

DATED 30 AUGUST 2016

THE SECRETARY OF STATE FOR EDUCATION (1)

and

RYHOPE INFANT SCHOOL ACADEMY (2)

DEED OF VARIATION
relating to a Funding Agreement
dated 1st September 2014

THIS DEED OF VARIATION is made on

2016

BETWEEN:

- (1) The Secretary of State for Education ("**Secretary of State**"); and
 - (2) RYHOPE INFANT SCHOOL ACADEMY, a charitable company incorporated in England and Wales with registered number 9161532 ("**Company**")
- together referred to as the "Parties".

INTRODUCTION:

- (A) The Parties entered into a funding agreement dated 1st September 2014 ("**Funding Agreement**") relating to the establishment, maintenance and funding of a school known as RYHOPE INFANT SCHOOL ACADEMY.
- (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 and restated in the form set out at Schedule 1 to this Deed.
2. As varied by this Deed, the Funding Agreement shall remain in full force and effect.
3. This Agreement 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:



[Handwritten signature]

Duly Authorised by the Secretary of State for Education

Executed as a deed by RYHOPE INFANT SCHOOL ACADEMY)

acting by

a Director

in the presence of:-

) SUZANNE BROWN

[Handwritten signature]

Director

Witness

Signature: *C. Ray*

Witness

Name: *CHRISTINE RAY*

Address: *56 THORNDALE ROAD*

CHEVELEY PARK

BELMONT

Occupation: *HEADTEACHER* *DURHAM DHI ZAH.*

SCHEDULE 1 – Restated form of Funding Agreement

Schedule 1

Clause 17 will be replaced with

'The capacity of the Academy is 195 in the age range of 4 to 7 with a nursery unit of 120 part-time places'.

Clause 46 b) will 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 195 and has not at any previous time been 90% or more of that number.'