

# Grenfell fire inquiry reveals more criminality by firms involved in refurbishment

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March 10 marked 1,000 days since the Grenfell fire. With the reopening of the inquiry on March 2, witnesses from the companies and entities responsible for the tragedy provided further revelations of wanton criminality.

Phase two of proceedings were halted on January 29, shortly after opening, pending a decision by the Attorney General's office granting immunity from prosecution to witnesses in relation to anything they tell the inquiry. The reopened hearings focused on three witnesses from Studio E Architects—designers of the 2014–16 Grenfell Tower refurbishment. These included Andrzej Kuszell, founder, senior architect and a director; Bruce Sounes, another senior architect; and Neil Crawford, who had responsibility for day-to-day management of the project.

It emerged that Studio E had been chosen to oversee the refurbishment of the tower without any competitive process, interview, or other competence check. Council to the Inquiry, Richard Millett QC, noted that their selection after designing neighbouring Kensington Aldridge academy was “cheap, convenient, quick, even though Grenfell Tower was a completely different kind of project with different challenges.”

Kuszell admitted that if the project had been contested, Studio E would not have been chosen.

The company had no experience with such a project. The Kensington and Chelsea Tenant Management Organisation (KCTMO)—which managed Grenfell Tower on behalf of the Conservative-run Royal Borough of Kensington and Chelsea—“knew exactly what our skill set was.” He confirmed his team “was not experienced in overcladding a residential tower block.” The designers confessed they were so “green on process and technicality,” they would have to learn rapidly.

Project manager Neil Crawford was not fully qualified as an architect. Bruce Sounes had never worked on a high-rise project or with polyethylene composite materials. Internal emails showed the architects' concern that the early budgets and fee of £99,000 were too low to cover the needed work. As for the KCTMO, Sounes had described its early design idea changes as “headless chickens, a chaotic mess,” warning Kuszell that the project was being treated like a “poor relative.”

Sounes admitted he never read cladding fire regulations, requiring external walls can adequately resist the spread of fire. He never viewed a diagram showing how buildings of different

heights needed to meet specific safety regulations. He did not know aluminium panels could melt and spread flames, had no idea that cladding had caused fires on other buildings, confessed “no knowledge” of the rapid spread of fire in such circumstances, and had no experience designing cavity barriers.

For all these protestations, for Sounes and Studio what mattered above all was the bottom line. Sounes admitted that Studio E, at the request of KCTMO, manipulated its fees to stop the contract from being put to open tender. He deferred charging some fees, and by December 2012 stopped invoicing entirely when it approached the cost threshold of £174,000. This limit was set at the time by the Official Journal of the European Union (OJEU), under the European procurement rules.

Documents from the time clearly indicate that both parties were far more concerned with costs than safety. Writing a note for a July 24, 2012 meeting, Sounes observed that “the TMO would like ... the total fee up until stage D not exceeding £174k which is the OJEU threshold for requiring work to be tendered. This will probably mean deferring some fees.”

Engineers had agreed to “massage” fire safety at Grenfell to allow it to pass checks. In August 2012, Cate Cooney, a senior consultant engineer at Exova, a firm of fire engineers, emailed a colleague after a conversation with Sounes: “Basically I have told him that we can massage the proposal to something acceptable with separation, lobbies, etc., but there are approval risks in the project on the ff [firefighting] shaft/ MOE [means of escape] front... They are making an existing crap situation [in Grenfell Tower] worse ...”

Sounes said the Exova email “raised a level of concern I was not aware of.” After two hours of questioning on his third day of testimony, he became ill, and was unable to continue after the recess before the afternoon session.

By March 9, the inquiry heard about the misrepresentation of its foam insulation marketed by cladding manufacturer Celotex. Architect Neil Crawford explained, “It’s deliberately misleading. It’s masquerading horse meat as beef lasagne and people bought it.”

Celotex marketing claimed their RS5000 cladding product that caused the devastating Grenfell blaze was “acceptable” for use in buildings above 18 metres in height and had passed a fire

safety test. But the test used cladding panels less combustible than the plastic-filled products proposed for Grenfell. Crawford claimed he had not known that Celotex's claims related to a test on less dangerous materials. He also argued he had relied on expert knowledge from fire engineers at Exova, which he said was "fairly emphatic" that the new insulation was appropriate.

In 2012, Studio E nearly sacked Exova for failing to agree to fire strategies for both Grenfell and the nearby Kensington Aldridge Academy. On October 10, 2012 Colin Chiles, executive at building contractor Leadbitter, complained about Exova's response to the concerns of the Grenfell Action Group (GAG): "I am not willing to commence the works until I receive demonstration that the fire safety of the estate has been considered on the design ... Should I issue this to GAG it would further exacerbate an already high-risk project."

The following year Exova claimed "the proposed changes will have no adverse effect in the building" regarding regulations about external spread of fire. It said that "this will be confirmed by an analysis in a future issue of this report." This never happened.

The Grenfell Action Group warned for years about the dire consequences of cost cutting, finally warning, in November 2016—seven months before the fire—"only a catastrophic event will expose the ineptitude and incompetence of our landlord."

Tuesday's hearing revealed more of the obsession of cost over safety by the corporations involved. E-mail discussions between subcontractor Harley Facades, lead contractor Rydon, and Studio E observed that upgrading flame-resisting cavity barriers from the minimum requirement of 30 minutes to 120 minutes would cost an extra £12,000. Architect Crawford agreed there had been pressure to avoid recommending the upgrade.

An expert report to phase one of the inquiry by Dr. Barbara Lane in 2018 found "missing and defective cavity barriers" and that horizontal barriers had been incorrectly installed vertically in the refurbishment. After claiming that the sub-contractor had been at fault, Studio E's Crawford opined, "Unfortunately, the industry only reacts to the regulations that are in place, therefore you need to have regulations in place that are fit for purpose."

What is revealed in everything coming out of the inquiry is that the drive for cost savings at Grenfell, at the expense of public safety, was endemic and epitomised what corporations are allowed to get away with in Britain and internationally in highly de-regulated economies.

Former employee of Studio E, Tomas Rek, gave evidence Wednesday about a meeting with cladding subcontractor Harley Facades on September 27, 2013 at London's Hay's Galleria. Rek believed the meeting was "more to do with the appearance and price of the various materials and not their fire performance or fire rating."

Sounes later sent an email to Harley Facades saying the

cladding costs were over budget. The following month Harley emailed Rek saying from a "Harley selfish point of view our preference would be to use ACM [aluminium composite material]. Rek said he was unaware of fire safety requirements but emphasized that RBKC had been putting Studio E "under some kind of pressure" to switch to the cheaper materials.

Sounes sought to withhold vital information from the London Fire Brigade service regarding the Grenfell project. On Thursday, the inquiry found that when he emailed the KCTMO in April 2014 regarding the provisional fire safety plans drawn up by Exova, Sounes advised, "I would not show this to the LFB [London Fire Brigade]."

He feared the plans would support a "severe interpretation of the regulations." He claimed they had not been finalised, so "thought it best to be sure what we were proposing before we did so."

There can be no doubt that such practises, compromising safety, were, and are standard throughout the construction industry.

This week's testimony shows exactly why the individuals involved demanded immunity. Their immunity from personal responsibility is being used to conceal corporate responsibility. If those personally involved in events that led to the fire cannot ultimately be prosecuted, then neither can the corporations they represented.

The Grenfell community and their supporters, who were given only a brief moment to air their opinions in Phase 1, are now being forced to sit and watch while representatives of the corporations and RBKC recount their detailed attempts to subvert safety regulations for profit, all the while knowing they are evading prosecution. The entire Grenfell community must demand that the inquiry is halted and that their legal teams withdraw co-operation. Prosecutions against the guilty parties must proceed without further delay.



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