DRAFT ORDER FOR CONSULTATION

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

SECTION 59

PUBLIC SPACES PROTECTION ORDER

This Order is made by the London Borough of Sutton (the 'Council') and shall be known as the **"London Borough of Sutton Public Spaces Protection Order (Anti-social Behaviour) 2027"**.

PRELIMINARY

1. The Council, in making this Order is satisfied on reasonable grounds that:

   The activities identified below have been carried out in public places within the Council's area and have had a detrimental effect on the quality of life of those in the locality,

   and that:

   the effect, or likely effect, of the activities:

   is, or is likely to be, of a persistent or continuing nature,

   is, or is likely to be, such as to make the activities unreasonable, and

   justifies the restrictions imposed by this Order.

2. The Council is satisfied that the prohibitions imposed by this Order are reasonable to impose in order to prevent the detrimental effect of these activities from continuing, occurring or recurring, or to reduce that detrimental effect or to reduce the risk of its continuance, occurrence or recurrence.

3. The Council has had regard to the rights and freedoms set out in the European Convention on Human Rights. The Council has had particular

regard to the rights and freedoms set out in Article 10 (right of freedom of expression) and Article 11 (right of freedom of assembly) of the European Convention on Human Rights and has concluded that the restrictions on such rights and freedoms imposed by this Order are lawful, necessary and proportionate.

COMMENCEMENT AND DURATION

4. This Order is made on **[date to be inserted** 2027**]** and will come into force at midnight on **[date to be inserted** 2027**]** and will expire at midnight on **[date to be inserted** 2030**].**

5. At any point before the expiry of this three-year period the Council can extend the Order by up to three years if they are satisfied on reasonable grounds that this is necessary to prevent the activities identified in the Order from occurring or recurring or to prevent an increase in the frequency or seriousness of those activities after that time.

DEFINITIONS

6. In this Order the following words or phrases are defined as follows:

'Act' means the Anti-Social Behaviour, Crime and Policing Act 2014, as amended.

'Alcohol' has the same meaning as in Section 191 of the Licensing Act 2003, the full text of which appears in Schedule 6 to this Order.

'Anti-social behaviour' means conduct that has caused or is likely to cause nuisance, annoyance, harassment, alarm or distress to any person.

'Authorised Person' means police officer, police community support officer or an employee or agent of the Council who is authorised for the purpose of giving directions under this Order.

'Borough' means the geographical area of the London Borough of Sutton

'Council' means the London Borough of Sutton.

‘E-Scooter’ means any motor bicycle fitted with an electric motor with two wheels one front and one rear, aligned along the direction of travel, whether or not it is classified as a electric scooter for the purposes of the Electric Scooter Trials and Traffic Signs (Coronavirus) Regulations and General Directions 2020.

‘E-Bike’ means any electrically assisted pedal cycle (EAPC) whether or not it is classified as an EAPC for the purposes of the Electrically Assisted Pedal Cycles Regulations 1983, as amended.

‘Powered transporter’ means personal transport devices which are mechanically and/or manually propelled and includes e-scooters, Segways, hoverboards, go-peds (combustion engine-powered kick-scooters), powered unicycles, and u-wheels.

‘In charge’ A person who has a dog in his possession shall be taken to be in charge of the dog

‘Prescribed Charity’ means Dogs for Good (registered charity number 1092960), Support Dogs (registered charity number 1088281), Canine Partners for Independence (registered charity number 803680) or any successor charities with similar charitable purposes.

‘Proper control’ means a dog being on a lead or muzzled if the dog requires it, or otherwise being at heel/close enough to the person in charge that it can be restrained if necessary or respond immediately to voice commands.

‘Public space’ means all of the areas in the Borough to which the public have access, whether on payment or otherwise, as of right or by virtue of express or implied permission.

‘Restricted Area’ means the Borough, or parts of the Borough, as specified in this Order and shown as edged with a bold black line on the Plans in Schedule 1 to this Order.

‘Sound Amplification Equipment’ includes, but is not limited to microphones, loudspeakers, amplifiers, megaphones, loud hailers,

public-address systems, and any device powered by mains, generator, battery or other source that is designed or adapted to amplify music or speech.

THE ACTIVITIES

7. This Order applies in all of the public spaces in the Borough shown edged with a bold black line on Plan No. 1 in Part 1 of Schedule 1 to this Order unless otherwise stated. The Activities prohibited by this Order are listed below:

Alcohol

i. Behaving in a manner which causes harassment, alarm or distress upon the consumption, or suspected consumption, of alcohol.

ii. Failing to comply with a direction not to consume, in breach of this Order, alcohol, or anything which an authorised person reasonably believes to be alcohol where the authorised person reasonably believes that a person has engaged in anti-social behaviour.

iii. Failing to surrender anything in which is, or which the authorised person reasonably believes to be, alcohol or a container for alcohol (whether open or not) when directed to do so by an authorised person.

Dogs

iv. Failing to remove dog faeces from any public space within the Borough forthwith.

v. Failing to keep a dog under proper control in any public space in the Borough.

vi. Allowing dogs to enter or remain on land known as Overton Park and Recreation Ground, shown edged with a bold black line on Plan No. 7 in Part 2 of Schedule 1 to this Order (the exclusion area).

vii. Failing to comply with a direction to cease the activity when directed to do so by an Authorised Person.

Riding which causes nuisance etc.

viii. Riding any vehicle, mechanically and/or manually propelled, which shall include a motor cycle, pedal cycle, E-scooter, E-bike, quad-bike, or powered transporter, in a manner which causes, or is likely to cause nuisance, annoyance, harassment, alarm or distress to any person.

Open fires and barbeques

ix. Lighting or maintaining any fire or barbeque (including disposable barbeques), fire pit, camping stove, shisha charcoal burner, or any other device producing a naked flame, in the parks and open spaces within the Borough specified in column 1 of Schedule 2 to this Order, and which are shown edged with a bold black line on the plans of those restricted areas in Part 2 of Schedule 1, the corresponding numbers of which are shown in column 2 of Schedule 2 to this Order.

x. Failing to comply with a direction given by an Authorised Person to cease the activity and/or remove the equipment.

Sound Amplification Equipment

xi. Using Sound Amplification Equipment in a manner which causes, or is likely to cause, nuisance, annoyance, harassment, alarm or distress to any person in Beddington Park shown edged with a bold black line on Plan No. 2 in Part 2 of Schedule 1 to this Order, or within the Sutton

High Street area as shown edged with a bold black line on Plan No. 14 in Part 2 of Schedule 1 of this Order. For the avoidance of doubt this prohibition includes:

a. Music played from a vehicle (whether moving or stationary);
b. Busking;
c. Street performances;
d. Public speaking;
e. Street preaching.

xii. Failing to comply with a direction given by an Authorised Person to:

a. Reduce the volume to a level specified by the Authorised Person;
b. Cease using the Sound Amplification Equipment immediately;
c. Disconnect or switch off any power source (including battery, generator or mains) and/or remove cabling;
d. Surrender any item reasonably believed to be Sound Amplification Equipment to the Authorised Person.

Driving vehicles in parks and open spaces

xiii. Driving any motor vehicle, however propelled, or towing any caravan, trailer or other equipment in the parks and open spaces within the Borough specified in column 1 of Schedule 3 to this Order, and which are shown edged with a bold black line on the plans of those restricted areas in Part 2 of the Schedule 1, the corresponding numbers of which are shown in column 2 of Schedule 3 to this Order.

xiv. Failing to comply with a direction given by an Authorised Person to remove any motor vehicle, caravan, trailer or other equipment from the named parks and open spaces specified Schedule 3

Fishing in Beddington Park and Elm Ponds

xv. Fishing, magnet fishing, removing fish, or using fishing nets or being in possession of fishing tackle or setting up for fishing within Beddington Park and Elm Ponds shown edged with a bold black line on Plans No. 2 and 5 respectively in Part 2 of Schedule 1 to this Order.

xvi. Failing to return any fish to the river, lake, pond or stream from which the fish has been caught or taken.

Parking outside designated parking spaces - Cheam Park, Beddington Park and Rosehill Park West

xvii. Parking outside of the areas marked as designated parking spaces within the parks and open spaces within the Borough specified in column 1 of Schedule 4 to this Order, and which are shown edged with a bold black line on the plans of those restricted areas in Part 2 of Schedule1, the corresponding numbers of which are shown in column 2 of Schedule 4 to this Order.

xviii. Parking overnight (between the hours of 9.30pm to 7.30am between 1 April- 31 October and between the hours of 7pm to 7.30am between 1 November- 31 March) within any designated parking area within the parks and open spaces specified in Schedule 4 to this Order.

xix. Failing to comply with a direction given by an Authorised Person to remove any motor vehicle, motorcycle, moped, E-bike, E-scooter, pedal cycle, powered transporter, quad bike, caravan, trailer or other equipment.

Using sports facilities without booking - Cheam Recreation Ground, Overton Park and Recreation Ground and Sutton Common Park

xx. Using sports and recreational facilities within the areas of the parks and open spaces within the Borough specified in column 1 of Schedule 5 to this Order, and which are shown edged with a bold black line on the plans of those restricted areas in Part 2 of Schedule 1, the corresponding numbers of which are shown in column 2 of Schedule 5 to this Order, without pre-booking and paying for the use of the facilities, where charges apply.

xxi. Failing to comply with a direction given by an Authorised Person to cease playing or using the sports and recreational facilities specified in Schedule 5 and to leave the facility, or the park or open space, as directed by the Authorised Person.

Name and address

xxii. Failing to comply with a request to provide a name and address to an Authorised Person when required.

xxiii. Giving a false or inaccurate name or address when required to provide a name and address.

Direction to leave

xxiv. Failing to comply with a request to leave an area when directed to do so by an Authorised Person, such area as is determined and defined by Authorised Person giving the direction.

THE PROHIBITIONS

8. A person shall not engage in any of the Activities listed at paragraphs 7(i) – 7(viii) anywhere within the public spaces in the Borough.

9. A person shall not engage in any of the Activities listed at paragraphs 7(ix) – 7(xxiv) anywhere within the public spaces specified in Schedules 2 – 5 and

shown edged with a bold black line on the plans of those restricted areas in Part 2 of Schedule 1 to this Order**.**

10. These Prohibitions are subject to the Exceptions stated below.

THE REQUIREMENTS

11. A person who is believed to have engaged in a breach of this Order is required to give their name and address to an Authorised Person.

12. A person who is believed to have engaged in a breach of this Order is required to leave the area if required to do so by an Authorised Person and must not return to the area for up to 24 hours.

THE EXCEPTIONS

13. Nothing in this Order shall apply to a person who is consuming alcohol on premises listed in section 62 of the 2014 Act, the full text of section 62 appears at Schedule 6 to this Order.

14. Nothing in Articles 7(iv) – (vii) (Dogs) of this Order shall apply to a person who:

    a. is registered as a sight-impaired or severely sight-impaired person in a register compiled under section 77 of the Care Act 2014;

    b. is deaf, in respect of a dog trained by Hearing Dogs for Deaf People (registered charity number 293358) and upon which he relies for assistance;

    c. has a disability which affects his mobility, manual dexterity, physical coordination or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a Prescribed Charity and upon which he relies for assistance;

    d. a person who is training an assistance dog in an official capacity; or

e. a dog used by the police or other agencies permitted by the Council for official purposes.

15. Nothing in Article 7(viii) (Riding which causes nuisance) shall apply to any electrically powered scooter designed for people with limited or restricted mobility, including those who are elderly or disabled.

16. Nothing in this Order shall apply to activities in respect of which the Council or owner, occupier or other person of authority having control of the land has consented (generally or specifically) for them to take place. Such activities will not be treated as a breach of this Order.

17. Nothing in Article 7(xi)-(xii) (Sound Amplification Equipment) shall apply to:-

a. Council authorised civic ceremonies or events where the use of Sound Amplification Equipment is expressly permitted by the Council and any conditions are complied with;

b. Emergency services (police, fire, ambulance) and persons acting with statutory authority using sound signals for operational or public-safety purposes;

c. Announcements expressly exempted under Section 62 of the Control of Pollution Act 1974 (to the extent applicable);

d. Assistive hearing/communication devices used by or for a person with a disability, provided they are used reasonably and proportionately and do not cause nuisance or annoyance.

e. A political demonstration, or a demonstration supporting or opposing a cause or campaign associated with a shop or business in the restricted area or any other lawful protest.

f. Any lawful public procession in respect of which advance notice has been given to the Police, and any conditions imposed by the Police have been complied with, in accordance with the provisions of Public Order Act 1986.

18. Where any sound amplification equipment has been surrendered pursuant to a direction given under Article 7 (xii)(d) if the person surrendering any equipment has not asked for the return of the it before the end of the period of 28 days beginning with the day of surrender, the equipment may be destroyed or otherwise disposed of.

19. Nothing in Article 7(xiii) (Driving vehicles in parks and open spaces) shall apply to: -

    a. any area within any of the named parks or open spaces set aside for use by vehicles, indicated by signs placed in conspicuous positions, PROVIDED the vehicle is not driven in a manner which causes, or is likely to cause nuisance, annoyance, harassment, alarm or distress to any person;

    b. any emergency services (police, fire, ambulance) vehicles or vehicles driven by any person in the exercise of their statutory powers for operational or public-safety purposes; or

    c. any electrically powered scooter designed persons with limited or restricted mobility, including those who are elderly or disabled.

Dated day of 2027

THE COMMON SEAL OF THE MAYOR)
AND BURGESSES OF THE LONDON)
BOROUGH OF SUTTON was hereunto)
affixed in the presence of:)
Signature

Name

Authorised Signatory

Seal Register No.

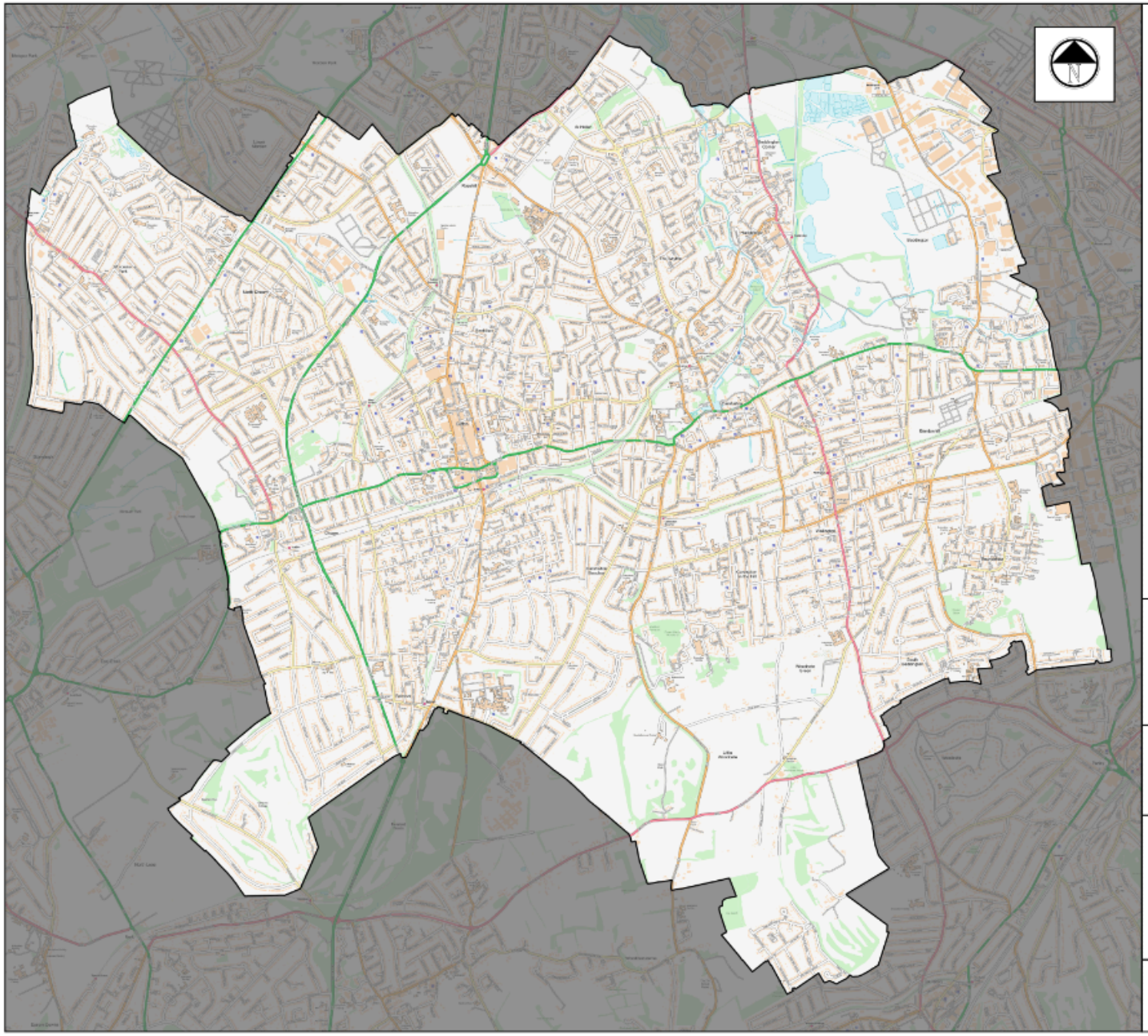
Schedule 1 –RESTRICTED AREAS PLANS

Part 1

Borough Plan (Plan No. 1)

Part 2

Restricted Area	Plan No.
Beddington Park	2
Cheam Park	3
Cheam Recreation Ground	4
Elm Ponds	5
Oaks Park	6
Overton Park and Recreation Ground	7
Queen Mary's Park	8
Rosehill Park East	9
Rosehill Park West	10
Roundshaw Downs and Nature Reserve	11
Roundshaw Park	12
Sutton Common Park	13
Sutton High Street Area	14



LONDON BOROUGH OF SUTTON PUBLIC SPACES PROTECTION ORDER (ANTI-SOCIAL BEHAVIOUR) 2027

PLAN NO.1
BOROUGH-WIDE

Sutton

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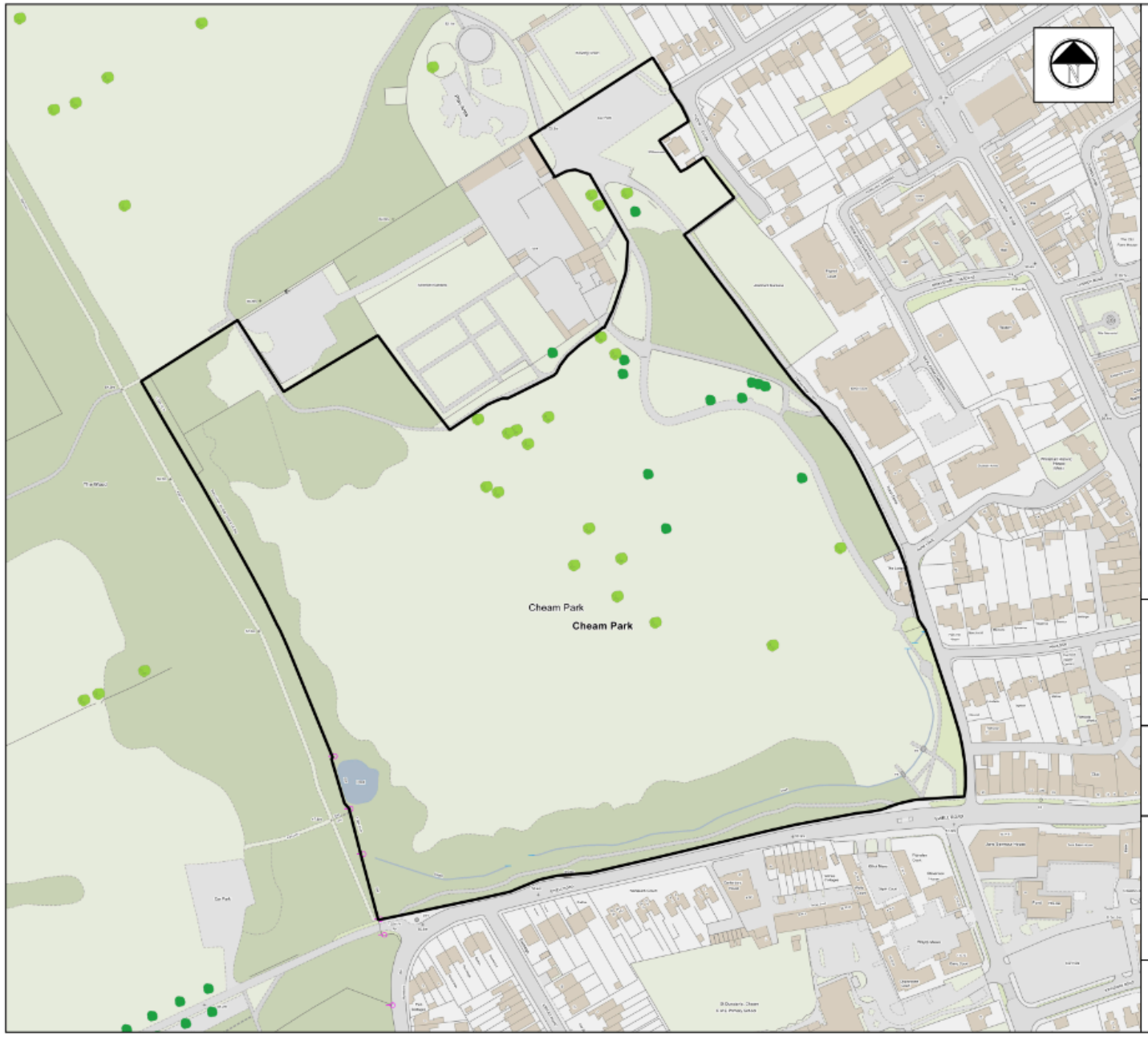
LONDON BOROUGH OF SUTTON PUBLIC SPACES PROTECTION ORDER (ANTI-SOCIAL BEHAVIOUR) 2027

PLAN NO.2
BEDDINGTON PARK

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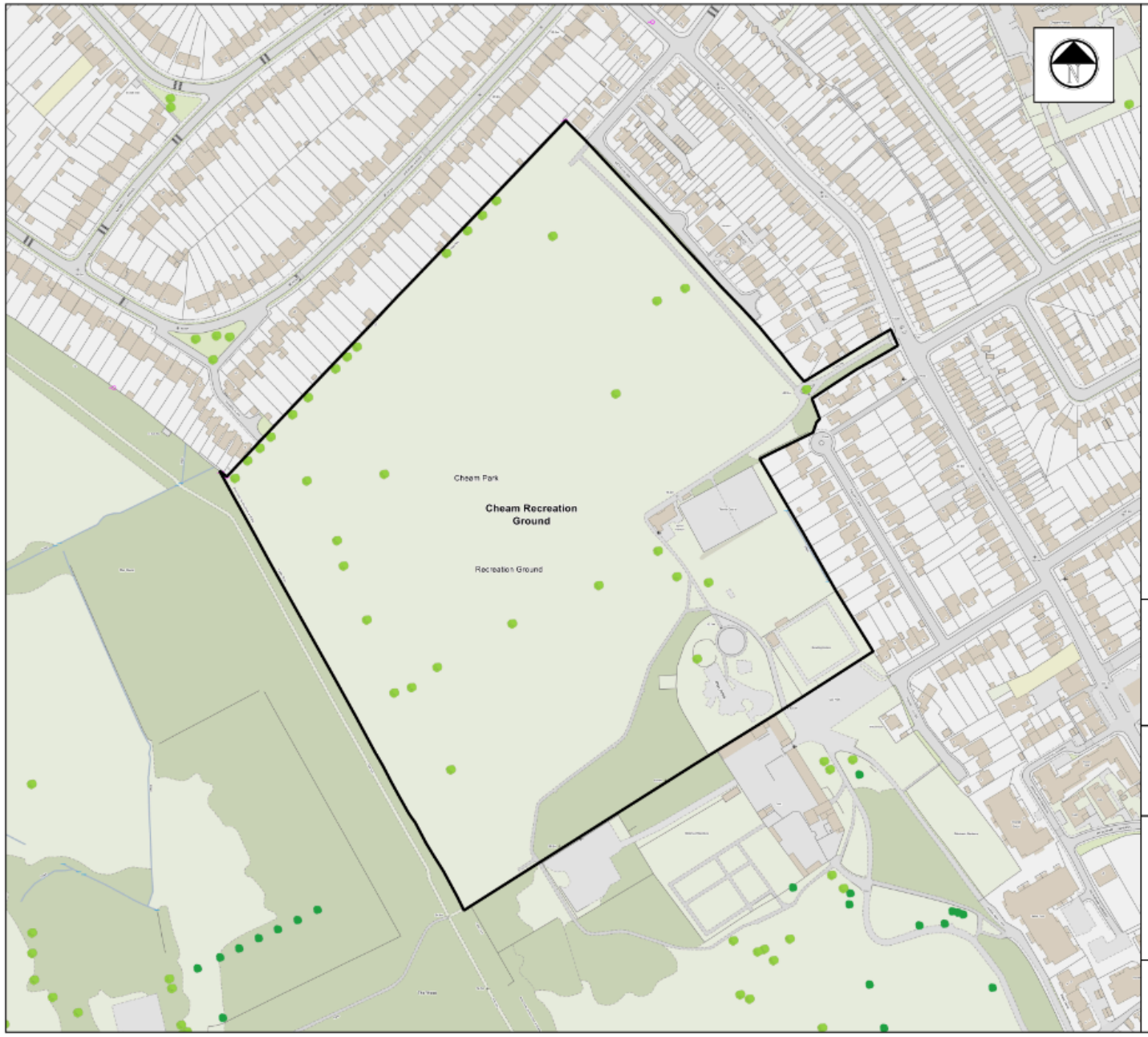
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PLAN NO.3
CHEAM PARK

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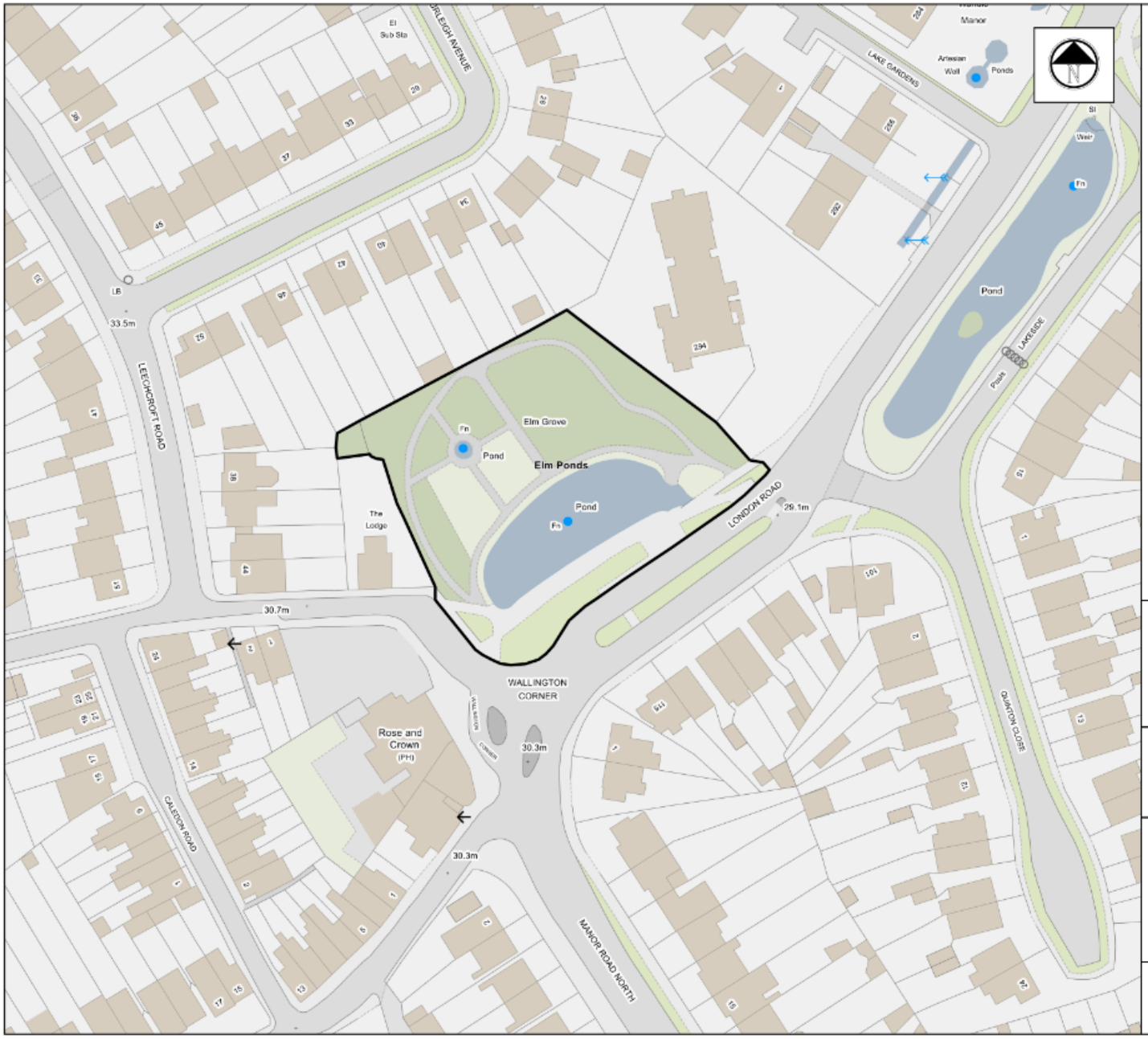
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PLAN NO.4
CHEAM RECREATION GROUND

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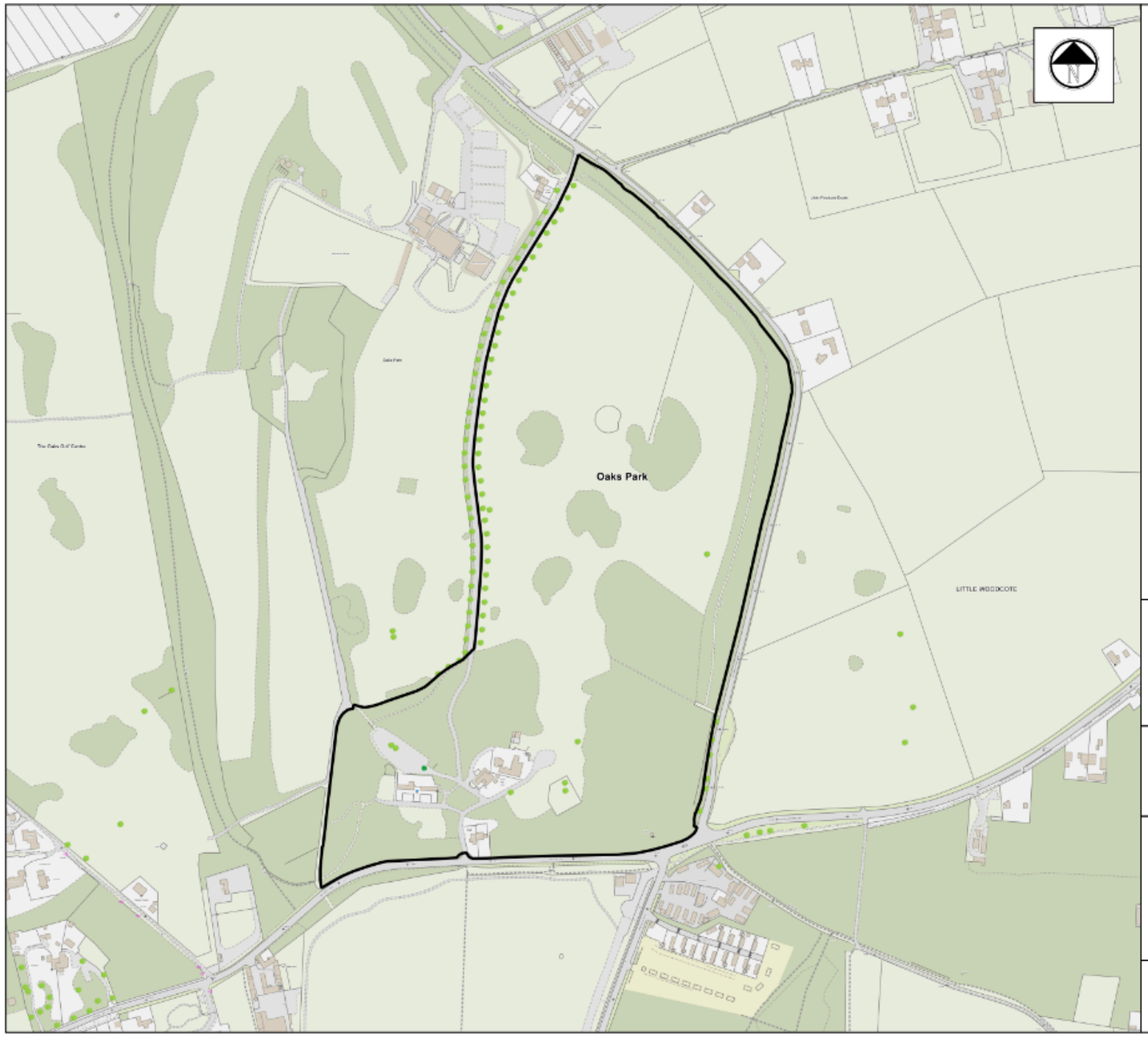
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PLAN NO.5
ELM PONDS

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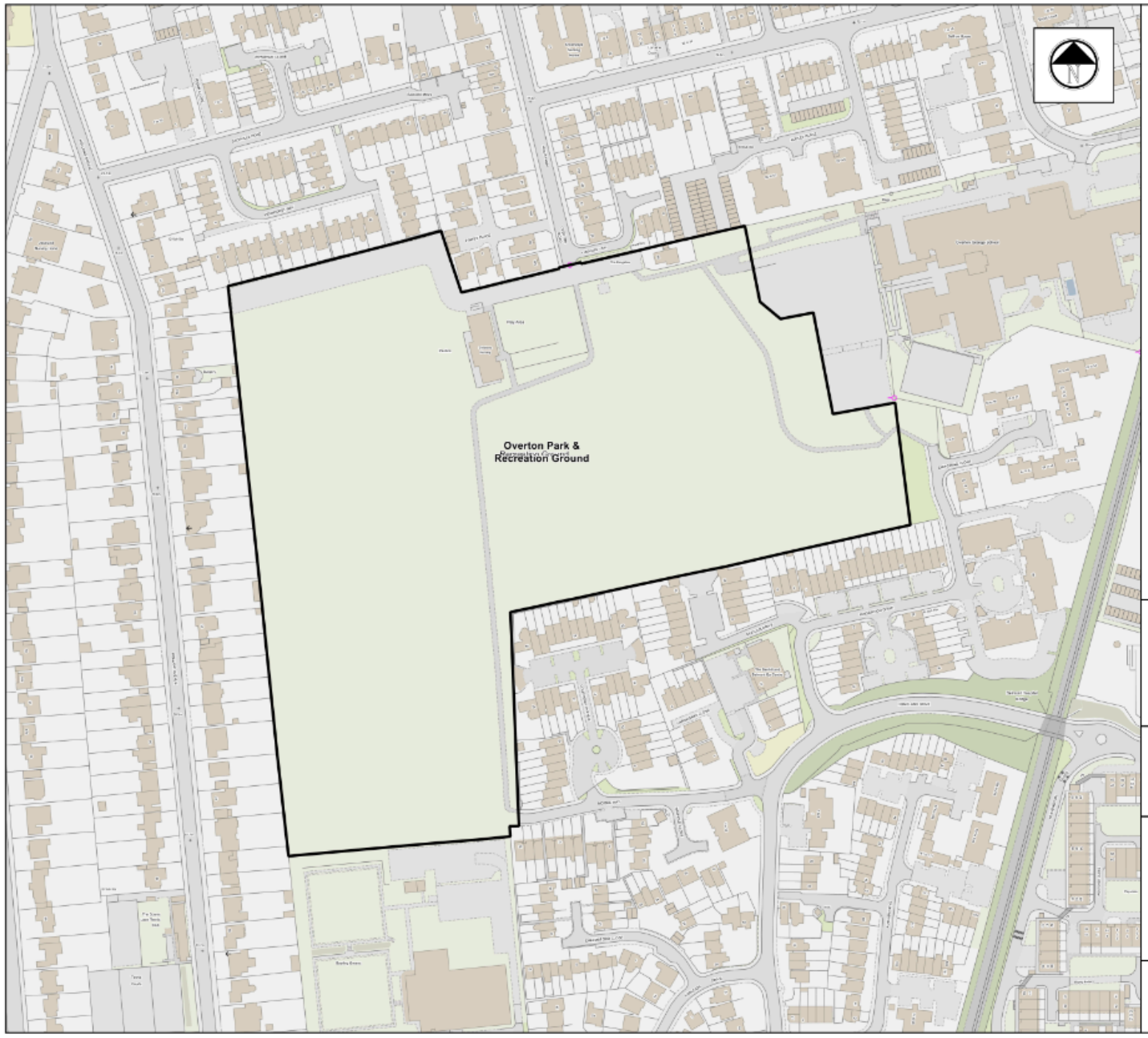
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PLAN NO.6
OAKS PARK

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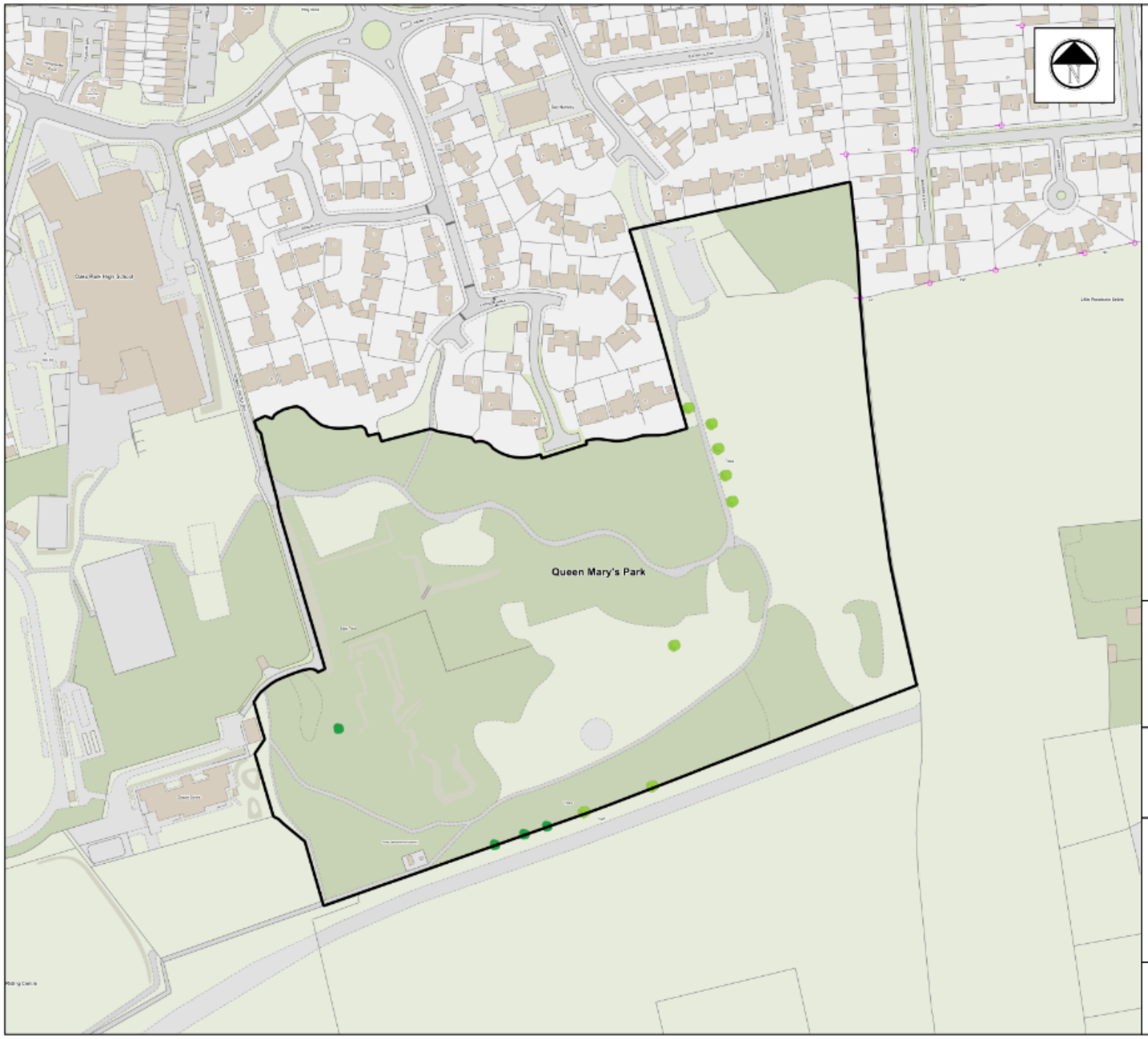
LONDON BOROUGH OF SUTTON PUBLIC SPACES PROTECTION ORDER (ANTI-SOCIAL BEHAVIOUR) 2027

PLAN NO.7
OVERTON PARK & RECREATION GROUND

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PLAN NO.8
QUEEN MARY'S PARK

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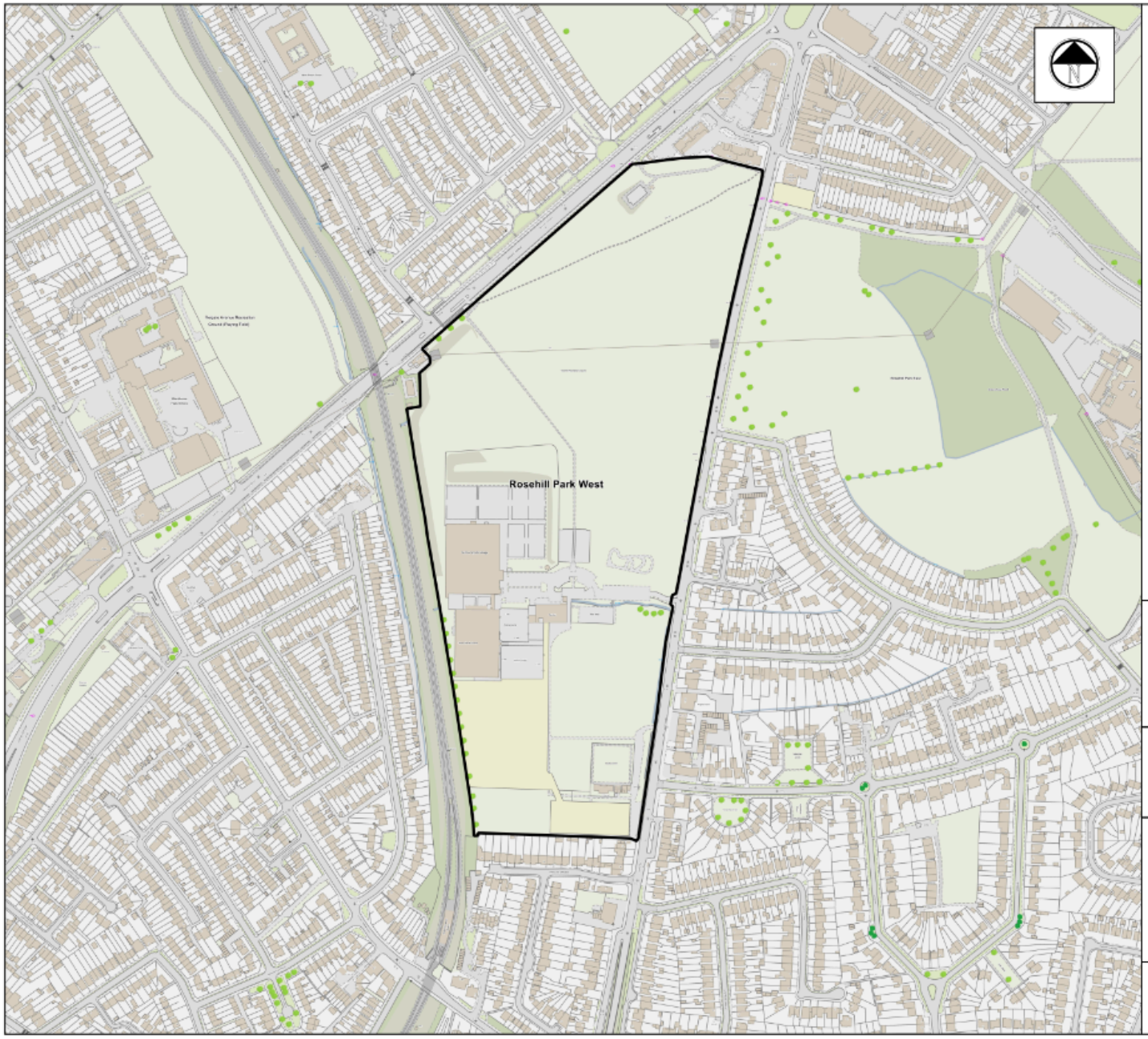
LONDON BOROUGH OF SUTTON PUBLIC SPACES PROTECTION ORDER (ANTI-SOCIAL BEHAVIOUR) 2027

PLAN NO.9
ROSEHILL PARK EAST

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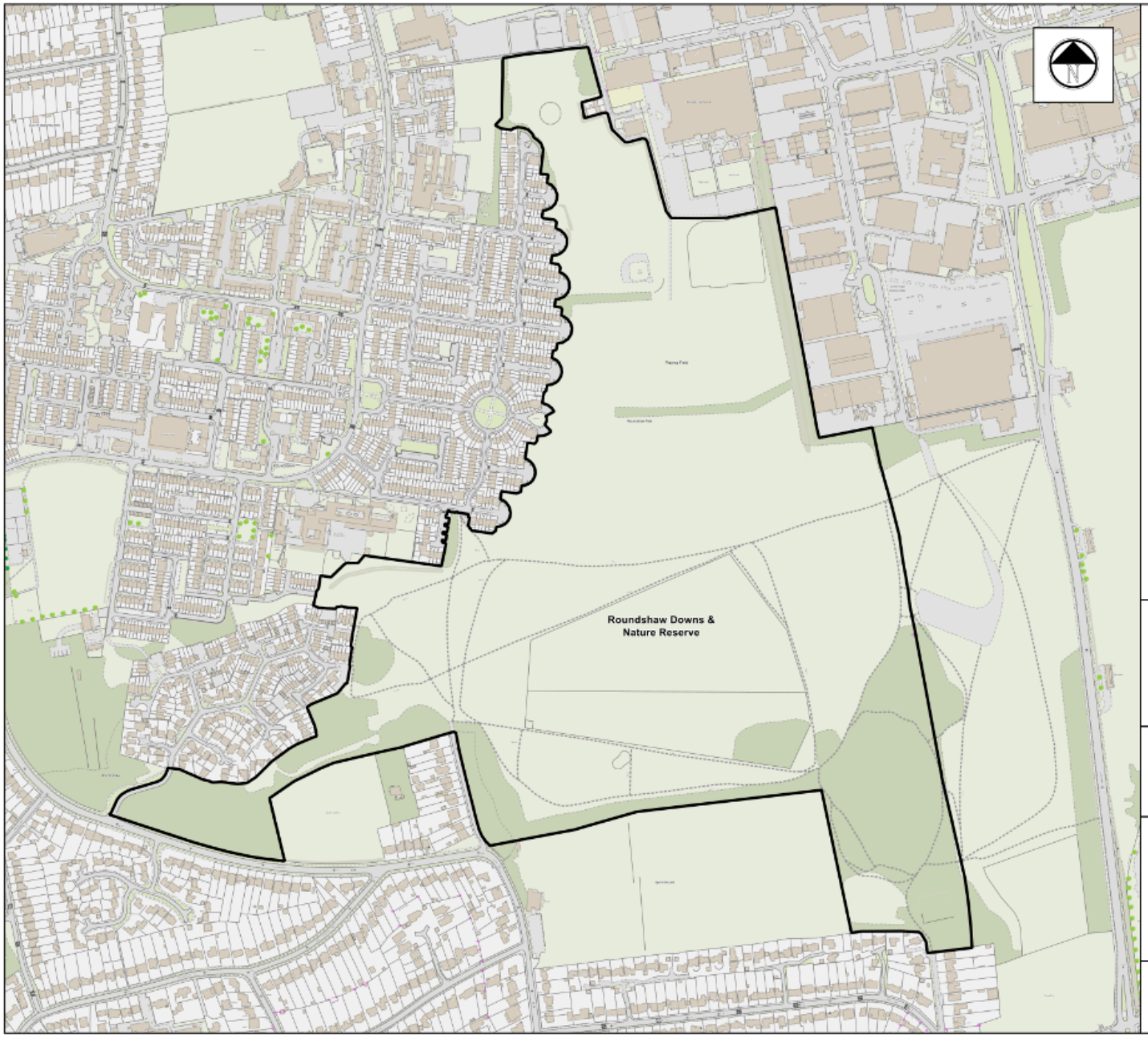
LONDON BOROUGH OF SUTTON PUBLIC SPACES PROTECTION ORDER (ANTI-SOCIAL BEHAVIOUR) 2027

PLAN NO.10
ROSEHILL PARK WEST

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LONDON BOROUGH OF SUTTON PUBLIC SPACES PROTECTION ORDER (ANTI-SOCIAL BEHAVIOUR) 2027

PLAN NO.11
ROUNDSHAW DOWNS & NATURE RESERVE

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PLAN NO.12
ROUNDSHAW PARK

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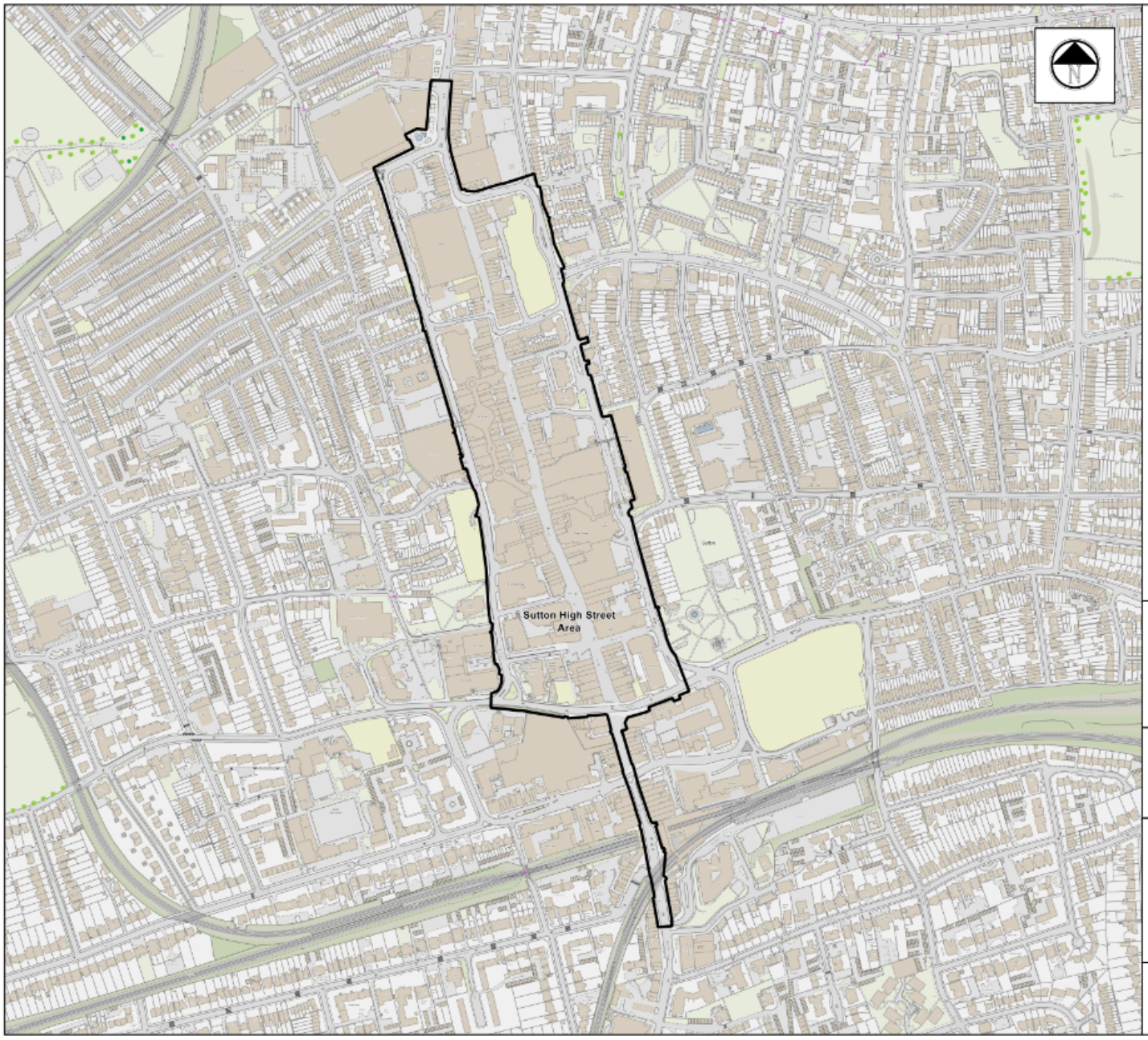
LONDON BOROUGH OF SUTTON PUBLIC SPACES PROTECTION ORDER (ANTI-SOCIAL BEHAVIOUR) 2027

PLAN NO.13
SUTTON COMMON RECREATION GROUND

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LONDON BOROUGH OF SUTTON PUBLIC SPACES PROTECTION ORDER (ANTI-SOCIAL BEHAVIOUR) 2027

PLAN NO.14
SUTTON HIGH STREET AREA

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Schedule 2 – Parks and Opens spaces where Fires and Barbeques are prohibited

Column 1	**Column 2**
Beddington Park	2
Oaks Park	6
Queen Mary's Park	8
Rosehill Park East	9
Roundshaw Park	12

Schedule 3 – Parks and Opens Spaces where driving is prohibited

Column 1	**Column 2**
Beddington Park	2
Rosehill Park West	10
Roundshaw Downs and Nature Reserve	11

Schedule 4 – Parks and Opens spaces where parking is prohibited outside designated parking spaces

Column 1	**Column 2**
Beddington Park	**2**
Cheam Park	3
Rosehill Park West	10

Schedule 5 – Parks and Opens spaces – Controls on use of facilities

Column 1	**Column 2**
Cheam Recreation Ground	4
Overton Park and Recreation Ground	7
Sutton Common Park	13

Schedule 6 - LEGISLATION

Section 62 – Anti-Social Behaviour, Crime and Policing Act 2014, as amended

Premises etc to which alcohol prohibition does not apply

(1) A prohibition in a public spaces protection order on consuming alcohol does not apply to—

(a) premises (other than council-operated licensed premises) authorised by a premises licence to be used for the supply of alcohol;

(b) premises authorised by a club premises certificate to be used by the club for the supply of alcohol;

(c) a place within the curtilage of premises within paragraph (a) or (b);

(d) premises which by virtue of Part 5 of the Licensing Act 2003 may at the relevant time be used for the supply of alcohol or which, by virtue of that Part, could have been so used within the 30 minutes before that time;

(e) a place where facilities or activities relating to the sale or consumption of alcohol are at the relevant time permitted by virtue of a permission granted under section 115E of the Highways Act 1980 (highway-related uses) or by virtue of a pavement licence under Section 1 of the Business and Planning Act 2020.

(2) A prohibition in a public spaces protection order on consuming alcohol does not apply to council-operated licensed premises—

(a) when the premises are being used for the supply of alcohol, or

(b) within 30 minutes after the end of a period during which the premises have been used for the supply of alcohol.

(3) In this section—

"club premises certificate" has the meaning given by section 60 of the Licensing Act 2003;

"premises licence" has the meaning given by section 11 of that Act;

"supply of alcohol" has the meaning given by section 14 of that Act.

(4) For the purposes of this section, premises are "council-operated licensed premises" if they are authorised by a premises licence to be used for the supply of alcohol and—

(a) the licence is held by a local authority in whose area the premises (or part of the premises) are situated, or

(b) the licence is held by another person but the premises are occupied by a local authority or are managed by or on behalf of a local authority.

Section 63 - Anti-Social Behaviour, Crime and Policing Act 2014

Consumption of alcohol in breach of prohibition in order

(1) This section applies where a constable or an authorised person reasonably believes that a person (P)—

(a) is or has been consuming alcohol in breach of a prohibition in a public spaces protection order, or

(b) intends to consume alcohol in circumstances in which doing so would be a breach of such a prohibition.

In this section *"authorised person"* means a person authorised for the purposes of this section by the local authority that made the public spaces protection order (or authorised by virtue of section 69(1)).

(2) The constable or authorised person may require P—

(a) not to consume, in breach of the order, alcohol or anything which the constable or authorised person reasonably believes to be alcohol;

(b) to surrender anything in P's possession which is, or which the constable or authorised person reasonably believes to be, alcohol or a container for alcohol.

(3) A constable or an authorised person who imposes a requirement under subsection (2) must tell P that failing without reasonable excuse to comply with the requirement is an offence.

(4) A requirement imposed by an authorised person under subsection (2) is not valid if the person—

(a) is asked by P to show evidence of his or her authorisation, and

(b) fails to do so.

(5) A constable or an authorised person may dispose of anything surrendered under subsection (2)(b) in whatever way he or she thinks appropriate.

(6) A person who fails without reasonable excuse to comply with a requirement imposed on him or her under subsection (2) commits an offence and is liable on summary conviction to a fine not exceeding level 2 on the standard scale.

Offences

67 - Anti-Social Behaviour, Crime and Policing Act 2014

Offence of failing to comply with order

(1) It is an offence for a person without reasonable excuse—

(a) to do anything that the person is prohibited from doing by a public spaces protection order, or

(b) to fail to comply with a requirement to which the person is subject under a public spaces protection order.

(2) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(3) A person does not commit an offence under this section by failing to comply with a prohibition or requirement that the local authority did not have power to include in the public spaces protection order.

(4) Consuming alcohol in breach of a public spaces protection order is not an offence under this section (but see section 63).

Section 191 – Licensing Act 2003

Meaning of "alcohol"

(1) In this Act, *"alcohol"* means spirits, wine, beer, cider or any other fermented, distilled or spirituous liquor in any state , but does not include—

(a) alcohol which is of a strength not exceeding 0.5% at the time of the sale or supply in question,

(b) perfume,

(c) flavouring essences recognised by the Commissioners of Customs and Excise as not being intended for consumption as or with dutiable alcoholic liquor,

(d) the aromatic flavouring essence commonly known as Angostura bitters,

(e) alcohol which is, or is included in, a medicinal product or a veterinary medicinal product,

(f) denatured alcohol,

(g) methyl alcohol,

(h) naphtha, or

(i) alcohol contained in liqueur confectionery.

(2) In this section—

"denatured alcohol" has the same meaning as in section 5 of the Finance Act 1995 (c. 4);

"dutiable alcoholic liquor" has the same meaning as in the Alcoholic Liquor Duties Act 1979 (c. 4);

"liqueur confectionery" means confectionery which—

(a) contains alcohol in a proportion not greater than 0.2 litres of alcohol (of a strength not exceeding 57%) per kilogram of the confectionery, and

(b) either consists of separate pieces weighing not more than 42g or is designed to be broken into such pieces for the purpose of consumption;

"medicinal product" has the same meaning as in section 130 of the Medicines Act 1968 (c. 67)

"strength" is to be construed in accordance with section 2 of the Alcoholic Liquor Duties Act 1979; and

"veterinary medicinal product" has the same meaning as in regulation 2 of the Veterinary Medicines Regulations 2006.

NOTE TO ACCOMPANY PSPO

WHAT HAPPENS IF YOU FAIL TO COMPLY WITH THIS ORDER?

ALCOHOL

Section 63 of the Anti-Social Behaviour Crime, and Policing Act 2014 provides that where a constable or authorised person has reason to believe that a person has been consuming alcohol in breach of this PSPO or intends to consume alcohol in circumstances which would be a breach of this PSPO, the constable or authorised person may require that person not to consume alcohol or anything which is reasonably believed to be alcohol and/or surrender anything believed to be alcohol or a container for alcohol. Failure to comply without having a reasonable excuse is an offence*. A requirement is not valid if, when asked to do to, the constable or authorised person, fails to show evidence of their authorisation. **Section 62** (set out in full below) contains a list of exceptions where the ban on consuming alcohol does not apply).

CRIMINAL OFFENCE

Section 67 of the Anti-Social Behaviour Crime, and Policing Act 2014 says that it is a criminal offence for a person without reasonable excuse:

(a) to do anything that the person is prohibited from doing by a public spaces protection order, or

(b) to fail to comply with a requirement to which the person is subject under a public spaces protection order.

PENALTY

A person who is guilty of an offence under this Order shall upon summary conviction in the magistrates' court be liable to a fine not exceeding level 3 (currently £1,000)* on the standard scale, or may be offered the opportunity of discharging liability to

conviction for the offence by payment of a fixed penalty of an amount up to £500, to be determined by the Council, and as specified in a fixed penalty notice.

* Any person who is guilty of an offence under Article 7 ii or iii of this Order under Section 63 of the 2014 Act shall upon summary conviction in the magistrates' court be liable to a fine not exceeding level 2 (currently £500) on the standard scale, or or may be offered the opportunity of discharging liability to conviction for the offence by payment of a fixed penalty of an amount up to £500, to be determined by the Council, and as specified in a fixed penalty notice.

APPEALS

Any challenge to this Order must be made in the High Court by an interested person within six weeks of it being made. An interested person is someone who lives in, regularly works in or visits the Restricted Areas.

This means that only those who are directly affected by the restrictions have the power to challenge. The right to challenge also exists where an order is varied by the Council. Interested persons can challenge the validity of this Order on two grounds: that the Council did not have the power to make the order, or to include particular prohibitions or requirements; or that one of the requirements of the legislation has not been complied with. When an application is made the High Court can decide to suspend the operation of the order pending the court's decision, in part or in totality. The High Court has the ability to uphold or quash the order or any of its prohibitions or requirements.