

DEED OF VARIATION

THIS DEED IS DATED 31ST AUGUST 2016

The parties to this Deed are:

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

- and -

(2) The Arthur Mellows Village College a company incorporated in England and Wales, limited by guarantee with registered company number 07333133 ("the Academy").

together referred to as the "Parties"

INTRODUCTION

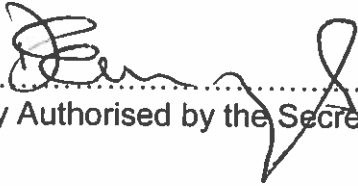
- A. The Parties entered into a funding agreement dated 31 August 2010 ("the Funding Agreement") relating to the establishment, maintenance and funding of an independent school known as Arthur Mellows Village College.
- B. A copy of the Funding Agreement is appended to this Deed.
- C. The Parties now 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

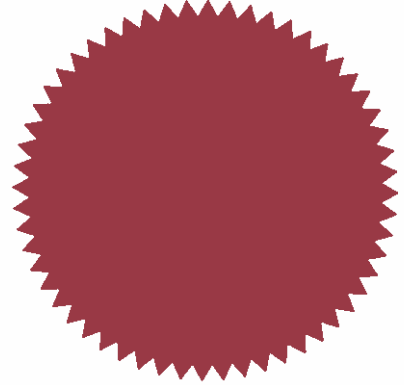
- 1. Any word or phrase used in this Deed shall, if that word or phrase is defined in the Funding Agreement, bear the meaning given to it in the Funding Agreement.
- 2. The Secretary of State and the Academy agree that with effect immediately from the date of this Deed, the Funding Agreement shall be 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.
- 4. This Deed may be entered into in any number of counterparts and by the parties to it on separate counterparts, each of which when executed and delivered shall be an original, but all the counterparts shall together constitute one and the same instrument.
- 5. This Deed and any dispute or claim arising out of or in connection with it or its subject matter or formation shall be governed by and construed in accordance with the law of England and Wales. Each party irrevocably agrees that the courts of England and Wales shall have exclusive jurisdiction to settle any dispute or claim arising out of or in connection with this deed or its subject matter or formation.

EXECUTED AND DELIVERED AS A DEED by the Parties on the 31ST day of August 2016

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



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



Executed as a Deed by

The Arthur Mellows Village
College

acting by two directors or a
director and a secretary

X 

.....
Director

Print name G. MCLAREN

X 

.....
Director/Secretary

Print name M SANDEMAN

Schedule 1

Amendments to the Funding Agreement

1. Clause 17 of the Funding Agreement shall be deleted and replaced with:

“Pupils

- 17) The planned phased capacity of the Academy by 2018/19 academic year is 1,720 in the age range 11 - 18, including a sixth form of 400 places. The previous capacity was 1650, including a Sixth Form of 330 which was executed on 17 February 2014. The Academy will be an all ability inclusive¹ school whose requirements for:
- a) the admission of pupils to the Academy are set out in Annex B to this Agreement;
 - b) the admission to the Academy of and support for pupils with SEN and with disabilities (for pupils who have and who do not have statements of SEN) are set out in Annex C to this Agreement;
 - c) pupil exclusions are set out in Annex D to this Agreement.”

¹ Delete words in square brackets if the Academy is a “selective school” within meaning of Section 6(4) of the Academies Act 2010.