

Minutes of the Meeting of the Board of Trustees of the Tate Gallery held on Wednesday 16 May 2007 at 9.30 am in the Meeting Room at Tate Modern

Present Paul Myners Chair
 Helen Alexander
 Victoria Barnsley
 Melanie Clore
 Sir Howard Davies
 Jeremy Deller
 Patricia Lankester
 Professor Jennifer Latta
 Fiona Rae
 Jon Snow
 John Studzinski

1 Apologies

Anish Kapoor sent his apologies.

2 Confirmation of Minutes

The minutes of the last meeting were approved as a true record.

3 Matters Arising

There were no matters arising.

4 Conflict of Interest Declarations

There were no conflicts of interest declarations, but Melanie Clore advised that she would withdraw from the meeting for Report 9 in the event of it involving a discussion about the ethical issues relating to deaccessioning.

5 Director's Report

5.1 Staff (Tate Notes, May 2007, Item 5.1)

Trustees thanked Vivienne Bennett, Meg Duff, Virginia Ibbott and Anna Jobson for their contribution to Tate and noted recruitment campaigns were underway to replace a number of these individuals.

The appointment of Martin Clark and Mark Osterfield to the leadership of Tate St Ives was welcomed, and Trustees noted the decision to adopt the same model for Tate St Ives as that which existed in Tate Liverpool with an Executive Director and an Artistic Director. It was further noted that the appointments had been well-received locally.

Paul Myners introduced Eleanor Pinfield, who had taken up the position of Corporate Governance Manager following the departure of Sarah Exeter. It was also noted that Lynn Murfitt's position was being reshaped to enable her to support the Corporate Governance Manager, focusing her time on providing assistance to the Board of Trustees.

Jennifer Latto joined the meeting.

5.2 Trustee Appointments (Tate Notes, May 2007, Item 5.2)

It was noted that Paul Myners had been reappointed as a trustee.

The process of securing three new trustees to replace Victoria Barnsley, Jennifer Latto and John Studzinski when they retired in the summer was continuing. Interviews had taken place recently involving a panel of Paul Myners, Patricia Lankester and Jeremy Deller. The panel had been joined by independent assessor Averil Burgess, whose role was to ensure that the process complied with best practice. Nicholas Serota had attended the interviews in an advisory capacity.

5.3 Transforming Tate Modern Update (Tate Notes, May 2007, Item 5.3)

Tate had secured planning permission for TTM, an achievement applauded by the Board. Trustees noted that discussions were continuing regarding public sector support towards the project. Private sector fundraising was also progressing, having been given a tremendous boost by a pledge of £5 million from Trustee John Studzinski. Trustees expressed their heartfelt thanks to John Studzinski for this extraordinary gift.

The relationship with the Design Museum remained cordial in spite of the building partnership between Tate and the Design Museum having not come to fruition. The desire to collaborate on a Turbine Hall exhibition in 2009 still existed between the partners.

5.4 Manton Collection (Tate Notes, May 2007, Item 5.4) (Tate Minutes, May 2006, Item 5.8)

It was reported that Sir Edwin Manton's collection of British art was to be given to the Sterling and Clark Institute in Williamstown.

5.5 2012 and Arts Funding (Tate Notes, May 2007, Item 5.5)

It was noted that the announcement of a revised budget for the 2012 Olympic Games had been the subject of considerable consternation in the arts sector.

5.6 Freedom of Information (Tate Notes, May 2007, Item 5.6)

It was reported that the three Freedom of Information cases referred to the Information Commissioner for independent adjudication were currently being investigated. A conclusion to the three cases, which had been all referred by *The Sunday Telegraph*, was expected imminently.

It was noted that the Charity Commission's investigation into works purchased by serving artist trustees between 1955 and 1992 was progressing slowly. Details of the works, and the circumstances surrounding their acquisition, had been sent to the Charity Commission in November 2006. It was not clear when Tate could expect an outcome from their investigation.

5.7 Press Conference 22 May 2007 (Tate Notes, May 2007, Item 5.7)

Trustees noted that Tate would be holding a press briefing at Tate Modern on 22 May to launch *Tate Next Generation*.

5.8 National Gallery/Tate Trustees Joint Dinner (Tate Notes, May 2007, Item 5.8)

Attempts were being made with the National Gallery to rearrange the dinner that was postponed in January 2007.

5.9 Family Conference (Tate Notes, May 2007, Item 5.9)

The date of the next Family Conference, 3 October 2007, was noted.

5.10 Turner Prize Shortlist (Tate Notes, May 2007, Item 5.10)

The announcement of the short list for the 2007 Turner Prize was made on 8 May 2007.

5.11 Most Popular Loan Requests (Tate Notes, May 2007, Item 5.11)

Trustees were given information provided to *The Art Newspaper* about the works most frequently sought from Tate on loan.

5.12 Tate Liverpool Key Opening Schedule (Tate Notes, May 2007, Item 5.12)

Trustees noted the schedule of key opening dates for Tate Liverpool's forward programme during the city's European Capital of Culture year.

5.13 Exhibitions Schedule 2007-08 (Tate Notes, May 2007, Item 5.13)

The schedule was noted.

5.14 Sponsorship and Donations (Tate Notes, May 2007, Item 5.14)

Three items were discussed under sponsorship and donations. First, Trustees discussed recent press coverage of the UBS sponsorship of the Tate Modern displays and the display drawn from the UBS collection.

Second, Trustees commented on the success of the fundraising dinner that had taken place in New York earlier in the month. \$1.5 million had been raised for the American Fund, which would be added to the Fund's endowment. An ambition to undertake such an event in London was expressed.

Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹

5.15 Finance Report (Tate Notes, May 2007, Item 5.15)

The Finance Report was noted.

6 National Gallery and Tate – Boundaries of the Collections (Tate Notes, May 2007, Report 6)

Trustees agreed that Tate should continue to leave on loan to the National Gallery the 49 works that were eventually lent in consequence of the 1997 Agreement. A meeting to discuss the relationship between the two museums following the lapse of the Agreement had been arranged.

7 Diversity, Public Appointments and Public Value (Tate Notes, May 2007, Report 7)

It was noted that Paul Myners had received a letter from the Secretary of State about diversity and public appointments and was required to respond with an action plan before 1 June. Four points were made. First, the letter used the BBC Trust as an example and it was observed that the regulatory role of the BBC Trust was quite different to the role of the Tate Board: Tate's response should emphasise the specific complexities facing Tate's Trustees, and in particular the demands of its executive as opposed to purely regulatory role. This crucial difference had a fundamental bearing on the composition of the Board.

Second, some comments were made on the mix of knowledge and skills sought for Tate, including in particular that there was no need to represent knowledge of the law on the Board, but that it was important to draw upon direct consumer experience. Third, the position in which the Board currently found itself, with three Trustees retiring simultaneously, was not ideal and steps should be taken to prevent a similar situation in future. Finally, it was agreed that gender neutral language should in future be adopted for all of the roles in Tate's governance structure.

Paul Myners' reply to the Secretary of State's letter would be circulated to all Trustees.

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).*

8 Climate Change and Sustainability (Tate Notes, May 2007, Report 8)

Trustees noted that DCMS has launched an initiative to address the role the Department and its sponsored bodies are playing in tackling climate change. Tate would be producing information towards an audit for DCMS but also intended to take forward a bigger piece of policy work related to this issue. Judith Nesbitt, Chief Curator Tate Britain, would be heading up a working group to this end.

Trustees encouraged Tate to take a lead on this position and sought assurance that Transforming Tate Modern exceeded current standards, which was given. Victoria Barnsley and Helen Alexander would forward names of possible consultants to Anna Jobson.

9 Museum Association Code of Ethics (Tate Notes, May 2007, Report 9)

Trustees noted that the MA had issued, for consultation, a revised code of Ethics which includes a relaxation of the existing rules surrounding disposal. This was welcomed. As there was no further discussion on this matter Melanie Clore did not withdraw from the meeting.

10 Tate and 2012 (Tate Notes, May 2007, Report 10)

Caroline Collier set out Tate's proposed programmes to mark the Cultural Olympiad. The paper was generally welcomed and some specific comments included:

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A further update would be made in due course as Tate's plans were developed.

11 Review of Exhibition Opening Events and Recommendations for the Future (Tate Notes, May 2007, Report 11)

John Nickson presented some recommendations for improving Tate's opening events, the context to which was the wish to make the most effective use of the programme given Tate's ambitious fundraising targets. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000¹*

12 TTM Fundraising Report (Tate Notes, May 2007, Report 12)

Trustees were updated on progress in fundraising for Transforming Tate Modern and a further report would be made to the Board in July.

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13 Tate Enterprises Business Plan (Tate Notes, May 2007, Report 13)

Celia Clear gave a presentation of the Tate Enterprises business plan, which had as its focus plans for addressing two key challenges: increasing income from visitors and finding new sources of income. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000*¹

Jon Snow left the meeting.

14 Acquisitions Financial Statement (Tate Notes, May 2007, Report 14)

The statement was noted.

15 Acquisitions for Noting (Tate Notes, May 2007, Report 15)

Trustees endorsed the decisions made by the Collection Committee, thereby approving the acquisitions outlined in Report 15 Acquisitions for Noting.

Purchases

Dimitrije Basicjevic Mangelos (Acquisitions Booklet, April 2007, Item 6.1)

Négation de la peinture 1951-1956

Hegel kritik der logik c.1977-1978

Dialogue avec la mort 1971-1977

Edward Krasiński (Acquisitions Booklet, April 2007, Item 6.2)

Untitled 1968

Untitled 1965

Untitled 1968

Untitled 1969/1978

Untitled 2001

Intervention 15 1975

Intervention 27 1975

Braco Dimitrijevic (Acquisitions Booklet, April 2007, Item 6.3)

This Could be a Place of Historical Interest 1972-1977

This Could be a Place of Historical Importance 1972

Casual Passer-by I met at 1.43 PM, Venice 1976 1976

Pawel Althamer (Acquisitions Booklet, April 2007, Item 6.4)

Foksal Gallery Foundation 2004

Fundacja Galerii Foksal

Mike Kelley (Acquisitions Booklet, April 2007, Item 6.5)

Channel One, Channel Two and Channel Three 1994

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Gifts

William Joy and John Joy (Acquisitions Booklet, April 2007, Item 6.6)
Louis Philippe, King of the French, Arriving at Portsmouth 1844

Peter Kennard (Acquisitions Booklet, April 2007, Item 6.7)
Apartheid South Africa 1974
Miner 1976
Decoration 1982
Conversion 1986
Germany Shakes 1989
Walter Benjamin 1990

Peter Kennard (Acquisitions Booklet, April 2007, Item 6.8)
Walter Benjamin 1990

Michael Sandle (Acquisitions Booklet, April 2007, Item 6.9)
Anti-Aircraft Memorial 1977

David Saunders (Acquisitions Booklet, April 2007, Item 6.10)
Rhythm from Three Intervals 1975

Leandro Erlich (Acquisitions Booklet, April 2007, Item 6.11)
The Room (Surveillance I) 2006

Clemens von Wedemeyer (Acquisitions Booklet, April 2007, Item 6.12)
Occupation 2001-2002
The Making of Occupation 2002

American Acquisitions Committee

Omer Fast (Acquisitions Booklet, April 2007, Item 6.13)
CNN Concatenated 2002

Cindy Sherman (Acquisitions Booklet, April 2007, Item 6.14)
Doll Clothes 1975

Ellen Gallagher and Edgar Cleijne (Acquisitions Booklet, April 2007, Item 6.15)
Murmur 2003-2004

Asia Pacific Acquisitions Committee

Koo Jeong-a (Acquisitions Booklet, April 2007, Item 6.16)
Cedric 2003

Ai Weiwei (Acquisitions Booklet, April 2007, Item 6.17)
Table and Pillar 2002

Xu Zhen (Acquisitions Booklet, April 2007, Item 6.18)
8848 - 1.86 2005

Cao Fei (Acquisitions Booklet, April 2007, Item 6.19)

Whose Utopia? 2006

Future Bequest

Edwina Leapman (Acquisitions Booklet, April 2007, Item 6.20)

Untitled Deep Blue 1964-1965

Untitled Orange 1964-1965

Transfer

Cliff Rowe (Acquisitions Booklet, April 2007, Item 6.21)

Street Scene Kentish Town c.1931

Purchased by the Director

Nigel Henderson (Acquisitions Booklet, April 2007, Item 7.1)

Peter Samuels 1951

Bag-wash 1949-1953

Heads seen through Pub Window, East End 1949-1953

Wig Stall, Petticoat Lane 1952

Petticoat Lane Market 1952

Stressed Photograph circa 1950

Stressed Photograph of a Bather circa 1950

Stressed Photograph of a Bather circa 1950

Untitled no. 8 (Shattered Glass) 1959

Man in Bunsen Street, Bethnal Green 1950

Chisenhale Road 1951

Nigel Henderson and Sir Eduardo Paolozzi

Untitled (Study for Parallel of Life and Art) 1952

Conrad Atkinson (Acquisitions Booklet, April 2007, Item 7.2)

Asbestos 1978

Peter Kennard (Acquisitions Booklet, April 2007, Item 7.3)

Disappeared Prisoners 1978

Who Killed Blair Peach 1979

The Kissinger Mind 1979

Broken Missile 1980

Protest and Survive 1980

Haywain with Cruise Missiles 1980

Defended to Death 1983

Maggie Regina 1983

Siobhán Hapaska (Acquisitions Booklet, April 2007, Item 7.4)

Delirious 1996

Liam Gillick (Acquisitions Booklet, April 2007, Item 7.5)

Pinboard Prototype #1 (Milan House Project) 1993

Returning to an Abandoned Plant 2007

Big Conference Platform Platform 1998

Gillian Carnegie (Acquisitions Booklet, April 2007, Item 7.6)

Thirteen 2006

Iain Forsyth and Jane Pollard (Acquisitions Booklet, April 2007, Item 7.7)

Anyone else isn't you 2005

Daria Martin (Acquisitions Booklet, April 2007, Item 7.8)

Birds 2001

In the Palace 2000

Roger Hiorns (Acquisitions Booklet, April 2007, Item 7.9)

Beachy Head 2004

Untitled 2006

Franz Roh (Acquisitions Booklet, April 2007, Item 7.10)

Untitled c.1930

Masks Survive c.1938 (Please note change: this replaces 7.10.2 Header. *It Also Works With Heads. Let Heads Roll. Wonder of Telekinesis* listed in Acquisitions Booklet)

Totalpanik II 1937

Claude Cahun (Acquisitions Booklet, April 2007, Item 7.11)

Untitled (bell jar containing a wooden figure with long hair) c.1930

Untitled (turtle shells and bell jar containing a wooden figure) c.1930s

I Extend My Arms 1931

Je tens les bras

Untitled (shoes descending the staircase) 1936

Untitled (self-portrait with masks) c.1930s

Jindřich Štyrský (Acquisitions Booklet, April 2007, Item 7.12)

Untitled 1934

Untitled 1934

Július Koller (Acquisitions Booklet, April 2007, Item 7.13)

Universal-cultural Futurological Operation 1970

Universál-Kultúrna Futurologická Operácia

Universal-cultural Futurological Operation 1982

Pokr(a)covania (Universál-Kultúrna Futurologická Operácia)

Archeological Monument - Presence (U.F.O.) 1982

Archeologicka pamiatka a súčasnosť (U.F.O.)

Contact (Antihappening) 1969

Kontakt (Antihappening)

P.O.P. U.F.O. 1970

! 1971 1971

U.F.O. Universal Fantastic Occupation 1971

U.F.O. Universál Fantastická Okupácia

G-Astronómia 1974

Universal Physical-cultural Operation 1975

Univerzálna Fyzikálna Operácia

Universal-cultural Physical-cultural Picture 1979
Univerzálny Fyzikálny Obráz
Universal Physical-cultural Operation Ping-Pong 1974
Univerzálny Fyzikálny Operácia (Ping-Pong)
Universal-cultural Futurological Operation 1972
Univerzálna Futurologická Operácia
Univerzálna Fyzikálna Operácia-Obranná (U.F.O.) 1970
Univerzálna Fyzikálna Operácia-Obranná (U.F.O.)

Jiří Kovanda (Acquisitions Booklet, April 2007, Item 7.14)
Installation III, March 15 1979, Provaznická ulice, Prague 1979
White String at Home, November 19-26 1979, Prague 1979
Two Little White Slats and Three Little White Slats, Autumn 1980, Vltava River, Prague 1980
A Pile of Needles and Nails, Spring 1981, Panské Pole, Orlické hory 1981

Thomas Zipp (Acquisitions Booklet, April 2007, Item 7.15)
Black Dada 2006

ARCHIVE

Purchase

John Armstrong (Acquisitions Booklet, April 2007, Item 8.1)
Correspondence (some illustrated), poetry, sketches, photographs, rare publications and printed ephemera relating to John Armstrong and his second wife, Veronica Hue-Williams, 1926-55

Gifts

Arthur Fish (Acquisitions Booklet, April 2007, Item 8.2)
Correspondence to the art critic and writer, Arthur Fish comprising over two hundred letters and enclosures from seventy three correspondents, 1887-1908

Mark Gertler (Acquisitions Booklet, April 2007, Item 8.3)
Research material relating to Mark Gertler

Duncan Grant (Acquisitions Booklet, April 2007, Item 8.4)
The personal papers of Duncan Grant

Institute of Visual Culture (Acquisitions Booklet, April 2007, Item 8.5)
Correspondence with artists and institutions, financial records, audio-visual material and published ephemera relating to the Institute of Visual Culture (IVC), 2001-2003 and the remains of the records of the Cambridge Darkroom, 1970s-90s.

Ben Nicholson (Acquisitions Booklet, April 2007, Item 8.6)
Correspondence to Ben Nicholson from Kate and Jake Nicholson, 1945-81

Berenice Sydney (Acquisitions Booklet, April 2007, Item 8.7)
The personal archives of Berenice Sydney

Nicholas Zurbrugg (Acquisitions Booklet, April 2007, Item 8.8)
Letters from Nicholas Zurbrugg to Marita Krivda

The *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000*¹ was particularly commended and Trustees welcomed the news that it was intended to mount a display to celebrate the bequest.

*Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000*¹

16 Acquisitions for Decision (Tate Notes, May 2007, Report 16)

*Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000*¹

17 Reappointment of the Chair (Tate Notes, May 2007, Report 17)

Trustees were delighted to endorse their earlier decision to reappoint Paul Myners as Chair of the Board of Trustees for the next three years.

18 Appointments to Councils and Committees (Tate Notes, May 2007, Report 18)

Trustees agreed to the following appointments:

- Tacita Dean to the Tate Modern Council (subsequently declined)
- Jeremy Deller to the Tate Britain Council
- Rushanara Ali to the Tate Britain Council
- Peter Mearns to the Tate Liverpool Council
- Roger Madelin to the TTM Project Board
- Gay Huey Evans to the Finance and Operations Committee
- Jeremy Heywood to the Audit Committee
- Victoria Barnsley as a Trustee of the Tate Foundation
- Fiona Rae as the Chair of the Collection Committee
- the reappointment of Nick Crowe to the Tate Liverpool Council.

It was noted that candidates for the further vacancies on the Tate Liverpool Council and the Transforming Tate Modern Board would be considered in due course.

19 Ethics in our Fundraising (Tate Notes, May 2007, Report 19)

Trustees noted that the Ethics Committee had met on 23 April, considering various issues connected with fundraising. Revised terms of reference for the group were agreed, as was the revised ethical fundraising policy, with one amendment. This was that acceptance of gifts which had the potential to damage the effective operation of Tate should be determined by the Ethics Committee itself, not by the Director acting on the advice of the Committee.

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20 Approval of the Register of Interests 2006/07 (Tate Notes, May 2007, Report 20)

The Register of Trustees' Interests was tabled and approved. Trustees would take the Register away to review the declared interests of their colleagues and to make any final changes before their entries would be published online.

Trustees noted that Jeremy Deller would be taking part in the Tate Modern exhibition *The World as a Stage* in autumn 2007 and would be represented by a work in the Collection. Discussion of his involvement predated his appointment as a Trustee. Currently it was thought that Jeremy Deller would receive no benefit from his involvement and if this changed, Tate would seek the relevant permissions.

21 Collection Centre Update (Tate Notes, May 2007, Report 21)

Trustees noted progress on the Collection Centre project and authorised Alex Beard to make an application to the Heritage Lottery Fund on behalf of the Board.

John Studzinski left the meeting.

22 Banking – Amendments to Authorised Signatories
(Tate Notes, May 2007, Report 22)

Trustees approved the addition of 3 'A' signatories and 2 'B' signatories to the bank mandate.

23 Safety, Health and Environment Policy (Tate Notes, May 2007, Report 23)

Trustees approved the Safety, Health and Environment Policy statement, which was signed on their behalf by the Chair.

24 Memorandum of Understanding – Liverpool Arts Regeneration Consortium
(Tate Notes, May 2007, Report 24)

Trustees agreed that Tate should participate in the Liverpool Arts Regeneration Consortium and that Andrea Nixon would join the Steering Group on their behalf.

25 Key Points from Minutes of Councils and Committees
(Tate Notes, May 2007, Report 25)

These were noted.

26 Minutes from Councils and Committees (Tate Notes, May 2007, Report 26)

A number of minutes had been published on Soundboard.

27 Any Other Business

There was one item of other business: a request to improve donations boxes. It was reported that new designs were in progress and a report would be made to the Board by email.

28 Date of the Next Meeting

The next meeting would be on 11 July at Tate Britain.