

Minutes of the Meeting of the Board of Trustees of the Tate Gallery held on Wednesday 15 November 2006 in the Meetings Room at Tate Britain

Present:	Paul Myners Helen Alexander Melanie Clore Sir Howard Davies Anish Kapoor Patricia Lankester Professor Jennifer Latta Jon Snow	Chair
Staff present:	Sir Nicholas Serota Alex Beard Anna Jobson	Director Deputy Director Head of Policy and Planning and Secretary to the Board of Trustees (minutes)
Item 6 only Items 6-11	Vivienne Bennett Caroline Collier Stephen Deuchar Vicente Todoli	Transforming Tate Modern Project Director Head of National Initiatives Director, Tate Britain Director, Tate Modern

1 Apologies

Apologies were sent by Victoria Barnsley, Fiona Rae and John Studzinski.

2 Confirmation of Minutes

One amendment was asked of the September minutes *Information has been exempted under Section 43(2) of the Freedom of Information Act 2000*¹. It was agreed that Anna Jobson would make this change and subsequently arrange for the minutes to be signed by Paul Myners.

3 Conflict of Interest Declarations

Trustees declared no conflicts of interest with respect to this meeting. It was noted that Paul Myners' possible conflict related to Bankside 4, had, on investigation, proved not to exist (he had withdrawn from the discussion at the last meeting about the acquisition of the 44 Hopton Street site as a precaution). Nicholas Serota declared a conflict three gifts being proposed for the Collection (Collections Committee, October 2006, Items 6.12, 6.13 and 6.26), and it was agreed that these would be considered at the end of the meeting without the Director being present.

4 Matters Arising

There were two matters arising:

- Trustees were updated on plans to recruit a contemporary art curator to the Tate Britain team;
- it was agreed that at a future meeting of the Freedom of Information Internal Appeals Committee the question of policy on redacting Board minutes would be considered.

¹ *Section 43 (2) of the Freedom of Information Act provides that: Information is exempt information if its disclosure under this Act would, or would be likely to, prejudice the commercial interests of any person (including the public authority holding it).*

5 Director's Report (Tate Notes, November 2006, Item 5)

5.1 Staff

Trustees welcomed the appointment of Robin Bidgood as Duncan Ackery's successor as Chief Executive Tate Catering and wished Duncan well. Similarly, good wishes were sent to Susan Daniel-McElroy who had announced her decision to retire as Director Tate St Ives.

A number of comments were made on the proposed new senior management structure, the two principal ones being: the need to preserve Nicholas Serota's involvement with Tate Liverpool and a suggestion that 'interpretation and education' be renamed 'learning'.

The importance of the two new Director posts was emphasised and it was agreed that Trustees should be involved in the recruitment process.

5.2 Artist Trustee Appointment 2006

It was reported that the appointment of an artist Trustee to replace Julian Opie was progressing more slowly than expected.

5.3 Tate Liverpool Foyer Works

It was noted that, in preparation for 2008, Tate Liverpool's foyer was being remodelled and that Manchester-based architects Arca had been appointed to design and deliver the work. Trustees' attention was drawn to the fact that the Scott Burton benches designed for Tate Liverpool would be removed as part of the remodelling of the foyer but that it was the intention to restore the benches and investigate whether there might be a use for them at Tate Modern. Tate would be in touch with the artist's estate to ensure the estate's agreement with this plan.

Helen Alexander joined the meeting.

5.4 Response to the Charity Commission/Managing Conflicts of Interest

A letter to the Charity Commission had now been sent enclosing revised guidance on dealing with questions of conflicts of interest and trustee benefits and details of works by serving artist trustees that had entered the Collection. *Information has been exempted under Section 36 of the Freedom of Information Act 2000.*²

5.5 Freedom of Information

It was noted that the average cost of a Freedom of Information Internal Appeal in the public sector was £244, though Tate appeals had proved more costly and that the various reviews published recently on the impact of FoI had considered the change in legislation specifically in the context of Government and the wider public sector, with no particular mention of museums and galleries.

5.6 Collection Gift

It was noted that discussions on the Collection Gift were progressing slowly.

5.7 Appointment of Tate Britain Architect

Six practices had been shortlisted for Tate Britain and interviews were imminent; it was agreed that a meeting should be held between the practice appointed and John Miller + Partners, architects of the Tate Britain Centenary Development and previous masterplanners.

² *Section 36 of the Freedom of Information Act provides that: Information is exempt information if its disclosure under this Act would be likely to have any the following effects:*

- 1. prejudice collective Cabinet responsibility;*
- 2. inhibit the free and frank provision of advice and exchange of views for the purposes of deliberation; or prejudice the effective conduct of public affairs*

5.8 Tate St Ives Phase 2 Update

Trustees noted that five options were being presented to the people of St Ives in a public exhibition which would determine the level of support for each option. This would now take place in mid-January rather than at the end of November as previously discussed.

5.9 Proposed Loan to Schirn Kunsthalle, Frankfurt

Trustees expressed support for the proposed loan to Schirn Kunsthalle, Frankfurt.

5.10 Turner Prize 2006

The Board noted the arrangements for the presentation of the 2006 Turner Prize.

5.11 Tate Staff Drinks

It was noted that the staff party was to be held on 14 December; all Trustees were invited.

5.12 National Gallery/Tate Trustee Joint Dinner

It was noted that the dinner would take place on Wednesday 17 January at Tate Britain.

5.13 Tate Liverpool Dinner – Change of Date

The new date – Thursday 17 May 2006 – was noted.

5.14 November 2007 Board Meeting – Tate Liverpool

It was agreed that the November 2007 Board meeting should take place at Tate Liverpool.

5.15 Sponsorships and Donations

The Sponsorship and Donations report was noted.

5.16 Finance Report

It was noted that the financial position had improved since the September Finance Report had been prepared. *Information has been exempted under Section 43(2) of the Freedom of Information Act 2000*¹

Vivienne Bennett, Caroline Collier, Stephen Deuchar and Vicente Todoli joined the meeting.

6 Transforming Tate Modern Governance Arrangements

(Tate Notes, November 2006, Item 6)

Following discussions at the previous meeting about governance arrangements for the Transforming Tate Modern project, further work had been undertaken. In particular, the proposals had been amended to strengthen the direct role of the Tate Modern Council, and to include a proposed skills mix needed on the new group, entitled in the papers ‘Transforming Tate Modern Board’.

Trustees approved the proposals, including the revised terms of reference for the Tate Modern Council and the terms of reference for the new group, with one amendment. This was that the group should be called the ‘Transforming Tate Modern Delivery Board’. The proposed skills mix was welcomed and Trustees agreed to forward any suggested candidates to Alex Beard. It was agreed that appointments to this committee would be made following the same process as any other sub-committee.

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Trustees welcomed the news that, the previous evening Southwark Council had granted permission for the Bankside 4 development, including the proposal to return 44 Hopton Street to public space. This recommendation now had to be endorsed by the GLA.

Vivienne Bennett left the meeting.

7 National Gallery/Tate Boundaries of the Collections
(Tate Notes, November 2006, Item 7)

The proposed agreement governing the boundaries between the collections of Tate and the National Gallery was approved. It would be considered by the National Gallery's Board of Trustees in December.

8 Tate as Catalyst: Four National Initiatives (Tate Notes, November 2006, Item 8)

Trustees were excited by the Four National Initiatives presented by Caroline Collier. There was consensus that this represented a new direction, but at the same time Trustees welcomed the intent to set a number of existing activities within a more strategic framework. The question was not whether Tate should go ahead, but how much could be achieved given the limitations of time and cost.

Making a few deep relationships work hard for Tate was seen as very important, as was embracing the opportunity presented by the Olympics. It was noted that Tate could do more to elevate understanding of the work that is already done regionally, and that any new activities should be promoted too. Comment was also made that Tate's relationships with artists could be developed further and that the workforce development aspect of the strategy was seen as critical.

There was clear endorsement from the Trustees to proceed with the plan and it was agreed that the four initiatives should be taken forward, subject to the allocation of funding during the planning round.

9 Tate Vision/Feedback from Family Conference (Tate Notes, November 2006, Item 9)

The Board considered the feedback from the Family Conference. A report was also made of the inaugural dinner of the new Tate Foundation which had taken place earlier in the week. *Information has been exempted under Section 43(2) of the Freedom of Information Act 2000*¹

10 Planning and Budgeting Parameters (Tate Notes, November 2006, Item 10)

Trustees approved the Planning and Budgeting parameters, which had been considered in detail at the recent Finance and Operations Committee. *Information has been exempted under Section 43(2) of the Freedom of Information Act 2000*¹

Vicente Todoli and Caroline Collier left the meeting.

11 Acquisitions Financial Statement (Tate Notes, November 2006, Item 11)

The Acquisitions Financial Statement was noted, and the fact that some of the commitments made by the Collection Committee at their meeting on 30 October would have to be paid in 2007/8 since Tate was now overcommitted in the current financial year.

¹ *Section 43 (2) of the Freedom of Information Act provides that: Information is exempt information if its disclosure under this Act would, or would be likely to, prejudice the commercial interests of any person (including the public authority holding it).*

12 Acquisitions for Noting (Tate Notes, November 2006, Item 12)

Trustees endorsed all of the acquisitions for noting detailed in report 12, with the exception of three gifts that were considered at the end of the meeting (Items 6.12, 6.13 and 6.26). The Board reiterated the Collection Committee's pleasure at being able to acquire *Northampton, Northamptonshire* c1830 by Turner (Collections Committee, October 2006, Item 6.1). It was noted that of the two options considered on Edward Krasinski (Item 6.7), the Collection Committee had recommended proceeding with option one, to acquire the mirror piece absent the five objects on pedestals. Further information would be sought on the sculptures and discussed in due course.

In consequence of this discussion, the following acquisitions were agreed.

Purchases

Joseph Mallord William Turner 1775-1851 (Collection Committee, October 2006, Item 6.1)
Northampton, Northamptonshire circa 1830-1

Bethan Huws born 1961 (Collection Committee, October 2006, Item 6.2)
Singing for the Sea 1993
Boats 1983-2006
The Lake Writing or The Lake Piece 1991

William Turnbull born 1922 (Collection Committee, October 2006, Item 6.3)
Cones 1968

Art & Language (Michael Baldwin born 1945, Mel Ramsden born 1944)
(Collection Committee, October 2006, Item 6.4)
Portrait of V.I Lenin with Cap, in the Style of Jackson Pollock III 1980
Untitled Painting 1965

Tacita Dean born 1965 (Collection Committee, October 2006, Item 6.5)
Kodak 2006

Lygia Clark 1920 - 1988 (Collection Committee, October 2006, Item 6.6)
Counter-relief 1958
Lent by the American Fund for the Tate Gallery 2006

Edward Krasinski 1925-2004 (Collection Committee, October 2006, Item 6.7)
Untitled 2001

Daniel Buren born 1938 (Collection Committee, October 2006, Item 6.8)
One of the Possibilities 1973

Pierre Huyghe born 1962 (Collection Committee, October 2006, Item 6.9)
A Journey that wasn't 2005

Thomas Demand born 1964 (Collection Committee, October 2006, Item 6.10)
Tavern 1 (Door) 2006
Tavern 2 (Ivy) 2006
Tavern 3 (Bar) 2006
Tavern 4 (Plant) 2006
Tavern 5 (Back room) 2006

Gifts

Toby Ziegler (Collections Committee, October 2006, Item 6.11)
The Hedonistic Imperative (2nd version) 2006

Christina Mackie born 1956 (Collections Committee, October 2006, Item 6.14)
Irrig 2005

Mark Leckey born 1964 (Collections Committee, October 2006, Item 6.15)
Gorgeousness & Gorgeosity 2006

Paul Seawright born 1965 (Collections Committee, October 2006, Item 6.16)
Untitled (Vents) 1999
Lent by the American Fund for the Tate Gallery, courtesy of Frances Bowes 2006

Los Carpinteros 1991 (Collections Committee, October 2006, Item 6.17)
Transportable Water Fountain 2002
Lent by the American Fund for the Tate Gallery, courtesy of Frances Bowes 2006

The Revolution of Colour 1995
Lent by the American Fund for the Tate Gallery, courtesy of Robert R Littman and Sully Bonnelly 2006

Bread 2002
Lent by the American Fund for the Tate Gallery, courtesy of Robert R Littman and Sully Bonnelly 2006

Judit Reigl born 1923 (Collections Committee, October 2006, Item 6.19)
Guano 1958-1962
Mass Writing 1960

Peter Fischli born 1952 (Collections Committee, October 2006, Item 6.20)

David Weiss born 1946
From the series *Photographs (Fotografías)* 2005
Untitled 2005
Untitled 2005
Untitled 2005
Untitled 2005

Pierre Huyghe born 1962 (Collections Committee, October 2006, Item 6.21)
One Year Celebration 2006

Francesco Vezzoli born 1971 (Collections Committee, October 2006, Item 6.22)
Trailer for a Remake of Gore Vidal's 'Caligula' 2005
Partial gift of the artist and Gio Marconi and partial loan from the American Fund for the Tate Gallery, courtesy of Heather and Tony Podesta 2006

Sam Durant born 1961 (Collections Committee, October 2006, Item 6.23)
Abandoned House #1 (Case Study #22) 1995
Lent by the American Fund for the Tate Gallery, courtesy of Dean Valentine and Amy Adelson 2006

Sharon Lockhart born 1964 (Collections Committee, October 2006, Item 6.24)
Goshogaoka Girls Basketball Team: Ayako Sano 1997
Lent by the American Fund for the Tate Gallery, courtesy of Heidi L Steiger 2006

Liza May Post born 1965 (Collections Committee, October 2006, Item 6.25)
Attempt 1996
Lent by the American Fund for the Tate Gallery, courtesy of Heidi L Steiger 2006

Anthony Hernandez born 1947
Rome #17 1999
Lent by the American Fund for the Tate Gallery, courtesy of Frances Bowes 2006

John Currin born 1962 (Collection Committee, October 2006, Item 6.28)
Milestones 2006
Girl in Bed
Milestones

The Dream of the Doctor
The Pink Tree
Anna
Dogwood
Sho-bo

Purchased by the Director

Zineb Sedira born 1963 (Collection Committee, October 2006, Item 7.1)

Mother Tongue 2002

Marc Camille Chaimowicz born 1947 (Collection Committee, October 2006, Item 7.2)

Partial Eclipse 1980

Christina Mackie born 1956 (Collection Committee, October 2006, Item 7.3)

Shakeman 2005

Runa Islam 1970 (Collection Committee, October 2006, Item 7.4)

First Day of Spring 2005

VALIE EXPORT born 1940 (Collection Committee, October 2006, Item 7.5)

Action Pants: Genital Panic 1969

Antonio Muntadas born 1942 (Collection Committee, October 2006, Item 7.6)

La Television (Television) 1980

Pierre Huyghe born 1962 (Collection Committee, October 2006, Item 7.7)

I do not own Tate Modern or the Death Star 2006

Jonathan Monk born 1969 (Collection Committee, October 2006, Item 7.8)

None of the Buildings on Sunset Strip 1998

Shirana Shahbazi born 1974 (Collection Committee, October 2006, Item 7.9)

From the series *ME (MIR)*

[Ania-01-2005] 2005

[Les-02-2005] 2005

[Ania-04-2005] 2005

[Ania-03-2005] 2005

From the series *Flowers, Fruits & Portraits*

[Guinea Fowl-01-2003] 2003

[Perlhuhn-01-2003]

From the series *The Garden (Der Garten)*

[Course-01-2001] 2001

[Verlauf-01-2001]

From the series *Farsh*

[Farsh-06-2004] 2004

Archive

Steven Wheatley (Collection Committee, October 2006, Item 8.2.2)

Stephen Willats (Collection Committee, October 2006, Item 8.2.3)

Light Modulator No 2

Long Loans In

Hermann Nitsch born 1938 (Collection Committee, October 2006, Item 9.1)

Untitled 1960

Untitled 1964

Stretcher 1975,1981

Rudolf Schwarzkogler 1940-1969 (Collection Committee, October 2006, Item 9.2)

1st Action Wedding 1965, printed 1972/1973

3rd Action 1965

Otto Muehl born 1925 (Collection Committee, October 2006, Item 9.3)

From 'Personalities' Series – Prince Charles 1968

Untitled 1984

Joseph Beuys (Collection Committee, October 2006, Item 9.4)

Passion, Aktion und Apotheose des Gottes Montechristo 1970

13 Acquisitions for Decision (Tate Notes, November 2006, Item 13)

A number of decisions on acquisitions were taken.

Peter Fischli/David Weiss born 1952, born 1946 (Collections Committee, October 2006,

*Untitled (Tate)*1992-2000 Item 5.2)

An in principle decision to acquire Fischli/Weiss' *Untitled (Tate)* was taken.

It was agreed to acquire, by Helio Oiticica, *Metasquemas* (four works), one *Bolide* (a decision would be taken on which of the two once Tate had a view as to which was preferred by The Art Fund), *Tropicalia Penetrables PN2 and PN3*. It was agreed that fundraising would continue for the further three works in the package. Therefore the following works were acquired and numbered:

Hélio Oiticica 1937-1980 (Collections Committee, October 2006, Item 5.1)

Metasquemas 1958 (four separate works, gouache on paper)

Box Bolide 9 1964

Glass Bolide 5 Homage to Mondrian 1965

Tropicália Penetrables PN 2 and PN 3 1967

And Trustees expressed an in principle wish to acquire the following works, subject to fundraising:

Bilaterals 1959

Spatial Relief 1959

An in principle wish to acquire Turners' *The Blue Rigi* was expressed, and there was a long discussion as to the possible funding strategy for this work.

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An in principle wish to acquire the Chatterji Collection of archive material was expressed.

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Trustees also welcomed updates on two further causes:

- the Anrep Archive, which Trustees were delighted to accept;
- a further donation towards Bruce Nauman's *Raw Materials*, which Trustees now formally agreed to acquire.

Stephen Deuchar left the meeting.

14 Archive Collection Policy (Tate Notes, November 2006, Item 14)

The proposed amendment to the archive collection policy was agreed.

15 Changes to the Director's Acquisition Delegations (Tate Notes, November 2006, Item 15)

The proposed changes to the Director's acquisition delegations were considered and it was agreed:

- to increase the Director's delegated authority to bid at auction up to £250,000, subject to securing the authority of the Chair of the Collection Committee over £100,000;
- that in very exceptional cases there was a need to bid more than £250,000 at auction but that these required the permission of all Trustee members of the Collection Committee and the Chairman of the Board of Trustees;
- to define the boundaries of the Director's Purchase authority as detailed in the papers;
- that the current position on gifts – where Tate curators had to make a reasoned case for their acceptance with the decision coming to Trustees – should stand.

16 Appointments to Councils and Committees (Tate Notes, November 2006, Item 16)

The paper on appointments to Councils and Committees was noted. There was a general comment that former Trustees could play an effective ongoing role on sub-committees including by mentoring new members. It was agreed that comment on individual committees' skills mixes and suggested candidates for vacancies should be put to Anna Jobson, Nicholas Serota or Paul Myners.

17 Tate Trustees Appointments 2007 (Tate Notes, November 2006, Item 17)

The timetable for recruiting the 2007 Trustee Appointments was noted and it was agreed that further comments should be forwarded by individual trustees. Comment was made that Tate should be casting its net widely for potential candidates.

18 Creation of a Senior Trustee Position (Tate Notes, November 2006, Item 18)

The proposal to create a Senior Trustee position was agreed and Jon Snow was appointed to the position.

19 Approval of Advice of Borrowing Terms (Tate Notes, November 2006, Item 19)

Trustees approved the Advice of Borrowing Terms enclosed in the papers and authorised two 'A' signatories to sign it.

20 Exhibitions Schedule 2006-07 (Tate Notes, November 2006, Item 20)

There was a discussion, in response to the Exhibitions Schedule, as to Tate's touring strategy, with a question raised about the reason why the majority of touring shows were concentrated in the US, Western Europe and Japan.

21 Reports from Councils and Committees (Tate Notes, November 2006, Item 21)

Trustees welcomed the innovation of summarising the main points covered in the meetings in the Board papers.

22 Minutes from Councils and Committees (Tate Notes, November 2006, Item 22)

It was noted that these had now been published on Soundboard.

23 Any Other Business

There were three items of business:

- it was noted that former artist Trustee, Peter Doig, had been offered a monographic exhibition at Tate Britain in 2008.

Nicholas Serota and Alex Beard left the meeting.

- the three gifts in which Nicholas Serota had declared an interest were considered and approved by the Board:

Kenneth Martin 1905-1984 (Items 6.12, Collections Committee, October 2006)

Untitled 1951

Linocut

470 x 595 mm

Boyd Webb born 1947 (Items 6.13, Collections Committee, October 2006)

Untitled 1988

C type photograph

1570 x 1220 mm

Joel Shapiro born 1941 (Item 6.26, Collections Committee, October 2006)

Untitled 1980

Charcoal and gouache on paper

445 x 535 mm

- Paul Myners drew colleagues' attention to the fact that his first term as a Trustee was due to expire at the end of April 2007. He said that he would like to be reappointed and that there would be a thorough process to determine whether or not to recommend his reappointment, in which all members of the Board would be invited to participate. Subject to his reappointment, there would then be a process to determine whether the Board wished to see him continue as Chair. On a separate but related matter, it was agreed that the question of the renewal of Nicholas Serota's contract, which expired in 2009, should also be considered by the Board in 2007.

24 Date of Next Meeting (Tate Notes, November 2006, Item 24)

The next meeting would be on Wednesday 17 January 2007 at Tate Modern.