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**DATED** 27 JUNE **2017**

**THE SECRETARY OF STATE FOR EDUCATION** (1)

and

**ADVANCE TRUST** (2)

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**DEED OF VARIATION**  
**relating to a Supplemental Funding Agreement**  
**for The Kingfisher School**  
**dated 19 December 2013**

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THIS DEED OF VARIATION is made on

27 JUNE

2017

**BETWEEN:**

- (1) The Secretary of State for Education (“Secretary of State”); and
  - (2) Advance Trust, a charitable company incorporated in England and Wales with registered number 08414933 (“Company”)
- together referred to as the “Parties”.

**INTRODUCTION:**

- (A) The Parties entered into a supplemental funding agreement dated 19 December 2013 (“Funding Agreement”) relating to the establishment, maintenance and funding of a school known as The Kingfisher 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 Advance Trust )

acting by ALISON YOUNG )

a Director )

in the presence of:-

*[Handwritten signature]*  
.....

Director

Witness

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

Witness Name: TRACY CLOHESY  
.....

Address: 27 CLYDE AVE  
.....

LEVESTHAM  
.....

WORCS WR11 3FE  
.....

Occupation: MANAGEMENT ACCOUNTANT  
.....

## SCHEDULE 1 - Restated form of Funding Agreement

Clause 4.1 of the Funding Agreement is deleted and replaced by:

*The planned number of places at the Special Academy is 70 in the age range 7-16.  
The number of funded places and the age ranges are not determinative of GAG.  
GAG for each Academy Funding Year will be determined by the Secretary of State  
in accordance with clauses 54C and 54D of the Master Agreement.*