

Confidential

Minutes of a Meeting of the Board of Trustees of the Tate Gallery held on Wednesday 18 January 2006 at 2.30pm in the Board Room, Tate Britain

Trustees present: Paul Myners Chair
Helen Alexander
Victoria Barnsley
Melanie Clore
Sir Howard Davies
Anish Kapoor
Patricia Lankester
Professor Jennifer Latto
Julian Opie
Fiona Rae
John J Studzinski

Staff present: Sir Nicholas Serota Director
Alex Beard Deputy Director
Anna Jobson Head of Policy and Planning and Secretary to the Board
of Trustees

1 Apologies

Apologies were received from Jon Snow.

2 Confirmation of Minutes: Meeting of Wednesday 16 November 2005

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

3 Conflict of Interest Declarations

No conflicts were declared in respect of the papers, although a conflict was declared by Melanie Clore when a discussion took place about Sir Anthony Caro's *Sculpture Two*, under Acquisitions; Melanie Clore left the meeting during this discussion.

4 Matters Arising

There was one matter arising which was discussed with Acquisitions (see Item 11): Frank Auerbach's *Reclining Head of Julia II* and R. B. Kitaj's *Los Angeles 5*. There were a further two items discussed under the Director's Report – New Years Honours and the 1900 Divide between Tate and the National Gallery – and one under Acquisitions – Sir Anthony Caro's *Sculpture Two*.

5 Director's Report

5.1 Appointment of Artist Trustee

Anish Kapoor was welcomed to the Board of Trustees.

5.2 Staff

Trustees noted that Jan Debbaut, Director, Tate Collection, was leaving Tate at the end of February 2006; they expressed their thanks to Jan for his contribution to Tate. They welcomed the creation of the new role of Executive Director, Tate Liverpool, and sent their congratulations to Andrea Nixon, currently Development Director, Tate, who would be taking up this role in Spring 2006.

5.3 London Olympics 2012

Trustees noted that a cultural stakeholders' group had been formed to develop ideas for a cultural festival to coincide with the London Olympics 2012. Clarification would be sought from DCMS as to the level of funding for such a programme.

5.4 Tate Catering

Trustees congratulated the Tate Catering team on having won the tender to operate the Ice Café at Somerset House.

5.5 Changes in Events Policy for Level 7 East

Trustees noted the change in policy; which was that the Level 7 East space at Tate Modern is now available for open hire by companies.

5.6 Arts and Humanities Research Council Academic Analogue

Trustees noted that Tate had been successful in its application to the Arts and Humanities Research Council to attain Academic Analogue status with effect from April 2006. Comment was made that this achievement was highly significant for the long term research potential of the museum. It was recommended that Tate should appoint a full-time Head of Research to lead the research effort.

5.7 Anoxic Framing DTI Grant

Trustees were pleased to note that Tate had won a DTI Grant to develop proof of concept for an anoxic framing process developed by Tate's Conservation Department. The idea was intended to enable the same display regime for works on paper as for works in other media, allowing for vastly improved viewing conditions and extended display periods. It was noted that steps were being taken to protect Tate's intellectual property in this regard.

Trustees sent their thanks to those staff involved.

5.8 Reform Funding

Trustees noted that Tate had been successful in securing an extra £150,000 of Grant-in-Aid for 2006-7, this funding having been made available to ensure the delivery of DCMS' efficiency targets. Trustees sent their appreciation to those staff involved.

5.9 Tate Collection Centre

Trustees noted progress on the development of proposals for a new Collection Centre. It was agreed that a brief would be put to, and discussed by, Trustees in March 2006.

5.10 Tate St Ives Phase 2

Trustees were informed of the decision to extend the timetable for the submission of a planning application for Tate St Ives phase 2, pending further discussion between the project partners (Tate, Cornwall County Council and Penwith District Council). A further report would be made to the Board in March 2006.

Information has been exempted under Section 36 of the Freedom of Information Act 2000.

5.11 Turner Recovery

Following the broadcast in November 2005 of a television programme on the subject of the stolen Turners, permission to refer to the existence of a court order authorising payments related to the recovery operation had been granted by the Attorney General. The entire court file was now available for public review in the Tate archive. Trustees noted and welcomed this development.

5.12 Finance Report

Trustees noted the Finance Report. The *Degas, Sickert and Toulouse-Lautrec* exhibition had recently closed having exceeded its visitor target. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000.* It was noted that the Finance and Operations Committee would be reviewing the economic modelling of exhibitions.

5.13 Sponsorships and Donations

A report had been circulated to bring Trustees up to date with Tate's fundraising activities; this was noted.

Two further items were discussed under the Director's Report:

5.14 New Years Honours

The Board noted, and sent their congratulations to, various individuals close to Tate who had recently been honoured - Sir John Ritblat, Janet de Botton, CBE, John Miller, CBE and Rachel Whiteread, CBE.

5.15 1900 Divide Between Tate and the National Gallery

It was clear from discussions with Charles Saumarez Smith and the Trustees of the National Gallery that there was appetite on the side of the National Gallery for reviewing the loan arrangement first agreed between the two museums in 1997. This had rationalised the representation in both museums, taking the National Gallery's representation to 1900 and Tate's from 1900. At the time the agreement was brokered it was widely acclaimed as an innovative partnership that brought clarity to the two institutions; as such, it had been strongly welcomed by the public, press and Government.

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A further report would be made to the Board in due course.

Business Items for Discussion

6 Trustees' Away Day / Vision Setting

A note would be circulated from the discussion of the previous day. Comments would be invited before the March Board, when it was the intention to present a synthesis of this work, and that of similar exercises that had taken place with the Tate executive.

7 Chris Ofili – *The Upper Room*

Ben Newman, Head of Legal, joined the meeting.

A report had been circulated among the papers seeking Trustees' views on a number of issues emerging from the Ofili purchase. A second report was tabled, updating Trustees on discussions between the Charity Commission and Tate in relation to the acquisition (and that, over an extended period, of various other works purchased from artist trustees). It was noted that a formal response from the Charity Commission as to the validity of decisions made by the Trustees in the acquisition of these works was expected.

It was noted that the Audit Committee would have full sight of the case, and the Charity Commission's response to it, when it met. It was agreed, in consequence, that the Trustee members of this Committee should be given the responsibility for supporting the executive in the development of any response to the Charity Commission. However, comment was invited on four issues that might inform a response, and future practice concerning the management of Trustees' conflicts of interest.

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Ben Newman, Head of Legal, left the meeting.

8 Completing Tate Modern Design Approvals

This item was discussed at the end of the meeting.

Formal Business

9 Acquisitions Financial Statement

Trustees noted the contents of the Financial Statement.

10 Acquisitions for Noting

Trustees noted, and concurred with, the decisions made by the Collection Committee at their meeting of 14 December 2005. In doing so, the Board approved the acquisition of those works illustrated as described in the acquisitions booklet.

Jock McFadyen

Purfleet: from Dracula's Garden 2001

Future Bequest

Robert Colquhoun

Woman with Leaping Cat 1948

Harlequin circa 1959

Gifts

John Constable

The Ruined Tower of East Bergholt Church circa 1816-17

Figures Fishing on the bank of the River Arun near a beached Boat, Arundel 1835

Sir Thomas Lawrence

George, Prince Regent, later King George IV circa 1818

Joseph Albers

Cables 1931

Circle 1933

Homeward 1933

Delta 1939

Beta 1939

Repetition Against Blue 1943

Untitled Abstraction (V) circa 1945

Structural Constellation, Transformation of a Scheme No.12 1950

Structural Constellation, Transformation of a Scheme No.13 'Multi Mobile' 1950

Homage to the Square: Study for Nocturne 1951

Untitled (Maya Temple, Chichen Itza, Mexico)

Light Reflections on Waves, Ascona

Interaction of Color 1963

Carmen Herrera

Green and White 1956

Juan Usle

Bilingual 1998-99

Cristina Iglesias

Untitled (Diptico XXI) 2005

Jose Bedia

The Solitude of the Last Specimen 2000

La Soledad del Ultimo Ejemplar

Kara Walker

Grub for Sharks: A Concession to the Negro Populace 2004

American Acquisitions Committee Gifts

Allen Ruppertsberg

"Honey, I rearranged the collection and left. Au revoir!" 2000

"Honey, I rearranged the collection because I have some questions about prints. Why do we have them?"

"Honey, I rearranged the collection because I have some more questions about prints. Why do artists do them?" 2001

"Honey, I rearranged the collection to remind everyone that the original definition of a curator was: 'A guardian of a minor, lunatic; a person who has a cure of souls'" 2001

"Honey, I rearranged the collection - expensive on the right, cheap on the left"

"Honey, I rearranged the collection - expensive on the left, cheap on the right" 2002

"Honey, I rearranged the collection and took out all of your favorites"

"Honey, I rearranged the collection and put back all of your favorites" 2004

Tim Lee

Upside-down Water Torture Chamber, Harry Houdini, 1913 2004

Steve Martin, 1972 2004

Latin American Acquisitions Committee Gifts

Oscar Muñoz

Narcissus 1999

Narcisos

Maria Fernanda Cardoso

Cardoso Flea Circus video and tent installation 1995/97

Fernando Bryce

Archive Studies (Istanbul) 2005

Archiv-Studien (Istanbul)

Frieze Art Fair Fund Gifts

Stanley Brouwn

1000 mm 1996

David Lamelas

Time 1970

Time 1970

Zoe Leonard

Wax Anatomical Model (Shot Crooked from Above) 1990

Untitled (for Barb) 1992

Carnivores 1992/1997

Detail (Tree + Fence) 1998/1999

Tree + Fence, 6th St. (close up) 1998/1999

Deimantas Narkevicius

The Role of a Lifetime 2003

Alexandre da Cunha

Skateboarderistismatronics (fan) 2004

Eric Ellington (fan) 2004

Matthew Monahan

Untitled 2005

Daria Martin

Close Up Gallery 2004

Anri Sala

Now I See 2004

Director's Purchases

Ian Hamilton Finlay

Ventose 1991

Osez 1991

Tambour/Trommel 1991

Quin Morere 1991

Flute 1991

Richard Deacon

Art for Other People #24 1987

Marlene Dumas

Lucy 2004

Stern 2004

Stan Douglas

"La Inalámbrica" Building/ Metropolitan Building, Habana Vieja 2004

Quinta Rosario/ "Fructuoso Rodríguez" Secondary School, Vedado 2004

Print Shop / Auto Shop, Habana Vieja 2004

Cine Majestic / Carpentry Shop, Habana Vieja 2004

Soviet Embassy / Russian Embassy, Miramar 2004

Barbacoa, Vedado 2004

Habana Hilton / Habana Libre, Vedado 2004
Villa Antonia / Housing, Cienfuegos 2004
Set for Inconsolable Memories, Vancouver 2004
Mess Hall, Isla de Pinos / Isla de la Juventud 2005

Martin Boyce

from *'Our Love is Like the Flowers, the Rain, the Sea and the Hours'* 2002

Armando Tudela

Transa 2005

Archive Acquisition

Reza Aramesh

Centrefold Scrapbooks 2003-5

11 Acquisitions for Decision

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

Other Formal Business

12 Estate Strategy

Trustees noted the contents of the strategy and agreed to forward any comments on the detail of it to Alex Beard, Deputy Director.

13 Liverpool Culture Campus

Trustees approved the recommendation that Tate should become a member of the company Culture Campus and nominated Christoph Grunenberg as a Director.

14 Committee and Council Appointments

The proposed committee and council appointments were approved with one exception. *Information has been exempted under Section 40(2) of the Freedom of Information Act 2000.*

In addition, it was agreed that:

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- Anish Kapoor would join the Collection Committee for a term of three years.
- Patricia Lankester would join the Tate Liverpool Council for a term of three years.

15 Programme Schedule 2005-06

Trustees noted the contents of the Programme Schedule.

16 Contract Awards

Trustees approved the award of the facilities management contract to AMEC Facilities Limited and that of the cleaning contract to KGB Cleaning and Support Services Limited.

17 Reports and Minutes from Councils and Committees

Trustees noted that the Soundboard had been updated with the minutes of those meetings of the Board's sub-committees that had taken place since 16 November. Julian Opie drew Trustees' attention to the view expressed at the Collection Committee that the absence of a designated funding source for contemporary British art was resulting in an imbalance of purchases, with too few being made in this area.

18 Any Other Business

There was none.

19 Date of Next Meeting

Wednesday 15 March at 2.30pm.

8 Completing Tate Modern Design Approvals

The meeting was joined by Vivienne Bennett, Tate Modern² Project Director, Harry Gugger and Michael Casey, Herzog & de Meuron, Chris Watson, Tate Modern² Project Manager, Stuart Smith, Arups, and Paul Davies, Davies Langdon.

Information has been exempted under Section 36 of the Freedom of Information Act 2000.

Howard Davies left the meeting.

Vivienne Bennett introduced the design team and updated Trustees on work that had taken place since the Board had last considered the project. A paper describing the case for the project had been circulated for Trustees' comment, and a presentation had been developed in tandem with the paper, which was given to Trustees.

Harry Gugger talked Trustees through the modifications to the design that had been made since the Trustees last viewed plans. *Information has been exempted under Section 36 of the Freedom of Information Act 2000.*

Patricia Lankester left the meeting.

Stuart Smith reported on the development of the engineering proposals for the building. Paul Davies informed Trustees that the project outturn costs had been confirmed within the target budget set by Trustees. *Information has been exempted under Section 36 of the Freedom of Information Act 2000.*

It was agreed that it would be helpful to convene an extraordinary meeting of the Trustees exclusively devoted to the questions raised by Trustees about the project.

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