

" 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 £1,200 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 £1,200 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 8 (1) 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,

" (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 Re-

organisation 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 8th day of February 1960.

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 6th day of January 1960, 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 now humbly lay before Your Majesty in Council the following Scheme for altering the boundaries of the parishes of Saint Mary, Warwick; Saint Paul, Warwick; Saint Nicholas, Warwick; Sherbourne; and All Saints, Emscote, all in the diocese of Coventry.

" SCHEME

" Whereas we are satisfied that it is desirable that the boundaries of the said parishes should be altered in the manner hereinafter mentioned:

" And whereas the Right Reverend Cuthbert, Bishop of Coventry, consents to the proposed arrangements (in testimony whereof he has executed this Scheme):

" Now, therefore, we, the said Church Commissioners, humbly recommend and propose that from and after the day of the date of publication in the *London Gazette* of any Order of Your Majesty in Council ratifying this Scheme the boundaries of the said parishes of Saint Mary, Warwick; Saint Paul, Warwick; Saint Nicholas, Warwick; Sherbourne; and All Saints, Emscote, shall be altered in the manner described in the Schedule hereto and delineated on the map annexed to this Scheme.

" THE SCHEDULE

" 1. *The territory to be annexed to the parish of Sherbourne:*

" All that part (coloured green on the map annexed hereto) of the parish of Saint Mary, Warwick, which lies to the south of an imaginary line commencing at a point on the boundary which divides the parish of Sherbourne from the parish of Saint Mary, Warwick, in the middle of Stratford Road (numbered A.46 on the map) and proceeding thence northeastwards along the middle of Stratford Road to a point opposite the southeastern end of the southwestern boundary of close numbered 878, thence northwestwards to and along the last mentioned boundary to the northwestern corner of the last mentioned close, thence northeastwards along the northwestern boundaries of closes numbered 878 and 873 and in a straight line in continuation thereof to a point in the middle of the unnamed stream or brook which divides close numbered 873 from closes numbered 874 and 871, thence southeastwards along the middle of the last mentioned stream or brook to a point opposite the southwestern end of the northwestern boundary of close numbered 872 thence northeastwards to and along the last mentioned boundary to the northern corner of the last mentioned close, thence first southeastwards then northeastwards then southeastwards again along the northeastern boundary of close numbered 872 and in a straight line in continuation thereof to a point in the middle of Stratford Road, thence northeastwards along the middle of Stratford Road to a point over the middle of the culvert carrying the unnamed stream or brook which flows southeastwards to the Rivoton Avon from close numbered 859, thence generally southeastwards along the middle of the last mentioned stream or brook to the point at which it joins the River Avon thence in a straight line due eastwards to a point in the middle of the River Avon on the boundary which divides the parish of Saint Mary, Warwick, from the parish of Barford.

" 2. *The territory to be annexed to the parish of Saint Paul, Warwick:*

" All that part (coloured pink on the map annexed hereto) of the parish of Saint Mary, Warwick, which