**29th March**

**Dated 2023**

**BUCKINGHAMSHIRE COUNCIL**

AND

Dorney Parish Council

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AGREEMENT OF VARIATION IN RESPECT OF A LOCAL COUNCIL DEVOLUTION SCHEME AGREEMENT

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Buckinghamshire Council

Legal Services

County Hall

Walton Street

Aylesbury

Bucks

HP20 1UA

AGREEMENT OF VARIATION

**This Agreement is made** on the 29th day of March 2023

**Between**

1. **BUCKINGHAMSHIRE COUNCIL** of The Gateway, Aylesbury, Buckinghamshire, HP19 8FF (“**the Council**”) and
2. Dorney Parish Council of 3 Opendale Road, Burnham, Bucks, SL1 7LY (“**the Local Council**”)

(together the “**Parties**”)

**Background:**

1. The Parties entered into an agreement for the devolvement of the Council’s powers and duties to discharge its non-statutory functions (the Council’s Functions) in respect of the administrative area of the Local Council in order to enable the Local Council to carry out the Council’s Functions as set out in the agreement (the “Local Council Devolution Scheme Agreement”).
2. The Local Council Devolution Scheme Agreement commenced on 1st April 2015
3. The Parties agreed to vary the Local Council Devolution Scheme Agreement on 24th February 2023 (“the Variation”) and with effect from 1st April 2023 extended the Funding for the period 2023‐2024.
4. The Parties wish with effect from 1st April 2023 (the “Effective Date”) to vary the Local Council Devolution Scheme Agreement and have therefore agreed that the Local Council Devolution Scheme Agreement shall be varied as set out in this Agreement.

**Operative Provisions:**

1. This Agreement of Variation (“the Agreement”) is ancillary to the Local Council Devolution Scheme Agreement and the Variation.
2. Pursuant to Clause 15 of the Local Council Devolution Scheme Agreement the Parties agree that from the Effective Date the Local Council Devolution Scheme Agreement shall be varied to the extent and in the manner set out in this Agreement.
3. Any term defined in the Local Council Devolution Scheme Agreement shall have the same meaning when used in this Agreement unless inconsistent with the context or otherwise defined in this Agreement.

**IT IS AGREED AS FOLLOWS:**

1. **Variations**
   1. The Parties agree that clause 6.1 of the Local Council Devolution Scheme Agreement as amended by Clause 1.1.1 of the Variation shall be varied as follows:
   2. The Council shall pay to the Local Council the Funding for the period 2023‐2024 a sum of £2,603.51 on 1st April 2023 or as soon as practicable after execution of this Agreement in the event that the Agreement is not executed before 1st April 2023.
   3. The Council shall pay to the Local Council the Funding for the period 2023-2024 a sum of £2,603.51 on 1st April 2023.
   4. The Parties agree that where any other part or parts of the Local Council Devolution Scheme Agreement not expressly referred to here need to be amended to be consistent with the variations set out in this Agreement then any such part or parts of the Local Council Devolution Scheme Agreement shall be deemed to have been amended from the Effective Date and shall henceforth be read and construed as though any such amendments were agreed between the Parties and came into full force and effect on the Effective Date. If the Parties cannot agree on whether any such amendments are necessary to be consistent with this Agreement then the matter shall be resolved in accordance with the dispute resolution provisions.
2. **Employment Exit Provisions**
   1. In the event of the Council issuing a notice of termination of this Agreement or otherwise, the Council and the Local Council agree to work together to ensure that all legislative requirements are met.
3. **Terms Remain in Effect**
   1. The Local Council Devolution Scheme Agreement shall be varied in accordance with, and only to the extent set out in this Agreement. The Local Council Devolution Scheme Agreement terms and conditions shall otherwise continue to apply unamended in full force and effect. For the avoidance of doubt the changes set out in this Agreement are the only changes agreed by the Parties and their effect shall only be as set out in this Agreement.
   2. If the Parties agree any further amendments to the Local Council Devolution Scheme Agreement such amendments shall be made on the basis of the Local Council Devolution Scheme Agreement as amended by any further Agreement of Variation.

…Letter

Description automatically generated with medium confidence……………………………………………………. Authorised Signatory of **the Council**

Date: …29th March 2023…………………………..

