

DATED 31 MARCH 2016

THE SECRETARY OF STATE FOR EDUCATION (1)

And

ALDRIDGE NORTH WEST EDUCATION TRUST (2)

DEED OF VARIATION
relating to a Master Funding Agreement and
Supplemental Funding Agreement

THIS DEED OF VARIATION is made on 31 March

2016

BETWEEN:

- (1) The Secretary of State for Education ("Secretary of State"); and
 - (2) Aldridge North West Education Trust, a charitable company incorporated in England and Wales with registered number 05670663 ("Company")
- together referred to as the "Parties".

INTRODUCTION:

- (A) The Parties entered into a funding agreement dated 28 April 2008 as amended and re-stated by a Deed of Variation dated 22 May 2013 (which replaced the funding agreement with a master funding agreement) as further amended and re-stated by a Deed of Variation dated 28 November 2014 respectively ("Master Funding Agreement").
- (B) The parties entered into a supplemental funding agreement dated 22 May 2013 as amended and re-stated by a Deed of Variation dated 28 November 2014 ("Supplemental Funding Agreement") relating to the establishment, maintenance and funding of a school known as Darwen Aldridge Enterprise School.
- (C) The Parties now wish to vary and amend the terms of the Master Funding Agreement and the Supplemental Funding Agreement and wish to record their agreement as to such variations/amendments to the Master Funding Agreement and Supplemental Funding Agreement by this Deed.

IT IS AGREED as follows:

- 1. The Secretary of State and the Company agree that with effect from 1 September 2016 the Master Funding Agreement and the Supplemental Funding Agreement shall be amended in accordance with Schedule 1 to this Deed.
- 2. As varied by this Deed, the Master Funding Agreement and the Supplemental 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:

CA Appleby
.....

Duly Authorised by the Secretary of State for Education

Executed as a deed by Aldridge North West)
Education Trust)

acting by)

a Director)

Shirley L...
.....

in the presence of:-

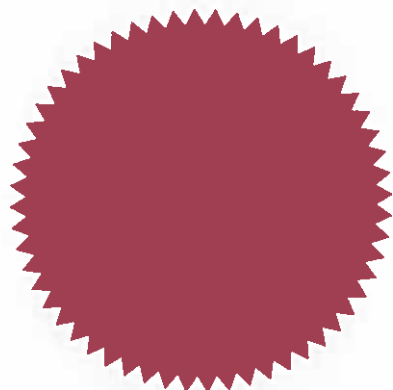
Director

Witness

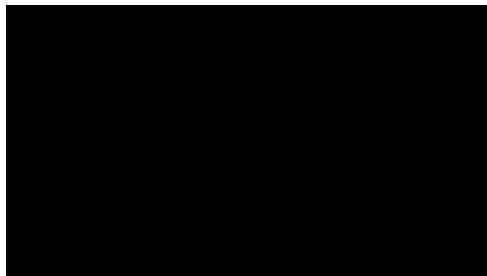
Signature: *[Signature]*
.....

Witness Name... CHRIS INCKLE

Address: 34 ROSSEDALE AVE



Occupation:



**SCHEDULE 1 - Amendments to the Master Funding Agreement and the Supplemental
Funding Agreement**

- 1 The following clauses shall be included in the Master Funding Agreement as clauses 1.27 to 1.29 immediately following existing clause 1.26:
 - "1.27 The Academy Trust must not amend or remove the provisions in its Articles relating to the appointment or election or the resignation or removal of Charity Trustees or members ("the Governance Articles") without the Secretary of State's consent.
 - 1.28 Before any change to the Governance Articles is proposed the Academy Trust must give notice to the Secretary of State of:
 - a) the proposed amendment or removal; and
 - b) the reason for it.
 - 1.29 If the Secretary of State consents to the proposed changes, the Academy Trust shall approve any changes to the Articles as soon as reasonably practicable and provide the Secretary of State with a copy of the amended Articles and the resolution(s) approving them."
- 2 The Supplemental Funding Agreement shall be amended in the following ways:
 - 2.1 The Summary Sheet shall be amended by replacing the reference to "14-19" with a reference to "13-19"; and
 - 2.2 Clause 2.B shall be amended by replacing the reference to "14-19" with a reference to "13-19."