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The Restoration and Renewal of the Palace of Westminster: Avoiding the Trap and Realising the Promise

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Abstract

By failing to acknowledge the link between the design of our political institutions and growing levels of anti-political sentiment, the restoration and renewal programme risks falling into a trap of its own making. Involving the public from the outset in an open review of the (re)design options for Westminster – in a positive and confident conversation – ensures the best opportunity for meaningful engagement between the public and the future of their democracy.

Keywords: Parliament, restoration, renewal, anti-political sentiment, design,

Introduction

When it comes to maintaining the fabric of the building, The Palace of Westminster has had a frustrating history. In 1870, once the 'new' Palace of Westminster was eventually completed by Edward Barry, finishing his father's work, a large number of MPs were already complaining that it was not 'fit for purpose'. The following century was defined largely by prevarication, ineffectiveness and 'muddling through' when it came to looking after the building. As a direct result, the risk of 'catastrophic failure' is high today. The causes and consequences of this rather amateurish culture was laid bare in Sir Barnett Cocks' 1977 book *A Mid-Victorian Masterpiece*. If the text's rather sharp but apt sub-title - *The story of an institution unable to put its own house in order* – captured the core argument, then the fact that Cocks had himself been Clerk of the House of Commons (1962 to 1974) adds credibility to his claims. The *Parliamentary Buildings (Restoration and Renewal) Bill 2017-2019* provides a real opportunity to break this historical pattern and to tell a new story – one of an institution *that is* able to put its own house in order. And yet if the chances of success are to be maximised, and the undoubted benefits of restoration and renewal for the whole of the United Kingdom (social, cultural, economic, etc.) realised, then the evidence suggests that a more confident and proactive approach to public engagement is likely to be necessary. In short, there is a need to acknowledge the relationship between the high-levels of public distrust and disaffection with political institutions, political processes and politicians, on the one hand, and the physical design of the Palace of Westminster, on the other. Failing to make this link - and therefore not putting the public at the heart of the project – risks the failure of the largest ever financial investment in the infrastructure of British democracy.

The Trap

'The trap' in this context is fairly simple. It includes a historical and understandable unwillingness on the part of elected politicians – of all political hues – to be seen by the public to be 'feathering their own nests'. More broadly, there is what Norton has described as a 'collective lack of confidence' in Parliament as a whole.[1] Far better to 'patch-and-mend' than try to explain to the public why politics comes at an inevitable cost, and to defend the institution of parliamentary democracy. This is a trap that MPs have fallen into before. 8th May 2019 marked the tenth anniversary of the MPs' expenses scandal which exploded onto the political agenda with devastating consequences and brought parliament to its knees.[2] At the time some commentators suggested that the basic foundations of parliamentary democracy might be at risk and they were not exaggerating. As Sarah Child's argued in the BBC radio 4 programme *MPs' Expenses: Legacy of a Scandal*, the Restoration and Renewal programme is 'not about carpets and curtains or buildings – it's actually about revitalising democracy and closing the gap that's appeared between the public and their politicians'. It is now a decade after the MP expenses scandal and although the foundations of the Palace of Westminster appear firm the same cannot be said

for the rest of the building. Leaking roofs, ill-fitting windows, antiquated electrics, crumbling stonework, hazardous heating -not to mention the asbestos, fire risks, rodents or challenges posed by the archaic sewerage system - means that a multi-billion pound re-fit is as unavoidable as it is urgently required.

Seen from this perspective, 'the trap' that concerns us has two dimensions. The first is a temptation to emphasise 'restoration' and protecting the sanctity of *the past* rather than promoting a focus on 'renewal' that acknowledges how society has changed in terms of both diversity and expectations and therefore looks to *the future*. The second (closely related) dimension relates to public engagement and the possibility that politicians feel that engaging with the public may itself be a trap. Why engage with today's critical citizens and disaffected democrats about a project you already know is going to be expensive and unpopular? Moreover, why engage with the public if they are likely to demand reforms to – or, at the very least, experiments with – elements of design that those in power would rather not change? And yet even the most cursory review of the available evidence suggests adopting this aversive approach may well be the equivalent of falling into a political trap of far larger, even elephantine, proportions. The basis for this argument focuses attention on three pools of scholarship.

The first pool focuses on the analysis of the socio-political context in which the restoration and renewal programme will be happening. This is a context that is almost defined by anti-political sentiment. In this regard the Hansard Society's latest *Audit of Political Engagement* provides critical insight: 72% of the public says that our system of parliamentary government needs 'quite a lot' or 'a great deal' of improvement. The previous highpoint was 69% in 2010 which occurred in the aftermath of the global financial crisis and the MPs' expenses scandal. Further to this, Political dis-satisfaction is nothing new but recent changes have emerged in the manner in which anti-political sentiment appears to be becoming more angry, frustrated and volatile.[3] Populist politicians and 'insurgent' political parties – in the UK and beyond – are funnelling this frustration at the ballot box while also seeking to undermine the basic values of representative democracy. Indications of a deeper process of democratic *de*consolidation have also emerged (i.e. total faith in a strong leader, impatience with intermediary institutions, etc.), which is not only indicative of a powerful gap between the governors and the governed but may be symptomatic of a deeper failure of democratic adaptation and change.

A second (and related) pool of research reveals the significance of design in the sense of how structures affect subsequent behaviour. This would include a significant literature on 'intelligent design' that illustrates the significance of light, space, perspective and sound in terms of producing effective and efficient public buildings (schools, hospitals, etc.). This flows into a broader seam of scholarship on design-orientated political science and the notion of 'designing *for* democracy'.[4] This design focus has direct implications not just for the potential structure, layout or style of political buildings but also for the processes through which the public might play some positive role in the initial design process for those buildings, especially given the anti-political context. Two examples – one broad, one specific - illustrate this point. The first is the vast literature on the design of deliberative democratic processes and the manner in which they can forge more reasoned and reflective modes of public engagement; the second combines deliberative insights with behavioural psychology to reveal the need to avoid generally aggressive, negative and hot-headed 'fast thinking' and how to cultivate a more positive and balanced brand of 'slow thinking'.[5] If R&R poses a particularly prickly political challenge then this seam of scholarship appears to offer some critical insights that appear completely unacknowledged.

A third and final pool of research offers more prosaic and technocratic reasons for avoiding 'the trap' and placing the public at the heart of the project is the link between proactive public engagement and the success of large and complex infrastructure projects. Placing public engagement at the core and not at the periphery generally ensures the success of a project. This is why the Institute for Government called for the establishment of a new Commission for Public Engagement for major public infrastructure projects in 2017. The Institute promoted this measure on the basis that it would be 'an extremely cost-effective way of giving local communities a genuine opportunity to shape infrastructure decisions' and that it would help 'to deliver major projects faster and more efficiently'.[6] The fact that the Palace of Westminster sits at the apex of UK democracy arguably adds greater force to this argument

in the sense that there is a need to give local communities from across the country some way to engage with, inform and shape *their* legislature.

The Promise

This reveals the deeper 'promise' of the restoration and renewal programme: its potential to play a role in closing the gulf that appears to have emerged between the governors and the governed. Through cultivating a public conversation, the project would be able to deliver on its twin objectives of protecting the physical infrastructure of the building (part of a World UNESCO Heritage Site and Grade One Listed building) while also delivering a parliament that is 'fit for the future' (in the sense of commanding public confidence and being able to cope with increasing socio-political pressures). This is a critical point. Heritage-based arguments alone are unlikely to convince the public that billions should be spent at Westminster when the pain of financial austerity is still being felt across the country and politicians are simply not trusted. Whereas adopting an outward-facing approach that tackles what might be termed 'the politics of parliamentary restoration and renewal' in a positive and confident manner from the outset provides a way of setting the agenda and demonstrating the political confidence, leadership and imagination that so many sections of the public appear to crave.

The recent fire in Paris provides an interesting counterpoint. The disaster was quickly recast by politicians, communities and commentators as an opportunity to launch a far broader and relatively positive national conversation about how to restore the heritage of the structure while also renewing it to reflect the France of today and tomorrow. The destruction of a major heritage landmark – the 'soul of the nation' – has been almost defined by a certain sense of confidence, while in London the dilapidated state of an equally important public building appears arguably defined by a sense of insecurity. Yet this insecurity was present for Notre Dame before the fire, as the state-owned church struggled to secure funds for refurbishment and, similarly to the Palace of Westminster, 'the charge for upkeep [got] passed along'.[7] Very few ministers or parliamentarians have been willing to speak-up for restoration and renewal. It is a project without friends and the historical relevance of this fact is worth noting. On the 27 April 1840 the ceremony to mark the laying of the foundation stone for the 'new' Palace of Westminster was itself marked by the fact that no member of the government was willing to attend (Charles Barry's wife, Sarah, was invited to officiate). Fear of public criticism at the cost of the project meant that it was deemed a poisonous project – nothing less than toxic and politically untouchable - and a similar sentiment seems to linger over restoration and renewal today. 'We are concerned that a culture of cynicism and pessimism lingers around Restoration and Renewal', the Joint Committee on the Draft Parliamentary Buildings Bill noted in March 2019 and 'Parliamentarians and those involved in the project have sounded almost apologetic about the ambitions inherent to Restoration and Renewal.' It also noted that 'the term "renewal" requires an outward-facing approach to the UK Parliament's role at the centre of our democracy' and recommended that the statutory basis of the Sponsor Body (the organisation created to oversee the actual buildings work and the Independent Delivery Authority) should include 'the need to promote public engagement with and public understanding of parliament'.

> Our generation of Parliamentarians should not shirk from the challenge of not only protecting the fabric of the building, but investing in a building which can meet the democratic demands of the British people both in this century and the next.[8]

The publication of the *Parliamentary Building (Restoration and Renewal) Bill* and the simultaneous launch of the public consultation for the Northern Estates Programme lacked clarity in the opportunities and potential engagement offered. There is a suggestion of insularity and defensiveness about this approach and in this regard two elements of the government's reply to the joint committee are noteworthy. The first is that the Joint Committee's recommendation around public engagement was rejected. 'We do not consider it appropriate that this [public engagement] should be part of the Sponsor Board's role given its focus on overseeing and delivering the R&R programme'. The problem, however, is that not only does this decision fly in the face of the existing evidence base, the government's own

rationale for taking this decision appears somewhat confused. The lack of statuary accountability for public engagement risks losing the opportunity for meaningful engagement altogether, as a significant time lag could emerge between the design process (which has already begun) and any future engagement activities. The reason given for not including a statutory duty around public engagement was that 'putting this in legislation might remove the flexibility for the Sponsor Body to determine how best to do this'. Why a statutory duty would 'set the meaning of or parameters' *vis-à-vis* public engagement remains unclear; as does why the same logic would not apply to the other seven functions that the subsequent legislation does ensure the Sponsor Body must have regard to. The limited ambition is revealed in one particularly portentous sentence:

> We therefore very much encourage the Sponsor Body to consider how the public can be engaged to understand the R&R programme, and have written to the Shadow Sponsor Body on this point.

The fault-line in the government's position is that it appears to be based on what (Lord) Peter Hennessy once termed the 'good chaps' theory of government (i.e. the idea that legislation or even codification was generally unnecessary as those in charge knew what they were doing and could be trusted to get on with doing it). The problem, however, is that the public no longer believes that the 'good chaps' can be trusted and are likely to demand more formal rights of engagement. Even the notion that the Sponsor Body should 'consider how the public can be engaged *to understand* the R&R programme' suggest that the project risks falling into a trap of its own making. The aim of engaging with the public is not to make 'them' *understand* what is being undertaken on their behalf (and at their expense) in a top-down manner but something quite different. It's about listening for democracy and therefore cultivating a genuinely open conversation about the manner in which the shape of our buildings shape our politics and the extent to which change might be required. The current approach appears either unable or unwilling to admit the need to engage with what might be termed 'the wider *politics of* parliamentary restoration and renewal'. The response, for example, mentions democracy just twice while the need to deliver 'value for money' (VFM) is mentioned no less than seventeen times. What's missing, however, is any sense that achieving 'value for money' and ensuring the success of restoration and renewal will inevitably hinge on democratising the project through public engagement. The irony, from a VFM perspective, is that the financial costs of a proactive and well-resourced public engagement strategy would consume a miniscule fraction of a project of this nature; and yet the benefits in terms of helping to ensure its overall success are substantial. Saving money on public engagement, to put the same point slightly differently, would be a false economy.

Seen from this perspective, the 'essential first step' that was taken by the House of Commons Commission by launching a public consultation about its plans for the Northern Estate Programme (NEP), a collection of office buildings on the parliamentary estate, might, at first glance, be seen as the act of an institution that wants to avoid 'the trap' and deliver on 'the promise'. While the NEP is technically separate to the restoration and renewal programme, part of the project includes the creation of a temporary Commons chamber, to be used while MPs are decanted from the Palace of Westminster during building works. The paradox, however, is that in many ways this is a *faux* consultation that risks undermining public confidence from the outset. The great value of the decant chamber – as observers have been emphasising for at least five years – is that it provides an opportunity to explore different design options and ways of 'doing' politics that is simply not possible with the fixed infrastructure in the Palace of Westminster. Is this vibrancy of thought and function captured, possibly even promoted in the consultation document? Sadly not.

> The temporary Chamber has been carefully designed to replicate the familiar character and layout of the existing House of Commons Chamber…including division (voting) lobbies.

The lack of any discussion or explanation for this decision is the elephant in the room (or in this case in the document) and in reality it's a consultation about restoring and protecting *the past* rather than embracing any positive vision of *the future*. Adaptability and flexibility is only mentioned in relation to the 'legacy uses' of the chamber and the document provides a powerful sense that the parameters of

the debate when it comes to the decant chamber have already been closed-down. The stated 'design principles' refer to the heritage of Richmond House and not to the research and literature on democratic design in relation to legislative chambers. The insights and recommendations provided by world-class studies – such as Professor Sarah Childs' *The Good Parliament* (published in 2016) – appear to have been completely overlooked and the consultation is a rather depoliticised document with no consideration of either the anti-political context in which restoration and renewal will occur, or the historical legacy that imbues the building with its own implicit politics. In this context it is important to remember that Charles Barry's (new) Palace of Westminster, after the fire of 1834, did not seek to place the public at the heart of the political system. Indeed, the design reflected a building intended as 'more a royal residence than a democratic legislature'.[9] Embedded within this design are the assumptions and beliefs about 'doing politics' inherent to the time, and in turn the design promoted and embedded these beliefs within the new Palace. The architecture and design of the home of the Houses of Parliament was therefore forged upon a relatively 'thin' model of democracy which, in turn, reflected its pre-democratic origins or, as Philip Manow has demonstrated, how its design emerged 'in the King's shadow'. R&R has so far failed to acknowledge how the current design serves to 'lock-in' a very specific model of (masculine, elitist, adversarial, etc.) politics; and by failing to concede how and why *physical structures matter* today's politicians risk simply reinforcing the view that 'the political class', 'the establishment', 'the experts' do not care about public sentiment and opinion.

Critics might suggest that our position is unfair and emphasise the fact that this *is* a consultation document; 'nothing has been decided and everything is up for discussion' they might reply. That may well be true but even the most naïve student of politics could look at the consultation and see that a clear position has been staked-out: the rules of the game have been decided. Similarly, in evidence to the House of Commons Liaison Committee in May 2019, Leader of the House, Andrea Leadsom, states changes to the layout of the chamber or moves to an electronic voting system are 'all choices that Parliament will have the opportunity to make', when the Outline Business Case for Restoration and Renewal is debated and voted on, in 2021.[10] Previous evidence from the then Director of the Restoration and Renewal programme, Tom Healey, had suggested, however, that the Outline Business Case would be accompanied by a 'concept design'.[11] Indeed, design work is already underway, which casts doubt on how genuine an opportunity MPs will have to shape the design of either their temporary or rebuilt chamber.

Within the labyrinthine governance structures at Westminster it is difficult to identify exactly why this approach to the layout of the decant chamber was adopted or who or what committee approved the design as the basis of the consultation. Part of this confusion is due to the fact that the NEP and R&R remain under the control of different governing bodies despite their interdependence. R&R was presented by the Government while the NEP consultation was launched by the House of Commons Commission. The Joint Committee on Restoration and Renewal that reported in September 2016 did recommended that the decant chamber replicate the Commons chamber but the motion that was approved by both Houses in January and February 2018 did not mention the design of the decant chamber directly (only to 'take note' of the Joint Committee's report). An endorsement is not quite the same as a mandate, especially when many MPs have promoted the idea of the using the decant chamber for experimentation and change, but traditions and cultures seem to die hard at Westminster. It would at this point be possible to develop a link into a broader but related literature on 'how democracies die' or 'how democracy ends' which highlights the need for politicians to be bold and for democratic institutions to constantly adapt and re-fresh themselves in order to keep pace with society.[12] With this in mind, a consultation that was as bold as it was clever might have tackled 'the politics of restoration and renewal' head-on and begun by asking the public what sort of layout they would like to in the decant chamber and why. This sort of approach would have dovetailed with the Speaker's previous comments on the topic:

> [D]uring decant when colleagues will necessarily operate in a temporary, alternative Chamber, different ways of doing politics might usefully be trialled…. The only limitations on us are those which we allow to constrain our ambitions and our imagination. Moreover, in shaping our own thoughts on the look, the feel, the scope and the potential of a Parliament which is for

> the people, let's ask them for theirs. There is ample scope for a big national conversation with people of all age groups, parts of the country and walks of life about the kinds of attributes they want a renewed Parliament to exhibit.[13]

This sort of positive and inclusive approach would arguably have provided a far firmer 'essential first step' than that provided by House of Commons Commission's approach. It could have brought a suspicious public on-side from the outset, without necessarily closing-down any future options; while the apparent erosion of the Speaker's initial promised-filled enthusiasm in October 2016 to the rather dry and dismal trap-laden approach that was launched in March 2019 might merit some explanation. As it is, the NEP consultation focuses on the possible facilities that could be available *around* the chamber while ignoring the design of the decant chamber itself, and any engagement from the public will also be limited due the way it has been formulated. By publishing set plans and images of the temporary chamber and the wider renovations, the programme is asking what the public thinks about a proposal that already appears to be decided, rather than asking the public what potential possibilities could look like without any premeditated guidance. There is also no explanation from the commission as to how the evidence will be gathered, analysed or reported back to the public.

Could it be that what parliamentary politics needs is exactly the challenge to its dominant traditions and cultures that a truly open public consultation about the temporary chamber is likely to provide? The generally negative response provoked by the consultation may well be instructive, while Simon Jenkins' excoriating comments resonate with this article's argument about 'the trap' and 'the promise', while also providing evidence of the general lack of understanding around R&R due to the absence of public engagement:

> This week's Commons decision on how to decant itself into temporary accommodation beggars belief. It suggests a parliament cut off from public opinion, contemptuous of the rebellious distaste for politicians suggested by recent election results…They regard it as anathema to grasp this rare opportunity to experiment with new voting systems or a less confrontational layout, such as a semi-circular chamber. The old palace was designed in 1836 by Sir Charles Barry to look like a cosy West End club. So it apparently must be, for ever.

But the fact that a highly restricted approach to public engagement appears to have been adopted by those charged with delivering R&R arguably belies the lack of both a central vision for this project and a confident political foundation supporting it. Until this vision and foundation are put in place – with public engagement embraced as elements of both - the restoration and renewal programme risks falling into a trap of its own making and failing to deliver on its undoubted promise.

Conclusions

The central argument of this article is that the promise and potential of R&R risks being damaged by the apparent unwillingness of politicians to acknowledge the political and democratic implications and opportunities of the project. By doing this, we argue, they risk creating a trap that may well ensure that the project fails in its ultimate aim of delivering a parliament that is 'fit for the future'. And yet this focus on aims and objectives arguably helps reveal the core strategy that appears to have been adopted in terms of both framing the project and controlling the agenda. That is, at base, a strategy that defines R&R as little more than a complex infrastructure or *re*building project rather than one with any broader potential or promise. In adoption this approach they are making (either by mistake or design) a 'category mistake' which this article has attempted to expose to facilitate correction. The notion of a 'category mistake' is taken from the work of Gilbert Ryle who explained it by telling the story of a 'foreigner visiting Oxford or Cambridge for the first time.' He is -

> [S]hown a number of colleges, libraries, playing fields, museums, scientific departments and administrative offices. He then asks 'But where is the University? I have seen where the members of the Colleges live, where the Registrar works, where the scientists experiment and the rest. But

> I have not yet seen the University in which reside and work the members of your University.' It then has to be explained to him that the University is not another collateral institution, some visible counterpart to the colleges, laboratories and offices which he has seen. The University is just the way in which what he has already seen is organized. When they are seen and when their coordination is understood, the University has been seen.[14]

This is Ryle's first and strongest example of the 'category mistake' in the sense that the visitor mistakes the building for the concept: the infrastructure for the institution. This raises a fundamental question for the R&R programme: that is, a high degree of uncertainty as to whether the focus of R&R is actually the Palace of Westminster (i.e. the building or hard infrastructure) or the Houses of Parliament (i.e. the institution or concept of parliament). To some extent the building and the institution are inseparable because the Palace of Westminster provides the physical home for the legislature within the British constitutional model as it currently exists. Moreover, a decision was taken in the very earliest stages of the current R&R discussions that any detailed analysis of moving to a new building would not be undertaken. And yet at the same time it is necessary to acknowledge that the UK legislature could operate - and indeed *has* operated - from an alternative building and even beyond this MPs could theoretically meet and take decisions in an open space (or a virtual on-line space) without necessarily being located within any actual building. The significance of this point is that it would be a 'category mistake' to see the R&R programme through a narrow lens (i.e. as solely relating to *restoring* the physical fabric of the Palace of Westminster) for the simple reason that to adopt such an approach would fail to acknowledge how the design of the building 'locks-in' a very specific way of 'doing politics' that appears from the available data and research to alienate a significant and growing proportion of the public.[15] The current approach to R&R has significant implications for the effectiveness and efficiency of the programme in terms of how it interprets, evaluates and demonstrates the core 'public value' of a major public investment. It also has major implications in terms of how the initial design phase is undertaken (particularly *vis-à-vis* the rigorous stress-testing of core assumptions) and how the full landscape of design options can therefore be assessed. The R&R programme is a project that really cannot be allowed to fail – for political as much as economic reasons – and yet it still remains unclear whether parliament has the knowledge or confidence to put its own House in order.

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[10] House of Commons Liaison Sub-Committee, *Oral evidence: The Effectiveness and Influence of the Select Committee System*, HC (2017-19) 1860, 13 May 2019, Q 116.

[11] House of Commons Finance Committee, *Oral evidence: Restoration and Renewal of the Palace of Westminster*, HC (2017-19) 1615, 10 October 2018, Q 10.

[12] Levitsky, S. and Ziblatt, D. *How Democracies Die*. New York: Penguin Random House, 2019; Runciman, D. *How Democracy Ends*. London: Profile Books Limited, 2018.

[13] Bercow, J. 'Designing for Democracy'. *Parliamentary Affairs*, 71 (2018), pp. 845-852.

[14] Ryle, G. *The Concept of the Mind*. London: Barnes & Noble, 1949.

[15] See, for example, Hansard Society. *Audit of Political Engagement 16*. London: Hansard Society, 2019. Accessed on 20 May 2019: https://www.hansardsociety.org.uk/publications/reports/audit-of-political-engagement-16