

# Eruv benefit 'is minimal'

## Disabled can get dispensation already, rabbi tells inquiry

A KEY disabled witness who told planning inspector David Bushby that an eruv was essential to allow her to attend synagogue on the Sabbath would have been given dispensation to be pushed there in her wheelchair if she had asked her rabbi, the public inquiry was told on Monday, the final day of the hearing.

Rabbi Roberts of the Hendon Adath Yisroel Congregation wrote to Mr Bushby saying Julia Nussbaum, who suffers from multiple sclerosis, had not been given dispensation because she had never asked for it. "In truth, if she wishes to go to the synagogue on the Sabbath and participate in the service, she would be allowed in view of her severe disability to have a non-Jew, such as a neighbour, push her wheelchair to the nearby synagogue and back home."

Mr Bushby has to decide whether or not

of people who would directly benefit from an eruv would be no more than 133.

Referring to Rabbi Roberts' remarks on the case of Mrs Nussbaum, he added: "You may have to take disabled people out of that altogether. There is a major dispute about whether disabled people are permitted to travel in wheelchairs on the Sabbath."

Rabbi Roberts' letter was not the only drama to shake the last day of the inquiry.

Eruv opponent Monty Miller, who presented the first closing statement, was so irate when he discovered eruv campaigners were recording the proceedings that he momentarily put his hands around the neck of Benji Schreiber, son of eruv committee chairman David Schreiber. The incident, which was over in an instant, erupted after Mr Miller demanded he be given the tape.

Mr McGregor said objectors were outraged that the interests of one comparatively small religious group, which would inevitably destroy social harmony, should be advanced against the interests of the whole community.

The benefits of an eruv would relate to personal convenience, he argued. The issue had not arisen in relation to the disabled or families with children but because the supporters had an added belief that they must abide by the laws of their religion.

"That is a matter of personal choice and conscience. If the United Synagogue were making an application for a ramp, who could conceivably complain about that? How could that not constitute need in the real sense? But to suggest that you are a prisoner in your own home because you believe that if someone pushes you in your wheelchair to synagogue you will be infringing the law isn't the same quality of need."

The claim made by former Chief Rabbi Lord Jakobovits that to turn down the application was to deprive members of his denomination of their religious and civil rights was nonsense, Mr McGregor declared.

"The fundamental religious right is the right to worship as you please and to assemble for that purpose. Those are the only religious needs addressed in the planning legislation and policies. To suggest that planning authorities ought to grant planning dispensations en masse through planning legislation is quite wrong."

John Steel (QC for the eruv committee) said that any person who objected to this was consciously or unconsciously prejudiced. One suspects that what he meant was anti-Semitism. Many of the people that I represent found that deeply offensive."

Mr Steel told the inspector that the fact that some people might not want a pole erected in front of their house was not in itself justification for refusal.

"The need argument has been decried. Mr McGregor has gone so far as to say that the eruv is of minimum benefit. The question in those circumstances is why bother? Why is it that so many people have written to you saying it is of such benefit? Why is it that the Chief Rabbi and the previous Chief Rabbi have both come along saying why they are



● Pro-eruv campaigner Julia Nussbaum outside the eruv inquiry.

both so much in support of the matter?"

The argument that the eruv would cause disharmony because it would attract Orthodox Jews to a certain area was in breach of the Race Relations Act.

"I know of no policy which seeks to disable a planning application from being effected because of the type of person in terms of their religion who is likely to occupy an area as a result."

His cross-examination of opposition witnesses had been intended to expose certain cases of "absolute downright prejudice" against Orthodox Jews or even within Orthodox Jewish religion.

"It is a matter at the end of the day for the synagogue and the Jewish community. If this was an area demarcated for the National Trust or the Royal Society for the Protection of Birds that would cause no offence. That is the way it can be tested."

Sumathy Siva, counsel for objectors Jeffrey and Elizabeth Segall, of Cricklewood Lane, Child's Hill, said the eruv pole that would be located right by their garden fence would be a constant reminder of all the things they found objectionable in society.

"To them these poles and wires indicate something they do not believe in and can't live with. The Segalls are Jewish but Mrs Segall objects to being labelled as such because she is a humanist. They are not anti-Jewish but they are concerned about the social consequences."

John Taylor, QC for Barnet Council, said the authority was concerned with a proposal to erect 85 poles, not with the development of part of the borough for an eruv.

Councillors had chosen to reject officers' advice, which they were fully entitled to do. "The powers of decision are given to them, not to their officers. This is an issue which is subjective," he said.

"In my submission it is proper to take account of even private needs in appropriate cases to overcome planning objections. The real problem is the one which was summaris-

## ROW ERUPTS OVER 'SILENT MAJORITY'

MEMBERS of the Hampstead Garden Suburb Residents' Association (RA) who oppose the eruv are furious over a claim made at the public inquiry by their colleague Neville Silver that the organisation does not oppose the scheme.

Carol Boulter, of Corringham Road, Hampstead Garden Suburb, has written to inspector David Bushby, objecting to Mr Silver's claim to represent the silent majority.

"For someone to stand up and say that he spoke for everybody was incredible," she told the Ham & High.

Ms Boulter informed Mr Bushby that the RA decided not to take a stand on the issue because it believed that residents should live in harmony. Quoting from RA minutes, she said it was thought that there was "no way that the RA could represent the views of all the residents and get unanimity".

Other Eruv witnesses who sit on the RA council, including herself and chairwoman Eileen Whelan, were scrupulous in making no claim to be representative in any way of either the RA or of Suburb residents in general, she said.

Mr Silver told the Ham & High it was correct that the RA had not objected to the eruv. "I didn't say they supported it, I said they didn't object. They said they would leave it to the individuals. All I said was that I reckoned I was speaking for the silent majority which had not objected."

ed in an answer given by the Chief Rabbi when he said the concept of need was inherently problematic."

Barnet's case rested entirely on the issue of visual harm, he said. "The council hasn't considered need."

## In brief

### Cashing in on callers?

CAMDEN Council is considering setting up an 0891 telephone line to raise cash from its callers, its quality and efficiency sub-committee said last week.

The borough has ordered a report into the income-generating 0891 lines, which could bring in about 24p per minute from people phoning the council's information services.

### Cook booked

THE renowned chef and cookery writer Frances Bissell will be signing copies of *The Times Cook Book* at the Rosslyn Deli in Rosslyn Hill, Hampstead, on Sunday from 12 noon until 3pm. The book is a selection of her recipes published over the years.

### Funding donation

THE Metropolitan Hospital-Sunday fund has donated £2,000 for new equipment to the Monroe Young Family Centre in Daleham Gardens, Hampstead. The centre is part of the Tavistock Clinic in Belsize Lane, Hampstead.

### Gallery viewing

THE spectacular 17th-century long gallery currently being restored at Lauderdale House, the Grade I listed building in Highgate Hill, will be open to the public on Sunday between 11am and 1pm and from 2pm to 4pm.

Visitors will be shown round by architect Oliver Cox and local historian Peter Barber, two of the authors of the recently published book, *Lauderdale Revealed*, which uncovered startling new information about the house and its inhabitants.

### Barbican carols

THE CAMDEN Choir will be entertaining visitors to the Barbican on Wednesday with Christmas carols to raise money for the homeless charity, Crisis. The choir will be in the foyer on level five from 5.30pm.

Meanwhile, rehearsals for an Italian programme, including works by Palestrina and Allegri, begin on January 10. Details are available from Lynn Sugars on 081-568 0222.

## CAMPAIGNER DIES SUDDENLY AT 49

ERIC Fibbens, the planning consultant who gave evidence in support of the eruv during the first week of the inquiry, died of cancer last Wednesday.

John Steel, QC for the eruv committee, announced the news of his death before presenting his closing submission. "He was very ill when he gave evidence," he said.

Eruv committee spokesman Edward Black said it had all been very sudden. "He was such an outstanding guy — a real human being. It was a terrible shock. He was an outstanding professional and an outstanding gentleman. He will be sorely missed by those who knew him personally and professionally."

Graham Murdoch, who worked closely with Mr Fibbens on the eruv appeal, said he had been ill for several months. He was just 49 when he died.

"It was undoubtedly typical of him that he gave evidence just a week before his death. He was never going to let things appear to beat him. His work was very important to him and the eruv was a matter that was very dear to him. He believed in its merits very strongly."

In pursuing its appeals against Barnet's refusal of permission for both its eruv schemes, the eruv committee deliberately sought independent non-Jewish professional advice.

Barnet was right to refuse the United Synagogue eruv committee planning permission for poles and wires to mark parts of the boundary of a six-and-a-half-square-mile symbolically enclosed area. Within that zone, which would take in Hampstead Garden Suburb, Golders Green and Hendon, Sabbath laws on pushing prams and wheelchairs would not apply.

Alistair McGregor, counsel for the Barnet Eruv Objectors Group, told the inquiry that even when taking into account both young mothers and the disabled, the total number

## HELPLINES

FOR emergency help at night and weekends contact the following services. Numbers operate 24 hours, unless otherwise indicated.

**ALCOHOL:** Alcoholics Anonymous, 071-352 3001, 10am-10pm daily. Drinkline, 071-332 0202, Mon-Sun 6-11pm.

**CASUALTY:** Royal Free Hospital Accident and Emergency Department, Pond Street (lower entrance), NW3. University College Hospital Accident and Emergency Department, Grafton Street (one way from Gower Street towards Tottenham Court Road), WC1.

**CHEMISTS:** The following are open 9am to midnight 365 days a year: Bliss Chemists, 5 Marble Arch, W1, 071-723 6116, and at 50 Willesden Lane, NW6, 071-624 8000; Warman Freed Chemist (open 8am to midnight), 45 Golders Green Road, NW11, 081-455 4351.

**CHILDREN:** Childline, 0800 1111, free telephone counselling for children in trouble or danger; children are also welcome to write to Childline without a

stamp, to Freepost 1111, N1 OBR. NSPCC Child Protection Helpline, 0800 800 500 for any concerned adult or child, takes action to help children at risk. Parents Anonymous, 071-263 8918, helpline for parents who feel they cannot cope and need support.

**CHRISTMAS LINE:** 071-484 8484, 6pm December 24 to midnight December 26, for emergencies at Christmas.

**DENTAL EMERGENCIES:** Patients registered with an NHS dentist should be covered for 24-hour service. Other dental emergencies are treated by casualty departments. There is a helpline on 081-664 6644 referring to private dental services.

**DOCTORS:** All local NHS doctors run an out-of-hours service. This may be a deputising service or an answerphone referral to another doctor.

**DRUGS:** City Roads, 071-278 8671/2. Nurse and social worker available for drug users, their families and friends.

**ELECTRICITY EMERGENCIES:** London Electricity (Northern area), 071-251 5161.

**GAS ESCAPES:** British Gas emergencies at any time: 071-828 3299.

**GAY MEN AND LESBIANS:** London Friend, 071-837 3337, helpline and counselling daily 7.30pm-10pm, women-only helpline Tues-Thurs 7pm-10pm 071-837 2782. London Lesbian and Gay Switchboard, 071-837 7324, support and information.

**HIV/AIDS:** Terrence Higgins Trust Helpline, 071-242 1010, noon - 10pm. National Aids Helpline, free calls 0800 567123.

**HOMELESSNESS:** Crisis at Christmas hostels open at 6 Pages Walk, Lambeth, SE1, and 106-112 High Street, Acton, W3, from 2pm on December 23 to 9am on December 30. Shelter Nightline, 0800 446441 Mon-Fri 6pm to 9am, Sat-Sun 24 hours. Free telephone advice for homeless people and anyone experiencing a housing emergency.

**MENTAL HEALTH: SANELINE,** 071-724 8000. 2pm to midnight daily. For cases of serious mental illness.

**POLICE:** 999 for emergencies. Police stations; Albany Street 071-380 1212; Golders Green 081-209 1212; Hampstead 071-431 1212; West Hampstead 071-713 1212; Holborn 071-404 1212; Kentish Town 071-388 1212; Tottenham Court Road 071-637 1212.

**RAPE:** Rape Crisis Centre, 071-837 1600, Mon-Fri 10am-11pm, Sat-Sun 9am-midnight; counselling and information service for women and young girls who have been raped or sexually assaulted.

**SAMARITANS:** 071-734 2800, telephone befriending services for people who are suicidal or despairing.

**SOCIAL SERVICES:** Camden Council Emergency Social Workers, 071-278 4444, after 5pm.

**VETS:** All veterinary surgeries provide a 24-hour emergency service, The RSPCA Hospital, Sonderburg Road, N7, 071-272 6214, and the PDSA, 4

Church Terrace, NW4, 081-203 2090, provide 24-hour emergency services for pet owners in receipt of (some) welfare benefits.

**VICTIMS' SUPPORT:** Victims helpline, 071-729 1252, counselling, information and referral service for victims of crime and their families.

**WATER:** Camden Council for sewer and drain emergencies and water emergency affecting council tenants, after 5pm, 071-278 4444. Thames Water, for water supply and pipe emergencies 071-837 3300.

**WOMEN'S AID:** London Women's Aid, 071-251 6537, referral to women's refuges for women at risk from physical or mental abuse from partners. Chiswick Family Rescue, 081-995 4430, advice for women experiencing domestic violence.

List compiled by Community Information Services, Camden Leisure Services Department, Crowndale Centre, 218 Eversholt Street, NW1 1BD.