



COMMONS REGISTRATION ACT 1965

Reference No.1/U/32

In the Matter of The Common Baulk,
Biggleswade, Bedfordshire.

DECISION

This reference relates to the question of the ownership of land known as The Common Baulk at the rear of Nos.27-69 Drove Road, Biggleswade, being the land comprised in the Land Section of Register Unit No.C.L.35 in the Register of Common Land maintained by the Bedfordshire County Council of which no person is registered under section 4 of the Commons Registration Act 1965 as the owner.

Following upon the public notice of this reference Capt. A.D.C. Francis claimed to be the freehold owner of the land in question and no other person claimed to have information as to its ownership.

I held a hearing for the purpose of inquiring into the question of the ownership of the land at Bedford on 14th February 1974.

At the hearing Mr. Nicholas Beddard, of counsel, appeared for Capt. Francis.

The land in question is a long narrow strip between the back gardens of two rows of houses. Capt. Francis claims that it is part of the waste of the manor of Biggleswade (otherwise called Biggleswade Foreign), of which he is the lord. The lordship of the manor was vested in Capt. Francis by an assent made 12th February 1948 between (1) Montagn Trevor Turner, Henry Edward Verey and Roger Harry Allen (2) Alec David Charles Francis. The lordship was part of the residuary estate of Rosalind Ida Lovell, whose will was proved 9th September 1948, to which Capt. Francis became entitled on attaining the age of 25 on 10th April 1945. The manorial documents are in the custody of the steward of the manor, Mr. L.W. Day, who was appointed by Capt. Francis.

On this evidence I am satisfied that Capt. Francis is the lord of the manor.

The land the subject of this reference is one of several common baulks. Capt. Francis has been registered as the owner of the others, and those registrations, being undisputed have become final.

Since 1871 and possibly earlier the common baulks have been let at annual rents. For some reason which is not apparent the baulk which is the subject of this reference had not been used for many years before 1960. In that year the Fen Reeves decided to let this baulk to a Mr. Woodward. Some objection to this was raised by the Biggleswade Urban District Council, but finally the land was let to Mr. Woodward at a rent of £5 a year from 1st January 1964. One-third of this rent goes to the lord of the manor and two-thirds to the Fen Reeves, who divide that and other money which they receive to persons entitled to rights of common.



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On this evidence I am satisfied that this land is waste of the manor of Biggleswade and that Capt. Francis, as lord of the manor, is the owner of the land, and I shall accordingly direct the Bedfordshire County Council, as registration authority, to register Capt. Alec David Charles Francis as the owner of the land under section 8(1) of the Act of 1965.

I am required by regulation 30(1) of the Commons Commissioners Regulations 1971 to explain that a person aggrieved by this decision as being erroneous in point of law may, within 6 weeks from the date on which notice of the decision is sent to him, require me to state a case for the decision of the High Court.

Dated this 7th day of March 1974

A handwritten signature in black ink, appearing to read 'C. J. Lewis', written over a horizontal line.

Chief Commons Commissioner