



Grenfell Tower Inquiry

Day 136

May 25, 2021

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1 Tuesday, 25 May 2021

2 (10.00 am)
 3 SIR MARTIN MOORE—BICK: Good morning, everyone. Welcome to
 4 today's hearing. Today we're going to hear evidence
 5 from Mr Carl Stokes, who carried out fire risk
 6 assessments on behalf of the TMO and the council.
 7 So, Mr Millett, are you ready to call
 8 Mr Carl Stokes?
 9 MR MILLETT: Yes. Good morning, Mr Chairman. Good morning,
 10 members of the panel. I now call Mr Carl Stokes,
 11 please.
 12 SIR MARTIN MOORE—BICK: Thank you.
 13 MR CARL STOKES (sworn)
 14 SIR MARTIN MOORE—BICK: Thank you very much.
 15 Now, do sit down, make yourself comfortable.
 16 There's some water there if you'd like it, and just take
 17 a moment to get yourself set up.
 18 (Pause)
 19 THE WITNESS: Thank you, sir.
 20 SIR MARTIN MOORE—BICK: Thank you very much.
 21 Yes, Mr Millett.
 22 MR MILLETT: Yes, Mr Chairman, thank you.
 23 Questions from COUNSEL TO THE INQUIRY
 24 MR MILLETT: Mr Stokes, good morning.
 25 A. Good morning.

1

1 Q. Can I start by thanking you very much for coming to
 2 the Inquiry and assisting us with our investigations, we
 3 are extremely grateful to you.
 4 My questions are intended to be short and simple;
 5 sometimes they don't work out that way. So if you would
 6 like me to repeat the question or ask it in a different
 7 way, I can do that.
 8 Can I also ask you, please, to keep your voice up,
 9 so that the person who sits to your right can get down
 10 everything you're saying fully and clearly. Also,
 11 please can I advise you not to shake your head or nod,
 12 because a "no" or a "yes", as the case may be, does not
 13 come out on the transcript.
 14 We will take scheduled breaks, one mid—morning and
 15 one mid—afternoon, on each day that you're giving
 16 evidence, but if you would like a break at any other
 17 time, please just say and we can take a break.
 18 Now, you have made two witness statements following
 19 the fire at the tower. The first witness statement is
 20 dated 28 September 2018, and that is at {CST00003063}.
 21 Can we please have that up. Is that the first page of
 22 your first witness statement?
 23 A. Yes, sir.
 24 Q. Can we go, please, to page 58. You will see a date and
 25 a signature. Is that your signature just above the date

2

1 there?
 2 A. Yes, sir.
 3 Q. Can we please go to {CST00030186}, please. Is that your
 4 second witness statement?
 5 A. Yes, sir.
 6 Q. And if we go to page 44, we will see a signature just
 7 above the date, 13 March 2020. Is that your signature?
 8 A. Yes, sir.
 9 Q. Did you write these statements yourself?
 10 A. Yes, sir.
 11 Q. Can you confirm that they are true?
 12 A. Yes, sir.
 13 Q. Have you discussed your evidence with anybody before
 14 coming here today?
 15 A. No — well, legal team.
 16 Q. Legal team.
 17 Now, I'm going to start substantive questions with
 18 an overview of your experience, if I may.
 19 Is it right that before you qualified as a fire risk
 20 assessor —
 21 SIR MARTIN MOORE—BICK: Sorry, one moment.
 22 Just forgive me a moment, would you, Mr Millett?
 23 MR MILLETT: Yes, Mr Chairman.
 24 (Pause)
 25 SIR MARTIN MOORE—BICK: Sorry, there was a slight pause on

3

1 the transcript. We have sorted that out.
 2 MR MILLETT: Very well. I will keep an eye on it,
 3 Mr Chairman, and if it happens again, we will try and
 4 sort it out.
 5 Before you qualified as a fire risk assessor, you
 6 served in the armed forces, I think, didn't you?
 7 A. Correct.
 8 Q. And you did that for nine years until 1986.
 9 A. Correct.
 10 Q. In 1986, you joined the Royal Berkshire Fire and Rescue
 11 Service; yes?
 12 A. Correct.
 13 Q. And you qualified as an operational firefighter,
 14 I think?
 15 A. Correct.
 16 Q. During that time, you were seconded to the fire safety
 17 department; is that right?
 18 A. It was part of the qualifying period, yeah.
 19 Q. And you would inspect buildings, including high—rise
 20 buildings?
 21 A. Yes.
 22 Q. To clarify, did that include high—rise blocks of flats?
 23 A. Not on a day—to—day basis, because that was not —
 24 high—rise flats were not part of the Fire Safety Order.
 25 Q. Right. What about residential buildings above 18 metres

4

1 in height?

2 A. At that time probably not on a daily basis, but it would

3 have been undertaken where at that particular time the

4 fire service would do it as part of familiarisation

5 visits.

6 Q. In 1994, I think you then transferred to the Oxfordshire

7 Fire and Rescue Service, didn't you?

8 A. Correct.

9 Q. And you spent the majority of your time there in the

10 fire safety department, I think?

11 A. Correct.

12 Q. Is it right that both before and after the enactment of

13 the Regulatory Reform Order 2005, which we call the RRO,

14 or FSO, you were in that role?

15 A. Yes.

16 Q. Yes. You I think were employed in that department until

17 you retired from it in September 2009.

18 A. Correct.

19 Q. Yes.

20 Is it right that since September 2009 you have been

21 working as a fire risk assessor, operating as the sole

22 director of CS Stokes & Associates Limited?

23 A. Yes.

24 Q. Who are your associates?

25 A. None.

5

1 Q. None. So it's just a name?

2 A. It was advised that that was the best way when I set the

3 company up.

4 Q. Right.

5 On 24 September 2009, you started working for Salvus

6 Consulting Limited as a fire risk assessor on a

7 six-month employment contract.

8 A. Yes.

9 Q. That's correct, is it?

10 A. Yes.

11 Q. Is it right that after you retired from Oxfordshire FRS,

12 but before you started work for Salvus, did you

13 undertake any independent fire risk assessments?

14 A. Without looking back at — probably, yes.

15 Q. Right. Did you do any FRA, which I'll use for

16 a shorthand, work in parallel with working for Salvus?

17 A. Yes.

18 Q. You did. What was that?

19 A. Buildings, as I was setting myself up as a company.

20 Q. I see. So while you were employed at Salvus, you worked

21 on the side as a fire risk assessor, did you?

22 A. Yes, I was just subcontracting with Salvus.

23 Q. Right, I see.

24 When did you stop working for Salvus?

25 A. Er ... I can't give you a precise date, sorry.

6

1 Q. Right. It was a six-month employment contract.

2 A. Yes.

3 Q. I take it from that that it wasn't an exclusive

4 employment contract, they allowed you to work as a fire

5 risk assessor on the side; is that right?

6 A. Correct, yes.

7 MR MILLETT: In what passed for your spare time.

8 SIR MARTIN MOORE-BICK: Well, I'm sorry, I think what you

9 said earlier was you acted as a subcontractor for

10 Salvus. Did that mean they asked you to do specific

11 jobs?

12 A. Yes. I mean, I worked on the contract for RBKC/TMO.

13 I also undertook some other work for Salvus as and when

14 they required me to do.

15 SIR MARTIN MOORE-BICK: Exactly, as and when they required,

16 and when they didn't have a requirement, you were free

17 to do whatever you wanted to do; is that how it worked?

18 A. Yes.

19 MR MILLETT: As I understood it you were actually employed

20 by Salvus, but that's not right?

21 A. I was a subcontractor.

22 Q. I see.

23 Did you bid for any TMO work while you were

24 subcontracted to Salvus?

25 A. No.

7

1 Q. Is it right that you were directly retained by the TMO

2 as their fire risk assessor from the autumn of 2010?

3 A. So I think when the high-rise contract came to an end —

4 Q. The Salvus high-rise contract?

5 A. Yes.

6 Q. Yes.

7 A. They then asked for tender for the medium.

8 Q. Yes. And that was the point when you became directly

9 retained by the TMO?

10 A. Yes.

11 Q. Not before that?

12 A. Yes, that's correct.

13 Q. Right.

14 When did you stop working for the TMO?

15 A. It would have been the end of 2017, so I'm trying to

16 look — in my mind, trying to think of a date. It was

17 towards the end of 2017, November time.

18 Q. During the period autumn 2010 to 2017, while you were

19 working for or subcontracted by the TMO, did you do FRAs

20 for anybody else?

21 A. Yes.

22 Q. You did. How much of your time was spent working for

23 the TMO on FRAs and how much of your time was spent

24 working on FRAs for other people or organisations?

25 A. Hard to say, really. It was not as a, "This is one day

8

1 a week", or something like that. Sometimes it could be
 2 two days in a week, sometimes it would be one, sometimes
 3 it'd be three days in month.
 4 Q. Right.
 5 A. It just — I was allocated work, FRAs, and then the
 6 criteria was: this is when they have to be done,
 7 undertake the work.
 8 Q. Was the TMO your biggest client?
 9 A. For portfolio of numbers of buildings, yes.
 10 Q. In terms of your revenue?
 11 A. I can't tell you that, I don't know.
 12 Q. You don't know. You don't have a feel for that, do you?
 13 A. No, the — no.
 14 Q. Right.
 15 Are you still working as a fire risk assessor?
 16 A. No.
 17 Q. When did you stop?
 18 A. Sorry, I can't remember the exact date. May 2018.
 19 Q. And why did you stop?
 20 A. My insurance company didn't renew my insurance.
 21 Q. Did they tell you why?
 22 A. Yes.
 23 Q. Why was that?
 24 A. I can't remember the exact words. It was for
 25 financially — liabilities.

9

1 Q. Can I ask —
 2 A. I have got the letter if you —
 3 Q. Sorry, do you want to finish your answer? I'm so sorry.
 4 A. Sorry, I have got the letter if you require the letter.
 5 Q. Can we then turn to your experience and training, and
 6 start first with Oxfordshire Fire and Rescue Service.
 7 Can we go, please, to your first witness statement,
 8 page 5 {CST00003063/5}, paragraph 10. You say there:
 9 "Following the Regulatory Reform (Fire Safety) Order
 10 2005 ... coming into force in October 2006, I spent
 11 a significant amount of my final 3 ½ years in the Fire
 12 Service auditing the significant findings of responsible
 13 persons carrying out FRAs [fire risk assessments]."
 14 When the RRO came into force, did you receive any
 15 training on its requirements from Oxfordshire Fire and
 16 Rescue Service?
 17 A. Yes.
 18 Q. What was that training?
 19 A. There was a suite of training at the time, I can't
 20 remember the exact wording and all the courses, but
 21 I think I have provided a list of all the courses for
 22 you.
 23 Q. I see. So that was provided for you by Oxfordshire?
 24 A. Yes.
 25 Q. And we can tell from those certificates and those

10

1 details who gave that training, can we?
 2 A. Yes.
 3 Q. We will come to that in detail.
 4 When you say you were auditing the significant
 5 findings of the responsible persons carrying out FRAs,
 6 what did that involve? What did that auditing involve?
 7 A. Visiting — so you would be given a premises, it would
 8 come up on the computer system, or the fire — the
 9 supervising officer would tell you, "These are the
 10 buildings we are looking at", you would make contact,
 11 arrange for a date to go to the building, visit the
 12 building, look at all the documentation, walk round the
 13 building, look at the FRA — sorry, I was going to use
 14 "fire risk assessment", but is it all right to use
 15 "FRA"?
 16 Q. "FRA" is better.
 17 A. To look at the FRA significant findings from their
 18 documentation and then score it as per the scoring
 19 charts that were provided.
 20 Q. I see.
 21 Did you make these audit visits on a regular basis
 22 or only when there was something specific that you were
 23 told you needed to look at, like a potential deficiency
 24 which might lead to an enforcement?
 25 A. So depending how the criteria — I think it — you could

11

1 safely say the criteria evolved over time, because the
 2 Fire Safety Order was new, so the criteria was that if
 3 it was reported as a deficiency or someone needed to
 4 look at it from another agency, if there was an after
 5 fire incident, so if there had been a fire in the
 6 building, the operational crews would then ask the
 7 fire safety team to go out. There was
 8 a computer-generated system.
 9 The fourth one would be as and when the right —
 10 probably not the right term to use — but flavour of the
 11 month, so there could be a theme highlighted by a senior
 12 officer, "I want you to go and look at ..." This could
 13 be done because of a national incident, other
 14 fire brigades highlighting, say, a hotel chain that
 15 they'd prosecuted, "You've got that hotel chain within
 16 your area, please go look at that hotel".
 17 Q. I see. I get the impression from that answer that there
 18 were specific reasons to go and look, rather than having
 19 a system of making spot checks on whether building
 20 owners' or responsible persons' FRAs were up to scratch;
 21 is that right?
 22 A. At that time, that would be the way the system worked.
 23 Q. Yes, I see.
 24 Can we go to paragraph 11 of this statement
 25 {CST00003063/5}, please, just below it, and you say

12

1 this:
2 "On 10 December 2007, having undertaken the relevant
3 training course, I was awarded the Fire Risk Assessment
4 Certificate by the Northern Ireland Fire Safety Panel
5 and CS Todd & Associates Limited in recognition of my
6 demonstration of proficiency (verified by examination)
7 ... to enable me to carry out or audit suitable and
8 sufficient FRAs under the FSO. This was the standard
9 course attended by fire safety officers in my Brigade at
10 the time."

11 In respect of that training course, did any of it
12 focus on high-rise blocks of flats?

13 A. To be honest, I can't remember exactly — it was
14 a five-week course, so I'm going to say yes, some of it
15 would have focused on that.

16 Q. You don't remember, though?

17 A. Without looking at the content of the course, no,
18 I can't remember.

19 Q. What about external façades? Did it cover external
20 façades?

21 A. On residential buildings?

22 Q. Yes.

23 A. I would have thought not.

24 Q. Why is that?

25 A. Because they're not covered in the — residential

13

1 buildings' external façades are not covered in the
2 Fire Safety Order.

3 Q. External walls of high-rise blocks of flats?

4 A. Yes.

5 Q. In multiple occupation, naturally enough.

6 A. Yes.

7 Q. You say not covered. Did anybody tell you that external
8 façades were not covered under the RRO?

9 A. It was covered on training courses, yes.

10 Q. Right.

11 About what disabled persons? In respect of this
12 training, did any of it focus on vulnerable occupants?

13 A. In residential or —

14 Q. Well, in residential buildings.

15 A. It would be covered in residential buildings as far as
16 the Fire Safety Order covered disabled.

17 Q. Did you get any training on the fire safety guidance
18 available at the time entitled, "Fire safety risk
19 assessment: sleeping accommodation", published in
20 June 2006.

21 A. The Sleeping Guide?

22 Q. The Sleeping Guide, yes.

23 A. Yes.

24 Q. Did it focus on the use of PAS 79 in its 2007 edition?

25 A. Yes.

14

1 Q. Before you completed the course in December 2007 had you
2 actually carried out any fire risk assessments on your
3 own?

4 A. No, not 2007.

5 Q. No. After the training, how often did you undertake
6 fire risk assessments?

7 A. I wouldn't have undertaken them because I worked for the
8 fire service.

9 Q. I see. So you were in the role only of auditing other
10 people's —

11 A. Yes.

12 Q. — fire risk assessments, not carrying out your own?

13 A. Correct, because I worked for the fire service, so you
14 cannot work and do that sort of work — undertake that
15 work. I'll clarify that by saying that I actually did
16 undertake some fire risk assessments for fire stations.

17 Q. Yes.

18 When you did your work for the Oxfordshire
19 Fire Service after December 2007, once you had become
20 certified, how did that assist your job at that stage?

21 A. As an auditing officer —

22 Q. As an auditing officer.

23 A. — it gave you better insight.

24 Q. As an auditing officer, after December 2007, did you
25 audit FRAs of any high-rise blocks of flats? In other

15

1 words, residential buildings, in multiple occupation,
2 exceeding 18 metres in height.

3 A. I'm going to say no, because in Oxfordshire I think
4 there's only five in the whole county.

5 Q. And you didn't audit them?

6 A. They were county council owned. I had input and I've
7 walked round them, but I cannot remember ever auditing
8 them because there was a specific officer who undertook
9 liaison with the county council.

10 Q. Right. The reason I ask you is because you say — well,
11 let's go to it, {SAL00000009}.

12 Page 1 you can see is your CV that you sent to
13 Salvus, and on page 2 {SAL00000009/2} you say — and
14 it's two-thirds of the way down the text in the box,
15 which is entitled in blue caps, "In my previous role my
16 main duties/ responsibilities were":

17 "I have experience of undertaking risk assessments
18 and audits of the common parts of high rise residential
19 tower blocks, under the Fire Safety Order and also fire
20 assessment of the private flats/dwellings under
21 section 24 of the Housing Act."

22 What was the basis for that statement, as at
23 September 2009, Mr Stokes?

24 A. Because I will have walked round the council buildings
25 in Oxford, the towers.

16

1 Q. I see. But you say you have experience of undertaking
2 risk assessments and audits, so not just walking round.
3 A. Well, that would have been walking round, audit —
4 looking at them is an audit, you were walking round the
5 building.
6 Q. Well, you were doing more than that, weren't you; you
7 were also looking, presumably, at the fire risk
8 assessor's fire risk assessment of those buildings and
9 making sure it was compliant?
10 A. Correct, yes.
11 Q. Yes.
12 When you say experience of undertaking risk
13 assessments, what was that?
14 A. That would be the undertaking ...
15 Q. So you did undertake fire risk assessments of high-rise
16 buildings while you were still at Oxfordshire?
17 A. Only — as part of my role, yes.
18 Q. I don't understand. Your role, you said, was auditing
19 other people's FRAs, but here you are saying that you
20 have experience of undertaking risk assessments. What
21 are we to understand from that? Did you undertake fire
22 risk assessments before you left Oxfordshire?
23 A. Not in my own right, no.
24 Q. So what does this mean in your CV, "I have experience of
25 undertaking risk assessments"?

17

1 A. Sorry, I can't answer that question.
2 Q. Is it correct or is it incorrect?
3 A. Well, it is correct, that's what I've written at the
4 time, yes.
5 Q. But was it a correct statement of fact at the time?
6 A. Yes.
7 Q. So then if it was correct at the time that you had
8 experience of undertaking risk assessments of the common
9 parts of high-rise residential tower blocks, when was
10 that, first of all? What was that experience?
11 A. So I'm just trying to — this is 2009.
12 Q. Yes. It was your CV you put forward to get the job at
13 Salvus.
14 A. Yes. So it would have been going round — as working
15 with the fire service, going round the buildings in
16 Oxford, undertaking audits of them, but looking at the
17 fire risk assessments.
18 Q. It doesn't say that, does it? It says, "I have
19 experience of undertaking risk assessments and audits".
20 Was it true or untrue that in fact you did have no
21 experience of undertaking risk assessments?
22 A. I would have undertaken the risk assessments on
23 the training exercises, but not as — per se as my own
24 company.
25 Q. Well, that's a misleading statement, then, isn't it,

18

1 because it tends to suggest that you have experience of
2 undertaking them, rather than being trained to do so?
3 A. But to undertake the audit, I would have undertaken the
4 risk assessment to know what — as part of the training
5 criteria, to know what the audit and the risk assessment
6 had to do. Sorry, I'm getting confused.
7 Q. Did you ever actually produce an FRA before leaving
8 Oxfordshire?
9 A. No, not on a high-rise — no, not on a high-rise, as
10 part — as my own company, no.
11 Q. So I put it to you the statement "I have experience of
12 undertaking risk assessments ... of the common parts of
13 high rise residential tower blocks" was incorrect.
14 A. The first part, undertaking risk assessments and writing
15 them up, you are correct. I undertook audits of those
16 buildings.
17 Q. Yes. So why did you say, "I have experience of
18 undertaking risk assessments", when that was incorrect?
19 A. Looking at it in hindsight, in the way you've just
20 explained it, I agree with what you're saying, but my
21 writing it, I have experience of undertaking risk
22 assessments because to undertake the audit, I would have
23 undertaken the risk assessment. That was the way — how
24 my mind was thinking, I believe.
25 Q. By the time you retired from the Oxfordshire Fire and

19

1 Rescue Service, would it be right to say that you had
2 had three years of post training — well, three years of
3 fire safety experience, let me put it that way very
4 generally, at least as an auditor, in the way you've
5 explained, and less than two years' experience as
6 a certified fire risk assessor?
7 A. Correct.
8 Q. While you were employed by Oxfordshire Fire and Rescue
9 Service — I think you have told us before, but just
10 confirm — you weren't also working independently as
11 a fire risk assessor?
12 A. I set the company up in the February, so I was in
13 preparation —
14 Q. Yes.
15 A. — to start.
16 Q. Yes, but you didn't actually carry out any FRAs yourself
17 until you actually left Oxfordshire; is that right?
18 A. Sorry, it's a long time ago. If — I did undertake some
19 just before I left, when I was on leave, that might have
20 happened, but I cannot give you definite dates of when
21 I actually started or the first ones.
22 Q. Let's stick with this document and go to page 4
23 {SAL00000009/4}, please. Can we look at some of the
24 training courses that you've set out there, and
25 qualifications, technical qualifications, as you

20

1 describe them.

2 There are those there set out, running from the
3 bottom of the page, 1992, to the top of the page, 2009,
4 associate member, Institute of Arbitrators, and the
5 grade on the right—hand side.

6 You have also set out your qualifications in your
7 second witness statement at page 45 {CST00030186/45}, if
8 we can go to that, please.

9 This is appendix 1 of your second witness statement,
10 and at 45 we can see the first page of a number of pages
11 making up appendix 1 to your second witness statement,
12 which is your qualifications .

13 Just look at those in a little bit of detail , if we
14 can.

15 If we look at rows 2 and 3 in the table on page 45,
16 we can see your IOSH and NEBOSH qualifications, your
17 IOSH 2001 and NEBOSH 2005 in rows 2 and 3. Is that
18 correct?

19 A. Correct.

20 Q. Now, Mr Colin Todd, who is an expert in this Inquiry,
21 has said in his report that those courses are not
22 particularly relevant to fire safety training . Would
23 you agree with that?

24 A. At the time the NEBOSH course, from my memory, the —
25 was not a — there was not a separate fire safety

21

1 element. To do the fire safety element, you did the
2 NEBOSH course, and the fire safety was a sanctioned
3 chunk of that course.

4 Q. Right. Let's just see what he says in his report very
5 specifically .

6 If you go to {CTA00000011/50}, at the bottom,
7 paragraph 6.14 — and this is under the heading, as you
8 can see higher up your screen, "Training of
9 Mr Stokes" — he says:

10 "Accordingly, with regard to the IOSH and NEBOSH
11 qualifications , the extent of training in fire safety
12 that study for the assessments or examinations would
13 involve would not be greatly relevant to this section of
14 my report. However, it would be correct to say that the
15 training would be likely to have provided a basic
16 understanding of the approach to general risk
17 assessment, albeit primarily in the context of health
18 and safety assessments."

19 Do you agree with that?

20 A. Yes.

21 Q. Thank you.

22 Now, going back to your CV, if we can, please,
23 {SAL00000009/4}, you identify the 2007 Europe diploma in
24 fire safety, about halfway down your screen there. Do
25 you see that?

22

1 A. Yes.

2 Q. And that's the Fire Prevention Association.

3 Is that a reference to the course on fire prevention
4 by the Fire Protection Association that you say you
5 completed on 14 November 2006?

6 A. Sorry ...

7 Q. Let me show it to you, {CST00030188}, which is your
8 exhibit CSS2/5.

9 That's the certificate . It's dated, as you can see,
10 14 November 2006 in the bottom left—hand corner. Do you
11 see that?

12 A. Correct, yes.

13 Q. Is the statement in your CV referring to the 2007 Europe
14 diploma in fire safety by the FPA a reference to the
15 course covered by this certificate ?

16 A. It looks like it, yes.

17 Q. Right.

18 Can we then go back to Mr Todd's report, please,
19 {CTA00000011/51}, paragraph 6.18, at the bottom of your
20 screen. He says there in the second sentence:

21 "Students undertake a one—week residential course on
22 fire risk assessment, after which they undertake
23 distance learning in eight topics, each requiring
24 approximately 15 hours of study. Thereafter, the course
25 is completed by undertaking a three hour examination."

23

1 Can you remember whether you studied each of those
2 eight topics?

3 A. I would — must have done to have passed the course,
4 yes.

5 Q. Right.

6 Then if we go back to your CV, {SAL00000009/3}, you
7 also say — and this is the I hope now familiar list —
8 between 2005 and 2009, three—quarters of the way down
9 the first box on that page:

10 "Fire Prevention Association (FPA) National
11 Occupational Standards (NOS) Courses 2 to 12, including
12 Fire Science and Engineering."

13 Just keep that on the screen there for the moment.

14 Can we please go to your second witness statement at
15 page 45 {CST00030186/45}, and we can have that up as
16 well, please, at the same time.

17 You can see that on the left—hand side, where we
18 were a moment ago in the box on your training courses,
19 you've said that you did the NOS courses 2 to 12, just
20 focus on that, fire science and engineering.

21 Now if you would cast your eye to the right—hand
22 part of the screen, you can see that if you scroll
23 through those three pages, 45, 46 and 47, you haven't
24 exhibited certificates for all of the courses 2 to 12,
25 only 2, 3, 4, 4.2, 5 and 10.

24

1 Now, do you accept that, just scrolling through
2 those pages slowly?
3 A. Yes. Yes.
4 Q. Does the absence of a certificate mean that you didn't
5 attend one of those courses?
6 A. No, I attended them all. The number — sorry, I'm
7 trying to remember back. The numbering of some of the
8 courses was slightly different. I think they changed.
9 So one of the courses might have been 3 but then was
10 called 4.1 or 4.2 —
11 Q. Right.
12 A. — as the courses evolved. But I was a fire officer
13 then, and it was a case of these courses that you
14 started at course 2 and you went on the course as it was
15 dictated to by your superior officer.
16 Q. I see.
17 A. But I did all the courses as they were at that time,
18 NOS—2 to 12.
19 Q. We don't have certificates for, for example, 6, 7, 8 or
20 9 in the list that you've exhibited on the right-hand
21 side of the screen as appendix 2 to your second witness
22 statement. Is that because you didn't do those courses,
23 or is there another explanation?
24 A. Well, I'm just looking quickly on — so there's NOS—2,
25 4.2.

25

1 Q. Yes.
2 A. So I think some of the courses' numbers, they were
3 numbered initially courses 1 to 12, and then as the
4 courses evolved over the years, they changed, so that's
5 like 4.2 could have been course 6.
6 Q. I mean, do you remember that happening?
7 A. That the numbers changed?
8 Q. Yes.
9 Well, let me put it a different way, rather than
10 trying to force you to grub about in your memory.
11 Can you explain why you haven't exhibited
12 certificates for course 1, 6, 7, 8 or 9?
13 A. I I wouldn't have undertaken.
14 Q. What about 6, 7, 8 and 9?
15 A. Without knowing the titles of those courses, they could
16 have been courses like 4.2 or one of the other courses.
17 Q. Right.
18 Now, in respect of course NOS—5, let's look at the
19 certificate for that, {CST00030163}. Can we have that
20 up, please. That has the course date 24 to 28 April
21 2006, and its title is "NOS—5: Underpinning Knowledge &
22 Risk Assessment of High Risk Premises". Did that
23 include high-rise blocks of flats?
24 A. I can't tell you without looking at the criteria of that
25 course, sorry.

26

1 Q. Right. I don't think you've produced that, have you?
2 A. I don't know, sir.
3 Q. Was there any training, do you remember, on the RRO and
4 its application to high-risk premises as part of that
5 course?
6 A. So "high-risk premises" has a definition. A residential
7 building might not necessarily be a high-risk premises.
8 A high-risk premises could be a chemical factory.
9 Q. Yes, all right. Let me break it down.
10 As part of this course, was there any training on
11 the RRO?
12 A. There would have been, yes.
13 Q. And as part of that, was there any part of the training
14 relating to high-risk premises?
15 A. Without looking at the course notes or something,
16 I couldn't tell you, sir, sorry.
17 Q. I mean, the title might give you a clue, the title to
18 the course, "Risk Assessment of High Risk Premises".
19 A. Yeah, but high-risk premises is a broad category,
20 a chemical plant, factory, a chemical storage area.
21 Residential buildings are not high-risk.
22 Q. Was there any training on the RRO in relation to the
23 application to high-risk high-rise residential premises?
24 A. In this — I wouldn't know without looking at this,
25 sorry, sir.

27

1 Q. Now, apart from this course, the certificate for which
2 we have in front of us, we haven't found any other
3 evidence that you undertook any training in carrying out
4 fire risk assessments of high-risk premises, including
5 high-rise blocks of flats; is that right?
6 A. They would be covered by other documentation as you went
7 through the — at this time, the Sleeping Guide was the
8 only real document, and you would have covered that in
9 part of the training courses.
10 Q. Now, the training on the course in relation to which we
11 have this certificate also included training on fire
12 doors, didn't it?
13 A. If you say so, sir, yes.
14 Q. Yes, I'm asking you.
15 {CST00030219}, if we can look at that. This is the
16 first page of a PowerPoint —
17 A. Okay.
18 Q. — delivered by Mike Floyd, an FPA trainer, and it's
19 part, as you can see, of NOS—5, "Underpinning Knowledge
20 and Risk Assessment of High Risk Premises", and the
21 title is "Fire Door Repairs & Upgrading Period
22 Buildings".
23 So, first of all, just looking at that, do you
24 remember having training under NOS—5 on fire doors?
25 A. Yes.

28

1 Q. This is a document you've produced.
 2 If we turn the page to page 2 {CST00030219/2}, you
 3 can see that, in the middle of the page, there is
 4 a picture, a photograph, "Door Repair & Upgrading", and
 5 it says:
 6 "Overhead closers should meet BS EN 1154.
 7 "Door should close in [less than] 30 secs and
 8 latch."
 9 And there is a photograph of a door—closer with
 10 BS 8214:1990 there.
 11 Do you remember having training on self-closing
 12 doors?
 13 A. I —
 14 Q. Clearly you did.
 15 A. Yes.
 16 Q. You don't remember it specifically, but you accept that
 17 you did have it?
 18 A. Yes.
 19 Q. You mentioned the Sleeping Guide a moment ago. Am I to
 20 take it at least this course addressed the fire safety
 21 guidance available at the time under the Sleeping Guide,
 22 which was published in the June of 2006?
 23 A. Yes. I can't remember the dates. If you say so, yes.
 24 Q. Let's look at the NOS—3 course then. This you identify
 25 at {CST00030186/45}, the first page of your appendix 6,

29

1 which sets out the certificates we've seen before.
 2 Let's look at page 45, last entry on that page
 3 there:
 4 "Fire Protection Association Certificate, NOS—3:
 5 Evaluate Design Submissions against Approved Document B
 6 endorsed by the Confederation of Fire Protection
 7 Associations (Europe)."
 8 Now, in that course, we've seen some of the training
 9 materials that you have given us.
 10 First, can we look at {CST00030199}, just have that
 11 up. This is external fire spread, so we can take it
 12 that your NOS—3 training included training on external
 13 fire spread; yes?
 14 A. Correct.
 15 Q. If you go, please, in that document to page 15
 16 {CST00030199/15}, you can see that on page 15, starting
 17 below the heading "Rainscreen cladding", there is
 18 a lengthy chunk of text which refers to essentially the
 19 contents of Approved Document B.
 20 In the second paragraph there you've got a reference
 21 to the provisions of diagram 40, in the first sentence,
 22 for the outer cladding, and then insulation for the
 23 external walls of a building over 18 metres in height
 24 should be composed of materials of limited
 25 combustibility, with the exception for masonry cavity

30

1 walls, and then the reference at the bottom there to
 2 BR 135, at that stage still in its first edition, 1988.
 3 Although I question that, actually. That's
 4 an interesting question. Did you know that the second
 5 edition came out in 2003?
 6 A. No, sir.
 7 Q. No. This course may be a little bit out of date. Never
 8 mind. I don't expect that's something that you were
 9 trained on.
 10 But you can see that you got training on at least
 11 those topics; yes?
 12 A. Yes.
 13 Q. If you go to page 16 {CST00030199/16}, you can see that
 14 you actually got training on what was then or what is
 15 said then to have been diagram 40. Did you pay
 16 attention to this bit of the course?
 17 A. Yes.
 18 Q. Yes, and you've got the key to external wall surface
 19 classification, you have got class 0 there in the middle
 20 box on the right-hand side, and then underneath that —
 21 it's not quite on your screen yet — you can see the
 22 notes:
 23 "Notes:
 24 "1. The national classifications do not
 25 automatically equate with the [equivalent] European

31

1 classifications, therefore products cannot typically
 2 assume a European class unless they have been tested
 3 accordingly."
 4 Then it says underneath that:
 5 "Diagram 40 is fairly self explanatory, as long as
 6 it is remembered that it is only talking about the
 7 combustibility of the exterior wall, and has nothing to
 8 do with fire protection, which is dealt with in
 9 section 14."
 10 Was this all rocket science to you or did you
 11 understand it at the time, do you think?
 12 A. I would have understood it. This is how you compare
 13 a building construction to ADB.
 14 Q. Yes.
 15 If you go on, then, please, to another module of the
 16 NOS—3 course, {CST00030200}, this is "Access and
 17 facilities for the fire service".
 18 If we go to page 15 in that {CST00030200/15},
 19 please, do you remember seeing this page, "Insulating
 20 core panels", with a rather dramatic photograph, based
 21 on the historic experience of a fire at Sun Valley
 22 Poultry in which two firefighters died, so bringing to
 23 your attention the need for fire safety with sandwich
 24 panels.
 25 Also {CST00030201}, which is about insulating core

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1 panels itself , so you actually had a whole section on
 2 insulating core panels. Do you remember that part of
 3 the training?
 4 A. Not per se every part of it , but yes, I remember the
 5 training.
 6 Q. No. Let's just focus on page 6 {CST00030201/6}, if we
 7 go in to that, please, you can see there "Fire behaviour
 8 of insulating core panels used for internal structures",
 9 but then it goes on underneath the photograph to say:
 10 "Insulating core panel systems are used for external
 11 cladding as well as for internal structures."
 12 Do you remember that?
 13 A. Yes.
 14 Q. You do.
 15 If you look at page 6, you can see in the text above
 16 the photograph — and I'm summarising the text there —
 17 that insulating core panels promote rapid fire spread.
 18 Do you see that?
 19 A. Yes.
 20 Q. Primarily one of speed.
 21 A. "This means that the Officer—in—Charge must react ...
 22 quickly ..."
 23 Q. Indeed.
 24 A. Remember, I'm doing this as a fire safety officer and
 25 building control officer , not as an operational fire

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1 officer .
 2 Q. Yes, but you were aware of the risk to buildings
 3 presented by insulated core panels forming part of
 4 external cladding systems?
 5 A. Yes.
 6 Q. Yes.
 7 Did you understand from your training on these
 8 topics that I've shown you so far that if there was
 9 rapid external fire spread, it could or would perhaps
 10 compromise compartmentation of a building?
 11 A. Correct, yes.
 12 Q. Yes.
 13 How did you understand that training on external
 14 cladding would apply to your practice as a fire safety
 15 officer and then a fire risk assessor?
 16 A. Sorry, can you say that again?
 17 Q. Yes.
 18 Did you get any sense of how the training on
 19 external façades and the use of, for example, insulating
 20 core panel systems in external cladding was relevant to
 21 your work as a fire risk assessor?
 22 A. Very relevant.
 23 Q. In what way?
 24 A. Because it — the external façade of a building actually
 25 breaches or goes up the complete outside of the

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1 building, therefore it would breach any compartmentation
 2 internally .
 3 Q. Can we look at your first witness statement, please,
 4 page 49 {CST0003063/49}.
 5 At paragraph 145 under "The FSO", you say this:
 6 "There has been some suggestion that the scope of
 7 the FSO should be deemed to require Fire Risk Assessors
 8 to consider the external façade of a building, rather
 9 than just the Common Parts, albeit so far as I am aware
 10 no evidence has been adduced to date to substantiate
 11 such an interpretation."
 12 Then at paragraph 146 you say:
 13 "I have never understood this to be the case, nor
 14 was this put to me in my training on FRAs (which
 15 I received from Colin Todd who ran the Northern Ireland
 16 Fire Safety Panel FRA training that I attended, as
 17 referred to at paragraphs 11 and 24ii). Furthermore,
 18 from my experience (both in the Fire Service and as
 19 a Fire Risk Assessor), neither is this the understanding
 20 of the profession, nor common practice. In addition,
 21 I do not believe the LGA Guidance suggests that the
 22 external walls are part of the 'Common Parts' of
 23 a building for the purposes of the FSO FRA, neither do
 24 any of the 'Types' of FRA identified in that document
 25 suggest that the external walls are 'Common Parts'."

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1 Looking at the training that you got under NOS—3
 2 that we have been studying, the external wall panels,
 3 diagram 40, insulation being of limited combustibility,
 4 the dangers of sandwich panels and their use in external
 5 wall — I'm summarising them — is it really true to say
 6 that you had never understood it to be the case that the
 7 external façade of a building fell within the scope of
 8 the FSO?
 9 A. The — what you've just said is correct. The
 10 Fire Safety Order is to do with — in residential
 11 buildings is to do with the common parts or parts in
 12 common. The external façade of a residential building
 13 falls outside of the scope of the Fire Safety Order.
 14 Q. So what was the purpose of being trained on the external
 15 façade of a building, then?
 16 A. The document you showed me in the course before was to
 17 do with building control. So I had a knowledge that —
 18 of external façades, but it was a complete — that's
 19 a building control — Building Regulations course. This
 20 is the Fire Safety Order, undertaking a risk assessment
 21 of the common parts of a residential building. The
 22 external façade falls outside. But I have knowledge of
 23 how dangerous the external façades can be and I brought
 24 that up in my risk assessment.
 25 Q. Yes, I see. Well, we'll come back to the question of

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1 the scope of the RRO perhaps in due course.
 2 After you undertook training on external fire
 3 spread, rainscreen cladding, insulation and sandwich
 4 panels or insulating core panels in March 2006, as we've
 5 seen from the NOS, NOS—3 in particular, did you ever
 6 undertake any further training on those subjects?
 7 A. Off the top of my head I can't give you specifics, but
 8 there would have been training because the NOS—3 — the
 9 two fire person — so it was two ... so, yes, there
 10 would have been other training because there is ...
 11 ah ...
 12 (Pause)
 13 The first female firefighter to die, Fleur I think
 14 her name was, she died in a Co—op store, and the
 15 insulated panel — sandwich panelling had an effect in
 16 there. So, yes, it would have come up in training
 17 elsewhere.
 18 Q. During the course of your practice as a fire risk
 19 assessor, were you aware of other national and
 20 international cladding fires?
 21 A. Yes.
 22 Q. You were. For example the fires in the UAE in 2012?
 23 A. Yes.
 24 Q. You were.
 25 A. Sorry, is that The Torch?

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1 Q. Those were in 2015, in fact.
 2 A. Oh, sorry.
 3 Q. But yes, The Torch as well, you were aware of that,
 4 I assume. And were you aware of cladding fires in
 5 Europe, for example in Roubaix in France?
 6 A. Yes.
 7 Q. You were.
 8 Were you aware of the dangers of ACM
 9 polyethylene—cored panels?
 10 A. Yes.
 11 Q. When did you first become aware, do you think, of the
 12 dangers of ACM polyethylene—cored panels?
 13 A. Well, I wouldn't have known it maybe as ACM, but I would
 14 have known it as insulated core panelling.
 15 Q. Right. That's not quite the same thing, in fact, is it?
 16 A. There was a fire in Scotland —
 17 Q. Irvine, is that?
 18 A. Yes. Late 1990s, 1980s — 1990s.
 19 Q. Or Garnock Court? There are two.
 20 A. Sorry, I can't —
 21 Q. Right. 1999?
 22 A. Yes.
 23 Q. Right. That's Garnock Court.
 24 A. Okay. Sorry, sir.
 25 Q. I see. Was it that fire that brought the dangers of

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1 rainscreen cladding to your attention?
 2 A. Well, as a fire officer, as fire safety — these are
 3 part of training courses that would have been run.
 4 Q. Right.
 5 A. Or information on training courses.
 6 Q. How did you generally keep yourself up to date with
 7 developments in the fire safety industry?
 8 A. What, as a fire officer or afterwards?
 9 Q. After 2010, let's pick a date.
 10 A. Going to exhibitions, looking at the news, keeping up to
 11 date by different CPD is one method, or one of the
 12 courses — group of courses I go on, twice, three times
 13 a year, you go to a building round the country, they run
 14 three, four, five different topics, you get to pick
 15 which ones you want to go to, two different rooms so you
 16 can pick. I still get today even emails from them
 17 saying these are the courses. Go to exhibitions, fire
 18 exhibitions, things like that, keeping up to date with
 19 national news, and just talking to other fire risk
 20 assessors.
 21 Q. Appendix 1 to your second statement has a list of
 22 courses and events you attended, but none of those were
 23 on external fire spread or cladding; is that right?
 24 A. Without looking at those courses, I can't tell you.
 25 Q. Let's go there again, then, please. Appendix 1 to your

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1 statement is at {CST00030186/45}. Just scroll down
 2 those, over that page and the next two pages. Just look
 3 at those, if you would, page 45. Now 46, cast your eye
 4 down that, and then page 47, cast your eye down that.
 5 Is there anything you see there which you can
 6 identify for us as compromising a course or an event on
 7 external fire spread or cladding?
 8 (Pause)
 9 A. No.
 10 Q. No. Is there a reason why you didn't seek out further
 11 training on that particular risk in order to keep your
 12 knowledge up to date?
 13 A. I kept up to date by downloading information and doing
 14 self—CPD.
 15 Q. Specifically on external fire spread and cladding?
 16 A. On loads of different topics.
 17 Q. Right.
 18 You say loads of different topics; is that a yes,
 19 including external fire spread or cladding, or loads of
 20 different topics not including external fire spread or
 21 cladding?
 22 A. Both.
 23 Q. Well, it can't be both. I've given alternatives.
 24 A. Well, I would look at anything that was (a) flavour of
 25 the month or (b) that I thought was relevant, so —

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1 Q. Right.
 2 A. — for instance, one item that was coming up very — or
 3 while I was still undertaking fire risk assessments is
 4 electric cars' batteries, lithium batteries. That's
 5 a very big topic at the moment.
 6 Q. Yes.
 7 A. So cladding, as there were different fires around,
 8 especially in Middle East, I would keep up to date.
 9 Q. Right.
 10 So you mentioned The Torch earlier. When you saw
 11 that fire in 2015, did you undertake any flavour of the
 12 month style training as a result of that? Did you
 13 examine it?
 14 A. I'm just trying to remember. Actually, I was in
 15 Dubai — is this the one in Dubai?
 16 Q. Yes.
 17 A. Yes, I actually went to the building.
 18 Q. You went to the building?
 19 A. I was on holiday there and we actually went past that
 20 building, I think.
 21 Q. Yes, I can imagine how a fire risk assessor on holiday
 22 in Dubai might want to do that. So you actually went to
 23 the building?
 24 A. Well, I saw it from the water, yes, I think.
 25 Q. Right. Did you discover at that time what the

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1 rainscreen panels were comprised of?
 2 A. Off the top of my head, I can't remember, no, sir.
 3 Q. Right. It must have been quite a striking event for
 4 you?
 5 A. It was black all on the outside, yes.
 6 Q. So just to be clear, you were aware at that time — this
 7 is 2015 — that this was a cladding fire?
 8 A. Yes.
 9 MR MILLETT: Yes.
 10 SIR MARTIN MOORE-BICK: Can I just ask: did you actually see
 11 the fire or just the aftermath?
 12 A. Just the aftermath.
 13 SIR MARTIN MOORE-BICK: Right.
 14 MR MILLETT: Now, in respect of training about fire safety
 15 and disabled persons, we can see that — well, we'll
 16 have it up anyway, {CST00030155}, please. This is a NOS
 17 course number 4, and it's a course entitled
 18 "Fire-fighting Lifts, Atrium Buildings & Means of Escape
 19 for the Disabled", and the date is 27 June 2005. You
 20 have exhibited that.
 21 I think it's also right that at some point you
 22 completed a CPD seminar on fire safety for deaf and hard
 23 of hearing people, the law and the solutions.
 24 A. Correct.
 25 Q. Yes. Do you remember when roughly you undertook that

42

1 course?
 2 A. Without looking at the document I provided you, no.
 3 Q. No. Well, we haven't got a document, we've just got
 4 your identification of it.
 5 You don't know how many hours of CPD it covered
 6 offhand, or even on hand?
 7 A. I think it was all day, because if it's the course
 8 I'm — the day I'm thinking of, it was held at football
 9 ground ... Arsenal football ground, and there was
 10 a presentation on escape from the Twin Towers.
 11 Q. Right.
 12 A. Because it was relevant, because the disabled people on
 13 the staircase, how they were coping, et cetera.
 14 Q. Right.
 15 If we go to appendix 1 of your statement, please,
 16 and look at page 49 {CST00030186/49}, you can see there
 17 higher up that page that on 29 November 2011, second
 18 item down, you attended a CPD day:
 19 "Certificate of Attendance at the Fire Industry
 20 Association's 'Fire Risk Assessor PEEPs ... Issued by
 21 the Fire Industry Association."
 22 Do you see that?
 23 A. Yes.
 24 Q. That dealt, I'm assuming — is this right? — with
 25 personal emergency evacuation plans, didn't it?

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1 A. Yes.
 2 Q. Yes, and you have a certificate for that. I'll just
 3 give you the reference: it's {CST00030169}. There is no
 4 need to turn it up.
 5 Was that the extent of your training on disabled
 6 persons and escape and PEEPs?
 7 A. I did other CPD. Part of — as a fire officer,
 8 I undertook some courses, especially evacuations from
 9 hospitals. At one point I was actually a liaison
 10 officer for some new-build hospitals in Oxford.
 11 Q. Right.
 12 A. So part of that is: how do you get disabled people or
 13 people in ICT wards out.
 14 Q. Right.
 15 A. So I was quite familiar with evacuation of people that
 16 have got ... sorry, limited control of their functions
 17 or they're sedated.
 18 Q. On the subject of PEEPs, do you remember whether during
 19 this training day there was any training which included
 20 preparing PEEPs for residents of high-rise residential
 21 blocks?
 22 A. I can't tell you, no, sir.
 23 Q. Looking at the date of this CPD day, 29 November 2011,
 24 do you remember whether the training included training
 25 on the then just published LGA guidance?

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1 A. I would imagine it would have done, but I can't tell you
2 for definite.

3 Q. Do you remember being taught anything one way or the
4 other about whether you needed to prepare PEEPs for
5 residents of high-rise residential blocks?

6 A. The answer is yes, I would have — that would have been
7 covered on that course, I would have thought.

8 Q. Do you remember, what was the — I hate the word, but
9 let me use it: what was the takeaway message in that
10 respect?

11 A. It's up to the — so the responsible person has to
12 undertake a PEEP if one is needed or required for that
13 person.

14 Q. Right. Thank you.

15 Now, in 2011, was that the last training you did on
16 PEEPs or were there others after 2011?

17 A. There would have been others, but it would have been
18 CPD.

19 Q. So self-assessment?

20 A. Yes.

21 Q. Right.

22 Can we stick with appendix 1 and stick with this
23 page {CST00030186/49}. You can see that on the top row,
24 7 October 2011:
25 "Certificate of Attendance at the Fire Industry

45

1 Association's 'Fire Risk Assessor Update — CPD Day'."

2 There, what did that involve?

3 A. Sorry, again, I can't remember that far back, sorry.

4 Q. Then if you look a little bit further down, you can see
5 12 July 2012:
6 "Certificate of Attendance at the Fire Industry
7 Association's 'Fire Risk Assessor "The Law" — CPD Day'."

8 What did that involve?

9 A. From memory, it was how are prosecutions evolving at
10 that time.

11 Q. Prosecutions under the RRO?

12 A. Yes.

13 Q. Any other legislation?

14 A. Again, without looking at any course notes or anything,
15 I can't tell you, sorry.

16 Q. You're clear about the RRO, at any rate?

17 A. Yes. That's why the — I would have gone on the day.

18 Q. Exactly, because that's the primary piece of legislation
19 relevant to your job.

20 A. Yes, and how it — I apologise, sorry, for talking over
21 you.

22 Yes, how it would affect risk assessors. I'm just
23 trying to remember, is this roughly the time that the
24 risk assessor was prosecuted, 2012?

25 Q. Well, you would have to tell me the answer.

46

1 A. Sorry, I can't remember the date.

2 Q. Right.

3 Do you remember whether that training course covered
4 fire safety matters arising from the Lakanal House fire
5 in 2009?

6 A. I was going to say yes, if it was a topic on the
7 discussion at that point, it would have covered that.

8 Q. Right.

9 Now, if we go to your second witness statement,
10 please, page 8 {CST00030186/8}, let's look together at
11 paragraph 25(vi). You say:
12 "Attending assorted training provided by CS Todd &
13 Associates ..."

14 Then you identify that. Then you say:
15 "In particular I recall attending a talk on the then
16 new LGA Fire Safety in Purpose Built Blocks of Flats
17 Guide 2012 ... for which I have a document hand out
18 containing the slides presented at that talk: this is
19 exhibited at CSS2/20 ..."

20 It's at {CST00030160}. Can we just have that up,
21 please. You have the first page there, "1 day course",
22 CS Todd, "Fire safety in purpose-built blocks of flats".
23 If you go to the second page {CST00030160/2}, we can
24 see that it has training dates for 2013, which gives you
25 a rough idea of the timing of this document or that

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1 course.

2 Then if you go to page 10 of the handout
3 {CST00030160/10}, we can see that you received some
4 further training on what is called "Disabled
5 Evacuation", if you look at the box at the top of your
6 screen on the left.

7 A. Yes.

8 Q. Yes?

9 In that box, it refers to personal emergency
10 evacuation plans, the fourth bullet out of five; yes?

11 Can you remember what you were taught about PEEPs?

12 A. Not accurately, no. It was a training course a long
13 time ago.

14 Q. Right.

15 A. But it would have covered a PEEP, what's involved,
16 how ... there's — Government has a document that lays
17 out — it's one of the suite of documents under risk
18 assessment, so I'm going to guess it covers most of the
19 information in that. Is the person capable of getting
20 to a door, capable of hearing, seeing, movement? What's
21 their mobility?

22 Q. Do you remember being told on this course that a fire
23 risk assessor did not have to worry about PEEPs because
24 they weren't required for residents of high-rise
25 residential blocks?

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1 A. I doubt if that would have been said, sir.
 2 Q. Now, can I ask you to go to page 36 in this document
 3 {CST00030160/36}, please.
 4 Again, we have "Disabled evacuation", and again
 5 "Personal emergency evacuation", so this looks like it
 6 was gone into in quite some detail. Do you see that?
 7 A. Yes.
 8 Q. Now, you also see in that box the last bullet point,
 9 "Information box". What were you taught about that, do
 10 you remember?
 11 A. So this is 2011, isn't it, sir? Sorry, 2012, something
 12 like that? These information boxes were predominantly
 13 for ... I'm going to get -- at this time, would have
 14 been for residential care homes or something along those
 15 lines.
 16 Q. Right.
 17 If we look at page 11 {CST00030160/11} -- I'll show
 18 you a number of pages before I ask you the question --
 19 in the top box, "Building Regulations". The second
 20 bullet point there is:
 21 "Classic contraventions are internal doors and flat
 22 entrance doors."
 23 Page 30 {CST00030160/30}, you can see also
 24 a reference to doors under the middle box:
 25 "Flats -- Internal MOE."

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1 "Common Issues ..."
 2 Then the third bullet point:
 3 "Self-closing devices removed/disabled."
 4 So you were clearly trained on that; yes?
 5 A. Correct.
 6 Q. In fact, at that time, do you remember it was quite
 7 a prominent or prominently expressed part of the
 8 LGA guidance; yes?
 9 A. Yes.
 10 Q. Yes.
 11 Then at page 39 to 41, if you look at 39
 12 {CST00030160/39}, you can see "Fire Resisting Doors",
 13 the bottom box, and it says:
 14 "Options based on risk assessment:
 15 "Accept original (notional) fire door.
 16 "Upgrade the door (upgraded) strips and seals.
 17 "Replace with FD30S door and frame."
 18 Then there is handwriting just to the right of that:
 19 "Is not a FD30S door! Will improve but exactly how
 20 [something] no one knows!"
 21 Is that your handwriting?
 22 A. No.
 23 Q. It isn't? Right, okay. So you can't help me decipher
 24 it.
 25 Either way, do you recall being trained that, when

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1 you're replacing a fire resisting door, one of the
 2 options is to replace it with FD30S?
 3 A. Yes.
 4 Q. And the S stands for ...?
 5 A. Smoke seal. Cold smoke seal.
 6 Q. Cold smoke seal, yes.
 7 Stick with this section for the moment. If you turn
 8 to page 40 {CST00030160/40}, "Fire Resisting Doors", top
 9 box, left-hand side, third bullet point:
 10 "Fitted with self-closing device -- rising butt
 11 hinges should be changed."
 12 So that was clear to you, wasn't it?
 13 A. Yes.
 14 Q. The old-fashioned rising butt hinges should now be
 15 replaced with self-closing devices, and there were other
 16 issues as well, such as the glazing, letterbox, spy hole
 17 and cat flap.
 18 Then if you go to page 41 {CST00030160/41}, top box,
 19 left-hand side, "Fire Resisting Doors", second bullet
 20 point down:
 21 "■ 5/6 storeys -- upgraded 30 minute doors.
 22 "■ Over 6 storeys -- FD30S doors and frames."
 23 So you had training on that?
 24 A. Yes.
 25 Q. Yes, page 17 {CST00030160/17}, please, earlier on in

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1 this document, shows that you had training, top
 2 left-hand box, on PAS 79 and the nine steps there.
 3 Was that the October 2012 edition of PAS 79 or was
 4 it still the 2007 edition, do you remember?
 5 A. I've no idea, sir.
 6 Q. Right.
 7 If you go to page 18 {CST00030160/18}, you also see
 8 that you had training on the competence standard for
 9 fire risk assessors.
 10 A. Yes.
 11 Q. You see that there in all boxes, as well as UKAS
 12 accreditation.
 13 If you look at the bottom of that, you can see that
 14 there is a new competency criteria for fire risk
 15 assessors.
 16 Then page 24 in this document {CST00030160/24}, we
 17 can see that you also had training on fire spread,
 18 bottom left-hand side, first bullet point:
 19 "The potential for fire spread in both the common
 20 parts and within flats should be considered."
 21 And the top box, "Existing Blocks":
 22 "... the risk increases with the height, size and
 23 number of flats in a block."
 24 And six storeys and above should be 60 minutes. So
 25 you had training on that as well?

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1 A. Yes.
 2 Q. Did that training including smoke spread as well as
 3 fire spread, do you remember?
 4 A. I would have thought it would have done.
 5 Q. Yes.
 6 A. If you have fire spread, it would be — smoke precedes
 7 fire.
 8 Q. Can we go to your second witness statement, page 7
 9 {CST00030186/7}, paragraph 25(v), please. You can see
 10 there that you say that you attended:
 11 " ... annual fire lectures given by the Worshipful
 12 Company of Firefighters. One of these lectures was
 13 titled 'The Fire Lecture 2014: High Rise — Not High
 14 Risk' and included certain aspects of firefighting in
 15 high rise buildings, as well as many firefighting
 16 related matters. I exhibit ... a copy of the programme
 17 and my notes which record ..."
 18 I'll just read it off your statement:
 19 "Timber Frame
 20 "Is stay put appropriate?
 21 "FRA must be building specific
 22 "Breaching of compartments during refurbishment
 23 work.
 24 "FRAs need to be better."
 25 If we go to your notes, let's just look at those,

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1 {CST00030142/5}, please. These are your notes.
 2 A. Correct.
 3 Q. You can see:
 4 "Feb 2014. High risk generic risk assessment."
 5 Is that a reference to the February 2014 GRA 3.2?
 6 A. I would have — it looks like it, yes.
 7 Q. GRA 3.2 published by the DCLG at that stage.
 8 A. Yeah.
 9 Q. Right. Then:
 10 "Timber Frame.
 11 "Is stay put appropriate?"
 12 And then there is the manuscript which you have
 13 transliterated in your statement.
 14 A. Yes.
 15 Q. These are your notes. Who was the speaker, do you know?
 16 Sorry, I should ask the question first: are you
 17 recording what was said during the course of a lecture?
 18 A. Yes.
 19 Q. Who was the speaker, do you know?
 20 A. London Fire Brigade organised it, Worshipful Company of
 21 Firefighters, and the speaker was from Hong Kong, and
 22 please do not — I cannot pronounce his name or cannot
 23 even think of his name.
 24 Q. We can see the speakers, in fact, on page 2
 25 {CST00030142/2}, so that may help you. One of the

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1 speakers is Jones Yeung.
 2 A. Yes.
 3 Q. Was that him?
 4 A. So he was the person from Hong Kong, chief fire officer,
 5 he was giving a very good talk, because of the way the
 6 buildings — Hong Kong has a lot of high-rise buildings,
 7 and the speakers throughout, as you can see there, the
 8 notes I was — I would have taken those notes as they
 9 spoke.
 10 Q. Now, you've written in your notes — just go back to
 11 page 5 of this document {CST00030142/5} — "FRAs need to
 12 be better". What was it about FRAs that needed to be
 13 better, do you remember?
 14 A. Not specifically. No, not ...
 15 Q. Can we take it, then, that from May 2014 — and I just
 16 mark that point as a date — you were aware that there
 17 was a risk that refurbishment work might present a risk
 18 to compartmentation, looking at everything we've looked
 19 at —
 20 A. Knew that before.
 21 Q. Yes. Right.
 22 As a result of this lecture in May 2014, you didn't
 23 change anything in your practice, or did you?
 24 A. It's a long time ago, sir, to actually ask to remember
 25 that, what would I have changed. It was a — it

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1 highlights the specific points. The one on here, the
 2 one I've noted, is timber frames. It's — construction
 3 of buildings plays an important part, especially
 4 high-rise residential. If you've got concrete floors,
 5 concrete walls round the flats and the compartmentation
 6 line flat to common part is 6 inches of poured concrete,
 7 and its ability to withstand fire is higher than
 8 a timber-framed building constructed today, where the
 9 only concrete compartment shaft in the building is the
 10 staircases, where in older constructed buildings it was
 11 the staircases were concrete, the floors were concrete,
 12 the walls of the flats on to the lift lobby area,
 13 corridors, were concrete, where now they're just stud
 14 partitioning.
 15 MR MILLETT: Mr Chairman, we're going to change topics now.
 16 It may be convenient to do so — I won't finish the
 17 topic before the last —
 18 SIR MARTIN MOORE-BICK: Would it be better to stop now?
 19 MR MILLETT: Probably would be, yes.
 20 SIR MARTIN MOORE-BICK: Yes, all right.
 21 Well, Mr Stokes, as you were told earlier, we have
 22 a break during the morning and the afternoon, so we will
 23 take the break now.
 24 We'll resume at 11.30, please, and I will say to you
 25 on this occasion, and probably every other occasion you

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1 leave the room, please don't talk to anyone about your
 2 evidence or anything relating to it while you're out of
 3 the room.
 4 THE WITNESS: Okay.
 5 SIR MARTIN MOORE—BICK: All right? Thank you very much. If
 6 you go with the usher, then, please.
 7 (Pause)
 8 Right, 11.30, then, please.
 9 (11.15 am)
 10 (A short break)
 11 (11.33 am)
 12 SIR MARTIN MOORE—BICK: All right, Mr Stokes?
 13 THE WITNESS: Thank you.
 14 SIR MARTIN MOORE—BICK: Okay. Ready to carry on?
 15 THE WITNESS: Yes, sir.
 16 SIR MARTIN MOORE—BICK: Good, thank you very much.
 17 Yes, Mr Millett.
 18 MR MILLETT: Thank you, Mr Chairman.
 19 Mr Stokes, I would like to turn to the subject of
 20 your fire risk assessment work when you were at Salvus,
 21 please.
 22 Now, you started work for Salvus on
 23 24 September 2009, and if you go, please, to your first
 24 witness statement, page 6 {CST00003063/6}, paragraph 14,
 25 you say that you were taken on as a subcontractor. Just

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1 look at it there, that's what you say. You say:
 2 "... it was as a sub-contractor to Salvus that
 3 I first became aware of the Tower."
 4 That's Grenfell Tower, I'm assuming?
 5 A. Yes.
 6 Q. But if we look, please, at {SAL00000002}, I want to show
 7 you what Mr Andrew Furness says. He was the director of
 8 Salvus Consulting.
 9 If you look at the third paragraph of this document
 10 dated August 2019 which he has provided to the Inquiry,
 11 he says this:
 12 "No contract with CS Stokes and Associates was ever
 13 discussed or agreed as Carl Stokes was employed
 14 personally and he worked as a member of the Salvus Team,
 15 not as a sub-contractor [underlined]."
 16 Is Mr Furness wrong?
 17 (Pause)
 18 A. My understanding was I was a subcontractor.
 19 Q. Look at the paragraph above it:
 20 "Following a meeting with Carl Stokes, an offer of
 21 employment was made by letter (copy provided) — this
 22 offer was accepted and he provided a P45 'New Employer
 23 form' to Salvus showing the leaving date from his last
 24 employer as being the 24th September 2009 — this also
 25 being the date he commenced work for Salvus Consulting

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1 Limited."
 2 Did you provide a P45 new employer form to Salvus as
 3 Mr Furness says?
 4 A. I must have done if that's what he said.
 5 Q. Right.
 6 Once you had joined Salvus, did you receive any
 7 training?
 8 A. None springs to mind.
 9 Q. Who did you report to?
 10 A. Erm ... a lady in the office. Sorry, I can't — I think
 11 it was his other half. Kate ... and then I worked with
 12 a former colleague of mine who I worked in the
 13 fire service with.
 14 Q. So you don't remember the name of your line manager when
 15 you were at Salvus?
 16 A. Well, if I needed anything, I would speak to — sorry,
 17 the lady in the office, Kate, who was Andy Furness'
 18 wife, I believe. I don't think I ever rang up Andy
 19 per se and said — I talked to him, but I would talk to
 20 my colleague who I used to work with.
 21 Q. Who is that?
 22 A. A person called Steve Wain.
 23 Q. I've seen the name. We will come back to that maybe in
 24 due course.
 25 Looking at the middle of the page here:

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1 "All members of the Salvus team receive considerable
 2 support from other members of the Risk Assessment Team,
 3 the MD and support staff. Salvus Consulting Limited
 4 operates a quality control process for both technical
 5 and administrative areas and sign off for each
 6 assessment following appropriate levels of revision,
 7 where required, is undertaken by the Managing Director."
 8 Then it goes on to say:
 9 "This process took place for all Fire Risk
 10 Assessments completed for the KCTMO (please see revision
 11 number on Grenfell Tower fire risk assessment) and
 12 emails exchanged between Andrew Furness and Carl Stokes
 13 are attached."
 14 Is what he says there correct?
 15 A. Yes. I undertook the work and then he reviewed and then
 16 came back.
 17 Q. Right. So your work would be peer reviewed by
 18 Andrew Furness, would it?
 19 A. Yes.
 20 Q. What other support did you receive while you were at
 21 Salvus?
 22 A. Training—wise, may have been some — how to fill their
 23 form in electronically.
 24 Q. Do you recall the quality control process governing fire
 25 risk assessments in place at Salvus at the time?

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1 A. The quality control would be peer review by Andy Furness
2 himself — Mr Furness himself.
3 Q. It's right, is it, that once you left Salvus and were
4 awarded the fire risk assessment contract by the TMO
5 initially for the medium-risk properties, you no longer
6 had access to Salvus' support system, guidance and
7 quality control?
8 A. As far as I'm aware, yes.
9 Q. So when you left Salvus and started up on your own, what
10 support or peer review or quality control systems did
11 you have in place?
12 A. I was self — sole trader, so —
13 Q. Yes.
14 A. — I would have — myself, that was it.
15 Q. So the answer to my question is none, I think?
16 A. None.
17 Q. When you worked for Salvus, how many fire risk
18 assessments did you carry out, do you think? I know
19 it's difficult to be accurate, but ...
20 A. Again, I would not know, sorry.
21 Q. Right, but was it tens or hundreds?
22 A. Tens.
23 Q. Right. And how many of those do you recall roughly were
24 on high-rise residential buildings?
25 A. 20, 30, something like that. I'm just trying to think.

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1 It would be RBKC/TMO.
2 Q. Did you attend any of the meetings between Salvus, the
3 TMO and the London Fire Brigade?
4 A. No.
5 Q. Were you told anything about what had been discussed and
6 agreed in meetings between Salvus, the TMO and the LFB?
7 A. I would have been, but I can't remember that
8 information. It was never a sit-down meeting.
9 Q. Did you ever look at the minutes? Were you ever shown
10 the minutes or notes of those meetings?
11 A. Doesn't — nothing, no.
12 Q. Now, in your first witness statement at page 6
13 {CST00003063/6}, at paragraph 15, you say this:
14 "The first time I visited the Tower was on
15 30 September 2009 for the purposes of carrying out
16 an FRA ('2009 FRA') ... As well as visiting the Tower,
17 I was also provided with various information by the
18 KCTMO [then you give some examples] ... From my first
19 involvement with the Tower, it was apparent that
20 'Stay Put' was the evacuation strategy in place for the
21 residential floors, and that the commercial premises had
22 a fire alarm/evacuation as a strategy which is not
23 unusual for premises of this sort."
24 You have exhibited two spreadsheets there, and
25 you've given the references. Let's just have them up:

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1 {CST00003121}, which is a different reference but the
2 same document, and also {CST00003124}.
3 3121, can you explain what that was?
4 A. This looks to me to be the TMO's property reference,
5 building reference. So house number, street, postcode,
6 and the estate it's on.
7 Q. Yes, and then various details for each property.
8 A. Yes.
9 Q. What about {CST00003124}, if we can have that up,
10 please. What was that?
11 (Pause)
12 A. To me that looks like a documentation for fire alarm
13 systems within the flats.
14 Q. Right.
15 Now, you were working for Salvus at the time these
16 documents were given to you; were you given any other
17 information about the tower, do you think, other than
18 spreadsheets of this kind?
19 A. Sorry, I'm trying to remember.
20 Documentation — on the previous one it had systems
21 within it. I would have asked for when they were last
22 tested and serviced and stuff like that. Whether that
23 would have come through TMO or Salvus, I've got —
24 I can't remember.
25 Q. Right. How would that information come to you? Would

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1 it come by email or —
2 A. Email.
3 Q. Right.
4 Did you see any previous risk assessments that had
5 been completed for Grenfell Tower specifically?
6 A. No, not — no.
7 Q. Did you ask for them? When you did your 2009 risk
8 assessment —
9 A. I would have asked for — yes, I would have —
10 Q. Right. And what were you told?
11 A. I can't remember, but if I hadn't been given them, that
12 means they weren't available, or Salvus — they had the
13 meetings.
14 Q. Before your visit, what instructions were you given
15 regarding the substance of the FRA that you were to
16 carry out?
17 A. Residential areas of the tower.
18 Q. Right. And what instructions were you given about
19 inspecting flat entrance doors specifically, do you
20 remember?
21 A. Can't remember specifically.
22 Q. Right.
23 Well, let's just look at a document, {SAL00000040},
24 please. This is a note of a briefing meeting, if we
25 just look at page 1 of that, please, to start with.

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1 It's a briefing meeting of 7 September 2009. You were
 2 not present. Janice Wray was, together with
 3 Andrew Furness and Steve Wain, the gentleman that you
 4 referred to just earlier, both of Salvus.
 5 If you look a little bit lower down the page, lower
 6 down on the screen, underneath "Project Objectives &
 7 Scope of Work", 2.1, "Fire Risk Assessments (FRAs) and
 8 Reviews", it says:
 9 "The FRA and FRA reviews will include an individual
 10 examination of each fire door including whether it
 11 operates correctly.'
 12 "Steve sought clarification of what this would mean
 13 practically in terms of quantity of flat entrance doors
 14 to be assessed. Janice advised that she expected
 15 a random sample of doors to be inspected and assessed.
 16 Specifically, where many doors were clearly identical
 17 several should be inspected and where there were a wide
 18 range of door types it would be helpful to inspect as
 19 many of the different types as possible — and where
 20 possible comment on the fire safety of all."
 21 Do you recall being told by Steve Wain or perhaps
 22 Janice Wray that a random sample of flat entrance doors
 23 had to be inspected and assessed when it came to you
 24 doing your FRA at Grenfell Tower at the end of that
 25 month?

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1 A. Specifically, no, but I would have undertaken a random
 2 sample because otherwise I wouldn't have known what the
 3 doors were, how they were constructed.
 4 Q. Now, can we go to your first statement, please, page 18
 5 {CST00003063/18}, paragraph 54. This is underneath the
 6 heading, "Process of carrying out FRAs", and you say
 7 there:
 8 "The process by which I carried out the various FRAs
 9 for the Tower varied slightly by virtue of the
 10 circumstances — i.e. the 2009 FRA was the first FRA
 11 I undertook for the Tower and thus required further
 12 investigation (such as an initial familiarisation with
 13 the Tower so as to understand its layout and key
 14 features)."
 15 How did you go about carrying out the inspection for
 16 the FRA?
 17 A. Starting at the top and working my way down floor by
 18 floor.
 19 Q. How long did it last, do you think?
 20 A. Norm — four/five hours, four hours.
 21 Q. Would it have included knocking on flats to gain entry
 22 to inspect the flat entrance doors?
 23 A. If it was — yes.
 24 Q. You did do that, did you?
 25 A. Yes.

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1 Q. What differed between your visit on 30 September 2009
 2 for that first FRA of Grenfell Tower and any future
 3 visits to the tower that you later undertook?
 4 A. Well, follow-up visits, I would have known the layout of
 5 the building afterwards — after that.
 6 Q. Right.
 7 A. But the first time is to actually find your way — (a)
 8 way around the building, the layout, and more
 9 importantly where all the services and risers,
 10 et cetera, et cetera, so ...
 11 Q. Did you make any notes of that visit?
 12 A. I would have done, yes.
 13 Q. Do you know where they are now?
 14 A. Probably destroyed.
 15 Q. Right.
 16 You say probably destroyed; what was your document
 17 destruction policy, so far as you had one, when you were
 18 operating as a sole trader after 2010?
 19 A. If I was to do a follow-up, I would take documents —
 20 you know, the risk — significant findings with me from
 21 the last one, anything — once I'd done the new one, the
 22 other documents would be destroyed.
 23 Q. Right. Did you have a policy of destroying documents
 24 after a period of time?
 25 A. Not a specific period of time. To be honest, once the

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1 pile got too big, it was culled from the bottom upwards.
 2 Q. Right. Where did you work from generally?
 3 A. Home.
 4 Q. Did you have a study at home, an office at home?
 5 A. Yes.
 6 Q. And your documents would be kept there, would they?
 7 A. Yes.
 8 Q. Can we go, please, to {CST00003128}. This is the fire
 9 risk assessment dated 30 September 2009 for
 10 Grenfell Tower. You can see that from page 1 of this
 11 document.
 12 Can we go to page 5 {CST00003128/5}, please, within
 13 it. On page 5 you can see, under "General Information"
 14 at the very top, it says:
 15 "Landlord Name: [RBKC]
 16 "Responsible person: Chief Executive of [RBKC].
 17 "Responsible Person/Contact on Site: Tenant
 18 Management Organisation Warden.
 19 "Persons Consulted during Assessment:
 20 Ms Janice Wray ..."
 21 Just in relation to who was the responsible person,
 22 looking at that, it tends to suggest that both RBKC and
 23 the TMO were the responsible persons. Is that how you
 24 saw it?
 25 A. This would have been the information I would have been

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1 given to put down as a responsible person —
 2 Q. I see.
 3 A. — after the meetings that others had.
 4 Q. Did you question that?
 5 A. I can't say for — definitively, no.
 6 Q. Right.
 7 Was it always your view thereafter that both RBKC
 8 and the TMO were responsible persons for the purposes of
 9 the RRO?
 10 A. Yes.
 11 Q. Now, looking at the reference, "Persons Consulted during
 12 Assessment: Ms Janice Wray of the [TMO]", what did that
 13 consultation involve, do you remember?
 14 A. Information on the building, I would have asked for
 15 certificates, lift maintenance records, dry risers,
 16 anything like that.
 17 Q. Did you have a meeting with her or did you communicate
 18 with her by email or telephone?
 19 A. I'm going to say at this time all — everything went
 20 through Salvus' office.
 21 Q. Right. But nonetheless, did you have a meeting with her
 22 where she gave you the information or did she send it
 23 all by email?
 24 A. I'm going to say it came through Salvus' office.
 25 Q. By email?

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1 A. I would have thought so.
 2 Q. At the bottom of the page, bottom left—hand corner, do
 3 you see it says "FiReSalpt1rev 4 Grenfell Tower". Does
 4 that tell us that this went through four revisions
 5 before being finalised?
 6 A. That's what it looks like, yeah.
 7 Q. Yes. Can you remember why this went through four
 8 revisions?
 9 A. There was backwards and forwards because of layout and
 10 information required in each part.
 11 Q. Backwards and forwards between whom?
 12 A. Myself and Andy Furness.
 13 Q. Right. So does that tell us that there was, in effect,
 14 a quality control process under which this FRA was
 15 reviewed, in fact at least twice?
 16 A. Yes.
 17 Q. Is it fair to say that it would not or did not go out to
 18 the TMO as the client unless and until Andrew Furness
 19 was happy with it?
 20 A. Correct.
 21 Q. Now, we'll come back to this document repeatedly during
 22 your evidence, but I'm going to leave this one there for
 23 the moment and ask you about the tender that you did for
 24 the TMO work.
 25 Do you remember that in 2010 you submitted a tender

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1 to the TMO, didn't you?
 2 A. Yes.
 3 Q. Can we go to {CST00000005}, please.
 4 As part of that exercise, is it right that you were
 5 sent this document? This is a consultants' brief, fire
 6 risk assessments, medium risk programme, July 2010.
 7 Yes?
 8 A. Yes.
 9 Q. Do you agree that this document set out the requirements
 10 and standards to be provided when carrying out FRA work
 11 for the TMO under its medium—risk programme?
 12 A. Yes.
 13 Q. Now, if we go to page 3 {CST00000005/3}, please, to
 14 start with, you can see paragraph 1.1:
 15 "This Brief specifies the requirements for [FRAs] in
 16 the communal areas of the Royal Borough of Kensington
 17 and Chelsea (the Council) Council's housing stock.
 18 These properties are managed by the Royal Borough of
 19 Kensington and Chelsea Tenant Management Organisation
 20 Ltd (the TMO). This Brief provides general information
 21 relevant to the Commission and details the service
 22 requirements and standards to be provided."
 23 So you understood that this document was essentially
 24 the cornerstone of what you were going to do if you got
 25 the job?

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1 A. Yes.
 2 Q. Yes.
 3 Now, if you go to page 25 in that document
 4 {CST00000005/25}, please, halfway down the page, you can
 5 see that there is a heading "Quotation submissions",
 6 section 7, and under section 7.1(d)(iii) at the bottom
 7 of your screen, bottom of the page, it says:
 8 "Details of professional qualifications, in
 9 particular fire risk assessment qualifications, and
 10 experience of the Project Leader and proposed team
 11 members who will carry out the assessments."
 12 Now, when you saw that, presumably you understood
 13 what it was you had to provide; yes?
 14 A. Yes.
 15 Q. And presumably you understood that that was so that the
 16 TMO could make a proper and fully informed selection of
 17 the professional who was going to carry out this
 18 programme?
 19 A. Yes.
 20 Q. Yes.
 21 Now, we've got a pack of certificates that you sent
 22 to the TMO, and those are at {TMO00880581}.
 23 Let's just look at those. We can scroll through
 24 them. Just have a look and see what that is. That is
 25 a certificate of public liability and products liability

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1 insurance, with all the details redacted.
 2 It continues in that vein, down to page 6
 3 {TMO00880581/6}, for example, which is where the
 4 certificates begin. We've seen one or two of these
 5 before. Page 6.
 6 Page 7 {TMO00880581/7} is about shaft ventilation.
 7 Page 8 {TMO00880581/8}, certificate of completion of
 8 an FIA training course.
 9 Page 9 {TMO00880581/9}, FIA training course,
 10 et cetera, et cetera.
 11 Is it right that, although you sent them this pack
 12 of certificates, you sent them no details of your fire
 13 risk assessment qualifications and experience?
 14 A. That'd be correct, yes.
 15 Q. If we go to your first witness statement, please, at
 16 paragraph 50 {CST00003063/17}, you say there that you
 17 also provided a sample fire risk assessment.
 18 You have exhibited that. If we look at that,
 19 please, that's at {CST00003071}. There it is, it's for
 20 41 High Street, W10.
 21 Did you provide that to the TMO as part of the
 22 tender?
 23 A. Yes.
 24 Q. Was that in advance of your interview?
 25 A. I can't remember whether it was in advance. It would

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1 have — if you're telling me I had to provide this
 2 beforehand, the answer's yes.
 3 Q. You did.
 4 Looking at page 3 {CST00003071/3}, if we can,
 5 please, we see a statement here of the qualifications
 6 that you say you had. It's under the heading
 7 "Assessment completed by", and I'll just read it to you:
 8 "Mr C Stokes, ACI Arb, FPA Dip FP (Europe), Fire Eng
 9 (FPA), NEBOSH, FIA BS 5839 System Designer, Competent
 10 Engineer BS 5266, IFE Assessor/Auditor (FSO). 19 years
 11 Fire Safety experience with local Fire Authority, in
 12 enforcement and auditing roles, 3 years as
 13 an independent fire risk assessor.
 14 "Member of the construction industry CPD
 15 certification Service. Professional Indemnity insurance
 16 cover provided by Hiscox. Enhanced CRB checked."
 17 So that statement of qualifications — is this
 18 right? — was to assist you in your application to
 19 become the TMO's fire risk assessor for the medium-risk
 20 programme?
 21 A. Yes.
 22 Q. Yes.
 23 Now, I want to look at those qualifications in
 24 a little bit of detail. Before I do, do you accept that
 25 that paragraph is mirrored across all of the fire risk

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1 assessments that you ever did for the TMO?
 2 A. It would have been updated, but yes.
 3 Q. Updated in certain respects certainly, but otherwise
 4 mirrored.
 5 If you look at the post-nominals, were they included
 6 to lead the reader to think that you had these
 7 qualifications and professional body memberships?
 8 A. In hindsight, looking at this, this could have been
 9 worded a lot better. I had to look up what the word
 10 post-nominals actually meant. These were designed to
 11 show courses and competence and training courses passed,
 12 as required by the Fire Safety Order.
 13 Q. Yes. Can you just answer my question: were they
 14 included — post-nominals means the letters after your
 15 name.
 16 A. Okay.
 17 Q. All right? Do you agree that you included those so as
 18 to lead the reader to think that you had the formal
 19 qualifications and professional body memberships set out
 20 here?
 21 A. Correct, that's what they are there for.
 22 Q. And is it fair to say that you wanted to create that
 23 impression in order to improve your prospects of winning
 24 the tender?
 25 A. They are my courses I have attended and exams I have

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1 passed to get those courses.
 2 Q. Now, let's just look at the first one, ACI Arb. That
 3 indicates that you are an associate of the Chartered
 4 Institute of Arbitrators.
 5 A. Correct.
 6 Q. That has no bearing on your role as a fire risk
 7 assessor, does it?
 8 A. Yes, I think it does, because you have to negotiate
 9 between builders, the client, as the risk assessor find
 10 out information on the building. So, yes, I think it
 11 does have a bearing on risk assessments.
 12 Q. Right.
 13 In your second witness statement, let's go to that,
 14 page 5 {CST00030186/5}, paragraph 21(b), you deal here
 15 with the next post-nominal, Fire Eng (FPA), that I've
 16 just shown you.
 17 At paragraph 21(b), you say:
 18 "This designation refers to the various 'NOS'
 19 courses I took, the certificates for which are appended
 20 at Appendix 1 ..."
 21 And we've seen those.
 22 Would you agree that in fact the post-nominal
 23 Fire Eng (FPA) doesn't actually exist?
 24 A. It is the course NOS-11 and 12.
 25 Q. Yes, but the post-nominal "Fire Eng (FPA)" is not

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1 actually a post-nominal. It's not like —
 2 A. I never wanted them to be post-nominals. They were
 3 courses attended. I could have worded it a lot better
 4 by saying "The following courses".
 5 Q. Yes, and neither the post-nominal nor the surrounding
 6 text make any mention of the NOS courses, do they?
 7 A. No.
 8 Q. No. Instead, you opted to use something called
 9 "Fire Eng (FPA)", which is a post-nominal which doesn't
 10 exist?
 11 A. I don't say, sir — they were never meant to be
 12 post-nominals, they were meant to be qualifications,
 13 training and experience as required by the Fire Safety
 14 Order. Fire engineer FPA is an NOS course, which is 11
 15 and 12.
 16 Q. You're not a qualified fire engineer, though, are you?
 17 A. No.
 18 Q. Using "Fire Eng (FPA)" tends to suggest that you might
 19 be. Somebody who didn't know anything about it might be
 20 led to think that you were a qualified fire engineer.
 21 A. And if they would have asked me, I would have told them
 22 I wasn't.
 23 Q. Yes, but those who didn't ask you would be left with
 24 that uncorrected impression, wouldn't they?
 25 A. In hindsight, sir, I see where you're coming from.

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1 Q. Well, do you agree?
 2 A. Yes.
 3 Q. Similarly, looking at the next one, NEBOSH.
 4 Let's go back, please, to the fire risk assessment
 5 that you sent, {CST00003071/3}.
 6 NEBOSH, and then after that, "FIA BS 5839 System
 7 Designer, Competent Engineer BS 5266", those aren't
 8 post-nominals recognised by any professional body, are
 9 they?
 10 A. They're courses attended.
 11 Q. Yes, but they're not post-nominals recognised by any
 12 professional body, are they?
 13 A. No.
 14 Q. No. The certificates for those courses don't give you
 15 any authority to use those post-nominals, do they?
 16 A. They're industry standard courses.
 17 Q. But they don't give you any authority to use those
 18 post-nominals, do they?
 19 A. No.
 20 Q. No.
 21 Let's keep this on the screen, if we can, please,
 22 and go to paragraph 21(c) of your second witness
 23 statement at page 5 {CST00030186/5}.
 24 NEBOSH itself, paragraph 21(c), we can read across:
 25 "NEBOSH.

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1 "Certificates in relation to NEBOSH ('Level 3
 2 Certificate in Occupational Health and Safety') and IOSH
 3 ('Managing Safely Course') are provided ..."
 4 You provided those. But the NEBOSH — is this
 5 right? — national general certificate doesn't entitle
 6 you to use any post-nominals at all, does it?
 7 A. No. No.
 8 Q. No, and as far as IOSH is concerned, if we look at the
 9 IOSH certificate, that's at {CST00030167}, it says at
 10 the very bottom, if we can blow up the certificate for
 11 that course:
 12 "Possession of this certificate does not confer
 13 exemption from professional examinations which lead to
 14 corporate membership of the Institution of Occupational
 15 Safety and Health."
 16 Would you accept that, in the light of that
 17 qualification, you knew that you couldn't use the
 18 post-nominal IOSH?
 19 A. Agreed, sir, but they were never meant to be
 20 post-nominals. As — with hindsight, these were courses
 21 and qualifications passed to — in my view at the time,
 22 to say that I was a competent person to undertake a risk
 23 assessment by virtue of course training and experience.
 24 Q. The same applies to NEBOSH, doesn't it? You weren't
 25 entitled to use a post-nominal NEBOSH by virtue merely

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1 of holding that certificate; do you agree?
 2 A. Agree.
 3 Q. Looking at the next one, please, if we can go back to
 4 your pro forma {CST00003071/3}, the next one is
 5 "IFE assessor/auditor (FSO)". You see that there?
 6 A. Yes.
 7 Q. Presumably you knew that the IFE was a professional body
 8 with a registration scheme?
 9 A. At this particular time, I don't know whether the scheme
 10 was in being or not. But, again, with hindsight, this
 11 was clarified — it should have been put down
 12 "Assessor/auditor, undertaken IFE course", not as
 13 a post-nominal.
 14 Q. Indeed. But using the post-nominal "IFE
 15 Assessor/Auditor (FSO)" would give the impression to the
 16 uninitiated, or even to the initiated, that you were
 17 registered with the IFE, wouldn't it?
 18 A. It could be seen like that, but if you looked it up,
 19 I wouldn't be on the list, and if anyone had asked me,
 20 I'd have told them I wasn't.
 21 Q. Yes, and it's right, isn't it, that you hadn't actually
 22 applied at that time —
 23 A. No.
 24 Q. — for registration?
 25 Indeed, looking at the certificate you received,

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1 which you have exhibited {CST00030166}, it says at the
 2 bottom there — and you have quoted it in your second
 3 witness statement at 21(g), but let's have it in the
 4 original :
 5 "An IFE Approved Course is any course that has been
 6 assessed by the Institution of Fire Engineers as not
 7 equivalent to the Institution's Examinations, in whole
 8 or part, but which is of a standard and quality that is
 9 worthy of association with the Institution ."
 10 That sentence does not imply that you can use
 11 a post—nominal to indicate that you are an IFE assessor
 12 or auditor, does it?
 13 A. Correct.
 14 Q. You must have been aware of that at the time, surely,
 15 when you wrote this into the 41 High Street FRA and sent
 16 it to the TMO?
 17 A. No, my understanding was I was putting down courses
 18 attended. I was never — there was never anything else
 19 to deceive or even highlight anything else but these are
 20 courses and competences.
 21 Q. Why didn't you make that clear?
 22 A. With hindsight, it would have been a lot easier if I had
 23 have made it clear, sir.
 24 Q. You say with hindsight, as you have kept saying,
 25 Mr Stokes, but the reality is you must have known at the

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1 time that these post—nominals had either come out of
 2 your own head, because they didn't exist, or were
 3 thoroughly misleading truncations of the fact that you
 4 had done courses but hadn't actually obtained
 5 qualifications . Do you accept that?
 6 A. Yes.
 7 Q. Let's just look at what Mr Todd says, please,
 8 {CTA00000011/58}. Mr Todd says at paragraph 6.48 on
 9 that page at the very foot of your screen:
 10 "It is clear that either Mr Stokes is somewhat
 11 lacking in understanding regarding the proper use of
 12 post—nominals or that he was, at least, endeavouring to
 13 overstate his qualifications ; in either case, the manner
 14 in which he set out the supposed post—nominals would, in
 15 my opinion, significantly mislead clients and potential
 16 clients as to his qualifications , regardless of his
 17 level of competence."
 18 Now, that is Mr Todd's conclusion as a result of
 19 a close analysis of your stated qualifications at
 20 paragraph 6.46 of his report at pages 55 to 58.
 21 First of all , have you read those paragraphs —
 22 A. Yes.
 23 Q. — before coming here today?
 24 Do you accept the conclusion that I have just read
 25 out to you from paragraph 6.48?

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1 A. Yes.
 2 Q. Thank you.
 3 Do you agree that, by doing so, you significantly
 4 misled any reader of your FRAs as to your
 5 qualifications ?
 6 A. No, I don't, because if anyone had have asked me, I'd
 7 have explained and told them, and from the first one,
 8 I didn't understand the use of post—nominals, sorry.
 9 Q. Can we then go back to your FRA that we looked at
 10 before, {CST00003071/3} again, please. After the
 11 post—nominals which we've looked at, and I've read this
 12 to you as well, you say:
 13 "... 3 years as an independent fire risk assessor."
 14 In fact it's right, as you told us earlier , that
 15 while you were at Oxfordshire you hadn't done any
 16 independent fire risk assessor work; that's right, isn't
 17 it ?
 18 A. Yes.
 19 Q. In fact, that only started when you began to work for
 20 Salvus on 24 September 2009; yes? Yes?
 21 A. Correct.
 22 Q. Yes. So by 29 December 2010, which is the date of this
 23 document, you had at most worked for 15 months as
 24 an independent fire risk assessor .
 25 A. I had undertaken risk assessments before that, but not

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1 for money or gain.
 2 Q. Again, does that suggest that you exaggerated your
 3 experience as a fire risk assessor?
 4 A. No.
 5 Q. You hadn't been an independent fire risk assessor for
 6 three years as at the date of this document, had you?
 7 A. Sorry, the date of this document is, sir?
 8 Q. 29 December 2010.
 9 A. No.
 10 Q. I'm so sorry, I've misled you. Page 1 {CST00003071/1},
 11 21 August 2010. So even more so.
 12 A. No.
 13 Q. Yes. That also had the potential to mislead clients as
 14 to the level of your experience; do you accept that?
 15 A. Yes.
 16 Q. Yes.
 17 Now, can we go back to page 3 {CST00003071/3}. You
 18 say:
 19 "Member of the construction industry CPD
 20 certification Service."
 21 Now, in your FRAs for Grenfell Tower, you do amend
 22 this paragraph each year to show the number of years of
 23 membership. In fact, it's right, isn't it, that that
 24 only involved attendance at training courses?
 25 A. Yes.

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1 Q. There was no service or body of which you were —
 2 A. No, no, no.
 3 Q. No. Again, by suggesting that you were a member was
 4 inaccurate and potentially misleading?
 5 A. Well, as a member I received emails from them,
 6 I received documentation from them.
 7 Q. You apply for it and get it; you don't become a member
 8 of a recognised body, do you?
 9 A. It was never meant to be that, no, sir.
 10 Q. You don't have any certification after 2009 to show that
 11 you attended training courses run by the construction
 12 CPD certification service.
 13 A. After which date, sir?
 14 Q. 2009.
 15 A. I have been on them — I used to go on them at least
 16 once, twice, three times a year.
 17 Q. I don't think you provided any certification to show you
 18 that attended those training courses after 2009.
 19 A. I don't know, sir.
 20 Q. Right.
 21 A. But I have been on them. I still get emails today.
 22 Q. Was it right to say that you were in some way still
 23 affiliated with that organisation in 2014, when you did
 24 your October 2014 FRA for Grenfell?
 25 A. For the CPD, yes.

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1 Q. Right.
 2 Can we then go back to the tender application and
 3 the consultants' brief, please, {CST00000005/5}.
 4 On that page, you can see "Quality", 3.0, and under
 5 that, 3.1:
 6 "Consultants are expected to provide a consistently
 7 high quality service and should be able to demonstrate
 8 through documentation that their organisations are
 9 capable of maintaining a quality standard that satisfies
 10 all contractual requirements.
 11 "The TMO require Consultants to be able to satisfy
 12 the provisions of a quality management system as set out
 13 in BS EN ISO 9001 and preferably be registered to a UKAS
 14 certification body."
 15 How did you demonstrate to the TMO that you could
 16 satisfy the provisions of BS EN ISO 9001?
 17 A. I don't think it ever came up, sir.
 18 Q. So they didn't ask you and you didn't demonstrate or
 19 purport to demonstrate that you could satisfy those
 20 provisions?
 21 A. No.
 22 Q. Right.
 23 During your interview, were you asked about your
 24 competence?
 25 A. My competence? Yes.

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1 Q. Yes. Were you not asked: can you satisfy the provisions
 2 of quality management under BS EN ISO 9001?
 3 A. I wouldn't remember, sir.
 4 Q. If we look back to page 3 {CST00000005/3}, please, and
 5 look at paragraph 1.10 at the foot of the page:
 6 "The Consultant's appointment will be for a one year
 7 period with a TMO—only discretionary option to extend
 8 for a further one year subject to the consultant's
 9 satisfactory performance."
 10 Once you were appointed as the fire risk assessor
 11 for the medium—risk programme, is it right that your
 12 contract was never formally renewed?
 13 A. That's right.
 14 Q. It just rolled along; is that right?
 15 A. Yes.
 16 Q. Right. Did you ever ask yourself why that was?
 17 A. If they'd have questioned, I would have answered the
 18 question, but it was never something that sprang to
 19 mind.
 20 Q. Right. So you just let a sleeping dog lie and just kept
 21 taking the work?
 22 A. That's the way you interpret it, but it didn't come to
 23 my mind.
 24 Q. I'm not criticising you for it, I'm just trying to work
 25 out what happened.

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1 So did the TMO ever tell you that your appointment
 2 was to be treated as permanent until terminated?
 3 A. No, it just carried on.
 4 Q. So it was just a working assumption that you would carry
 5 on?
 6 A. Yes.
 7 Q. Right.
 8 Now, I want to ask you about your appointment for
 9 the low—risk blocks.
 10 It's right that you were appointed to be the fire
 11 risk assessor of the low—risk blocks, and you signed
 12 a contract for that on 24 August 2011; that's right,
 13 isn't it?
 14 A. If that's — yes, I wouldn't know the date.
 15 Q. Is it right that you never had to make a formal
 16 application for that position or go through a formal
 17 procurement process?
 18 A. From memory, that's correct.
 19 Q. Do you know why that is?
 20 A. No. They must have been happy with my work.
 21 Q. Right.
 22 Was it your understanding that the contract for the
 23 low—risk blocks included the same terms and conditions
 24 as set out in the July 2010 consultants' brief that
 25 we're looking at here which governed your contract for

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1 the medium-risk blocks or buildings?
 2 A. Yes.
 3 Q. Again, was it your understanding that your position
 4 undertaking that work was never formally renewed but
 5 continued indefinitely?
 6 A. Yes.
 7 Q. Now, it's also right, I think, as you have set out in
 8 your first statement at paragraphs 25 and 26, pages 9
 9 and 10 {CST00003063/9-10} — I don't think there's
 10 a need to go to it — that you were also asked to carry
 11 out fire risk assessments on high-risk buildings from
 12 2010 onwards; yes?
 13 A. Yes.
 14 Q. But you never signed a contract for those, did you?
 15 A. Correct.
 16 Q. Right. And again, were you never required to go through
 17 a formal procurement or application process?
 18 A. I was never asked, no.
 19 Q. Who asked you to carry out assessments on high-risk
 20 buildings from 2010 onwards, do you remember?
 21 A. I'm going to say Janice Wray at the TMO.
 22 Q. Right. Was she basically the person from whom you took
 23 your instructions and to whom you reported?
 24 A. Yes.
 25 Q. You say — and I'll just cite it — at paragraph 26 of

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1 your first statement at page 10 {CST00003063/10} that
 2 you always operated on the understanding that all the
 3 work you did, or CS Stokes & Associates Limited did for
 4 the TMO was governed by the terms contained in the
 5 July 2010 consultants' brief?
 6 A. Yes.
 7 Q. That's right, is it?
 8 A. Yes.
 9 Q. Can I then keep with that document and examine some of
 10 the terms of the contract for the medium-risk programme,
 11 and, as we've established now, for all the work you did.
 12 If we go to page 6 {CST00000005/6}, we can see the
 13 scope of work set out, and it says in the subheading
 14 "Fire Risk Assessments and Reviews". Under
 15 paragraph 1.1:
 16 "Fire Risk Assessments will be undertaken and
 17 reviewed regularly at a frequency dictated by the degree
 18 of risk. The FRA and FRA reviews will include an
 19 individual examination of each communal fire door
 20 including whether it operates correctly and the findings
 21 will be clearly documented in each report."
 22 Then if you skip down to 1.3, I'll read it all to
 23 you:
 24 "FRAs and reviews will focus on:
 25 "i. The compartmentation of the building and any

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1 possible shortcomings with it.
 2 "ii. The operation and adequacy of fire doors
 3 including their fire resistance rating and smoke/fire
 4 seals etc.
 5 "iii. Adequacy of fire fighting equipment.
 6 "iv. Adequacy of automatic detection system,
 7 extraction systems, sprinklers, dry risers, wet risers
 8 etc.
 9 "v. Assessment of the means of escape (to include
 10 final exit doors) and assessment of secondary means of
 11 escape where present and it's appropriateness/ viability,
 12 emergency lighting, signage, etc.
 13 "vi. Fitness for purpose of the building in
 14 relation to fire safety.
 15 "vii. Fire safety management systems and their
 16 recording procedures.
 17 "viii. Marking of fire detection and fire fighting
 18 equipment, fire doors (including their fire resistance
 19 rating and smoke/fire seals) and compartmentation on
 20 floor plans provided by the client where possible and in
 21 all other cases to be produced by the consultant.
 22 Symbols and other information marked-up on the drawings
 23 will be the same as in the HM Government Guides 'Fire
 24 Safety Risk Assessment'."
 25 Is it right that a new FRA was the first FRA that

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1 you would carry out on a building, and an FRA review was
 2 any subsequent review of the same building?
 3 A. Yes.
 4 Q. In your first witness statement at page 16
 5 {CST00003063/16}, paragraphs 47 to 48, you say, and
 6 I don't need to take you to it:
 7 "Prior to 2011 the LGA Guidance had not been
 8 published but I was effectively carrying out 'Type 1'
 9 FRA's with elements of 'Type 3' as they came to be
 10 categorised when the LGA Guidance when published in
 11 2011."
 12 Now, let's just look at the detail of what you're
 13 talking about there in the LGA guidance.
 14 Can we go to that, please. {HOM00045964/44},
 15 paragraph 35.1.
 16 34, "Scope of a fire risk assessment".
 17 I think I need 35.1 at the foot of the page, "Types
 18 of fire risk assessment", and if you turn the page
 19 {HOM00045964/45}, you've got "Type 1 — Common parts only
 20 (non-destructive)", and it says in the first and second
 21 paragraphs:
 22 "A Type 1 fire risk assessment is the basic fire
 23 risk assessment required for the purpose of satisfying
 24 the FSO.
 25 "The inspection of the building is non-destructive.

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But, as well as considering the arrangements for means of escape and so forth, the fire risk assessment includes examination of at least a sample of flat entrance doors. It also considers, so far as reasonably practicable, the separating construction between the flats and the common parts without any opening up of construction. However, in this Type of fire risk assessment, entry to flats beyond the area of the flat entrance door, is not involved."

Then type 2, you can see, "Common parts only (destructive)".

Then at the top of page 46 {HOM00045964/46}, "Type 3 — Common parts and flats (non-destructive)", and it says in the first paragraph:

"A Type 3 fire risk assessment includes the work involved in a Type 1 fire risk assessment, but goes beyond the scope of the FSO (though not the scope of the Housing Act). This risk assessment considers the arrangements for means of escape and fire detection (ie smoke alarms) within at least a sample of the flats. Within the flats, the inspection is non-destructive, but the fire resistance of doors to rooms is considered.

"Measures to prevent fire are not considered unless (eg in the case of maintenance of the electrical and heating installations) the measures are within the

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control of, for example, the landlord."

Just pausing there, it's right, I think, that a type 1 FRA inspection requires you to gain access to a sample of flats in order to inspect the entirety of the flat entrance door, but nothing else within the flat.

A. Correct.

Q. Yes. A type 3 FRA, on the other hand, requires you to make further inspection arrangements within the flat beyond the flat entrance door, so that you would look at arrangements that are within the scope of the Housing Act but outside the scope of the RRO; yes?

A. Only to what I've said.

Q. Yes. So is it right that when you're conducting a type 1 FRA, you need to inspect the entirety of the flat entrance door, inside and out, even just as part of a sample?

A. Correct.

Q. Yes. And is it right that you need to inspect the inside of a flat entrance door because you need to inspect the strips and seals which you can't see from the outside?

A. If fitted.

Q. If fitted. And also the self-closing device, if fitted?

A. Yes.

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Q. Which, unless it's an external self-closing device, you can't see from the outside; that's right?

A. Yes.

Q. And in this country I think it's right, isn't it, that all doors open inwards, and therefore the self-closer will be on the inside or within the door frame?

A. No, you can have them on the — I've seen them before where they're on the outside of flats.

Q. Right. Were there any in the TMO stock that you recall?

A. Not that springs to mind, no.

Q. Now, if we go back to page 45 {HOM00045964/45} and look at type 1, and the second paragraph, in the third line there is a reference there to a sample of flat entrance doors.

What was your understanding of what was required when the guidance here speaks of examining a sample of flat entrance doors? By which I mean: what kind of percentage proportion of doors would you expect to examine to satisfy yourself that you had checked a sample?

A. The short answer would be, if there's different types, one of each type; if they were all the same, and you knew that they were all the same throughout the whole building, as long as you could sample a few of those. But if there was more than one type or style, try and

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get as many samples — or look at every one of those as possible.

Q. When you say "as long as you could sample a few of those", what sort of percentage would you sample? If you had 129 flat entrance doors, all the same, how many would you sample on any FRA?

A. I can't say. I would try and sample at least on average ... if I say it a different way. If I could hear music or something within a flat and I knew someone was in, I would try and knock on that door. If I could sample at least a handful, you know, if you said five out of every hundred, that's 5%.

Q. I see.

Do you agree that the LGA guide does not caveat, does not warn, that you were only required to examine a sample of flat entrance doors if you could gain access? It doesn't say that, does it?

A. No.

Q. What would happen if you couldn't get access?

A. I would ask — it would go into the significant findings. So if I found a door that was unusual, different, changed, damaged, it would go into the significant findings.

Q. Right.

If we go to your first witness statement at page 16

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1 {CST00003063/16}, let's look at paragraph 48 on this
 2 subject.
 3 You say there, paragraph 48:
 4 "A Type 1 FRA meant that I carried out a primarily
 5 visual (non—destructive) inspection of the Tower, plus
 6 some additional inspection of the inside of front doors
 7 were I could gain access from a resident and was given
 8 permission to do so."
 9 Then you go on to say:
 10 "In those circumstances (which were the 'elements of
 11 Type 3' FRA to which I referred), I would check the
 12 self—closer and see whether there was a domestic fire
 13 alarm system fitted in the dwelling ... In 2015 I was
 14 also asked to check the Heat Interface Units ... and so
 15 had some knowledge of this when conducting the April and
 16 June 2016 FRAs."
 17 This paragraph seems to suggest that you only
 18 considered that a check of the self—closing devices was
 19 required in the case of a type 3 FRA; is that right?
 20 A. Well, under the — if I was doing a type 1 and
 21 I couldn't gain access, I couldn't then check the
 22 self—closers because I didn't have access internally .
 23 So looking at that, it would only be when you got access
 24 to the flat could you check the self—closer internally ,
 25 smoke seal, if they were fitted, or anything inside. So

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1 it was a type 3 if you could gain access.
 2 Q. That can't be right, can it, with great respect, because
 3 type 1 requires you to sample the flat front doors and
 4 look at the self—closers?
 5 A. Correct. So that would then go to a type 3 because you
 6 were going inside the door, because I'm looking at
 7 the — type 3 would be to look at the fire alarm system
 8 fitted as well.
 9 Q. That I understand, but do you accept that type 1 would
 10 involve gaining access to look at the seals and to look
 11 at the door—closers?
 12 A. Correct.
 13 Q. Yes. So not only type 3, although under type 3 you
 14 could do that as well.
 15 A. Yes.
 16 Q. Yes, I see, so that's a clarification .
 17 Can we then look, please, at paragraph 42 of this
 18 statement on the previous page {CST00003063/15}.
 19 I want to address now the question of the
 20 compartmentation principle.
 21 You say here:
 22 "When undertaking FRAs at the Tower, I was therefore
 23 essentially looking for anything in the Common Parts
 24 which would or could negatively impact the integrity of
 25 the compartments, thereby undermining the

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1 compartmentation principle on which the Tower was built,
 2 and in turn the fire safety of the Tower. Where I was
 3 given cause to have concern that compartmentation may be
 4 compromised, I raised this in the Significant Findings
 5 Schedules appended to the relevant FRAs."
 6 Now, I want to just focus your mind there on your
 7 words "anything in the common parts", that's what you
 8 say there, and now ask you to look, please, at the
 9 LGA guide {HOM00045964/26}.
 10 If we look on that page at part 17
 11 "Compartmentation", you can see under paragraph 17.1 it
 12 says:
 13 "The high degree of fire separation between flats
 14 and the common parts is achieved by making each flat
 15 a fire—resisting enclosure. This is known as
 16 compartmentation. A compartment is simply a part of
 17 a building bounded by walls and floors that will resist
 18 the passage of fire for a specified period of time. The
 19 fire resistance of this construction is such that,
 20 normally, a fire will burn itself out before spreading
 21 to other parts of the building."
 22 Then if you look at the box at the bottom of the
 23 page, it says in bold:
 24 "It needs to be ensured that the fire—resisting
 25 enclosure of flats is maintained at all openings,

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1 including:
 2 ▪ flat entrance and other doors.
 3 "▪ any internal windows into the access corridor, or
 4 any glazing above or around the flat entrance door.
 5 "▪ openings in walls and floors for services, such
 6 as water, gas and electricity .
 7 "▪ vents into shared air supply ducts, but, more
 8 commonly, shared extract ducts from bathrooms and
 9 sometimes kitchens."
 10 Then over the page {HOM00045964/27}:
 11 "▪ openings in walls and floors for communal heating
 12 systems ...
 13 "▪ doorways or hatches in walls for access to read
 14 electricity and gas meters ..."
 15 Were you always, or at least after July 2011, aware
 16 of the principle I've just read to you here?
 17 A. Yes.
 18 Q. Can we then look at the scope of a fire risk assessment,
 19 which is also governed by this guide, at page 44
 20 {HOM00045964/44}, please, paragraphs 34.1 to 34.5.
 21 34 governs "Scope of a fire risk assessment", and
 22 34.1 says:
 23 "As the fire risk assessment is concerned with
 24 fire safety within the common parts, the flats
 25 themselves are outside the scope of the FSO.

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1 Accordingly, the scope of the fire risk assessment
2 required by the FSO does not include measures to protect
3 residents from a fire in their own flat. However, it
4 will normally be necessary to gain limited entry to at
5 least a sample of flats. This is to examine the
6 necessary measures to ensure when a fire occurs in
7 a flat, that there is not undue risk to other
8 residents."

9 We've already looked at that a little bit in the
10 context of door—closers and seals.

11 Then if you look a little bit lower down, 34.5,
12 bottom of your screen, it says:

13 "The fire risk assessment must also consider the
14 maintenance arrangements for all measures required under
15 the FSO or, in the case of equipment and facilities for
16 the fire and rescue service, under Building
17 Regulations."

18 Just looking at that, would you agree that it was
19 necessary for you to gain limited entry to at least
20 a sample of flats in order to examine the necessary
21 measures to ensure that, when a fire occurs in a flat,
22 there is not undue risk to other residents, as
23 paragraph 34.1 identifies?

24 A. Yes, which would be part of the type 3.

25 Q. Would you agree that an FRA must consider or take

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1 account of the maintenance arrangements for all measures
2 required under the FSO?

3 A. All maintenance measures?

4 Q. Yes.

5 A. Sorry, I don't understand.

6 Q. Well, at 34.5:

7 "The fire risk assessment must also consider the
8 maintenance arrangements for all measures required under
9 the FSO ..."

10 A. Yes.

11 Q. Yes. So was that a principle that you were always aware
12 of?

13 A. Yes.

14 Q. At least from the time of the publication of this
15 guidance.

16 A. Yes.

17 Q. Yes.

18 Now, can we then look at PAS 79:2012, and appendix H
19 of the competence standard. This is at {CTA00000003},
20 please.

21 Now, that is the first page of a document we're
22 going to be looking at in some detail. It's
23 PAS 79:2012, and it's entitled "Fire risk assessment —
24 Guidance and a recommended methodology".

25 If we go, please, to page 73 {CTA00000003/73}.

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1 You can see in the second paragraph under this
2 heading "Fire protection":

3 "A competent fire risk assessor must have the
4 ability to identify correctly the passive and active
5 elements of fire protection/design and their role in the
6 provision of fire safety in the building. This will
7 include how they may interact, e.g. if the fire alarm
8 system triggers a door release mechanism to release held
9 open doors to the closed position. The fire risk
10 assessor should understand the availability and value of
11 third—party certification schemes."

12 Pausing there, do you agree that that was part of
13 your job?

14 A. Yes.

15 Q. Further down the same page, it says:

16 "Accordingly the fire risk assessor should be able
17 to:

18 "1) determine the need for fire protection systems
19 and equipment;

20 "2) identify any major failings in the level of
21 passive and/or active fire protection provided by
22 existing systems and equipment from documentation, by
23 observation and, where necessary inspection of the
24 measures that are not immediately visible;

25 "3) within the action plan of the fire risk

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1 assessment, write a brief outline requirement for new or
2 upgraded systems and equipment;

3 "4) demonstrate an ability to correctly identify the
4 purpose, function and suitability of passive or active
5 elements of fire protection/design."

6 Again, do you agree that that was part of your role?

7 A. Yes.

8 Q. In respect of the active and passive elements, they're
9 listed on the right—hand column of page 73. You can see
10 them there under "Appendix H1 — Passive fire
11 protection", and you can scroll down and see cavity
12 barriers, fire resisting ceiling systems, compartment
13 walls and floors, and fire doors and furniture.

14 Then over the page, on to page 74 {CTA00000003/74},
15 further items there. You see those there.

16 If you go to page 75 {CTA00000003/75}, you can also
17 see the rest of the active fire protection measures.

18 Would you agree that you would need to have
19 knowledge and understanding of the role of each of these
20 different elements in the provision of fire safety when
21 conducting your work?

22 A. Yes.

23 Q. And if we go to page 73 {CTA00000003/73} again, please,
24 just back to that, I picked it up briefly, but note the
25 reference there to, under "Fire doors and furniture",

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1 the second bullet point:
 2 "The importance of suitable fire rated ironmongery,
 3 e.g. self-closing devices, latches ..."
 4 So that was clear to you at all times, was it?
 5 A. Yes.
 6 Q. Let's then turn to the subject of flat entrance doors.
 7 Can we go back to the consultants' brief, July 2010,
 8 at {CST00000005/6}, please.
 9 I want to pick up something I think picked up very
 10 briefly with you earlier on page 6 of this brief which,
 11 as we know, contained the terms of your contract with
 12 the TMO throughout:
 13 "Part 2: specification of services.
 14 "1.0 Scope of works."
 15 And then under 1.3(ii):
 16 "The operation and adequacy of fire doors including
 17 their fire resistance rating and smoke/fire seals ..."
 18 We looked at that earlier.
 19 You have accepted, I think, that that was very much
 20 part of your work, but can we then look, please, at your
 21 first witness statement at page 16 {CST00003063/16},
 22 paragraph 44. You say there:
 23 "Pursuant to the scope of the FSO (as discussed at
 24 paragraph 36 above), and in line with the Contract,
 25 CS Stokes was only required to assess the Common Parts

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1 (i.e. (ii) (iii) & (iv) above), as well as the
 2 lift-lobby facing side of the flat front doors, but not
 3 the flats themselves (i.e. the Common Parts but not all
 4 of the compartments). The insides of the flats and the
 5 external walls of the building fell outside of my remit
 6 (and in my view that of the FSO). Again, I discuss this
 7 further below at Section F below."
 8 Now, when you say "the lift-lobby facing side of the
 9 flat front doors", you appear to be suggesting that you
 10 did not think that it was part of your role to check the
 11 inside of flat entrance doors, including the
 12 self-closing devices. It doesn't sound as if that's
 13 what you're saying?
 14 A. I'm not.
 15 Q. You're not saying that, no. It is not your evidence.
 16 So to be clear, it was part of your role to check the
 17 inside of flat entrance doors, including self-closing
 18 devices?
 19 A. On a sample, yes.
 20 Q. Yes, on a sample basis.
 21 A. But as a type 1 visual, no.
 22 Q. Right. So when you say "as well as the lift-lobby
 23 facing side of the flat front doors", that's not right,
 24 is it, because in fact you were obliged to inspect on
 25 a sample basis the other side of the flat front doors

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1 and the existence of seals where you could on
 2 a sample —
 3 A. On a sample basis.
 4 Q. So we have to qualify that line, do we?
 5 A. Yes.
 6 Q. Yes.
 7 Can I ask you, then, about external walls.
 8 Sticking with this statement, your first witness
 9 statement, can we go to page 8 {CST00003063/8}, please,
 10 and look at paragraph 24.
 11 Here you've highlighted, at paragraph 24, the fact
 12 that — well, you've highlighted paragraph 1.1 of part 1
 13 of the brief, and you have set it out. You say:
 14 "This Brief specifies the requirements for Fire Risk
 15 Assessments (FRAs) in the communal areas ..."
 16 And you have underlined those.
 17 Then you go on to say at the foot of the page:
 18 "However, this definition plainly did not include
 19 the external walls of the building concerned as the FSO
 20 does not either and I was not asked to approach the FRAs
 21 otherwise — see further Section F."
 22 Now, I just want to look at that a little bit more
 23 closely.
 24 Can we look back, please, at PAS 79 at
 25 {CTA00000003/73}, which we looked at a moment ago, under

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1 appendix H.
 2 On that page, top of the right-hand column, if we
 3 can scroll up to it, please, "H1 — Passive fire
 4 protection":
 5 "The fire risk assessor should have a knowledge and
 6 understanding of the role in the provision of
 7 fire safety, including the types of fire performance
 8 requirements (load-bearing capacity, integrity,
 9 insulation, risk factors to fire performance etc.) of
 10 the following ..."
 11 I gave you the list before.
 12 Then if you go down on to page 74 {CTA00000003/74},
 13 left-hand column, let me focus you on it, at the very
 14 foot of the page, if we can blow that up, please, it
 15 says:
 16 "The building envelope, e.g. fire-resisting external
 17 walls, curtain walls.
 18 "■ The significance of their role in protecting
 19 escape routes at boundaries.
 20 "■ The significance of any immediately visible
 21 damage.
 22 "■ The importance of remedying any immediately
 23 visible damage in sandwich panel constructions using
 24 combustible insulating cores."
 25 Given what's said there, as I've shown you, in

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1 PAS 79, would you agree that you were required to have
 2 knowledge and understanding of the fire resisting
 3 external walls in the provision of fire safety?
 4 A. Yes.
 5 Q. And given that it states that you needed to know about
 6 the significance of their role in protecting escape
 7 routes at boundaries and immediately visible damage,
 8 that suggests, doesn't it, that you were also required
 9 to inspect them as part of your task?
 10 A. The first one is significance of their role in
 11 protecting escape routes at boundaries.
 12 Q. Yes.
 13 A. So that's the boundary on the external of the building.
 14 So my understanding of that is the boundary as it
 15 affects an external staircase that's coming down the
 16 outside of the building or the building that's opposite.
 17 SIR MARTIN MOORE-BICK: Would that also include the point at
 18 which someone leaving the building in a fire would
 19 actually go out of the door?
 20 A. That would be protected anyway, sir, because of —
 21 that's external façade of the building. This here is
 22 protecting escape routes at the boundary. I would
 23 understand that to be the boundary, because under
 24 Building Regulations, the boundary means how close
 25 another building can be built to that construction.

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1 SIR MARTIN MOORE-BICK: All right. Thank you.
 2 MR MILLETT: And what about the significance of any
 3 immediately visible damage in the building envelope?
 4 A. On that one, it would only be, out of practicality, if
 5 you were, say, on the roof and they have a roof garden,
 6 is there any physical damage going back in? Because if
 7 it was an 18-floor building, you would need a pair of
 8 binoculars or something to look up the building to try
 9 and find any damage further up, or how — is there any
 10 visible damage on an escape route? So, for instance,
 11 trying to put it into — you know, if you had
 12 an external staircase and it was damaged around the
 13 staircase as it was coming down, you would see that.
 14 Q. Yes.
 15 Did you ever read anything into what I've just read
 16 you here relating to the building envelope which would
 17 suggest that you should examine the building envelope
 18 with a view to seeing whether it posed a challenge to
 19 compartmentation in the building more generally?
 20 A. My understanding is that, as I have highlighted in the
 21 risk assessment significant findings, I qualified: did
 22 the building envelope after the refurbishing — if we're
 23 talking about this building, did it comply with building
 24 regs? That was — you know, I had an understanding that
 25 the external façade could be a problem and that's — my

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1 take was to say: does it comply with building regs
 2 approval?
 3 Q. Yes, my question is a slightly different one, which is:
 4 did you ever read anything into this part of PAS 79
 5 which required you to examine the building envelope with
 6 a view to asking the question: how does this affect the
 7 compartmentation of the building generally, as a fire
 8 risk assessor?
 9 A. Inasmuch as it's on the outside of the building, yes.
 10 Q. What do you mean by that?
 11 A. Well, because it's on the outside of the building it
 12 overlaps all the external façades of the flats.
 13 Q. Explain the relevance of that to your job as a fire risk
 14 assessor.
 15 A. Well, it's adding something to the building that wasn't
 16 already there. So if we're talking about this building
 17 and in relation to this building, it was a concrete
 18 façade, now they're doing something different, so
 19 I highlighted that they're doing something different, it
 20 must comply to building regs.
 21 Q. Leaving aside the Building Regulations, did you read
 22 anything into this part of PAS 79, the need to consider
 23 the building envelope, with a view to asking the
 24 question: how does that affect compartmentation?
 25 A. Yes.

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1 Q. You did?
 2 A. Yes.
 3 Q. Was that a routine —
 4 A. Yes.
 5 Q. Right. Thank you. We'll come back to that later.
 6 Moving on, then, did you receive or were you aware
 7 of letters sent by the LFB to local authorities which
 8 provided guidance on fire safety matters?
 9 A. Some, yes.
 10 Q. How would you get those routinely, very generally?
 11 A. Sometimes I — in this particular case, the TMO could
 12 pass them on to me.
 13 Q. Right.
 14 A. Or you could — the LFB have them on their website.
 15 Q. Right.
 16 Let's look at an example. {TMO00870149}.
 17 This is a letter from Steve Turek, disclosed by the
 18 TMO, although it's addressed to the London Borough of
 19 Brent. Let's not worry about how it comes to the TMO.
 20 It's a letter from Steve Turek, who was the
 21 assistant commissioner for fire safety regulation, and
 22 it's dated, as you can see, 17 March 2009, and the
 23 heading is "Fire safety in social housing".
 24 If you look lower down page 1, the second title down
 25 there is:

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1 "Fire doors being wedged open resulting in both
 2 smoke spread and damage to self-closing devices."
 3 Then it goes on:
 4 "Poor adjustment of self-closing device (or
 5 inappropriate choice of closer type) has been found to
 6 have caused fire doors to close very quickly and so
 7 loudly 'bang' into their frame disturbing nearby
 8 residents. Because of this, residents wedged the fire
 9 doors or placed materials at the foot of the frame to
 10 stop the door fully closing (and so avoiding the loud
 11 'bang'). Repeated wedging of doors in this way was
 12 found to have weakened some types of door closers
 13 (mainly those contained within the door structure) to
 14 the extent that they failed to fully close even when not
 15 wedged. These circumstances have allowed smoke to
 16 easily spread through blocks of flats and ultimately to
 17 enter flats which would otherwise have been reasonably
 18 protected from the effects of fire and smoke."
 19 If you turn to page 2 {TMO00870149/2} you can see
 20 replacement windows and some text there about
 21 replacement windows.
 22 On page 3 {TMO00870149/3} we can see at the foot,
 23 under "Conclusion", he says:
 24 "As enforcing authority for the Regulatory Reform
 25 (Fire Safety) Order 2005 we consider that:—

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1 "▪ the structure of the building and changes that
 2 have been made to it;
 3 "▪ levels of fire resistance (e.g. fire stopping and
 4 working fire doors;
 5 "▪ the availability of locations and sources of fuel
 6 for deliberate fire setting; and
 7 "▪ ignition sources that are introduced to the
 8 premises
 9 "are matters that should be considered as part of
 10 a suitable and sufficient fire risk assessment. I am
 11 sure that you, as a responsible provider of
 12 social housing would agree and I would urge you to
 13 ensure that these matters are considered as part of your
 14 ongoing programme of fire risk assessment and reviews of
 15 those assessments."
 16 Now, the date of this, as I've shown you, is
 17 March 2009. At that time you were working at or for
 18 Salvus.
 19 Did you see this letter at the time, do you think?
 20 A. This letter's not familiar.
 21 Q. It's not familiar.
 22 Nonetheless, did you think that in case you had to
 23 inspect self-closing devices on flat entrance doors? In
 24 other words, what was being said by Steve Turek would
 25 not have been a surprise to you, had you seen the

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1 letter?
 2 A. It's not a surprise at all, no.
 3 Q. What about the suggestion that the structure of the
 4 building and any changes to it should be considered as
 5 part of the fire risk assessment? Was that something
 6 that you understood from the time?
 7 A. Yes.
 8 Q. Yes. Does that mean that you would inspect exterior
 9 panels when conducting your FRA visits?
 10 A. Not per se, but I would — if they were a change to the
 11 building, being put on the building, it would have to go
 12 through the Building Regulations process to start with.
 13 Q. Right.
 14 Were you familiar with the fact that, even though
 15 you didn't see this letter at the time, the LFB had
 16 raised these issues with providers of social housing in
 17 London in the spring of 2009?
 18 A. It wouldn't surprise me at all.
 19 Q. No, but did you know that in general they had done that,
 20 that this was —
 21 A. Not in general, but it wouldn't surprise me if they had
 22 have done it.
 23 Q. Why wouldn't it surprise you?
 24 A. Because I would have thought it would be part of their
 25 fire precautions work to inform.

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1 Q. You were working in the industry at the time; do you
 2 remember any particular event that occurred which might
 3 have prompted the LFB to write a letter reinforcing
 4 these points?
 5 A. I'm trying to think when Lakanal House was, the date of
 6 Lakanal House.
 7 Q. Lakanal House was 3 July 2009, so it was pre-Lakanal.
 8 A. Not that springs to mind as a ...
 9 Q. Right.
 10 Let's turn to a different topic, which is the
 11 appointment and the method for carrying out FRAs that
 12 you pursued.
 13 You were notified — I think this is right — that
 14 you were the successful tenderer for the TMO's
 15 medium-risk programme on 23 September 2010. Do you
 16 remember that?
 17 A. No, but if you tell me that's the date, that was the
 18 date.
 19 Q. Well, I can show you a document.
 20 A. Yes. I'm not disbelieving you, sir.
 21 Q. Yes. Well, let me take a small run-up to this.
 22 Do you remember meeting Janice Wray of the TMO in
 23 2010, before you were told you were the successful
 24 tenderer, to discuss your appointment?
 25 A. No.

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1 Q. What about at the moment you were told you were the
2 winner, did you meet her then and discuss your
3 appointment?
4 A. I don't know if it was over the phone I was told or
5 what, but I would have met her at that time.
6 Q. Right.
7 Let's go to a document, {CST00001887}, please.
8 Now, this is a letter dated 23 June 2010 from you to
9 Janice Wray, and it actually pre-dates the consultants'
10 brief document for the medium-risk programme, because
11 that's July 2010.
12 It says:
13 "Subject: Employee Fire Training, Personnel
14 Emergency Evacuation Plans (PEEPs) and the Lift
15 Maintenance servicing and testing Policy in TMO
16 Controlled Buildings.
17 "Dear [redacted] Wray
18 "After our meeting yesterday, Tuesday 22nd June 2010
19 at 10.30 am at the Hub ... Kensal Road North Kensington
20 I would like to clarify the following items and issues
21 about employee induction and refresher fire training.
22 The policies and documents covered today also have
23 a relevant for fire warden training which is given to
24 selected employees."
25 You see that?

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1 A. Yes.
2 Q. Then it goes on:
3 "When completing any fire risk assessments for
4 buildings under the control of the Tenant Management
5 Organisation (TMO) of the Royal Borough of Kensington
6 and Chelsea in future and where TMO employees are
7 present in the buildings the information in this letter
8 will be used as a basis of the fire training and fire
9 warden section of the document. The information on
10 lifts will be used in the relevant section for fixed
11 installations as well as in the section on disabled
12 persons and their evacuation procedure when using lifts.
13 The PEEPs documents again will be used as evidence in
14 the disabled persons section."
15 Were you meeting Janice Wray on 22 June 2010 to
16 discuss what to include in certain sections?
17 A. That's what it reads here, yes.
18 Q. Yes. Why were you meeting her on that date? Well, were
19 you meeting her in your capacity as fire risk assessor
20 for Stokes?
21 A. That's what it looks like, yes.
22 Q. Why was that?
23 A. Sorry, I can't answer that question.
24 Q. Because this was before you had even tendered for the
25 fire risk assessment work with the TMO, wasn't it?

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1 A. Sorry, I don't know the dates, I haven't got it listed
2 in front of me, but --
3 Q. Let me --
4 A. But I would be asking these questions -- sorry, sir --
5 I'd be asking these questions to fill out items within
6 any risk assessment.
7 Q. Right. So you say any risk assessment --
8 A. Well, if I was undertaking a risk assessment, I would --
9 these are the sort of questions, if I was coming up with
10 problems or the same type of deficiencies at that point,
11 this is to clarify for all these points.
12 Q. Why were you meeting Janice Wray to discuss these
13 matters in your capacity as a fire risk assessor for
14 CS Stokes & Associates Limited?
15 A. I can't answer that question.
16 Q. The reason I suggest that is before you had even
17 tendered for the fire risk assessment work with the TMO
18 is because you only submitted that tender on
19 24 August 2010.
20 A. I can't answer that, I don't know. My recollection's
21 not --
22 Q. Right.
23 We have a document, {CST00002368/4}. I just want to
24 put that in front of you so we can pin the date down, in
25 case it helps you. That's the date of your tender.

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1 A. Okay.
2 Q. So the question is: why were you meeting with
3 Janice Wray as CS Stokes & Associates Limited to discuss
4 an FRA on 22 June 2010, do you know?
5 A. No, I don't.
6 Q. Do you know when it was discussed and agreed that you
7 would be the TMO's fire risk assessor?
8 A. No.
9 Q. Was it before the formal procurement process was at
10 an end, do you know?
11 A. I can't -- sorry, I can't remember. I can't remember
12 the dates.
13 Q. Right.
14 If we go back to the letter, please, {CST00001887},
15 was this for all buildings regardless of risk level, in
16 other words high, medium and low?
17 A. There's no indication there of what it was for, so
18 I would say yes.
19 Q. Right.
20 Now, we'll come back to the substance of the detail
21 of the points in the letter later.
22 In general, was the purpose of this meeting to
23 discuss how you would conduct your fire risk assessments
24 generally or just in relation to the matters in this
25 letter?

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1 A. Sorry, I don't know the answer.
 2 Q. You can't remember.
 3 A. No.
 4 Q. Do you remember whether you discussed the consultants'
 5 brief, so far as it existed, or a draft of that?
 6 A. No, I can't remember.
 7 Q. Did you discuss your qualifications?
 8 A. I would have done, yes.
 9 Q. Right. What about the tender for the medium-risk
 10 properties? Well, we can see you didn't make that until
 11 later, but was there any discussion about how you should
 12 go about making that tender?
 13 A. I wouldn't have thought so. I mean, it wouldn't have
 14 been etiquette, wouldn't ...
 15 Q. Right.
 16 Let's go to the end of the letter, please, at page 3
 17 {CST00001887/3}. You can see that you say there:
 18 "I would like to thank you for all the help you gave
 19 to me yesterday because as we discussed during our
 20 meeting the items covered and policy and procedure
 21 documents you showed me will help tremendously to reduce
 22 the question I may have needed to ask and gave me a very
 23 good understanding of TMO operating policy in relation
 24 to Health and Safety issues."
 25 What policy and procedure documents did Janice Wray

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1 show you?
 2 A. Again, I can't remember.
 3 Q. Did you ask for any information about employee fire
 4 training, PEEPs and lifts?
 5 A. If that's what it says there, that's what I asked for,
 6 yes.
 7 Q. Was it your intention at the time that you would add
 8 that information to your fire risk assessments and then
 9 use that information repeatedly after that in all your
 10 fire risk assessments for the TMO?
 11 A. Unless it was updated, I would have said yes.
 12 Q. How would you get updates? How would you get
 13 information that would require you to make updates,
 14 generally?
 15 A. Email or telephone.
 16 Q. Right. On specific matters?
 17 A. Yes.
 18 Q. When you say it gave you "very good understanding of the
 19 TMO operating policy in relation to Health and Safety
 20 issues", did that include an understanding of TMO's
 21 operating policy in relation to fire safety, or health
 22 and safety generally?
 23 A. It says health and safety there, so health and safety
 24 generally, I would have thought.
 25 MR MILLETT: Mr Chairman, that's a convenient moment. We're

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1 in the middle of a piece of the chronology, but it's
 2 a convenient moment.
 3 SIR MARTIN MOORE-BICK: If that's a good point, I suggest we
 4 take a break at this point.
 5 MR MILLETT: It is.
 6 SIR MARTIN MOORE-BICK: Right, thank you.
 7 Mr Stokes, I think we have got to the point at which
 8 we ought all to have a break for lunch. So we'll do
 9 that now and resume, please, at 2 o'clock.
 10 Remember not to talk to anyone about your evidence
 11 or anything relating to it over the break.
 12 THE WITNESS: Yes, sir.
 13 SIR MARTIN MOORE-BICK: All right?
 14 THE WITNESS: Thank you, sir.
 15 SIR MARTIN MOORE-BICK: Thank you very much. Would you like
 16 to go with the usher. Thank you.
 17 (Pause)
 18 Thank you. 2 o'clock, then, please.
 19 (1.00 pm)
 20 (The short adjournment)
 21 (2.00 pm)
 22 SIR MARTIN MOORE-BICK: All right, Mr Stokes, are you ready
 23 to carry on?
 24 THE WITNESS: Yes, sir, thank you.
 25 SIR MARTIN MOORE-BICK: Thank you very much.

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1 Yes, Mr Millett.
 2 MR MILLETT: Yes, Mr Chairman, thank you.
 3 Mr Stokes, can I ask you, please, to be shown
 4 {CST00003061}.
 5 This is a letter you wrote to Janice Wray of the TMO
 6 dated 27 September 2010, as you can see. In the first
 7 paragraph it says:
 8 "After our meeting on Friday 24th September 2010 at
 9 The Hub 300, Kensal Road North Kensington I would like
 10 to put in writing the management procedures, topics and
 11 issues etc we discussed, so that when completing any
 12 fire risk assessments for residential buildings under
 13 the control of The Tenants Management Organisation (TMO)
 14 of the Royal Borough of Kensington and Chelsea in future
 15 these standards and observations will apply."
 16 Then you go on to set out some details which we're
 17 going to return to.
 18 Just pausing there for a moment, it looks as if you
 19 had a meeting with Janice Wray on 24 September 2010.
 20 A. Correct.
 21 Q. Yes, and that was, was it not, the day after she had
 22 written to you with a letter of intent confirming that
 23 you were the successful tenderer; yes?
 24 A. Yes.
 25 Q. Yes, and that was about three weeks or so before you

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1 were officially due to start your contract, which was
 2 I think on 18 October, as you remember it?
 3 A. Okay.
 4 Q. Yes.
 5 Did you set up that meeting or was that meeting set
 6 up before you were made aware that you had been the
 7 successful tenderer?
 8 A. I've got no idea, I wouldn't have thought so.
 9 Q. Can you help us with why you were attending a meeting
 10 with her before your contract officially commenced?
 11 A. To put it — if I'd have been told, to put in place the
 12 criteria for any of these items.
 13 Q. Right.
 14 When you say, "I would like to put in writing the
 15 management procedures ... etc we discussed", did you
 16 intend to add that information to your fire risk
 17 assessments and then use that information in your
 18 subsequent fire risk assessments?
 19 A. That's what it looks like here, yes.
 20 Q. Right.
 21 Why were you meeting her in September 2010 when
 22 you'd already met her a few months earlier in June,
 23 22 June 2010, as we've seen from the earlier
 24 correspondence, do you know?
 25 A. No idea.

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1 Q. Right.
 2 Now, after the meetings with Janice Wray on 22 June
 3 and 24 September 2010, did you ever meet her again
 4 specifically to discuss information to go into your
 5 FRAs?
 6 A. Yes. You mean did I meet her after this date?
 7 Q. Yes.
 8 A. Yes.
 9 Q. Did you meet her frequently? Did you meet her annually,
 10 for example?
 11 A. I would say three times a year, four times a year,
 12 something like that.
 13 Q. Right. Did you specifically meet her in order to
 14 discuss the information to go into the sections of the
 15 FRA which you can see set out on page 1 of this letter,
 16 for example employee fire training, fire and emergency
 17 information for residents?
 18 A. The — if my memory is correct, the agenda would be
 19 provided beforehand, she would say, "This is what we
 20 want to discuss, have you got anything you want to add
 21 to the agenda?", then we'd have the meeting.
 22 Q. I follow.
 23 Can I ask you, then, about how you would go about
 24 undertaking a fire risk assessment.
 25 Can we start with the competence standard in

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1 PAS 79:2012 at {CTA00000003/65}.
 2 This is appendix A to PAS 79, and it's entitled "The
 3 assessment of risk from fire".
 4 It starts, the first paragraph:
 5 "It is innate to the process of carrying out a fire
 6 risk assessment that there be an assessment of fire
 7 risk. The competent fire risk assessor must be able to
 8 make a subjective judgement — albeit based largely on
 9 objective evidence — of the overall risk to life from
 10 fire in the building for which a fire risk assessment is
 11 carried out."
 12 I want to focus your mind on the words "albeit based
 13 largely on objective evidence".
 14 Would you agree that the approach set out here was
 15 the approach that you would have sought or did seek to
 16 adopt?
 17 A. Yes.
 18 Q. Now, if we go to your statement — we'll come back to
 19 this — your first statement at page 17
 20 {CST00003063/17}, paragraph 51, please, you say this:
 21 "Initially, in the November of each calendar year,
 22 the KCTMO would send me a list of properties to inspect
 23 in the next calendar year: the higher the risk category
 24 of a particular building, the more frequently it would
 25 be assessed. Following receipt of the list, I would

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1 then carry out FRAs on the identified buildings
 2 throughout the following year, liaising with Ms Wray
 3 with regards the practicalities of so doing (arranging
 4 access to the building, provision of relevant documents
 5 etc. — see further paragraph 67 below)."
 6 So it's right, is it, that Janice Wray would send
 7 you a list of FRAs or buildings for which to complete
 8 an FRA?
 9 A. Yes.
 10 Q. And how would you schedule the FRAs to be carried out?
 11 A. From memory, they would usually come by month. So
 12 I would — I wouldn't know how many to do each month,
 13 and that would be from the previous FRA. So they were
 14 at three and five-year intervals. If they were
 15 undertaken in the June, they would be undertaken in the
 16 June of the year that was allocated.
 17 Q. How would you decide the order in which each building
 18 should be assessed?
 19 A. If it — as a group together, I would try and do it
 20 geographically, because it was less travelling around.
 21 Q. Right. So did she send you a list saying, "In November
 22 you've got to do these buildings, in December these
 23 buildings, January", et cetera? Yes?
 24 A. For so many months in advance, yes.
 25 Q. How many months in advance, on average?

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1 A. It depended. It was always flexible, because if work
 2 was to be undertaken in a building or a question was
 3 asked, this would always be added to the list, or even
 4 sometimes some would drop out of the list.
 5 Q. So can we take it, then, in summary, that the basis on
 6 which you prioritised your inspections was the list
 7 provided to you by Janice Wray and then, within that
 8 list, you would decide on priorities based on geography?
 9 A. Yes.
 10 Q. Right.
 11 Information—gathering.
 12 When she instructed you to carry out an FRA of
 13 a particular building, what information would she
 14 normally give you about that building?
 15 A. Most of the times now I'd been round most of the
 16 buildings myself, so I would have a general idea of the
 17 building. I would then ask for any updates of dry riser
 18 testing, any other services in the building which would
 19 be provided to me, plus the in-house FRA that was
 20 undertaken since my last visit.
 21 Q. If there'd been no previous FRA or none available, what
 22 would she give you?
 23 A. I'd go from the start. So it'd be initial building,
 24 look at. I would ask what's in the building. The list
 25 you showed me at the beginning has a list of all the

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1 assets within that building, so I would know before
 2 I went whether it had a dry riser, height of the
 3 building, et cetera, et cetera.
 4 Q. Can we go to your first witness statement on the next
 5 page, please, page 18 {CST00003063/18}, and look at
 6 paragraph 55(i). There you say:
 7 "The general approach I took to carrying out a FRA
 8 was as follows:
 9 "i. I would receive certain information from the
 10 client as to the nature of the Common Parts being
 11 assessed as well as certain information on the active
 12 and passive fire safety measures in place."
 13 How would that information come to you? Would it be
 14 by email or —
 15 A. Email.
 16 Q. Is the information that you identify there in general
 17 terms more specifically what you have just identified to
 18 me?
 19 A. Yes.
 20 Q. Right.
 21 At page 22 {CST00003063/22}, if you go on to that,
 22 please, paragraph 67, you set out the available
 23 information sources there from which you also obtained
 24 information yourself, and you say at (i) — it's a list,
 25 and summarising it — "KCTMO's online document storage

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1 space". Was that the Keystone kiosk?
 2 A. I believe so, yes.
 3 Q. Or was it a shared drive, do you know?
 4 A. No, Keystone.
 5 Q. Right. How would you access Keystone?
 6 A. I was given access to it as an icon on my desktop.
 7 Q. Right. Was that always the case? Did you get access to
 8 Keystone as soon as you started doing FRAs?
 9 A. No.
 10 Q. When did you first get access to Keystone?
 11 A. I've just looked here, it would have been about 2014.
 12 Q. Yes.
 13 A. It took a while for the IT to set up to ...
 14 Q. Right.
 15 Before you got access to Keystone, how would you
 16 access information?
 17 A. Two ways: I would either — I could go into the Hub and
 18 ask the maintenance department and say, "I'm going to
 19 these buildings in the next two months, please provide
 20 me with all this documentation". They would either
 21 print it off, or I would try and do it building by
 22 building on the week before I went.
 23 Q. Right. Where would you get the information building by
 24 building from?
 25 A. Well, I'd ask Janice Wray first.

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1 Q. I see.
 2 In this statement, as you say, you were given access
 3 sometime in 2014 to Keystone. In fact, might that have
 4 been a little bit later, October 2015 possibly?
 5 A. It possibly could. I know it took a long time to set
 6 up —
 7 Q. Yes.
 8 A. — so to get that access, and then even when I did get
 9 the access, sometimes I could never — sometimes
 10 couldn't log on.
 11 Q. Right.
 12 The reason I ask you that or suggest it to you is
 13 because we've seen a document. Can we look at it,
 14 {TMO00859318}, please.
 15 This is an email, 11 October 2015, in which
 16 Janice Wray asks John Parsons within the TMO to brief
 17 you on Keystone servicing information.
 18 So might it be in fact not until October 2015 that
 19 you eventually got access to Keystone?
 20 A. Possibly, because it took a long time to get it accessed
 21 and —
 22 Q. Right. And we have other documents as well.
 23 And as I think you say, before that date you would
 24 normally physically have to retrieve them from the
 25 maintenance team at the Hub.

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1 A. Yes.
 2 Q. Or get them from Janice Wray.
 3 Now, Dr Lane, one of the experts to the Inquiry, has
 4 examined the Keystone system, and she has concluded —
 5 and just for the record, this is at paragraph 11.2.56 of
 6 chapter 7 at {BLARP20000033/220} — that Keystone did
 7 not contain a maintenance and servicing record for the
 8 smoke control system or the dry fire main or emergency
 9 lighting. Do you agree with that?
 10 A. Off the top of my head, I can't answer that question.
 11 Q. Right.
 12 A. I got information off the systems. If it wasn't on
 13 Keystone, I then rang and asked.
 14 Q. I see. So on the footing that she is correct, you
 15 accessed that information in relation to, for example,
 16 the smoke control system by going into the Hub and
 17 asking the maintenance people there or asking
 18 Janice Wray directly?
 19 A. Yes.
 20 Q. Was that —
 21 A. If I — sorry to interrupt. If I couldn't get that
 22 information, I would then highlight it on the
 23 significant findings that I didn't have that
 24 information.
 25 Q. Right.

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1 Was there a consistent means by which the TMO
 2 provided records of maintenance to you or was it
 3 provided on an ad hoc basis as and when you asked for
 4 it?
 5 A. Once I had access to Keystone, I had access to most of
 6 it, but a lot of buildings didn't have systems in them
 7 anyway, so we were only talking high-rise buildings.
 8 Q. Did you always ask for complete, up-to-date information
 9 from Janice Wray before completing each FRA or FRA
 10 review?
 11 A. Yes.
 12 Q. You did.
 13 A. Or I tried to.
 14 Q. You tried to.
 15 Now, at paragraph 67(iii) and (iv) of your statement
 16 on page 22 {CST00003063/22}, if we can go back to that,
 17 you say you would rely on third-party confirmations.
 18 It's at the foot of your screen. At (iv), if we can
 19 just scroll up, you say contractors, you would also rely
 20 on contractors.
 21 Just focusing on those for the moment, would your
 22 reliance on third-party confirmations and contractors be
 23 based on conversations with them, or was there a more
 24 formal way of getting information from those
 25 third parties?

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1 A. Well, contractors — so it could be verbally, but
 2 I wouldn't have access to a contractor, but it could be
 3 contractors' labels. So for lift maintenance, there is
 4 a lift record logbook kept in the lift motor room.
 5 I would always look at that, but — every time I went to
 6 a building that had a lift in it.
 7 Q. I see. So when you refer to, in (iii), as an example,
 8 Manse Masterdor's confirmation that doors installed were
 9 30-minute rated fire doors, that was by looking at the
 10 labels on the doors, was it, rather than speaking to
 11 somebody at Manse?
 12 A. Agreed, I would not have spoken to anyone.
 13 Q. I see. So third-party confirmations isn't actually
 14 a confirmation by a third party in response to a request
 15 by you; it's you looking at the labels and the
 16 instructions that —
 17 A. Or — sorry — the information provided by them,
 18 certification.
 19 Q. Right. So it's a documents exercise?
 20 A. Yes.
 21 Q. What about contractors, would you speak to contractors?
 22 A. So, like, in the case of the refurbishment of the tower,
 23 yes.
 24 Q. Right.
 25 Would those confirmations from contractors be

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1 recorded anywhere?
 2 A. Only if I was making notes as I was going round the
 3 building.
 4 Q. Why would you not make notes as you went round the
 5 building?
 6 A. As I was saying, on my notes, that'd be the only place.
 7 I wouldn't take minutes or anything.
 8 Q. Right.
 9 A. There was no formal meetings as such.
 10 Q. I see.
 11 On the topic of arranging access, in your first
 12 statement at page 17 {CST00003063/17}, if we can please
 13 scroll back to that, you say at paragraph 51, as I've
 14 shown you, that Janice Wray would assist you with the
 15 practicalities of arranging access.
 16 For inspecting flat entrance doors, I think you said
 17 earlier that you would take it upon yourself to knock if
 18 there were signs of life within; is that right?
 19 A. Yes.
 20 Q. Did you ever ask Janice Wray to arrange access with
 21 a particular tenant or leaseholder in respect of any
 22 flat where you wanted specifically to have access?
 23 A. Sometimes it could be arranged, yes.
 24 Q. Do you remember occasions when it happened?
 25 A. Leaseholder doors was one. If I needed to have access,

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1 she would arrange it.
 2 Q. If we stick with this statement and go to page 20
 3 {CST00003063/20}, look at paragraph 59, you say:
 4 "I did not pre-arrange access to the flats as this
 5 would be extremely time-consuming and intrusive (and in
 6 many cases not possible — my visits to the Tower would
 7 happen in the day when many people were at work or
 8 otherwise engaged). I would however knock on some of
 9 the flat doors whilst visiting to see whether I could
 10 carry out some limited internal inspections of the
 11 doors."
 12 A. Correct.
 13 Q. If you didn't pre-arrange access, how could you ensure
 14 that you could carry out a sufficiently representative
 15 sample of flat entrance doors?
 16 A. I couldn't, but it was a sample. If one door — if
 17 every door was the same throughout the building —
 18 Q. Right.
 19 A. — I would sample doors. As I said before, if they were
 20 all different doors and I didn't get access, I would
 21 highlight them on the risk assessment and then come
 22 back, or get access at a later date through Ms Wray.
 23 Q. Right. No pre-arranged access, so you essentially left
 24 it to chance to see who was in, and if you got lucky
 25 that was good, and if you didn't you would note it on

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1 the action plan?
 2 A. Agreed.
 3 Q. Right.
 4 How would you know whether your sample on any given
 5 occasion was adequate?
 6 A. I wouldn't.
 7 Q. No.
 8 Am I right in thinking that there was no guidance or
 9 benchmarking on what is properly a representative sample
 10 of flat entrance doors?
 11 A. As far as I'm aware, no.
 12 Q. Right.
 13 Can we go to paragraph 72 of your second statement,
 14 please, at page 18 {CST00030186/18}.
 15 If we look at paragraph 72, you refer to a document:
 16 "Document {CST00002861} was a standard letter posted
 17 to residents in 2010, the year in which I began
 18 undertaking FRAs for the KCTMO as CS Stokes. This
 19 letter refers to me knocking on doors during FRA
 20 inspections, not to the KCTMO arranging certain
 21 inspections in advance. As far as I can recall, this
 22 was the only year such a letter was distributed. At no
 23 point was I aware of any prior arrangements or
 24 appointments being made neither would I expect them to
 25 have been made."

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1 Let's look at the letter, it's at {CST00002861}, as
 2 cited in your paragraph. It says:
 3 "Dear Resident
 4 "Fire Risk Assessment within the communal areas of
 5 your block.
 6 "This is to advise you that CS Stokes and Associates
 7 Limited have been appointed by the Tenant Management
 8 Organisation to carry out a fire risk assessment in the
 9 communal areas of your block. These assessments are
 10 a legal requirement and our appointment has been made
 11 following consultation with the Council and the
 12 London Fire Brigade's local Fire Safety Team.
 13 "Specifically, we will be inspecting the communal
 14 areas of your block and assessing all the fire safety
 15 measures including the means of escape, fire doors,
 16 emergency lighting etc. As part of this assessment we
 17 will need to inspect a number of the flat entrance doors
 18 and so we may call on you and request your permission to
 19 inspect and assess your front entrance door. This
 20 should only take a short time and we would be grateful
 21 if you felt able to allow access for this. The
 22 Consultant will carry a TMO ID badge, so please do ask
 23 for sight of this before you allow access. The
 24 Consultant will be in your block the week commencing
 25 18th October 2010."

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1 Which is I think in the first week you started on
 2 the medium-risk programme, as it turns out.
 3 Now, do you know if this letter was sent out to
 4 residents at all?
 5 A. I'm assuming so, yes.
 6 Q. So how did it work? You provided this as a template to
 7 Janice Wray and then you expected her to send it out?
 8 A. If my memory's correct, this was between the two of us,
 9 and then this would be distributed by the caretakers in
 10 the blocks.
 11 Q. I follow.
 12 Did it help you gain access to flats to inspect flat
 13 entrance doors?
 14 A. I don't know, because I would have knocked on doors
 15 anyway. This is when I first started, so I had no idea
 16 what the doors were. I was learning the —
 17 Q. Yes.
 18 A. — type of doors they had within their buildings at that
 19 time.
 20 Q. So this is the fourth quarter of 2010, and we know you
 21 produced an FRA on 29 December 2010.
 22 Do you remember, when you did that — we'll come
 23 back to this later on — that you were helped in
 24 managing to obtain inspection of the flat entrance doors
 25 by this letter?

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1 A. I've got no idea because there was never any follow-up
2 undertaken.
3 Q. Do you know whether a letter similar to such as this was
4 sent after 2010 by the TMO?
5 A. I don't think so, I think it was a kind of one-off,
6 because I was trying to get a perspective on what the
7 doors — what standard of doors was involved —
8 Q. Right.
9 A. — in the buildings.
10 Q. So you say it was a one-off?
11 A. I believe, as far as I'm — I never saw these letters
12 again or had much —
13 Q. Right.
14 A. Not block-wise.
15 Q. Going back to your first witness statement, page 18
16 {CST00003063/18}, paragraph 55(ii), visits, you say at
17 that paragraph:
18 "I would then inspect the Common Parts. Where
19 necessary and/or possible, I would speak to those I met
20 whilst inspecting the building (i.e. any residents or,
21 during the Refurbishment, contractors)."
22 When you met residents in the common parts, did you
23 ask whether you could inspect their flat front door?
24 A. Yes, I would always — you know, "Is it possible, could
25 I please have a look?"

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1 Q. When you walked around a high-rise building undertaking
2 your assessment, what kind of proportion of front doors
3 would you knock on in order to gain access? Would you
4 try all of them where you could hear somebody in or
5 ignore some?
6 A. The former. If I could try and get access, I would.
7 But in a lot of cases, depending on the building, how
8 many doors in the building — if there was five doors
9 and they were all exactly the same and I could get
10 access to one ...
11 Q. How would you document what you found on your tour of
12 the building where you did manage to get access?
13 A. On the notes I always used to write a — draw up
14 a drawing of the building on my notes, and then I would
15 put down, if I got into one flat, flat 3, door, flush,
16 timber, self-closer, Perko, overhead, strips and seals,
17 yes/no.
18 Q. Where you couldn't get access to a sufficiently
19 representative sample of flat entrance doors, did you
20 note that down?
21 A. Yes. Well, I would note it down in the body of the
22 document, because I couldn't actually say whether —
23 what type of self-closers they were. So I'd put in
24 significant findings: further action is needed, to come
25 back and have a look.

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1 Q. Did you ever raise with Janice Wray as a point of
2 concern that you couldn't access a sample of flat front
3 doors or did you just leave it to the action plan?
4 A. It would go — significant findings on the action plan,
5 but we did have meetings where things were discussed,
6 like common — I'll not say faults, but common items
7 that were cropping up time and time again.
8 Q. Then if we stick with paragraph 55 and look at (iii) and
9 (iv) at the foot of page 18, you say:
10 "After my inspection I might request additional
11 information, although this was not strictly necessary,
12 as where information was not available this could always
13 be flagged in the FRA/the appended Significant Findings
14 Schedule ..."
15 That's the action plan.
16 A. Yes.
17 Q. Then over the page, page 19 {CST00003063/19}, you say at
18 (iv):
19 "I would then prepare the FRA and Significant
20 Findings Schedule, the latter containing the matters
21 which needed to be addressed in 'traffic light'
22 designations based on priority — see further
23 paragraph 68 below."
24 Would you discuss your findings with Janice Wray
25 before issuing an FRA and the significant action plan?

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1 A. If it was ... if it was immediate action required, yes,
2 I would do that before I left site. If it was just
3 a routine door not shutting properly or something like
4 that, no, it would go on the significant findings.
5 Q. Was there any reason why, if you couldn't get access to
6 a suitable sample of flat entrance doors on any
7 particular visit, you didn't note that in the FRA
8 itself, as opposed to leaving it to the significant
9 findings and action plan document, which was separate?
10 A. It probably would be noted in the body of the
11 significant findings, because I would be — or couldn't
12 say in the body that the doors were self-closing or ...
13 Q. Yes. I might have misunderstood it, but I thought that
14 the significant findings schedule, as you call it,
15 I think, or the significant findings and action plan
16 document, was reserved for identifying the concerns that
17 you had and then grading them; that's right, is it?
18 A. Yes.
19 Q. So if you couldn't complete an inspection because you
20 couldn't get access to a suitable sample of flat
21 entrance doors, why not raise that in the body of the
22 report itself so as to be able to say, "I can't judge
23 the condition of the flat entrance doors in this
24 particular building"?
25 A. I think most of the time I always get at least access to

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1 a few or could comment on it.
 2 Q. Does that tell us that it was only a very rare occasion
 3 when you would actually not be satisfied that you had
 4 had sufficient access?
 5 A. Yes.
 6 Q. Right.
 7 Going to paragraph 68 of your first statement on
 8 page 23 {CST00003063/23}, please, just move forward four
 9 pages, you say:
 10 "Where there were identifiable concerns, however,
 11 these would be raised in the Significant Findings
 12 Schedule. This identified the risk or hazard and
 13 specified 'actions to be taken'. These were given
 14 priorities ('low', 'medium' or 'high') and the schedule
 15 was set up in such a way that it could act as
 16 a checklist for the KCTMO to ensure that each of the
 17 items were dealt with. When it came to carrying out
 18 a new FRA, I would use the previous Significant Findings
 19 Schedule as a starting point to ensure that all points
 20 raised had been dealt with — see paragraph 119 for an
 21 example of how this worked in practice."
 22 Now, you say that, "When it came to carrying out
 23 a new FRA, I would use the previous Significant Findings
 24 Schedule as a starting point"; was that only for new
 25 FRAs?

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1 A. For when I went back to any building —
 2 Q. Oh, I see.
 3 A. — I would use the previous one.
 4 Q. So it did include FRA reviews?
 5 A. Yes.
 6 Q. So just for an example, when you went back to
 7 Grenfell Tower in the October of 2014, you used the
 8 significant findings schedule from your December 2012 —
 9 A. Yes.
 10 Q. — FRA; is that correct?
 11 A. If they were the dates, yes.
 12 Q. They are the dates. Yes, I see.
 13 When you undertook your visit, I think you said you
 14 took notes. Did you have a particular notebook, or what
 15 did you make your notes on?
 16 A. Usually A4 plain paper, or if I had a drawing of the
 17 building I would make them on those.
 18 Q. Other than the notes we've seen you made on your visit
 19 in April 2016 on the 2014 version of the significant
 20 action plan, the Inquiry has never seen any manuscript
 21 notes of your visits. Can you explain why that is?
 22 A. Because normally after the one I'd undertaken, I would
 23 destroy the old notes, so I only ever kept one copy
 24 back.
 25 Q. I see.

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1 Can we go to page 17 of your statement
 2 {CST00003063/17} again, please, and look at
 3 paragraph 52, and also paragraph 53 on page 18.
 4 52 says:
 5 "Initially, if I carried out an FRA in a given year
 6 for a particular 'high' risk building, including the
 7 Tower, it was intended that the FRA would be reviewed
 8 in-house by the KCTMO the next year, and I would then
 9 undertake a fresh FRA the year after that."
 10 Then if you continue over the page {CST00003063/18}:
 11 "As can be seen from Ms Wray's email dated
 12 12 May 2015 ... in 2015 the KCTMO decided that FRAs
 13 should be carried out on 'high' risk buildings every
 14 3 years, with FRAs on 'medium' and 'low' risk buildings
 15 to be carried out at least every 4 years. Reviews would
 16 then be carried out in-house by the KCTMO annually in
 17 those years when a FRA was not undertaken. In relation
 18 to the Tower, however, the April and June 2016 FRAs were
 19 requested outside of this proposed regime, due to the
 20 Refurbishment."
 21 Now, just help us with the in-house FRA review.
 22 When you say "Reviews would be carried out in-house
 23 by the TMO annually in those years when a FRA was not
 24 undertaken", who would undertake that in-house FRA?
 25 A. The health and safety team.

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1 Q. Did they produce a document, building by building?
 2 A. Sometimes, because I would get copies.
 3 Q. And who within the in-house health and safety team would
 4 carry out these in-house FRAs?
 5 A. It would be Janice Wray, Adrian Bowman, and there was —
 6 at later stages they employed at least one or two other
 7 people.
 8 Q. Right.
 9 What did these documents that you've just referred
 10 to look like? You say, "Sometimes, because I would get
 11 copies"; what did you get?
 12 A. It was more of — it was a tick-sheet.
 13 Q. A tick-sheet?
 14 A. Like a health and safety tick-sheet. I think I did
 15 forward one on. I can't remember off the top of my head
 16 without looking.
 17 Q. Do you know what that in-house review entailed?
 18 A. I would like to think going over the previous
 19 significant findings and then walking round the building
 20 and looking to see if there was any damage or any other
 21 items within the building.
 22 Q. Right.
 23 Were you ever asked to advise on the appropriateness
 24 of any in-house review, as you call it? In other words,
 25 whether it was a good review or a bad review, or were

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1 you just sent the tick—sheets, as you call them, for
 2 information?
 3 A. Tick—sheets for information.
 4 Q. Right. What did you understand the TMO wanted you to do
 5 with those tick—sheets?
 6 A. I suppose nothing, really. I asked for them to see that
 7 something — an in—house one had been undertaken.
 8 Q. Right.
 9 It sounds as if, from what you're saying, the
 10 in—house review was simply a monitoring exercise on the
 11 progress of closing out FRA actions; is that right? Or
 12 was it any more profound than that?
 13 A. I can't comment, I don't know.
 14 Q. Right.
 15 At any rate, when you say that in—house reviews were
 16 carried out, I detect from your evidence that you don't
 17 mean an FRA review of the kind you would do?
 18 A. No.
 19 Q. I see.
 20 Now, let's look next at the TMO's fire safety
 21 strategy, please, at {TMO00830598}.
 22 Now, what I'm going to show you is a document dated
 23 November 2013, signed by Janice Wray, and if you go to
 24 page 15 in that document {TMO00830598/15}, you will see
 25 her name at the bottom and the date. There it is,

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1 November 2013.
 2 Is this a document with which you are familiar?
 3 A. I've seen this document and commented on it, yes.
 4 Q. Yes.
 5 Now, if we go to page 10 {TMO00830598/10},
 6 paragraph 14.3.3, it says this:
 7 "Specifically, as thorough FRAs have been undertaken
 8 in all RBKC locations, in blocks where criteria 2. to 4.
 9 above do not apply then it is our intention to carry out
 10 a shorter review exercise on a regular basis with a more
 11 fundamental new FRA completed at less regular intervals.
 12 It is anticipated that the shorter, more regular reviews
 13 which will tend to concentrate primarily on progress
 14 with previous Action Plan and identification of any
 15 changes, will be carried out in—house by the TMO Health
 16 & Safety Team. However, where completely new FRAs are
 17 required — either because some of criteria 2.—4. apply
 18 or on a recurring basis — the services of a specialist
 19 fire risk assessor will be used."
 20 Now, I'm assuming that you were aware of that
 21 approach?
 22 A. Yes.
 23 Q. Yes.
 24 In January 2013 — now, this is before November 2013
 25 and the production of this document — it's right, isn't

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1 it, that you were asked by Janice Wray to review a draft
 2 of the TMO's draft fire safety strategy?
 3 A. Yes.
 4 Q. Yes, and the document is at {CST00002046}. Let's just
 5 have that up, just to pin it into the record.
 6 This is the draft document, and it's got, as you can
 7 see from the key at the top, green, your comments;
 8 yellow, your deletions; and blue, your questions. Is
 9 that right?
 10 A. Yes. Well, I was asked for comment, so these would have
 11 been my comments —
 12 Q. Indeed.
 13 A. — to be taken, yes, by them.
 14 Q. Indeed. We will come back to some of those in due
 15 course.
 16 If you go, please, to paragraph 14.3, at the bottom
 17 of page 8 and on to page 9 {CST00002046/9}, you can see
 18 that the fourth paragraph down says:
 19 "Specifically, as thorough FRAs have been
 20 undertaken ..."
 21 Et cetera, et cetera. You have seen this in its
 22 early draft form and made no deletions or comments on it
 23 apart from a stray "on".
 24 So is it right, can we take it, that you had known
 25 about this proposed procedure from January 2013?

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1 A. Yes.
 2 Q. Yes.
 3 Was this procedure that is referred to here in place
 4 as at January 2013, do you know?
 5 A. I've no idea. I was just asked to comment on this.
 6 Q. Did you ask her about it? Rather, did you ask her or
 7 did you assume that the process that she's referring to
 8 in that paragraph applied and was in place as at
 9 January 2013?
 10 A. I can't remember, but I would assume it was in place,
 11 because otherwise how would they undertake the in—house
 12 reviews? There must have been some document in place.
 13 Q. Right.
 14 Now, going to your second witness statement at
 15 paragraph 46 on page 12 {CST00030186/12}, on this
 16 subject, you say there, in the second sentence:
 17 "To the best of my recollection, I was not provided
 18 with copies of any reviews undertaken by the KCTMO."
 19 Did you ever ask for them?
 20 A. Sorry, which one are we reading?
 21 Q. Yes, I'm so sorry, paragraph 46.
 22 A. Sorry.
 23 Q. Second sentence, paragraph 46. I'll repeat what you
 24 say:
 25 "To the best of my recollection, I was not provided

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1 with copies of any reviews undertaken by the KCTMO."
 2 My question was: did you ever ask for them?
 3 A. To be honest, I can't say I did or I didn't.
 4 Q. You refer to getting tick—sheets or copies of documents
 5 earlier on. If you were getting copies of tick—sheets
 6 which you explained earlier were the result of the
 7 in—house reviews done by the TMO, what are you referring
 8 to here when you say, "I was not provided with copies of
 9 any reviews"?
 10 A. I was — from my recollection, I was — I saw
 11 tick—sheets of — like a health and safety document,
 12 walking round the building. Whether they — sorry,
 13 I can't answer the question, because looking at this
 14 now, no, I don't know the answer.
 15 Q. I'm just trying to reconcile what you said earlier with
 16 your statement. You say, "I was not provided with
 17 copies of any reviews undertaken", but you do say you
 18 were provided with tick—sheets on FRA actions.
 19 A. They had an in—house system which would tick off actions
 20 from the risk assessment, and I cannot remember what
 21 their in—house system was called.
 22 Q. Right. But that's the limit of the in—house review you
 23 saw; is that right?
 24 A. Yes.
 25 Q. You didn't see any reviews which actually exercised any

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1 FRA kind of judgement?
 2 A. No.
 3 Q. I follow.
 4 Now, if we move on to the question of minuted
 5 meetings.
 6 If we go to the consultants' brief at
 7 {CST00000005/7}, paragraph 1.8, this is the consultants'
 8 brief July 2010, you can see that there is a heading
 9 "Client meetings", and it says:
 10 "Regular meetings will be held between the Project
 11 Manager, the H&S Advisor and the Consultant to discuss
 12 possible issues, monitor progress and review the service
 13 provided. The meetings will be held monthly and will be
 14 chaired by the TMO Project Manager and minuted by the
 15 TMO H&S Advisor and the Consultant will be expected to
 16 attend at no additional cost."
 17 Did those monthly meetings actually take place?
 18 A. Wherever a meeting was required, I attended it. Whether
 19 that was monthly, I can't remember.
 20 Q. It says "regular meetings" —
 21 A. Regular.
 22 Q. — and they're to be held monthly. Did they happen
 23 monthly?
 24 A. I would say no, not monthly.
 25 Q. Did you not insist that you should have monthly meetings

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1 with the TMO as provided for here?
 2 A. No. I was in regular contact with them. If they had
 3 a problem, they would contact me straightaway. I was
 4 always available on the phone and emails.
 5 Q. When you started working for the TMO, or with the TMO,
 6 as it were, who was the TMO project manager as
 7 contemplated by this provision?
 8 A. I'm going to say Janice Wray.
 9 Q. Who was of the health and safety adviser?
 10 A. Janice Wray.
 11 Q. So she held both roles as contemplated by this clause;
 12 is that right?
 13 A. Well, I can't think of a project manager.
 14 Q. Was there anybody else other than Janice Wray that you
 15 would meet, regularly or irregularly?
 16 A. No.
 17 Q. When you did meet regularly or irregularly, were there
 18 minutes of the meetings?
 19 A. Yes.
 20 Q. Who took those minutes?
 21 A. Janice Wray.
 22 Q. Did you see them after the meetings?
 23 A. She would always send a copy on, yes.
 24 Q. Who else was at these meetings?
 25 A. Erm ... I'm just trying to think. Whoever was there

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1 would be minuted into the meetings, but I don't think
 2 there was anyone regularly that attended the meetings
 3 with us.
 4 Q. Right. The reason I'm curious about this, Mr Stokes, is
 5 that we have, as I understand it, never seen minutes of
 6 meetings like this, monthly meetings or irregular
 7 meetings held pursuant to clause 1.8 of the contract.
 8 A. Well, we had — there was — there would have been
 9 minutes, but they would have been emailed to me or
 10 I would pick a hard copy up from Janice next time I was
 11 in the office. But the majority of the time, as far as
 12 I remember, they were emailed. I wouldn't have printed
 13 those off.
 14 Q. Right. Let's park that.
 15 Can I then turn to a different topic, which is other
 16 work that you carried out for the TMO in the course of
 17 your contract or contracts.
 18 Can we go, please, first to your first statement,
 19 page 10 {CST00003063/10}, and let's look together at
 20 paragraphs 28 to 30 on pages 10 and 11.
 21 Summarising what you say there:
 22 "Between 2010 and 2017, during which time CS Stokes
 23 was carrying out FRAs for the KCTMO across their
 24 portfolio of properties, I was at various points
 25 requested ..."

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1 Then there is a list of things that you were asked
 2 to do, and you set those out over the page on to
 3 page 11. Let's just do that very quickly.
 4 Now, going back to page 10, please, paragraph 28,
 5 you say, "I was at various points requested" to do those
 6 things there. Did you charge extra for those?
 7 A. Yes.
 8 Q. You did. And how would you bill, monthly or —
 9 A. Monthly.
 10 Q. Right. What was the rate that you billed at?
 11 A. They — in the initial contract, if it was an FRA, it
 12 was pre-determined, whether it was a new one or
 13 a review, and then there was — letters were a set rate,
 14 or if it was visits to a building or a survey, if you
 15 want to call it, that sort of — that undertaking, it
 16 was a reasonable rate.
 17 Q. If you go to your statement at paragraph 24, please, on
 18 page 9 {CST00003063/9}, just back a page, we can see
 19 that you cover this subject in (iv) of paragraph 24.
 20 You have quoted it. You quote section 1.9 and you say:
 21 " ... I was required to ' ... offer fire safety help,
 22 advice and support to [KC]TMO managers employees as and
 23 when requested' ..."
 24 That's right, is it?
 25 A. Yes.

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1 Q. Yes. Did that include commenting on the TMO's fire
 2 safety strategy in January or February 2013 which we've
 3 seen?
 4 A. I think that was done as a favour.
 5 Q. That was done as a favour, was it? Right. Why did you
 6 do a favour? Why not charge for that?
 7 A. I cannot remember if it was charged for or not, but
 8 I would think it would have been done as favour, "Could
 9 you look at this". But please, you would have to check
 10 my invoicing, I would not know.
 11 Q. Fair enough.
 12 Were you ever asked to comment on the TMO's
 13 June 2017 fire safety strategy? Shall I show it to you?
 14 A. Yes, please.
 15 Q. {TMO00847324}. This, I should tell you, was still in
 16 draft at the time of the Grenfell Tower fire.
 17 A. Okay. It's why my facial expression — I was trying to
 18 work out dates.
 19 Q. Yes, I understand that.
 20 Just looking at page 1, is that a document, just
 21 looking at it, you think you have ever seen before?
 22 (Pause)
 23 A. It could be. I don't think I could be confusing it with
 24 the other one, but I'm going to say probably I could
 25 have seen it.

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1 Q. Now, you were, I think, involved in the fire safety
 2 training of ESAs, estate services assistants, weren't
 3 you?
 4 A. Yes.
 5 Q. You have set out in your second witness statement,
 6 page 9 {CST00030186/9}, paragraphs 28 to 33 — no need
 7 to look at them — the details about the training that
 8 you gave, or rather that you provided with Janice Wray
 9 to the ESAs in early December 2016.
 10 Did you ever provide any other training to ESAs
 11 other than on that one occasion?
 12 A. I think there was two occasions, wasn't there?
 13 Q. Right. You say two occasions?
 14 A. I think so. One was — yes, at two different locations.
 15 I'm sure there was.
 16 Q. Other than those, were there any other occasions when
 17 you provided training —
 18 A. No.
 19 Q. — to ESAs?
 20 Can I then ask you about your role in relation to
 21 the refurbishment.
 22 First statement, page 11 {CST00003063/11},
 23 paragraph 30(iv). You say there — we will pick it up
 24 in the second line:
 25 " ... I was not at any time contracted, retained or

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1 appointed, either on behalf of Salvus or CS Stokes (in
 2 relation to the Tower or any other KCTMO property): ...
 3 "(iv) to undertake any on-going consultancy and/or
 4 supervisory role in relation to the Refurbishment."
 5 It's right, isn't it, though, notwithstanding what
 6 you say there, that you would advise those involved in
 7 the refurbishment on discrete fire safety issues if you
 8 were asked?
 9 A. By the TMO.
 10 Q. By the TMO. If you were asked by the TMO, you would
 11 nonetheless advise?
 12 A. If — yes, because that was part of my contract.
 13 Q. Yes.
 14 Is one example of that — I'll show it to you —
 15 your advice to Steve Blake of Rydon about fire
 16 compartmentation which you cover in your second witness
 17 statement?
 18 Perhaps that's an unfair question without showing
 19 you your statement. Can we look at your second witness
 20 statement, please, at page 43 {CST00030186/43}, and look
 21 at paragraph 167 under the heading "Discussion with
 22 Simon Blake". His name is actually Stephen, but not to
 23 worry:
 24 "167. Item 2.20 of the Progress Meeting No. 20
 25 notes ... would appear to relate to Item 3.10.2 of

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1 Progress Meeting No. 19 ... That item states:
 2 "SB noted that the Inspector had identified areas
 3 of existing Fire Compartmentation which needed
 4 addressing. It was discussed and agreed that although
 5 these works are not required under the current contract
 6 it may be beneficial to the TMO to carry out these works
 7 to improve the condition of the building. SB to draw up
 8 a proposal identifying scope, cost and programme
 9 implications of undertaking this additional work to be
 10 issued to CW and Artelia. CW will then review the
 11 necessity of these works with TMO Fire Risk Assessor and
 12 instruct accordingly.'

13 "168. I believe this relates to a question raised
 14 with me about electrical risers located on either side
 15 of the two lifts at each level. Because there was an
 16 unbroken concrete floor slab in place (i.e. there were
 17 no holes or gaps and I was not made aware of any
 18 intended works), I advised Simon Blake that no further
 19 work was required."

20 Did you know why you were being asked to advise
 21 Rydon on matters such as fire compartmentation during
 22 the refurbishment?

23 A. Did it not come from the minutes of the building control
 24 officer?

25 Q. Well, I'm asking you. What's your recollection? What's

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1 your evidence about why you were being asked to advise
 2 Rydon on matters such as fire compartmentation?

3 A. You'd have to ask the TMO who instructed me to do it,
 4 but that's the understanding of where the location was,
 5 it is part of the risk assessment because that was the
 6 floor slab within those sealed risers, and no work was
 7 needed.

8 Q. I see.

9 Is that a good example of you providing
 10 self-contained advice on particular issues to Rydon
 11 during the refurbishment?

12 A. What — that — yes.

13 Q. Were there other occasions on which you did so?

14 A. Nothing that — doesn't spring to mind, no.

15 Q. Right.

16 Was Claire Williams the person who had generated the
 17 request for you to give this advice to Rydon or did it
 18 come from Rydon?

19 A. It would only have come through Janice Wray. I only
 20 ever worked — she instructed me, because that was
 21 a point of contact —

22 Q. Okay. What about Claire Williams? Did you ever speak
 23 to Claire Williams?

24 A. Yes.

25 Q. Did she ever give you instructions?

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1 A. If she did ask anything, it always went back through
 2 Janice Wray, because that's where my invoices went.

3 Q. I see.

4 Do you remember what circumstances Claire Williams
 5 would ask you to give advice in relation to matters
 6 arising in the refurbishment?

7 A. None spring to mind, but I'm sure there was some over
 8 the time.

9 Q. Let's turn to the subject of fire safety management, and
 10 particularly the Salvus fire risk management report that
 11 you may remember from September 2009.

12 Do you remember advising the TMO on fire safety
 13 management generally?

14 A. No, because that was not undertaken — that was
 15 undertaken by Salvus and I was never there.

16 Q. So it was not part of your remit?

17 A. No.

18 Q. Do you agree that you would be required to assess the
 19 TMO's fire safety management even as a fire risk
 20 assessor?

21 A. Yes, and hence the letter we talked about earlier.

22 Q. And to take it shortly, you were familiar, were you,
 23 with the principle enshrined in PAS 79 which made that
 24 clear, that that was part of your role?

25 A. Yes.

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1 Q. Just for the record, that's clause 16(i) and (ii) on
 2 {CTA00000003/50}.

3 How did you assess the TMO's fire safety management
 4 systems?

5 A. Reading the Salvus letter, asking the questions in the
 6 letter that I asked for, and practically asking people
 7 what would happen.

8 Q. Did you do that frequently or just once at the start of
 9 your relationship with the TMO in 2010? Well, as
 10 CS Stokes Limited.

11 A. It would be ongoing.

12 Q. It would be ongoing, would it?

13 A. I'd like to think they would tell me if there was
 14 anything that they'd changed in their policies or
 15 procedures.

16 Q. Let's dig a bit further into the detail.

17 Can we go to {SAL00000013}, please.

18 This is a copy of the fire risk assessment
 19 management report completed by Steve Wain of Salvus on
 20 22 September 2009, and we can see that at the end of the
 21 document, which I won't go to for present purposes.

22 Is it right that you had no role in preparing this
 23 report?

24 A. Correct.

25 Q. Do you remember seeing this report before now?

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1 A. I think I must have asked for this or had looked at this
 2 when I won the contract for the medium —
 3 Q. Right.
 4 A. Because I would have asked for it, what was in place.
 5 Q. Who gave it to you? Did Salvus give it to you or did
 6 Janice Wray give it to you?
 7 A. I'm going to say Janice Wray because I wouldn't have
 8 thought Salvus would.
 9 Q. No.
 10 Do you remember seeing it when you carried out your
 11 FRA for Salvus or as part of Salvus on Grenfell Tower on
 12 30 September 2009?
 13 A. No.
 14 Q. It had been produced the week before, so it leads me to
 15 ask you whether you'd seen it.
 16 A. I wouldn't — no.
 17 Q. No.
 18 What about when you started work for the TMO in
 19 autumn 2010, October 2010?
 20 A. Well, I'd probably have asked for it then.
 21 Q. Right. At that time, did you read it?
 22 A. Yes, I'd like to have thought so.
 23 Q. Let's look at page 13 {SAL00000013/13}.
 24 This is the start of the action plan, and you can
 25 see the date on the top right—hand corner,

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1 22 September 2009, that's the date of the assessment.
 2 Just looking at the scheme of the document, it's
 3 entitled "Safety Management & Training", "Action plan",
 4 and the document is divided into columns: "Paragraph
 5 No", "Priority Rating", "Action required to reduce
 6 risk", and then a traffic light system down the middle.
 7 Then "Action by (Name)", "Action Required by (Date)",
 8 "Re-assessed by" and "Revised Risk Category".
 9 You can see that the items marked in red are those
 10 that indicate that there had been a statutory breach,
 11 can't you?
 12 A. I don't know what the traffic lights mean on this —
 13 Q. Ah, right. Let me help you with that.
 14 If you go down to the end of the document, please,
 15 at page 19 {SAL00000013/19}, you will see "Key to
 16 colour coding" on the right—hand side:
 17 "Red — Statutory Breach.
 18 "Amber — Best Practice/guidance.
 19 "Green — Consultant recommendation (additional life
 20 risk protection)."
 21 While we're on that page, cast your eye to the
 22 left—hand side and see also "Key to priority rating" and
 23 the five levels there.
 24 A. Yeah.
 25 Q. 1 is:

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1 "1. Immediate Action Required — within 24hrs ...
 2 "2. Short term action required within 1 week.
 3 "3. Undertake action within 1 month.
 4 "4. Action within 3 months or agreed plan within
 5 6 months.
 6 "5. Review as part of Business Plan."
 7 Now, going back to page 13 {SAL00000013/13}, items
 8 in red are marked as such where there is a statutory
 9 breach, that's what's intended. All right?
 10 A. Yes.
 11 Q. You would therefore have been aware, looking at this
 12 document — if you scroll down from 13 slowly through to
 13 19, you can see the red ones as we go. You don't have
 14 to count them up, I've already done that. If you go to
 15 the pages 15, 16, 17, 18, and then 19, I have counted
 16 and double-counted again and arrived at a total of 19
 17 red areas where the TMO was considered by Salvus to be
 18 in statutory breach.
 19 If you look at the second column, which is the
 20 "Priority Rating" column, you can see that the majority
 21 of those items flagged red have a priority rating of 3
 22 or 4, which meant that action needed to be taken within
 23 one month or within three months, or a plan agreed
 24 within six months. Would you agree with that?
 25 A. Yes.

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1 Q. Now, once you started work for the TMO as CS Stokes &
 2 Associates Limited in 2010, did you ever ask Janice Wray
 3 for confirmation as to whether the issues identified in
 4 this report had been addressed, particularly the red
 5 ones?
 6 A. Looking at this, didn't — isn't my letter of
 7 September 2010 covering most of these items?
 8 Q. Well, we'll come to that. But is that your answer?
 9 A. Yes.
 10 Q. When you sat down and wrote that letter, you had this
 11 document in front of you, did you?
 12 A. No. I don't think I've seen this, or if I did have seen
 13 this, I would have asked for it. Whether I was ever
 14 given it ...
 15 Q. Right. So when you referred to your 27 September 2010
 16 letter a moment ago, you weren't intending to convey the
 17 idea that that letter was a response or a follow-up on
 18 this document, just to be clear?
 19 A. Yes.
 20 Q. Thank you.
 21 Is it right, then, that when you started working for
 22 the TMO in, in reality, October 2010, you didn't
 23 consider how the actions about the fire safety
 24 management of the TMO had been remedied since this
 25 report had been written the previous year?

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1 A. To be honest, I can't remember seeing this report when
 2 I worked for Salvus.
 3 Q. Right.
 4 Is it right, therefore, that you, as part of your
 5 first job, did not look at or know about the 19
 6 statutory breaches that should have been actioned within
 7 six months?
 8 A. Well, no, because I would have asked why, why wasn't
 9 they there, if I'd have known of this.
 10 Q. Right.
 11 A. And looking at your document at the bottom that you
 12 showed me earlier, this says rev 8 on it as well.
 13 Q. It does. This is rev 8. All that tells you is that as
 14 at 22 September 2009, when this document was produced,
 15 it had been through eight revisions, so exhaustively
 16 peer reviewed as a document.
 17 My question that follows from that is: did
 18 Janice Wray explain to you that notwithstanding that
 19 Salvus had produced this report with 19 statutory
 20 breaches on it in the September of 2009, some or all of
 21 those had been cleared off by then?
 22 A. No. The question in my mind is, as I was writing the
 23 documents and there was a management part in Salvus, why
 24 wasn't I — highlighted this to me?
 25 Q. That's what I asked you earlier. It wasn't, was it?

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1 A. Well, no.
 2 Q. No. And you answered this a moment ago: only a week
 3 later you produced your first fire risk assessment for
 4 Grenfell Tower while with Salvus, and I take it that you
 5 didn't have this document in your hands?
 6 A. No.
 7 Q. Can we go to {RBK00052534}, please.
 8 This is an email from Janice Wray of 12 October 2010
 9 to Gary Sodeau of London Fire, copied to Ann Muchmore,
 10 and she is at RBKC housing, forwarding something called
 11 "Friday's meeting with the TMO".
 12 I'll just show you the first two paragraphs. You
 13 don't see the email at the time, so I'm not going to
 14 proceed on the basis that you did, but it says this:
 15 "1. CS Stokes & Associates Ltd. appointed to carry
 16 out the fire risk assessments on the Councils' medium
 17 risk blocks. Assessment programme likely to begin
 18 on site week commencing 18th October 2010 and aim to
 19 complete in 6 months.
 20 "2. Aim to use same approach as before — Carl's
 21 standard proforma to be used (copy provided to the
 22 Fire Safety Team at the meeting and no comments received
 23 at this time), recommendations to be colour-coded and
 24 prioritised, residents to be advised in writing in
 25 advance, monthly progress meetings planned with

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1 Consultant, etc. However, the intention is for the
 2 consultant to do as much work in advance of the
 3 programme commencing as possible to establish the extent
 4 of our fire safety planned preventative maintenance
 5 contract and associated asset registers, our inspection
 6 regimes, fire safety training programmes, policy on
 7 installation of smoke alarm, PEEPs etc. We are hopeful
 8 that this will result in fewer recommendations being
 9 made and will allow us to focus our attention on the
 10 significant findings."
 11 Now, I want to focus on the word "However" onwards,
 12 "the intention is for the consultant to do as much work
 13 in advance of the programme commencing as possible".
 14 In respect of that advance work, did you do that
 15 advance work?
 16 A. This seems to be referring to most of the items in the
 17 letter that you showed me earlier.
 18 Q. The letter of 27 September 2010, is that?
 19 A. Yes.
 20 Q. I see. Did you do advance work on those items?
 21 A. Yes.
 22 Q. And what did you do?
 23 A. To try and find out as much information as possible to
 24 put information into the boxes and headings of the risk
 25 assessments that would cover the items.

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1 Q. Right. Did you produce a report?
 2 A. I've no idea. I mean, I asked that letter, I can't
 3 remember what came back from it, but whatever came back
 4 I would have put in the risk assessment.
 5 Q. I see. So was it your understanding that you would do
 6 all that work as preparatory work for the risk
 7 assessments as opposed to for the purposes of
 8 a particular report?
 9 A. Yes.
 10 Q. I follow. Was any of that work focusing on fire safety
 11 management of the TMO, rather than specific items in
 12 specific buildings?
 13 A. Didn't it ask for the fire safety training of caretakers
 14 as they were and things like that?
 15 Q. Now, let's look at {CST00003061}.
 16 Again, this is your 27 September letter. This
 17 pre-dates the email from Janice Wray to Gary Sodeau, and
 18 the letter says, in the second paragraph:
 19 "The following items and issue are the basis of this
 20 letter.
 21 "Employee fire training.
 22 "Fire and emergency information for residents.
 23 "Routine in-house fire safety inspections ..."
 24 Was any of those to do with fire safety management
 25 within the TMO, or were these all topics for your FRAs?

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1 A. Well, employee training's the management side of it.
 2 Q. Yes.
 3 A. So some of them would cover management, yes.
 4 Q. Any others?
 5 A. Well, management on there would cover fire and emergency
 6 information for residents, which would be in their
 7 handbooks. And our policies, contractors' policies,
 8 et cetera.
 9 Q. Yes. Looking at that item, was that the only time when
 10 you considered the TMO's arrangements in respect of
 11 fire safety management?
 12 A. Well, we undertook some training at a later date. It
 13 was ongoing. I mean, looking at this, there's another
 14 seven pages here that I haven't seen at the moment. But
 15 it would cover — management would cover most things,
 16 even down to the fact that, you know, what — the
 17 residents' handbooks, when a resident moved into the
 18 building, what were the instructions, what were they
 19 told, things like that.
 20 Q. Going back to the Salvus FRA management report from
 21 September 2009, {SAL00000013/5}, you can see there, at
 22 1.1:
 23 "Lack of a TMO fire safety policy statement."
 24 Then you've got:
 25 "Lack or inadequate TMO policy and arrangements."

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1 "Lack of/inadequate recording systems eg log book
 2 and/or fire safety manual."
 3 Over the top on to page 6 {SAL00000013/6}:
 4 "1.4. Lack of/ineffective managerial audit of
 5 fire safety arrangements."
 6 Those are the hazards that are identified by Salvus
 7 in that September 2009 report.
 8 You can see what is in the "Existing control
 9 measures" column in each case.
 10 If we scroll back to page 5 {SAL00000013/5}, in
 11 respect of 1.1, and I want to focus on the italics, it
 12 says:
 13 "There does not appear to be an overall TMO
 14 fire safety policy statement, setting out the
 15 organisation's strategic fire safety objectives,
 16 including reference to achieving full compliance with
 17 the requirements of the Regulatory Reform (Fire Safety)
 18 Order 2005 wherever it applies to premises managed
 19 and/or occupied by the TMO; and which is formally
 20 endorsed by the Chief Executive on behalf of the TMO."
 21 Then under 1.2:
 22 "There does not appear to be adequate policy and
 23 supporting arrangements to explain how TMO will meet the
 24 objectives set out in any future strategic policy
 25 statement, to ensure suitable and sufficient fire safety

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1 is maintained at all times throughout the TMO's property
 2 portfolio.
 3 "There was no specific policy and arrangements for
 4 fire risk assessment, appointing fire safety assistance,
 5 fire prevention, general fire precautions, use of
 6 dangerous substances, maintenance, training and
 7 co-operation and co-ordination (all of which are
 8 required by law)."
 9 Then underneath that in italics:
 10 "There does not appear to be any contingency plans
 11 in place for matters that may immediately and adversely
 12 affect fire safety arrangements such as defective fire
 13 doors fire alarms etc. An up to date Business
 14 Continuity Plan (Disaster Recovery Plan) was not
 15 available for review at the time of the assessment."
 16 Then under 1.3, folder not available at the time of
 17 the assessment, no fire safety manual as recommended in
 18 BS 9999.
 19 Then over the top of page 6 {SAL00000013/6} — I'm
 20 summarising — no senior managerial audit of fire safety
 21 arrangements adopted by the TMO to ensure that all fire
 22 safety related policies and procedures are being carried
 23 out diligently and in accord with set standards to meet
 24 the organisations strategic fire safety objectives.
 25 I have read that to you at some length.

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1 When you started your role as the TMO's fire risk
 2 assessor in October 2010, did you know about these
 3 weaknesses in the TMO's fire safety management system?
 4 A. No.
 5 Q. Can I ask you to look, please, at {CST00004383}.
 6 This is an email from Janice Wray to you on
 7 28 September 2010. That's the day after your letter to
 8 her that we've been looking at, which again followed on
 9 from the meeting you had with her on 24 September 2010,
 10 and there is an attachment, and the attachment is:
 11 "Management FRA Action Plan ... TMO FRA Management
 12 Report completed 2009."
 13 That is the Salvus fire safety management report
 14 that we've just been looking at in some detail,
 15 Mr Stokes. So it looks as if you did receive this
 16 document from Janice Wray.
 17 A. It does, yes.
 18 Q. When you received it, did you read it?
 19 A. I presume I would have read it, but I would have liked
 20 to think that there would have been some actions
 21 signed off as well, since this is a year later.
 22 Q. Indeed.
 23 She sent it to you; do you remember what you did
 24 next?
 25 A. No.

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1 Q. Do you remember whether you opened it, read it, were
2 horrified and rang her up and asked her what had been
3 done since September 2009?
4 A. An honest answer would be no, I can't remember.
5 Q. And the question is: why would you not have done such
6 a thing? We find no record of you doing so.
7 A. I would have thought I would have spoken to her on the
8 phone, but a lot of the — I'm guessing here, most of
9 the information would have been started — acted upon,
10 I would have thought.
11 Q. She sent this to you without any message at all. It
12 contained 19 statutory breaches, as we've seen. Did
13 this not trigger a conversation between you and Ms Wray
14 about the extent to which the TMO had cured any of those
15 19 statutory breaches in the one year and two weeks
16 since the date of that report?
17 A. I would like to think it would have done, and my letter
18 to her asking questions on items to clarify those
19 points.
20 Q. Well, your letter, of course, pre-dated the day on which
21 you received that document. After you received the
22 report, did you ask her whether they had a fire safety
23 policy statement, for example?
24 A. To be honest, I can't answer that question honestly
25 because I can't remember.

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1 Q. So —
2 A. I would like to think I would have done.
3 Q. So would your same answer pertain to the question: did
4 you have a policy and arrangement to set out your
5 statutory fire safety obligations?
6 A. Yes.
7 Q. What about contingency plans in place for matters that
8 may immediately and adversely affect fire safety
9 arrangements that I read to you?
10 A. I would — the answer would have been: what was the
11 outcomes for all these for the year before? But
12 I cannot remember.
13 Q. Right.
14 Did you ask her whether there were senior managerial
15 audit arrangements now in place which had not been in
16 place the year before in respect of fire safety
17 arrangements?
18 A. I can't remember.
19 Q. Right.
20 I mean, I'm puzzled by why you can't remember.
21 I know it's a long time ago, but would it not have been
22 extremely shocking to receive this document without any
23 explanation?
24 A. That's why I'm puzzling, because if I'd had this,
25 I would have tried to have done something about it, and

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1 I would like to think I would have had a document that
2 said this has been actioned, but I don't seem to have
3 had that document, or I can't remember.
4 Q. And we see no record of you going back to her and asking
5 her that very question. Can you explain that?
6 A. No, I can't.
7 MR MILLETT: Mr Chairman, is that a convenient moment?
8 SIR MARTIN MOORE-BICK: Yes, I think it is.
9 Mr Stokes, we will have a short break now. We'll
10 come back and resume at 3.30, please. And please don't
11 talk to anyone about your evidence while you're away
12 from the room. All right? Thank you very much.
13 (Pause)
14 All right, 3.30, then, please. Thank you.
15 (3.15 pm)
16 (A short break)
17 (3.30 pm)
18 SIR MARTIN MOORE-BICK: All right, Mr Stokes?
19 THE WITNESS: Okay, thank you.
20 SIR MARTIN MOORE-BICK: Ready to keep going?
21 Yes, Mr Millett.
22 MR MILLETT: Mr Chairman, thank you.
23 Mr Stokes, I would like to turn to the FRAs
24 themselves, and first a little bit of an overview, if
25 I can.

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1 Once you were appointed by the TMO, can you confirm
2 that you carried out, in total, five fire risk
3 assessments for Grenfell Tower?
4 I'll just go through the dates: 29 December 2010.
5 A. Yes.
6 Q. 20 November 2012. 17 October 2014 — yes?
7 A. Yes.
8 Q. Yes. 26 April 2016, and 20 June 2016.
9 A. That sounds correct.
10 Q. Yes.
11 Were you the only fire risk assessor for the TMO
12 between 2010 and 2017, do you think?
13 A. As far as I know.
14 Q. Right.
15 Have you ever heard of a gentleman called
16 Leon Taylor?
17 A. No.
18 Q. Right.
19 Were you aware that he completed a fire risk
20 assessment of Grenfell Tower based on an inspection he
21 conducted in June 2014 on behalf of Repairs Direct?
22 A. No.
23 Q. Did you know that?
24 A. No. I'll be honest, I was given a supplementary
25 document last night that had a name on it.

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1 Q. Right.
2 A. I have not read it all, but I did know that there was
3 something else that was in there.
4 Q. Right. This may not be the document, but can we look at
5 {PSC00000001}, please. There is a fire risk assessment
6 for Grenfell Tower done by Leon Taylor, as you can see
7 in the second box, on 14 June 2014, with a suggested
8 review date of a year later.
9 Is this a document you've seen before?
10 A. No, it was a summary I was given late last night.
11 Q. Oh, right. A summary of what?
12 A. From Mr Todd. A supplementary —
13 MR MILLETT: Oh, I see, okay, I see.
14 SIR MARTIN MOORE—BICK: A supplementary report from Mr Todd?
15 A. Yes. Sorry, sir, yes.
16 MR MILLETT: So you don't know what this is?
17 A. No.
18 Q. Now, in respect of your fire risk assessments, can you
19 explain why you were asked to carry out a fire risk
20 assessment of Grenfell Tower on 29 December 2010, when
21 you yourself had completed one only a year before on
22 30 September 2009?
23 A. No.
24 Q. And given that the TMO's approach at the time, as we've
25 seen, was to carry out an FRA every two years.

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1 A. I just undertook the instructions as I was given.
2 Q. I see. You didn't question the instructions? You
3 didn't ask Janice Wray, "Why am I doing a fire risk
4 assessment of Grenfell Tower, I did one only last year?"
5 A. No.
6 Q. Was there any discussion of that at all or you just
7 carried out your instructions?
8 A. I'd just taken over. I mean, it was just one of those
9 things that — I was trying to please, I suppose, but
10 I didn't question.
11 Q. Can I ask you to look, please, at your first witness
12 statement at page 18 {CST00003063/18}, paragraph 54.
13 You say there that:
14 "The 2014 FRA was the first FRA undertaken whilst
15 the Refurbishment was underway and the April 2016 FRA
16 and June 2016 FRA were undertaken in short succession
17 around the time the Refurbishment was completed."
18 Were you able to carry out a suitable and sufficient
19 FRA even though the refurbishment had started?
20 A. Yes.
21 Q. You were.
22 In respect of that fire risk assessment, let's look
23 at {CST00030043}.
24 This is the letter you wrote on 17 September 2014 to
25 Janice Wray:

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1 "Subject: Grenfell Tower Grenfell Road ...
2 "Dear Janice,
3 "Thank you for asking me to visit the above premises
4 where refurbishment work is being undertaken, I am due
5 to undertake the a review of the buildings Fire Risk
6 Assessment (FRA) next Tuesday the 23rd September, so any
7 answers to the following points will assist me with the
8 FRA review. If the answers can be provided by Monday of
9 next week, the 22nd I will [incorporate] them within the
10 reviewed FRA otherwise the questions will be asked as
11 part of the significant findings of the FRA. I have
12 numbered the questions."
13 They're set out at the bottom of that page and then
14 on the next page. I think there are ten pages in all of
15 questions that you asked her.
16 Would you undertake this kind of site visit before
17 conducting each FRA or only this one?
18 A. This is site-specific to this one.
19 Q. Why was that?
20 A. Because the refurbishment was going on — being
21 undertaken, and I wouldn't ask for building regs
22 application forms, et cetera, or the London Fire Brigade
23 comments on them on a building that no work was being
24 undertaken on.
25 Q. Did you visit the building because she asked you to, or

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1 because you felt it was necessary to do so given that
2 there was a refurbishment in progress?
3 A. Isn't this a scheduled review? This would be 2014.
4 Wouldn't this be the two-year period to a scheduled —
5 Q. Well, a little bit before. You see, the last FRA for
6 Grenfell Tower you signed off on 20 November 2012.
7 A. And this is —
8 Q. And this is September 2014, so it's not quite two years,
9 but you shrug.
10 A. It's a reasonable time period —
11 Q. I see. So this was a scheduled review, and is this
12 right: it was because there was refurbishment in place
13 that you felt it necessary to visit?
14 A. No, this is a scheduled review, isn't it?
15 Q. So you visit —
16 A. I'm due to undertake a review of the building.
17 Q. We're slightly at cross-purposes.
18 Would you undertake a site visit whenever you were
19 doing a scheduled review?
20 A. If I was to review — I would always have to go to the
21 building to undertake a review of the FRA.
22 Q. Regardless of whether there was a refurbishment in
23 place?
24 A. Yes, if it was on the programme to be reviewed, at the
25 time periods given, I would always have to visit the

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1 premises.
 2 Q. Right.
 3 When you completed the risk assessments we've looked
 4 at, the five for Grenfell Tower, how long would it
 5 normally take you to complete such a report?
 6 A. The report or the actually walk round the building?
 7 Q. Well, start to finish. Take the 2012 FRA for
 8 Grenfell Tower just as an example. How long would it
 9 take you, start to finish?
 10 A. To walk round the building, say, four hours, and then
 11 probably the same to write it up.
 12 Q. Right. So each FRA would take a total of eight hours?
 13 A. Yes, give or take.
 14 Q. Right. What about drafting the significant action plan?
 15 A. That includes the writing up.
 16 Q. I see. So eight hours in total.
 17 Now, is it right that you charged £410 plus VAT for
 18 every new FRA and £320 plus VAT for an FRA review?
 19 A. If that's what it says on your document, yes. It
 20 changed each year. I think I was allowed to put it up
 21 by a small amount.
 22 Q. That's what you say in your first witness statement at
 23 paragraph 22 {CST00003063/8}, so I'm taking it that
 24 that's correct.
 25 A. Yes.

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1 Q. Right.
 2 It's right, isn't it, that whether you were
 3 undertaking a new FRA or an FRA review, there would be
 4 no difference in your information—gathering or
 5 assessment process; is that right?
 6 A. Correct.
 7 Q. So if there was no difference — well, let me ask you
 8 this way: would it take you less time to do an FRA
 9 review than it would to do a new FRA?
 10 A. Yes.
 11 Q. Right. And why is that?
 12 A. Well, because I'd know the layout of the building, so,
 13 for instance, if I'd never been to the building before,
 14 I'd have to work out, say, where a lift motor room was,
 15 how do I get the ladders for it, how do I get keys, or
 16 if I have already been there before, I would know that
 17 an FB2 key opened that locker, the ladders are there, if
 18 I went up I'd know the layout inside. So it would be
 19 a lot easier and simplified to do it that way.
 20 Q. Yes, I see. So the saving of time in doing an FRA
 21 review would be on the physical visit to the building,
 22 rather than in the creation of the report, or is that
 23 not correct?
 24 A. That's correct. And also actually access to the
 25 building, where is the building.

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1 Q. Right.
 2 Now, I want to look at some general questions
 3 arising on the FRAs next, if I may.
 4 Across all of your fire risk assessments, we've seen
 5 a lot of the same text from year to year.
 6 Is it right that when you drafted an FRA, you would
 7 cut and paste text from the previous version?
 8 A. Correct, as long as nothing had changed.
 9 Q. Right. Is it right that you would only update or change
 10 sections where you had obtained new information?
 11 A. Correct.
 12 Q. Otherwise, the same text from the previous FRA would
 13 appear, would it?
 14 A. If nothing had changed. I mean, the structure of the
 15 building, for instance, Grenfell Tower is still
 16 a concrete building, concrete floors, concrete walls,
 17 unless —
 18 Q. Right.
 19 This cutting and pasting, Mr Todd is critical of
 20 that. He says that's poor or inappropriate practice.
 21 Would you agree with that?
 22 A. If nothing has changed, you could change some words in
 23 it, but it's still the same.
 24 Q. Right.
 25 Would you also copy and paste material from other

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1 FRAs for other buildings?
 2 A. Try not to.
 3 Q. You try not to?
 4 A. But if it was a similar — I'm just trying to think of
 5 something in one building that would be similar ...
 6 If there was a mobile telephone mast on the roof and
 7 I'd already written that up in one building, I would
 8 take it over to the new one and alter it so it was
 9 site-specific to that building, rather than re-drafting
 10 a whole two, three, four paragraphs.
 11 Q. Yes.
 12 Let's just see if we can illustrate this with
 13 an example.
 14 A. Yes.
 15 Q. If we go, please, to your 26 April 2016 FRA for
 16 Grenfell Tower, that's at {CST00003161/1}. There is
 17 page 1.
 18 A. Yes.
 19 Q. If you look down page 1, you see it says:
 20 "Area(s) not covered:
 21 "All the private residential apartments and
 22 balconies ..."
 23 A. Yes.
 24 Q. But Grenfell Tower didn't have any balconies, did it?
 25 A. Not on the apartments, no.

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1 Q. Where did those words come from?
2 A. The balconies on there would be — there was a balcony
3 at the lower level —
4 Q. Right.
5 A. — with the — what's the name? If I call it the
6 caretakers' office, it went out the back, and the
7 staircase came down and there was an open balcony at the
8 back.
9 Q. Let's stick with this FRA.
10 Can we go to page 19 {CST00003161/19}. Look at
11 section 11, "Pest control".
12 A. Yes.
13 Q. Question:
14 "Is there suitable control of any pest
15 infestations?"
16 Tick, "Yes".
17 Then halfway down the comments or observations:
18 "Where pigeon netting has been erected to cover the
19 flat balconies, from a visual inspection from the ground
20 there appeared to be no areas where this pigeon netting
21 was damaged and it appeared to be well fitted, at the
22 time of this assessment."
23 A. Yes.
24 Q. "There was no access to each flat balcony as these are
25 private areas ..."

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1 Do you see that?
2 A. Yes.
3 Q. There was no pigeon netting, was there?
4 A. The pigeon netting was over — there was some pigeon
5 netting — that is a copy and paste, and I can see where
6 I've gone wrong there.
7 Q. To be fair to you, Mr Todd picked that up in his first
8 report.
9 A. Okay.
10 Q. I mean, that's a slam dunk, isn't it, cut and paste from
11 another building?
12 A. Yes.
13 Q. Yes.
14 A. I should have altered that to balconies at the back and
15 the roof level.
16 Q. And in fact the October 2014 FRA and your June 2016 FRA
17 contained exactly the same text, didn't it?
18 A. Yes, and the balconies at the lower level had gone by
19 now. It had been ripped out and it was a house,
20 a dwelling.
21 Q. You accept, though, that that —
22 A. Oh, yes.
23 Q. Can you explain how come, when you were doing your FRAs
24 for Grenfell Tower, on three occasions you introduced
25 the pigeon netting text, if I can call it that?

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1 A. Honest answer would be: pest control, nothing's changed,
2 and just left it in and not read it.
3 Q. Not read it?
4 A. Yes.
5 Q. And that means and includes not reading it when signing
6 it off?
7 A. Yes.
8 Q. Now, let's go to your 2014 FRA, if we can, please,
9 {CST00003157/3}.
10 At the top of your FRA there you have listed as the
11 responsible person the chief executive of the Royal
12 Borough of Kensington and Chelsea. Why did you name the
13 chief executive of RBKC as the responsible person?
14 A. They are the landlords of the building and that's the
15 person — or the name — title of the person who's the
16 responsible person and — of RBKC, who were the owners
17 of the building.
18 Q. So that was who you thought the responsible person was,
19 did you, Kensington, rather than the TMO?
20 A. If my memory's correct, I asked this question, the
21 responsible person, at the time, was it the TMO as the
22 management company or the council, and I put that one in
23 as being told that's the person.
24 Q. Did —
25 A. The next one down — sorry, I do apologise. The next

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1 one down, building owners: the council of the Royal
2 Borough of Kensington and Chelsea.
3 Q. Yes.
4 Did nobody tell you that, in fact, the responsible
5 person under the RRO was the TMO? Did Janice Wray never
6 come back to you and say —
7 A. No.
8 Q. — "You've got the responsible person wrong here"?
9 A. No, and the London Fire Brigade never came back, and
10 they've audited these as well.
11 Q. Did you ever tell the chief executive of the Royal
12 Borough of Kensington and Chelsea that you regarded that
13 RBKC was the responsible person for the buildings within
14 the TMO stock?
15 A. No.
16 Q. Why is that?
17 A. For me, the owners of the building are the responsible
18 person. The management agents are responsible as well
19 under the Fire Safety Order, but the ultimate
20 responsible person would be the owner of the building.
21 Q. Right. Did you ever discuss that question with
22 Janice Wray?
23 A. Well, I'm going to say yes, I must have done, because
24 it's in the document and she's reviewed the document
25 numerous times, and in some cases actually reviewed them

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1 because of corrections that she wanted to make in the
 2 documents.
 3 Q. Did you ever supply your fire risk assessments directly
 4 to RBKC?
 5 A. No.
 6 Q. Why is that, given that they were the responsible
 7 person?
 8 A. Because my contract was with the TMO and my point of
 9 contact was Janice Wray.
 10 Q. Did you ever have any direct contact with RBKC staff
 11 once you had become appointed as fire risk assessor for
 12 the TMO stock?
 13 A. No.
 14 Q. Right. So what assumptions did you make about whether
 15 and in what circumstances RBKC would get to see this
 16 document?
 17 A. My thought process, if they needed capital money to
 18 do — undertake any work, they would have to go to the
 19 landlords and owners of the building, who would be the
 20 responsible person, to undertake major refurbishments of
 21 that building.
 22 Q. Right.
 23 What did you understand to be the relationship
 24 between RBKC and the TMO, so far, at least, as your role
 25 is concerned?

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1 A. The TMO were the managing agents of RBKC, who managed
 2 the housing stock on the building owner's behalf.
 3 Q. Now, if we can stick with this fire risk assessment,
 4 this is the 2014 fire risk assessment, and look, please,
 5 at page 2 {CST00003157/2}, go back a page, you can see
 6 there that towards the top of your screen there is
 7 a title, "Legal Statement", and I'll read it to you. It
 8 says:
 9 "Legal Statement [underlined].
 10 "This risk assessment has been undertaken as
 11 a requirement of The Regulatory Reform (Fire Safety)
 12 Order 2005, the enforcing authority, ie 'the police; for
 13 the FSO are the fire and rescue authority for the area
 14 in which the premises are situated, (Article 25 of the
 15 FSO). It is the local Fire and Rescue Service who
 16 therefore have the power to undertake an audit of the
 17 fire risk assessment to determine if it is suitable and
 18 sufficient or not. Other agencies can ask if you have
 19 completed a fire risk assessment but it is not for them
 20 to view, enforce or make judgement on.
 21 "You do not have to give a copy of your risk
 22 assessment to anybody, not even the fire authority, if
 23 you do give them a copy this could be used against you
 24 at a later date."
 25 Then you cite from Article 9 of the FSO.

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1 Then underneath the citation of subsections 6 and 7,
 2 you say this, towards the bottom of your screen:
 3 "So legally you have to record any significant
 4 findings from the risk assessment if you fall into the
 5 categories of 6 a to c above and have this available to
 6 be inspected."
 7 Now, you're not a trained lawyer, are you?
 8 A. No.
 9 Q. Nor were you authorised to give legal advice by any UK
 10 legal regulatory body, were you?
 11 A. Correct.
 12 Q. No.
 13 Can we go to Colin Todd's report, please, at
 14 {CTA00000011/76}, paragraph 8.15. This is underneath
 15 the title in the middle of your screen, "Legal Statement
 16 within the Fire Risk Assessment".
 17 8.15:
 18 "I find the incorporation of the above statement
 19 very surprising. Not only was it unnecessary and likely
 20 to be regarded as confrontational by inspecting officers
 21 of LFB when they studied the FRAs at the time of any
 22 audits, the statement is, in my opinion, incorrect as
 23 a matter of law. Any audit of premises by a fire and
 24 rescue authority under the Fire Safety Order actually
 25 begins with a study of the FRA. As he is a previous

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1 inspecting officer of a fire and rescue service, I find
 2 it difficult to believe that this is not known to
 3 Mr Stokes."
 4 Mr Stokes, on reflection, would you agree with
 5 Mr Todd's conclusion there?
 6 A. All I was stating there was, as it says in the Green
 7 Book, which is that you must undertake an FRA, and the
 8 document says you must then have the significant
 9 findings available to be inspected.
 10 Q. Would you agree that any audit of premises by a fire and
 11 rescue authority under the RRO begins with a study of
 12 the FRA?
 13 A. If they ask for it.
 14 SIR MARTIN MOORE—BICK: Mr Millett, I think we have the
 15 witness's evidence on this, but I think we may all need
 16 to remember that Mr Todd isn't a lawyer either.
 17 MR MILLETT: No, that's certainly an obvious point we can
 18 make when he comes or ask him about when he comes to
 19 give evidence.
 20 Let me show you the LGA guide. What I'm wanting to
 21 put to you is something slightly different.
 22 {HOM00045964/42}, part D, paragraph 31.2, first
 23 sentence:
 24 "The fire and rescue authority will examine the fire
 25 risk assessment at the time of any audit of the

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1 building."

2 Were you aware of that principle?

3 A. Sorry, which one are we looking at, please?

4 Q. Paragraph 31.2.

5 A. Okay, sorry, yes.

6 Q. "The fire and rescue authority will examine the fire

7 risk assessment at the time of any audit of the

8 building."

9 Were you aware of that principle?

10 A. Yes, but the Fire Safety Order says that you only have

11 to record the significant findings.

12 Q. As a matter of guidance, did you not think that it was

13 important for the enforcing authority to be able to view

14 the FRA?

15 A. Totally, and if they asked for it, they would have been

16 given it, I had assumed, but ... both documents were

17 provided, but the Fire Safety Order only requires that

18 you record the significant findings and have them

19 available for inspection.

20 Q. You see, you said in your legal statement, "You do not

21 have to give a copy of your risk assessment to anybody,

22 not even the fire authority"?

23 A. Correct.

24 Q. Now, you don't say that you do have to give them a copy

25 of your risk assessment if they ask for it, do you?

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1 A. Please can I see it again, because what you've just read

2 out is correct, you do not have to give them a copy, but

3 you have to have it available for them to inspect at any

4 time reasonable that they wish to do so.

5 MR MILLETT: Well, we can debate the terms. I'm happy to

6 show it to you again. {CST00003157/2}.

7 SIR MARTIN MOORE—BICK: I'm just wondering if this is going

8 to help very much, Mr Millett, because Mr Stokes has

9 told us what he understands the position to be, Mr Todd

10 has said what he understands the position to be, but

11 these are matters of law, really, aren't they?

12 MR MILLETT: I'm not asking the witness about legal matters.

13 What I'm asking about is why the statement appears there

14 in circumstances where the guidance says the opposite.

15 SIR MARTIN MOORE—BICK: Well, the guidance is only guidance,

16 isn't it?

17 MR MILLETT: Yes.

18 Well, let me ask you this: the legal statement that

19 you've set out in your FRAs — and we've seen them

20 across all your FRAs — were not included in the FRA of

21 Grenfell Tower that you did when you were at Salvus on

22 30 September 2009. That's right, isn't it?

23 A. Correct.

24 Q. Nor in the fire risk assessment template in any version

25 of PAS 79.

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1 A. Sorry, not in any PAS 79 version?

2 Q. Yes.

3 A. No, they were not.

4 Q. No.

5 Why did you think it necessary and appropriate to

6 include such a statement in your FRAs that you did for

7 the TMO?

8 A. Because that is what the Fire Safety Order actually asks

9 for, that you only have to record the significant

10 findings, and they have to be available to be inspected.

11 Q. Did Janice Wray or anybody else from the TMO ask you to

12 put a statement —

13 A. No.

14 Q. — like this into your FRAs?

15 A. No.

16 Q. What made you do so?

17 A. Because that's truthfully what I understand and my

18 understanding of the Fire Safety Order is.

19 Q. Can we turn to the minutes of an RBKC/TMO operations

20 committee meeting on 25 November 2010 at {RBK00052563}.

21 Now, you were not there, that's the first

22 observation to make. But you can see who was there.

23 No, that's the wrong — that's page 1. What we need

24 is page 6 {RBK00052563/6}, in fact. Page 1 is in fact

25 a later meeting at which these minutes were approved,

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1 which is why that's there.

2 Page 6 is the minutes of the 25 November 2010

3 meeting. You weren't there, but we can see who was.

4 Janice Wray was, and she provided an update to the

5 committee on page 8 {RBK00052563/8}, if we can look at

6 that, please.

7 You can see from that page that "Fire Risk

8 Assessments", item 7, is set out, and she reports, if

9 you look at the last paragraph, as follows:

10 "JW confirmed that, as expected, to date,

11 significantly fewer recommendations were being made in

12 relation to the medium risk blocks as compared with the

13 high risk blocks. JW advised that the TMO and RBKC were

14 still liaising closely with the London Fire Brigade

15 (LFB) and we had recently met to introduce our new

16 consultant to them. However, it was clear that our new

17 consultant was willing to challenge the Fire Brigade on

18 our behalf if he considered their requirements to be

19 excessive and beyond what they could reasonably ask of

20 us. In particular, we had managed to get an agreement

21 from the LFB that, as of now, when they visit/audit our

22 premises and do not have any concerns that would warrant

23 a 'Deficiency Notice' etc. they will write to us

24 advising us that, at that point in time, the building

25 was 'broadly compliant'. JW added that she was keen to

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1 include this information in the Annual Health & Safety
 2 Report as this would start to give a more balanced
 3 picture of fire safety activity across the stock."
 4 Is it right that you were "willing to challenge the
 5 Fire Brigade" on the TMO's behalf?
 6 A. If I was asked to, yes. And I believed —
 7 Q. If you were asked to?
 8 A. And I believed it was correct.
 9 Q. Right.
 10 Did you ever have any discussions with Janice Wray
 11 about taking a more robust, perhaps more contentious,
 12 approach to the LFB?
 13 A. No, not in that context, no.
 14 Q. Are you able to explain from your understanding why
 15 Janice Wray thought that it was clear that you were
 16 willing to challenge the Fire Brigade if you considered
 17 their requirements to be excessive?
 18 A. Maybe — I'm guessing, please ask Ms Wray, but maybe
 19 because I'm an ex-fire officer and I have been through
 20 the same training, I would actually understand where
 21 they were coming from and actually explain back in their
 22 language.
 23 Q. That's a fair answer, but it leads to this: do you
 24 recall any particular topic arising in respect of which
 25 you were advising a challenge to the LFB because you

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1 thought their requirements were excessive or
 2 unreasonable?
 3 A. One that does spring to mind is leaseholder doors.
 4 Q. When was that? When did that topic arise? Given that
 5 this is November 2010.
 6 A. Virtually around that time.
 7 Q. I see.
 8 Now, going back to the 2014 FRA, if I can, please,
 9 {CST00003157/3}.
 10 We've looked at this page a number of times, but
 11 let's go back to it. I want now to look at the third
 12 heading from the top, "Person Consulted during the
 13 Assessment". For this one, it was Paul Steadman of the
 14 TMO and the residents of the building. Do you see that?
 15 A. Yes.
 16 Q. What did the residents of the building mean? Who had
 17 you consulted?
 18 A. Well, if I could see anyone within the building or
 19 I could ask to look inside — look at their flat,
 20 I would ask any questions, "Do you have any problems?"
 21 Q. I see. So this was an informal conversation with
 22 anybody you came across on your rounds?
 23 A. As long as they lived in the building, yes.
 24 Q. Yes, of course, absolutely.
 25 How would you know that they lived in the building?

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1 A. I would ask, "Do you live in the building?"
 2 Q. Right, and you would take them at their word?
 3 A. Well, if they then said yes, I would say, "Is it
 4 possible I could see your flat door? Is it possible
 5 I could just look inside? Do you have any problems with
 6 your fire alarm system within?"
 7 Q. In other FRAs we see that you consulted Claire Williams.
 8 That is what's said in the April and June 2016 FRAs, you
 9 don't need to go to them.
 10 Can you explain why Claire Williams was consulted
 11 for those FRAs?
 12 A. That was — which one — dates, please?
 13 Q. April and June 2016.
 14 A. Because that was the time of the refurbishment and she
 15 was the project manager, so I think I asked her first if
 16 she had any updates on any minutes, building regs,
 17 consultation, anything like that.
 18 Q. These consultations, were they formal meetings or were
 19 they just points people you could ask questions of as
 20 and when you had questions?
 21 A. A bit of the latter, if — mostly if it was done by
 22 an email, "Do you have any questions for me, have you
 23 got these answers?", but they would — Janice Wray would
 24 always be copied in because that was the point of
 25 contact.

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1 Q. I was going to ask you: would you not consult
 2 Janice Wray, given that she was the health and safety
 3 manager and also the person responsible for implementing
 4 the actions that you had identified in your significant
 5 findings schedules?
 6 A. Correct.
 7 Q. So why not make her the consultation person?
 8 A. Could be, but then she would get the information from
 9 someone else, but I could contact her as well as, and
 10 this is 2016, did you say?
 11 Q. I'm asking you about 2016, yes, but that's
 12 Claire Williams, you've explained that.
 13 A. But in 2016 I had access to Keystone, so some of the
 14 information I could get direct from their system.
 15 Q. Looking at what's on the screen, this is 2014,
 16 Paul Steadman is identified as the person consulted
 17 during the assessment. He was an ESA, wasn't he?
 18 A. Yeah, caretaker, yes.
 19 Q. Caretaker, if you like, or estate services assistant —
 20 A. Yes, sorry.
 21 Q. — is a rather grander expression, and he was the estate
 22 services assistant for Grenfell Tower, wasn't he?
 23 A. I believe so, yes. Well, they had a — sorry, the wider
 24 estate, so they had ESAs for the wider estate.
 25 Q. Indeed, you recall that he was the consultation

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1 individual identified in your November 2012 FRA, this
 2 FRA, 17 October 2014, and indeed the one in 2010 as
 3 well?
 4 A. Yes.
 5 Q. Yes, so those three. Is that because he was, as you put
 6 it, the caretaker?
 7 A. Yes.
 8 Q. I see. He was the one, was he, who carried out health
 9 and safety inspections on Grenfell Tower from time to
 10 time?
 11 A. I believe so, yes, that was —
 12 Q. And carried out various checks on the fire safety
 13 system, such as the AOV, the lift, et cetera; yes?
 14 A. Whatever their caretakers' checklist had.
 15 Q. Would you look at the caretaker checklist and make sure
 16 that it was complete for your purposes?
 17 A. I had looked at them, that was one of the items that
 18 I made certain that part of the occupiers' checklist,
 19 who was doing it, when were they undertaking it.
 20 Q. Yes.
 21 Looking a little bit more deeply into that, let's
 22 start in the right place chronologically.
 23 Can we please go to the 29 December 2010 FRA,
 24 {CST00003165}. This is the significant findings
 25 schedule to your December 2010 FRA.

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1 If we go, please, to page 4 in that {CST00003165/4},
 2 you can see that it says at item 20, next to the
 3 "Priority: High":
 4 "Identified risk or hazard: The caretaker of the
 5 building has be [sic] undertake daily checks as per the
 6 caretakers check list and this document is then kept as
 7 a record of these procedures having been undertaken.
 8 "Actions to be taken: Can it be confirmed that the
 9 caretaker is carrying out the daily checks as per the
 10 caretakers check list."
 11 If you look down at item 23b on the next page
 12 {CST00003165/5}, please, second row, again high, red:
 13 "Identified risk or hazard: Some of the portable
 14 fire fighting extinguishers in the building have
 15 'condemned' written on them in large black writing.
 16 This seems to indicate that monthly occupier inspections
 17 are not being carried out as the inspections would have
 18 spotted the writing and the last service date was 2009.
 19 "Actions to be taken: It should be confirmed with
 20 the caretakers if they have carrying out [sic] monthly
 21 occupier's inspections of the portable fire fighting
 22 extinguishers as per the caretakers check list. If the
 23 monthly checks are not being undertaken they should be
 24 started immediately."
 25 Also note while we're on that page, Mr Stokes, at

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1 the foot of the page, 23e, same point again, this time
 2 relating to emergency lighting system, final exit doors.
 3 Would you agree that similar actions were repeated
 4 in your 2012 and 2014 FRAs and significant actions
 5 schedules?
 6 A. Without looking at them, I can't comment on that, but if
 7 you say they're there, they're there.
 8 Q. Right.
 9 A. You mean did I undertake the same process or ...?
 10 Q. Well, yes, I mean, do you remember — we can look at the
 11 documents, but as a matter of record I can tell you that
 12 the 20 November 2012 had something similar in it in
 13 relation to testing and maintenance, and in the
 14 significant findings schedule you asked again for
 15 confirmation about the monthly inspections of the
 16 portable firefighting extinguishers using exactly the
 17 same wording, warts and all. The reference to that
 18 {CST00003083/5}. We can look at it if you want to.
 19 A. No, no.
 20 Q. And similarly at item 23 of that action plan at page 6,
 21 you asked — well, let's look at that one, actually.
 22 That's quite a useful one because the wording is
 23 slightly different.
 24 {CST00003083/6}. This is the 2012 significant
 25 actions schedule now, item 23.

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1 You can see 23e, same risk, "Action to be taken",
 2 slightly different terms:
 3 "Can it be confirmed that the caretakers are
 4 undertaking the monthly occupier tests of the installed
 5 systems and fire fighting equipment/fittings? With the
 6 completed sheets kept as a record. It is an offence
 7 under the Fire Safety Order not to undertake these
 8 inspections."
 9 And similar points, not identical wording, in the
 10 2014 FRA and significant findings schedule. We can look
 11 at those, again, if you want to, but they are at
 12 {CST00003157/30} and {CST00003177/9}. We can look at
 13 those if you want, but similar point made again,
 14 different wording.
 15 My question is: if you consulted Paul Steadman, who
 16 was the estate services assistant or caretaker, on each
 17 occasion, why didn't you know whether the caretakers'
 18 checks were being completed?
 19 A. Looking at this, the caretakers' checks — there is no
 20 records is what I'm saying here. Are they undertaking
 21 them and are they recording them? What he could say to
 22 me to my face is, "Yes, I'm doing them", but I'm
 23 challenging here that there is no record and they do not
 24 appear to be undertaken.
 25 Q. Right.

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1 Did you have a conversation at any stage, taking
 2 this example, with Paul Steadman and ask him why the
 3 fire extinguishers have not already been replaced?
 4 A. No.
 5 Q. Why is that?
 6 A. Well, first of all, I would — he would only be
 7 undertaking the checks. It would be up to the repairs
 8 and maintenance department or the maintenance department
 9 per se to undertake and supervise external contractors
 10 coming in. The ESA is just the ears and eyes of them,
 11 doing no more than I am, reporting what's there or not
 12 there. I'm asking: has he reported them? It's not
 13 something I would challenge in front of him and say,
 14 "Have you done your job properly?" because I'm not —
 15 I'm just a contractor.
 16 Q. Looking at the second sentence in that box, just
 17 an example:
 18 "Can it be confirmed that the caretakers are
 19 undertaking the monthly occupier tests of the installed
 20 systems and the fire fighting equipment/fittings?"
 21 Again, why could you not ask him that question and
 22 interrogate that issue yourself?
 23 A. I'm there as a risk assessor, not to interrogate someone
 24 on the premises to whether they're actually undertaking
 25 their job as per their contract of work.

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1 Q. Why did you have to ask for confirmation in the
 2 significant findings schedule rather than just getting
 3 the statement from the horse's mouth?
 4 A. It's not something I would, like, want to challenge
 5 someone who may not have been doing the job he should
 6 have been doing.
 7 Q. Right. Or is this an example of cutting and pasting
 8 from other versions of other documents?
 9 A. As you can see, the wording is different, so it's not
 10 cutting and pasting.
 11 Q. Were you concerned that every time you completed an FRA
 12 of Grenfell Tower you didn't have any information about
 13 whether the monthly checks and tests of the installed
 14 fire safety systems and emergency lighting were taking
 15 place? It seems to be a repeated theme.
 16 A. And I would have asked for the checklist.
 17 Q. You would have asked for the checklist.
 18 Did there come a point when the repeated theme felt
 19 like you were asking for the same thing over and over?
 20 A. Yes.
 21 Q. And was that not something which would have led you to
 22 escalate the matter?
 23 A. Which would have been an agenda item on one of the
 24 meetings that would have happened.
 25 Q. Did you ever obtain or seek to obtain any assurances

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1 from Janice Wray or anybody you consulted with on that?
 2 A. Yes.
 3 Q. And what was the upshot?
 4 A. I can't remember exactly, but I would have asked the
 5 question. It's — I would have taken this back with me
 6 to the next — whichever one I undertook previously, go
 7 back, is the same thing happening again, yes, and
 8 highlight it back to the TMO. It's for the TMO to
 9 undertake the actions, it's just for me to go round the
 10 next time, which could be potentially two years later.
 11 Q. Can we look next at the topic of evacuation and the
 12 strategy.
 13 In your fire risk assessments, you include a section
 14 on page 5 entitled "Evacuation strategy for this
 15 building".
 16 Let's look at the 29 December 2010 FRA for
 17 Grenfell Tower for that. That's at {CST00003181/5},
 18 please.
 19 I'll read this to you, although the language will
 20 become familiar to those following this as we go through
 21 it.
 22 The title, "The evacuation strategy for this
 23 building". Note the words "for this building".
 24 This is divided into two parts: residential and
 25 employees.

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1 Under the residential part at the top of your
 2 screen, it says:
 3 "For the residents of this building there is a
 4 'defend in place or stay put' evacuation strategy, this
 5 means the residents remain within their own dwelling
 6 during a fire incident unless the fire is in that
 7 dwelling or it is otherwise affected, in which case they
 8 should immediately evacuate the dwelling and call the
 9 Fire and Rescue Service. The Fire Service or Royal
 10 Borough of Kensington and Chelsea (RBKC) or Tenant
 11 Management Organisation (TMO) employees will arrange for
 12 a general evacuation of the building at anytime if this
 13 is appropriate or the resident can leave at anytime if
 14 they so wish. TMO has provided information to all
 15 residents via letters and briefing sheets of 'what to do
 16 in the event of an emergency' and articles on fire
 17 safety advice and emergency procedures are included in
 18 the resident's magazine called 'Link'.
 19 "Also articles are provided reminding tenants that
 20 they must not store items in communal areas nor cause
 21 obstructions to the means of escape, these articles are
 22 produced in the 7 major languages which have been
 23 selected as being most likely to meet the needs of the
 24 residents.
 25 "The landlord relies upon the tenants to respond to

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1 any emergency in accord with agreed emergency plans and
2 does not facilitate any fire drills or other emergency
3 evacuation exercises."

4 What was the purpose of this section, in general?

5 A. What is the evacuation strategy for the residents of the
6 building.

7 Q. Specifically, was the purpose of this text here to set
8 out your consideration of the fire procedures that were
9 in place for evacuation in the event of a fire?

10 A. Yes.

11 Q. Yes. Is it right that you used this section of your
12 FRAs to set out the arrangements for providing
13 fire safety information to TMO residents?

14 A. Partly, yes.

15 Q. Yes.

16 Now, the requirement to consider fire safety
17 procedures, do you agree, is set out in PAS 79 at
18 clause 16.3?

19 I don't expect you to remember the precise
20 provision. Let's look at it, and then confirm what I've
21 just asked you. {CTA00000003/54}, 16.3. If we can have
22 that expanded, please:

23 "In the course of the fire risk assessment, the
24 following matters should be considered. Any
25 shortcomings in these matters should be identified in

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1 the documented fire risk assessment and should be
2 addressed in the action plan (see Clause 19):

3 "a) the fire procedures, including procedures for
4 people with special responsibilities in the event of
5 a fire;

6 "b) the arrangements for summoning the fire and
7 rescue service in the event of fire;

8 "c) the nomination of people to respond to fire,
9 using fire-fighting equipment if appropriate to do so;

10 "d) where appropriate, the nomination of people to
11 assist with evacuation;

12 "e) arrangements for liaison with the fire and
13 rescue service."

14 Then skip down to (i) "fire drills", and then skip
15 further down to (m):

16 "Appropriate records, including, normally, a fire
17 safety manual."

18 Would you agree with the first sentence of that
19 section or clause, that the purpose of identifying and
20 considering the fire safety procedures in place is so
21 that you can identify any shortcomings and, if any are
22 found, identify them in your FRA and action plan?

23 A. Yes.

24 Q. Now, in the commentary to clause 16 — and we find this
25 at page 51 {CTA00000003/51} — viii, left-hand column,

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1 under "Fire procedures":

2 "In the course of the fire risk assessment, there is
3 a need to ensure that there are formal, documented
4 procedures for people to follow in the event of a fire,
5 and that the procedures in question are adequate.
6 Adequate procedures will normally address ..."

7 And there is a list of things.

8 Do you agree that your role as a fire risk assessor
9 was to assess the adequacy of the TMO's fire safety
10 procedures for people to follow in the event of a fire
11 in their building?

12 A. Yes.

13 Q. Yes.

14 In your FRA, if we go back to {CST00003181/5}, this
15 is the December 2010 FRA, we've seen — and I've pointed
16 this out already — the section is entitled "The
17 evacuation strategy for this building".

18 A. Yes.

19 Q. "This building".

20 Was it therefore your intention that this section
21 would set out the specific evacuation strategy for
22 Grenfell Tower for which you were conducting your fire
23 risk assessment?

24 A. In two parts: one for the residential areas, one for the
25 commercial or retail areas or offices.

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1 Q. Yes. Without going to each FRA that you did for
2 Grenfell Tower thereafter, would you agree with me that
3 each FRA included the same paragraph as we've just
4 looked at in this 2010 FRA, so far as the residential
5 part of the building is concerned?

6 A. Yes, I'm just — the reason I'm hesitating is because
7 the last one is — did not have any other areas apart
8 from residential in it. So without looking at it,
9 I don't know whether there is — the bottom part would
10 be in that one, because the gym and the nursery weren't
11 in operation then, they were still shell buildings.

12 Q. Just focusing on the part I read out aloud to you, the
13 top part of the box, do you remember where you got that
14 information from initially?

15 A. The defend in place/stay put?

16 Q. The text. The information making up the text.

17 A. It is predominantly from what a stay-put policy is as
18 per the guidance, purpose-built block of flats.

19 Q. Let me be clearer.

20 You have set out the evacuation strategy for
21 Grenfell Tower in this December 2010 FRA and I've read
22 you the text for the residential part of the building;
23 what was the source of the information comprised in that
24 text?

25 A. The history of where did it come from? Sorry, I'm

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1 confused.
 2 Q. Where did you get it from?
 3 A. Well, that's the defend — the stay—put strategy, and it
 4 would have come from the initial FRA and the 2013
 5 fire strategy that you showed me earlier.
 6 Q. Well, the 2013 strategy only came into being three years
 7 later; this is the 2010 FRA.
 8 A. Oh, okay, sorry. So this is the 2010 one. So this is
 9 what stay put is, stay put is from documentation, so —
 10 Q. Yes. Let me be more specific: where did you get the
 11 specific information about the TMO providing information
 12 to residents via letters, briefing sheets, et cetera?
 13 A. Oh, talking to Janice Wray and the letter we talked
 14 about earlier on. So as I started this process, this
 15 was part of the information.
 16 Q. Right.
 17 Now, you say "the letter we talked about earlier
 18 on"; was that the letter of 27 September —
 19 A. Yes.
 20 Q. — 2010?
 21 A. Yes.
 22 Q. Which was a few months before you signed off on this
 23 document?
 24 A. Yes.
 25 Q. And that, as we know, followed your meeting with

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1 Janice Wray on 24 September 2010; yes?
 2 A. Yes.
 3 Q. Let's just go to that, then, to pin this down.
 4 {CST00003061/3}, please.
 5 What I'd like to do is put that up at the same time
 6 as this text, if we can. Keep what we have on the
 7 screen at the moment {CST00003181/5} and put up
 8 {CST00003061/3}.
 9 (Pause)
 10 Thank you.
 11 Now, what we have on the right—hand side is the
 12 letter, part of the 27 September 2010 letter, and if we
 13 look at and compare the texts, you can see, just casting
 14 your eye from right to left and back again, it says on
 15 the right—hand side:
 16 "In residential accommodation buildings there is
 17 a 'defend in place' evacuation strategy for the
 18 residents, this means the residents remain within their
 19 own dwelling during a fire incident unless the fire is
 20 in their dwelling or it is otherwise affected, in which
 21 case they immediately evacuate the flat and call the
 22 Fire and Rescue Service. The Fire Service or TMO
 23 employees can or will arrange for a general evacuation
 24 of the building at anytime if this is appropriate or
 25 resident can leave at anytime if they so wish. This

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1 information is provided to the residents by TMO in
 2 a number of different formats, newsletters, the Link
 3 magazine or at residents meetings."
 4 Et cetera.
 5 So it looks very much as if the source of what's on
 6 the left—hand side came from what's on the right—hand
 7 side; is that right?
 8 A. Yes.
 9 Q. But what's on the right—hand side was intended to refer
 10 to all buildings in the TMO stock for which you were to
 11 do FRAs; that's right, isn't it?
 12 A. Yes.
 13 Q. Whereas what's on the left—hand side was specific to
 14 Grenfell Tower; yes?
 15 A. Well, the same management or evacuation policy is going
 16 to be the same for virtually all their buildings.
 17 Q. Right.
 18 A. The only difference is going to be is there a fire alarm
 19 fitted in certain buildings, where it would be
 20 a simultaneous evacuation policy rather than a stay put.
 21 Q. If we scroll up to page 2 in the letter,
 22 {CST00003061/2}, you see under the heading "Fire and
 23 Emergency Information for Residents".
 24 In the middle of the paragraph, you see it says:
 25 "As part of TMO's on going policy to keep residents

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1 informed on all emergency and safety issues articles and
 2 information is regularly published about fire safety
 3 advice and emergency procedures in the 'Link' magazine.
 4 Also all residents receive via letters and briefing
 5 sheets 'what to do in the event of an emergency' and
 6 reminding them that they must not store items in
 7 communal areas nor cause obstructions to the means of
 8 escape routes."
 9 Et cetera.
 10 Again, that generic information is the same
 11 information as you have included in the second half of
 12 the Grenfell Tower December 2010 FRA in the lower part
 13 of the box on the left.
 14 A. Yes.
 15 Q. So is it right, in reality, that in fact you obtained
 16 the information that you included in your Grenfell Tower
 17 December 2010 FRA at the meeting on 24 September 2010
 18 and as reflected in your letter in response to that on
 19 27 September 2010?
 20 A. Yes.
 21 Q. And that information was not specific to Grenfell Tower,
 22 it was generic?
 23 A. Generic for their buildings that were applicable to
 24 that, so in other words they didn't have a fire alarm
 25 system fitted.

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1 Q. When you did your FRA for Grenfell Tower in
 2 December 2010, did you ever go about asking yourself
 3 whether there was anything specific about Grenfell Tower
 4 which would lead you to write something different when
 5 you were identifying and describing the evacuation
 6 strategy for Grenfell Tower?
 7 A. No.
 8 Q. So although it's not a cut and paste, it's a copy
 9 across, really, from the generic to the specific; is
 10 that fair?
 11 A. It's going to be virtually the same. The buildings are
 12 constructed the same way, the management strategy and
 13 policies are virtually the same. It's a general needs
 14 block of flats.
 15 Q. If we look at page 5 of the fire risk assessment,
 16 {CST00003181/5}, in the last sentence you can see in the
 17 box there it says:
 18 "The landlord relies upon the tenants to respond to
 19 any emergency in accord with agreed emergency plans and
 20 does not facilitate any fire drills or other emergency
 21 evacuation exercises."
 22 Did Janice Wray tell you that at the
 23 24 September 2010 meeting?
 24 A. That they don't do any — undertake any fire drills?
 25 Q. Yes.

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1 A. No. What —
 2 Q. Where — sorry.
 3 A. No, she didn't.
 4 Q. Where did you get that information from?
 5 A. Because there was no one in the building to undertake
 6 a fire drill. It would be standard policy and procedure
 7 for a residential general needs block of flats.
 8 Q. So what you have said there is again generic, is it?
 9 A. Yes.
 10 Q. What were the agreed emergency plans referred to there?
 11 A. Sorry, which line? Where am I looking, please, left or
 12 right?
 13 Q. Yes, of course, left — hand side of the screen, last
 14 sentence in the first chunk, "The landlord relies upon
 15 tenants to respond to any emergency in accord with
 16 agreed emergency plans".
 17 What were the agreed emergency plans for
 18 Grenfell Tower?
 19 A. Stay-put policy, which is unless the fire's immediately
 20 affecting you or your flat, you would stay within your
 21 dwelling, otherwise you would leave the building.
 22 Q. I see. So that's not an agreed evacuation plan; it's
 23 a stay-put plan, is it?
 24 A. Are they the same?
 25 Q. Well, that's an interesting question. It's not for me

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1 to answer. I think probably more your line of work.
 2 Are they the same?
 3 A. Stay put is an evacuation plan, the same as simultaneous
 4 evacuation is an evacuation plan. It is how the
 5 building's designed, set up, compartmented, and it is
 6 the policy or the strategy of that building.
 7 Q. Did you ever check to see whether the information about
 8 general evacuation was ever provided to residents by way
 9 of the TMO information to residents, such as
 10 newsletters, Link magazine, briefing sheets of what to
 11 do in the event of emergency, et cetera?
 12 A. Yes, so I've looked in the handbook, there were sections
 13 in the handbook. There was items in the Link magazine,
 14 because I think at one point Janice Wray actually ran
 15 one by me to say this is what London-wide — I can't
 16 remember the umbrella organisation of councils, were
 17 going to put out and things like that. So, yes, I do
 18 know that the information was given out.
 19 Q. Did you check to see if it was provided in the seven
 20 languages that you detailed in your FRA?
 21 A. In the bottom — sorry, I'm trying to visualise it. In
 22 the bottom of the Link magazine, it actually gives you
 23 the seven languages and it says, "Anything in this" —
 24 sorry, I can't remember exact words, but it says
 25 something like, "If you kind of want it in any of these

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1 languages, please ask".
 2 Q. Yes, you are right, it does do that, but the invitation
 3 is in English, isn't it?
 4 A. Isn't all the information in the languages as well in
 5 the boxes on the document?
 6 Q. We can look at that in due course.
 7 Did you ever ask her about whether that information
 8 ever included advice for vulnerable residents about
 9 evacuation planning or how to apply for a PEEP?
 10 A. Yes, I think that was discussed at points.
 11 MR MILLETT: We will come back to that tomorrow.
 12 Mr Chairman, is that a convenient moment?
 13 SIR MARTIN MOORE-BICK: Yes, I think it is, Mr Millett,
 14 thank you very much.
 15 Well, Mr Stokes, I think it's time we closed for the
 16 day.
 17 THE WITNESS: Thank you, sir.
 18 SIR MARTIN MOORE-BICK: I'm going to have to ask you to come
 19 back tomorrow to give further evidence, I'm afraid, but
 20 I think you were expecting that.
 21 THE WITNESS: Yes, sir.
 22 SIR MARTIN MOORE-BICK: So all it remains for me to say is
 23 we will resume at 10 o'clock tomorrow, and please don't
 24 talk to anyone about your evidence or anything relating
 25 to it over the break. All right?

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1 THE WITNESS: Okay. Thank you, sir.
 2 SIR MARTIN MOORE–BICK: Thank you very much. If you would
 3 like to go with the usher, then, please.
 4 (Pause)
 5 Thank you.
 6 10 o'clock tomorrow, then, please.
 7 MR MILLETT: Thank you, Mr Chairman.
 8 SIR MARTIN MOORE–BICK: Thank you.
 9 (4.30 pm)
 10 (The hearing adjourned until 10 am
 11 on Wednesday, 26 May 2021)
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