

hereto) of the united benefice over and above an annual sum of £750 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 said diocese.

"(2) The said endowment income and the said surplus and the said annual sum of £750 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.

#### "FIRST SCHEDULE

"(1) The church of Saint Bartholomew, Chichester, shall be held by the Diocesan Board of Finance of the Diocese of Chichester (hereinafter called 'the diocesan authority') on trust to allow the same to be used by the Chichester Theological College Council (hereinafter called 'the College Council') as a College chapel, subject to the terms of such licence or licences as the Bishop of the Diocese may from time to time issue.

"(2) The College Council shall be wholly responsible for the repair and maintenance of the church, its fittings and contents to the satisfaction of the surveyor or architect of the diocesan authority and for all other expenses in connection with its use as aforesaid; and shall reimburse to the diocesan authority any expenditure which the diocesan authority as legal owners of the church may incur including any premium payable under any policy of insurance which the diocesan authority may effect on the church, its fittings or contents.

"(3) The College Council shall not effect or permit to be effected, any alterations in or additions to the interior or the fabric of the church except with the consent in writing of the diocesan authority and in accordance with and subject to lawful authority.

"(4) The diocesan authority may from time to time enter into agreements with the College Council on consequential and ancillary matters in connection with the appropriation and use of the church not repugnant to or inconsistent with the provisions of this Scheme.

"(5) Without prejudice to the power of us, the Church Commissioners, at any time to prepare and submit for affirmation by Order of Your Majesty in Council a further Supplementary Scheme pursuant to the Union of Benefices Measures, 1923 to 1952, (or any re-enactment thereof) in relation to the said church, the diocesan authority may at any time with the consent of the Bishop of the Diocese and the College Council and shall, if requested so to do by the said Bishop and College Council on the ground that the church is no longer required for the use specified, determine the use of the church by the College Council.

"(6) Nothing herein contained shall effect or diminish the jurisdiction of the Consistory Court of the diocese in respect of the church.

"(7) The diocesan authority shall not dispose of the freehold of the church.

#### "SECOND 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 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 13th day of May 1959.

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 16th day of April 1959, in the words and figures following, that is to say:

"We, the Church Commissioners, acting in pursuance of the New Parishes Measure, 1943, have prepared and humbly lay before Your Majesty in Council the following Scheme for constituting a new parish to be taken out of the parishes of Saint Mary, Stoke; Belstead and Sproughton in the diocese of Saint Edmundsbury and Ipswich.

"SCHEME

"Whereas we, the Church Commissioners, are satisfied that the spiritual interests of the area defined in the Schedule hereto and delineated on the map hereto annexed would be best served by constituting it a new parish:

"And whereas we are satisfied that a suitable endowment thereof will be provided:

"And whereas we have not approved any consecrated church within the area as suitable to be the parish church of the new parish:

"Now, therefore, with the consent of the Right Reverend Harold, Bishop of Saint Edmundsbury and Ipswich, (in testimony whereof he has set his hand and affixed his episcopal seal to this Scheme), we, the said Church Commissioners, do humbly recommend and propose as follows, that is to say:

"1. *Constitution*

"(a) As from the date of the licence thereto of a Minister the area defined in the Schedule hereto and delineated on the map hereto annexed shall be a separate district for spiritual purposes.

"(b) As from the date of the consecration of a church within the area approved by us, the said Church Commissioners, as suitable to be a parish church, or if the church is consecrated before such approval, the date of the approval, the said area shall become a new parish.

"(c) The name of the district (or parish as the case may be) shall be 'The District (or Parish) of Saint Francis, Ipswich'.