

**HERTFORDSHIRE COUNTY COUNCIL**

**CABINET**

**MONDAY, 13 NOVEMBER 2017 AT 2.00PM**

**FUTURE MANAGEMENT OF HERTFORDSHIRE COUNTY COUNCIL'S ART COLLECTION**

*Report of the Director of Resources*

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Executive Member: Terry Douris (Education, Libraries and Localism)

**1. Purpose of report**

1.1 To inform Cabinet about the current position of the Council's Art Collection and make recommendations for its future management. The proposals are designed to effectively look after a smaller collection by reducing it to a portfolio of 167 works that are relevant to Hertfordshire.

**2. Summary**

2.1 The Council has an Art Collection of 1826 works, which is valued for insurance purposes at £26.2 million. There has been no resource to manage the collection since 2012 and the works are at risk of deterioration.

2.2 The Council has a responsibility to use these assets effectively but not a statutory duty to hold, display and conserve works of art. In addition, how the works are managed moving forward will continue to be an ongoing issue for the council as many are not in ideal storage conditions and have conservation needs.

**3. Recommendations**

3.1 The Education, Libraries & Localism Cabinet Panel will consider a report on this item of business at its meeting on 7 November 2017. The Panel will be invited to consider, comment upon and recommend to Cabinet that:

- a. the Schools Loan Collection is closed;
- b. consultation with the public and interested organisations on art works that are currently identified for sale takes place, so that all views can be taken into account prior to their final disposal.

- c. Subsequent to the consideration of views expressed through the consultation process with the Executive Member for Education, Libraries and Localism, that the Director of Resources be authorised to dispose of 500 medium value works from the Schools Loan Collection that have little or no relevance to Hertfordshire. It is proposed that these works should be sold to achieve best value for the Council.
- d. The Director of Resources be authorised to dispose of 46 high value, nationally significant works from the Schools Loan Collection that have little or no significance to Hertfordshire, after full consideration of the views expressed through the consultation process with the Executive Member for Education, Libraries and Localism. It is proposed that these works should be sold to achieve best value for the council.
- e. 700 low value works from the Schools Loan Collection be offered to local interest groups and the general public in Hertfordshire.
- f. options be developed for the conservation and potential relocation of four sculptures within Hertfordshire, which are insured for a total of £21.85 million. These sculptures have particular conservation and security requirements and will need some significant investment.
- g. 53 lower value works, that have a distinct connection to local towns/villages, be offered to relevant Hertfordshire museums and galleries, by sale or gifting.
- h. a proportion of the income from the sale of works to be used to invest in the remaining collection, in particular the conservation and potential move of the sculptures.

3.2 The Cabinet Panel's recommendation/s to Cabinet will be reported orally at the Cabinet meeting and circulated to Members in the Order of Business sheet.

#### **4. Background**

4.1 The Council has an Art portfolio of 1826 works, which is valued for insurance purposes at £26.2 million. A commissioned review of the collection was carried out in 2016 by professional art consultants. They assessed the works to identify:

- works of relevance to Hertfordshire,
- works with national cultural significance; and
- potential financial values.

4.2 It is from the consultants<sup>1</sup> comprehensive report that we draw our proposal to rationalise the collection by selling or gifting 1,659 works that are understood to have little or no significance to Hertfordshire.

4.3 The 167 remaining works can then be managed in such a way to improve their accessibility and display; and conserve as necessary.

The art portfolio has two components:

4.4 The School Loan Collection:

4.4.1 This has 1496 works and is insured for £1.2million. 1113 of the works are in storage. There are a few works still out in schools and many of these are being collected in recent months at the schools' request.

4.4.2 The collection was a 1950s initiative to purchase art from contemporary British artists for schools to borrow; a service that whilst once greatly valued has become redundant through an evolving curriculum and modern technology. The schools loan service is not a statutory service and the limited resources allocated to this service have been removed over the years.

4.4.3 The review of the art collections undertaken in 2016 identified that the Schools Loan collection has some nationally significant works of art but many are of little or no cultural worth or financial value.

4.4.4 In the main the school's loan collection has been a handling collection, providing the opportunity to touch items, and therefore understandably works have undergone some damage and are likely to further depreciate moving forward due to inadequate storage facilities.

4.4.5 The Schools Loan Collection was suspended in 2012 after its use had reduced significantly and less than 20% of the collection was on loan at any one time. The consultants visited 17 schools who continued to have art works on loan, in their report they said that:

“in a few schools, staff were enthusiastic about the scheme and regretted its suspension....in the vast majority of schools we visited the works were no longer being used... Most schools wanted the art to be collected as soon as possible.”

4.4.6 It is therefore recommended that the Schools Loan Service is permanently discontinued.

4.5 The Corporate Collection:

4.5.1 This has 330 works in 69 locations and is insured for £25m. The art in County Hall has an explicit cultural association with the county and its history. Works in Shire Hall and some schools, libraries and three museums are of national

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<sup>1</sup> <http://matassa-toffolo.com/> Matassa & Toffolo Art Collection Management

as well as local importance. However, 179 works have been assessed by the consultants as having little or no relevance to Hertfordshire.

- 4.5.2 In addition there is a lack of clarity over the provenance of a number of items in the Corporate Collection and this will need addressing prior to decision on the future of these items.

## 5. The next steps

- 5.1 Having considered in full the consultant's findings and the [Museum Association code of ethics on collection disposal](#), the following steps will enable Hertfordshire County Council to retain a smaller relevant art collection that it can maintained properly and displayed, whilst ensuring that the disposed art works achieve best value. The proposed next steps are to:

- To conduct the due diligence process of checking ownership, provenance, Contract Regulations before any sale occurs.
- To clarify legal ownership and responsibility for some art works in Shire Hall and schools, including portraits, murals, silverware, medium size sculptures, fireplaces and large items of furniture.
- Close the Schools Loan Collection.
- Consider options for the conservation and potential relocation of four sculptures within Hertfordshire, which are insured for a total of £21.85 million. These sculptures are a liability due to conservation and security requirements. The Public Monuments and Sculptures Association, the Hepworth Estate and the Henry Moore Foundation have expressed concerns about the condition and public visibility of these nationally significant works and are keen to discuss a solution for the piece.
- Consult with the public and interested groups on the works that we have identified for disposal and sale, to capture views on any particular pieces that need to be considered prior to a final decision being made about their disposal.
- Finalise the work for sale once all comments have been considered from the consultation.
- Sell 500 medium value works from the Schools Loan Collection that are understood to have little or no relevance to Hertfordshire. These sales could have the potential to raise £100,000
- Sell 46 high value nationally significant works from the Schools Loan Collection that are understood to have little or no significance to Hertfordshire. These sales are likely to be through specialist London auction houses and have the potential to raise between £186,000 and

£290,000.

- To offer 53 lower value works, that have a distinct connection to local towns/villages, to relevant Hertfordshire museums and galleries, by sale or gifting.
- Offer 700 low value works, as identified by the consultants, from the Schools Loan Collection to local interest groups and the general public in Hertfordshire, raising some income through donations and public sale
- Develop a plan for the conservation, storage and display of the remaining collection.

## **6. Opportunities for the retained collection of 167 works**

- 6.1 The majority of the works identified for retention are in County Hall and Shire Hall, Hertford and have vast potential for the people of Hertfordshire to enjoy.
- 6.2 The portraits in County Hall have a strong connection with Hertfordshire and are of great interest for the history of the county. Although some are by well-regarded artists, for example Oswald Birley, they are of low financial value or interest for sales purposes.
- 6.3 Many of the works in County Hall lack ‘visibility’ and can be made more interesting for staff and visitors by redisplaying them. This will maximise their impact and, with better lighting and interpretation in the form of captions, all of the portraits can be ‘brought alive’ and give people a sense of pride in the county and the famous personalities from its history. The portraits and their interpretations could also be featured online.
- 6.4 The portraits in Shire Hall have a strong connection with Hertfordshire. The eleven works displayed in the court rooms are insured by the Council for £425,000. Four of the portraits are by Mercier and have matching frames and captions. They were originally commissioned by Queen Caroline, and with the portraits of King George II and Queen Caroline were later given to the Cowpers, a prominent family of local politicians; the 3rd Earl Cowper donated the paintings for display in the new Shire Hall in 1768. This unbroken provenance and long connection to this building is of exceptional historical interest.
- 6.5 The Old Guardians’ Room in Shire Hall features as the room in the fictitious town ‘Meryton’ where the local ball was held when Elizabeth Bennett first met Mr. Darcy in *Pride and Prejudice*, which Jane Austen set in Hertfordshire.
- 6.6 Officers believe that if carefully publicised and articulated these pieces have the ability to bring visitors to these venues and generate income for business within the County

## 7. Other options considered

7.1 The two following options have been considered alongside the suggested course of action:

- To allocate funding to retain and manage the current art collection. This would need to be a yearly revenue budget to support staffing, conservation and exhibiting costs, circa £70 - £100k. This option will be difficult to deliver as no revenue budget is identified in the Integrated Planning process for staffing to support the Art Collection.
- Leave the collection as is with no funding or management. This puts the collection at risk of deterioration, the subsequent loss of asset value and potential reputational risk for the county council.

## 8. Proposed Consultation

8.1 As part of the process of refining the art collection we would like to inform the public about our proposals and invite comments initially on the sale of 381 medium and high value works from the Collections. A further process will be used for the remaining medium value items, once provenance has been fully established, and low value items.

8.2 The proposals will be set out on the Hertfordshire County Council website, with an introduction to the consultation process and advance notice of dates when five categories of art will be online for public comment. Interested parties will have the opportunity to register for email alerts for the start and end of each category's consultation period. A photograph of each work of art will be on line, along with a brief description of the work<sup>2</sup>; for example, *'Drifting Blue Edge' abstract silkscreen, 1968, fair condition, by Anthony Benjamin.'*

8.3 There will be a two-week opportunity for comment on the proposals for each of the 5 categories, which will include all the medium and high value works identified currently for sale. The full consultation process will take 3 months, with a suggested start date of 8 January 2018.

8.4 The works will be divided into the following five categories:

i. ***Acrylics and oil paintings***

These 99 works have a potential to realise between £300 and £2,500 each. They include works by the *Great Bardfield* artists Edward Bawden and Kenneth Rowntree, and *Sussex Modernist* artist Edward Wadsworth.

ii. ***Drawings and watercolours***

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<sup>2</sup> The description of the work will not include its condition. This information will be provided only if the work is agreed for disposal and at point of sale.

These 53 works have a potential to realise between £300 and £700 each.

**iii. Lithographs and silkscreens**

These 95 works have a potential to realise £200 each.

**iv. Etchings and aquatints**

These 94 works have the potential to realise £200 each.

**v. Miscellaneous works including lino cuts, pots and textiles**

These 40 works have the potential to raise £100 each.

Proposed consultation process will follow the below timetable and be announced on 8<sup>th</sup> January 2018.

<b>Category</b>	<b>Consultation start</b>	<b>Consultation end</b>
Acrylics and oil paintings	22 <sup>nd</sup> Jan 2018	4 <sup>th</sup> Feb 2018
Drawings and watercolours	5 <sup>th</sup> Feb 2018	18 <sup>th</sup> Feb 2018
Lithographs and silkscreens	19 <sup>th</sup> Feb 2018	4 <sup>th</sup> March 2018
Aquatints and etchings	5 <sup>th</sup> March 2018	18 <sup>th</sup> March 18
Miscellaneous works	19 <sup>th</sup> March 2018	1 <sup>st</sup> April 2018

## **9. Financial implications**

- 9.1 Sales of all the identified works have a potential to raise between £300,000 and £405,000 gross. An Investment to Transform bid for £54,000 has been secured to fund the management of the sales and the urgent conservation of significant works in 2017/18. It is proposed that £50,000 of the sales income be used in 2018/19 and 2019/20 to conserve other significant works and make arrangements with partner organisations for the long term management of the remaining collection.

The net income from the sale of art is estimated at between £196,000 and £300,000.

## **10. Equality Implications**

- 10.1 When considering proposals placed before Members it is important that they are fully aware of, and have themselves rigorously considered, the equality implications of the decision that they are making.
- 10.2 Rigorous consideration will ensure proper appreciation of any potential impact of that decision on the County Council's statutory obligations under the Public Sector Equality Duty. As a minimum this requires decision makers to read and carefully consider the content of any Equalities Impact Assessment (EqIA) produced by officers.

- 10.3 The Equality Act 2010 requires the County Council, when exercising its functions, to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and other conduct prohibited under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. The protected characteristics under the Equality Act 2010 are age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief; sex and sexual orientation.
- 10.4 An EqIA is in the process of being completed and equality implications will be considered as part of the consultation process to allow an informed decision regarding the disposal of the identified art work.

*Background Information*

<http://matassa-toffolo.com/> *Matassa & Toffolo Art Collection Management*