



Anti-social Behaviour, Crime and Policing Act 2014

2014 CHAPTER 12

PART 4

COMMUNITY PROTECTION

CHAPTER 3

CLOSURE OF PREMISES ASSOCIATED WITH NUISANCE OR DISORDER ETC

Closure orders

83 Discharge of closure orders

- (1) At any time before the expiry of a closure order, an application may be made to a justice of the peace, by complaint, for the order to be discharged.
- (2) Those entitled to make an application under this section are—
 - (a) a constable, where the closure order was made on the application of a constable;
 - (b) the authority that applied for the closure order, where the order was made on the application of a local authority;
 - (c) a person on whom the closure notice was served under section 79;
 - (d) anyone else who has an interest in the premises but on whom the closure notice was not served.
- (3) Where a person other than a constable makes an application under this section for the discharge of an order that was made on the application of a constable, the justice may issue a summons directed to a constable considered appropriate by the justice requiring him or her to appear before the magistrates' court to respond to the application.

Changes to legislation: Anti-social Behaviour, Crime and Policing Act 2014, Section 83 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](#)

- (4) If a summons is issued under subsection (3), a notice stating the date, time and place of the hearing of the application must be served on—
- (a) the constable to whom the summons is directed;
 - (b) the persons mentioned in subsection (2)(c) and (d) (other than the complainant).
- (5) Where—
- (a) the order in question was made on the application of a local authority, and
 - (b) a person other than that authority makes an application under this section for the discharge of the order,
- the justice may issue a summons directed to that authority requiring it to appear before the magistrates' court to respond to the application.
- (6) If a summons is issued under subsection (5), a notice stating the date, time and place of the hearing of the application must be served on—
- (a) the authority mentioned in that subsection;
 - (b) the persons mentioned in subsection (2)(c) and (d) (other than the complainant).
- (7) The magistrates' court may not make an order discharging the closure order unless satisfied that the closure order is no longer necessary to prevent the occurrence, recurrence or continuance of—
- (a) disorderly, offensive or criminal behaviour on the premises,
 - (b) serious nuisance to members of the public resulting from the use of the premises, or
 - (c) disorder near the premises associated with the use of the premises.

Commencement Information

II S. 83 in force at 20.10.2014 by [S.I. 2014/2590](#), [art. 3\(c\)](#)

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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\(2\)\(a\)](#)