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Thursday, 7 March 2013

(10.00 am)

THE CORONER: Thank you, do sit down. Yes, is Mr Keith Roberts in court, please? If so, could you come forward? Mr Clark, could you call for him outside, please.

MR CLARK: No response, madam.

THE CORONER: Thank you. DC Walsh, are you in court, please? Yes, could you come forward. Thank you. Please, could you take the oath. Do sit down.

DC DAMIAN WALSH (sworn)

Questions from THE CORONER

THE CORONER: DC Walsh, thank you very much. Do sit down.

I think that you have with you on the witness desk a short statement that you prepared and a certificate of service of a summons on Mr Roberts; is that correct?

A. That's right, madam, yes.

THE CORONER: Yes, so please could you just tell me briefly about the circumstances of your serving the summons.

A. Well, on Friday, 26 October 2012, I attended [Redacted] in possession of a witness summons issued by this court. On arrival, the door was opened by a man whom I recognised as Mr Roberts. I identified myself and showed my warrant card and then served the summons on Mr Roberts.

1 THE CORONER: Thank you very much.

2 A. Okay.

3 THE CORONER: So you confirm that service?

4 A. Yes, madam.

5 THE CORONER: Thank you very much. Then after that, did you
6 do something with the certificate of service?

7 A. Yes, I signed and endorsed that and returned it to the
8 court.

9 THE CORONER: Thank you very much. And that's the original
10 that you have there?

11 A. Yes, madam.

12 THE CORONER: Thank you very much. Yes, that's all.

13 A. Thank you.

14 (The witness withdrew)

15 THE CORONER: Yes, Mr Clark, could you come forward to give
16 some evidence, please.

17 KEN CLARK (sworn)

18 Questions from THE CORONER

19 THE CORONER: Thank you. Do sit down, Mr Clark. Mr Clark,
20 is it right that you have made attempts to contact
21 Mr Roberts?

22 A. Yes, madam, I've tried to make attempts on at least
23 three occasions to speak to Mr Keith Roberts. At no
24 time on the occasions did he ever answer his phone but
25 on every occasion I've left a voicemail message for him

1 on his last known telephone number at his home address.

2 THE CORONER: And the messages that you've been leaving have
3 been to what effect?

4 A. The message in precise terms, madam, is:

5 "This is a message for Mr Keith Roberts. I am the
6 coroner's officer in the Lakanal House inquest. I have
7 been requested by Her Majesty's coroner to require you
8 to attend the inquest on Thursday, 7 March 2013 at
9 Lambeth Town Hall, Brixton, 10 am to give evidence. All
10 reasonable expenses will be paid on request."

11 That message has been left on at least two
12 occasions, madam.

13 THE CORONER: Thank you. Has Mr Roberts returned your
14 calls?

15 A. He has not.

16 THE CORONER: All right. Thank you very much.

17 (The witness withdrew)

18 THE CORONER: I will just place on record that I have twice
19 written to Mr Roberts regarding his giving evidence and
20 attending at this inquest, on 11 October 2012 and
21 15 December 2012. Thank you very much.

22 That's all that I wanted to cover before the jury
23 came in. I think the jury are due to come in at about
24 10.15 but I don't know whether they're ready Mr Clark.
25 Could you just see whether they are?

1 Mr Walker, would you like to come back to the
2 witness desk? Thank you.

3 (In the presence of the Jury)

4 DAVID WALKER (continued)

5 THE CORONER: Thank you, members of the jury. Good morning.
6 I'm sorry that I've rather jumped the gun, but I hope
7 that you're all ready to start. Thank you very much.

8 Mr Walker, thank you very much for coming back and
9 thank you very much for the help that you have given us
10 and you're going to give us. I just wondered whether it
11 would help the jury, and possibly all of us, if I just
12 help to set in context the discussion that we're having
13 about the question of fire resistance. Would I be right
14 in assuming that your concern was that composite panels
15 which were not fire-resisting were so close to escape
16 balconies?

17 A. I think it might be worthwhile me just going back to my
18 report and just reading my statement again at 3.29.

19 THE CORONER: All right.

20 A. Because having reviewed again and yesterday getting too
21 complicated with all the documents, moving backwards and
22 forwards, I think it's worth me just reiterating what I
23 said in my report and that I stand by what I said in my
24 report. At 3.2.9 --

25 THE CORONER: Let's have that up.

1 A. "In my opinion, to meet the standards of [part B] the
2 composite panels should have been fire-resisting to
3 30 minutes to a height of 1100 millimetres above floor
4 level along the length of the balcony."

5 So my statement is that the panels that are along
6 the balcony, the means of escape, should be 30 minutes:

7 "In addition to those, panels which were 18 metres
8 or more above ground level should have had a surface
9 spread of flame performance of class 0 and the internal
10 surface should have had a spread of flame of class 3."

11 I apologise for the way that -- I probably went
12 through it in a complicated way to explain how I got to
13 that decision, which then led to questions that I think
14 were even more complicated and off route. So let me
15 just say that A2, which I think Mr Hendy went down
16 yesterday, is for structural works only, and in my
17 opinion doesn't affect the panels beneath the windows or
18 the windows. So A2 is for structural works only.

19 THE CORONER: All right. But again, by way of background,
20 the only place in which one might find the answer to
21 this question is approved document B, and you're driven
22 to look at it because you don't get the answer from the
23 Building Regulations or any part of it?

24 A. Correct, and --

25 THE CORONER: And so you're driven to undertaking a tortuous

1 path through document B in order to try to find
2 an answer?

3 A. Yes, indeed.

4 THE CORONER: So that's the starting point for it?

5 A. Yes.

6 THE CORONER: All right. Well, that's very helpful. Thank
7 you very much.

8 Yes, Mr Matthews, I think you were in the middle of
9 your questions.

10 Questions by MR MATTHEWS (continued)

11 MR MATTHEWS: Yes. Can we then just be clear, if you're at
12 3.2.9 of your report, are you then agreeing that the
13 only requirement in terms of fire resistance is in
14 respect of along the length of the balcony?

15 A. Yes, I am.

16 Q. Right. So we can put aside composite panels beneath the
17 bedroom windows?

18 A. Well, no, because they are caught by the second part of
19 that --

20 Q. Yes, absolutely, class 0. I was talking about fire
21 resistance.

22 A. Okay, yes.

23 Q. The good news then, for some, is -- can I turn to the
24 Fire Safety Order.

25 A. Yes.

1 Q. Can I start with something I believe you said yesterday
2 about the responsible person under the Fire Safety
3 Order. I think you said yesterday that a building owner
4 had to appoint a responsible person to be in charge of
5 the process of fire risk assessment et cetera?

6 A. The -- the organisation can be the responsible person
7 but somebody needs to take responsibility for that
8 within the organisation.

9 Q. I think that's exactly the point. It's the organisation
10 that's the responsible person, and there's nothing in
11 the Fire Safety Order -- or indeed the guidance that
12 came out -- that addressed anything about taking
13 a programme forward or taking responsibility for the
14 matters. That's right, isn't it?

15 A. It's -- the organisation would be -- if there's
16 nothing -- if the owner is not an individual, the party
17 that is the owner of the building will be the
18 responsible person.

19 Q. That's it. Mr Walker, my point is simply this: we're
20 looking back in history, back to 2006 to 2009, and
21 you've described very properly the way this bit of
22 legislation was a flying start. The whistle was blown
23 on 1 October and there had to be compliance.

24 A. Yes.

25 Q. One of the problems is exactly what you identified. I'm

1 not criticising you for saying that the Fire Safety
2 Order required the responsible person to appoint
3 a responsible person. The difficulty is it didn't, nor
4 did the guidance.

5 A. No.

6 Q. And so, in a sense, the larger the organisation, the
7 more difficult the task?

8 A. I can see why you're saying that but, you know, to make
9 somebody responsible for the buildings from a safety
10 point of view surely is a responsibility of the
11 organisation.

12 Q. Absolutely. I'm not saying that. I'm saying -- take
13 the example we're dealing with, a large local authority.
14 The Fire Safety Order is going to bite across a massive
15 range of premises?

16 A. Yes.

17 Q. And properties. You were talking about prioritisation.
18 Were you involved in devising prioritisation?

19 A. We have been involved -- not prior to the RRO and more
20 recently, in 2010 and 2011, have been involved with
21 organisations prioritising, and I agree with you that
22 large organisations have more difficulty in deciding who
23 is going to be taking responsibility for it.

24 Q. Right, and that's the very important matter about your
25 evidence, really, throughout. Again, it's very

1 difficult, because you have experience and recent
2 experience, to cast your mind fully back to pre-2009,
3 when you've said that your view is that prioritisation
4 should have been involved identifying Lakanal as a high
5 risk building.

6 A. Yes.

7 Q. I think, to be fair, you need to give a bit more context
8 to that. Are you saying that in comparison to a large
9 local authority's housing stock in terms of all the
10 different types of sleeping accommodation it would have
11 responsibility for?

12 A. I think that all you have to do is go to the building in
13 Southwark and stand on the roof and you realise it's one
14 of the tallest buildings in Southwark -- one of the
15 tallest residential buildings.

16 Q. Right. That's exactly the point. So you're saying from
17 the point of view of height of tower blocks?

18 A. I thought that's what you asked me.

19 Q. No, I'm asking you to think about a large local
20 authority and all the different types of sleeping
21 accommodation it's going to have responsibility for.

22 A. Okay.

23 Q. Do you understand what I mean?

24 A. Right, okay. Well, there are -- it's a mixture of
25 things, but the height and the number of people, the

1 number of units, the type of dwellings that are in
2 there -- the maisonettes on two floors that are
3 interlinked -- it all adds up to it being a high risk
4 building. You can't just take one item off that list.
5 You have to look at several items.

6 Q. No, Mr Walker, I was asking you to think about the
7 context of a local authority and all the different types
8 of sleeping accommodation that it's going to be
9 responsible for.

10 A. Right, okay.

11 Q. Do you know what houses in multiple occupancy are, HMOs?

12 A. Yes.

13 Q. And care homes and properties related to children
14 services?

15 A. Yes, but we're not dealing with that in the -- in this
16 specific area. I agree that there are an awful lot of
17 properties that they have to look after and there is
18 a priority that they have to give to all of their
19 premises, and it's a task that they should be going
20 through on the whole portfolio, but one of those tasks
21 should be highlighting those buildings which are high
22 risk because of the nature of the construction and the
23 number of people in that building.

24 Q. Again, I hope I'm not being obtuse. I'm trying to get
25 you to help us in respect of prioritisation, looking

1 beyond simply residential tower blocks.

2 A. Okay, well I'm not sure what you're trying to get at,
3 because the -- the residential tower blocks is
4 an element of it. I agree there are other elements, so
5 houses in multiple occupation, there are nursing homes
6 et cetera that London boroughs and local authorities
7 have to look at, but it's a portfolio of properties, and
8 to prioritise that portfolio of properties with the
9 records that should be held by a local authority should
10 be a reasonable task to undertake.

11 Q. Then we come to competency in terms of undertaking
12 a fire risk assessment. Again, it isn't pedantry, but
13 you've referred to, I think, a regulation 18(5), or
14 an article 18(5) in the Fire Safety Order that talks
15 about competency.

16 A. Yes.

17 Q. But that talks about competency of a particular person
18 that needs to be appointed to undertake preventive
19 measures. It's not talking about competency in terms of
20 undertaking a risk assessment.

21 A. Well, to my understanding of it, it's the same -- it's
22 the same competency.

23 Q. Well, is your understanding that even in 2013 we still
24 don't have a competency qualification and criteria --

25 A. Correct.

1 Q. -- that everyone is agreed on?

2 A. Yes, there are several. It is getting better. However,
3 there is still no definition of exactly what that
4 person --

5 Q. It's worse than that, isn't it? We don't yet have
6 an agreement on what sort of person or what sort of
7 qualification should be required to hold oneself out as
8 competent to undertake a fire risk assessment?

9 A. Indeed, it is a grey area, and different authorities,
10 different landlords, take a different view, and so do
11 different consultants, I'm afraid. So yes, it is
12 difficult to define exactly what the qualification
13 should be.

14 Q. Can I ask you this: are you a member of the Institute of
15 Fire Engineers?

16 A. I'm not, personally. Some of my members of staff are.

17 Q. Right. Would you agree that the sort of natural place
18 over the past few years, certainly, that people would
19 turn to is the Institute of Fire Engineers?

20 THE CORONER: For what?

21 MR MATTHEWS: Sorry?

22 THE CORONER: For what?

23 MR MATTHEWS: Sorry, for a competent fire risk assessor.

24 A. No, I think, is my answer to that, because they are very
25 technically qualified and probably overqualified. They

1 are capable of doing the job, absolutely, but it's
2 probably a qualification that is beyond what's required
3 for a risk assessment.

4 Q. Right. Okay, "natural" was probably the wrong word
5 then. You could be forgiven for looking on, as it were,
6 the internet and saying, "What type of person might be
7 a competent fire risk assessor?" and you'll probably end
8 up on the Institute of Fire Engineers' website?

9 A. Well, I think that there are lots of websites now that
10 are trying to get work and are all vying for them being
11 the competent place to go, to bring work, basically.

12 Q. Right. Can I then ask you to go to that 2011 guidance.
13 I think it actually, from memory, was published on
14 1 August 2011. I'm going to ask you to be taken to the
15 last page, which is page 192. That's it.

16 In fact, let's pause there briefly so we can
17 remember what it is. It's been described as being by
18 the Local Government Association -- in fact, they're the
19 people that published it -- and it's "Fire safety in
20 purpose-built blocks of flats". If I can ask Mr Atkins
21 just to fast forward to page 192, just to pause at the
22 back cover. Whilst the Local Government Association
23 published it, these are the people and organisations
24 that endorsed it; that's right, isn't it?

25 A. Yes.

1 Q. CFOA, at the top right, is the Association of Chief Fire
2 Officers; is that right?

3 A. I believe so, yes.

4 Q. It was in fact written by Colin Todd Associates; is that
5 right?

6 A. I couldn't say.

7 Q. Okay. Do you know who Colin Todd Associates are?

8 A. I have heard of them, yes.

9 Q. I think they're also the people that wrote PAS79 all
10 those years ago?

11 A. Yes.

12 Q. Which is what you've described as the original sort of
13 very generic template for fire risk assessment.

14 Can I get you to convey perhaps a little better how
15 much of a sea change this document is from what was out
16 there before. It's the first document that addresses
17 purpose-built flats as opposed to sleeping
18 accommodation?

19 A. Yes, the document is very good guidance as to what you
20 should be doing when you're looking at this sort of
21 accommodation, and before that time there has been
22 confusion, and to some extent there still is confusion,
23 but this document goes into a lot of detail about how
24 it's -- how it's arrived at where it's got to and the
25 things that you should be considering in blocks of

1 flats.

2 Q. It was put to you that it was probably spurred on by
3 this terrible tragedy that we're concerned with. It was
4 spurred on by that, wasn't it?

5 A. I -- I understand that it was, yes.

6 Q. Yes. One issue that you've touched on of a number is
7 flat front doors, and you've given your evidence that
8 pre-2009 -- is this fair? -- it was rare for flats to be
9 visited as part of a fire risk assessment of the common
10 parts.

11 A. Yes. It did happen occasionally, but the records that
12 we've looked at and the surveys that we have looked --
13 the risk assessment surveys we've looked at that have
14 been done previously, a lot of them have not entered
15 flats.

16 Q. Is this right -- it may be you don't know, but isn't
17 there still controversy over whether the Fire Safety
18 Order truly extends to flat front doors?

19 A. Yes, it is still a problem, and people should be going
20 into flats because you -- especially if the building is
21 involved in maisonettes, because people alter the
22 insides of flats, and where there are alternative escape
23 routes, particularly out of flats and corridors, then
24 they should be entering. However, it is correct that
25 quite often they are still not inspected.

1 Q. It's more than "still not inspected". As late
2 as June 2010, there was a public debate raging between
3 fire and rescue authorities and others as to whether the
4 flat front doors fell within the Fire Safety Order;
5 isn't that right?

6 A. Well, I don't know the detail of that. It wouldn't be
7 right for me to comment on that.

8 Q. Can I take you, then, in that document to page 98,
9 I think.

10 Madam, can I ask everyone to bear with me, because
11 I only have it electronically, so it takes me a bit of
12 time. Can we bear in mind very much --

13 THE CORONER: Unless you want to look at the whole page,
14 could you increase the print size, please.

15 MR MATTHEWS: I'm so sorry, it's paragraph 62.16. Before we
16 turn to it, why I gave that somewhat long introduction
17 to this document is I do ask all of us -- particularly
18 you, Mr Walker -- to bear in mind that this
19 is August 2011 when it is being published, and as I say,
20 partly in response to some of the debates that are going
21 on. This says:

22 "Upgrading existing doors simply because they are
23 not fitted with intumescent strips or smoke seals or
24 fail to meet some other requirement of current standards
25 should not be made a generic recommendation applicable

1 to all existing blocks of flats. Similarly, upgrading
2 existing letterboxes in flat entrance doors to meet
3 current standards is not always necessary. This will
4 depend on: the location of the letterbox in the door;
5 the location of the flat within the block; the
6 construction of the letterbox."

7 If we can go over the page, at 62.21, this says:

8 "In many existing blocks of flats, it will normally
9 be acceptable, taking into account the fire risk, to
10 accept existing fire-resisting doors and not replace or
11 upgrade the doors as a matter of course. For this to be
12 the case, any existing fire-resisting door will need to
13 be well fitting in its frame and be in good condition.
14 In addition, although it may be appropriate to upgrade
15 or replace doors, this will not necessarily mean that
16 this work has always to be undertaken as a matter of
17 urgent. In many blocks of flats, the upgrading or
18 replacement of doors can be part of a planned and
19 possibly phased programme."

20 Can I ask you this, again, bearing in mind this is
21 2011: prior to this tragedy in 2009, it's not your
22 evidence that a fire risk assessment, a suitable and
23 sufficient fire risk assessment taken at that time, with
24 the kind of training given to people at that time, would
25 have resulted in someone saying, "Change the letterbox

1 set, install intumescent strips", is it?

2 A. Well, I think it's a mixed bag and it really depends on
3 who turns up to do the fire risk assessment and their
4 technical knowledge. Certainly on a building where you
5 have a single corridor escape and people have to escape
6 past lots of entrance doors, then you look at it in
7 a different way to if there's an alternative route to
8 escape.

9 Q. That's exactly what I mean about the difficulty that
10 you're in. You're being asked about what a suitable and
11 sufficient fire risk assessment, pre-2009, would have
12 turned up, undertaken by a housing officer trained for
13 a day by the London Fire Brigade, and we'll look at that
14 training if we need to --

15 THE CORONER: Well, Mr Matthews, I think Mr Walker said that
16 in relation to a building such as Lakanal House, someone
17 more competent than a housing officer should be doing
18 it.

19 MR MATTHEWS: I think he's saying post-2009, there's the
20 recognition that somebody more competent, or with
21 different competencies, should be doing it.

22 A. Well, I think that somebody with more competent
23 technical knowledge should have been undertaking it
24 pre-2009. However, I would add a caveat to that, is
25 that they were not many assessors at that stage

1 undertaking the work with technical competence to do
2 that.

3 Q. You understand what I'm asking you about. It's very
4 important that you don't create a misleading impression
5 that pre-2009, if there had been a fire risk assessment
6 of Lakanal House, it would have been done by somebody
7 with the kind of technical competency that we've arrived
8 at in 2013.

9 A. I agree with that statement. Yes, the technical ability
10 of fire risk assessors has improved year on year and is
11 still improving.

12 Q. Let's go --

13 THE CORONER: The fact that there wasn't a technically
14 competent fire risk assessor available pre-2009 to do it
15 doesn't mean to say that it shouldn't have been done
16 that way?

17 A. Correct.

18 MR MATTHEWS: But, madam, it must depend on what was thought
19 of as suitable and sufficient at the time.

20 THE CORONER: Well, just because everybody else was dragging
21 their feet doesn't mean to say that that was right.

22 MR MATTHEWS: Absolutely not. It's what was considered
23 suitable and sufficient pre-2009, in terms of what I've
24 just taken you to, the smoke seals and letterboxes.

25 A. Well, they should have been picked up by the risk

1 assessor going round. Those items should have been
2 picked up. On a single escape corridor, which is
3 important, where you can't turn your back on any fire
4 and escape in any other -- any other way, you have to
5 look at the risks, and one of the risks, clearly, is the
6 separation from the flats into the escape corridor, and
7 the compartmentation, as we've discussed previously, is
8 really important, and the barrier of that
9 compartmentation between the flats and the escape route
10 is the front door.

11 Q. But would they have been picked up by what was
12 considered a suitable and sufficient fire risk
13 assessment pre-2009?

14 A. Well, I've already answered, I think, that it depends on
15 who turns up to do the risk assessment. If the person
16 hasn't been trained correctly, then it's my opinion
17 that, you know, they may not -- they may not do that,
18 but the person who should have been doing Lakanal House,
19 in my opinion, should have had knowledge of that
20 importance and had picked it up.

21 Q. Can we look at the risk assessment guide from 2006 for
22 sleeping accommodation. Can we just help the jury
23 understand quite how much this covered. It supposedly
24 covered hotels to --

25 A. Well, it covers a multitude of buildings, but it does

1 cover the buildings that -- that we're looking at, so it
2 does cover Lakanal House.

3 Q. Yes. Do you know how it dealt with fire doors and smoke
4 seals?

5 A. I can't recall exactly what it says in there, no.

6 Q. Can I show you page 66.

7 THE CORONER: This is about a maintenance audit.

8 MR MATTHEWS: Oh. Ah, because it's page 64. The bottom
9 right.

10 THE CORONER: Can we just have some context for the
11 document? The jury haven't seen it before. It's been
12 put to Mr Walker somewhat cold. Could you just give
13 an introduction to it, please, Mr Matthews.

14 MR MATTHEWS: Certainly. Sorry, that was a bad
15 introduction, I apologise. It's the guidance that was
16 issued by the -- I think it was still called the
17 Department for Communities and Local Government back
18 then. It might have been something different, but it
19 was published in 2006 and it's the guide to risk
20 assessment in sleeping accommodation. But as I've said,
21 "sleeping accommodation" covered everything from hotels
22 to every other form one could imagine.

23 THE CORONER: What date in 2006, bearing in mind the Fire
24 Safety Order came into force on 1 October?

25 MR MATTHEWS: I believe it was finally published in May, but

1 I may be wrong.

2 THE CORONER: Was it looking ahead to the Fire Safety Order,
3 or was it ignoring it?

4 MR MATTHEWS: I believe it was part of the reasons why the
5 commencement was delayed, because none of the guidance
6 had been published at that point, so I think it came out
7 in May, and that's why the commencement pushed back
8 from April to October.

9 THE CORONER: Okay.

10 MR MATTHEWS: I'm sorry, I've got to get back to my page.

11 We can see in the bottom right:

12 "All corridors serving sleeping areas should be
13 protected routes with 30 minutes' fire resistance."

14 A. Yes.

15 Q. Is that right? Then:

16 "Where an escape route needs to be separated from
17 the rest of the premises by fire-resisting construction,
18 eg a dead end corridor or protected stairway, then you
19 should ensure the following."

20 Then if we go over the page:

21 "Doors (including access hatches to cupboards, ducts
22 and vertical shafts linking floors), walls, floors and
23 ceilings protecting escape routes should be capable of
24 resisting the passage of smoke and fire for long new
25 enough so that people can escape from the building."

1 A. Yes.

2 Q. Then interestingly, just below:

3 "Where suspended or false ceilings are provided, the
4 fire resistance should extend up to the floor slab level
5 above. For means of escape purposes a 30 minutes
6 fire-resisting rating is usually enough."

7 Can I ask you about those two matters. I think
8 you've given your evidence on smoke seals pre-2009.
9 Suspended ceilings, what anyone's looking at -- indeed,
10 what you were looking at when you looked at Lakanal
11 recently -- is how the suspended ceiling appears.

12 A. Yes.

13 Q. Its appearance?

14 A. Yes, indeed.

15 Q. If I can ask you to go to your report, paragraph 3.6.19.
16 Sorry, it's 3.6.16 on page 46. Sorry, Mr Atkins,
17 perhaps we ought to have that on the screen. You say
18 this:

19 "The suspended ceiling is screwed in place and
20 therefore it is unlikely an assessor would have opened
21 up the ceiling during an initial fire risk assessment."

22 A. Yes.

23 Q. If we drop down then to 3.6.19, you say this:

24 "I would have expected LBS to have put in place
25 a programme to replace the ceiling with a fire-rated

1 version, for example Supalux boarding. It is unlikely
2 that the existing ceiling could have been satisfactorily
3 upgraded."

4 Pausing there, were you aware that the ceiling tiles
5 were something called Panoflam?

6 A. Yes.

7 Q. And you were aware when you --

8 A. Yes, but part of the ceiling had been replaced and there
9 was evidence that there was chipboard placed in parts of
10 it when I inspected in January of this year. I don't
11 know whether that was the case previously. But because
12 it was a mixture of materials and because of the poor
13 condition around the edges where it was sealed against
14 the walls and the screw fixings and, in some places,
15 nailed, I think the general condition of it would have
16 been very difficult to upgrade to achieve the right fire
17 barrier that was required. So hence why I put in here
18 that it would have been programmed in to replace it with
19 another fire-resisting material, which is the Supalux.

20 So the Panoflam is a fire-resistant material. It's
21 just that it had been repaired and messed around with
22 over the years when people had accessed the void behind.

23 Q. So again, if we cast our minds back pre-2009, what
24 you're saying is somebody looking at that ceiling,
25 undertaking the fire risk assessment, should say it

1 needs further inspection to see whether it --

2 A. If -- if it was in the condition as I inspected it
3 in January, then I would have expected the fire risk
4 assessor to say, "This doesn't look very good. There
5 must be a bit of a problem here, so we must highlight it
6 and put a recommendation for a closer inspection so that
7 we can determine whether or not it's suitable."

8 Q. What kind of priority do you think that would have been
9 given, pre-2009?

10 A. Pre-2009, I think in my report -- I think it would have
11 been given a medium -- a medium risk rather than a high
12 priority.

13 Q. I think then if we went to your report at page 11, at
14 paragraph 2.11 --

15 A. Yes.

16 Q. -- you summarise it in this way, in the middle of that
17 paragraph:

18 "... certain features of the ceilings might well
19 have led an assessor to recommend opening up works."

20 A. Yes, and again, the reason for that is there have been
21 so many openings made in the ceilings to gain access to
22 the void behind, which would sound alarm bells in the
23 assessor's mind as to why, and knowing that the ceiling
24 had been up there for a considerable time, there has
25 probably been works carried out in the void behind, such

1 as heating, electrics, water that have been installed
2 through the void.

3 So that is why, and it's to gain access behind the
4 void to see whether the stopping up to those new
5 installations, or alterations to those installations of
6 the water/electricity/heating et cetera, might have
7 passed through the compartment wall and not been
8 properly stopped up to prevent fire travelling through.

9 Q. But the "might well" is because of the condition that
10 you've described of the suspended ceiling?

11 A. Indeed, yes.

12 Q. Post-2009, and post the guidance that we got on
13 purpose-built flats, that "might well" is a greater
14 likelihood?

15 A. Yes, it is, yes.

16 Q. Can I just ask you about something, as it were,
17 completely different now. You were asked, in giving
18 evidence, about your understanding of the FENSA
19 position.

20 A. Yes.

21 Q. We understand that comes from having read the statements
22 and material in this case.

23 A. Yes.

24 Q. Are you able to help with what your understanding of
25 FENSA was pre this case?

1 A. Well, my understanding was still the same. It applied
2 to windows and frames.

3 Q. What I meant was your understanding of what the effect
4 of FENSA was.

5 A. Sorry, I don't follow.

6 Q. A FENSA certificate, what it was certifying.

7 A. Oh, with regarding to the -- yes, it's an approved
8 contractor to get on with those works and certify that
9 it's complied with the Building Regulations,
10 effectively.

11 Q. Right. Sorry, again, it's not me being obtuse. It was,
12 with respect, a little unclear earlier.

13 A. Okay.

14 Q. That's your understanding?

15 A. Yes.

16 Q. Then and now?

17 A. Yes.

18 Q. A certificate that the windows and frames comply with
19 the Building Regulations?

20 A. Well, it's a certificate that they -- no, because -- it
21 doesn't certify it complies with them. It's a method
22 for the competent person to get on with the work and --
23 without going through the Building Control process. So
24 they are certifying that to their knowledge they have
25 undertaken that work to comply with the regulations. It

1 doesn't guarantee that the work has been undertaken to
2 comply with regulations.

3 Q. Forgive me, that's the bit I'm not understanding, what
4 the distinction is you're making.

5 A. Well, they certify that the work has been carried out.
6 They're a competent contractor, and under the rules of
7 the competent contractor, they should know what
8 regulations apply to windows and window frames, and
9 they're certifying that that work has been done and
10 therefore it doesn't need to go through
11 a Building Regulations application. So it's
12 a substitute for going through the Building Control
13 mechanism.

14 Q. Thank you. I think it makes it clear.

15 THE CORONER: Thank you. Yes, Mr Compton, thank you.

16 Questions by MR COMPTON

17 MR COMPTON: Mr Walker, just one matter. Ben Compton.

18 I represent Apollo Property Services. I want to ask you
19 just about the composite panels beneath the bedroom
20 windows. You've dealt with this with Mr Matthews.

21 A. Yes.

22 Q. I just want to put it perhaps in a clear form which the
23 jury can follow, if they haven't picked the point up for
24 the moment. Can we go to a photograph, please, in the
25 jury bundle at tab 13, page 22. You'll understand the

1 reason I take you to this is we've been through lots of
2 regulations and the tortuous route, as I think you
3 described it, and it's just really trying to make it
4 clear. Here we have a photograph of one of the bedrooms
5 in Lakanal House; would you agree?

6 A. Yes.

7 Q. Thank you. Would you agree with this: that the panels
8 beneath the bedroom window did not require -- or there
9 was no regulatory requirement -- that there should be
10 any fire-resisting materials in those panels?

11 A. I agree that it didn't need fire-resisting. It's just
12 spread of flame.

13 Q. We'll do this stage by stage, so the jury can follow
14 this.

15 A. Okay.

16 Q. So that area beneath those windows, no regulatory
17 requirement for any fire-resisting materials?

18 A. Correct.

19 Q. What the jury must bear in mind is that the only
20 regulatory requirement was for there to be a reduced
21 surface spread of fire; correct?

22 A. Yes, yes.

23 Q. So externally, outside coming inwards, that would be
24 class 0; correct?

25 A. Yes.

1 Q. And we remind ourselves that class 0 can be materials of
2 limited combustibility; correct?

3 A. Yes.

4 Q. And internally, the regulations allow there to be
5 class 3, and as we look at it, that could be, for
6 example, wooden panels?

7 A. I don't know if that's right or not, with wooden panels.

8 Q. Externally, coming inwards from the outside, class 0;
9 internally, perfectly permissible to have class 3?

10 A. Yes.

11 Q. You agree with that?

12 A. Yes, I do.

13 Q. Thank you very much.

14 THE CORONER: Does it surprise you, Mr Walker, that that is
15 the consequence of the way the regulations are drafted?

16 A. Yes, it does slightly.

17 THE CORONER: Can you tell us why?

18 A. Because we've got an existing panel that I believe was
19 asbestos that is taken out from those panels and had
20 a fire resistance, and the building was clearly built to
21 that -- to that level. The regulations are not clear on
22 the fire resistance to tall buildings. The reference is
23 "adjacent to fire escapes and fire escape routes", and
24 I believe that if undertaking this work and putting in
25 fire-resistant panels to part of the building, that you

1 would also consider perhaps completing this to the
2 remainder of the work undertaken.

3 THE CORONER: All right, thank you. Mr Leonard.

4 Questions by MR LEONARD

5 MR LEONARD: My name's Leonard. I appear on behalf of
6 Symphony Windows, one of the subcontractors involved in
7 the work. Can I just come back to this position with
8 regard to FENSA for a moment. I think your view is that
9 this project in 2006/2007 should have been made the
10 subject of full plans being lodged with Building Control
11 at the outset; is that the position?

12 A. Yes.

13 Q. Just so the jury are clear, those plans would have
14 included the windows, the proposed structure, the
15 panels, and how they were going to be installed and by
16 what means?

17 A. It would have had to, yes.

18 Q. Absolutely. So when we talk about FENSA being some sort
19 of substitute for Building Control, in this case the
20 issues raised by FENSA, to the extent that they were
21 dealt with by that route, would have been addressed by
22 the Building Control route in any event?

23 A. It's complicated because the windows include the panels
24 beneath, which are dealt with separately for Building
25 Control. So yes, they would have viewed both and

1 probably made comment on both.

2 Q. Well, we don't know what would have happened. All we
3 know is that your view is that that's the route down
4 which this project should have gone in the first place?

5 A. Yes.

6 Q. I suppose there's a simple line of reasoning: as soon as
7 something like panels are being replaced in a window
8 unit, one does face the prospect of that having to be
9 looked at by Building Control in any event, because that
10 wouldn't be covered by FENSA?

11 A. Sorry, the panels beneath? Yes.

12 Q. Thank you.

13 THE CORONER: Mr Walsh, I'm so sorry, I missed you. No, you
14 went yesterday.

15 MR WALSH: I did.

16 THE CORONER: Do you want another go?

17 MR WALSH: Madam, I'm entirely guided by you. It's a simple
18 matter. I didn't ask any questions yesterday about
19 Building Regulations but I'm very conscious about the
20 evidence which has been given about the question of
21 whether fire resistance applies to those panels. I hope
22 you will note that I never put it to anybody that it
23 did.

24 THE CORONER: Well, we're discussing the point now. If you
25 have one that you want to put, then please put it now.

1 Further questions by MR WALSH

2 MR WALSH: I am most grateful. It relates to the class 0,
3 which I didn't ask you about yesterday, but just in case
4 there isn't clarity about this. It's a very
5 straightforward question. Whatever the position about
6 fire resistance, there is no question but -- and
7 everybody accepts -- that those panels in the bedroom
8 windows were required to comply with class 0 in relation
9 to the surface spread of flame?

10 A. Above 18 metres in height.

11 Q. Above 18 metres, yes, of course, in high rise. That
12 means that those panels, to comply with class 0, should
13 not have ignited for a period of time to prevent against
14 the surface spread of flame over the envelope of the
15 building?

16 A. Correct.

17 Q. So there were measures in place to prevent those panels
18 igniting for a period of time?

19 A. Yes.

20 Q. All right, thank you. I just wanted to clarify that.

21 THE CORONER: Thank you. Ms Canby?

22 MS CANBY: No, thank you.

23 THE CORONER: Ms Petherbridge?

24 MS PETHERBRIDGE: No thank you.

25 THE CORONER: Thank you very much. Yes, Mr Hendy.

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Further questions by MR HENDY

MR HENDY: Madam, there has been a fundamental change in this witness's evidence. Yesterday he agreed with me that the panels below the window were part of an external wall to which appendix A, table A1 and hence table A2, applied. This morning his evidence is that table A2 only applies to a load-bearing wall and this was not a load-bearing wall.

Madam, we consider that to be a wrong construction. Had this been a matter of law, I would have addressed you about it, but I wonder whether you would just permit me to challenge this witness's assertion that appendix A2 only applies it to a load-bearing wall?

THE CORONER: Well, I'm happy for you to ask Mr Walker just to explain his thinking on that.

MR HENDY: I'm so sorry, madam?

THE CORONER: I'm happy for you to ask Mr Walker to explain his thinking on that.

MR HENDY: I'm very grateful.

Mr Walker, can we begin, please, by looking again at page 89 in paragraph 13.3. We saw this yesterday, and I took you to it. 13.13 says that:

"The external walls of the building should have the appropriate fire resistance given in appendix A, table A1, unless they form part of an unprotected area."

1 No-one's suggested the panels below the windows were
2 part of an unprotected area. As I understand your
3 evidence this morning, it's that that requirement only
4 applies to load-bearing external walls; am I right?

5 A. No, A1 is to external walls. It's only when you move to
6 A2, it's only structural, load-bearing walls.

7 Q. Yes. Do you agree with me that 13.3 applies to
8 load-bearing and non-load-bearing external walls?

9 A. Yes, it does, yes.

10 Q. Just to confirm that that is so, if we could go to the
11 definitions section, which I'm not sure has been copied
12 for the jury. But it's page 135, if that could be put
13 up on the screen. At the top right, we see:

14 "'External wall' (or side of a building) includes
15 part of a roof ..."

16 And so on, but it gives no further definition than
17 that. If we go on the left-hand side and look under the
18 heading "Element of structure", we see that an element
19 of structure applies in (b) to "a load-bearing wall or
20 a load-bearing part of a wall", and in (e) to
21 "an external wall", from which we must conclude, mustn't
22 we, that an external wall may or may not be
23 a load-bearing wall. If it was confined to
24 a load-bearing wall, there wouldn't be a necessity to
25 spell out that external walls were included as elements

1 of structure; do you agree?

2 A. No, I don't agree. It's not relevant.

3 Q. Do you agree that an external wall which is not
4 a load-bearing wall is plainly an element of structure
5 under this definition of "element of structure"?

6 A. No, I don't.

7 Q. Then let us go, please, to page 64. There we see, under
8 the heading "Performance", in letter (a) that:

9 "In the Secretary of State's view, the requirements
10 of B will be met (a) if the load-bearing elements of the
11 structure of the building are capable of withstanding
12 the effects of a fire ..."

13 Do you not agree with me that that implies there may
14 be non load-bearing elements of structure?

15 A. No, I don't. If you go to B3.iii in the second part --

16 Q. We'll come to B3.iii in just a moment. Let's go to B3.i
17 first of all, which gives guidance on load-bearing
18 elements of structure which are given in section 8,
19 which we don't need to turn to. Again, I suggest to you
20 that that suggests that may well be non-load-bearing
21 elements of structure. But you disagree with that
22 proposition, right?

23 A. Sorry, B3.i?

24 Q. B3.i, "Introduction". It's telling the reader that:
25 "Guidance on load-bearing elements of structure is

1 given in section 8."

2 And the implication I put to you is that there are
3 elements of structure which are not load-bearing which
4 are not dealt with, therefore, in section 8. Isn't that
5 the common sense reading of it?

6 A. Well, this is guidance. It's a guidance document and
7 you can pick out little bits all the way through this.

8 Q. I'm not picking out little bits. I'm trying to explore
9 with you the fundamental proposition that an element of
10 structure may or may not be load-bearing, which these
11 paragraphs appear to me to bear out.

12 A. Well, I think for clarity you need to go to B3.iii.

13 Q. Let's go to B3.iii then. It says:

14 "Elements of structure' is the term applied to the
15 main structural load-bearing elements, such as
16 structural frames, floors, and load-bearing walls."

17 So far that supports your thesis, doesn't it?

18 A. Yes.

19 Q. If we read on:

20 "Compartment walls are treated as elements of
21 structure even though they are not necessarily
22 load-bearing."

23 So an element of structure may be a compartment wall
24 which is non load-bearing; agreed?

25 A. Yes.

1 Q. "Roofs, unless they serve the function of a floor, are
2 not treated as elements of structure."

3 That doesn't help us. Then it says:

4 "External walls, such as curtain walls or other
5 forms of cladding, which transmit only self weight and
6 wind loads and do not transmit floor loads are not
7 regarded as load-bearing for the purposes of
8 B3.ii(a)..."

9 Just pausing there, so we're now talking about
10 external walls which are non load-bearing, right?

11 A. Yes.

12 Q. "... although they may need fire resistance to satisfy
13 requirement B4 (see sections 13 ..."

14 Right?

15 A. Correct.

16 Q. So an external wall which is non load-bearing may need
17 fire resistance in order to satisfy section 13 of B4?

18 A. Yes, correct.

19 Q. And that takes us right back again, doesn't it, to
20 page 89, where we see section 13 of B4, which provides
21 that the external walls of the building should have
22 appropriate fire resistance given in appendix A, table
23 A1?

24 A. Correct.

25 Q. So --

1 A. But --

2 THE CORONER: Let Mr Walker give his explanation, please.

3 MR HENDY: Sorry.

4 A. But A1 is the answer. It doesn't mean that you have to
5 go to A2 for the answer.

6 Q. Right, let's pause there. You agree with me, therefore,
7 that appendix A, table A1, applies to an external wall,
8 whether or not it is a load-bearing wall; agreed?

9 A. Yes, but you're looking at this now in -- this is --
10 it's guidance. It doesn't fit into every situation of
11 every building.

12 Q. Of course not, but we were assisted yesterday by looking
13 at 13.2, weren't we, on page 89? Let's just remind
14 ourselves of what that says:

15 "Provisions are also made to restrict the
16 combustibility of external walls of buildings that are
17 less than 1,000 millimetres from the relevant boundary
18 [irrelevant here] and, irrespective of boundary
19 distance, the external walls of high buildings ... this
20 is in order to reduce the surface's susceptibility to
21 ignition from an external source and to reduce the
22 danger from fire spread up the external face of the
23 building."

24 So this is exactly on point, isn't it?

25 A. It is, yes.

1 Q. So you agree with me that we look at appendix A, table
2 A1. Let's go there. That's at page 116. We look at
3 box 5, which is headed "External walls". (a) provides
4 for parts that are less than 1,000 millimetres from the
5 boundary and (b) relates to parts which are more than
6 1,000 millimetres from the relevant boundary, and both
7 of them direct us to table A2 in terms of fire
8 integrity; agreed?

9 A. I agree that that is the case.

10 Q. Yes.

11 A. However, A2 is structural and doesn't apply. If you
12 look then at 5(c) in that box, which is a worse
13 situation, we have that wall -- same external wall
14 adjacent to an external escape route, and that's given
15 30 minutes' fire resistance.

16 Q. Indeed, it is.

17 A. So why would you go to then A2, which gives a much
18 higher resistance? It doesn't make sense.

19 Q. The external escape route, as you've given evidence --
20 and I'm not challenging that evidence at this point in
21 time -- 30 minutes is what you've said. You've
22 explained that previously. You ask why we would go to
23 table A2. We go to table A2 because it tells us to go
24 to table A2, does it not?

25 A. It does.

1 Q. Yes.

2 A. But that's because there are elements in -- with the
3 structure side that it's referred you back to that then
4 need to go to the structural table of A2.

5 Q. You make the point: why would the protection for a part
6 adjacent to an external escape route be less than
7 table A2 provides for external walls? But the converse
8 is equally true. You told the coroner this morning that
9 you found it surprising that there was no requirement
10 for fire resistance for an external wall which was not
11 part of an escape route. I put to you that the
12 explanation for that is that this document does provide
13 fire resistance and we are directed to table A2 to see
14 it? You don't agree?

15 A. I don't agree with that.

16 THE CORONER: Have we run this as far as we can run it,
17 Mr Hendy? Mr Walker's explained to us that he
18 presumably remains of the opinion that he's expressed
19 this morning.

20 MR HENDY: Just two final questions, madam, if you'd permit
21 me. Can we just remind ourselves of the heading to
22 table A1, which is "Specific provisions for tests for
23 fire resistance of elements of structure". We've looked
24 at that analysis before, and I've endeavoured to show
25 you that "elements of structure" --

1 THE CORONER: Well, you've covered that.

2 MR HENDY: Sorry, I've covered that, madam. The final
3 matter, let's look at table A2 again at page 119.

4 THE CORONER: Well, Mr Walker's said why he feels that A2 is
5 not applicable.

6 MR HENDY: He's said that, madam, but I just want to put to
7 him that there is nothing in A2 which confines it to
8 load-bearing elements. Absolutely nothing. All it says
9 is "Minimum periods (minutes) for elements of
10 structure". We've looked at "elements of structure"
11 before. There's nothing --

12 A. Well, the elements of structure is exactly elements of
13 structure. The table A1 is "elements of structure
14 et cetera".

15 THE CORONER: Mr Hendy, I think you've made your point and
16 Mr Walker is not agreeing with you.

17 MR HENDY: Indeed, madam.

18 THE CORONER: Thank you very much.

19 Members of the jury, do you have any questions for
20 Mr Walker?

21 Questions from THE JURY

22 THE FOREMAN OF THE JURY: Thank you, Madam Coroner, we do
23 have some.

24 Mr Walker, could you just help us with a few points
25 on the regulations, as our expert witness in this area.

1 Are there any regulations regarding landscaping and
2 keeping entrances clear in case of fire so far as the
3 regulations you're an expert on?

4 A. There are regulations that do fall into this, which --
5 but not from a Building Regulations point of view of
6 keeping clear. It comes from the management of the
7 building, and the Housing Act covers this, which --
8 people then should keep clear and access for
9 Fire Brigade, et cetera.

10 THE FOREMAN OF THE JURY: Okay, thank you.

11 We've heard a lot about the FENSA scheme in regard
12 to windows and similar areas. Are there schemes like
13 FENSA for other building features?

14 A. Yes, there are, for electricians -- so an electrician will
15 be allowed to -- is a competent contractor, and gas
16 installations are the two that spring to mind.

17 THE FOREMAN OF THE JURY: In your experience, is there
18 an inspection at any stage which does follow that up?

19 A. Yes, the -- for an electrician, for example, they have
20 to have a test carried out and issue a certificate at
21 the end of that.

22 THE FOREMAN OF THE JURY: Thank you.

23 What tools are in place to assist local authorities,
24 or even private landlords, to interpret regulations such
25 as those we've been through in the last couple of days?

1 A. Sorry, I didn't catch all of that.

2 THE CORONER: What tools are in place? We've been looking
3 at what sort of guidance or other forms of guidance
4 there might be to help local authorities to understand
5 these regulations, and some have been put up on the
6 screen this morning and yesterday, I think.

7 A. Are we talking about Building Regulations or from fire
8 risk side?

9 THE FOREMAN OF THE JURY: I guess what I'm getting at is
10 it's quite apparent, I think, to everybody that in order
11 to understand what the regulations are saying it's not
12 a very straightforward process. You need to jump from
13 a point to a point to a point, and it would seem to me
14 that even the guidance itself is a little confusing. Is
15 guidance such as that that's been produced -- and
16 I think that was since 2009. It was 2011, I think. Is
17 there a practical way that you can see that would make
18 it even simpler for local authorities and similar bodies
19 to interpret the regulations?

20 A. Well, I think local authorities have an in-house
21 Building Regulations team, if we're talking about
22 Building Regulations, and they will carry out that
23 advice. They have specific training and they will be
24 able to advise on the various routes to go, and from --
25 when you submit a building application, they're very

1 willing to advise and direct you.

2 THE FOREMAN OF THE JURY: Thank you.

3 Who writes Building Regulations?

4 A. To be honest, I don't know.

5 THE CORONER: We may be able to help you with that shortly.

6 THE FOREMAN OF THE JURY: Thank you.

7 Another thing I wanted to look at, we've heard five
8 people died in the bathroom of flat 81 from smoke
9 inhalation, more or less. I was hoping we could look at
10 the photograph in jury bundle tab 13, picture 21, where
11 we can see the bathroom.

12 A. Okay.

13 THE FOREMAN OF THE JURY: You'll see on the back upper
14 right-hand corner of the bathroom there's a vent, and it
15 was apparent that smoke was coming through that vent at
16 some stage during the Lakanal fire. We've also heard
17 that smoke was coming through -- unfortunately, I don't
18 think we have a photograph of it -- a cavity to this end
19 of the bath, so to speak.

20 We've heard in approved document B -- and in the
21 sleeping accommodation document as well -- that there
22 seems to be some reference to concealed spaces,
23 cavities, that sort of thing. We've mainly heard about
24 that in regard to the lowered ceiling in the corridor.
25 When referring to concealed spaces, would regulations

1 such as those we've look at with the ceilings apply to
2 flues such as in the bathroom, where smoke might
3 conceivably come out?

4 A. Well, the flues in the bathroom -- if it's a common
5 flue, they should have a separation mechanism in there
6 in case of a fire, which have to be maintained, and
7 quite often in old buildings they're difficult to get
8 to. But it's a maintenance -- it's a maintenance issue
9 that wherever these occur -- and they should occur where
10 they pass through the compartment floor or the
11 compartment wall -- in case of a fire, it closes off.

12 THE CORONER: You say that they should have that mechanism.
13 Is that something which one finds in regulations, which
14 I think was what the jurors were asking?

15 A. It is in the regulations, yes.

16 THE FOREMAN OF THE JURY: Thank you.

17 Just one last question: I think we heard yesterday
18 that a sprinkler system may have made a big difference
19 in Lakanal, but you also mentioned that they're not
20 actually very widely used across the UK. Is there
21 a reason behind that low use that you're aware of?

22 A. Sorry, did you say fire risk assessment?

23 THE CORONER: No, sprinkler system.

24 A. Oh, yes, sorry.

25 THE CORONER: You gave evidence that they were not common.

1 I think your evidence was that they were not commonly
2 retro-fitted in existing buildings; is that right?

3 A. Yes, that is right. It's nothing that is seen in lots
4 of buildings. It is put in some. It's an expensive
5 route. It's also, I think, deemed as a bit of an issue
6 because of, to some extent, the regularity of smoke or
7 fire in setting off alarms and dousing the place in
8 water. So they aren't -- they are installed in some
9 places, but I think in practice you don't see them in
10 many buildings.

11 THE FOREMAN OF THE JURY: Thank you. That's everything.

12 Questions from THE CORONER

13 THE CORONER: Thank you.

14 Mr Walker, I'd just like to pick up on one of the
15 points which the jurors have raised about the complexity
16 of approved document B. I think that the debate that
17 we've had over the last three days demonstrates that
18 very clearly. Am I right in understanding that approved
19 document B was a document which was designed to be used
20 by people who wanted building work to be undertaken, by,
21 for example, surveyors or others advising building
22 owners or employers, by contractors, by subcontractors,
23 by suppliers of materials and that sort?

24 A. Yes, it's supposed to be a guidance document to guide
25 people on common areas of the Building Regulations to

1 help and assist them simply to undertake the building
2 work correctly.

3 THE CORONER: Well, we've had a detailed debate about the
4 tortuous route that one has to take through this
5 document to find an answer to a question which I would
6 have thought was a fairly straightforward one, which
7 was: "Should panels in this location have fire
8 resistance, and if so, for how long?"

9 A. Yes.

10 THE CORONER: You found yourself caught in the unfortunate
11 crossfire between eminent QCs who take different views.

12 A. Yes.

13 THE CORONER: What does that say about the practical use of
14 this document by those that have to use it day to day?

15 A. Well, it is a difficult document to interpret.

16 THE CORONER: Thank you.

17 I'd just like to ask you a few questions about the
18 Fire Safety Order and fire risk assessments. We've
19 heard that the Fire Safety Order came into force on
20 1 October 2006.

21 A. Yes.

22 THE CORONER: But I think you told us that it had originally
23 been planned to come into force in April 2006?

24 A. Correct.

25 THE CORONER: Mr Matthews has touched this morning on

1 possible reasons for that having been delayed. Can you
2 remember whether this was a piece of legislation which
3 came out of the blue, or had it been forecast to people
4 who would be affected by it before it came into force?

5 A. It had been rumbling around for some time, and it had
6 been forecast, and that's why when it came out
7 in October there was no leading period. Generally when
8 new regulations came out they give people a leading
9 period to comply with it, but there wasn't in this case
10 because it had previously been notified that it was
11 going to be issued but then wasn't.

12 THE CORONER: So in straightforward terms, then, people
13 providing social housing would have known for a file
14 before the legislation came into force that these were
15 provisions that they were going to have to comply with?

16 A. They should have done, yes.

17 THE CORONER: Thank you.

18 Take your mind back to pre-2009. In your experience
19 of working with organisations providing fire risk
20 assessments of this sort, was it your experience that in
21 some organisations an individual -- or maybe a group of
22 identified individuals -- had been identified, had been
23 earmarked, to undertake the role of responsible person,
24 which, as you've explained with Mr Matthews, was one
25 which was applied formally to the organisation?

1 A. Yes. I think it differs with some organisations, and my
2 experience pre-2009 was really with housing
3 associations, and yes, they had individual teams with
4 individuals within that team as group of individuals
5 taking that responsibility. I can't really comment for
6 local authorities pre-2009, but my -- my understanding
7 would be they -- they would have done it in the same
8 way.

9 THE CORONER: We've heard that it's plainly a massive task
10 and a big responsibility. Tell me if I'm wrong, but it
11 seems to me that the bigger the organisation, the more
12 important it is that you identify people within the
13 organisation who actually carry that level of
14 responsibility?

15 A. Yes, absolutely right.

16 THE CORONER: Just the last point, I think, on the question
17 of competence. In your experience, pre-2009, did you
18 come across organisations where the organisation itself
19 had sat down and said, "We have to work out what is
20 meant by 'competent'" in terms of the person who had
21 those obligations under the Fire Safety Order?

22 A. Yes. We ourselves were approached and entered into
23 discussions with -- again, it was housing associations
24 at that time -- as to what a competent person was, and
25 we ourselves had to try and decide what it meant from

1 our point of view, as a consultant providing that
2 service.

3 THE CORONER: Did you find big variations in that definition
4 from one organisation to another?

5 A. Massively, yes, yes.

6 THE CORONER: Okay. Well -- sorry.

7 A. Some people had employed building managers to undertake
8 the work at the time, others housing officers, as we've
9 heard, and others chartered building surveyors would be
10 doing the work.

11 THE CORONER: Thank you.

12 I think that's all I have for you. Thank you very
13 much, Mr Walker. Thank you very much for coming and for
14 the help that you've been able to give to us. You're
15 welcome to stay if you would like, but you're free to go
16 if you would prefer.

17 (The witness withdrew)

18 THE CORONER: Yes, shall we have a break now? Shall we come
19 back at about 11.40? You're welcome to leave your
20 papers behind if you wish. They'll be safe.

21 (11.28 am)

22 (A short break)

23 (11.42 am)

24 THE CORONER: Yes, Mr Maxwell-Scott.

25 MR MAXWELL-SCOTT: Madam, before the jury come in, it may

1 help just to look at the programme for the rest of the
2 day.

3 THE CORONER: Yes.

4 MR MAXWELL-SCOTT: Mr Snazell is the only witness scheduled
5 to give evidence today in the timetable. There are also
6 a number of statements which I would like to read before
7 the end of the week because the timetable for next week
8 is quite busy. What I suggest is that we call
9 Mr Snazell now, and then take a break from hearing
10 evidence or reading statements to see whether people
11 have any representations about approved document B and
12 the expert evidence we've heard and the desirability or
13 not of calling Mr Brian Martin, or may have
14 representations but need more time to reflect on them
15 and formulate them.

16 THE CORONER: That sounds sensible. If Mr Roberts is in
17 court, then I'd like to fit in his evidence before
18 Mr Snazell.

19 Mr Roberts, are you in court? If so will you come
20 forward, please.

21 Mr Clark, would you mind calling for him outside.

22 MR CLARK: No response, madam.

23 THE CORONER: All right. Thank you very much. In that
24 case, could we ask the jury to come in, please. Thank
25 you.

1 Mr Snazell, are you in court? Would you like to
2 come forward? Thank you. Have you seat for the moment,
3 thank you. Good morning, help yourself to a glass of
4 water.

5 A. Thank you.

6 THE CORONER: If you could remember to keep your voice up
7 and keep close to the microphones that would help, thank
8 you.

9 (In the presence of the Jury)

10 ANDREW SNAZELL (recalled)

11 THE CORONER: Thank you, members of the jury. We're going
12 to have some more evidence from Mr Snazell. You'll
13 recall that he came a while ago and gave evidence.

14 Mr Snazell, you gave an oath when you came last
15 time. I am not going to ask you to repeat it, but
16 you're giving your evidence on oath.

17 A. Yes, madam.

18 THE CORONER: Thank you. You recall Mr Maxwell-Scott.
19 Thank you.

20 Questions by MR MAXWELL-SCOTT

21 MR MAXWELL-SCOTT: Good morning, Mr Snazell.

22 A. Good morning.

23 Q. Thank you for coming back to assist us. I'm going to
24 ask you about two quite short, separate topics. Just to
25 outline for everybody's benefit what they are, the first

1 of them relates to the risk assessment done by the
2 London Fire Brigade on Lakanal House on 20 October 2006
3 and how that fitted in to a wider pilot project that was
4 being run within the London Fire Brigade at the time.

5 A. Yes, sir.

6 Q. I understand you're going to be able to help us on that?

7 A. Yes, sir.

8 Q. Thank you. Then the second topic, which I think will be
9 very short, will be about your interaction with the
10 London Borough of Southwark, in particular Sheila Keogh
11 and Ljubinka Taslaman, at the time that the
12 London Borough of Southwark decided to use the
13 London Fire Brigade to train housing officers to carry
14 out fire risk assessments.

15 A. Yes, all understood.

16 Q. We'll deal with those topics in turn. Firstly, if we
17 could take up the fire risk assessment bundle of three
18 files and turn to the third file. I'm going to take you
19 to page 1288 in it. (Handed) If you take a moment to
20 look at that. It is a three-page document completed on
21 20 October 2006.

22 A. Yes, sir.

23 Q. That was disclosed to the coroner some weeks ago and
24 then it led to requests for more background information
25 about how this risk assessment came to be carried out

1 and why it was carried out and how it was scored and so
2 on.

3 Since you last gave evidence, the
4 London Fire Brigade has helpfully provided additional
5 information running to some 70/80 pages or so, and what
6 I'd like to do with you is briefly to look at some of
7 that information to understand how this risk assessment
8 came to be carried out. I think the best place to start
9 is at page 1297. This is headed "Briefing note, high
10 rise referral". It's not dated itself but in the
11 context of other documents that I've look at, it would
12 appear to have been something probably written in 2005.
13 Can you assist at all with that?

14 A. Yes. To put it into context, high rise in general --
15 not just residential high rise but high rise -- had been
16 coming to the fore for a number of reasons. We'd had
17 a number of serious incidents within the
18 London Fire Brigade where we'd had what I'd term
19 a safety event or an incident where firefighters have
20 been exposed to hazardous situations when undertaking
21 operations in high rise buildings. There'd been
22 a tragic incident in another brigade where two
23 firefighters tragically lost their lives in a high rise
24 incident, and the brigade and the representative bodies
25 were in some dialogue around what was the correct weight

1 of -- sorry, weight of attendance, predetermined

2 attendance, for a high rise premises.

3 Q. So when you talk about what was the correct weight of
4 attendance or predetermined attendance, in short, you're
5 talking about how many fire engines ought to attend?

6 A. Yes.

7 Q. And how many firefighters ought to attend?

8 A. Yes. Up until 2006, the London Fire Brigade would send
9 two front-line pumping appliances to any fire in
10 a residential premises. That's low rise houses,
11 terraced houses, individual houses or high rise. Any
12 residential premises up until then.

13 Q. Just pausing there, there's a lot of jargon in this
14 briefing note -- no criticism; it's an internal
15 document -- but we see within it, I think, the point
16 that you are just making. In the short paragraph
17 towards the second half of the page, we see this
18 sentence:

19 "The brigade has maintained its position (as
20 contained in LSP2) that it will send two pumping
21 appliances to all fires in residential premises."

22 A. Yes, sir.

23 Q. So that was the approach in around 2005 of the
24 London Fire Brigade to fires in high rise tower blocks
25 as well?

1 A. Yes, high rise and all residential. Sorry, all
2 residential high rise, not all high rise.

3 Q. I should have made that clear, yes. All residential
4 high rises at that time triggered an automatic response
5 of two pumping appliances?

6 A. Yes, unless a specific area of concern had been
7 identified. So there would have been a number that
8 would have attracted in addition of the minimum of two,
9 but as a -- as a default or a minimum, two would have
10 been the position.

11 Q. So unless there was some note on the system that
12 a particular address or a particular street required
13 more than two appliances, the default position was that
14 residential high rise tower blocks would have two
15 pumping appliances sent to them?

16 A. That's correct.

17 Q. Then if we look towards the top half of the document,
18 immediately under "Background", we can see that this had
19 been the subject of some debate and there had been
20 a failure internally to reach a consensus about the
21 appropriate number of appliances to attend; is that
22 broadly the picture?

23 A. That's correct, sir. The BJCHSW is an abbreviation for
24 the staff-side consultation process. So that's exactly
25 what it is. It's between the fire -- the Fire Brigade

1 principal management and the representative bodies.

2 Q. Then if you turn to page 1299, we get section 2 of this
3 briefing note, which is "an analysis of our current
4 attendance to high rise fires (by means of a task
5 analysis)". I'm not going to work through that but
6 I will take you on to page 1306, where we get a summary
7 of analysis. I think for our purposes, it's only
8 necessary to look at the first sentence, which says
9 that:

10 "At time of arrival, 11 personnel need to be
11 deployed as follows."

12 Then there's an explanation of how that figure of 11
13 firefighters is arrived at. Then, over the page at
14 1307, we see a section headed "Implications of this
15 analysis for the brigade's IRMP". Can you just help us
16 with what an IRMP is?

17 A. Integrated risk management plan.

18 Q. What this briefing note stated was that:

19 "The task analysis was based upon the number of
20 personnel required at fixed times with key equipment if
21 the planning assumption of rescue within ten minutes of
22 arrival is to be realised. This analysis clearly does
23 not consider either the attendance times or number of
24 pumping appliances on predetermined attendance for high
25 rise residential property. These are considered here."

1 So is what we then see the application of the
2 general analysis being applied specifically to consider
3 what is the right predetermined attendance for a high
4 rise residential property?

5 A. Yes, to summarise, it was analysing all the tasks that
6 are required to be undertaken to put a safe system of
7 work in place to attack a fire at high rise premises,
8 and as the documentation shows, by analysing those
9 tasks, the minimum number is 11 people. A fire
10 appliance will carry a minimum of four, a maximum of
11 six. By inference there, the minimum number of
12 appliances that you'd need to guarantee 11 personnel
13 arriving at a high rise incident is three, and
14 consequently that decision was made, that all high rise
15 premises -- residential, sorry -- all residential high
16 rise premises would, by default, attract a minimum
17 attendance of three and that then negated some of the
18 other work streams that were going along in that
19 project.

20 Q. I think that that helpful answer may have summarised us
21 all the way to the end of the story.

22 A. My apologies.

23 Q. Which is fine to know where we're going. Just in terms
24 of where we are in this document, the first half of your
25 answer is exactly what it says, essentially, in the

1 fourth paragraph, is it not? In order to get the 11
2 people arriving, you can't rely on two appliances alone?

3 A. No, sir.

4 Q. And you need to have three appliances to ensure you will
5 always have 11 firefighters?

6 A. Absolutely.

7 Q. If we move on then to page 1335. We're now
8 in August 2006 and we are looking at the first page of
9 a departmental work briefing for the strategic risk
10 group. So it's another internal London Fire Brigade
11 document; is that right?

12 A. That's right, sir.

13 Q. In the first paragraph, we see that there is a high rise
14 project going on:

15 "... looking at providing information that supports
16 the decision to increase the attendance we make to
17 confirmed high rise building fires. The interim measure
18 to send a third fire engine to confirmed high rise fires
19 will ensure a minimum crewing level of 12 personnel."

20 So to summarise, the position that's been reached
21 here is that there were concerns that two fire
22 appliances may not be sufficient to address high rise
23 residential tower block fires, there's an interim
24 measure to always send three fire appliances, and a high
25 rise project is going on to try and bottom out what the

1 correct answer should be?

2 A. That's correct sir.

3 Q. In essence, was that project something that involved
4 developing a risk assessment project using the form that
5 we have seen completed for Lakanal House and running it
6 as a pilot scheme in some boroughs?

7 A. That's correct.

8 Q. If we look, then, at page 1353. We're now
9 in September 2006, and it's an internal email from
10 Mr Turan, who'd written the previous briefing paper,
11 I think, and he sends it to three people, including
12 Michael McGurran, who we'll recall was the station
13 manager for Peckham Fire Station. It's also copied to
14 you, presumably as borough commander; is that right?

15 A. That's correct, sir.

16 Q. It says:

17 "Dear all, further to the meeting yesterday -- we
18 are looking to run the pilot up to the end of October,
19 when I will collate the information your staff have
20 given to me."

21 Then a little lower down:

22 "As agreed at the meeting: station managers will
23 decide on the range of high rise buildings to be
24 assessed in your respective boroughs. Each borough will
25 provide 20 completed risk assessments. Information to

1 be provided by the end of October."

2 Is that the context in which the risk assessment for
3 Lakanal House came to be completed?

4 A. Yes, the -- the pilot was run, as you said, in a number
5 of London boroughs, Southwark being one and Peckham
6 being one, the Southwark stations. Yes.

7 Q. Then if you go on to page 1359, we see an email from the
8 station manager at the Peckham Fire Station, Michael
9 McGurran, to Mr Turan. It seems to be attaching a "high
10 rise risk assessment" zip file. Do you see that in the
11 attachments?

12 A. Yes.

13 Q. Then if we look behind that document, we will see
14 a collection of risk assessments using the same template
15 document as the one for Lakanal, and indeed the one for
16 Lakanal is here too. So just very quickly, we have one
17 for Castlemead at page 1360?

18 A. Yes.

19 Q. We have one for Coniston House at 1363, one for Crane
20 House at 1366, the one we've seen before for
21 Lakanal House is in these papers again at 1369,
22 Masterman House at 1372, Witcombe Point at 1375. Do you
23 agree with me, it looks as if each of those risk
24 assessments was completed within a few weeks of each
25 other as part of this pilot scheme and were then all

1 emailed together from Station Manager McGurran to
2 Mr Turan on 2 November?

3 A. Yes, I'd agree with that.

4 Q. In terms of what happened after that, if we go to 1379
5 and look at the email on the second half of the page.
6 This is now 28 April 2007. Can you help us with whether
7 this is relevant to explaining what happened to the
8 pilot scheme?

9 A. Only insofar as I can from a borough commander's
10 perspective. These are internal emails from within
11 a central group, so as far as I can, yes, I will.

12 Q. Okay. Is the G19 job something that relates to this
13 pilot scheme or is something completely different?

14 A. It would have led on from it. The old prefix "G" was in
15 reference to general fire safety jobs. It was the
16 designation that we gave to fire safety jobs previously.
17 The G19 job was, as I understood it, going to be
18 the designation for high rise premises. Again, it never
19 came to fruition because the project never came to
20 fruition either, so G19 was proposed but never actually
21 came into force.

22 Q. So help us with your knowledge, as a borough commander,
23 of what happened to the project which was the reason why
24 the risk assessment was completed for Lakanal House
25 in October 2006.

1 A. I think the -- the projects had a number of streams of
2 work. When it was agreed that the minimum number of
3 firefighters was going to be 11, therefore three pumping
4 appliances, and that became the standard attendance, the
5 need to risk -- operationally risk-assess the high rise
6 buildings to see which ones we were going to allocate
7 an additional attendance to became -- that as well was
8 negated. There was no need to see say, "We're going to
9 go for a number and send a bigger attendance"; we were
10 going send the three attendance to all high rise
11 premises.

12 So the data was sent up to headquarters, became part
13 of the project, the decision was made that we'll send
14 three, and that data then became -- I wouldn't say
15 redundant but was no longer the influence to which --
16 which premises would attract a greater attendance.

17 Q. Is it your understanding that the project might have
18 been used to assist in deciding whether the
19 predetermined attendance should be two fire engines or
20 three fire engines?

21 A. I think this strand of work, the one with the draft
22 template on, would have been able to identify if we'd
23 have had to categorise between the different high rise
24 buildings that we had. But as I said, it became
25 superfluous or not required because the decision was

1 taken: we'll send three to all high rise.

2 Q. As far as you know -- and if this is outside of your
3 knowledge, just say so -- was there at any point any
4 consideration to the possibility that this pilot scheme
5 might have identified premises that required more than
6 three fire appliances?

7 A. No, no, it was -- it was using the existing knowledge
8 that we had. If we had premises like that, that
9 identified a specific risk, then this project or any
10 other routine inspection would have identified those.
11 So if during the six that you have the examples of here,
12 we'd have identified a significant risk -- a dry riser
13 being vandalised or a fire lift being -- then we'd have
14 taken immediate steps at that time to increase the PDA,
15 predetermined attendance, at that time, as would do --

16 Q. At a local level?

17 A. As we would do then and still do now.

18 Q. And that fits with the point that you made at the outset
19 that whilst at the beginning of this project the
20 predetermined attendance was two fire appliances, there
21 were some individual properties which had a higher
22 predetermined attendance?

23 A. There would be, yes, sir.

24 Q. I think that completes that story. I'd like to take you
25 back and ask you about just a couple of passages in the

1 briefing note to ask you your views on them. The
2 briefing note started at page 1297, just to refresh your
3 memory. We looked together at section 3 of it, which
4 started at 1307. I want you to look now at section 4 at
5 1309. This is headed "Resilience issues" and it says:

6 "It should be noted that the task analysis does not
7 consider additional resilience requirements, ie in the
8 event that the planning assumptions cannot be relied
9 upon and additional tasks are required to be undertaken,
10 then these cannot be achieved without additional
11 personal (or equipment) resources without significant
12 detriment to the time to rescue."

13 Am I right in thinking that that is saying that the
14 analysis in the earlier part of the document, which
15 suggests that one needs 11 firefighters and therefore
16 three appliances, proceeds on the assumption that
17 certain obstacles, here described as resilience issues,
18 will not arise, and what this section of the document
19 then does is to summarise some obstacles or resilience
20 issues which can arise at high rise fires?

21 A. That's correct.

22 Q. That's what I wanted to ask you about, because the next
23 short paragraph that introduces the list says this:

24 "Experience at high rise fires shows that the
25 following readily foreseeable issues are worthy of

1 consideration and may occur singly or in combination."

2 There is then a list of ten, and I wanted to ask you
3 about two of them. Over the page, firstly number 7.

4 Number 7 says:

5 "Fire has spread beyond compartment of origin. This
6 is likely to necessitate the use of additional
7 firefighting crews. It may lead to additional members
8 of the public being involved, creating demands for
9 resources for evacuation and rescue."

10 My question is: would you agree with the author of
11 this paper that fire spreading beyond the compartment of
12 origin at a high rise fire is a readily foreseeable
13 issue?

14 A. I wouldn't necessarily agree it's a readily foreseeable
15 issue. It's an occurring issue that crews should be
16 aware of. So it's a consideration for all incident
17 commanders when they arrive, but it's -- I wouldn't say
18 it's a -- but the term "readily foreseeable", it's
19 almost as if you're anticipating it will happen. It
20 does happen but not necessarily on all occasions.

21 Q. It's not my term. It comes from the report.

22 I appreciate it's not your term either.

23 A. Yeah.

24 Q. All I can do is ask you to comment on whether or not you
25 agree with it.

1 A. Well, in that case, no. I wouldn't say it's readily
2 foreseeable. It should be anticipated it can occur.

3 Q. Okay. Then I'll ask you to look at number 10, which is:
4 "Defective compartmentation of firefighting shaft
5 and between residential flats."

6 Over the page we are told:

7 "This can give rise to smoke spread, which in turn
8 can cause difficulties to crews in determining floor of
9 fire and may exacerbate evacuation conditions, giving
10 rise to problems described in 8 above."

11 And 8 above was about evacuation by residents.

12 A. Yes.

13 Q. So my question, again, as I'm sure you've anticipated,
14 is: would you agree with the author of this document
15 that defective compartmentation between residential
16 flats in the context of high rise fires is a readily
17 foreseeable issue?

18 A. I think it's this term "readily foreseeable". The list
19 of 1 to 10, from my experience -- I've been to incidents
20 where all of these or a combination have occurred, so
21 the term "readily foreseeable" would be "possible issues
22 worthy of consideration", because some will happen at
23 an incident or maybe none will happen.

24 It may be also important to emphasise that
25 a predetermined attendance of three appliances is the

1 absolute minimum to initiate the safe system of work in
2 terms of securing the lift, securing the water supplies,
3 that kind of thing. Any -- any significant fire on
4 an upper floor of any building will require additional
5 resources, and it's -- one of the first considerations
6 of an incident commander is to request additional
7 resources if they have a significant fire on an upper
8 floor. Three is the absolute minimum to put in the safe
9 systems of work to not only investigate but make
10 an initial attack, but anything -- any significant fire
11 on an upper floor will require additional resources.

12 Q. I'm now going to move on to my second topic, which will
13 be shorter, I anticipate. If I could ask you, in the
14 same bundle, to be given file 1, and I'll take you to
15 page 254. (Handed)

16 I'm looking at an email in the bottom half of the
17 page, sent on 6 November 2008 from Sheila Keogh to you
18 and Geoffrey Scudder. We can see at the outset it
19 refers back to a meeting which, according to the email,
20 took place on 19 August, regarding fire risk assessments
21 of communal areas. It says:

22 "Dear Andy and Jeff ... at that meeting, you did say
23 that you would kindly look through our draft fire risk
24 assessment form and give your comment."

25 Then it attaches the form, and it goes on to say:

1 "The London Fire Brigade's commercial training unit
2 is due to commence a series of one-day fire risk
3 assessment training for our housing officers on
4 14 November."

5 Does that assist at all to help you to remember any
6 meetings or discussions that you had with persons from
7 the London Borough of Southwark, particularly Sheila
8 Keogh, back in August 2008?

9 A. Yes, I had one meeting with Sheila Keogh and Ljubinka
10 from health and safety at Southwark in August 2008.

11 Q. Was that a meeting to discuss the fact that the
12 London Borough of Southwark wanted to train its housing
13 officers to carry out fire risk assessment?

14 A. Not specifically, no, as I recall. It was a meeting to
15 discuss how to progress with their fire risk assessment
16 programme and what options -- or how best to take that
17 forward.

18 Q. Can you help us then with your recollection of what was
19 said at that meeting about the extent to which the
20 London Borough of Southwark actually had a fire risk
21 assessment programme at that time, in August 2008?

22 A. From the request for a meeting which came from the
23 London Borough of Southwark -- could they meet to
24 discuss their fire risk assessment programme -- my
25 conclusion from that was that it wasn't concluded or

1 complete.

2 Q. Beyond that, did you form any views about whether the
3 programme had actually started, in the sense of whether
4 any fire risk assessments on residential properties with
5 communal areas had been carried out since the Fire
6 Safety Order came into force in October 2006?

7 A. No, from -- from when we had the meeting, it was clear
8 that there hadn't been any fire risk assessments
9 completed and that they were trying to move forward with
10 that process.

11 Q. If I could then ask you to turn to page 315. At the
12 bottom of the page, we can see an email from Mark
13 Sharman from the London Fire Brigade's commercial
14 training unit to you, dated 14 November 2008, and it
15 says:

16 "Hi Andy, re: one-day fire risk assessment training
17 for London Borough of Southwark housing."

18 If you go over the page:

19 "Just to let you know that the first of the risk
20 assessment training courses is scheduled for next
21 Tuesday in Bermondsey. The plan is to area office by
22 area office; therefore I anticipate improvements to
23 match this schedule. Please make your FS team ..."

24 Is that fire safety team?

25 A. It is.

1 Q. "... aware as appropriate. I'll keep you up to date as
2 things move on."

3 Then if we go back to 315 we see your reply, which
4 you, to be fair to you, shot off a matter of two or
5 three minutes later. You said:

6 "Thanks Mark. I'll be interested to see how many of
7 the housing officers get out there and do some."

8 That, do we now understand, was in the context of
9 your belief at the time that none had yet been done?

10 A. No, that's a -- that's an informal remark to Mark --

11 Q. I appreciate it's an informal remark.

12 A. -- based on a conversation that I'd had with him that --
13 he'd indicated that a number of the candidates had
14 appeared disinterested or been late in attending or not
15 even turned up. So it was: well, let's just see what
16 they come up with.

17 Q. But it was in the context of your belief at the time
18 that the London Borough of Southwark had not started
19 doing fire risk assessments of the communal areas of
20 residential buildings?

21 A. The comment relates to: let's see how many of the
22 housing officers that have been through the process now
23 deliver fire risk assessments.

24 Q. Between then and July 2009, what information were you
25 provided with about the extent to which housing officers

1 did get out there and do fire risk assessments?

2 A. I didn't receive any further feedback that I can recall.
3 Mark would have sent me updates of how the progress was
4 going but that would only have been from a training
5 perspective, not about how many fire assessments had
6 been completed.

7 Q. He did send you updates about training. I'm not going
8 to turn to those with you, but the short point is that
9 you didn't get updates about how many fire risk
10 assessments the London Borough of Southwark were in fact
11 achieving in relation to the communal areas of
12 residential properties; is that right?

13 A. No, but that also needs to be put into the context that
14 I didn't receive updates on how many fire risk
15 assessments were being completed across the borough in
16 all commercial -- in all the other buildings in the
17 borough. So it wasn't an expectation or a requirement
18 that I would be kept updated on that kind of progress.

19 Q. Thank you very much for coming back and helping us on
20 those two topics, Mr Snazell. Those are my questions
21 for you, but others may have some.

22 A. Thank you, sir.

23 Questions by MR HENDY

24 MR HENDY: Mr Snazell, my name's Hendy. I represent some of
25 the bereaved families. Just some very, very short

1 questions, please. If you could look at page 1288.
2 It's in the first of the volumes that you looked at this
3 morning. Just to remind ourselves, this was one of the
4 risk assessments in the exercise that the Fire Brigade
5 carried out. We well understand the reasons why that
6 was discontinued, but I just wanted to draw your
7 attention to the brief description of premises at the
8 bottom of that page, because this is in relation to
9 Lakanal House. It says, as we see:

10 "Residential block of 14 floors -- 14 maisonettes on
11 floors 1, 3, 5, 7, 9, 11, 13. All maisonettes over two
12 floors."

13 Of course, once your exercise had been carried out,
14 that information, as it were, was lost to the brigade,
15 really, wasn't it?

16 A. These draft forms didn't form any part of information or
17 retention of information, so that information would have
18 been available but not just from that draft document.

19 Q. Yes. What I want to put to you -- and perhaps I'm going
20 about it in rather a round-about way -- is that that
21 little summary, a line and a half, would have been
22 a very useful summary for incident commanders to have at
23 Lakanal House and that sort of one-and-a-half line
24 description might be a very useful thing if it could be
25 attached to the addresses of high rise blocks and

1 maintained by brigade control. Would you agree with
2 that?

3 A. Just -- I'm not disagreeing, sir. I'm just thinking
4 through my head the formats that that would be available
5 in, readily available.

6 Q. Yes.

7 A. For it to be readily available to an incident commander
8 it would either have to be on the bottom of an initial
9 call slip or on a thing called the MDT, the mobile
10 databases on the front of the appliances. But if that
11 format could be available for all premises -- not just
12 high rise or residential -- then anything that could
13 assist, then, yes, I would agree.

14 Q. Yes. Obviously we now have the mobile databases on each
15 appliance and it should presumably be relatively easy to
16 ensure that such a line and a half description of a high
17 rise block is put onto that. Would you also agree that
18 it might be useful for brigade control, dealing with
19 incidents over the radio, if they had a very short
20 description of each of the main high rise blocks on
21 their patch? Of course, they cover the whole of London,
22 don't they?

23 A. They would need access to the MDT or the operational
24 risk database, which is the programme within the data.

25 Q. Yes.

1 A. If they had the same information that an appliance
2 commander had, then they could reinforce that.

3 Q. Yes, and that would be useful because obviously the
4 brigade control, when they're speaking to the
5 firefighters at incident control, the command unit,
6 whatever it is, they know the address of the building
7 but this little snippet of extra information would be
8 very, very useful just in case it wasn't known to the
9 incident commander on the ground?

10 A. Yes, I'd agree with that.

11 Q. Just two other tiny points. If you could go, please, to
12 page 1308. This is the third page of the summary of the
13 analysis of the exercise that you were carrying out. At
14 the top of page 1308, it says:

15 "It is known from experience that where crews are
16 presented with inadequate resources to make a rescue,
17 they will nevertheless commit personnel to attempt
18 rescue because of public expectations and psychological
19 pressures."

20 That statement was as true in 2009 as it is indeed
21 today?

22 A. Absolutely.

23 Q. 1309 is the last point. This is the beginning of the
24 ten problems that might be foreseen and the first one is
25 to do with dry rising mains. It says under the second

1 bullet point on point 1:

2 "The main may have been vandalised to the extent
3 that it is not serviceable. Alternatively, it may be
4 off the run for maintenance work. Three options are
5 available. The first is to lay out and charge hose up
6 the firefighting staircase. This is extremely
7 labour-intensive and is likely to significantly delay
8 firefighting (and then rescue) actions. The second is
9 to provide an aerial appliance as a means by which water
10 can be complied externally up to a maximum of 11
11 floors -- thence internally to the fire floor if
12 necessary. The third is to haul hose aloft externally."

13 I just wanted to ask you about the use of aerial
14 appliances. Is that the general understanding, that
15 aerial appliances can supply water up to the maximum of
16 11 floors?

17 A. Dependent on the building, the access of that aerial
18 appliance, the availability of a suitable window or
19 balcony to actually bring the hose in from externally.
20 Because what they're talking about there is one of two
21 ways: you can either use the turntable ladder, or any of
22 them, you can plug into the bottom of the appliance, use
23 the internal pipework and plug into the top and then
24 out, or you can simply lay the hose up the external
25 ladders. But it will depend on the actual building and

1 the circumstances.

2 Q. Indeed. I just wanted to ask you about that question of
3 access. Obviously it's a very important issue for
4 aerial appliances to have access to anywhere they might
5 need to get in order to supply water to a fire?

6 A. Yes, but the high rise -- fighting a fire in high rise
7 is based on fighting the fire from the inside and not
8 reliant upon external firefighting from aerial
9 appliances.

10 Q. That's understood, of course, but this paragraph is
11 postulating the difficulties of fighting it from the
12 inside, or even if it can be partly done from the
13 inside, it's supplementing that by providing water from
14 the outside.

15 A. No, what that's saying is you're using the aerial
16 appliance as, as it were, an external dry-rising main.
17 You're still undertaking the firefighting from inside.
18 So you're bringing water up to the level you need it,
19 then into the building, then the firefighting takes
20 place on the inside.

21 Q. That I now understand. But the point remains that in
22 order -- if you're going to use an aerial appliance, you
23 have to have access?

24 A. Absolutely, which is the point I made, sir.

25 Q. I just wanted to pick up the last sentence of that

1 paragraph, which may not have relevance to the fire at
2 Lakanal House. Could you just explain what it means.

3 It says:

4 "DRMs [dry rising mains] are no longer tested or
5 inspected on a regular basis and therefore issues such
6 as those identified here are more likely to occur."

7 How did that come about, that they were no longer
8 tested or inspected on a regular basis?

9 A. I believe that refers to the fire brigade no longer
10 testing or inspecting them. Around about 1999, or
11 pre-1999, we used to inspect and test the dry rising
12 mains, so we would -- a visit would involve plugging
13 into the dry rising main and pumping it up to working
14 pressure, which was 10-bar, checking all the outlets
15 were secure, checking the roof outlet, doing a physical
16 test. We no longer do that -- that role. That's now
17 passed to the premises' responsible person or premises
18 owner, so I think the inference from there is that they
19 may no longer have our regular -- it was an annual
20 inspection -- they may no longer be subject to our
21 inspections and checks.

22 Q. Because the jury has heard a lot of evidence about 72D
23 visits. They would simply be visual checks on the dry
24 risers?

25 A. It would be a visual check. May check riser boxes that

1 we have the right keys or riser straps, but yeah, not
2 a -- what I would term an old-fashioned test of
3 a dry riser, where you physically pump it up to its
4 working pressure.

5 Q. Thank you very much.

6 A. Thank you sir.

7 THE CORONER: Mr Dowden? Ms Al Tai? Thank you very much.

8 Mr Matthews.

9 Questions by MR MATTHEWS

10 MR MATTHEWS: Mr Snazell, can I ask you to look at page 726
11 in our fire risk assessment chronological bundle. While
12 it's being found and I am pausing, just to apologise to
13 you in advance, we're going to have to jump about a bit
14 because it's an email chain, so the sensible thing is to
15 start sort of half way up the page of 726. It's
16 an email from Mark Sharman sent on 8 April 2009, rather
17 early in the morning, to various people. It says:

18 "Dear all, please see the email below to the borough
19 fire commander -- London Borough of Southwark. Sheila
20 and Chris are delighted with the support and training
21 they have received from the commercial training unit.
22 It is very likely that we will be invited to deliver
23 more FRA training to the contractors and technicians
24 working in the borough. Thank you all for the support
25 given."

1 If we then look below, we can see that the email
2 Mr Sharman's talking is from him to you, also on 8 April
3 at the same time. It starts at the very bottom of 726
4 with the words "Hi Andy", but we can go over to 727 and
5 we can see what it says:

6 "Fire risk assessment training update. The CTU has
7 now completed a series of one-day fire risk assessment
8 training courses with the borough. Nearly 100 housing
9 officers attended and the process of carrying out FRA on
10 the communal parts is now underway. Having looked at
11 one completed FRA form (from a training perspective) it
12 appears that the housing officer has carried out the job
13 well (which is most encouraging)."

14 He goes on to talk about the smoke alarm and then
15 a paragraph that says:

16 "Yesterday, I was invited to a meeting with Sheila
17 Keogh and Chris Baxter ..."

18 And we can find out there that Chris Baxter is
19 housing technical support:

20 "... to discuss FRA of the restricted areas (lift
21 motor rooms, boiler rooms, intake rooms, et cetera) and
22 how training can support this process."

23 He sets out how it's likely that the commercial
24 training unit will be training the housing technicians
25 and that could be a significant factor in making the

1 housing portfolio safer from fire risk. Then he says
2 this:

3 "During the meeting, a number of issues were raised
4 that I suggested were addressed to you and your fire
5 safety team. It's Chris's intention to contact you to
6 discuss at some time soon."

7 We can see the type of issues those were: trial
8 access procedure on restricted lift motor rooms, try and
9 stop the stealing of brass components from dry risers,
10 sharing of data regarding incidents on borough housing
11 property. Then he promises to keep you informed about
12 the CTU activity with the London Borough of Southwark.

13 I know it's a long time ago and a long introduction,
14 but do you remember getting that email? Do you remember
15 that stage of events?

16 A. Specifically, no, but I've obviously received it, so I'm
17 not disputing that.

18 Q. If we could jump back to 726, then, and look at the end
19 of the email chain in time. That's at the top of 726.
20 It's a thought from Brendan McKenna to Mark Sharman
21 want:

22 "Mark, just a thought but maybe our work with
23 Southwark would be considered for inclusion as a feature
24 in a future edition of Shout ..."

25 What's Shout?

1 A. Shout's an internal London Fire Brigade information and
2 newsletter.

3 Q. It says:
4 "... subject to the approval of Sheila Keogh and
5 Andy Snazell."

6 Do you remember any discussion about the role of the
7 LFB with training the housing officers?

8 A. No, I -- I didn't become involved in anything further
9 along that chain of "Shall we put something in Shout".
10 I'm not sure -- I mean, from recollection, I can't
11 recall them contacting me to say would I endorse or
12 would I write a piece for it.

13 Q. Can you confirm that the view at the time was that this
14 was a positive and successful step?

15 A. The -- the commercial training unit was, at that time,
16 formulating its work streams. It was an early stage of
17 that unit's work, and they -- from reading that, they
18 were promoting their own work, trying to raise awareness
19 of it, and that's how I took it.

20 Q. Well, let me ask you again: at the time, was it
21 considered a positive thing?

22 A. Yes, from -- from where it had started to where it had
23 progressed to, yes.

24 Q. Thank you. That's all I ask.

25 THE CORONER: Thank you. Mr Compton?

1 MR COMPTON: No questions, thank you.

2 THE CORONER: Thank you. Ms Canby? Ms Petherbridge?

3 Mr Walsh?

4 MR WALSH: No thank you, madam.

5 THE CORONER: Thank you. Members of the jury, do you have
6 any questions for Mr Snazell?

7 Questions from THE JURY

8 THE FOREMAN OF THE JURY: Thank you, just one. In addition
9 to the benefits gained by the council of conducting the
10 fire risk assessments, could these assessments reveal
11 data about properties that the Fire Brigade would also
12 find useful, in that information sharing could be very
13 useful to you both, or, following on from that, would it
14 actually have provided too much information for the
15 Fire Brigade to be involved in the FRAs? That's
16 a rather convoluted way of putting it, I'm afraid.

17 A. Could you please repeat it?

18 THE FOREMAN OF THE JURY: We understand that the risk
19 assessments are handed over to the housing officers to
20 a certain degree, and also that the information gained
21 from those risk assessments might be kept internally by
22 those housing officers. Is there anything in place to
23 allow for information sharing between those housing
24 officers and the Fire Brigade, I guess along the lines
25 of the information that we've seen before, or would it

1 be too much information and just make things more
2 complicated?

3 A. No -- prior to 2009, no, there wasn't -- but there is
4 now -- a very robust mechanism of information sharing.
5 So we do that on a regular basis. If housing identify
6 an issue with a particular block, they notify us that
7 day and we make an appropriate amendment to either our
8 predetermined attendance or tactics and housing will
9 notify us when it's been rectified.

10 THE FOREMAN OF THE JURY: Okay, just let me check that that
11 covered everything.

12 Okay, thank you. That's everything.

13 Questions from THE CORONER

14 THE CORONER: Can I just ask you to expand on that, please,
15 Mr Snazell. I think that earlier, in answer to
16 Mr Hendy, you accepted that it might be useful if, for
17 example, information about a building were put on a call
18 slip or if maybe it was information which could easily
19 be picked up by brigade control and passed on to
20 incident commanders or those on the fire ground.

21 A. Yes, madam.

22 THE CORONER: And I assumed from the way that you answered
23 that that this was something that wasn't being done at
24 the moment. You've now explained that there is
25 information sharing and I would really like to

1 understand from you what sort of information is shared
2 and how it's shared, and how it's disseminated. So if
3 you could take those in three steps.

4 A. Yes. Information regarding a building that is what it
5 says it is, so a block of flats is a block of flats and
6 crews would expect there to be a number of features
7 within it. But if, for instance, the dry riser's been
8 vandalised or the fire lift's defective, then I would
9 expect an underwrite or a temporary note on the console
10 to say: dry riser defective, the lift's not working. So
11 it's information that's above what we'd normally expect
12 to find at a premises.

13 THE CORONER: But it wouldn't go as far as giving a brief
14 description of the building?

15 A. Not on the call slip, no. The currently mobilising
16 system isn't capable of doing that. They'd have to go
17 to another screen and interrogate the risk database.
18 If, during inspections, that premises is included in the
19 risk database, then that information is on the -- on the
20 operational risk database. So for instance now, on
21 a high rise building, it will say "high rise", a list of
22 considerations which are based on our high rise
23 firefighting policies -- so operational considerations.
24 So it's an aide memoire for an incident commander.

25 The -- the additional information that is informing

1 the appliance commanders that something is either
2 unexpected at the premises -- that's -- that is the bit
3 of additional information that might be included. So it
4 wouldn't necessarily include a brief description of the
5 premises. They'd be expected to know that it's
6 a garage, a hotel, or a block of flats.

7 THE CORONER: How would that unexpected information be
8 disseminated to those eventually on the fire ground?

9 A. Either through the information on the call slip -- it
10 should also be included on the operational risk
11 database, so every appliance attending will have a call
12 slip with one line on the bottom saying "Dry riser
13 defective" or "Fire lift defective" or -- and I'm
14 stating as it is now, madam, rather than in 2009.

15 THE CORONER: Yes, the questions I'm asking are about as it
16 is now, yes.

17 A. So the information -- you can interrogate the
18 operational risk database to a number of levels. So we
19 even have information on there around different makes of
20 cars and security measures and the airbags and things
21 like that, and we can -- it can go right into that level
22 of detail and any appliance can get that.

23 THE CORONER: I see. That's very helpful. Thank you very
24 much.

25 A. Thank you.

1 THE CORONER: Mr Snazell, thank you very much for coming and
2 for the help that you've been able to give to us.
3 You're welcome to stay if you would like, but you're
4 free to go if you would prefer.

5 A. Thank you, madam.

6 THE CORONER: Thank you very much.

7 (The witness withdrew)

8 MR MAXWELL-SCOTT: It's 1.50. What I might suggest perhaps
9 is if the members of the jury were invited just to wait
10 in their room for ten minutes while we have a quick
11 discussion about what the plan is going to be for the
12 rest of the day and then we can get a message to them.

13 THE CORONER: Okay. Is that acceptable, members of the
14 jury? Thank you very much.

15 (In the absence of the Jury)

16 Housekeeping

17 THE CORONER: Yes, thank you.

18 MR MAXWELL-SCOTT: Madam, there are no more witnesses on the
19 timetable to give evidence today. It may be that people
20 have representations to make about whether or not
21 Mr Brian Martin should give evidence and, if so, on what
22 topics, and about where to go with the fact that there
23 are differing schools of thought on the correct
24 interpretation of approved document B. I thought that
25 we could just spend ten minutes seeing the extent to

1 which people have points to raise. If they do, it may
2 be that they could be dealt with this afternoon while
3 matters are fresh and we could review what we do with
4 the jury this afternoon. If we don't have discussions
5 along those lines now, then this afternoon will simply
6 be reading statements.

7 THE CORONER: Okay. That's helpful. Any observations
8 around the room, please? Who's going to go first? In
9 effect, are you all saying you'd quite like some time to
10 think about it and we can come back to it shortly?

11 MR MATTHEWS: Can we have a little time? Ten minutes?

12 THE CORONER: Well, let's have a plan so that we all know
13 where we're going and we can tell the jury when we might
14 need them again.

15 MR MATTHEWS: Exactly. Perhaps if we could have ten minutes
16 then we could sensibly address you, and it may be that
17 Mr Martin could give evidence this afternoon. If we
18 keep the jury waiting 15 minutes, we might be able to
19 inform them that they're not needed today if the
20 decision is Mr Martin isn't going to give evidence.
21 I know that does involve inconveniencing the jury 15
22 minutes, but ...

23 THE CORONER: Well, there might be some benefits for them.

24 MR MATTHEWS: Exactly. I think, on behalf of all of us,
25 we've done very well so far in not inconveniencing them

1 over the course of these weeks.

2 THE CORONER: I endorse all of that and I thank you all very
3 much for cooperating on that. It's been very helpful.
4 Would the safest thing be to say to the jury we would
5 like them to remain here until say 1.10 and then we'll
6 get a message to them as to whether we want them back
7 for say 2.15 or whether we don't need them back this
8 afternoon?

9 MR MATTHEWS: Absolutely.

10 THE CORONER: Does that sound sensible? All right, would
11 you like to have that discussion between yourselves and
12 let me know by 1.10 what the position is.

13 MR MATTHEWS: Thank you.

14 THE CORONER: All right, thank you. Yes, in fact there's
15 just one caveat to that. If Mr Roberts is here then
16 I would actually like to take his evidence before we
17 release the jury. So Mr Roberts, are you in court, and
18 if so, would you please make yourself known? Mr Clark,
19 could you just please call outside.

20 MR CLARK: No response, madam.

21 THE CORONER: All right. Well, it looks as if we're not
22 going to be able to get to Mr Roberts' evidence today
23 then. All right, thank you. So let's reconvene at
24 1.10, shall we? Okay, thank you very much.

25 (12.54 pm)

1 (A short break)

2 (1.11 pm)

3 THE CORONER: Thank you, yes.

4 MR MAXWELL-SCOTT: Madam, I think the short point is that we
5 agree that there is no need for the jury to stay for
6 today. The list of statements to be read we are going
7 to review and we hope to cut it, and in any event there
8 will be time tomorrow to read some statements. If there
9 came a time when it was desirable to call Mr Brian
10 Martin, we all agree that he would need a certain amount
11 of notice of that, and we would need a certain amount of
12 notice of what he would say, so he wouldn't be called
13 this afternoon in any event. So I think in those
14 circumstances there's no reason to keep the jury just
15 for the purposes of reading statements when there are
16 other discussions that need to take place.

17 THE CORONER: Okay. Well that sounds sensible. I assume
18 everyone has agreed with that? Thank you very much.

19 Mr Clarke, I wonder if you would be kind enough to
20 get a message to the jurors to say that they can go and
21 would they be back for tomorrow morning, thank you very
22 much.

23 Yes.

24 MR MAXWELL-SCOTT: I suspect it would probably be helpful
25 if, madam, you remained in the building --

1 THE CORONER: I shall be here anyway.

2 MR MAXWELL-SCOTT: I'm grateful. We could consider coming
3 back at 2.15 or 2.30 to update you and see what
4 discussions have taken place and what may need to be
5 discussed in court.

6 THE CORONER: Okay. Is it going to be more convenient to do
7 that at say 2.15/2.30? Yes? 2.15? All right. I know
8 it's going to be helpful to everybody if we can start to
9 firm up on the remainder of the timetable and how we're
10 going to deal with matters. All right, well then, 2.15.
11 Thank you very much.

12 (1.13 pm)

13 (The short adjournment)

14 (2.19 pm)

15 THE CORONER: Yes, Mr Maxwell-Scott.

16 MR MAXWELL-SCOTT: Madam, some further discussions have
17 taken place and what may be the most important piece of
18 information to update the court on is that we have
19 spoken very briefly to Mr Brian Martin --

20 THE CORONER: Yes.

21 MR MAXWELL-SCOTT: -- and have agreed with him to send him
22 a short written request by email, giving him the
23 opportunity to explain concisely why -- if it is his
24 view, which we understand it is -- it is not the case
25 that fire resistance to 120 minutes was required. We

1 sent that request at lunchtime and we have copied in the
2 relevant contact person at DCLG and also the relevant
3 person at the treasury solicitor.

4 THE CORONER: Thank you.

5 MR MAXWELL-SCOTT: Mr Martin was going to go straight back
6 to his office and look at the request when it comes in.
7 So we'll see where that goes. I don't think that matter
8 can be taken any further this afternoon. Hopefully we
9 may get some sort of reply this afternoon.

10 THE CORONER: That's helpful. Thank you very much. Okay.

11 MR MAXWELL-SCOTT: Others may have something to add on that,
12 I don't know. There are two other housekeeping matters
13 to --

14 THE CORONER: Before you get onto the other two, does anyone
15 want to raise any points on that at this stage? I see
16 shakes all round. Thank you, yes.

17 MR MAXWELL-SCOTT: Two other short housekeeping matters to
18 raise are that Mr Atkins and I will this afternoon
19 review the current list of statements to be read under
20 Rule 37 and indicate a proposal to shorten it, because
21 ideally we'd like to read all such statements tomorrow
22 and get them out of the way before next week, which will
23 be focussing on wider issues and will be busy.

24 Then the second point is that we propose to have
25 a final updated version of the events on the afternoon

1 of the fire sequence of events available for the members
2 of the jury on Monday morning. We received, admittedly
3 several weeks ago, suggestions for what that final
4 version might contain in it, in particularly from
5 Mr Hendy's team and the London Fire Brigade, and what
6 we've been doing is identifying as best we can a way of
7 categorising the suggestions as a matter of principle
8 and we hope to email round this evening our
9 understanding of, in broad terms, what people have
10 suggested. For example, there is a suggestion that the
11 timeline from Mr Crowder's reconstruction be introduced
12 into the sequence of events timeline. So we will
13 summarise in principle, as best we can, what is
14 suggested and what we say, to the extent that it can
15 assist, we would propose to do with them. Then if there
16 are representations, they can be made, then once
17 a decision is made in principle, Mr Atkins and I will
18 action it.

19 Because of the time frame, there won't be
20 an opportunity for people to make detailed comments on
21 the drafting, but we will implement any decision that
22 you need to make as a matter of principle and we will
23 give people the final version on Monday morning.

24 THE CORONER: So by what time do you need any final
25 submissions from people on that?

1 MR MAXWELL-SCOTT: We'll put that in the email but I suspect
2 we might ask for representations by close of business
3 tomorrow as a matter of principle. I don't think it's
4 something on which there would need to be any oral
5 representations, but if there are matters still in
6 dispute you can resolve them.

7 THE CORONER: We can deal with it by email.

8 MR MAXWELL-SCOTT: We can deal with it by email and then you
9 can tell us your decision and Mr Atkins and I will
10 action it.

11 THE CORONER: Thank you very much. On those two matters of
12 housekeeping, does anyone want to make any points?

13 I see shakes all round. Okay, well, in that case thank
14 you all very much and we'll continue at 10 tomorrow
15 then. Thank you very much.

16 (2.23 pm)

17 (The Court adjourned until 10 o'clock the following day)

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Day 36 OF Transcription of the
Lakana1 House Fire
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