

*These notes refer to the Anti-Social Behaviour Act 2003
(c.38) which received Royal Assent on 20 November 2003*

ANTI-SOCIAL BEHAVIOUR ACT 2003

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 6: the Environment

Removal of graffiti

Section 51: Appeals

114. *Section 51* sets out grounds and processes for appeal. *Subsection (1)* allows appeal to be made to a magistrates' court within 21 days of the serving of the notice. *Subsection (2)* allows appeal on the grounds that the graffiti does not merit removal or in connection with the notice. Under *subsection (3)* any notice is suspended pending the appeal. *Subsection (4)* requires the court either to quash or modify the notice, or to dismiss the appeal. *Subsection (5)* allows the court to extend the period specified in the notice when it does not allow the appeal. *Subsection (6)* allows appeal on the grounds that the amount charged is excessive. *Subsection (7)* requires the court either to confirm the amount the authority seeks to recover or to substitute a lower amount.