

DEED OF VARIATION

The parties to this Deed are:

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

- and –

(2) The Brit School a charitable company incorporated in England and Wales with registered number [2369239] (“the Academy”).

together referred to as the “Parties”

INTRODUCTION

- A. The Parties entered into a funding agreement dated November 2008 (“the Funding Agreement”) relating to the establishment, maintenance and funding of an independent school known as The Brit 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.

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.

Schedule 1

Amendments to the Funding Agreement

1. 11C subsection b) 90% or more of the planned size of the College, that is **920** pupils.

Changed to

11C subsection b) 90% or more of the planned size of the College, that is **1,230** pupils.

2. Annex 5 of the Funding Agreement shall be replaced with the Annex 5 below with a revised increase in numbers:

Annex 5

Date May 2012

PUPIL NUMBERS BUILD UP

PROJECT: The BRIT School

Academic Year	1991/92	1992/93	1993/94	1994/95	1995/96	1996/97	1997/98	1998/99
USLA pupils	120	240	240	240	240	240	247	254
OSLA pupils	180	396	446	463	480	480	#495	510
Capacity	720	720	720	720	720	720	742	764

Academic Year	1999/00	2000/01	2001/02	2002/03	2003/04	2004/05	2005/06	2006/07
USLA pupils	254	*232	232	254	254	254	254	280
OSLA pupils	510	*532	532	510	510	510	510	640
Capacity	764	764	764	764	764	764	764	920

Academic Year	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15
USLA pupils	280	280	280	280	280	330	360	380
OSLA pupils	640	640	640	640	640	770	820	850
Capacity	920	920	920	920	920	1,100	1,170	1,230

Academic Year	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23
USLA pupils	380	380	380	380	380	380	380	380
OSLA pupils	850	850	850	850	850	850	850	850
Capacity	1,230	1,230	1,230	1,230	1,230	1,230	1,230	1,230

* College allowed exceptionally to under recruit in year 10 and over recruit in year 12 by 22 students for one year only. This will feed through for one year.
Should shortfall fall below 18 funding will be reduced by all shortfall not just those below the 18 cushion.

