



Executive Director/Director Non-Key Executive Decision Report

Author/Lead Officer of Report: Rebecca Maddox (Head of Business Development, Culture)

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Report to: Mick Crofts, Executive Director Place Portfolio

Date of Decision: 06/01/2022

Subject: Cultural Gifts Scheme acquisitions to be held by Sheffield Museums on behalf of Sheffield City Council

Which Executive Member Portfolio does this relate to?

Development, Culture and Regeneration

Which Scrutiny and Policy Development Committee does this relate to?

Economic and Environmental Wellbeing

Has an Equality Impact Assessment (EIA) been undertaken? Yes ☐ No ☒

If YES, what EIA reference number has it been given? *(Insert reference number)*

Does the report contain confidential or exempt information? Yes ☐ No ☒

If YES, give details as to whether the exemption applies to the full report / part of the report and/or appendices and complete below:-

"The (report/appendix) is not for publication because it contains exempt information under Paragraph (insert relevant paragraph number) of Schedule 12A of the Local Government Act 1972 (as amended)."

Purpose of Report:

The purpose of this report is to seek approval to accept artwork that has been gifted to Sheffield City Council via the Cultural Gifts Scheme.

Recommendations:

It is recommended that the Executive Director Place Portfolio:

- *Approves Sheffield City Council accepting the 13 pieces of artwork offered through the Cultural Gifts Scheme.*
- *Approves the Council entering into the Deed of Gift.*

Background Papers:

List of works at Appendix A

Lead Officer to complete:-	
1	I have consulted the relevant departments in respect of any relevant implications indicated on the Statutory and Council Policy Checklist, and comments have been incorporated / additional forms completed / EIA completed, where required.
	Finance: <i>Kerry Darlow</i>
	Legal: <i>Gemma Day</i>
	Equalities: <i>Annemarie Johnston</i>
<i>Legal, financial/commercial and equalities implications must be included within the report and the name of the officer consulted must be included above.</i>	
2	Lead Officer Name: Rebecca Maddox
	Job Title: <i>Head of Business Development (Culture).</i>
Date: 06/01/2022	

1. PROPOSAL

- 1.1 The Cultural Gifts Scheme is a government scheme which enables UK taxpayers to donate important works of art and other heritage objects to be held for the benefit of the public or the nation.
- 1.2 Through a longstanding relationship with Sheffield Museums, private collector John Alexander Charles Kirkland has offered 13 works, by various artists, to Sheffield City Council, to be held on behalf of the people of Sheffield and cared for by Sheffield Museums. The items are gifted to the Council.
- 1.3 Sheffield Museums are already in possession of all but one of the works, which are valued at £331,000.
- 1.4 This is an opportunity to expand the collection with high-quality contemporary art at no cost to the Council. The Donor has a long-standing and supportive relationship with Sheffield Museums, with the artworks being offered in this context.

2. HOW DOES THIS DECISION CONTRIBUTE ?

- 2.1 This decision will enhance the City Collection, to the benefit of Sheffield residents and visitors alike. It will provide an educational resource, provide well-being opportunities for Sheffielders, attract visitors, and improve the reputation of the city as an artistic destination.

3. HAS THERE BEEN ANY CONSULTATION?

- 3.1 No – this has not been considered necessary.

4. RISK ANALYSIS AND IMPLICATIONS OF THE DECISION

4.1 Equality of Opportunity Implications

- 4.1.1 There are no positive or negative equality impacts from this decision.

4.2 Financial and Commercial Implications

- 4.2.1 None

4.3 Legal Implications

- 4.3.1 The Localism Act 2011 provides local authorities with a “general power of

competence” which enables them to do anything that an individual can do as long as the proposed action is not specifically prohibited. A purpose of the Act is to enable local authorities to work in innovative ways to develop services that meet local need. This enables the Council to accept the artwork that is being gifted to the Council.

4.3.2 If a decision is made to accept the artwork, then a Deed of Gift will need to be entered into between the Council, John Alexander Charles Kirkland (the Donor) and the Secretary of State for Digital, Culture, Media and Sport (the Minister), who administer the Cultural Gifts Scheme.

4.3.3 Risk in and title to the artwork shall pass to the Council once the deed is signed by all parties and dated.

4.3.4 By accepting the artwork, the Council are agreeing to at their own expense:

- Hold and manage the artwork;
- Carry out works of restoration;
- Make good any reparable damage;
- Keep the artwork at Council premises;
- Make the artwork accessible to the public;
- Not allow the artwork to be moved outside of Council premises, except in specific circumstances.

4.3.5 Please note, out of the 13 pieces, one is currently on long-term loan elsewhere and so it will remain with the nominated representative until the long-term loan is terminated.

4.3.6 The Council would need to seek permission from the Minister before selling, transferring or otherwise disposing of the artwork to any person.

4.4 Other Implications

4.4.1 This is the first time that Sheffield has benefitted from the Cultural Gifts Scheme. Sheffield Museums has worked hard over several years to develop strong relationships with private collectors, and this gift is a result of this process. Philanthropy is one important strand which can support the development of arts organisations, and is to be welcomed.

5. **ALTERNATIVE OPTIONS CONSIDERED**

5.1 The Cultural Gifts Scheme works could be rejected. This would serve no

positive purpose, as it would deprive the City Collection of new works at no cost, and would damage the relationship between the donor and Sheffield Museums.

6. REASONS FOR RECOMMENDATIONS

- 6.1 By accepting these works via the Cultural Gifts Scheme, the Council is increasing the size and range of the Sheffield Collection, at no cost to the Council.
- 6.2 The works are in the possession of Sheffield Museums, and if accepted will be added to the register of works held by the Council and cared for on the city's behalf by Sheffield Museums. They will be displayed when appropriate as part of the changing exhibition programmes curated by Sheffield Museums.

Appendix A: List of works covered by Deed of Gift

SCHEDULE

1. David Austen
The Yellow Tree 2010
Oil on flax canvas
Canvas: 168 x 152.5 cm
Provenance:
Anthony Reynolds Gallery, London, 28/07/2010

2. David Batchelor
Dead Cat Bounce
2008
Steel container, electrical flex, fairy lights
Object: 140 x 65 x 65 cm
Provenance:
Galeria Leme, São Paulo, 4/3/2013
Exhibition history:
Graves Gallery, Sheffield.

3. Matt Calderwood
Gloss 2005
DVD
1 of 6
Provenance:
David Risley Gallery, London, 27/10/2005

4. Matt Calderwood
Matches 2006
DVD
1 of 6
Provenance:
David Risley Gallery, London, 18/10/2006

5. Matt Calderwood
Strips 2005
DVD
3 of 6
Provenance:
David Risley Gallery, London, 27/10/2005

6. Mark Wallinger
Ghost
2001
Scanachrome on translucent PVC, lightbox
Object: 295 x 249 x 18 cm
Weight: 130 kg
#2 of 2 + 1 AP
Provenance:
Anthony Reynolds Gallery, London, 25/10/2005

7. Mark Wallinger
Self (Times New Roman)
2010
Glass reinforced polyester, wooden base
Object: 180 cm dia: 77.2 cm
Base: 47 x 77.4 x 77.4 cm
Provenance:
Anthony Reynolds Gallery, London, 10/06/2010

8. Mark Wallinger
Hymn
1997
Projected video installation, 4' 54" (loop)
#8 of 10 + 1 AP
Signatures: signed on a gallery label affixed to the video
Provenance:
Sotheby's Contemporary Art, London 9 Feb 2006, Sale W06707, lot 420;
Anthony Reynolds Gallery, London, 14/02/2006

Literature:
Mark Wallinger. Credo. London: Tate Publishing, 2000, p. 45.
Theodora Vischer, Mark Wallinger, Lost Horizon: Basel 2000, p. 28, illustration in colour of another example
Madeleine Schuppli & Janneke de Vries. Eds. Mark Wallinger. Zürich: JRP Ringier, 2008, p. 78.
Sally O'Reilly. Mark Wallinger. Tate Publishing: London, 2015. A different edition of the work on p. 49.

9. Mark Wallinger
MARK
2010
Digital image Quicktime movie, Blu Ray, 113' 14"
#1 of 10 + 2 AP
Provenance:
Anthony Reynolds Gallery, London, 18/10/2010

Literature:
De Pont 57. De Pont Museum of Contemporary Art, Tilburg, 2011, Quarterly bulletin, volume 16 no.
3. A different edition of the work illustrated on the cover.
Sally O'Reilly. Mark Wallinger. Tate Publishing: London, 2015, p. 108.
Ed. Fiona Bradley, ed. Mark Wallinger Mark. Serlachius Museums, Mänttä; Dundee Contemporary Arts, Dundee and The Fruitmarket Gallery, Edinburgh, 2016, p. 106.

10. Mark Wallinger
Prometheus
1999
Projected video installation
#9 of 10 + 1 AP

Provenance:

Anthony Reynolds Gallery, London, 24/05/2007

Literature:

Mark Wallinger. Credo. London: Tate Publishing, 2000, pp. 66-67.

Madeleine Schuppli & Janneke de Vries. Eds.. Mark Wallinger. Zürich : JRP Ringier, 2008, p. 79.

Sally O'Reilly. Mark Wallinger. Tate Publishing: London, 2015, A different edition of the work on p. 54.

11. Mark Wallinger

Threshold to the Kingdom

2000

Projected video installation, 10' 11"

#10 of 10 + 1 AP

Provenance:

Anthony Reynolds Gallery, London, 19/04/2006

Literature:

Mark Wallinger. Credo. London: Tate Publishing, 2000, pp. 108-109.

Text by Ralph Rugoff. Mark Wallinger - British Pavilion, The 49 th Venice Biennale 2001. London:

The British Council, 2001.

Madeleine Schuppli & Janneke de Vries. Eds. Mark Wallinger. Zürich: JRP Ringier, 2008, pp. 120- 121.

Sally O'Reilly. Mark Wallinger. Tate Publishing: London, 2015, A different edition of the work on p.60.

12. Mark Wallinger

Angel

1997

Projected video installation, 7' 30"

#7 of 10 + 1 AP

Provenance:

Stuart and Margaret Evans, London, 05/05/2006

Literature:

Pier Luigi Tazzi. Mark Wallinger is Innocent. ociété des Expositions du Palais des Beaux-Arts, 1999.

Mark Wallinger. Credo. London: Tate Publishing, 2000, pp. 48-49.

Text by Ralph Rugoff. Mark Wallinger - British Pavilion, The 49 th Venice Biennale 2001. London:

The British Council, 2001.

Mark Wallinger. Easter. Milan: Artache, 2005, pp. 41-48.

Madeleine Schuppli & Janneke de Vries. Eds. Mark Wallinger. Zürich: JRP Ringier, 2008, pp. 76- 77.

Sally O'Reilly. Mark Wallinger. Tate Publishing: London, 2015, A different edition of the work on p.

48.

Ed. Fiona Bradley, ed. Mark Wallinger Mark. Serlachius Museums, Mänttä; Dundee Contemporary Arts, Dundee and The Fruitmarket Gallery, Edinburgh, 2016, p. 36.

13. Mark Wallinger

The End

2006

35 mm film projection, 12'

#1 of 5 + 1 AP

Provenance:

Anthony Reynolds Gallery, London, 01/10/2006

Literature:

Madeleine Schuppli & Janneke de Vries. Eds. Mark Wallinger. Zürich: JRP Ringier, 2008, pp. 68- 69.

Sally O'Reilly. Mark Wallinger. Tate Publishing: London, 2015, p. 70.

Ed. Fiona Bradley, ed. Mark Wallinger Mark. Serlachius Museums, Mänttä; Dundee Contemporary Arts, Dundee and The Fruitmarket Gallery, Edinburgh, 2016, pp. 138-139.