

Minutes of the Meeting of the Board of Trustees of the Tate Gallery held on Wednesday 19 November 2008 at 9am at Tate Britain

Present	Sir Howard Davies Helen Alexander Lord Browne Jeremy Deller David Ekserdjian Anish Kapoor Patricia Lankester Elisabeth Murdoch Franck Petitgas Fiona Rae Monisha Shah	Interim Chair
Staff present	Sir Nicholas Serota Alex Beard Masina Frost Julian Bird	Director Deputy Director Head of the Director's Office and Secretary to the Board of Trustees Chief Operating Officer
Report 6 only	Sue Cambridge	Director of Finance
Report 8 only	Christopher Jonas	Chair, Transforming Tate Modern
Report 8-20	Dr Stephen Deuchar	Director, Tate Britain
Report 8-20	Vicente Todolí	Director, Tate Modern
Report 9-20	Caroline Collier	Director, Tate National
Report 11 only	Claire Eva	Head of Marketing

The Interim Chair, Sir Howard Davies, commenced the meeting. It was announced that Patricia Lankester would arrive into London shortly, and would join the meeting as soon as possible. The Trustees expressed their congratulations to Paul Myners, who had recently stepped down from the Board of Trustees to take his appointment as Financial Services Secretary at the Treasury. Trustees also expressed their sincere gratitude for his exceptional service and commitment to Tate, both as a Trustee and a Chair.

1 Apologies

- a. There were no apologies received.

2 Confirmation of Minutes

- a. Trustees discussed and agreed an update to Item 7 from the September minutes.
- b. The Trustees

CONFIRMED the minutes, subject to the agreed amendment, as a true record and the minutes were signed by the Chair after the meeting.

3 Matters Arising

- a. There were no matters arising.

4 Conflict of Interest Declarations

- a. It was noted that Jeremy Deller had declared an interest in Item 14, Acquisitions for Decision, and that he would absent himself from the discussion of this item.

5 Director's Report

5.1 Transforming Tate Britain Phase 1

- a. Trustees were informed on progress on the Transforming Tate Britain project and that the design will progress to RIBA Stage C (outline design stage). *Information has been exempted under Section 36 of the Freedom of Information Act 2000.*¹ It was also noted that detailed designs would be brought to Trustees for discussion in March.

5.2 Update on Tate Liverpool and Tate St. Ives

- a. Trustees were informed that Tate continues to engage in discussions with the NWRDA, the Liverpool City Council, and the Culture Company, with the objective of maintaining the ambition of the programme at Tate Liverpool and the resultant scale of regional funding required to maintain programming ambitions at this level.
- b. Trustees were informed on developments at Tate St. Ives. *Information has been exempted under Section 36 of the Freedom of Information Act 2000*¹ It was also highlighted that, following the scope of the project having been revisited, the team in St. Ives had identified a simplified design which could be delivered at a lower cost. It was noted that Trustees would consider the St. Ives scheme in March or May 2009.

5.3 Tate Strategy Update

- a. Trustees noted the five focus areas of the strategy to 2012. It was also reported that additional detail, together with an update on the forward financial plan, would be discussed at the January 2009 Board.

¹ *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
3. *prejudice the effective conduct of public affairs*

5.4 Interim Arrangements

- a. Trustees noted the interim arrangements that had been made following the appointment of Paul Myners to Her Majesty's Government with Howard Davies as Senior Trustee taking the position of Interim Chair, Helen Alexander becoming Senior Trustee and Anthony Salz stepping in as Chair of the Tate Foundation.

5.5 Trustee Appointments Update

- a. It was agreed that this item would be considered together with Item 7.

5.6 Chair's Dinner Held on 23 September

- a. Trustees noted the summary of the Chair's Dinner.

5.7 Family Conference 2008

- a. Trustees commented that the Family Conference is a good opportunity to meet other non-executives and to build relationships across Tate's different Councils and Committees. It was discussed that input from the day feeds into work of the Tate executive, and that relevant issues also are considered by the Councils and Committees.
- b. A suggestion was made that the wider Tate non-executive might meet more frequently than once a year, for example at an informal event which would serve to validate the input provided and to present a mid-year report. It was agreed that this option would be explored.

Patricia Lankester joined the meeting.

5.8 National Gallery / Tate Trustee Joint Dinner 2009

- a. Trustees noted the date of the joint National Gallery and Tate Trustees dinner. *Information has been exempted under Section 36 of the Freedom of Information Act 2000.*²

5.9 Tate Programme Schedule

- a. Trustees noted the programme schedule.

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
3. *prejudice the effective conduct of public affairs*

5.10 Tate Membership Scheme

- a. Trustees were updated that membership growth has been particularly strong recently due to the Bacon and Rothko shows. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000*³
- b. The issue of a Members' scheme for students was raised. It was reported that options for offering this, for example an off-peak memberships with other optional benefits, were being explored. Trustees were also informed that a brainstorming session had been held with advisors to consider the development programme for the scheme. It was agreed that a student scheme would be considered in this context, and that proposals for the further development of the Membership scheme would be raised with the Board in 2009.

5.11 Private Collection

- a. Trustees were informed of recent discussions with private collectors. It was noted that a presentation would be made at the forthcoming Collection Committee meeting.

5.12 History of British Art

- a. Trustees noted the publication of *The History of British Art*.

5.13 Sponsorship and Donations

- a. Trustees noted the report on sponsorships and donations.

5.14 Staff

- a. Trustees noted and welcomed the fact that two recent senior appointments had been made from internal candidates.
- b. Trustees were updated on the staff pay remit. It was noted that it is unlikely an agreement will be reached with Treasury before Christmas and that a proposal would be discussed with the DCMS which would allow Tate to make a partial payment to staff as part of the December pay package.

6 Finance Report

³ *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).*

Sue Cambridge joined the meeting.

- a. The Director of Finance updated Trustees on the financial position. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000.*⁴ Risks to the forecast and the actions being taken forward were reported.
- b. Trustees discussed exhibition income and attendance. It was also highlighted that attendance at Tate Liverpool had exceeded one million visitors in the year, and that the number of Tate Memberships had grown to 92,000.
- c. A query around insurance costs was raised. The Director described some of the circumstances in which government indemnity is refused. A query was also raised about risks and trigger points over the next six to nine months. It was stated that the Finance and Operations Committee regularly consider these issues, and that these would be conveyed more clearly when Trustees discuss the budget in January.

6.1 Tate Budget 2009-2012

- a. The Director of Finance reported that the budget process had begun in August, and some systematic under-funding had been identified. It was also reported that efforts were being made to ensure the budget for next year is robust so that it is not necessary to change course during the year. In light of the current economic risks, it was noted that steps were being taken including identifying savings and holding more contingency than in the past. Trustees discussed the importance of balance in the exhibition programme, and also the need to secure commercial IP rights, for example publishing, in order to enable enterprise sales.
- b. It was noted that consideration should be given to growing income in addition to identifying savings. It was also suggested that, given high levels of uncertainty, it would be useful to identify the degree of flexibility Tate might have by examining Tate's fixed, semi-fixed, and variable costs, and identifying how each of these might be flexed.
- c. Trustees were informed that Directors would meet in the last week of November to discuss the budget and to agree actions. It also stated that structural changes to the model would be examined as would the possibility of an additional exhibition.
- d. Trustees considered the recommendation of the Tate Foundation Executive Committee and discussed the arrangements for cash management and the remaining asset holdings.
- e. The Trustees

⁴ *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).*

APPROVED the recommendations of Tate Foundation Executive Committee outlined in the report.

7 Chair of the Board

Alex Beard, Julian Bird, Sue Cambridge, Masina Frost and Vicente Todolí left the meeting.

- a. Howard Davies explained that when Paul Myners joined the government on 3 October 2008, as Senior Trustee he had inherited the Chair on an interim basis and Helen Alexander had stepped up to become Senior Trustee. Therefore, the Trustees now needed to select a new Chair from among their number. Howard Davies explained that he was not a candidate for the position as the time commitment was difficult and, in addition, his second term as Trustee would come to an end in the spring of 2010. Given the challenges ahead, it was agreed the board needed a new chair with a longer-term horizon.
- b. It was noted that the Nominations Committee was ready to consider the process of selection as both Helen Alexander and Jeremy Deller, the other two members of the committee, had confirmed that they did not wish to be considered for the Chair.
- c. Trustees discussed the process and the time commitment of the job. It was reported that Paul Myners had helpfully confirmed that he had devoted approximately one day a week to Tate business. It was agreed that this was the minimum time commitment, and some considered that in the future the time required might prove to be greater.

Sir Nicholas Serota left the meeting.

- d. Howard Davies explained that the Nominations Committee would meet on 25 November. It was discussed that before the Nominations Committee meeting he would speak personally to all Trustees to ascertain who might be prepared to be considered for the position and, in the light of the responses, to discuss Trustees preferences. The committee would then discuss the outcome of those consultations, and make a recommendation to Trustees, if there proved to be a widely acceptable candidate. If not, the committee would suggest there might need to be a fuller discussion in the New Year. He confirmed that he would be prepared to remain in position as interim Chair until an agreement was reached, if that were necessary, but that his preference was to resolve the matter in time for the January meeting, so as to keep the period of uncertainty for the Tate as short as possible. Trustees agreed this approach.

The meeting was adjourned for a short break.

Alex Beard, Julian Bird, Caroline Collier, Masina Frost, Vicente Todolí, Dr Stephen Deuchar joined the meeting.

The following item was considered at the beginning of the meeting in light of the arrival of Christopher Jonas.

8 Transforming Tate Modern

- a. Christopher Jonas reported that 80% Stage D review had been reached, that there are no serious problems, and the project remained within cost estimates. It was noted that the inflationary outlook has improved considerably, and the slightly downward trend expected on construction cost inflation was reflected in the assumptions.
- b. Trustees discussed options for moving forward with a decision to be taken in January. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000.*⁵
- c. It was agreed that a summary of the spent and committed expenditure relative to total funds raised would be prepared for the January Board. It was also reported that Stage E funds are available, that there are no constraints on the use of private sector or government funds, apart from the need to secure government approval. It was noted that Trustees would consider the use of funds relative to an assessment of project risks in January. Trustees discussed the trade-offs between programme risk and project completion date, and the implications of the options on the project timeline. It was noted that Tate's project abuts that of EDF Energy, and that there remains uncertainty in EDF's timeline.
- d. Trustees were invited to take part in a joint meeting with the Tate Modern Council and the TTM Project Board, to be held on Wednesday 3 December. It was agreed that the options discussed would be worked up for decision by Trustees in January, and that ambitions for 2012 would be clarified.

9 Tate International

This item was considered immediately following the break.

- a. Trustees were informed on progress regarding Tate's international activities. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000*⁵
- b. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000*⁵
- c. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000*⁵
- d. *Information has been exempted under Section 43 (2) of the Freedom of Information Act 2000*⁵

⁵ **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)*

Anish Kapoor left the meeting

10 Tate Learning

- a. It was noted that learning is central to Tate’s mission and a clearer approach to Learning at Tate would lead to less duplication and enable Tate to take more of a leadership role in cultural educational policy and to achieve audience objectives.
- b. Trustees discussed the proposal to appoint a Director of Learning. It was noted that a more visible leader in this area would act as a spokesperson for Tate in external debates and that higher profile for Tate Learning may attract new sources of funding. It was noted that an important goal would be to achieve more integration between learning programmes and online resources. The need to increase impact by focusing and coordinating activity better was also discussed. It was highlighted that it would be important to make sure there is not an overload of initiatives, and it would be advisable that activity be limited to the most effective programmes.
- c. In response to a query, it was stated that Tate’s core expertise lies in visual literacy, access to how artists think, and meanings of art, and that the strategy would be guided by this.
- d. Trustees discussed the tension between curatorial and learning activities. It was noted that a combination of project-working and secondments would be employed to draw curatorial and learning staff closer. It was also noted that a key challenge would be to circumscribe the respective roles of staff involved in audience engagement correctly and clearly.
- e. Trustees discussed the balance between light and deep engagement. It was stated that deep programmes would be evaluated properly with the aim of informing broader engagement.
- f. Trustees agreed with the suggested approach. It was noted that a more detailed proposal would be worked up and considered by Trustees at a subsequent meeting.

11 Audience Strategy

Claire Eva, Head of Marketing, joined the meeting.

- a. Trustees noted the report and were updated on recent research which has provided new insights into patterns of engagement and non-engagement with arts and culture in the UK. It was reported that education, occupational status, and life stage had been shown to be significantly stronger predictors of engagement with art and culture than ethnicity. It was proposed that the Tate focus audience efforts on children and families in order to affect long-term changes in engagement with the arts during the formative years; on urban ethnically diverse young people; and on increasing visits and engagement by current audiences.

- b. It was noted that the image and content of the institution may act as a barrier, and that it is important when making comparisons to include other fine art institutions. It was also suggested that it would also be useful to understand how other institutions are approaching the issue, and whether programmatic changes at comparable institutions had impacted audience composition. It was also highlighted that when Tate does something that transcends its image, more diverse audiences can be reached, but that the large numbers of people attracted to Tate often means that small demographic changes are diluted in our market research.
- c. A desire for more explicit targets and plans was expressed. It was discussed that following an initial phase of work, Trustees' input was sought on the suggested focus areas for the strategy and the trade-offs implied, ahead of more detailed targets and plans being worked up.
- d. It was noted that to broaden audiences, Tate would have to be innovative and creative in how it seeks to attract new audiences. It was agreed that specific proposals for early wins would be worked up and shared with Trustees in the coming months, taking into account Trustees' input.

12 Acquisitions Financial Statement

- a. The Trustees

NOTED the Acquisitions Financial Statement.

13 Acquisitions for Noting

- a. The Trustees

APPROVED the acquisitions made by the Collection Committee.

BRITISH ART PRE 1900

Information has been exempted under Section 22 of the Freedom of Information Act 2000⁶

⁶ *Section 22 of the Freedom of Information Act provides that:*

- (1) *Information is exempt information if—*
 - (a) *the information is held by the public authority with a view to its publication, by the authority or any other person, at some future date (whether determined or not),*
 - (b) *the information was already held with a view to such publication at the time when the request for information was made, and*
 - (c) *it is reasonable in all the circumstances that the information should be withheld from disclosure until the date referred to in paragraph (a).*
- (2) *The duty to confirm or deny does not arise if, or to the extent that, compliance with section 1(1)(a) would involve the disclosure of any information (whether or not already recorded) which falls within subsection (1).*

Gifts

William Holman Hunt 1827-1910
Portrait of Mrs Edith Holman Hunt 1880

George Clausen 1852-1944
The Farmer's Boy 1895

Long Loans In

Marcus Gheeraerts II 1561 or 2-1636
Sir Henry Lee 1602

BRITISH ART POST 1900

Gifts

Edwina Leapman born 1934
Untitled Deep Blue 1964-65
Untitled Orange 1964-65

Michael Craig-Martin born 1941
Things Change 2007

Gary Hume born 1962
Here's Flowers 2006

Angus Fairhurst 1966-2008
Untitled (Orca Yearning Seats) 1994
Orca Watercolour Drilled Loop 1995
Over Mont Blanc, All Evidence of Man Removed 1993
Stenness, All Evidence of Man Removed 1993
Swissair, All Evidence of Man Removed 1993

Ian Kiaer born 1971
Brueghel Project / Casa Malaparte 1999

Mark Titchner born 1973
We Want Strong Leadership 2005

Long Loans In

Francis Bacon 1909-1992
Gouache 1929
Painting c. 1929-30
Painted screen c.1929
Three rugs c. 1929

Leonora Carrington born 1917
Eluhim 1960

Damien Hirst born 1965
Anthraquinone-1 Dizonium Chloride 1994

Purchased by the Director

Richard Allen 1933 – 1999
Untitled Systems Painting (Six Sections) 1972

Peter Peri born 1971
Woodcutter 2008
Point Fold 2 2007
Head 10 2008
Batchelors 2008

Duncan Campbell born 1972
Make it Fall, Bernadette 2008

Gary Webb born 1973
Paranoidmountain 2001

INTERNATIONAL ART

Information has been exempted under Section 22 of the Freedom of Information Act 2000⁷

Gifts

Gego (Gertrud Goldschmidt) 1912-1994
Untitled 2007

Cristina Iglesias born 1956
Study for Suspended Pavilions 2005
Study for Suspended Pavilions 2005

Swoon born 1977
Argentina 2007

⁷ **Section 22** of the Freedom of Information Act provides that:

- (1) Information is exempt information if—
 - (a) the information is held by the public authority with a view to its publication, by the authority or any other person, at some future date (whether determined or not),
 - (b) the information was already held with a view to such publication at the time when the request for information was made, and
 - (c) it is reasonable in all the circumstances that the information should be withheld from disclosure until the date referred to in paragraph (a).
- (2) The duty to confirm or deny does not arise if, or to the extent that, compliance with section 1(1)(a) would involve the disclosure of any information (whether or not already recorded) which falls within subsection (1).

American Fund

Robert Morris born 1931
Untitled 1967-68

*Information has been exempted under Section 22 of the Freedom of Information Act 2000*⁸

John Walker born 1939
In Truth I 1981-82

Hans Haacke born 1936
Sol Goldman and Alex DiLorenzo Manhattan Real Estate Holdings, a Real-Time Social System, as of May 1, 1971 1971

Lynda Benglis born 1941
Blatt 1969

Keith Sonnier born 1941
Red Flocked Wall 1969

George Shaw born 1966
Untitled (5) 2004

Anne Collier born 1970
Surviving Depression 2007

Purchased by the Director

Ernesto Salmeron born 1977
Auras of War 1996-2006

ARCHIVE

Gifts

Horace Brodzky 1885 -1969
Three boxes of personal archives: memoirs, record books, scrap books, and volumes of photographs, 1911-1969.

⁸ *Section 22 of the Freedom of Information Act provides that:*

- (1) *Information is exempt information if—*
 - (a) *the information is held by the public authority with a view to its publication, by the authority or any other person, at some future date (whether determined or not),*
 - (b) *the information was already held with a view to such publication at the time when the request for information was made, and*
 - (c) *it is reasonable in all the circumstances that the information should be withheld from disclosure until the date referred to in paragraph (a).*
- (2) *The duty to confirm or deny does not arise if, or to the extent that, compliance with section 1(1)(a) would involve the disclosure of any information (whether or not already recorded) which falls within subsection (1).*

Keith Vaughan 1912-1977

Six large boxes of material relating to Keith Vaughan, 1930s-1970s.

Norbert Lynton 1927-2007

Fifteen boxes comprising the archives of Norbert Lynton, 1950s-2007.

Michael Compton born 1928

Nine boxes of research material on Marcel Broodthaers, Compton's notes and text on Abstract Expressionism and on Museum design and architecture, 1970s-2000s.

John Milne 1931-1978

Six boxes of photographs of the sculptor's work (mostly taken by Milne) serving as a visual catalogue raisonné together with statements by Milne and others, and press cuttings covering his career, 1950-78.

John Panting 1940-1974

Four boxes of personal papers of this New Zealand-born artist resident in the UK, comprising correspondence, writings, sketch/notebooks, photographs of the artist, his works and installation shots, and press cuttings, 1964-74.

Purchase/Gift

Leslie Hurry 1909-1978

The extensive remains of Leslie Hurry's personal papers (1901-2008) comprising fourteen transit boxes.

Purchases

Bank

Four archive boxes of the gallery's extant records, publications and ephemera, 1991-2003.

Charles Harrison

Correspondence, slides, writings and other papers relating to his work as an art historian and a member of Art & Language.

Genesis P-Orridge born 1956

The complete archives of Genesis Breyer P-Orridge, covering all aspects of his career.

14 Acquisitions for Decision

Jeremy Deller left the meeting.

Jeremy Deller born 1966

The History of the World 1997-2004

- a. Trustees discussed a gift offered by a third party to Tate, *The History of the World 1997-2004*, by Jeremy Deller. It was reported that the Charity

Commission had been consulted about the gift, and that the recommendation of the Collection Committee is that Trustees accept the gift.

b. The Trustees

ACCEPTED the gift of *The History of the World 1997-2004* to Tate.

Jeremy Deller re-joined the meeting.

Sir Peter Paul Rubens

The Apotheosis of James I and other studies; Sketch for the ceiling of the Banqueting House, Whitehall 1628-30

Joseph Beuys 1921-1986

Lightning with Stag in its Glare 1985
Blitzschlag mit Lichtschein auf Hirsch

- c. Trustees were updated on the terms of the long-term loan of Joseph Beuys' *Lightning with Stag in its Glare 1985* and on progress with regard to mid-20th century art. Trustees also congratulated Dr Stephen Deuchar and his team for their successful efforts to acquire Sir Peter Paul Rubens' *The Apotheosis of James I and other studies; Sketch for the ceiling of the Banqueting House, Whitehall 1628-1630*.

d. The Trustees

APPROVED the acquisition and long-term loan.

14.1 *Information has been exempted under Section 36 of the Freedom of Information Act 2000.*⁹

15 Risk Register

- a. It was reported that the risk register had been discussed in the Audit Committee.

b. The Trustees

APPROVED the high-level risk register; and

NOTED the issues arising.

⁹ **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
3. prejudice the effective conduct of public affairs

16 Key Points from Councils and Committees

- a. The Trustees

NOTED the key points from the Councils and Committees.

17 Minutes from Councils and Committees

- a. The Trustees

NOTED the minutes from the Councils and Committees.

18 Key papers for forthcoming meetings

- a. It was discussed that the three year plan, learning, media and international activities would be considered in January, and that the Tate Britain development scheme would be an item for discussion in March.

19 Any Other Business

- a. There were no additional matters of business for discussion.

20 Date of Next Meeting

- a. The next Tate Board of Trustees meeting will be held on Wednesday 21 January 2009, at 9 am, in the Meeting Room at Tate Modern.