

THIS AGREEMENT is made the date

day of

2021

BETWEEN

- DEVON BIRDS of C/O The Secretary, 16 Erme Drive, Ivybridge, Devon PL21 9BN ("the Landowner") of the first part; and
- SOUTH MILTON PARISH COUNCIL of C/O Parish Clerk, 169 Cumber Close,
 Malborough, Kingsbridge, Devon TQ7 3DE ("the Parish Council").

WHEREAS

- 1) The Landowner is seised in fee simple in possession of land to the South Milton Ley Reserve (the Reserve) in the parish of South Milton in the district of South Hams.
- 2) The Parish Council wishes to provide a path from Mill Lane to the South West Coast Path that enables parishioners and visitors to walk to the coast avoiding the narrow lanes.
- 3) The Landowner is willing to permit a degree of public access over its land along the routes two metres wide shown with solid green lines between the points marked A to B on the attached plan ("the plan") numbered SML1 ("the Routes").

NOW IT IS AGREED as follows:

- **1.** The Landowner permits the public to use the Routes on foot. For the avoidance of doubt, the landowner will not permit cyclists or dogs to access the Reserve.
- 2. The Landowner shall at its expense carry out accommodation works as follows:
 - a. Any fencing, gates and signage required along the Routes.
- 3. Maintenance:
 - a. The Landowner shall maintain the path surface, signs, signposts, fences and gates.
- **4.** The Landowner shall be responsible for cutting back overhanging vegetation.
- **5.** For avoidance of doubt, it is hereby declared that nothing herein contained shall amount to or be construed as a permanent grant, demise or dedication of or agreement for a public right of way.

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- **6.** The Landowner shall obtain and maintain insurance to provide public liability cover for public access and will produce evidence of such insurance to the Parish Council if asked to do so.
- **7.** This Agreement has no bearing on any private access right or easement between the Landowner and others.

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IN WITNESS whereof the Landowner and the Parish Council have signed this Agreement in the manner shown below the day and year before written.

on behalf of the LANDOWNER)
in the presence of)
Witness signature:	
Witness name:	
Witness address:	
SIGNED by)
on behalf of the Parish Council)
in the presence of)

SIGNED by