

DEED OF VARIATION

The parties to this Deed are:

(1) The Secretary of State for Education ("the Secretary of State"),

- and –

(2) Ashby Hill Top Primary School Academy Trust a charitable company incorporated in England and Wales with registered number 08197381 ("the Academy").

together referred to as the "Parties"

INTRODUCTION

- A. The Parties entered into a funding agreement dated 25 September 2012 ("the Funding Agreement") relating to the establishment, maintenance and funding of an independent school known as Ashby Hill Top Primary School.
- B. The Parties now wish to vary and amend the terms of the Funding Agreement and wish to record their agreement as to such variations/amendments to the Funding Agreement by this Deed.

LEGAL AGREEMENT

1. Any word or phrase used in this Deed shall, if that word or phrase is defined in the Funding Agreement, bear the meaning given to it in the Funding Agreement.
2. The Secretary of State and the Academy agree that with effect from the date of this Deed the Funding Agreement shall be amended in accordance with Schedule 1 to this Deed.
3. As varied by this Deed, the Funding Agreement shall remain in full force and effect.

EXECUTED AND DELIVERED AS A DEED by the Parties on the day of
29th September 2015

The Corporate Seal of the Secretary of State for Education hereunto affixed is authenticated by:

David Moya
.....
Duly Authorised by the Secretary of State for Education



Ashby Hill Top Primary
School Academy Trust

acting by two directors or a
director and a secretary

Rn Brown
.....
Director

Print name... *RICHARD NICK BROWN*

T. Fenn
.....
Director/Secretary

Print name... *TRACEY MARIE FENN*

Witnessed by... *J McAuliffe*.....

Full name... *JULIET MCAULIFFE*

Add

Occu



Schedule 1

Amendments to the Funding Agreement

1. The first sentence of clause 17 of the Funding Agreement shall be replaced with:

The planned capacity of the Academy is 315 in the age range 5 - 11.

2. Clause 46)(b) shall be replaced with:

the total number of pupils as measured in the Schools Census which is used to fund maintained schools for the financial year overlapping with the Academy Financial Year in question is less than 90% of the planned final size of the Academy, which is 315 and has not at any previous time been greater than 90% of that number.