

STATUTORY INSTRUMENTS.

1954 No. 843.

BURIAL, ENGLAND.

DISCONTINUANCE.

The Burial Grounds (St. Marychurch, Torquay) Order, 1954.

Made - - - - 24th June, 1954.

At the Court at *Buckingham Palace*, the 24th day of June, 1954.

PRESENT,

The QUEEN's Most Excellent Majesty in Council.

WHEREAS the Minister of Housing and Local Government, after giving 10 days' previous notice of his intention in that behalf, did, under the provisions of the Burial Act, 1853 (16 & 17 Vict. c. 134) as amended by subsequent enactments, make a Representation to Her Majesty in Council that for the protection of the Public Health, the opening of any new burial ground in the Civil Parish of St. Marychurch, Torquay, in the County of Devon, save with the previous approval of the Minister of Housing and Local Government should be prohibited, and that burials should be discontinued therein as hereinafter directed:

And whereas by an Order in Council of the 29th April, 1954, Notice of such Representation was given, and it was ordered that the same should be taken into consideration by a Committee of the Privy Council on the 10th day of June next, and such Order has been published in the London Gazette, and copies thereof have been affixed, as required by the said Act.

Now, therefore, Her Majesty is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

1. No new burial ground shall be opened in the said Civil Parish of St. Marychurch, Torquay, save with the previous approval of the Minister of Housing and Local Government, and burials shall be discontinued therein as follows, viz.:—

St. Marychurch, Torquay.—Forthwith and entirely in the Churchyard of the Church of St. Mary Virgin in the said Parish.

2. This Order may be cited as the Burial Grounds (St. Marychurch, Torquay) Order, 1954.

W. G. Agnew.

At the Court at *Buckingham Palace*, the 24th day of June, 1954.

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 9th day of June, 1954, in the words and figures following, that is to say:—

"We, the Church Commissioners, in pursuance of the Church Patronage Act, 1870, and of the Acts therein mentioned have prepared the following Scheme for effecting a transfer of the ownership of the advowson or perpetual right of patronage of and presentation to the church and cure (hereinafter called 'the said benefice') of Lullingstone in the county of Kent and in the diocese of Rochester.

"Whereas we are satisfied that Sir Oliver Hamilton Augustus Hart Dyke, Baronet, of The Gamekeepers Cottage, Ashe Park, Basingstoke in the county of Hants, is the patron or person entitled to present or nominate to the said benefice:

"And whereas the said Sir Oliver Hamilton Augustus Hart Dyke desires to transfer the advowson of the said benefice to the Bishop of Rochester for the time being and is consenting to this Scheme (in testimony whereof he has executed the same):

"And whereas we are satisfied that the transfer will tend to make better provision for the cure of souls:

"Now, therefore, with the consent of the Right Reverend Christopher, Bishop of Rochester (in testimony whereof he has executed this Scheme), we, the said Church Commissioners, humbly recommend and propose that upon and from the day of the date of the publication in the London Gazette of any Order of Your Majesty in Council ratifying this Scheme and without any conveyance or assurance in the law other than such duly gazetted Order, the whole advowson or perpetual right of patronage of and presentation to the said benefice shall be transferred to the said Christopher, Bishop of Rochester,

and his successors in the same Bishopric and shall thereupon and henceforth become and be absolutely vested in and shall and may from time to time be exercised by the Bishop of Rochester for the time being."

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 Acts.

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 Rochester.

W. G. Agnew.

At the Court at *Buckingham Palace*, the 24th day of June, 1954.

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 3rd day of June, 1954, in the words and figures following, that is to say:—

"We, the Church Commissioners, acting in pursuance of the Pastoral Reorganisation Measure, 1949, and the Union of Benefices Measures, 1923 to 1952, now humbly lay before Your Majesty in Council the following Scheme which we have prepared with the consent of the Right Reverend Thomas, Bishop of Carlisle (in witness whereof he has signed the Scheme), for effecting the union of the benefice of Saint John the Baptist, Skelsmergh, and the benefice of Selside both situate in the diocese of Carlisle.

"SCHEME.

"1. *Union of Benefices.* The benefice of Saint John the Baptist, Skelsmergh, and the benefice of Selside shall be permanently united together and form one benefice with cure of souls under the style of 'The United Benefice of Skelsmergh with Selside', 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 Basil Cautley Robinson, if he is then incumbent of both of the said benefices, 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 or fee of or 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 that one of the said two benefices for the holding of which in plurality with the other a Dispensation was heretofore granted to him.

"3. *Parsonage House.* Upon the union taking effect the parsonage house at present belonging to the benefice of Saint John the Baptist, Skelsmergh, shall be the house of residence of the incumbent of the united benefice.

"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 Saint John the Baptist, Skelsmergh, having the first presentation to the united benefice to be made after the union."

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.