

"4. *Distribution of endowments.*

"Upon the disunion taking effect the endowments and property of the said united benefice shall be divided and distributed as follows, that is to say: a capital sum sufficient to produce an annual income of £222 14s. 4d., being part of a larger capital sum held by us for the said united benefice, shall be assigned and annexed to the separate benefice of Bradfield, and all other the endowments and property of the said united benefice shall be assigned and annexed to the separate benefice of Swafield.

"5. *Patronage.*

"Upon the disunion taking effect the rights of presentation to the benefices of Bradfield and Swafield shall be vested in the persons or bodies (or their successors in title) in whom the rights of presentation to those benefices were respectively vested immediately before the union of the said benefices.

"6. *Rural Deaneries.*

"After the disunion has taken effect, the benefice of Bradfield shall be in the rural deanery of Repps and the benefice of Swafield shall be in the rural deanery of Tunstead."

And whereas the provisions of the Union of Benefices Measures, 1923 to 1952, the Union of Benefices Rules, 1926 and 1930, and the Pastoral Reorganisation Measure, 1949, relating to the preparation and submission of this Scheme have been duly complied with:

And whereas the said Scheme has been approved by Her Majesty in Council:

Now, therefore, Her Majesty, by and with the advice of Her said Council, is pleased hereby to affirm the said Scheme and to order that it shall be and become effectual in law immediately upon the publication of this Order in the London Gazette.

W. G. Agnew.

At the Court at *Buckingham Palace*, the 28th day of *October*, 1955.

PRESENT,

The QUEEN's Most Excellent Majesty in Council.

WHEREAS the Church Commissioners have duly prepared and laid before Her Majesty in Council a Scheme bearing date the 28th day of September, 1955, in the words and figures following, that is to say:

"We, the Church Commissioners, acting in pursuance of the Pastoral Reorganisation Measure, 1949, the Union of Benefices Measures, 1923 to 1952, and the Diocesan Stipends Funds Measure, 1953, now humbly lay before Your Majesty in Council the following Scheme which we have prepared with the consent of the Right Reverend Percy, Bishop of Norwich (in witness whereof he has signed the Scheme) for effecting the union of the benefice of Colby, the benefice of Banningham and the benefice of Tuttington all situate in the diocese of Norwich.

"SCHEME.

"1. *Union of Benefices.* The benefice of Colby the benefice of Banningham and the benefice of Tuttington shall be permanently united together and form one benefice with cure of souls under the style of 'The United Benefice of Colby with Banningham with Tuttington', but the parishes of the said benefices shall continue in all respects distinct.

"2. *Taking effect of union.* Upon the day when any Order of Your Majesty in Council affirming this Scheme is published in the London Gazette the union shall forthwith take effect and the Reverend Denis William Bordon Manning if he is then incumbent of the said benefices of Banningham and Tuttington shall, with his consent (testified by his signature hereto), be the first incumbent of the united benefice.

"3. *Parsonage House.* Upon the union taking effect the parsonage house at present belonging to the benefice of Colby shall be the house of residence of the incumbent of the united benefice.

"4. *Patronage.* In every series of three successive turns of presentation or nomination to be made to the united benefice after the union has taken effect, the patron of the benefice of Colby shall have the first turn, the patron of the benefice of Banningham shall have the second turn and the patron of the benefice of Tuttington shall have the third turn.

"5. *Diversion of Endowment Income.*

"(1) Subject as hereinafter provided any surplus, calculated by us for the twelve months ending on

the 31st March in each year of the endowment income (calculated in accordance with the schedule hereto) of the united benefice over and above an annual sum of £700 shall, with effect from the date upon which the union shall take effect, be paid to and be held by us, for the benefit of the diocesan stipends fund of the diocese of Norwich.

"(2) The said endowment income and the said surplus and the said annual sum of £700 shall be deemed to accrue from day to day and shall, when we deem that circumstances so require, be apportionable accordingly.

"(3) Any moneys due to us from the incumbent of the united benefice, or, during any vacancy in the united benefice, from the sequestrators thereof, as the case may be (hereinafter called 'the incumbent or sequestrators') upon the calculation of the said surplus shall be paid by the incumbent or sequestrators to us not later than the 30th June in each year and shall be recoverable as a debt due to us.

"(4) For the purpose of ascertaining the amounts of the said endowment income and of the said surplus, we shall have power to require production by the incumbent or sequestrators of accounts and other documents in relation thereto, and the said accounts for the twelve months to 31st March in each year (or where applicable for a part of the year ending on that date) shall be rendered annually to us within six weeks of that date in such form as we shall prescribe; and in the event of failure by the incumbent or sequestrators to produce such accounts or documents we shall have all legal remedies for enforcing production thereof.

"SCHEDULE.

"For the purpose of this Scheme the endowment income of the united benefice shall without prejudice to the power of decision vested in us by virtue of Section 18 of the Pastoral Reorganisation Measure, 1949, if any question shall arise, be computed in accordance with our Central Register of Benefice Income, that is to say, by including:—

- "(1) all gross secured income payable by us and any other person or body,
- "and (2) all gross income received from ground rents, chief rents or other fixed charges, other glebe rents and any letting of the parsonage house or a formally divided portion thereof,
- "and by deducting therefrom:—
- "(1) the rates payable on the parsonage house if occupied by the incumbent,
- "(2) the rent and rates payable on any house occupied by the incumbent other than the parsonage house,
- "(3) the annual assessment charged upon the incumbent under the Ecclesiastical Dilapidations Measures, 1923 to 1951, in respect of the benefice,
- "(4) the rates payable on the glebe,
- "(5) the cost of collecting glebe rents,
- "(6) any tithe annuity, rentcharge or fee farm rent charged upon the glebe,
- "(7) any other outgoings in respect of the glebe,
- "(8) any charge upon the benefice income in favour of another benefice or any lay person,
- "(9) any payment to a curate or lay worker out of the benefice income,
- "(10) the annual payments in respect of capital and interest in respect of any mortgage of the benefice income,
- "(11) any pension paid to a retired incumbent out of the benefice income,
- "(12) any part of the benefice income diverted to the diocesan stipends fund pursuant to an Order under Section 12 of the Pastoral Reorganisation Measure, 1949."

And whereas the provisions of the Union of Benefices Measures, 1923 to 1952, the Union of Benefices Rules, 1926 and 1930, and the Pastoral Reorganisation Measure, 1949, relating to the preparation and submission of this Scheme have been duly complied with:

And whereas the said Scheme has been approved by Her Majesty in Council:

Now, therefore, Her Majesty, by and with the advice of Her said Council, is pleased hereby to affirm the said Scheme and to order that it shall be and become effectual in law immediately upon the publication of this Order in the London Gazette.

W. G. Agnew.