



Mr L Cummings
65 Sydenham Court
Berkshire Close
PORTSMOUTH
PO1 1RF

**Transport and Street
Management**

Portsmouth City Council
Civic Offices
Guildhall Square
PO1 2NE

Phone: 023 9284 1368

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Our Ref: LB/LL/2769/C

Your Ref:

Date: 18 August 2009

Dear Mr Cummings

UNLAWFUL ADVERTISING

On 17th August 2009 posters were found affixed to bus stops throughout the Southsea area of Portsmouth, including but not limited to Kings Road, Elm Grove, Osborne Road and Palmerston Road. Some posters were also found affixed to shop frontages in Elm Grove, Southsea. The posters were advertising a website which was www.po12bg and had a photograph of Adolph Hitler and various other men on it.

A search on the web domain address has shown that you are the registered domain administrative contact for this site, and so can be considered the promoter for this web address.

No permission was granted for these posters to be placed on the bus stops, and the shop owner of 63 Elm Grove has informed us that no permission was given for the posters to be affixed to his shop windows.

I am writing to advise you that:

It is an offence under Section 132 of the Highways Act 1980 without the consent of the highway authority or without reasonable excuse to affix any picture, letter, sign or other mark of the surface of the highway or any tree, structure or works on the highway and if they do so under this provision they are liable to a maximum fine of £2,500 for each offence. Any person whose goods, trade or business is given publicity by the advertisement may also be liable for prosecution.

It is also an offence under Section 224 of the Town and Country Planning Act 1990 to display an advertisement without the consent of the local planning authority or the Secretary of State and anyone convicted is liable to a maximum fine of £1,000. Any person whose goods, trade or business is given publicity by the advertisement may also be liable to prosecution.

PTO/...

Please can you arrange for the removal of all posters advertising your web site from Portsmouth and Southsea areas to be taken down within the next 48 hours from the date of this letter from sites where no permission has been given for them to be displayed. If any posters are found after the 48-hour period (16:00 hours Thursday 20th August 2009), Portsmouth City Council will remove them and any costs incurred for there removal will be passed on to you.

If any further signs are displayed unlawfully in the future we may seek to obtain an anti-social behaviour order and/or prosecution proceedings will be commenced against all those involved.

Yours sincerely



Lauren Bellamy
for Clean City Manager