

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 21st day of January 1960, 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 Harry, Bishop of Oxford, (in witness whereof he has signed this Scheme), for effecting the union of the benefice of Westcote Barton and the benefice of Steeple Barton, both situate in the diocese of Oxford.

"SCHEME

"1. *Union of Benefices.* The benefice of Westcote Barton and the benefice of Steeple Barton shall be permanently united together and form one benefice with cure of souls under the style of 'The United Benefice of Westcote Barton and Steeple Barton' 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 James Wilmot Griffiths if he is then incumbent of the said benefices of Westcote Barton and Steeple Barton shall, with his consent (testified by his signature hereto), be the first incumbent of the united benefice, and his admission thereto shall be without any form of, or fee for, presentation or nomination and he shall not be required to pay any fees in respect of his collation, institution, licence or induction to the united benefice beyond such fees as he would have been liable to pay if his admission to the united benefice had been an admission solely to the benefice of Steeple Barton.

"3. *Parsonage House*

"(a) Upon the union taking effect and pending the provision of a new house approved by us as suitable to be the house of residence of the incumbent of the united benefice, the parsonage house now belonging to the benefice of Westcote Barton shall be the house of residence of the incumbent of the united benefice.

"(b) Without prejudice to the exercise before the date when the union takes effect of any of the powers conferred by the Parsonages Measures, 1938 and 1947, the parsonage house now belonging to the benefice of Steeple Barton and the site and appurtenances thereof and the grounds heretofore usually occupied and enjoyed therewith shall, as soon as conveniently may be, 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.

"(c) So much of the net proceeds of such sale or sales as we, after consulting with the Bishop for the time being of the said diocese, shall deem necessary shall be applied by us towards the cost of providing a new house of residence as aforesaid and any balance of the said net proceeds shall be held by us on behalf of the united benefice as endowment capital and subject to the provisions of the Benefices (Stabilization of Incomes) Measure, 1951; provided that until the said net proceeds shall have been applied in the manner aforesaid any interest arising thereon or on any part thereof shall be paid by us to the incumbent of the united benefice as benefice income.

"4. *Patronage.* After the union has taken effect the right of presentation to the united benefice shall be exercised by the patrons of the two benefices alternately, the patron of the benefice of Westcote Barton having the first presentation to the united benefice to be made after the union.

"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 £850 shall, with effect from the date upon which the union shall take effect, or with effect from the date of the avoidance of the united benefice

by the said Reverend James Wilmot Griffiths, which ever shall be the later date, 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 £850 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 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 (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 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.