

"And we further recommend and propose that nothing herein contained shall prevent us from recommending and proposing any other measures relating to the matters aforesaid or any of them in accordance with the provisions of the said Act, or any other Act of Parliament."

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 Act.

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 Worcester.

W. G. Agnew.

At the Court at Buckingham Palace the 23rd day of June 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 8th day of April 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 Leslie, Bishop of Sheffield, (in witness whereof he has signed this Scheme), for effecting the union of the benefice of Rawmarsh and the benefice of Christ Church, Park Gate, both situate in the diocese of Sheffield.

"SCHEME"

"1. *Union of Benefices and Parishes.* The benefice of Rawmarsh and the benefice of Christ Church, Park Gate, shall be permanently united together and form one benefice with cure of souls under the style of 'The United Benefice of Rawmarsh with Parkgate' 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 Charles Richardson if he is then incumbent of the said benefice of Rawmarsh shall, with his consent (testified by his signature hereto), be the first incumbent of the united benefice.

"3. *Parish Church.* The parish church of the parish of Rawmarsh shall be the parish church of the united parish.

"4. *Registers.* After the union has taken effect the marriage registers current at the church of Christ Church, Park Gate, shall be dealt with in accordance with Section 62 of the Marriage Act, 1949, and the register books (if any) of baptisms and burials and other the records and muniments deposited in the said church shall be transferred to the parish church of Rawmarsh.

"5. *Parsonage House.* 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, upon the union taking effect the parsonage house at present belonging to the benefice of Rawmarsh shall if at that date it so belongs to the said benefice be the house of residence of the incumbent of the united benefice.

"6. *Taking down of church*

"(1) As soon as conveniently may be after the union has taken effect Christ Church, Park Gate, shall be taken down and the materials and site thereof, together with any ground annexed thereto and necessary for the use and enjoyment thereof, shall 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 subject to the conditions and restrictions imposed by the said Union of Benefices Measures.

"(2) The net proceeds to arise from such sale or sales, after payment of the expenses attendant thereon and upon the taking down of the church and all other expenses incidental to these matters, shall be placed

to the credit of the Expenses Fund of the said diocese, established pursuant to the 32nd Section of the Union of Benefices Measure, 1923.

"(3) The furnishings, that is to say, the font, communion table, plate used for the purpose of the Holy Communion, bells, organ and other furniture and fittings of the said church or such of them as the bishop of the diocese may select, shall be transferred to the church of Rawmarsh or to such other church or chapel, churches or chapels within the said diocese as the said bishop may select, and any such furnishings not so transferred may, with the exception of the font, communion table and plate used for the purpose of the Holy Communion, be sold and in such case the proceeds shall be added to the fund arising from the sale of the site and materials of the said church.

"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 Schedule hereto) of the united benefice over and above an annual sum of £929 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 £929 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 7 (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 outgoing in respect of the glebe,