

Minutes of the Meeting of the Board of Trustees of the Tate Gallery held on Wednesday 21 November 2007 at 11:30am at Tate Liverpool

Present	Paul Myners Helen Alexander Melanie Clore Sir Howard Davies Jeremy Deller Patricia Lankester Monisha Shah Jon Snow	Chair
Staff present	Sir Nicholas Serota Alex Beard Masina Frost Eleanor Pinfield Julian Bird Vicente Todoli Dr Stephen Deuchar	Director Deputy Director Head of Director's Office and Secretary to the Board of Trustees Corporate Governance Manager Chief Operating Officer Director, Tate Modern Director, Tate Britain
Report 7	Christoph Grunenberg Andrea Nixon	Director, Tate Liverpool Executive Director, Tate Liverpool
Report 8	Rebecca Williams	Director of Development and Tate Foundation
Report 9	Caroline Collier	Director, Tate National
Report 11	Ann Gallagher Frances Morris	Head of Collections (British Art) Head of Collection (International Art)

The chair opened the meeting and welcomed Masina Malepeai Frost, Head of the Director's Office, who was joining the meeting as Secretary to the Board of Trustees for the first time.

1 Apologies

- a. Apologies were received from Lord Browne, Anish Kapoor and Fiona Rae.

2 Confirmation of Minutes

- a. Trustees CONFIRMED the minutes from the last meeting as a true record and the minutes were signed by the Chair.

3 Matters Arising

- a. The Chair reported on the positive decision received from the Charity Commission regarding the purchase of works from serving Trustees. It was mentioned a meeting is to be held next week with the Chair and Chief Executive of the Charity Commission and the Tate Chair and Chief Operating Officer. A report on the meeting will be provided to Trustees at the January Trustees meeting.

4 Conflict of Interest Declarations

- a. There were no conflict of interest declarations made by Trustees.

5 Director's Report

The Director's report was noted and the following comments were made and actions agreed:

5.1 Trustee Appointment

- a. The Director reported the vacancy on the Board was still to be filled and that five candidates would be interviewed on 28 November 2007. Efforts are underway to ensure three current Trustees are able to take part in the interview panel.

5.2 Chair's Dinner – Outcomes

- a. Concerning Board practices, Trustees were informed that Sandy Nairne and David Cannadine, Director and Chair of the National Portrait Gallery, were proposing a meeting with a number of museum Chairmen and Directors in the near future to discuss governance issues and that this meeting may help to inform a benchmarking of Tate's Board practices against other similar institutions.

5.3 Unilever Commission – Recommendations for the Future

- a. Trustees were informed that the report had been discussed at the Finance and Operations Committee. In future the execution of the commissions would be run on a project basis.
- b. Trustees discussed the importance of Tate Enterprises being included in discussions at an early stage due to the potential impact of decisions regarding the Turbine Hall on the catering and retail businesses.
- c. The Chief Operating Officer highlighted that the commission opened on time and to wide acclaim and attendance at the Salcedo installation has been nearly as high as for Carsten Höller, which can be considered an achievement.
- d. Trustees agreed that there was important learning gained from this helpful assessment.

5.4 Family Conference Outcomes

- a. It was reported there are two pieces of work, Sustainability and Audience Development, resulting from the Family Conference held in October that will be reported to Trustees in January and March 2008.
- b. Trustees discussed the importance of exploring how Tate approaches audiences and welcomed the forthcoming report. It was further discussed that key audience information should be reported in a clear form that can be shared more widely across the organisation, including with Tate Trustees and the Tate Enterprises Board in order to ensure that audience issues remain prominent.
- c. Trustees agreed that the outcome of Family Day discussions showed thoughtful engagement on the part of non-executives and the need to honour this commitment by taking action against the outcomes.

5.5 Charity Commission

- a. The issue was discussed under Matters Arising.

5.6 Information Commissioner's Office Ruling

- a. Trustees were informed of the generally positive decision by the Information Commissioner's Office on the Hastings case. The Commissioner agreed that donors' personal information should not be shared, but did not agree with the argument that remaining non-personal information was commercially sensitive. Tate maintains that the information requested is commercially sensitive is considering an appeal against the decision.

5.7 Manton Foundation

- a. An update on discussions with the Manton Foundation was provided. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000.*¹

5.8 Seagram Murals

- a. It was reported that Tate's Seagram Murals would be loaned to the Kawamura Memorial Museum of Art for their major Rothko exhibition in 2008.

5.9 Exhibitions Schedule

- a. Trustees' attention was drawn to Tate Britain's extensive efforts to promote British art internationally through a strong programme of travelling exhibitions. It was mentioned that audience levels at Tate Britain are projected to remain largely level, at between 1.4 and 1.6 million per year, until new developments come on stream. It was also reported that discussions are continuing concerning the Tate Modern schedule in 2009-10 and the balance of exhibitions over the seasons and the potential impact on Enterprises.

5.10 Tate Britain Capital Development Programme Update

- a. The Director of Tate Britain updated Trustees on the Tate Britain Capital Development Programme. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000*¹
- b. Trustees discussed the critical importance that gallery conditions be improved including, in particular, the southwest- and southeast-quadrant roofs. Questions were raised regarding ear-marked government funding to other institutions for roof repairs and Trustees were informed that the increase in the capital funding baseline took the roofs into account, but that Tate funding for the area remains inadequate.
- c. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000*¹
- d. Trustees noted that despite the prioritisation process the aim remains for both the gallery spaces and visitor services to be in much better shape than currently by 2012.

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).*

5.11 National Art Collection Centre Update

- a. Trustees were updated on funding and progress regarding the NACC project. It was highlighted that the HLF decision with respect to funding for the NACC project is expected in January and that this is a very competitive funding round. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000*¹
- b. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000*¹ Efforts continue to explore additional funding options and partners.
- c. Trustees noted the progress and agreed that DCMS approval and ODC Review / Gateway 2 status were both good indications.

5.12 Tate St Ives Update

- a. Trustees were informed of progress regarding Tate St. Ives development. It was noted that the extensive public consultation has been completed and this an important time as St. Ives is in discussion with the local community regarding the development of a revised proposal.
- b. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000.*¹ Trustees noted that discussions continue with potential funding bodies and Trustees will be updated as required.

5.13 Key Meetings Schedule 2008

- a. The Trustees noted the Key Meetings Schedule.

5.14 Staff

- a. The Trustees welcomed the news that Cheryl Richardson has been formally appointed as the Director of Human Resources.

Christoph Grunenber, Andrea Nixon, and Rebecca Williams joined the meeting.

5.15 Turner Exhibition Tour

- a. Trustees noted the update on prospective tours of the Turner exhibition. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000.*¹
- b. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000.*¹
- c. The Director highlighted that the excellent Turner exhibition, which opened at the National Gallery Washington in September, includes many works from Tate as well as private collections. Trustees were encouraged to see the exhibition if possible, in Dallas or New York.

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5.16 Sponsorships and Donations

- a. Trustees noted the sponsorship and donations report. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000.*¹

6 Finance Report

- a. The Chief Operating Officer updated Trustees on the financial position for 2007/08. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000.*¹
- b. Trustees were updated that work continues on next year's budgets.
- c. Trustees discussed the reduction in trading and catering income relative to visitor numbers. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000.*¹ The Director noted that the issues had been discussed and addressed at length in the Finance and Operations Committee and this informed the exercise discussed in item 5.3.
- d. The Director also informed Trustees that the timing of the Finance and Operations Committee would change in the future to allow for two weeks between the Committee and Board meetings. This should ensure that the most current financials can be discussed in the Board of Trustees meetings.
- e. The Trustees

NOTED the Finance Report.

Caroline Collier joined the meeting.

7 Tate Liverpool

- a. Andrea Nixon, Executive Director Tate Liverpool and Christoph Grunenberg, Director Tate Liverpool, gave a joint presentation on the opportunities and challenges facing Tate Liverpool, highlighting the immense impact the gallery has had regionally, nationally and internationally in terms of exhibitions and displays, audience development and partnerships.
- b. The Directors conveyed the innovative and pioneering role that Tate Liverpool has played within the Tate group in education and audience development (Young Tate) and the testing of new curatorial approaches and public engagement (Open '08 and the Taxi Project). The Directors gave an overview of the future programme and discussed the role of touring exhibitions and partnerships. The Directors also communicated the opportunities for Tate Liverpool as a result of the European Capital of Culture and the changing city centre which will result in a larger and more diverse profile of visitors to Liverpool for whom the Albert Dock will be a key locus of entertainment and leisure. The Executive Director of Tate Liverpool also outlined key audience targets.

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- c. Trustees discussed recent progress in securing local support. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000.*¹ It was hoped that successful delivery of the Turner Prize and Klimt exhibition would help in this respect.
- d. Trustees noted that Tate Liverpool is involved in many aspects of life in Liverpool including education, outreach, social services and economic regeneration, and questioned whether Tate was extending itself too much. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000.*¹
- e. Trustees noted that the Tate Liverpool strategy will be addressed in greater depth at the March Board of Trustees meeting.
- f. The Trustees

COMMENDED the directors and staff of Tate Liverpool on the tremendous progress to date, the respect the museum has gained, its impact on local economic development and the opportunity to raise Tate Liverpool's international profile in 2008 as part of the European Capital of Culture festivities.

Andrea Nixon and Christoph Grunenberg left the meeting.

8 Transforming Tate Modern Updates

8.1 Transforming Tate Modern – Stage D Design

- a. The Deputy Director updated Trustees on progress regarding the appointment of key design team members. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000.*¹
- b. It was reported that an agreement has been reached with Southwark Council and Tate on the principles of the S106 agreement. The obligations are acceptable within the current project scope and budget.
- c. Trustees were updated on the revised brief which intended to improve usability and build-ability, enhance the visual impact, improve the narrative of the building and reduce costs. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000.*¹
- d. Further project updates were provided to Trustees including:
 - The design teams will report to the TTM Board in January 2008 with their responses to the revised brief and materiality.
 - *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000.*¹
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- e. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000.*¹
- f. Recognising the highly technical nature of the project and the fact that Trustees must invest a large degree of trust in the TTM Board, the Chair asked that Trustees be informed of meeting dates for the TTM Board and encouraged them, if they are interested and available, to join some of the meetings. Any visits should be requested through Sarah O'Reilly or Anjalie Dalal-Clayton.
- g. Trustees discussed and agreed that the revised plan looked sensible, that the logic of building had been significantly improved with the revised brief and that narrative of the building was now easier to understand.
- h. The Trustees

AGREED the proposal to delay the decision to commence Stage D design until January 2008;

AGREED IN PRINCIPLE the recommended use of funds to meet cash flow needs and the release of the investments in line with their proposed use.

8.2 Transforming Tate Modern – Fundraising Report

- a. The Director of Development updated the Trustees on TTM project fundraising. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000.*¹ In addition, discussions continue regarding support from public funding sources. Trustees were also encouraged to contact the Director of Development should they be able to support the process in any way.
- b. The Trustees

NOTED the tabled fundraising report.

9 Loans and Long Loans Policy Review Policy

- a. The Director Tate National introduced the report. Trustees welcomed the policy and discussed the need to more explicitly consider the promotion of British Art overseas. It was also asserted that broadening the geographies of institutions with which Tate works is increasingly important. This is particularly the case as the Collection is extended to include more geographic regions.
- b. The Trustees

NOTED the findings of the loans review.

APPROVED IN PRINCIPLE the Loans Policy subject to agreed revisions.

The meeting was temporarily adjourned for lunch and recommenced at 2:10 pm.

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Caroline Collier rejoined the meeting; Frances Morris and Ann Gallagher joined the meeting.

10 Research Strategy

- a. The Director Tate National introduced the interim research strategy report and the new Head of Research, Nigel Llewellyn, who was not present. The trustees were informed that the research strategy was divided into three primary areas: collections; exhibitions and displays; and experimental or exploratory research and that initial focus is on the first two categories. An update on recent successes was provided including the AHRC funded research project “The Sublime Object: Nature, Art, and Language,” and the “Tate Encounters” in conjunction with South Bank University. Also highlighted were the identified needs to facilitate the research environment at Tate. It was reported that a prioritisation of research projects will be conducted.
- b. Trustees discussed the connection between curating and research and noted that Tate is examining the curatorial role and remit and that there will be a report to Trustees on this in 2008. Trustees also mentioned it is worth considering whether research relating to Collections and Programme Services should start as a partnership with Tate and other institutions from the outset.
- c. The Trustees

AGREED the interim research plan for 2007-08 which, it was understood, would lead to a revised and prioritised plan for 2008-09.

11 d’Offay Collection

- a. Trustees were updated on developments with regard to the potential acquisition of a portion of the Anthony d’Offay Collection including art works, terms and financing arrangements.
- b. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000.*¹ The Chair requested that Anish Kapoor and Fiona Rae also have a chance to review the paper and provide their input as they were both unable to attend the meeting but have been highly engaged in earlier discussion. Trustees noted that the works would be an important addition to the National Collections.
- c. The Trustees

AGREED that negotiations should continue, with the intention of a formal paper for decision by Trustees in January 2008.

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12 Tate Collection Acquisitions Policy

- a. Ann Gallagher and Frances Morris presented the revised Tate Collection Acquisitions Policy. Trustees discussed the acquisition threshold on sculpture negotiated with the V&A.
- b. The Trustees

APPROVED the Tate Collection Acquisitions Policy.

13 Tate Relationships with Artists, Dealers and Collectors

- a. In response to a request made in the September 2007 Board of Trustees meeting, Ann Gallagher and Frances Morris presented an early report on Tate's relationships with the broader arts community. As context, Trustees noted that the commercial arts sector is broader than in the past and that this created a perceived need to clarify Tate's position.
- b. Trustees agreed the need to work closely with dealers, collectors and artists and also emphasised the need to be transparent about Tate's dealings with the commercial arts sector. While dealings must be considered on a case-by-case basis, and Tate staff is mindful of appropriate conduct, Trustees agreed it would be helpful to articulate the broad principles that should guide these dealings so that they are commonly understood. Trustees also discussed that there would be value in understanding the approaches taken by comparative institutions.
- c. Trustees discussed approaches to the articulation of a flexible framework for Tate including an identification of potential risk areas; a framework for assessing risks; and guidelines for documentation and action. It was further suggested that the output should avoid being overly prescriptive, while still ensuring accountability and taking into account core interests such as bringing art to the public and preservation of public accountability and reputation. Trustees were also informed that work is underway to improve Tate's relationships with living artists represented in the Collection. The Chair requested that Anish Kapoor and Fiona Rae feedback their views on the specific issues.
- d. The Trustees

COMMENDED the work to date and welcomed the opportunity to review a proposed framework at a Trustees' meeting in early 2008.

Rebecca Williams left the meeting.

14 Acquisitions Financial Statement

- a. The Trustees

NOTED the Acquisitions Financial Statement.

15 Acquisitions for Noting

a. The Trustees

NOTED and RATIFIED the Acquisitions *with the exception of three works by Gerald Leslie Brockhurst which were not acquired.*¹

Purchases

Sir Edward Poynter 1836-1919

Andromeda 1869

Jacob More c1740-1793

The Deluge 1787

Mark Wallinger 1959

Royal Ascot 1993

Threshold to the Kingdom 2000

Where There's Muck 1985

Bequests

Sir Stanley Spencer 1891-1959

The Woolshop 1939

In Lieu

Thomas Daniell 1749-1840

Sir Charles Warre Malet, 1st Battalion, the British Resident at the Court of Poona 1805

Paul Henry 1876-1958

Achill Landscape c. 1910-1912

John Roberts Estate

Gifts

Leon Ferrari born 1920

Never Again 1995-6, enlarged version 2007

L'Osservatore Romano 2001, reproduced 2007

We Did Not Know 1976-7, enlarged version 2007

Heliographs 1980-2, 2007

Jeffrey Steele born 1931

Curvilinear Structure (Abakum) 1972

[no title] (Preparatory Drawing for *Abakum*) 1971

Julião Sarmiento born 1948

Untitled (Bataille) 1976

Mehr Licht 1985

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Christopher Williams born 1956

Bouquet, for Bas Jan Ader and Cristopher D'Arcangelo 1991

Naoya Hatakeyama born 1958

from Lime Hills (Quarry Series), 1986-1991

Lime Hills (Quarry Series) LH21916 1988

Lime Hills (Quarry Series) LH23514 1988

Lime Hills (Quarry Series) LH23701 1988

Lime Hills (Quarry Series) LH23802 1988

Lime Hills (Quarry Series) LH27403 1989

Lime Hills (Quarry Series) LH29211 1990

Lime Hills (Quarry Series) LH29214 1990

Lime Hills (Quarry Series) LH29216 1990

Lime Hills (Quarry Series) LH30407 1990

Lime Hills (Quarry Series) 1986-1991

Ellen Gallagher born 1965

Esirn Coaler 2007

Marepe born 1970

Deposit your lice here 1999

Victor Alimpiev born 1973

Sweet Nightingale 2005

AMERICAN FUND

Glenn Ligon born 1960

Malcolm X 2000

Condition Report 2000

Untitled 2006

Purchased by the Director

Sandra Blow 1925-2006

Vivace 1988

Július Koller 1939-2007

Ume Nie! 1970

Universal Fantastic Orientation I-6 1978

Anti-Performance (U.F.O) 1980

Ewa Partum born 1945

Active Poetry 1971-73

David Lamelas born 1946

Film Script (Manipulation of Meaning) 1972

Julião Sarmiento born 1948

Forget Me 2005

Breda Beban born 1952

The Most Beautiful Woman in Gucha, 2006

Langlands and Bell born 1955 and 1959

Ivrea 1991

Thomas Schütte born 1954

Architectural Models 2006

Tacita Dean born 1995

A Bag of Air 1995

Jaki Irvine born 1966

Star 1994

Sweet Tooth 1994

Keith Piper born 1960

Go West Young Man 1987

Paul Graham born 1956

Paint on Road, Gobnascale Estate, Derry 1985

Graffiti on Motorway Sign, Belfast 1985

H Block Prison Protest, Newry 1985

Republican Coloured Kerbstones, Crumlin Road, Belfast 1984

Roundabout, Andersonstown, Belfast 1984

Union Jack Flag in Tree, County Tyrone 1985

Mike Nelson born 1967

The Coral Reef 2000

Simon Starling born 1967

Work made-ready 2001

Martin Creed born 1968

Work No 203: EVERYTHING IS GOING TO BE ALRIGHT 1999

Dominique Gonzales-Foerster

Séance de Shadow II (blue) 1998

Eva Rothschild born 1971

Riches 2007

ARCHIVE

Gifts

Naum Gabo 1890-1977

Henri Matisse 1869-1954

Pipilotti Rist born 1962

Edward Wadsworth 1889-1949

Dennis Farr 1929-2006

Patrick Hayman 1915-1988

Michael Lumb born 1945

David Mayor born 1949

George Melly 1926-2007

National Art Collections Fund

Paul Neagu 1938-2004

Maresco Pearce 1874-1964

Piccadilly Gallery, London
Situation Group
John Roberts Estate

Purchases

John Piper 1903-1992

LOANS

Long Loans In

John Roberts Estate

16 Acquisitions for Decision

- a. Trustees discussed gifts offered by several British artists. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000.*¹
- b. Trustees were updated on an important prospective gift to Tate by an American artist. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000.*¹
- c. The Trustees

ACCEPTED with alacrity the generous gifts offered by the artists and commended all those involved in the discussions. The trustees also commended Francis Morris on the brilliant Louise Bourgeois exhibition.

David Hockney born 1937

Bigger Trees near Warter 2007

Oil on canvas, in 50 parts

4572 x 12192 mm (15' x 40'), painting

Colour photograph on paper, in two groups of 50 parts

4572 x 12192 mm (15' x 40'), each group

Damien Hirst born 1965

The Acquired Inability to Escape 1991

Glass and steel vitrine, MDF, silicone, table, chair, lighter, ashtray and cigarettes

214 x 305 x 214 cm

Life Without You 1991

Steel and formica table, shells

88 x 228.6 x 84 cm

Who's Afraid of the Dark? 2002

Flies and resin on canvas

84 x 32 inches

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Mother and Child Divided, Exhibition Copy 2007 (Original 1993)
Glass and steel tanks, GRP composites, glass, silicon, cow, calf and formaldehyde solution
Four parts
Two each 190 x 322.5 x 109 cm
Two each 102.5 x 169 x 62.5 cm

17 Appointments to Councils and Committees

- a. Trustees were asked to put forward names for the vacancies reported and were encouraged to help Tate cast its net more widely in terms of non-executive reach and involvement. Candidates will be presented to Trustees for formal decision at the Trustees meeting in January 2008. Trustees noted that the current outline of Trustee membership on the Collections Committee appeared to exclude non-artist Trustees; this is not the intention and will be adjusted accordingly.
- b. The Nominations Committee recommended that Jeremy Deller formally join the Committee as a member.
- c. The Trustees

ACCEPTED the Committee's recommendation that Jeremy Deller join the Nominations Committee.

18 Authorised Signatories

- a. The Trustees

APPROVED the authorisation limits as recommended and presented by the Audit Committee.

19 Key Points from Minutes of Councils and Committees

- a. The Trustees

NOTED the Key Points of Councils and Committees.

20 Minutes from Councils and Committees

- a. The Trustees

NOTED the Minutes from Councils and Committees.

21 Any Other Business

- a. The Director updated the Trustees on progress regarding a potential anonymous gift and loan. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000.*¹
- b. Trustees welcomed the opportunity to consider Tate's research activities; an area which, it was mentioned, is often overlooked.
- c. Trustees' attention was drawn in particular to the acquisitions of works by Mike Nelson, Simon Starling and Martin Creed.
- d. The Trustees noted the continuing successes regarding gifts of art and the tremendous impact this has had in helping Tate to seriously expand and improve the Collection in spite of the art market and financial constraints. Trustees asked to see a comprehensive list of works donated to Tate in the past three years.
- e. Trustees were reminded that the National Gallery / Tate Joint Trustees Annual Dinner would take place at Tate Britain on 26 November 2007.

22 Date of Next Meeting

- a. The next Board of Trustees meeting will be held 16 January 2008 at Tate Britain. Lunch will begin at 1:30 pm in Duffield Room and the meeting will commence at 2:30 p.m. in the Board Room. Jonathan Stephens, Permanent Secretary of the Department for Culture, Media and Sport will join the meeting as an observer.

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