

OPUS 2

INTERNATIONAL

Grenfell Tower Inquiry

Day 8

March 4, 2020

Opus 2 International - Official Court Reporters

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1 Wednesday, 4 March 2020
 2 (10.00 am)
 3 SIR MARTIN MOORE-BICK: Good morning, everyone. Welcome to
 4 today's hearing. We're going to continue today hearing
 5 evidence from Mr Sounes of Studio E. So could we have
 6 Mr Sounes in, please. Thank you.
 7 MR BRUCE SOUNES (continued)
 8 Questions from COUNSEL TO THE INQUIRY (continued)
 9 SIR MARTIN MOORE-BICK: Good morning, Mr Sounes.
 10 THE WITNESS: Good morning.
 11 SIR MARTIN MOORE-BICK: Are you ready to continue?
 12 THE WITNESS: Yes.
 13 SIR MARTIN MOORE-BICK: Thank you.
 14 Yes, Ms Grange.
 15 MS GRANGE: Good morning, Mr Sounes.
 16 Can I just explain what we're going to do in the
 17 first part of this morning. We were looking at Exova
 18 and Studio E's involvement with Exova yesterday, and I'm
 19 going to carry on on that topic, in particular going
 20 chronologically through what occurred with Exova in
 21 terms of what Studio E were saying to Exova, what
 22 information they were providing and what information you
 23 were getting back from Exova. Is that understood?
 24 A. Okay.
 25 Q. Yes.

1

1 So I want to pick it up in August 2012.
 2 So on 16 August 2012, a draft of the existing
 3 fire safety strategy was produced by Exova. Can we just
 4 turn that up. That's at {TMO10001925}.
 5 (Pause)
 6 Thank you.
 7 So we can see there from that frontispiece that this
 8 is the existing fire safety strategy for the Grenfell
 9 project, and it's dated, we can see on the right-hand
 10 side, at the bottom, 16 August 2012. Do you see that?
 11 A. Yes.
 12 Q. We also see that it's got the draft watermark across it;
 13 can you see that?
 14 A. Yes.
 15 Q. If we look at page 2 of this {TMO10001925/2}, we can see
 16 there that it's been prepared by Cate Cooney; can you
 17 see that in the box?
 18 A. Yes.
 19 Q. And reviewed by Dr Clare Barker; do you see that there?
 20 A. Yes.
 21 Q. Thank you.
 22 Now, we don't need to look at this existing
 23 fire safety strategy, but I want to ask you some
 24 questions about what happened after you had received
 25 this.

2

1 So if we can bring up {SEA0000043}, and what
 2 I would like to do is look at the second email in the
 3 chain at the bottom of that page.
 4 So on 16 August 2012 -- so this is the day that you
 5 received the existing fire strategy -- you email
 6 Ms Cooney of Exova, and you say:
 7 "Cate,
 8 "I started this just as your email arrived. We are
 9 submitting for planning next week and need some
 10 confidence the stair and escape provisions will work.
 11 "Please can you comment on the introduction of
 12 residential units on the Mezzanine level too?"
 13 Do you see that there?
 14 A. Yeah.
 15 Q. Then can we just scroll up to the top of this page. She
 16 responds to you later that day. She says:
 17 "Hi Bruce,
 18 "The document we have sent through today is for the
 19 existing building. I will take a look at the plans you
 20 have sent through in the morning and will give you
 21 a call to discuss."
 22 Do you see that there?
 23 A. Yeah.
 24 Q. So she is saying there that she is going to call you.
 25 I'm just giving you the context for this.

3

1 Now, I'm now going to turn to an email that you
 2 wouldn't have seen at the time. This is {EXO00001279}.
 3 What I would like you to do is just read that email to
 4 yourself, first of all.
 5 (Pause)
 6 A. Okay.
 7 Q. Okay. I want to ask you some questions about this.
 8 So let's just go over it one more time in terms of
 9 what she said in this email:
 10 "I have just spoken to Bruce in relation to the
 11 attached. We have just sent through the existing
 12 fire strategy for it, basically 1970s 24 storey
 13 residential tower with non residential use to the first
 14 4 floors. They are now adding additional levels which
 15 merges uses around a single stair. Not great.
 16 Basically I have told him we can massage the proposal to
 17 something acceptable, with separation, lobbies etc but
 18 that there are approvals risks to the project on the
 19 [firefighting] shaft/MOE front. James has been to site
 20 and given some advice, but I don't know what he's said,
 21 but it would appear not much. They are making an
 22 existing crap condition worse so it's a matter of
 23 working the worse bits out and making the new stuff
 24 work. No sprinklers wanted. LABC building control
 25 Kensington and Chelsea -- do we have any contacts

4

1 there?"
 2 So you see that?
 3 A. Yeah.
 4 Q. So this is an email Cate Cooney is sending to her
 5 colleague, Andrew Martyn, on 17 August 2012, after she
 6 has just spoken to you. Do you see that?
 7 A. Yeah. Yeah.
 8 Q. Did she discuss her concerns with you about merging uses
 9 around a single stair? Do you recall that?
 10 A. I -- sorry, this is Cate Cooney.
 11 Q. Yes.
 12 A. Without referring to my statement, I can't recall if she
 13 was the one who came to the meeting. She would,
 14 I think, have been the one who came to the meeting.
 15 Q. Do you mean the design team meeting?
 16 A. Yes. I think I spoke to Clare Barker and Cate Cooney at
 17 different times. I don't recall the conversation.
 18 I mean -- sorry.
 19 Q. No, if you don't recall it ...
 20 So do you recall Cate Cooney ever suggesting to
 21 Studio E that Exova would try and do something to get
 22 around the problem posed by the fact that building
 23 control might be otherwise likely to reject the smoke
 24 ventilation system and other proposals for
 25 Grenfell Tower?

1 A. Erm ... can I just give you my impression reading this?
 2 Q. Yes.
 3 A. It raises a level of concern I was not aware of.
 4 Q. Understood.
 5 A. If that ...
 6 Q. Yes.
 7 A. I don't think I was aware of it, even in the report.
 8 Q. Yes. With reference to the sentence:
 9 "Basically I have told him we can massage the
 10 proposal to something acceptable, with separation,
 11 lobbies etc ..."
 12 Do you ever recall anyone at Exova saying to you,
 13 "We can massage the proposals"? Do you remember that
 14 being said?
 15 A. No, but the -- I do recall that this issue of different
 16 uses sharing an escape did come up subsequently.
 17 Q. Yes.
 18 A. I wasn't aware there was anything fundamental behind
 19 it -- or a fundamental problem with it. I --
 20 Q. Yes.
 21 A. I thought it could be dealt with.
 22 Q. Yes, it's certainly something Exova deal with in their
 23 fire strategy and explain that they think it can be
 24 dealt with.
 25 A. Yeah.

1 Q. And we will be asking them about that.
 2 Where we've got "MOE front" referred to in this
 3 email, would you understand that to mean "means of
 4 escape"?
 5 A. That's the way I read it, yeah.
 6 Q. Yes.
 7 With regard to the sentence:
 8 "They are making an existing crap condition worse so
 9 it's a matter of working the worse bits out and making
 10 the new stuff work."
 11 Do you see that?
 12 A. Yeah.
 13 Q. Again, do you recall anyone from Exova ever saying to
 14 you, "You're making an existing crap condition worse"?
 15 A. As I said to you, if I was to summarise my response,
 16 I don't recall that level of concern about the
 17 existing --
 18 Q. Yes.
 19 A. I think it was understood that the building would have
 20 complied, but it wouldn't then in 2012, as I understand
 21 it. If it had been built in 2012.
 22 Q. Yes, I see.
 23 There is a comment towards the end there where they
 24 say "No sprinklers wanted". Do you see that?
 25 A. Yeah.

1 Q. Did Ms Cooney or anyone at Exova ever discuss the
 2 provision of sprinklers in the building with you? Do
 3 you have any recollection of that?
 4 A. I don't have recollection of sprinklers. I know it
 5 comes up later with Terry, but at this point I don't
 6 recall sprinklers being discussed or raised or -- as
 7 something that may be needed. I don't recall. That's
 8 not to say it wasn't discussed, I just can't recall.
 9 Q. Was there ever any suggestion to you by Exova that
 10 Studio E ought to lobby the client and suggest that
 11 sprinklers were advisable?
 12 A. No. No, I would have registered that.
 13 Q. Yes.
 14 A. I think I would have registered that.
 15 Q. Yes. Okay.
 16 I want to go to another email chain, again on the
 17 subject of -- just sticking with sprinklers for the
 18 moment. Can we bring up {SEA0006742}, and can we look
 19 at the email at the bottom of the page.
 20 Now, this is an email on 29 November 2012 from
 21 Terry Ashton to Adrian Jess, your colleague, so you
 22 wouldn't have seen this at the time. He says something
 23 about a meeting on 6 December. Then, looking at what he
 24 says with regard to the proposed changes -- this is in
 25 relation to revised layouts, that's the topic of the

1 email --
 2 A. Yeah.
 3 Q. -- can we just look at what he says in the second bullet
 4 point. He says:
 5 "Walkway +1 level - I don't see any way of improving
 6 the means of escape from the new accessible flat other
 7 than by proving a full fire detection system (an
 8 automatic fire suppression system (water mist or
 9 sprinklers) would add an extra factor of safety but we
 10 don't want to offer this at this stage)."
 11 Do you see that?
 12 A. Yes.
 13 Q. Then can we just go to the top of this page. This is
 14 Mr Jess's response on 29 November to Terry Ashton, and
 15 it cc's in the grenfell@studioe.co.uk account.
 16 Would those emails have gone to you?
 17 A. Yes, they would have.
 18 Q. So you may have seen this email at the time.
 19 So he responds, "Terry", and then in the second
 20 paragraph there:
 21 "I wasn't expecting to have to go as far as
 22 sprinklers/mist which wouldn't be typical in residential
 23 accommodation. I was expecting more detectors, audible
 24 interlinked alarms and maybe a connection to the main
 25 fire panel in reception?"

9

1 Do you see that?
 2 A. Yeah.
 3 Q. So Mr Jess is indicating that he didn't expect to go as
 4 far as sprinklers, which he said wouldn't be typical.
 5 In the light of that exchange, did Studio E ever
 6 give any serious consideration to the introduction of
 7 sprinklers in Grenfell Tower?
 8 A. It wouldn't be something we would hold a view on, so
 9 I don't think we would have ... we would have expected
 10 the fire consultant to recommend or building control to
 11 advise any requirement. The architect wouldn't normally
 12 hold a view on that.
 13 Q. I see. So because Exova weren't recommending
 14 sprinklers, you say that that wasn't something that you
 15 seriously looked into?
 16 A. Yes.
 17 Q. Were you aware that Approved Document B required
 18 sprinklers in all new-builds over 30 metres?
 19 A. No, I did not.
 20 Q. Were you aware at the time, at this time, that the means
 21 of escape from the tower was via a single narrow stair
 22 and that the ventilation was unsatisfactory?
 23 A. Yes, I think that formed the subject of a lot of
 24 correspondence and discussion.
 25 Q. Did it ever occur to you that a way of mitigating those

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1 problems might be sprinklers throughout the flats?
 2 A. Erm ... no. No, I wouldn't have necessarily put them
 3 together, but --
 4 Q. Understood.
 5 A. -- I'm not the fire consultant.
 6 Q. I'm now going to take you to some emails which lead up
 7 to Exova's design note of 12 September 2012.
 8 If we can just turn to your witness statement at
 9 {SEA00014273/61}. I want to look at paragraph 128.4.
 10 Just take a moment to re-familiarise yourself with
 11 that paragraph.
 12 (Pause)
 13 A. Yeah. Okay.
 14 Q. So you say there:
 15 "On 10 September 2012, I met Terry Ashton at our
 16 offices. I do not recall what was discussed, although
 17 note that the minutes for the design team meeting on
 18 6 September state 'draft fire strategy needs detail
 19 interrogation and a meeting was arranged with SE early
 20 next week to review.'
 21 Do you see that there?
 22 A. Yes.
 23 Q. Is it the position that you still can't recall what you
 24 discussed with Mr Ashton at that meeting?
 25 A. Not -- I wouldn't say I can remember any detail, but

11

1 strangely I have a recollection of being in the room,
 2 but I don't --
 3 Q. Yes.
 4 A. Yeah.
 5 Q. Okay.
 6 Can we just look at an email chain that's linked to
 7 this. If we go to {SEA00000058}. I want to start by
 8 looking at the bottom email on page 2 {SEA00000058/2}.
 9 So this is you emailing Cate Cooney on
 10 28 August 2012. Do you see that there?
 11 A. Yeah.
 12 Q. You say:
 13 "Dear Cate,
 14 "Our planning application has just been submitted
 15 and we will be working on the visuals for a week or two
 16 still. However I am very conscious that the fire
 17 strategy for the proposed design is somewhat embryonic.
 18 Please could you come back to me regarding progress and
 19 when we can expect a markup of the plans?"
 20 Do you see that there?
 21 A. Yeah.
 22 Q. Can you recall what you meant by "embryonic" at that
 23 time?
 24 A. I ... well, obviously not -- not complete, not -- still
 25 in its draft or ... I'm not sure what they had sent us

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1 by that point, but it wasn't as robust as I would expect
 2 it to be.
 3 Q. The documents appear to show that there was Mr Ashton's
 4 commentary on 22 May with the marked-up drawings, and
 5 you had had the existing fire safety strategy by that
 6 stage.
 7 A. Yeah.
 8 Q. But there doesn't appear to have been anything produced
 9 in writing by Exova in relation to the fire strategy for
 10 the refurbishment project by this stage.
 11 A. Yeah.
 12 Q. Moving up at the bottom of page 1 {SEA00000058/1},
 13 Ms Cooney responds on 10 September saying she has been
 14 away on leave:
 15 "Apologies for the delay in getting back to you,
 16 I only returned from leave on Friday."
 17 And she says she will send up some preliminary
 18 mark-ups to give you an idea of possibilities for the
 19 current layout; do you see that?
 20 A. Yeah.
 21 Q. Then the top of the page records that:
 22 "[Mr Ashton] is coming in to our office at 3pm
 23 today. No need to duplicate any work."
 24 Looking back on this, do you think that the meeting
 25 you had with Mr Ashton might have been to talk about the

1 existing fire safety strategy that you received from
 2 Exova, or do you think you would have also talked about
 3 the refurbishment fire strategy?
 4 A. I would expect we would have discussed both.
 5 Q. Yes.
 6 Now, I just want to look at three references in
 7 design team meetings so we can see what Exova knew from
 8 those design team meetings about the overcladding by
 9 this stage.
 10 I want to go back to the design team meeting on
 11 19 April 2012. Can we turn that up at {TMO10001143}.
 12 So this is a project team meeting on 19 April. We can
 13 see in the middle of those present that James Lee --
 14 "J Lee", do you see there in the middle? --
 15 A. Yes.
 16 Q. -- was present at that meeting, as were you.
 17 If you go to item 3.0 on page 2 {TMO10001143/2},
 18 under the "Further objectives" list at the bottom, can
 19 you see in the first point it says there:
 20 "Improving the thermal efficiency and visual
 21 appearance of the façade, possibly complementary to
 22 KALC."
 23 Do you see that?
 24 A. Yeah.
 25 Q. Then at page 4 of 5 {TMO10001143/4}, there is

1 a post-meeting note at item 6, if we can zoom in on
 2 that. Thank you. So this is a post-meeting note,
 3 "Meeting with RBKC planners", and in the last
 4 subparagraph there, it says:
 5 "The Planners responded negatively to aluminium
 6 rainscreen as a cladding solution, calling it plastic.
 7 They would like to see the character of the tower
 8 retained or enhanced, even suggesting leaving the
 9 diamond piers exposed. They would prefer to see an
 10 insulated render system."
 11 Do you see that there?
 12 A. Yeah.
 13 Q. So do you agree that it would have been obvious to
 14 Exova, if they had read those minutes, that there was
 15 a proposal to overclad the exterior façade of the
 16 building?
 17 A. Sorry, just -- the date of these notes again?
 18 Q. Sorry, these notes are 19 April 2012, so quite early on.
 19 A. Oh yes. Quite early, yes. Well, James Lee was --
 20 Q. Present, yes.
 21 A. Yeah.
 22 Q. Do you agree it was also obvious that a rainscreen
 23 system was being considered at that time?
 24 A. It was, yes.
 25 Q. In your view, would it have also been obvious that that

1 would have to include some form of thermal insulation,
 2 given that the objective was to improve the thermal
 3 efficiency?
 4 A. Yes.
 5 Q. So then if we can turn to another design team meeting
 6 a bit later on 18 July 2012. This is {EXO00000753}. We
 7 see those present, which includes you, at the bottom,
 8 and then there is a distribution list just underneath
 9 that, which says "As present". Do you see that?
 10 A. Yes.
 11 Q. We have Mr Ashton of Exova listed there.
 12 From your understanding, was it routine that anybody
 13 on the distribution list would receive copies of these
 14 design team meeting notes?
 15 A. Yes.
 16 Q. How would that occur? How would they be sent them?
 17 A. In email.
 18 Q. Yes.
 19 A. Usually as one email.
 20 Q. Yes.
 21 A. Yeah.
 22 Q. At that meeting -- can we look at page 2 of 4
 23 {EXO00000753/2}, under "Architecture", and I want to
 24 look at the second-to-last point up on that page. Do
 25 you see there, there is a paragraph that says this:

1 "Zinc rainscreen emerging as front runner
 2 aesthetically for cladding. VMZinc Composite panel may
 3 be most cost effective for true zinc finish."
 4 Do you see that there?
 5 A. Yeah.
 6 Q. Again, do you agree that, if those minutes had been read
 7 by Exova, it would have been obvious that a zinc
 8 composite panelling was being proposed as part of the
 9 exterior cladding?
 10 A. I think it's obvious from the notes, yes.
 11 Q. I just want to look at one more design team meeting.
 12 This is 6 September 2012. This is {SEA00006157}. We
 13 see there that in the "Present" list, Terry Ashton is
 14 actually present at this meeting. Do you see that
 15 there?
 16 A. Yeah.
 17 Q. If we look over on to page 3 {SEA00006157/3} under the
 18 heading "Costs", we see just, one item up from the
 19 bottom of that section, there is a line that says:
 20 "SE [Studio E] to provide updates measures for
 21 external cladding elements."
 22 Do you see that?
 23 A. Yes.
 24 Q. Then back on to page 2 {SEA00006157/2}, under the
 25 heading "Fire", there is a note here about Exova. If

17

1 I can just read that to you:
 2 "Exova need to understand the existing situation and
 3 whether LFB do test the Exova system twice a year, and
 4 what was behind the proposed upgrade works to the smoke
 5 exhaust/fire. The statutory position on the design
 6 needs to be established as it is not possible for
 7 Building Control to insist on enhancements."
 8 Then we also see below that:
 9 "Draft fire strategy needs detail interrogation and
 10 a meeting was arranged with SE/Exova early next week to
 11 review."
 12 And we looked at that.
 13 So here, these minuted tasks relating to Exova seem
 14 to be all about the existing situation; do you agree
 15 with that?
 16 A. I -- yes, but I --
 17 Q. Again, in your mind --
 18 SIR MARTIN MOORE-BICK: Did you want to add something?
 19 A. You put up an email a moment ago about chasing them for
 20 progress --
 21 MS GRANGE: Yeah, you were chasing for the refurb strategy
 22 as well, but just here, it seems to be talking about the
 23 existing situation; do you agree?
 24 A. Yes.
 25 Q. Can I just ask you about the sentence:

18

1 "The statutory position on the design needs to be
 2 established as it is not possible for Building Control
 3 to insist on enhancements."
 4 Can you just explain what you understood that to
 5 mean?
 6 A. It's referring to the exhaust system that served the
 7 lobbies on each floor, about which a lot of discussion
 8 was held, and Terry is saying he needs -- to establish
 9 the statutory position, I assume he needs to understand
 10 how it worked; in other words, what was approved.
 11 That's my understanding.
 12 Q. Do you think it might be trying to understand what the
 13 existing system was capable of doing, so they could
 14 decide whether there was any betterment or --
 15 A. I guess --
 16 Q. -- non-worsening?
 17 A. Yes, I think it was.
 18 Q. Yes.
 19 A. I was never clear myself, so I think there was a lot of
 20 uncertainty on how that system should work.
 21 Q. Yes. Okay, thank you.
 22 So I now want to turn to the design note which Exova
 23 produced on 12 September 2012. Let's turn that up.
 24 This is at {TMO10001562}.
 25 So we have been referring to this as the

19

1 design note. It was prepared, we can see at the top, on
 2 12 September 2012, so that's two days after it would
 3 appear you met with Mr Ashton.
 4 A. Yeah.
 5 Q. Then if we scan down the note, we can see from the blue
 6 headings, we see in the middle of that page that it
 7 says, "Compliance with The Building Regulations 2010",
 8 and we have a heading for, "Compliance with B1 (means of
 9 warning and escape)". Do you see that there?
 10 A. Yes.
 11 Q. Then we have a section of the report that deals with
 12 that.
 13 If we go over on to page 3 {TMO10001562/3}, the next
 14 main heading you see in the middle of that page at 3.2
 15 says:
 16 "Compliance with B5 (access and facilities for the
 17 fire service)."
 18 Do you see that there?
 19 A. Yes.
 20 Q. So is it right that this note only dealt with B1 and B5
 21 of the functional requirements in the building
 22 regulations?
 23 A. Yes.
 24 Q. Yes, and it doesn't deal with B2, B3 and B4, does it?
 25 A. No, it doesn't appear to.

20

1 Q. This is despite Exova having been made aware on a number
 2 of occasions of the proposal to overclad the building,
 3 including the possible use of a VMZinc composite panel.
 4 Do you agree?
 5 A. Given that the meeting was a few days prior, yeah.
 6 Q. Did the lack of any consideration of the B4 requirement
 7 cause you any concern at this stage?
 8 A. No, it didn't. We were principally concerned with the
 9 proposed scope of changes; in other words, ensuring that
 10 what we were proposing in the planning application was
 11 feasible and could be shown to be compliant.
 12 Q. Compliant with the building regulations?
 13 A. Building regs, yes.
 14 Q. So you weren't concerned that it doesn't deal with the
 15 B4 requirement and in the context of the proposal to
 16 overclad the building?
 17 A. At this stage, I was -- we were definitely -- the
 18 priority was understanding the scope and, as mentioned,
 19 the ventilation .
 20 Q. Yes. Can we turn to your witness statement where you
 21 deal with this point. This is at {SEA00014273/61}.
 22 I want to look at point 128.5 there in the middle of the
 23 page.
 24 So you say there:
 25 "On 12 September 2012, Jean Watt (Exova) emailed me

21

1 attaching Exova's Design Note 1. The note provided an
 2 outline fire safety strategy for the proposed
 3 refurbishment of the Tower. It focused on means of
 4 escape and access/ facilities for the fire service, which
 5 reflected our conversations with Exova."
 6 Then you say this :
 7 "As a result, I would have believed these were the
 8 most significant issues that needed to be addressed at
 9 this point."
 10 Do you see that?
 11 A. Yes.
 12 Q. So you say there that the design note reflected
 13 conversations that you had had with Exova. Do you think
 14 that meant the conversations you had had, for example,
 15 on 10 September with Mr Ashton?
 16 A. Yes. Yeah, 10th, yeah.
 17 Q. Is it right that, because your conversations with Exova
 18 at that point had focused on means of escape and access
 19 facilities for the fire service, that is why the
 20 design note included that content?
 21 A. Yes, I think that's probably correct.
 22 Q. Then at the end of that paragraph you have said:
 23 "As a result, I would have believed these were the
 24 most significant issues that needed to be addressed at
 25 this point."

22

1 Can you explain what you meant by "at this point"?
 2 A. At this point in the design, in finalising the layouts.
 3 Q. You thought that the most important issues were B1 and
 4 B5; is that correct?
 5 A. Yes, I guess, correct.
 6 Q. So is it right that, because the design note focuses on
 7 those issues, you inferred that those were the most
 8 significant issues that needed to be addressed for the
 9 refurbishment fire strategy?
 10 A. That's extending it a bit. I think, as a designer,
 11 you're looking at the risk to what you're doing, and
 12 clearly the more fundamental risk was the alterations
 13 that were being proposed and the change of use and the
 14 extra floor space being created, and wanting to be sure
 15 that we weren't making a problem for ourselves.
 16 Q. Were you thinking much at this time about the
 17 overcladding and the potential impact of that on the
 18 building regulations compliance?
 19 A. At this stage I think we had only discussed it in terms
 20 of the part L and the ventilation, window openings, the
 21 method of window opening, and the aesthetics.
 22 Q. In your mind, was, say, the B4 requirement, external
 23 fire spread, something you needed to come back to later?
 24 Were you aware of that at the time?
 25 A. I mean, we touched on this yesterday. My understanding

23

1 was at the time that what was proposed was routine.
 2 Q. Yes.
 3 A. It would be revisited formally at an application, but if
 4 we were adopting a standard practice, we wouldn't expect
 5 there to be any concerns.
 6 Q. I understand.
 7 Did you consider that the design note contained
 8 sufficient information to progress the design for RIBA
 9 stage C?
 10 A. I think that's a ... a judgement which is quite
 11 difficult to make without reassessing it, but I think we
 12 were still waiting for the final report. So I'm sure
 13 that -- I wasn't entirely confident without the report,
 14 but I think the discussions and the design note gave
 15 some level of comfort.
 16 Q. Yes. Did the quality of the design note give you any
 17 cause to question the competence of Exova at that stage?
 18 A. No.
 19 Q. Can we look at an email, {SEA00006121}, and I want to go
 20 to the third email down in the chain on page 3
 21 {SEA00006121/3}. What we see here is this is an email
 22 from you to Mr Hale and others at Appleyards. Do you
 23 see that at the top?
 24 A. Yeah.
 25 Q. David Hale, Ms Lim, and then Mark Anderson of the TMO.

24

1 This is dated 13 September 2012, so this is the day
 2 after the date of the design note on 12 September.
 3 A. Yeah.
 4 Q. I want to look at what you have said in the second
 5 paragraph. You say:
 6 "We have identified a £200k saving against the [sic]
 7 just on the measure to the elevations."
 8 Then you say this:
 9 "Terry didn't identify any fundamental problems with
 10 the fire strategy but liaison with Building Control is
 11 essential because, as he put it, RBKC set their own
 12 standards."
 13 Then you say:
 14 "Exova outline strategy attached."
 15 You have attached the design note at that stage.
 16 A. Yeah.
 17 Q. Do you see that?
 18 A. Yeah. I think the missing words were in the subject,
 19 "the cost plan". "Saving against the cost plan".
 20 Q. Yes, yes, understood. I understand.
 21 You haven't pointed out in this email that Mr Ashton
 22 hadn't identified any fundamental problems only with B1
 23 and B5, do you?
 24 A. No, no, I don't qualify that.
 25 Q. What did you think Mr Ashton meant when he said to you

25

1 "RBKC set their own standards"? That's what you have
 2 said in that last part:
 3 "... as he put it, RBKC set their own standards."
 4 And that's why liaison with building control is
 5 essential.
 6 A. At this point, my understanding was that building
 7 control had quite a wide prerogative as to what they
 8 could agree or insist upon as -- to demonstrate
 9 compliance, and that he might have had previous
 10 experience with RBKC which led him to say that.
 11 Q. Yes.
 12 A. That's what I think it comes from.
 13 Q. Had you had previous experience with RBKC in terms of
 14 their building control team?
 15 A. Not me personally. We met them in December, didn't we,
 16 after this? No.
 17 Q. No, okay.
 18 I'm now going to ask you a series of questions about
 19 consideration that was given about disabled people in
 20 the tower. Can we look at some minutes of a client
 21 meeting. This is {MAX00000008}. These are minutes from
 22 a client meeting of 28 March 2012.
 23 There we can see you're present in that list at the
 24 top. So this is back earlier in the year,
 25 28 March 2012.

26

1 If we go to page 2 {MAX00000008/2}, under the
 2 heading "Additional consultants", item 4, you can see in
 3 the second point down there it says:
 4 "Possible disability consultant required. SE will
 5 approach consultant engaged on KALC."
 6 Do you see that?
 7 A. Yeah.
 8 Q. Now, is it right that the disability consultant engaged
 9 on KALC was Ms Simpson?
 10 A. Yes.
 11 Q. You knew that?
 12 A. Yeah.
 13 Q. Did you consult her on the question of evacuation of
 14 flats at Grenfell Tower?
 15 A. I don't recall doing that, specifically raising
 16 evacuation of disabled. That's your question, correct?
 17 Q. Yes.
 18 Do you recall having any discussions with Ms Simpson
 19 about Grenfell Tower as distinct from the KALC project?
 20 A. I can't recall them, but I must have done, because she
 21 prepared a report which I ... I haven't read recently.
 22 Q. So your understanding is that Ms Simpson did a report
 23 for the Grenfell Tower refurbishment; is that right?
 24 A. I think she did.
 25 Q. Did you ever have any discussions with the TMO about

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1 there being residents with restricted mobility in the
 2 tower?
 3 (Pause)
 4 A. I can't remember any specific conversations or whether
 5 the topic ever came up later, so I can't confirm or
 6 otherwise, sorry.
 7 Q. Okay, yes.
 8 Do you remember considering what was required by way
 9 of inclusive design to accommodate the evacuation of the
 10 disabled?
 11 A. No.
 12 Q. Did you ever consult Approved Document M, which deals
 13 with access to and use of buildings, during your time on
 14 the Grenfell project?
 15 A. I think we would have, although we did, both here and
 16 later, engage consultants to help us.
 17 Q. I see.
 18 Can we look at an email on this topic. If we go to
 19 {SEA00006551}. Now, this is an email dated 11 November
 20 from Mr McQuatt. Can we look at the bottom email here.
 21 So this is 11 November 2012 from Andrew McQuatt of
 22 Max Fordham to Adrian Jess of Studio E. Do you see
 23 that?
 24 A. Yes.
 25 Q. The subject is "Grenfell Tower - Facilities for the

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1 Disabled". Do you see that?
 2 A. Yes.
 3 Q. He says:
 4 "Hi Adrian
 5 "Are there going to be any new refuge areas in
 6 lobbies? If there are I think I will need to provide a
 7 refuge telephone system to provide two-way voice
 8 communication between the fire refuge and reception. It
 9 would be good to know if you covered this with building
 10 control."
 11 Do you see that?
 12 A. Yes.
 13 Q. Then if we can go to Mr Jess's response at the top of
 14 page 1 on 12 November -- just before we look at what he
 15 says, do you note there that he has cc'd his response
 16 into the grenfell@studioe.co.uk address?
 17 A. Yes.
 18 Q. He said this:
 19 "No refuges.
 20 "Mass evacuation is not part of the existing fire
 21 strategy and we are following their lead. Generally
 22 people stay in their flat unless their flat is on fire.
 23 I assume the intention is for vulnerable people to
 24 refuge in other flats on the same floor before being
 25 evacuated by the fire brigade."

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1 Do you see that there?
 2 A. Yes.
 3 Q. Now, do you know whether Studio E had been informed by
 4 the TMO that this was what the plan was for vulnerable
 5 people or those with a disability in the tower?
 6 A. No.
 7 Q. So no, you don't recall whether you were told by the
 8 TMO, or no, you think you weren't told that by the TMO?
 9 A. I don't believe we were told. I think Adrian's words
 10 there, "I assume", suggest there was no direct knowledge
 11 from the TMO.
 12 Q. Were you ever party, from what you can recall, to any
 13 discussions around the evacuation plan for vulnerable
 14 people or those with a disability?
 15 A. Was I ever involved?
 16 Q. In discussions about that topic.
 17 A. No. I can't recall.
 18 Q. Do you recall any discussions about something called
 19 PEEPs, personal emergency evacuation plans?
 20 A. No.
 21 Q. I now want to go back to some matters arising out of the
 22 design note. Can we bring up paragraph 128.7 of your
 23 witness statement. This is {SEA00014273/61}. So if you
 24 can just read that --
 25 A. Sorry, which paragraph?

30

1 Q. Yes, sorry, the one at the bottom, 128.7. Just read
 2 that to yourself, and then we will read over the page as
 3 well and the remaining paragraph.
 4 (Pause)
 5 A. Okay.
 6 Q. So you say there -- can we just look at whether there is
 7 something over the page, sorry? Yes. We have got that.
 8 If we go back:
 9 "After circulating Exova's Design Note 1,
 10 I discussed the position of the dry riser with Churchman
 11 and Artelia asked if Exova would be liaising with
 12 Building Control. I note that on 14 September 2012,
 13 I emailed Artelia, in response to the latter request,
 14 and said 'Fire and BREEAM, whilst important are detail
 15 discussions that can be resolved once we have sign-off
 16 on the proposed scope'. This reflected the fact that
 17 the Project was not yet at a detailed design stage."
 18 Do you see that?
 19 A. Yeah.
 20 Q. Can we just look at that email that you're referring to
 21 there. So if we go to that at {SEA00006121}. If we can
 22 blow up the top half of that email. So this is you on
 23 14 September 2012 to David Hale of Appleyards and
 24 others, including the TMO, and then you have said:
 25 "Dear All,

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1 "Please see attached and below in summary form the
 2 movement between Cost Plans 2 and 3. Reviewing this
 3 yesterday as a team we noted the following ..."
 4 Do you see that? Then there are a number of bullet
 5 points.
 6 Then if you look at the second main paragraph after
 7 the bullet points, we see right at the bottom of that
 8 page:
 9 "Fire and BREEAM, whilst important are detail
 10 discussions that can be resolved once we have sign-off
 11 on the proposed scope."
 12 Do you see that there?
 13 A. Yeah.
 14 Q. So that's what you were referring to in your witness
 15 statement?
 16 A. Yeah.
 17 Q. You have referred to "fire and BREEAM". By "fire", can
 18 you recall what you meant by that?
 19 A. Erm ... no, and I haven't reviewed this recently to ...
 20 to try and explore what it might have been.
 21 Q. Could that have meant fire safety?
 22 A. Erm --
 23 Q. On the basis that that was a detailed discussion that
 24 could be resolved once you had got sign-off on the
 25 scope?

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1 A. I think these are budgetary allowances. These two items
2 have been explored by the team, and we believe they
3 should be covered by the contingency. So I think it was
4 the allowance that had been set against those two items.
5 Q. I understand, yes.
6 So I now want to turn on in the chronology to
7 October 2012. If we can turn to an email chain -- if we
8 can bring up {LBI0000620}, and I want to go to the
9 bottom email of the chain at the bottom of page 2
10 {LBI0000620/2}.
11 So this is an email that we're looking at from
12 Colin Chiles of Leadbitter to Mr Kuzzell on
13 10 October 2012. I think we can see, if we scroll
14 further up before we read that email, that you are
15 copied in to this. Can we just go one --
16 A. Yeah.
17 Q. -- page up.
18 Yes, so when Mr Kuzzell responds, we can see that
19 you're copied in. Do you see that there at the bottom
20 of the page?
21 A. Yeah.
22 Q. So just going back to the bottom of page 2 and what
23 Mr Chiles of Leadbitter said to Mr Kuzzell, if we read
24 there he said:
25 "Andrzej

1 "I have still to receive a satisfactory response
2 from the design team with reference to the concerns
3 raised by the GAG. Our client requires us to deal with
4 this and I am not willing to commence the works until
5 I receive demonstration that the fire safety of the
6 estate has been considered with on the design. This is
7 a clear requirement of the CDM regulations. The
8 response received from Exovia[sic] is in my opinion
9 casual, should I issue this to GAG it would further
10 exacerbate an already high project risk."
11 Then he says:
12 "I must have a proper response regarding
13 consultation with [building control] and LFB by return."
14 Do you see that there?
15 A. Yeah.
16 Q. Do you know what Mr Chiles is referring to there by
17 "concerns raised by the GAG"? Do you know what GAG
18 stands for?
19 A. I think it was the Grenfell Action Group.
20 Q. Yes.
21 A. The concerns?
22 Q. Yes.
23 Now, we saw --
24 SIR MARTIN MOORE-BICK: Had you finished?
25 A. I thought you asked if I knew what the concerns were.

1 MS GRANGE: Ah, no, but if you know, do tell us.
2 A. I think it was the removal of the stair, redundant
3 stair, but it could have been fire engine access, I --
4 Q. Yes.
5 Do you recall reading this? We saw that you were
6 copied in to Mr Kuzzell's response. Do you have any
7 memory of this email around this time?
8 A. I do, yeah.
9 Q. Did you note at the time that the sentence where it says
10 "The response received from Exovia is in my opinion
11 casual"?
12 Should that read "Exova"?
13 A. I think so, yes.
14 Q. So is it right that there was some dissatisfaction at
15 this time about Exova's response? This is in relation
16 to the KALC project; yes?
17 A. Yes, and I can't say I remember seeing a response on
18 this, whatever this issue was. At this point, I'm --
19 Q. Yes.
20 A. I can't comment on whether it was casual.
21 Q. Did it ring any bells for you that Exova is being
22 reported to have been casual by Mr Chiles? Do you
23 remember noticing that at the time?
24 A. I don't remember noticing it, no.
25 Q. So it didn't say to you, "Well, I need to closely

1 scrutinise the work that Exova's done now, because
2 there's clearly some additional concerns here"?
3 A. Exova were obviously our subconsultant, and this is
4 a relatively firm email from Colin, and he wasn't
5 satisfied with the content or the advice given, and it
6 was for us to ... to ensure that a proper answer was
7 provided.
8 Q. Yes.
9 Can we now look at another email, {SEA00006394}. If
10 we can blow this up. So what I want to understand from
11 this email is what information has been provided to
12 Mr Ashton by you at this stage.
13 So this is an email from Mr Jess to Mr Ashton. Do
14 you see that at the top?
15 A. Yeah.
16 Q. Again, the studioe.co.uk general email is cc'd in here.
17 It's dated 23 October 2012. We can see that it attaches
18 something called "Grenfell Work Packages", a draft of
19 work packages.
20 A. Yeah.
21 Q. Then it says:
22 "Everyone has confirmed the workshop for 2pm on
23 Thursday."
24 Then they say:
25 "The plan for Thursday is to initially have a brief

1 discussion on respective design issues to highlight
2 areas for further coordination with a particular focus
3 on allowing Terry to make contact with RBKC Building
4 Control as soon as possible ."
5 Do you see that?
6 A. Yeah.
7 Q. So there was clearly a plan to have a meeting,
8 a workshop, on Thursday, with a focus of allowing
9 Terry -- would that be Terry Ashton?
10 A. Yes.
11 Q. To make contact with RBKC building control as soon as
12 possible.
13 Can we just look at the spreadsheet that was
14 attached to this email. This is {SEA00006395}. So this
15 is a spreadsheet of work packages for Grenfell Tower
16 dated 23 October. We can see that in the top line . Do
17 you see that?
18 A. Yeah.
19 Q. Then under the column on the left -hand side headed
20 "Architectural Strategy", can you see there, there are
21 a number of references to overcladding?
22 A. Yeah.
23 Q. "Overcladding: podium - insulation"; "Overcladding:
24 podium - insulation"; "Overcladding: insulation /Zinc
25 rainscreen". Do you see that?

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1 A. Yeah.
2 Q. So there is a number and there is a number of
3 references: "New Curtain Walling"; "Overcladding:
4 rooftop plantroom". Do you see all that?
5 A. Yes. Yes.
6 Q. So do you agree that it would have been completely clear
7 to Mr Ashton, if he had looked at these work packages in
8 this spreadsheet, that the package of work included the
9 overcladding of the entire building?
10 A. I'd be honest, because the work packages were being
11 prepared for what we understood would be a novation to
12 the main contractor, and given that Exova wouldn't be
13 necessarily preparing detailed design packages, I'm not
14 sure he would have necessarily scrutinised this
15 document. But to go back to the point, was he aware
16 that the building was to be overclad, I would say yes,
17 definitely .
18 MS GRANGE: Yes.
19 Mr Chairman, I think that might be an appropriate
20 moment to have a break.
21 SIR MARTIN MOORE-BICK: Would it suit you to have a short
22 break?
23 MS GRANGE: It would, if Mr Sounes would like a break now.
24 SIR MARTIN MOORE-BICK: All right.
25 Well, we will have a short break at this point,

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1 Mr Sounes. We will say ten minutes -- well, we better
2 say back at 11.10, just over ten minutes.
3 Oh, and don't talk to anyone about your evidence.
4 THE WITNESS: Thank you.
5 SIR MARTIN MOORE-BICK: All right. 11.10, please.
6 (10.58 am)
7 (A short break)
8 (11.10 am)
9 SIR MARTIN MOORE-BICK: Are you okay to carry on, Mr Sounes?
10 THE WITNESS: Yes.
11 SIR MARTIN MOORE-BICK: All right, thank you.
12 Yes, Ms Grange.
13 MS GRANGE: Yes.
14 Thank you, Mr Sounes. We are now going to look at
15 the first issue of the outline fire safety strategy that
16 Exova provided in 31 October 2012. First of all, I just
17 want to look at the email that sent that to you.
18 Can we turn to {EXO00000518}. If we can blow that
19 up, we can see here that on 31 October at 4.21 pm,
20 issue 1, Margaret Treanor, who was an administrative
21 assistant at Exova:
22 "Hi Adrian
23 "Please find attached Issue 01 outline fire safety
24 strategy for the above project. The report is sent by
25 email only."

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1 Do you see that there?
2 A. Yes.
3 Q. So you are receiving this on 31 October, or Mr Jess is .
4 Then if we can turn up the report, this is at
5 {EXO00000519}. We see here:
6 "Grenfell Tower Outline Fire Safety Strategy."
7 Do you see that?
8 A. Yes.
9 Q. We can see it's dated 31 October 2012 in the bottom,
10 issue number: 01.
11 Then can we turn over to page 2 {EXO00000519/2}, and
12 we can see that it's been prepared by Mr Terry Ashton,
13 and reviewed by Mr Sean McEleney. Do you see that
14 there?
15 A. Yes.
16 Q. Can we turn to the introduction to this report, which is
17 on page 4 {EXO00000519/4}.
18 Can you take a moment to just read that introduction
19 to yourself.
20 (Pause)
21 A. Okay.
22 Q. So we can see in this introduction that what's happened
23 is that the author has set out what the refurbishment
24 comprises in a series of bullet points. Do you agree
25 that it doesn't state there that the refurbishment

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1 includes the overcladding of the tower?
 2 A. No, it doesn't.
 3 Q. Did you ever query that with Mr Ashton or anyone else at
 4 Exova?
 5 A. I don't recall doing so, no.
 6 Q. Do you know why that didn't get queried with Exova?
 7 A. Erm ... I'm not sure I can answer a negative like that.
 8 I can't -- I can't say.
 9 Q. You can't say?
 10 A. I can speculate, but ...
 11 Q. Do you remember noting the omission at the time you read
 12 the report? Do you remember noting, "Ah, he's
 13 summarised the refurbishment and what it comprises, but
 14 overcladding is not in there"? Do you remember that
 15 thought occurring to you?
 16 A. No.
 17 Q. We can see from the final paragraph of this introduction
 18 that the report is said to be based on discussions held
 19 with the design team and then on a number of drawings
 20 that are listed out there. Do you see that?
 21 A. Yes.
 22 Q. Proposed by Studio E.
 23 Now, none of those drawings refer to or detail any
 24 cladding on the building?
 25 A. Yeah.

1 Q. They are all proposed floor plans and none of them
 2 mention the intended changes to the façade or materials
 3 proposed at that stage.
 4 A. Yeah.
 5 Q. Did you notice that at the time, that there were no
 6 drawings or details referred to there?
 7 A. No.
 8 Q. Did you ever check with Exova whether they had
 9 sufficient drawings, specifications and details required
 10 to produce advice on the overcladding of the project?
 11 A. I ... we would have provided them the drawings we ... we
 12 had, I believe, and those drawings I presume were the
 13 planning drawings, or maybe they were precursors to the
 14 planning drawings.
 15 Q. Yes. Can we look over at page 5 {EX000000519/5}. Can
 16 we look at paragraph 2.1 at the top. We see there that
 17 it talks about the Building Regulations 2010 and it
 18 says:
 19 "The building work will have to be carried out in
 20 conformity with the requirements of Schedule 1 of the
 21 regulations."
 22 Do you see that?
 23 A. Yes.
 24 Q. Then it explains:
 25 "To satisfy Regulation 4, it will be necessary to

1 ensure that, where a building is altered, it is no more
 2 unsatisfactory in relation to the requirements of
 3 Schedule 1 than it was before the works were carried
 4 out."
 5 You see that there?
 6 A. Yes.
 7 Q. Then they've set out the requirements of schedule 1
 8 relating to fire safety, and we have B1 down to B5. Do
 9 you see that?
 10 A. Yes.
 11 Q. Then at the very bottom there we see a sentence that
 12 states:
 13 "Compliance with these requirements is normally
 14 achieved by meeting the standards contained in Approved
 15 Document B (ADB) and/or BS 9991."
 16 Do you see that there?
 17 A. Yes.
 18 Q. Was it your understanding, based on reading this report,
 19 that Exova was primarily assessing compliance based on
 20 the standards in AD B or BS 9991?
 21 A. Erm ...
 22 (Pause)
 23 The alternatives -- I mean, that is, in a sense,
 24 a question for them. But it does read to me as a bit of
 25 a template, standard bit of text.

1 Q. I see. So --
 2 A. So if you're asking me if I thought that they were going
 3 to use Approved Document B to assess the scheme, I think
 4 that's for them to answer, I guess. If that's your
 5 question.
 6 Q. Let's think about what your understanding was at the
 7 time.
 8 Was your understanding that they would be primarily
 9 using Approved Document B to assess the scheme?
 10 A. I'm not familiar with BS 9991, so ... and Approved
 11 Document B involves a fair degree of interpretation,
 12 so ... how you interpret standards in this context, I'm
 13 not sure.
 14 Q. I see. So, in your view, was that a matter for them --
 15 A. Yes.
 16 Q. -- how they interpreted those standards?
 17 A. Yes.
 18 Q. Now, we're going to look in more detail at this
 19 fire strategy, but before we do that, I just want to
 20 look at something else.
 21 On the same day that this fire strategy was sent,
 22 ie 31 October 2012, Studio E issued its RIBA stage C
 23 report. Can we just look at that. If we go to
 24 {ART00008396}, we can see here that this is an email
 25 from Adrian Jess to David Hale and others, headed

1 "Stage C report". We can see it's dated 31 October 2012
 2 at 11.37 am. Do you see? So that was sent in the
 3 morning.
 4 A. Yeah.
 5 Q. Can you see that on the cc list, Mr Ashton is one of the
 6 recipients of that email?
 7 A. Yes.
 8 Q. Then Mr Jess says:
 9 "Please find attached the studio e ftp location for
 10 the stage C report."
 11 What was an FTP location?
 12 A. It stands for file transfer protocol. This was
 13 a service that we used to allow large documents to be
 14 circulated without cluttering people's mailboxes.
 15 Q. Yes. So that's a link that somebody can click on and go
 16 to the Studio E stage C report; is that right?
 17 A. Yes, essentially an online folder with the files
 18 available for download.
 19 Q. You will recall -- we looked at it a minute ago -- that
 20 issue 1 of the outline fire safety strategy was emailed
 21 by Exova to Mr Jess at 4.21 that afternoon.
 22 So is it right that issue 1 of the outline
 23 fire safety strategy came too late for it to be
 24 incorporated into the formal reporting package for RIBA
 25 stage C that Studio E put together?

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1 A. Correct me, I thought we did include it in the final
 2 report, or did we not?
 3 Q. I think what we will discover is you include it in your
 4 stage D report.
 5 A. Did we not include it at stage C?
 6 Q. But it's not in the stage C report.
 7 A. Right.
 8 Q. Can we look at that stage C report, {MAX00000445}. So
 9 this is the Studio E Grenfell Tower regeneration project
 10 stage C report. Do you see that there?
 11 A. Yeah.
 12 Q. That stage C report included a section on the
 13 overcladding proposals. Can we go to page 27 within the
 14 report {MAX00000445/27}, and can you see that there is
 15 a whole section there headed "Design Approach: Over
 16 Cladding"; do you see that there?
 17 A. Yeah.
 18 Q. Then we have a narrative description of the original
 19 building and then a discussion about the overcladding.
 20 Then on page 28 {MAX00000445/28}, if you move over
 21 the page, we can see under "Materials", in the middle of
 22 the page, it says there:
 23 "A zinc composite rainscreen cladding is proposed to
 24 the upper levels."
 25 Then it explains that there are various advantages

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1 of zinc. Do you see that there?
 2 A. Yeah.
 3 Q. We can also see some sketches on the right-hand side,
 4 particularly figure 17 at the bottom, a corner study of
 5 the proposed zinc cladding. Do you see that there?
 6 A. Yes.
 7 Q. Then if we can go to page 31 within this report
 8 {MAX00000445/31}, we can see that there are some plan
 9 and sections on that page showing overcladding. Do you
 10 see that?
 11 A. Yes.
 12 Q. We have a number of little sections to the side and
 13 bottom, and then a plan view.
 14 Then can we go to page 32 within the report
 15 {MAX00000445/32}. We have an isometric sketch at the
 16 top which is kind of showing the layers that are going
 17 on. Can you see there we have insulation as a layer and
 18 then the rainscreen cladding going ... do you see that?
 19 Then at the bottom of that page, we see a number of
 20 cladding options under "Cladding ideas". Do you see
 21 that?
 22 A. Yeah.
 23 Q. So we have: "Rainscreen - coloured panel"; "Rainscreen -
 24 Stone Chip"; "Rainscreen - Render"; and then
 25 "Rainscreen - Aluminium" at the bottom, and

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1 "Rainscreen - Zinc".
 2 So a number of options are shown there.
 3 A. Yeah.
 4 Q. Then at page 82 of this report {MAX00000445/82}, we can
 5 see this is Max Fordham's stage C report, their own
 6 stage C report, which was incorporated in the Studio E
 7 stage C report.
 8 Under the heading "4.0 Refurbishment response to
 9 existing energy & environmental issues", can you see in
 10 the table on the top right-hand side that, four lines
 11 down, it says, "Insulation (New, Celotex FR5000)". Do
 12 you see that?
 13 A. Yeah.
 14 Q. So we know that the proposed insulation is Celotex
 15 FR5000, and there is also reference to "Zinc Cladding
 16 (New Rain Screen)" two lines above that.
 17 A. Can I go back a few questions? You asked me, I think it
 18 was the meeting of 10 September, whether I recalled the
 19 content of the meeting.
 20 Q. Yes.
 21 A. And I said I could remember the room.
 22 Q. Yes.
 23 A. Most memories are usually quite ... you're quite sure of
 24 because of their vividness, and I remember elevations on
 25 the table.

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1 Q. So you remember having elevation drawings showing the
2 cladding?
3 A. Showing the proposed --
4 Q. The proposed cladding in front of you when you talked to
5 Mr Ashton?
6 A. I'm almost sure we discussed it .
7 Q. Yes.
8 Just to finish off on this page, there is also
9 reference to a ventilated cavity underneath zinc
10 cladding in that same table.
11 Then in the next page, 83 {MAX00000445/83}, it talks
12 about glazing infill panels and "Insulation (New,
13 Celotex FR5000)" is mentioned twice there. Do you see
14 that?
15 A. Yeah.
16 Q. So, as we have just seen, Exova were sent this stage C
17 report on the morning before it then sent its outline
18 fire safety strategy in the afternoon.
19 Did you ask Mr Ashton or anyone at Exova whether
20 they had considered Studio E's stage C report before
21 they issued that issue 1 of the fire strategy?
22 A. No. I don't -- they're roughly -- the same day, aren't
23 they?
24 Q. Yes.
25 A. So --

1 Q. But did you ever have a conversation and say, "By the
2 way, we've just sent you the link to our stage C report,
3 have you had a look at that?"
4 A. No, but I think they would have had the information
5 necessary. They may not have had Max Fordham's
6 information, but they would have had ours, I believe .
7 Q. I see.
8 Can we turn back, then, to issue 1 of the outline
9 fire safety strategy. That's {EXO00000519}. I want to
10 go to paragraph 2.1 on page 5 of this report
11 {EXO00000519/5}.
12 So we know, just to orientate ourselves back in this
13 document, that the requirements of schedule 1, B1 to B5,
14 are listed there.
15 Then can we go to page 8 of the document
16 {EXO00000519/8}. If you look at the very top of that
17 page, we have a paragraph 3.1.4, "Compliance with B4
18 (external fire spread)" and it says this :
19 "It is considered that the proposed changes will
20 have no adverse effect on the building in relation to
21 external fire spread but this will be confirmed by an
22 analysis in a future issue of this report."
23 Do you see that?
24 A. Yeah.
25 Q. That's the only other place where B4 is addressed in

1 this report, other than the short list at the beginning.
2 Can you confirm that this was the only guidance that
3 Studio E received at this stage about the B4 functional
4 requirements?
5 A. Yes, to my knowledge.
6 Q. Now, looking at that first sentence, where it says:
7 "It is considered that the proposed changes will
8 have no adverse effect on the building in relation to
9 external fire spread ..."
10 Sorry, it's all one sentence. Looking at that
11 sentence, there is reference there to "the proposed
12 changes will have no adverse effect ". So what was your
13 understanding of what those proposed changes were?
14 A. The overcladding, the insulation and the replacement
15 windows. Plus obviously the extra ... well, the change
16 in the form of the building by filling in the podium
17 level .
18 Q. But it included, on your understanding, the overcladding
19 of the whole of the tower from levels 4 up to 23?
20 A. That's certainly how I would have read it , yes.
21 Q. Did you ever go back to Exova and ask to see an analysis
22 of what proposed changes they were saying would have no
23 adverse effect ?
24 A. No.
25 Q. Did it ever occur to you to do that, to check with them

1 what proposed changes they had taken into account?
2 A. As I said a moment ago, we understood that what was
3 proposed was fairly routine and something that all
4 consultants would be familiar with.
5 Q. Carrying on within that sentence, what did you
6 understand the statement "this will be confirmed by
7 an analysis in a future issue of this report" to mean?
8 A. That it was too soon for them to comment. But from our
9 point of view, at this point, stage C, it was --
10 primarily, that sentence confirmed to us there was no
11 concern.
12 Q. When did you think the further analysis would take
13 place? What was your expectation?
14 A. Well, obviously at the next or subsequent stages, once
15 the information had become clearer.
16 Q. Do you recall noting at the time that there would be
17 a need for a further analysis in a future issue of the
18 report on that requirement?
19 A. I don't recall reading that at the time, no.
20 Q. Given that the original façade was concrete, wouldn't
21 most forms of cladding be inferior to that in terms of
22 potential fire safety and fire spread?
23 A. In theory.
24 Q. Did you appreciate that at the time, that you have
25 a concrete building but what you are doing is you're

1 overlapping it, and that almost inevitably is going to
 2 mean that it's inferior in terms of its ability to
 3 resist fire, fire spread issues?
 4 A. I'm afraid that's hindsight. At the time, I certainly
 5 would have agreed with you that any cladding would not
 6 stand up in a blaze -- in other words, it wouldn't
 7 resist fire, it would fail -- but I wouldn't have
 8 automatically theoretically come to the view that it was
 9 inferior, no.
 10 Q. Did you expect that at some stage you would get
 11 a detailed analysis of how they had come to the
 12 conclusion that there would be no adverse effect on the
 13 B4 requirement?
 14 A. As I say, I don't -- I'm sure I discussed the report
 15 with Terry, but I don't recall discussing this, this
 16 item.
 17 Q. You didn't discuss this particular feature?
 18 A. I don't recall discussing this clause.
 19 Q. Ever, with Mr Ashton?
 20 A. No, we were always focusing on the concerns, and this
 21 was not a concern.
 22 Q. Yes.
 23 Did it ever occur to you that, from the perspective
 24 of the CDM Regulations, there needed to be some form of
 25 design risk assessment in respect of the risks posed by

1 the new cladding materials?
 2 A. Erm ... yes, I think that's covered in the stage D, risk
 3 assessments.
 4 Q. So in their fee proposal which we looked at yesterday,
 5 Exova had promised at stage C an outline fire strategy
 6 document that would assist early design development; do
 7 you recall that?
 8 A. Yes.
 9 Q. Did you think that this strategy met that objective, in
 10 your view? Did it assist you with the early design
 11 development?
 12 A. The strategy, in my view, was a summary of the
 13 conversations that we had had to date. In a sense, it
 14 was a stage C report on progress made on fire safety.
 15 The reason for obviously wanting fire input is not
 16 to progress the scheme in such a way that you're doing
 17 something that you shouldn't. So that's what
 18 I mentioned, I think it was yesterday, that it needed to
 19 be integrated to some degree with what was shown on the
 20 architectural drawings. It couldn't be a -- something
 21 to consider afterwards. It shouldn't have posed
 22 problems for us to deal with in the next stage. It
 23 should have resolved any problems, or sought to address
 24 any problems at that stage.
 25 Q. Did you ever compare the information that you got from

1 Mr Ashton on this B4 requirement with that that you got
 2 from Ms Cate Cooney in her existing fire safety
 3 strategy? Did you ever do that comparison?
 4 A. I don't recall comparing them. I obviously do remember
 5 discussing them with Cate, her report.
 6 Q. Can we look briefly back at that. If we go to
 7 {TMO10001925/14}. So this is page 14 of that existing
 8 fire safety strategy which was provided in August 2012.
 9 We see here that there is a whole section on B4,
 10 external fire spread. Do you see that?
 11 A. Yeah.
 12 Q. So the requirement is explained at the top of the page
 13 and then there is a section on what the general
 14 philosophy is.
 15 Then do you see under "External Wall Construction",
 16 section 6.2:
 17 "The external surface of the building, which is more
 18 than 18m, should have a surface classification of Class
 19 0 (national class) or class B ..."
 20 Do you see that?
 21 A. Yes.
 22 Q. Do you agree that Ms Cooney here is giving details of
 23 what the requirements are for the existing building?
 24 You agree that's what we're getting here?
 25 A. Against the current -- the then current regulations.

1 Q. Yes.
 2 A. Yes.
 3 Q. Yes.
 4 Effectively, at this stage, she is dealing with
 5 a building that was just entirely concrete on the
 6 exterior, wasn't she?
 7 A. Plus the windows, yeah.
 8 Q. Plus the windows, you're right, yes.
 9 Now, can we go back to the first issue of the
 10 fire strategy that you got from Exova, and I want to
 11 look at what was said about requirement B3 in this first
 12 issue.
 13 If we go back to {EXO00000519/7}. If we can zoom in
 14 on the bottom of the page, this is where compliance with
 15 B3, "Internal fire spread (structure)", is addressed.
 16 Do you see that?
 17 A. Yeah.
 18 Q. Can you just have a read of that, and then I want you to
 19 read over the page, what's also said about B3 there.
 20 Can you just do that now.
 21 (Pause)
 22 A. Okay.
 23 Q. So if you can then finish by reading that top paragraph
 24 {EXO00000519/8}.
 25 (Pause)

1 A. Okay.
 2 Q. Did you note at the time you were reading this that
 3 there's no reference in this section to functional
 4 requirement B3.(4), which is about the building being
 5 designed and constructed so that the unseen spread of
 6 fire and smoke within concealed spaces in its structure
 7 and fabric is inhibited?
 8 A. No.
 9 Q. Did you ever query that with Mr Ashton?
 10 A. No.
 11 Q. Can we then look at your witness statement. Can we go
 12 to {SEA00014273/140}, and I want to look at
 13 paragraph 343, and specifically 343.2 of your statement.
 14 If you just read that to yourself.
 15 A. Point 2?
 16 Q. Yes. I tell you what, read the top, 343, which is the
 17 introduction to these subparagraphs, and then I want you
 18 to focus on 343.2.
 19 A. Okay.
 20 Q. So you are saying:
 21 "At meetings I would have presented the proposals,
 22 including the zinc/metal cladding and insulation, but
 23 I do not recall anyone raising the issue of cladding not
 24 being compliant under part B of the Building Regulations
 25 the reasons I believe we did not investigate this

1 are ..."
 2 Then at 343.2, you say:
 3 "Our research and consultations, including with
 4 Exova, had not revealed any specific concerns or fire
 5 risks associated with the proposals and nor the
 6 materials."
 7 Do you see that?
 8 A. Yeah.
 9 Q. So were you relying on Exova's advice in respect of any
 10 specific concerns or fire risks associated with the
 11 proposals and the materials?
 12 A. Were we? I think Exova had undertook to advise on
 13 fire safety, and they did not reveal any specific
 14 concerns, but nor did anyone.
 15 Q. You start that subparagraph there by saying "Our
 16 research and consultations, including with Exova".
 17 A. Yeah.
 18 Q. What did you have in mind there? Were there other
 19 pieces of research or consultations which you had in
 20 mind which hadn't revealed any specific concerns?
 21 A. The suppliers, the various suppliers that we approached.
 22 Q. Yes.
 23 A. Up to that point, October and beyond. Other
 24 consultants.
 25 Q. Yes. We're going to look at some of those exchanges --

1 sorry.
 2 A. Contractors. Some of the contractors. The contractors
 3 hadn't raised any concerns.
 4 Q. Yes.
 5 So I now want to look at the build-up to issue 2 of
 6 the outline fire safety strategy by Exova, and it would
 7 appear that Studio E's first meeting with building
 8 control happened on 6 November 2012. Do you recall
 9 that?
 10 A. There was a meeting in December, or was it November?
 11 Q. Can we bring up {SEA00006443}. So what we see here in
 12 the bottom email is Terry Ashton emailing John Allen at
 13 RBKC -- that's John Allen at RBKC building control,
 14 isn't it?
 15 A. Yes.
 16 Q. Cc'ing Adrian Jess, and the subject, "Grenfell Tower":
 17 "Further to my earlier email, please see attached
 18 our report."
 19 Do you see that?
 20 A. Yes.
 21 Q. So this appears to be Mr Ashton sending issue 1 of the
 22 fire strategy report to building control directly; do
 23 you see that?
 24 A. Yes.
 25 Q. Then I want to look at a note by Mr Jess. If we go to

1 {SEA00006526}. So what we see here is this is an email
 2 from Adrian Jess to Terry Ashton and others of
 3 Appleyards, Leadbitter, on 7 November 2012, and it's
 4 "RBKC building control notes", and then he begins:
 5 "Terry,
 6 "Please find below my notes following our meeting
 7 with RBKC building control regarding fire strategy and
 8 subsequent discussions with Andrew @ Max Fordham's and
 9 yourself by way of clarification of the outstanding fire
 10 issues."
 11 Now, just to be clear, I think you say in your
 12 statement you weren't at that meeting with building
 13 control; is that right?
 14 A. No, I wasn't.
 15 Q. Yes. Did you see Mr Jess's note, this note, this email
 16 note of the meeting that they had had with building
 17 control? Would you have seen that at the time?
 18 A. I would have been copied in, and I would have expected
 19 to have spoken to him on his return.
 20 Q. If we look down this note -- it's quite a long email,
 21 but if we go through it -- what we can see is there is
 22 no reference in these notes to any discussions about
 23 cladding or overcladding. There is a heading about
 24 firefighting, about hard standings for fire engines,
 25 et cetera, there. Issues about the mezzanine level,

1 walkway level. Then we have a separate heading you see
 2 at the bottom of that page, smoke ventilation.
 3 A. Yeah.
 4 Q. If we go over to the next page {SEA00006526/2}, there is
 5 a whole section on the smoke ventilation system.
 6 Then the next subtopic is "Means of Escape/Detection
 7 & Containment". Do you see that there?
 8 A. Yeah.
 9 Q. There's a detailed discussion about means of escape. So
 10 there is nothing at all there about the proposed
 11 cladding to the tower.
 12 Can we look at your witness statement at
 13 paragraphs 145 to 146. This is {SEA00014273/72} to
 14 start with.
 15 I want you to have a read to yourself of
 16 paragraphs 146 and 147.
 17 (Pause)
 18 So, just to be clear, at 145, you are discussing the
 19 meeting that Adrian Jess had with Terry Ashton and
 20 building control on 6 November 2012.
 21 A. So you want me to read 146?
 22 Q. Yes, can you read 146.
 23 (Pause)
 24 A. 147?
 25 Q. No, pause there for a moment. I just want to ask you

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1 about 146.
 2 So in the third sentence, seven lines down, there is
 3 a sentence beginning:
 4 "My understanding ..."
 5 Can you see that?
 6 A. Yeah.
 7 Q. You say:
 8 "My understanding from the note is that Building
 9 Control did not express any concern about the proposed
 10 cladding to the Tower, or the detail thereof, which
 11 I believe at that stage would have been based on Celotex
 12 FR 5000 and VMZinc composite, and Building Control
 13 'generally accepted' the proposed means of escape
 14 strategy, which included that 'existing residential to
 15 remain in flats and evacuated on instruction by LFB.'
 16 Do you see that?
 17 A. Yes.
 18 Q. So you say there your understanding is that building
 19 control didn't express any concern about the proposed
 20 cladding, but would you agree from looking at the notes,
 21 Mr Jess's notes, there doesn't appear to have been
 22 a discussion at that meeting about the overcladding?
 23 A. I think the format of almost all meetings on the
 24 project, in my experience -- and I believe this would be
 25 true in this instance -- is you would always start with

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1 a description of the project, and inevitably that would
 2 include a description of the cladding.
 3 Q. So is what you are saying that your expectation is that
 4 there would have been --
 5 A. It would have been discussed, yes.
 6 Q. -- an introductory section to the meeting that discussed
 7 it?
 8 A. Yes.
 9 Q. On what basis do you consider that building control
 10 would have known about the specification of Celotex
 11 FR5000?
 12 A. No, I -- unless ... unless Adrian had taken a print-out
 13 of the report and drawn it to their attention,
 14 I wouldn't know.
 15 Q. Yes, okay, thank you.
 16 Can we move forward in time now to the Studio E
 17 stage D report. This was issued on 20 August 2013, so
 18 we have moved on some way now into 2013. Can we go to
 19 that at {MAX00000757}.
 20 So this is your stage D report, August 2013, we've
 21 got the date there. Now, just so you can see this, at
 22 page 78 within this document {MAX00000757/78}, we can
 23 see that issue 1 of the outline fire safety strategy
 24 from Exova is incorporated. Do you see that?
 25 A. Yes.

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1 Q. So I think that, to help you, is the report in which it
 2 got incorporated.
 3 Can we go to the covering email dated 20 August 2013
 4 in which you sent the stage D report. This is
 5 {SEA00008052}. If we can zoom in on that.
 6 So this is you emailing a number of individuals here
 7 on the project on 20 August, "Grenfell Tower - Stage D
 8 Report", and you say:
 9 "Please see below a link to our completed Stage D
 10 report."
 11 And we have the link. Just below that you say:
 12 "Exova's Fire Safety report from January is
 13 included, as is the updated BREEAM pre-assessment ..."
 14 I just want to ask you, you have referred there to
 15 a fire safety report from January as included; do you
 16 agree that that must have been an error, because it was
 17 the fire safety report from October --
 18 A. Yes.
 19 Q. -- 2012 that was included?
 20 A. I must have picked it up in an email --
 21 Q. Yes, that's fine. We just wanted to check that there
 22 wasn't another report, was there --
 23 A. No.
 24 Q. -- from Exova in January 2013?
 25 To your knowledge, was Exova aware that Studio E was

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1 proposing to issue its stage D report around this time?
 2 A. I can't recall the exact circumstances, but I know from
 3 reviewing my documents that we proceeded hereafter to
 4 engage with them.
 5 Q. So we can see at the top this email is sent to a number
 6 of individuals on the project. But Exova are not
 7 included in this email, are they? So they're not on the
 8 "to" list or indeed the "cc" list. Do you see that?
 9 A. Yeah.
 10 Q. Do you know why they weren't included in the stage D
 11 report?
 12 A. No. It may look like an oversight, but I know that we
 13 were about to engage in detailed design and that they
 14 would be involved, and I think that stage D report was
 15 to some degree caveatted with some introduction, the
 16 executive summary, pointing out that many of the
 17 engineers' reports were now different from the
 18 architectural scheme as it stood. So it was not -- it
 19 was going to be pulled together in the subsequent work,
 20 commenced after the issue, so it was a way of
 21 formalising a transition to the next stage.
 22 Q. Do you recall providing Exova with the stage D report at
 23 any other time?
 24 A. Exova?
 25 Q. Yes.

1 A. But ... in this, I don't recall. Unless it's in my
 2 statement, but I don't recall.
 3 Q. Do you recall Exova ever asking you to see the stage D
 4 report?
 5 A. No.
 6 Q. Can we just look at that stage D report. It is at
 7 {MAX00000757}. If we look at page 21 within the report
 8 {MAX00000757/21}, again what we see here is a narrative
 9 description of the design approach to the façade. Do
 10 you see that there?
 11 A. Yeah.
 12 Q. The existing building and then the concept for the
 13 design, the cladding design brief.
 14 Then can we go on and look at page 29
 15 {MAX00000757/29}. Do you see there, we can see under
 16 the heading "Tower exterior" --
 17 A. Yeah.
 18 Q. -- it's identified the proposed Celotex FR5000
 19 insulation -- that's actually in the middle column on
 20 the right-hand side:
 21 "Sundry Insulation/Proofing Work.
 22 "- Celotex FR5000 ..."
 23 Do you see that?
 24 A. Yes.
 25 Q. I think it has pre-patinated zinc rainscreen cladding as

1 well. Can we just zoom out?
 2 A. It's further up.
 3 Q. Yes. So H92, in the middle column.
 4 A. Yeah.
 5 Q. "Rain-screen Cladding: Pre-patinated zinc rainscreen
 6 cladding on aluminium cladding rails with insulation
 7 fixed directly to existing concrete."
 8 Details are given there. Do you see that?
 9 A. Yes.
 10 Q. And then the insulation is underneath. So those details
 11 are included in your stage D report.
 12 Can we now look, then, at issue 2 of Exova's outline
 13 fire safety strategy. This is dated 24 October 2013.
 14 So almost a year after issue 1 of the outline
 15 fire safety strategy, and almost a year after Studio E
 16 sent the link to the stage C report, we get this second
 17 issue.
 18 Can we just turn it up. It's at {EXO00000430}. So
 19 here we see Exova's outline fire safety strategy dated
 20 24 October 2013 and issue number 2 is at the bottom. Do
 21 you see that?
 22 A. Yeah.
 23 Q. Now, do you know which RIBA stage issue 2 of this
 24 outline fire safety strategy was prepared for?
 25 A. At this point we understood we were in stage E.

1 Q. Did you have any understanding as to which stage Exova
 2 were providing this report for?
 3 A. I think this report was an update -- actually, I haven't
 4 reviewed this report compared to the previous one
 5 recently, but I know that we were at this point, shortly
 6 after the stage D report, consolidating the plans and
 7 the changes that had been requested.
 8 Q. Yes, so we have had your stage -- sorry?
 9 A. In a sense, it's a revisit of the stage D.
 10 Q. Yes.
 11 A. Yes.
 12 Q. I see. Because we had had your stage D report in
 13 August 2013 and then this comes in October 2013.
 14 Can we go on to page 4 and the introduction
 15 {EXO00000430/4}. Again, just take a moment to just read
 16 that.
 17 (Pause)
 18 A. Okay.
 19 Q. Can you see there that reference to the cladding is
 20 still omitted?
 21 A. Yes.
 22 Q. Did you query that with Mr Ashton or anyone else at
 23 Exova at this time?
 24 A. No.
 25 Q. Do you remember noticing that the overcladding was not

1 included in the introduction, giving a description of
 2 the refurbishment?
 3 A. No.
 4 Q. Was your understanding that this report would address
 5 the overcladding proposals?
 6 A. I think, throughout, any concerns should have been
 7 raised by Exova.
 8 Q. Can we go within this issue 2 to page 8 of 10
 9 {EX000000430/8}. Then if we zoom in on the bit in the
 10 middle of the page, 3.1.4, again B4, external
 11 fire spread. We can see there, "Compliance with B4":
 12 "It is considered that the proposed changes will
 13 have no adverse effect on the building in relation to
 14 external fire spread but this will be confirmed by an
 15 analysis in a future issue of this report."
 16 Do you see that?
 17 A. Yes.
 18 Q. That is unchanged from the first issue of the report
 19 approximately a year earlier.
 20 A. Yes.
 21 Q. Did you ever query with Exova where their analysis was
 22 of the external wall information that was contained in
 23 your stage C report?
 24 A. No.
 25 Q. Can you explain why that was never queried with Exova?

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1 A. At this stage, no, but at this stage, this is a strategy
 2 report highlighting issues that need to be addressed.
 3 No issues were identified. I did not expect there to be
 4 any.
 5 Q. You weren't expecting any concerns?
 6 A. Yes. Well, I didn't -- yeah, I didn't expect any. It
 7 hadn't been mentioned at any point.
 8 Q. So you hadn't received any other advice from Exova about
 9 compliance with the B4 requirement?
 10 A. No.
 11 Q. Had you received any advice from Exova about whether the
 12 insulation that you had specified was compliant with the
 13 B4 requirement?
 14 A. No.
 15 Q. Did you ever think about going back to Exova and asking
 16 that they provide advice on the external wall as
 17 promised in their fee proposal?
 18 A. I repeat: there was no concern identified and we did not
 19 think to follow it up.
 20 Q. Did you ever think it might be helpful for them to
 21 explain to you the basic performance requirements which
 22 the external wall would be required to meet?
 23 A. Did I ever think --
 24 Q. That it would be helpful to you --
 25 SIR MARTIN MOORE-BICK: Had you finished?

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1 A. Did I think -- no, I'm trying to just understand the
 2 question.
 3 SIR MARTIN MOORE-BICK: Yes.
 4 MS GRANGE: Did you ever think that it might be helpful for
 5 you to receive advice from Exova on the basic
 6 performance requirements which the external wall would
 7 need to meet?
 8 A. In retrospect?
 9 Q. No, at the time. Did you ever think, "Well, it would be
 10 nice to know what the" --
 11 A. There were no concerns identified.
 12 Q. Can we go within this report to heading B3 on page 8
 13 {EX000000430/8}. This section remains unchanged, so
 14 there is nothing further in this section from issue 1.
 15 Do you agree that there is no guidance to the design
 16 team here about firestopping or cavity barriers?
 17 A. No, no.
 18 Q. Did it ever occur to you that it would be helpful to get
 19 advice from Exova on firestopping and cavity barriers in
 20 their formal report?
 21 A. At the stage D stage, no. It's a strategy report.
 22 Q. On that topic, can we just look at an email around this
 23 time. This is {EX000000586}. It's the email from
 24 Tomas Rek at the bottom of that, sent on
 25 1 November 2013. He is saying there:

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1 "Evening Terry,
 2 "Can you please confirm that the rainscreen cavity
 3 fire barriers are to be 60min FR to match the
 4 compartmentation?"
 5 Do you see that from Tomas?
 6 A. Yes.
 7 Q. Were you aware that Mr Rek was seeking that
 8 clarification from Exova at the time?
 9 A. In preparing my report, we didn't have access to this
 10 email.
 11 Q. Were you otherwise aware that the team --
 12 A. Had access to Terry, yes, I think I did.
 13 Q. Had access to Terry, yes, but do you ever remember being
 14 aware that they were seeking advice from him about the
 15 cavity barrier requirements?
 16 A. Because Tomas was preparing the specification and the
 17 drawings, I was aware that he was consulting with
 18 a number of people, and, as this illustrates, that
 19 included Exova.
 20 MS GRANGE: Mr Chairman, if we're going to have another
 21 morning break, this would be an appropriate moment.
 22 SIR MARTIN MOORE-BICK: All right.
 23 We will have another break now, Mr Sounes, so if you
 24 go with the usher, please. Don't talk to anyone about
 25 your evidence. We will resume at 12.15, please.

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1 12.15, please. Thank you.

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2 (12.06 pm)

3 (A short break)

4 (12.48 pm)

5 SIR MARTIN MOORE-BICK: Well, I'm very sorry to have kept
6 you all waiting far longer than I had previously
7 suggested, and particularly since you must have been
8 wondering what's been going on.

9 I'm sorry to tell you that Mr Sounes has been taken
10 ill, and it's not going to be possible for him to
11 continue giving evidence today or even tomorrow.

12 So in just a moment I shall adjourn the hearing for
13 today, and tomorrow morning we will have a different
14 witness who will come and start giving his evidence.
15 That will be at 10 o'clock tomorrow. All right?

16 So we are going to rise now and we will resume at
17 10 o'clock tomorrow morning. Thank you.

18 (12.50 pm)

19 (The hearing adjourned until 10 am on Thursday,
20 5 March 2020)

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