

DATED 29 June 2017

THE SECRETARY OF STATE FOR EDUCATION (1)

and

NEXUS MULTI ACADEMY TRUST (2)

DEED OF VARIATION
relating to a Funding Agreement
dated 26 May 2016

THIS DEED OF VARIATION is made on

29 June

2017

BETWEEN:

- (1) The Secretary of State for Education (“Secretary of State”); and
 - (2) Nexus Multi Academy Trust, a charitable company incorporated in England and Wales with registered number 10075893 (“Company”)
- together referred to as the “Parties”.

INTRODUCTION:

- (A) The Parties entered into a funding agreement dated 26 May 2016 (“Funding Agreement”) relating to the establishment, maintenance and funding of a school known as Abbey 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. 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 Company agree that with effect from the date of this Deed the Funding Agreement shall be amended in accordance with Schedule 1 to this Deed. All other terms of the Funding Agreement shall be unamended.
3. As varied by this Deed, the Funding Agreement shall remain in full force and effect.

GOVERNING LAW AND JURISDICTION

4. 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 laws of England and Wales.
5. 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).

COUNTERPARTS

6. 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.

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:

A handwritten signature in black ink, appearing to be 'Abdul Qadir', written over a horizontal dotted line.

Duly Authorised by the Secretary of State for Education



Executed as a deed by Nexus Multi Academy)
Trust

acting by WARREN PHILIP CARRATT)

a Director



in the presence of:-

Director

Witness

Signature: 

Witness Name: C.J. Evans

Address: 28 Oaks Farm Drive

Darton

Barnsley

Occupation: Teacher

SCHEDULE 1 - Amendments to the Funding Agreement

- 1 The Summary of the Funding Agreement shall be amended as follows:
 - 1.1 Planned number of places shall now be recorded as 110; and
 - 1.2 Age range shall now be recorded as 5-19.

- 2 Clause 2.C of the Funding Agreement shall be replaced with:

“The planned number of places at the Academy is 110 in the age range of 5-19.”