

Fri, Oct 2, 1992

**From the persons whose names and addresses are set out below.**

**To Councillors**

John Tiplady, Don Goodman, Jim Anani ,  
Gillian Bull, Eddie Bunn, Anita Campbell, Jack Cohen , Melvin Cohen  
Stan Cross , Julian D. Czarny , Frank Davis, Jane Ellison, Eva  
Greenspan Victor Lyon, Mrs. Mary Phillips Mrs Sheila Scott Agnes  
Slocombe Alan Turner R.J Vis Dr. Williams Malcolm Lester Archie  
Smith Doreen Neal/Tim Sims Leslie Foster John Hedge Monroe Palmer  
Brian Stone Mike Freer Helena Hart Roy Schutz Veronica Soskin and to  
such others as it may concern:.

**Dear Councillor,**

**The Eruv Planning Application by the United Synagogue**

We write to urge you to oppose the above application on the following grounds:

**LOCATION AND APPEARANCE**

1) **The position of the whole of the southern boundary remains undecided** because of a decision by the City Corporation which has **unequivocally refused** its consent for the proposed fence construction in Golders Hill Park.

We quote from a letter from the Superintendent of Hampstead Heath, Corporation of London, Paul Canneaux dated 14th August 1992:

**"The situation as far as the Heath is concerned is that I have refused permission for the Eruv to be sited on the Heath, whether it be Golders Hill Park or any other part of the Heath. Indeed, several members of the Jewish community have indicated to me that they do not wish the proposal to go forward. A major factor in my refusal was the fact that the Eruv was to be a permanent feature. Also the point you made about other minority groups seeing this as a green light for their own particular view to be similarly expressed was another concern of mine."**

2) The decision by the applicants to proceed with this application

notwithstanding their clearly established inability to carry it out as proposed, appears to involve an unworthy use of the democratic process, designed to gain acceptance of the unacceptable in broad terms, in the hope of obtaining a subsequent rubber stamp approval, to the real application. A similar intention would be manifest in any attempt to secure a temporary permission.

**On a matter of this kind of public importance, involving the positioning of posts and lines on dedicated highways all over the borough, these procedures are not acceptable.**

3) The proposal indicates the crossing of one main trunk road at least. This is the A41. Any proposal involving a trunk road will require Dept. of Transport's consent. That consent has not been given and although there have been lengthy negotiations with the Dept. of Transport no formal consent has yet been applied for. If consent is refused, that will also alter the proposed boundaries.

4) The application speaks of "telegraph poles and/or lamp posts" and brackets attached to existing lamp posts. The application does not state clearly the material, nor does it tell you their maximum height. They cannot look like 'lamp posts' or 'telegraph poles' because they will not be located like lamp posts or telegraph poles. The lamp posts will have no lamps and the telegraph poles no cables

5) According to the proposal the poles have to be sited within a foot (300 mm.) of the house or other adjoining boundary. They will not be sited, as is the other street furniture, lamps, etc. on the kerb. They will be sited close to the boundaries of the relevant properties one post on each side of the street, the line spanning the footpath, any verges and the roadway. They cannot look like any other street furniture, because that has a precise functional design and location.

6) Their design and location will be determined in accordance with Jewish Religious Law and an influential orthodox group of Rabbis, has expressed opposition, on these very questions.

7) All that can be said with certainty is that, the appearance and siting of the "gateways" would involve a degree of permanent visual blight, affecting over 30 roads in the borough.

8). Since the poles will have an impact on visual appearance on the Suburb, Hampstead Garden Suburb Trust, in seeking to protect the environmental standards for which it is legally responsible, has

**expressed concerns about the visual blight involved in the Suburb.**

9) The area of Barnet involved is considerably more than **6 sq. miles, the perimeter is said to be more than 11 miles** (It is impossible to state this with precision because the actual boundaries are not yet decided upon). **There is over a mile of nylon line/wire and over ninety posts involved. The size of the scheme is objectionable in itself.**

10) The highways are dedicated for **public use**. Public means the public at large. This is why there are no telegraph poles, electricity cables, lamp posts or any permanent structure whatever on the streets for the benefit of a specific individual or specific group. As for street signs of a permanent nature, they provide information **for the benefit of the public at large** either to control traffic or give direction. **The proposed installation of permanent private religious symbols on the public highway, conveying information exclusively to those of a specific group or religion is, as far as this country is concerned, an historic anathema.**

#### **FURTHER OBJECTIONS:**

##### **The Precedent**

If granted, there will be set up a precedent whereby **any minority group will see it as a green light for their own particular view to be expressed on the public highway.** They will plead that the Barnet Borough Council is prejudiced if they refuse them, after allowing the Eruv. They might also plead that their proposal be dealt with in such a way as would minimise public objection. In the case of the Eruv, the **public** was informed by advertisement in the local press in the issue published over the summer bank holiday weekend on the 28th. August and were stated to have only twelve working days (till the 18th September), in the peak summer holiday period, .

As far as we have been able to discover there is no other Eruv. in Europe on public land apart from a tiny one affecting a few streets in Antwerp.

##### **Emblem of Disharmony**

a) If granted, **the wire will be easily broken by accident or malice.** Its presence and purpose will be an attractor for any **religious or racial extremists** who wanted to make as much trouble as possible with the least possible effort. As an example only; one snip of the wire could cause the Sabbath to be unwittingly breached by thousands of orthodox Jews. It is possible to foresee an **Eruv protecting vigilante** being formed in opposition to such actions. (The

possible embryo for this vigilante is already envisaged in the proposal)  
b) The Eruv is not only seen by many as an **emblem of disharmony** and has actually become one. Viz. Ham & High 25th. September "Orthodox Jewish lobbyists forced Lord McGregor to resign as chairman of the Hampstead Garden Suburb Trust...over a Trust letter to Barnet raising concerns about the Eruv."

Crying Suburb Residents Association Chairwoman said, 'it was the unhappiest day of my life'. Suburb resident who had lived 'happily with persons of all faiths' for 40 years said '...Today I feel like an alien... today is a tragedy a real tragedy '

Here you have a transparent example of the **use of means designed to suppress evade or manipulate reasoned consideration**. Hundreds of people have packed out a meeting to crush the mildly expressed concerns of a volunteer public body which has legal responsibilities for looking after the environmental standards of the Suburb. They used a telescopic camera to illustrate the 'irregular' garden elevation fenestration of Lord McGregors house which 'irregularity' has been in existence since before 1952 when Lord McGregor purchased it.

These same people are seeking to force upon the whole borough the construction of 98 posts supporting over a mile of nylon line which together with existing roads will be used to mark the eleven mile perimeter of the whole of the southern part of Barnet including South Finchley Mill Hill East the whole of Hendon, Golders Green, Hampstead Garden Suburb and the part of Cricklewood on the Eastern side of the Edgware Rd. There are 32 roads around the perimeter which will be crossed by overhead wires supported on posts.

**.Conditional consents or temporary consents will similarly be exploited as a stepping stone, to achieve the desired objective.**

c) Groups of Jews of various religious gradations including very significant **orthodox Rabbis**, have expressed **religious beliefs against the Eruv**. Others are unwilling to make their opposition public, for fear of showing dissension within their community. Christians on the other hand are sometimes reluctant to express their opposition to the Eruv for fear of being labelled anti semites.

d) **Jews form a minority in the area which is of diverse social, religious and racial population**. Members of the United Synagogue, whose representatives are making the proposal, form only a proportion (perhaps not even a majority) of this minority, and it cannot be assumed that a majority of the United Synagogue membership are fully informed as to the proposal.

e) If granted, the Eruv might also **alter the demographic mix** of the area so marked out insofar as, persons holding the religious beliefs

facilitated by the construction of the Eruv, will be attracted to buy property within the boundary marked out by the Eruv. Housing would then be advertised as being 'within the Eruv'.

### **The creation of a ghetto**

Many of all faiths ,and of none, are opposed, to what they can only see as as the **creation of a ghetto** .

This raises painful associations for many , and the feelings of the holocaust survivors are of particular poignancy in this respect. One of the objectors who lost both his parents in the camps, when studying the details of the application said

'There are gates, there are wires . Am I like my parents to be forced to walk in and out of gates of the ghetto every day?'

### **The Public Principle**

It is not merely that there would be a change in the way a group of people carry out their Sabbath observances within the Eruv. This would be the case for example, if only existing public roads or spaces were specified by the United Synagogue for its members, as Eruv boundaries. No planning ,or any other permission would be required for this . No one, other than members of the United Synagogue, would be concerned about it.

**The material change proposed is the change of use of the public highway by the construction of a series of poles with nylon line upon them, with a view to facilitating a private religious purpose. The suggestion of the proponents that the Eruv is of relevance only to those concerned with their Sabbath observance, is not tenable. The permanent establishment of fixtures having only symbolic religious significance, on publicly dedicated highways, sets a precedent and is of concern to all road users.**

In this respect Council members will be aware, that for about 50 years there has been a significant Jewish minority in the borough, many of which were members of the United Synagogue. These generations have lived full and contributing lives in the Borough and have not found it necessary or useful to require an Eruv.

**Rational opinion of any faith, race or social group or of strictly secular conviction, upon being properly informed, would agree with H H Judge Finney (July 10th 1992 Ham & High ) that:**

**"it cannot be right to mark out a huge area of London with poles and wires , an area socially, religiously and racially mixed, so that a minority of the population should be enabled to avoid its own strict rules of Sabbath observance"**

This letter is sent by the following in alphabetical order:

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