

"(b) The font, communion table and plate used for the purpose of the Holy Communion in the said church of Saint Barnabas, Bristol, shall not be sold, but shall, in accordance with the provisions of the said Union of Benefices Measures and as the Bishop of the diocese may direct, be transferred to the church of Saint Paul, Bristol, being the parish church of the united parish, or to some other church or churches within the said diocese and the bells, organ and other furniture and fittings of the said church of Saint Barnabas, Bristol, or such of them as the Bishop shall select, shall be removed to the parish church of the united parish or to any other church or chapel or churches or chapels within the said diocese as the Bishop may direct or shall be sold and in such case the proceeds shall be placed to the credit of the Expenses Fund of the diocese of Bristol as aforesaid.

"7. 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 Second Schedule hereto) of the united benefice over and above an annual sum of £592 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 diocese of Bristol.

"(2) The said endowment income and the said surplus and the said annual sum of £592 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.

"Purposes for which the church of Saint Barnabas, Bristol, may be used upon its becoming vested in the diocesan board of finance of the diocese of Bristol under the provisions of subsection (1) of section 2 of the Union of Benefices (Disused Churches) Measure, 1952, by reason of its appropriation to other uses, and conditions to which such use is subject.

"1. The diocesan board of finance of the diocese of Bristol (hereinafter called 'the Board'), shall allow the church of Saint Barnabas, Bristol, to be used under the management of the local education authority as an assembly hall for pupils attending the Saint Barnabas City Road Primary School or such other Schools within the area under the jurisdiction of the local education authority as the said authority with the consent of the Board may determine.

"2. For the purpose of giving effect to the foregoing provision the Board shall have power to enter into any agreement or agreements with the said local education authority and such agreement or agreements shall embody such terms and conditions regarding the use and maintenance of the said church as the Board shall think fit; provided that the provisions of any such agreement or agreements shall not be inconsistent with the provisions of this Scheme.

"3. No alterations in or additions to the fabric of the said church shall be made except with the consent of the Board and in accordance with and subject to lawful authority.

"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 pension paid to a retired incumbent out of the benefice income,
- "(12) 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 6th day of May, 1955.

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 2nd day of February, 1955, 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 Honourable and Right Reverend William, Bishop of London (in witness whereof he has signed the Scheme), for effecting the union of the benefice of Saint Anne, Brondesbury, and the benefice of Holy Trinity, Kilburn, both situate in the diocese of London, and for authorising the demolition of the remains of the church of Holy Trinity, Kilburn (which church has suffered extensive damage by fire).

"SCHEME

"1. *Union of Benefices and Parishes.* The benefice of Saint Anne, Brondesbury, and the benefice of Holy Trinity, Kilburn, shall be permanently united together and form one benefice with cure of souls under the style of 'The United Benefice of Saint Anne, Brondesbury, with Holy Trinity, Kilburn', and the parishes of the said benefices shall also be united into one parish for ecclesiastical purposes.

"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 Clifford Alfred George Saunders, if he is then incumbent of the said benefice of Holy Trinity,