

## **Reviewing Committee on the Export of Works of Art and Objects of Cultural Interest: Note of case hearing on 2 June 2010: A Zodiac Settle designed by William Burges (Case 4: 2010-11)**

### **Application**

1. The Reviewing Committee on the Export of Works of Art and Objects of Cultural Interest (RCEWA) met on 2 June 2010 to consider an application to export a Zodiac Settle designed by William Burges. The value shown on the export licence application was £800,000, which represented the agreed sale price. The expert adviser had objected to the export of the settle under the first, second and third Waverly criterion i.e. on the grounds that it was so closely connected with our history and national life that its departure would be a misfortune, that it was of outstanding aesthetic importance, and that it was of outstanding significance for the study of the work of Burges, the medieval revival in 19<sup>th</sup> century Britain and the revival of interest in Victorian art and architecture in 20<sup>th</sup> century Britain.
2. The seven regular RCEWA members present were joined by three independent assessors, acting as temporary members of the Reviewing Committee.
3. The applicant confirmed that the value did not include VAT and that VAT would not be payable in the event of a UK sale. The applicant also confirmed that the owner understood the circumstances under which an export licence might be refused and that, if the decision on the licence was deferred, the owner would allow the settle to be displayed for fundraising.

### **Expert's submission**

4. The expert had provided a written submission stating that the settle was designed by Burges for his own use at 15 Buckingham Street, Strand, London, and presumably moved to Tower House in or after 1878 when Burges occupied the house. The settle remained in Tower House, descending in the family of R.P. Pullan, Burges's brother-in-law, and was subsequently owned by Col. T.H. Minshall, Col. E.R. B. Graham, and John Betjeman who gave it to Evelyn Waugh.
5. Burges may have commissioned the settle either from Harland and Fisher, ecclesiastical decorators of 33, Southampton Street, Strand, London, who made earlier painted furniture for him, including the Yatman Cabinet (1858) and Wines and Beers cabinet (1859), both now in the V&A collections, or from John Walden, a carpenter of Maiden Lane, Covent Garden, London, who made the furniture for the guest bedroom at Tower House.
6. The expert suggested that the settle was a particularly fine example of Burges's genius in reinterpreting medieval forms and decoration for his

furniture. Rather than taking French Gothic as its inspiration, as much of his furniture does, it combined influences from Italian Renaissance and English Gothic sources.

7. The settle represented an early example of Burges's desire to furnish his home with medieval furniture which 'would be covered with paintings, both ornaments and subjects; it not only did its duty as furniture, but spoke and told a story'. Experimental in form and design, the settle was not a design repeated by Burges for other commissions, unlike his cabinets or bookcases, and it illustrated his scholarly and professional interest in the painted furniture of the Italian Renaissance and English Gothic periods.

8. As an original object, the expert argued that the settle was important for the study of one of the most significant architects of the mid-nineteenth century. It was also significant for the study of the Victorian revival, personified by two prominent literary figures who were former owners of the settle, Evelyn Waugh and John Betjeman, the latter of whom was one of the founding members of the Victorian Society.

9. Finally, the settle assumed great importance in the context of Tower House. The building was built by Burges for his own use and was one of the most important architect's houses of the nineteenth century. He described it as 'a model residence of the thirteenth century'.

10. When questioned about the degree of Burges' involvement in designing the settle the expert replied that although it was known to be Burges' idea, there was no evidence as yet of his own actual designs. The expert also mentioned that the Zodiac panel would appear to have been painted by Henry Stacy Marks (1829-1898) and the Planets as Musicians painted by Frederick Weekes (1833-1920).

### **Applicant's submission**

11. The applicant had stated in a written submission that they agreed that the item met the second Waverley criterion but did not feel it met the first. With regard to the third Waverley criterion the applicant had written that although the settle was certainly a significant example of Burges furniture, the question was if it lent much to what could already be studied from examples currently in Welsh and English collections. At the hearing the applicant emphasised that considering the holdings of Burges furniture already in UK public collections, much more may be gained in comparison were the settle to form part of a foreign collection where examples of Burges furniture were lacking.

12. In relation to items connected to Evelyn Waugh, the applicant suggested that the 'Narcissus washstand', saved for the nation to now form part of Bedford Museum & Art Gallery collection, held a much greater association as demonstrated by its appearance in Waugh's fictional autobiography, *The Ordeal of Gilbert Pinfold*.

## **Discussion by the Committee**

13. The expert adviser and applicant retired and the Committee discussed the case. The Committee agreed that the settle was of outstanding aesthetic importance of outstanding significance for the study of the work of Burges, the medieval revival in 19<sup>th</sup> century Britain and the revival of interest in Victorian art and architecture in 20<sup>th</sup> century Britain, personified by two prominent literary figures who were former owners of the settle, Evelyn Waugh and John Betjeman.

## **Waverley Criteria**

14. The Committee voted on whether the settle met the Waverley criteria. Two members voted that it met the first Waverley criterion with eight voting against. Nine members voted that it met the second Waverley criterion with one voting against. Ten members voted that it met the third Waverley criterion with none voting against. The settle was therefore found to meet the second and third Waverley criterion.

## **Matching offer**

15. The Committee recommended the sum of £800,000 as a fair matching price.

## **Deferral period**

16. The Committee agreed to recommend to the Secretary of State that the decision on the export licence should be deferred for an initial period of two months. If, within that period, MLA received notification of a serious intention to raise funds with a view to making an offer to purchase the settle, the Committee recommended that there should be a further deferral period of four months.

## **Communication of findings**

17. The expert adviser and the applicant returned. The Chairman notified them of the Committee's decision on its recommendations to the Secretary of State. The applicant confirmed that the owner would accept a matching offer at the price recommended by the Committee if the decision on the licence was deferred by the Secretary of State.