

Confidential**MINUTES OF A MEETING OF THE BOARD OF TRUSTEES OF THE TATE GALLERY HELD ON WEDNESDAY 17 SEPTEMBER 2003 AT 2.15 PM IN THE BOARD ROOM AT TATE BRITAIN**

Present:	David Verey	Chair
	Helen Alexander	
	Victoria Barnsley	
	Sir Howard Davies	
	Professor Jennifer Latto	
	Paul Myners	
	Chris Ofili	
	Julian Opie	
	Jon Snow	
	John Studzinski	
	Sir Nicholas Serota	Director
	Alex Beard	Deputy Director
	Dr Stephen Deuchar	Director, Tate Britain
	Will Gompertz	Director of Communications
	Anna Jobson	Head of Planning and Co-Secretary to the Board of Trustees (minutes)
	Vicente Todoli	Director, Tate Modern
	Sian Williams	Director, Finance and Resources
	Peter Wilson	Director, Projects and Estates

1 APOLOGIES FOR ABSENCE

Professor Dawn Ades and Gillian Wearing

2 MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES OF THE TATE GALLERY HELD ON 16 JULY 2003

Minutes of the meeting of the Board of Trustees of the Tate Gallery held on 16 July 2003
The minutes were approved as a true record of the meeting and signed by David Verey.

3 MATTERS ARISING

David Verey introduced Jan Debbaut, Director of Collections, to the meeting. Jan had taken up his post at the beginning of September.

David Verey reminded Trustees that from November, meetings would be held in the morning. Following a 9am visit to the Tate Store, Trustees would convene at 10.15am for a 10.30am start. Meetings would conclude at 12.45pm allowing a private session for Trustees and the Director until 1pm. David Verey observed that this time should not be used to revisit discussions held during the main meeting.

4 DIRECTOR'S REPORT (Tate Notes, September 2003, Item 4)

4.1 Staff

Nicholas Serota reported that Sian Williams would be taking a period of extended unpaid leave from 19 September 2003 to 12 January 2004. Sian Williams advised that, during her absence, finance consultant Anthony Blackstock would oversee the Resources Division; Anthony had begun work the previous week.

4.2 Resource Allocation and Planning Parameters 2004/5

Alex Beard reported that a paper had been prepared by way of preliminary outcome from this review. The paper had been discussed at Finance and Audit Committee the previous day, but a decision had been taken not to present the paper to the Board on the basis that there would be sufficient time fully to absorb and incorporate the comments of the committee. Instead it was the intention to develop options for presentation to the November Board.

There were a number of options open to the museum and these would be discussed at the next Finance and Audit meeting with a view to recommending a proposal to the November Board.

Information has been exempted under s. 43 (2) of the Freedom of Information Act 2000

4.3 Spending Review 2004

Alex Beard reported that Tate had had a letter from DCMS outlining the process for Government's 2004 comprehensive spending review. In short, the outlook for DCMS did not seem good. However, in concert with the National Museums Directors Conference, Tate was doing everything possible to support the DCMS case to Treasury. Two studies were underway, intended to demonstrate both the economic and creative impact of national museums, and Tate was represented on both working groups.

Nicholas Serota commented that in addition to this work, Tate would continue to argue its own case for an upturn in grant. In particular, he felt that there was a strong case for increasing the investment for Tate's work in the regions. Tate Liverpool had the potential to play a major role in the Capital of Culture initiative, but funds must be made available to reflect the importance of the gallery's work to the project. Generally, Tate had a demonstrable record of working with regional museums and galleries and it seemed reasonable that DCMS should recognise this track record.

4.4 Bahamian Legacy

Nicholas Serota reported that a legal dispute over the bequest of Mrs Joy Thompson had been resolved in favour of Tate and the Museum of Modern Art, New York. The dispute had cost some (*Information has been exempted under s. 43 (2) of the Freedom of Information Act 2000*), but the bequest was expected to yield (*Information has been exempted under s. 43 (2) of the Freedom of Information Act 2000*) after the costs had been satisfied. This money would be restricted to the purchase of Canadian art.

Information has been exempted under s. 43 (2) of the Freedom of Information Act 2000

4.5 London Town

Information has been exempted under s. 43 (2) of the Freedom of Information Act 2000

Nicholas Serota updated Trustees on progress since the last meeting. BROAD, the Bankside Residents' Association, had indeed proceeded to Review and had so far raised (*Information has been exempted under s. 41 of the Freedom of Information Act 2000*) to support this action. It would not be until December that an outcome would be known. In the meantime, there had been some reports that London Town was in financial difficulty. Paul Myners confirmed that this was the case, but noted that even in the event of London Town failing, it was likely that the tower would still proceed as the banks would wish to ensure that the maximum economic return could be achieved from the development.

4.6 Tate & Egg Live

Alex Beard reported that the final event of the 2003 Tate and Egg Live season had concluded on Saturday with a specially commissioned film by Wolfgang Tillmans, screened at Tate Britain. As a whole, the series had been judged a success, both in terms of audience and media reach and critical acclaim.

Information has been exempted under s. 43 (2) of the Freedom of Information Act 2000

4.7 Return of Caspar David Friedrich *Nebelschwaden*

Alex Beard reported the news that the Friedrich painting stolen along with Tate's two recovered Turners had been returned to the Schirn Kunsthalle. Full details of the painting's recovery had yet to emerge.

Nicholas Serota suggested that the Turner committee be convened once the details of the third recovery operation have emerged. A further report would be made to the Board in November or January. Jennifer Latto asked whether fellow Trustees had seen the correspondence between Tate and the Turner Society on the use of residual insurance funds and David Verey asked Anna Jobson to circulate the documents after the meeting.

4.8 Trustees Dinner - 5 November 2003

David Verey reminded Trustees that a dinner was to take place on 5 November and asked that they contact Suzanne Freeman or Lynn Murfitt to indicate whether they would be able to attend.

4.9 Trustee Board Meetings 2004

David Verey asked Trustees to note the 2004 dates.

4.10 Board of Trustees information on the Tate internet

In response to a question from David Verey about the source of this request, Anna Jobson reported that Tate regularly receives requests from the general public on various aspects of its governance structure and arrangements. Most museums now included a range of corporate information on their websites and some even published Board minutes online. The proposal here was simply to make available Trustees' biographies.

Jon Snow saw no reason why Tate should not publish this information and his view was shared by other members of the Board. David Verey asked Anna Jobson to ensure that the information was regularly kept up-to-date.

5 MAIN ITEMS (Tate Notes, September 2003, Item 5)

5.1 Estates (tabled - Estates introduction)

Alex Beard reminded Trustees that this paper had been brought forward from the July Board. He explained that it set out the overall context and framework within which concrete plans for estates development would be formulated over the next period. The paper was being shared principally for information and Trustees were invited to comment on the overall shape of the programme. At this stage, other than in respect of the proposed feasibility study in support of the relocation of EDF's switch station at Tate Modern, Trustees were not being asked for approval to the investment required for any of the projects described.

Alex Beard went on to say that, subject to the views of Trustees on the overall shape of the programme, a business case would be prepared for each project and presented to the Finance and Audit Committee before proceeding. Each would include a full options appraisal, outline fundraising strategy and implementation proposal. He added that the implementation schedule in the paper represented the fastest possible route and it was in fact likely that actual implementation would be slower.

Information has been exempted under s. 43 (2) of the Freedom of Information Act 2000

5.2 Developing Tate Britain 2003-2007: Summary and Recommendations

Stephen Deuchar introduced this paper which had been produced as a discussion tool for the Tate Britain Council. It was intended to provide an in-depth analysis of the Tate Britain operation, to review its successes and to identify its key challenges going forward. To summarise, these were: Tate Britain's identity and its place within the overall Tate brand, the need to improve Tate Britain as a destination and to build its role nationally and internationally. The next steps would be to formulate a more effective communications strategy for Tate Britain, to invest in a focused programme of improvements to facilities on the site and to develop a longer term vision for the museum that encompassed building development and national and international partnerships.

Information has been exempted under s. 43 (2) of the Freedom of Information Act 2000

6 ACQUISITIONS

6.1 Acquisitions Financial Summary (Tate Acquisitions Booklet, September 2003, Item 6.1)

Nicholas Serota reported that Tate's acquisitions budget was fully committed during this financial year.

6.2 Acquisitions Statement (Tate Notes, September 2003, Item 6.2)

The Trustees noted the Acquisitions Statement.

6.3 For Consideration (Tate Acquisitions Booklet, September 2003, Item 6.3)

6.3.1 Francis Bacon 1909-1998

Study after Velazquez 1950
oil on canvas
1980 x 1370 mm (78 x 54 in)

Offered for purchase by the Estate of Francis Bacon for the sum of

Information has been exempted under s. 43 (2) of the Freedom of Information Act 2000

Nicholas Serota reported that this painting had re-emerged in 1998 and was of such significance that Tate had immediately registered an interest with the Francis Bacon Estate. In 2001 an application for an export license had been submitted to DCMS, which had later been removed, but in June 2003 a further application had been lodged, the painting having secured an American buyer. Since the submission of this second application, Tate had been in contact with the Francis Bacon Estate and subsequently the picture had been offered to Tate for (*Information has been exempted under s. 43 (2) of the Freedom of Information Act 2000*). Tate was required to indicate in principle whether it wished to acquire the painting by the end of November and apply for an export stop.

In Nicholas Serota's view, this represented an opportunity to acquire a major work of historic importance which would complement Tate's holdings by adding a Pope work, without which Tate's Bacon collection would always remain partial. However, in view of the financial situation, it would not be a work for which Tate could draw on reserves and the imperative would therefore be to fundraise. Discussions had begun with a number of

potential donors and Nicholas Serota was looking to Trustees to indicate a potential wish to acquire as endorsement to continue these conversations. This was given and Trustees welcomed the opportunity to acquire this work.

6.3.2 **Gilbert and George** born 1943, born 1942

Named 2001

90 colour photographs on paper; individually framed
overall dimensions: 3550 x 15210 mm (139 ³/₄ x 598 ⁴/₅ in)

Offered by White Cube for the sum of

Information has been exempted under s. 43 (2) of the Freedom of Information Act 2000

Nicholas Serota commented that this work, comprising 90 colour photographs on paper, represented a significant addition to Tate's collection of works by Gilbert and George, which contained no work made after 1985. He reported that conversations had taken place with a foreign collector with an interest in helping Tate acquire the work. Jan Debbaut concurred with Nicholas Serota's view of the work, arguing that it was extremely strong, containing interesting sexual connotations and geographic references; it also marked the artists' move into a new genre.

Julian Opie agreed with this analysis. His opinion was that the work was hard hitting and tough and that it demonstrably marked the artists' move into new territory. Chris Ofili stated that Tate's collection should contain a later work by Gilbert and George.

Information has been exempted under s. 40 and 43 (2) of the Freedom of Information Act 2000

The Trustees agreed to proceed with the purchase, but to seek funds from individuals.

Credit Line:

Purchased 2003

6.3.3 Thomas Schütte born 1954*Double Cross* 1988

steel

3820 x 2600 x 2600 mm (150 2/5 x 102 1/3 x 102 1/3 in)

Offered by X for the sum of

Information has been exempted under s. 40 and 43(2) of the Freedom of Information Act 2000

Nicholas Serota reported that this work, by one of the most significant mid-generation German artists working today, would complement the several works by the artist already owned by Tate. The work, made in the late 1980s, was unusual not just in its size (over three metres high) but because of the material, steel, from which it was fabricated to the artist's design. It had been offered to Tate at a considerable discount and could well encourage European collectors to donate to Tate in future years.

Information has been exempted under s. 43 (2) of the Freedom of Information Act 2000

The Trustees agreed to purchase the work.

Credit Line:

Purchased 2003.

6.4 Future Bequests (Tate Acquisitions Booklet, September 2003, Item 6.4)**6.4.1** *Information has been exempted under s. 41 and 43 (2) of the Freedom of Information Act 2000.***6.4.2 Freda Mary Snadow Bequest**

Nicholas Serota noted that Tate had received an indication from the solicitors administering the estate of Mrs Freda Mary Snadow, deceased, that it could expect to receive

(Information has been exempted under s. 43 (2) of the Freedom of Information Act 2000.)

The amount came with no restrictions and it was Nicholas Serota's recommendation that it be used for the collection, either on a research project or for a specific acquisition.

Victoria Barnsley asked whether Freda Mary Snadow had had any direct relationship with Tate. Nicholas Serota reported that she had been a Member.

6.5 Gifts (Tate Acquisitions Booklet, September 2003, Item 6.5)**6.5.1 Judith Rothschild** 1921-1993*Untitled Composition* 1945

oil on canvas
759 x 602 mm (29 7/8 x 23 3/4 in)

Offered as a gift by the Judith Rothschild Foundation.

Nicholas Serota reported that this work had been offered by the Judith Rothschild Foundation following discussion with Tate curators; it would contribute towards the gaps in Tate's collection of mid-twentieth century American art. Trustees welcomed the opportunity to acquire the work and noted that it would have to be accepted formally by the US fund.

Credit Line:

Presented by the Judith Rothschild Foundation 2004.

6.5.2 **Sean Scully** born 1945

Coyote 2000
oil on canvas
2743 x 3048 mm (108 x 120 in)

Offered for purchase by Timothy Taylor Gallery for

Information has been exempted under s. 41 and 43 (2) of the Freedom of Information Act 2000.

Nicholas Serota reported that this work had been offered by a Tate Modern donor and Scully enthusiast. It would substantially update Tate's representation of Scully's work and would be used in displays where relevant.

Trustees accepted Nicholas Serota's recommendation, which was to accept this work with gratitude.

Credit Line:

Purchased with funds provided by an anonymous donor 2003.

6.5.3 **Alison Wilding** born 1948

6.5.3/1 *Assembly* 1991
powder-coated steel, PVC
1230 x 1740 x 5470 mm (48 1/2 x 68 1/2 x 215 1/3 in)

6.5.3/2 *Harbour* 1994-6
alabaster, cast silicone rubber
1305 x 1520 x 1580 mm (51 1/3 x 59 7/8 x 62 1/5 in)

Offered as a gift by an anonymous donor through the Contemporary Art Society and the Henry Moore Foundation.

These two works had been offered by an anonymous donor through the Contemporary Art Society and the Henry Moore Foundation. Tate curators had been involved in their selection.

Trustees accepted Nicholas Serota's recommendation, which was to accept these two works with gratitude.

Credit Line:

Presented by the Contemporary Art Society and the Henry Moore Foundation, courtesy of an anonymous donor 2003.

6.6 Acquisitions Update

6.6.1 John Wootton (Tate Acquisitions Booklet, September 2003, Item 6.6)

- 6.6.1/1 *Viscount Weymouth's Hunt: A Groom Holding a Saddled Grey Hunter with Hounds and Terriers, a Small Boy Seated on the Ground to the Right with a Puppy, in a Wooded Landscape* 1733-6
- 6.6.1/2 *Viscount Weymouth's Hunt: Thomas 2nd Viscount Weymouth, in a Blue Velvet Coat, a Negro Page beside him, with other Huntsmen at the Kill* 1733-6
- 6.6.1/3 *Viscount Weymouth's Hunt: Mr Jackson to the left, and the Hon. Henry Villiers, and his Cousin the Hon. Thomas Villiers, Mounted on Hunters, with Hounds, in a Landscape* 1733-6
- 6.6.1/4 *Viscount Weymouth's Hunt: The Hon. John Spencer, beside a Hunter Held by a Young Boy, with Hounds beside them, in a Landscape* 1733-6
- 6.6.1/5 *Viscount Weymouth's Hunt: Two Hunt Servants on Hunters with Hounds, besides a Cottage, asking a Labourer which way the Fox has gone* 1733-6
- 6.6.1/6 *Two Stallions Fighting* 1733-6
- 6.6.1/7 *Digging out the Fox* 1733-6

Trustees noted the report made in the Board papers.

6.6.2 Sir Joshua Reynolds (Tate Acquisitions Booklet, September 2003, Item 6.6)

Omai c1775-6

Nicholas Serota reported that the Omai negotiations continued.
Information has been exempted under s. 41 and 43 (2) of the Freedom of Information Act 2000.

Information has been exempted under s. 43 of the Freedom of Information Act 2000.

6.6.3 Frederic, Lord Leighton (Tate Acquisitions Booklet, September 2003, Item 6.6)

The Syracusan Bride 1865-6

Trustees noted the disappointing news that the NACF had rejected Tate's application for a commitment of (*Information has been exempted under s. 41 of the Freedom of Information Act 2000*) towards this painting. An outcome of the HLF application was still outstanding.

6.6.4 Augustus John (Tate Acquisitions Booklet, September 2003, Item 6.6)

Dorelia Standing Before a Fence c1903-4

Trustees noted the increase in price as a result of tax recalculations.

6.6.5 Anish Kapoor (Tate Acquisitions Booklet, September 2003, Item 6.6)

Untitled 1990

Her Blood 1998

Turned into the Interior 2000

Untitled 2000

Ishi's Light 2003

Following previous discussions at the Board, Nicholas Serota reported that the two works now under consideration were *Her Blood* and *Ishi's Light*. The position was complicated by the fact that questions had arisen over the condition of the second work, with the appearance of damage to the upper layer of skin to work. Discussion with the artist had revealed that the piece had been produced quickly and was therefore unstable; the artist had indicated that he was content to work with Tate to repair the work, which would then be brought to Trustees for final approval.

Nicholas Serota reminded Trustees that one of the issues with *Ishi's Light* which had previously caused concern was that of its fragility. He had discussed the matter with the artist and had indicated that the work would likely be displayed on its own and 'policed' by a gallery assistant. Kapoor had no major misgivings about this. In view of this, it was the prevailing view of Trustees that the acquisition be taken to the next stage: Sir Howard Davies and Chris Ofili in particular welcomed the work.

Information has been exempted under s. 43 (2) of the Freedom of Information Act 2000.

It was agreed to proceed with the acquisition of *Her Blood* 1998 and *Ishi's Light* 2003 on the terms given in the Acquisitions Booklet.

Her Blood 1998

Credit Line:

Purchased with assistance from Tate Members 2003

Ishi's Light 2003

Credit Line:

Presented by Tate International Council, the artist and Nicholas Logsdail [date]

6.6.6 Chris Ofili (Tate Acquisitions Booklet, September 2003, Item 6.6)

The Upper Room 1999-2002

Nicholas Serota reported that discussions were continuing with donors.

6.6.7 The Vera Daniel Legacy (Tate Acquisitions Booklet, September 2003, Item 6.6)

Nicholas Serota reported that the executors of Vera Daniel's Estate had now signalled their agreement to the payment of

Information has been exempted under s. 43 (2) of the Freedom of Information Act 2000

from the legacy being put towards the acquisition of George Braque's *The Billiard Table*, 1945.

6.6.8 Tyler Graphics (Tate Acquisitions Booklet, September 2003, Item 6.6)

Trustees noted that progress on this group of prints was continuing.

Information has been exempted under s. 43 (2) of the Freedom of Information Act 2000

6.7 Purchased by the Director (Tate Acquisitions Booklet, September 2003, Item 6.7)

6.7.1 Guerrilla Girls

Guerrilla Girls Talk Back 1985-90

portfolio of 28 posters

each 432 x 559 mm (17 x 22 in)

edition size: 50

Purchased (*Information has been exempted under s. 43 (2) of the Freedom of Information Act 2000*).

Trustees noted the report in the Acquisitions Booklet.

Credit Line:

Purchased 2003.

6.8 Other (Tate Acquisitions Booklet, September 2003, Item 6.8)

6.8.1 Acquisitions Procedure

Nicholas Serota reported that an audit of Tate's acquisition process was due to begin the following week.

6.8.2 Andy Warhol

Electric Chair, 1964
screenprint and acrylic on paper
562 x 711 mm (22 1/8 x 28 in)
T07145

This report had been circulated for information and a further report would be made to the Board once further examination of the work had taken place.

Information has been exempted under s. 43 of the Freedom of Information Act 2000

7 FOR DECISION (Tate Notes, September 2003, Item 7)

7.1 Capitalisation of Tate Enterprises Ltd

This paper had been considered by the Finance and Audit Committee and Sir Howard Davies recommended that the Board approve the proposal.

Information has been exempted under s. 43 (2) of the Freedom of Information Act 2000

7.2 Knapping Bequest Accounts 2002-2003

Trustees approved the Knapping Bequest Trust accounts for the year ended 31 March 2003.

7.3 Appointments to Building Committee

Trustees approved the appointment of John Smith and Vittorio Radice to the Building Committee.

8 FOR DISCUSSION (Tate Notes, September 2003, Item 8)

8.1 Tate Magazine Strategy (additional note tabled)

Alex Beard introduced this item by describing the current proposal, which was to produce a Tate-published magazine three times per annum, complemented by a comprehensive Tate listings Guide six times per annum. He argued that this strategy fulfilled Tate's contracted

obligations to members as well as maintaining an important communications tool for Tate's core audience.

Information has been exempted under s. 43 (2) of the Freedom of Information Act 2000.

9 REPORTS (Tate Reporting Pack, September 2003, Item 9)

9.1 Tate Collection

9.1.1 Collection Report

There was nothing additional to report and Trustees noted the papers which had been circulated for information.

9.2 Tate Britain

9.2.1 Tate Britain Report

Stephen Deuchar reported that the Tillmans exhibition had closed that week and had attracted some 40,000 visitors, well over the 35,000 target. Bridget Riley was continuing to do well and the final number looked likely to be in the region of 80,000 against a target of 70,000. Victoria Barnsley expressed her excitement at the Art of the Garden exhibition proposal and asked whether a collaboration with the Royal Horticultural Society had been discussed. Stephen Deuchar replied that the exhibition was to be a direct product of a partnership with the RHS.

Nicholas Serota added that *A Bigger Splash: British Art from Tate 1960-2003* had recently opened at the Oca in São Paulo. This exhibition had been conceived and developed under the umbrella of Tate's International Programme, which had recently been integrated into the Tate Britain exhibition team.

9.2.1 National and International Programmes Report

The Trustees noted the report.

9.3 Tate Modern

9.3.1 Tate Modern Report

Vicente Todoli reported that *Cruel and Tender* had closed with a final attendance of some 100,000. Preparations were continuing for forthcoming exhibitions Sigmar Polke: *History of Everything*, *Common Wealth* and the Unilever commission by Olafur Eliasson. The Tate Modern management team had taken the decision to offer free entry to *Common Wealth* on Saturday evenings following a request from the artists. A title had been agreed

for the new space that was to be dedicated to the contemporary programme: it was to be called Untitled.

9.4 Tate Liverpool

9.4.1 Tate Liverpool Report

Jennifer Latto reported that the news from Liverpool was positive. The gallery was now fully staffed and was attracting healthy visitor figures. Tate Liverpool was making a good contribution to the development of the Capital of Culture plans and there was a good deal of optimism as to the potential effect on tourism of this initiative.

9.5 Tate St Ives

9.5.1 Tate St Ives Report

Paul Myners reported that the Barbara Hepworth Centenary exhibition was continuing to attract record visitors and that the Gallery's education and interpretation team had had an extremely active summer. Work on the phase 2 development was continuing and Tate was collaborating with Cornwall County Council on the creation of a number of alternative options which would leave the politically sensitive social housing intact.

9.6 Digital Programme

9.6.1 Digital Programmes Report

Will Gompertz reported that he was shortly to undertake a review of Tate's online strategy which would be brought to a subsequent Board for discussion.

10 OTHER MINUTES

10.1 Minutes of the meeting of the Finance & Audit Committee held on 2 July 2003

Trustees noted the minutes.

10.2 Minutes of the meeting of the Building Committee held on 24 July 2003

Trustees noted the minutes.

Management Information Pack

It was noted by Trustees.

11 ANY OTHER BUSINESS

There was no other business.

12 DATE OF NEXT MEETING

Wednesday 19 November

9 am	minibus leaves Tate Britain for Tate Store, Southwark
10.15 am	convene / coffee
10.30 am	Board meeting begins
12.45 pm	Trustees discussion with Nicholas Serota
1 pm	Board lunch