

The Ravages of Wind and Fire

1. Preface

What happened to the optimism expressed in my 'Ploughing Through the Waves' insertion to the elevating 'Walking on Water' book on the West Pier? A time at which we were able to take thousands of people to the end of the pier for the first time in twenty years and tell them how it would be restored within ten years. A confidence solidly based on the words of the Heritage Lottery Fund (HLF), English Heritage (EH) and Brighton & Hove City Council (BHCC).

These notes are reflections on the past ten years with the Trust and attempt to answer that question. They are not a detailed or official history. They have been written 'off the cuff' without resort to the files. I have placed ample material on the files of the Trust for future scholars to write a full history of a fascinating decade. The 'wind' in the title refers more to my experience of bureaucracies than to nature.

If the clock turned back ten years, I would accept the challenge again, even knowing what I now know. It was a battle worth fighting.

2. Taking it On

In July 1995 Sir Lindsay Bryson and I were walking on the University of Sussex campus at the end of a governing body meeting where my retirement from the registrarship had been discussed. Lindsay told me that Glynn Jones had asked him to be Chairman of the Brighton West Pier Trust (BWPT), with the current Chairman, Bryan Spielman's agreement; Lindsay said that he would do it if I agreed to be the 'working' Vice-Chairman? I was taken by surprise and said I would think about it. Later that night at home I thought my response to have been somewhat churlish and rang Lindsay to say 'yes'. I had already decided to use most of my 'retirement' time in local charitable/community work rather than extending my nearly forty years as a practitioner, researcher and author/consultant in university management.

Lindsay had been told that 'the Heritage Lottery Fund had promised 100% funding and the Council would grant the necessary adjacent land; so all you have to do is turn up, sign the agreements and then manage the implementation in time for the Millennium celebrations'. If the HLF had fulfilled the grounds on which it encouraged the previous Trust Chairman (Bryan Spielman) to submit the £30m application, the West Pier would have been restored by 1998.

Six weeks after Lindsay and I joined the Board (August 1995) we had our first meeting with HLF Officers. It was a cold shower. We were told that £5m would be the maximum contribution and that we would have to clear several major hurdles to achieve a grant of that scale; that meeting made us determined to fight. It was a key meeting in that we could have resigned rather than shifting from cruise mode to action stations. Also it was a clear indication of the cultural ambience within the HLF. By their education, training and experience they could

see £15m for a country estate, a cathedral, a painting, a set of rare books...but not iron and wood in water used for 'fun' purposes.

3. The 1996 Fudge

By Spring 1996 we had met every condition set by the HLF, including obtaining support from the owners of the Palace Pier (the Noble Organisation) – as a result, the HLF agreed in principle to a 50:50 split of the £30m needed between the HLF and the private sector. A roundtable meeting of the HLF/EH/BHCC/BWPT was held in June 1996 in the Royal Pavilion. The outcome was an HLF £1m grant for emergency works and the need for a fuller feasibility study. Why had HLF officers not proposed a feasibility study in autumn 1995 rather than getting us to spend months fulfilling tasks which would now be repeated in such a study? An early example of what was to be demonstrated over and over again in the following years; a casual attitude towards time consumption despite the physical state of the pier. At least the £1m grant allowed us to undertake works which enabled us in autumn 1996 to re-link the sea-based pier to the land, and take thousands of visitors to the seaward end for the first time since 1975.

Everyone else was pleased by the outcome of that roundtable, and they could not understand my dismay. I put it in writing to Lindsay and Rachel Clark (General Manager) that the momentum built up from the John Major speech in 1993 was lost, the HLF had had a failure of nerve, and we were now trapped in the complex and risk averse bureaucracy of a body whose concept of heritage put piers in the small grant category. If the HLF had shown faith at that time the West Pier would have been restored to its 1920's glory by the Millennium celebrations. It still hurts to recall that lost opportunity.

4. The 1998 Failure of Nerve

By 1998 we had again cleared all of the fresh tests (feasibility study, architectural competition, detailed assessment by quantity surveyors, evidence of Council support etc) and hurdles erected by the HLF. The files show how much work and political dexterity that involved and why it took over a year. Detailed discussions took place with HLF officers and we worked out a three-stage process. Stage I was to be the restoration of the sub-structure and the deck (funded by the HLF). Stage II (restoration of the structures on the deck) and III (the enabling development on the lower esplanade to be funded by the private sector partner). The whole process being embodied in legally binding agreements between the Trust, the HLF, the private sector partner and the Council. A sensible package which would have seen much of the restoration underway in 1999 or 2000. The HLF trustees accepted the £15m commitment. Again, superficially all was going well, but the whole future of the West Pier then turned sharply downwards on two decisions, i.e.

- the HLF scrapped the plan developed over 1995-8 for phased restoration (being nervous, for no good reason, that the HLF funded Phase I, would not be followed by private sector financed Phases II and III). A complete volt face which meant no restoration work could be done for a couple of years

whilst the private sector partner (PSP) and BWPT finalised contracts, permissions etc. for the full restoration.

- The PSP decided to test the waters on the enabling development at the highest level before committing major resources to the planning and legal work. It approached an architect of high renown (Ian Ritchie who had spent his youth in Brighton). Ian warmed to the challenge but the English Heritage expert national panel in December 1998 rejected his modern and exciting design for the enabling development. Ironic that by 2002 BHCC and EH were calling for 21st Century architecture.

As a result of those two decisions, our private sector partner (a major property company which has grown considerably since 1998) withdrew from the project. Those two decisions taken by civil servants in London offices effectively (and unintentionally!) killed the restoration of the West Pier (especially bearing in mind that in 1998 no one was opposing the plans – the Noble Organisation was still supporting them at that time). Furthermore, the HLF knew that the delay inherent in its decision would increase the risks to the historic pier. When the HLF granted £1m in 1996 for repairs, it was agreed that they should be of a temporary nature given the shared assumption that long term restoration of the sub-structure would begin by 1999 at the latest. The engineers, therefore, designed the repairs with an eighteen month lifespan (maximising the extent of the repairs rather than their durability); and the further repairs of 1999 were similarly designed. The risks were clear to the HLF in 1998, and even more so in 2001 when it put the project on hold for a year whilst the European Commission considered the legal challenge from the Noble Organisation. Another example of the timeless approach, which, as our principal opponents knew, brought fruit in the partial collapses of the pier. Time is put on hold whilst bureaucracies cover their backs but nature's forces are not stilled by paperwork.

It pains me to recollect that we were taking thousands of people on tours to the seaward end of the pier with everyone believing that the restoration was assured. Even the civil servants who had taken those decisions shared that assurance and had no comprehension of the impact of their actions (despite clear and repeated warnings).

5. 1999-2004 Downslide

I'm not going to detail those years in these notes (no doubt I will do sometime). They were a dreadful struggle; against the odds we several times almost completed the deal, in company with our new PSP (St Modwen Properties), only to be frustrated by the bureaucrats (e.g. their unnecessary referral of a legal challenge to the European Commission to Brussels), by the power given to partial/minority objectors in legal and planning processes, by the vexatious opposition of the Noble Organisation, by the impact of nature on the structure of the Pier and by professional arson.

It is difficult to find the rationale for the Noble Organisation switching from support to opposition. All other parties, and independent consultants, assessed that the Palace Pier would benefit from the restoration of the West Pier and the

increased attractiveness of the Brighton seafront. In my meetings with the principal representative of the Noble Organisation I never got a proper explanation as to why, in his words, he had been instructed to prevent our plans 'by all possible means'. We made every effort to avoid conflict, including offering a legally-binding agreement not to have any competing funfair activities on the West Pier. All to no avail.

The Noble Organisation used its London lawyers successfully to block the minor constitutional changes we needed to complete a deal, to oppose planning permission and to challenge the HLF financial contribution. They took us into the English High Court and the European Court. They could not win those legal challenges but they could, and did, delay action. In particular, they frightened the legal departments of the public bodies we were dealing with.

The two professional arson attacks not only damaged the historic structure but undermined public confidence in our ability to restore the pier. The fire fighters I was with in the burning structures had no doubt that the fires had been professionally planned; combustible timers placed at night and approached from the sea (we had 24 hour security watch at the landward end). Professional, so which opponents to our plans paid them?

World famous seaside heritage structures were destroyed by arsonists. The Trust has never been told by the police or fire brigade authorities about their reports into those criminal acts.

The Concert Hall could have been saved if the Fire Service Health & Safety Advisor had not instructed the firemen (keen to continue their work) to leave the building (Fred Gray and I were in it with them). They had to leave before they could properly damp down the roof. The saddest day of my ten years with the West Pier was the next morning when Rachel and I had to sit and watch an unusual southerly wind re-spark the roof at the seaward end and see the flames ever so slowly build up and then race along the roof towards us to destroy the Concert Hall, the most beautiful single building on any pier.

6. Heritage Lottery Fund Abandon Ship

On the morning of 28th January 2004 the senior officer and a trustee of the Heritage Lottery Fund, came to the Pier to inform us of the decision taken by the HLF Board on the St Modwen/BWPT application. We had been given no indication of the nature of the decision. Lindsay, Rachel and I took them over to the Regency for coffee.

I hoped there was a chance that the application might have been approved, but my expectancy was that the HLF would not increase the £15m limit on its contribution, whereas the application requested £18-19m (depending on what was included). Thus, the Trust would need to propose a fresh scheme consistent with that £15m limit; with or without St Modwen.

The HLF officer's body language was in line with my expectation. When we were seated for coffee, he remarked that we had probably correctly guessed the worst and then announced that the HLF Board had not only rejected the BWPT/St Modwen specific application, but had also withdrawn its agreement in principle to a £15m contribution to BWPT. He styled it as 'a brave decision'. Lindsay, Rachel and I were stunned. The HLF's eight years handling of our plans had been the principal reason why the West Pier was not already restored and here it was 'pulling the plug' and calling it a 'brave decision' which, we were told, was final and unchallengeable. We made our counter points in a desultory exchange before they left.

My first thoughts went back to a couple of other occasions in my life when a public body behind closed doors had taken 'a brave decision'. On both occasions, the decision had been 'cavalier' rather than 'brave'. In the chemistry of a small group it had defied the evidence to reach a perverse conclusion. I had got the decisions nullified on both occasions.

My second reaction was to re-assess the evidence the HLF Board had received in its consideration of our application. It was all positive to our case. English Heritage, the statutory body responsible for heritage assessment, had reported to the HLF in December 2003 that the West Pier was of paramount heritage value and, despite the 2002-3 structural damage, it was capable of being restored under the internationally defined standards and measures of Heritage restoration. The HLF's consultant engineers had validated the plans. The economic consultants had validated that the plans provided for the long-term commercial viability of the restored West Pier including adequate provision for the maintenance of the structure through the whole of the 21st century. The Brighton/Hove Council had fully supported the application and committed its land contribution. The private sector partner (St Modwen Properties) was not only a highly-rated and highly-g geared public company, but had emphasised to the HLF that it would retain the long-term management role for the restored West Pier, (not the more usual 'developer role and sell on'). Months later on BBC TV South an HLF trustee gave a rare insight into the 'cavalier' thinking at the January Board Meeting; she asserted that with the pier the HLF would have been called on again in 40 years time to finance works to protect the restoration, whereas with a painting or a stone building on land, that would not be the case. Thus, at least one trustee put aside the independent evidence on the long-term commercial viability and maintenance of the Pier (and St Modwen's assurances) in reverting to more familiar ground and priorities. The fact that the HLF had held up progress on the restoration for the previous eight years primarily to be sure that the restoration would be sustainable in the long term may not have been mentioned in the discussion leading to 'the brave decision'.

My third reaction on that stunned morning was to try to work out why the HLF Board, in its remote and closed atmosphere, had taken a negative decision despite all of the positive evidence and its high profile support for eight years.

At the January meeting, the HLF officer referred to the escalating costs of the project. In reality, the cost had increased only by the building cost inflation index

since the HLF had announced its £15m; and St Modwen had a fixed price contract ready to sign with a major European construction firm. Further, HLF officers and advisers had encouraged St Modwen to build in that inflation increase. At was the case that at a meeting in the previous November HLF officers asked the Chief Executive of St Modwen whether he could deliver the project if the HLF stuck at its £15m limit. He had replied in the negative. I noticed the telling visual contact between the HLF Officers at that response, but felt the gamble by St Modwen was not crucial, given the knowledge that if it did not come off the Trust could quickly and easily submit a fresh case for use of the £15m (and there was a commercial party claiming to the Trust that it could deliver the restoration/reconstruction given £15m from the HLF). In hindsight in January 2004, both Lindsay and I felt that the key HLF figures had decided to pull the plug on the West Pier prior to that November 2003 meeting, and the exchanges with St Modwen and its Advisers had been shaped to aid that decision. Sir Lindsay stated so publicly in his March 2004 Lecture to the Society of Civil Engineers.

What must have nearly blown the HLF off course in that aim was the strength and depth of the English Heritage report to the HLF in December 2003. I know from other sources that HLF Officers read that report with surprise and exasperation. The HLF could reject the St Modwen application on cost grounds, but in the light of the English Heritage report it could not pull the plug on the West Pier; and, in my view, the plug had to be pulled because HLF Officers had already pencilled in other uses for the West Pier's £15m. The English Heritage report had to be negated. Thus, we had the extraordinary scenario of the HLF's internal Historic Buildings Panel totally rejecting the English Heritage report in its submission to the HLF Board. We were subsequently given the minutes of the meeting of that Panel and they make hair-raising reading. A panel (and I have known one of the members for many years) containing no relevant expertise dismissed the scholarly and professional findings of the statutory body responsible for heritage assessment ('brave' or 'cavalier'?). The Panel's report let the HLF Board off the hook of the English Heritage report. The HLF even had the gall in announcing its decision, to claim that the Board had acted on expert advice (i.e. its own Panel on Historic Buildings), without any reference to the content of the English Heritage report.

Was the negative decision based on the financial constraints upon the HLF? I pondered whether the HLF had decided to pull the plug on the high profile West Pier project (supported by every Prime Minister, Secretary for Culture and their front bench opposites since 1993), as a message to the politicians about the diverting of lottery monies away from the HLF? However, my conclusion was that the crucial element was not the monies available to the HLF Board, but its priorities for their usage. In the months following its January 2004 decision on the West Pier the HLF released monies, broadly equivalent to its previous agreement for the West Pier, for paintings, stately homes, libraries etc; most of which must have been applied for well after the HLF 1998 £15m commitment to the West Pier. In my view, at some point in the Autumn of 2003 HLF Officers had decided that the £15m ear-marked for the West Pier could be better used to meet demands more central to the interests of the culture of the HLF and more easily deliverable.

On that fateful January morning I also sensed that somewhere within the HLF it had been decided, but not stated, that the West Pier project was not deliverable. The English Heritage report, and the HLF's consultant engineers, had confirmed that the restoration/reconstruction was physically deliverable; and St Modwen had satisfied all parties that the project was commercially viable. The project had major political and public support with global interest. So why did the HLF Officers think it to be non-deliverable? The short answer is the Noble Organisation, the owners of the Palace Pier. Despite the cultural ambivalence of the HLF towards people's piers, some HLF officers had decided in 1995 that the West Pier was a high profile exception. I believe that by autumn 2003 those officers, struggling against the trustees culture and the Noble Organisation's opposition, had decided that the struggle was not going to be successful. At least one HLF Officer felt that the Noble Organisation's determination to block the restoration of the West Pier by all available means, would be successful for another 3 or 4 years; by which time the combination of physical deterioration and rising costs would have made the project much less viable. I am convinced that the HLF's fear of the Noble Organisation's determination was a crucial factor in its decision to renege on its £15m contribution, - bravery, or the opposite?

Finally in thinking that day about reasons for the decision, I recognised that there must have been an element of HLF Officers simply becoming 'fed up' with the pressures and problems of the West Pier after eight years, including the constant flow of memos from the Trust. My perspective is that it was the HLF itself that mis-used those eight years and over-complicated what should have been a simple project. If the HLF had acted with enthusiasm in 1997 or had not moved the goalposts in 1998 the HLF would have been shot of the West Pier; the West Pier would now be restored, and the HLF applauded for its role. However, I recognise that the perspective of HLF Officers was different, and they could see themselves continuing to be embroiled for several future years. There must have been a sense of relief in getting free from the pressures and problems of the West Pier. I certainly got the impression at the meeting that January morning of the sense of relief when the HLF representatives emphasised the finality of the decision (i.e. the withdrawal of the £15m commitment as well as rejection of the St Modwen application).

Those were my thoughts in a stunned state that morning, and I have no reason to adjust them. It was a perverse decision in terms of the evidence presented (other than that from the in-house expert panel possessing no relevant expertise); and, in my experience, terming it 'brave' rather than logical, justifiable etc. confirmed that perversity.

7. English Heritage to the Rescue?

I met with officers of English Heritage hours after the HLF announcement. They were clearly angered by the HLF's decision and lack of consultation. Their message was 'don't give up hope, give us a few months to broker a deal'. The Pier was front page headlines in the Argus twice within a couple of days; 'West Pier dumped' then 'don't give up hope'.

I encouraged English Heritage partly in order to 'keep balls in the air' and 'buy time'. I had little confidence in the ability of English Heritage to change the situation. I was sure that the HLF would not reverse its decision, even under the 'political' pressure EH might muster. There was a slight hope that the Department of Culture might release monies from its reserves. I realised that hope was gone when I read in the Daily Telegraph a couple of months later that the Department had used that source on a stately home in Derbyshire (no doubt for sound Party Political reasons). I also suspect that the senior EH officers 'pulled the rug' on our EH contacts for risking relations with the HLF over a 'wrecked pier' (a cathedral or an Italian painting would have been a different matter).

In July 2004, English Heritage hurriedly announced its failure (no consultation with the Trust); the further collapse of the concert hall was used as the pivotal reason but that was 'spin' (the engineers had reported that the further collapse did not change the positive conclusion of the EH December 2003 report). EH had failed to budge the HLF or persuade the DCMS; and EH itself had split on the issue.

8. Change of Strategy

Whether in my University or West Pier roles, I have always sought to listen to people on the ground rather than to officials or organisations who claim to represent them. Talking to people on the seafront, listening on buses, picking up vibes in pubs, friends from all walks of life telling me what their contacts are saying etc., all led me by summer 2004 to assess that the general view was

'The old West Pier has gone; lots of anger that it had been allowed to happen, but it is now a fact of life and nature.'

I tried not share that view. If the HLF changed its mind the Pier could still be reconstructed/restored to its 1920's glory. However, I had to accept that the HLF would not shift its position (whilst continuing correspondence with it to keep doors open); and 'the politicians/public' would not be mobilised to that end.

Thus, the Trust's strategy from July 2004 was threefold. Firstly, to try to bring the restoration saga to a clean and dignified end. I lobbied the Council, HLF and EH to undertake a joint exercise (probably including a scholarly conference) on the future of the West Pier with a view to reaching a shared conclusion and in public (not hiding behind closed doors). I felt it was important to all those supporters of the restoration since the 1970's for that final assessment to be open. I assumed the outcome would be negative but the process was important. The approach was rejected speedily by the HLF; we were told to 'get real'. EH took longer to respond (November) but the message was the same. The Council accepted the views of HLF/EH; I do not blame the Council, which has many other projects in the City reliant upon HLF/EH funding and goodwill. I was, mildly, dismayed that none of those three bodies saw the public obligation to explain.

Secondly, we concluded that the future of the West Pier site lay with the private sector. Ten years of struggling with public sector cultures and bureaucracies was enough. Further, the Trust had little 'punching power' left. The general assumption in the HLF/EH/Council was that the Trust would fold, so we had little 'influence'. Moreover, my experience of the previous ten years convinced me that a private sector developer was the only way to drive the project forward. A developer not seeking public subsidy, offering something attractive and setting time constraints for the public bodies to meet. Thus, I put 'feelers' out into the private sector.

Thirdly, although the hopes for the restoration had gone, I was determined that whatever happened on the site should preserve the spirit of the old West Pier. It should preserve some of the 'old lady', it should include a heritage centre on her history and whatever the new elements they should be in the 21st century as outstanding architecturally and technologically as she had been in 1866. Further, if at all possible, new development should leave open the ability to reconstruct the old pier in the long term. When I outlined that to Sir Lindsay, he neatly summarised it as 'heritage retention and heritage creation'.

We are still pursuing that strategy, and it is working. We hope to be able to announce our proposals not long into the new year and they are in the spirit of the old West Pier and its iconic importance to Brighton & Hove.

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