being given, no.

118

1 Q. Can you help us as to which inspecting officers raised
 2 these concerns with you in the last quarter of 2015?
 3 A. So in particular it was Julie—Anne Steppings and
 4 Michele McHugh.
 5 Q. Could I ask you to look at a paragraph from
 6 Janice Wray's first witness statement, which can be
 7 found at {TMO00000890/32}.
 8 If we could look at paragraph 143, in the second
 9 line, where she said this:
 10 "There was an assumption made by Carl and myself
 11 that arrangements at our premises which were not
 12 negatively commented on by the LFB following audit were
 13 deemed ... to be satisfactory. The LFB knew of this as
 14 they requested and received copies of Carl Stokes' Fire
 15 Risk Assessments, which explicitly recorded this
 16 assumption."
 17 Now, were you aware that the TMO were taking the
 18 line that silence, or at least the absence of negative
 19 comment, indicated approval?
 20 A. That had been the case from Janice Wray earlier on in my
 21 appointment. We had a process of issuing broadly
 22 compliant letters, so she would take that to mean that
 23 there weren't any deficiencies within a particular
 24 building that we'd inspected and then issued a broadly
 25 compliant letter. But what I had to explain to her was

119

1 there would be discussions had on site, so an inspection
 2 could still be broadly compliant with some deficiencies
 3 found, depending on the scoring, and those conversations
 4 would be had directly with her.
 5 So following that conversation, what I asked my
 6 inspecting officers to do was, if they were to send
 7 a broadly compliant letter, to detail within that letter
 8 if they had raised any minor deficiencies.
 9 Q. After, so from 2016 onwards, did any of your officers
 10 express any other concerns about the competence or the
 11 sufficiency of the fire risk assessments carried out by
 12 Carl Stokes?
 13 A. It was an ongoing conversation. I couldn't give exact
 14 dates and details.
 15 Q. Now, if we can put some flesh on the bones of that, if
 16 I could ask us to go to an email which was originally
 17 sent by Janice Wray to you in October 2015, it can be
 18 found at {LFB00003439/1}.
 19 Now, we see there was some general correspondence,
 20 but could I ask you to look at the top email, which is
 21 one you sent to Janice Wray on 13 October 2015 at 10.20,
 22 where you raise and you were discussing matters for
 23 discussion:
 24 "It's more the approach of the Risk Assessor.
 25 "It has recently come to my attention that different

120

1 guidance documents are being applied to the same
2 building. The approach should be to use the document
3 which best suits the premises and apply one."

4 Now, if I can ask you to hold that email in your
5 mind and turn to your second witness statement, which
6 can be found at {LFB00084098/8}.

7 You say in paragraph 11, and it's really the fourth
8 line from the end of that paragraph, this:

9 "A basic principle within fire safety is that you
10 choose the document that best suits the building in
11 question and adhere to the recommendations within that
12 document. You do not cherry pick parts of different
13 guidance documents that best suit your needs."

14 What are the risks if a responsible person does not
15 obey that basic principle?

16 A. The risks are that the building wouldn't be suitable for
17 the needs of that premises. So, for example, you could
18 have a premises that's built to Approved Document B,
19 which will give, you know, different travel distances,
20 different types of compartmentation requirements. If
21 you built it to that but then took your travel distances
22 from 9999, 9999 allows for extended travel distances, on
23 the provision that you have increased, say,
24 compartmentation. But if you have the compartmentation
25 built to ADB and then take the travel distances from

121

1 9999, you won't have the protection in place for those
2 travel distances.

3 Q. This may be an obvious question, but would you have
4 expected the reasonably competent fire risk assessor to
5 be aware of the basic principle and the consequences of
6 not adhering to it?

7 A. Yes.

8 Q. We discussed previously before lunch the meeting you had
9 on 13 November 2015 with Janice Wray, but could we go
10 back to it within the specific context of discussions
11 regarding the competence of Carl Stokes.

12 If we could stay within this witness statement but
13 go to page 9 {LFB00084098/9}, paragraph 16, we see at
14 the end of the fifth line of that paragraph you say that
15 you were, at this meeting:

16 "... very frank and told her that I did not think
17 that he [Carl Stokes] was providing a good service to
18 the KCTMO, as illustrated by the quality of the FRA for
19 Adair Tower, which was mirrored in the FRA for its
20 sister tower, Hazlewood Tower ..."

21 Again, was the basis of that assessment of
22 Mr Stokes' competency based on the issues you had
23 identified in the aftermath of the Adair Tower fire?

24 A. It was a combination of conversations. So in relation
25 to Adair Tower, there was a ventilation system that was

122

1 slightly unusual, so you would expect a fire risk
2 assessor to comment on that ventilation system and
3 determine the — you know, how well that system would
4 react in a fire and what consequences that would have.
5 He didn't do that. He put reliance on the fact that the
6 LFB hadn't previously raised concerns, and that the
7 ventilation was as-built. So he didn't risk assess the
8 impact of that system on the building.

9 Q. You were frank and direct with Ms Wray in this meeting
10 regarding the competence of Mr Stokes; what was her
11 response to the points you set out before her?

12 A. She raised the fact that nobody had said this to her
13 before, you know, my predecessors hadn't raised concerns
14 with her regarding Carl Stokes, and that inspecting
15 officers hadn't previously raised concerns. So she was
16 concerned that why was we now suddenly, you know, at
17 odds with him.

18 Q. What action did you expect her to take in response to
19 the reservations you had expressed?

20 A. I expected her to go back and take the concerns to
21 Carl Stokes, because I gave a couple of descriptions of
22 times when I felt he wasn't properly risk assessing
23 premises, and to discuss those with him and, if there
24 wasn't a change in his approach, then I would have hoped
25 that she would look for somebody else.

123

1 Q. Did you make that expectation clear to her in the
2 conversation?

3 A. Yes.

4 Q. Now, were you aware of concerns amongst other members of
5 your team about the TMO's approach to fire safety? To
6 give you a particular example, Matthew Ramsey had become
7 concerned that Janice Wray and Carl Stokes could be
8 "economical with the truth" in communications with the
9 LFB, and if reference is needed — we don't need to go
10 to it unless you want to — that's at {MET00071003/3},
11 on the third paragraph of that page.

12 Were you aware of concerns of that nature being
13 expressed by other members of your team?

14 A. I was aware of Matt's opinion in general relating to
15 Janice Wray and Carl Stokes, but not that specific.

16 Q. Did you agree with his view that either or both of them
17 could be economical with the truth in communications
18 with the LFB?

19 A. I hadn't personally had any communications with
20 Carl Stokes to base an opinion on, but most of my
21 dealings with Janice were that she was very open, so
22 I didn't have a concern with her at that time.

23 Q. Thank you.

24 Now, can I turn to a conversation that you had with
25 Barbara Matthews on 30 November 2015, so a month after

124

1 the Adair Tower fire.
 2 If we could go to {TMO00880324/31}, these are
 3 entries from notebooks kept by Barbara Matthews, and we
 4 see here at the top of the left-hand corner, "Telecon
 5 Rebecca 30/11/15", and we can see further down,
 6 immediately below the date, "Drafting 2 Enforcement
 7 Notices — Adair [and] Hazlewood".
 8 It appears that this conversation was with you; do
 9 you recall it?
 10 A. Yes.
 11 Q. We can look at the content of this note of the call. As
 12 I say, she says:
 13 "Drafting 2 Enforcement Notices — Adair [and]
 14 Hazlewood.
 15 "Finalise end this week/to get early next [week]."
 16 If we go further down, it says "Ventilation
 17 systems". Underneath that, on the left-hand side, you
 18 will see "Adair" in a square box. Read across to the
 19 right. It says, "Review FRA — but is not suitable &
 20 sufficient", and below that it says, "Not risk assessed
 21 ventilation, should be giving us ideas on solutions".
 22 Then if we go slightly further below that, a bullet
 23 point which starts with the words "When fire occurred",
 24 and we see various entries here:
 25 "Accommodation stair case — smoke to travel to each

125

1 landing.
 2 "Flat front doors — not working — rising butt
 3 hinges.
 4 "Risk assessor not including risk fully.
 5 "Await scores have come out as highest level — 5.
 6 "Leaseholders — self closers are required and take
 7 action."
 8 "Take action" being underlined:
 9 "6 months or all self closers."
 10 Looking at the text of this note, it seems that this
 11 was a further occasion on which you raised reservations
 12 regarding the competency of Mr Stokes; is that a fair
 13 summary?
 14 A. Yes, it is.
 15 Q. After this conversation with Ms Matthews, did you have
 16 cause to discuss FRAs or Mr Stokes in particular with
 17 Ms Matthews?
 18 A. No, I believe that was the only contact I had directly
 19 with her.
 20 Q. Thank you.
 21 Now, if we can turn back to the bi-monthly meeting
 22 on 5 January 2016, and look in particular on the
 23 questions regarding the competence of Mr Stokes.
 24 You formally raised at that meeting your concerns
 25 about his approach. If we could go to the minutes,

126

1 which are {LFB00032330/3}, and item 8 on that page,
 2 which is at the bottom, under the heading "Risk
 3 Assessments", it says this:
 4 "Rebecca [that's you] raised her concern that our
 5 Fire Risk Assessor sometimes makes statements which are
 6 not justified or supported and that FRA reports need to
 7 include justification for statements made. In
 8 particular, reference to discussion with senior LFB
 9 officers must provide names, dates and confirmation of
 10 outcome of discussions etc."
 11 If we could turn over to page 4 {LFB00032330/4} and
 12 the second line, the sentence which starts:
 13 "Janice agreed to raise these issues with our
 14 assessor but did comment that we have frequently
 15 provided copies of FRAs to the LFB in recent years and
 16 until now these have been well received, considered to
 17 be comprehensive and no criticism had been fed back."
 18 Now, mindful of what's set out there, so far as
 19 you're aware, had Janice Wray done anything to address
 20 the concerns you had expressed in the meeting of
 21 13 November 2015?
 22 A. Not that I'm aware of.
 23 Q. Now, if we can turn back to your first witness
 24 statement, which is at {LFB00032331/5}, paragraph 11,
 25 and if we look at the end of the fourth line at the top

127

1 of the page, you say this:
 2 "It was my opinion at the time that their fire risk
 3 assessor was not providing them with suitable and
 4 sufficient fire risk assessments and this needed to be
 5 addressed."
 6 Was that a fair reflection of your view at the time
 7 then?
 8 A. Yes.
 9 Q. When, looking back at the minutes of the 5 January
 10 meeting, Janice Wray agreed to raise the issue of the
 11 assessor, as we've discussed, was any timescale agreed
 12 with her in which to raise these matters and revert back
 13 to you with his response?
 14 A. Not an agreed timescale, no, she just said she would
 15 speak to him at their next meeting.
 16 Q. Did you ask for a progress update or anything more
 17 specific pending the next bi-monthly?
 18 A. No. In my mind, again, we would pick these issues up
 19 through our enforcement action if there was no
 20 improvement.
 21 Q. Now, can we now turn to the bi-monthly meeting on
 22 4 March 2016, and again focus on the question of the
 23 competence of Mr Stokes.
 24 You have already explained that you didn't raise
 25 issues regarding self-closers or concerns about the fire

128

1 risk assessor again.
 2 Now, given the long—running nature of those concerns
 3 about self—closers and the competence of Mr Stokes, why
 4 wasn't the meeting on 4 March 2016 a good opportunity to
 5 bring back consideration of those matters before the
 6 TMO?
 7 A. I just didn't have it in my mind to do that. From my
 8 point of view, those matters, if there was ongoing
 9 issues, would be picked up through our regulatory
 10 enforcement action.
 11 Q. And can we take it, therefore, that at least from the
 12 LFB perspective, absent any prompt for further concerns,
 13 you didn't raise it in the bi—monthly meetings?
 14 A. Yes.
 15 Q. Now, on 5 May 2016, you sent an email to
 16 Spencer Sutcliffe, which we looked at earlier, about the
 17 investigation of the fire at Adair. That email referred
 18 to your meeting with Janice Wray on 13 November 2015.
 19 Did you think at that stage there had been much
 20 progress achieved by the TMO in terms of dealing with
 21 the competence of Carl Stokes, or did you feel that the
 22 absence of any prompts for concerns meant that no
 23 further action was required from you?
 24 A. I didn't think — I wasn't given the impression that she
 25 was going to take any kind of serious action, but as

129

1 an enforcer, you know, we can't dictate who people
 2 employ. So my only option is to take action through our
 3 regulatory activities.
 4 Q. Understood.
 5 Now, if we can now turn to an email from Janice Wray
 6 regarding the Adair and Hazlewood Towers which was sent
 7 on 19 September 2016, and for this purpose, and to give
 8 you some context, could we go to your second witness
 9 statement which is at {LFB00084098/15}, and look at
 10 paragraph 31.
 11 Now, here you refer to an email that you sent to
 12 Janice Wray on 21 September 2016 reminding Janice Wray
 13 that the TMO's risk assessor needed to produce
 14 a suitable and sufficient FRA, and also reminding her
 15 that {LFB00084098/16}:
 16 " ... I would not expect to see any references such
 17 as 'as agreed with the LFB' in relation to the
 18 ventilation system as we recommended further
 19 investigations via your engineer and risk assessor."
 20 Now, why did you feel the need to remind Janice Wray
 21 of those points at this time?
 22 A. Because in his previous risk assessment for Adair Tower
 23 he had relied upon meetings and conversations with the
 24 LFB, and I wanted to make sure that, in this instance,
 25 it was clear to her that we had not given any assurances

130

1 in terms of this premises and our guidance was that he
 2 should carry out a suitable and sufficient risk
 3 assessment of his own undertaking in conjunction with
 4 their fire engineer.
 5 Q. Thank you.
 6 Can we now turn to a separate and distinct topic,
 7 which is fire safety information provided to residents.
 8 What would you have expected a tenant management
 9 organisation to do when communicating fire safety advice
 10 to residents, ie how best ought they to have
 11 communicated that information to them?
 12 A. So I would expect that to be contained within their
 13 tenancy agreement pack. Normally when you take out
 14 a tenancy you're given, you know, a pack of information
 15 that relates to your responsibilities in terms of the
 16 premises, and I would expect, you know, an evacuation
 17 plan to be carried — to be put in with that pack, and,
 18 you know, some comment around maintaining any systems in
 19 place, if they've got detection within their flats or,
 20 you know, fire doors, self—closers, to explain what
 21 action could be taken if those are, you know, neglected
 22 or mishandled.
 23 Q. Would you expect updates or reminders to be sent to
 24 tenants by the landlord or the landlord's agent?
 25 A. Oh, I would expect, when things change, for updates to

131

1 be sent out routinely, and when there's an incident,
 2 such as the Adair Tower fire or the Shepherds Court
 3 fire, to use those as a prompt to send out reminders of
 4 the importance of these things to residents, yes.
 5 Q. Were you ever informed as to what the TMO were doing to
 6 ensure that residents were aware of what to do in the
 7 event of a fire?
 8 A. Yes, I was told that there was a monthly newsletter that
 9 the TMO would send out, and those kind of updates would
 10 be put into that.
 11 Q. On the basis of what you were told, were you satisfied
 12 that sufficient arrangements were in place for
 13 communicating detail about those arrangements?
 14 A. Yes.
 15 Q. How would you expect the TMO to communicate fire safety
 16 information to residents who spoke a language other than
 17 English?
 18 A. I would expect them to provide it in the language that
 19 the person spoke.
 20 Q. Do you recall there being a difference in opinion
 21 amongst LFB officers on the value of fitting fire action
 22 notices within a block that had a stay—put strategy in
 23 place?
 24 A. There are differences of opinion in that if it's
 25 a single means of escape and it's a stay—put policy,

132

1 you know, the residents are to stay put, so to speak,
 2 and anybody that is in the means of escape only has one
 3 way out anyway.
 4 Sorry, I've just spilt my water.
 5 SIR MARTIN MOORE—BICK: Oh, do you need some help?
 6 THE WITNESS: Yeah, sorry.
 7 SIR MARTIN MOORE—BICK: Don't worry. The usher will look
 8 after you.
 9 MR KINNIER: Don't worry, these things happen.
 10 (Pause)
 11 SIR MARTIN MOORE—BICK: All right?
 12 THE WITNESS: Yes, thank you.
 13 SIR MARTIN MOORE—BICK: All right, thank you.
 14 MR KINNIER: Do you recall ever advising Janice Wray on the
 15 utility or the effectiveness of fire action notices?
 16 A. It did come up in a couple of conversations, because she
 17 was of the impression that they weren't required at all.
 18 Q. What was your view?
 19 A. It should be premises-specific. It's like I say, in
 20 a simple premises where there's only one way in and one
 21 way out and, you know, the employees or the residents
 22 are aware of what the evacuation policy is, then they
 23 don't serve much purpose, but in complicated premises
 24 where — or premises where there's two different ways of
 25 leaving or there's only one protected route, but in

133

1 a combination route, then, yes, I would expect signage
 2 and fire action notices to be included.
 3 Q. For those purposes, would you consider Grenfell Tower to
 4 have been complicated or not?
 5 A. No, because it was a single stair premises, so there was
 6 only one way in and one way out.
 7 Q. So, in those circumstances, you would have thought that
 8 fire action notices perhaps have little utility, would
 9 be your view in those circumstances —
 10 A. Yes.
 11 Q. — is that fair?
 12 Following on and staying on this topic, in
 13 Michele McHugh's audit of Grenfell Tower in 2016, she
 14 identified that there had been a breach of Article 15(1)
 15 of the order, because of the lack of fire action notices
 16 in the common parts.
 17 Would it be useful if I took you to —
 18 A. Yes, please.
 19 Q. — the notice so you can see what I'm talking about?
 20 {LFB00105489/7}. We see there at 15, "Procedures
 21 for serious and imminent danger and for danger areas":
 22 "Observations:
 23 "EP is stay put however residents interviewed at
 24 audit stated that they had not been informed of this.
 25 No FANs [fire action notices] displayed in common parts.

134

1 The FRA states that FANs are not necessary as residents
 2 are given pack of information plus there is a regular
 3 magazine. He does not state how they are made to read
 4 this!"
 5 Can I take it from your previous answers that you
 6 were not aware of that finding?
 7 A. No.
 8 Q. Now, could we go to {LFB00027417/7}, which is the
 9 enforcement notice in respect of Adair.
 10 We see there, under Article 15(1), looking at the
 11 right-hand column:
 12 "Adequate procedures for serious and imminent danger
 13 and for danger areas should be established and followed.
 14 This can be achieved by providing adequate fire action
 15 notices within the common parts of the premises."
 16 Would you agree that, like the enforcement notices
 17 served in respect of Adair Tower which we're looking at
 18 at the moment, the Grenfell Tower deficiency notice,
 19 which again raised the fire action notice point, there
 20 is a consistent theme of the LFB requiring fire action
 21 notices in regulatory enforcement action taken?
 22 A. So in terms of the remedy, we offer a remedy; it doesn't
 23 have to be the only remedy that's put in place. So the
 24 simplest remedy would be to have fire action notices in
 25 place, but it's for the responsible person to decide how

135

1 they actually comply with that part of the notice.
 2 Q. So you're suggesting a solution rather than prescribing
 3 one?
 4 A. Yes.
 5 Q. Looked at slightly differently, at this stage, so last
 6 quarter of 2016/first quarter of 2017, was it the LFB's
 7 general practice to require fire action notices in
 8 relation to high-rise residential buildings or did it
 9 turn on the complexity of the building?
 10 A. It's dependent on the complexity of the building.
 11 Q. Now, Ms McHugh's audit also identified a failure to
 12 communicate the emergency plan to residents, but it
 13 seems as if the notice of deficiencies in response
 14 focused on the provision of fire action notices.
 15 Putting this bluntly, did the focus on fire action
 16 notices mean that both you and your team were ignoring
 17 the absence of a formal record of the full emergency
 18 plan?
 19 A. No, I wouldn't say we was ignoring that. Obviously the
 20 information we're provided by — through the risk
 21 assessment and from Janice Wray was that that
 22 information was supplied within the tenancy pack when
 23 people first take up occupancy within their buildings,
 24 and it's reminded through their newsletters. So that is
 25 a different way of complying with — you know, instead

136

1 of having a fire action notice.
 2 Q. Would you have looked at the broader picture of what
 3 emergency planning the TMO had carried out when the
 4 audits were being carried out?
 5 A. So we would look at what the evacuation strategy is for
 6 that building, which in purpose—built blocks of flats at
 7 that time was usually stay put, and we would look for
 8 confirmation as to why it was either stay put or
 9 a simultaneous evacuation.
 10 Q. Now, can I turn to a separate topic, which is that of
 11 vulnerable residents, which is linked to what we've now
 12 been discussing.
 13 What, if any, assurances were you given that the TMO
 14 had a system in place for identifying vulnerable
 15 residents and planning for their needs in the event of
 16 a fire?
 17 A. So I had been told by Janice Wray that people could
 18 self—refer themselves to her to have a PEEP put in place
 19 in they felt they needed one, and that also she could
 20 receive referrals from the housing teams.
 21 Q. Did she tell you or did you ask how many people had
 22 self—referred or been referred by the housing department
 23 for a PEEP?
 24 A. No.
 25 Q. Did you or any of your officers have cause to check

137

1 whether the system of self—referral or housing
 2 department referral was working efficiently and
 3 effectively?
 4 A. No.
 5 Q. What information was provided to the LFB by the TMO
 6 about the needs of vulnerable residents, thinking
 7 particularly of high—rise buildings?
 8 A. High—rise buildings, if they're general needs, it's very
 9 difficult to have personal evacuation plans in place.
 10 You know, a general needs block is exactly that: it's
 11 general for the population. So unless it's, you know,
 12 a day—to—day managed block with, say, a concierge or
 13 on—site caretakers, there wouldn't actually be anybody
 14 to manage a personal evacuation plan.
 15 So the advice that I give is if you're made aware
 16 that there is a person in a high—rise in a general needs
 17 block that may need special assistance, the risk
 18 assessor should assess that risk. So, for example, if
 19 it's a person that's immobile, they would need to
 20 consider, you know, a personal suppression system
 21 because that person's not able to evacuate.
 22 Q. Were you ever given any information or did you ever ask
 23 for any information on what systems the TMO had in place
 24 for gathering information to identify vulnerable
 25 residents and how best to help them in the event of

138

1 a fire?
 2 A. So, again, I was informed that when people first take up
 3 residency, they are asked those kind of questions by the
 4 housing team, and if any vulnerabilities are brought up
 5 at that point, then they are referred.
 6 Q. Now, do you recall attending a meeting on 13 July 2016
 7 concerning specialised housing?
 8 A. Yes.
 9 Q. It may help if we go to the minute on this,
 10 {LFB00032335/1}, and it's item 2.2:
 11 "With regard to the LFB's communication on
 12 'specialised housing' Janice confirmed that a meeting
 13 had been arranged with Michael Dewberry and
 14 Michelle Brown from the LFB Policy Team for that
 15 afternoon and that Rebecca would also be in attendance.
 16 Hash Chamchoun the TMO's Head of Housing Supported
 17 Services and Amanda Johnson from RBKC will also be
 18 present."
 19 Now, would it help if I took you to the letter which
 20 prompted these matters so you could recall it?
 21 A. I'm familiar with that letter.
 22 Q. Now, do you recall whether the issue of PEEPs was
 23 discussed in that meeting?
 24 A. Yes, it was the main focus for that meeting.
 25 Q. And was the focus on specialised housing, ie sheltered

139

1 accommodation?
 2 A. Yes.
 3 Q. Was there any discussion of the role of PEEPs in general
 4 housing?
 5 A. No, it's specifically relating to housing that has
 6 an element of care.
 7 Q. Did you understand that the TMO had agreed to put in
 8 place PEEPs for all vulnerable residents regardless of
 9 the nature of housing in which they lived?
 10 A. No.
 11 Q. Were you given any information in the context of
 12 specialised housing as to who would be preparing the
 13 PEEPs?
 14 A. So for specialised housing they had housing managers,
 15 and it would be those that would be responsible for
 16 conducting them.
 17 Q. Thank you.
 18 Right, if I can now turn to the final topic that I'd
 19 like to discuss with you today, and that's cladding and
 20 the scope of the 2005 order.
 21 Now, on 6 April 2016, Assistant Commissioner
 22 Dan Daly sent a letter to Laura Johnson at RBKC
 23 concerning external fire spread on tall buildings
 24 following the fire at Shepherds Court on 19 August 2016.
 25 I'm assuming you're familiar with that letter or

140

1 would you like me to put it —
 2 A. I'm familiar with it.
 3 Q. Now, so that everyone else can see what we're
 4 discussing, could I have put up on the screen
 5 {RBK00026888/2}, in particular the final paragraph of
 6 that letter.
 7 This is something with which we're all now familiar.
 8 Assistant Commissioner Daly said this:
 9 "I would therefore strongly urge that you consider
 10 this issue as part of the risk assessment process for
 11 premises under your control. I suggest that you make
 12 sure all relevant information about any replacement
 13 window and facade schemes is fully available to fire
 14 risk assessors. Where no reliable information is
 15 available for a given property, it is our general
 16 expectation that a strategy to assess the risk and where
 17 necessary implement short, medium and long term actions
 18 to address the risk. This assessment will need to take
 19 account of other fire safety measures already in place
 20 in the building as well as potential mitigation measures
 21 to ensure that any potential fire spread does not pose
 22 a risk to health and safety."
 23 Now, did you discuss with anyone in the TMO
 24 Dan Daly's view that information about replacement
 25 window and façades needed to be considered within fire

141

1 risk assessments?
 2 A. Yes.
 3 Q. With whom did you have those discussions?
 4 A. Janice.
 5 Q. And when?
 6 A. It would have been shortly following the issue of this
 7 letter, because she was very interested in that actual
 8 fire.
 9 Q. What action did she say she would take following those
 10 discussions with you about this letter?
 11 A. Again, just that she would discuss it with her risk
 12 assessor.
 13 Q. And did you hear anything back from her?
 14 A. No.
 15 Q. Did the approach that is set out in the final paragraph
 16 of Dan Daly's letter represent a new approach or was it
 17 a timely restatement of existing LFB policy?
 18 A. It's a clarification, really, because the order doesn't
 19 apply to — it didn't apply to the cladding, it's more
 20 a reminder that a fire risk assessor is there to assess
 21 the risk, not to assess compliance with the order,
 22 because a fire risk assessment — you know, they come
 23 under health and safety as well as, you know, the RRO.
 24 So it's a reminder that although for the LFB we couldn't
 25 enforce on cladding, it's still an important part of

142

1 a fire risk assessment — assessor's job to assess the
 2 fire risk of the whole building, not just particular
 3 parts of it.
 4 Q. To take a holistic view, in summary?
 5 A. Yes.
 6 Q. Before Dan Daly's letter was sent out to the London
 7 borough councils, had you instructed your inspecting
 8 officers to consider whether FRAs included an assessment
 9 of whether replacement windows or façades, cladding
 10 systems, posed a risk of fire?
 11 A. If they impacted the means of escape.
 12 Q. Did you give that instruction?
 13 A. Yes.
 14 Q. Now, if we can just stay with this letter but go back to
 15 page 1 {RBK00026888/1} and the final paragraph on that
 16 page, it says:
 17 "In the light of fires that have occurred, I would
 18 urge you to consider carefully your arrangements for
 19 specifying, monitoring and approving all aspects of
 20 future replacement and improvement to building facades
 21 and construction of new buildings for which you are
 22 responsible. Contracts for the provision and
 23 installation of replacement elements of building
 24 facades, including insulation, replacement double
 25 glazing and associated spandrel and in-fill panels must

143

1 ensure compliance with all parts of Part B if they are
 2 to secure public safety and minimise fire losses."
 3 Did the LFB's approach to statutory consultations
 4 with building control — I think they're called D jobs,
 5 aren't they?
 6 A. Yes.
 7 Q. Did they change following the Shepherds Court fire?
 8 A. Guidance was issued to ensure that we pay closer
 9 attention to them.
 10 Q. So was it an urge to play greater attention to it or was
 11 there a substantive change in policy?
 12 A. I'd say a change in policy.
 13 MR KINNIER: Thank you.
 14 Now, Ms Burton, I've come to the end of the
 15 questions I was going to ask you. It's customary for
 16 the Chairman to allow me some time to see whether I have
 17 missed anything out or to see whether there is anything
 18 further to ask.
 19 Sir, may I have the usual?
 20 SIR MARTIN MOORE-BICK: Yes, of course.
 21 Well, Ms Burton, as Mr Kinnier has said, at this
 22 point he thinks he has asked all the questions he needs
 23 to ask, but sometimes it turns out that there are things
 24 that still remain to be asked, and there are other
 25 people following the proceedings who may want to raise

144

1 questions as well. So we will have a short break.
 2 I think ten minutes ought to be enough at this
 3 stage?
 4 MR KINNIER: It ought to be enough, sir.
 5 SIR MARTIN MOORE—BICK: Yes. We will break now. We'll come
 6 back at 2.50, please, and at that point we'll see if
 7 there are any more questions for you.
 8 THE WITNESS: Thank you.
 9 SIR MARTIN MOORE—BICK: Again, please don't talk to anyone
 10 about your evidence while you're out of the room.
 11 THE WITNESS: Yes.
 12 SIR MARTIN MOORE—BICK: All right? Thank you very much.
 13 (Pause)
 14 MR KINNIER: Sir, before you rise, may I make a contingent
 15 or pre—emptive application. We anticipate that
 16 Mr Comery's examination will take 90 minutes or so.
 17 SIR MARTIN MOORE—BICK: Yes.
 18 MR KINNIER: If we strayed slightly beyond 4.30, may I make
 19 an application that we sit slightly later than normal
 20 simply to allow us to get Mr Comery's evidence finished
 21 today?
 22 SIR MARTIN MOORE—BICK: It would obviously be good if we
 23 could finish his evidence. Shall we see how we're going
 24 and how much beyond 4.30 that would require?
 25 MR KINNIER: Thank you, sir.

145

1 SIR MARTIN MOORE—BICK: All right, thank you very much.
 2 2.50, please. Thank you.
 3
 4 (2.41 pm)
 5 (A short break)
 6 (2.50 pm)
 7 SIR MARTIN MOORE—BICK: Right, Ms Burton, we will see if
 8 there are any more questions.
 9 Mr Kinnier?
 10 MR KINNIER: Sir, I have no further questions for Ms Burton,
 11 so it only leaves me to thank her for attending today to
 12 give evidence. It's much appreciated.
 13 SIR MARTIN MOORE—BICK: Yes. Well, I certainly ought to
 14 thank you as well on behalf of all three members of the
 15 panel for coming along to give your evidence. It has
 16 not been as long as it has been for some people, for
 17 which you are no doubt grateful, but it's been very
 18 helpful to us, and we are very grateful to you for
 19 coming along. So thank you very much indeed, and now
 20 you are free to go.
 21 THE WITNESS: Thank you very much.
 22 SIR MARTIN MOORE—BICK: Thank you.
 23 (The witness withdrew)
 24 SIR MARTIN MOORE—BICK: And we have another witness waiting
 25 in the wings.

146

1 MR KINNIER: We do, to be taken by Ms Jones.
 2 SIR MARTIN MOORE—BICK: But we need to have a short break
 3 while we prepare for that witness.
 4 It's quite early to have an afternoon break, but
 5 I think it would be sensible, if the shorthand writer
 6 and the documents manager don't mind the idea of running
 7 through for a slightly extended period afterwards, that
 8 we take one break now and combine it with the usual
 9 afternoon break.
 10 MR KINNIER: Thank you, sir.
 11 SIR MARTIN MOORE—BICK: In which case, if I said 3.10 — I'm
 12 looking at that clock, not that one, because I can't see
 13 that one terribly well.
 14 MR KINNIER: And they're out of sync as well.
 15 SIR MARTIN MOORE—BICK: One has to choose one's clock
 16 carefully.
 17 If I say 3.10, and then we will go straight through
 18 after that, and we will hope to finish Mr Comery by
 19 4.30. If there are still questions waiting to be asked,
 20 we will be lenient, but I think we need to bear in mind
 21 that for everyone, even if you have only been waiting to
 22 give evidence, it becomes quite a long day.
 23 MR KINNIER: Sir.
 24 SIR MARTIN MOORE—BICK: So, with that encouragement, we will
 25 rise now and say 3.10.

147

1 MR KINNIER: Thank you very much.
 2 (2.55 pm)
 3 (A short break)
 4 (3.10 pm)
 5 SIR MARTIN MOORE—BICK: Yes, Ms Jones. Now, you're going to
 6 call the next witness; is that right?
 7 MS JONES: Yes, thank you, Mr Chairman. I'd like to call
 8 Nicolas Comery, please.
 9 SIR MARTIN MOORE—BICK: Thank you very much.
 10 MR NICOLAS COMERY (affirmed)
 11 SIR MARTIN MOORE—BICK: Thank you very much.
 12 Now, do sit down, please, and make yourself
 13 comfortable.
 14 (Pause)
 15 Right. When you're ready, Ms Jones, thank you.
 16 Questions from COUNSEL TO THE INQUIRY
 17 MS JONES: Thank you very much.
 18 Mr Comery, thank you very much for attending to
 19 assist the Inquiry with your evidence.
 20 My questions this afternoon are intended to be short
 21 and simple, but if you do have any difficulty
 22 understanding anything I'm asking you, please do just
 23 ask me to repeat or rephrase the question.
 24 If you do need a break at any point, please just let
 25 me know.

148

1 A. Thank you.
 2 Q. Also, if you wouldn't mind keeping your voice up so our
 3 stenographer on your right can hear you.
 4 A. Right.
 5 Q. You have made four statements in relation to the fire at
 6 Grenfell Tower to this Inquiry.
 7 If I can ask to bring up your first statement, which
 8 is dated 28 January 2019, and that's at {LFB00032144}.
 9 Is that your statement there?
 10 A. It is indeed, yes.
 11 Q. If I can ask the trial director to turn to page 19, we
 12 should see your signature there. Is that your
 13 signature?
 14 A. It is my signature.
 15 Q. Thank you.
 16 Your second statement to the Inquiry is dated
 17 9 December 2019, and that's at {LFB00083853}. Is that
 18 your statement there?
 19 A. That is my statement.
 20 Q. Thank you. If we could turn to page 4, please.
 21 A. That is my signature.
 22 Q. That's your signature, thank you.
 23 You have made two statements to the Metropolitan
 24 Police. The first is dated 8 December 2020. We'll find
 25 that at {MET00077968}. Do you recognise that as your

149

1 statement?
 2 A. Yes, it is my statement.
 3 Q. We don't need to scroll through it, but on every page we
 4 can see that you have signed it electronically. We can
 5 see it at the top of that page there. Is that right?
 6 A. Erm ...
 7 Q. It says "Signature: N Comery".
 8 A. When you say electronically, it's just typed in, and
 9 I recognise that.
 10 SIR MARTIN MOORE-BICK: That's because I think this will be
 11 a typescript of something you may have written by hand
 12 or somebody else may have written by hand.
 13 A. Yes, there are different ways of doing electronic
 14 signatures nowadays.
 15 SIR MARTIN MOORE-BICK: There are.
 16 A. That is my name and that is —
 17 SIR MARTIN MOORE-BICK: I think that'll do, thank you very
 18 much.
 19 A. Thank you.
 20 MS JONES: Thank you very much.
 21 Then your second statement to the Metropolitan
 22 Police is also dated 8 December 2020, and that's
 23 {MET00077969}. Can you confirm that's your statement
 24 there?
 25 A. That is my statement.

150

1 Q. Yes, and also "N Comery" put into the signature box.
 2 A. Yes. The only one thing I would bring to the attention,
 3 because I've just noticed it, is they have spelt my
 4 name, "Nicolas", wrong. Now, whether that confirms it
 5 is my statement, I'm not sure, to be honest, but I just
 6 bring that to your attention. It looks like my
 7 statement, but I just bring that to someone's attention.
 8 SIR MARTIN MOORE-BICK: Right, thank you very much.
 9 MS JONES: And am I right that should be spelt without an H?
 10 A. Without an H, and normally I would have corrected that.
 11 That's the only reason I'm in an element of doubt.
 12 MS JONES: Thank you very much.
 13 Can I ask, have you had the opportunity to read
 14 these statements recently?
 15 A. I have.
 16 Q. Can you confirm that their contents are true?
 17 A. Yes.
 18 Q. And have you discussed your evidence with anybody before
 19 coming here today?
 20 A. Only with my counsel provided by London Fire Brigade in
 21 preparing the — certainly the Fire Brigade statements.
 22 The Fire Brigade counsel had no involvement in the
 23 Metropolitan Police statements.
 24 Q. Thank you.
 25 Firstly, I would like to ask you about your role at

151

1 the London Fire Brigade and your qualifications and
 2 training.
 3 If we could please turn up your first statement to
 4 the Inquiry, {LFB00032144}, and particularly go to
 5 page 2 and then 3.
 6 If we could have page 3 {LFB00032144/3} on the
 7 screen, I'll just briefly run through what you say
 8 there.
 9 Is it right that you were initially the team leader
 10 of the Hammersmith and Fulham and Richmond fire safety
 11 team?
 12 A. Yes.
 13 Q. When did you take up that post?
 14 A. I took that up — I was made team leader, it says there,
 15 in December 1997, and I think that was for that team.
 16 Q. Thank you.
 17 Then you became the sole team leader of the
 18 Hammersmith and Fulham and Kensington and Chelsea
 19 fire safety team on 1 April 2012 when it merged; is that
 20 right?
 21 A. That is correct.
 22 Q. And you were the team leader for that team until your
 23 retirement on 31 March 2014; is that right?
 24 A. That's right.
 25 Q. At the same time as you were team leader, you were also

152

1 an operational firefighter .
 2 A. I was.
 3 Q. Yes, and after your retirement in March 2014, you then
 4 rejoined the LFB as a non—operational staff member in
 5 the development support fire safety regulation team at
 6 the LFB's headquarters for a further two years to assist
 7 with developing and implementing an induction course for
 8 team leaders joining fire safety; is that right?
 9 A. Yes. There was a few months' gap between the two
 10 periods of employment, but that's correct.
 11 Q. Thank you.
 12 Then since that date, so I guess near to 2016, you
 13 have been retired; is that right?
 14 A. Yes.
 15 Q. Thank you.
 16 At paragraph 16 of your statement on page 6
 17 {LFB00032144/6}, please, you set out there your primary
 18 responsibilities as team leader which, if I can
 19 summarise what you say there, you say included managing
 20 and supporting your team of fire safety inspecting
 21 officers , which included ensuring they were adequately
 22 trained and vetting and monitoring their audits of
 23 premises; is that right?
 24 A. That is correct.
 25 Q. Thank you.

153

1 In respect of your training and qualifications , did
 2 you receive training for the team leader role when you
 3 were promoted?
 4 A. No.
 5 Q. Did you feel that you needed any specific training to
 6 carry out your role as team leader?
 7 A. No, I had been inspecting officer for a number of years,
 8 but the team leader role is different . I got promoted
 9 as a team leader and I think it's fair to say you learnt
 10 as you went along. There was nothing specific in those
 11 days. It was a while ago, but I did it for quite a long
 12 time.
 13 Q. Yes, understood.
 14 Were you familiar with the Local Government
 15 Association's guide published in July 2011 entitled
 16 "Fire safety in purpose—built blocks of flats"?
 17 A. Yes.
 18 Q. And did you receive training on its detailed
 19 requirements?
 20 A. I had a brief introduction from I think it was
 21 Mr Colin Todd's team at Brigade headquarters. I think
 22 it was a day training, that was.
 23 Q. Did you yourself provide any training on that guide to
 24 your inspecting officers in your team?
 25 A. I highlighted key points to the team. It's a long

154

1 document. It's not something I would have gone through
 2 in every single detail .
 3 Q. Yes.
 4 A. But key points certainly .
 5 Q. Thank you.
 6 In respect of the LGA guide, is that something that
 7 you would expect responsible persons to be familiar with
 8 when they are managing particularly high—risk
 9 purpose—built blocks of flats?
 10 A. If it was appropriate according to the guide, category
 11 of premises, yes.
 12 Q. And the same would apply to fire risk assessors, would
 13 it?
 14 A. Yes.
 15 Q. Yes, thank you.
 16 Now, I would like to ask you what you set out in
 17 paragraphs 28 to 31 of your statement, if we could
 18 please look at page 9 {LFB00032144/9}.
 19 You say there — and, again, I'll summarise it —
 20 that when you took over as team leader of the Kensington
 21 and Chelsea fire safety team on 1 April 2012, you took
 22 over from Dave Green; is that right?
 23 A. Yes.
 24 Q. Did he provide you with a handover at that point in
 25 time?

155

1 A. An introduction. So I certainly met him beforehand and,
 2 as you will see here, we attended a meeting with the TMO
 3 together, and I knew Dave previously, and I would have
 4 got a basic introduction. I don't remember the details
 5 of it, to be honest, but I would have been given the
 6 handover, yes. I did meet him personally.
 7 Q. You say you had a meeting with the TMO with Dave Green.
 8 A. Yeah.
 9 Q. Do you recall who from the TMO was at that meeting?
 10 A. It is in the document here. Certainly Janice Wray was
 11 there.
 12 Q. Yes.
 13 A. The other names I'm afraid I'll need to see from the
 14 document.
 15 Q. That's fine, I'll take you to that. Thank you.
 16 Just at this point, can you give us an overview,
 17 when you took over the role as team leader for the
 18 particular Kensington and Chelsea fire safety team, what
 19 were you told about the TMO's fire risk assessment
 20 process that they had put in place by that point?
 21 A. As I said, I don't recall specific details of it. I was
 22 aware that they had — that there had been discussions
 23 about timescales and priorities in accordance with risk.
 24 I could not recall total details. I have seen documents
 25 since which has helped refresh my memory.

156

1 Q. Yes.
 2 A. But, as I said, that was some considerable time ago now.
 3 Q. Yes. Well, we can take you to some of those, no doubt.
 4 Can you recall — and do say if you can't —
 5 anything that you were told at that handover with
 6 Dave Green about the flat entrance door replacement
 7 programme?
 8 A. No, nothing at all.
 9 Q. Anything about the TMO's fire risk assessor,
 10 Carl Stokes?
 11 A. There was mention of Mr Stokes. I think it was
 12 an element of warning that he was prepared to challenge
 13 the Brigade, and now I don't remember details and
 14 I certainly take as I find, but there was an element of
 15 warning from Dave Green with regard to Mr Stokes when
 16 I joined — when the two teams became one team and
 17 I took over as team leader.
 18 Q. Yes, and do you recall, in your handover with
 19 Dave Green, were you told anything specifically about
 20 Grenfell Tower?
 21 A. No.
 22 Q. Thank you.
 23 Looking at paragraph 28 of your statement
 24 {LFB00032144/9}, which is on your screen there, you
 25 explain that you attended bi-monthly meetings with

157

1 representatives of the KCTMO, principally Janice Wray,
 2 and with one of your own team, Suhail Dadabhoy. Do you
 3 recall attending those meetings? And we'll go through
 4 the minutes shortly.
 5 A. Yes, I do recall.
 6 Q. Yes. And is it right that they started off as quarterly
 7 meetings with the TMO and then moved to bi-monthly
 8 meetings?
 9 A. I don't recall that change, to be honest. As far as I'm
 10 aware, they were always bi-monthly.
 11 Q. Right.
 12 Halfway down paragraph 28, you say:
 13 "I attended to emphasise the importance placed by
 14 myself on the working relationship between LFB and KCTMO
 15 and to help ensure that positive progress was
 16 maintained."
 17 The phrase that you have put there, "ensure that
 18 positive progress was maintained", may suggest that
 19 improvements by the TMO were required; would that be
 20 fair?
 21 A. No, I place no emphasis on that myself. I think that my
 22 attending was because I was a hands-on team leader,
 23 I think you need to demonstrate that, and — but
 24 I recognised that the TMO was a large provider of
 25 housing, which would have included vulnerable people,

158

1 and if we could reduce risk or ensure that the
 2 Regulatory Reform Order was being followed in their
 3 premises, it would be a very positive thing with regard
 4 to the two boroughs I was responsible with.
 5 Q. When you speak about progress needing to be maintained,
 6 was there anything that you had particularly in mind
 7 when you were drafting that that you thought had to
 8 be —
 9 A. No. I had experience of Hammersmith and Fulham over
 10 a number of years, and, in my experience, progress was
 11 not necessarily fast. I likened it to a tractor
 12 grinding on in first gear. It is not dramatic
 13 improvement; it takes time, it takes effort and you need
 14 to turn up and you need to maintain progress.
 15 So now you've mentioned that point, thinking it
 16 through and what I've just said, I think it reflected my
 17 experience with Hammersmith and Fulham, without
 18 pre-judging Kensington and Chelsea.
 19 Q. Yes, thank you.
 20 Turning over the page, if we could, please, to
 21 paragraph 31 of your statement {LFB00032144/10}, you say
 22 at the beginning there:
 23 "In between our programmed face-to-face meetings,
 24 Suhail Dadabhoy, other team members and I would be in
 25 regular contact with KCTMO, largely via Janice Wray who

159

1 was our main contact to deal with fire safety issues as
 2 they occurred following audits of KCTMO premises, to
 3 discuss any fire safety notices that were being prepared
 4 for KCTMO premises and to agree timescales to resolve
 5 fire safety issues highlighted, and to discuss any fires
 6 in KCTMO premises."
 7 Just pausing there, if I may, how often were you and
 8 your team in contact with Janice Wray, do you think?
 9 A. As I said, I did not necessarily lead on such regular
 10 contact, so I was not necessarily in frequent contact
 11 with Ms Wray. Team members, it would vary depending on
 12 their responsibilities and what work they were
 13 undertaking.
 14 As I said, Matthew Ramsey, for example, with regard
 15 to high-rise premises, may have more contact. It
 16 depended on, you know, the type of work and where we
 17 were with regard to those premises, what issues we
 18 found.
 19 Certainly I was team leader for Kensington and
 20 Chelsea for two years, and in that time we issued
 21 notifications of deficiencies, but not a great number,
 22 and so the key contact would have been that bi-monthly
 23 meeting.
 24 Q. Right, understood, thank you.
 25 In the final sentence of paragraph 31, you say

160

1 there:
 2 "I did not necessarily lead on such regular contact
 3 [as you have just told us now] with Janice Wray but did
 4 ask my team members to keep me informed of matters
 5 discussed."
 6 Can I ask, how did your team brief you on matters
 7 they had discussed with Janice Wray?
 8 A. I've got no — I can remember no particular details,
 9 it's just that if — it's just — they basically were
 10 a big source of housing in the area, so it was important
 11 that I kept my finger on the pulse about how things were
 12 doing. Partly because, as I say, I was hands-on and
 13 I recognised it will reduce risk in the borough, and
 14 also because I had to report to more senior officers,
 15 and you wanted to have your finger on the pulse. You
 16 were the team leader and not necessarily doing all the
 17 work, but you were responsible and accountable and you
 18 had to report upwards.
 19 Q. Would you have regular interaction with your team about
 20 any interactions they had had with the TMO?
 21 A. We would have regular team meetings where there would be
 22 a sharing of information as well as training, and also
 23 informal meetings on other matters.
 24 Q. Thank you.
 25 During your tenure as team leader of the Kensington

161

1 and Chelsea fire safety team, did you have a considered
 2 view on who the responsible person was for the purposes
 3 of the Regulatory Reform (Fire Safety) Order in respect
 4 of the properties that were owned by RBKC and managed by
 5 the TMO?
 6 A. If you refer to the notification of deficiency notices
 7 that we issued, I would have vetted those. I believe
 8 they went to — they should have gone to the company
 9 secretary at the — of the TMO, as it's a limited
 10 company, and they were copied in to Janice Wray, and
 11 this is how I was led to believe we should issue
 12 notices, keeping the person who has day-to-day
 13 management responsibility in the loop at all times, but
 14 at the same time addressing the notice to the
 15 appropriate person with regard to legal compliance.
 16 Q. Yes, thank you.
 17 If I can take you to minutes of a meeting, it's
 18 {LFB00003451}. So that's a meeting on 21 June 2012. As
 19 the attendees, you're listed there, with Janice Wray and
 20 Collette O'Hara, who I believe was one of your
 21 inspecting officers.
 22 A. Yes.
 23 Q. And then if we can look down to page 3 {LFB00003451/3},
 24 please, the first bullet point there says:
 25 "Janice confirmed whilst any Notice should be sent

162

1 to Chief Executives of both RBKC and the TMO, however,
 2 she is the appointed contact for day to day and
 3 operational questions."
 4 Does that fairly summarise your understanding of who
 5 the responsible person was and who you should send
 6 notices to when you were team leader?
 7 A. By what I've just said, it would appear not. As I said,
 8 the proof, frankly — this is some time after. The
 9 proof would be in any notice that was issued to the TMO,
 10 because I would have vetted that, or I would have had
 11 a look at it and been aware of it. I would have
 12 discussed with the team in the team meeting who to send
 13 the notices to. So, as I say, that is my belief as
 14 I stated. If it proves to be wrong, then I apologise.
 15 But to the best of my belief, that is where it should
 16 be, as I stated initially.
 17 Q. Just to clarify, that means not sending the notices to
 18 RBKC, only sending them to the TMO?
 19 A. Yes.
 20 Q. Thank you.
 21 Can I just take you to one further meeting minute on
 22 this point. It's at {LFB00003450}. It's a meeting on
 23 16 October 2012. Again, you're listed as present with
 24 Janice Wray, Suhail Dadabhoy and Collette O'Hara.
 25 If we can look at page 2 {LFB00003450/2}, please, if

163

1 we could just zoom in under the title "Letters regarding
 2 deficiencies identified":
 3 "NC confirmed that all letters sent to the TMO
 4 should be sent to the TMO Chief Executive and a copy
 5 CC'ed to JW. All letters should be sent to
 6 300 Kensal Road ..."
 7 Does that perhaps more fairly summarise your
 8 understanding of where the notices should be sent to at
 9 that time?
 10 A. Yes.
 11 Q. Yes.
 12 A. Because it's as I said initially, thank you.
 13 Q. Yes, thank you.
 14 Do you know why you particularly asked for
 15 clarification in this meeting later on in the year in
 16 2012?
 17 A. The bottom line is any notice has to be sent to the
 18 right people to be enforceable, and you need to get it
 19 right, so it's — I, as ever, would rely on headquarters
 20 and policy documents to get the right notice to the
 21 right people.
 22 Q. Yes.
 23 A. That was my job, and so, you know, certainly enforcement
 24 notices, I vetted every one if I was on duty.
 25 Q. Thank you.

164

1 A. Thank you.
 2 Q. Can I turn back to, then, the 21 June 2012 meeting with
 3 the TMO. That's {LFB00003451/3}, in the same section we
 4 just looked at, second bullet point. It says there:
 5 "■ Janice advised it is her responsibility to
 6 instigate and coordinate actions required by the FRA
 7 'significant findings'.
 8 "■ Janice advised TL Comery that each FRA is
 9 accompanied by an Action Plan where each recommendation
 10 is colour-coded (red/amber/green) to reflect their
 11 degree of priority and therefore their timescale."
 12 Can I ask, did Janice Wray tell you anything at this
 13 meeting about the TMO's progress with completion of FRA
 14 actions?
 15 A. Could you just give me the date of that meeting again,
 16 sorry?
 17 Q. Yes, of course. It's 21 June 2012, so not long after
 18 you have been in post.
 19 A. And could you repeat the question again, sorry?
 20 Q. Of course. So in that second bullet point, we see
 21 Janice Wray explaining to you the FRA action process,
 22 and my question is: when she was explaining about FRA
 23 actions to you, did she also explain anything to you
 24 about the TMO's progress with completion of FRA actions?
 25 A. I don't recall at this time.

165

1 Q. Thank you.
 2 Then if I could ask that we go back to the
 3 16 October 2012 minute which we just looked at earlier,
 4 {LFB00003450/2}. It's under the heading
 5 "Trellick Tower", starting with the sentence that says:
 6 "Doors — JW advised that common doors are still
 7 under guarantee with the contractor, therefore, if there
 8 is a fault the contractor will come out and fix it.
 9 "She stated that the on site caretaker does a walk
 10 around and reports all doors which do not close
 11 appropriately. The last time JW reviewed this, all
 12 doors the caretaker had identified were on her list
 13 also. TMO have a procedure in place to address a door
 14 which is reported as being deficient.
 15 "NC suggested a review of the timescales to get
 16 works carried out to make sure the TMO are confident
 17 that, depending on the location and risk, that the door
 18 it is [sic] repaired with an appropriate level of
 19 urgency."
 20 Can you help us with whether you recall if that was
 21 a discussion about lobby doors, flat entrance doors or
 22 both?
 23 A. Not at this time, I can't, to be honest.
 24 Q. The — sorry, I don't mean to cut across you.
 25 A. No. Sorry, just to repeat, "advised that the common

166

1 doors are still under guarantee". No, "common doors" is
 2 not a phrase that I find particularly descriptive, to be
 3 honest, and I have no recall of seeing these minutes —
 4 Q. Yes.
 5 A. — at any recent time.
 6 Q. I take it if I was to ask you anything else, probably
 7 you wouldn't be able to help us with your memory or
 8 recall of what happened at that meeting?
 9 A. Could you just repeat the date of that meeting?
 10 Q. Yes, of course. It's 16 October 2012.
 11 A. No, I haven't seen minutes of this in the copious paper
 12 I've been provided.
 13 Q. No.
 14 If I could just ask one further question to see if
 15 there is anything you can help us with. It's at the
 16 bottom of that page, if we could just scroll down. It's
 17 under the heading "General Update":
 18 "COH [Collette O'Hara] asked [Janice Wray] for
 19 a general overview/update on the TMO/Councils entire
 20 stock. What is the current situation and how are they
 21 proposing to maintain the standards so that deficiencies
 22 are addressed.
 23 "ACTION: JW agreed she would provide an update
 24 advising the LFB of the most current situation."
 25 Again, appreciate what you say about not having seen

167

1 these minutes, but do you recall at this meeting in
 2 October 2012 whether there was a discussion there about
 3 outstanding FRA actions?
 4 A. I don't recall.
 5 Q. No, thank you.
 6 Moving then to a meeting that took place on
 7 1 July 2013, please, it's at {TMO10003009}.
 8 Mr Comery, you will see there it's a quarterly
 9 meeting, 1 July 2013. Present, you're listed, with
 10 Steve Cunningham and Janice Wray, and Suhail Dadabhoy
 11 has had to make his apologies.
 12 What I would like to ask you about starts at the
 13 bottom of page 2 {TMO10003009/2}, if we could go there,
 14 please. So the heading is "FRA issues", and then the
 15 point I'd like to ask you about is a continuation of
 16 that topic on page 3 {TMO10003009/3}.
 17 It says there — it's highlighted in red for reasons
 18 unknown to myself:
 19 "Nick requested that the significant findings of
 20 fire risk assessments should be made available for
 21 auditing purposes by LFB and that Janice provide
 22 an update on the current list of outstanding significant
 23 findings from fire risk assessments and their proposed
 24 completion dates. Nick expressed particular interest in
 25 any unresolved instances of compartment issues in

168

1 stay put premises."
 2 Before I delve into questions on these minutes, do
 3 you recall this meeting or seeing these minutes?
 4 A. Not in any great degree, to be honest. It sounds like
 5 me — based on my experience in Hammersmith and Fulham,
 6 focusing on high-rise and compartment issues, which led
 7 to the issue of a number of enforcement notices.
 8 Q. Yes, thank you.
 9 Just taking a step back from looking at the first
 10 part of that paragraph, you're requesting that
 11 Janice Wray provide you with an update on the current
 12 list of outstanding significant findings from fire risk
 13 assessments and their proposed completion dates.
 14 Do you recall why particularly at that meeting in
 15 July 2013 you were asking Janice Wray for this update?
 16 (Pause)
 17 A. I think it's just best practice, and I'm not sure
 18 there's anything significant beyond that. It was —
 19 could you just repeat the date again of the meeting?
 20 Q. Yes, of course, 1 July 2013.
 21 A. Yeah, it was still relatively early, I suppose, and it's
 22 the sort of information that should be provided and is
 23 useful to analyse to measure progress.
 24 Q. And that was something that you saw your team had a role
 25 in with the TMO completing FRA actions, is it?

169

1 A. Yes.
 2 Q. And why is that?
 3 A. Well, we were monitoring progress. We were seeing how
 4 they were doing with regard to meeting the requirements
 5 of a Regulatory Reform Order.
 6 Q. Just coming back to something you said earlier, you
 7 focused, after I read out this paragraph, on the fact
 8 that you had particularly asked about compartment issues
 9 in stay-put premises. Can you just help us with why it
 10 is you were focusing on those issues in particular?
 11 A. Yes. As I said before, I believe it's based on my
 12 experience in Hammersmith and Fulham. It was — we
 13 worked for a considerable time at Hammersmith and Fulham
 14 and discovered that there were issues with
 15 compartment — they were basically making holes in walls
 16 in stay-put premises. That's one thing you can't do
 17 with stay-put premises, as well as making sure the doors
 18 are all solid and self-closing.
 19 We, over a period of time, discovered evidence that
 20 there were issues here, and through a process of
 21 increasing enforcement activity, Matthew Ramsey leading,
 22 we issued a series of enforcement notices which produced
 23 very positive results, but they were necessary to be
 24 issued, and so it was recognising the risk in stay-put
 25 premises and — through experience in Hammersmith and

170

1 Fulham.
 2 Q. Yes, understood.
 3 Was your request here in this meeting, as far as you
 4 can recall now anyway, borne out of any particular
 5 concern that you had about the TMO's progress with
 6 completing FRA actions?
 7 A. No, I had no — at that time I had no belief that there
 8 were particular concerns.
 9 Q. Yes.
 10 A. Or based on the information I had received, I certainly
 11 had no particular concerns.
 12 Q. Yes.
 13 A. We — no.
 14 Q. Thank you.
 15 Is it right to say that, had there been issues with
 16 the TMO being able to complete outstanding FRA actions,
 17 so not being able to complete them within the
 18 timescales, it sounds like from your evidence that's
 19 something that you would have expected Janice Wray to
 20 feed back to you or your team members?
 21 A. I would expect that. We were aiming for a positive
 22 working relationship.
 23 Q. Yes.
 24 A. The first port of call was not necessarily enforcement
 25 notices.

171

1 Q. Yes, thank you.
 2 Do you recall if after this meeting you did receive
 3 that update from Janice Wray that you had asked for?
 4 A. I don't recall at this time.
 5 Q. Throughout your tenure as team leader, so up until you
 6 left the team in end of March 2014, do you recall
 7 Janice Wray ever explaining to you or one of your team
 8 members that they had a backlog in completing FRA
 9 actions?
 10 A. I have no recall of her saying that, no.
 11 Q. No. Just to give you two specific examples, were you
 12 aware throughout 2012 — and I've taken you through the
 13 minutes that we have from your meetings — but were you
 14 aware from Janice Wray or through your team members that
 15 there was a significant number of outstanding FRA
 16 actions?
 17 A. I have no recall of that fact, no.
 18 Q. And were you aware in or around 21 March 2014, so about
 19 ten days before you retired from the team, that the TMO
 20 had identified 1,400 actions that were outstanding?
 21 A. No, I've got no recall of that, absolutely not.
 22 Q. Thank you.
 23 Moving then to the topic of flat entrance doors, if
 24 I may, you recall in your statement — I don't think
 25 I need to take you to it unless you would like me to —

172

1 that you attended a meeting on 8 November 2012 —
 2 A. Yes.
 3 Q. — between the RBKC, TMO and LFB. You seem familiar
 4 with it.
 5 A. Yes.
 6 Q. Yes, thank you.
 7 Do you recall that the main purpose of the meeting
 8 was to discuss who had responsibility for enforcing
 9 against leaseholders whose flat entrance doors were not
 10 compliant with fire safety standards?
 11 A. Yes.
 12 Q. If I can take you to paragraph 7 of your second
 13 statement to the Inquiry, that's {LFB00083853/2}, you
 14 say there that your role at the meeting was:
 15 "... to bring factual examples of what issues I had
 16 encountered with regard to flat entrance doors in my
 17 boroughs. I cannot be more specific about the factual
 18 examples I raised owing to the passage of time and the
 19 fact I do not have notes to aid my memory of that
 20 meeting."
 21 Mindful of what you say in that paragraph, can you
 22 recall anything, even the gist, of what the issues were
 23 that you were encountering with flat entrance doors at
 24 that time?
 25 A. The key issue was who was going to enforce with regard

173

1 to leaseholder front doors, which were not — which were
 2 discovered to be, in certain cases, not of
 3 an appropriate fire rating.
 4 So, as I said, the discussion was, as I said, right
 5 from the very beginning with Kensington and Chelsea,
 6 that very first meeting before I even became team leader
 7 when I was with Dave Green, there was discussion at that
 8 particular meeting, and I again had been through
 9 a similar sort of situation with Hammersmith and Fulham.
 10 So that was the only reason — I was not planning to
 11 have great discussions, I was planning to meet people,
 12 but because I had experience of Hammersmith and Fulham,
 13 that's why I made some comment at that meeting
 14 because — only because I'd had discussions with regard
 15 to that with Andy Jack, the head of fire safety
 16 enforcement headquarters.
 17 I was always very clear that it was not my job to
 18 make policy, it was to follow policy, and that was the
 19 role of Mr Jack.
 20 Q. Yes, understood.
 21 A. And so, as I say, with regard to the factual examples,
 22 I have slightly better knowledge now, in the sense I've
 23 seen a statement from Mr Jack who gives an accurate —
 24 well, a detailed comment about that particular meeting,
 25 and the examples I brought, which I do recognise now,

174

1 was of doors, self-closing doors, which were not fully
 2 self-closing because of the effect of wind with
 3 high-rise buildings, which I had experienced in a visit,
 4 an audit, with an inspecting officer.
 5 And the second case was of Perko self-closers which,
 6 if they had been removed, then there would be an element
 7 of missing content to a fire door. So even if you
 8 removed and replaced them, they're still potentially
 9 an area of weakness.
 10 So I was just trying to give practical examples as
 11 opposed to policy.
 12 Q. Yes, thank you, that's helpful.
 13 Over the page {LFB00083853/3}, you say at
 14 paragraph 9:
 15 "I do not recall making any specific comments or any
 16 wider discussion about self-closing devices during that
 17 meeting. It is likely that such a discussion took place
 18 as this was a key concern on the subject of flat front
 19 doors."
 20 I just wanted to ask you further, it may be that you
 21 have already given us your answer on this just now, but
 22 why was it a key concern on the subject of flat front
 23 doors?
 24 A. Self-closing devices? With regard to self-closing
 25 devices?

175

1 Q. Yes, yes, exactly.
 2 A. Right. It's a fundamental fire safety principle. I've
 3 been in fire safety a long time. I occasionally comment
 4 the fact that I spent half my life watching fire doors
 5 self-close, because it's a key part of the role. And
 6 I've also attended a lot of fires, not necessarily in
 7 charge of them, but in various roles, including as
 8 a press liaison officer, I've seen various fatal fires
 9 because of that, and fire doors have — are a key
 10 component of keeping people safe, and so, yeah, so ...
 11 Could you just repeat the question? I'm not sure
 12 I covered it properly. I apologise.
 13 Q. You have answered it, thank you.
 14 A. Thank you.
 15 Q. In looking at your experience, particularly when you
 16 were team leader of the fire safety teams, can you help
 17 us with how regularly you would have expected flat
 18 entrance doors to be inspected to ensure that they were
 19 in efficient working order, and that includes the
 20 self-closing device?
 21 A. It would — the starting point is always what it says in
 22 the guide.
 23 Q. The LGA guide, is that?
 24 A. The LGA guide, if it's a high-rise premises, and that
 25 would always be the starting point. So for the

176

1 responsible person, that would be — that's where you
2 would start. As I said, we did have discussions about,
3 you know, whether the gas people who go into buildings
4 could check things when they were checking the gas
5 equipment, there were discussions. We tried to find
6 a practical solution to getting the doors checked to
7 make sure the self—closers were there. I can't recall
8 the exact details but it was a point of discussion how
9 practically we could (a) check self—closers, but also
10 make sure people were — vulnerable people were safe
11 within their particular premises.

12 Q. Yes, thank you.

13 If I can take you to a particular meeting where it
14 looks like there is a discussion had on that topic, it's
15 the 13 March 2013 meeting at {TMO10002728}.

16 We can see there attendees, Janice Wray, yourself
17 and Suhail Dadabhoy.

18 Halfway down, it's item number 5, it says:

19 "Nick advised that flat front doors should meet
20 recommendations of the purpose built flats guide and
21 should be self—closing where directed."

22 Are you able to help us, first, is that your
23 reference to the LGA guide where you talk about the
24 purpose—built flats?

25 A. It is.

177

1 Q. Thank you.

2 A. It is.

3 Q. Then do you recall particularly now anything that you
4 discussed with Janice Wray at that meeting about
5 self—closing devices?

6 A. I don't. I did the minutes of this meeting, so — but
7 I don't recall any particular details beyond that,
8 frankly.

9 Q. Yes.

10 A. But I see the statement.

11 Q. Thank you very much.

12 I'd like to now turn to an email which you were
13 copied in on on 18 December 2013. That's at
14 {LFB00003534}.

15 As you can see at the top, Mr Comery, it's an email
16 from Janice Wray to Matthew Ramsey, who you have already
17 mentioned is a fire safety inspecting officer in your
18 team, isn't he, or was he?

19 A. Yes, he was.

20 Q. You're copied in there. The subject is, "Fire Safety
21 Elm Park House", and Janice Wray is replying to
22 Matthew Ramsey's original email, and if I can just read
23 out part of the email, it says:

24 "Matthew

25 "In response to the queries in your original e—mail

178

1 I would advise as follows ..."

2 It's item 1 that I'm interested in. It says here:

3 "It is reassuring to know that you considered the
4 flat entrance doors at this block to be fire resisting.

5 I note your concern about self—closing devices and

6 I would reiterate our approach to flat entrance doors

7 which, as I believe you are aware, has been discussed

8 with your colleagues at the LFB consistently over recent

9 years and again at our regular meeting yesterday.

10 Specifically, in relation to tenants' doors our approach

11 is as follows —

12 "■ When replacement flat entrance doors are fitted
13 they are fire rated & self—closing.

14 "■ When properties become void self—closers will be
15 reinstated/installed as necessary.

16 "■ At other times when major work is being

17 undertaken in a dwelling the self—closer will be

18 reinstated if it has been disconnected."

19 Firstly, do you recall receiving this email or

20 having a discussion about this particular point?

21 A. No, I don't.

22 Q. No.

23 A. I've seen the email since, but I don't.

24 Q. Thank you.

25 Would you agree with me that what Janice Wray is

179

1 suggesting here is that self—closers would only be

2 reinstated when properties became void or when major

3 work was being undertaken?

4 A. That's — sorry, could you repeat that question?

5 Q. Yes, of course.

6 A. Thank you.

7 Q. What it seems that Janice Wray is saying here is that

8 self—closing devices will only be reinstated as

9 necessary when properties become void or when major work

10 is being undertaken; would you agree with that?

11 A. That's not how I read it.

12 Q. And how did you read it?

13 A. I was positive about her approach to the three areas

14 where she says there will be a focus on self—closers,

15 but as you saw in that previous minute, it does not

16 preclude — does not necessarily approve the fact that

17 self—closers can be ignored in every other situation.

18 So I am positive about where they are proposing action.

19 I would refute strongly any suggestion that there was

20 an agreement that self—closers were not necessary in

21 other situations.

22 Q. You have pre—empted, certainly, one of my questions —

23 A. Right.

24 Q. — which I was coming on to you.

25 Can I explore with you, did you understand, from

180

1 either your discussions with Janice at the time or when
 2 you received this email, that this was the only
 3 maintenance and inspection and re-installation of
 4 self-closing devices that the TMO were conducting at
 5 this point in time?
 6 A. As I said, I don't recall this email. I don't recall my
 7 thinking at the time with regards to this email. I can
 8 give a comment, as I have now, but one thing I am very
 9 clear on is the fact that there was no agreement that
 10 self-closers were not necessary on fire doors.
 11 Q. And in respect of maintenance of self-closing devices,
 12 do you recall there being any agreement with Janice Wray
 13 that they didn't need to be maintained in accordance
 14 with the LGA guide?
 15 A. No, I've got no recollection of any such agreement. No.
 16 Q. Thank you.
 17 If I can now ask you about the topic of lifts .
 18 If we can go to an email, it's {CST00002920/2},
 19 please. Halfway down that page, we see it's an email
 20 from you to Janice Wray on 17 May 2012, and you have
 21 copied in Collette O'Hara and a number of others at the
 22 LFB. You wrote there:
 23 "Janice,
 24 "The station commander at North Kensington fire
 25 station — Steven Cunningham, is reviewing the

181

1 firefighting tactics at Trellick Tower.
 2 "He has raised the following questions ..."
 3 If you cast your eye down to item 3, it says:
 4 "Can they confirm that all 3 lifts are Fire fighting
 5 Lifts."
 6 If we can go over the page to the bottom of the
 7 email {CST00002920/3}, three lines down:
 8 "Reference question 3 if they are not technically
 9 firefighting lifts , could it be confirmed that the
 10 operational [sic] of the firefighters switch means that
 11 the lifts are controlled from the buttons inside the
 12 lifts and that they have a back up power supply.
 13 "Thank you very much.
 14 "Nick."
 15 What do you mean, if you can recall for us, by
 16 saying "technically firefighting lifts" ?
 17 A. As I say, I don't recall this email, but I know
 18 the Brigade made a distinction between fireman's lifts
 19 and firefighting lifts . Fireman's lifts is where you
 20 have a switch which can — goes in Brigade — for the
 21 use of a Brigade. However, it's only firefighting lifts
 22 which have all the bells and whistles as according to
 23 the British Standard. So that was highlighted to us,
 24 but I don't recall this email, to be honest. But that
 25 was the difference between the two.

182

1 Q. Yes. I appreciate you say you don't recall the email,
 2 but can you help us now with why you were saying that if
 3 the lifts were not technically firefighting lifts , they
 4 needed to confirm that they had the firefighters' switch
 5 and the back-up power supply? Why were those two items
 6 of particular importance to you?
 7 A. I can only speak from a fire safety common-sense point
 8 of view at this time now, which is it's all important
 9 operational information. If you're going to be using
 10 these lifts in a fire , you need to know what support
 11 there is behind the actual lift , and the fact it has
 12 a back-up power supply is positive. It may not meet
 13 fully the British Standard, but there is , in addition to
 14 the switch to get control of the lift , a back-up power
 15 supply. I would consider that positive. It's down for
 16 the operational crews to make their decisions and their
 17 tactics based upon that sort of information, and we were
 18 encouraging that provision of such information for that
 19 reason.
 20 Q. If we can go up to page 1 of that document
 21 {CST00002920/1}, please, we will see there Janice Wray's
 22 response to you, 29 May 2012. She apologies for the
 23 delay in replying to you, and then at item 3 she says:
 24 "In discussions with your predecessors we clarified
 25 that many of our lifts meet the majority, but not all ,

183

1 of the criteria for fire fighting lifts . (For example
 2 we do not install a trap door/hatch in the roof of the
 3 car etc.) It was agreed that we would clarify the
 4 criteria that our ' fire fighting lifts ' do meet and
 5 I have attached an email to the then Borough Commander,
 6 Brian Deans, setting out these criteria . Additionally ,
 7 I attached a list of the blocks where these lifts are
 8 located and you will see this includes Trellick Tower."
 9 Now, I don't propose to take you to the email that
 10 she sent to Brian Deans or the list , but I can if you
 11 need me to.
 12 Do you recall receiving that response?
 13 A. No.
 14 Q. Irrespective of that, do you remember, during your
 15 tenure as team leader, that the TMO had essentially its
 16 own definition of a firefighting lift ?
 17 A. I don't recall that at this time.
 18 Q. No.
 19 This email and the contents within it , do you recall
 20 if you passed that over to Rebecca Burton when you left
 21 the Kensington and Chelsea fire safety team?
 22 A. I had no handover with Rebecca Burton. At this time
 23 I cannot recall , actually , if I knew Rebecca was
 24 actually going to be taking over from me. I was on
 25 leave for the vast majority of March, and came back for,

184

1 as I say in my statement, two 24-hour duties. So I was
 2 on duty for 48 hours straight with the — I had to use
 3 the leave prior to retirement and time owing. So I had
 4 48 hours to tidy up all my desk, basically, which was
 5 doing all the paperwork, and I did give a briefing to
 6 the borough commander and I did have in place people
 7 like Suhail Dadabhoy, who had played a very active role,
 8 and obviously Matthew Ramsey played a very active role
 9 in key areas of our dealings with the TMO. Roles were
 10 allocated according to capabilities and also their
 11 interests, and the individual people were responsible
 12 for individual areas.

13 It's not ideal, I accept that totally, but at least
 14 there was in process people who could give key facts to
 15 whoever was to take over.

16 Q. Yes, thank you.

17 Who was the borough commander who was in place at
 18 that time that you gave the handover to, do you
 19 remember?

20 A. Jane Philpott, I believe. Yes, I believe so. It wasn't
 21 her I handed over to, I believe I handed — well, I was
 22 in contact with Jane a lot, but it was more Victoria —
 23 oh, sorry, the name's slipped me again. Victoria ...

24 Q. I think you mention her name in your statement.

25 A. I do, apologies, I forgot, but I had a discussion with

185

1 her.

2 Q. Yes, thank you.

3 Do you recall being sent a copy of the TMO's fire
 4 safety strategy?

5 A. I do, because I asked for it, and I was pushing for it,
 6 as part of what they should do to meet the requirements
 7 of the RRO.

8 Q. Do you recall when you started asking for it?

9 A. I don't. It would have been relatively early. It's
 10 what we did with all major housing providers, was to see
 11 if they could do a strategy for their own clarity, and
 12 I don't recall exact dates.

13 Q. What was the purpose of you being given the fire safety
 14 strategy? Was it so you could read it and comment upon
 15 it or just have it on file?

16 A. I think Janice would have liked a comment, but I was
 17 cautious about commenting to Janice, on experience, and
 18 also Carl for that reason. I have stated in emails that
 19 I thought he did good emails, but I was — good, sorry,
 20 risk assessments, but I was cautious, and I was, because
 21 I took care with what I said at all times in case it was
 22 quoted back to me, and it was — so I made sure that
 23 I tried to say things that were totally accurate and
 24 I could follow up.

25 So it is like risk assessments. Risk assessments,

186

1 you don't — the Brigade do not give detailed responses
 2 to them. Broadly compliant means just that: broadly
 3 compliant. "It appears to have", I think is the text of
 4 the letter that goes with it, the appropriate areas
 5 dealt with.

6 So it was not my job to comment on in detail and
 7 take over their fire safety strategy. I needed to see
 8 what was in the detail of the fire safety strategy,
 9 for example it refers to fire doors being self-closing,
 10 which I think is a very important detail, and they were
 11 aware of that. But it is not my job to take it over and
 12 claim authorship or any detailed involvement.

13 Q. Yes, yes, I understand.

14 If I can take you to a particular section of that
 15 fire safety strategy, just to see if you recall anything
 16 specific about it at the time.

17 It's {TMO00830598}. If we go to page 1, that's the
 18 beginning page of that strategy there. Then if we can
 19 go to page 12 {TMO00830598/12}, please.

20 Seeing this document now, Mr Comery, is this
 21 something that you recall?

22 A. Sorry, I need a little bit of time to ... are you
 23 allowed to point out what you have in mind? Because it
 24 is a whole page of information here, I'm sorry.

25 Q. Yes, sorry, I was just asking more generally about the

187

1 document, but in particular looking at 18.2, "Fire
 2 fighting lifts" at the bottom of that page on your
 3 screen.

4 A. Sorry, 18.2, "Fire fighting lifts". Right, okay.

5 Q. If you just want to scan your eyes down that paragraph.
 6 I won't read it out.

7 A. Just 18.2.1?

8 Q. 18.2.1, and then the numbered paragraphs —

9 A. Right.

10 Q. — 1 and 2. Just let me know when you have had a chance
 11 to read it.

(Pause)

13 A. Right, I've had an initial look at that.

14 Q. If we turn over the page {TMO00830598/13}, it carries on
 15 setting out the firefighting lift definition according
 16 to the TMO, 3, 4 and 5, if you could just please look at
 17 those.

(Pause)

19 A. Okay, I've read the information.

20 Q. Thank you very much.

21 Do you recall reading this at the time?

22 A. I don't.

23 Q. No.

24 If I could turn, then, to a different topic about
 25 fire safety information to residents.

188

1 If I could look at Janice Wray's third statement,
 2 it's {TMO00847305/35}, please.
 3 At paragraph 118, Mr Comery, at the bottom there,
 4 she says:
 5 "The LFB were kept informed of the fire safety
 6 information we gave to residents."
 7 Again, was this something that was a part of the
 8 working relationship you had with the TMO, that they
 9 would tell you about the fire safety information they
 10 were giving residents?
 11 A. I can't remember huge details, but I was aware that they
 12 were giving them information through publications and
 13 I think a new — sorry, someone taking over a flat pack.
 14 Q. Okay.
 15 Can you help us with generally, at that time when
 16 you were a team leader, what you would have expected
 17 a tenant management organisation to do when
 18 communicating fire safety advice to residents? How
 19 really would you have expected it to be communicated?
 20 A. The key thing was that it was communicated effectively,
 21 and so, as I said, an information pack when you moved
 22 into a flat is a good idea, but you would need to detail
 23 exactly what to do in the event of fire and also what —
 24 how you should keep the other residents in that building
 25 safe, for example through maintaining the quality and

189

1 efficiency of the fire door on your flat, ensure it is
 2 self-closing, and like for example with the leaseholder
 3 doors, if it gets changed, it is replaced with something
 4 of equivalent standard, or in fact the later standard,
 5 the later applied standard, with regard to
 6 fire resistance and self-closing ability.
 7 Q. Yes, thank you.
 8 If I could look to a quarterly meeting, it's
 9 15 May 2013. I think we've probably looked at it
 10 already, {TMO10002691}.
 11 So at the top there you can see 15 May 2013,
 12 quarterly meeting. It doesn't actually list the
 13 attendees, but we can see, if you just scan your eyes
 14 down the first few bullet points, that Janice is talking
 15 about confirming and clarifying things, and you're shown
 16 as Nick, asking Janice to provide copies of the current
 17 FRAs —
 18 A. Right.
 19 Q. — in the second bullet point. So would you agree it
 20 probably looks like you were at that meeting?
 21 A. It looks that way, yes. It's at Kensal Road, so
 22 Janice Wray would have done the minutes for this one.
 23 Q. Yes, understood.
 24 Looking at page 2 {TMO10002691/2}, please, to the
 25 bottom of the page, we've got the heading there,

190

1 "Lakanal House", and then if we could go over to page 3
 2 {TMO10002691/3}, it's the same topic, and it's the last
 3 bullet point. It's written there:
 4 "The issue of advising residents of their fire
 5 procedure was discussed as Lakanal had raised the need
 6 to find ways other [than] information via website,
 7 leaflets, magazines and letters. However, as yet no
 8 effective alternative had been identified."
 9 A. I don't recall that — having that discussion, to be
 10 honest, but I'm ...
 11 Q. Perhaps you can help me with this: do you remember
 12 around this time what the issue was that had been raised
 13 at Lakanal about advising residents of their fire
 14 procedure?
 15 A. I'd assume the key thing was fire action notices. But,
 16 as I say, I couldn't be certain about that.
 17 Q. No. And do you recall at the time, what was the problem
 18 with the forms of communication set out in this bullet
 19 point, so website, leaflets, magazines, letters?
 20 A. Well, clearly the first consideration is if it's in the
 21 appropriate language for the person moving into the flat
 22 or having use of the flat. That also applies again to
 23 fire action notices, however.
 24 Could you just repeat the question, to make sure
 25 I've responded appropriately? Apologies.

191

1 Q. My question — I think you've answered it, but I'll
 2 repeat it — was: what was the particular problem with
 3 the forms of communication identified in your bullet
 4 point there, which is website, leaflets, magazines,
 5 letters?
 6 (Pause)
 7 A. Okay. Hopefully I've answered that.
 8 Q. I think you have, yes.
 9 A. Thank you.
 10 Q. Can you help us, if you remember, either at this meeting
 11 or generally in your time as team leader of the
 12 Kensington and Chelsea fire safety team, did you have
 13 a discussion with Janice Wray about the need for fire
 14 action notices in general needs housing?
 15 A. I can't recall that detail, I'm afraid.
 16 Q. No.
 17 A. It could well have happened but I just can't recall.
 18 Q. Thank you.
 19 Looking at the next quarterly meeting minute, if we
 20 can, it's 1 July 2013, {TMO10039251}.
 21 We can see there it's the quarterly meeting on
 22 1 July 2013 at the Hub. You're present, as is
 23 Steve Cunningham and Janice Wray. I think we've seen
 24 this minute before. Suhail Dadabhoy has made his
 25 apologies.

192

1 If we can turn to page 3 {TMO10039251/3}, and it's
2 the bottom of the page, please, item 7, "Information to
3 new residents":

4 "Janice circulated a copy of the fire safety letter
5 that we now issue to all new tenants and confirmed that
6 a copy of the LFB's Home Fire Safety Leaflet accompanies
7 this."

8 Do you recall if this discussion about information
9 to new residents was a follow-on from your discussion at
10 the previous meeting?

11 A. I don't recall.

12 Q. And do you remember if you saw this fire safety letter?

13 A. I don't recall for definite. It seems likely I would
14 have had sight of it, myself or Suhail. It might have
15 been Suhail that dealt with it. I can't recall, to be
16 honest. But it certainly sounds like us that we have
17 an LFB home fire safety leaflet accompany that, because
18 we were very keen to try and help vulnerable people
19 within flats, even though we were regulatory
20 fire safety.

21 Q. Yes.

22 Janice Wray has explained that the letter is being
23 issued to all new tenants. Did you know what the TMO
24 were doing at that point in time to communicate
25 fire safety information to existing tenants?

193

1 A. To the best of my recall, there was a Link magazine,
2 I believe, and there was also a website, and that could
3 well have had reference to the home fire safety page of
4 London Fire Brigade as well. As I recall, that was
5 there, we would have encouraged that. But the details,
6 I'm afraid, no.

7 Q. No.

8 Can you help us, you may not recall, but did you
9 think at the time that communicating information through
10 the Link magazine and on the website was a sufficient
11 form of communicating fire safety information to
12 existing residents?

13 A. It partly depends what's there. I don't recall —

14 Q. No.

15 A. — having that discussion, I'm afraid.

16 Q. No, thank you.

17 Turning to a different topic, if I can draw up
18 an email from Claire Wise, it's {CST00006033}.

19 We're looking at the bottom of the page, if we can.
20 At the bottom of the page it says from Claire Wise to
21 Nicholas Coombe, and it copies in Celia Caliskan only,
22 so you're not copied in to the original email from
23 Claire to Nicholas Coombe —

24 A. Right.

25 Q. — but you are copied in to the reply, which you can see

194

1 above, which I'll take you to in a moment.

2 A. Okay.

3 Q. That's why I'm asking you about this.

4 A. Right.

5 Q. If we can go over to the next page {CST00006033/2},
6 please, she wrote there that:

7 "We spoke some time ago when you kindly agreed to be
8 interviewed for a research project I was carrying out on
9 fire safety of disabled people living in flats in tall
10 buildings."

11 Then she goes on, fourth paragraph down:

12 "The Fire Brigade suggested that it may be prudent
13 for PEEPs to be carried out for individual residents.
14 However, we are unclear as to whether it is the
15 landlord's responsibility to do this. Sheltered housing
16 in this borough no longer has a warden in this borough
17 and while there are staff on site these carry out a
18 concierge-type role rather than providing any support."

19 Just to help you refresh your memory, if I can go to
20 the email which you were copied in on above
21 {CST00006033/1}.

22 A. Right.

23 Q. It's the middle of the page. If you want to read that
24 email and refresh your memory, I won't read it out.

25 (Pause)

195

1 A. Right. Okay.

2 Q. Do you recall this email conversation?

3 A. No, I don't recall it.

4 Q. No.

5 A. The only thing I recall about sheltered housing is the
6 provision of privacy boxes with details of residents
7 which was accessible by London Fire Brigade, which
8 happened just before I left, I believe.

9 Q. Were they premises information boxes?

10 A. Well, they were called privacy boxes, so they were
11 specifically just available for the people in the fire
12 engines attending, and it had details of the needs of
13 the residents if we had to rescue people, because of the
14 situation here.

15 Q. Yes, I understand that.

16 A. So that was put in place with regard to TMO premises,
17 sheltered accommodation.

18 Q. Yes, understood.

19 So when Claire Wise referred in her email that
20 I read out that someone at the LFB had suggested it
21 might be prudent for personal emergency evacuation plans
22 to be carried out, can you help us at all with who might
23 have suggested that or why?

24 A. No, I can't recall, to be honest.

25 Q. Can we go to another email, please. It's {CST00002275}.

196

1 So this is an email again from Claire Wise, dated
 2 26 September 2012.
 3 Now, you're not copied in on it, it's not sent to
 4 you, but it's talking about a meeting that you attended,
 5 and as you can see, it says:
 6 "Hi all,
 7 "Janice and I met with the London Fire Brigade this
 8 morning. I thought it would be useful to summarise our
 9 discussions on sheltered housing. Representing the
 10 London Fire Brigade at the meeting were:
 11 " ■ Nick Comery ...
 12 " ■ Nick Coombe ...
 13 " ■ Andy Jack ..."
 14 Before I go any further through this, perhaps you'd
 15 just like to read it to yourself, just to familiarise
 16 yourself with it.
 17 A. Thank you.
 18 Q. Perhaps we can scroll down when Mr Comery is ready.
 19 (Pause)
 20 A. Yes, these are the privacy boxes I was referring to.
 21 Sorry, I jumped ahead, I didn't realise. Apologies.
 22 Q. No, not at all.
 23 If you would like to read the last two paragraphs,
 24 which have now shown up on your screen, again just to
 25 refresh your memory of what's been summarised about this

197

1 meeting.
 2 (Pause)
 3 A. Okay.
 4 Q. Yes. So you've now read Claire Wise's summary, at
 5 least, of this meeting; do you recall this meeting?
 6 A. I don't.
 7 Q. No, thank you. So you can't help us with whether the
 8 issues that are discussed in this email were discussed
 9 in the context of only sheltered housing or more widely
 10 in respect of general needs housing?
 11 A. With regards to the TMO?
 12 Q. Yes.
 13 A. No, I can't recall that. I recall privacy boxes were
 14 provided, but I believe in sheltered, but I don't know
 15 the full details.
 16 Q. Thank you.
 17 A. I can't remember the full details.
 18 Q. Can I turn to another email, {LFB00113701}.
 19 It's the email at the bottom of that page on your
 20 screen. It's from you to Janice Wray, Claire Wise and
 21 others dated 30 November 2012, subject, "LFB sprinkler
 22 initiative", and you say there that:
 23 "The LFB will be writing to all local authorities to
 24 outline the business case for the installation of
 25 automatic fire suppression systems ... in premises

198

1 housing those most at risk from fire and its effects.
 2 "As part of this communication, we would like to
 3 include a list of ten suitable premises within each
 4 borough which LFB consider would benefit from
 5 installation of AFSS due to risk factors of the
 6 inhabitants.
 7 "Using the attached appendices I am to assist the
 8 LFB borough commanders for H&F and K&C with this
 9 identification process.
 10 "Could I please request your assistance to identify
 11 suitable vulnerable persons in local authority
 12 premises."
 13 Just pausing there, can you help us with what this
 14 email was about?
 15 A. Yes, I've got slightly better recall of this one. It
 16 was about vulnerable people, and if we can — we had to
 17 do — we had to (a) find them through liaising with the
 18 local authorities, and then they were to be compiled,
 19 I believe, at headquarters and to be almost risk-ranked.
 20 So the most vulnerable would help with — get provided
 21 with these automatic fire suppression systems.
 22 Sprinklers the Brigade was particularly keen on for
 23 vulnerable people in the light of several tragic fires,
 24 and so this was — I approached both authorities,
 25 Hammersmith and Fulham and Kensington and Chelsea, to

199

1 try and get from them the ten most vulnerable, and
 2 certainly Hammersmith and Fulham I got a full list.
 3 I can't quite recall what happened with regard to
 4 Kensington and Chelsea, but I don't think we got a full
 5 list.
 6 Q. Yes. Thank you, I was going to ask you about that
 7 further —
 8 A. Right.
 9 Q. — because if we scroll to the top of page 1, Janice has
 10 replied to you saying:
 11 "Can we discuss this at our monthly meeting
 12 next week?"
 13 And we do see at the next monthly meeting — I don't
 14 think I need to take you to it — that there was
 15 a discussion —
 16 A. Right.
 17 Q. — about the sprinklers initiative.
 18 A. Yeah.
 19 Q. But you can't recall Janice Wray ever providing that
 20 information to you; is that right?
 21 A. I don't recall information coming from Kensington and
 22 Chelsea.
 23 MS JONES: No, thank you very much.
 24 Mr Comery, those are all the questions I have. So,
 25 if I may, I will ask the Chairman for a customary break

200

1 to see if there's anything else I need to put to you.
 2 THE WITNESS: Right.
 3 SIR MARTIN MOORE—BICK: Yes, we always have a break at this
 4 stage, Mr Comery, just in case counsel's overlooked
 5 something, or in case others who are not physically in
 6 the room want to suggest questions.
 7 THE WITNESS: Right. Thank you, sir.
 8 SIR MARTIN MOORE—BICK: Do you think ten minutes would be
 9 enough?
 10 MS JONES: More than enough, yes.
 11 SIR MARTIN MOORE—BICK: Right. We will break now until
 12 4.30, and I must ask you, please, not to talk to anyone
 13 about your evidence while you're out of the room, and
 14 then when you come back we will see if there are any
 15 more questions for you.
 16 THE WITNESS: Thank you, sir.
 17 SIR MARTIN MOORE—BICK: All right? Thank you very much.
 18 Would you like to go with the usher, please.
 19 THE WITNESS: Indeed.
 20 SIR MARTIN MOORE—BICK: Thank you.
 21 (Pause)
 22 Depending on which clock you're looking at, 4.30 may
 23 be a bit tight, so if further time is required, would
 24 you just let the usher tell us?
 25 MS JONES: Yes, we will, thank you very much.

201

1 (4.22 pm)
 2 (A short break)
 3 (4.30 pm)
 4 SIR MARTIN MOORE—BICK: Right, Mr Comery, we will see if
 5 there are any more questions for you.
 6 THE WITNESS: Thank you, sir.
 7 SIR MARTIN MOORE—BICK: Yes, Ms Jones.
 8 MS JONES: Thank you, Mr Chairman.
 9 Mr Comery, you will be pleased to hear there are no
 10 more questions, so it leaves me to say thank you very
 11 much for coming to assist and giving your evidence to
 12 the Inquiry.
 13 THE WITNESS: Thank you very much.
 14 SIR MARTIN MOORE—BICK: Mr Comery, before you go, it's right
 15 that I should thank you very much on behalf of the panel
 16 for your coming to give evidence this afternoon.
 17 THE WITNESS: Thank you, sir.
 18 SIR MARTIN MOORE—BICK: It hasn't taken very long but it's
 19 been very useful to hear what you can tell us.
 20 THE WITNESS: I'm glad you think that, sir.
 21 SIR MARTIN MOORE—BICK: And so we're very grateful to you
 22 for coming here, and now you're free to go. Thank you
 23 very much.
 24 THE WITNESS: Thank you.
 25 (The witness withdrew)

202

1 SIR MARTIN MOORE—BICK: Ms Jones, given the hour we've
 2 reached, that's probably a convenient point at which to
 3 close for the day, isn't it?
 4 MS JONES: Yes, it is, thank you very much. Thank you to
 5 you and your panel.
 6 SIR MARTIN MOORE—BICK: We look forward to some other
 7 witnesses tomorrow.
 8 MS JONES: Yes, that's right, thank you.
 9 SIR MARTIN MOORE—BICK: Thank you very much.
 10 10 o'clock tomorrow, then, please.
 11 (4.32 pm)
 12 (The hearing adjourned until 10 am
 13 on Thursday, 17 June 2021)
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 21
 22
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 25

203

INDEX	
	PAGE
MS JANICE WRAY (continued)	1
Questions from COUNSEL TO THE INQUIRY	1
(continued)	
MS REBECCA BURTON (sworn)	63
Questions from COUNSEL TO THE INQUIRY	63
MR NICOLAS COMERY (affirmed)	148
Questions from COUNSEL TO THE INQUIRY	148

204

205

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78:1,20 79:7 82:11 83:19 85:4 99:25 104:3 106:5,8 113:8,15 118:7 126:21 128:17,21 129:13 157:25 158:7,10 160:22 bit (15) 3:6 4:3,10 6:3 24:7 28:15 37:16 46:14 49:22,22 54:1 98:20 111:14 187:22 201:23 black (8) 17:21 18:18 24:9 26:7 28:22 51:3,24 76:21 blacks (1) 24:22 blakeman (3) 47:24 48:5 51:23 blanket (1) 117:22 block (17) 21:11 24:19 25:6 26:25 27:13 52:6,10,11 55:15 99:9 107:19 108:4 132:22 138:10,12,17 179:4 blocks (7) 36:3 52:17 73:24 137:6 154:16 155:9 184:7 blue (2) 3:6 95:15 bluntly (1) 136:15 bm (1) 18:25 board (14) 23:22,22,24 32:7,11,21 33:6,7,10,19,23 103:4 105:20 114:21 boardlevel (3) 32:21 33:9,20 body (2) 16:2,15 bones (1) 120:15 book (1) 37:22 booklets (1) 43:12 books (1) 44:7 borne (1) 171:4 borough (11) 45:22 81:18 143:7 161:13 184:5 185:6,17 195:16,16 199:4,8 boroughs (2) 159:4 173:17 bosman (6) 3:25 8:7 37:4 39:2,15 40:15 both (15) 2:15 9:17 40:4 53:12 64:22 65:1 74:19 91:25 110:13 111:17 124:16 136:16 163:1 166:22 199:24 bottom (19) 11:19 42:24 79:10 88:23 91:5 112:2 116:22 127:2 164:17 167:16 168:13 182:6 188:2 189:3 190:25 193:2 194:19,20 198:19 box (3) 59:8 125:18 151:1 boxes (5) 196:6,9,10 197:20 198:13 boxing (3) 58:9 59:9,22 braces (1) 112:16 breach (1) 134:14 breaches (3) 58:10 59:9,22 break (23) 53:18,20,21 54:12,25 63:1,9 64:3 115:18,19 145:1,5 146:5 147:2,4,8,9 148:3,24 200:25 201:3,11 202:2 breaks (2) 42:11 101:10 breath (1) 48:2 brian (4) 75:19 76:22 184:6,10 brief (3) 78:9 154:20 161:6 briefed (1) 71:14 briefing (3) 24:1 28:18 185:5 briefly (2) 110:23 152:7 brigade (32) 3:8,16 4:11,16 7:18 15:6 25:20 27:3 31:11 50:3,4 51:13 59:6,12,18 61:2 151:20,21,22 152:1 154:21 157:13 182:18,20,21 187:1 194:4 195:12 196:7 197:7,10 199:22 brigades (1) 52:12 bring (11) 1:6 17:11,25 18:2 118:18 129:5 149:7 151:2,6,7 173:15 british (3) 36:9 182:23 183:13	broad (3) 67:1 88:12 93:8 broadier (4) 114:2 118:2,3 137:2 broadly (8) 70:11,13 119:21,24 120:2,7 187:2,2 broke (3) 23:1,17 29:11 brought (7) 20:6 60:20 76:25 110:21 118:9 139:4 174:25 brown (1) 139:14 brusque (1) 4:10 budget (1) 112:13 budgets (1) 111:17 building (27) 29:13 58:6 59:2 61:1 67:5 69:22 70:7 88:1 94:15 96:7 101:12 104:8 114:5 119:24 121:2,10,16 123:8 136:9,10 137:6 141:20 143:2,20,23 144:4 189:24 buildings (15) 14:22 67:19,21 73:21 81:22 102:23 136:8,23 138:7,8 140:23 143:21 175:3 177:3 195:10 built (5) 94:23 121:18,21,25 177:20 bullet (12) 67:15 70:3 93:15 125:22 162:24 165:4,20 190:14,19 191:3,18 192:3 burton (15) 63:13,15,25 67:1 88:24 115:12,18 116:10 144:14,21 146:7,10 184:20,22 204:8 business (1) 198:24 butt (1) 126:2 buttons (1) 182:11	carry (6) 1:11 115:3 116:10 131:2 154:6 195:17 carrying (5) 68:4 84:13 86:1,6 195:8 cases (1) 174:2 cast (1) 182:3 categorise (1) 79:19 category (1) 155:10 cause (11) 8:20 9:5,11 74:9,15 77:23 81:7 105:2 108:17 126:16 137:25 caused (1) 8:24 caution (1) 54:2 cautious (2) 186:17,20 cc (1) 112:4 ccd (1) 112:9 ccd (1) 164:5 celia (1) 194:21 central (2) 44:19 66:2 centre (1) 27:2 ceo (1) 76:21 certain (7) 8:13 61:8 97:13 107:9 116:23 174:2 191:16 certainty (1) 45:9 certificate (3) 37:14 38:12 66:24 certification (1) 37:10 cetera (1) 59:9 chain (5) 26:4 92:11 98:10 102:1 108:6 chairman (9) 1:16 34:19 53:17 55:5 63:7 144:16 148:7 200:25 202:8 challenge (1) 157:12 challenged (3) 6:10 31:4 89:14 chamchoun (1) 139:16 chance (1) 188:10 change (7) 44:12 123:24 131:25 144:7,11,12 158:9 changed (7) 41:19 43:10 44:10 56:8 89:17 90:6 190:3 changes (2) 32:14 43:7 changing (2) 18:7 43:1 charge (1) 176:7 chase (3) 39:19 40:15 60:9 check (13) 14:25 35:2 37:4 49:7 69:2,5 102:12,19,23 104:21 137:25 177:4,9 checked (6) 38:17,20 49:11 50:16 101:2 177:6 checking (1) 177:4 checks (5) 37:14 102:13,14,20 103:5 chelsea (17) 65:19,22 71:14 91:18 111:1 152:18 155:21 156:18 159:18 160:20 162:1 174:5 184:21 192:12 199:25 200:4,22 cherry (1) 121:12 chief (6) 17:18,20 24:2 111:5 163:1 164:4 choose (2) 121:10 147:15 christmas (3) 84:1,8,8 chronic (1) 69:14 church (1) 27:1 circulated (3) 23:12 30:15 193:4 circumstances (6) 68:12 69:8 76:7 97:13 134:7,9 cladding (4) 140:19 142:19,25 143:9 8:25 14:2,7 17:8,12 36:19 37:2,17 38:3,7 57:22 77:8 91:21 93:19 99:3 119:10,14 120:12 122:11,17 123:14,21 124:7,15,20 129:21 157:10 186:18 carls (1) 4:9 carried (15) 24:19 27:13 67:25 79:25 102:13 115:4,10 118:11 120:11 131:17 137:3,4 166:16 195:13 196:22 carries (1) 188:14	97:20 124:1 130:25 174:17 181:9 clearer (1) 106:4 clearly (8) 20:8 26:19 28:6,7 38:2 92:2 107:22 191:20 clive (1) 110:4 clock (3) 147:12,15 201:22 close (2) 166:10 203:3 closed (2) 101:17 113:23 closely (1) 24:7 closer (3) 60:20 108:24 144:8 closers (3) 99:11 126:6,9 closing (3) 90:14 91:20,22 coax (1) 4:21 coh (1) 167:18 colin (1) 154:21 colleague (4) 6:21 43:19 50:1,8 colleagues (10) 6:2 20:10,23 42:21 43:4,14 49:2,18 108:3 179:8 collette (4) 162:20 163:24 167:18 181:21 colourcoded (1) 165:10 column (2) 37:24 135:11 combination (2) 122:24 134:1 combine (2) 53:20 147:8 come (32) 15:8 17:1 19:17 45:19 46:9 49:4 53:15 59:11,14,14 60:23 61:7 63:5 64:25 68:1,2 85:9 87:15 90:4 100:24 102:2 104:19 107:10 115:19 120:25 126:5 133:16 142:22 144:14 145:5 166:8 201:14 comery (26) 66:5,11,14 71:2 75:19 91:2 94:3 147:18 148:8,10,18 150:7 151:1 165:8 168:8 178:15 187:20 189:3 197:11,18 200:24 201:4 202:4,9,14 204:12 comerys (2) 145:16,20 comes (1) 70:15 comfort (1) 98:3 comfortable (2) 63:17 148:13 coming (15) 32:13 62:7 65:8 67:22 81:21 90:23 146:15,19 151:19 170:6 180:24 200:21 202:11,16,22 commander (4) 181:24 184:5 185:6,17 commanders (1) 199:8 comment (19) 4:25 10:2 23:12 31:23 79:3 88:5 106:18 117:14 119:19 123:2 127:14 131:18 174:13,24 176:3 181:8 186:14,16 187:6 commented (3) 7:15 8:19 119:12 commenting (1) 186:17 comments (9) 2:2,5,24 3:18,19 8:24 29:15 32:7 175:15 commissioned (2) 13:1 85:17 commissioner (2) 140:21 141:8 commitment (1) 58:8 committed (1) 29:18 committee (12) 32:3,21,24 33:9,20,23 35:22 39:9,10,14 40:25 45:20 committees (2) 33:10 38:24 common (8) 56:11 92:9 134:16,25 135:15 166:6,25 167:1 commonsense (1) 183:7 communal (2) 21:13 83:22 communicate (5) 55:23,24 132:15 136:12 193:24 communicated (4) 31:14 131:11 189:19,20	communicating (5) 131:9 132:13 189:18 194:9,11 communication (7) 55:18 108:22 109:8 139:11 191:18 192:3 199:2 communications (5) 52:25 104:7 124:8,17,19 company (3) 44:20 162:8,10 compartment (5) 3:15 168:25 169:6 170:8,15 compartmentation (4) 58:11 121:20,24,24 competence (8) 77:7 120:10 122:11 123:10 126:23 128:23 129:3,21 competency (3) 14:25 122:22 126:12 competent (3) 77:16 97:16 122:4 compiled (1) 199:18 complete (7) 67:7 70:9 81:25 91:15 93:15 171:16,17 completed (15) 2:16 55:15,16 60:21 66:22 67:8 68:18 69:3 70:8,15 80:1 82:2,8 84:1 93:19 completely (5) 2:15 9:22 11:10 41:4 44:7 completeness (1) 85:13 completing (3) 169:25 171:6 172:8 completion (5) 80:18 165:13,24 168:24 169:13 169:15 170:4 171:16,17 complexity (2) 136:9,10 compliance (4) 83:4 142:21 144:1 162:15 compliant (12) 70:11,13 80:15 107:20 108:13 119:22,25 120:2,7 173:10 187:2,3 complicated (2) 133:23 134:4 comply (4) 16:10 69:14 101:6 136:1 complying (1) 136:25 component (1) 176:10 comprehensive (1) 127:17 concentrate (1) 54:9 concern (15) 8:20 9:5,23 25:10 26:21 27:15 86:5 99:19 104:8 124:22 127:4 171:5 175:18,22 179:5 concerned (11) 3:2,3 5:10 30:24 31:3 84:9 85:22 117:3,7 123:16 124:7 concerning (3) 76:17 139:7 140:23 concerns (29) 9:4 69:22 72:6 77:7,12 86:8,20 105:18 116:16,23 117:25 118:19,24 119:2 120:10 123:6,13,15,20 124:4,12 126:24 127:20 128:25 129:2,12,22 171:8,11 concierge (1) 138:12 conciergetype (1) 195:18 conclude (1) 92:3 concludes (1) 2:12 conclusion (2) 29:7 60:23 condition (1) 101:20 conduct (3) 12:2 68:10 97:15 conducted (1) 109:21 conducting (3) 12:11 140:16 181:4 conduit (1) 3:21 confident (6) 7:14 23:21 33:22 39:7 50:19 166:16 confidently (2) 27:9 49:4 confined (1) 118:1 confirm (11) 45:6,15 46:21,23 52:5 65:21 80:11 150:23 151:16 182:4 183:4 confirmation (5) 24:20 27:14 36:7 127:9 137:8 confirmed (9) 36:6 58:11 101:1 113:20 139:12	162:25 164:3 182:9 193:5 confirming (2) 63:23 190:15 confirms (1) 151:4 conjunction (1) 131:3 conscious (1) 100:9 consequences (2) 122:5 123:4 consider (15) 8:25 60:22 73:20 75:9 82:1 88:11 96:10 101:8 134:3 138:20 141:9 143:8,18 183:15 199:4 considerable (3) 23:24 157:2 170:13 consideration (5) 2:18 56:6,17 129:5 191:20 considered (7) 82:7 89:15 106:25 127:16 141:25 162:1 179:3 considering (1) 52:14 consistent (1) 135:20 consistently (1) 179:8 consisting (1) 72:1 constantly (2) 60:10 101:17 constituted (1) 75:20 construction (1) 143:21 consult (1) 58:16 consultant (2) 6:6 79:14 consultation (2) 32:6 109:15 consultations (1) 144:3 consulted (1) 59:2 contact (19) 10:16 14:10,11 15:9 26:1 72:21,24,25 126:18 159:25 160:8,10,10,15,22 161:2 163:2 185:22 contacted (1) 84:25 contacting (1) 84:21 contain (1) 30:17 contained (5) 33:24 42:17 44:13 73:22 131:12 content (3) 105:25 125:11 175:7 contents (7) 17:8,16 65:1,7 74:1 151:16 184:19 context (7) 14:11 58:23 99:20 122:10 130:8 140:11 198:9 contingent (1) 145:14 continually (1) 31:6 continuation (1) 168:15 continue (1) 22:19 continued (6) 1:8,15 81:15 104:22 204:3,6 continues (1) 23:4 continuing (2) 104:12,16 contract (2) 3:24 4:1 contractor (7) 36:7,10 37:13 39:19 86:4 166:7,8 contracts (5) 8:6,6,8 102:21 143:22 contractual (1) 60:7 control (10) 58:6 59:2 61:1 108:2 111:15,17,18 141:11 144:4 183:14 controlled (1) 182:11 convenient (2) 115:15 203:2 conventional (2) 98:18 99:10 conversation (13) 26:9,22 52:24 56:23 110:16,17 120:5,13 124:2,24 125:8 126:15 196:2 conversations (7) 31:10 117:8,17 120:3 122:24 130:23 133:16 convinced (1) 90:1 coombe (7) 89:9 91:1 92:25 94:3 194:21,23 197:12 coombes (1) 93:5 cooperation (1) 108:22 cooperative (1) 108:19 coordinate (1) 165:6 coordinator (1) 46:17 copied (15) 24:9 47:23 48:4 51:3,24 109:1 112:8 162:10 178:13,20 181:21	194:22,25 195:20 197:3 copies (7) 50:18 51:14 80:4 119:14 127:15 190:16 194:21 copious (1) 167:11 copy (12) 33:3 45:5 48:11 50:2 51:12 76:4,6,8 164:4 186:3 193:4,6 copying (1) 91:2 corner (3) 38:16 110:25 125:4 corporate (2) 33:1,13 correct (10) 15:4 35:3,17 44:15,15 45:12 47:6 152:21 153:10,24 corrected (1) 151:10 correction (3) 30:6 70:23 71:1 corrections (1) 64:25 correspondence (2) 45:21 120:19 corresponding (1) 47:21 couldnt (11) 14:17 26:15 28:3,10 42:20 50:16,20 80:11 120:13 142:24 191:16 council (7) 13:4 33:1,14 81:18 111:8,14 112:13 councillor (4) 47:24 48:5 51:3,23 councillors (1) 48:5 councils (1) 143:7 counsel (8) 1:15 63:21 148:16 151:20,22 204:5,10,14 counsels (2) 4:12 201:4 couple (6) 6:3 22:7 63:4 88:4 123:21 133:16 course (16) 6:7 35:17 37:6 65:1 66:6,8,11 80:7 97:1 144:20 153:7 165:17,20 167:10 169:20 180:5 courses (3) 66:15,22 73:6 cover (2) 67:2,3 covered (1) 176:12 covers (2) 2:7,10 cpd (1) 17:3 created (1) 96:17 crews (3) 84:13 86:6 183:16 criteria (6) 75:4,5,10 184:1,4,6 critical (1) 115:9 criticism (2) 10:12 127:17 criticisms (12) 3:17 4:5 5:7 6:24 7:11,13,19 8:16 9:2,12 10:9,17 cross (1) 6:2 croydon (3) 81:18,18 94:12 crucial (1) 101:9 cs000010084 (1) 1:22 cs000002275 (1) 196:25 cs0000029201 (1) 183:21 cs0000029202 (1) 181:18 cs0000029203 (1) 182:7 cs00000310015 (1) 37:18 cs0000030016 (1) 38:11 cs000006033 (1) 194:18 cs0000060331 (1) 195:21 cs0000060332 (1) 195:5 cs0000097041 (1) 108:7 cs0000097042 (1) 107:12 cs00010084 (1) 5:24 cs00010085 (1) 2:6 cs000100857 (1) 2:12 cunningham (3) 168:10 181:25 192:23 cure (1) 30:7 cured (1) 68:22 current (16) 37:14 40:16 42:13,15 44:24 45:16 47:8,17 55:19 71:10 93:17 167:20,24 168:22 169:11 190:16 currently (5) 6:6 43:6 48:12 52:14 83:24 customary (2) 144:15 200:25
--	--	---	--	---	--	--

cut (1) 166:24	40:11,24 70:14 83:6 110:23 111:21 112:19,22 135:18 162:6	197:21 difference (3) 52:18 132:20 182:25 differences (1) 132:24 different (21) 11:6,11 20:10 22:10 35:4 41:4 44:13 57:2 66:10 107:10 111:10 120:25 121:12,19,20 133:24 136:25 150:13 154:8 188:24 194:17 differently (9) 30:22 33:25 56:9 61:13 69:18 85:12 97:17 104:15 136:5 difficult (2) 101:24 138:9 difficulty (4) 7:6 101:14 103:14 148:21 diligence (1) 108:20 diploma (1) 66:25 direct (2) 18:21 123:9 directed (1) 177:21 directly (5) 9:16 33:11 117:14 120:4 126:18 director (1) 149:11 disabilities (1) 76:24 disabled (4) 76:24 108:1,5 195:9 disagreement (1) 99:17 disappointed (1) 115:7 disconnected (1) 179:18 discount (1) 9:21 discovered (3) 170:14,19 174:2 discuss (29) 3:19 5:18 6:11 12:3,12 13:15,22 17:8,12 18:8 22:1 31:22 65:11 71:24 72:18 88:19 94:1,2 96:10 109:2 123:23 126:16 140:19 141:23 142:11 160:3,5 173:8 200:11 discussed (40) 3:17 7:14,15 12:22 14:14 21:8,25 25:2 26:3 36:15 40:23 41:6 61:12,16 65:7 72:12 79:4 85:11 88:11 92:21 94:18 95:18 100:5,7 102:10 105:24,25 110:8 122:8 128:11 139:23 151:18 161:5,7 173:12 178:4 179:7 191:5 198:8,8 discussedinformation (1) 92:6 discussing (4) 61:10 120:22 137:12 141:4 discussion (33) 5:4 19:19 26:6 56:10 82:12 85:3 89:4 90:10 96:23 98:16 106:12 113:14 114:1,3 120:23 127:8 140:3 166:21 168:2 174:4,7 175:16,17 177:8,14 179:20 185:25 191:9 192:13 193:8,9 194:15 200:15 discussions (29) 3:8,15 4:4 7:17 13:2 49:1 76:13 77:2,14 90:2,19 94:7 95:8 113:20,24 114:10 120:1 122:10 127:10 142:3,10 156:22 174:11,14 177:2,5 181:1 183:24 197:9 dismiss (2) 9:19,22 disparate (1) 19:22 displayed (1) 134:25 dispute (1) 15:3 distanced (1) 59:4 distances (5) 121:19,21,22,25 122:2 distinct (1) 131:6 distinction (2) 98:24 182:18 distributed (3) 44:19 48:17 49:9 distributing (1) 50:17 distribution (1) 48:13 diverted (1) 117:10 diverting (1) 117:18 document (38) 2:5,11 10:5,17 11:6,11,12 17:21	20:6 22:2,2,17 28:10 30:10,17 32:6,9,17,20 34:20 38:16 43:11 48:20 55:8 58:3 74:5 97:8 114:19 121:2,10,12,18 155:1 156:10,14 183:20 187:20 188:1 documented (1) 52:6 documents (8) 3:4 6:21 41:24 121:1,13 147:6 156:24 164:20 does (18) 24:2 27:20 41:9,18 42:5 56:12,13 69:17 75:23 105:1 121:14 135:3 141:21 163:4 164:7 166:9 180:15,16 doesn't (7) 26:3 38:19 57:12 75:16 135:22 142:18 190:12 doing (17) 8:2 10:8 12:9 13:18,20 17:13 18:1 49:19 104:18,18 132:5 150:13 161:12,16 170:4 185:5 193:24 domain (1) 24:3 done (23) 5:16 13:19 14:11,18 15:12 25:21 27:23 30:1 31:16 37:2 38:22 44:18 61:13,14,17,18 66:14 105:4 113:10 115:7,8 127:19 190:22 dont (18) 3:22 5:19 7:20 9:6,24 13:19 16:25 17:13 18:1 20:9 21:24 23:13 26:18 28:9,17,25 30:22 37:18 41:2 42:14,22 44:21 48:18 50:21 53:7 56:14,19 59:19 64:3 69:20,25 78:17 87:22 93:1 94:23 109:24 110:2,16 112:20 115:23 117:23 124:9 133:7,9,23 145:9 147:6 150:3 156:4,21 157:13 158:9 165:25 166:24 168:4 172:4,24 178:6,7 179:21,23 181:6,6 182:17,24 183:1 184:9,17 186:9,12 187:1 188:22 191:9 193:11,13 194:13 196:3 198:6,14 200:4,13,21 door (20) 2:19 3:14 4:8 5:9 7:16 77:19 87:14,21,23 101:9 107:20,21 108:24 117:22,24 157:6 166:13,17 175:7 190:1 doorhatch (1) 184:2 doors (88) 4:14 27:15 68:9 76:15,18 77:21,22 80:3 86:12,16 87:3,6 90:14 91:12,13,19,21 92:21 94:20,22 95:1,24 96:2 97:18 98:1,17,22,25 99:4,9,13,19 101:15,17 102:12,23 104:21 105:4 106:16 107:18,19,23 108:13,19 109:11 113:21 114:2,6,13 115:5,8 117:5,13,16 118:15,16 126:2 131:20 166:6,10,12,21,21 167:1,1 170:17 172:23 173:9,16,23 174:1 175:1,1,19,23 176:4,9,18 177:6,19 179:4,6,10,12 181:10 187:9 190:3 double (2) 35:2 143:24 doubt (7) 6:12 13:24 27:21 93:3 146:17 151:11 157:3 down (30) 1:24 21:4,24 24:18 28:15 37:24 42:8,10 51:1,1 63:17 73:4 92:24 99:16 100:20 125:5,16 148:12 158:12 162:23 167:16 177:18 181:19	182:3,7 183:15 188:5 190:14 195:11 197:18 drafted (2) 20:22 22:3 drafting (3) 125:6,13 159:7 drafts (1) 43:1 dramatic (1) 159:12 draw (1) 194:17 drm (1) 96:4 drop (2) 40:12,24 dropped (1) 40:14 dry (1) 96:4 due (5) 9:14 29:11 64:25 108:20 199:5 during (12) 26:9,9 44:1 49:15 80:7 87:20 95:17 96:4 97:1 161:25 175:16 184:14 duties (1) 185:1 duty (2) 164:24 185:2 dw (1) 18:25 dwelling (2) 29:11 179:17		earlier (14) 10:23 30:13 34:6,17 36:15 83:1 91:2 96:16 104:10,19 119:20 129:16 166:3 170:6 early (6) 48:13 88:7 125:15 147:4 169:21 186:9 easy (1) 62:10 economical (2) 124:8,17 edition (1) 11:3 editions (1) 46:4 educate (1) 71:8 effect (2) 118:16 175:2 effective (1) 191:8 effectively (5) 22:7 26:10 97:3 138:3 189:20 effectiveness (1) 133:15 effects (1) 199:1 efficacy (1) 15:1 efficiency (1) 190:1 efficient (1) 176:19 efficiently (1) 138:2 effort (2) 59:20 159:13 efforts (3) 12:4,16 13:10 eight (4) 80:3 87:2,9 115:5 either (17) 2:13 3:13 10:10 14:6 33:7,19,19 48:25 70:11 79:4 94:3 101:2 113:6 124:16 137:8 181:1 192:10 elapsed (1) 44:11 electrical (3) 4:1 8:8 102:14 electronic (1) 150:13 electronically (2) 150:4,8 element (5) 140:6 151:11 157:12,14 175:6 elements (3) 99:7,8 143:23 elm (1) 178:21 else (15) 20:14 33:2,3 37:3 41:17 61:4 72:2 79:16 84:25 95:5 123:25 141:3 150:12 167:6 201:1 elses (1) 46:12 elsewhere (1) 52:11 email (80) 1:23 2:4 5:22 24:9 25:19 26:3,4,8 27:20,22 28:3 47:19,22 48:1,9 50:25 51:1,2,22 58:5 88:17,22,24 89:1,21 91:5,24 92:11,16,23 93:5,6,13 94:1 95:9 96:13 97:9 107:11,13,17 108:6,8 120:16,20 121:4 129:15,17 130:5,11 178:12,15,22,23,25 179:19,23 181:2,6,7,18,19 182:7,17,24 183:1 184:5,9,19 194:18,22 195:20,24 196:2,19,25 197:1 198:8,18,19 199:14 emailed (1) 91:1 emails (5) 17:5 53:12 72:23 186:18,19	emergency (6) 68:9 76:23 136:12,17 137:3 196:21 emerging (1) 25:3 emphasis (1) 158:21 emphasise (2) 108:1 158:13 employ (1) 130:2 employees (1) 133:21 employment (1) 153:10 enclose (1) 58:9 enclosed (4) 98:24 99:5 114:6,7 enclosing (1) 51:12 encountered (1) 173:16 encountering (1) 173:23 encourage (1) 4:20 encouraged (1) 194:5 encouragement (1) 147:24 encouraging (1) 183:18 end (13) 53:15 54:9 61:7 69:2 81:21 85:18 117:2 121:8 122:14 125:15 127:25 144:14 172:6 endeavoured (1) 32:7 endeavouring (1) 16:12 ended (1) 28:19 endorsed (1) 97:12 enforce (5) 67:16 77:20 82:4 142:25 173:25 enforceable (1) 164:18 enforcement (48) 2:20 4:19,24 5:12 16:2,15 18:9 21:6,25 22:1,10 23:9 29:8 66:3 68:15 69:9,17,21 70:3,14 71:11 72:2 76:17 86:17 89:5,7 90:3,11,20 104:6,23 111:5,24 112:3,7 125:6,13 128:19 129:10 135:9,16,21 164:23 169:7 170:21,22 171:24 174:16 enforcer (1) 130:1 enforcing (1) 173:8 engage (1) 59:6 engaged (1) 36:10 engagement (1) 21:2 engaging (2) 4:11,12 engineer (3) 38:12 130:19 131:4 engineers (1) 59:13 engines (1) 196:12 english (1) 132:17 enough (7) 53:24 69:19 101:19 145:2,4 201:9,10 ensure (14) 37:13 68:17 91:11 104:17 114:11 132:6 141:21 144:1,8 158:15,17 159:1 176:18 190:1 ensuring (5) 17:14,16 82:2,8 153:21 enter (1) 87:25 entire (2) 80:13 167:19 entirely (4) 4:15 22:10 26:20 35:1 entities (1) 33:19 entitled (2) 73:23 154:15 entrance (17) 76:15,18 97:18 105:3 109:11 114:2,13 157:6 166:21 172:23 173:9,16,23 176:18 179:4,6,12 entries (2) 125:3,24 entry (1) 37:24 ep (1) 134:23 equipment (1) 177:5 equivalent (1) 190:4 erm (2) 42:7 150:6 erroneously (1) 117:5 error (1) 11:10 escalate (1) 60:9 escalated (1) 31:3 escape (9) 57:22 58:19 90:15 98:2,25 113:22 132:25 133:2 143:11 especially (1) 90:15 essentially (2) 9:1 184:15 established (2) 40:21 135:13 estate (1) 93:18	et (1) 59:9 etc (5) 25:6 79:15 104:7 127:10 184:3 euphemism (1) 30:4 evacuate (1) 138:21 evacuated (1) 75:15 evacuation (10) 3:13 49:21 76:23 131:16 133:22 137:5,9 138:9,14 196:21 even (8) 16:21 27:25 28:10 147:21 173:22 174:6 175:7 193:19 event (7) 49:21 52:10 96:8 137:7 137:15 138:25 189:23 ever (27) 12:19 13:8,15 14:2 16:1 17:8,10 29:8 46:3 47:5 49:7 55:20 56:6 74:9,15 76:20 79:3 87:14 90:21 109:9 132:5 133:14 138:22,22 164:19 172:7 200:19 every (11) 2:21 10:12 20:12 23:15 68:3 71:19 117:22 150:3 155:2 164:24 180:17 everybody (1) 62:18 everyone (3) 1:3 141:3 147:21 everything (4) 14:15 62:9 64:7 94:13 evidence (31) 1:5 10:24 13:25 41:8 54:5,8,18 61:7,11 62:2,8 64:12 65:4 66:5 84:17 104:11 115:24 118:14 145:10,20,23 146:12,15 147:22 148:19 151:18 170:19 171:18 201:13 202:11,16 exact (4) 5:14 120:13 177:8 186:12 exactly (6) 23:22 97:25 105:11 138:10 176:1 189:23 examination (1) 145:16 examine (2) 24:5 83:3 example (12) 4:8 14:14 104:13 111:3 121:17 124:6 138:18 160:14 184:1 187:9 189:25 190:2 examples (7) 118:25 172:11 173:15,18 174:21,25 175:10 exchanges (1) 93:9 exec (3) 26:15 28:19 31:3 executive (9) 13:1,4 17:18,20 33:5 39:6,10 111:6 164:4 executives (2) 24:2 163:1 exercise (1) 59:16 existence (4) 17:21 33:17 34:13 35:8 existing (4) 94:23 142:17 193:25 194:12 expand (1) 108:10 expect (17) 73:7 74:4,18 97:25 102:15 123:1,18 130:16 131:12,16,23,25 132:15,18 134:1 155:7 171:21 expectation (2) 124:1 141:16 expected (9) 53:13 103:1 122:4 123:20 131:8 171:19 176:17 189:16,19 expecting (1) 15:23 expedite (1) 60:19 expediting (1) 61:20 experience (11) 8:9,12 159:9,10,17 169:5 170:12,25 174:12 176:15 186:17 experienced (3) 73:15,17 175:3 explain (12) 4:20 14:5,9 16:4 26:22,24 70:1 97:1 119:25 131:20 157:25 165:23 explained (8) 7:16 12:25
----------------	--	---	---	--	--	---	---	--

31:19 41:22 98:7 101:4
128:24 193:22
explaining (3) 165:21,22
172:7
explanation (5) 14:12 22:9
29:24 53:9 97:11
explicit (1) 30:18
explicitly (3) 30:12,13
119:15
explore (1) 180:25
express (1) 120:10
expressed (5) 116:17 123:19
124:13 127:20 168:24
expressly (4) 21:17,19 22:8
34:13
extend (1) 62:18
extended (3) 54:12 121:22
147:7
extent (3) 20:9 55:21 115:5
external (2) 107:1 140:23
externally (2) 106:15,21
extinguished (1) 25:16
extinguisher (1) 27:14
extinguishers (2) 25:6,8
extract (1) 18:10
extraction (2) 37:23 38:20
extremely (1) 80:2
eye (2) 14:16 182:3
eyes (2) 188:5 190:13

F

faades (2) 141:25 143:9
facade (1) 141:13
facades (2) 143:20,24
face (1) 35:8
facetoface (1) 159:23
factor (1) 29:17
factors (2) 67:16 199:5
factual (3) 173:15,17 174:21
failings (1) 69:10
failure (2) 69:14 136:11
faintly (1) 38:15
fair (10) 15:15 72:4 92:19
96:22 109:5 126:12 128:6
134:11 154:9 158:20
fairly (4) 39:7 41:20 163:4
164:7
faith (2) 46:13 89:15
fallen (1) 112:12
false (2) 34:25 72:1
familiar (14) 11:12 12:7
41:18 42:5 74:1,4,19
139:21 140:25 141:2,7
154:14 155:7 173:3
familiarisation (2) 84:13 86:7
familiaire (3) 71:9 72:11
197:15
fans (2) 134:25 135:1
far (6) 29:4 49:14 91:21
127:18 158:9 171:3
fast (1) 159:11
fatal (1) 176:8
fault (1) 166:8
fb (2) 25:8,9
fd30 (1) 107:20
fear (1) 118:1
feared (2) 86:24 118:3
february (5) 36:8
38:8,13,17,20
fed (3) 46:10 47:11 127:17
feed (1) 171:20
feeding (1) 84:14
feel (7) 8:20 70:16 73:12
104:4 129:21 130:20 154:5
feeling (1) 55:23
fell (2) 74:13 81:23
felt (6) 9:5 10:14 15:21 81:7
123:22 137:19
few (4) 31:1 48:17 153:9
190:14
field (1) 8:5
fieldhouse (2) 6:5,19
fifth (2) 117:2 122:14
fighting (5) 182:4 184:1,4
188:2,4
file (1) 186:15

filled (1) 20:10
final (8) 1:18 41:25 43:8
140:18 141:5 142:15
143:15 160:25
finalise (1) 125:15
finalised (7) 32:3 47:4,5
48:20,25 49:3 83:24
finally (1) 61:3
finance (1) 19:24
find (16) 9:8 14:17 23:5
34:20 61:20,22 93:12
105:9 107:12 108:4 149:24
157:14 167:2 177:5 191:6
199:17
finding (2) 87:5 135:6
findings (11) 12:5,16 15:1
82:22 93:22 95:22 97:15
165:7 168:19,23 169:12
fine (4) 6:23 59:4 60:13
156:15
finger (3) 36:3 161:11,15
finish (3) 64:10 145:23
147:18
finished (2) 92:15 145:20
fire (308) 1:25 3:7,8,14,16
4:11,16 7:9,18,22,25 8:10
9:11,18 11:16,20,24
12:4,14,19,24 13:7,8,11,23
14:2,6,8 15:6,7 16:16
21:7,9 22:6,20,24
23:1,6,17 24:13
25:5,6,8,15,15,17,23,24,24
26:6,9 27:3 29:5,10,14
31:2 33:24 38:16 41:4
42:5,11,17 43:24 45:23
49:20,22 50:2,3,4,18
51:4,6,11,11,13,14,15
52:2,4,7,9,10,11,12,13,15
53:3,10 59:6,12,18 61:2,20
65:15,18,19
66:2,6,7,9,15,22,23,24
67:3,4,15,17 68:6,7,8,9,9
70:2 72:7 73:21,24
74:7,16,18 76:4,9 80:3
82:4
87:2,11,14,16,19,20,21
88:4,13,20 89:3 90:14
92:8,10,10 93:11 94:8,22
95:1,10,19,23,25
96:1,6,8,11 100:21
101:9,10 102:12,23 104:21
107:14 108:15,16 109:21
113:22,24 114:7
116:17,24,25 117:16
118:15,17,21 119:14
120:11 121:9 122:4,23
123:1,4 124:5 125:1,23
127:5 128:2,4,25 129:17
131:4,7,9,20
132:2,3,7,15,21 133:15
134:2,8,15,25
135:14,19,20,24
136:7,14,15 137:1,16
139:1 140:23,24
141:13,19,21,25
142:8,20,22 143:1,2,10
144:2,7 149:5
151:20,21,22 152:1,10,19
153:5,8,20 154:16
155:12,21 156:18,19 157:9
160:1,3,5 162:1,3
168:20,23 169:12 173:10
174:3,15 175:7
176:2,3,4,9,16 178:17,20
179:4,13 181:10,24 182:4
183:7,10 184:1,4,21
186:3,13 187:7,8,9,15
188:1,4,25 189:5,18,23
190:1,6 191:4,13,15,23
192:12,13
193:4,6,12,17,20,25
194:3,4,11 195:9,12
196:7,11 197:7,10 198:25
199:1,21
firefighter (1) 153:1
firefighters (3) 75:14 182:10

183:4
firefighting (14)
75:4,10,11,13,17,21
182:1,9,16,19,21 183:3
184:16 188:15
firemans (2) 182:18,19
fireated (2) 58:9 59:9
fires (7) 72:2 118:15 143:17
160:5 176:6,8 199:23
first (59) 11:12 17:18 22:24
29:8 41:6,16 51:6 55:14
57:3,25 63:23 64:2,11,15
65:11,14,23 66:18 67:15
70:1,19,23 72:8 73:2 75:2
77:6 78:1,18 79:7,13 81:14
86:23 87:1 89:20 91:6
95:14 100:18 101:7 102:8
109:18 110:1 112:4 115:2
118:4 119:6 127:23 136:23
139:2 149:7,24 152:3
159:12 162:24 169:9
171:24 174:6 177:22
190:14 191:20
firstly (3) 105:19 151:25
179:19
fit (1) 75:16
fitted (7) 99:9,13 106:15,21
107:2,23 179:12
fitting (1) 132:21
five (8) 21:11,12 61:10 62:3
79:23 80:15 113:10 114:22
fix (1) 166:8
fixed (1) 113:23
flat (52) 2:19 3:13 23:1,2
27:15 52:11 76:15,17
77:19,21 86:12
87:21,21,23 91:11,19,21
92:8,21 94:20 95:24 96:1
97:18 98:1,25 101:14
105:3 106:16,19 109:11
114:1,13 115:8 126:2
157:6 166:21 172:23
173:9,16,23 175:18,22
176:17 177:19 179:4,6,12
189:13,22 190:1 191:21,22
flats (9) 73:24 131:19 137:6
154:16 155:9 177:20,24
193:19 195:9
flesh (1) 120:15
floor (1) 23:1
flow (1) 75:23
flowing (1) 105:1
flows (1) 104:10
focus (5) 128:22 136:15
139:24,25 180:14
focused (2) 136:14 170:7
focusing (3) 22:12 169:6
170:10
folder (3) 50:13,13,15
follow (5) 52:10 68:18 69:12
174:18 186:24
followed (6) 21:7 71:25
104:5 113:16 135:13 159:2
following (30) 2:2 20:7 29:7
33:23 59:25 66:21 75:1
76:9 78:23 89:3 91:17 92:7
93:9,11 95:18,19 100:21
105:17 109:8 111:23
119:12 120:5 134:12
140:24 142:6,9 144:7,25
160:2 182:2
followon (1) 193:9
follows (3) 26:4 179:1,11
followup (1) 54:8
179:4,13 181:10,24 182:4
183:7,10 184:1,4,21
186:3,13 187:7,8,9,15
188:1,4,25 189:5,18,23
190:1,6 191:4,13,15,23
192:12,13
193:4,6,12,17,20,25
194:3,4,11 195:9,12
196:7,11 197:7,10 198:25
199:1,21
firefighter (1) 153:1
firefighters (3) 75:14 182:10

formula (1) 84:11
forth (1) 25:19
forward (4) 5:3,15 53:25
203:6
forwarded (1) 5:21
forwarding (1) 9:15
found (18) 58:4 64:16,19
66:19 68:16 79:8 81:12
82:14 86:14 91:3 95:9
116:21 118:5 119:7
120:3,18 121:6 160:18
four (1) 149:5
fourth (5) 64:8 107:17 121:7
127:25 195:11
fourthly (1) 76:20
fra (35) 2:16 6:3 9:1
55:7,15,25 79:11 80:21
81:13,16,23 82:8 86:19
91:20 117:3 118:12
122:18,19 125:19 127:6
130:14 135:1
165:6,8,13,21,22,24
168:3,14 169:25 171:6,16
172:8,15
frank (2) 122:16 123:9
frankly (2) 163:8 178:8
fras (15) 2:3,13 55:11 56:6
79:12 80:4,8 82:2 89:13
93:17,22 126:16 127:15
143:8 190:17
free (5) 51:13 52:12 62:15
146:20 202:22
freetholders (1) 111:16
frequency (1) 55:21
frequent (3) 103:17,18
160:10
frequently (2) 55:14 127:14
fresh (1) 10:3
front (27) 2:19 77:19,21
86:12 87:21,23
91:11,13,19,21 92:21
94:20 95:24 96:2
98:1,16,25 99:19 101:14
106:16 108:24 115:8 126:2
174:1 175:18,22 177:19
fulham (14) 65:18,22
152:10,18 159:9,17 169:5
170:12,13 171:1 174:9,12
199:25 200:2
full (6) 9:24 136:17
198:15,17 200:2,4
fullon (1) 28:11
fulltime (1) 7:4
fully (13) 10:10,11,13 36:8
80:15 82:18 84:10 85:23
107:20 126:4 141:13 175:1
183:13
function (1) 15:16
functional (1) 85:23
fundamental (2) 60:15 176:2
further (37) 1:5 2:4 16:21
21:24 29:13 36:9 37:16
52:7 54:14 79:3,16 81:8
89:24 92:24 94:17 100:13
104:12 106:11 113:14,24
114:10 125:5,16,22 126:11
129:12,23 130:18 144:18
146:10 153:6 163:21
167:14 175:20 197:14
200:7 201:23
future (1) 143:20

G

gap (1) 153:9
gas (5) 58:23 60:3 102:14
177:3,4
gathering (1) 138:24
gave (12) 8:20 9:22 15:14
16:6 49:18 71:16 79:17
83:1 104:10 123:21 185:18
189:6
gear (1) 159:12
general (21) 8:23 9:3 10:7
13:11 67:20 77:15 79:21
94:20 120:19 124:14 136:7
138:8,10,11,16 140:3

141:15 167:17,19 192:14
198:10
generally (6) 31:10 88:21
104:19 187:25 189:15
192:11
get (27) 13:5 15:18 16:9
26:5 27:1,4 30:15 31:13
42:24 46:12 59:7,15,21
60:14,18 79:23 85:22 94:6
113:10 125:15 145:20
164:18,20 166:15 183:14
199:20 200:1
gets (3) 23:12 110:15 190:3
getting (5) 4:12 60:20
102:22 103:14 177:6
gilding (2) 30:3,23
gist (3) 77:17 94:10 173:22
give (42) 7:20 9:5,14,24
14:12 15:21 22:9 29:24
30:16 50:20 53:24 56:3
62:7 64:12 77:17 80:20
92:19 93:5 94:10,17 97:11
98:3 102:25 114:24 120:13
121:19 124:6 130:7 138:15
143:12 146:12,15 147:22
156:16 165:15 172:11
175:10 181:8 185:5,14
187:1 202:16
given (40) 3:20 6:9,22 14:20
17:11 20:2 22:5 41:5 44:11
46:19 49:15 56:6,17 62:1
67:24 73:5 76:3,6,7 81:3
84:7 90:14 103:10 104:15
114:15 115:1 118:25
129:2,24 130:25 131:14
135:2 137:13 138:22
140:11 141:15 156:5
175:21 186:13 203:1
gives (1) 174:23
giving (7) 54:5 65:9 97:22
125:21 189:10,12 202:11
glad (1) 202:20
glazing (1) 143:25
gleaned (1) 28:23
goes (8) 39:12 41:4 48:3
91:21 110:12 182:20 187:4
195:11
going (26) 1:5,6 6:10 10:5
18:17 21:22 27:5 32:12
45:18 46:11 59:8 60:15
66:13 70:22 101:11,18
105:3 116:22 129:25
144:15 145:23 148:5
153:25 183:9 184:24 200:6
gone (10) 20:11,12 32:24,25
33:4,6 72:18 87:10 155:1
162:8
good (19)
13:9,10,13,16,17,18 46:13
47:25 48:8 59:9,21 89:15
122:17 129:4 145:22
186:19,19 189:22
goodness (1) 30:11
governance (1) 32:23
governing (1) 76:14
government (3) 73:23 74:10
154:14
graham (3) 6:5,19,20
grateful (5) 62:11,14
146:17,18 202:21
great (5) 4:11 28:18 160:21
169:4 174:11
greater (1) 144:10
green (6) 155:22 156:7
157:6,15,19 174:7
grenfell (22) 2:1 35:19
36:2,16 39:20 40:5 43:25
45:8 46:23 47:21 52:4 75:3
82:17,21 85:8 110:3
112:19 134:3,13 135:18
149:6 157:20
grid (7) 59:7,19,21 60:14,19
61:3,6
grinding (1) 159:12
group (5) 23:25 33:8 40:21
66:3 96:18

guarantee (2) 166:7 167:1
guess (1) 153:12
guessing (1) 57:11
guidance (14) 2:17 13:15
16:23 17:15,17 73:21
74:10,20 75:12 90:13
121:1,13 131:1 144:8
guide (16) 73:23
74:2,11,13,16 103:8
154:15,23 155:6,10
176:22,23,24 177:20,23
181:14
guides (1) 103:10

H

h (2) 151:9,10
hadnt (12) 3:3 23:20 36:17
49:3 109:14 112:25 113:5
115:8 123:6,13,15 124:19
half (4) 11:19 61:11 62:3
176:4
halfway (5) 1:23 51:1 158:12
177:18 181:19
hall (1) 112:5
hammersmith (14) 65:18,21
152:10,18 159:9,17 169:5
175:10 181:8 185:5,14
187:1 202:16
hand (4) 31:5 70:21
150:11,12
handbook (32) 41:3,12,12
42:17,22 43:6,15
44:5 56:6,24 45:6,7
46:4,22,24 47:1,3,8
48:7,11,13,16,20 49:8
51:19,19 52:20,21 53:3,10
handbooks (3) 44:8 45:10,13
handed (2) 185:21,21
handful (1) 91:12
handover (9) 65:12 71:4,8
155:24 156:6 157:5,18
184:22 185:18
handson (2) 158:22 161:12
happen (2) 13:6 133:9
happened (5) 56:24 167:8
192:17 196:8 200:3
happening (1) 105:22
happy (5) 4:7 59:24 65:3
79:24 80:2
hash (1) 139:16
hasnt (1) 202:18
havent (4) 28:8 53:7 104:24
167:11
having (17) 4:10 7:17 9:21
15:9,16,19 31:10 40:15
85:12 87:7 117:24 137:1
167:25 179:20 191:9,22
194:15
hazlewood (5) 52:16 122:20
125:7,14 130:6
head (6) 89:4,5,7,7 139:16
174:15
heading (8) 11:20 21:2 79:11
127:2 166:4 167:17 168:14
190:25
headquarters (5) 153:6
154:21 164:19 174:16
199:19
health (18) 13:11 19:24
20:19 29:2 32:2 33:1,13
35:21 39:9,19 44:20,21,25
45:20 60:2 141:22 142:23
hear (6) 1:5 62:9 142:13
149:3 202:9,19
hearing (2) 1:4 203:12
hed (5) 4:2 59:13 71:5,12
94:7
height (2) 79:20 94:15
heightened (1) 92:7
held (5) 50:14 71:19 78:1
87:21 118:12
help (28) 20:4 72:14 97:22
110:9 112:7 119:1 133:5
138:25 139:9,19 158:15
166:20 167:7,15 170:9
176:16 177:22 183:2

189:15 191:11 192:10
193:18 194:8 195:19
196:22 198:7 199:13,20
helped (1) 156:25
helpful (4) 16:20 99:21
146:18 175:12
helpfully (2) 23:12 31:19
hence (3) 48:17 71:4 86:21
here (32) 18:10 21:17 29:6
30:20 32:4,8 35:13 37:1
45:19 48:22 52:1 54:7
62:10 63:2 80:2 87:10
90:25 105:7 125:4,24
130:11 151:19 156:2,10
170:20 171:3 179:2
180:1,7 187:24 196:14
202:22
herself (1) 18:25
hes (3) 28:6 47:8 117:16
hesitate (1) 64:4
hf (1) 199:8
hi (4) 1:24 24:14 25:1 197:6
hide (3) 30:9,11 31:8
hierarchy (1) 69:16
high (2) 58:15 70:12
higher (1) 103:4
highest (1) 126:5
highlight (1) 107:18
highlighted (5) 58:10 154:25
160:5 168:17 182:23
highrise (11) 67:19 68:1
73:21 136:8 138:7,8,16
160:15 169:6 175:3 176:24
highrisk (4) 79:20 94:15
104:19 155:8
himself (1) 59:4
hindered (1) 73:13
hindrance (1) 96:4
hinges (1) 126:3
historical (1) 74:23
historically (3) 39:12 43:10
102:6
history (2) 69:5 71:16
hit (1) 6:23
hold (2) 86:1 121:4
holes (1) 170:15
holistic (1) 143:4
holistically (1) 14:21
home (10) 19:24 42:12
50:2,18 51:13,16 52:12
193:6,17 194:3
homes (2) 69:1 79:22
honest (13) 41:14 44:16 60:6
151:5 156:5 158:9 166:23
167:3 169:4 182:24 191:10
193:16 196:24
honestly (3) 7:2 28:17 44:20
hope (2) 1:19 147:18
hoped (2) 48:12 123:24
hopefully (1) 192:7
hoping (2) 83:25 91:7
hornton (1) 112:5
hounding (1) 61:2
hour (1) 203:1
hours (2)

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library (1) 83:2	7:20 9:25 14:5 34:15,18	146:1,7,13,22,24	members (12) 1:16 28:19	153:22 170:3	name (6) 51:23 59:10 63:23	notebooks (1) 125:3
life (1) 176:4	41:16 42:20 48:19 52:25	147:2,11,15,24 148:5,9,11	62:7 124:4,13 146:14	monopoly (1) 41:17	150:16 151:4 185:24	noted (3) 19:6 29:9 106:14
lift (13) 72:1	58:21 61:11 68:5 85:9	150:10,15,17 151:8	159:24 160:11 161:4	month (3) 1:25 29:14 124:25	names (3) 127:9 156:13	notes (2) 24:1 173:19
75:4,9,10,11,13,15,17,21	102:17 104:16 126:10	201:3,8,11,17,20	171:20 172:8,14	monthly (3) 132:8 200:11,13	185:23	nothing (5) 4:24 9:2 41:17
183:11,14 184:16 188:15	128:9 135:10,17 147:12	202:4,7,14,18,21 203:1,6,9	memory (8) 92:14 109:12	months (9) 38:2 48:17 70:21	national (7) 59:7,19,21	154:10 157:8
lifts (22) 75:3,6 181:17	157:23 169:9 176:15 188:1	mason (1) 51:3	156:25 167:7 173:19	71:19 80:25 83:17 96:16	60:14,19 61:3,6	notice (76) 19:9,12,20
182:4,5,9,11,12,16,18,19,19,20	190:24 192:19 194:19	material (2) 46:14 55:22	195:19,24 197:25	126:9 153:9	nature (5) 97:9 99:18 124:12	20:2,14 21:14 22:5
183:3,3,10,25 184:1,4,7	201:22	maths (1) 80:17	mention (5) 31:24 40:7	moons (1) 32:10	129:2 140:9	23:6,9,17 25:9,12,15,21
188:2,4	looks (6) 18:13,15 151:6	matt (1) 112:10	45:20 157:11 185:24	moorebick (89) 1:3,9,11,13	nc (2) 164:3 166:15	26:11,18,19,19 27:17
light (5) 15:13 60:1 86:19	177:14 190:20,21	matter (7) 2:19 3:9 8:23 9:3	mentioned (9) 25:6 26:14	8:4,9,14 34:4,11,17,23	near (1) 153:12	28:4,7,14,24 29:6,22
143:17 199:23	loop (1) 162:13	22:6 31:1 62:13	34:6 39:8 44:14 53:8 80:25	35:5,14,16 49:14	nearily (2) 85:18 115:13	30:5,25 31:21,21,24 33:18
lighting (1) 68:10	lornette (1) 12:24	matters (14) 63:2 71:24 75:1	159:15 178:17	50:6,12,22 53:19,23	necessarily (12) 41:22,25	34:21 35:12,18 36:4,16,22
lightly (1) 69:20	losses (1) 144:2	94:1 104:2 109:6 120:22	mentioning (1) 53:5	54:11,17,21 55:2	46:5 113:2 159:11	39:5 68:12,14,18,22,24
like (35) 18:15 30:13 41:8	lot (13) 4:21 14:10 15:9 16:9	128:12 129:5,8 139:20	mentions (1) 87:12	62:6,20,22 63:3,11,14,16	160:9,10 161:2,16 171:24	69:1,6,9,19,21 70:14 83:10
55:22 59:24 62:18 65:11	17:5 25:18 26:25 27:5 32:4	161:4,6,23	mentored (1) 66:15	98:13,20 99:2,12,15,21	176:6 180:16	85:19,24 109:23
99:17 112:20 116:2,16	60:17 71:13 176:6 185:22	matthew (9) 72:19 82:21	merely (2) 16:4,8	105:7,12,15 106:3,6	necessary (10) 43:9 70:16	110:8,18,23 111:5,24
133:19 135:16 140:19	lots (3) 2:22 29:4 50:13	124:6 160:14 170:21	merged (1) 152:19	113:11 115:14,17,22	104:4 135:1 141:17 170:23	112:3,7,19,24 113:3,16
141:1 148:7 151:6,25	low (3) 70:11 79:19 94:14	178:16,22,24 185:8	message (2) 5:24 24:22	116:1,6,10,13	179:15 180:9,20 181:10	134:19 135:9,18,19
155:16 168:12,15 169:4	lowest (1) 68:14	matthews (16) 5:15,18	met (5) 9:17 75:9 91:12	133:5,7,11,13 144:20	need (52) 4:20 12:23 13:22	136:1,13 137:1 162:14,25
171:18 172:25 177:14	lunch (2) 115:18 122:8	13:16 18:2,11,25 19:6	156:1 197:7	145:5,9,12,17,22	25:4,10 37:19 50:18 63:1	163:9 164:17,20
178:12 185:7 186:25	lyons (1) 38:22	31:20,22,23 51:4,25	met000710033 (1) 124:10	146:1,7,13,22,24	64:3 69:23,25 72:24 75:15	noticed (1) 151:3
190:2,20 193:16 197:15,23		124:25 125:3 126:15,17	met00077968 (1) 149:25	147:2,11,15,24 148:5,9,11	78:17 89:17 98:8,8,9 99:17	notices (63) 21:6,10,25
199:2 201:18		matts (1) 124:14	met00077969 (1) 150:23	150:10,15,17 151:8	100:7 102:1 103:4 109:24	22:1,10,11,13,14 23:9
liked (2) 61:17 186:16		maybe (4) 28:9 49:12 60:22	method (1) 105:8	101:3,8,11,17,20	110:2 112:14,20 124:9	29:9,17 30:14 31:8 34:5,13
likedwjbwm (1) 18:13		90:4	metropolitan (3) 149:23	202:4,7,14,18,21 203:1,6,9	127:6 130:20 133:5	35:7 40:12,24 52:15,19
likely (7) 13:24 20:5 26:12	macdonald (1) 50:9	mchugh (4) 109:18 110:6	150:21 151:23	more (50) 2:22 3:21 6:11 9:8	138:17,19 141:18 147:2,20	70:4 83:2,6 86:17,18
39:23 46:10 175:17 193:13	magazine (4) 52:8 135:3	113:1 119:4	miah (3) 18:16 19:1,2	10:7 14:21 22:14 24:7 31:9	148:24 150:3 156:13	104:23,24 105:23,25
likened (1) 159:11	194:1,10	mchughs (4) 109:17 110:2	michael (2) 38:22 139:13	32:15 42:9,10 45:23 46:14	158:23 159:13,14 164:18	111:4,6,21 112:9,18
lily (2) 30:3,23	magazines (3) 191:7,19	134:13 136:11	michele (7) 109:17,18	49:22,22 55:3	172:25 181:13 183:10	125:7,13 132:22 133:15
limerston (1) 2:8	192:4	mean (25) 4:10,25 16:1	110:2,6 113:1 119:4	61:14,14,15,17,17,19	184:11 187:22 189:22	134:2,8,15,25
limited (1) 162:9	main (5) 52:3 96:4 139:24	21:19 23:11 27:22 28:6	134:13	69:10,13 77:17 80:24	191:5 192:13 200:14 201:1	135:15,16,21,24
line (19) 10:5,6 35:3 37:1	mainly (4) 72:23 77:19 84:12	30:3,20 31:8 33:25 38:8,8	michelle (1) 139:14	85:23 86:20 87:18 88:21	needed (12) 9:8 46:6	136:7,14,16 160:3
73:4 79:13 102:1 103:25	87:6	41:19 42:13 52:25 53:5	middle (4) 21:1 108:8 113:19	128:16 142:19 145:7 146:8	105:15,18 124:9 128:4	162:6,12 163:6,13,17
106:13 113:19 117:2 118:8	maintain (4) 108:16,18	69:13 105:1,8 117:13	195:23	160:15 161:14 164:7	130:13 137:19 141:25	164:8,24 169:7 170:22
119:9,18 121:8 122:14	159:14 167:21	119:22 136:16 166:24	midmorning (1) 53:20	173:17 185:22 187:25	154:5 183:4 187:7	171:25 191:15,23 192:14
127:12,25 164:17	maintained (6) 99:14 101:1	182:15	might (12) 7:5 54:1,3,12	198:9 201:10,15 202:5,10	needing (1) 159:5	noticesdeficiency (1) 104:7
lines (2) 100:20 182:7	maintaining (3) 102:11	means (14) 23:3 57:22 58:18	59:15 86:20 87:23 108:22	morning (11)	needs (13) 79:22 103:9	noticesflb (1) 104:7
lingering (1) 9:23	131:18 189:25	90:15 98:2,25 101:1	112:12 193:14 196:21,22	1:3,9,10,16,17,18 25:25	121:13,17 137:15	notification (1) 162:6
link (4) 51:16 52:8 194:1,10	maintenance (17) 37:10,22	113:21 132:25 133:12	migrated (1) 86:2	47:25 48:8 61:16 197:8	138:6,8,10,16 144:22	notifications (1) 160:21
linked (1) 137:11	38:12 68:8 96:5	143:11 163:17 182:10	millett (24) 1:14,16	most (10) 3:16 22:24 50:9	192:14 196:12 198:10	notified (1) 75:18
list (13) 24:10 28:20,20 37:5	101:5,21,25 102:2 106:18	187:2	8:3,15,16 34:2,4,10,16,19	move (3) 32:15 88:10	negative (1) 119:18	notwithstanding (2) 28:1
166:12 168:22 169:12	107:5,7 109:10 114:12,16	meant (2) 104:18 129:22	35:1,10,15,17 50:24	moved (3) 71:11 158:7	negatively (1) 119:12	114:9
184:7,10 190:12 199:3	181:3,11	measure (1) 169:23	53:14,22 54:1 55:4,5 61:25	189:21	neglected (1) 131:21	november (20) 53:1 76:5
200:2,5	major (5) 36:3 179:16	measures (2) 141:19,20	62:22,25 63:7	moving (6) 18:8 49:25 95:4	negotiations (1) 91:14	88:7,12 90:9 91:1 93:7,9
listed (4) 104:3 162:19	180:2,9 186:10	medium (3) 79:20 94:14	millicent (3) 47:20,22 48:3	168:6 172:23 191:21	neighbourhood (2) 46:17	94:1,19 95:4,8 100:1,14
163:23 168:9	majority (4) 99:8 107:19	141:17	mind (16) 10:3 61:24 63:23	189:21	47:20	122:9 124:25 127:21
little (6) 24:7 46:14 49:22	183:25 184:25	meet (16) 6:11,25 7:3 9:7	88:10 90:25 96:13 99:2	ms (67) 1:6,7,8,9,18 18:14	neighbouring (1) 36:3	129:18 173:1 198:21
54:1 134:8 187:22	makes (3) 19:16 38:3 127:5	10:14 15:25 16:11 61:3	104:5 121:5 138:18 129:7	34:12,25 35:22 53:15	neighbours (1) 108:25	nowadays (1) 150:14
live (3) 27:24 28:1 40:16	makeup (1) 44:10	75:4 156:6 174:11 177:19	147:6,20 149:2 159:6	54:4,13 55:2,6 61:7,25	neither (1) 100:10	number (17) 23:24 48:7 51:8
lived (1) 140:9	making (5) 59:21 103:18	183:12,25 184:4 186:6	187:23	62:6 63:15 67:1 79:17 81:8	never (7) 57:10,21 59:14	57:8,18 58:14 75:2 91:19
living (1) 195:9	170:15,17 175:15	meeting (129) 6:15 10:16	mindful (3) 21:22 127:18	84:10,21 88:24 89:11,20	80:24 81:4 99:20 101:20	108:4 110:15 154:7 159:10
load (2) 6:9,24	manage (2) 68:20 138:14	12:3 18:12,15,22 19:13,15	173:21	93:13 95:5 97:23 99:3	newsletter (2) 51:17 132:8	160:21 169:7 172:15
lobbies (1) 83:22	managed (4) 10:18 44:9	20:6 29:18 35:22 39:3,14	minds (1) 54:10	100:14 101:23 102:16	newsletters (2) 52:5 136:24	177:18 181:21
lobby (2) 87:25 166:21	138:12 162:4	40:2 59:1 72:13 78:1,20	minimise (1) 144:2	111:1,2,2,7 115:12,18	next (21) 2:6 3:14 6:11 24:18	numbered (1) 188:8
local (7) 27:1 73:23 84:13	management (15) 3:24 8:6	79:8,17,18 80:7 81:1	minor (2) 22:14 120:8	116:10 123:9 126:15,17	40:2 42:8,10 48:14 56:4	numerous (1) 92:10
154:14 198:23 199:11,18	11:16 43:19,20 72:6 98:10	82:11,14 83:19 85:4	minute (11) 35:21 37:1	136:11 144:14,21 146:7,10	82:11 102:8 104:20 106:8	nural (3) 18:16 19:1,2
located (1) 184:8	102:1,11 107:5 111:19	88:11,19,25 90:9 91:25	39:13 40:6,7 139:9 163:21	147:1 148:5,7,15,17	125:15 128:15,17 148:6	nye (1) 96:18
location (2) 21:20 166:17	located (1) 184:8	92:2,6,22 93:1,25 94:2,19	166:3 180:15 192:19,24	150:20 151:9,12 160:11	192:19 195:5 200:12,13	
log (1) 37:22	114:11 131:8 162:13	95:4,17 96:9,15 97:1	minutes (33) 39:10 63:4	200:23 201:10,25 202:7,8	ng (1) 58:11	
london (9) 51:13 52:12 143:6	189:17	100:1,6,10,11,14 101:4	72:10,13 78:20,23	203:1,4,8 204:3,8	nicholas (3) 92:25 194:21,23	
151:20 152:1 194:4 196:7	manager (10) 8:6,8 12:23	102:4 103:3,22,25 106:8	79:1,7,11,13 81:13 82:14	64:12,13 97:22 105:7	nick (17) 66:11,14 71:2	
197:7,10	33:1,13 44:9 95:10 110:4	107:4,9 113:8,15 114:9	84:3,4 85:10 100:11	115:12 116:1,13 129:19	75:19 89:9 91:1,2 93:3	
long (17) 21:21,22 41:8 48:7	113:5 147:6	116:18 118:7 122:8,15	106:17 113:10 126:25	133:23 145:12,24	94:3,3 168:19,24 177:19	
49:13 54:5 62:8,10 85:22	managers (1) 150:14	123:9 126:21,24 127:20	128:9 145:2,16 158:4	146:1,12,19,21	182:14 190:16 197:11,12	
141:17 146:16 147:22	managing (2) 143:19 155:8	128:10,15,21 129:4,18	162:17 167:3,11 168:1	148:1,9,11,17,18	nicola (2) 47:23 48:4	
154:11,25 165:17 176:3	manner (1) 95:22	139:6,12,23,24 156:2,7,9	169:2,3 172:13 178:6	150:18,20 151:8,12 178:11	nicolas (5) 66:5 148:8,10	
202:18	manual (1) 48:12	160:23 162:17,18	190:22 201:8	182:13 188:20 200:23	151:4 204:12	
longer (3) 66:11,12 195:16	many (4) 32:10 89:13 137:21	163:12,21,22 164:15	mirrored (1) 122:19	201:17,25 202:11,13,15,23	nm (2) 18:24,25	
longrunning (1) 129:2	183:25	165:2,13,15 167:8,9	mishandled (1) 131:22	203:4,9	nobody (4) 23:12 32:8 61:4	
longstanding (1) 71:15	march (22)	168:1,6,9 169:3,14,19	misremembered (1) 56:25	148:1,9,11,17,18	123:12	
look (46) 6:4 11:19 14:20	36:16,19,20,21,22 37:2,18	170:4 171:3 172:2	missed (1) 144:17	150:18,20 151:8,12 178:11	nominal (1) 94:25	
18:6 20:25 21:4 24:18 25:4	39:6 80:25 82:22 83:12	173:1,7,14,20	missing (4) 112:21 118:15,16	182:13 188:20 200:23	nonaccidental (1) 29:10	
34:7 35:22 41:18 42:5	85:6 106:7,12 128:22	174:6,8,13,24 175:17	175:7	201:17,25 202:11,13,15,23	noncompliant (3) 4:13 76:17	
43:21 51:1 56:7 57						

october (29) 18:12 19:12,15,17 20:4 21:7 22:23,25 24:23 27:18 31:24 34:21 35:13 47:24 48:6 82:19 85:6 88:18,25 100:24 109:17,21 116:19 120:17,21 163:23 166:3 167:10 168:2 odd (1) 114:4 odds (1) 123:17 offer (2) 80:4 135:22 offering (1) 17:5 offhand (2) 117:4,12 office (3) 46:9,25 50:8 officer (13) 29:14,22 47:20 65:15 66:9 70:8 78:6 109:19 112:9 154:7 175:4 176:8 178:17 officers (25) 15:7 33:5 71:15 72:19 75:19 87:4 97:2 104:21 107:15 110:11 118:9,13,18 119:1 120:6,9 123:15 127:9 132:21 137:25 143:8 153:21 154:24 161:14 162:21 often (4) 31:17 40:24 101:19 160:7 oh (7) 1:12 6:17 23:13 30:11 131:25 133:5 185:23 ohara (4) 162:20 163:24 167:18 181:21 okay (16) 24:8 40:8,10 50:23 54:16,20 57:14 115:21,25 188:4,19 189:14 192:7 195:2 196:1 198:3 old (2) 45:18 99:10 once (7) 13:16 67:23 70:14 71:19 81:24 108:3 114:7 onerous (1) 103:16 ones (3) 10:1 90:15 147:15 onetoones (2) 20:1 26:15 ongoing (4) 10:20 93:20 120:13 129:8 onset (1) 88:1 onsite (1) 138:13 onto (3) 90:15 98:2 113:21 onus (1) 108:14 onwards (1) 120:9 open (9) 27:22 87:22,24 99:1,4,7,8 114:5 124:21 opened (4) 27:2 98:2,23 99:6 opening (4) 82:23 98:17 99:19 113:21 operating (2) 27:6,21 operational (7) 36:8 107:23 153:1 163:3 182:10 183:9,16 operations (1) 23:25 opinion (8) 4:12 52:18 77:21 124:14,20 128:2 132:20,24 opinions (1) 77:20 opportunities (1) 54:6 opportunity (3) 64:22 129:4 151:13 opposed (1) 175:11 opposing (1) 77:20 ops (3) 33:8,23 40:20 option (1) 130:2 oral (1) 62:2 ordeal (1) 62:15 order (22) 10:13 26:5 45:19 67:4,17 69:11,14 80:15 83:3 98:10 101:6 102:2 103:6 108:14 134:15 140:20 142:18,21 159:2 162:3 170:5 176:19 organisation (3) 89:19 131:9 189:17 organization (2) 11:24 12:2 origin (1) 87:21 original (5) 96:21 114:6 178:22,25 194:22 originally (2) 99:13 120:16 others (5) 5:14 21:20 181:21 198:21 201:5 otherwise (2) 30:24 47:10	ought (4) 131:10 145:2,4 146:13 outcome (2) 70:12 127:10 outline (3) 52:9 116:23 198:24 outlined (2) 45:8 100:5 outlining (1) 51:10 outside (4) 54:7 72:21 106:19 112:13 outstanding (12) 39:22 61:21 81:2,5 82:8 91:13 168:3,22 169:12 171:16 172:15,20 over (36) 23:4 45:7 54:5 61:10 62:3,15 70:22 89:13 91:9,16 92:8 93:14 98:22 111:17 117:1 127:11 155:20,22 156:17 157:17 159:9,20 170:19 175:13 179:8 182:6 184:20,24 185:15,21 187:7,11 188:14 189:13 191:1 195:5 overall (1) 25:7 overlooked (1) 201:4 oversight (1) 34:1 overt (1) 31:9 overview (1) 156:16 overviewupdate (1) 167:19 owing (2) 173:18 185:3 own (8) 17:2 75:5,20 108:24 131:3 158:2 184:16 186:11 owned (2) 91:17 162:4 ownership (2) 19:24 51:17	169:14 170:8 176:15 178:3 199:22 partly (3) 39:1 161:12 194:13 parts (7) 92:9 121:12 134:16,25 135:15 143:3 144:1 party (2) 8:1 13:2 pas (5) 10:24 11:1,6 12:6 16:21 pas79 (1) 79:14 passage (1) 173:18 passed (2) 25:18 184:20 past (3) 48:25 61:10 91:9 pause (16) 34:9 54:22 63:18 92:17 116:3 133:10 145:13 148:14 169:16 188:12,18 192:6 195:25 197:19 198:2 201:21 pausing (2) 160:7 199:13 pay (2) 110:15 144:8 peep (2) 137:18,23 peeps (6) 77:2 139:22 140:3,8,13 195:13 peers (1) 56:10 pending (1) 128:17 people (45) 3:13 10:16 17:5 19:22 21:22 24:10 27:1 30:16 32:5 49:24 50:3 53:24 56:9 59:15,23 60:10 69:23 91:15 100:10 102:22 103:14 130:1 136:23 137:17,21 139:2 144:25 146:16 158:25 164:18,21 174:11 176:10 177:3,10,10 185:6,11,14 193:18 195:9 196:11,13 199:16,23 peoples (1) 76:24 per (1) 36:9 perceive (1) 58:14 perceived (1) 70:6 performance (3) 14:14 32:16 73:13 perhaps (14) 12:25 34:12 35:1 40:20 47:8 60:11 99:2,3 107:10 134:8 164:7 191:11 197:14,18 period (11) 29:9 43:11 44:1 45:7 49:15 54:5 66:10 71:5 105:18 147:7 170:19 periods (1) 153:10 perko (2) 99:11 175:5 person (22) 10:15 14:23 60:12,17 68:20 74:4,18 97:16 108:14 111:11,20 121:14 132:19 135:25 138:16,19 162:2,12,15 163:5 177:1 191:21 personal (5) 76:23 138:9,14,20 196:21 personally (2) 124:19 156:6 personnel (2) 117:8,18 persons (7) 73:22 75:15 96:8 115:9 138:21 155:7 199:11 perspective (3) 55:7 75:8 129:12 philpott (1) 185:20 phone (5) 25:20 26:1 27:6,21 28:7 phrase (3) 117:13 158:17 167:2 phrasing (1) 4:9 physical (1) 68:10 physically (1) 201:5 pick (3) 1:20 121:12 128:18 picked (1) 129:9 picture (1) 137:2 piece (3) 64:8 85:25 98:7 pile (1) 44:4 pin (1) 99:16 pipe (2) 58:23 60:3 place (40) 36:4 40:2 73:10 84:16 93:1,21 94:9 95:8 96:3 98:11 101:19 102:16 105:16 108:15,18 109:9,14 114:11,17 115:15 122:1 131:19 132:12,23	135:23,25 137:14,18 138:9,23 140:8 141:19 156:20 158:21 166:13 168:6 175:17 185:6,17 196:16 placed (4) 66:16 117:7,17 158:13 places (1) 108:14 plan (7) 96:17,21 131:17 136:12,18 138:14 165:9 planned (4) 12:3,11 14:7 37:10 planning (4) 137:3,15 174:10,11 plans (10) 15:2 44:7 76:23 79:15 80:1,5 81:4 83:24 138:9 196:21 play (2) 73:17 144:10 played (2) 185:7,8 please (61) 1:7,22 11:18 18:7 20:18,25 22:18 29:2,3 34:3 35:20 37:6,18 39:17 41:10 45:2 54:14,17,23 57:2 64:3,5,6,9 88:25 92:15 106:10 115:20,23 116:2,4 134:18 145:6,9 146:2 148:8,12,22,24 149:20 152:3 153:17 155:18 159:20 162:24 163:25 168:7,14 181:19 183:21 187:19 188:16 189:2 190:24 193:2 195:6 196:25 199:10 201:12,18 203:10 pleased (1) 202:9 plenty (1) 54:6 plus (1) 135:2 pm (9) 116:7,9 146:4,6 148:2,4 202:1,3 203:11 pointed (1) 2:22 points (9) 6:10,13 78:10 96:10 123:11 130:21 154:25 155:4 190:14 police (3) 149:24 150:22 151:23 policy (22) 43:4,14 46:7 49:1,11 89:4,7 90:2,6,10,19 96:18 132:25 133:22 139:14 142:17 144:11,12 164:20 174:18,18 175:11 population (1) 138:11 port (1) 171:24 portfolio (1) 80:14 pose (1) 141:21 posed (4) 57:23 58:22 117:23 143:10 position (13) 4:19 36:13 44:16,25 47:8 60:13 65:13 73:9 89:17 90:11 102:19 113:21 117:10 positive (9) 158:15,18 159:3 170:23 171:21 180:13,18 183:12,15 possibility (1) 56:17 possible (5) 2:16 40:14 53:6 99:16 108:2 possibly (7) 15:17 17:3,4 26:7 43:11 85:9 112:11 post (3) 71:3 152:13 165:18 postfire (2) 93:11 96:18 postgrenfell (1) 56:13 potential (4) 58:15 89:18 141:20,21 potentially (3) 4:13 22:24 175:8 power (4) 182:12 183:5,12,14 ppm (1) 36:7 practical (2) 175:10 177:6 practically (1) 177:9 practice (3) 56:11 136:7 169:17 preceding (1) 47:16 precise (1) 57:18 precisely (2) 87:18 97:23 preclude (1) 180:16	predated (1) 22:6 predecessors (3) 75:25 123:13 183:24 preempted (1) 180:22 preemptive (1) 145:15 preferred (1) 50:4 prejudging (1) 159:18 premises (53) 2:8,10 67:24 68:1,7,11 69:5 74:13 79:20 82:3 84:14 87:5 94:22 101:11,18 102:20 103:15 104:19 111:16 115:9 119:11 121:3,17,18 123:23 131:1,16 133:20,23,24 134:5 135:15 141:11 153:23 155:11 159:3 160:2,4,6,15,17 169:1 170:9,16,17,25 176:24 177:11 196:9,16 198:25 199:3,12 premisespecific (1) 133:19 preparation (1) 65:9 prepare (2) 6:2 147:3 prepared (4) 53:15 78:21 157:12 160:3 preparing (4) 42:21 84:4 140:12 151:21 prescribing (1) 136:2 present (7) 35:23 39:15,16 139:18 163:23 168:9 192:22 presentation (1) 16:24 presented (2) 22:3 58:25 press (2) 25:2 176:8 pressure (1) 61:6 presumably (2) 82:6 83:1 presume (2) 25:14,19 presumed (1) 9:15 pretty (2) 28:10 31:20 prevent (2) 29:13 96:3 previous (11) 20:4 69:5 70:20 72:10,13 75:23 83:4 130:22 135:5 180:15 193:10 previously (14) 67:25 69:6 72:12,18 73:16 75:24 94:7 115:2,6 118:24 122:8 162:6,15 156:3 primarily (1) 73:22 primary (1) 153:17 principally (1) 158:1 principle (4) 121:9,15 122:5 176:2 principles (1) 12:7 prior (5) 33:18 36:3 67:8 78:11 185:3 priorities (1) 156:23 prioritised (2) 79:15 83:23 priority (1) 165:11 privacy (4) 196:6,10 197:20 198:13 private (1) 44:20 proactive (1) 31:17 probably (18) 5:19 8:12 10:19 19:16,18,21 26:1 30:1 31:14,15 41:24 50:15 56:10 106:6 167:6 190:9,20 203:2 problem (10) 86:20,23 87:15 88:2 104:15,22 105:7 112:22 191:17 192:2 problems (3) 77:23 104:12 108:17 procedure (5) 51:11 52:10 166:13 191:5,14 procedures (4) 25:5 52:4 134:20 135:12 proceedings (1) 144:25 process (18) 72:15 79:18 81:17,21,24 94:13 102:11 104:11,16 107:5 111:9 119:21 141:10 156:20 165:21 170:20 185:14 199:9 processes (2) 25:5 114:11 produce (2) 32:11 130:13	produced (6) 32:6 43:9 49:17 50:8 55:25 170:22 producing (2) 49:12 76:23 professional (1) 17:6 programme (27) 11:25 12:20 13:5,9,23 14:6,16 52:15 67:18,23 73:10 79:14,23 80:8 81:16 82:2 93:19 94:8 98:11 100:15 101:22 102:2 105:19 107:22 109:10 114:20 157:7 programmed (3) 56:5 98:9 159:23 programmes (1) 91:11 progress (17) 39:23 40:11,24 47:3 85:7 128:16 129:20 158:15,18 159:5,10,14 165:13,24 169:23 170:3 171:5 progressing (1) 29:20 project (3) 44:9 83:23 195:8 182:6,17,20,23 promoted (3) 65:23 154:3,8 prompt (2) 129:12 132:3 prompted (1) 139:20 prompts (1) 129:22 proof (2) 163:9,8 properly (3) 106:25 123:22 176:12 properties (9) 69:3 76:18 80:9 91:17 102:17 162:4 179:14 180:2,9 property (5) 49:25 80:13 101:3 113:18 141:15 64:1,18,21,25 propose (1) 184:9 proposed (3) 100:15 168:23 169:13 proposing (2) 167:21 180:18 protected (4) 98:2,17,25 133:25 protection (3) 75:14 108:25 122:1 protracted (2) 3:8 7:17 proves (1) 163:14 provide (14) 32:25 48:10 57:18 91:7 92:5 96:14 127:9 132:18 154:23 155:24 167:23 168:21 169:11 150:6 provided (28) 23:21 28:8 32:5 42:21 43:25 45:7 46:3,22 51:7,8 57:7 64:14 73:8,8 85:14 89:13 91:25 92:2,7 127:15 131:7 136:20 138:5 151:20 167:12 169:22 198:14 199:20 provider (3) 14:21 60:7 158:24 providers (2) 106:23 186:10 providing (11) 3:22 45:24 47:11 49:4 51:11 96:20 122:17 128:3 135:14 195:18 200:19 provision (5) 121:23 136:14 143:22 183:18 196:6 prudent (2) 195:12 196:21 public (3) 24:3 55:8 144:2 publications (2) 51:16 189:12 publicising (1) 31:9 publish (2) 44:7 52:7 published (6) 12:6 49:5 74:10,11,16 154:15 pulse (2) 161:11,15 pumped (1) 46:8 purpose (6) 71:22 130:7 133:23 173:7 177:20 186:13 purposebuilt (5) 73:24 137:6 154:16 155:9 177:24 purposes (6) 55:8 84:4 103:6 134:3 162:2 168:21 pursue (1) 37:16 pursuing (1) 35:2 pushing (1) 186:5 putting (2) 56:6 136:15	<div>Q</div> <div>q (548) 2:10 3:2,19,23 4:4 5:1,3,6,15,18,21 6:9,15,17,19 7:8,22 8:23 9:10,14,21 10:5,21 11:1,3,9,14,16,23 12:11,14,16,18 13:7,14,21 14:1,5,19 15:13 16:1,7,13,20 17:1,8,10,14,20,23,25 18:2,6,17,20,23 19:2,4,9,11,15,17,19 20:2,13,17,22,24 21:17 22:1,5,17,23 23:15 24:5,9,13,18,22,25 25:12,22 26:3,17 27:10,17,20,25 28:12,22 29:1 30:3,9,24 31:19 32:9,17,19 33:5,12,15,17 35:25 36:13,15,19,25 37:6,8,11,15,22 38:2,7,11,15,19,25 39:4,12 40:2,9,11,17,24 41:3,8,10,15,21 42:1,3,8,10,15,24 43:14,16,18,20,24 45:1 46:2,8,14 47:19 48:19,23 49:6 51:21 52:25 53:9 55:11,14,24 56:6,13,15,17,20 57:1,6,15 58:3 60:1,22 61:7 64:1,18,21,25 65:3,6,11,17,21,25 66:5,17 67:7,10,12 68:4,12,21 69:8,13,16,25 70:17 71:1,4,7,18,21 72:6,10,14,16,18,21 73:2,12,19 74:1,4,7,9,15,18,22 75:8,18,23 76:2,7,11,13,17,20 77:2,6,10,12,17,24 78:6,9,15,17,23 79:1,3,7 80:4,7,12,17,20,24 81:7,10 82:6,11 83:1,9,12,17 84:4,7,17,24 85:3,12,17,22 86:8,11 87:15,18 88:7,9,15 89:10,23,25 90:4,8,19,23,25 92:19,24 93:9,25 94:10,17 95:3,8,13 96:22 97:1,6,8,11,17,20,22 98:3 100:13,17,24 101:23 102:4,8,25 103:5,20 104:15 105:1 106:25 107:4,10,17 109:5,8,14,16,20 110:6,18,23 111:8,10,13,21,23 112:15,18 113:1,5 114:9,15,24 117:17,25 118:4,22,24 119:1,5 120:9,15 122:3,8 123:9,18 124:1,4,16,23 125:11 126:15,20 127:23 128:9,16,21 129:11,15 130:4 131:5,23 132:5,11,15,20 133:18 134:3,7,11,19 135:8 136:2,5,11 137:2,10,21,25 138:5,22 139:6,9,22,25 140:3,7,11,17 141:3 142:3,5,9,13,15 143:4,6,12,14 144:7,10 149:2,5,11,15,20,22 150:3,7 151:1,16,18,24 152:13,16,22,25 153:3,11,15,25 154:5,13,18,23 155:3,5,12,15,24 156:7,9,12,15 157:1,3,9,18,22 158:6,11 159:5,19 160:24 161:19,24 162:16,23 163:17,20 164:11,13,22,25 165:2,17,20 166:1,24</div>
--	---	---	---	---	---	---

167:4,6,10,13 168:5 169:8,20,24 170:2,6 171:2,9,12,14,23 172:1,5,11,18,22 173:3,6,12 174:20 175:12 176:1,13,15,23 177:12 178:1,3,9,11,20 179:22,24 180:5,7,12,22,24 181:11,16 183:1,20 184:14,18 185:16,24 186:2,8,13 187:13,25 188:5,8,10,14,20,23 189:14 190:7,19,23 191:11,17 192:1,8,10,16,18 193:12,21 194:7,14,16,25 195:3,5,23 196:2,4,9,15,18,25 197:18,22 198:4,7,12,16,18 200:6,9,17,19 qualifications (4) 9:10 67:3 152:1 154:1 quality (5) 1:21 15:22,22 122:18 189:25 quantities (1) 21:12 quarter (4) 118:22 119:2 136:6,6 quarterly (6) 158:6 168:8 190:8,12 192:19,21 queries (4) 15:8,20 93:23 178:25 question (28) 10:6,22 26:8 35:4 36:25 40:11 42:17 57:6 64:9 82:6 90:5 97:24 98:22 101:7 103:7 109:14 121:11 122:3 128:22 148:23 165:19,22 167:14 176:11 180:4 182:8 191:24 192:1 questions (36) 1:15 15:9 30:24 53:16,25 54:8,15 55:3 61:8 63:21 64:5 79:3 93:10 126:23 139:3 144:15,22 145:1,7 146:8,10 147:19 148:16,20 163:3 169:2 180:22 182:2 200:24 201:6,15 202:5,10 204:5,10,14 quick (1) 24:15 quite (20) 3:8,18 4:10,21,22 15:9 17:4 19:22 21:21 25:18 26:25 27:5,6 31:16 32:4 60:17 147:4,22 154:11 200:3 quotation (1) 57:18 quoted (1) 186:22	rb (1) 18:17 rbk000268881 (1) 143:15 rbk000268882 (1) 141:5 rbk00029298 (1) 111:24 rbk000292982 (1) 112:3 rbkc (13) 33:15,20 58:16 111:3,16 112:5,8 139:17 140:22 162:4 163:1,18 173:3 rbkcs (1) 58:6 rbnm (1) 18:13 re (2) 24:13 48:6 reached (2) 97:12 203:2 reaching (3) 15:23 59:23 60:10 react (1) 123:4 reactive (1) 67:18 read (31) 10:3 12:8 21:23 32:20 35:10 38:7 57:12,16 59:17 64:22 72:10 79:1 84:4,7 125:18 135:3 151:13 170:7 178:22 180:11,12 186:14 188:6,11,19 195:23,24 196:20 197:15,23 198:4 reader (1) 65:23 readers (1) 30:9 readership (2) 32:9,19 reading (5) 2:24 84:3 86:19 92:15 188:21 ready (7) 1:11 48:13 63:6,20 116:10 148:15 197:18 realise (1) 197:21 really (23) 3:21 4:19 6:22,24 7:19 10:3,17 15:7 18:7 21:19 26:16 27:8 31:16 42:24 43:3 44:25 50:20 61:24 62:11 98:15 121:7 142:18 189:19 reason (19) 21:23 22:15 23:14,15 28:3 30:2,15 40:4 54:4 68:25 83:7,9 87:13 103:6 110:6 151:11 174:10 183:19 186:18 reasonable (1) 16:14 reasonably (2) 46:5 122:4 reasons (3) 83:1 114:24 168:17 reassurance (5) 15:5,18,22 16:5,9 reassure (1) 60:4 reassuring (1) 179:3 rebecca (10) 63:13,15,25 125:5 127:4 139:15 184:20,22,23 204:8 rebeccas (1) 59:11 recall (106) 5:16,17 8:2,22,23 9:6 10:18 12:21 13:18,19 17:13 18:1,4 44:4,10,12 45:9 46:25 47:2,4 56:18,19 57:9 59:10 84:21 85:21 93:24 99:5 106:17 125:9 132:20 133:14 139:6,20,22 156:9,21,24 157:4,18 158:3,5,9 165:25 166:20 167:3,8 168:1,4 169:3,14 171:4 172:2,4,6,10,17,21,24 173:7,22 175:15 177:7 178:3,7 179:19 181:6,6,12 182:15,17,24 183:1 184:12,17,19,23 186:3,8,12 187:15,21 188:21 191:9,17 192:15,17 193:8,11,13,15 194:1,4,8,13 196:2,3,5,24 198:5,13,13 199:15 200:3,19,21 receive (13) 51:10 72:23 73:7 78:23 90:16,21 93:23 107:4,8 137:20 154:2,18 172:2 received (18) 17:4 20:2 21:6,10 26:10 29:8,15 30:5 31:21 49:24 88:3,18 89:4	100:13 119:14 127:16 171:10 181:2 receiving (5) 2:24 20:15 45:5 179:19 184:12 recent (9) 6:3 24:19 25:9 27:13 56:4 91:17 127:15 167:5 179:8 recently (5) 10:4 64:23 106:24 120:25 151:14 recipient (1) 23:18 recipients (2) 23:23 24:4 recognise (3) 149:25 150:9 174:25 recognised (2) 158:24 161:13 recognising (1) 170:24 recollect (1) 110:17 recollection (8) 8:23 9:3 38:22 41:19 46:9 97:7,9 181:15 recommend (1) 2:16 recommendation (2) 103:10 165:9 recommendations (6) 29:15,21 30:4 31:17 121:11 177:20 recommended (2) 114:19 130:18 recommends (1) 103:8 reconsider (1) 7:8 record (7) 10:8 28:13 63:24 79:11 83:6 100:12 136:17 recorded (3) 106:17 110:15 119:15 records (4) 18:13 45:18 68:8 90:10 red (1) 168:17 redacted (1) 51:24 redambergreen (1) 165:10 reduce (2) 159:1 161:13 refer (16) 29:21 34:12 37:1 43:14 50:6 51:8 59:13 70:3 74:9 88:17 94:25 106:11 113:14 118:12 130:11 162:6 reference (24) 19:11 20:8 21:3 23:5 25:12,13 28:6 29:5 34:20,22 35:6,12 37:17 40:5 51:18 52:20 58:4 73:3 109:24 124:9 127:8 177:23 182:8 194:3 references (2) 35:9 130:16 referral (2) 51:12 138:2 referrals (1) 137:20 referred (11) 34:14 42:16 45:5 53:11 59:18 89:6 91:2 129:17 137:22 139:5 196:19 referring (3) 11:6 89:8 197:20 refers (1) 187:9 reflect (2) 117:9 165:10 reflected (1) 159:16 reflecting (1) 32:16 reflection (2) 109:5 128:6 reform (5) 67:4,17 159:2 162:3 170:5 refresh (5) 92:14 156:25 195:19,24 197:25 refurbishment (1) 86:2 refute (1) 180:19 regard (18) 47:13 52:4 107:18 139:11 157:15 159:3 160:14,17 162:15 170:4 173:16,25 174:14,21 175:24 190:5 196:16 200:3 regarded (1) 15:16 regarding (23) 75:24 77:15,18 83:4 85:14 86:21 90:10,19 93:17 94:18 95:24 100:14 107:25 112:12 113:17 122:11 123:10,14 126:12,23 128:25 130:6 164:1 regardless (2) 4:22 140:8 regards (3) 108:21 181:7 198:11	regime (8) 101:25 103:8,11,12 106:19 107:6 114:13,17 regular (16) 12:9 37:14 41:20 44:18,23 52:7 55:20 84:13 106:18 135:2 159:25 160:9 161:2,19,21 179:9 regularly (7) 17:2 42:19 50:17 51:15 67:20 106:22 176:17 regulation (2) 96:1 153:5 regulations (2) 67:5 94:24 regulatory (14) 66:3 67:4,16 69:16 70:6 75:8 83:4 129:9 130:3 135:21 159:2 162:3 170:5 193:19 reinspection (1) 69:4 reinstallation (1) 181:3 reinstated (4) 108:3 179:18 180:2,8 reinstatedinstalled (1) 179:15 reinstating (1) 107:25 reiterate (2) 44:17 179:6 reiterating (1) 26:16 rejoined (1) 153:4 rejoiced (5) 21:11 37:9 81:16 99:18 117:14 relates (2) 18:11 131:15 relating (7) 71:24 73:6 92:5 93:10 115:24 124:14 140:5 relation (15) 29:10 34:6 35:19 67:19 71:18 73:20 94:20 104:8 114:1 116:23 122:24 130:17 136:8 149:5 179:10 relationship (5) 16:5 60:7 158:14 171:22 189:8 relationships (1) 71:14 relatively (3) 22:14 169:21 186:9 relevant (4) 69:23 117:11,19 141:12 reliable (1) 141:14 reliance (3) 117:7,17 123:5 relied (1) 130:23 relief (1) 87:15 rely (5) 2:18 16:14 102:4 118:10 164:19 remain (1) 144:24 remained (1) 39:21 remaining (1) 87:2 remains (1) 61:25 remedial (2) 80:14 103:1 remediated (1) 69:24 remedy (5) 106:2 135:22,22,23,24 remember (35) 2:24 5:14,20 8:18,18 12:7 19:19 20:15 25:22 28:14,17,22,25 36:22 54:17 79:16 85:12,20 87:18 94:11 97:24,25 109:3,4 113:4 156:4 157:13 161:8 184:14 185:19 189:11 191:11 192:10 193:12 198:17 remind (3) 8:4 108:23 130:20 reminded (1) 136:24 reminder (2) 142:20,24 reminders (2) 131:23 132:3 reminding (2) 130:12,14 remits (1) 9:18 remotely (1) 27:4 remove (1) 3:13 removed (4) 108:1,5 175:6,8 repaired (1) 166:18 repairs (3) 43:12 44:5,6 repeat (9) 148:23 165:19 166:25 167:9 169:19 176:11 180:4 191:24 192:2 rephrase (3) 64:5 104:14 148:23 replaced (3) 107:20 175:8 190:3 replacement (10) 60:3 107:21 141:12,24	143:9,20,23,24 157:6 179:12 replied (1) 200:10 reply (3) 90:8 92:12 194:25 replying (2) 178:21 183:23 report (23) 20:19 21:9,18,24 22:8,20 23:19 24:2,4 29:3 31:25 32:1 33:17 34:7,7 35:11 36:11 38:9,10 87:4 93:11 161:14,18 reported (9) 6:9 8:7 19:22 38:23 39:1,6 40:18 101:3 166:14 reporting (1) 86:8 reports (10) 6:3 18:21 21:21 23:24 33:22,25 40:11,24 127:6 166:10 represent (1) 142:16 representatives (3) 65:10 77:3 158:1 representing (1) 197:9 reprinted (3) 45:17,17 53:6 republished (3) 43:2 44:18 46:12 request (6) 88:25 90:9,25 92:4 171:3 199:10 requested (11) 6:23 12:24 15:6 24:19 27:13 76:9 83:24 88:19 107:24 119:14 168:19 requesting (2) 15:20 169:10 require (4) 25:8 68:17 136:7 145:24 required (15) 22:12 23:10,10 96:2 97:4,18 98:5 117:6,21 126:6 129:23 133:17 158:19 165:6 201:23 requirement (1) 36:9 requirements (11) 16:11 17:14 29:18 75:12,13,16 91:12 121:20 154:19 170:4 186:6 requires (2) 13:13 108:16 requiring (1) 135:20 rescue (1) 196:13 rescued (1) 25:7 research (2) 17:3 195:8 reservations (5) 77:18 85:13 86:8 123:19 126:11 residency (1) 139:3 resident (6) 44:5,6 45:22 55:24 101:3,19 residential (3) 67:19 73:21 136:8 residents (59) 41:3,5,12,12 42:16 45:8 46:22,22,23 47:1,3 49:8 51:5,7,18 52:1,8,20 53:3 55:14 58:14 60:4,11 76:24 101:13,16 108:2,17,19,20,23 131:7,10 132:4,6,16 133:1,21 134:23 135:1 136:12 137:11,15 138:6,25 140:8 188:25 189:6,10,18,24 191:4,13 193:3,9 194:12 195:13 196:6,13 resistance (1) 190:6 resisting (2) 114:7 179:4 resolve (1) 160:4 resolved (2) 40:19 41:1 resource (2) 61:14,18 respect (8) 36:5 135:9,17 154:1 155:6 162:3 181:11 198:10 respective (1) 43:5 respects (2) 4:6 5:6 respond (4) 6:12 31:5,11 89:23 responded (1) 191:25 responding (2) 25:17 27:24 response (21) 5:14 10:8 24:22 27:10 89:24 90:4 92:25 93:23 97:6 98:4 101:23 108:7 109:1,5 123:11,18 128:13 136:13	178:25 183:22 184:12 responses (2) 59:3 187:1 responsibilities (3) 131:15 153:18 160:12 responsibility (7) 5:11 16:6 111:15 162:13 165:5 173:8 195:15 responsible (26) 2:19 14:23 17:14,16 39:19 49:12 68:19 73:22 74:4,18 108:14,21 111:11,18,19 121:14 135:25 140:15 143:22 155:7 159:4 161:17 162:2 163:5 177:1 185:11 rest (2) 27:2 101:12 restatement (1) 142:17 resubmitted (1) 49:2 resulted (3) 36:4 92:9 109:22 resulting (1) 104:23 results (3) 12:3,12 170:23 resume (2) 54:13 115:20 retired (5) 70:20 71:3,6 153:13 172:19 retirement (3) 152:23 153:3 185:3 retrospectively (1) 94:24 return (2) 108:4 112:19 revert (1) 128:12 review (16) 2:2 7:22,25 12:2,11 14:6 41:23 48:12,16 49:4 54:7 81:13 93:11 117:3 125:19 166:15 reviewed (18) 8:1 42:19,23,25,25 43:1 44:17,23 45:18,24 47:11 49:2,18 53:7 55:19 88:4 116:24 166:11 reviewing (3) 43:6 95:21 181:25 reviews (1) 93:18 revisit (2) 10:2 35:4 revisiting (1) 8:21 rhyme (1) 30:2 richmond (1) 152:10 righthand (2) 38:15 135:11 rightly (1) 99:4 rigorous (1) 61:15 rigorously (1) 61:19 ring (1) 84:12 rise (3) 63:4 145:14 147:25 riser (3) 58:9,18 59:3 rising (2) 96:4 126:2 risk (130) 2:14 3:7 7:9,22,25 8:10 9:11 11:16,21,24,25 12:4,14,19,24 13:7,8,11,23 14:2,6,8,22 16:16 25:9,10 26:21,23 28:23 31:13 33:8 55:19 57:23 58:15,22,25 60:25 61:20 67:24 68:2,8 70:10,11,12 74:7,19 77:22 79:23,25 81:5,22 82:4 87:11 88:3,20 89:3 91:20 94:8,14 95:21,23,25 96:6,11 97:14 98:6 113:25 115:3 116:17,24,25 117:4,7,11,11,15,19,23 118:16 119:15 120:11,24 122:4 123:1,7,22 125:20 126:4,4 127:2,5 128:2,4 129:1 130:13,19,22 131:2 136:20 138:17,18 141:10,14,16,18,22 142:1,11,20,21,22 143:1,2,10 155:12 156:19,23 157:9 159:1 161:13 166:17 168:20,23 169:12 170:24 186:20,25,25 199:1,5 riskbased (1) 67:23 riskranked (1) 199:19 risks (4) 69:22,24 121:14,16 road (2) 164:6 190:21 robert (10) 17:21 18:18 24:9,22 26:7 28:22 33:2 51:3,24 76:21 roberts (1) 24:1	role (32) 3:23 4:23 16:2 17:4 18:9 46:12 65:12,21,23 66:2 67:15 70:1 73:6,13,16 77:16 82:1,7 110:13 140:3 151:25 154:2,6,8 156:17 169:24 173:14 174:19 176:5 185:7,8 195:18 roles (3) 20:11 176:7 185:9 rolling (2) 79:14 93:19 roof (1) 184:2 room (7) 1:7 53:24 54:19 115:23 145:10 201:6,13 root (1) 99:16 roughly (3) 67:23 68:3 96:15 round (1) 105:3 route (2) 133:25 134:1 routine (1) 101:21 routinely (7) 46:3 56:16 78:23 96:19 100:25 104:21 132:1 rrro (4) 16:2 70:10 142:23 186:7 run (3) 5:23 50:25 152:7 running (5) 42:4 8
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<p>scroll (7) 42:8,10 92:24 150:3 167:16 197:18 200:9</p> <p>scrutinise (1) 15:8</p> <p>second (33) 21:4 37:24 41:6 51:1 52:3 64:18 70:2 81:11 86:13 88:15 89:1,21 90:12 93:15 100:2 103:23,25 106:9,13 113:12 116:20 118:8 119:8 121:5 127:12 130:8 149:16 150:21 165:4,20 173:12 175:5 190:19</p> <p>secondly (3) 64:4 76:3 112:4</p> <p>secretary (1) 162:9</p> <p>section (4) 23:3 41:23 165:3 187:14</p> <p>sector (1) 56:11</p> <p>secure (1) 144:2</p> <p>see (107) 2:4,7 5:23 9:7 10:21 11:16,20,21 18:12,23 19:5,6 20:20 21:1 22:19 23:15 24:6,16 27:10 28:13 29:6 35:23 36:1 37:15,23 38:3,15,21 39:12,17,25 40:5 41:25 42:4 43:14 45:2,19 48:3 49:8,17 52:2 54:1,4 55:2 57:8 79:10 81:13 82:16 87:13 88:23 90:8 91:5,24 92:12 95:16 107:13 108:8 110:18,19,21,25 111:25 112:3,20 118:6 120:19 122:13 125:4,5,18,24 130:16 134:19,20 135:10 141:3 144:16,17 145:6,23 146:7 147:12 149:12 150:4,5 156:2,13 165:20 167:14 168:8 177:16 178:10,15 181:19 183:21 184:8 186:10 187:7,15 190:11,13 192:21 194:25 197:5 200:13 201:1,14 202:4</p> <p>seeing (4) 167:3 169:3 170:3 187:20</p> <p>seek (1) 39:23</p> <p>seeking (3) 14:15 35:7 92:20</p> <p>seem (3) 26:4 99:5 173:3</p> <p>seemed (2) 59:17 86:3</p> <p>seems (8) 35:8 41:8 98:20 110:9 126:10 136:13 180:7 193:13</p> <p>seen (13) 7:24 10:1 29:4 106:19 110:18 112:25 156:24 167:11,25 174:23 176:8 179:23 192:23</p> <p>self (6) 90:14 91:19,22 108:24 126:6,9</p> <p>selfclose (1) 176:5</p> <p>selfclosure (9) 87:9,23 95:2 98:1 101:21 105:9 108:5 117:24 179:17</p> <p>selfclosers (31) 86:12,21 87:6,7 88:20 89:2 95:24 97:3 99:10,18 101:14 102:11,19,24 106:12,15 107:25 117:15,21 128:25 129:3 131:20 175:5 177:7,9 179:14 180:1,14,17,20 181:10</p> <p>selfclosing (50) 3:14 27:15 49:23 86:16 87:12,13 88:2 92:21 94:5,18,21 96:1 97:13,17 98:5 100:15,25 101:29 104:13 105:4 106:21 107:1,7,20,23 109:10 112:21 113:14,23 114:13 117:5,13 170:18 175:1,2,16,24,24 176:20 177:21 178:5 179:5,13 180:8 181:4,11 187:9 190:2,6</p> <p>selfreffer (1) 137:18</p> <p>selfrefferal (1) 138:1</p> <p>selfrefferred (1) 137:22</p> <p>seminar (1) 6:4</p>	<p>send (9) 5:3 28:14 41:24 43:7 120:6 132:3,9 163:5,12</p> <p>sending (2) 163:17,18</p> <p>sends (1) 26:8</p> <p>senior (6) 44:9 75:19 97:2 118:12 127:8 161:14</p> <p>sense (4) 19:16 98:18 106:25 174:22</p> <p>sensible (3) 53:20 86:3 147:5</p> <p>sent (29) 3:4 4:2 52:1 88:24 90:8 91:6 93:13 95:10,13 108:8 109:3 120:17,21 129:15 130:6,11 131:23 132:1 140:22 143:6 162:25 164:3,4,5,8,17 184:10 186:3 197:3</p> <p>sentence (6) 66:20 89:12 102:8 127:12 160:25 166:5</p> <p>separate (12) 2:5 3:15 40:15 43:12 50:13 74:22 77:25 81:10 86:11 109:16 131:6 137:10</p> <p>september (12) 40:3,7 65:14 76:21 80:9,18 82:9 83:18 85:5 130:7,12 197:2 series (2) 2:7 170:22</p> <p>serious (10) 22:24 31:2 69:10,13,18,19,21 129:25 134:21 135:12</p> <p>seriously (3) 8:25 9:12,19</p> <p>serve (1) 133:23</p> <p>served (9) 23:16 31:1 36:5 83:6 85:19,24 105:23 113:17 135:17</p> <p>service (4) 38:4,11 109:22 122:17</p> <p>services (1) 139:17</p> <p>servicing (1) 27:14</p> <p>sessions (1) 66:12</p> <p>set (9) 49:20 69:11 104:17 123:11 127:18 142:15 153:17 155:16 191:18</p> <p>sets (1) 107:21</p> <p>setting (2) 184:6 188:15</p> <p>several (2) 29:15 199:23</p> <p>seward (1) 43:15</p> <p>shah (4) 47:21,25 48:4,8</p> <p>shall (3) 11:24 12:2 145:23</p> <p>sharing (1) 161:22</p> <p>sharp (1) 87:15</p> <p>shed (1) 97:12</p> <p>sheets (1) 50:13</p> <p>sheltered (8) 79:22 139:25 195:15 196:5,17 197:9 198:9,14</p> <p>shepherds (3) 132:2 140:24 144:7</p> <p>shes (1) 20:8</p> <p>short (11) 54:25 63:1,9 116:8 141:17 145:1 146:5 147:2 148:3,20 202:2</p> <p>shortland (1) 147:5</p> <p>shortly (2) 142:6 158:4 should (47) 2:10 12:9 13:16,18 14:11,17 15:12 29:9 30:17,18 33:3 40:18,18 49:21 59:4 61:19 64:8 90:5 94:9 98:21 113:22,24 114:8 115:7 121:2 125:21 131:2 133:19 135:13 138:18 149:12 151:9 162:8,11,25 163:5,15 164:4,5,8 168:20 169:22 177:19 211 186:6 189:24 202:15</p> <p>show (3) 37:19 38:19 41:10</p> <p>showed (2) 5:23 27:10</p> <p>showing (2) 18:10 40:4</p> <p>shown (4) 52:25 108:20 190:15 197:24</p> <p>shows (1) 38:16</p> <p>shut (1) 72:1</p> <p>sic (2) 166:18 182:10</p> <p>sie (2) 3:13 125:17</p> <p>sides (1) 91:25</p>	<p>sideways (1) 18:8</p> <p>sight (2) 9:9 193:14</p> <p>signage (1) 134:1</p> <p>signature (7) 149:12,13,14,21,22 150:7 151:1</p> <p>signatures (1) 150:14</p> <p>signed (1) 150:4</p> <p>significant (12) 29:17 61:6 80:5 91:19 93:21 95:22 165:7 168:19,22 169:12,18 172:15</p> <p>signups (2) 49:19 50:9</p> <p>silence (2) 16:14 119:18</p> <p>similar (2) 52:16 174:9</p> <p>simple (2) 133:20 148:21</p> <p>simplest (1) 135:24</p> <p>simultaneous (1) 137:9</p> <p>since (5) 39:24 100:14 153:12 156:25 179:23</p> <p>single (4) 58:22 132:25 134:5 155:2</p> <p>sir (109) 1:3,9,11,13 8:4,9,14 34:4,11,17,23 35:5,14,16 49:14 50:6,12,22 53:19,23 54:11,17,21 55:2 62:6,20,22 63:3,11,13,14,16,22 98:13,20 99:2,12,15,21,24 105:7,12,15 106:3,5,6 113:10,11 115:13,14,17,22 116:1,5,6,10,13,15 133:5,7,11,13 144:19,20 145:4,5,9,12,14,17,22,25 146:1,7,10,13,22,24 147:2,10,11,15,23,24 148:5,9,11 150:10,15,17 151:8 201:3,7,8,11,16,17,20 202:4,6,7,14,17,18,20,21 203:1,6,9</p> <p>sister (1) 122:20</p> <p>sit (5) 17:19 63:16 69:17 145:19 148:12</p> <p>site (4) 102:18 120:1 166:9 195:17</p> <p>situation (5) 167:20,24 174:9 180:17 196:14</p> <p>situations (1) 180:21</p> <p>six (3) 21:10 96:16 100:20</p> <p>sixmonthly (2) 103:9,11</p> <p>sixth (1) 21:14</p> <p>size (1) 103:13</p> <p>skills (1) 67:1</p> <p>slam (1) 101:17</p> <p>sleeping (1) 74:11</p> <p>slightly (10) 18:8 54:12 123:1 125:22 136:5 145:18,19 147:7 174:22 199:15</p> <p>slipped (1) 185:23</p> <p>small (6) 13:10 21:12 25:9,12 26:21,23</p> <p>smoke (4) 37:23 38:20 87:25 125:25</p> <p>sole (2) 14:21 152:17</p> <p>solid (1) 170:18</p> <p>solution (2) 136:2 177:6</p> <p>solutions (1) 125:21</p> <p>somebody (2) 123:25 150:12</p> <p>someone (3) 46:12 189:13 196:20</p> <p>someones (1) 151:7</p> <p>something (27) 20:14 23:18 40:23 41:5 47:12 56:24 57:24 59:17 61:16 72:24 87:24 103:15,17,18 109:14 113:1 141:7 150:11 155:1,6 169:24 170:6 171:19 187:21 189:7 190:3 201:5</p> <p>sometimes (3) 17:5 127:5 144:23</p> <p>soon (3) 2:16 31:20 87:18</p> <p>sooner (1) 115:10</p> <p>sort (10) 4:2 26:14 32:5</p>	<p>42:13 68:14 101:20,25 169:22 174:9 183:17</p> <p>sorts (1) 59:23</p> <p>sought (2) 90:17 93:6</p> <p>sounds (3) 169:4 171:18 193:16</p> <p>source (3) 53:3,10 161:10</p> <p>south (1) 45:22</p> <p>southwark (1) 6:6</p> <p>space (2) 98:17 99:5</p> <p>spandrel (1) 143:25</p> <p>speak (10) 9:11 34:23 53:20 85:21 98:9 102:1 128:15 133:1 159:5 183:7</p> <p>special (1) 138:17</p> <p>specialised (7) 2:17 3:10 139:7,12,25 140:12,14 specific (20) 20:8 30:6,7 35:12 68:25 73:5 104:3,8 114:4 118:25 122:10 124:15 128:17 154:5,10 156:21 172:11 173:17 175:15 187:16</p> <p>specifically (12) 5:19 34:24 43:25 44:1 76:9 85:11 105:2 114:1 140:5 157:19 179:10 196:11</p> <p>specification (1) 11:17</p> <p>specified (1) 68:22</p> <p>specifying (1) 143:19</p> <p>speculation (1) 25:3</p> <p>spell (1) 22:8</p> <p>spelt (2) 151:3,9</p> <p>spencer (4) 91:3 94:4 95:11 129:16</p> <p>spend (1) 10:5</p> <p>spent (2) 4:10 176:4</p> <p>spilt (1) 133:4</p> <p>spoke (4) 94:6 132:16,19 195:7</p> <p>spread (3) 87:25 140:23 141:21</p> <p>spreading (1) 101:11</p> <p>spring (1) 61:24</p> <p>sprinkler (1) 198:21</p> <p>sprinklers (2) 199:22 200:17</p> <p>square (1) 125:18</p> <p>staff (2) 153:4 195:17</p> <p>stage (18) 7:5 8:2 27:3 39:1 42:14,15,16 54:15 55:17 56:8 61:4 75:18 77:3 82:20 129:19 136:5 145:3 201:4</p> <p>stair (2) 125:25 134:5</p> <p>staircase (1) 58:22</p> <p>staircases (1) 21:13</p> <p>stand (1) 14:20</p> <p>standard (13) 10:24 36:9 79:14 89:16,17 90:6 95:1 111:4 182:23 183:13 190:4,4,5</p> <p>standardrecurring (1) 104:6</p> <p>standards (4) 15:24 76:14 167:21 173:10</p> <p>standing (6) 16:21 22:11 30:21 71:25 81:24 85:8</p> <p>start (6) 1:22 44:3 64:2 78:3 118:6 177:2</p> <p>started (9) 26:1 66:8 77:6,10 80:8 106:24 115:2 158:6 186:8</p> <p>starting (6) 66:6 87:4 118:8 166:5 176:21,25</p> <p>starts (6) 22:23 26:3 108:11 125:23 127:12 168:12</p> <p>stated (5) 134:24 163:14,16 166:9 186:18</p> <p>statement (67) 43:21,22 46:15,18 52:23 57:3,8,11 64:16,19 65:8,9 66:19 67:9,13 70:1,17,24 71:21 73:2 78:18 81:10,11 84:5 86:13 88:15 98:5 100:3,18 102:9 103:24 106:9 110:1,7 113:13 116:21 117:22 118:4 119:6 121:5 122:12 127:24 130:9</p>	<p>149:7,9,16,18,19 150:1,2,21,23,25 151:5,7 152:3 153:16 155:17 157:23 159:21 172:24 173:13 174:23 178:10 185:1,24 189:1</p> <p>statements (17) 57:9,13,17,25 62:2 64:14,23 65:1,3 100:17 127:5,7 149:5,23 151:14,21,23</p> <p>states (2) 110:6 135:1</p> <p>station (2) 181:24,25</p> <p>status (1) 93:17</p> <p>statutory (3) 22:11 23:9 144:3</p> <p>stay (11) 25:7 67:13 70:17 88:15 122:12 133:1 134:23 137:7,8 143:14 169:1</p> <p>staying (3) 89:11 106:9 134:12</p> <p>stayput (7) 3:11 132:22,25 170:9,16,17,24</p> <p>steer (2) 6:22 59:15</p> <p>stenographer (1) 149:3</p> <p>step (1) 169:9</p> <p>steppings (1) 119:3</p> <p>steps (1) 17:10</p> <p>steve (2) 168:10 192:23</p> <p>steven (1) 181:25</p> <p>stewart (3) 110:4,15 113:5</p> <p>still (20) 4:15 10:20 12:22 27:3 50:17 60:13 84:10 91:13,14 95:1 109:15 111:16 120:2 142:25 144:24 147:19 166:6 167:1 169:21 175:8</p> <p>stock (15) 14:23 44:4 61:18 71:25 79:19,24 81:22 87:2,3,9 94:14,25 103:13 114:3 167:20</p> <p>stockpile (2) 45:9,12</p> <p>stokes (43) 1:21 5:3,22 7:9 8:25 14:2,7,20 17:8,12 36:19 37:2,17,22 38:3,7 55:12 57:22 77:8,18 87:11 91:21 99:3 119:14 120:12 122:11,17,22 123:10,14,21 124:7,15,20 126:12,16,23 128:23 129:3,21 157:10,11,15</p> <p>stop (1) 54:13</p> <p>stopping (1) 89:6</p> <p>storage (1) 76:2</p> <p>stored (2) 21:12 72:15</p> <p>straight (3) 50:4 147:17 185:2</p> <p>strange (2) 51:20 53:7</p> <p>strategy (17) 3:11 49:21 52:9 76:4,8 96:7 114:19 132:22 137:5 141:16 186:4,11,14 187:7,8,15,18 96:15 129:16</p> <p>strayed (1) 145:18</p> <p>street (2) 2:8 112:5</p> <p>stretch (1) 1:18</p> <p>striking (2) 41:16 104:9</p> <p>strongly (2) 141:9 180:19</p> <p>struck (1) 87:19</p> <p>struggled (1) 60:6</p> <p>struggling (2) 34:19 59:7</p> <p>style (1) 99:10</p> <p>subject (10) 24:13 48:6 51:4 64:25 102:20 115:15 175:18,22 178:20 198:21</p> <p>subjects (1) 67:1</p> <p>submit (1) 110:11</p> <p>submitted (2) 36:7 110:7</p> <p>submitting (1) 67:8</p> <p>subsequently (3) 42:23 56:24 59:17</p> <p>substance (3) 94:2 96:23 109:2</p> <p>substantial (3) 45:23 59:25 112:11</p> <p>substantive (2) 90:4 144:11</p> <p>success (1) 4:21</p>	<p>suddenly (2) 6:23 123:16</p> <p>sufficiency (1) 120:11</p> <p>sufficient (13) 2:14 15:24 16:17 101:5 103:6,12 114:12 125:20 128:4 130:14 131:2 132:12 194:10</p> <p>suggest (7) 53:9 90:9 103:5 118:6 141:11 158:18 201:6</p> <p>suggested (8) 48:24 57:10,21 58:21 166:15 195:12 196:20,23</p> <p>suggesting (4) 16:8 59:18 136:2 180:1</p> <p>suggestion (2) 106:25 180:19</p> <p>suhail (15) 72:19 78:7,11 83:18,24 85:4 158:2 159:24 163:24 168:10 177:17 185:7 192:24 193:14,15</p> <p>suit (1) 121:13</p> <p>suitability (2) 7:9 95:23</p> <p>suitable (11) 2:14 15:23 16:16 114:12 121:16 125:19 128:3 130:14 131:2 199:3,11</p> <p>suits (2) 121:3,10</p> <p>summarise (6) 79:13 153:19 155:19 163:4 164:7 197:8</p> <p>summarised (3) 79:12 95:8 197:25</p> <p>summary (8) 15:15 72:4 96:14,20,22 126:13 143:4 198:4</p> <p>supplied (1) 136:22</p> <p>supply (4) 182:12 183:5,12,15</p> <p>support (4) 97:8 153:5 183:10 195:18</p> <p>supported (2) 127:6 139:16</p> <p>supporting (1) 153:20</p> <p>suppose (3) 104:15 111:10 169:21</p> <p>suppress (1) 35:7</p> <p>suppression (3) 138:20 198:25 199:21</p> <p>sure (33) 7:2 13:19 17:9 21:25 26:16 28:17 32:22 41:14 42:2 47:10 49:1 50:12 55:17,20 56:23 58:19 60:16,19 68:21 69:23 85:10 107:8 130:24 141:12 151:5 166:16 169:17 170:17 176:11 177:7,10 186:22 191:24</p> <p>surprise (2) 3:20 4:3</p> <p>surprised (8) 3:6,18 4:1 7:18 44:24 89:20,22 97:7</p> <p>surprising (2) 4:25 98:20</p> <p>survival (1) 92:10</p> <p>suspect (1) 106:5</p> <p>sutcliffe (5) 91:3 94:4 95:11 96:15 129:16</p> <p>sw10 (1) 2:8</p> <p>swindells (4) 107:11,14 108:7 109:1</p> <p>switch (4) 182:10,20 183:4,14</p> <p>sworn (2) 63:15 204:8</p> <p>sympathies (1) 62:18</p> <p>sync (1) 147:14</p> <p>system (25) 11:17 36:5,8,11 37:23 38:20 39:21 40:6 82:13,17 83:8,21 102:15 105:16 108:18 109:12 112:12 122:25 123:2,3,8 130:18 137:14 138:1,20 73:19 77:24 88:9 89:10</p> <p>systems (13) 68:9 84:15 93:21 96:3 108:15,16 111:19 125:17 131:18 138:23 143:10 198:25 199:21</p>	<p>taken (18) 9:19 62:8 65:3 71:5 79:22 85:22 96:21 100:10 101:15 103:1,21 106:2 114:20 131:21 135:21 147:1 172:12 202:18</p> <p>takes (2) 159:13,13</p> <p>taking (11) 2:17 36:3 62:25 98:4 102:6 103:13 112:15 119:17 169:9 184:24 189:13</p> <p>talk (6) 52:18 54:18 115:23 145:9 177:23 201:12</p> <p>talking (4) 25:14 134:19 190:14 197:4</p> <p>tall (2) 140:23 195:9</p> <p>tampered (1) 101:15</p> <p>task (2) 62:10 103:19</p> <p>team (117) 3:24 8:7 13:1,4 18:15,21 19:23 20:11 26:15 28:19 31:3 39:6,10 44:19 46:16 49:8,12 54:7 65:13,18,19,21,23 66:2,16 67:15 70:2,2,5,19,20,22 71:11,12,16 72:25 73:9,11,13,14,15,16,17 74</p>
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148:1,7,9,11,15,17,18 149:1,15,20,22 150:17,19,20 151:8,12,24 152:16 153:11,15,25 155:5,15 156:15 157:22 159:19 160:24 161:24 162:16 163:20 164:12,13,25 165:1 166:1 168:5 169:8 171:14 172:1,22 173:6 175:12 176:13,14 177:12 178:1,11 179:24 180:6 181:16 182:13 185:16 186:2 188:20 190:7 192:9,18 194:16 197:17 198:7,16 200:6,23 201:7,16,17,20,25 202:6,8,10,13,15,17,22,24 203:4,4,8,9 thanks (1) 58:8 that'll (1) 150:17 thats (68) 5:8 6:17 10:19 15:17 16:12,19,20 18:15,17 20:14,15 26:19 33:7 34:1,25 35:9,17 38:3,6,10 48:22 52:23 59:19 61:16 67:25 70:8 76:25 86:11 92:13 96:17 99:1,21 101:11,21 107:10 111:25 112:1 121:18 124:10 127:4 135:23 138:19 140:19 149:8,17,22 150:10,22,23 151:11 152:24 153:10 156:15 162:18 165:3 170:16 171:18 173:13 174:13 175:12 177:1 178:13 180:4,11 187:17 195:3 203:2,8 theme (1) 135:20 themselves (3) 68:20 101:16 137:18 thereafter (1) 44:13 therefore (10) 10:9 42:22 68:21 70:21 89:15 112:13 129:11 141:9 165:11 166:7 theres (14) 22:20 29:4 30:2 32:4 42:10 45:19 69:10 75:12 132:1 133:20,24,25 169:18 201:1 they'd (8) 37:13 68:17 72:25 79:25 86:4 106:23 114:5,21 they're (6) 3:14 34:14 138:8 144:4 147:14 175:8 they're (1) 131:19 thing (12) 4:3 23:8 30:5 31:13 104:9 151:2 159:3 170:16 181:8 189:20 191:15 196:5 thinking (6) 15:14 40:20 49:5 138:6 159:15 181:7 thinks (1) 144:22 third (10) 8:1 23:1 25:4 37:1 57:11 73:4 108:10 113:19 124:11 189:1 thirdly (2) 64:6 76:13 though (5) 56:20 58:17 85:21 112:3 193:19 thought (18) 23:25 24:2 30:17 46:13 47:15 49:10,10,11 59:12 60:6,11 87:8 94:9 101:24 134:7 159:7 186:19 197:8 three (9) 25:3 49:16 59:5 64:2 80:14,25 146:14 180:13 182:7 three-month (1) 66:6 three-year (1) 114:20 through (36) 10:5 17:4 24:7 45:18 46:9 60:25 61:1,2,22 67:17,22 75:2 79:23 106:5 128:19 129:9 130:2 136:20,24 147:7,17 150:3 152:7 155:1 158:3 159:16 170:20,25 172:12,14 174:8	189:12,25 194:9 197:14 199:17 throughout (4) 88:1 101:12 172:5,12 thursdays (1) 203:13 tidy (1) 185:4 tight (1) 201:23 time (104) 2:25 3:9 4:11 10:5 14:17,25,25 15:15 20:16 26:2,24 27:23 31:8,15 41:8 44:11 45:7 47:4 48:11,15,25 49:3,7,7,13 53:2,6,24 56:12,18 62:8 64:3 67:10,11,22 68:22 69:2 72:3 73:10,20 78:14 80:20 82:25 84:5,6,7 85:25 86:6,25 87:3 94:9 95:13 107:22 108:12 109:6 115:1,18 118:7,20 124:22 128:2,6 130:21 137:7 144:16 152:25 154:12 155:25 157:2 159:13 160:20 162:14 163:8 164:9 165:25 166:11,23 167:5 170:13,19 171:7 172:4 173:18,24 176:3 181:1,5,7 183:8 184:17,22 185:3,18 187:16,22 188:21 189:15 191:12,17 192:11 193:24 194:9 195:7 201:23 timeframe (2) 46:11 107:24 timely (2) 95:22 142:17 times (5) 59:5 123:22 162:13 179:16 186:21 timescale (5) 69:11 83:25 128:11,14 165:11 timescales (5) 29:19 156:23 160:4 166:15 171:18 title (1) 164:1 tl (1) 165:8 tmo (102) 1:21 2:14,21 7:10 9:1 14:22,23 16:23 17:15 20:19 23:22,25 24:10 33:5,6,19 35:21 39:14 44:4,10 46:8 47:2,5,20 55:25 60:23 71:10,13,18 72:7,21 74:24 75:5,18,24 76:13,21,22 77:3 78:1,10 80:8,13 82:2,16 85:6,14 88:12 91:14,18 102:6,10,16 104:17 107:6 109:9 111:1,19,25 113:17 114:3 119:17 129:20,6 132:5,9,15 137:3,13 138:5,23 140:7 141:23 156:2,7,9 158:7,19,24 161:20 162:5,9 163:1,9,18 164:3,4 165:3 166:13,16 169:25 171:16 172:19 173:3 181:4 184:15 185:9 188:16 189:8 193:23 196:16 198:11 tmo0000089025 (1) 57:4 tmo0000089032 (1) 119:7 tmo00830598 (1) 187:17 tmo0083059812 (1) 187:19 tmo0083059813 (1) 188:14 tmo00840583 (2) 20:18 34:3 tmo0084058311 (1) 22:18 tmo0084058321 (1) 29:3 tmo008405836 (2) 20:25 34:8 tmo0084730530 (1) 57:15 tmo0084730535 (1) 189:2 tmo00865782 (1) 50:24 tmo00869159 (1) 24:6 tmo008691592 (2) 24:18 27:11 tmo008691843 (1) 93:12 tmo008691844 (1) 93:15 tmo00873405 (1) 39:13 tmo008734052 (1) 39:18 tmo00873408 (1) 35:20 tmo008734085 (1) 35:25 tmo0088032431 (1) 125:2	tmo0088032985 (1) 18:6 tmo0088032986 (1) 19:5 tmo00899762 (1) 46:15 tmo008997624 (1) 46:18 tmo009000052 (1) 43:22 tmo0090000523 (1) 44:2 tmo0090000525 (1) 45:2 tmo10002691 (1) 190:10 tmo100026912 (1) 190:24 tmo100026913 (1) 191:2 tmo10002728 (1) 177:15 tmo10003009 (1) 168:7 tmo100030092 (1) 168:13 tmo100030093 (1) 168:16 tmo10007397 (1) 40:3 tmo10016548 (1) 58:4 tmo10017254 (2) 109:25 110:24 tmo10039251 (1) 192:20 tmo100392513 (1) 193:1 tmo10041915 (1) 41:10 tmo1004191523 (1) 42:3 tmo10045908 (1) 51:21 tmocouncils (1) 167:19 tmos (19) 45:5 56:7 75:3 76:4,25 79:12 94:4 95:21 101:8 112:1 124:5 130:13 139:16 156:19 157:9 165:13,24 171:5 186:3 tmosaic (1) 82:7 today (9) 1:5 64:12 65:8,11 105:10 140:19 145:21 146:11 151:19 today's (1) 1:4 todds (1) 154:21 todo (1) 28:20 together (3) 50:14 61:12 156:3 told (34) 3:20 10:23 18:24 25:20 22 26:10 28:22 47:2 48:24 55:6,11,14,17 60:17,24 71:18 75:24 81:4 83:3 84:18 85:17,20 91:12 94:10,21 97:2 122:16 132:8,11 137:17 156:19 157:5,19 161:3 tomorrow (2) 203:7,10 too (5) 15:17 19:21,25 21:22 103:15 took (18) 4:16 22:12 40:2 50:7 71:3 93:1 95:8 121:21 134:17 139:19 152:14 155:20,21 156:17 157:17 168:6 175:17 186:21 topic (18) 41:4 57:2 65:11 74:22 77:25 86:11 109:16 131:6 134:12 137:10 140:18 168:16 172:23 177:14 181:17 188:24 191:2 194:17 topics (1) 18:7 total (1) 156:24 totally (2) 185:13 186:23 towards (2) 32:15 81:21 tower (60) 2:1 19:11 21:7,15 22:5,6,20,25 24:13 29:5 33:18 34:6 35:12,19 36:2,6 39:20 40:5 43:25 45:8 46:23 47:21 52:4 75:3 76:10 85:8 86:19 87:11,16 88:13 91:20 92:8 93:11 95:20 100:21 105:3 109:17,22 111:11 112:18 116:25 118:1,20 122:19,20,20,23,25 125:1 130:22 132:2 134:3,13 135:17,18 149:6 157:20 166:5 182:1 184:8 towers (2) 52:17 130:6 town (1) 112:5 trace (1) 24:7 track (1) 29:19 tractor (1) 159:11 tragedy (1) 62:19 tragic (1) 199:23 trail (1) 10:20	trained (1) 153:22 training (20) 16:24 17:5 65:12 66:12,14 67:2 73:5,6,7,8,10,12 152:2 154:1 2:5,18,22,23 161:22 transcriber (1) 64:7 trap (1) 184:2 travel (6) 121:19,21,22,25 122:2 125:25 trellick (3) 166:5 182:1 184:8 trends (1) 32:14 trial (1) 149:11 tried (6) 7:3 10:1 21:21 32:15 177:5 186:23 triggered (1) 87:7 true (3) 34:14 65:1 151:16 truth (2) 124:8,17 try (9) 4:20 6:11 17:2 57:10 59:20,21 60:18 193:18 200:1 trying (17) 4:18 15:25 16:4,18 20:13 27:1,2 30:9,11 31:6 42:24 59:15 60:9,14 61:5,23 175:10 turn (39) 10:22 36:21 74:22 77:25 81:10 82:11 86:11 88:16 93:14 99:25 105:9 106:7 109:16 110:23 111:23 113:8 116:20 117:1 121:5 124:24 126:21 127:11,23 128:21 130:5 131:6 136:9 137:10 140:18 149:11,20 152:3 159:14 165:2 178:12 188:14,24 193:1 198:18 turning (4) 79:7 91:16 159:20 194:17 turns (1) 144:23 twohour (1) 59:22 twopage (1) 49:20 type (2) 79:21 160:16 typed (1) 150:8 types (1) 121:20 typescript (1) 150:11 typographical (1) 11:10	unlikely (1) 25:24 unresolved (1) 168:25 unsatisfactory (1) 57:22 until (15) 27:5 40:19 41:25 48:17 65:17 76:6 81:15 82:18 85:17 86:25 127:16 152:22 172:5 201:11 203:12 unusual (1) 123:1 update (16) 24:15 28:19 39:23 95:13 96:19 105:21 107:4,8 114:18 128:16 167:17,23 168:22 169:11,15 172:3 updated (1) 44:9 updates (3) 131:23,25 132:9 upgraded (1) 114:8 upgradedrefurbished (1) 83:22 upon (4) 102:4 130:23 183:17 186:14 upshot (1) 8:16 upwards (1) 161:18 urge (4) 54:1 141:9 143:18 144:10 urgency (1) 166:19 used (2) 114:5 118:15 useful (4) 134:17 169:23 197:8 202:19 usher (6) 1:6 63:5 116:2 133:7 201:18,24 using (4) 60:18 75:15 183:9 199:7 usual (3) 54:3 144:19 147:8 usually (2) 44:20 137:7 utility (2) 133:15 134:8	walk (5) 113:17 114:2,4,9 166:9 walls (1) 170:15 warden (1) 195:16 warning (2) 157:12,15 wasnt (31) 5:9 7:4 13:2 16:6,18 19:21 21:15 23:15 27:4 30:19 31:3 47:11 56:11 61:22 72:15 73:7,10 77:22 82:25 83:16 87:23 97:7 109:12 111:8,9 113:1 123:22,24 129:4,24 185:20 watch (2) 110:4 113:5 watching (1) 176:4 water (1) 133:4 way (20) 4:9,18 27:7 29:24 52:1 54:3 60:8 61:20,22 64:11 73:14 107:10 111:10 133:3,20,21 134:6,6 136:25 190:21 ways (8) 17:6 30:1 51:8 102:10,21 133:24 150:13 191:6 weakness (1) 175:9 website (8) 51:9 52:6 56:7 191:6,19 192:4 194:2,10 wed (18) 3:7,15 5:11 16:9 20:12 23:21 52:24 60:16,25 61:1,1,2 68:10,16 69:4,5 115:1 119:24 wedged (1) 87:24 wednesday (1) 1:1 151:1 week (3) 6:11 125:15 200:12 88:13 weekend (1) 92:8 weeks (4) 22:7 28:4 31:1 88:13 weekto (1) 125:15 weight (1) 9:14 weighty (1) 46:6 welcome (6) 1:3 44:11,12 46:24 47:1,14 wellarticulated (1) 28:2 went (11) 31:9,15 32:2,21 33:7,8 39:10 42:22 59:5 154:10 162:8 44:13 93:10 125:24 176:7,8 vary (1) 160:11 vast (1) 184:25 ventilation (8) 29:16 112:12 122:25 123:2,7 125:16,21 130:18 ventilationextraction (4) 36:5 39:21 40:6 83:21 vents (1) 82:24 venue (1) 40:23 version (4) 41:11,25 43:8 45:16 versions (1) 49:2 vet (1) 112:24 vets (1) 110:16 vetted (7) 86:18 110:3,10,14 162:7 163:10 164:24 vetting (5) 70:3,15 110:12,14 153:22 via (4) 107:11 130:19 159:25 191:6 victoria (2) 185:22,23 visit (6) 36:2,20,21 51:14 52:13 175:3 visiting (1) 87:5 visits (2) 84:14 86:7 voice (2) 64:7 149:2 void (3) 179:14 180:2,9 volume (1) 33:22 vulnerabilities (1) 139:4 vulnerable (13) 137:11,14 138:6,24 140:8 158:25 177:10 193:18 199:11,16,20,23 200:1	walk (5) 113:17 114:2,4,9 166:9 walls (1) 170:15 warden (1) 195:16 warning (2) 157:12,15 wasnt (31) 5:9 7:4 13:2 16:6,18 19:21 21:15 23:15 27:4 30:19 31:3 47:11 56:11 61:22 72:15 73:7,10 77:22 82:25 83:16 87:23 97:7 109:12 111:8,9 113:1 123:22,24 129:4,24 185:20 watch (2) 110:4 113:5 watching (1) 176:4 water (1) 133:4 way (20) 4:9,18 27:7 29:24 52:1 54:3 60:8 61:20,22 64:11 73:14 107:10 111:10 133:3,20,21 134:6,6 136:25 190:21 ways (8) 17:6 30:1 51:8 102:10,21 133:24 150:13 191:6 weakness (1) 175:9 website (8) 51:9 52:6 56:7 191:6,19 192:4 194:2,10 wed (18) 3:7,15 5:11 16:9 20:12 23:21 52:24 60:16,25 61:1,1,2 68:10,16 69:4,5 115:1 119:24 wedged (1) 87:24 wednesday (1) 1:1 151:1 week (3) 6:11 125:15 200:12 88:13 weekend (1) 92:8 weeks (4) 22:7 28:4 31:1 88:13 weekto (1) 125:15 weight (1) 9:14 weighty (1) 46:6 welcome (6) 1:3 44:11,12 46:24 47:1,14 wellarticulated (1) 28:2 went (11) 31:9,15 32:2,21 33:7,8 39:10 42:22 59:5 154:10 162:8 44:13 93:10 125:24 176:7,8 vary (1) 160:11 vast (1) 184:25 ventilation (8) 29:16 112:12 122:25 123:2,7 125:16,21 130:18 ventilationextraction (4) 36:5 39:21 40:6 83:21 vents (1) 82:24 venue (1) 40:23 version (4) 41:11,25 43:8 45:16 versions (1) 49:2 vet (1) 112:24 vets (1) 110:16 vetted (7) 86:18 110:3,10,14 162:7 163:10 164:24 vetting (5) 70:3,15 110:12,14 153:22 via (4) 107:11 130:19 159:25 191:6 victoria (2) 185:22,23 visit (6) 36:2,20,21 51:14 52:13 175:3 visiting (1) 87:5 visits (2) 84:14 86:7 voice (2) 64:7 149:2 void (3) 179:14 180:2,9 volume (1) 33:22 vulnerabilities (1) 139:4 vulnerable (13) 137:11,14 138:6,24 140:8 158:25 177:10 193:18 199:11,16,20,23 200:1	walk (5) 113:17 114:2,4,9 166:9 walls (1) 170:15 warden (1) 195:16 warning (2) 157:12,15 wasnt (31) 5:9 7:4 13:2 16:6,18 19:21 21:15 23:15 27:4 30:19 31:3 47:11 56:11 61:22 72:15 73:7,10 77:22 82:25 83:16 87:23 97:7 109:12 111:8,9 113:1 123:22,24 129:4,24 185:20 watch (2) 110:4 113:5 watching (1) 176:4 water (1) 133:4 way (20) 4:9,18 27:7 29:24 52:1 54:3 60:8 61:20,22 64:11 73:14 107:10 111:10 133:3,20,21 134:6,6 136:25 190:21 ways (8) 17:6 30:1 51:8 102:10,21 133:24 150:13 191:6 weakness (1) 175:9 website (8) 51:9 52:6 56:7 191:6,19 192:4 194:2,10 wed (18) 3:7,15 5:11 16:9 20:12 23:21 52:24 60:16,25 61:1,1,2 68:10,16 69:4,5 115:1 119:24 wedged (1) 87:24 wednesday (1) 1:1 151:1 week (3) 6:11 125:15 200:12 88:13 weekend (1) 92:8 weeks (4) 22:7 28:4 31:1 88:13 weekto (1) 125:15 weight (1) 9:14 weighty (1) 46:6 welcome (6) 1:3 44:11,12 46:24 47:1,14 wellarticulated (1) 28:2 went (11) 31:9,15 32:2,21 33:7,8 39:10 42:22 59:5 154:10 162:8 44:13 93:10 125:24 176:7,8 werent (7) 59:25 72:16,17 86:8 99:9 119:23 133:17 west (1) 46:25 weve (14) 7:24 16:21 23:4 29:4 37:19 58:4 61:7,12 128:11 137:11 190:9,25 192:23 203:1 whatever (1) 17:7 whats (4) 87:10 127:18 194:13 197:25 whenever (2) 24:1 49:24 whichever (1) 32:24 whilst (5) 29:8,15 66:15 106:16 162:25 whistles (1) 182:22 whitchurch (4) 2:15 3:7 7:17,24 whoever (1) 185:15 whole (6) 4:3 61:18 62:13 71:24 143:2 187:24 wholly (1) 99:7 whom (3) 77:13 89:8 142:3 whose (1) 173:9 widely (2) 55:12 198:9 wider (1) 175:16 widereaching (1) 19:21 williams (9) 47:20,22 48:3 82:16 83:19 84:10,17,21 85:3 wind (1) 175:2 window (2) 141:13,25 windows (2) 113:23 143:9
---	---	---	--	---	---	---	--

yeah (32) 4:3 6:14 11:13,15 12:9,10 22:4,22 24:12,21,24 29:25 36:12 37:21 38:1 42:13,19 43:17 47:16 48:22 57:5 59:24 67:11 92:18 100:23 105:17 109:15 133:6 156:8 169:21 176:10 200:18 year (10) 13:5 21:7 32:13 38:2 48:14 51:22 67:23 68:3 91:9 164:15 years (14) 49:16 79:23 80:14 85:18,23 89:14 101:20 114:22 127:15 153:6 154:7 159:10 160:20 179:9 yesterday (5) 1:20 15:14 36:19 105:13 179:9 yet (4) 58:17 82:18 113:14 191:7 youd (1) 197:14 youre (36) 15:3 20:3 27:19,23 29:25 30:8 54:18 62:15 63:6,20 68:4 96:22 97:20 106:6 115:22 127:19 131:14 136:2 138:15 140:25 145:10 148:5,15 162:19 163:23 168:9 169:10 178:20 183:9 190:15 192:22 194:22 197:3 201:13,22 202:22 yours (1) 81:11 yourself (13) 9:2 16:15 20:3 63:17 71:9,9 72:11 74:1 148:12 154:23 177:16 197:15,16 youve (6) 18:4 34:11 95:8 159:15 192:1 198:4	151 (2) 134:14 135:10 151513 (1) 37:25 1518 (1) 90:8 16 (7) 1:1 38:11 122:13 153:16 163:23 166:3 167:10 162 (2) 22:2 29:7 17 (13) 36:20 37:2 66:18 70:18 73:3 100:3 101:6 103:24 104:17 108:15 109:23 181:20 203:13 18 (5) 36:19 37:18 83:18 113:16 178:13 182 (2) 188:1,4 1821 (2) 188:7,8 19 (5) 1:25 82:12 130:7 140:24 149:11 1997 (1) 152:15 19th (1) 81:15	24 (6) 36:16,22 42:11 47:24 48:6 53:1 241 (1) 146:4 24hour (1) 185:1 25 (2) 42:11 82:23 250 (3) 145:6 146:2,6 255 (1) 148:2 26 (3) 42:4,12 197:2 27 (1) 109:21 28 (4) 149:8 155:17 157:23 158:12 29 (2) 64:15 183:22 2hour (1) 58:9	<div>3</div>	3 (15) 44:2 58:6 71:22 78:19 152:5,6 162:23 168:16 182:3,4,8 183:23 188:16 191:1 193:1 30 (3) 76:21 124:25 198:21 300 (1) 164:6 301115 (1) 125:5 31 (7) 22:23 24:23 130:10 152:23 155:17 159:21 160:25 310 (4) 147:11,17,25 148:4 31st (2) 22:25 100:24 38 (2) 106:10,13	<div>4</div>	4 (12) 46:18 66:23,24 93:9,14 106:7,12 127:11 128:22 129:4 149:20 188:16 41 (1) 113:13 422 (1) 202:1 430 (6) 145:18,24 147:19 201:12,22 202:3 432 (1) 203:11 48 (2) 185:2,4	<div>5</div>	5 (19) 35:25 45:2 67:14 68:1,2 81:12 83:15 95:13 99:25 100:6 108:21 117:1 118:8 126:5,22 128:9 129:15 177:18 188:16	<div>6</div>	6 (8) 20:25 34:7 69:25 70:18 81:20 126:9 140:21 153:16 63 (2) 204:8,10	<div>7</div>	7 (9) 2:11 11:6 12:6 16:21 35:20 38:13 66:23 173:12 193:2 74 (1) 11:20 743 (1) 11:23 744 (1) 12:2 78 (3) 21:1 34:8,14 79 (2) 10:25 11:1	<div>8</div>	8 (8) 66:23 71:21 78:18 79:9 127:1 149:24 150:22 173:1 83 (1) 35:25 855 (1) 25:25 86 (1) 19:5	<div>9</div>	9 (10) 21:9 26:2 39:15 44:2 66:23 88:16 122:13 149:17 155:18 175:14 90 (1) 145:16 91 (1) 82:15 97 (1) 10:24 9999 (3) 121:22,22 122:1	
<div>Z</div>																	
zoom (1) 164:1																	
<div>1</div>																	
1 (31) 1:23 2:7 20:20 22:21 27:10 35:22 37:6,19 91:1 92:11 93:7 95:16 107:11 108:6,9 115:13 143:15 152:19 155:21 168:7,9 169:20 179:2 183:20 187:17 188:10 192:20,22 200:9 204:3,5 10 (9) 40:3,7 66:23 100:19,20 102:8 116:20 203:10,12 100 (1) 116:7 1000 (1) 1:2 1020 (1) 120:21 1057 (1) 25:25 109 (3) 57:3,12,15 11 (10) 22:17,19 38:5 66:23 83:17 108:13 118:5,6 121:7 127:24 1109 (1) 54:24 1125 (1) 53:23 1130 (4) 54:2,14,23 55:1 1141 (1) 63:8 1150 (1) 63:10 118 (1) 189:3 12 (10) 19:12,17 20:4 23:4 27:18 31:24 34:21 35:13 36:21 187:19 1201 (1) 108:9 1202 (1) 88:24 13 (13) 18:12 19:15 86:14 88:12 90:9 94:1 95:4 120:21 122:9 127:21 129:18 139:6 177:15 13th (1) 95:18 14 (4) 46:20 78:2 82:22 88:16 1400 (2) 81:1 172:20 143 (1) 119:8 148 (2) 204:12,14 15 (10) 23:2 38:2,7,8 51:2 66:24 88:16 134:20 190:9,11	2 (14) 24:23 27:11 39:17 67:14 112:2 115:20 116:4 125:6,13 152:5 163:25 168:13 188:10 190:24 20 (4) 64:18 101:20 106:10 116:19 200 (1) 116:9 2004 (1) 45:6 2005 (2) 67:17 140:20 2007 (1) 65:14 2008 (2) 45:13 74:16 20082009 (1) 45:11 2009 (5) 44:1 45:13,21 74:12 80:9 2010 (2) 38:5 76:21 2011 (2) 45:22 154:15 2012 (18) 11:3 94:19 152:19 155:21 162:18 163:23 164:16 165:2,17 166:3 167:10 168:2 172:12 173:1 181:20 183:22 197:2 198:21 20122013 (2) 107:21 108:12 2013 (18) 11:7 12:6 13:21 38:7,8 47:15 49:17 76:5 168:7,9 169:15,20 177:15 178:13 190:9,11 192:20,22 2014 (29) 35:20 36:13,16 38:13,17,20 39:6,15 40:3,7,22 65:17,23 74:25 78:2 80:18,25 82:9,22 83:12,15,18 84:8 85:5,6 152:23 153:3 172:6,18 2015 (32) 13:17,21 18:12 19:12,15 20:4,20 22:23 24:23 31:24 67:11 76:6 81:15 82:12 84:9 85:6 88:7,12,18 91:1 93:9 95:18 100:24 116:19 118:22 119:2 120:17,21 122:9 124:25 127:21 129:18 201516 (1) 32:19 2016 (41) 20:20 22:3 46:17,25 47:24 48:6 49:16,18 50:25 51:2,22 53:1,1 85:18 95:13 96:13 99:25 100:6,8 103:22 104:1 106:7,12 107:11 109:8,17,21,23 118:8 120:9 126:22 128:22 129:4,15 130:7,12 134:13 139:6 140:21,24 153:12 2016first (1) 136:6 2017 (12) 1:25 7:12 8:24 44:1 48:14 58:6 65:17 66:1 113:9,16 114:15 136:6 2019 (4) 64:15,18 149:8,17 2020 (2) 149:24 150:22 2021 (2) 1:1 203:13 21 (6) 29:6 130:12 162:18 165:2,17 172:18 2127 (1) 91:6 22 (5) 45:3 88:18,25 108:21 139:10 23 (5) 11:18,19 39:18 42:3,4	24 (6) 36:16,22 42:11 47:24 48:6 53:1 241 (1) 146:4 24hour (1) 185:1 25 (2) 42:11 82:23 250 (3) 145:6 146:2,6 255 (1) 148:2 26 (3) 42:4,12 197:2 27 (1) 109:21 28 (4) 149:8 155:17 157:23 158:12 29 (2) 64:15 183:22 2hour (1) 58:9	<div>3</div>	3 (15) 44:2 58:6 71:22 78:19 152:5,6 162:23 168:16 182:3,4,8 183:23 188:16 191:1 193:1 30 (3) 76:21 124:25 198:21 300 (1) 164:6 301115 (1) 125:5 31 (7) 22:23 24:23 130:10 152:23 155:17 159:21 160:25 310 (4) 147:11,17,25 148:4 31st (2) 22:25 100:24 38 (2) 106:10,13	<div>4</div>	4 (12) 46:18 66:23,24 93:9,14 106:7,12 127:11 128:22 129:4 149:20 188:16 41 (1) 113:13 422 (1) 202:1 430 (6) 145:18,24 147:19 201:12,22 202:3 432 (1) 203:11 48 (2) 185:2,4	<div>5</div>	5 (19) 35:25 45:2 67:14 68:1,2 81:12 83:15 95:13 99:25 100:6 108:21 117:1 118:8 126:5,22 128:9 129:15 177:18 188:16	<div>6</div>	6 (8) 20:25 34:7 69:25 70:18 81:20 126:9 140:21 153:16 63 (2) 204:8,10	<div>7</div>	7 (9) 2:11 11:6 12:6 16:21 35:20 38:13 66:23 173:12 193:2 74 (1) 11:20 743 (1) 11:23 744 (1) 12:2 78 (3) 21:1 34:8,14 79 (2) 10:25 11:1	<div>8</div>	8 (8) 66:23 71:21 78:18 79:9 127:1 149:24 150:22 173:1 83 (1) 35:25 855 (1) 25:25 86 (1) 19:5	<div>9</div>	9 (10) 21:9 26:2 39:15 44:2 66:23 88:16 122:13 149:17 155:18 175:14 90 (1) 145:16 91 (1) 82:15 97 (1) 10:24 9999 (3) 121:22,22 122:1	