

Summary of the issues surrounding the Topic of Concern regarding Hobson's Brook

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The immediate issue triggering this Topic of Concern is a proposal to build a footbridge across Hobson's Brook, connecting the Accordia Development in Cambridge to the footpath on the West side of the Brook.

Hobson's Brook was created in the early 1600s to bring fresh water to the City of Cambridge. It runs from many miles south of the city into the centre of town, roughly parallel with Trumpington Road, ultimately passing by the University Botanic Garden up to Lensfield Road, at which point it goes underground. A deed of 1610 establishes the University of Cambridge and the City of Cambridge as joint leaseholders for 1000 years on the 6 feet of land of either side of the brook for the purposes of maintenance and preservation of the watercourse. In modern times, there are two key legal decisions that bear on access to the land. The first, in 1852, was the subject of both a judicial decision and action by the University. A University syndicate declared that the 1610 lease "... was granted by Mr Chaplyn from a generous motive, and is furtherance of a benevolent purpose, namely, the **maintenance** and **preservation** of the watercourse...the Syndicate **cannot** advise the University to acquiesce in any attempt to establish, by a legal and technical construction, rights which are clearly beside the purpose of the grant, and which would, if so established, be prejudicial to the interests of the proprietors of the adjoining lands, who must be considered, and, as it appears to the Syndicate, ought to be treated, as representing the original grantor". Second, in 1908 the University began considering whether to grant permission for public pedestrian access only (**not** as a bridleway) to the west side of the brook in the area we now call Finch's Walk. In 1963 Trinity College established a covenant forbidding any bridges across the Brook in the area under discussion. That covenant is attached to key properties in the area, including the Accordia development and the Bunker.

The entire Hobson's Brook Corridor is recognized as an area of national ecological importance and uniqueness, and has been the subject of a 28 page "10 Year Vision" document produced jointly by the City of Cambridge and the Hobson's Conduit Trust, following on from a 116 page assessment prepared by Suffolk Archaeology CIC at the request of Cambridge City Council. Both documents emphasize the desirability of preserving the watercourse and its surroundings in the face of developmental pressures.

When the Accordia development (with nearly 1000 residents) was in planning stages there was a discussion in the city Council about a possible footbridge as part of a greater plan for pedestrian and cycle access in the area. This idea was opposed and the plan was abandoned in the face of the Trinity covenant and environmental issues. In 2010, a group of Accordia residents again raised the idea of a bridge and was met with opposition from other Accordia residents and residents across the brook in the Bentley Road, Newton Road, Rayleigh Close (BENERA) area. Despite opposition on many levels (ecological, legal liability, parking) the city granted planning permission for the bridge in 2012, subject to consents. In its original location adjacent to the Bunker, the bridge would have landed on Clare College land (Clare Wood). Clare College fenced off Clare Wood, thus stopping the project. The applicants then received planning permission from the City for a new location some 50 metres north, landing squarely on land subject to the 1610 deed (see attached maps). For the past year, the city has been in negotiations with the University and Trinity to obtain permission for this bridge. The City has taken over the project from the original applicants and committed public money for the project.

The original proponents of the bridge have argued in the applications and in public that the bridge would provide a shortcut for Accordia resident to Empty Common allotments, a place to walk dogs, and would "dramatically" cut walking time between the Trumpington Road area and the Station. Opponents have pointed out the ecological threat to opening up this precious ecological area as a thoroughfare, that it would increase parking problems in BENERA, that there will be inevitable pressure (as the City admits) to improve the footpath for cycling access, further degrading the area, and that the stated rationale for the project (a shortcut) is an objectionable use for an ecological preserve, and false except for a few select people in Accordia such as the applicants themselves. All others would see no benefit whatsoever.

As the City of Cambridge has twice refused FOI requests for the legal issues surrounding the negotiations with the University and Trinity College, this Topic of Concern was submitted to assure that any decision made by the University in this matter is only taken after a complete public discussion of all the issues involved. Precedent for the Council/Regent House involvement in this matter comes directly from the actions taken in 1852 and 1908.



