

3.7.1

THE UNITED SYNAGOGUE
ERUV COMMITTEE



	INTERNAL MEMORANDUM
TO	Rabbinical Panel & All Committee Members
FROM	David Schreiber
SUBJECT	Public Inquiry
DATE	9th December 1993

All the evidence has now been heard at the Public Inquiry which completed its sessions this Monday evening after a very long and intense week. The Inspector conducted a full site inspection on Tuesday and has called for concluding speeches on **Monday, 13th Dec at 2.00 pm in the Town Hall.**

There are one or two third party statements that will be heard first, then John Taylor QC will sum up for Barnet and John Steel QC for us. It is not possible to predict exact timing but I strongly urge all of you to attend and to encourage family, friends and acquaintances to make a very special effort, firstly because John Steel deserves the support and encouragement of the people for whom he is working and, secondly, so that as wide a circle as possible of people within our community may hear at first hand the nature of the arguments that have been used against the Eruv and, indeed, those for it.

I feel it is very important for each of you to know, particularly those who were not able to spend time at the hearings, how outstandingly well we have been served by the two professionals who undertook this appeal. It is my very sad duty to tell you that Mr. Eric Fibbens, who acted as Planning Consultant and expert witness and who managed a masterly presentation of our case and in a full gruelling day of cross-examination exposed the errors and the inadequacies of Barnet's handling of this matter, was taken to hospital directly from the hearings on Wednesday night and passed away yesterday. We will find the right opportunity to mark the contribution he made to our community but it should be known that he went beyond any professional duty, having totally identified with our cause and the need to defeat raw prejudice, and he put literally his last energy towards that goal.

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Rabbinic Panel

Rabbi Isaac Bernstein (Finchley), Dayan Ivan Binstock (Golders Green), Rabbi Edward Jackson (Hampstead Garden Suburb), Rabbi Alan Kimche (Ner Yisrael), Rabbi Sidney Silberberg (Hendon)

Supervisory Authority

Chief Rabbi Dr. Jonathan Sacks, Dayan Chanoch Ehrentreu, Head of the London Beth Din

United Synagogue Liaison

Elkan Levy (Honorary Officer)

Technical Officer Alan Perrin B.Sc.

I have, on behalf of all of us, expressed our deep appreciation and sympathy to his widow, Heather.

Our other paid professional, John Steel QC, also a non-Jew, has clearly impressed everyone at the hearings with the fact that he too has adopted the goal of not just winning the case but also making sure that a resounding message comes through in rejection of prejudice.

In summing up the hearings so far, we do feel that with these gentlemen's help and the very effective witnesses that we have had, we have managed in the best possible way to make the positive case for the Eruv and, at the same time, to show the failings on the part of Barnet in their handling of the planning application. As Eric Fibbens so eloquently explained, Barnet under their own Unitary Development Plan have an obligation to provide facilities where possible for minority religious groups. This is no favour that we ask but is a right enshrined in their adopted plan. The leading Council witness has admitted that he did not read or understand his own officers' report and did not consult us, as required. His claim that erection of the poles would damage trees has been demonstrated to be bogus. Furthermore, we have shown that none of the aspects of our proposals offends any existing planning law.

All the remainder of the objections, and there have been many of them, both in writing and as witnesses, show the extent to which well-meaning people can be frightened into opposing a benign scheme because a very small group of people, both Jewish and non-Jewish, who are vehemently opposed because of their own hang-ups are able, with the help of the media, to fan those fears.

Deed