

LONDON BOROUGH OF BARNET

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Agenda
Item

7

Page No. 47-52

<u>COMMITTEE</u>	: PUBLIC WORKS
<u>DATE</u>	: 28 April 1992
<u>SUBJECT</u>	: ESTABLISHMENT OF AN ERUV IN THE HENDON AND GOLDERS GREEN AREAS OF THE BOROUGH
<u>CONTRIBUTORS</u> (Lead officer underlined)	: <u>DIRECTOR OF TECHNICAL SERVICES</u>
<u>STATUS</u> (if exempt state classification)	: PUBLIC
<u>WARD</u>	: HENDON, GOLDERS GREEN, GARDEN SUBURB
<u>ENCLOSURES</u>	: PLAN NO. 15761

1. SUMMARY

- 1.1 This report seeks the approval of the Committee to the granting of a licence to the United Synagogue Eruv Committee for the establishment of an ERUV subject to all the conditions detailed in the Recommendations.

2. RECOMMENDATIONS/CONCLUSIONS (for decision by Committee)

- 2.1 THAT THE UNITED SYNAGOGUE ^{ERUV} COMMITTEE BE GRANTED CONSENT UNDER SECTIONS 178 AND 181 AT THE HIGHWAYS ACT 1980 TO ERECT WIRES ~~ONE~~ THE PUBLIC HIGHWAY AT PRESCRIBED CROSSING POINTS FOR A PERIOD OF ONE YEAR FROM THE INITIAL GRANTING OF THE LICENCE, SUBJECT TO:-
- (A) DETAILED DESIGN CALCULATION BEING APPROVED BY THE DIRECTOR OF TECHNICAL SERVICES;
 - (B) ALL NECESSARY APPROVALS AND CONSENTS BEING OBTAINED INCLUDING PLANNING PERMISSION;

- Allevius*
- (C) ~~APPROPRIATE~~ FROM THE CITY OF LONDON, THE DEPARTMENT OF TRANSPORT AND THE PUBLIC UTILITIES WHERE APPROPRIATE;
 - (D) THE APPLICANTS PROVIDING AN INDEMNITY IN A FROM ACCEPTABLE TO THE CONTROLLER OF LEGAL SERVICES AND;
 - (E) THE APPLICANTS AGREEING TO PAY THE FULL COSTS INCURRED BY THE COUNCIL IN CONSIDERING THE APPLICATIONS AND CONSIDERING THE LICENCE.

2.2 THAT THE DIRECTOR OF TECHNICAL SERVICES BE INSTRUCTED TO INFORM THE UNITED SYNAGOGUE ERUV COMMITTEE OF THE ABOVE DECISION AND TO TAKE ALL NECESSARY ACTION.

3. RELEVANT PREVIOUS DECISIONS

3.1 Public Works Committee 6/2/90 - 13.

4. POLICY CONSIDERATIONS

4.1 The general principle of permitting a localised Eruv was accepted in February 1990 when the Committee agreed to the Woodlands Close Eruv.

5. RESOURCE IMPLICATIONS

5.1 All works and fees will be funded by The United Synagogue Eruv Committee. The staff and resources costs committed to considering the Eruv have been dealt with by a gift from the United Synagogue Eruv Committee.

6. MONITORING OFFICERS' OBSERVATIONS

6.1 None.

7. HEAD OF PAID SERVICES' OBSERVATIONS

7.1 None.

8. BACKGROUND INFORMATION/OFFICER'S COMMENTS

8.1 The United Synagogue has formed an Eruv Committee to establish an Eruv within Barnet. The proposed Eruv, which is shown on the attached plan, encompasses all of Hendon and Golders Green, together with small areas of Hampstead.

3/ABM.021

Garden Suburb and Cricklewood. It is approximately 17 square kilometres with a total perimeter of 18 kilometres.

- 8.2 An Eruv is a zone which makes public areas 'private' in nature to the followers of the Orthodox Jewish faith. Without an Eruv they are prohibited from carrying anything in public i.e., outside their homes on their Sabbath, this requirement extending to keys, handkerchiefs, money, medicine and the pushing of babies in prams.
- 8.3 The perimeters enclosing an Eruv are common in the United States of America and some European Countries. To be effective, an Eruv requires an enclosed boundary perimeter the demarcation of which can be by way of normal physical boundaries such as fences, walls of houses, railways, etc. To complete the Eruv, it is necessary to create an artificial boundary, where the perimeter is breached, and this is normally achieved by means of a high level wire across such breaks e.g. over a highway.

The wire may be nylon or steel and will be suspended between posts which may be of steel or timber construction. This arrangement forms what is known as a 'gateway' and completes the ERUV boundary where the perimeter is breached by highways or other features.

- 8.4 This is the second application to be presented to the Public Works Committee for an Eruv boundary wire, the first was at Woodlands Close (6/2/90). The Committee granted consent under Section 178 of the Highways Act, 1980 for the erection of a wire over the public highway at the entrance to Woodlands Close, subject to the Council's reasonable terms and conditions.
- 8.5 The wire at Woodlands Close is suspended approximately 6.1m above the highway and is hardly noticeable to the passer by. It is inspected by an Eruv Committee member weekly, on the eve of the Jewish Sabbath to ensure that it, and hence the Eruv boundary, is intact. The wire at Woodlands Close has been in place for two years without any reported problems.
- 8.6 The vast majority of the perimeter of the proposed ERUV requires no attention whatsoever. Existing structures, perimeter fences and topography are satisfactory boundaries for Eruv purposes. The designations of a particular feature as the limit of the Eruv is of relevance only to those who wish to know "up to here I may carry", but in every other respect remains unchanged and effectively invisible.
- 8.7 The following areas require action to provide continuity to the boundary:-

1. The boundary fence to Golders Hill Park

2. Hampstead Heath extension

3. Where the boundary crosses public highways

In these areas "gateways", either a series of posts, or posts with a wire running between them need to be constructed.

8.8 The existing southern perimeter fence of Golders Hill Park as indicated on the attached plan No. 15761 is not substantial enough to be used as part of the perimeter and would need to be supplemented with either a series of short posts (1.2m high) at 10m centres, along the tops of which a wire would run. Or an upgrading of the existing boundary

fence. This would be funded by the Eruv Committee and would cover approximately 480 m in length. I have written to the Corporation of the City of London about this and their reply will be reported orally at the meeting.

8.9 A short section of the Heath Extension will also require a series of discrete gateways, consisting of a series of 6 poles (5m high) with a wire running along their tops. This would be funded by the Eruv Committee and would cover about 95m in length. The proposals within this section will require the approval of the Corporation of the City of London as managers of Hampstead Heath, and their observations will be reported orally at the meeting.

8.10 The perimeter of the proposed fence is breached by 31 roads all of which will require a "gateway", consisting of posts and a suspended wire at a height of 6.1m above the carriageway.

8.11 Section 178 and 181 of the Highways Act cover the provision of apparatus on and over the public highway and the necessary consents required from the highway authority.

8.12 Of the 31 road crossings, 9 are crossing trunk roads and will require permission from the Department of Transport. The spans will range from 13m to 54m. The other 22 are Borough roads and will require Council approval. The spans will range from 8m to 30m.

In both cases, formal agreements will be required, and in respect of those requiring Department of Transport's approval, the Eruv Committee will receive an Approval In Principle but the full acceptance from the Department of Transport will only come after the posts and wires have been considered and approved as a 'highway structure'. Copies of correspondence with the Department of Transport will be available at the meeting.

3/ABM.021

? MAINTENANCE RESPONSIBILITY
CAR ACCIDENTS - FALLEN WIRE
DIFFERENT TO WOODLANDS CL.

? SEE OTHERS ERUVS IN LONDON
? OTHER RESIDENTS - IMPAIR OR OTHERS
? HEIGHT - HGS? APPROVE VISUAL

ASSET
US LOW INDEFINITE
PREPARE DRAWING OF FENCE

8.13 The Eruv proposals submitted appear feasible in engineering terms. The general principles of the planning process have been discussed between officers of the Planning and Engineering Groups. The representatives of the Eruv Committee have been advised that a planning application will have to be made for each crossing. This will probably take the form of a single application which deals with all 31 crossings. The United Synagogue Eruv Committee will be asked to begin formulating their detailed design proposals and calculations for submission to the Director of Technical Services should the Committee decide to accept the recommendation. The Committee is requested therefore to approve the granting of a licence under Sections 178 and 181 of the Highways Act for an initial period of one year, subject to the necessary design checks, all associated approvals and consents being obtain, including planning provision and the completion of an indemnity to the satisfaction of the Controller of Legal Services.

9. LIST OF BACKGROUND PAPERS

9.1 Correspondence between the United Synagogue Eruv Committee and the Director of Technical Services.

Any person wishing to inspect any background papers listed above or on file should telephone 081-446 8511 ext. 4470.

10. AUTHOR

10.1 Director of Technical Services - Mr John Koster - Ext. 4370

10.2 DF - PA

10.3 MO - JDJ

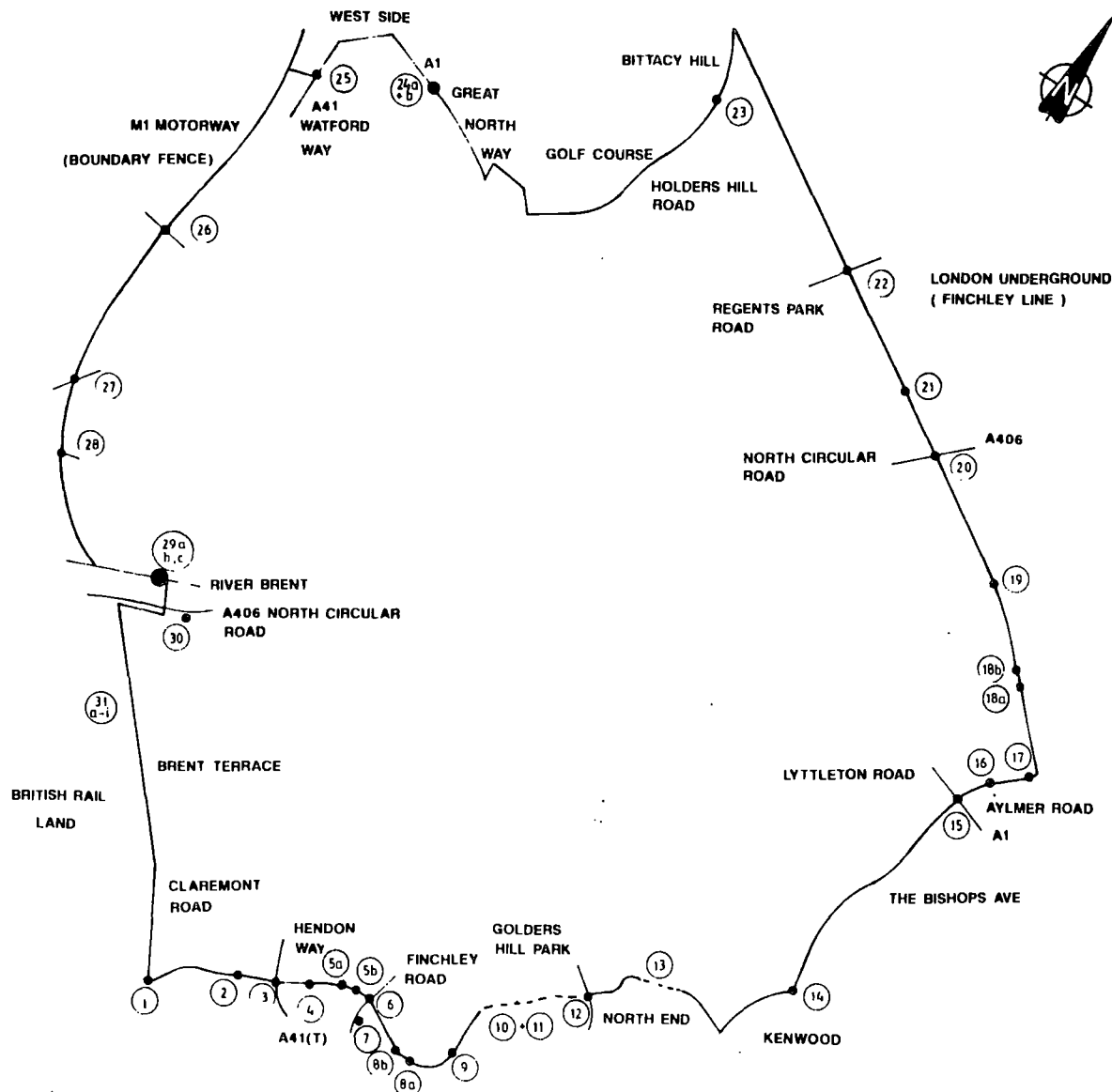
APPROACH TO ENGINEER : SUPPORT VS

COUNS. LEITERER V. NFG

? SINK ERUV KISTAD OF OVERHEAD.

E/JK/CAS/10 April 1992

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NOTES:

Revision and Date	Description	Initial	

A G. Williams
Director of Technical Services

G G T Beattie
Controller of Engineering Services
Barnet House, 1255 High Road.
Whetstone, N20 0EJ
Tel. 081-446 8511 Fax. 081-446 6494



TECHNICAL SERVICES ENGINEERING GROUP

SCHEME:

HENDON AND GOLDERS GREEN

TITLE:

PROPOSED ERUV

Scales:	DIAGRAMMATIC	Date	4/92
Initiated:	JOK	Drawn:	HLK
		Checked:	

DRAWING NO:

15761

A5. HOUSING AND ENVIRONMENTAL SERVICES COMMITTEE

All matters relating to:-

- (a) The functions of the Council as Housing Authority.
- (b) The functions of the Council as Local Environmental Health Authority.
- (c) Consumer Protection and Trading Standards.
- (d) Council markets and street trading.
- (e) Licensing not the responsibility of any other Committee.
- (f) The management of any site provided under the Caravan Sites Act 1968.

(i) Appeals and Applications Panel

To consider and determine applications and appeals relating to licences or statutory notices which fall within the purview of the Housing and Environmental Services Committee.

A6. PUBLIC WORKS COMMITTEE

- (a) All matters relating to sewerage and drainage (except deposited plans for sewerage and drainage of building estates and buildings).
- (b) The collection of household and trade refuse and salvage, the promotion of the recycling of waste materials and the fostering of anti-litter attitudes.
- (c) The provision, maintenance and management of public conveniences.
- (d) All matters relating to highways (including cleansing, lighting, maintenance and traffic management), public rights of way, public transport services, public telegraphs and telephones and cables under or adjoining highways, parking places (on or off-street) and road safety.

(i) Traffic Management and Road Safety Advisory Sub-Committee

To consider and make recommendations to the Public Works Committee, as necessary, on the following matters:-

- (a) the undertaking of action on proposals contained in the Council's approved road safety plan;
- (b) the amendment from time to time of the road safety plan;
- (c) the examination of road safety accident statistics;
- (d) the determination of a programme of remedial measures and the examination of schemes for high risk locations;
- (e) the examination of an Annual Plan for the Road Safety Unit within the Directorate of Technical Services

(ii) Recycling Liaison Advisory Sub-Committee

To consider and make recommendations to the Public Works Committee, as necessary, on the following matters:-

- (a) the promotion of recycling in the Borough;
- (b) the assistance and encouragement to be given to local community groups and businesses to enable them to set up their own recycling schemes;
- (c) the promotion of the use of recycled and recyclable materials in the Borough;
- (d) the promotion and development of economic recycling schemes in the Borough;
- (e) the monitoring and review of the Council's Recycling Plan;
- (f) the monitoring of the Recycling Credit Scheme.

(iii) Transport Liaison Panel (Informal Meeting)

To discuss with London Regional Transport and its subsidiaries, or licensed operators and British Rail matters affecting public transport within the Borough and to report, where necessary, to the Public Works Committee.

A7. RECREATION, LEISURE AND ARTS COMMITTEE

- (a) All matters relating to the provision and promotion of recreation, leisure, crematoria and cemeteries, libraries, museums, arts and tourism in the Borough (except youth and community activities provided under the Education Acts within the responsibility of the Further Education Sub-Committee).

- (ii) on all matters of professional and managerial responsibility to achieve the efficient management and execution of the Council's functions;
- (iii) in cases of emergency.
- (d) The Chief Executive, Directors and Chief Officers may authorise Officers in their Departments to exercise powers delegated under this Standing Order. Any decisions taken under this Authority shall remain the responsibility of the Chief Executive, Director, or Chief Officer as appropriate and must be taken in the name of that officer.
- (e) In exercising these delegated powers the officers concerned shall have broad discretion, subject to complying with all relevant legislation, the Council's Standing Orders, Standing Orders for Contracts and Financial Regulations to use the most efficient and effective means available, including the deployment of staffing and other resources within their control and the procurement of other resources necessary whether within or outside the Council.
- (f) Emergency action taken under these powers must be reported to the next meeting of the appropriate Committee, Sub-Committee or Panel concerned.
- (g) Where the Chief Executive or Director is to be absent for any period he/she shall nominate, in writing, another Officer to act as Chief Executive or Director during the appropriate period of absence unless a Deputy has been appointed by the Chief Officers' Appointments Executive Committee.

5. REFERENCE UP TO COUNCIL OR COMMITTEE

Any Committee may report on any matter in respect of which they desire to make a recommendation to the Council, or upon which they desire to seek the instructions of the Council and, except in the case of meetings of the Appeals Committee and the Town Planning and Research Committee, or matters which have been the subject of a decision of the Council in the preceding six months, it shall be competent for one-third of the number of Council Members appointed to the Committee (on the basis that any quotient which is a mixed number shall be reduced to the next lowest whole number) or four of such Members, whichever is the

greater, to require at the meeting that no action shall be taken in respect of a particular matter, but that the Committee shall make a recommendation thereon to the next meeting of the Council to which they would ordinarily report.

Note: Matters which have been the subject of consideration or decision by the Council within the preceding six months can therefore only be referred to the Council if a majority of members present at the meeting so require, and the Committee so resolves.

With the exceptions referred to below, the provisions of this Standing Order shall also apply to Sub-Committees (including the Executive Committees of the Policy and Resources Committee) but not to the Joint Consultative Committees. Thus, it will be competent for one-third of the number of Council members appointed to a Sub-Committee (or Executive Committee) or three such members, whichever is the greater, to require that no action be taken in respect of a matter and to refer the matter for decision to the next meeting of the Committee to which the Sub-Committee would ordinarily report.

The exceptions are:-

- (i) The Area Planning Sub-Committees (where either the Chairman or four members present at a meeting may refer a matter to the Town Planning and Research Committee); and
- (ii) The Direct Service Organisations Executive Committee (where a majority of members present at the meeting may refer a matter to the Policy and Resources Committee).

Committees, 1993/94 - continued.

Councillors:
A. CAMPBELL
J. D. CZARNY
F. DAVIS

Substitute Members:
Councillors:
M. W. FREER
S. M. SCOTT

Councillors:
F. E. POOLE
J. D. RAWLES
K. SMITH

Councillors:
A. J. WILLIAMS

CRAFTSMEN'S JOINT CONSULTATIVE COMMITTEE

Council Side:
Chairman:
Councillor J. D. RAWLES

Councillors:
A. CAMPBELL
J. D. CZARNY
F. DAVIS

Substitute members:
Councillors:
H. E. MAMMATT
S. M. SCOTT

Councillors:
F. E. POOLE
K. SMITH
L. SUSSMAN

Councillors:
A. J. WILLIAMS

JOINT CONSULTATIVE SAFETY COMMITTEE

Chairman:
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Councillors:
A. CAMPBELL
D. R. GOODMAN
B. I. LANGSTONE

Council Side Substitutes:
Councillors:
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H. D. HART
D. N. NEALL

Councillors:
J. PERRY
K. SMITH

Councillors:
M. PHILLIPS
J. D. RAWLES
A. J. WILLIAMS

WHITLEY WORKS JOINT CONSULTATIVE COMMITTEE

Council Side:
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Councillors:
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Councillors:
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A. J. WILLIAMS

Council Side Substitutes:
Councillors:
E. GREENSPAN
J. HEDGE

Councillors:
D. N. NEALL

Committees, 1993/94 - continued.

SUPERANNUATION FUND MANAGEMENT PANEL

Councillors:
B. L. SALINGER
A. H. FINN
R. J. VIS

Substitutes:
L. SUSSMAN
M. W. FREER
A. J. WILLIAMS

PUBLIC WORKS COMMITTEE
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Councillor D. R. GOODMAN

Vice-Chairman:
Councillor M. W. FREER

Councillors:
M. COHEN
S. J. CROSS
J. ELLISON
O. M. EVANS
E. S. HILLMAN
M. J. KHAMISA

Councillors:
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H. E. MAMMATT
F. E. POOLE
J. M. RYAN
G. D. SHAMASH

TRAFFIC MANAGEMENT AND ROAD SAFETY ADVISORY SUB-COMMITTEE

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Councillor D. R. GOODMAN

Vice-Chairman:
M. W. FREER

Councillors:
S. J. CROSS
B. I. LANGSTONE
H. E. MAMMATT

Councillors:
F. E. POOLE
G. D. SHAMASH

RECYCLING LIAISON ADVISORY SUB-COMMITTEE

Chairman:
Councillor M. W. FREER

Vice-Chairman:
Councillor D. R. GOODMAN

Councillors:
M. COHEN
J. ELLISON
O. M. EVANS

Councillors:
E. S. HILLMAN
J. M. RYAN

TRANSPORT LIAISON PANEL

Chairman:
Councillor D. R. GOODMAN

Councillors:
M. W. FREER
E. S. HILLMAN

Councillors:
H. E. MAMMATT
F. E. POOLE