



Mrs N Wilson
Chairman
The Downton Society
19 Church Leat
Downton SP5 3PD

12th July 2021

Dear Mrs Wilson

**Re: Agreement for installation of Topiary Cuckoo Sculpture
on the Borough Green Opposite the Memorial Centre**

This Agreement confirms Downton Parish Council's arrangements with the Downton Society in relation to the installation of the Topiary Cuckoo Sculpture on the Borough Greens. It will remain in place for 2 years from the date of this letter and the Council will review it at the Parish Council meeting due to be held in June 2023.

1. Ownership

The ownership of the Topiary Cuckoo Sculpture will remain with the Downton Society whilst it is sited on the Borough Green opposite the Memorial Centre.

2. Insurance

The Council's insurance policy will only provide public liability insurance for the Topiary Cuckoo Sculpture whilst it is sited on the Borough Green opposite the Memorial Centre. It will be insured as an "insurable interest" provided this Agreement is signed by two Trustees of the Downton Society and there is continued compliance with the attached Risk Assessment.

As a leaseholder, the Parish Council will also need to seek written permission from the landowner of the Borough Greens, Longford Estates, before the Topiary Cuckoo Sculpture can be installed.

As the Topiary Cuckoo Sculpture is owned by the Downton Society, responsibility lies with the Society to insure it for all other risks which it sees fit.

3. Stability

It will be anchored firmly in place in a way in which any brackets attached to the planter will not cause any risk or trip hazard and these will be removed altogether when the Topiary Cuckoo Sculpture is removed from the site.

4. Safety

The attached Risk Assessment sets out all the identified risks and their mitigations. The Topiary Cuckoo Sculpture will be inspected as per the Risk Assessment and appropriate action will be taken to address any risks identified during the inspection, including its removal.

5. Ongoing maintenance

The Downton Society will maintain the Topiary Cuckoo Sculpture for the two years of it being in situ on the Borough Green opposite the Memorial Centre.

6. Installation and Removal

The installation and removal of the Topiary Cuckoo Sculpture will be the responsibility of the Downton Society and carried out entirely at its own risk.

Kind regards

Yours sincerely



**Bev Cornish
Clerk to the Council**

Signed on behalf of Downton Parish Council

..... Councillor

Signed on behalf of Downton Parish Council

..... Councillor

Signed on behalf of the Downton Society

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