



Anti-social Behaviour, Crime and Policing Act 2014

2014 CHAPTER 12

PART 4

COMMUNITY PROTECTION

CHAPTER 1

COMMUNITY PROTECTION NOTICES

Community protection notices

46 Appeals against notices

- (1) A person issued with a community protection notice may appeal to a magistrates' court against the notice on any of the following grounds.
 1. That the conduct specified in the community protection notice—
 - (a) did not take place,
 - (b) has not had a detrimental effect on the quality of life of those in the locality,
 - (c) has not been of a persistent or continuing nature,
 - (d) is not unreasonable, or
 - (e) is conduct that the person cannot reasonably be expected to control or affect.
 2. That any of the requirements in the notice, or any of the periods within which or times by which they are to be complied with, are unreasonable.
 3. That there is a material defect or error in, or in connection with, the notice.
 4. That the notice was issued to the wrong person.

Status: This is the original version (as it was originally enacted).

- (2) An appeal must be made within the period of 21 days beginning with the day on which the person is issued with the notice.
- (3) While an appeal against a community protection notice is in progress—
 - (a) a requirement imposed by the notice to stop doing specified things remains in effect, unless the court orders otherwise, but
 - (b) any other requirement imposed by the notice is of no effect.

For this purpose an appeal is “in progress” until it is finally determined or is withdrawn.

- (4) A magistrates’ court hearing an appeal against a community protection notice must—
 - (a) quash the notice,
 - (b) modify the notice (for example by extending a period specified in it), or
 - (c) dismiss the appeal.