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Pàrlamaid na h-Alba

Official Report

BURRELL COLLECTION (LENDING AND BORROWING) (SCOTLAND) BILL COMMITTEE

Monday 9 September 2013

Session 4

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BURRELL COLLECTION (LENDING AND BORROWING) (SCOTLAND) BILL COMMITTEE

2nd Meeting 2013, Session 4

CONVENER

*Joan McAlpine (South Scotland) (SNP)

DEPUTY CONVENER

*Jackson Carlaw (West Scotland) (Con)

COMMITTEE MEMBERS

*Mark Griffin (Central Scotland) (Lab)
*Gordon MacDonald (Edinburgh Pentlands) (SNP)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Alan Eccles (Maclay Murray and Spens LLP)
Councillor Archie Graham (Glasgow City Council)
Sir Angus Grossart (Glasgow Life)
Dr Bridget McConnell (Glasgow Life)
Hon Christopher McLaren (Samuel Courtauld Trust)
Ben Thomson (National Galleries of Scotland)
Jeremy Warren (Wallace Collection)

CLERK TO THE COMMITTEE

Joanna Hardy

LOCATION

Pollok House, Glasgow

Scottish Parliament

Burrell Collection (Lending and Borrowing) (Scotland) Bill Committee

Monday 9 September 2013

[The Convener *opened the meeting at 10:00*]

Decision on Taking Business in Private

The Convener (Joan McAlpine): Good morning and welcome to the second meeting of the Burrell Collection (Lending and Borrowing) (Scotland) Bill Committee. I am the committee's convener. I remind everyone who is present to turn off their mobile phones and BlackBerry-type devices, as they can interfere with the sound system. We have no apologies and no additional MSPs are attending.

Agenda item 1 is a decision on taking business in private. Does the committee agree to take in private item 3, which is consideration of the evidence taken and the next steps in our scrutiny of the bill at preliminary stage?

Members *indicated agreement.*

Burrell Collection (Lending and Borrowing) (Scotland) Bill: Preliminary Stage

10:01

The Convener: I welcome our first panel of witnesses and invite short opening statements.

Councillor Archie Graham (Glasgow City Council): Welcome to Glasgow. I am the deputy leader of Glasgow City Council and the chairperson of Glasgow Life.

Sir William Burrell devoted his life to amassing a collection of international significance. A man of extraordinary vision, he collected the finest objects with skill, a scholarly knowledge and incredible care. Today, the Burrell collection is recognised as being unique, the undoubted jewel of Glasgow's collections and a flagship for Glasgow and Scotland.

The bill that the committee is considering will enable the city of Glasgow to unlock the potential of this outstanding collection. In bequeathing his collection, Sir William Burrell was determined that it should benefit the people of Glasgow. Some 60 years later, we have an opportunity to realise the full benefits of his gift.

Glasgow needs to be able to share its inheritance with the rest of the world. No major collection can flourish without being part of the international community of exchange. It would benefit Glasgow and Scotland to be able to share some of the treasures, which would confirm our place as a cultural city of global significance.

Around the world, major new museums are being built and are competing for tourists and revenue. By touring the collection, we will not only bring it to the world's attention—an aspiration that we have been unable to meet to date—but learn much more about it from the world-class museums and galleries that we lend to.

The international knowledge that we will be able to access will assist us with improving our conservation and research and with further interpretation. More than that, we will become part of an international community of the finest, high-profile cultural institutions. That will allow the people of Glasgow and Scotland to enjoy reciprocal loan arrangements, which will allow some of the world's finest treasures to be displayed in our city.

The global competition to attract visitors' attention and engage them grows more intense by the year. Through the Burrell collection, Glasgow and Scotland have an opportunity to be seen as a leading player and to compete on a global stage.

The bill was introduced after detailed discussions between Glasgow City Council, Glasgow Life and the Burrell trustees. We now have an agreement that would govern any lending from the collection, which I understand that the committee has a copy of. We firmly believe that that will allow our partnership to flourish. The agreement allows the city, with the trustees' consent, to lend items that form part of the Burrell collection to the finest museums and galleries outwith the United Kingdom and to borrow items from other collections, which will allow us to show them in the context of Sir William Burrell's extraordinary collection.

The building that houses the collection is 30 years old. It is grade-A listed and is exceptional. Many items from the collection form part of its fabric. However, the roof is leaking, and environmental conditions have deteriorated. If those issues are not addressed, they will have an impact on the collection's preservation.

Since 2003, Glasgow City Council has invested £3 million in remedial works in the building. However, the only sustainable long-term solution is to embark on a major refurbishment of the building, to enhance and protect the collection for future generations. Rather than store the treasures during the building work, we have an opportunity to showcase them around the world.

At the time of drafting his will, Sir William Burrell, a shipping magnate, was all too well aware of the perils of transporting precious cargo by sea. He saw 30 of his ships lost over the course of two world wars. In correspondence with Glasgow museums, he expressed concern about the packing and transportation of his objects after observing at first hand the mishandling of items being delivered to an exhibition in Grosvenor house. It is perhaps understandable, then, that having given his life to collecting such treasures, he was adamant that the utmost care should be afforded to them after his death.

Today, transportation has changed beyond all recognition and strict international safeguards apply to the transport of artworks, which is invariably done by air freight in specially designed and constructed, environmentally controlled containers. In the past five years, Glasgow has loaned 403 objects to 150 venues in 12 countries and received over 1,700 objects from 244 lenders from eight countries. There has never been a single insurance claim as a result of damage to any of the items that have been on loan. I am sure that committee members have noted the submission from Museums Galleries Scotland, which states:

"national and international standards exist to ensure that lending and transportation of museum collections are conducted under strictly observed conditions."

Sir William's collection remains in the safest of hands and I am delighted to say that the British Museum, which is recognised as the world's leading authority on touring items, has agreed to work in partnership with the city in developing our plans for any international tour. Given such safeguards and the strength of our partnerships, I have no doubt that, today, Sir William would approve of what we are proposing to the committee, safe in the knowledge that his precious cargo will not be at risk.

We have an opportunity to have the potential of this great collection recognised and to build its reputation internationally and showcase Sir William's achievements to the world. Scotland is blessed with a wealth of cultural treasures, but the potential of the Burrell collection to be recognised as one of not only Scotland's but the world's great collections can now be realised. We look forward to working with the committee and the Parliament to unlock the potential of Sir William's great gift to the people of Glasgow.

The Convener: Thank you very much, Mr Graham, for that extensive introduction. I invite other members of the panel to make introductory comments.

Sir Angus Grossart (Glasgow Life): I will make just a brief comment on why I am here. I was aware of the issues surrounding the previous attempts to change the lending restrictions on the Burrell collection. I had always viewed that as unfinished territory, without ever having a direct interest in it myself. When I was asked to become involved, I did so primarily because of my interest in the collection, both as a modest but active collector myself and having chaired two national institutions: the Heritage Lottery Fund and the Fine Art Society. I have quite an active hinterland in relation to collections and collectors.

It seemed to me that there was a particular opportunity and need to liberate the collection and its strength internationally that was quite detached from any question of the condition of the building. My views would have been the same even if there had not been a need to address refurbishing the building. I came into this on an independent footing. I had other challenges that I might have pursued, but I thought that this was of great significance to Scotland and highly important to Glasgow. I believe very strongly in the case that has been put to you.

The Convener: Thank you very much. Dr McConnell, is there anything that you would like to say?

Dr Bridget McConnell (Glasgow Life): I will place the matter in the context of the cultural policy of the city and the importance of cultural policy not only for Glasgow but for the country.

Over the past 20 years or so, Glasgow has invested £400 million in its cultural facilities. Its biggest investments were those most recently made in Kelvingrove and the new Riverside museum, which was built by Zaha Hadid. That investment has two purposes. First, it is a recognition that museums and the collections that are bequeathed to them are there for the people of the city, as Councillor Graham mentioned. Secondly, from a museums point of view, collections are left for the benefit of humanity. They are about how we better understand each other as human beings and how, through constant research, we come to deeper and more meaningful understandings.

That may sound a wee bit glib, although it is not meant to. In current times, we cannot overestimate the value of museums and culture for tourism, the economy, education, social benefit and, as the British Museum is demonstrating, cultural diplomacy. Believe it or not, recent exhibitions on Iran by the British Museum have allowed engagement at the highest political levels in situations where relationships, as you all know, are not that good. As I mentioned, culture can not only help and deepen understanding, but allow dialogue where that has failed elsewhere.

I know that the committee's focus is on the issues related to Sir William Burrell's will, but the matter must be seen in the context of wider aspirations for the city and the country. When the Burrell collection opened in 1983, it had 1 million visitors. Sadly, the figure is now down to fewer than, in some years, 250,000 visitors. On access figures alone, how we are benefiting the people of the city and humanity has been diminishing since that time.

We seek to amend the will. We believe that were Sir William Burrell alive today, he might—obviously we do not know for sure—be in agreement with us in view of the circumstances of the time. We believe that his intention was to make the collections available to the widest possible public. He demonstrated that by loaning items from his collection to exhibitions. For example, he loaned items for the 1901 great exhibition at Kelvingrove, funds from which eventually led to the building of Kelvingrove art gallery and museum.

It is hugely important not only to increase our visitor numbers but to make the wider public here and abroad aware of this incredible collection, which was the incredible vision of one man. Making the collection more widely available will allow us to work with other museums and connect up collections and important items for research and publication purposes. Perhaps we will talk later on about the importance of research and publications.

My final opening comment is that the city council took an unusual step for a local authority when it invested huge amounts of money—let me get the right figure; it was at least £12 million, and possibly more—in the Glasgow museums resource centre in Nitshill. The centre is not just a warehouse. It is publicly accessible 360 days a year and it is a centre for research, conservation and wider study for both the public, such as local history groups, and scholars from abroad. The Heritage Lottery Fund committee gave £2 million to the project and the city invested £16 million—that is the figure.

Why was that investment made? It was understood that the preservation and best possible care and understanding of collections is an inherent part of making access possible. Those are not two separate things. People cannot just open doors; they must be able to interpret and give meaning to what is on display. Let us not forget that nothing beats seeing real live objects as opposed to photographs and images on a website.

The Convener: Mr Eccles, is there anything that you would like to add?

Alan Eccles (Maclay Murray and Spens LLP): The only thing that I would add is that my role as the legal agent for the council has been to guide it through the appropriate procedures for seeking the lending and borrowing powers and to have regard to the range of legal issues in charity law, succession law, contract law and so on. It became apparent that the appropriate and competent method of seeking the changes was to promote a private bill, as no other single coherent way would allow the powers to be set out as they are today.

10:15

The Convener: Thank you very much.

Committee members have questions on a number of areas, which I thought it might be helpful to outline before we start. We want to look at the will and the intentions of Sir William and how to interpret them, we have some detailed questions on the refurbishment plans for the Burrell gallery and we would like to know a little more about your plans for the collection's tour. We also have some detailed questions about the draft code that you have submitted as written evidence.

I begin by referring back to Sir William Burrell's will, as that is what this is all about. We all understand the magnitude of overturning Sir William's wishes, which is why the process has taken such a long time. I have read the will and it seems clear that the integrity of the collection was extremely important to Sir William and Lady Burrell. For example, they specified that the items should be displayed in a similar way to that in

which they were displayed in their home at Hutton castle. Does that not suggest that Sir William's primary concern was to keep his collection intact, and does that not reflect badly on any intentions to change the terms of his will?

Sir Angus Grossart: With respect, I think that you are conflating two different points. He was anxious to maintain the consistency of display that he had in his house. For example, he wanted three of his public rooms to be incorporated in the new museum. However, his sense that his collection fitted together was not inconsistent with his desire to provide access to the public, and he was a considerable lender. During the second world war, there were loans from the Burrell collection to about 30 institutions, nearly all of which were of national significance. Therefore, I do not think that there was an inconsistency between his desire to demonstrate the Burrell collection and the flexibility that he was prepared to consider.

He had a number of restrictions that concerned him, which were partly about pollution. However, he flexed the 16-mile restriction, for example, reducing it by 3 miles to embrace the Dougalston estate, which everyone accepted was a probable solution until it was subject to prospective coal mining underneath, the offer was withdrawn and everything went back to the drawing board. It was only subsequently, after his death, that the Pollok estate became accessible.

Sir William was a man of considerable flexibility, and we see that in the way in which his collection evolved. I am thinking particularly of the substantial changes that occurred in the last 20 or 30 years of his life, when he began to aim towards public display. It seems—nobody knows or would put themselves in his shoes—that, until he moved to Hutton, it was a private collection. I suspect that he was then overwhelmed with the quantity of material that he had, much of which had been added to his stores, which was unsatisfactory, and he turned his mind to the future destination of his collection.

Public accessibility was key to Burrell. He was not, as he is often portrayed to have been, an introspective, possessive collector. For many years, he was a trustee of the National Galleries of Scotland and of the Tate. He travelled extremely widely, quite apart from his international shipping business. Every year, he would visit Europe, and he went to South Africa and the Caribbean. His advisers, who were largely dealers, were among the best in the world. He went to Paris every year—sometimes twice a year—where he dealt with not one, but a number of the top dealers. He was an outward-looking and international man whose collection is remarkably international in its diversity.

His desire to show the display context of his collection is familiar in many collections, such as at the Barnes museum in Philadelphia, where there were major issues with the collection, which had been housed 15 or 20 miles outside Philadelphia. I visited it in the spring as part of my groundwork for the Burrell. There, because the collection was located so far out of town, the number of visitors was minimal. It took about 10 years, but a variation of the will was made to permit a new gallery to be built in the centre of town. All the displays are exactly as they had been in the original setting. There are many precedents that I could adduce.

The Convener: Thank you, Sir Angus. I ask the witnesses to be a little briefer, to enable us to cover all the ground.

Dr McConnell: I would like to make two points in response to your question, in which you raised an extremely important issue. It is important to lay down that the collection and the building are integrally linked. It is clear in the will that Burrell wanted the collection to stay together, and the building was created for that purpose. There will never be any deviation from that—it is always the intention that the building and the collection are at the core. What we are looking at is how we can widen access, allow people to learn more about the collection and make the exhibitions that are on display here more meaningful.

There is another point to remember as far as the code that we have agreed with the trustees is concerned. I suppose that you are finding that, legally, there is no such thing as one truth—a lot of it is interpretation. Ultimately, the trustees—who are responsible for ensuring that Sir William's will is enacted—will have the final say, and that is enshrined in the code. I guess that the ultimate fallback position is that the trustees are the final deciders, in a sense, as regards what should happen with any potential loan.

The Convener: Thanks very much.

To stay with the will for a moment, I return to Mr Graham's opening comments. You reflect a generally held interpretation of Sir William's wishes, which is that he was worried about ship transport and that that is why he did not want the material to be lent outside Great Britain. However, in paragraph 27 of the policy memorandum, it is stated that there is nothing written down to explain why Sir William did not want his collection to be lent overseas. Is that correct?

Councillor Graham: To the best of my knowledge, there is nothing written down that says that. I guess that we are making a bit of an assumption because of Sir William's connection with the shipping world. That is where we are coming from when we make that statement.

However, I think that the committee should also remember that Sir William was concerned about pollution and all the rest of it, which is why he wanted the collection to be kept a certain number of miles outside the city. Collectively, we have deviated from that and have housed the collection here, in the middle of the city, so we have already tried to address one of the issues that he had concerns about. Given our track record of lending and borrowing items, which I referred to in my statement, we are confident that all the safe transportation issues can now be dealt with.

The Convener: Of course, as you will be aware, Sir William was still alive when the deviation in terms of the location of the gallery was decided. We have some idea of his intentions in that regard, but we do not know what his intentions were in relation to overseas lending.

The Herald reported that Dr Nicholas Penny, the director of the National Gallery in London, has claimed that moving works of art has led to several major accidents and instances of damage, and has said that he is opposed to overseas lending of the collection. Given the prominence of those comments, would you like to comment on them?

Dr McConnell: We were surprised to hear that view from Dr Penny, not least of all because we loan items from our museums collection to him. Indeed, he has asked for a Rembrandt from Kelvingrove museum—probably our most valuable item—for a major exhibition in London next year, which will be held in partnership with a museum in Amsterdam and a range of other collections.

I am not quite sure about the context of those comments, and he is not here to interpret them further. I can speak only from our point of view. We have an annual report which concerns our collections agreement and is presented to the council every year—we can give you a copy of it. It provides detailed analysis of everything that has happened to our collection in terms of loans and damage. We list every item of damage and, as Councillor Graham said, in more than 20 years, we have no history of any damage to items going out on loan or being brought in on loan. Unfortunately, we have examples of items being damaged by the public or through accidents by members of staff. All of those are logged.

I do not know what incidents Dr Penny is referring to. I can only assume that he logs such incidents with regard to the works for which he is responsible, as he is in charge of a public collection. That is quite right because, as I said, we are talking about items that are assets not only for a city but for humanity, which means that they are part of the public good.

I do not know the background to Dr Penny's comments but, as I said, there is no such thing as one truth and, with regard to decisions about wills and legal issues, a lot of it is about making value judgments.

I think that the British Museum last year loaned out 4,000 items. It is regarded as the biggest lender in the world. Its confidence in our ability to protect and enhance the Burrell collection gives me great reassurance. That is not to say that we do not have any regard for what Dr Penny has said; it is simply that we take on board a range of views, and I point out that the National Galleries of Scotland, the National Museums of Scotland, Museums Galleries Scotland and other collections all have views that are similar to ours.

We recognise that there is no way of saying that there is no risk—it would be wrong to say that—but it is about making a balanced judgment.

Sir Angus Grossart: I have lengthy experience of lending programmes, their impacts and their risks. I find it difficult to understand what Dr Penny's point is. At one extreme, he seems to be suggesting that all loans create a risk and that it is therefore unwise to engage in the practice. However, that is inconsistent with his own practice. For example, the great Vermeer exhibition that the National Gallery held last year was substantially dependent on borrowing, as is the case with the upcoming Vienna 1900 exhibition. It would be ironic if you borrowed from others but were not prepared to lend.

I am well familiar with the attitudes towards collections that exist within the curatorial league. They vary from squirrelitis, which is an extreme possessiveness and almost a progressive condition, to an advanced view that collections are enhanced by the wider engagement that lending permits. That was my experience in spades at the National Galleries of Scotland, which was transformed by a much more international approach and a generous view of the engagement that could be created with others. The same applies to the National Museums of Scotland.

10:30

At the extreme, the introspective view can get some to the point at which they say, "We are here to protect the objects from the public." However, there are now accredited standards of care, as well as the scrutiny that is given and restrictions—anything that is not capable of being moved should not be if it is at risk of being damaged—and we have the added wicketkeeper of the Burrell trustees, who will have the last say.

In the spring, I visited the Musée de Cluny, which is the national museum of the middle ages in Paris, as I was very interested in the comparison. It has many aspects that are similar to the Burrell. I met the director and had a very

interesting day. She said that the museum had lent internationally for the first time, sending a collection of around 130 objects—tapestries, metal work and polychromatic sculptures—to Quebec. I will leave with you the catalogue for that exhibition, which illustrates stained glass. I will leave it not because the museum was necessarily right, but because a very distinguished institution in very similar collecting territory was able to satisfactorily mount an exhibition across the Atlantic.

The Convener: Thanks very much, Sir Angus. That is very helpful and kind of you.

We will move to questions from committee members.

Jackson Carlaw (West Scotland) (Con): I want to go back to a point that we have discussed and which you advocate in relation to the will. I do not think that there is any doubt about the desirability of collections lending and borrowing—Sir Angus has articulated that. However, there is something that I want to understand. In being invited to set aside Sir William's will and his expressed wishes in it, in what sense after the bill was passed would the Burrell collection and Sir William's bequest be any different from anything else that Glasgow currently owns? By simply the possibility of its being lent thereafter, will it not just become part and parcel of the traffic of items that the city owns?

Dr McConnell: I would say no. As I said earlier, the building, the Burrell collection and the commitment to there being one building and one collection and to the integrity of protecting that will remain. Indeed, the trustees' sole or prime job is to ensure that the spirit of the will is enacted.

Members will know that, in 2005, the Parliament passed legislation to allow cities, organisations, local authorities and the Government to amend wills in recognition of the fact that wills are written in times when and in places where, with the best will in the world, people are undoubtedly influenced by the circumstances that exist.

We believe that by amending the will we will not damage the integrity of the collection but deepen and enhance understanding of it. It will allow things that we have never been able to show together to come together for the first time. Indeed, we know from the records that Sir William sought to purchase some things for the collection but failed to get them. Some of those things are now sitting in North America and in European museums. It would be wonderful and would assist understanding and advance the research programme if we were able to bring such items together.

Jackson Carlaw: I understand your point. We will hear from the Wallace Collection this afternoon. Sir William's collection is a very idiosyncratic and widespread one. The Wallace Collection does not lend and does not allow other items to be displayed alongside its collection—I do not know why, but we will ask about that; I imagine that it is because it is felt that to do so would in some sense undermine the integrity of the idiosyncratic nature of the collection itself.

I am in a slightly odd position: I understand and agree with what you said, because I think that it would be wonderful to see all that happen, but that is not actually what the will says. I understand why there are certain provisions in the will—pollution being an obvious one because there was genuine concern about that—but I would have said that the general lending of the collection is a much more timeless and universal consideration to put into the bequest. What is it that you think is so compelling that it should persuade us that the provision regarding lending should be overturned and not honoured as such provisions are in one or two other collections? After all, the city obtained the collection because it was prepared to honour particular provisions in the bequest. Others who were in the market for the collection at the time might also have been quite keen on it if they had known that all the provisions could be set aside in due course. Why should it not be possible for the integrity Sir William's collection to be maintained in the way that one or two other collections are—collections that are also uniquely idiosyncratic in nature?

Sir Angus Grossart: Part of the integrity of the collection is to do with its totality, but if you allow the collection to be entirely static and deprive it of the benefits of scholarship, you will get the situation whereby the Burrell is seriously underresearched in a number of areas. The 1,200 Chinese objects make up the largest part of the collection, but it is only next year that the real treasures that are among the best—the tapestries—will be catalogued. Given that Burrell started the catalogue in 1944, that has taken 70 years. Our concern is the living sense of the collection.

The collection is not displayed in Burrell's own house. It is a collection that respects his wishes, but we seek recognition that the context of the wishes has evolved. Just as with what happened with the environmental variation that occurred and the change in distances, we think that what is proposed is perfectly fair and will not do violence to the spirit of what Burrell intended. That is part of the essence of looking at wills. Without going into the legal options, there are precedents for what are called cy-près schemes—the variation of trusts—but that is not what is before us today. The idea that you should not or cannot look at a change in context is wrong.

Dr McConnell: Can I give just a few facts that might help? There is no one compelling reason; rather, there are a number of reasons that we think make up our case. First, there are more than 9,000 items in the collection, but we can display only 2,000 at any one time. Indeed, our ambition with the refurbishment is to be able to display more, but we will never be able to display 9,000.

Jackson Carlaw: Have they all been displayed? I am not clear about that. Over the 30 years, how much of the collection has actually been displayed?

Dr McConnell: I would need to get you the precise figure but it is certainly less than half. Some of that has to do with conservation, research and, obviously, display space. The Burrell trustees also look after a small fund that they have used to add to the collection over the years; I think that to date 85 purchases have been made. As a result, although the collection has increased only by a small number, it is still increasing.

The question is whether it is better for things to be on display, perhaps in other places. Given that apart from the one-off tour the possibilities of doing another major tour in our lifetime are not very high, we are talking here about the ability to occasionally lend one-off items for research or conservation purposes. That is a really big deal; the recent loan of the Dudley tapestry to English Heritage allowed that organisation to carry out very expensive conservation work and intellectual research that gave us a greater understanding of the item. We could not have afforded any of that, and the item would have languished in a store somewhere. It is not that we do not want such work to be carried out but as we have more than 9,000 objects we therefore have to make choices about what we prioritise in that respect.

As for the integrity of the collection, we should not forget that Sir William Burrell allowed—and allows—us to lend within the UK. There is no one compelling reason for our proposal but I hope that there are enough reasons that make our case.

Gordon MacDonald (Edinburgh Pentlands) (SNP): On that very point, how often do you refresh or rotate the 2,000 items that you say you can have on display at any one time to ensure that you display as many as possible of the 9,000 items in the collection?

Dr McConnell: The rotation would probably have been built in when the museum was built and the displays organised; normal practice at the time was for items to be rotated every 10 years, if you were lucky, or perhaps even longer.

In refurbishing Kelvingrove and building the Riverside museum, we have tried to build in a potential to rotate the main collections every two to three years. I am not talking about the whole collection, but there will be a rolling programme in which certain elements of the collections will change. As far as museums are concerned, that is progress and it is linked to design and so on. In fact, you will hear more about that when you visit the museum this afternoon.

If we are able to refurbish the building, we will look to rotate the collections. However, that will also be predicated on the quality of conservation—

Gordon MacDonald: So you do not rotate items at all.

Dr McConnell: Very few, apart from temporary exhibitions that we display in the collections.

Gordon MacDonald: You say that you want to enhance the collection by bringing in things from abroad but are there not items among the 7,000 not on display that would enhance it and which would mean that you would not need to borrow anything?

Dr McConnell: Not necessarily. As was said earlier, the collection is eclectic, which means that it contains early renaissance work, Chinese and Islamic art and so on. Some of the artwork such as the tapestries that I mentioned earlier and the stained glass are parts of sets; stained glass, say, that might have been in one church or building could be scattered across the world and you would want to bring all that together. This comes back to my point that for us the building and the collection are not two separate issues but have to be inherently linked, not just as far as the will is concerned but with regard to our ability to display, conserve and research more of the collection.

Sir Angus Grossart: There is also the question of achieving a balance. One of the great achievements of a museum is to inspire. First it inspires, then it informs. Best practice has moved away from having vast numbers of items on display to having rotation and showing the best objects. What lights the creative spark for the people who come along and may not have expertise, or who are very young, is seeing something that is really significant, so the challenge is to capture the excitement and balance that with objects that can be brought in to enhance the picture.

The building itself has elements of static display that were not wrong when they were done; in fact, such displays were very advanced at the time. However, lighting techniques, non-reflective glass and air-conditioning permit a major review of how the collection is shown, so there can be a much more active approach to the reserves of the collection. Consistent with that, it can engage externally. The borrowing and lending is a relatively small part of what will happen, but it is significant. It is not as if there will be vast numbers

of items involved. In the National Galleries of Scotland and National Museums Scotland, we had loans in the low hundreds, so the numbers are not necessarily vast.

10:45

Gordon MacDonald: Do you want to move on to lending?

The Convener: We should talk about the building itself.

Gordon MacDonald: Over the past 30 years, if my understanding is correct, there has been a problem with the roof. Mark O'Neill, head of arts and museums, said in the 2007-08 Glasgow museums annual accreditation report:

"the Burrell Collection's roof ... has leaked almost since it was built".

You say that you have spent £400 million over the past 20 years investing in museums in the Glasgow area. Why have you not resolved the problem with the Burrell collection roof, given that it has been a problem almost since the day it opened?

Dr McConnell: There are two reasons. First, we have to make priorities, and I shall come back to that in a moment. We had similar, if not worse, conditions at Kelvingrove and in the Kelvin hall, where the museum of transport was housed and its collections were regularly flooded. When we had to make priority decisions, as long as we were able to fix problems and protect items at the time, that is what we did.

The other reason is that it is dramatically complex. I am not a technician or an architect, so I do not understand the reasons, but I know that we have recently had experts in from Belgium and from all over the world whose view is that the travel of water in the roof is remarkable, and it seems that their solution is to take the roof off and do it again.

The very first thing that I said was about the importance of culture for the city. You know about the process of grant-aided settlement, where there is an assumption about how much an area needs to fund a museums service. In our grant-aided settlement from Government to the city, we get approximately £18 per head of population to spend on museums. The city actually spends, and has been spending, £27 per head, and that has to come from its overall grant and from council tax. It is a double-edged sword; those who are not interested in culture could say that that is not a great thing, and those who are could say that it is. The city's assessment, with a wide range of views within the council, is that culture and museums are important for the economic and social vitality of the city, not to mention its obligations to those who have left collections to it and to preserve collections for humanity.

I hope that I am answering your question. What I am saying is that we have had to make priorities and that we already spend more money than we could reasonably be expected to spend. The roof at Kelvingrove and the damage to the collections in the basement of the Kelvin hall transport museum were right at the top of the risk assessment.

There is another thing that the audit committee asked me to mention if I had the opportunity. We have a detailed risk programme, and those other museums would have been right at the top in other years. At the moment, the Burrell museum is our number 1 risk. It has come up behind the other ones, but it is the number 1 risk at the moment.

Gordon MacDonald: I understand that there are competing priorities, but £400 million is a substantial sum to invest in museums—

Dr McConnell: Sorry, but that was for culture, so it includes music and concert halls.

Gordon MacDonald: Okay, but your venue development strategy document, which was produced in July 2001, said that the Burrell collection was

"in urgent need of attention."

It continued:

"The cost of replacing these roof areas is estimated at £1.75 million."

When included with upgrade to plant, retail areas and display and exhibition areas, the cost was

"likely to be in the region of £4 to £5 million."

That sum was included in the capital investment priorities covering 2001 to 2005 for the year 2004-05, so why did that not go ahead?

Dr McConnell: Those were the city's capital priorities, so that sat alongside capital priorities such as building care homes and dealing with schools with leaking roofs and other problems. There was some investment to ensure that the collections were protected as far as possible, but there were competing priorities. Within the capital investment budgets that we are talking about, the city had to make decisions in the context of considering how much to spend on roads, education, social work and culture. The issue was not just priority within the culture budget but priority within the overall capital programme, and that remains the case. The council has a capital programme. As members will imagine, there is a wish list of probably billions of pounds of measures, but the council has to make decisions on what it can afford and what is a priority at the time.

Gordon MacDonald: I understand that there are competing priorities. You say that there is a wish list. The gallery is due to close from 2016 to 2020. The refurbishment is on the wish list, but how much of it is a priority, bearing in mind that previous plans did not come to fruition? How much is it expected to cost to refurbish the gallery during 2016 to 2020 and what will that involve? Is it just a matter of fixing the roof and tidying up the displays, or is it a lot more substantial than that?

Councillor Graham: I will talk about the priority issue and then Bridget McConnell can come back in.

We have a notional figure of £45 million to do the job properly. We hope that we might be able to persuade the lottery to provide £15 million of that. The council intends to put £15 million into the pot, and we hope to raise the other £15 million through sponsorship and fundraising. We would normally establish a trust, as we did with the Riverside museum and the Kelvingrove museum and art gallery to raise funds. We are talking about raising a third of the money from the lottery, a third from the council and a third from fundraising.

It is clear that we cannot continue with a sticking-plaster approach. Although we have spent £3 million on the building, staff are going around with buckets because of water ingress. In my opinion, the roof is clearly a case of bad design. We need to do the job properly. It is a major priority for the council to invest in and we are committed to providing that £15 million.

I do not know whether Bridget McConnell wants to add anything.

Dr McConnell: It is a priority. It is the number 1 risk according to the company's audit committee and it is on the city's capital programme. The £15 million that needs to be raised from other sources is huge. I stress that the figures are notional, but they are based on our experience of refurbishing Kelvingrove, when we received nearly £13 million from the Heritage Lottery Fund and Lord Macfarlane led a fundraising campaign that raised nearly another £13 million. The situation was similar with the Riverside museum but, because the economic climate changed, we raised barely £5 million from fundraising for that. While the economy is either not improving or improving only very slightly—it depends on who you speak to—we will find it extremely difficult to raise funds.

The asset and unique selling point of the Burrell collection is the imagination and vision of the man who created this incredible collection—that in itself is an amazing story. The collection is eclectic, and we had assumed that there were some really wonderful things and perhaps some not so wonderful things.

The little bit of research that we have been able to do is beginning to indicate that most of the collection consists of the best of Islamic art, Chinese art or whatever. It is an incredible jewel for the country, and it would be good to be able to raise its profile—as I mentioned, the number of visitors has fallen from 1 million per year to less than 250,000.

The collection is still a bit of a secret, both here and internationally, and being able to amend the will to allow us to do such a huge—and probably once-in-a-lifetime—tour while the building is closed will raise awareness at home and abroad. In addition, we hope that it will preserve the collections for future years by allowing the international community's arts institutions to engage with us in research, conservation and mutually beneficial loans.

As Angus Grossart pointed out, we are talking about a relatively small number of loans. At present, I cannot imagine that, out of 9,000 objects, the amount of objects loaned would reach three figures. The amount is small, but it would be crucial and targeted. One should not forget that we reject a lot of loan requests, and we would be lending only where there is a benefit for the item in terms of conservation or intellectual understanding. I hope that I have partly answered Gordon MacDonald's question.

Gordon MacDonald: I am still trying to understand. Given that in 1983 the building cost £22 million, of which the council put up half, what does £45 million buy?

Dr McConnell: We have a very high-level strategic master plan, but you have to start somewhere with a notional building project. We hope to have an additional picture-hanging gallery, and obviously the roof would be improved.

The displays and the education facilities would also be improved dramatically, and we intend to display more objects. There are areas that are currently underused, such as the lecture theatre. It was great in its day, back in 1983, with new technology for engaging with audiences, but it is now a huge space that is not very well used. There is huge space internally in which we can expand the museum. It is a grade A-listed building, so we would have to work closely with Historic Scotland—as we did with the Kelvingrove project—to ensure that the overall rationale and integrity of the building is not breached in any way. We have a lot of experience of working with Historic Scotland.

People would, we hope, get to see more, and there would be better interpretation and displays. The environmental controls would be hugely improved, and the roof would never leak again.

Gordon MacDonald: Would the building's footprint stay the same? Would the additional picture gallery involve an extension or just an internal reconfiguration?

Dr McConnell: There would be an internal reconfiguration. For your visit to the museum, I have specifically asked staff to give you drawings—if they have any—to let you see that, and if they do not, they will take you to the lecture theatre. That is one of the spaces that we think can be redesigned architecturally to give us a fantastic picture-hanging gallery, and you will be able to see that when you are there.

Sir Angus Grossart: About 20 to 25 per cent of extra space could be created. If we are going to substantially rework the roof and in effect take much of it off, we will have to clear the galleries below, so the whole collection will have to be moved and the stores emptied. That is the physical sequence that dictates what will happen, and it provides a chance—perhaps the last for many decades—to do what needs to be done.

Councillor Graham: So the footprint would stay the same, to answer the question.

Gordon MacDonald: I have two points regarding the four-year closure period. First, I spoke to a civil engineer friend of mine who said that four years is a long time to close a building for refurbishment, unless you are keeping it open and doing the work in phases.

Dr McConnell: It will take approximately three and a half to four years. When we closed Kelvingrove, we were anxious about doing so as it was our most visited museum. We initially thought that we could refurbish it while keeping part of it open, but Manchester's experience of major gallery developments, where they did exactly that, proved to be a hugely unsatisfactory experience for the public, and ironically extended the time that it took to refurbish the museum. It is therefore not on a whim that we think we will close the collection; the decision is based on best museum practice and evidence from elsewhere.

I remember that, because the Kelvingrove refurbishment was the first big one of its kind that we had done, we were overly optimistic. We said to people, "It will be closed for only two years," and it was closed for slightly longer than that. We believe that we should be up front about what we think is the optimum time to do everything that needs to be done.

11:00

Sir Angus Grossart: It will take that length of time. I was chairman of National Museums Scotland when the national museum of Scotland was closed for three years. Everything had to be taken out, because it is very difficult to do things partially. It was a push to get it done in three years; it was very difficult. Three years seems like a long time, but once you get into a period building—this is an A-listed building—work on roofs, displays and air-conditioning takes a long time. You also have to get everything out and everything back in, which takes three or four months at each end, so it is not just about the physical building work.

The Convener: Paragraph 25 of the promoter's memorandum suggests that lending the collection will provide a revenue stream to support the remedial works. Can you tell us a little bit more about that and about how much you expect to gain financially from lending to put towards the cost of refurbishment?

Dr McConnell: Touring does not in itself make money. If it washes its face and makes a small profit, it is doing pretty well.

We have had a few international tours. We took the Mackintosh tea rooms to New York and Chicago and, later on, to Washington. During the closure of Kelvingrove, we not only put on a temporary exhibition in another gallery, which would be our intention with any closure of the Burrell—we would look to have a temporary exhibition, probably at the Kelvingrove temporary gallery, but that remains to be worked out—but made a very small profit by touring the impressionist collection from Kelvingrove internationally. As I said, the real opportunity is the unique opportunity that touring this exhibition—probably a once in a lifetime event—represents to attract major sponsors. The funds would come not from the tour per se but from a sponsor—we have been talking to a number of companies that are interested—being associated with this incredible collection, which is almost an open secret here, as it tours around the world.

The fundraising is being done almost as a way to try to attract major sponsors to give a significant figure and to be the sponsor, or one of a few sponsors, of the tour.

The Convener: Is it correct that the tour is being organised in collaboration with the British Museum?

Dr McConnell: Yes. We spoke to Neil MacGregor last week about this. As you can imagine, given that the British Museum lends 4,000 items a year, it has an extensive touring department.

We are talking about contracting the British Museum not to deliver the tour but to mentor our staff, because we want some skills to transfer here and we want to build awareness and knowledge. We have some of that, but we want to augment it

by either working through his staff or contracting some of his staff to work here in Glasgow.

An arts agency—I have forgotten its name, but we can get it for you—co-ordinated the Kelvingrove tour in North America on our behalf. It took all the insurance risks and made all the preparations for opening events and so on. It has indicated that it would be interested in doing that again in North America this time and our staff are exploring with the British Museum any similar opportunities with similar agencies.

The Convener: We have invited the British Museum to give evidence, but unfortunately it has not been able to accommodate us. What benefit will the tour bring to the British Museum?

Dr McConnell: Without putting words in Neil MacGregor's mouth, I know that he would be delighted to provide written evidence if the committee wants it.

Sir Angus Grossart: He has been on holiday.

Dr McConnell: He has been abroad on business and then he is off on holiday, so he is out of the country.

As a museum that values touring and sees its mission very much as being in the business of economic and cultural tourism and cultural diplomacy, the British Museum sees the proposal as making another of the country's great collections accessible to people in London. We had a similar experience when we toured the Glasgow boys exhibition to the royal academy in London—we had a tremendous response to that. It allowed people to find out about a period of art and a collection that many of us know about and value but which was a surprise to tourists and people in London. There are huge benefits to the British Museum, which wants to open its doors to show more and more of the world's collections.

The Convener: Neil MacGregor said on the record in the past that he was against changing the will, so it would be interesting to receive from him written evidence that tells us why he has changed his mind.

Around the time when the Burrell renaissance group was formed and Neil MacGregor from the British Museum was invited to be a consultant to it, a story appeared in a newspaper—I believe that it was *The Scotsman*—saying that the British Museum would be centrally involved. Could a conflict of interest be perceived in Mr MacGregor's role in Burrell renaissance? Were other partners considered?

Sir Angus Grossart: Many international options were considered. Neil MacGregor is a pre-eminent figure. He was not chosen out of deference to the British Museum; he was invited to be an adviser on his merits. If we were to show any part of the collection in London, that museum would be the most fitting and matching destination.

I do not think that any preference was given. I doubt whether there was any intent to give Neil MacGregor, who was also previously the director of the National Gallery in London, a preference. I would not have been party to anything like that.

The Convener: The collection could be shown in London without changing the will.

Councillor Graham: Yes.

Dr McConnell: Yes.

Sir Angus Grossart: That is true. The changing of the will is intended to recognise and import the wider context in which the world has moved on since Burrell died. Nobody knows what was in Burrell's mind. It would be presumptuous for anybody to say, "He must have thought—".

Alan Eccles: Burrell put restrictions on parts of the collection that applied wherever they were lent. The bill will open up wider access to those parts of the collection, which cannot be toured under the will and the agreement as they stand.

Jackson Carlaw: I will be quick, because I know that my colleague Mark Griffin wants to ask about consultation.

It has been suggested that the request for lending would have been advocated in any event. One presumes that that seems sensible because the building needs to be refurbished. If Parliament declined to support the proposition that has been put, what would happen?

Councillor Graham: We would need to go back to the drawing board to look at where we will get the money from to refurbish the building—there is no question but that that is a major priority. We are in a difficult situation financially, as the whole public sector is. I do not have the answer as to where else we would get the money from to refurbish the building properly.

Jackson Carlaw: Which bit of the money do you mean? You hope to get £15 million from the Heritage Lottery Fund and £15 million from the council for the refurbishment.

Councillor Graham: I mean the other £15 million.

Jackson Carlaw: You believe that the other £15 million will come from public sponsorship.

Councillor Graham: That is to come from fundraising and sponsorship of the tour.

Jackson Carlaw: Dr McConnell said that sponsorship is the most likely source, given that fundraising for the Riverside museum was difficult. If Parliament did not support the bill, you would have a £15 million deficit in your plans to refurbish.

Dr McConnell: It would not just be a deficit; Archie Graham is absolutely right—we would have to go right back to the drawing board. The Heritage Lottery Fund has made no commitment to provide the £15 million; it just knows that we will be coming to it. We are making a judgment on the basis of the size of the grants that we have had in the past. The award of that £15 million would be predicated on the project being a £45 million project. If we went down to a £20 million project, the percentage would be less, if that makes sense.

Jackson Carlaw: Okay.

Sir Angus Grossart: Clearly, the building is important, but it is not the be-all and end-all. My interest is primarily in the collections. What we have is an agreement with the trustees of Sir William's will, which it has taken a long, long time to achieve. The process has been amicable and consensual. Whatever happens with the building, the committee has the opportunity to address the issue of the lending restrictions with the endorsement of the trustees. They have not given that lightly. A myriad of conditions apply, and there is the backstop that they can deny a loan. Would the committee hazard that hard-fought consensus by turning down what is proposed? It would be very difficult to come back on the issue a third time.

That was one of the reasons why I got involved. I said that I would not get involved until I had met the trustees and found out whether they were willing to consider a change. That was not a simple discussion—it took time to build a degree of trust with the city. I came to the matter quite impartially, but I said that I thought that it was an extremely important future dimension.

The Convener: I now invite questions from Mark Griffin.

Mark Griffin (Central Scotland) (Lab): I want to ask about the consultation exercise that was undertaken on the proposals that we have in front of us. How broadly did you consult the public and experts in the field? What volume of responses were received?

Alan Eccles: There were a number of strands to the consultation. One was to identify institutions and experts who understood good museum practice on lending and borrowing in Scotland and the UK and more widely. In addition, a public consultation of visitors was conducted at the Burrell itself, and there was an online consultation. About 1,600 visitors to the Burrell were consulted, the online survey involved a smaller number of people and, from memory, we received approximately a dozen consultation responses from institutions in this area.

Mark Griffin: The committee has been given a summary of an analysis of the consultation. Would it be possible for us to be provided with full details of the consultation responses, where that is practicable?

Dr McConnell: Absolutely. We can get you copies of all that information by the end of business today at the Burrell.

Mark Griffin: How many people were opposed to what you propose and what were their reasons for opposition? What themes developed in the consultation responses?

Dr McConnell: I will need to look up the precise figures. If I remember correctly, I think that, in the public consultation, 69 per cent of respondents were in favour of the proposals. The figure in the online survey was—

Alan Eccles: 56 per cent.

Dr McConnell: Yes.

Alan Eccles: Those people were positive or very positive about what was proposed.

Mark Griffin: Thank you.

In your opening remarks, you said that there was

"no other single coherent way"

of taking forward the matter. Were any alternative suggestions made in the consultation exercise?

Alan Eccles: As far as legal mechanisms are concerned, the responses from the Office of the Scottish Charity Regulator are quite instructive. OSCR agrees that there is no other way of doing what is proposed.

If the Burrell collection were wholly within a charity, the provisions of the Charities and Trustee Investment (Scotland) Act 2005 relating to reorganisation would be available. However, only a part of the legal patchwork is charity law: some is succession law and some is contract law. Therefore, there is no way of working in a coherent fashion to end up with a lending code, for example—that would not be possible—or in a way that sets out the methodologies behind the process.

As was mentioned at the beginning, there is nothing in the formal legal documents that sets out Sir William's rationale. The will and the agreements do not set out his full thinking on these points, which is why there is now an opportunity. A private bill is the only way to establish a legal framework for the future that sets out the full processes, rationale and methodology behind how lending and borrowing should take place.

11:15

Jackson Carlaw: As I understand it, the consultation was not with the people of Glasgow, who own the collection, but was an online consultation to which anybody from anywhere could have contributed. Visitors from anywhere could have contributed to it, as opposed to the people of Glasgow whose collection it is.

Alan Eccles: In the consultation process, and generally in notifications about the bill, what became apparent was the spread of visitors to the collection. A large number of people come from outwith the city to enjoy the collection. We therefore sought to provide the most open but also the most accurate reflection of those who enjoy and use the collection.

Councillor Graham: When we provide you with the information from the consultation exercise that we went through for you, it may be interesting for you to look at what the people who reside in the city, as opposed to the people from outside the city, said. That might give you a flavour.

Jackson Carlaw: That would be helpful.

The Convener: You are going to lend only to institutions that participate in the Arts Council England's accreditation scheme, which the museums and galleries of the other UK nations support. However, that accreditation scheme does not apply abroad. In the promoter's memorandum, you say that you expect overseas museums and galleries to uphold the same standards as those in the Arts Council England's accreditation scheme, but how will you judge that? There are no details of how you will judge whether they meet those standards.

Sir Angus Grossart: I think that we will do that on an individual basis. At the end of the day, the trustees have the last say, but with major museums it should be perfectly possible to form a comparative judgment as to whether they come up to those standards. In some cases, the standards will be higher. If they are materially different, there will be no question of lending to them.

The Convener: Does an international accreditation scheme exist?

Sir Angus Grossart: There are accreditation schemes, but as far as I know there is not one single scheme. There are widely recognised standards in different countries, some of which are higher than the Arts Council's standards. There should be no problem if we are engaging with the Louvre or the Metropolitan. The intention is to be involved with substantial institutions, and all that we can do is set a benchmark. At the end of the day, the wicketkeeper will be the Burrell trustees, and there is provision for them to take expert independent advice.

Dr McConnell: You might already have them, but it might be helpful for you to have copies not just of our lending policy but all the pro formas that go with it. When I read it last night, I wondered why anyone would want to agree to a condition of loan that was so onerous. I hope that it will give you reassurance that our requirements are stringent. Regardless of any international scheme, if institutions do not meet our stringent requirements they will not get loans. Would it be helpful if I left that information for you?

The Convener: I think that we have it already.

Mark Griffin: You have mentioned on a number of occasions that the trustees are the wicketkeeper, as you put it, and have the ability to refuse to borrow or lend a particular item.

Sir Angus Grossart: They also have the ability to seek advice.

Mark Griffin: Yes. In the code, there is a section on arbitration when there is a disagreement between Glasgow Life and the trustees.

Sir Angus Grossart: That relates to items within the United Kingdom. I understand that that was part of the original condition of gift.

Councillor Graham: Yes. There is no arbitration for loans overseas. The trustees decide finally, and that is it.

Dr McConnell: They have the final say, no matter what anyone says, including experts.

Mark Griffin: Okay. Thanks for that.

Sir Angus Grossart: On the legal status of the collection, the collection is a bit of a mosaic. There are items that were part of the original gift; there were subsequent requests or stipulations by Sir William; there is his will; and there are other territories. There is a mosaic that consists of around four or five parts, depending on how you look at it. The apparent lack of consistency is for historical reasons.

Mark Griffin: Thank you for that clarification.

The Convener: We are running over our time. I am grateful for the time that you have given us so far, but the last few questions and their answers should be as brief as possible.

Gordon MacDonald: I would like to have a final wrap-up of a few issues that we need to cover, the first of which is about extending what items can be lent either within the UK or overseas.

Burrell's will specifically said that pastels, tapestries, carpets, rugs, lace and needlework, for example, should not be allowed to be lent because of their fragile condition. The last time that the issue was looked at, in 1997, the UK

commissioners also said that those items should not be lent, but the bill says that any items could be lent overseas or within the UK. What has changed over the past 16 years that would safeguard those items?

Dr McConnell: Science, I guess. The technological improvements not only in transport but in the ability to display items—particularly pastels—have been considerable. As I said earlier, I am not a technician, but if the committee wants more information about that, we can get it for you. The same applies to tapestries. There are different conservationists' views on this, but when tapestries were created they were meant to travel around. If anything, they were seen as being easy to move. They would be rolled up and carried about. In many senses, they are less fragile than paintings.

The convener asked us to be brief, and that is the short answer: technology and science have changed. We can get the committee further information about that. I stress that, if the very rigid conservation requirements cannot be met when we look at the forms, the item will not be lent, and ultimately the trustees can say, "It doesn't matter even if the item can be lent. We don't like that." They can say no.

Gordon MacDonald: I want to move on to the lending code. Paragraph 3.2 of that code says:

"Object(s) shall not be on loan for a period longer than three years except where Object(s) are part of a tour where a longer period is required".

Under what circumstances would a longer period be required? Who decides that?

Dr McConnell: That would be on the basis of requests for an exhibition, so I guess that it would be the curatorial experts who would make a decision on whether it was worth it in financial terms and certainly in intellectual and research terms.

The decision would sit with the experts, but I think that I said earlier that it is likely that we would do one tour. I see the amendment relating to the loan of individual items in relatively small numbers. For the big exhibition, there would be a full discussion with the trustees. Just because it is an exhibition, that does not mean that the trustees would not still have the final say. However, there would be expert opinion on whether it was worth doing.

Gordon MacDonald: Paragraph 3.2 moves on to say that no item should be lent for a five-year period once it has been returned to the collection, unless there are "exceptional circumstances". Would that be on the same basis?

Dr McConnell: Yes. For example, we constantly get requests for the Dalí, which is one of the most iconic images in our museums. We have lent it, as I have described, but the people of Glasgow and Scotland and tourists come specifically to see certain items. Again, curatorial judgment and expert opinion would come in, and the ultimate say would sit with the Burrell trustees.

Gordon MacDonald: My last question relates to the Office of the Scottish Charity Regulator's submission. It says that the trustees' funds are restricted to purchasing items for the collection but that the bill will remove

"liability for certain of the costs associated with the Collection from the Corporation"—

Glasgow City Council—

"and instead confers them on the Charity".

What are those costs? Are there likely to be any costs?

Alan Eccles: That refers to the cost of advice that the trustees felt it appropriate for them to get in order to make decisions under the code.

Dr McConnell: It is the cost of obtaining expert opinion.

Alan Eccles: Yes.

Gordon MacDonald: Glasgow City Council covers those costs.

Alan Eccles: There are no provisions for that under the current lending structure, so no costs are incurred by anyone. Therefore, the change would be permissive to allow the trustees to carry out fully their obligation, duties and powers under their constitution.

Gordon MacDonald: So that issue has nothing to do with the conservation of the items; rather it relates to the collection's tour.

The Convener: There has been a lot of publicity about the future of the McLellan galleries, which are much loved by the people of Glasgow. Was any consideration given to temporarily relocating some of the Burrell collection there?

Dr McConnell: As that matter is not within Glasgow Life's remit, I should probably not comment on that other than to say that the issue relates to priorities. It is not a museum that comes with a collection, so it is less of an immediate priority as it is a temporary gallery. The issue sits in the council's portfolio rather than in that of Glasgow Life. That may sound like a bit of cop-out but that is the position.

Councillor Graham: It is interesting that councillors also asked that question when we were debating the issue in council. Given that there are 9,000 objects, if the building were to close for a significant period—say three or four years—we would look at putting on display some of the

collection in other buildings and museums in the city—Kelvingrove would be one possibility.

We could perhaps consider the McLellan galleries for some of the collection, but those galleries are not in a fantastic condition. We would need to be very careful not to put any of the collection at risk by housing it in a place where it could be damaged.

Dr McConnell: Yes—items would be placed only in buildings that met the environmental and security conditions. It is sad to say, but the McLellan galleries do not meet those conditions. They need quite a lot of work. For example, I think that there is damp coming through the walls.

The Convener: How many world centres do you expect the collection to visit on the grand tour?

Dr McConnell: I can give only a notional response because, were this to come to pass, we would have to discuss the matter with the museums and galleries, but we are talking about between five and seven venues for a tour of that scale. Any venue that takes on an exhibition of this calibre would want to have it for a decent period to get the maximum benefit to its population. Those are the notional figures—they could change.

The Convener: What assurances can you give to the people of Glasgow and, indeed, Scotland, that this tour will fulfil its function in promoting the Burrell collection as a collection that is based in Glasgow? Is there not a risk that a lot of the reflected glory could go to the British Museum as the chief organisers?

Councillor Graham: Certainly not.

Dr McConnell: No. Let me clarify that the British Museum would not be the chief organiser. The city council would lead directly on the tour; we would just be contracting technical support, research and intellectual advice.

I also stress that we have amazing partnerships with the national galleries and museums. A big exhibition—it is a wonderful contemporary art exhibition—will be coming up next year in partnership with the National Galleries of Scotland. I will not prevaricate too much about the matter, but we have very good relationships with that body. Those relationships are almost formalised; in fact, we are talking with the National Galleries of Scotland about looking into how we do even more together. We already share a lot of research, conservation expertise and touring. It has been a great adviser and introducer of venues internationally. For example, it has introduced us to other museums that it has been working with, and that relationship would continue.

Let me be clear that this would be Glasgow and Scotland's tour. It would be the story of Sir William Burrell, the collection and Glasgow and Scotland. We have spoken informally to VisitScotland, EventScotland and other agencies. We would be working with everyone in the country that we possibly can do to make sure that the maximum benefit is achieved.

11:30

Sir Angus Grossart: This is a chance to engage with a wider range of institutions, including those to which we are not sending the loan exhibition. People will see that we have a currency of interest that they might be able to use in the future, even if that does not mean using the loan exhibition.

A raft of institutions could be involved. For example, we met the Metropolitan in the spring and I am going out in October and hope to meet the Frick—that is the calibre of the institutions. We may not come out of their doors with an agreement that they will take part in the exhibition tour, but we will engage them in scholarship. For example, the Metropolitan has made the primary contribution to the cataloguing of the tapestries, which is wonderful and has created a great relationship. The director of the Metropolitan, Thomas Campbell—who is of that clan—is a world expert on tapestry.

If we show that we are looking widely at institutions, a host of engagements will come from that. As the scholarship comes, we may also be offered objects. I had experience of that with National Museums Scotland when we pushed the boat out. Just before I stood down from my position with the National Museums, we received a wonderful Rothschild cup worth several million that came through the in-lieu process. It cost us nothing, because we had shown form and were interested in engaging, including having two major exhibitions in conjunction with the Hermitage. It is about having the confidence to see beyond the immediate perspectives.

The Convener: Thank you very much. I thank all our witnesses for their contributions and patience.

I suspend the meeting before the next panel of witnesses.

11:32

Meeting suspended.

11:37

On resuming—

The Convener: I welcome our second panel of witnesses: Jeremy Warren, collections and academic director of the Wallace Collection; Ben

Thomson, chairman of the trustees of the National Galleries of Scotland; and the Hon Christopher McLaren, chairman of the Samuel Courtauld Trust.

I invite the witnesses to make a short opening statement, beginning with Mr Thomson.

Ben Thomson (National Galleries of Scotland): Thank you for inviting me, convener.

It is very tricky to strike the balance between going against the wishes of a will and going against some of the things that we have heard about today, such as accessibility and opening up collections. I make it clear that the National Galleries of Scotland takes the wishes of a will very seriously. For example, we cannot lend the Gainsborough out as a result of a stipulation in a will. Also, under the terms of the Vaughan bequest of the Turners, we are allowed to show them only in January, even though we have glass to protect against ultraviolet light and sunlight. We have had other odd things such as the James Cowan Smith bequest, under the terms of which the gallery had to look after his dog when he died and have a picture of the dog hanging in the gallery at all times. The wealth that he left was such that it was worth taking on the bequest, and we still honour it.

However, although we totally understand the importance of attempting to keep within the terms of a will, we also recognise that there have been changes with regard to accessibility, research and international co-operation and the National Galleries of Scotland's own terms are that we should make things as widely available as possible. We make around 200 loans a year outside Scotland, not including the artists rooms collection; if we include that collection, the total is more than 500. All loans are approved by the trustees with recommendations from the curators and are made only under certain conditions. For example, we must be satisfied that the right transport and insurance terms are met, that the environmental conditions are right when the loans arrive and that the costs will be paid for.

When a submission is made for a loan, there are four main reasons why the National Galleries of Scotland will agree to it. The first is reciprocality; in other words, we make loans to people so that people can make loans to us. We make loans to the Louvre, for example, because it helps when we want to put on the same kind of exhibition.

Secondly, we understand that people want to put on exhibitions about or carry out research into particular areas. Given that part of our role is to enhance human knowledge, it is important that we make loans on that basis, especially when someone is putting together an exhibition on a particular theme and we have a particularly important piece in our collection.

Thirdly, from time to time we allow pictures to be toured for fundraising purposes. Since I became chairman, we have had three fundraising tours; indeed, our most recent is on the theme of golf. We in Scotland have one of the best collections of golfing pictures, and the exhibition is currently going around eight institutions in the United States. The Titians were toured around three sites in the US and another upcoming exhibition will go around the US and Australia.

The final and most important reason for lending relates to the terms of the national collection. The collection contains 100,000 items and it is important that we take it not only right across Scotland but to the rest of the UK and overseas to demonstrate how good it is, to raise awareness and to increase our public profile.

It might also be worth making a final point about transport and safety. I think that in the past 10 years there have been two instances of artworks being damaged. Both were not international works of art but belonged to Scottish museums; however, although they were not badly damaged, there is obviously a risk. That puts into perspective how often these things happen, certainly in our collection, and we have a very good handling department that handles any loans we make.

As I said at the beginning, balancing such issues is very difficult. We totally appreciate that things have changed and that people want wider access, but we also recognise that, in going against the wishes of the original benefactor, we have to be very sensitive and proceed with a degree of caution.

Hon Christopher McLaren (Samuel Courtauld Trust): First, I thank the committee for changing the date of this meeting. Had the meeting been held on its original date, I would not have been able to come—and I wanted to come.

The Convener: We are very glad to see you here.

Christopher McLaren: I should also clarify an issue to save some confusion later. Two organisations make up the Courtauld: the Courtauld Institute of Art, which is a college of the University of London and is part of the English higher education system, and the Samuel Courtauld Trust, of which I am chairman and which actually owns the pictures. The institute does not own the pictures. Both organisations work completely hand in glove—that is the purpose—and I presume that it was set up that way so that no Government could tell the institute to sell its pictures, as politicians might be able to do.

We like to make loans. The fundamental reason for that is, as I think our founders felt, we exist to increase the appreciation of art among everyone,

not just the public. The more our pictures are seen—we think that they are exciting pictures—the more it should increase the appreciation of art. That is where we start from.

11:45

Obviously, we have strong principles for lending, as everyone else does. First, there is the conservation issue of what is fit to travel and what is not. We have an expert conservation department—one of the leading academic departments in the institute is conservation—and we are strict on that.

The judgment will vary depending on where we are lending to—within London, within the rest of the UK or abroad. It will also vary depending on how much a particular work of art has been on display or has travelled recently. Some works, such as drawings, particularly, should not be shown too often. The conservation issue is paramount.

Secondly, we will lend only to serious and high-quality exhibitions that increase art scholarship. That underpins everything that we do.

Thirdly—this is particularly relevant today—we do not like to deplete our own walls too much. That is a matter of flexibility. Rather like in the Burrell collection, only about 25 per cent or 20 per cent of the items that we own are on display at any one time, which is a great pity. Probably double that percentage could be shown to advantage, but we do not have the space to do it or the money to get the space to do it.

It is an advantage of lending that we can rotate the collection and show things that we would not otherwise be able to.

Lastly, I will come to the question of reciprocity. We like to mount our own exhibitions. We are generous within our rather strict terms of how we lend, and the fact that we lend means that other people—other high-class institutions—will lend serious pictures to us. I am talking about some of the absolute top pictures in the world. When we had the “Cézanne’s Card Players” exhibition two years ago, we got some stunning loans from Germany, Russia, Paris and the Metropolitan Museum of Art in New York. The same is true of our recent “Becoming Picasso” exhibition. We got some stunning loans for that, which we did not think we would get, because people are very chary of lending those pictures. Lending has a good reciprocal effect.

All of that goes towards our main mission of increasing art appreciation among the public.

We do not lend for fees; we lend because we want to increase art scholarship and art appreciation. We have twice had touring exhibitions of the sort that have been discussed today. When we were moving from the old University of London buildings to Somerset house, there was nowhere to display our items, and we very much needed funds. The major items and the most famous ones, which are the impressionist works, were sent on tour. If I remember rightly, they went to America, Japan and Australia. That was done for fundraising purposes. I was not part of the set-up at the time, so I cannot tell you how effective it was, but I think that people were fairly satisfied with it. Also, of course, it raised our profile internationally to a great degree.

That was in 1989. In 1998, a similar circumstance arose when the institute was becoming a free-standing college of the University of London rather than being part of other institutes and we needed to raise our endowment. Again, a lot of the very famous impressionist pictures went on a fundraising tour to Japan and to Canada but, apart from that, we have never lent for fees; we lend to increase scholarship and appreciation. In an average year, we lend 50 to 80 items. That is not a huge amount, but they are rather important items, some of which come from the Seilern bequest, which has particular restrictions and for which we did change the will trusts. For those items we have even stricter conditions of loan than we do for anything else.

We recently made a loan of our best drawings to the Frick in New York. There was nothing reciprocal about that, because the Frick is not able to loan—certainly not from its original core collection—but New York is the world centre of art scholarship on drawings, and the benefit of that loan to the knowledge of drawings was great and we got extraordinary reviews in New York. We were slightly nervous because hurricane Sandy struck New York at the time when our drawings were there, but the Frick is fairly high up so everything was all right. That was exceptional and there was no reciprocity, but it did raise our profile enormously, so there is that benefit.

There has been discussion of risks. Nothing is risk free in life; I took an aeroplane from London to come here yesterday. All risks must be considered in proportion to the benefit that ensues. You have had evidence from the National Gallery, which I have read through, and it is obvious from its style that it comes directly from the director; that is very much his style in meetings, and he makes extremely good points. He mentions 10 accidents, of which seven happened while on tour and two in transit, but that was over 27 years, and the point has already been well made that the technology and science of moving works of art has improved and that safety is vastly higher than it was. I have no knowledge of those accidents, particularly the two caused in motion, but it would be interesting to

know when they happened. I suspect that it was probably some time ago, but I do not know that.

I come lastly to the question of changing the will. We have the Princes Gate collection, which was left to us by the great collector Count Antoine Seilern, who was intensely interested in art scholarship. However, during the 1980s, shortly after he died, the science and technology of moving works of art was primitive compared with what happens now. Although I was not even a trustee when the initial discussions took place, one of my most respected colleagues told me after I became a trustee that he had been dubious about changing the terms of the will, because it was something morally difficult to do. However, Neil MacGregor, to whom we have already referred today, convinced him that the safety of lending was quite different from what it was when Antoine Seilern died. With his interest in art scholarship he would have been keen for his collection to go on display in appropriate circumstances, so we did change the will trusts.

We went out to consultation and one or two people objected, as will always happen, but the majority did not, and the Charity Commission allowed us to do it. However, there are severe restrictions. For instance, paintings on panel before 1600 can never be lent at all; that is purely a conservation issue. Other items can be lent, but the trustees must be unanimous and the loan must be sanctioned in a meeting of trustees with no one voting against. There is one small exception to that, but I will not go into it. The only valid reason for lending is to further art scholarship. Any other reason, such as commercial gain or reciprocity, is totally irrelevant as far as lending Seilern pictures is concerned. The only relevant reason for lending the pictures is to increase art scholarship, and one has to argue it on that basis.

It may say in the will trusts that objects can be lent only exceptionally, but we do not interpret exceptional as being one in 10 or any artificial figure; in fact, we turn down more requests than we grant. However, we believe that our standards of lending and the exhibitions that we lend to are exceptional anyway, so that has not caused us a problem. Of the collection of drawings that we sent to the Frick, almost 50 per cent were from the Seilern collection. After debate and analysis in which we examined the proposal closely, we were entirely happy that it was the right thing to do.

I agree with the National Gallery evidence, which is that if you keep to the spirit of the will, perhaps changing the detail does not matter. Most of the benefactors were broad-minded, forward-looking people who would have changed their views when the times changed. They were not small men and women; they were large people. I believe that Seilern would have changed his mind and allowed us to do what we do now.

I think that I have said enough, madam.

The Convener: Can I just pick up on a point that you raised? You said that for conservation reasons you kept some restrictions in place for the Princes Gate collection, particularly for any panels painted before 1600. Obviously, a large part of the Burrell collection is medieval. If we consent to the proposed change in the law, there will be no restrictions and everything in the collection will be lent. Do you think that that is the correct approach?

Christopher McLaren: I think that nothing should be loaned unless it is judged to be completely safe to do so from the conservation point of view, which means that no damage must be done to the item—that is the basic principle. That was a particular point in the Seilern will trust and it referred not to paintings on canvas but to paintings on wood, which is more likely to be warped and damaged by any change in conditions. That restriction was kept in and it causes us no problem at all. However, I have no doubt that, even if that was not kept in, we would not lend those items, because it would not be judged safe to do so. I therefore do not think that the restriction matters in practical terms, but it is a safeguard to ensure that we do the proper thing.

The Convener: Thank you very much. Mr Warren, would you like to make your opening statement?

Jeremy Warren (Wallace Collection): Yes, thank you. Thank you very much for inviting me today.

I will speak to you from a slightly different viewpoint from that of previous witnesses, in the sense that I represent a closed collection that does not acquire and does not lend. The Wallace Collection is one of the smallest of the national museums in the United Kingdom, but it is recognised as one of the greatest collections of paintings and art in the world. It was bequeathed in 1897 by Lady Wallace, the widow of Sir Richard Wallace, and it represented the fruits of five generations of the family's collecting. It is generally regarded as the greatest-ever bequest of works of art to the British nation and it opened as a national museum in 1900. Since then, Lady Wallace's stipulation in her will that the

"collection shall be kept together, unmixed with other objects of art"

has been very closely adhered to by successive boards of trustees.

I am particularly pleased to be meeting you here, because our longest-serving chairman of trustees was Sir John Stirling Maxwell, who did so

much to preserve this house and the Scottish heritage. He was very much involved over nearly 30 years in shaping and considering the trust's terms, which might be regarded as onerous. Certainly, there is always a temptation to break them. That has come up periodically in the course of the past 110 years.

Why did Lady Wallace include her provision? As previous witnesses have accepted, it is often impossible to know why a person makes a certain provision in their will. In Lady Wallace's case, I think that it was to do with wanting to commemorate the achievement of her husband in building the collection. It certainly also reflected the strong emphasis that Sir Richard Wallace put on the conservation of his works of art. Although I fully agree with the previous witnesses that science helps us a great deal nowadays, it is perhaps wrong to say that earlier collectors and donors were unaware of the issues of the conservation of works of art. They often had quite sophisticated knowledge of it.

12:00

Since 1900 we have been governed by a board of trustees, and since 1992 we have been governed by the Museums and Galleries Act 1992, which specifies our ability to acquire for the collection—it says that we cannot—but does not specify our powers to lend or borrow. That is, therefore, a matter for the trustees. The issue was last seriously debated in around 1991, when it was suggested that the Wallace Collection should decide, 90 years on, that the terms were no longer appropriate and that, for many of the reasons that have been eloquently put by previous witnesses, it would benefit the collection if we were able to lend and share our treasures.

The main reasons why the trustees eventually agreed unanimously not to change the terms of the bequest were the wishes of the donor and a strong feeling that if a governing body, city or nation accepts a gift with certain conditions, it is not right to second-guess it in future years and say, "Actually, what he really meant was this" or "They would agree with us now." We simply do not know that, and we have to respect those conditions for better or for worse. As has been noted, Sir William Burrell specified which categories of works of art he was particularly concerned about, and those are, by their nature, the most fragile. Therefore, we can say that, in this case, he knew what he was doing when he imposed that condition.

Another reason is reputational. It often creates—admittedly among a very small number of determined people—opposition and bad press coverage when museums do things that appear to go against the wishes of donors. The Wallace Collection trustees concluded that reputation was important and would be best protected by maintaining the trust deed.

Also, when a collection contains famous works of art—in our case, "The Laughing Cavalier" and Fragonard's "The Swing"—and people travel great distances to see them, the public have an expectation and a right to be able to see them in their home.

The National Gallery, which is only a mile or so down the road, put on a major show of Rubens's landscapes about 15 years ago. It holds one of Rubens's two greatest landscapes and we hold the other, and it almost begged us to make an exception and—just this once—allow the two to be seen together. Of course, that was enormously tempting and the trustees debated that at great length. However, with some regret, they said no in the end because it would have been the thin end of the wedge.

What are the consequences of the policy? It is right that we have less bargaining power to borrow top-level works of art. Since 2000, when the Wallace Collection came to the end of a major refurbishment project, we have had a small temporary exhibitions programme, so we now borrow works of art for temporary exhibitions. The other relaxation that trustees have permitted is that, nowadays, if we have an exhibition of works of art, clearly we always think about the scholarly rationale for that and about how they relate to our own works of art, and it would therefore be crazy not to show our works of art in some way close to the borrowed ones.

Last year, we benefited from some wonderful loans from Glasgow museums for an exhibition on Renaissance swords. We cannot put on blockbuster shows, because we cannot offer "The Laughing Cavalier" in exchange for the Mona Lisa or something, even if we wanted to.

The other disadvantage or risk for any closed or semi-closed collection is that of drifting into obscurity. Dr McConnell said that visitor numbers for the Burrell collection had declined from 1 million to 250,000 over the past 30 years. In 1900, the year that the Wallace Collection opened, it had about a million visitors. By about 1990, when it was realised that we had to do a big refurbishment and, in a way, change the way that we approached the world, the number of visitors had descended to about 160,000 a year. We were seen as a charming, antiquated and dusty institution.

What are the pros, in the Wallace Collection's view, of our policy? I am speaking personally but also, I think, for every current trustee of the Wallace Collection and all my curatorial colleagues. First, I emphasise the importance of

the condition of our works of art. A lot has been said about how, with modern transport and packaging techniques, the risk to works of art when they are being moved is enormously reduced. That is absolutely true, but the risk is not eliminated completely. It is disingenuous to suggest that, when one moves a 500-year-old tapestry from one country to another—perhaps taking it across the Atlantic—one is not shortening its life. Every time that one moves a fragile object—indeed, every time that one moves an object in one's kitchen—one shortens its life.

Obviously, it is for the governing body of any institution to decide about the costs and benefits of moving something, but it would be wrong for the Parliament, in making its decision, to think that objects are safe. Inevitably, little by little, all lending reduces objects' lifespans. Governing bodies are set up to ensure the safety and conservation of the objects in perpetuity. Our paintings conservators—we do not have our own painting conservators, but we have highly respected professionals who do a survey for us every two years—say to us each time they report that our paintings are in a better state because they do not travel.

I mentioned the public expectation. A further point is that our policy helps to enhance the marketing of the collection, because we are able to say that the "The Laughing Cavalier" can be viewed only at the Wallace Collection. If you take that line, rather than seeing the position as a negative, you can see it as something special.

Exhibitions are useful and enjoyable, but they take up a vast amount of curatorial and administrative effort. By not lending, we have perhaps focused more of our curatorial attention on the permanent collections and on research and scholarship in relation to them. Much has been said about that, but I think that all museums would agree that the primary responsibility for knowing about, researching and publishing research on a collection should lie with the museum that is responsible for those works of art. That cannot be substituted by an exhibition programme.

Not being able to lend has not seriously affected our ability to borrow. That is partly a consequence of the reputation that we have maintained and, to an extent, enhanced. There is fairly wide respect for our position and constraints so far as lending is concerned, and we have more offers to lend to us than we can take.

I mentioned the fall in visitor numbers. Through enhanced marketing, a firm focus on the collection and the refurbishment project that we undertook, our visitor numbers have more than doubled in the past 20 years and are now about 400,000 a year. Therefore, not lending is not necessarily the death knell—it can be made into a positive.

Dr McConnell mentioned that information technology is not a substitute for the real objects, and I could not agree more. However, in the years to come, the fast and exciting developments in technology and the way that museums can make databases of their collections available online might change part of the museum experience. It will certainly in a way start to address a problem that the Burrell clearly has if there are 7,000 works of art in storage, because in future there will be an easier and more practical way of helping to make those accessible to the world.

In summary, we are happy with our current position. We can see that it has certain disadvantages, but we think that it helps our reputation enormously. We are acutely conscious that other museums that have changed the terms of donors' wishes have suffered adversely through potential future donors changing their mind and going elsewhere. That is obviously a matter for Glasgow's museums service to consider, and I am sure that it has done so.

On Dr Penny's views, although his head is organising Vermeer and Vienna secession exhibitions—because he has to and it is part of what is expected of museums nowadays—his heart is probably saying some of the things that I have said. Actually, there is a risk whenever an object is moved. Even if an object is moved within a museum, it is affected in however minuscule a way. We have been through an age of exhibitions having become almost like medieval pilgrimages, but that might change in years to come, and there might be more of a focus on the integrity of collections. Were the committee to choose not to permit lending, that need not be the end of the world, and an excellent museum service such as Glasgow's, which is one of the very best museum services in these islands, could make a positive of it.

12:15

The Convener: Thank you for that perspective.

I invite questions from committee members, starting with Mark Griffin.

Mark Griffin: Mention has been made of the Museums and Galleries Act 1992 and the new provisions on transfers between the collections of certain museums. Are you aware of any adverse or unforeseen consequences of that act?

Christopher McLaren: I must confess that I am not an expert on the act, but the answer is that I do not know of any such consequences.

Jeremy Warren: It has had some positive outcomes as regards sensible transfers between museums. For example, the National Gallery in London had a very small collection of drawings

that it could never show, which were formally transferred to the British Museum. There has been some sensible tidying up.

There was a provision in the 1992 act that national museums and galleries—not the Wallace Collection—could, after 50 years, change the terms of a bequest. As far as I am aware, none has chosen to exercise that provision, but I might be wrong.

Mark Griffin: Mr Warren is clear on the reasons for refusing to alter the terms of a bequest. Do the other two witnesses have any examples of cases in which a request has been made to change the terms of a bequest and that has been declined? If so, do you know what the reasons for that were?

Ben Thomson: Do you mean cases in which the public have asked to change the terms of a will?

Mark Griffin: Yes.

Ben Thomson: Bequests also come in the form of money. In our case, it would be more likely for us to get into a situation in which we have restricted funds and the donor has asked that a bequest should be spent in a specific way, which is no longer appropriate to the way in which things are done; or the amount of money becomes so small that it becomes unmanageable to keep it in such a small pot. Those are more the sort of areas that we deal with when it comes to people requesting that things be changed under a will.

The Convener: You all heard the evidence from the bill's promoter, and you have already commented on the decline in visitor numbers. Given your expert knowledge of art, do you think that Glasgow City Council has been a good custodian of the Burrell collection? Do you think that the collection has been appropriately promoted over the years?

Christopher McLaren: I hesitate to trade in on that, because I see it from too distant a past. However, I think that, if a start were made from about now, it could be much, much better promoted. Perhaps it is irrelevant to talk about the benefits to Glasgow—I am not sure that that is relevant—but from the point of view of benefits for the appreciation of art, which were very much in the mind of William Burrell, and, indeed, the people of Glasgow, I think that that would be extremely beneficial.

Ben Thomson: I cannot really say whether that is the case with the Burrell collection. It is a wonderful collection. I heard the previous witnesses talk about problems with the building, which we all recognise, and the issues at stake.

There are two things that might be worth saying when it comes to getting collections out and about. We had a real gap in our collection on modern art, and we were very lucky that a big collector called Anthony d'Offay agreed to sell to us some 750 pictures at cost, which was a fraction of their market worth. He wanted to set up what I now rather amusingly call the d'Offay collection in its own building in Edinburgh, which would probably have been visited by about 250,000 people a year. We were very lucky that we managed to convince him that the modern way of thinking is to get public works of art out and about around the country and to work in partnership. That is the way that a forward-looking gallery thinks.

We went to the Tate and brought it in, and we now jointly look after the collection. In the past four years, we have had the collection at 50 destinations around the United Kingdom and it has been visited by some 25 million people.

It is a new and interesting model for getting art out and about so that people can look at it, although there are risks as a consequence of the artwork travelling all the time. I think that Anthony d'Offay, as a donor, would recognise that, although the original concept of a "Musée d'Offay" has been replaced, what has come about is much better. Artists, or their foundations, now want to give us things because they want their rooms—as they are called—to be a real reflection of their work because they are seen by so much of the public.

With regard to managing collections from a Glasgow perspective, there are buzzwords and phrases such as working in partnership, using our national collection to tell stories, getting art out into the countryside and building up people's aspirations at a community level. It is interesting that, when we take the collection around the country, the more remote the area we go to, the higher the percentage of the population that visits it. When we go to the Pier arts centre for instance, 80 per cent of local residents go to see the exhibition. That is also the case when we go to Ayr and many other sites around Scotland.

The second thing, in a similar vein, is that we are—in collaboration with Glasgow Life and Creative Scotland—working on the generation project, which Bridget McConnell mentioned this morning. It covers 50 sites throughout Scotland, and it pulls together collections from the past 25 years of Scottish art from all around Scotland to display them in a co-ordinated way in different galleries throughout the country.

Those two projects are exciting, and they involve a much more holistic view of the ownership of a public collection. They are able to give people access right across the country; that is certainly the direction in which we are moving. The downside, of course, is that we are now moving works of art much more freely around the country,

and we have to have a professional team that does nothing but package and store the art.

In response to Jeremy Warren's point, there are some benefits in moving the art around. Our collection has somewhere between 100,000 and 150,000 items—depending on whether certain things are viewed as one item or not—and every time they are moved they must be carefully examined and analysed, and go through the conservation process. When they come back, the same thing happens. If they are in the permanent collection—and a large part of permanent collections are never seen—the rigour with which they are looked at is not as great as it is if they are going out and being moved around. Although I agree that there are some risks, there are also advantages in transportation.

Jeremy Warren: I agree entirely. I am saying not that governing bodies should not agree to loans at all, but simply that a decision should not be made on the basis that, with modern technology, it is now entirely safe to move works of art.

Glasgow Museums is an immensely important museum service. It is one of very few local authority services in the United Kingdom that is truly of national and international importance, and in terms of its collections it is by far the most important local authority museums service in the country.

As an outsider, I would say that the service has had an exciting two or three decades. It has undertaken some interesting experiments in presenting collections and has certainly been a pioneer in making real efforts to make collections more accessible to the people who live near them—for whom, in a sense, they are primarily there.

Glasgow is an exceptional city in terms of the passionate interest that a far greater proportion of the population than elsewhere takes in its museums and cultural facilities. That interest is quite remarkable, and the city should be very proud of it.

To go directly to the convener's question about the Burrell collection, perhaps the eye has been taken off scholarship at some points in the past 30 years and there has been some degradation of in-house curatorial resources to look after the very large and significant collections. As the previous witnesses said, decisions must be made about priorities when resources are limited. I believe that those issues have started to be addressed in recent years, and good appointments of more specialist curators have been made. They should be very much part of helping to bring the collections to the public as widely as possible.

Christopher McLaren: I agree with everything that Ben Thomson said. I highlight the tremendously important issue of getting the works out and about, because that is what works of art are for—they are there to be seen and appreciated.

Since we started our serious exhibition programme about 15 years ago, we have found that many more people—two or three times the previous number—have gone through the gallery. That has had a beneficial effect on raising our profile. People say, "Oh yes—that's where they have those wonderful exhibitions," and we get much greater throughput.

Exhibitions do not take the curator's eye off finding out about our works of art. All our exhibitions are based on our own works, with loans from outside. A great deal of scholastic input goes into each exhibition.

We are a university museum, so we have a large faculty of art experts. The scholastic input and the knowledge about our works of art have become hugely greater as a result of the exhibitions. That is concentrated on the works that are involved, but those works are—naturally—some of the most interesting.

Members might think that Jeremy Warren and I are coming from totally different directions. We have different practices, but they are not that different. His recent and very distinguished director, Dame Rosalind Savill, is one of our trustees—I recruited her with great pleasure to the Samuel Courtauld Trust. We have a similar attitude, but the Wallace Collection's works are different.

I will make a last point, which I picked up when I looked through the Burrell will the other day. He left an endowment fund to increase the collection. If someone intends to increase their collection, by definition it cannot be static. The collection is fluid and was meant to increase. If it is meant to increase and not be static, it is bound to change—the things with which the collection is increased will be shown with the existing things. The whole collection does not have to be preserved in aspic in the Burrell museum. That was not in Burrell's mind; if it had been, he would not have wanted to increase the collection.

Jackson Carlaw: I thank Mr Warren for reminding us that we are in the home of the Stirling Maxwells. I explained to colleagues earlier that, until the late 1970s, the practice when the local Conservative association selected its candidate was for the miserable soul to be sent up to be approved by the Stirling Maxwells. By my time, in 1983, that practice had ceased; I have always thought that that was rather fortunate for me.

I am interested in the Wallace Collection and the Frick Collection, which we have touched on. The Frick Collection is exhibited in the New York mansion that was Frick's home. Is the Wallace Collection in Wallace's home?

Jeremy Warren: It is.

Jackson Carlaw: Sir William Burrell stipulated that some rooms from his home should be a part of his museum. Those three collectors have some similarity.

Jeremy Warren: Lady Wallace did not stipulate that the collection should be kept in the same building; in fact, she stipulated that a new building should be constructed. It was decided for practical reasons that it made sense to keep the collection where it was.

Jackson Carlaw: There is a parallel. I have visited the Frick Collection, and I have visited the Wallace Collection when it was charming and dusty—as you described it—and in its modern guise. Did the Wallace Collection close for the entire refurbishment period?

Jeremy Warren: No—that was one of Dame Rosalind Savill's extraordinary achievements. I do not know how she did it, but she kept the museum completely open throughout the refurbishment.

Jackson Carlaw: So, unlike the situation envisaged in Glasgow, you did not have to have a discussion about access to the collection during the refurbishment, which might have been the obvious time to visit the question of whether you were prepared to loan or exhibit elsewhere.

12:30

Jeremy Warren: I am sure that the issue was debated, but it was decided that we should not use that situation to break the terms of the bequest.

Jackson Carlaw: So, as far as the underpinning of the funding of the collection was concerned, none of the issues that we have heard about was an issue that you had to consider.

Jeremy Warren: It was very difficult to find the funding for the refurbishment project, which cost about £10 million. About £2.5 million of that came from the Heritage Lottery Fund and there was also a single private donation of about £6 million from an individual who was very impressed by and taken with the special qualities of the place. That allowed us more or less to put the rest of the money together from other donors.

Jackson Carlaw: So, despite invitations to reconsider your position, you have as a collection essentially decided to maintain your original provisions.

Jeremy Warren: Absolutely.

Jackson Carlaw: Does being in London make it easier to sustain that proposition? Does the regional nature of the Burrell collection in Glasgow make the situation in any way different?

Jeremy Warren: Yes and no. Obviously it is easier being in central London, with the sheer mass of people and tourists. That said, we have to compete with a vast array of other museums and attractions, including excellent institutions such as the Courtauld galleries. I should say that the Courtauld is an object lesson in focused scholarly exhibition programmes. I do not think that everybody does that sort of thing as well as it does.

Glasgow is a major city. In fact, when I went out for a moment during the suspension, I found the hall full of French tourists visiting Pollok house. You have huge opportunities in Scotland and, indeed, in Glasgow.

Jackson Carlaw: I have a general question, although I am not sure which of you will wish to answer it. How do you judge the benefits of increased awareness that an institution or collection gains from lending works abroad? The assumption underpinning the contributions has been that such benefits can be considerable with regard to public or international appreciation of the permanent collection. Are such matters surveyed? How do you assess whether numbers have increased as a result of loans that have taken place elsewhere as opposed to any other factor?

Ben Thomson: In short, this is all about marketing, not sales. There is no direct comparison to be made in that respect.

Doing a tour of America is a nice easy example. First, there could be fees involved. With the Titian tour, we raised about £1 million from the three museums involved, which actually paid for our tour to go there. Secondly, we might be able to get in donors. Next year, we have an exhibition going to the Frick, which has allowed us to use the house for a dinner to which we will invite people who, we hope, will donate to our next big project: the design of the Scottish wing at the Mound site. If we are looking to get, say, £3 million out of US patrons, we will see quite a direct benefit.

There are, of course, other indirect benefits. Every time we make a work of art available, seeing that it comes from the National Galleries of Scotland has a psychological effect on people; they think, "Well, I might go on holiday there one day and I'd love to see those galleries." It is almost impossible to know why that happens; it is probably down to the subliminal message that we are continually putting out that we have some really great works of art.

When the Titians went on tour, we had a front-page column in the *New York Times*. I am not

quite sure how much that would have influenced people, but it is certainly great publicity not just for the National Galleries of Scotland but for Scotland itself that we can produce exhibitions that punch above their weight.

To answer your question, there are some direct measurables, but there are no real direct measurables in terms of the amount of tourism or the international profile that the NGS or Scotland gets because of what we promote abroad.

Jackson Carlaw: It is a presumption rather than something that is measured.

Ben Thomson: It is. VisitScotland might produce some figures that relate to why people come to Scotland from the United States, but there are no figures that compare one thing with another.

Jackson Carlaw: Right. That is what I wanted to know.

Christopher McLaren: I agree. As with a lot of advertising, one cannot prove that a particular advertisement works. One notices more people coming in because of a number of stimuli that have been going on for some time. We sometimes do surveys of our visitors to find out why they come, and they often say, "Because we've read about these exhibitions you do." Some will say that they have read about the exhibitions and that they realise that we have some wonderful pictures. We get a positive input, but I cannot say that that is the result of lending a particular picture anywhere. However, we have had a great increase in the number of people who have come.

Jeremy Warren: The benefit of lending single works of art or small groups of works of art to a multilender exhibition is minimal and marginal. Probably one of the things that Nicholas Penny was alluding to was that many international exhibitions have a veneer of scholarship, but there is also an element of trophyism. Exhibitions such as the old master drawings show at the Frick clearly do a lot to raise the profile of an institution, but overall the institution's own exhibition programme is probably much more important.

I could not agree more with Christopher McLaren on the importance for an institution's health nowadays of having some form of exhibitions programme. In a sense, that is why we started one at the Wallace Collection. I think that our visitor numbers would still be much lower if people were not aware that new things were happening there.

Ben Thomson: I will give just one example of that. We were given a painting by Frederic Church in 1895. Frederic Church was a great US landscape painter who went totally out of fashion for 60 years. We did not have him on our walls at all, but we then started to lend out the painting, and his popularity suddenly increased. The painting is now in our top 10 most requested pictures. Because it is one of the most seminal of his works, the lending process has definitely raised our profile in an area that was unfashionable but which has become slightly more fashionable. There was an exhibition of his work at the National Gallery two months ago, which would not have happened had it not been for that. Again, the effect is not measurable, but there are concrete examples.

Gordon MacDonald: Back in 1997, which is when the subject was last examined, the chairman of the National Art Collections Fund, Sir Nicholas Goodison, said:

> "The future of gifts and bequests to our museums and galleries rests on convincing donors that their wishes will be respected and upheld."

If the bill is successful, what impact, if any, do you think that it will have on benefactors of the future or, indeed, people who are currently considering bequests?

Ben Thomson: We recognise that issue—that is why we are fantastically careful about changing people's bequests. If we had the freedom to do so, we would do some things differently, but we recognise people's wishes. That is why I said that there is a balancing act. The world has changed in terms of technology, but more important is how it has changed in terms of how works of art get used, and one tries to balance that with the terms of wills. One wants to respect the person who left something in their will for a particular reason.

I asked the director general to look into that matter. Since he became the director general—and over the past 10 years—there have been no changes to any of our bequests. We will go out of our way to try to honour them if possible, but I understand that that is quite a fundamental point with the Burrell collection, so you are at the balancing point at which you must weigh up the changes versus the donors.

Christopher McLaren: I come back to a point that Nicholas Penny has made about the spirit of the collection and people being prepared to move forward when circumstances change, providing that the original wish and spirit are adhered to. We have changed only two bequests, one of which was the Seilern bequest, which I have talked about. It was a major matter but we had absolutely no adverse publicity afterwards about that at all. I have never heard of anyone criticising us for that. The other concerned the collection of one of our other founders, Lord Lee, which is a significant collection but not as important as the Prince's Gate bequest. It used to be the case that it could be loaned only in London, but we changed that and I have no doubt that, in the circumstances,

Lord Lee would have gone along with it. Again, we have had absolutely no adverse comment on that.

Jeremy Warren: In practice, were the terms of the bequest to be changed, there would be a short-term reputational impact on Glasgow museums. Obviously, one does not know how many collectors are thinking of giving or bequeathing works of art, but you might well lose some additions to the collection. I suspect that in five or 10 years the change would be forgotten about, because that is the way the world works.

As I think that Angus Grossart said, the Barnes Foundation moved its building. It toured its collection in the meantime, which caused a huge rumpus at the time. That was a very interesting solution because the trustees agreed a one-off approval to tour the collection. However, following the opening of the new building, the collection is no longer loaned. That is another option for the Burrell collection that is open to the museum service and the trustees.

Gordon MacDonald: Do you think that there would be consequences for any other galleries or museums that are considering changing the terms of bequests in people's wills?

Jeremy Warren: I think that Sir William Burrell was a very clever man who really understood works of art. You made a point in an earlier question about the categories of works of art that he singled out as being non-negotiable in his view, which shows that he knew what he was saying. Any honest curator or conservator would tell you that pastels, for example, are about the most fragile and difficult objects to look after in museums. I was asked to try to find a home for a very important pastel portrait as a gift, but two major museums turned it down because they simply could not cope with the hassle of trying to look after pastels. If the terms of the bequest were changed, I think that that would have negative repercussions for people's attitude to caring for particularly fragile works of art.

Gordon MacDonald: Thank you.

The Convener: I want to pick up on the point that you have just made, Mr Warren. Given your knowledge of the Burrell, if you took delicate or particularly fragile works of art out of the proposed change—the tapestries, lace and pastels—do you think that it would still be possible to tour the exhibition internationally?

Jeremy Warren: It would be difficult, because they are some of the Burrell's iconic works of art. The collection of tapestries and textiles is absolutely world class. Any borrower abroad would therefore be rather disappointed if they were not included. It would be possible to put together a touring exhibition without them because the Burrell is such a rich and varied collection, but I think that there would be an initial expectation that people would want to see those things.

The Convener: Okay.

I have one final question. You heard the evidence from the bill's promoters, who talked about fundraising and raising the profile of the collection. I was a little unclear about how much money they thought that they could raise through the grand tour. Mr McLaren talked about the money that he made from touring the impressionists' works and how that raised the trust's endowment. In reflecting on the first panel's evidence, what money do you think they could make to do up their gallery by touring? Does that have great potential as a money earner?

12:45

Ben Thomson: Three years ago, we had to raise £95 million for the two Titians. We took the paintings around the States to Atlanta, Dallas and somewhere up north, which raised £1 million. Other money that came from the US came to around £1 million or £1.5 million. In the grand scheme of £95 million, the tour was significant but it did not make the difference.

You could have asked Angus Grossart about the fundraising in the US for the Glasgow museums project. I think that that raised around 10 per cent, but it would be better to get direct evidence from him. I suspect that a tour will not raise all the £15 million, but it is the perception of raising a significant chunk of that last £15 million in which every little counts that matters, and it is difficult to raise such amounts of money.

In our view, the other thing is that, when Governments and bodies such as the National Lottery Fund see different people contributing, whether that is the general public or from overseas, that gives credence to an organisation's claim that it has gone widely, that the scheme is supported and that the collection is loved at a national and international level—that more is involved than just the amount in pounds. In the case of the Titians, only about 1 per cent came from the collection boxes, but that was important because of the significant psychological impact of people being prepared to give £1 million through collection boxes. I suspect that the impact is as much psychological as it is monetary.

Christopher McLaren: I cannot add to that.

Jeremy Warren: I agree that, generally, touring exhibitions do not raise significant sums. To some extent it depends on how brazenly commercial an organisation wants to be about an event. Glasgow museums could probably raise as much if not more by renting the Degas collection to a Japanese department store with little pretensions

of scholarship but purely for a hefty fee. However, that would be, to some extent, in conflict with the admirable commitment to scholarship that the promoters made.

The Convener: As my colleagues have no further questions, I end this evidence session. I thank all the witnesses for their time.

12:48

Meeting continued in private until 13:05.

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