

Appendix A

**Dated**

**2021**

**VARIATION AGREEMENT**

**relating to Adoption West**

**Between**

**BATH AND NORTH EAST SOMERSET COUNCIL**

**THE CITY COUNCIL OF BRISTOL**

**GLOUCESTERSHIRE COUNTY COUNCIL**

**NORTH SOMERSET COUNCIL**

**SOUTH GLOUCESTERSHIRE COUNCIL**

**WILTSHIRE COUNCIL**

**ADOPTION WEST**

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**BETWEEN:**

- (1) **BATH AND NORTH EAST SOMERSET COUNCIL**, The Guildhall, Bath, BA1 5AW;
- (2) **THE CITY COUNCIL OF BRISTOL**, City Hall, College Green, Bristol, BS1 5TR;
- (3) **GLOUCESTERSHIRE COUNTY COUNCIL**, Shire Hall, Westgate Street, Gloucester, GL1 2TG;
- (4) **NORTH SOMERSET COUNCIL**, Town Hall, Walliscote Grove Road, Weston-super-Mare, BS23 1UJ;
- (5) **SOUTH GLOUCESTERSHIRE COUNCIL**, Council Offices, Badminton Road, Yate, BS37 5AF; and
- (6) **WILTSHIRE COUNCIL**, County Hall, Wiltshire Council, Bythesea Road, Trowbridge, Wiltshire, BA14 8JN

(each individually a **Member** and collectively **Members**); and

- (7) **ADOPTION WEST** a company incorporated in England and Wales under company number 11139404 whose registered office is at c/o Wiltshire Council Children's Service, Floor 2, Old County Hall, Bythesea Road, Trowbridge, Wiltshire, BA14 8JN (the **Company**).

**1 Interpretation**

- 1.1 In this Agreement unless the context otherwise requires:
- 1.2 The **Principal Agreement** means the agreement made between the parties dated 1 March 2019
- 1.3 Words and expressions defined in the Principal Agreement shall have the same meaning in this Agreement except to the extent that they are expressly stated otherwise in this Agreement.

**2 Background**

- 2.1 This Agreement is supplemental to the Principal Agreement
- 2.2 The Principal Agreement provides (in clause 3.2) that the Term may be extended by agreement of the Parties and also provides (in clause 37.1) that any variation to the Principal Agreement shall only be effective if it is in writing and signed by the Parties (acting through their duly authorised representatives) and is expressed to be for the purpose of such amendment or variation.
- 2.3 It has been agreed by the Parties that the Term of the Principal Agreement shall be extended and the Principal Agreement otherwise varied as set out in this Agreement.

**3 Extension to the Term**

The Parties agree that the Term shall be extended for a period of 5 years, from 1 March 2022 to 28 February 2027

**4 Variation**

- 3.1 The Parties agree that, with effect from xxxxxxxxxxxxxxxxxxxx 202x the Principal Agreement shall be varied by the incorporation of the variations set out in Schedule 1 to this Agreement.
- 3.2 Save to the extent that the Principal Agreement is varied by this Agreement it shall continue in full force and effect.

**4 Contracts (Rights of Third Parties) Act 1999**

It is agreed for the purposes of the Contracts (Rights of Third Parties) Act 1999 that this Agreement is not intended to and does not give to any person who is not a party to this Agreement any rights to enforce any provisions contained in these Agreement.

**5 Counterparts**

This Agreement may be executed in one or more counterparts. Any single counterpart or set of counterparts executed, in either case, by all the parties shall constitute a full original of this Agreement.

**6 Governing Law and Jurisdiction**

The law of this Agreement is English law and the English courts shall have jurisdiction with regard to all matters arising under it.

**Signed on behalf of each of the parties as set out below;**

**On behalf of BATH AND NORTH EAST SOMERSET COUNCIL**

Authorised Signatory.....

**On behalf of THE CITY COUNCIL OF BRISTOL**

Authorised Signatory.....

**On behalf of GLOUCESTERSHIRE COUNTY COUNCIL**

Authorised Signatory.....

**On behalf of NORTH SOMERSET COUNCIL,**

Authorised Signatory.....

**On behalf of SOUTH GLOUCESTERSHIRE COUNCIL,**

Authorised Signatory.....

**On behalf of WILTSHIRE COUNCIL**

Authorised Signatory.....

**On behalf of ADOPTION WEST**

Authorised Signatory.....

**Schedule 1**

**Variations**

The Principal Agreement shall be varied as set out below:-

<b>Funding Mechanism</b>	
<b>Service Specification</b>	