

**TOWN AND COUNTRY PLANNING ACT 1990
APPEAL BY UNITED SYNAGOGUE ERUV COMMITTEE
SITE AT VARIOUS LOCATIONS WITHIN BARNET**

I am a resident of Barnet and of Hampstead Garden Suburb where I have now lived for thirty years. I believe that the appeal by the United Synagogue Eruv Committee should be rejected for reasons which I state below.

1. I do not need to repeat arguments already put on behalf of Barnet and with which I agree regarding the effect of this proposal on the environment. I do wish, however, to emphasise one point. *Any* proposal for an addition to street furniture should be critically examined. Additional street furniture intended to serve the interests of the great majority of local residents may, reluctantly, have to be accepted. Additional street furniture intended to serve the needs only of a small minority should have to pass a very high level of proof. This proposal comes nowhere near satisfying that level of proof. I do not accept the argument that there is already so much street furniture that a bit more is acceptable or will pass unnoticed. I do not accept it first because this proposed addition, due to its curiosity, will certainly be noticed; secondly, because of the effect of all street furniture on the environment; thirdly, because street furniture can become a hazard, for example if it is on the pavement it can become a hazard to pedestrians; and, fourthly, because of the risk that one successful application of this kind will lead to others which may be able to claim equal or better justification.

2. People entering the eruv area will be at once aware of the fact that they are entering a specially defined area. Poles and wires cannot be made inconspicuous. The nature of the community in which Barnet residents now live will be changed by giving the area a particular religious significance.

3. Hampstead Garden Suburb is a conservation area. The poles and wires necessary to enclose the eruv will not improve the character and quality of Hampstead Garden Suburb conservation area and, by definition, they will not maintain it. They will, in fact, detract from the environment of the conservation area.

4. Although this is a planning enquiry it seems to me relevant to consider not just technical planning questions but the effect of the creation of the eruv on the life of the local community. It will cause friction. The manner in which the campaign for an eruv has been conducted by the proposers has been illiberal and has already aroused opposition not least within the Jewish community. One religious leader in the area has accused opponents of the eruv of anti-Semitism thus causing intense anger among people who are only exercising their civic right to oppose a proposal of which they strongly disapprove. Lord McGregor of Durris was subjected to vilification because of the correct attitude which he took and, as a result, he resigned the chairmanship of Hampstead Garden Suburb Trust.

5. Need

a) At the pre-inquiry, the Inspector said that he will carefully examine the question of need. I hope he will take the view that, if a group of people adopt a particular view of the

requirements of their religion, that does not create a need to reorganise the outside world to make it more comfortable for them in the fulfilment of those requirements.

b) If the Inspector looks at the question of need from other points of view, I hope he will take account of the following considerations. It has been claimed that this proposal will be of benefit to a very large number of people. This is a matter which the Inspector is best equipped to establish by questioning the evidence on which the claim of need is based. Jews have lived in this country for some centuries. It has never previously been represented that without an eruv the proper exercise of the Jewish faith places unacceptable burdens on believers. In any event if people believe that the pushing of prams and wheelchairs, or the carrying of handkerchiefs, on the Sabbath, is inconsistent with their faith, that is their choice. It can hardly be argued that they *suffer* as a result of abiding by their own religious convictions. The only question that might arise is the extent to which they thereby impose suffering upon those who cannot make their own choice, for example children and disabled people.

In the light of these considerations, I hope that the Inspector will, among other questions, put the following:

- i) how have Jewish people managed in the last hundred or so years;
- ii) how many people actually *suffer* from the absence of an eruv and exactly what degree of suffering is caused;
- iii) what have such people been doing thus far on the Sabbath and what difference will an eruv make to them?

My own view is that, as a matter of general principle as expressed in a) above, there is no need for an eruv. If, however, the Inspector decides to look at the matter from any other point of view, my expectation would be that careful examination of the evidence will establish no need that comes anywhere near satisfying the high level of proof required to justify the erection of poles and wires, however many or however few, on public land within the borough. If people choose a particular way of life, they should not expect that they are then entitled to gain relief from their self-imposed obligations by requiring that poles and wires be erected in an area inhabited by a great many more who do not share their beliefs and whose environment will be deleteriously affected.

