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RECEIVED
17 October 1992
ADMINISTRATIVE

Local Commissioner for Administration
Queen Anne's Gate
London SW1A 0BW

Dear Sir/Madam,

Planning Application for an Eruv in London Borough of Barnet

The Department of the Environment has pointed out that it is open to us to take our complaints against the Borough Council of Barnet to you.

Our first complaint is that the Council did not make the following information about the Application for an Eruv publicly available in its newspaper notice or in its circular to residents who would be most directly affected by the erection of posts close to their property:

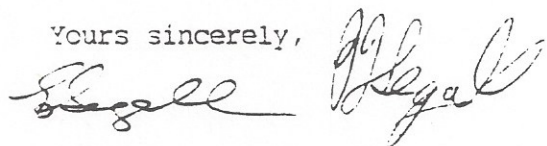
1. The posts would be owned by the Applicant.
2. The Applicant is the United Synagogue Eruv Committee.
3. It is generally intended to use telegraph poles approximately 7.0 metres high. The siting of the poles is the prerogative of the Applicant.
4. The Application distinguishes between "the public and the private domain" and states that "the purpose of the Eruv is to convert the entire area within the boundary into one, notionally jointly owned domain,".

The Planning Group could not answer our questions on 1-4 when we enquired by telephone. We therefore put the questions in a letter to the Council on 12th September but did not receive an early reply. As the closing day for comments was 18th September, we wrote our comments opposing the Application handicapped by not having the answers to our questions. We subsequently received the answers by post in a letter dated 22nd September.

Our second complaint is with regard to item 5. We believe that the Council, before accepting the Application, should have ascertained whether it might be unconstitutional to allow the erection of permanent structures to symbolise an area of the Borough being a "private domain", albeit as "one, notionally jointly owned [public and private] domain". [In any case, it is obvious that official sanctioning of such a concept is fraught with danger, in Barnet and nationally, though fortunately Mr John Marshall MP does not seem to realise this.]

Our third complaint is that the Council does not appear to have made enquiries to establish the credentials of the Applicant: whether the United Synagogue Eruv Committee is authorised by the members of the United Synagogue resident in Barnet to make the Application on their behalf; and if so, whether the Committee had determined by a secret ballot of these members that a majority of those voting want an Eruv requiring the erection of Eruv posts on public property in Barnet.

Yours sincerely,



Jeffrey and Elizabeth Segall

cc. Department of the Environment
Mr John Marshall MP
Chair, Planning Committee, Barnet Council.

Enc: Copy of Application, Council's newspaper notice, correspondence referred to.