

together and form one benefice with cure of souls under the style of 'The United Benefice of Aston Clinton with Buckland and Drayton Beauchamp', but the parishes of the said benefices shall continue in all respects distinct.

"2. *Taking effect of union.* If upon the day when any Order of Your Majesty in Council affirming this Scheme is published in the *London Gazette* the benefice of Buckland shall be vacant, the union shall forthwith take effect; but if it shall be full the union shall take effect immediately upon the next vacation thereof; and in either of the said events the first incumbent of the united benefice shall, with his consent, (testified by his signature hereto) be the Reverend Terence Arnold Lewis, if he is at the relevant date incumbent of the benefice of Aston Clinton.

"3. *Parsonage houses.* 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 at present belonging to the benefice of Aston Clinton shall, if at that date it so belongs to the said benefice, be the house of residence of the incumbent of the united benefice and the parsonage house at present belonging to the benefice of Buckland if at that date it so belongs 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 and the net proceeds of such sale or sales shall be held by us on behalf of the united benefice as endowment capital and subject to the Benefices (Stabilisation of Incomes) Measure, 1951.

"4. *Patronage.* In every series of three successive turns of presentation or nomination to be made to the united benefice after the union has taken effect the patron of the benefice of Buckland shall have the first turn, the patron of the benefice of Drayton Beauchamp shall have the second turn and the patron of the benefice of Aston Clinton shall have the third turn.

#### "5. Clerical assistance

"(i) Upon the union taking effect a curate shall be employed by the incumbent to assist him in performing the duties of the united benefice and such curate shall, unless the Bishop of Oxford otherwise from time to time permits, reside within the parish of Buckland.

"(ii) There shall be appropriated as a fund towards the cost of providing such assistance as aforesaid a part of the endowments of the united benefice, namely a capital sum sufficient to produce an annual income of £350 being part of a larger capital sum at present held by us for the endowment of the benefice of Aston Clinton, and the said annual income shall be paid by us to the diocesan board of finance of the said diocese of Oxford as trustees to apply the same accordingly.

#### "6. 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 £900 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 Oxford.

"(2) The said endowment income and the said surplus and the said annual sum of £900 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 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 Appeals against the said Scheme have been made to Her Majesty in Council by the Parochial Church Council of the parish of Buckland and by Miss Florence A. Ballard, acting on her own behalf and on behalf of certain parishioners of the parish of Drayton Beauchamp, and such Appeals were referred to the Judicial Committee of the Privy Council on the 20th day of December 1957:

And whereas the Lords of the said Committee, having taken the said Appeals into consideration, reported to Her Majesty in Council that the Appeals ought to be dismissed and the said Scheme affirmed:

And whereas the said Report was approved by Order in Council of the 21st day of November 1958:

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 19th day of December 1958.

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 16th day of May 1957, 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,