



# Antisocial Behaviour etc. (Scotland) Act 2004

2004 asp 8

## PART 6

### THE ENVIRONMENT

#### *Graffiti*

#### **61 Non-compliance with graffiti removal notice**

- (1) Subsection (2) applies where a person on whom a graffiti removal notice is served (the “responsible person”) does not comply with it.
- (2) The local authority that served the notice or a person authorised by it may—
  - (a) remove, clear or otherwise remedy the defacement; and
  - (b) in so far as is reasonably necessary for that purpose, enter any land.
- (3) Where subsection (4) applies, a local authority may recover from the responsible person expenditure reasonably incurred by virtue of subsection (2).
- (4) This subsection applies where the local authority has served on the responsible person a notice setting out—
  - (a) the amount of; and
  - (b) details of,the expenditure which it proposes to recover.
- (5) Subsections (2) to (5) of section 160 of the 1990 Act shall apply in relation to the service of a notice mentioned in subsection (4) as they apply to notices required or authorised to be served under that Act.