

London Borough of Sutton

Wildlife and Countryside Act 1981

The London Borough of Sutton (Benhillton Gardens to Oakhill Road Sutton)
Modification Order 2022 as modified

This Order is made by the Council of the London Borough of Sutton (“the Council”) under section 53(2)(a) of the Wildlife and Countryside Act 1981 (“the Act”) because it appears to the Council that the Definitive Map and Statement held by it under Part III of the Act require modification in consequence of the occurrence of section 53(3) (ba) of the Act namely the expiration in relation to the way the subject of this Order of a period such that the enjoyment by the public of the way during that period raises a presumption that the way has been dedicated as a public path.

The Council hereby Orders that:

1. For the purposes of this Order the relevant date is the date upon which this Order is made;
2. The Council’s Definitive Map and Statement shall be modified as described in Part I and Part II of the Schedule hereto and shown on the map attached to this Order;
3. This Order ~~shall take~~ *took* effect on the *10th May 2024 being the date it is was* confirmed by ~~the Council or by an inspector on behalf of~~ the Secretary of State and may be cited as the London Borough of Sutton (Benhillton Gardens to Oakhill Road) Modification Order 2022.

**THE COMMON SEAL of the MAYOR
AND BURGESSES OF THE
LONDON BOROUGH OF SUTTON**

L.S.

was hereunto affixed in the presence of an authorized officer

Seal Reg. No. 20/777

SCHEDULE

Part I – description of the path to be added

The addition of a public footpath approximately ~~2~~ *1.2 to 1.5* metres in width and 23.2 metres in length from the eastern end of Benhillton Gardens to the northern end of Dovercourt Lane and ~~varying between~~ approximately ~~5.7~~ *2.5* metres and ~~3.5~~ metres in width and 70.8 metres in length from the northern end of Dovercourt Lane to its junction with Oakhill Road and in the position shown by a purple line on the map attached to this Order.

Part II – modification of Statement

The addition to the Statement of a public footpath approximately ~~2~~ 1.2 to 1.5 metres in width and 23.2 metres in length from the eastern end of Benhilton Gardens to the northern end of Dovercourt Lane and ~~varying between~~ approximately ~~5.7~~ 2.5 metres and ~~3.5 metres~~ in width and 70.8 metres in length from the northern end of Dovercourt Lane to its junction with Oakhill Road and in the position shown by a purple line on the map attached to this Order.

Dated this 4th day of November 2022

CS LEG GRC VF 2506/34