

VIOLET WAY TRUST

DEED OF VARIATION OF FUNDING AGREEMENT

The Parties to this Deed are:

(1) **The Secretary of State for Education** of Sanctuary Buildings, Great Smith Street, London SW1P 3BT (the "**Secretary of State**");

- and -

(2) **Violet Way Trust**, a charitable company incorporated in England and Wales with registered company number 07606026 whose registered address is at Violet Way Academy, Violet Way, Stapenhill, Burton-upon-Trent DE15 9ES (the "**Company**").

together referred to as the "**Parties**".

INTRODUCTION

- A. The Parties have entered into a master funding agreement on 30 September 2014, a copy of which is contained in Schedule 1, (the "**Existing MFA**").
- B. The Parties have entered into a supplementary funding agreement in respect of the Violet Way Academy on 30 September 2014, a copy of which is contained in Schedule 2 (the "**Existing Violet Way Academy SFA**");
- C. The Parties have entered into a supplementary funding agreement in respect of the Glascote Academy on 30 September 2014, a copy of which is contained in Schedule 3 (the "**Existing Glascote Academy SFA**"); and
- D. The Parties have agreed to amend and re-state the terms of the Existing MFA, the Existing Violet Way Academy SFA and the Existing Glascote Academy SFA, on the terms set out in this Deed.

LEGAL AGREEMENT

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 Amended Master Funding Agreement (as defined in clause 2 below).
 2. The Secretary of State and the Company agree that with effect from the date of this Deed, the Existing MFA shall be amended and re-stated in the form of the Master Funding Agreement set out in Schedule 4 (the "**Amended Master Funding Agreement**"). For the avoidance of doubt, the Amended Master Funding Agreement does not terminate or suspend the Existing MFA but further^{*} amends and re-states it.
 3. The Secretary of State and the Company agree that with effect from the date of this Deed, the **Existing Violet Way Academy SFA** shall be amended and re-stated in the form of the Amended Violet Way Academy SFA set out in Schedule 5 (the "**Amended Violet Way Academy SFA**"). For
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the avoidance of doubt, the Amended Violet Way Academy SFA does not terminate or suspend the Existing Violet Way Academy SFA but amends and re-states it.

4. The Secretary of State and the Company agree that with effect from the date of this Deed, the Existing Glascote Academy SFA shall be amended and re-stated in the form of the Amended Glascote Academy SFA set out in Schedule 6 (the "**Amended Glascote Academy SFA**"). For the avoidance of doubt, the Amended Glascote Academy SFA does not terminate or suspend the Existing Glascote Academy SFA but amends and re-states it.

GOVERNING LAW AND JURISDICTION

3. 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 law of England and Wales.
4. 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

5. 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 last date listed below.

EXECUTED as a deed by affixing the corporate seal of the **Secretary of State for Education** authenticated by:-)
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Duly authorised by the Secretary of State for Education
Date.....11 October 2016



EXECUTED as a deed by
Violet Way Trust
acting by:

Mauk

Director

Print name... MARIA HAMBUN

Date... 27th September 2016

J E McJannett

Witness

Print name... J E M C JANNETT

Address ... 47 CASTLEHALL
GLASCOTE
TAMWORTH
STAFFS
B77 2EJ

Schedule 1

Existing MFA