

Confidential**MINUTES OF A MEETING OF THE BOARD OF TRUSTEES OF THE TATE GALLERY HELD ON WEDNESDAY 17 MARCH 2004 AT 10.30 AM IN THE BOARD ROOM AT TATE BRITAIN**

Present:	David Verey	Chair
	Helen Alexander	
	Victoria Barnsley	
	Professor Jennifer Latto	
	Paul Myners	
	Chris Ofili	
	Julian Opie	
	Jon Snow	
	John Studzinski	
	Gillian Wearing	
	Sir Nicholas Serota	Director
	Alex Beard	Deputy Director
	Jan Debbaut	Director, Tate Collection
	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

Dawn Ades and Sir Howard Davies sent their apologies to the meeting.

2 MINUTES OF A MEETING OF THE BOARD OF TRUSTEES OF THE TATE GALLERY HELD ON WEDNESDAY 21 JANUARY 2004

The minutes were approved as a true record and signed by the Chairman.

3 MATTERS ARISING

There were no matters arising.

4 DIRECTOR'S REPORT**4.1 Chairman**

Nicholas Serota thanked David Verey for his extraordinary contribution to Tate, reminding the Board that he had been one of Tate's longest serving Trustees. He commented that this had been a period of transformation for Tate and that many hurdles had been cleared on the path to outstanding success. That Tate had emerged in a state of such relative stability was in no small part due to David Verey's thoughtful leadership.

David Verey thanked Nicholas Serota for his words and his fellow Trustees for their support during this period. He observed that he had had a great deal of fun as Chair and had found the experience extremely rewarding. He hoped colleagues shared this experience of being involved with Tate and commended the Board for being so effective. Nicholas Serota's leadership was an essential ingredient of this.

David Verey concluded by observing that the note in the papers was inaccurate: Sir Christopher Mallaby had been Chair of the Finance and Audit Committee between July 1998 and November 2002.

4.2 **Trustee Appointment**

Nicholas Serota commented that there was no further news on the identification of a new Trustee to replace David Verey. It was his understanding that the Minister had now made a recommendation and that Tate would be hearing shortly whether or not the Prime Minister had endorsed this. It was hoped that the new Trustee would join the Board for the May meeting.

Nicholas Serota reported that Jon Snow's term on the National Gallery Board was to come to an end on 31 March, but that his appointment was being renewed. The National Gallery Trustees had indicated that they would like Jon Snow to continue as Liaison Trustee. The Board had been delighted to learn this news.

4.3 **Sir Joshua Reynolds – *Omai***

Passage excluded, section 43.2.

4.4 **Trustees' obligations in relation to the Turner Bequest**

Following concern expressed at previous meetings that Board members might be in a position of conflict as Trustees both of Tate and of the Turner Bequest, Jacqueline Michell and Bates Wells had prepared a paper which set out the trustees' obligations in relation to both responsibilities. The paper demonstrated that the interests of the two bodies coincide, a view endorsed by Tate's legal advisors and included in the papers.

A third note set out the way in which Tate was currently caring for the Turner Bequest. This had been included for Trustees' information so that they were able to counter the assertions that had been made in previous months that Tate was not adequately discharging its obligations in respect of Turner's work.

David Verey commented that all three papers were extremely useful. He went on to ask whether there had been any developments in relation to the Turner insurance windfall? Passage excluded, section 43.2. David Verey suggested that it might be useful to include in the papers for the next meeting a summary of the possible next steps for Tate. Alex Beard agreed to produce this.

4.5 **Personal Injury Claim Tate Modern – Update**

Nicholas Serota commented that there was limited progress to report, but that efforts were continuing to conclude the matter.

4.6 **London Town**

Following the High Court Judge's ruling in favour of London Town, reported at the January meeting, Nicholas Serota reported that BROAD, the Bankside Residents' Group, had lodged a further appeal. Passage excluded, section 43.2.

4.7 **In situ terrorism cover for loans**

Following discussion at the previous meeting, Nicholas Serota reported that Tate was still waiting to hear whether the other National Museums and Galleries had acceded to the US museums' request that British museums waive in situ terrorism cover for loans. Neil MacGregor had indicated to Nicholas Serota that the Trustees of the British Museum were not prepared to take such an in principle position but would instead review each instance on a case by case basis.

Nicholas Serota reiterated that he was keen that the Board should be fully aware of

the arrangements made at other national museums before taking a final position and David Verey agreed that this was sensible. Nicholas Serota concluded that in the interim a formal process had been instituted to the loans process in order to examine the need for cover on a case by case basis. In future loan reports, it would be indicated when the executive was recommending that there should be no requirement for in situ cover.

4.8 Awards

The Trustees congratulated all concerned on the various awards reported to the Board. Nicholas Serota commented that he considered the Arts and Business Champion of Champions and BAFTA awards to be particularly fine achievements.

He also reported that Jemima Rellie, Head of Digital Programmes, and Will Gompertz had recently commissioned a benchmark study intended to help inform Tate's thinking about the development of www.tate.org.uk. Will Gompertz commented that the report had made for interesting reading. It revealed that Tate online was extremely strong when compared with other arts websites worldwide, but that Tate still had some way to go when compared with major commercial websites in which large investment had been made.

4.9 Trustee Register of Interests 2003-4

Nicholas Serota reminded Trustees that, in addition to completing the register, they should declare their interests when necessary during meetings. He advised that Trustees would shortly be sent their submissions to the register which they should update and return to Anna Jobson.

Julian Opie asked whether there was any advice the artist Trustees could call upon when completing their registers and Anna Jobson commented that she would be sending last year's submissions as a model.

5 COLLECTION

5.1 Deaccessioning Summary

Nicholas Serota reminded Trustees that at a previous meeting, he had promised to pull together a summary of all the discussions of the Board on deaccessioning over the past decade. This was included in the papers for today's meeting, together with a selection of press cuttings which had been enclosed to convey the sensitivity of the matter.

Nicholas Serota reiterated the position the Board had reached as a result of these previous discussions:

- Trustees had acknowledged that the 1992 Museums and Galleries Act gave them the power to deaccession works in the Collection.
- They further agreed that Tate should be active in the management of the Collection, where possible by transferring works to other Collections where they would be better placed in other contexts. This process had begun with a landmark agreement on an exchange of works as long term loans with the National Gallery in 1996, and Tate had instituted similar arrangements in place with the National Portrait Gallery and the Victoria and Albert Museum.
- Trustees had, in addition, from time to time disposed of works or groups of works, prior to their being accessioned, where they had been bequeathed to Tate with the explicit agreement that they could be sold.
- Trustees had not, as yet, taken accessioned works and offered them for sale.
- However, they had agreed in 1999 that they would, in principle, be prepared to sell accessioned works and they had defined the process by which they would go about this exercise. This involved a number of stages prior to likely works being presented to the Board and required agreement that the work should be sold by a majority of nine or more Trustees in the final analysis.

- To date, no works had been brought forward under these provisions.

Passage excluded, section 43.2.

5.2 Acquisitions Strategy

Nicholas Serota reported that work on a renewed acquisition strategy was continuing and that it would be presented to the May meeting.

5.3 Goodison Review Summary

Following discussions at the previous meeting, Nicholas Serota advised Trustees that a summary of the recommendations of the Goodison Review had been included in the papers for their information. The extent to which the fiscal recommendations had been taken up by Treasury would be known later that day when the budget was announced.

6 ACQUISITIONS

6.1 Acquisitions Summary

Trustees noted the summary.

6.2 Acquisitions Statement

Trustees noted the statement.

6.3 For Consideration

Passage excluded, section 43.2.

6.3.2 Audio Arts Archive

Offered for purchase by William Furlong passage excluded, section 43.2.

Jan Debbaut reported that this archive had been offered to Tate by William Furlong. It was considered to be a unique body of information about the art scene over the last thirty years perceived through the eyes and ears of one of its most committed chroniclers. Although the acquisition of the archive carried with it the obligation to digitise, it was possible that Tate could apply to an external body for support towards this programme of digitisation. Trustees concurred with Jan Debbaut's view of the importance of the archive and agreed to proceed with this acquisition.

Credit Line:

Purchased 2004

6.4 In Lieu

6.4.1 John Constable

A Cornfield c.1817, reworked 1826
oil on canvas
597 x 492 (23 1/2 x 19 3/8 in)

Offered to the nation from the estate of Anthony Walter Bacon in lieu of tax with a wish that it should be allocated to Tate.

Nicholas Serota reported that this painting had been offered by the estate of Anthony Walter Bacon in lieu of tax. Trustees welcomed the potential acquisition, subject to the decision of the Minister.

6.5 Gifts

6.5.1 Klaus Meyer 1918-2002

- 6.5.1/1 *View over Fields* 1974
woodcut on paper
535 x 770 mm (21 x 30 1/3 in)
- 6.5.1/2 *Blue Tower ("Open Fields")* 1979
woodcut and linocut on paper
656 x 721 mm (25 4/5 x 28 2/5 in)
- 6.5.1/3 *Reclining Girl overlooking Hampstead Pond, Evening* 1985
woodcut and linocut on paper
530 x 695 mm (20 7/8 x 27 1/3 in)
- 6.5.1/4 *Superimpositions* 1987
woodcut and linocut on paper
362 x 270 mm (14 1/4 x 10 3/5 in)
- 6.5.1/5 *"Gust of Wind" falling leaves (1st state)* 1989
woodcut and linocut on paper
560 x 410 mm (22 x 16 1/8 in)
- 6.5.1/6 *Theme Over Background III* 1997
linocut on paper
373 x 273 mm (14 2/3 x 10 3/4 in)
- 6.5.1/7 *Theme Over Background IV* 1997
woodcut and linocut on paper
570 x 450 mm (11 2/5 x 17 3/4 in)
- 6.5.1/8 *Evening Light* 1999
linocut on paper
405 x 506 mm (16 x 20 in)

Offered as a gift by the artist's widow Celia Meyer, and their children, Paul and Rachel.

Trustees accepted the recommendation to accept this gift and did so with gratitude.

Credit Line:

Presented by Celia, Paul and Rachel Meyer 2004.

6.5.2 Peter de Francia born 1921

Man Carrying a Child 1962
charcoal on paper
1050 x 890 mm (60 x 45 in)

Offered as a gift by the artist.

Trustees accepted the recommendation to accept this gift and did so with gratitude.

Credit Line:

Presented by the artist 2004.

6.5.3 Frank Auerbach born 1931

Ruth 2000
etching on paper
300 x 250 mm (11 ¾ x 9 7/8 in)

Offered as a gift by Ruth Bromberg.

Trustees accepted the recommendation to accept this gift and did so with gratitude.

Credit Line:

Presented by Ruth and Joseph Bromberg 2004.

6.5.4 Richard Smith born 1931

Big T 1975
acrylic on canvas
800 x 3650 mm (31½ x 143½ in)

Offered as a gift by Benjamin and Linda Frankel through the American Fund for the Tate Gallery.

Trustees accepted the recommendation to accept this gift and did so with gratitude.

Credit Line:

Lent by the American Fund for the Tate Gallery, courtesy of Benjamin and Linda Frankel 2004.

6.5.5 Stephen Willats born 1943

6.5.5/1 *Worksheets for Visual Automatic No.5 No.1* 1965
wax crayon and graphite on paper
562 x 773 mm (22 1/8 x 30 3/8 in)

6.5.5/2 *Worksheets for Visual Automatic No.5 No.2* 1965
wax crayon and graphite on paper
562 x 560 mm (22 1/8 x 22 in)

6.5.5/3 *Worksheets for Visual Automatic No.5 No.3* 1965
wax crayon and graphite on paper
562 x 620 mm (22 1/8 x 24 3/8 in)

6.5.5/4 VHS video

Trustees accepted the recommendation to accept this gift and did so with gratitude.

Credit Line:

Presented by the artist 2004.

6.5.6 Jean-Marc Bustamante born 1952

6.5.6/1 *Lava I* 2003

steel, ink and Plexiglas
8770 x 4535 mm (345 ¼ x 178 ½ in)

- 6.5.6/2 *Lumière 01.03* 2003
screenprint on Plexiglas
1950 x 2700 mm (76 ¾ x 106 1/3 in)
edition size: 2, plus 1 artist's proof

Offered as a gift by Tate Patrons.

Julian Opie welcomed this opportunity to redress the non-representation of Bustamante in Tate's Collection and commented that he had long admired this artist's work. **Passage excluded, section 43.2.** Trustees agreed to accept the recommendation, which was to accept the gift, and they did so with gratitude.

Credit Line:

Presented by Tate Patrons 2004.

- 6.5.7 **Anya Gallaccio** born 1963

preserve 'beauty' 1991-2003
2,000 red gerberas, glass
2600 x 5500 mm (102 1/3 x 216 ½ in)

Offered as a gift by the artist.

Trustees accepted the recommendation to accept this gift and did so with gratitude.

Credit Line:

Presented by an anonymous donor 2004.

- 6.5.8 **Douglas Gordon** born 1966

Blind James (white) 2002
black and white photograph on paper
unique
610 x 653 mm (24 x 25¾ in)

Offered as a gift by Douglas Gordon and Galerie Yvon Lambert.

Trustees accepted the recommendation to accept this gift and did so with gratitude.

Credit Line:

Presented by the artist 2004.

- 6.5.9 **Paul Harrison** born 1966, **John Wood** born 1969

Twenty Six (Drawing and Falling Things) 2000-1
video installation
edition size: 3, plus 1 artist's proof

Offered as a gift by Tate Patrons.

Trustees accepted the recommendation to accept this gift and did so with gratitude.

Credit Line:

Presented by Tate Patrons 2004.

6.6 Acquisitions Update

The position was as stated in the papers with no further updates at the meeting.

Passage excluded, section 43.2.

6.7 Purchased by the Director

6.7.1 Peter de Francia born 1921

6.7.1/1 *Seated Boy, Genoa* 1950s
charcoal on paper
440 x 285 mm (17 x 11 in)

6.7.1/2 *The Port of Genoa* 1952
charcoal on paper
279 mm x 368 mm (11 x 14 ½ in)

6.7.1/3 *Figure on a Ladder* 1953
charcoal on paper
465 x 290 mm (25 x 22 in)

6.7.1/4 *Mother and Child* c.1953
charcoal on paper
749 x 559 mm (29 ½ x 22 in)

6.7.1/5 *Immigrant 'Head of an Algerian'* 1965
charcoal on paper
620 x 500 mm (24 2/5 x 19 5/8 in)

6.7.1/6 *Beylacs* 1972
charcoal on paper
765 x 560 mm (30 x 22 in)

Purchased from the artist passage excluded, section 43.2.

Credit Line:

Purchased 2004.

6.7.2 John Latham born 1921

Belief System 1959
books, plaster, metal, light bulb and paint on canvas
1220 x 965 x 275 mm (48 x 38 x 10 4/5 in)

Purchased from Austin Desmond Fine Art passage excluded, section 43.2.

Credit Line:

Purchased 2004.

6.7.3 Richard Hamilton born 1922

Typo/Topography of Marcel Duchamp's Large Glass 2003
laminated inkjet print on aluminium, two panels

2665 x 1700 mm (105 x 67 in)
 edition size:5, plus one artist's proof

Offered by the Gagosian Gallery **passage excluded, section 43.2.**

Credit Line:

Purchased 2004.

6.7.4 Simon Starling born 1967

Five-Man Pedersen (Prototype No.1) 2003
 iron, steel, aluminium, paint, leather, rubber, glass, nylon and plastic
 1240 x 4050 x 550 mm (48 4/5 x 159 2/5 x 21 2/3 in)

Purchased from the Modern Art Institute **passage excluded, section 43.2.**

Credit Line:

Purchased 2004.

6.7.5 Nigel Cooke born 1973

Mirrors 2003
 oil on canvas
 1830 x 3660 mm (72 x 144 in)

Purchased from Andrea Rosen Gallery, New York, and Modern Art, London, **passage excluded, section 43.2.**

Credit Line:

Purchased with assistance from the Charities Advisory Trust 2004.

Trustees noted the purchases.

7 FOR DISCUSSION

7.1 Tate St Ives

Nicholas Serota introduced this item by commenting that it was a good moment at which to have a discussion about Tate St Ives. Tate was making plans for, and about to embark upon, a second stage of development at St Ives. Meanwhile, Susan Daniel-McElroy had been Director for four years, a period during which Tate St Ives had seen a steady increase in the number of visitors, an improvement in the profile and standing of the gallery and some imaginative new ventures, including an artist-in-residence scheme.

Susan Daniel-McElroy took the opportunity to highlight her three main areas of concern as Director of Tate St Ives. These concerned the inadequacy of the building, the absence of a dedicated education space and the level of funding received by Tate St Ives.

Susan Daniel-McElroy explained that the building had initially been designed for use by 70,000 visitors per annum (although a recent conversation with Cornwall County Council revealed that the Council had been even more conservative, estimating at most 40,000 visitors). Since its first year, however, Tate St Ives had typically generated between four times the initial estimate and this volume of throughput had had a serious impact on the visitor experience and the ability of the team to maintain standards in the care of the Collection. The gallery's health and safety record was acceptable but it required close monitoring, particularly during the summer months

when seasonal peaks could result in 100,000 visitors in a six-week period. In summary, extreme visitor fluctuations represented an irregular stress on the small team.

The situation was compounded, Susan Daniel-McElroy continued, by the fact that Tate St Ives was the only Tate site to lack an adequate education space. This affected greatly the gallery's ability to deliver educational services. It was particularly a problem for the gallery's schools programme, which, in spite of the lack of space, had a membership of 101 local schools, each of which paid a small fee in exchange for the ability to come back to the gallery regularly. Over the time that Tate St Ives had been open, these schools, some of which had been members from the beginning, had established an extraordinary relationship with the gallery and servicing them properly in future required adequately equipped educational facilities. Indeed, this was a priority for the second phase development.

The third issue raised by Susan Daniel-McElroy concerned the level of subsidy granted to Tate St Ives. Tate St Ives, [passage excluded, section 43.2](#), received much less subsidy than many analogous small galleries across the country, most of which were funded directly by the Arts Council. This was particularly an issue when considering the impact of the second phase development since an extended building would cost more to run and there was an urgent need to identify new revenue streams. [Passage excluded, section 43.2](#).

Paul Myners agreed that all of these concerns were extremely pressing and urged fellow Trustees not to underestimate the importance of Tate St Ives to the economy of Cornwall. He commented that the building was, at times, severely overcrowded, and that on occasion the staff had had to recourse to closing the doors. A number of options for expansion had been considered and the current scheme, on the Barnoon car park, was gaining strong support from key decision makers locally. It also seemed likely that the scheme would be eligible for European funding through Objective 1.

[Passage excluded, section 43.2](#).

David Verey thanked Susan Daniel-McElroy for attending the meeting and extended the Board's congratulations to her for the growing success of Tate St Ives. Nicholas Serota suggested that Trustees might like to attend a forthcoming meeting of the Tate St Ives Council and this idea was accepted with enthusiasm.

7.2 Tate Magazine – Business Plan

Will Gompertz reported that this item had been included in response to the questions raised at the last meeting about the magazine budget. The budget was laid out here for Trustees' information. [Passage excluded, section 43.2](#).

8 FOR DECISION

8.1 Plan and Budget 2004/05 and beyond

Nicholas Serota commented that a plan and budget for the period 2004/5 had been included in the papers. This budget had already been discussed by the Finance and Audit Committee, and had been balanced by means of a number of measures. [Passage excluded, section 43.2](#).

All these comments noted, Trustees approved the 2004/5 plan and budget, including the statement of risks.

8.2 Tate St Ives Phase 2

Trustees noted the report contained within the papers.

8.3 Bankside Cultural Quarter

Alex Beard reported that the note contained within the papers brought Trustees up to date on progress on securing funding for the relocation of EDF Energy. **Passage excluded, section 43.2.**

8.4 Health and Safety Policy

Trustees approved the policy and David Verey signed the Statement of Health and Safety Policy on behalf of the Board.

8.5 Records and Information Management Policy

Trustees approved the policy.

8.6 Council Appointments and Resignations

8.6.1 Tate Britain

Trustees noted that Alan Bradley was to be invited to serve for a further year on the Tate Britain Council.

8.6.2 Tate Modern

Trustees noted that Maja Oeri was standing down from the Tate Modern Council **passage excluded, section 40.2.** Trustees further noted that Jeremy King was to be asked to serve for a further two years on the Council.

8.6.3 Tate St Ives

Trustees noted that Henry Gilbert and Jenni Lomax were standing down from the Tate St Ives Council and Richard Clarke and Caroline Collier were to be approached to take their places.

8.7 Committee, Subsidiary and Connected Charity Appointments and Resignations

8.7.1 Finance and Audit Committee

Trustees noted that David Verey would be standing down from the Finance and Audit Committee and Paul Myners would be joining.

8.7.2 Tate Gallery Projects Limited

Trustees noted that David Verey would be retaining his position as Chair of Tate Projects.

8.7.3 Tate Foundation

Trustees noted that David Verey would be retaining his position as Chair of Tate Foundation and that Paul Myners would also be joining the Foundation.

9 REPORTS

9.1 Tate Collection

9.1.1 Collection Report

Trustees noted the report.

9.1.2 Loans Out Report

Trustees noted the report.

9.2 Tate Britain

9.2.1 Tate Britain Report

Trustees noted the report.

9.2.2 National and International Programmes Report

Trustees noted the report.

9.2.3 Minutes of the meeting of the Tate Britain Council held on 12 February 2004

Trustees noted the minutes.

9.3 Tate Modern

9.3.1 Tate Modern Report

Trustees noted the minutes.

9.3.2 Minutes of the meeting of the Tate Modern Council held on 10 February 2004

Trustees noted the minutes.

9.4 Tate Liverpool

9.4.1 Tate Liverpool Report

Trustees noted the report.

9.4.2 Minutes of the meeting of the Tate Liverpool Council held on 19 February 2004

Trustees noted the minutes.

9.5 Tate St Ives

9.5.1 Tate St Ives Report

Trustees noted the report.

9.5.2 Minutes of the meeting of the Tate St Ives Council held on 6 February 2004

Trustees noted the minutes.

9.6 Tate Online

9.6.1 Tate Online Report

Trustees noted the report.

9.7 Projects and Estates

9.7.1 Projects and Estates Report

Trustees noted the report.

9.7.2 Minutes of the meeting of the Building Committee held on 26 January 2004

Trustees noted the minutes.

10 OTHER MINUTES

10.1 Minutes of the meeting of the Board of Directors of Tate Enterprises Ltd held on 24 February 2004

Trustees noted the minutes.

10.2 Minutes of the meeting of the Board of Trustees of Tate Foundation held on 26 February 2004

Trustees noted the minutes.

10.3 Minutes of the meeting of the Finance & Audit Committee held on 3 March 2004

Trustees noted the minutes.

11 ANY OTHER BUSINESS

There was none.

12 DATE OF NEXT MEETING

Wednesday 19 May 2004 at 10.30 am at Tate Britain