

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 Peter, Balsall Common'.

" 2. *Archdeaconry and Rural Deanery*

" The parish shall be in the Archdeaconry of Aston and in the rural deanery of Solihull.

" THE SCHEDULE

" The area comprising:

" All that part (coloured pink on the map annexed hereto) of the parish of Temple Balsal which is bounded on the southeast by the parishes of Honiley and Kenilworth, on the northeast by the parish of Berkswell, on the northwest by the parish of Barston and on the remaining side by an imaginary line commencing at a point on the boundary which divides the parish of Temple Balsal from the parish of Barston in the middle of Barston Lane where the existing boundary turns northwards and extending thence first eastwards then southwards along the middle of Barston Lane and southeasterly along the middle of Balsall Street to a point opposite the middle of the footpath leading from Balsall Street to Fern Hill Lane thence southwards to and along the middle of the said footpath to Fern Hill Lane (thereby passing Howlett's Farm) and southwards along the middle of Fern Hill Lane to the point where an unnamed stream crosses Fern Hill Lane midway between Fern Hill Farm and Ravensbridge Farm thence eastwards to and along the said stream to the point where it crosses Holly Lane thence eastwards to and generally southwards along the middle of Holly Lane, Breeze Lane and Honiley Lane to the boundary which divides the parish of Temple Balsal from the parish of Honiley."

And whereas the provisions of the New Parishes Measure, 1943, 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 ratify the said Scheme, and to order and direct that the same and every part thereof shall be effectual in law immediately upon the publication of this Order in the *London Gazette* pursuant to the said Measure.

And Her Majesty, by and with the like advice, is pleased hereby to direct that this Order be forthwith registered by the Registrar of the said Diocese of Birmingham.

W. G. Agnew.

At the Court at Buckingham Palace, the 15th day of June 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 4th day of June 1959, 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 Maurice, Bishop of Durham, (in witness whereof he has signed this Scheme), for effecting the union of the benefice of Edmundbyers and the benefice of Muggleswick, both situate in the diocese of Durham.

" SCHEME

" 1. *Union of Benefices.* The benefice of Edmundbyers and the benefice of Muggleswick shall be permanently united together and form one benefice with cure of souls under the style of 'The United Benefice

of Edmundbyers and Muggleswick' but the parishes of the said benefice 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 James Edward Talbot if he is then incumbent of the said benefice of Edmundbyers 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 Edmundbyers shall be the house of residence of the incumbent of the united benefice.

" 4. *Alteration of boundaries.* With the consent (testified as aforesaid) of the Reverend James Edward Talbot, being the incumbent of the benefice of Edmundbyers, all those three detached parts of the parish of Edmundbyers situate in the parish of Muggleswick shall, upon the union taking effect, be severed from the parish of Edmundbyers and be annexed to the parish of Muggleswick.

" 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 £910 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: Provided that if after the date upon which the union shall take effect any additional capital endowment shall accrue to or be acquired by the united benefice (not being capital endowment derived from the sale of any property of the united benefice) the income from such subsequently acquired capital endowment shall not be taken into account for the purpose of calculating such surplus as aforesaid.

" (2) The said endowment income and the said surplus and the said annual sum of £910 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 and subject to the proviso contained in clause 5 thereof 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,