

DATED

6th February

2016

THE SECRETARY OF STATE FOR EDUCATION (1)

And

BIRDWELL SCHOOL (2)

DEED OF VARIATION
relating to a Funding Agreement
dated 28 February 2013

THIS DEED OF VARIATION is made on

14 February

2016

BETWEEN:

- (1) The Secretary of State for Education (“Secretary of State”); and
- (2) Birdwell School Trust, a charitable company incorporated in England and Wales with registered number 08425918 (“Company”)

together referred to as the “Parties”.

INTRODUCTION:

- (A) The Parties entered into a funding agreement dated 28 February March 2013 (“Funding Agreement”) relating to the establishment, maintenance and funding of a school known as Birdwell 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.

IT IS AGREED as follows:

1. The Secretary of State and the Company agree that with effect from the date of this Deed the Funding Agreement shall be amended in accordance with Schedule 1 to this Deed.
2. As varied by this Deed, the Funding Agreement shall remain in full force and effect.
3. This Deed shall be governed by and interpreted in accordance with English law.

This document has been executed and delivered as a Deed on the date stated at the beginning of this Deed.

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



David Maden.....

Duly Authorised by the Secretary of State for Education

Executed as a deed by Birdwell School)

acting by)

a Director)

in the presence of:-

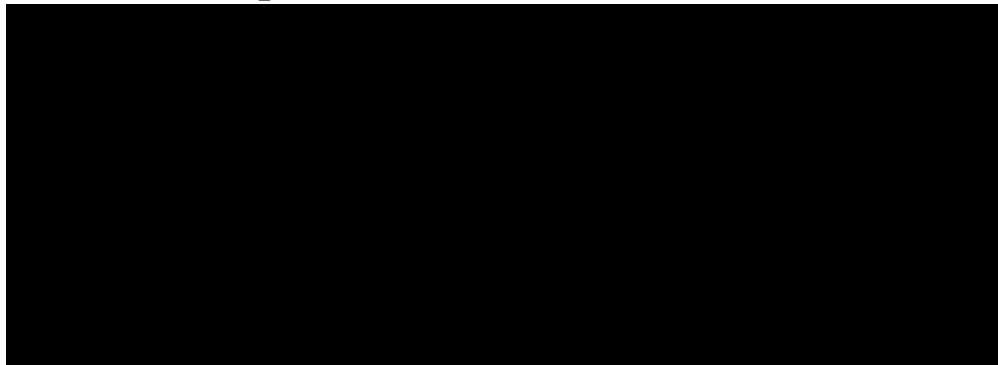
Paul Chisley.....
Director

Witness

Signature: *H Demick*.....

Witness Name *Harley Demick*.....

Address:



Occupation:

SCHEDULE 1 - Amendments to the Funding Agreement

1. Clause 17 of the Funding Agreement shall be amended by replacing the words "The planned capacity of the Academy is 315 in the age range 4-11" with the words "The planned capacity of the Academy is 420 in the age range 4-11".
2. Clause 46(b) of the Funding Agreement shall be amended by replacing the words "the planned final size of the Academy, which is 315," with the words "the planned final size of the Academy, which is 420,".