

DEED OF VARIATION

The parties to this Deed are:

(1) The Secretary of State for Education (“the Secretary of State”),

- and –

(2) The Acorn Academy Cornwall a charitable company incorporated in England and Wales with registered number 8418341 (“the Academy”).

together referred to as the “Parties”

INTRODUCTION

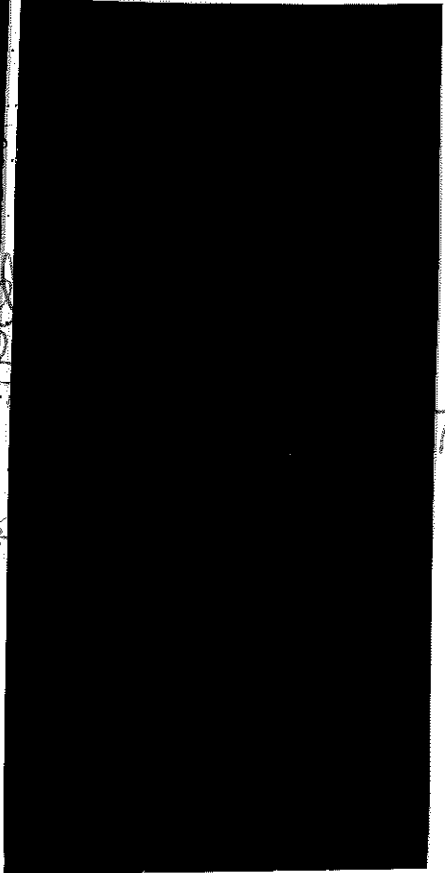
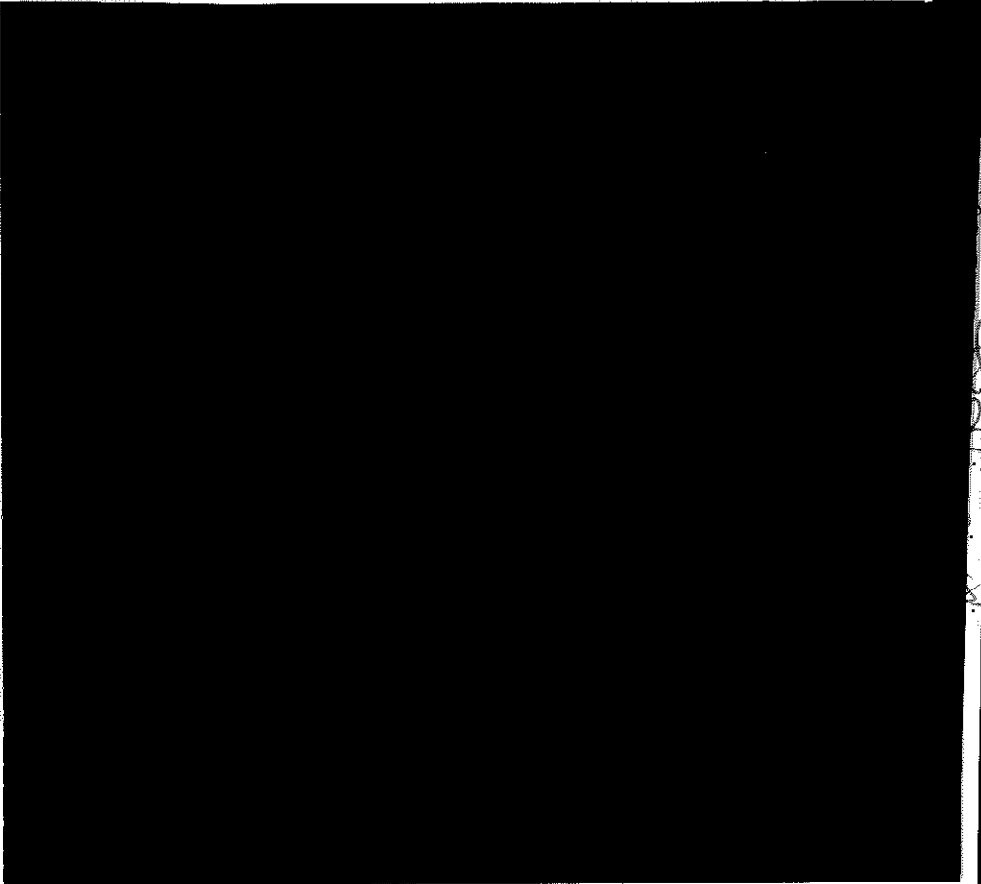
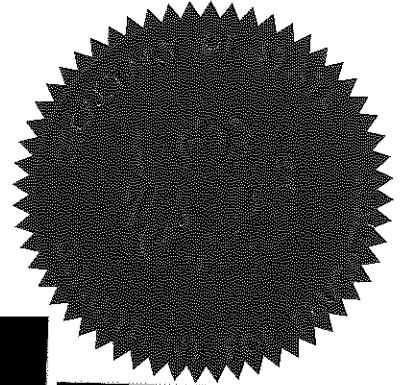
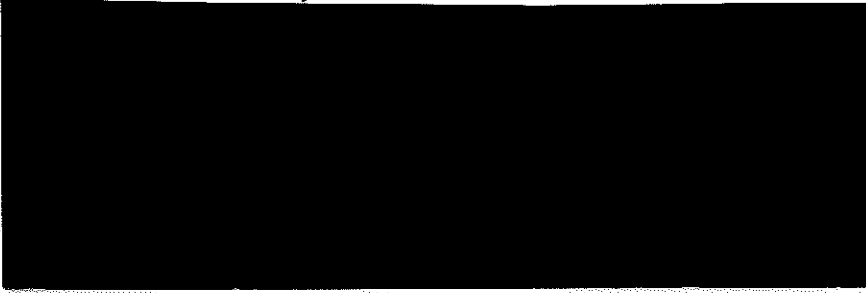
- A. The Parties entered into a funding agreement dated 29 May 2013 (“the Funding Agreement”) relating to the establishment, maintenance and funding of an independent school known as Restormel Alternative Provision Academy.
- B. The Parties now wish to vary and amend the terms of the Funding Agreement and wish to record their agreement as to such variations/amendments to the Funding Agreement by this Deed.

LEGAL AGREEMENT

- 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 Academy agree that with effect from the date of this Deed the Funding Agreement shall be amended in accordance with Schedule 1 to this Deed.
- 3. As varied by this Deed, the Funding Agreement shall remain in full force and effect.

EXECUTED AND DELIVERED AS A DEED by the Parties on the ^{26th} 23rd day
of ~~May~~ 2016
November

The Corporate Seal of the Secretary of State for Education hereunto affixed is
authenticated by:



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Schedule 1

Amendments to the Funding Agreement

1. Clause 1.2 of the Funding Agreement shall be deleted and replaced with:

The following words and expressions shall have the following meanings:

“the Alternative Provision Academy” means Restormel Alternative Provision Academy to be established at Great Eastern & Great Western, Brunel Business Park, St Austell, PL25 4TJ;

“Chief Inspector” means Her Majesty’s Chief Inspector of Education, Children’s Services and Skills or his successor;

“the Land” means the publicly funded land (including for the avoidance of doubt all buildings, structures landscaping and other erections) situated at and known as Great Eastern & Great Western, Brunel Business Park, St Austell, PL25 4TJ

2. Clause 4.1 of the Funding Agreement shall be deleted and replaced with:

The planned number of places at the Alternative Provision Academy is 50 places in the age range 5 to 16. The planned number of places and the age ranges are not determinative of GAG. GAG for each Academy Financial Year will be determined by the Secretary of State in accordance with clauses 54L and 54M of the Master Agreement.