



Education
Funding
Agency

Department for Education
www.education.gov.uk

Mr M.J. Beanland
School Business Manager

28 April 2014

Deed of Variation

Please find enclosed a copy of the DOV for the Lacey Green Primary Academy which has been executed on behalf of the Secretary of State.

If you have any queries regarding this, please contact Stephanie Isherwood by emailing academyquestions@efa.education.gov.uk

Yours sincerely

Ian Everett

Web: www.education.gov.uk



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Enc 1 x Deed Of Variation

DEED OF VARIATION

The parties to this Deed are:

(1) **The Secretary of State for Education** ("the Secretary of State"),

- and -

(2) **Lacey Green Academy Trust** a charitable company incorporated in England and Wales with registered number 07710870 whose registered office is at Barlow Road, Wilmslow. Cheshire SK9 4DP ("**the Academy Trust**")

together referred to as the "Parties"

INTRODUCTION

- A. The Parties entered into a funding agreement dated 01 September 2011 ("**the Funding Agreement**") and a Deed of Variation dated 05 January 2013 relating to the establishment, maintenance and funding of an independent school known as Lacey Green Primary 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 Trust agree that with effect from the date of this Deed, the Funding Agreement shall be amended and re-stated in the form set out in Schedule 1 to this Deed (**the Amended Funding Agreement**).
3. For the avoidance of doubt, the Amended Funding Agreement does not terminate or suspend the Funding Agreement but amends and re-states it.

EXECUTED AND DELIVERED AS A DEED by the Parties on the 28 day
of APRIL 2014

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

CS Appleby

.....
Duly Authorised by the Secretary of State for Education



Executed on behalf of Lacey Green Primary
Academy Trust
acting by a director in the presence of a
witness:

K.W. Dooley
.....
Director

Witness Signature: *M.J. Beauland*

Witness name: *M. J. BEANLAND*

Schedule 1

1. Clause 17 shall be deleted and replaced with:

The planned capacity of the academy is 420 in the age range 4 to 11. The academy will be an all ability inclusive school whose requirements for:

- a) the admission of pupils to the Academy are set out in Annex B to this Agreement;
- b) the admission to the Academy of and support for pupils with SEN and with disabilities (for pupils who have and who do not have statements of SEN) are set out in Annex C to this Agreement;
- c) pupil exclusions are set out in Annex D to this Agreement.

2. Clause 52 shall be deleted and replaced with:

For the purpose of clause 51, the conditions are:

- a) all planned Year-groups will be present at the Academy (that is, all the pupil cohorts relevant to the age-range of the Academy will have some pupils present); and
- b) the total number of pupils as measured in the Schools Census for the preceding January is 90% or more of the planned final size of the Academy, which is 420
- c) The secretary of State has determined that the basis shall be as provided for in Clause 51.