

**DEED OF VARIATION TO THE SUPPLEMENTAL FUNDING AGREEMENT FOR
LEVENTHORPE**

THIS DEED is made the 5 day of February 2018
2019 

BETWEEN

1. **THE SECRETARY OF STATE FOR EDUCATION** of Sanctuary Buildings, Great Smith Street, London, SW1P 3BT (the “**Secretary of State**”); and
2. **RIVERS MULTI ACADEMY TRUST** a charitable company incorporated in England and Wales whose registered address is Leventhorpe, Cambridge Road, Sawbridgeworth, Hertfordshire, CM21 9BY, with registered company number 07697367 (the “**Company**”);

together, the “**Parties**”.

INTRODUCTION

- A. The Parties entered into a funding agreement on 1 August 2011 relating to the establishment, maintenance and funding of an academy known as Leventhorpe (the “**2011 Funding Agreement**”).
- B. The Parties amended and restated the terms of the 2011 Funding Agreement in the form of a master funding agreement for the Company and a supplemental funding agreement for the academy known as Leventhorpe (the “**Supplemental Funding Agreement**”) in accordance with a deed of variation dated 29 October 2015.
- C. The Parties now wish to vary and amend certain terms of the Supplemental Funding Agreement in accordance with the terms of this Deed.
- D. This Deed is supplemental to the Supplemental Funding Agreement.

1. INTERPRETATION

Words, expressions and interpretations used in this Deed shall, unless the context expressly requires otherwise, have the meaning given to them in, and shall be interpreted in accordance with, the Supplemental Funding Agreement.

2. VARIATION OF THE SUPPLEMENTAL FUNDING AGREEMENT

- 2.1 The Parties agree that with effect from the date of this Deed the Supplemental Funding Agreement shall be amended as follows:

- 2.1.1 The "Capacity number" figure in the "Summary Sheet" on page 4 of the Supplemental Funding Agreement shall be deleted and replaced as follows:

Capacity number	1580
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- 2.1.2 The "Number of sixth form places" figure in the "Summary Sheet" on page 4 of the Supplemental Funding Agreement shall be deleted and replaced as follows:

Number of sixth form places	380
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- 2.1.3 Clause 2.B of the Supplemental Funding Agreement shall be deleted and replaced as follows:

"The planned capacity of the Academy is 1580 in the age range 11-18, including a sixth form of 380 places. The Academy will be an all ability inclusive school."

- 2.2 Except as varied by this Deed, the Supplemental Funding Agreement shall remain in full force and effect.

3. GOVERNING LAW AND JURISDICTION

- 3.1 This Deed, and any disputes or claims arising out of or in connection with it, its subject matter or formation (including non-contractual disputes or claims), shall be governed by and construed in accordance with English law.

- 3.2 The Parties irrevocably agree that the English courts have exclusive jurisdiction to settle any dispute or claim that arises out of or in connection with this Deed or its subject matter or formation (including non-contractual disputes or claims).

4. COUNTERPARTS

This Deed may be executed in any number of counterparts and by the Parties to it on separate counterparts, each of which when so executed and delivered shall be an original, but all the counterparts shall together constitute one and the same instrument.

IN WITNESS whereof this Deed has been executed by the Parties hereto and is intended to be and is hereby delivered on the date first above written.

EXECUTED as a deed by affixing the corporate seal of the **Secretary of State for Education**)
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)

[Redacted signature]

Duly authorised by the Secretary of State for Education



EXECUTED as a deed by **Rivers Multi Academy Trust**, acting by:

[Redacted signature]

Director

[Redacted signature]

In the presence of:

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[Redacted witness signature]