

DATED 22nd June 2017

THE SECRETARY OF STATE FOR EDUCATION (1)

and

COTHAM SCHOOL (2)

DEED OF VARIATION
relating to a Funding Agreement
dated 1 September 2011

THIS DEED OF VARIATION is made on 22nd June 2017

BETWEEN:

- (1) The Secretary of State for Education (“**Secretary of State**”); and
 - (2) Cotham School, a charitable company incorporated in England and Wales with registered number 07732888 (“**Company**”)
- together referred to as the “Parties”.

INTRODUCTION:

- (A) The Parties entered into a funding agreement dated 1 September 2011 (“**Funding Agreement**”) relating to the establishment, maintenance and funding of a school known as Cotham 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 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:



S. M. J.

Duly Authorised by the Secretary of State for Education

Executed as a deed by **Cotham School** acting by a Director in the presence of:-

) (J BOWYER)

) [Signature]

Director

Witness Signature: [Signature]

Witness Name: M. A. SPEERING

Address:

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Occupation: SCHOOL BUSINESS MANAGER

SCHEDULE 1 - Restated form of Funding Agreement

That the following amendments are made to the supplemental funding agreement dated 1 September 2011:

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

17) *The planned capacity of the Academy is 1615 in the age range 11 to 18, including a sixth form of 400 places. The Academy will be an all ability inclusive 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.