

DATED 21 November 2018

THE SECRETARY OF STATE FOR EDUCATION (1)

and

NOWER HILL HIGH SCHOOL (2)

DEED OF VARIATION
relating to a Funding Agreement
dated 1st August 2011

THIS DEED OF VARIATION is made on

BETWEEN:

- (1) The Secretary of State for Education (“Secretary of State”); and
 - (2) The Nower Hill High School, a charitable company incorporated in England and Wales with registered number 07690023 (“Company”)
- together referred to as the “Parties”.

INTRODUCTION:

- (A) The Parties entered into a funding agreement dated 1st August 2011 (“Funding Agreement”) relating to the establishment, maintenance and funding of a school known as Nower Hill High 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:



[Handwritten Signature]
.....

Duly Authorised by the Secretary of State for
Education

Executed as a deed by Nower Hill High School)

acting by)

a Director)

in the presence of:-

[Handwritten Signature]
.....

Director

Witness

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

Witness Name..... *LAW NOTCH*

Address: *c/o NOWER HILL HIGH SCHOOL*
.....

GEORGE J AVENUE
.....

P. 11002, MIDOX HAS SRP
.....

Occupation: *ACCOUNTANT*
.....

Schedule 1

Amendment to the Schedule

1.1 Clause 17 of the Funding Agreement shall be replaced with:

The planned capacity of the academy is 1995 in the age range 11-18 including a sixth form of 375 places. The academy will be an all inclusive school whose requirements for;

- a) The admission 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 disabilities (for pupils who have and who do not have Education Health Care plans (EHCPs) are set out in Annex C to this agreement
- c) Pupil exclusions are set out in Annex D to this Agreement