

## DEED OF VARIATION TO THE FUNDING AGREEMENT

THIS DEED is made the 5<sup>th</sup> day of October 2018

### BETWEEN

- 1) The Secretary of State for Education (the "**Secretary of State**"); and
- 2) Greenwood Academies Trust, (the "**Company**") a charitable company incorporated in England and Wales with registered number 06864339, together, the "**Parties**".

### INTRODUCTION

- A. The Parties entered into a supplemental funding agreement dated on 25 July 2012 as varied by deed of variations dated 29 August 2014, 8 December 2015 and 17 August 2017 (the "**Funding Agreement**") relating to the establishment, maintenance and funding of an Academy in accordance with the Funding Agreement.
- B. The Parties now wish to vary and amend certain terms and conditions of the Funding Agreement in accordance with the terms of this Deed.
- C. This Deed is supplemental to the Funding Agreement.

### 1. INTERPRETATION

- 1.1 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 Funding Agreement.

### 2. VARIATION OF THE FUNDING AGREEMENT

- 2.1 The Parties agree that with effect from 1 January 2019 the Funding Agreement shall be amended as follows:

2.1.1 The summary sheet at page 4 of the Funding Agreement shall be deleted and replaced with the following summary sheet:

### SUMMARY

#### Information about the Academy:

|                                         |                                           |
|-----------------------------------------|-------------------------------------------|
| <b>Name of Academy Trust</b>            | Greenwood Academies Trust                 |
| <b>Company number</b>                   | 06864339                                  |
| <b>Date of Master Funding Agreement</b> | 29 August 2014 as varied on 21 April 2017 |

|                                                                  |                                                                                                              |
|------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|
| <b>Name of Academy Trust</b>                                     | Greenwood Academies Trust                                                                                    |
| <b>Name of academy</b>                                           | Medeshamstede Academy                                                                                        |
| <b>Opening date</b>                                              | 1 September 2012                                                                                             |
| <b>Type of academy (indicate whether academy or free school)</b> | Free school                                                                                                  |
| <b>Name of predecessor school (where applicable)</b>             | N/A                                                                                                          |
| <b>Planned number of places</b>                                  | 104                                                                                                          |
| <b>Age range</b>                                                 | 4 - 16                                                                                                       |
| <b>Number of sixth form places</b>                               | N/A                                                                                                          |
| <b>Number of residential places</b>                              | N/A                                                                                                          |
| <b>Land arrangements (Version 1-7 or other)</b>                  | Version 7                                                                                                    |
| <b>Address and title number of Land</b>                          | City of Peterborough Academy Special School, Reeves Way, Peterborough, PE1 5LQ<br><br>Title number: CB409551 |

2.1.2 The definition of Academy at Clause 1.2 at page 5 of the Funding Agreement shall be deleted and replaced with the following:

**"The Academy"** means Medeshamstede Academy which is specially organised to make special educational provision for pupils with SEN.

2.2 Except as varied by this Deed, the Funding Agreement shall remain in full force and effect.

### **3. Governing law and jurisdiction**

3.1 This Deed, and any disputes or claims arising out of or in connection with it,

its subject matter or formation (including non-contractual disputes or claims), shall be governed by and construed in accordance with English law.

- 3.2 The parties irrevocably agree that the English courts 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

- 4.1 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 date first above written.

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

[Redacted signature]

Duly authorised by the Secretary of State for Education



**EXECUTED** as a deed by  
Greenwood Academies Trust,  
acting by:

.....

**Direct**

[Redacted signature]

In the presence of:

W Sign  
I Name  
T  
N Address  
E  
S Occup  
S

[Redacted witness information]

