

# MEDICAL MATTERS

The Max Weinbaum Hall at the Hampstead Garden Suburb Synagogue, Norrice Lea was filled to capacity recently for a "Medical Questions and Answers" evening. The panel consisted of four extremely eminent medics, members of the Synagogue and resident in the Suburb.

They were Professor Sam Cohen, Professor of Psychiatry and Chairman of the Medical Council, the London Hospital; Professor M. R. Salkind, Professor of General Practice, St. Bartholomew's and the London Hospitals; Mr. Albert Singer, Consultant Gynaecologist and Obstetrician, Whittington and Royal Northern Hospitals, well known for his pioneering work in the field

of cancer of the cervix; and finally, Professor Robert Winston, Professor of Fertility Studies, London University, and renowned for his treatment of infertility and reproductive disorders.

The Panel dealt with a number of current medical issues, in the form of questions submitted by interested parties prior to the evening or asked directly from the floor. A

number gave rise to lengthy discussion, often culminating in disagreement between members of the Panel.

The Vatican ruling on test tube techniques of reproduction was considered and condemned. It was felt by all members of the Panel that the Vatican's decision showed a complete lack of understanding for the feelings of the infertile, and that it ignored the human issue in the problem — the lack of self-esteem experienced by the infertile woman. From here the discussion moved on to the problem of surrogacy, something which had quite clearly been going on for

centuries. Again the Panel was unanimous — surrogacy was not in any way criminal, but was certainly most inadvisable.

The Pill also came under the spotlight. A suggestion from the floor that the use of the Pill led to cancer of the cervix, which in turn could cause infertility was strongly refuted by the Panel as having no basis of truth.

Which brought us on to Aids, and firstly the main reasons for its current prevalence; namely the ease and increased frequency of air travel, the increase in promiscuity, and more particularly bisexuality. None of the Panel were convinced that the disease would lead to a more disciplined morality. A suggestion from the floor that

we had got Aids out of proportion (particularly with respect to the money which had gone into making the problem known) found support among certain members of the Panel. One member actually viewed all the publicity and media attention as principally a piece of political hype in an election year. After all, hepatitis had existed for far longer than Aids, was more widespread and more virulent, but did not attract the same attention. Why not?

The final question of the evening concerned the NHS and the allocation of resources, and the members of the Panel considered different areas to be deserving of priority. Had the lack of funds resulted in a

deterioration of the quality of the service provided? Again there was disagreement. Running departments more efficiently was one solution offered by one member of the Panel; another saw three areas of priority to which funds should be diverted.

1. Looking after the increasing number of old people;
2. preventive medicine, and
3. research and development.

And there was one final piece of sobering advice for all members of the audience — that one in five people occupying a hospital bed do so for an alcohol related reason. Fortunately, refreshments served at the end of a hugely successful evening were very much non-alcoholic.

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## BONFIRE NUISANCE

Daphne Leach writes from Temple Fortune Hill:

"Today is the first beautiful sunny day of the year; one to savour, perhaps even open windows for an intake of fresh air. Sorry, not possible. Someone at the back of Temple Fortune Hill or the Orchard has a billowing, smelly, smoky, bonfire that's been going on for more than an hour".

Mrs Leach was clearly driven indoors and to her typewriter by someone's thoughtlessness.

Bonfires are not specifically prohibited by the Clean Air Act, but the Council has power to take action where smoke is a nuisance to neighbours and issues the following advice:

- a) Choose the site for your bonfire carefully having due regard for those living nearby.
- b) Never light a bonfire unless you are satisfied that weather conditions and wind direc-

tion are such that any smoke or ash will be carried away from your neighbours' windows and gardens. Make sure that there is no laundry drying in any adjoining gardens. Dusk is usually a convenient time for lighting a bonfire.

- c) Only use material which is dry enough to enable it to be burned quickly and with a minimum of smoke. Soft vegetablewaste and grass cuttings etc., which are difficult to dry, should be composted or buried.
- d) Do not burn oily rags, rubber, plastic or other materials likely to produce heavy or pungent smoke. Household goods or furniture should not be burned. The Borough Engineer & Surveyor will arrange for collection on request, for a fee.

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# WILLIFIELD WAY APPROVAL

On the 24 March 1987, the Trust Council gave approval to the application to construct a parking area next to 27 Willifield Way. Since this application has generated considerable controversy on the Suburb we thought it would be useful if we set out the reasons why the application was approved.

### 1. Introduction

In reaching its decision the Trust Council carefully considered all aspects of the application including the objections received from neighbours and other residents. I will comment upon certain of these objections although it should be appreciated that proper weight and account was taken of them by the Trust when considering this application. In the last resort the Trust took the view that in this particular locality and in these particular circumstances the factors for granting consent (including the legitimate interest of the applicant) outweighed any legitimate objections.

### 2. Objections

- (i) The Trust took full note of the fact that the creation of an access point for a car in the suggested position could be dangerous. However the London Borough of Barnet is the proper highway authority for the area and they took account of this aspect when granting consent for a garage to be built. The question of road safety is not primarily the concern of the Trust and this in itself was not deemed an appropriate reason for rejecting the application.
- (ii) There has been concern that the Trust is not being consistent in granting a parking area at this property whereas it refused the consent to a hard-standing at 25 Willifield Way. It has further been suggested that the granting of a parking area would be a precedent leading the Trust to be unable to refuse consent for hard-standings in the Suburb. It is true that it is the Trust's policy to maintain as far as possible the 'garden' environment of the Suburb by refusing consent for hard-standings in the front of properties within the Suburb. It is also the Trust's policy that wherever possible cars should be parked off the road. In this case it is intended that the car should be parked at the side of the house where it will be virtually out of sight both from the road and from Lucas Crescent. Any analogy with the hard-standing at 25 Willifield Way is therefore invalid since in the latter case the car would have been parked in the front garden and would have been clearly visible from the road. The Trust does not accept that the granting of consent in this particular case

constitutes any precedent which will prevent the Trust from enforcing its policy generally to prevent hard-standings in front gardens.

- (iii) The most telling objection in the Trust's view was the representation that the parking area may damage the architectural and natural environment of Lucas Crescent and the amenity of neighbours. The Trust Council members have all had an opportunity of viewing the site and they consider that this objection has been exaggerated. They cannot accept that there will be any or any serious possibility of such damage.

A fence and gate already exists where the proposed gates are to be erected and a solid wooden fence separates the proposed parking area from the side of the property at 29 Willifield Way. The existing side gate gap in the hedge along the access path into Lucas Crescent will be filled in. The drive will be paved in York Stone and not concrete. It is true that a gap will need to be made in the front hedge to allow access and part of a garden will be paved. The Trust believes that this is a price worth paying in getting a car off the road and out of sight.

It should be noted that almost every house from No. 5-No. 23 (odd) Willifield Way has a drive, a car port or a garage. There is no doubt that some are clearly objectionable by present standards and would not receive consent if they came up as new proposals. Also the parking area might have had implications for Lucas Crescent which are not relevant to the other properties in the street. Nevertheless the Trust believes the plans for 27 Willifield Way are acceptable by its present day criteria.

### 3. Previous Garage Application

Residents may wish a view from the Trust on the question of the previous proposal to build a garage on the site even though Mr. & Mrs. Saber have now unreservedly withdrawn this application.



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Under the Scheme of Management approved by the High Court the Trust is enjoined not to withhold consent unreasonably. When dealing with the original application for a garage, the Trust consulted its legal advisors who gave it as their firm opinion that in this case it would be unreasonable for the Trust to refuse consent and that this was the view likely to be taken by the Court. The Trust has recently sought Counsel's Opinion on this issue. Counsel who visited the site and reviewed all the relevant papers has unequivocally confirmed the correctness of the original legal advice and the original decision of the Trust.

In the light of that advice it would have been highly irresponsible for the Trust to withhold consent for the garage, reluctant though it was to approve it. It would have knowingly withheld its consent when it was unreasonable so to do. Had legal action been taken by the applicants, as was threatened, and had the Trust lost its case, as it was advised it was likely to, it would have faced heavy legal costs (upwards of £10,000) which would have had to be recovered from the Management charge. Residents will recall that at that time the Trust was under heavy attack from a substantial body of residents in the Association of Freeholders because of what was felt to be excessive increases in the Management charge. These were due in part to the heavy legal costs arising from a Court case which the Trust had recently lost.

### 4. Conclusion

The Trust has reached its decision after weighing up the arguments for and against granting consent. The application for the parking area meets a number of objections which had originally been raised against the garage. It is for the Trust and the Trust alone to take decisions upon this type of application. The Trust will now stand by its decision despite being threatened with legal action by certain Objectors. As far as the Trust is concerned consent has been validly granted to Mr & Mrs Saber and the matter is closed.

### Part-time Assistant Architect

A vacancy has arisen for an assistant to help the Trust Architect, Mr Wilfred Court, on a part-time basis (up to 16 hours a week). The hours are flexible and the job would suit a retired person.

For further details please phone Mr Kellerman on 458-8085 or 455-1066.