

Scheme), for effecting the union of the benefice and parish of Christ Church, West Hartlepool, and the benefice and parish of Saint James, West Hartlepool, and for altering the boundaries of the said parish of Saint James, West Hartlepool, and the parish of Stranton, all of which benefices and parishes are situate in the diocese of Durham.

“SCHEME.

“1. *Union of Benefices.* The benefice of Christ Church, West Hartlepool, and the benefice of Saint James, West Hartlepool, shall be permanently united together and form one benefice with cure of souls under the style of ‘The United Benefice of Christ Church, West Hartlepool’, and the parishes of the said benefices shall also be united into one parish for ecclesiastical purposes.

“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.

“3. *Parsonage House.* Upon the union taking effect the parsonage house at present belonging to the benefice of Christ Church, West Hartlepool, shall be the house of residence of the incumbent of the united benefice.

“4. *Parish Church.* The parish church of the parish of Christ Church, West Hartlepool, shall be the parish church of the united parish.

“5. *Registers.* The marriage registers in duplicate current at the church of Saint James, West Hartlepool, shall be dealt with in accordance with section 62 of the Marriage Act, 1949, and the register books (if any) of baptisms and burials and other the records and muniments deposited in the said church shall be transferred to the parish church of Christ Church, West Hartlepool.

“6. *Taking down of church.* As soon as conveniently may be after the union has taken effect:

“(1) The church of Saint James, West Hartlepool, shall be taken down and the materials and site thereof, together with any ground annexed thereto and necessary for the use and enjoyment thereof, shall be sold and disposed of by us at such time or times and in such manner in all respects as to us shall seem expedient subject to the conditions and restrictions imposed by the said Measures and the net proceeds to arise from such sale or sales after payment of the expenses attendant thereon and upon the taking down of the church and all other expenses incidental to these matters shall be placed to the credit of the Expenses Fund of the said diocese established pursuant to the 32nd section of the Union of Benefices Measure, 1923.

“(2) The furniture and fittings of the said church of Saint James, West Hartlepool, or so much of them as the Bishop of Durham shall select, shall be removed to such other churches or chapels within the said diocese as the said Bishop may direct or shall (with the exception of the font, communion table and plate used for the purposes of Holy Communion) be sold and in such case the proceeds shall be added to the proceeds of the sale of the site and materials of the said church.

“7. *Alteration of boundaries.* Upon the union taking effect there shall be annexed to the parish of Stranton all that part (coloured pink on the map annexed hereto) of the parish of Saint James, West Hartlepool, which lies to the south of an imaginary line commencing at a point in the middle of Musgrave Street where the boundaries of the parishes of Saint James, West Hartlepool, Christ Church, West Hartlepool, and Stranton all meet and continuing thence northeastwards along the middle of Musgrave Street and in the same straight line to and along the middle of Bridge Street and, in continuation thereof, over the middle of the subway to the Bridge Street outlet and thence eastwards along the middle of the outlet to the North Sea.

“8. *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 £580 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 Durham.

“(2) The said endowment income and the said surplus and the said annual sum of £580 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.

At the Court at Buckingham Palace, the 24th day of January, 1957.

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 17th day of January, 1957, in the words and figures following, that is to say:—

“We, the Church Commissioners, acting in pursuance of the New Parishes Measure, 1943 have