



# 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.

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**Changes to legislation:** Anti-social Behaviour, Crime and Policing Act 2014, Section 46 is up to date with all changes known to be in force on or before 20 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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For this purpose an appeal is “in progress” until it is finally determined or is withdrawn.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

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**Commencement Information**

**II** S. 46 in force at 20.10.2014 by S.I. 2014/2590, art. 3(c)

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[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 102(2)(ba) inserted by [2022 c. 32 Sch. 11 para. 35\(2\)\(a\)](#)