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14 November 1992

Mr G.C. Brown
Chief Planner
Development Control
London Borough of Barnet
1255 High Road, Whetstone
London N20 0EJ

PLANNING GROUP	
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COPY TO.....	

Dear Mr Brown,

Yr Ref: P/GCB/SS/Eruv

Thank you for your letter of 9 November 1992.

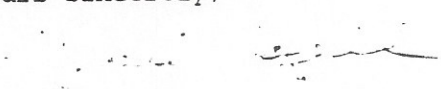
We wrote on 12th September to the Chief Executive because your Department could not provide the answers to our main queries when we telephoned as advised in the consultation letter.

We have re-read the text of the Application and cannot confirm your assertion that information on the ownership of the proposed posts is available in it. This essential information is implicit only in that the Applicant, the United Synagogue Eruv Committee, would meet all the costs of the project. To our knowledge the only explicit statement that the posts would be owned by the Applicant is in the reply of 21st September from your Department to our letter of the 12th September.

With regard to your final sentence, in our view, before determining the validity of the Application in planning terms, the Council has a responsibility to consider possible legal implications. The question arises whether the Council may legally make available to the Eruv Committee about 100 pieces of public land, without sale, rent or rates; and, moreover, to do so for the stated purpose of converting the area of the proposed Eruv into a "notional jointly owned [public and private] domain". (The posts and wires would provide physical evidence every day of this domain, sanctioned by the Council, so that the Eruv would be more than simply a notion in the minds of the followers of the Eruv Committee on the Sabbath day.)

If the Council has considered such implications and decided that the Application can stand, it has in our view the duty to inform Barnet's residents of all the facts relating to ownership of the proposed posts.

Yours sincerely,


Elizabeth and Jeffrey Segall

cc. Local Commissioner for Administration