

# Bellerby Parish Council Newsletter

## September 2021

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**BELLERBY**  
NORTH YORKSHIRE

### **Quarry Heads Update following the Public Meeting on 30<sup>th</sup> August 2021**

**With regard to the vote on the proposal to transfer Quarry Heads field to the Parish Council with the view to it being used to help alleviate flooding for the village, by constructing a form of retaining or attenuation pond.**

A number of questions were raised at and before the meeting, which we promised to answer before the close of the vote on 30<sup>th</sup> September. Some of these questions have been raised and answered in previous newsletters but for completeness answers are included here, others are not relevant to the question but refer to the Freeholders or relate to other issues and will be raised at Parish Council Meetings as appropriate. Other additional answers to questions raised, are freely available in the public domain.

- Q1 Who has done/will do the survey to show this is a feasible proposition, and what are their qualifications in flood alleviation?**
- A.** The work will be included in any proposals put forward by the flooding consultants working on the feasibility study for North Yorkshire County Council, and as such will be covered by their procurement and insurance protocols.
- Q2. If the land is transferred to the parish council and the project is shown to be not feasible what use will the land be put to then?**
- A.** The land will only be transferred if the proposal is shown to be feasible and beneficial. If the scheme is not, it will stay or revert to the Freeholders.
- Q3. How much will it cost the Bellerby residents for the work to be done?**
- A.** The cost to Bellerby residents (through the Parish Council) will be the legal costs of the transfer documentation, and ongoing maintenance of boundaries, paths and trees as is normal for common land.
- Q4. How will it be managed once it is finished and who will decide how much water to release and when?**
- A.** We currently envisage this being self-managing ie an engineered solution holding back surges during flash-flood incidents and slowly releasing this over a period of time. Ongoing maintenance will consist of grass cutting and general maintenance of gates fences and boundaries.
- Q5. How much will this cost residents on an annual basis?**
- A.** An accurate figure cannot be given until a suitable scheme is designed, as some let grazing may off-set ongoing maintenance costs.
- Q6. Has a risk assessment been done to make the site safe once all work is completed? There will be a body of open water which at times may be quite deep and represents a risk if not properly enclosed.**
- A.** Appropriate risk assessments would be completed at the appropriate stage. The question being voted on is whether we should transfer the land to the Parish Council as Bellerby's contribution to any flood alleviation scheme being proposed by the consultants.

**Q7 I would like to know who we have used to confirm that Quarry Head is the right place for an attenuation pond, (and) what their qualifications are in advising this?**

A. The flooding Consultants have been appointed as experts by North Yorkshire County Council to undertake a feasibility report on the catchment above Bellerby, and recommend solutions to the problem. The vote is to consider the transfer of the land from the Freeholders to the Parish Council in the event that some form of attenuation pond is seen as a feasible and practical option to prevent surges of floodwater reaching vulnerable homes.

**Q8 Are NYCC flood alleviation people being included in this decision? I don't think we should be wasting money if it's not suitable.**

A. See answer above. No money will be expended unless a satisfactory solution is proposed.

**Q9 Do you have outline details of the planned Bellerby flood alleviation works that can be shared?**

A. No. The final report from the consultants has not yet been released and distributed.

**Q10. I assume that the above will be dependent on the NYCC Flood Risk Management Feasibility Study which was originally promised to be released in November 2020. What's the latest status of this and when is its public release date?**

A As Q 10 Above. The final report from the consultants has not yet been released and distributed. Once this has been finalised it will be shared with relevant parties, including the Emergency Committee.

**Q11. When will the Bellerby Emergency Committee meetings resume, or has this group been disbanded?**

A The group has not been disbanded, but will need to be reconvened when the report is available for discussion. Any people willing and wanting to be involved and assist with the Emergency Group can contact the clerk and will be invited to meetings when they are arranged.

**Q12. Who will be designing the flood alleviation works at Quarry Head and who ultimately will approve the work?**

A At this stage it's anticipated that any scheme proposed would be organised and completed under the authority of North Yorkshire County Council Flood Prevention Team, their appointed consultants and structural engineers.

**Q13. What are the risks involved in creating a water attenuation pond close to the village and how are these risks to be mitigated?**

A Unfortunately this is impossible to answer at this stage as no scheme has been proposed. The vote is simply to determine whether Quarry Heads field is available for consideration of such a scheme. Appropriate Risk assessments and mitigation measures would be produced at the appropriate time.

**Q14. If the work in Quarry Heads will include the extraction of limestone what impact will there be to underground water channels and associated springs in and around Bellerby?**

A. Currently unknown. Appropriate geological, hydrological and topographical surveys would have to be taken to assess the impact of any proposals.

**Q15 Will a feasibility study be carried out into the suitability of the land for flood alleviation? This is not mentioned in item 2 of the involved steps.**

A. This was answered in question 14. The question being voted on is whether we should transfer the land to the Parish Council as Bellerby's contribution to any flood alleviation scheme being proposed by the consultants. Please refer to the previous answers relating to North Yorkshire County Council's feasibility study etc.

**Q16 What are Bellerby Parish Council's flood alleviation works to which this proposal will be added?**

A. The Parish Council have undertaken a number of minor schemes in the village and made grant funding available to people to undertake works to alleviate flooding as publicised in previous communications.

**Q17 What information is there that supports Bellerby Freeholders as being the owners of Quarry Heads and hence having the legal right to "pass the Land" to Bellerby Parish Council? Should such information be available or come to light then I have the following additional questions.**

A. The land is common land held in trust for the benefit of the Village by the Freeholders, to use any rental generated to pay for its maintenance, with any surplus going to 'good causes' in the Community. They have documentary evidence of this pre-dating 1800. Any legal issues on 'rights' would be identified at transfer. Originally the Freeholder holdings were

historical quarries for the use of certain Bellerby inhabitants (Freeholders with a certain acreage holding) to quarry stone for construction, road making and enclosures. The quarries are now disused and filled in.

**Q18 If it were possible for such a transfer to take place and if Bellerby Parish Council were ever to own the land, would they then have the right to sell it?**

A No – The land is common land held in Trust for the Village and could only be sold or change hands with the agreement of the parishioners in a vote, or a change in legislation

**Q19 Will a written guarantee be given that match funding will not lead to an increase in the Precept, already rumoured to be the highest in the country?**

A. The Parish Council have been advised that up to £50,000 would be available towards the scheme from various flood alleviation and prevention bodies who are willing to assist. This grant funding and the site would be the village's contribution to the wider flood alleviation scheme involving local landowners and the MoD. Bellerby does have one of the higher precepts in Richmondshire (not the country) with a typical Band D property paying £58.69 per year to the Parish Council in 2020-2021. (Leyburn £55.47, Carlton £101.37). This equates to £1.12 per week which is less than the cost of a weekend newspaper. This is against a Council tax payment (including the £1.12) of £38.08 per week for a typical Band D property. The precept has had to rise to cover the increased workload of the Clerk mainly due to flooding, various resident's demands, and election challenges. The Parish Council has also been successful in bringing in an average of over £5,000 per year in additional funding over the last 8 years. Unfortunately if people want or demand a higher level of service, it has to be paid for in some way.

**Q20 Very approximately, how long is the project expected to take? Is it one year, 5 years or tens of years? I would be in favour of the proposals, but I cannot support them until I can have some confidence in a successful outcome warranting Bellerby Parish Council's involvement and that there is an owner who would be willing to sell or transfer the land to somebody else. I draw your attention to the fact that I can find no references to Bellerby Freeholders, ancient or not, and to two other pieces of information Tina and I have uncovered. In 1978 the Chief Commons Commissioner ruled that, in the absence of any evidence of an owner, the land remain subject to protection under section 9 of the Commons Registration Act of 1965. This is then backed up by today's appropriate North Yorkshire County Council Map.**

A See also the answer to Question 16. Unfortunately the Parish Council cannot give a timeline as no plan has been drawn up. The work will be under the control of NYCC, with the land subject to the usual Legal searches necessary to undertake the transfer.

The question of the vote is simply to determine whether Quarry Heads field is available for consideration of such a scheme.

Section 9 of the Commons Registration Act of 1965 referred to has subsequently been repealed. The ownership section of the 1965 Act has been deemed unreliable and ownership will be migrated to the ownership held with the land registry.

**Q21 The catchment is much smaller than I thought and extends to c600 Ha. Of this around 250 Ha leads directly to flooding in the village. Quarry Heads is just under 2 Ha. Putting a pond in there will have minimal or no impact on flood alleviation. If catastrophic flood water gets to there in an extreme event it is already too late. In short, you can't hold 10 Gallons in an egg cup!**

**The new Metcalfe Road is going to help. The Map shows clearly that effective control of flood water is needed on the ranges with a key area being at the top of Moor Road. - It has been mentioned that it was a marshy area that has been filled in.**

**With regards to Quarry Heads it comes down to a simple choice. Does the village want a Woodland Conservation area or to continue to let it as rough grazing for the income?**

A. The proposal is to transfer the land to the Parish Council so that it may be included as part of the village's contribution to any flood mitigation that may be proposed by the consultants working for North Yorkshire County Council Flood prevention Team. This will not be in isolation, but will be the village working with the MoD and Local landowners on an holistic scheme to reduce the danger of flooding to Bellerby. 2 Ha of woodland will not provide any better protection than a correctly engineered alleviation pond with environmental planting and has already been ruled out as an option by NYCC at a site meeting.

If the vote is not in favour, or the site is not deemed appropriate for other reasons, the land will revert to the Freeholders who may consider an alternative use for Quarry Heads. That would be a separate discussion after the scheme has been investigated and found to be inappropriate.

**Q22 Can you explain to residents what support if any Yorkshire Water have already provided to alleviate Bellerby flooding?**

A Yorkshire Water deal exclusively with potable and waste water, the Environment Agency deal with flooding issues, and will be involved as part of any overall scheme proposed by NYCC.

**Q23 Do any of the relevant parties/agents involved know what volume of water flows from Bellerby Moor and through various underground streams that flow down the East and West fields?**

A This was calculated as part of the Section 19 report on the Flooding incident produced by NYCC and is publicly available. Any proposed scheme will use modelling, additional surveys and existing information when drawing up proposals.

**Q24 Following on from the meeting ourselves and a few others were concerned about the possibility of blasting to create the pond and the impact that could have on any underground streams (possibly making flooding worse) and properties in the vicinity. Would it be possible to rule out blasting and just dig as far as possible?**

A As was stated at the meeting Metcalfe Farms have done some limited exploratory work and believe that the area can be deepened without blasting but it cannot be ruled out. See also Q14.

### Parish Council Contact details

John Hutchinson (Chair)	Hall Garth, Moor Road	Tel: 01969 623 663	Email: <a href="mailto:john1hutchinson@btinternet.com">john1hutchinson@btinternet.com</a>
Lynn Watkinson (Clerk)	5 Belle Vue Terrace	Tel: 01969 623 116	Email: <a href="mailto:bellerby.pc@gmail.com">bellerby.pc@gmail.com</a>
Steve Scriven	Southfield Farm	Tel: 01969 624 406	Email: <a href="mailto:swscrivin@gmail.com">swscrivin@gmail.com</a>
Peter Chilton	Curlew Barn	Tel: 01969 622 745	Email: <a href="mailto:petercurlew@outlook.com">petercurlew@outlook.com</a>
Jane Dilworth	Butterfields	Tel: 01969 326 174	Email: <a href="mailto:jane-smith-leyburn@hotmail.co.uk">jane-smith-leyburn@hotmail.co.uk</a>
Steve Singleton	Eastfields		Email: <a href="mailto:S.E.Singleton@outlook.com">S.E.Singleton@outlook.com</a>

### Future Parish Council Meetings

4th October 2021, 22nd November 2021, 10th January 2022, 14th March 2022, 25th April 2022 Annual Parish Meeting, 9th May 2022 Annual Parish Council Meeting

Start at 7.30pm with minutes of the previous meetings available on the Notice Boards located at the Memorial Hall, on the Green and on the village website. <http://bellerbyvillage.com/#/council>

#### **North Yorkshire County Councillor**

Karin Sedgwick

**Tel:** (01969) 622 038

**Email:** [cllr.Karin.Sedgwick@northyorks.gov.uk](mailto:cllr.Karin.Sedgwick@northyorks.gov.uk)

#### **Richmondshire District Councillor**

John Amsden

**Tel:** (01969) 663 432

**Email:** [cllr.j.amsden@richmondshire.gov.uk](mailto:cllr.j.amsden@richmondshire.gov.uk)

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