

## FREEDOM OF INFORMATION REDACTION SHEET

### Exemptions in full

n/a

### Partial exemptions

#### Lime Tree Primary School

#### Deed of Variation

Personal Information has been redacted from this document under Section 40 of the Freedom of Information (FOI) Act.

Section 40 of the FOI Act concerns personal data within the meaning of the Data Protection Act 1998.

#### Factors for disclosure

- further to the understanding of and increase participation in the public debate of issues concerning Academies.
- to ensure transparency in the accountability of public funds

#### Factors for Withholding

- To comply with obligations under the Data Protection Act

#### Reasons why public interest favours withholding information

Whilst releasing the majority of Lime Tree Primary School's Deed of Variation will further the public understanding of Academies. The whole of Lime Tree Primary School's Deed of Variation cannot be revealed. If the personal information redacted was to be revealed under the FOI Act, Personal Data and Commercial interests would be prejudiced.

**THE DUNHAM TRUST**

**DEED OF VARIATION TO LIME TREE PRIMARY ACADEMY SUPPLEMENTAL  
FUNDING AGREEMENT**

The Parties to this Deed are:

(1) **The Secretary of State for Education** of Sanctuary Buildings, Great Smith Street, London SW1P 3BT (the "**Secretary of State**");

- and -

(2) **The Dunham Trust**, a charitable company incorporated in England and Wales with registered company number 08120128 whose registered address is at (the "**Trust**").

together referred to as the "**Parties**".

## **INTRODUCTION**

- (A) The Parties entered into a master funding agreement on 1 September 2012, as varied by a Deeds of Variation dated 28 June 2013 and 10 June 2016 (the "**MFA**").
- (B) The Parties have entered into a supplemental funding agreement in respect of the Lime Tree Primary Academy on 1 May 2013, as amended by deed of novation and variation dated 19 June 2017 (the "**Lime Tree SFA**").
- (C) The Parties have agreed to vary and amend the terms of the Lime Tree SFA on the terms set out in this Deed.

### **1. LEGAL AGREEMENT**

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 MFA and the Lime Tree SFA.

### **2. VARIATION OF THE SFA**

- 2.1 The Secretary of State and the Trust agree that with effect from 1 September 2017 the Lime Tree SFA shall be varied and amended in accordance with Schedule 1.
- 2.2 As varied by this Deed, the Lime Tree SFA shall remain in full force and effect.

### **3. GOVERNING LAW AND JURISDICTION**

- 3.1 This Deed, and any dispute or claim arising out of or in connection with it, its subject matter or formation (including non-contractual disputes or claims) shall be governed by and interpreted in accordance with the law of England and Wales.
- 3.2 The Parties irrevocably agree that the courts of England and Wales shall 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 last date listed below.

**Schedule 1**  
**Amended SFA**

Lime Tree SFA

1. The number "446" in the Summary Sheet shall be deleted and replaced with the numbers "466".
2. The age range "3 to 11" in the Summary Sheet shall be deleted and replaced with the age range "2 to 11."
3. Clause 2.B shall be deleted and replaced with the following clause 2.B  
"2.B The planned capacity of the Academy is 466 in the age range 2 to 11 which includes a nursery unit of 46 full time equivalent places. The Academy will be an all ability inclusive school."

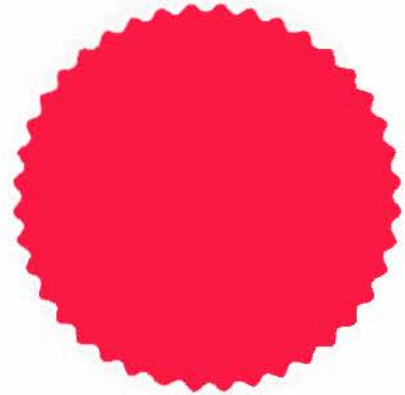
**EXECUTED** as a deed by affixing the corporate seal of the **Secretary of State for Education** authenticated by:-

)  
)  
)



Duly authorised by the Secretary of State for Education

Date.....15 August 2017.....



**EXECUTED** as a deed by **THE DUNHAM TRUST** acting by:



Director/

Print name.....

Date.....



Director/Secretary

Print name.....

Date.....