



Department
for Culture
Media & Sport

Export of Objects of Cultural Interest

2015–16



Export of Objects of Cultural Interest

2015–16

1 May 2015 to 30 April 2016

Presented to Parliament pursuant to Section 10 (1) (a) of the Export Control Act 2002

February 2017



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Cover image: A pair of Italian *pietre dure* mounted, inlaid ebony cabinets



Department
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Media & Sport

Export of Objects of Cultural Interest

2015–16

1 May 2015 to 30 April 2016

- I Report of the Secretary of State
- II Report of the Reviewing Committee
on the Export of Works of Art and
Objects of Cultural Interest



Annual report to Parliament

By the Secretary of State for Culture, Media and Sport

The Reviewing Committee on the Export of Works of Art and Objects of Cultural Interest

I am pleased to lay before Parliament the twelfth annual report on the operation of the export controls on objects of cultural interest, as required by section 10(1) of the Export Control Act 2002. The report covers the period 1 May 2015 to 30 April 2016. This is the 62nd year that the Government has published the annual report of the Reviewing Committee. Once again, we are highly indebted to the Committee, its expert advisers and staff at the Arts Council for their hard work in ensuring that items of sufficient importance to us as a nation are identified and an opportunity provided for them to remain in the UK.

The UK's export controls are aimed at striking a fair balance between the need to protect the best of our national heritage, the rights of owners and the encouragement of a thriving art market. The system acts therefore as an important safety net to protect the most important objects, whilst allowing the majority of cultural objects to be freely exported. I am delighted to know that thanks to the work of the Reviewing Committee and the expert advisers and independent assessors who support them, we have once again been broadly successful in achieving that aim.

I am pleased to read that, of the 21 works of art and cultural objects found to meet the Waverley criteria and subsequently placed under temporary export deferral, nine items, worth £7 million, were saved from going abroad. All of the saved items are remarkable in their own way and it is always difficult to single out any personal favourites. However, purely in terms of their elegance and beauty or the story they tell, I have been particularly struck by several items. The steel and silver dagger presented to Colonel TE Lawrence after his victory at Aqaba is absolutely iconic and a part of Lawrence's enduring image as one of the most extraordinary figures of the 20th century. The National Army Museum must be delighted to have added it to their collection.

Another extraordinary person but for different reasons is John Logie Baird who was responsible for engineering the first ever transatlantic transmission of television pictures. It is extremely fitting that his archive has been saved for the University of Glasgow where it will inspire future pioneering engineers.

The watercolour of Nonsuch Palace, one of the Renaissance period's most stunning buildings, has been in the UK for 400 years. Sadly the building was dismantled in the 17th century but there are a number of surviving depictions of the palace including this wonderful watercolour by Joris Hoefnagel to remind us of its former glory and I am delighted it is to stay in the UK.

I take note of the Committee's comments regarding a number of policy issues. It is clearly important and necessary for institutions interested in acquiring an export-deferred item to begin provenance research as soon as possible and I welcome the Chair's intention to highlight this at meetings and to point out that it might influence the Committee's recommendation on the deferral period. I also welcome the Committee's intention to keep under review cases where export licence applications are withdrawn at the last minute and to emphasise that undertakings to accept matching offers should not be given lightly. The Government remains committed to saving as many of the most important cultural objects as possible for the nation.

It is encouraging to hear that, during this reporting period, a number of export-deferred items have received multiple expressions of interest and hope that, in line with the *Guidance for exporters*, owners will choose to accept the offer which provides the greatest public benefit.

The Government is profoundly grateful to Sir Hayden Phillips and the members of the Reviewing Committee who give so generously of their time and play a major role in helping to save national treasures from being lost overseas. In particular, I would like to thank Christopher Wright whose term of appointment came to an end during the year and welcome Peter Barber to the Committee. I would also like to thank the specialists, academics and members of the art trade for their contribution to the process. Without their commitment and that of the world-class experts in museums and the many volunteers and supporters throughout the UK, none of this would be possible.

A handwritten signature in black ink that reads "Karen Bradley". The signature is written in a cursive, flowing style.

Karen Bradley
Secretary of State for Culture, Media and Sport

Operation of the Control

The following figures cover the period of this report (1 May 2015 to 30 April 2016).

| | 1 May 2014 – 30 April 2015 | 1 May 2015 – 30 April 2016 |
|---|---------------------------------------|---------------------------------------|
| (a) Number of applications for individual export licences ¹ | 12,852 | 10,585 |
| (b) Number of above applications which were for manuscripts, documents or archives | 1,600 | 1,798 |
| (c) Number of items licensed after reference to expert advisers on the question of national importance | 31,083 | 34,999 |
| (d) Total value of items in (c) | £1,983,542,466 | £1,480,594,585 |
| (e) Number of Open Individual Export Licences (OIEL) in operation having been issued in previous years to regular exporters for the export of (i) manuscripts, documents, archives and photographic positives and negatives; (ii) objects imported into the UK in the past 50 years; (iii) UK origin coins; (iv) the temporary export of a Rolls Royce; (v) the temporary export of objects in soil samples from archaeological sites in Northern Ireland; (vi) the temporary export of objects owned or under the control of national institutions or institutions holding designated collections | 66 | 67 |
| (f) Number of items licensed after the Export Licensing Unit was satisfied of import into the UK within the past 50 years | 57,693 | 30,541 |
| (g) Total value of items in (f) | £10,745,479,486 | £8,020,208,014 |
| (h) Number of items in (f) which were manuscripts, documents or archives | 900 | 1,045 |
| (i) Total value of items in (h) | £86,456,724 | £200,038,074 |
| (j) Number of items given an EU licence without reference to the question of national importance because they were either: valued at below the appropriate UK monetary limit ² ; owned by a museum or gallery that had an OIEL; manuscripts valued at £1,500 or less or coins valued at £500 or less and the exporter held a valid OIEL; musical instruments exported for less than three months for use in the course of work by a professional musician; a motor vehicle exported for less than three months for social, domestic or pleasure purposes; a foreign registered motor vehicle exported following importation for less than three months for pleasure purposes; imported into the UK in the last 50 years and were being exported on a temporary basis | 3,501 | 6,191 |
| (k) Total value of items in (j) | £3,980,590,056 | £2,365,008,475 |

¹ One application may cover several items.

² In some cases, an EU export licence may be required to export items that are valued below the relevant UK monetary limit. In such cases, an EU licence will normally be given without referring the licence application to the expert adviser on the question of national importance.



Department
for Culture
Media & Sport

Report of the Reviewing Committee on the Export of Works of Art and Objects of Cultural Interest

1 May 2015 to 30 April 2016

To:
The Rt Hon Karen Bradley MP,
Secretary of State for Culture, Media and Sport

62nd Report of
the Reviewing Committee



Reviewing Committee on the Export of Works of Art and Objects of Cultural Interest

Members of the Committee 2015–16

Sir Hayden Phillips (Chair)
Mr Richard Calvocoressi
Ms Philippa Glanville
Mr Peter Barber (appointed 1 August 2015)
Mr Aidan Weston-Lewis
Mr Lowell Libson
Ms Leslie Webster
Mr Christopher Rowell
Dr Christopher Wright (appointment expired 31 July 2015)

Secretary

Mr Peter Rowlands

Postal Address

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Reviewing Committee on the Export of Works of Art
and Objects of Cultural Interest
Arts Council England
21 Bloomsbury Street
London WC1B 3HF

A register of interests held by Committee members is posted on Arts Council England's website: www.artscouncil.org.uk

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Part I:

Reviewing Committee Report for 2015–16

1 May 2015 to 30 April 2016

Introduction

It has been an extremely busy and eventful period for the Reviewing Committee. We considered 25 cases covering an extraordinary range of works of art and cultural objects at 10 meetings over the year. At the Committee's recommendation the Secretary of State put in place temporary export deferrals for a wide array of 'national treasures' including a rare and evocative watercolour of Henry VIII's lost Palace of Nonsuch; an archive documenting the first ever transatlantic transmission of television pictures by John Logie Baird; an elegant white plaster sculpture by Alberto Giacometti and an iconic curved silver gilt dagger presented to 'Lawrence of Arabia' following the taking of Aqaba in 1917. The earliest item the Committee considered against the Waverley criteria, an exquisite Anglo-Saxon Brooch from the late 8th century AD, was nearly 1200 years older than the most recent – a sculptural bowl made by the influential émigré ceramic artist Hans Coper in 1955. The Secretary of State and permanent Committee members are indebted to a host of specialists, academics and members of the art trade, who generously give their time, adding to the Committee's depth of expertise, without whom the system could not function as well as it does.

Twenty-one works with a value of £116.58 million (£116,580,840) were temporarily deferred from export while efforts were made to retain them. We are extremely pleased that nine items are now in collections and archives accessible to the general public from Oxford to Glasgow.

Provenance information

We would like to emphasise the importance of applicants providing full provenance information as this is essential in establishing that the Arts Council is the competent authority to issue a licence for export outside the EU for the purposes of Council Regulation (EC) No 116/2009 of 18 December 2008 on the export of cultural goods.

In last year's Annual Report we stated that potential acquiring institutions often approach funding bodies for financial assistance in their attempts to acquire export deferred items. Once an expression of interest in raising funds has been received there is an expectation that the owner of the item will allow provenance information to be provided to the relevant funding bodies so the necessary due diligence procedures can be completed. The Committee feels that this is an extremely important issue and we have clarified our procedures to reflect this. At all future meetings the Chair will notify applicants that if permission is not given it can prejudice the institution's chances of successfully concluding the purchase. This may also give grounds for considering whether the deferral period should be extended or a recommendation made to the Secretary of State that the export licence application be refused.

The practice of withdrawing licence applications

We previously reported that it was encouraging that the last case of the withdrawal of an application (following receipt of a serious expression of interest and reconfirmation of willingness to accept such an offer), thereby preventing a potential acquisition, was in 2010–11. This year there have been a few cases where the owner has withdrawn their application after being made aware of a serious expression of interest in raising funds or an offer to purchase.

The Committee understands that individual circumstances may vary; each situation is different and may present specific considerations that affect whether an applicant can, in good faith, agree to accept a matching offer. Such cases, however, present challenging dilemmas. While it would be unwise to draw any general policy conclusion on the basis of a small handful of individual cases we do ask that applicants give careful consideration before formally declaring in the case hearing that they are prepared to accept a matching offer from a purchaser who will retain the object in the UK. The Committee remains of the opinion that such an undertaking should not be given lightly and it will continue to monitor these delicate issues closely.

Applying for an export licence and the Committee's workload

We note that there has been some frustration as to the length of time which has elapsed before the Committee has had an opportunity to consider some applications. While the Committee remains open to the possibility of reviewing its procedures in the event of a demonstrable and prolonged change in the quantity and timing of objections, we would ask applicants to bear in mind that there are logistical limitations on the number of cases that can currently be considered and that autumn tends to be a particularly busy period. We also ask that applicants consider carefully whether they wish to apply for a temporary or permanent export licence.

Procedure for dealing with multiple offers/expressions of interest

We have seen the emergence of a new and most welcome occurrence in this reporting period, where multiple expressions of interest and offers to purchase individual export-deferred items are received. While it is gratifying to have so much interest, it can also give rise to additional administrative burdens.

Where multiple expressions of interest and offers to purchase are received, our current position, which may be reviewed if this becomes a common occurrence, is that the initial deferral period is used to compile all serious expressions of interest in raising funds/any offers to purchase. The Secretariat then passes this information to the owner's representatives at the end of the initial deferral period when they are asked to confirm again that they will accept a matching offer and to choose from which source. As stated in our *Guidance for exporters*, where offers are received from both public and private sources the Secretary of State hopes that owners will accept the offer which provides the greater public benefit. The purpose of the export control system is to provide an opportunity for the UK to retain cultural goods judged to be national treasures, so in the event that the owner's chosen source is unable to complete within the second deferral period, the other interested parties will be kept informed in the hope that they will be able to acquire the item.

Committee members, expert advisers, independent assessors and the administration of the system of export control

The Committee would like once more to thank the expert advisers and the independent assessors for their vital expertise, time and commitment. The role they all play is essential to the proper working of the system. We would also like to thank the Department for Culture, Media and Sport (DCMS) and the Secretariat to the Committee and the Export Licensing Unit at the Arts Council who administer the system on the Secretary of State's behalf, without whose efforts the system of export control could not function in the manner in which it does.

The Reviewing Committee has UK-wide competence for the Export Control System for Works of Art and Cultural Goods and in carrying out that role is conscious of the importance of the distinct traditions of all parts of the UK.

There was one change of membership during 2015–16, with the conclusion of Christopher Wright's second four year term and the appointment of Peter Barber as his successor. Christopher's term of appointment expired on 31 July 2015. We would like to record our appreciation for his dedication and valued contribution over the last eight years. Peter Barber was formerly Head of Cartographic and Topographic Materials at the British Library. He has many exhibitions and publications to his name, and was awarded an OBE for services to cartography and topography in 2012. He is Vice-President of the Hakluyt Society and of the Hornsey Historical Society, and a Trustee of the Hereford Mappa Mundi Trust. He is also a Council Member of the Society of Antiquaries' Library and Collections Committee and a past Council Member of the Royal Numismatic and British Art Medal Societies. He has been appointed to the Reviewing Committee for four years, effective from 1 August 2015.

A full list of members can be found at the beginning of this report and brief biographies are included in Appendix D.

History and operation of the export control system

A full history of export controls in the UK and their rationale is at Appendix B. The terms of reference of the Reviewing Committee are at Appendix C.

Part II:

Operation of the Control

During the period covered by this report (1 May 2015 to 30 April 2016):

- there were 10,585 applications for export licences
- 1,798 of these applications were for the export of manuscripts, documents or archives
- the applications covered a total of 71,731 items
- 34,999 items with a value of £1.48 billion (£1,480,594,585) were issued with export licences after they had been referred to expert advisers
- 67 Open Individual Export Licences (OIEL) were in operation over this period: a) nine for the export of manuscripts, documents, archives and photographic positives and negatives; b) four for the export of goods over 50 years of age imported into the UK within the past 50 years; c) one for the export of UK-origin coins; d) one for the temporary export of a Rolls-Royce; e) one for the temporary export of objects in soil samples from archaeological sites in Northern Ireland and f) 51 for the temporary export of objects over 50 years of age owned by or under the control of a national institution or an institution holding a designated collection
- 30,541 items with a value of £8.02 billion (£8,020,208,014) were issued with export licences after the Export Licensing Unit was satisfied that they had been imported into the United Kingdom within the past 50 years. 1,045 of these items with proof of import were manuscripts, documents or archives, with a total value of £200.04 million (£200,038,074)
- 6,191 items with a value of £2.37 billion (£2,365,008,475) were given an EU licence without reference to the question of national importance because they were either: valued at below the appropriate UK monetary limit; owned by a museum or gallery that has an OIEL; manuscripts valued at £1,500 or less or coins valued at £500 or less and the exporter holds a valid OIEL; musical instruments exported for less than three months for use in the course of work by a professional musician; motor vehicles exported for less than three months for social, domestic or pleasure purposes; foreign-registered motor vehicles exported following importation for less than three months for pleasure purposes; imported into the UK in the last 50 years and being exported on a temporary basis

Cases referred to the Committee

In 2015–16, 25 cases were considered by the Committee because the appropriate expert adviser objected to the proposed export on the grounds of national importance. This is a fraction of the items covered by the export licensing system and shows that expert advisers think very carefully before referring cases to us. The Committee will designate an object as a 'national treasure' if it considers that its departure from the UK would be a misfortune on one or more of the following three grounds, collectively known as the 'Waverley criteria':

| History | Aesthetics | Scholarship |
|--|--|--|
| Is it so closely connected with our history and national life? | Is it of outstanding aesthetic importance? | Is it of outstanding significance for the study of some particular branch of art, learning or history? |
| <i>Waverley 1</i> | <i>Waverley 2</i> | <i>Waverley 3</i> |

Items found to be national treasures

Twenty-two items were found to meet at least one of the Waverley criteria:

Case 1 – *Vue sur L’Estaque et le Château d’If* by Paul Cézanne

Case 2 – Baird Phonovision disc and ephemera

Case 3 – *An East View of the Great Cataract of Niagara* by Captain Thomas Davies

Case 4 – *Portrait of Catrina Hooghsaet* by Rembrandt Harmensz van Rijn

Case 5 – Anglo-Saxon gilt-bronze strip brooch

Case 6 – Large bowl by Hans Coper

Case 8 – *St Luke Drawing the Virgin and Child* from the workshop of Dieric Bouts the Elder

Case 9 – Nobel Prize Medal and Citation awarded to Hans Krebs

Case 10 – *Portrait of a Young Man in a Red Cap* by Pontormo

Case 11 – A Pair of Charles II Silver Andirons

Case 12 – A pair of Italian *pietre dure* mounted, inlaid ebony cabinets

Case 13 – *Portrait of a Boy* by Ferdinand Bol

Case 14 – Arab *Jambiya* dagger and scabbard owned by TE Lawrence

Case 15 – Arab robes owned by TE Lawrence

Case 16 – *Femme*, a sculpture by Alberto Giacometti

Case 17 – *Nonsuch Palace from the South* by Joris Hoefnagel

Case 18 – Medieval King Robert the Bruce of Scotland and Dunfermline Abbey Cokete Seal Matrix Pair

Case 19 – A drawing by Paolo Veronese, *Venice Triumphant*

Case 20 – A pair of *pietre dure* table tops

Case 21 – A set of nine portraits of the *Smythe Family* by Cornelius Ketel

Case 22 – An Italian *pietre dure* table top with the arms of the Grimani Family

Case 25 – Two paintings by Bernardo Bellotto: *The Fortress of Königstein from the North/South*

Items where the licence application was withdrawn following the case hearing

One application for an item found to meet the Waverley criteria was withdrawn following the hearing and consequently not referred to the Secretary of State:

Case 25 – Two paintings by Bernardo Bellotto: *The Fortress of Königstein from the North/South*

Items found not to be national treasures

Three items were found not to meet any of the Waverley criteria. They were:

Case 7 – A ‘builder’s’ ship model of RMS Mauretania

Case 23 – A marine ivory chess piece

Case 24 – *Portrait of a Silversmith* by Thomas de Keyser

National treasures referred to the Secretary of State

Twenty-one cases were referred to the Secretary of State for deferral and the Secretary of State accepted the Committee’s recommendations on all of them.

The aggregate value of the 21 deferred items was £117 million (£116,580,840).

Items where the licence application was withdrawn following submission to the Secretary of State

Following submission to the Secretary of State four further cases were withdrawn:

Case 4 – *Portrait of Catrina Hooghsaet* by Rembrandt Harmensz van Rijn

Case 13 – *Portrait of a Boy* by Ferdinand Bol

Case 15 – Arab robes owned by TE Lawrence

Case 21 – A set of nine portraits of the Smythe Family by Cornelius Ketel

Deferred items that were acquired

Of the 21 deferred items, the following nine were acquired by institutions or individuals in the United Kingdom:

Case 2 – Baird Phonovision disc and ephemera

Case 3 – *An East View of the Great Cataract of Niagara* by Captain Thomas Davies

Case 5 – Anglo-Saxon gilt-bronze strip brooch

Case 6 – Large bowl by Hans Coper

Case 8 – *St Luke Drawing the Virgin and Child* from the workshop of Dieric Bouts the Elder

Case 11 – A pair of Charles II Silver Andirons

Case 12 – A pair of Italian *pietre dure* mounted, inlaid ebony cabinets

Case 14 – Arab *Jambiya* dagger and scabbard owned by TE Lawrence

Case 17 – *Nonsuch Palace from the South* by Joris Hoefnagel

These had a total value of £7 million (£7,000,513), which represents six per cent of the total value of objects that were deferred.

One further item in the process of being acquired at the time of publication of the Statistical Release and another item, where the deferral has been suspended to allow further information, have not been included in the tables published with the release or in the tables in this report for the sake of consistency.

Case 10 – *Portrait of a Young Man in a Red Cap* by Pontormo

Case 18 – Medieval King Robert the Bruce of Scotland and Dunfermline Abbey Cokete Seal Matrix Pair

National treasures that were not saved

Unfortunately, it was not possible to retain in the UK every national treasure that was deferred. Export licences were (or can be) issued for the six items listed below:

Case 1 – *Vue sur L'Estaque et le Château d'If* by Paul Cézanne

Case 9 – Nobel Prize Medal and Citation awarded to Hans Krebs

Case 16 – *Femme*, a sculpture by Alberto Giacometti

Case 19 – *Venice Triumphant*, a drawing by Paolo Veronese

Case 20 – A pair of *pietre dure* table tops

Case 22 – An Italian *pietre dure* table top with the arms of the Grimani Family

These have a collective value of £37.5 million (£37,460,300), which represents 32 per cent of the total value of objects placed under deferral and 29 per cent of the total number placed under deferral.

Addendum

Case 10 – *Portrait of a Young Man in a Red Cap* by Pontormo

Before the end of the second deferral period the National Gallery made a matching offer of £30,618,987 to the owner. At the time of publication this matching offer has been rejected and the Secretary of State is considering the owner's response.

Export of Objects
of Cultural Interest
2015–16

Individual export cases

Case 1

Vue sur L'Estaque et le Château d'If, by Paul Cézanne

This painting by Paul Cézanne (1839–1906) is oil on canvas, dates from circa 1883–85 and measures 73 by 59.7cm.

The applicant applied to export the painting to the USA. The value shown on the export licence application was £13,522,500, which represented the hammer price paid at auction of £12,000,000, plus the buyer's premium of £1,522,500.

The Director of the National Gallery (assisted by the Curator of Post-1800 Paintings, National Gallery), acting as expert adviser, objected to the export of the painting under the first and second Waverley criteria on the grounds that its departure from the UK would be a misfortune because it was so closely connected with our history and national life and it was of outstanding aesthetic importance.

The expert adviser provided a written submission stating that the painting was a rare and richly resolved depiction of one of Cézanne's master motifs, the Bay of L'Estaque on the Mediterranean at Marseilles. In the distance, on an island of solid rock erupting from the sea was the Château d'If. Cézanne painted at L'Estaque from the 1870s but most importantly from 1883–85. The landscapes he executed in the early 80s from high vantage points overlooking the bay are among his calmest and most magisterial evocations of the timeless, sun-drenched Mediterranean. The motifs he found so harmoniously conjoined there – blue sea, sky, clouds, steep hillsides and protruding rocks, complicated groupings of pitch-roofed peasant houses, and the odd factory with tall chimneys – were deeply familiar to him from his upbringing in Provence, but at the same time gave him the visual stimuli to push his painting in new directions. The present painting was a rare example of a L'Estaque canvas executed in vertical format.

It was acquired in 1936 by Samuel Courtauld (1876–1947) and descended in his family until its sale in February 2015. Not only did Courtauld assemble the greatest collection of impressionist and post-impressionist art formed in this country, he was also instrumental in bringing such art to the attention of the British public. He did this by providing funds, beginning in 1923, for the National Gallery to acquire major works of modern art. He was a co-founder of the world-famous institute of art history that still bears his name where modern art has long been a mainstay of the curriculum and scholarly research. He donated the major part of his private collection of modern art to the Courtauld Gallery.

The list of distinguished dealers and collectors through whose hands the painting passed before Courtauld acquired it indicated the regard in which the canvas was held. It was the last of twelve Cézanne canvases Courtauld acquired. The painting became well known to the British public, especially students, during the 29 years (1985–2014) it hung on long-term loan at the Fitzwilliam Museum, Cambridge.

The applicant had stated in a written submission that it was arguable whether the retention of one extra painting by Cézanne from Courtauld's collection, when there were so many Courtauld Cézannes on public display in the UK already, would have a significant benefit. Other motifs by the artist were generally considered more important than *Estaque* within Cézanne's oeuvre; either by dint of rarity or date: *Mont Saint-Victoire*, *Joueurs de cartes*, bathers, self-portraits and still lifes – all of which were represented in UK public collections. The condition of the work was less than ideal as the canvas had been folded or rolled at some point causing six creases that had been filled and in-painted. *Vue sur L'Estaque et le Château d'If* did not, in and of itself, add to our understanding and scholarship of the history of modern art. Furthermore, regarding the possible importance for the study of the history of collecting, it was arguable that by the time Samuel Courtauld acquired the painting in 1936, his groundbreaking years of collecting and philanthropy were behind him.

We heard this case in May 2015 when the painting was shown to us. We found that it met the first, second and third Waverley criteria on the grounds that its departure from the UK would be a misfortune because it was so closely connected with our history and national life, it was of outstanding aesthetic importance and it was of outstanding significance for the study of Cézanne's painting and in particular his work in the 1880s.

We recommended that the decision on the export licence application should be deferred for an initial period of six months to allow an offer to purchase to be made at the fair matching price of £13,522,500 plus VAT of £304,500. We further recommended that if, by the end of the initial deferral period, a potential purchaser had shown a serious intention to raise funds with a view to making an offer to purchase the painting, the deferral period should be extended by a further six months.

At the end of the initial deferral period, no offer to purchase the painting had been made and we were not aware of any serious intention to raise funds. An export licence was therefore issued.



Case 2

Baird Phonovision disc and ephemera

These materials relate to the first ever transmission of transatlantic television pictures and were collected by Mr Ben Clapp (1894–1990) between autumn 1927 and February 1928 while employed at John Logie Baird's (1888–1946) company, *Baird Television Limited*. Benjamin Clapp's radio log books for his amateur radio station GK2Z and related ephemera, are mostly A4 size and smaller and almost entirely made of paper (fibre product) whilst the Phonovision disc, which measures 277mm in diameter by 18mm in thickness and contains an early video recording, is an ordinary 78 rpm shellac (laminated) audio disc fabricated on 20 September 1927 by the Columbia Graphophone Company Limited.

The applicant applied to export the Phonovision disc and ephemera to Denmark. The value shown on the export licence application was £75,000, which represented an agreed sale price of £78,750 (including commission of £3,750).

The Associate Curator of the National Media Museum, acting as expert adviser, objected to the export of the Phonovision disc and ephemera under the first and third Waverley criteria on the grounds that its departure from the UK would be a misfortune because it was so closely connected with our history and national life and it was of outstanding significance for the study of the history of national and international television and for our wider understanding of 20th century communications.

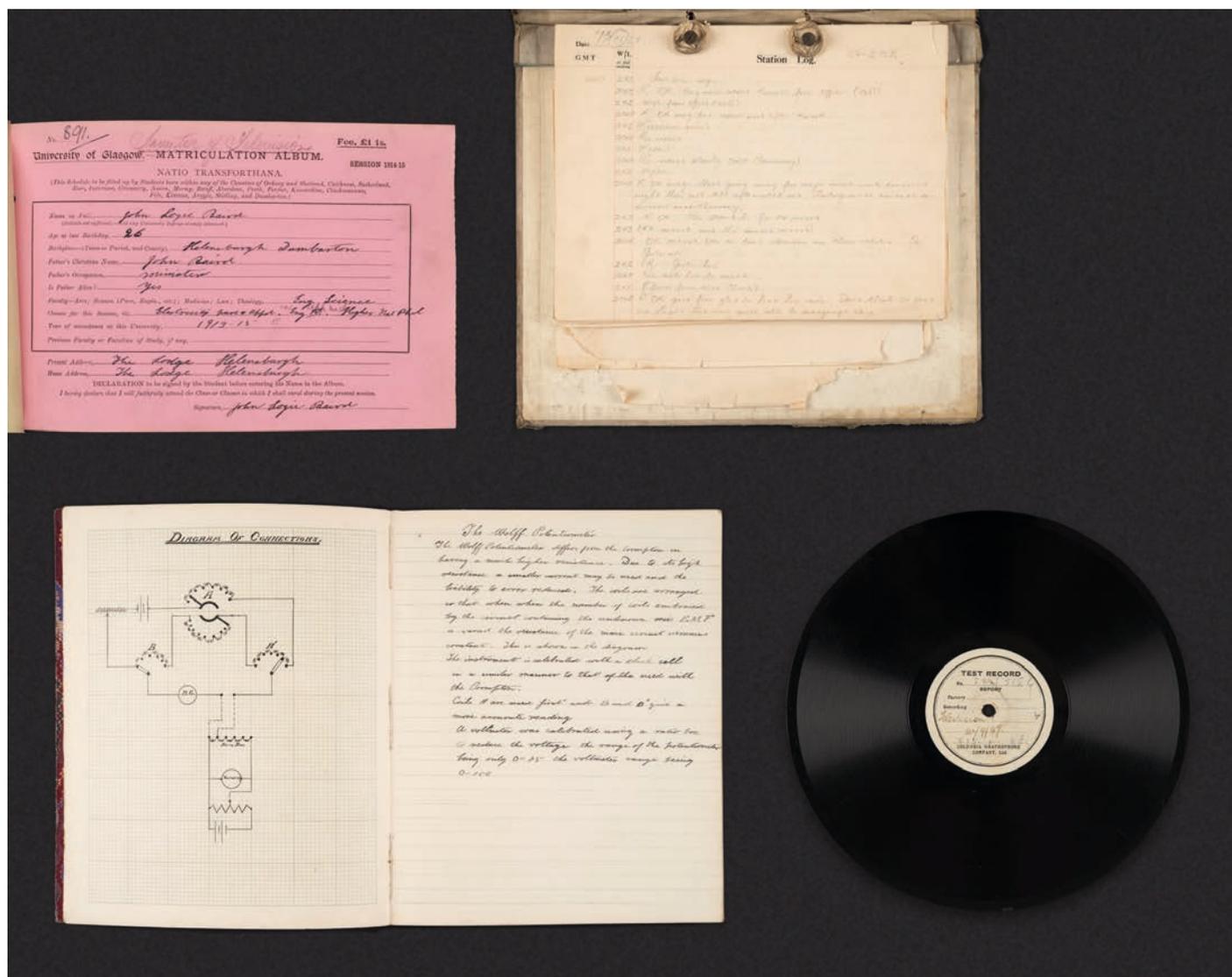
The expert adviser provided a written submission stating that the archive under consideration related to the first-ever transatlantic transmission of television pictures. Between November 1926 and April 1927 John Logie Baird and his assistant Benjamin Clapp developed the idea of rigging up a receiving station and television receiver in America and transmitting pictures over telephone lines from Baird's laboratories in London, to Clapp's house in Surrey (where there was a powerful transmitter station), and from there, by wireless, to the East Coast of the United States of America. The logbook and ephemera cover the period of experiments from the autumn of 1927 until February 1928 in the lead up to the successful transatlantic transmission.

This material told us about television in its earliest experimental stages, as well as revealing how it fitted into the amateur radio culture and technology of the period. The electromechanical system Baird and his colleagues championed was simple and low-resolution, but could travel long distances. The publicity generated by the first transatlantic television transmission inspired other companies to start or expand their television efforts, both in Britain and abroad. There were no similar documents or objects relating to the inaugural transatlantic transmission other than these, and although a number of Phonovision recordings were made by Baird Television Limited from late 1927 to mid-1928, only five of these survive. Furthermore, it is the earliest Phonovision disc in existence, and thus the world's earliest surviving video recording.

The applicant had stated in a written submission that the collection did not have a close connection with our history and national life and that the nature of the archive meant it was not really classifiable as aesthetically important. The archive did not have outstanding significance for study or learning as the transmission of television pictures across the Atlantic was a stunt rather than a technical breakthrough and was initiated to keep the 'Baird system' in the news, and hopefully also to elicit funding for future projects. Wireless transmission of pictures had already been accomplished by Herbert Ives of AT&T and his team on 7 April 1927. Until the development of satellite technology later in the 20th century, the transmission of a signal via the ionosphere was never going to be practical and was, in truth, a technological dead-end. Furthermore, Baird had very little input except in the final publicity stage and this was discernable in there being no material, to the applicant's knowledge, with Baird's autograph amongst the archive.

We heard this case in May 2015 when the Phonovision disc and ephemera was shown to us. We found that it met the first and third Waverley criteria on the grounds that its departure from the UK would be a misfortune because it was so closely connected with our history and national life and it was of outstanding significance for the study of the history of national and international television and for our wider understanding of 20th century communications.

Plate 2 Baird Phonovision disc and ephemera



We recommended that the decision on the export licence application should be deferred for an initial period of three months to allow an offer to purchase to be made at the fair matching price of £78,750. We further recommended that if, by the end of the initial deferral period, a potential purchaser had shown a serious intention to raise funds with a view to making an offer to purchase the Phonovision disc and ephemera, the deferral period should be extended by a further three months.

During the initial deferral period, we were informed of a serious intention by the University of Glasgow to raise funds to purchase the Phonovision disc and ephemera. A decision on the export licence application was deferred for a further three months. We were subsequently informed that the Phonovision disc and ephemera had been purchased by the University of Glasgow with the help of a private benefactor.

Case 3

An East View of the Great Cataract of Niagara, by Captain Thomas Davies

Watercolour and ink on laid paper by Thomas Davies (1737–1812), measuring 34.3cm by 50.2cm dated 1762.

The applicant applied to export the watercolour to Toronto, Canada. The value shown on the export licence application was £151,800, which represented the hammer price at auction of £120,000, plus the buyer's premium of £26,500, and VAT of £5,300.

The Lead Curator, Western Prints and Drawings, British Library, acting as expert adviser, objected to the export of the watercolour under the third Waverley criterion, on the grounds that its departure from the UK would be a misfortune because it was of outstanding significance for the study of the history of military draughtsmanship, exploration, and topographical and documentary illustration.

The expert adviser provided a written submission stating that the work, executed in watercolour and ink on laid paper, was an important early topographical view of North America, and illuminated the history of British exploration, science, and military enterprise. Dating from 1762, it was the earliest eyewitness representation of the iconic landscape of Niagara Falls by a British military surveyor. The view combined direct observation of natural phenomena, the representation of native figures, the first correct depiction of local geography, and the earliest inclusion of Niagara's ever-present rainbow. Davies was highly regarded as a military artist and collector, and was connected with a range of influential scientific, artistic, and antiquarian figures. The watercolour, and the career of Davies, was testament to Britain's global role in the 18th century. Scholarship in the area of topographical art had evolved considerably over the last few decades. Furthermore, this view's creator, subject matter, and dissemination (initially via a print by Fougeron, 1763) all suggested rich avenues for historical research.

The applicant disagreed that the watercolour met the Waverley criteria. The subject of Niagara Falls was of greater interest to North America, and specifically Canada, than to the UK. The watercolour was of historical interest as the artist was a British officer serving in the Seven Years' War, but not so closely connected with our national history that its departure would be a misfortune. The work was not of outstanding aesthetic value as Davies was primarily a topographical artist and concerned with conveying information, in this case a survey of the land depicted. The watercolour was one of over 50 similar views taken by Davies in North America during the Seven Years' War and War of Independence. If these works could be seen as of outstanding significance as a whole, as a valuable eye witness record of the campaigns and landscapes, this particular small work on its own could not claim to be of outstanding significance for the study of some particular branch of art, learning, or history.

We heard this case in July 2015 when the watercolour was shown to us. We found that it met the first and third Waverley criteria on the grounds that its departure from the UK would be a misfortune because it was so closely connected with our history and national life and it was of outstanding for the study of the history of military draughtsmanship, exploration, and topographical and documentary illustration.

We recommended that the decision on the export licence application should be deferred for an initial period of three months to allow an offer to purchase to be made at the fair matching price of £151,800 (including VAT). We further recommended that if, by the end of the initial deferral period, a potential purchaser had shown a serious intention to raise funds with a view to making an offer to purchase the watercolour, the deferral period should be extended by a further three months.

During the initial deferral period, we were informed of a serious intention by the National Army Museum to raise funds to purchase the watercolour. A decision on the export licence application was deferred for a further three months. We were subsequently informed that the painting had been purchased by the National Army Museum with help from the Art Fund.





Case 4

Portrait of Catrina Hooghsaet, Rembrandt Harmensz van Rijn

This painting by Rembrandt Harmensz van Rijn (1606–1669) is oil on canvas and measures 126cm by 98.5cm. It is inscribed and signed on the upper left of the painting ‘Rembrandt f/1657.’

The applicant applied to export the painting to Asia. The value shown on the export licence application was £35,000,000, which represented an agreed sale price.

The Director of the Scottish National Gallery, acting as expert adviser, objected to the export of the painting under the first, second and third Waverley criteria on the grounds that its departure from the UK would be a misfortune because it was so closely connected with our history and national life, it was of outstanding aesthetic importance and it was of outstanding significance for the study of Rembrandt’s oeuvre.

The expert adviser provided a written submission stating that Rembrandt was the greatest artist of the Dutch Golden Age and one of the most famous artists of all time. The ‘fine Rembrandt’ Horace Walpole saw in 1752 in the collection of John Fane at Mereworth House (Kent), was in all likelihood the portrait of Catrina Hooghsaet, which meant it had been in Britain for more than 250 years. The painting had been in the present owner’s family since the 1860s. Frequently exhibited in Britain since 1851, it was on long-term public display at Penrhyn Castle (National Trust), at the National Museum of Wales, Cardiff, and most recently at the Ashmolean Museum. It had therefore been accessible to the public for a long time and was probably the best-known picture by Rembrandt in any private collection in the UK.

This portrait was one of the finest in the artist’s entire oeuvre. It belonged to a small group of late three-quarter-length portraits by Rembrandt and stands out as the most refined of these. The only comparable portraits in the UK were those of Jacob Trip and his wife Margareta de Geer of about 1661 (National Gallery, London), which were, however, executed in Rembrandt’s ‘rough manner’ and were far less refined.

The portrait’s place in the history of and fashion for collecting Rembrandt’s paintings in Britain marked its significance for further research and learning. Its complex genesis could be further explored through additional technical research, enhancing our knowledge of Rembrandt’s late working practice. The status of the sitter also made this a unique portrait in Rembrandt’s oeuvre (and beyond): she was a wealthy Amsterdam Mennonite, married, but separated from her husband. Her well-documented personal situation, in combination with this unusual portrait, offered an extraordinary insight into Dutch society at the time.

The applicant did not disagree that the painting was of outstanding aesthetic importance and of outstanding significance for scholarship under the second and third Waverley criteria.

We heard this case in September 2015 when the painting was shown to us. We found that it met the third Waverley criterion on the grounds that its departure from the UK would be a misfortune because it was of outstanding significance for the study of Rembrandt’s oeuvre and in particular his late works.

We recommended that the decision on the export licence application should be deferred for an initial period of four months to allow an offer to purchase to be made at the fair matching price of £35,000,000 (plus VAT of £660,000). We further recommended that if, by the end of the initial deferral period, a potential purchaser had shown a serious intention to raise funds with a view to making an offer to purchase the painting, the deferral period should be extended by a further eight months.

During the initial deferral period, we were informed by the Art Fund of a serious intention to raise funds to purchase the painting. Before the end of the first deferral period the applicant withdrew their application and the painting remains in the UK.

Case 5

Anglo-Saxon gilt-bronze strip brooch

This gilded copper alloy lozenge-shaped brooch decorated with unique foliate ornament measures 7.62cm by 4.45cm and dates from the late 8th century.

The applicant applied to export the brooch to the USA. The value shown on the export licence application was £8,300, which represented the agreed sale price of \$13,000 converted at the time of the application.

The Curator of Insular Early Medieval & Sutton Hoo Collections at the British Museum, acting as expert adviser, objected to the export of the brooch under the third Waverley criterion on the grounds that its departure from the UK would be a misfortune because it was of outstanding significance for the study of Anglo-Saxon art and material culture.

The expert adviser provided a written submission stating that this was the most elaborate example of a rare type of Anglo-Saxon brooch to be discovered. Only fifteen others with similarly sized plates and complex ornament were known, but none matched its artistic skill and creativity. Its free-flowing foliate decoration was unparalleled in these brooches, which are typically ornamented with geometric and zoomorphic motifs. Its style was also unparalleled across Anglo-Saxon art in general. The pointed leaf motif was familiar from contemporary art but was executed in a unique way. For these reasons, the brooch may have represented the individual style of a particular workshop or craftsman; a special commission by a wealthy patron; or even an as-yet unknown stage in the development of Anglo-Saxon art.

The applicant disagreed that the brooch met the Waverley criteria stating that the Waverley criteria did not state that objects should be of outstanding aesthetic importance for their age, rather their aesthetics should be judged objectively. Furthermore, this was a known brooch type, therefore its academic benefit was limited to the art-historical study of strip-brooches, where it would be considered in the light of its 'unknown provenance.' Just because something may have been published in a corpus, or even that it may have been unusual within the corpus, did not make it outstandingly significant in a broad sense.

We heard this case in September 2015 when the brooch was shown to us. We found that it met the third Waverley criterion on the grounds that its departure from the UK would be a misfortune because it was of outstanding significance for the study of Anglo-Saxon art and material culture. We recommended that the decision on the export licence application should be deferred for an initial period of three months to allow an offer to purchase to be made at the fair matching price of £8,460 (plus VAT of £1,692) which represented the agreed sale price of \$13,000 at the exchange rate of £1 = \$1.53 on the date of the hearing. We further recommended that if, by the end of the initial deferral period, a potential purchaser had shown a serious intention to raise funds with a view to making an offer to purchase the brooch, the deferral period should be extended by a further two months.

During the initial deferral period, we were informed of a serious intention by the Ashmolean Museum to raise funds to purchase the brooch. A decision on the export licence application was deferred for a further two months. We were subsequently informed that the brooch had been purchased by the Ashmolean Museum with assistance from a private benefactor.



AN2016.151 Lozenge-shaped brooch, late 8th century AD
Image © Ashmolean Museum, University of Oxford.

Case 6

Large bowl by Hans Coper

This large bowl by Hans Coper (1920–1981) measures 37.5cm in diameter. It has an exterior of white porcelain slip over manganese and the interior has sgraffito decoration through manganese, overlaid with white glaze. The bowl dates from circa 1955.

The applicant applied to export the bowl to Switzerland. The value shown on the export licence application was £89,800, which represented a hammer price of £70,000 plus the buyer's premium of £19,800.

The Senior Curator of Ceramics and Glass at the Victoria and Albert Museum, acting as expert adviser, objected to the export of the bowl under the second and third Waverley criteria on the grounds that its departure from the UK would be a misfortune because it was of outstanding aesthetic importance and it was of outstanding significance for the study of the work of Hans Coper, as well as the wider history of Studio Pottery.

The expert adviser provided a written submission stating that no other figurative shallow bowl by Coper of comparable significance and aesthetic merit was known to remain in the UK. It was a highly significant, exceptional, and extremely rare work by Hans Coper, arguably the most important and celebrated ceramic artist of the 20th century. A work of outstanding aesthetic importance in its own right, it was also of exceptional significance to the study of the work of Hans Coper, as well as the wider history of Studio Pottery, which he had profound influence on during the 1950s and 60s.

Coper was responsive both to the contemporary world, but also to ancient sources, and frequently drew inspiration from beyond ceramic traditions. Actively interested in modern sculpture and painting, he changed the agenda for studio ceramics, suggesting new possibilities and priorities for the discipline; evolving an entirely new visual language of pottery in which ceramic forms assumed the characteristics of sculpture. During the 1950s, Coper's work underwent rapid development. He worked through a number of different forms and stylistic variations, and continually refined the rather restricted range of materials and processes that he habitually employed.

His work of the earlier 1950s consisted primarily of pear-shaped jugs, tapering jars and vases, and shallow bowls. Unlike his later works, which explored surface qualities and textures in a manner akin to the patination of sculpture, these works of the 50s were often adorned with patterns and motifs. Frequently taking the form of abstract linear designs, these nevertheless often echoed the skeletal forms of bones or leaf structures and also routinely included 'eyes'. By 1953, such decoration was on occasion becoming more strongly figurative, with stylised, abstracted fishes and birds being depicted. This large bowl of around 1955 is an exceptional and celebrated example of this latter type.

The applicant disagreed that the bowl met the Waverley criteria. This particular bowl had always remained in private collections and it was not something that had ever had any meaningful visibility amongst the public. Therefore, any potential connection with the history and national life of the UK had never been established. The bowl was towards the larger end of its particular series in terms of size. It was not unique in this regard and, amongst collectors of Coper's work, this had never been the defining factor in determining value or aesthetic achievement. There were many other documented bowls produced in the mid-1950s with similar abstracted pictorial designs which generally featured birds or fish. There was a strong argument that as Coper's abstraction became more developed and stylised later in his career his work became more interesting and relevant to contemporary developments in Modern Art. Furthermore, there were two other series of bowls; the first featuring 'Horse and Rider' designs; the second featuring more sparsely decorated linear designs. The bowl was strongly representative of one element of Hans Coper's output from a couple of years in the mid-1950s. He quickly moved on to explore the less pictorial, form-based style that he was more closely associated with.



We heard this case in September 2015 when the bowl was shown to us. We found that it met the third Waverley criterion on the grounds that its departure from the UK would be a misfortune because it was of outstanding significance for the study of Hans Coper and studio pottery in the mid-20th century. We recommended that the decision on the export licence application should be deferred for an initial period of four months to allow an offer to purchase to be made at the fair matching price of £92,291.14 (including VAT) which represented a hammer price of £70,000, the buyer's premium of £19,800 and an artist's resale royalty of £2,491.14. We further recommended that if, by the end of the initial deferral period, a potential purchaser had shown a serious intention to raise funds with a view to making an offer to purchase the bowl, the deferral period should be extended by a further four months.

During the initial deferral period, we were informed of a serious intention by the Victoria and Albert Museum to raise funds to purchase the bowl. A decision on the export licence application was deferred for a further four months. Although the expression of interest came from the Secretary of State's expert adviser, confirmation was obtained at the time of the objection and at the meeting, that the institution with which they were connected was not making enquiries with a view to purchasing or in the process of purchasing the item. A decision on the export licence application was deferred for a further four months. We were subsequently informed that the bowl had been purchased by the Victoria and Albert Museum.

Case 7

A 'builder's' ship model of RMS Mauretania

This ship model is a full hull 1:64th scale 'builder's' ship model of the RMS Mauretania measuring 390cm in length by 43cm in depth and 106.5cm in height. It dates from circa 1906 with four-bladed propellers being added in 1909 and the original complement of lifeboats increased after the Titanic disaster in 1912.

The applicant applied to export the ship model to Germany. The value shown on the export licence application was £500,000 (excluding VAT), which represented an agreed sale price.

The Curator of Ship Model and Boat Collections, Royal Museums Greenwich, acting as expert adviser, objected to the export of the ship model under the first, second and third Waverley criteria on the grounds that its departure from the UK would be a misfortune because it was so closely connected with our history and national life, it was of outstanding aesthetic importance and it was of outstanding significance for the study of the discipline of Naval Architecture and more broadly in the study of UK maritime heritage.

The expert adviser provided a written submission stating that the full hull 1:64th scale 'builder's' ship model of the RMS Mauretania complete with a modern display case was constructed from horizontal wooden boards in 'bread and butter fashion' with laid wooden laminate decks, the funnels and superstructure made from solid blocks of wood. A large proportion of the deck and hull fittings such as ventilation cowlings, winches and port holes etc were made from brass and either gold plated or had a brass and copper finish. The masts and associated rigging were a mixture of metal, wood, wire and natural cordage laid up to scale. All of the glazing such as windows on the superstructure and portholes on the hull were made from small pieces of mirrored glass.

The model was made by a number of craftsmen in the model workshop in the shipyard of Swan Hunter & Wigram Richardson, Tyne and Wear and was one of the original models either supplied by the builders for Cunard, the owners of the ship or for the publicity purposes of the shipyard. The model had been the property of the shipyard since its construction circa 1906–12, right up to its sale in May 2015. It had been on long-term loan to the Science Museum, London, from 1938 to 2012 and had been on virtually permanent display (excluding during WWII).

The applicant disagreed that the ship model met the Waverley criteria, stating that a superior example of the same model by the same maker was already held in the National Collection at the Discovery Museum, Newcastle upon Tyne.

We heard this case in October 2015 when the ship model was shown to us. We found that the ship model did not meet any of the Waverley criteria and recommended that an export licence be issued. An export licence was issued.

Case 8

St Luke Drawing the Virgin and Child from the workshop of Dieric Bouts the Elder

This painting from the workshop of Dieric Bouts the Elder (active by 1457–75) is oil on canvas, transferred from panel in 1899, and measures 109.2 by 86.4cm.

The applicant applied to export the painting to Asia. The value shown on the export licence application was £3,300,000, which represented an agreed sale price.

The Director of the National Gallery, acting as expert adviser, objected to the export of the painting under the second and third Waverley criteria on the grounds that its departure from the UK would be a misfortune because it was of outstanding aesthetic importance and it was of outstanding significance for the study of painting in the Netherlands around 1500.

The expert adviser provided a written submission stating that Dieric Bouts was one of the leading and most influential Netherlandish painters of this period. He was one of the first of his northern European contemporaries to make use of single-point perspective; these innovations were evident in *St Luke Drawing the Virgin and Child*. Bouts' work was also characteristic of an important moment in Early Netherlandish painting which showed a profound response to the *Devotio Moderna* by creating a style of painting which sought to collapse the psychological and physical distance between the viewer and the fictive scene in order to provoke a more powerful religious experience.

Bouts was probably born in Haarlem. He was strongly influenced by Rogier van der Weyden as the compositional dependency of the current work on van der Weyden's *St Luke Drawing the Virgin* (Boston Museum of Fine Arts) shows. He was chiefly active in Leuven where his two sons Dieric the Younger and Aelbrecht also worked. The earliest dated work attributed to the artist is the National Gallery's *Portrait of a Man* (1462).

This painting was of exceptional interest for two main reasons: its connections with Dieric Bouts, and the subject of St Luke drawing the Virgin that it depicted. Both elements were extremely rare, particularly in the context of UK collections, but it was their combination in this work which rendered it an important, and indeed unique, British cultural asset.

During the 15th century, Netherlandish pictures were admired all over Europe for their visual sophistication, imagination, and invention, and those by Dieric Bouts and his workshop were no exception. *St Luke Drawing the Virgin and Child* exhibits all of these characteristics. The patterned tiles lead the viewer's eye through the composition, to the colonnade and landscape beyond. The face of St Luke, which portrays both age and character, displays the key characteristics associated with Bouts' portraiture. The expensive figured velvet cloth of gold is exquisitely rendered, as is the tiled floor and marble columns. The detailed landscape beyond the colonnade, showing a walled town receding into a mountainous horizon, demonstrates why Bouts is viewed as one of the most important early Netherlandish landscape painters.

The attribution of this panel had been the subject of scholarly debate. Regardless of this uncertainty, between 1900 and 1953 *St Luke Drawing the Virgin and Child* was included in several seminal exhibitions on early Netherlandish painting in the UK and abroad. The work can, therefore, be viewed as fundamental to both early 20th century and current art historical scholarship on Netherlandish painting. Moreover, despite Dieric Bouts' artistic significance, a number of outstanding questions remain to be answered concerning his oeuvre, particularly who was active in his workshop and how it was managed. The date of the painting would merit further investigation, given that Bouts died in 1475 and his son, Aelbrecht, ran the studio until his own death in 1549.

The applicant disagreed that the painting met the Waverley criteria. The painting had been omitted from all relevant exhibitions in the UK, and elsewhere, since 1953. In addition, there were other works in the collection of the National Gallery, some firmly attributed to the artist that are better known to scholars and the wider public, and more closely connected with our national life. Whilst the painting was certainly of aesthetic merit, it cannot be considered of outstanding aesthetic importance due to its deteriorated state of preservation, its derivative composition, and the quality of its execution. The composition was not wholly independent, relying heavily on Rogier van der Weyden's treatment of the subject. Furthermore, the execution and brushwork were not of the same high quality as recognised, autographed works by Bouts of which there were several examples in the National Gallery.

Given the number of higher quality and better preserved works by Bouts himself, his workshop and other important Netherlandish painters in the National Gallery and other UK collections, the applicant did not believe, relative to them, that this painting was of outstanding significance for the study of this particular branch of art, learning or history. Unlike many other works by the artist in UK public collections *St Luke Drawing the Virgin and Child* had not been considered an original work by the artist since the early 20th century.

We heard this case in October 2015 when the painting was shown to us. We found that it met the second and third Waverley criteria on the grounds that its departure from the UK would be a misfortune because it was of outstanding aesthetic importance and it was of outstanding significance for the study of painting in the Netherlands around 1500. We recommended that the decision on the export licence application should be deferred for an initial period of three months to allow an offer to purchase to be made at the fair matching price of £3,300,000 (plus VAT of £83,320). We further recommended that if, by the end of the initial deferral period, a potential purchaser had shown a serious intention to raise funds with a view to making an offer to purchase the painting, the deferral period should be extended by a further four months.

During the initial deferral period, we were informed of a serious intention by The Bowes Museum to raise funds to purchase the painting. A decision on the export licence application was deferred for a further four months. We were subsequently informed that the painting had been purchased by The Bowes Museum with assistance from the Heritage Lottery Fund and the Art Fund through the Private Treaty Sale procedure.





Case 9

Nobel Prize Medal and Diploma awarded to Hans Krebs

This Nobel Prize medal and diploma was awarded to Hans Krebs in recognition of his discovery of the citric acid cycle. The medal, measuring 66mm in diameter, is in 23 carat gold and engraved along the lower left edge 'E. Lindberg 1902', this being Erik Lindberg (1873–1966), a sculptor, engraver and designer of the Nobel Prize medals. The diploma consists of two vellum membranes, the first membrane with a miniature (205mm by 215mm) and the second with a vignette (20mm by 220mm).

The applicant applied to export the medal and diploma to the USA. The value shown on the export licence application was £275,000, which represented the hammer price at auction plus the buyer's premium.

The Co-Curator/Research, Harry's Story, and the Modern Collections Curator at the Museum of the History of Science, University of Oxford, acting as expert advisers, objected to the export of the medal and diploma under the first and third Waverley criteria on the grounds that its departure from the UK would be a misfortune because it was so closely connected with our history and national life and it was of outstanding significance for the study of the history of science and biochemistry.

The expert adviser provided a written submission stating that the 1953 Nobel Prize medal and Citation awarded to Hans Krebs for his discovery of the citric acid cycle was closely connected with British history and national life. Much if not all of the work on the discovery of the citric acid cycle was conducted after Krebs came to Britain in 1933, initially in Cambridge but for the most part of his career at the University of Sheffield and subsequently at the University of Oxford.

Krebs's life in Britain and his scientific research here were important in terms of the history and foundation of biochemical and medical research, nationally and internationally. While the Nobel Prize was awarded to an individual, it was also, in part, recognition of the important scientific research and community as well as the body of expertise led and overseen by Krebs at Sheffield up to the award of his Nobel Prize in 1953. Furthermore, the scientific research conducted by Krebs in Sheffield and later Oxford was part of a larger narrative of the roles and significance of Jewish refugees, who had fled Nazi Germany, in British life

from their arrival in the 1930s and beyond. It was also worth noting that Krebs became a naturalised British citizen through marriage in 1939 and that there was a blue plaque dedicated to Krebs and his work on the new Biochemistry Department building in Oxford.

The applicant disagreed that the medal and diploma met the Waverley criteria. Krebs's research was certainly of great importance and the UK was fortunate as his working archive was held by the University of Sheffield. That archive provided a rich source for the study and interpretation of Krebs's research. The presence of the medal and citation would add little to the archive that could not be achieved by the display of a replica. In addition, Krebs's scientific discoveries pertained to all multi-cellular living organisms, whether or not they were currently resident in the United Kingdom, so any claim that they had any particular relevance to Britain was difficult to sustain. The applicant did not therefore accept that the departure of the medal and diploma from the UK would be a misfortune. The prize was a fine piece of Swedish design, but it was not a unique object. The quality of the design and craftsmanship was of high but not outstanding aesthetic importance. There was no disputing the outstanding importance of Krebs's scientific work, but the award shed no light on this.

We heard this case in November 2015 when the medal was shown to us. We found that it met the first Waverley criterion on the grounds that its departure from the UK would be a misfortune because it was so closely connected with our history and national life. We recommended that the decision on the export licence application should be deferred for an initial period of three months to allow an offer to purchase to be made at the fair matching price of £275,000 (plus VAT of £10,000). We further recommended that if, by the end of the initial deferral period, a potential purchaser had shown a serious intention to raise funds with a view to making an offer to purchase the medal, the deferral period should be extended by a further two months.

At the end of the initial deferral period, no offer to purchase the medal and diploma had been made and we were not aware of any serious intention to raise funds. An export licence was, therefore, issued.



Case 10

Portrait of a Young Man in a Red Cap by Pontormo

This painting by Jacopo Carrucci (known as Pontormo, 1494–1556/7), measuring 92.1cm by 73cm, is oil on panel and was painted circa 1530.

The applicant applied to export the painting to the USA. The value shown on the export licence application was £30,618,987, which represented an agreed sale price of £29,000,000 plus £1,618,987 commission which the applicant later clarified was commission of \$2,500,000 converted into GBP on the date of the application.

The Director of The National Gallery, acting as expert adviser, objected to the export of the portrait under the second Waverley criterion, on the grounds that its departure from the UK would be a misfortune because it was of outstanding aesthetic importance.

The expert adviser provided a written submission stating that *Portrait of a Young Man in a Red Cap* was a bravura piece of painting, executed in oils over bold free-hand under drawing, some of which – particularly in the head and hands – was now visible. Character and ideals were conveyed through the composition, posture and the handling of paint. The brushwork was fairly thin but the carefully applied tonal layers were distinguished by swooping, energetic strokes. The sitter was arranged for maximum effect, his arms describing a circular motion, at ease but poised. The grey of his puffy sleeves contrasted with the black of his jerkin to strike a balance between the sophisticatedly suave and the martially virile. His posture accentuated further the tapering shoulders and proportionately small head. The strong accent of red provided by the cap emphasised the alertness written across his face. All this was subtly enhanced by the low point of view.

Born in the Tuscan village of Pontormo – hence his nickname Pontormo – Jacopo Carucci spent his entire career in Florence. He probably passed through the studios of Leonardo da Vinci, Mariotto Albertinelli and Piero di Cosimo, before assisting Andrea del Sarto in the early 1510s, most notably on the decorative programme at Santissima Annunziata, to which he made autonomous contributions. He first entered Medici employment in 1515 with fresco decorations at Santa Maria Novella, a relationship that would continue for the rest of his life. Pontormo ranked among the great portraitists of the 16th century, working in an expressive – or so-called ‘mannerist’ – style of portraiture that integrates stylistic assertion and characterisation. Only around fifteen portraits by Pontormo survive, most of which are in Italy.

Portrait of a Young Man in a Red Cap can almost certainly be identified with a picture mentioned by Vasari in his Vita of Pontormo (1568) as depicting the young patrician and citizen Carlo Neroni, painted ‘at the time of the siege of Florence’ (1530–31). It is mentioned in the same breath as a portrait of a Francesco Guardi, another young patrician, which had been identified with the Getty *Portrait of a Halberdier* which was both stylistically and thematically comparable with the portrait under discussion. The siege of Florence by Imperial troops was both traumatic and bloody. The fledgling Florentine Republic, formed at the expulsion of the Medici in 1527, was allied to the French. The siege was part of the wars of the Holy Roman Emperor, Charles V, against Francis I of France and was sponsored by the Pope, Clement VII Medici, who, under some duress, had recently signed a treaty with Charles. The Pope also backed the siege as he wanted to reclaim Florence, the city of his birth, for his family.

Neroni was born in 1511, making him 18 for most of the period of the siege. That age is compatible with the appearance of the youth in the portrait. In addition he wears what is probably a wedding ring on the fourth finger of his left hand. In 1530, the probable date of the portrait, Neroni married Caterina di Giuliano Capponi, a merchant banker's daughter. In his right hand the young man holds a letter, which is inscribed 'Domi...' (likely for Domino or Domina(e)), i.e. 'to Don' or to 'Donna'. He is holding it close to his breast and appears to be sliding it under his jerkin, which would indicate that the letter is of a personal nature and it may indeed be a reference to the marital alliance proposed first by National Gallery curator Carol Plazzotta as the specific context for the portrait's commission.

Neroni would later hold office under Duke Cosimo I, but at the time of the siege he was a republican sympathiser as was to be expected of a man whose great uncle, Diotosalvi Neroni, together with his family, had been exiled for republican leanings from Medici-run Florence in the previous century. Neroni's connection with Pontormo was not restricted to this portrait, he also commissioned from him a version of *The Martyrdom of the Ten Thousand*. This could be the painting, sometimes attributed to Pontormo's pupil, Bronzino, in the Uffizi. Pontormo's treatment of the subject, also known to us in a more elaborate version now in the Gallerai Palatina, suggests an overt connection between this early Christian story of sacrifice to the blood shed during the siege. Further republican connections between the Capponi and Neroni families are demonstrated by the fact that Neroni's father-in-law, Giuliano Capponi, was an ardent supporter of the 'Piagnoni', the Savonarolan reform movement aligned with the Republic, whilst his bride Caterina's uncle, Niccolo, served twice as 'gonfaloniere' of the Republic. It is surely not a coincidence that Capponi who had already commissioned Pontormo to decorate his family chapel in Santa Felicita with unforgettable results should have found it fitting that Pontormo should paint his daughter's future husband.

Beyond its martial context the portrait is a rousing depiction of youthful idealism. Along with the Halberdier it is one of the quintessential expressions of Republican sentiment in Renaissance Florence, as well as a first-rate example of Florentine portraiture of the 16th century.

The applicant disagreed that the painting met the Waverley criteria. While outstanding, *Portrait of a Young Man in a Red Cap* was not a unique work with regard to British holdings of Italian Mannerist paintings. The National Gallery already had four other paintings by Pontormo of exceptionally good quality, all in excellent condition. It also had a magnificent portrait by Bronzino on loan from the Bingham Collection from the same period as the current Pontormo, as well as several other striking works by that artist. In addition it had a very beautiful *Portrait of a Young Man Holding a Letter* by Rosso Fiorentino from the same general era. Additionally, the Walker Art Gallery in Liverpool had a magnificent *Portrait of a Man with a Helmet* by Rosso Fiorentino, and the Royal Collection, Windsor, had the striking *Lady in Green* (possibly a daughter of Matteo Sofferoni) by Bronzino.

We heard this case in October 2015 when the painting was shown to us. We found that it met the second Waverley criterion on the grounds that its departure from the UK would be a misfortune because it was of outstanding aesthetic importance. We recommended that the decision on the export licence application should be deferred for an initial period of four months to allow an offer to purchase to be made at the fair matching price of £30,618,987 which represented the private sale price of £29,000,000 plus £1,618,987 commission (\$2,500,000 converted into GBP at the date of the meeting at the rate 1.5441756581) as a fair matching price.

We further recommended that if, by the end of the initial deferral period, a potential purchaser had shown a serious intention to raise funds with a view to making an offer to purchase the painting, the deferral period should be extended by a further six months.

At the end of the initial deferral period the National Gallery, which acted as champion for the painting, informed us that, having exhausted every other possibility of purchase by another public body, it had decided, with the support of the Government, that it had an obligation to the national interest to try and raise the funds itself to purchase the painting. Confirmation was received from it that at the time it had objected and at the Reviewing Committee meeting, the National Gallery had not been considering a purchase of the painting and a decision on the export licence application was therefore deferred for a further six months. During that time the Government offered a grant to the National Gallery of £19,415,000 towards the acquisition, this amount being the estimated value of the tax collected or due to be collected by HM Revenue & Customs on this painting. The grant was aligned with the tax that would have been forgone if the painting had been sold to the National Gallery, a Schedule 3 body, by the original owner through the private treaty sale regime. This was a case where the foreign buyer had chosen to pay up before the issue of the export licence thereby precluding a net of tax acquisition by the National Gallery or any other Schedule 3 body.

Before the end of the second deferral period the National Gallery made a matching offer of £30,618,987 to the owner. At the time of publication this matching offer has been rejected and the Secretary of State is considering the owner's response.

Case 11

A Pair of Charles II Silver Andirons

This pair of silver Charles II andirons, measuring 50.8cm in height, are formed of a double volute base supported on lion's paw feet. Each andiron supports a female figure in contrapposto; one with an asp in her left hand represents Cleopatra; the other with a sword in her right hand, represents Lucretia. They are engraved with the coat of arms of Edward Russell and his second wife Margaret Russell who married in 1691. The andiron with the figure of Cleopatra bears the London hallmark, sterling mark and part of the maker's mark on the upper face of the stand and the base of the plinth supporting the figure. The andiron with the figure of Lucretia is marked on the upper support for the figure with the date letter C for 1680 and on the underside with the maker's mark IM.

The applicant applied to export the andirons to the USA. The value shown on the export licence application was £541,000, which represented an agreed sale price.

The Deputy Keeper Sculpture, Metalwork, Ceramics and Glass Department at the Victoria and Albert Museum, acting as expert adviser, objected to the export of the andirons under the second and third Waverley criteria on the grounds that their departure from the UK would be a misfortune because they were of outstanding aesthetic importance and they were of outstanding significance for the study of silver fireplace furniture made in London in emulation of French style silver furniture during the reign of Charles II.

The expert adviser provided a written submission stating that the andirons were in outstanding condition, retaining their surface chasing. The representation of female heroines from Roman history demonstrated the importance of the classics in educating those in authority and in providing a secular alternative to sacred iconography. Dated and hallmarked in London in 1680–1681, these figurative andirons demonstrated the importance of fireplace furniture which highlighted the hearth as a source of heat and light in the grandest reception rooms, particularly best or state bedchambers which formed the ceremonial focus of the monarch's own state apartments, or those furnished by leading courtiers in their 'Stately Homes' in readiness to receive the monarch.

Although the maker had been tentatively identified as the London goldsmith John Moore, it was even more probable that this was the mark of Jean Henri de Moor, a native of Arnhem in Gelderland who worked in Paris from 1674. He was recorded in London by 1678 as

'Silversmith in Ordinary' in the Lord Chamberlain's list of craftsmen and worked for Charles II in that year. During 1680 Jean Henri de Moor returned to Paris, where he worked with his father-in-law François Lebret. From 1683 he was in Copenhagen and in 1687 he was given a twelve year royal monopoly to manufacture furniture.

The pair of andirons under consideration were in remarkable original condition bearing the coat of arms of their owner Edward Russell, later 1st Earl of Orford. They demonstrated the extent to which other surviving figurative London-made silver andirons from the late 17th century had been altered. They provided a new standard for assessing the quality and iconography of silver fireplace furniture made in London in emulation of French style silver furniture in the reign of Charles II. Silver andirons were a short-lived fashion as the introduction of coal as the preferred fuel in wealthy houses in the early 18th century eliminated their need.

The applicant disagreed that the andirons met the Waverley criteria. They were particularly good examples of firedogs or andirons, but there were numerous other examples in collections both private and public in the United Kingdom.

We heard this case in November 2015 when the andirons were shown to us. We found that they met the second and third Waverley criteria on the grounds that their departure from the UK would be a misfortune because they were of outstanding aesthetic importance and they were of outstanding significance for the study of decorative art, furnishing and patronage. We recommended that the decision on the export licence application should be deferred for an initial period of three months to allow an offer to purchase to be made at the fair matching price of £541,000 (plus VAT of £108,200). We further recommended that if, by the end of the initial deferral period, a potential purchaser had shown a serious intention to raise funds with a view to making an offer to purchase the andirons, the deferral period should be extended by a further three months.

During the initial deferral period, we were informed of a serious intention by the National Museum Wales to raise funds to purchase the andirons. A decision on the export licence application was deferred for a further three months. We were subsequently informed that the andirons had been purchased by the National Museum Wales with assistance from the National Heritage Memorial Fund, the Art Fund, Goldsmiths' Company, the Silver Society and private donations.





Case 12

A pair of Italian *pietre dure* mounted, inlaid ebony cabinets

This pair of ebony veneered cabinets of architectural form, mounted with *pietre dure* panels and gilt metal mounts and measuring 125cm by 93cm by 43.5cm was made in Rome circa 1625. Each cabinet is on a matching stand made in England circa 1800, veneered in mahogany and with gilded caryatid supports and ornaments, and measures 222cm by 92cm by 43.5cm on the stand.

The applicant applied to export the cabinets to Switzerland. The value shown on the export licence application was £1,265,000, which represented the hammer price at auction plus the buyer's premium.

The Curator, Furniture, Textiles and Fashion Department at the Victoria and Albert Museum, acting as expert adviser, objected to the export of the cabinets under the second and third Waverley criteria on the grounds that their departure from the UK would be a misfortune because they were of outstanding aesthetic importance and they were of outstanding significance for the study of Roman *pietre dure* furniture.

The expert adviser provided a written submission stating that this pair of cabinets formed part of a small group of outstandingly rich and accomplished Roman *pietre dure* cabinets made circa 1580–1650. They represented the best quality Roman cabinet making in the first half of the 17th century. The combination of architectural form, sculptural mounts and lavish hardstone panels was exceptionally accomplished in this pair. Their original commission could be plausibly related to the Borghese family, influential in Rome under Camillo Borghese, Pope Paul V (1605–21), because of the gilt-bronze crowned eagles – a Borghese emblem – which support the cabinets. Roman cabinets are rare in British collections, and these were early Grand Tour acquisitions by one of the leading collectors of the day, the 4th Earl of Carlisle for Castle Howard, Yorkshire. Their importance to the house was reflected in the spectacular stands possibly designed by C.H. Tatham circa 1800–02, probably for their new positions in the new Picture and Sculpture Gallery.

The cabinets were of outstanding importance for the study of Roman *pietre dure* furniture, given their very high quality and association with the Borghese. Whereas similar Florentine work produced in the Grand Ducal workshops was well documented, Roman *pietre dure* cabinets were not, raising the possibility that these pieces may, with further research, be linked to the names of particular craftsmen.

The applicant argued that the cabinets were not so closely connected with our history and national life that their departure would be a misfortune. However, they did not dispute that both the second and third Waverley criteria applied.

We heard this case in December 2015 when the cabinets were shown to us. We found that the cabinets met the second and third Waverley criteria on the grounds that their departure from the UK would be a misfortune because they were of outstanding aesthetic importance and they were of outstanding significance for the study of Roman *pietre dure* furniture given their quality, the Borghese association and the relationship of the cabinets with their stands and English 18th century collecting. We recommended that the decision on the export licence application should be deferred for an initial period of two months to allow an offer to purchase to be made at the fair matching price of £1,265,000 (plus VAT of £43,000). We further recommended that if, by the end of the initial deferral period, a potential purchaser had shown a serious intention to raise funds with a view to making an offer to purchase the cabinets, the deferral period should be extended by a further four months.

During the initial deferral period, we were informed of a serious intention by the Fitzwilliam Museum to raise funds to purchase the cabinets. A decision on the export licence application was deferred for a further four months. We were subsequently informed that the cabinets had been purchased by the Fitzwilliam Museum with assistance from the National Heritage Memorial Fund and the Art Fund.

Case 13

Portrait of a Boy by Ferdinand Bol

This painting is oil on canvas and measures 170cm by 150cm. It is signed and dated on the lower left: FBol.1652./ Ætatis. 8. Jaer.

The applicant applied to export the painting to Switzerland. The value shown on the export licence application was £5,189,000 which represented the hammer price at auction plus the buyer's premium.

The Senior Curator (Northern European Art) at the Scottish National Gallery, acting as expert adviser, objected to the export of the painting under the second Waverley criterion on the grounds that its departure from the UK would be a misfortune because it was of outstanding aesthetic importance.

The expert adviser provided a written submission stating that this was Ferdinand Bol's grandest child portrait and perhaps his most remarkable portrait painting. Exceptionally well preserved, it belonged to a small group of child portraits from the 1650s. Uniquely in his oeuvre, it combined a superb portrait with an eye-catching still life of the highest quality. Little known until it was sold in 2015 – only for the second time in more than 200 years, the painting had been in Britain since 1801 (or slightly earlier) when it was bought by Frederick Howard, 5th Earl of Carlisle (1748–1825) and displayed at Castle Howard since 1825.

Ferdinand Bol (1616–80) was one of Rembrandt's most talented pupils. Born in Dordrecht, he trained locally with Jacob Geritsz Cuyp before joining Rembrandt's workshop in Amsterdam from about 1636 until 1641, when he set up his own studio in the city. Bol was a prolific painter and draughtsman of portraits as well as of biblical, mythological and allegorical subjects. He received prestigious commissions from the Dutch Admiralty for the newly built Amsterdam Town Hall (now Royal Palace), and from other public institutions.

Bol was a fashionable and highly successful portrait painter from about 1650, when he developed his own style of painting and emerged from the influence of his master, Rembrandt. *Portrait of a Boy* was the most refined of his six portraits of living children (he painted one child on its deathbed). Unlike most child portraits, especially of younger children, *Portrait of a Boy* places the boy in an 'adult' setting (his left hand grasps a large glass of white wine) and emphasises his 'grown up' status through the adult costume, pose and his confident demeanour. The portrait was life size and may

have been hung over the chimney in the entrance hall (voorhuis) of an Amsterdam town house on one of the fashionable canals. The still life was placed on a table covered with a rich Oriental carpet. His broad-brimmed hat had been hung on the hidden finial of an X-frame foldable chair, a type of chair traditionally indicative of high status. These qualities in particular singled out Bol's *Portrait of a Boy* as perhaps the grandest of all his portraits – he painted only one full-length single-figure portrait of an adult sitter – and as one of the most remarkable child portraits of the Dutch Golden Age.

In the past, the sitter had been identified as Bol's son, however, Bol married only in 1653, the year after the picture was painted, and the couple's first child was not born until 1655. Full-length portraits of children on this scale were rare in 17th century Holland. The sumptuous costume and accessories such as the roemer-glass, the silver plate, and the expensive Oriental carpet clearly marked a child of particularly wealthy parents. The rarity of the subject and opulence of the portrait combined with its size, superb quality and condition made it exceptional in Bol's oeuvre and arguably his masterpiece.

The applicant disagreed that the painting met the first Waverley criterion but did not contest that it was of outstanding aesthetic importance and of outstanding significance for scholarship under the second and third Waverley criteria.

We heard this case in December 2015 when the painting was shown to us. We found that it met the second and third Waverley criteria on the grounds that its departure from the UK would be a misfortune because it was of outstanding aesthetic importance and it was of outstanding significance for the study of the work of Ferdinand Bol and of child portraiture in the Dutch Golden Age. We recommended that the decision on the export licence application should be deferred for an initial period of three months to allow an offer to purchase to be made at the fair matching price of £5,189,000 (plus VAT of £137,800). We further recommended that if, by the end of the initial deferral period, a potential purchaser had shown a serious intention to raise funds with a view to making an offer to purchase the painting, the deferral period should be extended by a further five months.

During the initial deferral period, we were informed of a serious expression of interest in raising funds to purchase the painting. Before the end of the first deferral period the applicant withdrew their application and the painting remains in the UK.





Case 14

Arab *Jambiya* dagger and scabbard owned by TE Lawrence

This steel Arab dagger from the late 19th/early 20th century has a curved blade and gilded silver hilt and scabbard which are ornately tooled and decorated with wirework, pierced work and applied gilded elements. The dagger and scabbard measure 30cm in length.

The applicant applied to export the dagger to Switzerland. The value shown on the export licence application was £122,500, which represented the hammer price at auction plus the buyer's premium.

The Phyllis Bishop Curator for the Modern Middle East at the British Museum, acting as expert adviser, objected to the export of the dagger under the first and third Waverley criteria on the grounds that its departure from the UK would be a misfortune because it was so closely connected with our history and national life and it was of outstanding significance for the study of late 19th and early 20th century *jambiyas* and for the study of the biographical history of TE Lawrence as well as the study of Britain's role in Middle Eastern politics, past and present.

The expert adviser provided a written submission stating that the *jambiya* was most likely produced in Mecca, Saudi Arabia, in a style known in Arabic as 'assib'. Dating from the late 19th/early 20th century, and in very good condition, it once belonged to TE Lawrence (1888–1935), also known as Lawrence of Arabia. This *jambiya* was presented to Lawrence by Sherif Nasir (cousin of Emir Feisal I, who later became ruler of Greater Syria and then Iraq) in 1917 after the victory at Aqaba in Jordan. Four years later, on 9th February 1921, Lawrence wore the *jambiya* with his Arab robes to sit for sculptress Kathleen Scott. After his final sitting he left his dagger and robes (Case 15) with Kathleen so that she could continue her work and they had remained in the Scott family possession ever since (despite Lawrence requesting their return in 1922). Lawrence had been depicted wearing the dagger in several additional photographic portraits.

The historical significance of the *jambiya* lay in Lawrence's role in fostering relations between Britain and the Levant from 1910 to 1930. Lawrence's multifaceted career – as classical scholar, archaeologist, author, soldier and diplomat – began at Oxford University. Whilst conducting an excavation on the modern Syrian/Turkish border for the British Museum, he provided crucial intelligence to the British authorities on German interest in the area, and went on to survey (with Leonard Woolley) southern Palestine under the auspices of the Palestine Exploration Fund. Working at the Arab Bureau in Cairo during the First World War (under archaeologist and diplomat David Hogarth), Lawrence's expert knowledge of the region and culture helped foster the Arab Revolt (1916–18) which aimed to topple the ruling Ottoman Turks in the Levant and create a single unified Arab state spanning from Syria to Yemen. During this period, Lawrence worked closely with numerous Arab leaders and would always be seen in Arab dress.

Lawrence's *Seven Pillars of Wisdom* and Lowell Thomas's biography gave Lawrence international fame. This resulted in numerous portraits, photographs and sculptures by leading artists like Augustus John, William Rothenstein and Howard Coster. Some portraits were in western or military attire, but a number were painted in traditional Arab dress, for which Lawrence showcased one of his three gifted *jambiyas*. Sherif Abdullah (brother of Feisal and future ruler of the Transjordan) presented Lawrence with his first silver-gilt dagger. During the Arab Revolt, however, Lawrence gifted this dagger to a Bedouin Howeitat chief, a diplomatic move to help secure support from the Bedouin at the Battle of Aqaba. After Aqaba was taken in July 1917, Nasir presented Lawrence with a new silver-gilt dagger – the one in question – connecting the gift to this key historic moment. Lawrence found this dagger cumbersome for everyday use and commissioned a smaller gold dagger in Mecca (now at All Souls' College, Oxford).

The applicant disagreed that the dagger met the Waverley criteria. The dagger was not unique as TE Lawrence owned three, all acquired between 1916 and 1918 during the Arab Revolt and functioning as ceremonial accessories rather than useable weapons. The first was now lost, but his most treasured dagger – a small golden example made in Mecca, the commission overseen by King Hussein himself – was already in British institutional ownership at All Souls' College, Oxford. Writing to Lionel Curtis on 22 February 1929, Lawrence described the dagger under consideration: 'I wore it for some weeks around Akaba until Dagger II arrived from Mecca...[It] was a heavy thing and I discarded it with pleasure for the gold one which had been small by my order and the gold one I wore for the rest of the war'. Whilst the dagger under consideration was a ceremonial gift of Sherif Nasir and, as such, its cultural importance – not least for the Middle East region – should not be underestimated, all evidence points to the fact that this was perhaps lost on Lawrence himself. Many examples of Bedouin *jambiya* daggers would have been produced during the period. It was customary for men to carry such ceremonial weapons at the waist, and to exchange them as gifts. As such, the present dagger added nothing either to the study of Arab daggers, or to the study of Lawrence.

We heard this case in December 2015 when the dagger was shown to us. We found that it met the first Waverley criterion on the grounds that its departure from the UK would be a misfortune because it was so closely connected with our history and national life. We recommended that the decision on the export licence application should be deferred for an initial period of two months to allow an offer to purchase to be made at the fair matching price of £122,500 (plus VAT of £4,500). We further recommended that if, by the end of the initial deferral period, a potential purchaser had shown a serious intention to raise funds with a view to making an offer to purchase the dagger, the deferral period should be extended by a further three months.

During the initial deferral period, we were informed of a serious intention by the National Army Museum to raise funds to purchase the dagger. A decision on the export licence application was deferred for a further three months. We were subsequently informed that the dagger had been purchased by the National Army Museum with assistance from the National Heritage Memorial Fund.

Case 15

Arab robes owned by TE Lawrence

These robes are made of off-white silk lined in white cotton and embellished with crocheted silk buttons, closures and trims. They comprise a long-sleeved robe or coat (*zebun*) open at the front, measuring 103cm by 35cm, and a matching short waistcoat, measuring 46cm by 32cm. The garments date from around 1916–19.

The applicant applied to export the robes to Qatar. The value shown on the export licence application was £12,500, which represented the hammer price at auction plus the buyer's premium.

The Phyllis Bishop Curator for the Modern Middle East at the British Museum, acting as expert adviser, objected to the export of the robes under the first and third Waverley criteria on the grounds that their departure from the UK would be a misfortune because they were so closely connected with our history and national life and they were of outstanding significance for the study of the biographical history of TE Lawrence as well as the study of Britain's role in Middle Eastern politics, past and present.

The expert adviser had provided a written submission stating that the robes, which once belonged to TE Lawrence (1888–1935), also known as Lawrence of Arabia, dated to around 1916–19 and were in very good condition aside from staining under the arms and on the bottom front. The maker was unknown but they were most likely produced in Mecca or Medina.

It was uncertain when Lawrence purchased the garments; they were possibly worn in 1916 to visit Emir Feisal (third son of Sherif Hussein, to become ruler of Greater Syria and then Iraq), when they were planning the Arab Revolt. Lawrence appears to be wearing the robes in the famous 1919 portrait by Augustus John. Two years later on 9 February 1921, Lawrence wore these robes together with a silver-gilt *jambiya* when he sat for the sculptress Kathleen Scott. After his final sitting he left his robes and dagger (Case 14) with Kathleen so that she could continue her work and they had remained in the Scott family possession ever since (despite Lawrence requesting their return in 1922).

The historical significance of the robes lay in Lawrence's role in fostering relations between Britain and the Levant between 1910 and 1930. Lawrence's multifaceted career – as classical scholar, archaeologist, author, soldier and diplomat – began at Oxford University. Whilst conducting an excavation on the modern Syrian/Turkish border for the British Museum, he provided crucial intelligence to the British authorities on German interest in the area, and went on to survey (with Leonard Woolley) southern Palestine under the auspices of the Palestine Exploration Fund. Working at the Arab Bureau in Cairo during the First World War (under archaeologist and diplomat David Hogarth), Lawrence's expert knowledge of the region and culture helped foster the Arab Revolt (1916–18) which aimed to topple the ruling Ottoman Turks in the Levant and create a single unified Arab state spanning from Syria to Yemen. During this period, Lawrence worked closely with numerous Arab leaders and would always be seen in Arab dress.

Lawrence's *Seven Pillars of Wisdom* and Lowell Thomas's biography gave Lawrence international fame. This resulted in numerous portraits, photographs and sculptures by leading artists like Augustus John, William Rothenstein and Howard Coster. Some portraits were in western or military attire, but a number were painted in traditional Arab dress.

The applicant disagreed that the robes met the Waverley criteria. Lawrence's Arab dress had served a purely practical purpose and that to elevate it too highly as an artefact would likely run contrary to how Lawrence himself would have felt about the clothing he wore every day from 1916–18. There was little evidence that Lawrence felt any deeper attachment to these clothes: wearing the customary dress was simply the easiest and most strategic option. Post-war, Lawrence had no desire to wear, or indeed even to keep, his robes. Although he retained a collection of Arab 'kit' (as he described it in a 1922 letter to Kathleen Scott) as a fancy dress box of sorts, a source of costumes in which he could be portrayed as the dashing hero of Arabia by the artists of the day, he had grown tired of this public image. The robes under consideration added nothing to the study of the textiles of the region/period, being of average quality, and nothing to the study of Lawrence.

We heard this case in December 2015 when the robes were shown to us. We found that they met the first Waverley criterion on the grounds that their departure from the UK would be a misfortune because they were so closely connected with our history and national life. We recommended that the decision on the export licence application should be deferred for an initial period of two months to allow an offer to purchase to be made at the fair matching price of £12,500 (plus VAT of £500). We further recommended that if, by the end of the initial deferral period, a potential purchaser had shown a serious intention to raise funds with a view to making an offer to purchase the robes, the deferral period should be extended by a further three months.

During the initial deferral period, we were informed of multiple serious expressions of interest and offers to purchase the robes. A decision on the export license was deferred for a further three months. Before the end of the second deferral period the applicant withdrew their application and the robes remain in the UK.



Case 16

Femme, a sculpture by Alberto Giacometti

This sculpture, measuring 37cm in height, is made of plaster and dates from circa 1928–29.

The applicant applied to export the sculpture to Canada. The value shown on the export licence application was derived from a figure of \$3,000,000, which, converted to GBP on 15 September 2015, was equivalent to £1,949,121.43. The sale price was recalculated at the hearing as £2,083,500 based on the exchange rate for the date when the case was heard,¹³ January 2016.

An application to export this sculpture had previously been considered by the Committee on 15 January 2014. On this occasion, the sculpture was found to meet the first, second and third Waverley criteria on the grounds that its departure from the UK would be a misfortune because it was so closely connected with our history and national life, it was of outstanding aesthetic importance and it was of outstanding significance for the study of surrealism, the history of plaster sculpture, Giacometti's links with British Modernism and the wider relationship between British and continental European (particularly Parisian) Modernism in the 1930s. This application was subsequently withdrawn and it had been agreed with the applicant's representative that the application process for the export of this object be started afresh with the same independent assessors and the same expert adviser. The applicant therefore submitted a new export licence application at a revised value.

The Chief Curator at the Scottish National Gallery of Modern Art, acting as expert adviser, objected to the export of the sculpture under the first, second and third Waverley criteria on the grounds that its departure from the UK would be a misfortune because it was so closely connected with our history and national life, it was of outstanding aesthetic importance and it was of outstanding significance for the study of the works of one of the greatest artists of the 20th century, the study of surrealism, the history of plaster sculpture, Giacometti's links with British modernism and the wider relationship between British and continental European (particularly Parisian) modernism in the 1930s.

The expert adviser provided a submission stating that Alberto Giacometti was a giant of the 20th century and had had an immense influence on modern art in Britain. *Femme* was probably the first work by him to enter a British collection, having been purchased by Winifred Nicholson in the mid-1930s. After Winifred's divorce from Ben, she spent time in Paris in the 1930s and met

Giacometti, as well as Mondrian, Héliou, Brancusi, Arp and other artists. She had the courage, and funds, to buy Giacometti's work, marking her as one of a small number of British collectors and artists who were captivated by the artist's work at this time. Furthermore, the direct link back to the 1930s when a number of British artists became closely associated with the modern movement in continental Europe, particularly Paris, made *Femme* exceptionally rare and important. Henry Moore, Ben Nicholson and Barbara Hepworth also travelled regularly to Paris in the mid-1930s and knew Giacometti well. All three were heavily influenced by his work, and the relationship between *Femme* and Nicholson's *White Reliefs* was self-evident. They were also well acquainted with Winifred Nicholson, and would have been familiar with the sculpture. During this period, London was on a level footing with the continent, before the war changed everything, and Winifred Nicholson played a key part in the interface between Parisian modernism and British artists. However, much of the direct, physical evidence linking British and continental modernism in the 1930s had been lost, and almost nothing remained in Britain of these various connections with Giacometti.

Giacometti moved to Paris in 1922 where he studied sculpture under Bourdelle, Rodin's chief assistant and a great sculptor in his own right. By the late 1920s he had shifted from Cubism more towards Surrealism. Giacometti was by far the most important surrealist sculptor. Referring to works from this period Giacometti stated in 1933 'For some years I have only realised sculptures that have appeared to me in my mind in a finished state, I have reproduced them in three dimensions without changing anything, without asking myself what they mean.' *Femme* exemplified this approach which marked a leap from direct, visual observation to an imagined, schematic approach. The work was one of half a dozen flat, 'plaque' sculptures which Giacometti made around 1928–29. There appeared to be just two bronze casts of the sculpture, although an edition of six was envisaged. The sculpture was an outstanding work in terms of surrealism; it was outstanding in terms of the work of one of the greatest artists of the 20th century; and it was outstanding in terms of its links with British modernism.

The applicant did not disagree that the sculpture met the Waverley criteria.



Given the object was recently found to meet all three of the Waverley criteria, it was agreed for the purposes of the new hearing on 13 January 2016 that this would be the Committee's recommendation to the Secretary of State. We recommended that the decision on the export licence application should be deferred for an initial period of three months to allow an offer to purchase to be made at the fair matching price of £2,083,500. This represented \$3,000,000, converted on the day of the meeting. We further recommended that if, by the end of the initial deferral period, a potential purchaser had shown a serious intention to raise funds with a view to making an offer to purchase the sculpture, the deferral period should be extended by a further four months.

During the initial deferral period, we were informed of a serious intention to raise funds to purchase the sculpture. A decision on the export licence application was deferred for a further four months. At the end of the second deferral period, no offer to purchase the sculpture had been made. An export licence was therefore issued.



Case 17

Nonsuch Palace from the South by Joris Hoefnagel

This drawing is black chalk, pen and brown and black ink, watercolour, heightened with white and gold, on paper and measures 21.6cm by 32.5cm. It is signed 'Joris Hoefnagle van Antwerpen.' and inscribed 'Palatium Regium In Anglie Regno quod appellatire Nonciutz quasi nusqam simile. – Londini A.o 1568: 2'.

The applicant applied to export the drawing to the USA. The value shown on the export licence application was £1,000,000, which represented the price paid by the owner through private treaty sale.

The Keeper of Prints and Drawings at the British Museum, acting as expert adviser, objected to the export of the drawing under the third Waverley criterion on the grounds that its departure from the UK would be a misfortune because it was of outstanding significance for the study of early watercolour painting in England and English Renaissance architecture.

The expert adviser provided a written submission stating that Joris Hoefnagel's view of Nonsuch, drawn during his visit to England in 1568, was the earliest surviving record of one of the most splendid Renaissance buildings in Britain. Begun in 1538, this royal palace melded French and Italianate influences into an exuberant architectural synthesis, aiming to match the splendours of Francis I's new chateaux at Chambord and Fontainebleau. The building expressed Henry VIII's perception of himself as a Renaissance prince and his confidence in the new stability of the Tudor line, thanks to the recent birth of his son, the future Edward VI. Nonsuch was sold by Mary I to Lord Arundel in 1557 and returned to the possession of Elizabeth I in 1582 in payment of a debt. Thereafter it remained a royal palace until 1670, when Charles II gave it to his mistress Barbara Villiers, who began to dismantle parts of the building in order to sell the materials to pay off her gambling debts. By 1690 the building had all but disappeared. No trace remains of this most remarkable of English Renaissance buildings except in a few archaeological fragments, the writing of the travellers who admired it, and a few visual records.

There were only six surviving views of Nonsuch, and the Hoefnagel watercolour was by far the earliest. It was also one of the earliest surviving watercolours made in England, half a century before the wash drawings by Anthony van Dyck which were often cited as the foundation of the national tradition. Its high finish and the luxurious touches of gold may point to it having

been a presentation drawing, possibly given to Lord Arundel who was the then owner of Nonsuch. Probably largely drawn on the spot, it offered an unparalleled and very detailed record of the decoration of the palace's elaborate South front which was decorated with stucco panels. As a historical document, the watercolour's accuracy has been attested by the excavation of stucco fragments bearing figures which match the designs of panels shown here. It had historical importance not only as the original drawing from which Hoefnagel's other views derive, but also as a key source for understanding the hybrid nature of English Renaissance architecture; all the more valuable as the palace itself did not survive.

The applicant did not disagree that the work met the Waverley criteria. The only mitigating factor was the presence of another version of the drawing in the Department of Prints and Drawings at the British Museum.

We heard this case in January 2016 when the watercolour was shown to us. We found that it met the first, second and third Waverley criteria on the grounds that its departure from the UK would be a misfortune because it was so closely connected with our history and national life, it was of outstanding aesthetic importance and it was of outstanding significance for the study of early watercolour painting in England and English Renaissance architecture. We recommended that the decision on the export licence application should be deferred for an initial period of three months to allow an offer to purchase to be made at the fair matching price of £1,000,000 (plus £200,000 VAT). We further recommended that if, by the end of the initial deferral period, a potential purchaser had shown a serious intention to raise funds with a view to making an offer to purchase the drawing, the deferral period should be extended by a further three months.

During the initial deferral period, we were informed of a serious intention by the Victoria and Albert Museum to raise funds to purchase the drawing. A decision on the export licence application was deferred for a further three months. We were subsequently informed that the drawing had been purchased by the Victoria and Albert Museum with assistance from the National Heritage Memorial Fund and the Art Fund.

Case 18

Medieval King Robert the Bruce of Scotland and Dunfermline Abbey Cokete Seal Matrix Pair

On 18 November 2015, we considered an application to export a two-part copper alloy cokete seal matrix made for the Abbey of Dunfermline possibly during the reign of King Robert I 'the Bruce' of Scotland. The value shown on the export licence application was £151,250 which represented the hammer price at auction plus the buyer's premium.

The Committee concluded that the seal matrices met the first and third Waverley criteria on the grounds that their departure from the UK would be a misfortune because they were so closely connected with our history and national life and they were of outstanding significance for the study of medieval history and seal matrices. The Committee recommended that the decision on the export licence application should be deferred for an initial period of three months to allow an offer to purchase to be made at the fair matching price of £151,200 (including VAT). The Committee further recommended that if, by the end of the initial deferral period, a potential purchaser had shown a serious intention to raise funds with a view to making an offer to purchase the seal matrices, the deferral period should be extended by a further three months.

The export deferral process for the seal matrices was suspended to allow new information to be considered. The case will be reported in full at a later date.



Case 19

Venice Triumphant, a drawing by Paolo Veronese

This oval drawing is black chalk, pen and brown ink, brown wash, heightened with oil paint on varnished paper. It measures 53.6cm by 36cm and is inscribed 'P. Veronese fec/ No. 36/ The Ceiling/ Senate'.

The applicant applied to export the drawing to the USA. The value shown on the export licence application was £15,400,000 which represented an agreed sale price.

The Simon Sainsbury Keeper of Prints & Drawings at the British Museum, acting as expert adviser, objected to the export of the drawing under the second and third Waverley criteria on the grounds that its departure from the UK would be a misfortune because it was of outstanding aesthetic importance and it was of outstanding significance for the study of Veronese's working methods.

The expert adviser provided a written submission stating that this was without doubt one of Veronese's most imposing drawings and the most important work on paper by the artist to remain in Britain, in either public or private collections. The drawing related to one of Veronese's most prestigious commissions: the redecoration of the Palazzo Ducale after two disastrous fires of 1574 and 1577, as part of a team that also included Tintoretto and Palma Giovane. The finished picture, completed around 1582, occupied one of three large ceiling compartments in the Sala del Maggior Consiglio, the room at the very heart of the Venetian state process, where it was placed almost directly above the dais which bore the Doge's throne. This was one of only three known surviving drawings for this important commission. A much freer, more exploratory *Study of horsemen, a captive, a dog and a drum* is in the Kupferstichkabinett, Berlin and a *Study of a cuirass and armour* is in the Louvre.

In the present drawing Veronese's aim was not to produce the kind of presentation modello that would be submitted for approval to a patron, but rather to explore the interplay of figures and architecture to judge the final effect. This insight into Veronese's working method was another aspect of the drawing's significance. The artist had already made free sketches of various figures for the composition, as could be seen in the Berlin drawing. He had also presumably designed the architectural structure for the drawing and this modello seemed to be a first attempt to combine the two.

The applicant did not disagree that the drawing met the Waverley criteria.

We heard this case in February 2016 when the drawing was shown to us. We found that it met the second and third Waverley criteria on the grounds that its departure from the UK would be a misfortune because it was of outstanding aesthetic importance and it was of outstanding significance for the study of Veronese's working method, and for its connection with one of the most prestigious commissions of his career. We recommended that the decision on the export licence application should be deferred for an initial period of three months to allow an offer to purchase to be made at the fair matching price of £15,400,000 (plus VAT of £154,000 on the agent's commission). We further recommended that if, by the end of the initial deferral period, a potential purchaser had shown a serious intention to raise funds with a view to making an offer to purchase the drawing, the deferral period should be extended by a further six months.

At the end of the initial deferral period, no offer to purchase the drawing had been made and we were not aware of any serious intention to raise funds. An export licence was therefore issued.



Case 20

A pair of *pietre dure* table tops

This pair of *pietre dure* table tops each have a central rectangular *pietre dure* panel with underpaint, one depicting the *Harbour of Livorno*, the other an unusual view of the *Colosseum in Rome*, surrounded by a specimen marble border. They measure 74.9cm by 145.4cm by 5.7cm and date from circa 1785–86.

The applicant applied to export the table tops to the USA. The value shown on the export licence application was £1,500,000, which represented an agreed sale price.

The Deputy Keeper Department of Sculpture, Metalwork, Ceramics, and Glass at the Victoria and Albert Museum, acting as expert adviser, objected to the export of the table tops under the second and third Waverley criteria on the grounds that their departure from the UK would be a misfortune because they were of outstanding aesthetic importance and they were of outstanding significance for the study of 18th century collecting.

The expert adviser provided a written submission stating that these commissioned artistic creations were based on oil sketches painted by renowned artists for the *Opificio delle Pietre Dure*, Florence (established 1588 by Ferdinando I de' Medici as a princely workshop), with the colours of the specimen reference collection of stones in mind. The artist's intention was only fully expressed in the *pietre dure*, which would have been carefully assembled by specialist craftsmen. The present examples were among the very best in this category, and among the few known *pietre dure* landscape scenes after Antonio Cioci (died 1792) who was the designer of the *Opificio* at the time and introduced still life and *trompe l'oeil capricci* in *pietre dure*.

Only the most distinguished and wealthy Grand Tourists could afford such works. George, 3rd Earl Cowper (1738–89) excelled as a patron of the arts from painting to poetry and music, as well as supporting scientists, for example, Alessandro Volta (1745–1827). Like many other British noblemen of the time he went to Italy on the Grand Tour, but unlike most of them he stayed there and established himself in Florence. Earl Cowper lived at Villa Palmieri until his death aged 51 in 1789. As a collector he influenced art and taste in Florence as well as in his native Britain. After his death his superb paintings collection, including this pair of *pietre dure* tables, was taken to Great Britain. His sons, the 4th and

5th Earl Cowper and subsequent generations, honoured his collection, and gave it pride of place in their country house, Panshanger, Hertfordshire. There, paintings and table tops were displayed together in the picture gallery until the mid-20th century when the estate was sold and the house demolished.

The panels at the centre of each table show the interior of the Colosseum in Rome and the famous Porto Mediceo of Livorno, Tuscany. Livorno, known in English as Leghorn, was a trade hub and the first point of contact with Italy for many British Grand Tourists during the 18th century. The Colosseum, as one of the most important ancient Roman ruins, was a 'must see' for every visitor to Rome and a frequently depicted ancient site. Antonio Cioci's representation of both landmarks offers unusual, intimate views which include figures of visitors. These reflect the Earl's own travel experiences. The juxtaposition of these two ancient and modern subjects was unusual, and therefore a powerful celebration of the Grand Tour as a journey of contemporary exploration and marvel at the antique.

The table tops under consideration were perceived as painting in stone rather than decorative arts, a fact that was also highlighted by the 5th Earl's decision to show them in the Picture Gallery at his newly constructed country house, Panshanger, alongside his father's collection of paintings; whereas the bulk of the decorative arts were dispersed in Italy. As such they illustrated an integral aspect of 18th century collecting in Britain and were important for any study in the history of collecting during this period. Their execution from Cioci's designs were of outstanding quality. The later wooden stands and contemporary *pietre dure* 'frame' borders, added to the interest of the tables, and provided evidence for the continued appreciation of hardstone pictures over time.

The applicant stated in a written submission that they did not believe that the tables were so closely connected with our history and national life that their departure would be a misfortune. As the table bases were not the original bases, the tables were not as aesthetically important. Their two-footed construction also meant that the tables needed to be drilled into a wall in order to display them. The pictorial scenes within the geometrical borders were finely executed and both were of a high quality. There was a good amount of *pietre dure* material in the UK which allowed for the study of *pietre dure* manufacturing and design, so they did not believe that the tables' departure would hinder

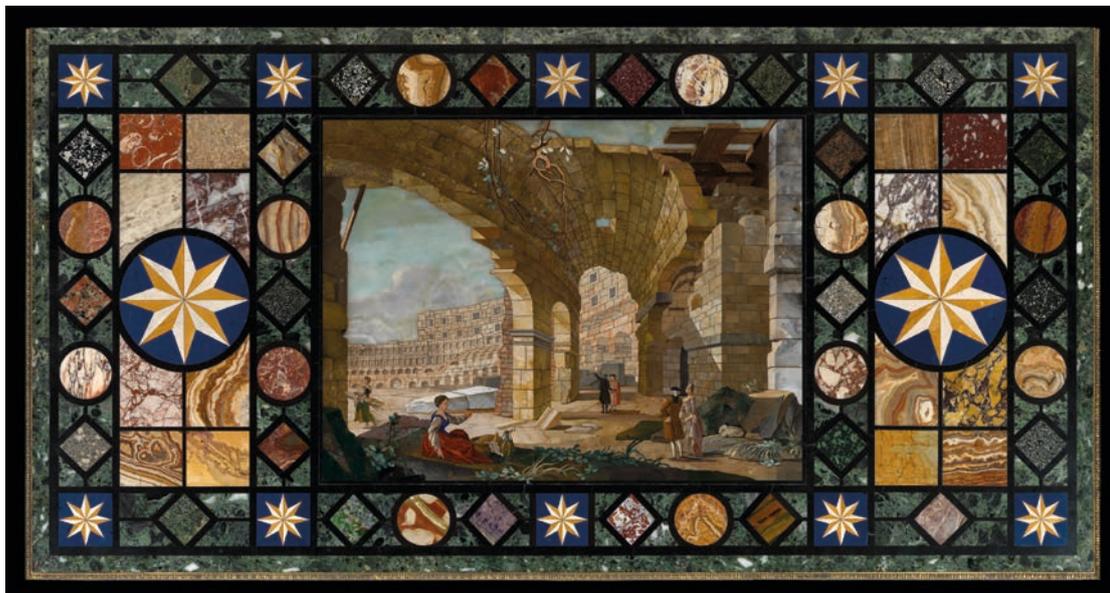
Plate 19 A pair of *pietre dure* table tops

any study of this branch of art, history or learning. It could be considered, however, that the tables were important for the study of British collecting in the 18th century.

We heard this case in February 2016 when the table tops were shown to us. We found that they met the first, second, and third Waverley criteria on the grounds that their departure would be a misfortune because they were so closely connected with our history and national life, they were of outstanding aesthetic importance and they were of outstanding significance for the study of *pietre dure* as an integral element in the field of decorative arts, and for the study of 18th century collecting. We recommended that the decision

on the export licence application should be deferred for an initial period of three months to allow an offer to purchase to be made at the fair matching price of £1,500,000. We further recommended that if, by the end of the initial deferral period, a potential purchaser had shown a serious intention to raise funds with a view to making an offer to purchase the table tops, the deferral period should be extended by a further four months.

At the end of the initial deferral period, no offer to purchase the table tops had been made and we were not aware of any serious intention to raise funds. An export licence was therefore issued.



Case 21

A set of nine portraits of the Smythe Family by Cornelius Ketel

This set of nine half-length portraits of Thomas 'Customer' Smythe and his family date from circa 1579–80. Eight of the portraits, each measuring 46.9cm by 38cm, are oil on panel and attributed to the Netherlandish émigré artist Cornelius Ketel (1548–1616). One is on canvas and appears to be a later copy of a now lost original.

The applicant applied to export the portraits to the USA. The value shown on the export licence application was £350,000, which represented an agreed sale price.

The Chief Curator of the National Portrait Gallery, acting as expert adviser, objected to the export of the portraits under the first and third Waverley criteria on the grounds that their departure from the UK would be a misfortune because they were so closely connected with our history and national life and they were of outstanding significance for the study of the development of portrait formats and the methods of émigré artists active in England in the 16th century.

The expert adviser provided a written submission stating that this unique set appeared to be the earliest known non-royal family group of portraits, eight of them by the same artist's studio and made to the same dimensions with similar inscriptions. The Smythe set, therefore, provided a singular opportunity to study the development in English portraiture of the depiction of family groups and children, and to compare this to practices in the northern Netherlands where this genre was more common.

The portraits were yet more significant because they documented the family of a social group of growing status and significance in 16th century London: the mercantile elite. Merchants and trade officials had increasingly close links with courtiers and the father of this group, Thomas Smythe, played a significant role in the development of English international trade. From 1558, for the next thirty years, he served as collector of the customs (import/export subsidies) on all goods (except wines) imported into London.

Painters from the Netherlands working in London from the second half of the 16th century had a considerable impact on British art. The set contextualised the development of portrait formats and significantly added to our understanding of the methods of émigré artists active in England. The artistic handling of these portraits was characteristic of the best work by Netherlandish émigré artists. The portraits were consistent with the work of one studio, and the attribution to Ketel remained convincing. Eight of the portraits were painted on wooden panel and were by Cornelius Ketel, while the ninth – that of Thomas 'Customer' Smythe himself – was painted on canvas and appeared to be an early copy of a (presumably now-lost) original by Ketel. The authorship of many portraits of this period was unclear, so this group linked to Ketel was a valuable resource for the history of British portraiture. The scope of this commission (originally fourteen pictures) was extremely ambitious and possibly represented the earliest example in Britain of an extended group of individual family portraits.

The applicant stated in a written submission that they did not consider that the portraits met the first and second Waverley criteria. Whilst they accepted that the portraits might meet the third criterion they considered the intended destination of the portraits to be the most relevant location for the study and interpretation of the portraits.

We heard this case in November 2015 when the portraits were shown to us. We found that they met the first and third Waverley criteria on the grounds that their departure would be a misfortune because they were so closely connected with our history and national life and they were of outstanding significance for the study of the development of portrait formats and the methods of émigré artists active in England in the 16th century. We recommended that the decision on the export licence application should be deferred for an initial period of three months to allow an offer to purchase to be made at the fair matching price of £350,000. We further recommended that if, by the end of the initial deferral period, a potential purchaser had shown a serious intention to raise funds with a view to making an offer to purchase the portraits, the deferral period should be extended by a further three months.

Before the end of the first deferral period the applicant withdrew their application. We were subsequently informed that the portraits had been purchased by The Skinners' Company and the portraits remain in the UK.



Plate 21 An Italian *pietre dure* table top with the arms of the Grimani Family



Case 22

An Italian *pietre dure* table top with the arms of the Grimani Family

This rectangular Italian *pietre dure* table top, measuring 6cm by 150cm by 111.5cm, is inlaid with the arms of the Grimani family and was probably made in Florence at the Grand Ducal workshops circa 1600–20. The top rests on an English Elizabethan/Louis XIV revival style base, measuring 70.5cm by 142cm by 103cm, made between 1830 and 1847 of gilded wood with a fluted frieze on four gadrooned and tapering legs incorporating strap work.

The applicant applied to export the table top to the USA. The value shown on the export licence application was £3,610,800, which represented the hammer price at auction plus VAT on the buyers premium of £101,800.

The Curator of Furniture, Textiles, and Fashion Department at the Victoria and Albert Museum, acting as expert adviser, objected to the export of the table top under the second and third Waverley criteria on the grounds that its departure from the UK would be a misfortune because it was of outstanding aesthetic importance and it was of outstanding significance for the study of Italian, early 17th century *pietre dure*.

The expert adviser stated that the rectangular *pietre dure* table top, inlaid with the arms of the Grimani family, was probably made in Florence at the Grand Ducal workshops c.1600–20 and was possibly given to or commissioned by Patriarch Antonio Grimani (1554–1625). No evidence, however, had yet been found to prove its origins in Florence and there were no directly comparable *pietre dure* table tops. Renaissance hardstone inlay appeared c.1550 in Rome, inspired by ancient Roman *opus sectile*. Table slabs with inventive variations on geometric patterns designed by eminent architects were made using excavated stones. Although a large number continued to be made into the early decades of the 17th century these were unique luxury items for conspicuous display, and were provided with impressive carved stands and protective covers. Similar hardstone tables were being made in Florence before 1560 and in 1588 Grand Duke Ferdinand I de' Medici (r.1587–1609) reorganised the production of disparate workshops at the Galleria dei Lavori (with the involvement of Milanese stone cutters), from which emerged *pietre dure* panels characterised by 'mirror-like' luminosity and limitless colour range. Such tables (square, rectangular and octagonal) were given as diplomatic gifts and prized by the nobility all over Europe, including England where hardstone tables were owned by Queen Elizabeth I, the 1st and 2nd Lords Burghley, the 1st Earl of Salisbury, the 21st Earl of Arundel and the 1st Duke of Buckingham. The finest were distinguished by their size, the range and precision-cutting of stones, the complexity of their designs and by the inclusion of the owner's heraldry.

During the 18th and 19th centuries British Grand Tourist collectors such as Henry Greville, 3rd Earl of Warwick, the purchaser in Venice of this table, and the 4th Earl of Carlisle energetically acquired Italian *pietre dure* furniture and panels (principally in Florence and Rome) as trophies for the state rooms of their houses. From the 1790s the flow of acquisitions of *pietre dure* by British collectors had been described as a 'flood'.

The table top was of extremely high quality, had great beauty and was of exceptionally complex and accomplished design. It was executed in a wide variety of particularly bold and unusual hardstones, notably the blue lapis lazuli, the orange, yellows and greens of the agates and jaspers, especially those from Sicily. Another particular aspect of its rarity was the inclusion of prominent familial heraldry and symbols with cartouches, vases and flowers of strongly coloured stones against a ground of large-scale strapwork and a large central panel of matched abstract stones. It was also the only example in the UK belonging to a small group of early 17th century, specially-commissioned armorial tables, which were associated with identifiable individuals or families, notably those in the Prado, Madrid, and the Residenz, Munich.

The applicant stated in a written submission that they did not contest that this table top met the second and third Waverley criteria, being of outstanding aesthetic importance and of outstanding significance for scholarship. They did not, however, believe that the first Waverley criterion applied. The table top, made in the first quarter of the 17th century and immediately positioned in the grand Venetian palazzo, did not arrive in England until the second quarter of the 19th century. It was made by Italian craftsmen for an Italian family and only came to Britain as the spoils of a late Grand Tour. There is no dispute that this was one of the finest examples of *pietre dure* but they did not feel that its connection to British life was so strong that its departure from the UK would have been a misfortune.

We heard this case in April 2016 when the table top was shown to us. We found that it met the second and third Waverley criteria on the grounds that its departure from the UK would be a misfortune because it was of outstanding aesthetic importance and it was of outstanding significance for the study of Italian, early 17th century *pietre dure*. We recommended that the decision on the export licence application should be deferred for an initial period of three months to allow an offer to purchase to be made at the fair matching price of £3,509,000 (plus £710,800 VAT). The reason for the difference in the amount of VAT on the export licence application and the amount recommended by the Committee is that in the event the table top was re-sold in the UK VAT would be payable on the full amount rather than just on the buyer's premium. We further recommended that if, by the end of the initial deferral period, a potential purchaser had shown a serious intention to raise funds with a view to making an offer to purchase the table top, the deferral period should be extended by a further five months.

At the end of the initial deferral period, no offer to purchase the table top had been made and we were not aware of any serious intention to raise funds. An export licence was, therefore, issued.

Case 23

A marine ivory chess piece

This chess piece in the form of a knight riding a horned monster, measuring 8cm in height, is made of walrus ivory and dates from 1400.

The applicant applied to export the chess piece to the USA. The value shown on the export licence application was £173,000, which represented the hammer price at auction plus the buyer's premium.

The Curator of Late Medieval Collections at the British Museum, acting as expert adviser, objected to the export of the chess piece under the third Waverley criterion on the grounds that its departure from the UK would be a misfortune because it was of outstanding significance for the study of the history of chess and the history of medieval art.

The expert adviser provided a written submission stating that this particular ivory chess piece was of a unique type, which had remained unknown until it was sold in 2015. The iconography of a knight riding a monster had no parallel, making the piece an incredibly rare example, and associated with a very small group of pieces associated with Scandinavia, Denmark and North Germany from the 13th–15th centuries. Medieval chess pieces appeared infrequently on the art market and seldom in such good condition.

The unique iconography of the chess piece, incorporating a knight, foot soldiers and a monster, connected this object with depictions of the fantastical in medieval material culture, including bestiaries in manuscripts, late 15th and early 16th century prints and metalwork in the form of aquamanilia. Chess was a game favoured by the elite in medieval society and was associated with skill and intelligence in addition to courtly romance and chivalry. This chess piece formed a part of that elite social and artistic context.

The piece was a unique carving which had no exact parallels and could be associated with a very narrow selection of chess pieces. Such a rare and unstudied object, carved in a playful and commanding manner, was one of the finest gaming pieces from the 15th century, which was made more impressive by its condition.

The applicant disagreed that the chess piece met the Waverley criteria. The piece was not English and had no significant UK provenance. Ivory chess pieces representing mounted kings, queens, bishops, and knights flanked by an assembly of soldiers, pages, or courtiers were relatively common in the 14th and 15th centuries. Whilst comical and inventive, the design of the present chess piece was essentially a simplified version of other examples. There were many alternatives available for study in the UK already, and a large amount of scholarship already existed on the subject. The incorporation of a monster and a jester on this Knight might be unique, however, many of the chess pieces included such idiosyncrasies. It was less likely that these elements carried specific meaning than that they were all carved with a variation of secular motifs so that the pieces could function as conversation pieces during the game.

We heard this case in April 2016 when the chess piece was shown to us. We found that the chess piece did not meet any of the Waverley criteria and recommended that an export licence be issued. An export licence was issued.

Case 24

Portrait of a Silversmith by Thomas de Keyser

This portrait is oil on oak panel measuring 63.7cm by 53.5cm. It is signed with a monogram and dated centre left (on a drawing on the table): 'TDK 1630'.

The applicant applied to export the portrait to France. The value shown on the export licence application was £452,400, which represented the hammer price at auction plus the buyer's premium.

The Director of the National Gallery, acting as expert adviser, objected to the export of the portrait under the second and third Waverley criteria on the grounds that its departure from the UK would be a misfortune as it was of outstanding aesthetic importance and it was of outstanding significance for the study of the social status of artists and craftsmen in the early modern era.

The expert adviser provided a written submission stating that Thomas de Keyser's *Portrait of a Silversmith* was a commanding and well-preserved example of the work of one of the leading portrait painters in Amsterdam in the second quarter of the seventeenth century. De Keyser's unique contribution to the history of Dutch portrait painting, typically full-length, small-scale portraits of sitters in a domestic environment, vividly captured the ideals and aspirations of Amsterdam's burgeoning and increasingly prosperous middle class of merchants, civic officials, and elite craftsmen. About 100 paintings by de Keyser were known, of which only a few featured in UK collections.

Portrait of a Silversmith was an especially beautiful example of Thomas de Keyser's smallscale full-length portraits, which in the 1620s and 1630s revolutionised portraiture in Amsterdam by introducing a sense of intimacy and lively personality to a traditionally rather staid and formal genre. The exceptional state of preservation of *Portrait of a Silversmith* showcased de Keyser's crisp and refined technique, his attention to detail and his sensitivity to nuances of colour and texture – all designed to heighten our awareness of the sitter's elegant demeanour and the specific costly objects gathered around him.

De Keyser's innovative portraits express the aspirations of a vigorous urban society that helped transform the nascent Dutch Republic into a world power. Many of his portraits, including the present work, depict members of the upper middle class, who placed great import on gentlemanly ideals of informal grace while also showing pride in their chosen professions. De Keyser's virtuoso technique communicated pride in his own abilities as well, as he crafts a meticulously detailed image of a silversmith – one of the most highly regarded trades in 17th century Amsterdam – that was also a sophisticated statement of professional ideals.

The applicant disagreed that the portrait met the Waverley criteria. The portrait was by a Dutch artist, who was born and died in Amsterdam. The identity of the sitter, who was evidently a silversmith, was not certain but there was no suggestion that he was English and he was almost certainly Dutch. During its time in England the portrait remained a little-known work and was, to our knowledge, seen only once by the general public in a non-commercial exhibition: at the Royal Academy in London in 1952–53. It was certainly a good example of the small, full-length portrait favoured by Thomas Keyser in the late 1620s and early 1630s that introduced more informality into the more static full-lengths of earlier artists such as Pickenoy and Mierevelt, but it could not in itself be considered to be of outstanding aesthetic importance. In the context of Dutch Golden Age portraiture, whilst it was a good example of what was most sought after in the years immediately before the emergence of Rembrandt in the 1630s, it lacked the psychological insight of works by the great portraitists of 17th century Holland. Furthermore, the portrait shed no new light on the artist.

We heard this case in January 2016 when the portrait was shown to us. We found that the portrait did not meet any of the Waverley criteria and recommended that an export licence be issued. An export licence was issued.

Case 25

Two paintings by Bernardo Bellotto: *The Fortress of Königstein from the North/South*

On 17 June 2015, we considered an application to export two paintings by Bernardo Bellotto, *The Fortress of Königstein from the North* and *The Fortress of Königstein from the South*. We concluded that the paintings satisfied both the second and third Waverley criteria. The application for an export licence was subsequently withdrawn. Consequently, no decision on the application has been made by the Secretary of State.

Export of Objects
of Cultural Interest
2015–16

Appendices

Appendix A

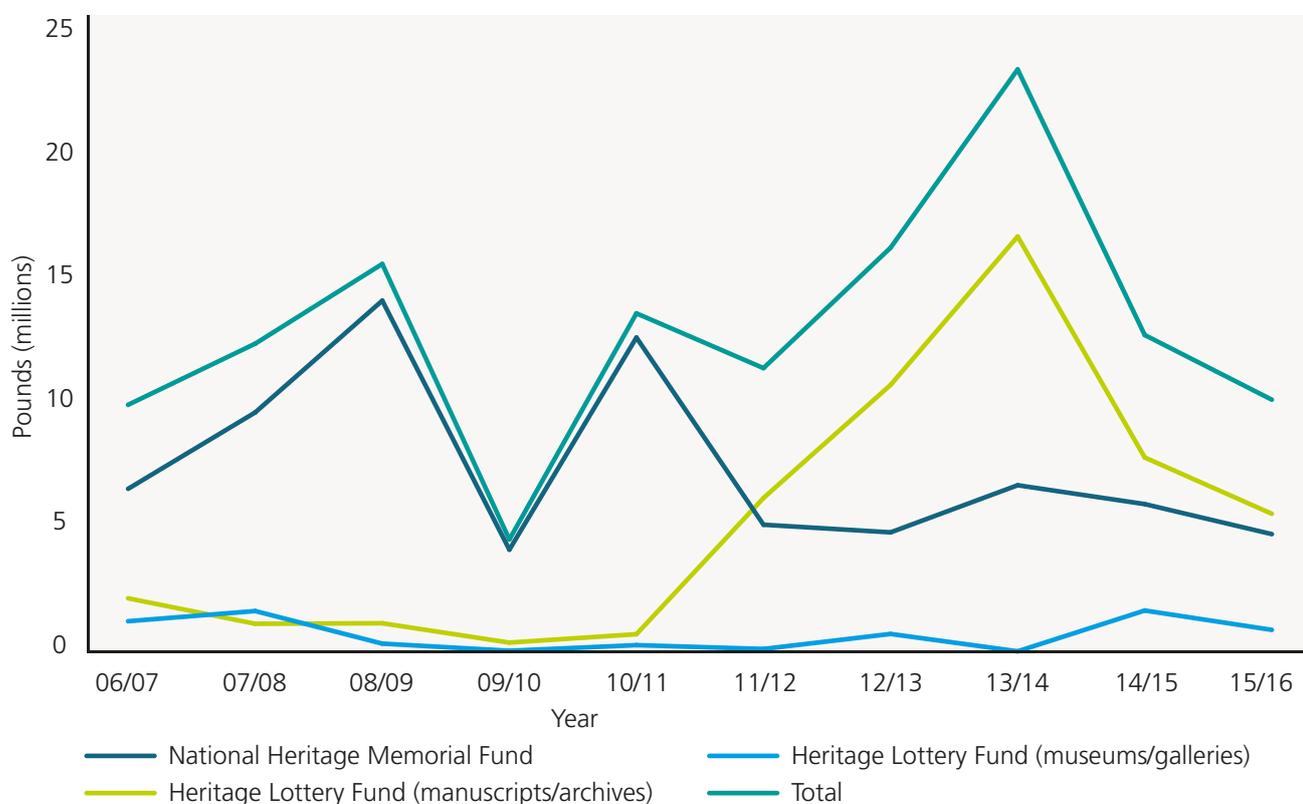
Report on additional funding for acquisitions

UK public institutions, regrettably, have very limited acquisition funds. We are extremely grateful, as always, for the external funding provided towards purchasing items placed under deferral as a result of recommendations we have made. The money provided by the main funding bodies for all acquisitions of cultural objects are listed below, and the tables in Appendix H give specific details of the funding received for export-deferred items.

| Year | National Heritage Memorial Fund (£ millions) | Heritage Lottery Fund (museums/galleries) (£ millions) | Heritage Lottery Fund (manuscripts/archives) (£ millions) | Total (£ millions) | Total adjusted for inflation as per 2015 (£ millions) approximate* |
|---------|--|--|---|--------------------|--|
| 2006–07 | 6.4 | 2.1 | 1.2 | 9.7 | 12.66 |
| 2007–08 | 9.4 | 1.1 | 1.6 | 12.1 | 15.14 |
| 2008–09 | 13.79 | 1.12 | 0.32 | 15.23 | 18.32 |
| 2009–10 | 4.01 | 0.36 | 0.04 | 4.41 | 5.33 |
| 2010–11 | 12.34 | 0.69 | 0.26 | 13.29 | 15.37 |
| 2011–12 | 4.99 | 6.04 | 0.11 | 11.14 | 12.24 |
| 2012–13 | 4.69 | 10.48 | 0.7 | 15.87 | 16.90 |
| 2013–14 | 6.54 | 16.31 | 0.019 | 22.87 | 23.64 |
| 2014–15 | 5.30 | 7.64 | 1.62 | 12.94 | 12.94 |
| 2015–16 | 4.62 | 5.42 | 0.12 | 10.04 | 10.04 |

* Figures based on the Bank of England Inflation Calculator for illustrative purposes only: www.bankofengland.co.uk/education/inflation/calculator/index1.htm

National Heritage Memorial Fund and Heritage Lottery Fund spend on acquisitions 2006–07 to 2015–16



i) The National Heritage Memorial Fund

The National Heritage Memorial Fund (NHMF) set up under the National Heritage Act 1980 in memory of the people who gave their lives for the UK, acts as a fund of last resort to provide financial assistance towards the acquisition, preservation and maintenance of land, buildings, works of art and other objects which are of outstanding importance to the national heritage and are under threat. The NHMF's grant-in-aid since 2010–11 has been £5 million per annum and, where necessary, it can use its endowment fund for exceptional cases.

The NHMF was asked to support four items that were export deferred following advice from the Reviewing Committee for the Export of Works of Art. The National Museum of Wales acquired a pair of Charles II Silver Andirons which were used for burning logs in open fireplaces and demonstrate the importance of fireplace furniture during that period. A pair of 17th century Roman *pietre dure* mounted cabinets, part of the private collection at Castle Howard since their purchase by Henry Howard, were acquired by the

Fitzwilliam Museum. The Arab *Jambiya* dagger owned by TE Lawrence, more commonly known as Lawrence of Arabia, was acquired by the National Army Museum. Finally the Victoria and Albert Museum was successful in acquiring *Nonsuch Palace from the South* by Joris Hoefnagel.

Away from export-deferred items, this year the NHMF funded a significant number of archives and literary heritage. We supported the acquisition of manuscripts, letters and drawings by the poet Ted Hughes, amassed by his close friend Roy Davids, which were acquired by Pembroke College, Cambridge. The University of Bristol added the Oliver Messel personal archive to its extensive theatre collection and the Royal Asiatic Society acquired the Thomas Manning papers. Manning was an early British sinologist and the archive charts his attempts to visit China, his trip to Tibet and studies of Chinese language and culture.

Other literary-related heritage saved for the nation includes an early manuscript copy of one of John Donne's most famous poems *Good Friday Riding Westward* and the Bronte family's copy of *The Remains of Henry Kirke White* by Robert Southey which originally belonged to the Brontes' mother, Maria Bronte. The book, acquired by the Bronte Society, includes numerous annotations and sketches by members of the Bronte family as well as two unpublished fragments of writing by Charlotte Bronte.

Artworks have also featured in our acquisitions this year including *Two Forms (Orkney)* 1967 by Dame Barbara Hepworth for the Pier Arts Centre in Stromness, Orkney and an album of photographs by Gertrude Jekyll for the Garden Museum in south London.

ii) The Heritage Lottery Fund

The Heritage Lottery Fund is the largest funder of the UK's heritage, with a current projection of circa £400 million a year to distribute. As in previous years there has been a spread of acquisitions of portable heritage from archives, fine art/sculpture through to archaeology.

The Heritage Lottery Fund has supported two items that were temporarily stopped from export out of the UK following advice from the Reviewing Committee for the Export of Works of Art. The Bowes Museum acquired the *St Luke Drawing the Virgin and Child* by Dieric Bouts following the Art Fund stepping in as a Schedule 3 body to assist in its acquisition. The National Army Museums acquired *An East View of the Great Cataract of Niagara* by Captain Thomas Davies.

Our largest award was to the Tate to acquire William Stott's *Le Passeur* (circa 1882) which it acquired by Private Treaty sale. The work will be shared through a bespoke arrangement in Oldham, Aberdeen and Southampton along with a skills and capacity building programme to support museums in securing loans from national collections. The Victoria and Albert Museum acquired the personal papers of theatre, opera and film director Peter Brook containing correspondence with key theatrical and cultural figures as well as diaries, reflections and planning documents for key films and plays.

We continued to support acquisitions in regional and local museums and archives. Colchester and Ipswich Museums acquired the Rendlesham Collection which resulted from a major archaeological research project in Suffolk. The remarkable finds represent an impressive body of evidence for a rich and important settlement with skilled metalworkers. Warwickshire County Record Office acquired the Warwick Healey Motor company archive. The company was established in Warwick in 1945 and the archive was offered for purchase by the granddaughters of the founder, Donald Healey.

Details of awards for the acquisition of export-deferred items are in Appendix H (page 86).

iii) The Art Fund

The Art Fund is the national fundraising charity for art, helping to increase the range and quality of art in public collections across the UK. In 2015–16, the Art Fund contributed towards the acquisition of five items placed under temporary deferral. These were *An East View of the Great Cataract of Niagara* by Captain Thomas Davies, *St Luke Drawing the Virgin and Child* from the workshop of Dieric Bouts the Elder, a Pair of Charles II Silver Andirons, A pair of Italian *pietre dure* mounted, inlaid ebony cabinets and *Nonsuch Palace from the South* by Joris Hoefnagel. Details are in Appendix H.

iv) The ACE/V&A Purchase Grant Fund

The ACE/V&A Purchase Grant Fund assists the collections of non-national museums, galleries, specialist libraries and record offices in England and Wales. The fund was not asked to support with any export-deferred items in the reporting year.

v) The National Fund for Acquisitions

The National Fund for Acquisitions (NFA), provided by the Scottish Government to the Trustees of National Museums Scotland, contributes towards the acquisition of objects for the collections of non-national museums, galleries, libraries and archives in Scotland. In 2015–16, the NFA made 67 payments totalling £156,175, enabling 27 organisations to make acquisitions costing £1.07 million. As of 31 March 2016, a further 13 awards totalling £47,630 had been committed but not yet paid. The fund was not asked to support any export-deferred items in the reporting year.

vii) Acceptance in Lieu and the Cultural Gifts Scheme

Acceptance in Lieu enables UK taxpayers to transfer important works of art and other important heritage objects into public ownership while paying Inheritance Tax, or one of its earlier forms. The taxpayer is given the full open-market value of the item.

The Cultural Gifts Scheme opened in early 2013 and enables UK taxpayers to donate important works of art and heritage objects to the nation during their lifetime. Donors receive a tax reduction based on a set percentage of the value of the object they are donating – this is 30 per cent where the donor is an individual and 20 per cent where the donor is a company.

In 2015–16, 36 Acceptance in Lieu and Cultural Gifts Scheme cases were completed, resulting in almost £50 million-worth of important cultural property being secured for the nation. Details are in the Acceptance in Lieu and Cultural Gifts Scheme 2015–16 Annual Report, available on the Arts Council's website.

viii) Private treaty sales

If a heritage object is sold on the open market, the vendor may be liable to Capital Gains Tax and Inheritance Tax. However, these tax charges are not incurred if an owner sells the object by private treaty to a body (e.g. a museum or gallery) listed under schedule 3 to the Inheritance Tax Act 1984. Qualifying heritage objects include any previously granted conditional exemption or an item which would qualify as of preeminent importance. This dispensation was extended in April 2009 to corporation tax on companies' chargeable gains. This is an advantageous arrangement because a public collection will need to raise less purchase funds than what would have been paid under normal arrangements to the extent of a proportion of the tax (usually 75 per cent) that would otherwise have been chargeable. As an incentive to vendors to offer qualifying heritage objects first to British public collections, the remaining proportion of the tax (usually 25 per cent) that would otherwise have been chargeable may be retained by the vendor.

Schedule 3 to the Inheritance Tax Act 1984 lists those museums which are able to benefit from a 'douceur' when acquiring works of art that are subject to either inheritance tax, capital gains tax or corporation tax on sale.

Advisory Council

Many different branches of art and learning have an interest in the export of cultural objects and all the issues associated with it, as do many different UK institutions. They cannot all be represented on the Reviewing Committee, but their knowledge and advice is valuable. The original Waverley Committee therefore recommended the creation of a widely representative Advisory Council, which would meet from time to time, as circumstances might require, to discuss matters of common interest and the operation of the system as a whole. It was envisaged that the Council would advise whether the right standards were being applied to the different categories of objects, as well as enabling institutions, not least regional ones, and the art trade to make their views known.

Membership of the Council includes the expert advisers (who refer objects to the Committee and are normally appointed by the Secretary of State for Culture, Media and Sport as 'champions' for their retention when the decision on the export licence is deferred), as well as representatives of the institutions seeking to acquire deferred items, of grant-making bodies, of the art trade and of interested associations (see Appendix I for full details).

The Advisory Council is normally convened annually and met most recently on 8 June 2016. The main focus of this year's meeting was particular acquisitions and cases across the 2015–16 year. Speakers addressed the Advisory Council on 'The Importance of Regional Museums and Galleries' and 'Regional Museums and the pressures they are facing in the current environment'. The Council also considered the draft policy section of the Reviewing Committee's Annual Report for 2015–16. Its comments have been fully considered and are reflected in this text.

Manuscripts, documents and archives

The Working Party on Manuscripts, Documents and Archives is a sub-committee of the Reviewing Committee. Its terms of reference were revised in 2005 and are as follows:

'To consider the present arrangements for the export control of manuscripts, documents and archives, and the sources of funds available (to UK institutions) for their acquisition and to make recommendations resulting from this consideration.'

The membership of the Working Party on Manuscripts, Documents and Archives is detailed in Appendix K.

The Working Party usually meets annually, although it may meet more frequently if necessary. It met most recently on 16 May 2016 when it considered the current limit for Open Individual Export Licences. The Working Party also discussed the increase in the sale of manuscripts on eBay, the definition of marginalia, progress on developing an electronic licence application system and the provision of copies of manuscripts in place of originals.

The Working Party then looked at sources of financial help for the acquisition of manuscripts, documents and archives. Written reports had been submitted by the ACE/V&A Purchase Grant Fund, the PRISM Fund, the Friends of the National Libraries, the Secretary of the Acceptance in Lieu Panel and The National Archives sales catalogue monitoring service. The HLF and National Heritage Memorial Fund provided details of funding towards archival and manuscript material.

i) The ACE/V&A Purchase Grant Fund

During 2015–16, the ACE/V&A Purchase Grant Fund considered 23 cases in respect of manuscripts, documents and archival photographs, and offered 16 grants totalling £165,343, enabling purchases amounting to £724,276 to go ahead. Items purchased ranged from an 18th century survey of the estates of William Richardson, 1774 bought by West Sussex Record Office, to the archive of Laurens van der Post, 1920s–1996 acquired by Durham University Library. The Royal Asiatic Society in London received support for the first time when it purchased the early 19th century archive of the orientalist Thomas Manning.

ii) The PRISM Fund

The PRISM Fund supports the acquisition and conservation of material relating to all fields of the history of science, technology, industry and medicine. During 2015–16, it made three grants towards the acquisition and conservation of archival or similar material. These grants totalled £33,784 for the acquisition of a letter from Nevil Maskelyne to Joseph Banks by the Herschel Museum of Astronomy; the acquisition of the Warwick Healey Motor Company Archive by Warwickshire County Council; and the conservation of Company School botanical drawings at the Royal Albert Memorial Museum.

iii) The Friends of the National Libraries

The Friends assist various institutions primarily by promoting the acquisition of printed books, manuscripts and records of historical, literary, artistic, architectural and musical interest. The Friends made or committed 35 grants to 33 institutions in 2015, totalling £127,013 from the operating fund and £33,500 from the restricted funds. Over £108,000 was awarded to university libraries, local record offices and smaller institutions.

iv) The HLF and NHMF

In 2015–16, the HLF committed £124,300 to acquisition and conservation of manuscripts and documents, and the NHMF committed £734,300 for acquisition and conservation of projects, an overall total of £858,600. The recipients of the NHMF grants included the Bodleian Library, for its acquisition of the early manuscript of *Good Friday Riding Westward* by John Doone; The Bronte Society for the acquisition of the Bronte family's copy of *The Remains of Henry Kirke White* by Robert Southney; and The British Library for the acquisition of an English translation of Erasmus' *Enchiridion Militis Chirstiani*. The HLF's largest award this year was to Kresen Kernow, the new Public Record Office for Cornwall.

v) Acceptance in Lieu

Acceptance in Lieu and the Cultural Gifts Scheme are also an important means of retaining archival material within the United Kingdom. During 2015–16, the schemes bought into public ownership a wide range of archival material including the Kennett Family Papers, the Hobson Bookbinding Archive, the Vincent Novello album, literary and publishing correspondence contained in the archive of children's author and illustrator Nicholas Allan and letters and notes written by the artist Lucian Freud which formed part of the Lucian Freud Archive. Information on all works of art and archival material accepted in 2015–16 can be found on the Arts Council's website at www.artscouncil.org.uk.

vi) The National Archives sales catalogue monitoring service

The sales catalogue monitoring service, among its other functions, notifies repositories when manuscripts and archives become available for acquisition through public sales. This service is greatly valued by repositories and the Working Party commends the assistance it gives them. In 2015–16, 73 items were purchased by 42 different repositories as a result of notifications. However, there were 32 unsuccessful bids as repositories were outbid or dealers had already disposed of stock.

The Working Party strongly endorses the work of these funds, schemes and services, and expresses its thanks to the advisers and administrators of all of them, who work hard, often at very short notice, to enable applicants to acquire material. The Working Party notes that the national endorsement they provide to local institutions is often as valuable as the financial assistance given.

Table 1

The statistics below show the figures for the number of cases from 2006–07 to 2015–16.

| (1) Year | (2) Cases considered by the Committee | (3) Cases where a decision on the licence application was deferred | (4) Cases in (3) where items were not licensed for permanent export | (5) Cases where items were not licensed for permanent export as % of (3) | (6) Value (at deferral) of cases in (4) where items were not licensed for permanent export (£m) | (7) Cases in (3) where items were licensed for permanent export | (8) Cases where items were licensed for permanent export as % of (3) | (9) Value of items in (3) (at deferral) licensed for export (£m) |
|---------------|---|--|--|--|--|---|---|---|
| 2006–07 | 28 | 19 ¹ | 14 ² | 74 | 11.8 | 4 | 21 | 10.7 |
| 2007–08 | 18 | 16 | 9 ³ | 56 | 2.5 | 7 | 44 | 12.8 |
| 2008–09 | 22 | 16 | 9 | 56 | 1.5 | 7 | 44 | 14.2 |
| 2009–10 | 14 ⁴ | 13 ⁵ | 7 | 54 | 10.1 | 6 | 46 | 60.8 |
| 2010–11 | 18 ⁶ | 14 ⁷ | 7 | 50 | 5.9 | 7 | 50 | 65.8 |
| 2011–12 | 11 | 7 | 4 | 57 | 29.8 | 3 | 43 | 44.8 |
| 2012–13 | 24 | 19 ⁸ | 7 | 37 | 11.2 | 12 ⁹ | 63 | 103.5 |
| 2013–14 | 29 | 22 | 8 | 36 | 13.9 | 14 | 64 | 66.9 |
| 2014–15 | 17 | 12 | 5 ¹⁰ | 42 ¹⁰ | 6.7 | 6 | 50 | 25.7 |
| 2015–16 | 25 | 21 | 13 ¹¹ | 62 ¹¹ | 48.4 ¹¹ | 6 | 29 | 37.5 |
| Totals | 206 | 159 | 83 | 52 | 141.8 | 72 | 45 | 442.7 |

¹ Excludes one case where an item was originally thought to meet Waverley criteria, but was subsequently found to have been imported into the UK within the last 50 years.

² Excludes one case still under deferral at the time of writing and includes two cases where the licence application was withdrawn during the deferral period.

³ Includes one case where the licence application was refused at the end of the first deferral period because the owner refused to confirm that they were willing to accept a matching offer from a UK purchaser.

⁴ Excludes one case which was carried over to 2010–11.

⁵ Excludes one case which was carried over to 2010–11.

⁶ Includes one case which was carried over from 2009–10.

⁷ Includes one case which was carried over from 2009–10.

⁸ Includes one case which was considered in 2011–12 but referred to the Secretary of State in 2012–13.

⁹ Includes one case where the applicant was informed that a licence could be issued, but decided to continue negotiations with a UK purchaser. To date, an export licence has not been issued.

¹⁰ Excludes one case still under deferral at the time the Statistical Release was published (Statue of Sekhemka) but later licensed for export.

¹¹ Excludes two case still under deferral at the time of writing and includes four cases where the licence application was withdrawn during the deferral period.

Table 2

The statistics below show the figures for the values associated with cases from 2006–07 to 2015–16.

| (1) Year | (2) Cases where a decision on the licence application was deferred | (3) Value of items in (2) (£m) | (4) Cases where items were acquired by institutions or individuals in the UK (4) ¹ | (5) Value (at deferral) of items in (4) (£m) | (6) Value of items in (5) as % of (3) (£m) | (7) Cases where the application was refused or withdrawn after the announcement of the Secretary of State's decision | (8) Value of items in (7) (£m) |
|---------------|---|---|---|--|--|--|---|
| 2006–07 | 19 ² | 24.5 | 12 | 7.0 | 29 | 3 | 4.8 |
| 2007–08 | 16 | 15.3 | 8 | 1.4 | 9 | 1 | 1.1 |
| 2008–09 | 16 | 15.7 | 9 | 1.5 | 10 | 0 | 0 |
| 2009–10 | 13 ³ | 71.5 | 6 | 10.1 | 14 | 1 | 0.6 |
| 2010–11 | 14 ⁴ | 71.7 | 4 | 3.8 | 5 | 3 | 2.1 |
| 2011–12 | 7 | 74.6 | 4 | 29.8 | 40 | 0 | 0 |
| 2012–13 | 19 ⁵ | 114.8 | 6 | 11.2 | 10 | 1 | 0.04 |
| 2013–14 | 22 | 80.7 | 8 | 13.9 | 17 | 1 | 12.5 ⁶ |
| 2014–15 | 12 | 48.2 | 5 | 6.7 | 14 | 0 | 0 |
| 2015–16 | 21 | 116.6 | 9 | 7.0 | 6 | 4 | 41.3 |
| Totals | 159 | 633.6 | 71 | 92.4 | 15 | 14 | 62.44 |

¹ This only includes items purchased by individuals who agreed to guarantee satisfactory public access, conservation and security arrangements.

² Excludes one case where an item was originally thought to be Waverley but was subsequently found to have been imported into the UK within the last 50 years.

³ Excludes one case which was carried over into 2010–11.

⁴ Includes one case which was carried over from 2009–10.

⁵ Includes one case which was carried over from 2011–12.

⁶ Deferred at £12.5 million; export licence application was withdrawn and the item was subsequently purchased for £10 million.

Appendix B

History of export controls in the UK

The reasons for controlling the export of what are now known as cultural goods were first recognised in the UK at the end of the 19th and beginning of the 20th centuries. Private collections in the UK had become the prey of American and German collectors and it was apparent that many were being depleted and important works of art sold abroad at prices in excess of anything that UK public collections or private buyers could afford. It was against this background that the National Art Collections Fund was established in 1903, to help UK national and regional public collections to acquire objects that they could not afford by themselves.

Until 1939, the UK had no legal controls on the export of works of art, books, manuscripts and other antiques. The outbreak of the Second World War made it necessary to impose controls on exports generally in order to conserve national resources. As part of the war effort, Parliament enacted the Import, Export and Customs Powers (Defence) Act 1939, and in addition the Defence (Finance) Regulations, which were intended not to restrict exports but to ensure that, when goods were exported outside the Sterling Area, they earned their proper quota of foreign exchange. In 1940, antiques and works of art were brought under this system of licensing.

It was in 1950 that the then Labour Chancellor of the Exchequer, Sir Stafford Cripps, established a committee under the Chairmanship of the First Viscount Waverley 'to consider and advise on the policy to be adopted by His Majesty's Government in controlling the export of works of art, books, manuscripts, armour and antiques and to recommend what arrangements should be made for the practical operation of policy'. The Committee reported in 1952 to RA Butler, Chancellor in the subsequent Conservative administration, and its conclusions still form the basis of the arrangements in place today.

Current export controls

The export controls are derived from both UK and EU legislation. The UK statutory powers are exercised by the Secretary of State under the *Export Control Act 2002*. Under the Act, the Secretary of State for Culture, Media and Sport has made the *Export of Objects of Cultural Interest (Control) Order 2003*. Export controls are also imposed by Council Regulation (EC) No 116/2009 on the export of cultural goods. The control is enforced by the Border Force, a law enforcement command within the Home Office. If an item within the scope of the legislation is exported without an appropriate licence, the exporter and any other party

concerned with the unlicensed export of the object concerned may be subject to penalties, including criminal prosecution, under the Customs and Excise Management Act 1979.

The Reviewing Committee on the Export of Works of Art and Objects of Cultural Interest

An independent Reviewing Committee on the Export of Works of Art was first appointed in 1952 following the recommendations of the Waverley Committee. It succeeded an earlier committee of the same name established in 1949, comprising museum directors and officials, which heard appeals against refusals and, from 1950, all cases where refusals were recommended. The Committee's terms of reference, as set out in the Waverley Report, were:

- i) to advise on the principles which should govern the control of export of works of art and antiques under the Import, Export and Customs Powers (Defence) Act 1939;
- ii) to consider all the cases where refusal of an export licence for a work of art or antique is suggested on grounds of national importance;
- iii) to advise in cases where a Special Exchequer Grant is needed towards the purchase of an object that would otherwise be exported; and
- iv) to supervise the operation of the export control system generally.

These were subsequently revised following the recommendations of the Quinquennial Review, which also recommended that the Committee's name be expanded by adding 'and Objects of Cultural Interest'. (See Appendix C for revised terms of reference.)

The Committee is a non-statutory independent body whose role is to advise the Secretary of State whether a cultural object, which is the subject of an application for an export licence, is a national treasure. It will designate an object as a national treasure if it considers that its departure from the UK would be a misfortune on one or more of the three grounds given below, which are collectively known as the Waverley criteria (so named after Viscount Waverley) and which were spelt out in the conclusions of the Waverley Report.

The Committee consists of eight full members, appointed by the Secretary of State for Culture, Media and Sport, seven of whom have particular expertise in one or more relevant fields (paintings, furniture, manuscripts etc), and a Chair. A list of members during 2015–16 is at the front of this report and brief details of members are included in Appendix D.

The Waverley criteria

The Committee will designate an object as a national treasure if it considers that its departure from the UK would be a misfortune on one or more of the following three grounds:

| History | Aesthetics | Scholarship |
|---|--|--|
| Is it closely connected with our history and national life? | Is it of outstanding aesthetic importance? | Is it of outstanding significance for the study of some particular branch of art, learning or history? |
| <i>Waverley 1</i> | <i>Waverley 2</i> | <i>Waverley 3</i> |

They are not mutually exclusive and an object can, depending on its character, meet one, two or three of the criteria.

The Committee reaches a decision on the merits of any object which the relevant expert adviser draws to its attention.

A meeting is held at which both the expert adviser and the applicant submit a case and can question the other party. The permanent Committee members are joined for each hearing by independent assessors (usually three), who are acknowledged experts in the field of the object under consideration. They temporarily become full members of the Committee for the duration of the consideration of the item in question.

If the Committee concludes that an item meets at least one of the Waverley criteria, its recommendation is passed on to the Secretary of State. The Committee also passes on an assessment of the item's qualities and a recommendation as to the length of time for which the decision on the export licence should be deferred, to provide UK institutions and private individuals with a chance to raise the money to purchase the item to enable it to remain in this country. It is the Secretary of State who decides whether an export licence should be granted or whether it should be deferred, pending the possible receipt of a suitable matching offer from within the UK which will lead to the refusal of the licence if it is turned down.

Since the Committee was set up in 1952, many important works of art have been retained in the UK as a result of its intervention. These embrace many different categories. An illustrative selection includes:

Paintings: Titian's *The Death of Actaeon* (1971), Raphael's *Madonna of the Pinks* (2004), Manet's *Portrait of Mademoiselle Claus* (2012) and, from the British school, Reynolds' *The Archers* (2005).

Sculptures: *The Three Graces* by Canova (1993).

Antiquities: a 'jadeite' Neolithic axe-head brought into Britain circa 4000 BC (2007).

Porcelain: a 102-piece Sevres dinner service presented to the Duke of Wellington (1979).

Furniture: a lady's secretaire by Thomas Chippendale (1998) and a pair of Italian console tables with marquetry tops by Lucio de Lucci, the bases attributed to Andrea Brustolon.

Silver: a Charles II two-handled silver porringer and cover, circa 1660, attributed to the workshop of Christian van Vianen (1999).

Textiles: a felt appliqué and patch-worked album coverlet made by Ann West in 1820 (2006).

Manuscripts: the *Foundation Charter of Westminster Abbey* (1980) and the *Macclesfield Psalter* (2005).

This short list shows quite clearly the immense cultural and historic value of what has been achieved.

Unfortunately, and perhaps almost inevitably, some have got away. Noteworthy examples include *David Sacrificing before the Ark* by Rubens (1961), *A Portrait of Juan de Pareja* by Velázquez (1971), *Sunflowers* by Van Gogh (1986) and *Portrait of an Elderly Man* by Rembrandt (1999). Among items other than pictures that have been exported are *The Burdett Psalter* (1998), *The World History of Rashid al-Din* (1980), *The Codex Leicester* by Leonardo da Vinci (1980), the *Jenkins or Barberini Venus* (2003) and *Ordination* by Nicolas Poussin (2011), *Vue sur L'Estaque et la Chateau d'If* by Paul Cézanne (2015), all of which are of the highest quality in their field. By any measure, these are all losses to the UK of items of world significance.

Appendix C

Terms of reference of the Reviewing Committee on the Export of Works of Art and Objects of Cultural Interest

The Committee was established in 1952 following the recommendations of the Waverley Committee in its report in September of that year. Its terms of reference are:

- a) to advise on the principles which should govern the control of export of objects of cultural interest under the Export Control Act 2002 and on the operation of the export control system generally;
- b) to advise the Secretary of State on all cases where refusal of an export licence for an object of cultural interest is suggested on grounds of national importance; and
- c) to advise in cases where a special Exchequer grant is needed towards the purchase of an object that would otherwise be exported.

Appendix D

Membership of the Reviewing Committee on the Export of Works of Art and Objects of Cultural Interest during 2015–16

Sir Hayden Phillips GCB DL (Chair)

Sir Hayden Phillips is the Independent Reviewer of the Rulings of the Advertising Standards Authority. He is also a Director of the Energy Saving Trust and of St Just Farms Ltd; and Chairman of the Wellington Collection Management Committee and of the IPSO Appointments Panel. He is a Deputy Lieutenant of Wiltshire, a Lay Canon of Salisbury Cathedral and Chairman of its Fabric Advisory Committee. He was Chairman of the National Theatre from 2004–10 and of Marlborough College (2006–13). Sir Hayden's previous career was in the Civil Service, latterly heading two Departments as Permanent Secretary – the Department for Culture, Media & Sport from 1992–98, and the Lord Chancellor's Department (now the Ministry of Justice) from 1998 to 2004. He reviewed the Honours System (report 2004) and the Funding of Political Parties (report 2007).

Appointed 17 March 2014: appointment expires 16 March 2019

Peter Barber

Peter Barber, former Head of Cartographic and Topographic Materials at the British Library, has many exhibitions to his name, and was awarded an OBE for services to Cartography and Topography in 2012. He began his career at The British Library in the Department of Manuscripts where he was involved in the cataloguing of the Blenheim and Althorp archives and oversaw the acquisition of a number of important manuscripts. He was a consultant to several television series on the history of maps and was editor and principal contributor to *Tales from the Map Room: Face and Diction about Maps and their makers* (1993) and *The Map Book* (2005), and author of *The Queen Mary Atlas: Commentary* (2005) and *Kind Henry's Map of the British Isles: BL Cotton MS Augustus I.i.9: Commentary* (2009) as well as contributing an extended chapter on mapmaking in England between 1470 and 1650 to volume 3 of the University of Chicago's multi-volume, *History of Cartography*. He is a Vice President of the Hakluyt Society and a Trustee of the Hereford Mappa Mundi Trust. He is a Council Member of the Society of Antiquaries' Library and Collections Committee, and a past Council Member of the Royal Numismatic and British Art Medal Societies. He has recently been appointed a Visiting Professor in the Department of History at King's College London and has been elected President of the Hornsey Historical Society. He is also a board member of The Lauderdale House Society Ltd.

Appointed 1 August 2015: appointment expires on 31 July 2019

Richard Calvocoressi

Richard Calvocoressi, Director and Senior Curator of the Gagosian Gallery, London (2015–present), former Director of the Henry Moore Foundation and former Keeper, and then Director, of the Scottish National Gallery of Modern Art (1987–2007), was originally a curator at the Tate Gallery (1979–87), where he was responsible for building up the collections of pre- and postwar European art. He also organised major exhibitions of Jean Tinguely (1982) and Oskar Kokoschka (1986). In Scotland, he acquired important international collections of dada and surrealist art from the estates of Roland Penrose and Gabrielle Keiller and was instrumental in attracting the Anthony d'Offay gift to Edinburgh and London. Richard Calvocoressi has published on various artists, including Francis Bacon, Georg Baselitz, Reg Butler, Lucian Freud, Anselm Kiefer,

Paul Klee, René Magritte, Lee Miller, Henry Moore, Michael Andrews and Yves Klein. He is an Expert Member of the Comité Magritte and a Trustee of the Art Fund. In 2008, he was awarded a CBE for services to the arts, particularly in Scotland.

Appointed 13 November 2012: appointment expires 12 November 2020

Philippa Glanville

Philippa Glanville FSA is currently a Trustee of the Art Fund and a member of the Westminster Abbey Fabric Commission. Former Curatorial Adviser to the Harley Foundation, Trustee of the Belmont House Trust, Bishopsland Educational Trust and the Geffrye Museum, she is a Past Master of the Company of Arts Scholars and a Liveryman of the Worshipful Company of Goldsmiths. She was awarded an OBE in 2015 for services to the history of decorative arts and heritage. A historian and curator at the London Museum, Museum of London and Victoria and Albert Museum (V&A), she was Keeper of Metalwork at the V&A from 1989–99. From 1999 to 2003, she was Academic Director at Waddesdon Manor (the Rothschild Collection), and Associate Curator at the Gilbert Collection, Somerset House. She writes on silver, social history and the history of collecting; her books include *London in Maps* (Connoisseur/Ebury Press 1972), *Silver in England* (Unwin Hyman 1972, Routledge 2010), *Silver in Tudor & Early Stuart England* (V&A 1990), *Women Silversmiths 1697–1845* (with J.Goldsborough, Thames & Hudson 1991), for the V&A, *Silver, Elegant Eating* and *The Art of Drinking* (1996, 2002, 2007) and for the Harley Foundation, *Dinner with a Duke* (2010). Philippa has contributed to many publications including *City Merchants & the Arts 1670–1720* (Oblong/Corporation of London 2004), *Feeding Desire* (Cooper Hewitt 2006), *Les Tables Royales en Europe & Quand Versailles était Meuble en Argent* (RMN & Chateau de Versailles 1993 & 2001), *Treasures of the English Church* (Goldsmiths Company/Holberton 2008) and *Baroque* (V&A 2009).

Appointed 2 April 2010: appointment expires 1 April 2018

Christopher Rowell

Christopher Rowell was appointed to the curatorial staff of the National Trust in 1977 and has been Furniture Curator since 2002, advising on the Trust's collections in England, Wales and Northern Ireland. He is Chairman of the Furniture History Society and a Fellow of the Society of Antiquaries. He has published widely, mainly on country house collections, the display of art, and furniture. He was editor and principal contributor to *Ham House: 400 Years of Collecting and Patronage* (2013), which was shortlisted for the William MB Berger Prize for British Art History 2014, and has also contributed to *Hardwick Hall: A Great Old Castle of Romance* (2016), the second book in this series on the Trust's most significant houses, which is published by Yale University Press for the National Trust and the Paul Mellon Centre for Studies in British Art.

Appointed 10 April 2015: appointment expires 9 April 2019

Aidan Weston-Lewis

Aidan Weston-Lewis has worked at the National Gallery of Scotland since 1992, where he is Chief Curator, with responsibility for the Italian and Spanish collections. Before that he was Assistant Librarian at the Witt Photographic Library at the Courtauld Institute of Art in London. He has organised a series of major exhibitions and has published widely in his area of specialism, particularly on North Italian painting and drawing of the 16th and 17th centuries. In 2005, Aidan received from the Italian Republic the honour of Cavaliere dell'Ordine della Stella della Solidarietà Italiana in recognition of his contribution to the study of Italian art.

Appointed 10 May 2011: appointment expires 9 May 2019

Lowell Libson

Lowell Libson is an art dealer and Managing Director and Proprietor of Lowell Libson Ltd, which specialises in British paintings, watercolours and drawings of the 17th to 20th centuries. His specialist area of expertise is the art market and British works of the aforementioned period.

Appointed 3 June 2011: appointment expires 9 April 2019

Leslie Webster

Former Keeper of the Department of Prehistory and Europe, and senior curator of the early medieval collections at the British Museum, she specialises particularly in the Anglo-Saxon and Viking period, on which she publishes and lectures widely. Her latest book is *Anglo-Saxon Art: a new History* (2012). She is currently Honorary Visiting Professor at the Institute of Archaeology, UCL. She co-curated four major exhibitions on early medieval themes at the British Museum, and also co-ordinated a series of exhibitions in five major European museums, as part of the European Science Foundation's *Transformation of the Roman World AD 400–900 Project*. She has served as a Trustee and committee member on many professional bodies, including the Society of Antiquaries of London, the Royal Archaeological Institute, and the Society for Medieval Archaeology, where she served as President from 2007–10. Other advisory work has included membership of the former English Heritage Museums and Archives Advisory Panel, the British Academy Corpus of Anglo-Saxon Stone Sculpture Committee, and the National Heritage Memorial Fund Advisory Panel. She is actively engaged in the Staffordshire Hoard Research Project, and is co-editor of the forthcoming publication of this major Anglo-Saxon find.

Appointed 18 February 2013: appointment expires 17 February 2021

Dr Christopher Wright

Dr Christopher Wright joined the Department of Manuscripts, British Library, in 1974 and was Head of Manuscripts from 2003 until his retirement in October 2005. He is a Fellow of the Society of Antiquaries London (2002) and a Fellow of the Royal Historical Society (1982). His publications include *George III* (2005) and, as editor, *Sir Robert Cotton as Collector: Essays on an Early Stuart Courtier* (1997). From 1989–99, he was editor of the *British Library Journal*. He served as a Trustee of the Sir Winston Churchill Archives Trust, Cambridge (2001–05) and was on the Council of the Friends of the National Libraries (2003–06). From August 2005, Christopher has been a Trustee of The Handwriting of Italian Humanists. He was a member of the Acceptance in Lieu Panel, Arts Council England, from 2005–2015.

Appointed 20 November 2006: appointment expired 31 July 2015

Appendix E

List of independent assessors who attended meetings during 2015–16

| | |
|---|-----------------|
| Charles Beddington , Charles Beddington Ltd | Case 25 |
| Rufus Bird , Deputy Surveyor of the Queen's Works of Art, Royal Collection Trust | Case 12, 22 |
| Dr Xavier Bray , Arturo and Melosi Chief Curator, Dulwich Picture Gallery | Case 4, 25 |
| Professor Christopher Brown , Former Director, Ashmolean Museum | Case 24 |
| Dr David Caldwell , Former Keeper of Scottish and European History, National Museums of Scotland | Case 23 |
| Dr Lorne Campbell , Former Senior Research Curator, National Gallery | Case 8 |
| Martin Clayton , Head of Prints and Drawings, Royal Collection Trust | Case 17 |
| Katie Coombs , Curator of Paintings, Victoria & Albert Museum | Case 21 |
| Professor Elizabeth Cowling , Professor of 20th century European Art, University of Edinburgh | Case 16 |
| Daniel Crouch , Daniel Crouch Rare Books LLP | Case 3 |
| Professor Stephen Daniels , Professor of Cultural Geography, University of Nottingham | Case 3 |
| Professor Kurt Drickamer , Professor of Biochemistry, Imperial College London | Case 9 |
| Professor Felix Driver , Professor of Human Geography, Royal Holloway | Case 3 |
| Adrian Eeles , Independent Consultant | Case 19 |
| James Faber , Day and Faber | Case 17 |
| Francesca Galloway , Francesca Galloway Ltd | Case 14, 15 |
| Johnny van Haeften , Director Johnny van Haeften Ltd | Case 4 |
| Matthew Hall , Director, Erskine, Hall & Coe | Case 6 |
| Karen Hearn , Honorary Professor, Department of English Language and Literature, UCL | Case 21 |
| Dr Timothy Hunter , Independent Consultant | Case 1, 8, 13 |
| Dr Catherine Johns , Former Curator of the Romano-British Collections at the British Museum | Case 5 |
| Alastair Laing , Curator Emeritus of Pictures and Sculpture, The National Trust | Case 24 |
| Catherine Lampert , Independent Consultant | Case 16 |
| Sir John Leighton , Director-General, National Galleries Scotland | Case 1 |
| Martin Levy , Director, H. Blairman & Sons Ltd | Case 12, 22 |
| Bruce Lindsay , Director, Harris Lindsay Ltd | Case 12, 20, 22 |
| Stuart Lochhead , Director, Daniel Katz Limited | Case 23 |
| Professor Richard Marks , Professor History of Art, University of Cambridge | Case 18 |
| Dr Joanna Marschner , Senior Curator, Kensington Palace | Case 14, 15 |
| Patrick Matthiesen , The Matthiesen Gallery | Case 10 |
| Donald F. McLean , Independent Author and Phonovision Expert | Case 2 |
| Nathalie Morris , Senior Curator, Special Collections, British Film Institute Archive | Case 2 |
| Richard Nagy , Richard Nagy Ltd | Case 16 |
| Susie Nash , Professor of Renaissance Art, The Courtauld Institute of Art | Case 8 |
| Maria Newbery , Curator of Maritime and Local History, Southampton City Council | Case 7 |
| Professor Simon Olding , Director, Crafts Study Centre, University for the Creative Arts | Case 6 |
| Anthony Phillips , Former Head of Silver Department, Christie's | Case 11 |
| Dr Tacye Phillipson , Senior Curator of Modern Science and Computing, National Museums Scotland | Case 9 |

| | |
|---|---------------------|
| Andrew Reynolds , Professor of Medieval Archaeology, UCL | Case 5 |
| Sir Hugh Roberts , Surveyor Emeritus of the Queen's Works of Art | Case 20 |
| Simon Rooks , Head of Archive Policy, BBC Archives | Case 2 |
| David Scrase , Former Assistant Director of Collections, Fitzwilliam Museum, Cambridge | Case 10, 17, 19, 25 |
| Dr Karen Serres , Schroder Foundation Curator of Paintings, The Courtauld Gallery | Case 1 |
| Lewis Smith , Koopman Rare Art Ltd | Case 18 |
| Anthony Speelman , Managing Director, Edward Speelman Ltd | Case 13, 24 |
| Julian Stair , potter and academic, Julian Stair Studio | Case 6 |
| Timothy Stevens , Former Director, The Gilbert Collection Trust | Case 11 |
| Simon Swynfen Jervis , Independent Consultant | Case 20 |
| Sir Christopher White , Former Director, Ashmolean Museum | Case 4, 13 |
| Dr Paul Williamson , Keeper Emeritus and Honorary Senior Research Fellow, Victoria and Albert Museum | Case 23 |
| Mark Weiss , Director, The Weiss Gallery | Case 21 |
| Ian Whitehead , Keeper of Maritime History, Tyne & Wear Archives & Museums | Case 7 |
| Lucy Whitaker , Assistant Surveyor of The Queen's Pictures, The Royal Collection | Case 10 |
| Wynyard Wilkinson , Independent Silver Dealer | Case 11 |

Appendix F

Value of items placed under deferral (2006–07 to 2015–16) i) for which permanent licences were issued and ii) where items were purchased by UK institutions or individuals

| (1) Year | (2) Value of items where a decision on the licence application was deferred (£m) | (3) Value (at deferral) of cases in (2) where items were licensed for permanent export (£m) | (4) Value of items in (3) as % of (2) | (5) Value of items in (2) that were not licensed for export (£m) | (6) Value (at deferral) of cases in (2) where items were purchased by UK institutions or individuals ¹ (£m) | (7) Value of items in (6) as % of (2) |
|---------------|---|--|--|---|---|--|
| 2006–07 | 24.5 | 10.7 ² | 44 | 11.8 | 7.0 | 29 |
| 2007–08 | 15.3 | 12.8 | 84 | 2.5 | 1.4 | 9 |
| 2008–09 | 15.7 | 14.2 | 90 | 1.5 | 1.5 | 10 |
| 2009–10 | 71.5 | 60.8 | 85 | 10.7 ³ | 10.1 | 14 |
| 2010–11 | 71.7 | 65.8 | 92 | 5.9 ⁴ | 3.8 | 5 |
| 2011–12 | 74.6 | 44.8 | 60 | 29.8 | 29.8 | 40 |
| 2012–13 | 114.8 | 103.5 | 90 | 11.2 | 11.2 | 10 |
| 2013–14 | 80.7 | 66.9 | 83 | 13.9 | 13.9 | 17 |
| 2014–15 | 48.2 | 25.7 | 54 | 22.5 | 6.7 | 14 |
| 2015–16 | 116.6 | 37.5 | 32 | 48.4 ⁵ | 7.0 | 6 |
| Totals | 633.6 | 442.7 | 70 | 158.2 | 92.4 | 15 |

¹ This only includes items purchased by individuals who agreed to guarantee satisfactory public access, conservation and security arrangements.

² Excludes one case where the item was originally found to meet Waverley criteria, but was subsequently found to have been imported into the UK within the last 50 years.

³ Includes value of one case (£554,937.50) where the application was withdrawn during the deferral period.

⁴ Includes value of one case (£389,600) where a matching offer was refused and the Secretary of State therefore refused an export licence, and the value of two cases (£1,645,868) where the application was withdrawn during the deferral period.

⁵ Excludes two case still under deferral at the time of writing and includes four cases where the licence application was withdrawn during the deferral period.

Appendix G

Items licensed for export after reference to expert advisers for advice as to national importance

| Category | Advising authority | No of items | Total value (£) |
|---|---|-------------|-----------------|
| Arms and armour | Royal Armouries, Leeds, Director general | 12 | 3,049,200 |
| Architectural models | Sir John Soane Museum, Deputy Director | 1 | 98,000 |
| Books, maps etc | British Library, Keeper of Printed Books, Head of Map Collections | 52 | 5,612,532 |
| Books, drawings and manuscripts (natural history) | Natural History Museum, Special Collections Manager Library & Archives | 5 | 287,540 |
| Clocks and watches | British Museum, Keeper of Clocks and Watches | 22 | 4,274,900 |
| Coins and medals | British Museum, Keeper of Coins and Medals | 189 | 4,831,808 |
| Drawings: architectural, engineering and scientific | Victoria and Albert Museum, Keeper of Word & Image Department | 36 | 102,700 |
| Drawings, prints, watercolours | British Museum, Keeper of Prints and Drawings | 164 | 57,716,483 |
| Egyptian antiquities | British Museum, Keeper of Egyptian Antiquities | 14 | 5,180,300 |
| Ethnography and Western Asiatic Antiquities | British Museum, Keeper of Ethnography | 7 | 13,727,848 |
| Furniture and woodwork | Victoria and Albert Museum, Keeper of Furniture and Textiles & Fashion Department | 59 | 14,501,912 |
| Greek and Roman antiquities | British Museum, Keeper of Greek and Roman Antiquities | 10 | 5,557,400 |
| Indian furniture, textiles and works of art | Victoria and Albert Museum, Senior Curator of Asian Department, South & South East Asian Collection | 8 | 658,500 |
| Japanese antiquities | British Museum, Department of Asia | 4 | 2,411,150 |
| Manuscripts, documents and archives | British Library, Curator, Department of Manuscripts | 1,647 | 221,680,876 |
| Maritime material, including paintings | National Maritime Museum, Director of Collections | 13 | 919,004 |
| Middle East antiquities | British Museum, Keeper of Middle East Antiquities | 45 | 13,374,194 |
| Musical Instruments | Curator of Musical Instrument Museums Edinburgh | 27 | 14,264,538 |
| Oriental antiquities (except Japanese) | British Museum, Department of Asia | 97 | 33,671,713 |
| Oriental furniture, porcelain and works of art | Victoria and Albert Museum, Senior Curator of Asian Department, Chinese Collection | 28 | 5,687,774 |
| Paintings, British, modern | Tate Gallery | 207 | 339,269,455 |
| Paintings, foreign pre 1900 | National Gallery, Director | 121 | 258,725,384 |
| Paintings, miniature and pastels | Victoria and Albert Museum, Senior Curator of Painting Section, Word & Image Department | 4 | 402,225 |
| Paintings, portraits of British persons | National Portrait Gallery, Director | 88 | 317,482,118 |

| Category | Advising authority | No of items | Total value (£) |
|--|--|--------------------|------------------------|
| Photographs | National Media Museum, Head | 190 | 8,853,988 |
| Pottery and ceramics | Victoria and Albert Museum, Head of Ceramics & Glass Department | 16 | 2,049,470 |
| Prehistory & Europe (inc. Archaeological material, Medieval and later antiquities & Metal Detecting Finds) | British Museum, Keeper of Prehistory & Europe Department of Portable Antiquities & Treasure (Metal Detecting Finds) | 31,649 | 17,688,760 |
| Scientific and mechanical material | Science Museum, Head of Collections | 1 | 8,840 |
| Sculpture | Victoria and Albert Museum, Senior Curator of Sculpture, Metalwork, Ceramic & Glass Department Tate Gallery (20th Century Sculpture) | 98 | 46,598,528 |
| Silver and weapons, Scottish | National Museum of Scotland, Director | 0 | 0 |
| Silver, metalwork and jewellery | Victoria and Albert Museum, Senior Curator of Sculpture, Metalwork, Ceramic & Glass Department | 130 | 30,414,522 |
| Tapestries, carpets (and textiles) | Victoria and Albert Museum, Senior Curator of Furniture, Textiles & Fashion Department | 13 | 1,929,353 |
| Toys | Bethnal Green Museum of Childhood, Head | 0 | 0 |
| Transport | Heritage Motor Centre | 39 | 48,539,727 |
| Wallpaper | Victoria and Albert Museum, Senior Curator of Prints Section, Word & Image Department | 0 | 0 |
| War orders, medals and decorations | Imperial War Museum | 3 | 1,023,843 |
| Zoology (stuffed specimens) | Natural History Museum, Director of Science | 0 | 0 |
| Totals | | 34,999 | 1,480,594,585 |

Appendix H

Applications considered and deferred on the recommendation of the Reviewing Committee on the Export of Works of Art and Objects of Cultural Interest, 2006–07 to 2015–16

| Year | Number of Waverley items granted a permanent export licence | Value of Waverley items granted a permanent export licence (£) | Number of Waverley items purchased during deferral | Total value of Waverley items purchased during deferral (£) | Number of Waverley items supported by Heritage Lottery Fund/ National Heritage Memorial Fund | Support by Heritage Lottery Fund/ National Heritage Memorial Fund (£) | Number of Waverley items supported by the Art Fund | Support by the Art Fund (£) | Number of Waverley items supported by V&A Purchase Grant Fund | Support by V&A Purchase Grant Fund (£) |
|---------|---|--|--|---|--|---|--|-----------------------------|---|--|
| 2006–07 | 5 ¹ | 10,709,778 | 12 | 7,009,075 | 4 | 1,944,032 | 3 | 700,275 | 2 | 40,000 |
| 2007–08 | 7 | 12,770,031 | 8 | 1,431,256 | 6 | 471,986 | 6 | 248,750 | 2 | 50,000 |
| 2008–09 | 7 | 14,186,010 | 9 | 1,521,684 | 2 | 378,000 | 4 | 329,292 | 3 | 118,500 |
| 2009–10 | 6 | 60,813,750 | 6 | 10,119,674 | 2 | 186,000 | 3 | 245,100 | 1 | 17,000 |
| 2010–11 | 7 | 65,837,016 | 4 | 3,752,918 | 3 | 2,410,000 | 4 | 470,000 | 1 | 20,000 |
| 2011–12 | 3 | 44,830,190 | 4 | 9,252,560 | 2 | 6,025,000 | 2 | 1,100,000 | 0 | 0 |
| 2012–13 | 12 ² | 103,543,500 | 6 | 11,165,750 | 2 | 3,952,900 | 3 | 508,250 | 2 | 32,000 |
| 2013–14 | 14 | 66,862,143 | 8 | 13,852,095 | 1 | 6,300,000 | 4 | 820,000 | 1 | 10,000 |
| 2014–15 | 6 | 25,658,700 | 5 | 6,694,400 | 3 | 508,000 | 3 | 175,662 | 0 | 0 |
| 2015–16 | 6 | 37,460,300 | 9 | 7,000,513 | 6 | 3,505,215 | 5 | 910,000 | 0 | 0 |

¹ Includes one item where the licence was issued following receipt of satisfactory proof that it had been imported into the UK within the last 50 years.

² Includes one case where the applicant was informed that a licence could be issued, but decided to continue negotiations with a UK purchaser. To date, an export licence has not been issued.

2015–16 (detail) – acquisitions

| Year | Item | Purchaser | Price (£) | Support by Heritage Lottery Fund/ National Heritage Memorial Fund (£) | Support by The Art Fund (£) | Support by V&A Purchase Grant Fund |
|--------------|---|--------------------------------|------------------|---|-----------------------------|------------------------------------|
| 2015–16 | Baird Phonovision disc and ephemera | The University of Glasgow | 78,750 | | | |
| 2015–16 | <i>An East View of the Great Cataract of Niagara</i> by Captain Thomas Davies | The National Army Museum | 151,800 | 50,000 | 50,000 | |
| 2015–16 | Anglo-Saxon gilt-bronze strip brooch | The Ashmolean Museum | 10,152 | | | |
| 2015–16 | Large bowl by Hans Coper | The Victoria and Albert Museum | 92,291 | | | |
| 2015–16 | <i>St Luke Drawing the Virgin and Child</i> from the workshop of Dieric Bouts the Elder | The Bowes Museum | 3,383,320 | 1,835,815 | 260,000 | |
| 2015–16 | A Pair of Charles II Silver Andirons | The National Museum Wales | 649,200 | 341,000 | 150,000 | |
| 2015–16 | A pair of Italian <i>pietre dure</i> mounted, inlaid ebony cabinets | The Fitzwilliam Museum | 1,308,000 | 700,000 | 200,000 | |
| 2015–16 | Arab <i>Jambiya</i> dagger and scabbard owned by TE Lawrence | The National Army Museum | 127,000 | 78,400 | | |
| 2015–16 | <i>Nonsuch Palace from the South</i> by Joris Hoefnagel | The Victoria and Albert Museum | 1,200,000 | 500,000 | 250,000 | |
| Total | | | 7,000,513 | 3,505,215 | 910,000 | |

Appendix I

Composition of the Advisory Council on the Export of Works of Art and Objects of Cultural Interest

- i) The independent members of the Reviewing Committee ex officio;
- ii) the Departmental assessors on the Reviewing Committee (representatives of the Department of Culture, Media and Sport (DCMS), Department for Business, Innovation & Skills, HM Treasury, Foreign & Commonwealth Office, HM Revenue & Customs, Scottish Executive Department for Culture, National Assembly for Wales Department for Culture and Northern Ireland Department for Culture;
- iii) the Directors of the English and Scottish national collections and National Museum Wales, and the Librarians of the National Libraries of Wales and Scotland;
- iv) the expert advisers to DCMS, to whom applications for export licences are referred, other than those who are members by virtue of iii) above;
- v) eight representatives of non-grant-aided museums and galleries in England, Scotland, Wales and Northern Ireland, nominated by the Museums Association;
- vi) representatives of: Arts Council England; Arts Council of Northern Ireland; Arts Council of Wales; Association of Independent Museums; Conference of Directors of the National Museums and Galleries; Friends of the National Libraries; Heritage Lottery Fund; The National Archives; National Archives of Scotland; the Art Fund; National Fund for Acquisitions; National Heritage Memorial Fund; National Trust; National Trust for Scotland; Pilgrim Trust; ACE/V&A Purchase Grant Fund; the PRISM Grant Fund for the Preservation of Scientific and Industrial Material;
- vii) representatives of: British Academy; British Records Association; Canadian Cultural Property Export Review Board (observer status); Chartered Institute of Library and Information Professionals (CILIP); Council for British Archaeology; Historic Houses Association; Historical Manuscripts Commission; Royal Academy of Arts; Royal Historical Society; Royal Scottish Academy; Scottish Records Association; Society of Antiquaries of London; Society of Archivists; Society of College, National and University Libraries;
- viii) representatives of the trade nominated by the: Antiquarian Booksellers Association (two); Antiquities Dealers Association (two); Association of Art and Antique Dealers (two); Bonhams; British Antique Dealers Association (three); British Art Market Federation; British Numismatic Trade Association (two); Christie's; Fine Art Trade Guild; Society of London Art Dealers (two); Society of Fine Art Auctioneers and Valuers; Sotheby's.

Appendix J

Further reading

The Export of Works of Art etc: Report of a Committee appointed by the Chancellor of the Exchequer (HMSO, 1952)

Export Licensing for Cultural Goods: Procedures and Guidance for Exporters of Works of Art and other Cultural Goods (Arts Council England, 2011)

Export Control Act 2002 (HMSO)

The Export of Objects of Cultural Interest (Control) Order 2003 (SI 2003 No. 2759)

Council Regulation (EC) No 116/2009 of 18 December 2008 on the export of cultural goods

Export Controls on Objects of Cultural Interest: Statutory guidance on the criteria to be taken into consideration when making a decision about whether or not to grant an export licence (DCMS, November 2005)

Quinquennial Review of the Reviewing Committee on the Export of Works of Art (DCMS, December 2003)

Response to the Quinquennial Review of the Reviewing Committee on the Export of Works of Art (DCMS, December 2004)

Goodison Review – Securing the Best for our Museums: Private Giving and Government Support (HM Treasury, January 2004)

Dealing in Cultural Objects (Offences) Act 2003 (HMSO)

Combating Illicit Trade: Due diligence guidelines for museums, libraries and archives on collecting and borrowing cultural material (DCMS, October 2005)

Contracting Out (Functions in Relation to Cultural Objects) Order 2005 – Statutory Instrument 2005 No. 1103

Saved! 100 Years of the National Art Collections Fund (Richard Verdi, Scala Publishers Ltd, 1999)

Appendix K

Membership of the Working Party on Manuscripts, Documents and Archives during 2015–16

Peter Barber, Chair

Chloe Bent, Secretary, Working Party on Manuscripts, Documents and Archives/Cultural Property Officer, Collections and Cultural Property Unit, Arts Council England

Julia Brettell, ACE/V&A Purchase Grant Fund

Paula Brikci, PRISM Grant Fund Manager, Acquisitions, Exports, Loans and Collections Unit, Arts Council England

Mark Caldon, Cultural Property Unit, Department of Culture, Media and Sport

Peter Durrant, Former County Archivist, Berkshire Record Office

Chris Fletcher, Keeper of Special Collections, Bodleian Libraries, Fellow, Exeter College

Scott Furlong, Director, Acquisitions, Exports, Loans and Collections Unit, Arts Council England

Matthew Haley, Bonhams

Brian Lake, Antiquarian Booksellers Association

Scot McKendrick, British Library

James Morrison, Export Licensing Manager, Collections and Cultural Property Unit, Arts Council England

Margaret O’Sullivan, Former County Archivist, Derbyshire Record Office

Fiona Talbott, Head of Museums, Libraries and Archives, Heritage Lottery Fund

Anastasia Tennant, Senior Policy Adviser, Collections and Cultural Property Unit, Arts Council England

James Travers, The National Archives

John Wilson, John Wilson Manuscripts Limited/
Antiquarian Booksellers Association

Joan Winterkorn, Archive and Manuscript Consultant, Former Director and Head of Valuations at Bernard Quaritch (Observer)

Appendix L

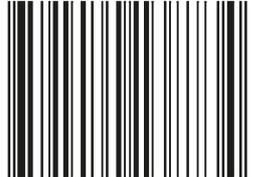
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Cover image: A pair of Italian *pietre dure* mounted, inlaid ebony cabinets



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