

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

Trustees present: Paul Myners (Chair)
 Professor Dawn Ades
 Helen Alexander
 Victoria Barnsley
 Melanie Clore
 Howard Davies
 Professor Jennifer Latta
 Julian Opie
 Gillian Wearing

Staff present: 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 Policy and Planning and 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

Apologies were sent by Chris Ofili, Jon Snow and John Studzinski.

2 MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES HELD ON 15 SEPTEMBER 2004

Two amendments were made to the minutes, which were the addition of Professor Dawn Ades in the list of Trustees attending, and a correction to the spelling of Paul Brant, the new Tate Liverpool Council member (no d). Paul Myners would sign the minutes at a later date once these corrections had been made.

3 MATTERS ARISING

There was one matter, which was Trustees' surprise not to see a paper on Education and Interpretation at this meeting; there was a feeling that insufficient time was spent considering this aspect of Tate's work. The paper was to be considered at the January 2005 meeting.

4 DIRECTOR'S REPORT**4.1 Trustee Appointments**

Gillian Wearing and Professor Dawn Ades were to retire from the Board of Trustees in March and May 2005 respectively. The two forthcoming vacancies had recently been advertised, Tate now being responsible for the process of administering Board appointments following the recent DCMS decision to delegate the process of managing appointment processes to sponsored bodies themselves.

4.2 Turner Prize

It was noted that Jon Snow would be presenting this year's Turner Prize.

A note on the legal circumstances surrounding the decision not to show Langlands' and Bell's film *Zardad's Dog* had been circulated for Trustees' information.

The outcome of the trial of Faryadi Sarwar Zardad, of which the work was judged to risk constituting criminal contempt of court, was now expected imminently, and Tate Britain could well have the freedom to show the work for the remainder of the exhibition. Irrespective of the outcome, it was the intention that Tate's prize jury would have an opportunity to view the work again before choosing the winning artist; the film's absence in the exhibition so far would not affect the jury's decision.

4.3 Building Tate Collection – an update on Art for Tate

The campaign had been launched on 25 October 2004, together with Tate's Biennial Report, to a largely positive response. [Passage excluded – section 43]

Trustees noted that some changes in fundraising personnel had resulted in the decision to create a new, senior, position: Director, Tate Foundation. The new post would be responsible for capital campaign strategy and delivery, reporting to Nicholas Serota; it had been advertised.

4.4 Tate Advocacy

A note had been produced intended to highlight recent achievements and outline future challenges as an aide-memoire for senior staff and Trustees hosting Tate events. This was to be updated regularly.

[Passage excluded – section 43]

4.5 Turner Insurance Proceeds

[Passage excluded – section 42] There was no further progress to report.

4.6 Bahamian Legacy

This matter had now been settled and Tate was now the beneficiary of some of the residue of Mary Joy Thompson's estate, restricted to the purchase of Canadian works of art. It was the view of the executive that the quantum of the fund was too small to make a viable endowment and that Trustees would be better advised to expend the funds over a period of two to three years. This approach was agreed. [Passage excluded – section 43]

4.7 KidsCo Exhibition

Trustees noted that Tate had entered into a collaboration with this charity, one of whose major objectives was to use art by disadvantaged, disaffected and vulnerable children as a means of expressing their experiences. An exhibition was to open shortly within Tate Modern's landscape.

4.8 Christmas Tree

Trustees noted that Richard Wentworth had been invited to design this year's tree, which would be in place at Tate Britain from 3 December.

4.9 Staff Christmas Party

Trustees noted the date of the staff party, to which the Board was invited to attend.

5 MAIN BUSINESS ITEMS

5.1 Tate Collection Development Strategy

Three papers were presented for consideration by the Board, in the context of the two previous discussions on Collection development earlier in the year. There was one final piece still to come, which was a strategy on future relationships with private collectors.

The paper on *Deaccessioning* was intended to update Trustees on the position, which was that:

- Trustees had the power to deaccession under the 1992 Museums and Galleries Act;
- there exists a set of robust and well-documented processes to which Tate would adhere in the event of deaccessioning; these had been updated and were included in the note for information;
- to date, Tate has not pursued a programme of deaccessioning and is unlikely to do so in the immediate future.

The paper on the proposed *Geographical Expansion of the Collection* set out two principal arguments, which were that Tate should:

- seek to consolidate the representation it had built in recent years in Latin American Art;
- investigate whether to establish a similar foothold in South East Asia.

Comments included:

- progress in Latin America had been made very quickly; this initiative was considered a great success;
- the ground covered made the aspiration to consolidate Tate's position eminently sensible [Passage excluded – section 43];
- the renewal of Argentine Cuauhtemoc Medina's appointment as Associate Curator was welcomed [Passage excluded – section 43];
- the proposal to undertake a feasibility study with a view to establishing a similar position in South East Asia was agreed [Passage excluded – section 43];
- it was agreed that the results of the study should be discussed by the Board at a meeting in Spring 2005, and that meanwhile, investigations would continue as to other new areas of the world into which Tate could consider collecting. As with Latin American, and potentially South East Asia, the requirement would be to identify new sources of funding for any new activity;
- Tate should also take care to work with, and strengthen, the existing cultural infrastructure in developing parts of the world rather than seeking benefit for the UK without reciprocating; the idea of sharing skills in areas where there was demand was discussed. [Passage excluded – section 43]

The paper on *Photography: A Review of Tate's Acquisition Strategy 2004* followed a paper discussed two years previously.

It proposed that there were three ways in which Tate could seek to build a collection of photography: 1) comprehensively, 2) strategically, by retrospectively filling gaps to build on strengths in Tate's existing collection, or 3) as currently, focusing exclusively on contemporary practice. It was to this second model that Tate was looking.

Comments included:

- [Passage excluded – section 43]
- more work needed to be done on the fundraising strategy underpinning such an approach;
- [Passage excluded – section 43]
- it was agreed that Nicholas Serota and Jan Debbaut should lead this work and bring their findings to a subsequent meeting in 2005.

5.2 Tate Modern Phase 2

The Board approved the allocation of [Passage excluded – section 43] funds to the costs of submitting a planning application in relation to this project and noted the strategy being adopted for the rationalisation of the EDFE substation.

[Passage excluded – section 43]

As reported at the last meeting, an open competition to secure an architect for the project has been held. A panel had interviewed four shortlisted candidates the previous week and recommended the appointment of Herzog & de Meuron. Trustees accepted the recommendation, welcoming the suggestion that Paul Myners should visit the practice in Basel the following week to conclude negotiations. The appointment would not be announced until a later date and would remain confidential until then.

5.3 Tate St Ives Phase 2

Trustees noted progress on Tate St Ives phase 2, and that architects' interviews would be held the following week, the process being run jointly with Cornwall County Council and managed by RIBA. [Passage excluded – section 43]

6 ACQUISITIONS

The acquisitions financial summary and purchase grant statement were noted, as were the contents of the acquisitions booklet. Discussions took place in respect of:

- Richard Parkes Bonington's *French Coast with Fishermen*: formal permission to purchase was now required, together with consent to activate the proposed payment schedule. Both were granted
- Andrea Soldi's *Portrait of Henry Lannoy Hunter in Oriental Dress, Resting from Hunting, with a Manservant Holding Game*: this painting was thought to be important both because it would be the first example of a work by the artist to enter the Collection and because it would strengthen Tate's representation of Orientalism. An in principle wish to acquire the work was expressed and it was agreed to take the acquisition to the next stage
- The group of gifts, all of which were accepted with gratitude.
- The group of purchases by the Director, all of which were approved. It was noted that a number of these works had arisen from the Frieze Art Fair Fund, which was to continue.

7 FOR DECISION

7.1 [Passage excluded – section 43]

7.2 Corporate Governance

Progress on the implementation of the corporate governance review was noted, with particular comments made in respect of:

- terms of reference (item 7.2.1): the revised, and new, terms of reference for all the Board's sub-committees were approved in general terms, but Trustees wishing to make detailed comments were to send them to Anna Jobson or Sarah Exeter There were several immediate comments, including: Remuneration Committee should not include non-Trustees; the relationship between the Board and the Collections Council on acquisitions was still to be defined; the Board's quorum was, ordinarily, 4 Trustees, but on the matters of deaccessioning, quorum was 9
- review of Board minutes (item 7.2.2): [Passage excluded – section 36] it had been decided that Tate should now move to publishing Board minutes online and that Anna Jobson would minute the current meeting accordingly for consideration at the next meeting;

- Trustee performance objectives and annual appraisal (item 7.2.3): the proposed objectives and annual appraisal process were approved;
- membership of the Nominations sub-committee (item 7.2.4): it was agreed that Victoria Barnsley, Howard Davies and Chris Ofili would join Paul Myners and Nicholas Serota to form the inaugural Nominations Sub-committee.

7.3 Strengthening of Conflict of Interest Procedures

A number of proposed revisions to Tate's Conflict of Interest Procedures were put forward for consideration by Trustees in the light of audit carried out by AHL of conflicts of interest at the Commission for Architecture and the Built Environment. It was agreed that these should be adopted.

At the last meeting, following a request from DCMS, it had been agreed, in principle, that Tate should publish the Trustee Register of Interests, as was the practice elsewhere in Whitehall. However, further exploration had revealed that of the 100 or so Boards to whom this question had been posed, some half had declined, offering instead to publicise the availability of their register for inspection on request. In the light of this new information, it was decided to adopt this middle position and not to publish the full register at this stage. Anna Jobson would inform DCMS of this decision.

7.4 Cash Management

Trustees authorised the proposed changes to Tate's cash management.

7.5 Turner Exhibition USA

[Passage excluded – section 43] Trustees noted continuing progress on the effort to secure Government Indemnity for this major exhibition, the insurance cover not being fully available from the US Federal Indemnity Scheme (nor from the market). [Passage excluded – section 43]

8 FOR DISCUSSION

Trustees noted planning and budgeting parameters circulated as item 8.1.

9/10 GALLERY REPORTS AND OTHER MINUTES

Trustees noted the gallery reports and minutes of the various sub-committees that had taken place since the last meeting. Nicholas Serota updated Trustees on the deliberations that had resulted in the decision to reduce the number of major temporary loan exhibitions at TB from 2007 and to change the process by which collection displays would be rehung henceforth at TM. These were important changes in policy and had been debated by the two Councils.

11 ANY OTHER BUSINESS

There was none.

12 DATE OF NEXT MEETING

Wednesday 19 January 2005.