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Commission**  
Reforming the law

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## **Statute Law Repeals: Consultation Paper Churches**

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**SLR 02/14: Closing date for responses – 27 October 2014**

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## THE LAW COMMISSION – HOW WE CONSULT

**About the Law Commission:** The Law Commission for England and Wales was set up by section 1 of the Law Commissions Act 1965 for the purpose of promoting the reform of the law.

The Law Commissioners are: The Rt Hon Lord Justice Lloyd Jones (*Chairman*), Professor Elizabeth Cooke, David Hertzell, Professor David Ormerod QC and Nicholas Paines QC.

The Chief Executive is Elaine Lorimer.

**Topic of this consultation:** The Consultation Paper has been produced by the Law Commission's Statute Law Repeals team. It reviews the statute law relating to Churches and proposes the repeal of a number of obsolete Acts.

**Scope of this consultation:** The purpose of this consultation is to generate responses to these proposals.

**Geographical scope:** England and Wales and Ireland.

**Duration of the consultation:** 24 July 2014 to 27 October 2014

### How to respond

Please send your responses either-

**By email to:** [john.saunders@lawcommission.gsi.gov.uk](mailto:john.saunders@lawcommission.gsi.gov.uk) or

**By post to:** John Saunders, Law Commission, 1st Floor, Tower, Post Point 1.55,  
52 Queen Anne's Gate, London SW1H 9AG  
(access via 102 Petty France)  
Tel: 020 3334 3751

If you send your comments by post, it would be helpful if, where possible, you could also send them electronically (for example, by email to the above address, in any commonly used format).

**After the consultation:** In the light of the responses received the Commission will publish its repeal recommendations in its next statute law repeals report. This report is likely to be published in 2015 and will be presented to Parliament. It will be for Parliament to decide whether to implement these recommendations.

**Freedom of information:** It is important that you refer to the Freedom of Information Statement below.

### Availability of this Consultation Paper:

You can view or download the paper free of charge on our website at: <http://lawcommission.justice.gov.uk/consultations/churches-repeal-proposals.htm>.

**Information provided to the Law Commission**

We may publish or disclose information you provide us in response to this consultation, including personal information. For example, we may publish an extract of your response in Law Commission publications, or publish the response in its entirety. We may also be required to disclose the information, such as in accordance with the Freedom of Information Act 2000.

If you want information that you provide to be treated as confidential please contact us first, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic disclaimer generated by your IT system will not be regarded as binding on the Law Commission.

The Law Commission will process your personal data in accordance with the Data Protection Act 1998.

# CHURCHES REPEAL PROPOSALS

1. These repeal notes propose the repeal of some 121 obsolete Acts relating to churches.
2. Most of the Acts were passed to raise money for the repair, building or rebuilding of ancient churches in England or for the cost of extending a church or churchyard. Parliamentary authority was necessary for the repair or building work because the cost of the work had to be met by rates levied on the inhabitants of the parishes affected.
3. In most cases the Acts became obsolete once sufficient money had been raised from parishioners. In many instances the churches no longer exist, often closed or converted because of falling populations in the locality or destroyed as a result of enemy bombing during the Second World War. The proposals include the repeal of-
  - ◆ a 1536 Act to enlarge the churchyard of St Margaret's Church in Southwark
  - ◆ a 1734 Act to rebuild St Leonard's Church, Shoreditch
  - ◆ a 1798 Act to repair St Peter's Church, St Albans
  - ◆ an 1807 Act to appoint the Minister to a chapel in Worksop, Nottinghamshire
  - ◆ an 1878 Act to sell the chapel of St John's Hospital, Exeter.
4. A few of the obsolete Acts were passed not to build or repair churches but to authorise changes to the income of the existing clergy, to establish the right to appoint a Minister or to authorise the sale of individual churches or chapels.
5. The Acts span the period 1536 to 1923. They relate only to churches in England and Wales and (in a few cases) Ireland.

Comments are invited by **27 October 2014**.

## **BACKGROUND NOTES ON STATUTE LAW REPEALS (SLR)**

### **What is it?**

1. Our SLR work involves repealing statutes that are no longer of practical utility. The purpose is to modernise and simplify the statute book, thereby reducing its size and thus saving the time of lawyers and others who use it. This in turn helps to avoid unnecessary costs. It also stops people being misled by obsolete laws that masquerade as live law. If an Act features still in the statute book and is referred to in text-books, people reasonably enough assume that it must mean something.

### **Who does it?**

2. Our SLR work is carried out by the Law Commission and the Scottish Law Commission pursuant to section 3(1) of the Law Commissions Act 1965. Section 3(1) imposes a duty on both Commissions to keep the law under review “with a view to its systematic development and reform, including in particular ... the repeal of obsolete and unnecessary enactments, the reduction of the number of separate enactments and generally the simplification and modernisation of the law”.

### **Statute Law (Repeals) Bill**

3. Implementation of the Commissions’ SLR proposals is by means of special Statute Law (Repeals) Bills. 19 such Bills have been enacted since 1965 repealing more than 3,000 whole Acts and achieving partial repeals in thousands of others. Broadly speaking the remit of a Statute Law (Repeals) Bill extends to any enactment passed at Westminster. Accordingly it is capable of repealing obsolete statutory text throughout the United Kingdom (i.e. England, Wales, Scotland and Northern Ireland). Where appropriate the repeals may be extended by Order in Council to the Isle of Man and the Channel Islands.

### **Consultation**

4. The Law Commission consults widely before finalising its repeal proposals. The purpose of consulting is to secure as wide a range of views on the proposals as is practicable from all categories of persons who may be affected by the proposals. So the consultation may be with central or local government, organisations, trade bodies, individuals or anyone else who appears to have an interest in a proposal.
5. So far as consulting central government is concerned, any Department or agency with an interest in the subject matter of the repeal proposal will be invited to comment. Because obsolete legislation often extends throughout the United Kingdom it may be necessary to invite comments from several different Departments. So the following will routinely be consulted-
  - ◆ The English Department or Departments with policy responsibility for the subject matter of the proposed repeal (this responsibility will extend to Scotland in appropriate cases)
  - ◆ The Welsh Assembly Government and the Wales Office (unless the proposed repeal relates only to England)
  - ◆ The Scottish Government and the Scotland Office (if the proposed repeal extends to Scotland)
  - ◆ The Northern Ireland Executive and the Northern Ireland Office (if the proposed repeal extends to Northern Ireland).

### **Selection of repeal candidates**

6. Candidates for repeal are selected on the basis that they are no longer of practical utility. Usually this is because they no longer have any legal effect on technical grounds - because they are spent, unnecessary or obsolete. But sometimes they are selected because, although they strictly speaking do continue to have legal effect, the purposes for which they were enacted either no longer exist or are nowadays being met by some other means.

7. Provisions commonly repealed by Statute Law (Repeals) Acts include the following-

- (a) references to bodies, organisations, etc. that have been dissolved or wound up or which have otherwise ceased to serve any purpose;
- (b) references to issues that are no longer relevant as a result of changes in social or economic conditions (e.g. legislation about tithes or tin mines);
- (c) references to Acts that have been superseded by more modern (or EU) legislation or by international Convention;
- (d) references to statutory provisions (i.e. sections, schedules, orders, etc.) that have been repealed;
- (e) repealing provisions e.g. "Section 33 is repealed/shall cease to have effect";
- (f) commencement provisions once the whole of an Act is in force;
- (g) transitional or savings provisions that are spent;
- (h) provisions that are self-evidently spent - e.g. a one-off statutory obligation to do something becomes spent once the required act has duly been done;
- (i) powers that have never been exercised over a period of many years or where any previous exercise is now spent.

#### **General savings**

8. Much SLR work is possible because of the general savings provisions of section 16(1) of the Interpretation Act 1978. This provides that where an Act repeals an enactment, the repeal does not (unless the contrary intention appears) -

- “(a) revive anything not in force or existing at the time at which the repeal takes effect;
- (b) affect the previous operation of the enactment repealed or anything duly done or suffered under that enactment;
- (c) affect any right, privilege, obligation or liability acquired, accrued or incurred under that enactment;
- (d) affect any penalty, forfeiture or punishment incurred in respect of any offence committed against that enactment;
- (e) affect any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment;

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed, as if the repealing Act had not been passed”.

#### **Gradual obsolescence**

9. The obsolescence of statutes tends to be a gradual process. Usually there is no single identifiable event that makes a statute obsolete. The Statute Law (Repeals) Act 2013 contained many examples of legislation being overtaken by social and economic changes. Several 18<sup>th</sup> and 19<sup>th</sup> century Acts establishing charities to run hospitals for the

poor and sick became unnecessary once the hospitals became absorbed by the National Health Service in 1948. The Sale of Offices Acts 1551 and 1809, which outlawed the sale for profit of certain public offices and positions, gradually became unnecessary because of changes in the methods of appointment and recruitment to public office in the 20<sup>th</sup> century. And all the 18<sup>th</sup> and 19<sup>th</sup> century laws establishing workhouses for the parish poor gradually became obsolete when responsibility for the poor and sick passed from the parish to central government during the first half of the 20<sup>th</sup> century.

10. Even within individual statutes, the obsolescence tends to be gradual. Some provisions fade away more quickly than others. These include commencement and transitory provisions and 'pump-priming' provisions (e.g. initial funding and initial appointments to a Committee) to implement the new legislation. Next to go may be order-making powers that are no longer needed. Then the Committee established by the Act no longer meets and can be abolished. However, other provisions may be unrepealable for generations, particularly if they confer pensions rights or confer security of tenure or employment rights. Other provisions may be virtually unrepealable ever. Much of English property law relies on medieval statutes such as Quia Emptores (1290) which is regarded as one of the pillars of the law of real property. This last example usefully shows that just because a statute is ancient it is not necessarily obsolete.

#### **Help from consultees**

11. Sometimes it is impossible to tell whether a provision is repealable without factual information that is not readily ascertainable without 'inside' knowledge of a Department or other organisation. Examples of this include savings or transitional provisions which are there to preserve the status quo until an office-holder ceases to hold office or until repayment of a loan has been made. In cases like these the repeal notes drafted by the Law Commissions often invite the organisation being consulted to supply the necessary information. Any help that can be given to fill in the gaps is much appreciated.

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# CHURCHES

## REPEAL PROPOSALS

### CONTENTS

	<i>Pages</i>
<b>28 Hen.8 c.31 (1536)</b> (Enlarging St Margaret's Churchyard Southwark Act)	1 - 2
<b>10 Ann. c.43 (1711)</b> (Deal Chapel of Ease Act)	3 - 4
<b>4 Geo.2 c.20 (1730)</b> (Church at Gravesend Act)	5 - 6
<b>8 Geo.2 c.27 (1734)</b> (Church of St Leonard, Shoreditch Act) 11 Geo.2 c.23 (1737) (St Leonards, Shoreditch Act)	8 - 10
<b>13 Geo.2 c.12 (1739)</b> (Church in Sheffield Act)	11 - 12
<b>14 Geo.2 c.27 (1740)</b> (St Botolph, Aldgate Act)	13 - 14
<b>18 Geo.2 c.3 (1744)</b> (St Margaret's Church, King's Lynn Act)	15 - 16
<b>26 Geo.2 c.38 (1753)</b> (Stone Church, Stafford Act)	17 - 18
<b>26 Geo.2 c.45 (1753)</b> (Manchester Church Act)	19 - 20
<b>3 Geo.3 c.49 (1763)</b> (Canterbury: Church of St Andrew Act)	21 - 22
<b>5 Geo.3 c.65 (1765)</b> (Church of All Hallows, City Act)	23 - 24
<b>5 Geo.3 c.94 (1765)</b> (Hertford Church Act)	25 - 26
<b>7 Geo.3 c.69 (1767)</b> (St Martin's Church, Worcester Act)	27 - 28
<b>14 Geo.3 c.93 (1774)</b> (Lewisham Church Act)	29 - 30
<b>16 Geo.3 c.22 (1776)</b> (Tardebigg Church, Worcester and Warwick Act)	31 - 32

	<i>Page</i>
<b>17 Geo.3 c.32 (1776)</b> (Church, Buckingham Act)	33 - 34
<b>25 Geo.3 c.95 (1785)</b> (Holy Trinity Church, Bristol Act)	35 - 37
<b>26 Geo.3 c.15 (1786)</b> (Liverpool Rectory Act)	38 - 40
<b>26 Geo.3 c.117 (1786)</b> (All Saints' Church, Newcastle Act)	41 - 42
<b>27 Geo.3 c.17 (1787)</b> (East Stonehouse Chapel Act)	43 - 44
<b>27 Geo.3 c.49 (1787)</b> (St James' Parish, Bristol Act) 38 Geo.3 c.xxxv (1798) (St James' Parish, Bristol (Division) Act)	45 - 47
<b>27 Geo.3 c.62 (1787)</b> (Hanley Chapel, Stafford Act)	48 - 49
<b>27 Geo.3 c.63 (1787)</b> (St Mary Church, Wanstead Act) 29 Geo.3 c.14 (1789) (St Mary, Wanstead Act)	50 - 52
<b>27 Geo.3 c.64 (1787)</b> (Portsea Chapel Act) 28 & 29 Vict. c.lviii (1865) (Church of St John, Portsea Act)	53 - 55
<b>28 Geo.3 c.74 (1788)</b> (Paddington Parish Church Act) 33 Geo.3 c.43 (1793) (Paddington Parish Church Act)	56 - 58
<b>30 Geo.3 c.20 (1790)</b> (St Thomas Church, Bristol Act)	59 - 60
<b>30 Geo.3 c.72 (1790)</b> (Banbury Church Act)	62 - 63
<b>30 Geo.3 c.79 (1790)</b> (East Grinstead Church Act) 51 Geo.3 c.i (1811) (East Grinstead Parish Church Act)	64 - 66

	<i>Page</i>
<b>31 Geo.3 c.71 (1791)</b> (All Saints Church, Southampton Act) 33 Geo.3 c.101 (1793) (All Saints Church, Southampton Act) 38 Geo.3 c.i (1797) (All Saints Church, Southampton Act)	67 - 69
<b>31 Geo.3 c.73 (1791)</b> (Saffron Walden Parish Church Act)	70 - 71
<b>32 Geo.3 c.88 (1792)</b> (Lane End Chapel, Stoke upon Trent Act)	72 - 73
<b>33 Geo.3 c.45 (1793)</b> (Hanbury Church Act)	74 - 75
<b>34 Geo.3 c.107 (1794)</b> (Tipton Church, Stafford Act)	76 - 77
<b>38 Geo.3 c.lxii (1798)</b> (St Peter's Church, St Albans Act) 43 Geo.3 c.ix (1803) (St Peter's Church, St Albans Act) 46 Geo.3 c.lxviii (1806) (St Peter's Parish Church, St Albans Act)	78 - 80
<b>39 &amp; 40 Geo.3 c.li (1800)</b> (Chelmsford Parish Church Act)	81 - 82
<b>41 Geo.3 c.lxiv (1801)</b> (Leeds Kirkgate Street Church Act)	83 - 84
<b>43 Geo.3 c.lxii (1803)</b> (Dagenham Parish Church Act)	85 - 86
<b>45 Geo.3 c.lxvi (1805)</b> (Redditch Chapel Act)	87 - 88
<b>45 Geo.3 c.c (1805)</b> (All Saints Lewes Parish Church Act)	89 - 90
<b>46 Geo.3 c.iv (1806)</b> (Chertsey Parish Church Act) 47 Geo.3 Sess.1 c.x (1807) (Chertsey Parish Church Act)	91 - 93
<b>46 Geo.3 c.lxi (1806)</b> (Great Yarmouth Parish Church Act) 3 Geo.4 c.xx (1822) (Great Yarmouth Parish Church Act)	94 - 96

	<i>Page</i>
<b>47 Geo.3 Sess.2 c.lxi (1807)</b> (Shireoaks Chapel, Worksop, Right of Patronage Act)	97 - 98
<b>47 Geo.3 Sess.2 c.lxxvii (1807)</b> (Standard Hill, Nottingham, Chapel Act)	99 - 100
<b>49 Geo.3 c.cxv (1809)</b> (Worthing Chapel of Ease Act) 5 Geo.4 c.xx (1824) (Worthing Chapel of Ease Act)	101 -103
<b>51 Geo.3 c.lxxviii (1811)</b> (Chapels of St Mary and St Paul, Birmingham Act)	105 - 106
<b>51 Geo.3 c.cxxvi (1811)</b> (Hungerford Parish Church Act) 55 Geo.3 c.xx (1815) (Hungerford Parish Church Repairing and Enlarging Act)	107 - 109
<b>51 Geo.3 c.clii (1811)</b> (Sevenoaks Parish Church Repair Act)	110 -111
<b>52 Geo.3 c.cix (1812)</b> (St Sidwell, Exeter, Parish Church Act) 54 Geo.3 c.cx (1814) (St Sidwell's Church, Exeter Act)	112 - 114
<b>52 Geo.3 c.cx (1812)</b> (Bishop Stortford Parish Church Act)	115 -116
<b>54 Geo.3 c.xxxii (1814)</b> (Newton Chapel (Manchester) Act) 57 Geo.3 c.xxii (1817) (Newton Chapel (Manchester) Act)	117 - 119
<b>54 Geo.3 c.lxxvii (1814)</b> (Sculcoates Additional Church Act)	120 - 121
<b>55 Geo.3 c.v (1815)</b> (Stockport Parish Church Act)	122 - 123
<b>55 Geo.3 c.xxi (1815)</b> (St John's Church, Wakefield Act)	124 - 125
<b>55 Geo.3 c.xliv (1815)</b> (St Thomas, Dudley, Parish Church Act)	126 -127
<b>55 Geo.3 c.lxxix (1815)</b> (Hanworth Parish Church Act)	128 - 129
<b>55 Geo.3 c.lxxx (1815)</b> (Rochdale Chapel of Ease Act)	130 -131

	<i>Page</i>
<b>56 Geo.3 c.xxviii (1816)</b> (St George the Martyr, Middlesex, Parish Church Act) 59 Geo.3 c.xi (1819) (St George the Martyr, Middlesex, Parish Church and Churchyard Act)	132 -134
<b>56 Geo.3 c.lxv (1816)</b> (St Mark's Church, Liverpool Act)	135 - 136
<b>57 Geo.3 c.liii (1817)</b> (Stansted Chapel, Stoughton (Sussex) Act)	137 -138
<b>59 Geo.3 c.xxxvii (1819)</b> (St Hilds Chapel, Jarrow Act)	139 - 140
<b>59 Geo.3 c.lxiii (1819)</b> (St John the Baptist, Peterborough, Parish Church Act)	141 - 142
<b>60 Geo.3 &amp; 1 Geo.4 c.ii (1820)</b> (Liverpool Church Act) 20 & 21 Vict. c.xxxvi (1857) (St Philip's Church, Liverpool Act) 45 & 46 Vict. c.x (1882) (St Philip's Church (Liverpool) Act)	143 - 146
<b>1 Geo.4 c.xli (1820)</b> (St Mary Newington Parish Churches Act)	147 - 149
<b>1 Geo.4 c.lviii (1820)</b> (St Matthew's Chapel, Pendleton Act)	150 - 151
<b>1 &amp; 2 Geo.4 c.cxiv (1821)</b> (St Nicholas in Harwich Parish Church Act) 5 Geo.4 c.cxxvii (1824) (St Nicholas Harwich Church Act)	152 - 153
<b>3 Geo.4 c.lxxi (1822)</b> (St Mary's Church, Greenwich Act)	154 - 155
<b>5 Geo.4 c.xxi (1824)</b> (St John's Church in Roundhay Act)	156 - 157
<b>5 Geo.4 c.xl (1824)</b> (Maidenhead Chapel Act)	158 - 159
<b>5 Geo.4 c.lxiv (1824)</b> (Oldham Church, Burial Ground and Church Rates Act) 9 Geo.4 c.xcix (1828) (Oldham Church Act)	160 - 162
<b>6 Geo.4 c.xxxiii (1825)</b> (St Mary's Chapel, Hastings Act)	163 - 164

	<i>Page</i>
<b>6 Geo.6 c.lv (1825)</b> (St James, Poole, Church Act)	165 - 166
<b>6 Geo.4 c.lviii (1825)</b> (Chapel of the Holy and Undivided Trinity, Gosport Act)	167 - 168
<b>6 Geo.4 c.cxcv (1825)</b> (St Dunstan in the East Parish Borrowing Act)	169 - 170
<b>7 Geo.4 c.li (1826)</b> (Church of St David, Liverpool Act)	171 – 172
<b>7 &amp; 8 Geo.4 c.xcii (1827)</b> (Wisbech Chapel of Ease Act)	173 - 174
<b>9 Geo.4 c.xv (1828)</b> (Hove Chapel of Ease Act)	175 - 176
<b>10 Geo.4 c.xcvi (1829)</b> (St Dunstan in the West Parish Church Act)	177 - 178
<b>11 Geo.4 &amp; 1 Will.4 c.xl (1830)</b> (Church of St Augustine, Walton-on-the-Hill Act)	179 - 180
<b>1 Will.4 c.xxiii (1831)</b> (St John's Church, Liscard (Cheshire) Act)	181 - 182
<b>1 Will.4 c.xxiv (1831)</b> (St Leonard's Chapel, Hastings Act)	183 - 184
<b>2 &amp; 3 Will.4 c.lxxix (1832)</b> (Church of St Mary, Birkenhead Act)	185 - 186
<b>2 &amp; 3 Will.4 c.lxxx (1832)</b> (Parish Church of St Bartholomew, Chichester Act)	187 - 188
<b>6 &amp; 7 Will.4 c.lxix (1836)</b> (Perlethorpe Chapelry (Nottinghamshire) Act)	189 - 190
<b>4 &amp; 5 Vict. c.xxxvii (1841)</b> (Birkenhead Holy Trinity Church Act)	191 - 192
<b>5 &amp; 6 Vict. c.lxi (1842)</b> (Kingstown Episcopal Mariners Church Act)	193 - 194
<b>8 &amp; 9 Vict. c.xxvi (1845)</b> (Claughton-cum-Grange (St Andrew) Church Act)	195 - 196

	<i>Page</i>
<b>11 &amp; 12 Vict. c.cli (1848)</b> (Chapel for Marlborough College Act)	197 - 198
<b>St Patrick's Cathedral Economy Fund Act 1851</b> (14 & 15 Vict. c.lxxxii)	199 - 200
<b>Kilkenny Cathedral Economy Fund Act 1864</b> (27 & 28 Vict. c.3)	201 - 202
<b>Exeter Chapel of St John's Hospital Act 1878</b> (41 & 42 Vict. c.xix)	203 - 204
<b>St Peter's (Clifton Bristol) Church Act 1883</b> (46 & 47 Vict. c.xvi)	205 - 206
<b>Bermondsey Vestry Act 1885</b> (48 & 49 Vict. c.cxvi)	207 - 208
<b>Birstall Wesleyan Chapel Trust Scheme Confirmation Act 1890</b> (53 & 54 Vict. c.clxxxiv)	209 - 210
<b>Hanover Chapel (Regent Street) Act 1891</b> (46 & 47 Vict. c.xvi)	211 - 212
<b>St Simon and St Jude's Church Anfield Act 1892</b> (55 & 56 Vict. c.cxlii)	213 - 214
<b>Church of Emmanuel West End Hampstead Act 1899</b> (62 & 63 Vict. c.lxvii)	215
<b>All Saints' Church (Cardiff) Act 1899</b> (62 & 63 Vict. c.clvi)	216 - 217
<b>Bosden Wesleyan Trust Property Charity Scheme Confirmation Act 1913</b> (3 & 4 Geo.5. c.clxxiii)	218 - 219
<b>Eatington Wesleyan Methodist Chapel Property Charity Scheme Confirmation Act 1919</b> (9 & 10 Geo.5. c.lxxxvii)	220 - 221
<b>Hawkshead Mission Chapel Charity Scheme Confirmation Act 1923</b> (13 & 14 Geo.5. c.lv)	222 - 223





## CHURCHES REPEAL PROPOSALS

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<i>Reference</i>	<i>Extent of repeal or revocation</i>
28 Hen.8 c.31 (1536) (Enlarging St Margaret's Churchyard Southwark Act)	The whole Act.

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### *Enlarging St Margaret's Churchyard Southwark Act (1536)*

1. This note proposes the repeal of an obsolete 1536 Act passed to enlarge the churchyard of St Margaret's Church in Southwark.
2. Dating from around 1100, the parish church of St Margaret in Southwark was situated in the place formerly known as St Margaret's Hill, now known as Borough High Street.
3. The *preamble* to the *Enlarging St Margaret's Churchyard Southwark Act* of 1536 ("the 1536 Act") recorded that the churchyard of St Margaret's Church was too small for the burial of an ever-growing local population. More land needed to be purchased to extend the church.
4. Accordingly the 1536 Act provided as follows-
  - (a) the parish churchwardens were incorporated as a legal entity with power to purchase an acre of land to be used as an extension to the existing churchyard; general savings provision (*sections 1 and 2*)
  - (b) the power to purchase the land and establish the churchyard were to expire after 2 years (*section 3*)
  - (c) the churchwardens' corporate status was to exist only for the purpose of this Act (*section 4*).
5. Although the churchyard was duly extended in accordance with the 1536 Act, the church itself was closed in 1541. St Mary Overy (a significantly larger and more convenient building) became the new parish church in its place, and the name of the

parish was changed to St Saviour.<sup>1</sup> In 1545 the site of the disused church (together with the churchyard) was sold and re-developed for sundry purposes including the building of a new court or sessions house. Today the site is occupied by the Town Hall Chambers<sup>2</sup> in Borough High Street and by the site of the widened Southwark Street.

6. The 1536 Act ceased to serve any purpose that same year once the additional burial land had been purchased in accordance with the Act. Accordingly the Act has been obsolete for nearly 500 years and its repeal is proposed on that basis.

7. The Diocese of Southwark, the Legal Office of the Church of England and the London Borough of Southwark have been consulted about these repeal proposals.

LAW/005/031/06  
08 July 2014

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<sup>1</sup> St Saviour was formed in 1541 by the union of the parishes of St Margaret and St Mary.

<sup>2</sup> These today comprise commercial and residential premises.

<i>Reference</i>	<i>Extent of repeal or revocation</i>
10 Ann. c.43 (1711) (Deal Chapel of Ease Act)	The whole Act.

### *Deal Chapel of Ease Act (1711)*

1. This note proposes the repeal of an obsolete 18<sup>th</sup> century Act passed to finance the building of a chapel of ease in Deal, Kent.<sup>3</sup> The chapel is today the Civic Church of St George the Martyr, Deal.

2. The *preamble* to the Deal Chapel of Ease Act of 1711 (“the 1711 Act”) recorded that the “Parish Church of the ancient Town of Deal is a full Mile from the Sea-side where the Rendezvous of the Royal Navy in the Downs hath of late Years so encouraged building Houses on that Shore that a large and spacious Brick Town well inhabited with all Sorts of Tradesmen and Artificers now stands on the Beach of the Sea and is commonly called The Town of Lower Deal”. The preamble also recorded that these inhabitants, inconvenienced by their distance from the parish church, had raised money to start the construction of a chapel of ease. However, insufficient money had been raised to permit the completion of the construction.

3. Accordingly the 1711 Act provided as follows-

- (a) a tax was imposed on all coal imported into the town or port of Deal between 1 May 1711 and 30 April 1727, such tax to be paid to the Mayor, Jurates<sup>4</sup> and Common Council of the Corporation of Deal (*section 1*)
- (b) a penalty was imposed for failing to pay the coal tax; power was granted to board ships to inspect cargo (*sections 2 and 3*)
- (c) coal tax receipts were to be used to complete the chapel building work; tax receipts were to be available as security for any borrowings for the completion of the building work (*sections 4 and 5*)
- (d) in order to raise money to maintain a Minister to preach and read divine service in the chapel, “it shall and may be lawful to and for ... the Chapel

<sup>3</sup> A chapel of ease is an Anglican chapel situated for the convenience of parishioners living a long distance from the parish church. Such chapels usually arose in cases where the parish population was growing rapidly.

<sup>4</sup> A Jurat was an Alderman in a town of the Cinque Ports.

Wardens who shall be chosen by the Mayor Jurates and Common Council [of the Corporation of Deal] ... to seat the Inhabitants of the said Lower Town in their Pews and to set such annual Rates and Prices upon the several Pews of the said Chapel as shall be sufficient to pay unto such Minister ... an Allowance not exceeding One hundred Pounds per Annum”<sup>5</sup> (*section 6*)

- (e) nothing in this Act was to affect the tithe or other income of the Minister of the parish church of Deal; status of this Act (*sections 7 and 8*).

4. The building work was duly completed. The chapel was consecrated as a chapel of ease to the parish church of St Leonard on 19 June 1716 and dedicated to St George. In 1852 St George’s became a parish church in its own right, known as the Civic Church of St George the Martyr, Deal.

5. Every provision of the 1711 Act has now ceased to have effect. *Sections 1 to 5* were formally repealed in 1973.<sup>6</sup> The provisions in *section 6* for maintaining a Minister from income raised by pews in the chapel have long ceased to be enforced. The remaining provision in *section 6* (providing for the choosing of the chapel wardens by the Corporation of Deal) was specifically saved in 1981,<sup>7</sup> but this arrangement was abandoned in 1990 or thereabouts. *Sections 7 and 8* existed solely for the purpose of supporting sections 1 to 6 and ceased to serve any useful purpose when sections 1 to 6 became obsolete. Accordingly the 1711 Act is now obsolete and its repeal is proposed on that basis.

6. The Diocese of Canterbury, the Legal Office of the Church of England, St George’s Church, Deal, Dover District Council and Deal Town Council have been consulted about these repeal proposals.

LAW/005/031/06  
08 July 2014

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<sup>5</sup> Section 6 provided that the Minister would be nominated immediately after the completion of the chapel by the Archbishop of Canterbury as patron of the parish church of Deal.

<sup>6</sup> Statute Law (Repeals) Act 1973, s 1, Sch 1 Part 3.

<sup>7</sup> County of Kent Act 1981 (c.xviii), s 133(2), Sch 6. This saving was clearly intended to avoid the general cesser provisions in section 262(9) of the Local Government Act 1972. Section 262(9) provided that certain types of legislation promoted by local authorities would automatically cease to have effect on 31 December 1984 (a date later postponed to 31 December 1987) unless they were specifically continued by subsequent legislation.

<i>Reference</i>	<i>Extent of repeal or revocation</i>
4 Geo.2 c.20 (1730) (Church at Gravesend Act)	The whole Act.
<hr/> <i>Church at Gravesend Act (1730)</i>	
<p>1. This note proposes the repeal of an obsolete 1730 Act passed to authorise the rebuilding of the parish church of St George in Gravesend, Kent.<sup>8</sup></p> <p>2. According to its long title, the purpose of the <i>Church at Gravesend Act</i> of 1730 ("the 1730 Act") was-</p> <p style="padding-left: 40px;"><i>for rebuilding the Parish Church of Gravesend in the County of Kent, as One of the Fifty New Churches directed to be built by Two Acts of Parliament, one made in the Ninth, and the other in the Tenth Year of the Reign of Her late Majesty Queen Anne.</i></p> <p>3. The Acts of Queen Anne referred to in the long title were Acts of 1710<sup>9</sup> and 1711<sup>10</sup> passed to raise money to build fifty new churches in and around London. In the event only a dozen or so new churches were actually built. However, as in the case of St George's in Gravesend, money from those Acts was also used to fund the reconstruction of a number of existing churches.</p> <p>4. The <i>preamble</i> to the 1730 Act recorded that the parish church of Gravesend had been burned down on 24 August 1727 (along with a large part of Gravesend itself) with the result that "the Parishioners cannot rebuild the said Church without some other Assistance".</p> <p>5. The 1730 Act provided as follows-</p> <p style="padding-left: 40px;">(a) the Commissioners appointed under the 1710 and 1711 Acts were authorised to use £5000 of the funds raised by those Acts for the rebuilding of St George's as if that church had been one of the fifty new churches authorised by those Acts</p>	

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<sup>8</sup> The remains of (Princess) Pocahontas are reputed to be buried in the vicinity of St George's Church. Pocahontas was a Native American from Virginia who lived briefly in England before dying in 1617 off Gravesend at the start of her sea journey back to Virginia.

<sup>9</sup> 9 Ann. c.17 (New Churches in London and Westminster).

<sup>10</sup> 10 Ann. c.20 (Churches in London and Westminster).

(b) the £5000 was to be handed over after 24 June 1731 to the Trustees appointed under the 1730 Act, the money to be used for the purpose of rebuilding the church

(c) the Trustees were required to provide accounts to show how the money had been disposed of; the church to be constructed with brick as well as stone; payment of expenses provisions.

6. The building works were duly carried out pursuant to the 1730 Act and were completed the following year. The new church re-opened in 1733 and remains in use to this day.

7. Upon the completion of the building works in 1731, the 1730 Act served its purpose and became unnecessary. Its formal repeal is now proposed on that basis.

#### *Consultation*

8. The Diocese of Rochester, St George's Church, Gravesend and the Legal Office of the Church of England have been consulted about these repeal proposals.

LAW/005/031/06  
08 July 2014



St Leonard's Church, Shoreditch

<i>Reference</i>	<i>Extent of repeal or revocation</i>
8 Geo.2 c.27 (1734) (Church of St Leonard, Shoreditch Act)	The whole Act.
11 Geo.2 c.23 (1737) (St Leonards, Shoreditch Act)	The whole Act.
<hr/> <i>Church of St Leonard, Shoreditch Act (1734)</i> <i>St Leonards, Shoreditch Act (1737)</i>	
<p>1. This note proposes the repeal of two obsolete late 18<sup>th</sup> century Acts passed for the rebuilding of St Leonard's Church in Shoreditch. Situated in Hackney, St Leonard's is today often called simply "Shoreditch Church".</p>	
<p><i>Church of St Leonard, Shoreditch Act (1734)</i></p>	
<p>2. According to its long title, the purpose of the <i>Church of St Leonard, Shoreditch Act</i> of 1734 ("the 1734 Act") was-</p> <p style="padding-left: 40px;"><i>"for rebuilding the Parish Church of Saint Leonard Shoreditch in the County of Middlesex".</i></p>	
<p>3. A church has stood on the site of St Leonard's for at least 800 years. By the early 18<sup>th</sup> century, however, the church needed rebuilding. The tower partly collapsed in 1716. According to the <i>preamble</i> to the 1734 Act, the church had been built "with Chalk and Rubble, [and] is now so decayed in the Walls and Pillars, and most other Places thereof, that the whole Building is in a very ruinous Condition". The church needed to be pulled down and rebuilt.</p>	
<p>4. Accordingly the 1734 Act provided as follows-</p>	
<p style="padding-left: 40px;">(a) appointment of Trustees to carry out the purposes of this Act including the demolition of the church and steeple and its reconstruction</p>	
<p style="padding-left: 40px;">(b) the demolition and rebuilding works were to be met from funeral and other rates and paid to the Trustees; Trustees empowered to levy and enforce the payment of rates</p>	
<p style="padding-left: 40px;">(c) appointment of rates collectors who were obliged to account for and hand over all rates moneys received by them; penalties for defaulting collectors</p>	



- (d) the Trustees were authorised to raise up to £8000 by selling annuities; annuities to be recorded, assignable and charged on the rates
- (e) provisions for supplementing the income raised by the Act by an annual rate not exceeding one shilling for each pound of rateable value of property and rents in the parish; special provision for rented properties
- (f) appointment of new Trustees; disqualification of Trustees; all rates to cease once the last annuity had come to an end
- (g) power of Trustees to dispose of the materials of the old church; keeping of records and accounts; power to rebuild the houses of the clerk and sexton; this Act not to affect existing private rights
- (h) civil procedure matters; status of this Act.

*St Leonards, Shoreditch Act (1737)*

5. According to its long title, the purpose of the *St Leonards, Shoreditch Act* of 1737 ("the 1737 Act") was to amend and explain the 1734 Act.

6. The *preamble* to the 1737 Act recorded that the provision in the 1734 Act for certain funeral rates and duties to be paid to the Trustees had been construed as extending to the ancient funeral rates and duties enjoyed by the vicar, parish clerk and sexton.

7. The 1737 Act accordingly clarified the position by providing that the 1734 Act did not extend to such ancient funeral rates and duties. The 1737 Act also repealed a provision in the 1734 Act whereby funeral rates and duties were to be payable for the purposes of the 1734 Act even if the deceased were not buried at St Leonard's.

*Both Acts now obsolete*

8. St Leonard's was duly rebuilt in accordance with the 1734 Act. The works were supervised by George Dance the Elder and were completed in 1740. The principal purpose of the 1734 Act – that of rebuilding the church – was then fulfilled. The 1734 Act (and the ancillary 1737 Act) ceased to serve any useful purpose when the final annuity had come to an end, which would have been no later than 1770 or

thereabouts. Both Acts are accordingly obsolete and their repeal is proposed on that basis.

*Consultation*

9. St Leonard's Church, Shoreditch, the Bishop of London and the Legal Office of the Church of England have been consulted about these repeal proposals.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
13 Geo.2 c.12 (1739) (Church in Sheffield Act)	The whole Act.
<i>Church in Sheffield Act (1739)</i>	
<p>1. This note proposes the repeal of an obsolete 18<sup>th</sup> century Act passed to make provision for a chapel in Sheffield. The chapel became known as St Paul's Church, Sheffield and was demolished in 1938.</p> <p>2. According to its long title, the purpose of the <i>Church in Sheffield Act</i> of 1739 ("the 1739 Act") was-</p> <p style="padding-left: 40px;"><i>for making a Chapel lately built by Robert Downes, Goldsmith, and others, in the Town of Sheffield, in the County of York, a perpetual Cure and Benefice; and for making a Provision for the Maintenance of the Curate or Minister of the said Chapel, pursuant to an Agreement for that Purpose.</i></p> <p>3. By 1700, Sheffield's population had reached 5000 and a second Anglican place of worship was required to house a growing population. Following public subscription, a chapel was built in 1721 as a chapel of ease<sup>11</sup> to the existing Sheffield parish church. A local goldsmith, Robert Downes, contributed £1000 towards the construction costs. He also promised a further £30 a year on condition that he and his descendants reserved the right to appoint the curate. This condition provoked argument with the parish vicar who wished to appoint the curate himself. The compromise reached between them required Parliamentary sanction in the form of the 1739 Act.</p> <p>4. The 1739 Act provided as follows-</p> <p style="padding-left: 40px;">(a) the chapel to be consecrated as the chapel of St Paul, Sheffield; the first curate to be a Robert Downes nominee; subsequent curates to be nominated by the parish vicar</p> <p style="padding-left: 40px;">(b) trustees appointed to carry out the powers provided by the Act, including power to let the pews and appropriate the resulting income; replacement of trustees; status of this Act.</p>	

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<sup>11</sup> A chapel of ease is an Anglican chapel situated for the convenience of parishioners living a long distance from the parish church or to ease overcrowding in that church. Such chapels usually arose in cases where the parish population was growing rapidly.

5. St Paul's Chapel was consecrated on 22 May 1740. It became a parish church in its own right in 1824.

6. Falling congregations in the 1930s, however, resulted in St Paul's closing in 1937. The church itself was demolished the following year. The site is today laid out to gardens, known as the Peace Gardens. The closure of the church, and its subsequent demolition, mean that the 1739 Act has long been obsolete. Its repeal is proposed on that basis.

*Consultation*

7. The Bishop of Sheffield and the Legal Office of the Church of England have been consulted about these repeal proposals.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
14 Geo.2 c.27 (1740) (St Botolph, Aldgate Act)	The whole Act.

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*St Botolph, Aldgate Act 1740*

1. This note proposes the repeal of an obsolete 18<sup>th</sup> century Act passed for the rebuilding of St Botolph's Church, Aldgate. This church, also known as St Botolph-without-Aldgate, stands at the junction of Houndsditch and Aldgate High Street.

2. According to its long title, the purpose of the *St Botolph, Aldgate Act* of 1740 ("the 1740 Act") was-

*to enable the Parishioners of the Parish of Saint Botolph without Aldgate, in the City of London, and County of Middlesex, to rebuild the Church of the said Parish.*

3. By 1740 this ancient church<sup>12</sup> was in a dangerous condition. The *preamble* to the 1740 Act recorded that part of the church "is in great Danger of falling down, and other Parts in a very ruinous Condition". The church and its steeple needed demolishing and rebuilding. That, however, required the raising of funds.

4. The 1740 Act accordingly provided as follows-

- (a) the appointment of Trustees to demolish and rebuild the church with power to levy rates each year to raise the necessary funds; rates not to exceed six pence for each pound of rateable value of property and rents in the parish; special provision for rented properties; penalties for non-payment of rates
- (b) appointment of rate collectors who were obliged to account for and hand over to the Trustees all rates money received by them; penalties for defaulting collectors
- (c) the Trustees were authorised to raise up to £6000 by selling annuities; annuities to be recorded, assignable and charged on the rates
- (d) appointment of new Trustees; disqualification of Trustees; rates to cease to be levied once the last annuity sold had come to an end

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<sup>12</sup> A church has existed on this site for over 1000 years. The original Saxon building was enlarged in 1418.

(e) Trustees empowered to dispose of the materials of the old church; keeping of records and accounts; saving provisions

(f) civil procedure matters; status of this Act.

5. The rebuilding of St Botolph's was duly completed, pursuant to the 1740 Act, in 1744. The designer was George Dance the Elder.

6. The purpose of the 1740 Act, the rebuilding of St Botolph's, was fulfilled in 1744. The Act ceased to serve any useful purpose once the final annuity had come to an end, which would have been no later than 1780 or thereabouts. The 1740 Act is accordingly obsolete and its repeal is proposed on that basis.

#### *Consultation*

7. St Botolph's Church, Aldgate, the Bishop of London and the Legal Office of the Church of England have been consulted about these repeal proposals.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
18 Geo.2 c.3 (1744) (St Margaret's Church, King's Lynn Act)	The whole Act.
<i>St Margaret's Church, King's Lynn Act (1744)</i>	
<p>1. This note proposes the repeal of an obsolete 18<sup>th</sup> century Act passed for the purpose of completing the rebuilding of St Margaret's Church in King's Lynn, Norfolk. St Margaret's remains in use to this day.</p> <p>2. According to its long title, the purpose of the <i>St Margaret's Church, King's Lynn Act of 1744</i> ("the 1744 Act") was-</p> <p style="padding-left: 40px;"><i>to enable the Parishioners of the Parish of Saint Margaret, within the Borough of King's-Lynn, in the County of Norfolk, to raise Money, by Rates upon themselves, for finishing the Church of the said Parish.</i></p> <p>3. A church or priory has stood on the site of St Margaret's since the early 12<sup>th</sup> century. The present church was badly damaged by a storm on 8 September 1741 which brought down the spire and destroyed much of the fabric. The <i>preamble</i> to the 1744 Act recorded that, although much private money had been raised to restore the church, the parishioners were "unable to defray the Expence of rebuilding and finishing the said Church and Steeple, without the Aid of Parliament".</p> <p>4. The 1744 Act accordingly provided as follows-</p> <p style="padding-left: 40px;">(a) appointment of Trustees with authority to complete the rebuilding work and to raise funds not exceeding £3500; power to levy and enforce the payment of rates</p> <p style="padding-left: 40px;">(b) appointment of rates collectors who were obliged to account for and hand over to the Treasurer all rates moneys received by them; penalties for defaulting collectors</p> <p style="padding-left: 40px;">(c) the Trustees were authorised to raise up to £280 per annum by selling annuities (to a maximum of £3500); annuities to be recorded, assignable and charged on the rates</p>	

- (d) the rates to be levied each year were not to exceed one shilling and six pence for each pound of rateable value of property and rents in the parish; special provision for rented properties
- (e) appointment of new Trustees; qualifications of Trustees
- (f) rates to cease once the last annuity sold had come to an end
- (g) the Trustees' power to dispose of the materials of the church; keeping of records and accounts; meetings of the Trustees
- (h) civil procedure matters; status of this Act.

5. The rebuilding was duly completed (under the supervision of the architect Matthew Brettingham) and the church was re-opened in 1749. The church was further restored in 1874, this time under the direction of Sir George Gilbert Scott.

6. The purpose of the 1744 Act, to complete the rebuilding of St Margaret's Church, was met in 1749. The Act ceased to serve any useful purpose once the final annuity had come to an end, which would have been no later than 1780 or thereabouts. The 1744 Act is accordingly obsolete and its repeal is proposed on that basis.

#### *Consultation*

7. St Margaret's Church, King's Lynn, the Bishop of Norwich and the Legal Office of the Church of England have been consulted about these repeal proposals.

LAW/005/031/06  
08 July 2014



<i>Reference</i>	<i>Extent of repeal or revocation</i>
26 Geo.2 c.38 (1753) (Stone Church, Stafford Act)	The whole Act.
<hr/> <i>Stone Church, Stafford Act (1753)</i>	
<p>1. This note proposes the repeal of an obsolete 18<sup>th</sup> century Act passed for the purpose of rebuilding the parish church in Stone, Staffordshire. The church, St Michael and St Wulfad's, remains in use to this day.</p> <p>2. According to its long title, the purpose of the <i>Stone Church, Stafford Act</i> of 1753 ("the 1753 Act") was "to enable the Parishioners of the Parish of Stone, in the County of Stafford, to rebuild the Church of the said Parish".</p> <p>3. A church or priory has stood on, or close to, the site of St Michael's since the 12<sup>th</sup> century.<sup>13</sup> By the mid-18<sup>th</sup> century the old church was dilapidated. In December 1749 a large part of it collapsed. Parliamentary authority was needed to raise the funds necessary to rebuild the church.</p> <p>4. The 1753 Act accordingly provided as follows-</p> <ul style="list-style-type: none"> <li>(a) appointment of Trustees with authority to pull down the old church, erect a new church and steeple, and raise funds of up to £3000</li> <li>(b) the Trustees were authorised to levy annual rates on all property within the parish, the rates not to exceed two shillings for each pound of rateable value of property and rents in the parish</li> <li>(c) appointment of rates collectors who were obliged to account for and hand over all rates moneys received by them; special provision for rates liability in the case of rented properties; enforcement of rates payments; penalties for defaulting collectors</li> <li>(d) the Trustees were authorised to borrow a maximum of £2000 on the security of the rates</li> </ul>	

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<sup>13</sup> The Augustinian Stone Priory of St Mary and St Wulfad survived until its dissolution in 1537.

- (e) rates to cease once the costs and expenses of rebuilding the church had been paid
- (f) appointment of new Trustees; disqualification of Trustees
- (g) the Trustees were authorised to dispose of the materials of the old church; to build a temporary place of worship pending the rebuilding; to sell rights over the use of the pews; and to buy any land needed for the new church and churchyard
- (h) keeping of records and accounts; civil procedure matters; status of this Act.

5. The rebuilding work was duly completed in 1758, when the new church was dedicated to St Michael the Archangel. The 1753 Act ceased to serve any useful purpose once the church had been rebuilt in accordance with its provisions. It follows that the 1753 Act has long been obsolete and its repeal is proposed on that basis.

#### *Consultation*

6. St Michael and St Wulfad's Church, Stone, the Bishop of Lichfield and the Legal Office of the Church of England have been consulted about these repeal proposals.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
26 Geo.2 c.45 (1753) (Manchester Church Act)	The whole Act.

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*Manchester Church Act (1753)*

1. This note proposes the repeal of an obsolete 18<sup>th</sup> century Act passed to authorise the building of a new church in Manchester. The church was duly built but was demolished in 1891.
2. According to its long title, the purpose of the *Manchester Church Act* of 1753 ("the 1753 Act") was "for building a new Church within the Town of Manchester, in the County Palatine of Lancaster".
3. The *preamble* to the 1753 Act recorded the lack of churches in Manchester despite the increase in the local population. The principal existing church in the area was the Collegiate Church<sup>14</sup> which agreed to provide land for the building of a new church to serve the increasing population. Legislation was required to facilitate this.
4. The 1753 Act accordingly provided as follows-
  - (a) the Collegiate Church was authorised to allot the land for the building of a new church, and to proceed with the building of the church
  - (b) sale and letting of pews; authority to raise up to £2500 (by mortgage of Collegiate Church land) to cover the building costs; keeping of accounts
  - (c) patronage and advowson rights over the new church to vest in the Collegiate Church; new church to be known as St Mary's, Manchester
  - (d) the Minister of St Mary's was to be paid £100 annually; fees for weddings and burials; appointment and duties of churchwardens; appointment of new trustees and officers
  - (e) the Collegiate Church to keep the new church in repair; power to demolish houses, build roads and grant leases; access rights

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<sup>14</sup> The Collegiate Church, which became Manchester Cathedral in 1847, was incorporated by the name of "The Warden and Fellows of the College of Christ in Manchester".

(f) civil procedure matters; status of this Act.

5. The Collegiate Church duly built St Mary's in accordance with the 1753 Act. The foundation stone was laid in July 1753 and the church was consecrated in September 1756.

6. During the second half of the 19<sup>th</sup> century, however, the population of central Manchester reduced with the result that St Mary's became redundant. The church finally closed on 4 October 1890 and was subsequently demolished. An Act of 1890 provided for the parish of St Mary's to be united with the neighbouring parish of St Anne's.<sup>15</sup> This 1890 Act provided for the demolition of St Mary's and for the site of the church and its churchyard to vest in Manchester Corporation as an open space.<sup>16</sup>

7. The main purpose of the 1753 Act was the building of St Mary's. This was fulfilled when the building work was completed in 1756. The closure of the church in 1890 and its subsequent demolition means that the 1753 Act has long ceased to serve any useful purpose. The Act is accordingly obsolete and its repeal is proposed on that basis.

#### *Consultation*

8. Manchester City Council, the Bishop of Manchester and the Legal Office of the Church of England have been consulted about these repeal proposals.

LAW/005/031/06

08 July 2014

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<sup>15</sup> Saint Anne and Saint Mary Manchester (Union of Benefices) Act 1890 (53 & 54 Vict. c.clxv).

<sup>16</sup> The 1890 Act, ss 9, 10.

<i>Reference</i>	<i>Extent of repeal or revocation</i>
3 Geo.3 c.49 (1763) (Canterbury: Church of St Andrew Act)	The whole Act.
<i>Canterbury: Church of St Andrew Act (1763)</i>	
<p>1. This note proposes the repeal of an obsolete 18<sup>th</sup> century Act passed for the rebuilding of St Andrew's Church in Canterbury. St Andrew's was demolished in 1956.</p> <p>2. According to its long title, the purpose of the <i>Canterbury: Church of St Andrew Act</i> of 1763 ("the 1763 Act") was-</p> <p style="padding-left: 40px;"><i>for taking down the Parish Church of Saint Andrew, in the City of Canterbury; and for building a new Church in a more convenient Place.</i></p> <p>3. St Andrew's Church in Canterbury was situated in the middle of the high street. As such, according to the <i>preamble</i> to the 1763 Act, it "renders the Passage thereof incommodious and unsafe". It was therefore decided to pull it down and rebuild it in a more convenient place. Parliamentary authority was needed to achieve this.</p> <p>4. The 1763 Act accordingly provided as follows-</p> <ul style="list-style-type: none"> <li>(a) appointment of Trustees with authority to take down the old church and rebuild it in a more convenient place</li> <li>(b) the Trustees were authorised to purchase land, build the church and cemetery, and levy annual parish rates up to one shilling for each pound of rateable value of the property and rents in the parish</li> <li>(c) special provisions for rating rented and empty property; appointment of rates collectors who had to account for all moneys received by them; penalties for defaulting collectors</li> <li>(d) disposal of the materials of the old church; appointment of new Trustees; meetings of Trustees</li> <li>(e) rates to be payable for eight years from 5 July 1763 and then cease; keeping of records and accounts</li> </ul>	

(f) allocation of pews; savings provisions; compensation for losses caused by the building works

(g) civil procedure matters; status of this Act.

5. St Andrew's Church was duly rebuilt in accordance with the 1763 Act. It was situated close to its former site and was opened for divine service in December 1773. The new church, however, closed in the 1880s and was eventually demolished in 1956.

6. The purpose of the 1763 Act was fulfilled when the rebuilding of St Andrew's Church was completed in 1773. The Act thereupon ceased to serve any useful purpose and became obsolete. Its repeal is proposed on that basis.

#### *Consultation*

7. The Bishop of Dover (having oversight for the Canterbury diocese) and the Legal Office of the Church of England have been consulted about these repeal proposals.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
5 Geo.3 c.65 (1765) (Church of All Hallows, City Act)	The whole Act.
<i>Church of All Hallows, City Act (1765)</i>	
<p>1. This note proposes the repeal of an obsolete 18<sup>th</sup> century Act passed to permit the rebuilding of All Hallows-on-the-Wall church in the City of London. The church built pursuant to this Act is still occasionally used for services. Its principal use these days is as a home for a number of charitable organisations, including the Christian charity XLP. The church is a guild church associated with the Worshipful Company of Carpenters.</p> <p>2. According to its long title, the purpose of the <i>Church of All Hallows, City Act</i> of 1765 (“the 1765 Act”) was-</p> <p style="padding-left: 40px;"><i>for rebuilding the Parish Church of Allhallows on the Wall, in the City of London; and for rebuilding the House belonging to the Rector of the said Parish; and for purchasing several Pieces of Ground and Tenements thereon, to render the Passages to and from the said Church and House more commodious.</i></p> <p>3. A church has stood on the site of All Hallows since the early 12<sup>th</sup> century. By the mid-18<sup>th</sup> century, the existing church had become derelict. The <i>preamble</i> to the 1765 Act recorded that the church was “in so ruinous a Condition, that it is dangerous for the Inhabitants of the said Parish to attend Divine Service therein”. The church needed to be pulled down and rebuilt. The preamble also recorded the need to pull down and rebuild the rector’s house, to enlarge the churchyard and to improve the access road to the church.</p> <p>4. The 1765 Act accordingly provided as follows-</p> <p style="padding-left: 40px;">(a) appointment of Trustees to carry out the purposes of the Act; election of new Trustees; disqualification and meetings of Trustees</p> <p style="padding-left: 40px;">(b) the Trustees were authorised to pull down and rebuild the church and the rector’s house, purchase land to enlarge the cemetery, and improve the access road</p> <p style="padding-left: 40px;">(c) conveyancing provisions; compulsory purchase and compensation arrangements</p>	

- (d) the Trustees were authorised to levy and enforce the payment of parish rates to cover their costs and expenses; appointment of rates collectors; penalties for defaulting collectors
- (e) the Trustees were authorised to raise up to £4000 by selling annuities; annuities to be recorded, assignable and charged on the rates
- (f) the rates to be levied each year were not to exceed one shilling and six pence for each pound of rateable value of property and rents in the parish; special provision for rented and empty properties; appeals; rates to cease once the last annuity sold had come to an end
- (g) Trustees' power to dispose of the materials of the old church; keeping of records and accounts
- (h) rectors' existing rights preserved; rector liable to repair his house when necessary
- (i) civil procedure matters; status of this Act.

5. The rebuilding works were duly completed (under the supervision of George Dance the Younger) in 1767. The principal purpose of the 1765 Act was fulfilled at that point. The Act ceased to serve any useful purpose once the final annuity had come to an end, which would have been no later than 1800 or thereabouts. The 1765 Act is accordingly obsolete and its repeal is proposed on that basis.

#### *Consultation*

6. All Hallows-on-the-Wall Church, the Bishop of London, the Legal Office of the Church of England and the Worshipful Company of Carpenters have been consulted about these repeal proposals.

LAW/005/031/06  
08 July 2014



<i>Reference</i>	<i>Extent of repeal or revocation</i>
5 Geo.3 c.94 (1765) (Hertford Church Act)	The whole Act.
<i>Hertford Church Act (1765)</i>	
<p>1. This note proposes the repeal of an obsolete 18<sup>th</sup> century Act passed for the purpose of repairing a parish church in Hertford. This church later became known as All Saints' Church, Hertford. It was destroyed by fire in 1891.</p> <p>2. According to its long title, the purpose of the <i>Hertford Church Act</i> of 1765 ("the 1765 Act") was-</p> <p style="padding-left: 40px;"><i>for repairing the Church of the United Parishes of All Saints and Saint John in the Town of Hertford.</i></p> <p>3. The <i>preamble</i> to the 1765 Act recorded that "the whole Building is now very much decayed and out of Repair, and the Tower thereof now without any Spire". Legislation was required to raise sufficient money to pay for the repairs.</p> <p>4. The 1765 Act accordingly provided as follows-</p> <ul style="list-style-type: none"> <li>(a) appointment of Trustees with authority to carry out the repairs</li> <li>(b) the Trustees were authorised to raise up to £1500 by selling annuities; annuities to be recorded, assignable and charged on the rates</li> <li>(c) authority to levy and enforce the payment of annual rates to cover the cost of the annuities; the rates not to exceed nine pence for each pound of rateable property and rents in the parish; special provisions for rented properties</li> <li>(d) appointment and remuneration of rates collectors; penalties for non-payment of rates and for defaulting collectors; provision for arrears and appeals</li> <li>(e) appointment of new Trustees; disqualification of Trustees</li> <li>(f) rates to cease once the last annuity had come to an end; keeping of records and accounts; preservation of private graves and monuments</li> </ul>	

(g) civil procedure matters; status of this Act.

5. It appears that the repairs to the church were duly completed pursuant to the powers provided by the 1765 Act. Unfortunately the church was completely destroyed by fire in December 1891. A new church of All Saints was consecrated in 1895 and remains in active use to this day.

6. The principle purpose of the 1765 Act was met when the repair works authorised by the Act were completed. The Act ceased to serve any useful purpose once the final annuity had come to an end, which would have been no later than 1800 or thereabouts. The 1765 Act is accordingly obsolete and its repeal is proposed on that basis.

#### *Consultation*

7. All Saints' Church, Hertford, the Bishop of St Albans and the Legal Office of the Church of England have been consulted about these repeal proposals.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
7 Geo.3 c.69 (1767) (St Martin's Church, Worcester Act)	The whole Act.

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*St Martin's Church, Worcester Act (1767)*

1. This note proposes the repeal of an obsolete 1767 Act passed for the purpose of rebuilding St Martin's Church in the City of Worcester. St Martin's (now known as Old St Martin's) is still in active use today.<sup>17</sup>
2. According to its long title, the purpose of the *St Martin's Church, Worcester Act* of 1767 ("the 1767 Act") was for "*rebuilding the Parish Church of Saint Martin, within the City of Worcester*".
3. The ancient church of St Martin's had deteriorated badly by the mid-18th century. The *preamble* to the 1767 Act described it as "in so ruinous a Condition, that it is dangerous for the Inhabitants ... to attend divine Service therein". The building had to be demolished and reconstructed. Parliamentary sanction was required to achieve this and to raise the necessary funds.
4. The 1767 Act accordingly provided as follows-
  - (a) appointment of Trustees with authority to carry out the demolition and rebuilding work and raise funds not exceeding £2000; power to levy and enforce the payment of rates
  - (b) appointment of rates collectors who were obliged to account for and hand over all rates money received by them; penalties for defaulting collectors
  - (c) the Trustees were authorised to raise up to £160 per annum by selling annuities (subject to a maximum of £2000); annuities to be recorded, assignable and charged on the rates
  - (d) the rates to be levied each year were not to exceed two shillings for each pound of rateable value of property and rents in the parish of St Martin; special provision for rented properties; appeals

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<sup>17</sup> There are two churches in Worcester dedicated to St Martin. This note concerns the church in the Cornmarket. The other church is in London Road and was consecrated in 1911.

(e) appointment of new Trustees; disqualification of Trustees

(f) rates to cease once the last annuity sold had come to an end; keeping of books and records; meetings of Trustees; power to extend the existing rectorial house

(g) civil procedure matters and status of this Act.

5. The rebuilding was duly completed and the new church was opened on 8 October 1772.

6. The purpose of the 1767 Act, to rebuild St Martin's Church, was met in 1772 when the building works were completed. The Act ceased to serve any useful purpose once the final annuity had come to an end, which would have been no later than 1810 or thereabouts. The 1767 Act is accordingly obsolete and its repeal is proposed on that basis.

#### *Consultation*

7. Old St Martin's Church, Worcester, the Bishop of Worcester and the Legal Office of the Church of England have been consulted about these repeal proposals.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
14 Geo.3 c.93 (1774) (Lewisham Church Act)	The whole Act.

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*Lewisham Church Act (1774)*

1. This note proposes the repeal of an obsolete 1774 Act passed for the purpose of rebuilding St Mary's Church, Lewisham, in south London. St Mary's is still in active use today, albeit in re-constructed form.
  
2. According to its long title, the purpose of the *Lewisham Church Act* of 1774 ("the 1774 Act") was for "*rebuilding the Church of the Parish of Lewisham, in the County of Kent*".
  
3. The medieval church of St Mary's, Lewisham was in a state of ruin by the mid-eighteenth century. The *preamble* to the 1774 Act described it as "in so decayed and ruinous a Condition that it is dangerous for the Inhabitants to attend Divine Service therein". The building had to be demolished and reconstructed. Parliamentary sanction was required to achieve this and to raise the necessary funds.
  
4. The 1774 Act accordingly provided as follows-
  - (a) appointment of Trustees with authority to complete the rebuilding work and raise funds not exceeding £5000; power to levy and enforce the payment of rates
  
  - (b) appointment of rates collectors who were obliged to account for and hand over all rates money received by them; penalties for defaulting collectors
  
  - (c) the Trustees were authorised to raise up to £425 per annum by selling annuities (up to a maximum of £5000); annuities to be recorded, assignable and charged on the rates
  
  - (d) the rates to be levied each year were not to exceed one shilling for each pound of rateable value of property and rents in the parish of Lewisham; special provision for rented properties; appeals
  
  - (e) appointment of new Trustees; disqualification of Trustees

(f) rates to cease once the last annuity sold had come to an end; keeping of books and records; meetings of Trustees; power to enlarge churchyard; temporary use of chapel in Blackheath whilst rebuilding works were proceeding; power to let pews and vaults

(g) civil procedure matters and status of this Act.

5. The rebuilding was duly completed and the new church was re-opened in 1777. Subsequently much of the church was again rebuilt, this time following a major fire in 1830. Further changes were made in 1881.

6. The purpose of the 1774 Act, to complete the rebuilding of St Mary's Church, was met in 1777. The Act ceased to serve any useful purpose once the final annuity had come to an end, which would have been no later than 1820 or thereabouts. The 1774 Act is accordingly obsolete and its repeal is proposed on that basis.

#### *Consultation*

7. St Mary's Church, Lewisham, the Bishop of Southwark and the Legal Office of the Church of England have been consulted about these repeal proposals.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
16 Geo.3 c.22 (1776) (Tardebigg Church, Worcester and Warwick Act)	The whole Act.
<i>Tardebigg Church, Worcester and Warwick Act (1776)</i>	
<p>1. This note proposes the repeal of an obsolete 1776 Act passed for the purpose of rebuilding St Bartholomew's Church in Tardebigge, Worcestershire.<sup>18</sup> St Bartholomew's is still in active use today.</p> <p>2. According to its long title, the purpose of the <i>Tardebigg Church, Worcester and Warwick Act</i> of 1776 ("the 1776 Act") was <i>for rebuilding the Parish Church of Tardebigg, in the Counties of Worcester and Warwick</i>.</p> <p>3. The tower of the ancient church of St Bartholomew's collapsed in or around 1774, severely damaging the remainder of the church. The <i>preamble</i> to the 1776 Act described it as "in so ruinous a Condition that it is dangerous for the Inhabitants ... to attend Divine Service therein." The church had to be taken down and rebuilt. The authority of Parliament was required to achieve this.</p> <p>4. The 1776 Act accordingly provided as follows-</p> <ul style="list-style-type: none"> <li>(a) appointment of Trustees with authority to take down and rebuild the church and raise funds not exceeding £1100; power to levy and enforce the payment of rates</li> <li>(b) appointment of rates collectors who were obliged to account for and hand over all rates money received by them; penalties for defaulting collectors</li> <li>(c) the Trustees were authorised to raise up to £110 per annum by selling annuities (up to a maximum of £1100); annuities to be recorded, assignable and charged on the rates</li> <li>(d) the rates to be levied each year were not to exceed one shilling and six pence for each pound of rateable value of property and rents in the parish of Tardebigge; special provision for rented properties; appeals</li> </ul>	

<sup>18</sup> Tardebigge (the 1776 Act omits the final "e") is situated between Bromsgrove and Redditch.

(e) appointment of new Trustees; disqualification of Trustees

(f) rates to cease once the last annuity sold had come to an end and all borrowings had been repaid; meetings of Trustees

(g) civil procedure matters and status of this Act.

5. The rebuilding was duly completed and the new church was opened in 1777.

6. The purpose of the 1776 Act, to rebuild St Bartholomew's Church, was met in 1777. The Act ceased to serve any useful purpose once the final annuity had come to an end, which would have been no later than 1820 or thereabouts. The 1776 Act is accordingly obsolete and its repeal is proposed on that basis.

#### *Consultation*

7. St Bartholomew's Church, the Bishop of Worcester and the Legal Office of the Church of England have been consulted about these repeal proposals.

LAW/005/031/06  
08 July 2014



<i>Reference</i>	<i>Extent of repeal or revocation</i>
17 Geo.3 c.32 (1776) (Church, Buckingham Act)	The whole Act.

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*Church, Buckingham Act (1776)*

1. This note proposes the repeal of an obsolete 1776 Act passed for the purpose of rebuilding the church of St Peter and St Paul in Buckingham. The church remains in active use to this day.

2. According to its long title, the purpose of the *Church, Buckingham Act* of 1776 (“the 1776 Act”) was *for building a new Church within the Town and Parish of Buckingham*.

3. In 1776 the spire on the old church in Buckingham collapsed and caused so much damage that it was decided to rebuild the church in its entirety on a vacant site on Castle Hill.<sup>19</sup> The *preamble* to the 1776 Act recorded that the cost of rebuilding the church would be at least £5000. The local inhabitants were, however, able to raise only £2000. Fortunately the Earl Temple<sup>20</sup> (“the Earl”) had offered to make up the difference and build the church himself on condition that (1) the £2000 when raised was paid to him and (2) he was allowed to make use of the materials of the old church.

4. The 1776 Act accordingly provided as follows-

- (a) the local inhabitants were authorised to raise the sum of £2000 (in accordance with the powers provided by the Act) and pay that sum to the Earl; once the money had been paid, the church materials would vest in him
- (b) the Earl would build the new church in accordance with the agreed plans; time limits for completing the building; choice of site for the new church; appointment of Trustees to execute the Act
- (c) power to levy rates on the parish inhabitants to raise the required £2000; rates to be paid by occupiers and landlords; overseers of the poor to

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<sup>19</sup> The old church stood further down Castle Hill. Its site is still visible in the old churchyard.

<sup>20</sup> Richard Grenville-Temple.

collect and account for the rates moneys; penalties for defaulting overseers; power to raise money by selling annuities up to £170 per annum (up to a maximum of £2000); annuities to be recorded, assignable and charged on the rates

(d) Trustees authorised to buy land for the site of the new church; conveyancing and saving provisions; allocation of pews in the new church

(e) appeals, civil procedure matters and status of this Act.

5. The rebuilding work was duly completed in accordance with the 1776 Act. The new church was consecrated by the Bishop of Lincoln on 6 December 1780 and dedicated to the Apostles Peter and Paul. Extensive restoration work was carried out in 1866 under the supervision of Sir George Gilbert Scott.

6. The purpose of the 1776 Act, to rebuild the church that is now St Peter and St Paul in Buckingham, was met in 1777 when the building work was completed. The Act ceased to serve any useful purpose once the final annuity had come to an end, which would have been no later than 1820 or thereabouts. The 1776 Act is therefore obsolete and its repeal is proposed on that basis.

#### *Consultation*

7. The church of St Peter and St Paul in Buckingham, the Bishop of Oxford and the Legal Office of the Church of England have been consulted about these repeal proposals.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
25 Geo.3 c.95 (1785) (Holy Trinity Church, Bristol Act)	The whole Act.
<i>Holy Trinity Church, Bristol Act (1785)</i>	
<p>1. This note proposes the repeal of an obsolete late 18<sup>th</sup> century Act passed for rebuilding Holy Trinity Church, in Bristol. Holy Trinity Church is today known as Christ Church<sup>21</sup> and remains in active use.</p> <p>2. According to its long title, the purpose of the <i>Holy Trinity Church, Bristol Act</i> of 1785 (“the 1785 Act”) was-</p> <p style="padding-left: 40px;"><i>for rebuilding the Parish Church of Christ Church, otherwise The Holy Trinity, within the City of Bristol; and for widening the Streets adjacent thereto.</i></p> <p>3. By 1785 this ancient parish church<sup>22</sup> was in an unstable condition. The <i>preamble</i> to the 1785 Act described it as “in a ruinous Condition, and incapable of being repaired”. The preamble also recorded that access to the church was “narrow, inconvenient, and dangerous”. The church stood on the corner of two busy streets<sup>23</sup> and access was obstructed by several houses and other buildings. Agreement was reached with the City Corporation that the southern part of the old church site should be used for road widening. The City Corporation, together with local businesses and organisations had agreed to contribute towards the cost of rebuilding the church and widening the adjoining roads. Further money would, however, need to be raised (by means of a parish rate) to enable the works to be carried out. This required the authority of Parliament.</p> <p>4. The 1785 Act accordingly provided as follows-</p> <p style="padding-left: 40px;">(a) appointment of Trustees to carry out the purposes of the Act; appointment of new Trustees; qualification of Trustees</p> <p style="padding-left: 40px;">(b) appointment of rates collectors who were obliged to account for and hand over all rates money received by them; penalties for defaulting collectors</p>	

<sup>21</sup> Its full modern title is Christ Church with St Ewen, All Saints and St George.

<sup>22</sup> A church has stood on this site since Norman times.

<sup>23</sup> Wine Street and Broad Street.

- (c) certain persons in whom church land was vested to raise and pay the sum of £500 to the Trustees;<sup>24</sup> the Trustees were authorised to borrow up to £1500; both sums to be applied for the purposes of this Act (including the cost of purchasing the houses and other buildings that were to be demolished as part of the road-widening)
- (d) the Trustees were authorised to levy and enforce the payment of rates; special provision for rented properties; appeals; rates to start on 24 June 1785 and to cease once all monies borrowed under this Act had been repaid (and all expenses met)<sup>25</sup>
- (e) the Trustees were authorised to purchase the land and buildings (specified in the Act) required for the road-widening; conveyancing provisions; valuation provisions in cases of dispute about the purchase price
- (f) the Trustees were authorised to demolish the old church (and the buildings obstructing access to the church), widen the roads, erect the new church and dispose of any surplus land
- (g) penalties under the Act; civil procedure matters; status of this Act.

5. The church was duly rebuilt (and the roads widened) pursuant to the 1785 Act. The church architect was William Paty who completed the rebuilding in or around 1791.

6. The purpose of the 1785 Act, the rebuilding of the old church and the widening of the access roads, was met in 1791. The Act then ceased to serve any useful purpose. It has accordingly been obsolete for over two centuries and its repeal is proposed on that basis.

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<sup>24</sup> These persons were known as the feoffees of the lands, tenements and hereditaments of the parish of Christ Church, Bristol.

<sup>25</sup> No reference to payment of rates appears in the local parish records after 1791.

*Consultation*

7. Christ Church, Bristol, the Bishop of Bristol, Bristol City Council and the Legal Office of the Church of England have been consulted about these repeal proposals.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
26 Geo.3 c.15 (1786) (Liverpool Rectory Act)	The whole Act.

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*Liverpool Rectory Act (1786)*

1. This note proposes the repeal of an obsolete 1786 Act passed for the purpose of augmenting the income of the two rectors of the parish church and parochial chapel of Liverpool. The parish church was St Peter's, built pursuant to an Act of 1698 referred to below. It was demolished in 1922. The parochial chapel was built around 1360 and was dedicated to Our Lady and St Nicholas. It remains in active use to this day.

2. According to its long title, the purpose of the *Liverpool Rectory Act* of 1786 ("the 1786 Act") was-

*for augmenting and ascertaining the Income of the Rectors of the Parish Church and Parochial Chapel of Liverpool.*

3. The need for the 1786 Act stemmed from uncertainties arising from an Act of 1698<sup>26</sup> ("the 1698 Act") to build a new church in Liverpool with its own parish (one that would be separate from the existing parish of Walton). This new church was accordingly built in 1704 as the new parish church of Liverpool and was dedicated to St Peter. It shared the new parish with the existing parochial chapel of Our Lady and St Nicholas. The 1698 Act provided that both St Peter's and the parochial chapel should have their own rector. Doubts had been raised, however, as to whether the annual sum of £200 that the 1698 Act had provided for the rectors out of the parish rates to augment their existing income was to be payable to the rectors in addition to, or in substitution for, other ecclesiastical benefits.

4. At a meeting of the parishioners in Vestry<sup>27</sup> in 1785 it was resolved that the annual sum of £200 should be paid to the rectors (ie £100 each) in substitution for such other ecclesiastical benefits. Parliamentary authority was however required to permit this.

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<sup>26</sup> 10 Will.3 c.36.

<sup>27</sup> The Vestry was an administrative committee of a parish. In England, until the 19<sup>th</sup> century, the parish Vestry was in effect what would today be known as a parochial church council. Vestries were responsible not only for the ecclesiastical affairs of a parish but also for a range of civil or lay issues including the support of the poor.

5. The 1786 Act accordingly provided as follows-
- (a) the sum of £200 per annum was to be raised as a rate upon the occupiers of all houses and buildings in the town and liberties of Liverpool; provisions for assessing the levy on each person; penalty for non-payment; appointment and duties of rate collectors; appeals
  - (b) the £200 annual payments were to be paid to the rectors by half yearly instalments, the first such payment to be made on 29 September 1786; these payments were to be in lieu of tithes or other ecclesiastical dues (with savings for certain other dues)
  - (c) exception for poor parishioners; Act not to affect rights of patrons; the rectors to continue to enjoy the annual rents and profits arising from the seats and pews installed in the gallery and north aisle of the parochial chapel by the Corporation of Liverpool in 1718 (the rectors to be liable for the repair of the seats and pews); Corporation of Liverpool discharged from liability to provide any house or garden for the rectors
  - (d) status of this Act.

#### *Subsequent history*

6. The two rectories were united as the result of an Act of 1838<sup>28</sup> which provided that the two rectories should be combined upon the death of either of the existing rectors. Thereafter there was to be a sole rector for the parish of Liverpool. St Peter's itself was demolished in 1922.

7. The 1786 Act no longer serves any useful purpose. The rates levied to finance the £200 annual payment to the rectors have long been discontinued<sup>29</sup> as have the provisions for charging pew rents in the chapel **[The Church of Our Lady and St Nicholas to confirm this please]**. Accordingly the 1786 Act is now obsolete and its repeal is proposed on that basis.

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<sup>28</sup> 1 & 2 Vict. c.xcviii.

<sup>29</sup> The exact date of their discontinuance is not clear. Possibly they continued until the general abolition of compulsory church rates in 1868: Compulsory Church Rate Abolition Act 1868 (31 & 32 Vict. c.109).

*Consultation*

8. The Church of Our Lady and St Nicholas, Liverpool, the Bishop of Liverpool, Liverpool City Council and the Legal Office of the Church of England have been consulted about these repeal proposals.

LAW/005/031/06  
08 July 2014



<i>Reference</i>	<i>Extent of repeal or revocation</i>
26 Geo.3 c.117 (1786) (All Saints' Church, Newcastle Act)	The whole Act.
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<i>All Saints' Church, Newcastle Act (1786)</i>	
<p>1. This note proposes the repeal of an obsolete late 18<sup>th</sup> century Act passed for rebuilding the parish church of All Saints in Newcastle-upon-Tyne. All Saints was de-consecrated in 1961 and is today used as offices and as an auditorium.</p> <p>2. According to its long title, the purpose of the <i>All Saints' Church, Newcastle Act</i> of 1786 ("the 1786 Act") was-</p> <p style="padding-left: 40px;"><i>for pulling down and rebuilding the Church of All Saints, in the Town of Newcastle upon Tyne, and for enlarging the Church Yard, and making convenient Avenues and Passages thereto.</i></p> <p>3. By 1786 this ancient parish church<sup>30</sup> was in an unstable condition. The <i>preamble</i> to the 1786 Act described it as "so decayed and ruinous, that ... it is necessary that [it] should be taken down, and a new Church built". The preamble also recorded that the cemetery was too small and needed enlarging and that proper access routes to it should be provided. This would require the purchase and clearance of properties by the cemetery in Pilgrim Street and Silver Street. All this required the authority of Parliament.</p> <p>4. The 1786 Act accordingly provided as follows-</p> <ul style="list-style-type: none"> <li>(a) appointment of Trustees to carry out the purposes of the Act; appointment of new Trustees; qualification and meetings of Trustees</li> <li>(b) Trustees to appoint a Treasurer and other officers to assist in the works authorised by this Act</li> <li>(c) Trustees authorised to purchase land and buildings near the cemetery; conveyancing provisions; valuation provisions in cases of disputes about the purchase price</li> </ul>	

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<sup>30</sup> A church has stood on this site since 1286.

- (d) the Trustees were authorised to demolish the old church (and the buildings by the cemetery) and erect the new church; new church to be known as “All Saints”; allocation of pews
- (e) the Trustees were authorised to levy and enforce the payment of rates to pay for the works and land purchase (not to exceed two shillings in the pound); special provision for rented properties; power to borrow up to £1000; rates to cease once all works authorised by this Act had been completed and all monies borrowed under this Act had been repaid (and all expenses met)
- (f) penalties under the Act; appeals; civil procedure matters; status of this Act.

5. The church was duly rebuilt (and the cemetery enlarged) pursuant to the 1786 Act. It was consecrated by the Bishop of Durham in November 1789 and the building works were fully completed in 1796. However, because of declining use the church was deconsecrated in 1961, and in the 1980s it was converted for use as offices and as an auditorium.

6. The purpose of the 1786 Act (the rebuilding of the old church and the extension of the cemetery) was met in 1796. The Act then ceased to serve any useful purpose. It has accordingly been obsolete for over two centuries and its repeal is proposed on that basis.

#### *Consultation*

7. The Bishop of Newcastle, Newcastle City Council and the Legal Office of the Church of England have been consulted about these repeal proposals.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
27 Geo.3 c.17 (1787) (East Stonehouse Chapel Act)	The whole Act.

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*East Stonehouse Chapel Act (1787)*

1. This note proposes the repeal of an obsolete 1787 Act passed for the purpose of rebuilding the chapel of East Stonehouse in Devon, later known as the Church of St George of Lydda. The church was damaged in the Second World War and was demolished in 1959.<sup>31</sup>

2. According to its long title, the purpose of the *East Stonehouse Chapel Act* of 1787 (“the 1787 Act”) was “for rebuilding the Chapel of East Stonehouse, in the County of Devon.”

3. The ancient chapel of East Stonehouse had, according to the *preamble* to the 1787 Act, “become much decayed, and is not sufficiently large for the Inhabitants ... to attend Divine Service therein”.

4. The 1787 Act accordingly provided as follows-

- (a) appointment of Trustees with authority to demolish the existing chapel and erect a new one; appointment of new Trustees; meetings of Trustees
- (b) the new chapel to be called “The Chapel of East Stonehouse”; savings for existing rights; letting out of pews in the new chapel; continuation of payment of salaries to the curate and to the clerk
- (c) power to compel persons to subscribe towards the cost of building the new chapel; application of money duly subscribed; keeping of accounts; legal proceedings
- (d) status of this Act.

5. The rebuilding was duly completed and the new chapel was opened in 1789. Subsequently the chapel was renovated with the addition of a new chancel.

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<sup>31</sup> The chapel started as a chapel of ease to St Andrew’s Church in Plymouth. It later became the parish church of East Stonehouse.

Following extensive damage during the Second World War, the chapel ceased to be used for ecclesiastical purposes. It was bought by the local authority in 1957 and the site was given over to industrial use in 1959.

6. The main purpose of the 1787 Act, to rebuild the East Stonehouse chapel, was met in 1789. The Act ceased to serve any useful purpose once the chapel site was sold in the 1950s. The 1787 Act is accordingly obsolete and its repeal is proposed on that basis.

#### *Consultation*

7. St Andrew's Church, Plymouth, the Bishop of Exeter, Plymouth City Council and the Legal Office of the Church of England have been consulted about these repeal proposals.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
27 Geo.3 c.49 (1787) (St James' Parish, Bristol Act)	The whole Act.
38 Geo.3 c.xxxv (1798) (St James' Parish, Bristol (Division) Act)	The whole Act.
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<i>St James' Parish, Bristol Act (1787)</i> <i>St James' Parish, Bristol (Division) Act (1798)</i>	

1. This note proposes the repeal of two obsolete late 18<sup>th</sup> century Acts passed to build a new parish church in Bristol. The new church, St Paul's, was closed in 1988.

#### *The 1787 Act*

2. According to its long title, the purpose of the *St James' Parish, Bristol Act* of 1787 ("the 1787 Act") was-

*for dividing the Parish of Saint James, in the City and County of Bristol, and County of Gloucester, and for building a Church, and providing a Cemetery or Church Yard, and Parsonage House, within the new Parish.*

3. The *preamble* to the 1787 Act recorded that the inhabitants of the parish of St James "are become so numerous, and the present Church so inadequate to contain them, that a great Part are precluded from attending publick Worship therein". The preamble concluded that it would be beneficial for these inhabitants if a new church with a cemetery and parsonage house within a new parish were to be carved out of the existing parish of St James.

4. The 1787 Act accordingly provided as follows-

- (a) appointment of Commissioners to carry out the purposes of the Act; meetings of Commissioners
- (b) appointment of a Committee to supervise the building works; appointment of rates collectors who were obliged to account for and hand over all rates moneys received by them; penalties for defaulting collectors
- (c) Commissioners to decide upon the site of the new church, cemetery and parsonage house and to negotiate with the existing landowners for buying the same; conveyancing provisions; valuation provisions in cases of dispute about the purchase price

- (d) Commissioners, following the purchase of the land, were required to erect the church and construct the cemetery and parsonage house
- (e) Commissioners required to levy and enforce the payment of rates for a period of 8 years; rates not to exceed one shilling and eight pence for each pound of rateable value of property and rents in the parish; special provisions for rented properties; Commissioners authorised to borrow up to £4000 on the security of the rates; all money raised to be used for the purposes of this Act; appeals
- (f) new parish to be established once the new church had been built and consecrated; new church to be called St Paul's; appointment of curate; transitional provisions for rating the new parish; appointment of parish officers
- (g) savings and civil justice provisions; status of this Act.

#### *The 1798 Act*

5. According to its long title, the purpose of the *St James' Parish, Bristol (Division) Act of 1798* ("the 1798 Act") was to alter and enlarge the powers of the 1787 Act.
6. The *preamble* to the 1798 Act recorded the progress already made in carrying out the 1787 Act. A new parish known as St Paul's had been created and the proposed new church had been erected. Unfortunately all the money authorised by the 1787 Act for building the church had been spent. Indeed, the Commissioners had incurred considerable debts which they were unable to pay without additional money being raised.
7. The 1798 Act accordingly provided as follows-
  - (a) the Commissioners were empowered to continue levying their rate in the parish of St Paul's for a further 12 years; after the expiration of the 12 years, a new rate (not exceeding two pence in the pound) was to be levied annually in order to pay the salaries of church officers
  - (b) quorum of Commissioners; Commissioners empowered to raise a further sum (maximum £3000) by mortgage of the rates; money raised to be used for the purposes of the 1787 Act

- (c) the two parishes of St James and St Paul to be deemed to be two separate parishes for the purpose of electing parish officials and raising parochial rates; status of this Act.

*Both Acts now obsolete*

8. St Paul's Church was duly built pursuant to the 1787 Act. The designer was Daniel Hague and the building work was completed in 1794. The building fell into disrepair in the late 20<sup>th</sup> century and was finally closed when it was declared a redundant church in 1988. The building is now in the care of the Churches Conservation Trust and is used as a circus school.

9. The main purpose of the 1787 Act (the establishment of the new parish church of St Paul's) was fulfilled when the building work was completed in 1794. The provisions in the 1798 Act for levying rates for a further 12 year period to pay for the building works became obsolete in 1810. It follows that both Acts have been obsolete for more than two centuries.<sup>32</sup> Their repeal is proposed on that basis.

*Consultation*

10. The Bishop of Bristol, the Legal Office of the Church of England and the Churches Conservation Trust have been consulted about these repeal proposals.

LAW/005/031/06  
08 July 2014

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<sup>32</sup> The provision in the 1798 Act about the parishes of St James and St Paul being treated as separate parishes is also obsolete. The original parish of St Paul's was dissolved and replaced under subsequent legislation including, most recently, a 1987 scheme made by the Church Commissioners under the Pastoral Measure 1983. The current legal basis of St Paul's is accordingly the 1987 scheme.

<i>Reference</i>	<i>Extent of repeal or revocation</i>
27 Geo.3 c.62 (1787) (Hanley Chapel, Stafford Act)	The whole Act.
<i>Hanley Chapel, Stafford Act (1787)</i>	
<p>1. This note proposes the repeal of an obsolete late 18<sup>th</sup> century Act passed for rebuilding a chapel that became known as the Church of St John the Evangelist in Town Road, Hanley, Stoke-on-Trent. The church eventually closed for redevelopment.</p> <p>2. According to its long title, the purpose of the <i>Hanley Chapel, Stafford Act</i> of 1787 (“the 1787 Act”) was-</p> <p style="padding-left: 40px;"><i>for taking down and rebuilding the Chapel of Hanley, in the County of Stafford; for vesting the Right of Nomination in Trustees, and for enlarging the Chapel Yard; and other Purposes.</i></p> <p>3. The <i>preamble</i> to the 1787 Act recorded that the chapel in Hanley was “too small to contain the Number of Persons who reside within the said Chapelry and its Neighbourhood; and is also gone greatly to Decay, and become so ruinous, that its Inhabitants cannot, without Danger, attend Divine Service therein”. It was accordingly agreed that the chapel should be taken down and rebuilt and that the cemetery should be enlarged.</p> <p>4. The 1787 Act accordingly provided as follows-</p> <p style="padding-left: 40px;">(a) appointment of Trustees to carry out the purposes of this Act; meetings of Trustees; qualification of Trustees</p> <p style="padding-left: 40px;">(b) the Trustees were authorised to purchase land for the enlarged cemetery, to take down the old chapel and to build the new chapel; the new chapel to be called the <i>Chapel of St John the Evangelist</i></p> <p style="padding-left: 40px;">(c) allocation and letting out of pews; appointment of chapel wardens who were obliged to account for moneys received by them</p> <p style="padding-left: 40px;">(d) right of presentation of curates to be vested in the Trustees; residence of curate; recovery of subscriptions promised for the purposes of this Act; appointment of treasurer and clerk; record-keeping</p>	



(e) appeals; civil procedure matters; costs and status of this Act.

5. The purpose of this 1787 Act, the building of the new chapel and the extension of the cemetery, was fulfilled in 1788. The chapel was consecrated in 1790. The 1787 Act then ceased to serve any useful purpose and its repeal is proposed on that basis.

6. By the 1980s, however, the building had become unsafe. It was closed in 1985 and has been empty since. Part of the cemetery was taken to make way for a new ring road in Hanley. Today there are plans to redevelop St John's for use as a restaurant.

#### *Consultation*

7. The Bishop of Lichfield and the Legal Office of the Church of England have been consulted about these repeal proposals.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
27 Geo.3 c.63 (1787) (St Mary Church, Wanstead Act)	The whole Act.
29 Geo.3 c.14 (1789) (St Mary, Wanstead Act)	The whole Act.
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<i>St Mary Church, Wanstead Act (1787)</i>	
<i>St Mary, Wanstead Act (1789)</i>	

1. This note proposes the repeal of two obsolete late 18<sup>th</sup> century Acts passed for the purpose of rebuilding the parish church of St Mary the Virgin in Wanstead, formerly in Essex but now in the London Borough of Redbridge. St Mary's remains in active use today.

#### *The 1787 Act*

2. According to its long title, the purpose of the *St Mary Church, Wanstead Act* of 1787 ("the 1787 Act") was "*for rebuilding the Church of the Parish of Saint Mary Wanstede alias Wanstead, in the County of Essex*".

3. The medieval church of St Mary in Wanstead was in a state of disrepair by the late 18<sup>th</sup> century. The *preamble* to the 1787 Act also recorded that it "is not sufficiently large for the Inhabitants to attend Divine Worship". It was decided to rebuild the church but on a larger scale.

4. The 1787 Act accordingly provided as follows-

- (a) appointment of Trustees to build a new church and to put this Act into effect; meetings of the Trustees; appointment of treasurer and other officers
- (b) the Trustees were authorised to levy rates to pay for the expenses of the Act, such rates not to exceed one shilling and sixpence for each pound of rateable value of property in the parish; enforcement of rates payments; churchwardens to collect the rates; penalties for defaulting churchwardens

- (c) the Trustees were authorised to raise up to £3000 for the purposes of this Act by selling annuities; annuities to be recorded, assignable and charged on the rates
- (d) the Trustees were authorised to build the new church and demolish the existing church; to acquire sufficient land for an enlarged church and churchyard; and to enter into the necessary building contracts
- (e) allocation of pews; accounting provisions; appeals; civil procedure issues; status of this Act.

#### *The 1789 Act*

5. In the event, the funds raised by the 1787 Act were not sufficient to cover the cost of the rebuilding works. The purpose of the *St Mary, Wanstead Act* of 1789 ("the 1789 Act") was to increase the fund-raising powers of the 1787 Act
6. The 1789 Act accordingly provided as follows-
  - (a) the Trustees' 1787 Act fund-raising powers were increased from £3000 to a new ceiling of £5000, the additional moneys to be raised either by borrowing or by granting further annuities
  - (b) the Trustees were authorised to raise funds by selling up to eight vaults under the new church; saving for the rector's right to charge vault fees despite the sale
  - (c) expenses and status of this Act.

#### *Both Acts now obsolete*

7. St Mary's was duly rebuilt in accordance with the 1787 and 1789 Acts. The building was designed by Thomas Hardwick and the works were completed in 1790 at a cost of around £9000.
8. The purpose of the 1787 and 1789 Acts, the rebuilding of St Mary's, was met in 1790 with the completion of the works. The Acts ceased to serve any useful purpose once the final annuity had come to an end, which would have been no later than 1830 or thereabouts. Both Acts are accordingly obsolete and their repeal is proposed on that basis.

*Consultation*

9. St Mary's Church, Wanstead, the Bishop of Chelmsford and the Legal Office of the Church of England have been consulted about these repeal proposals.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
27 Geo.3 c.64 (1787) (Portsea Chapel Act)	The whole Act.
28 & 29 Vict. c.lviii (1865) (Church of St John, Portsea Act)	The whole Act.

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*Portsea Chapel Act (1787)*  
*Church of St John, Portsea Act (1865)*

1. This note proposes the repeal of two obsolete Acts relating to the church of St John, Portsea.<sup>33</sup> Both Acts have become obsolete following the destruction of the church by an enemy bomb in August 1940.

*The 1787 Act*

2. According to its long title, the purpose of the *Portsea Chapel Act* of 1787 (“the 1787 Act”) was “for building a new Chapel upon Portsmouth Common, in the Parish of Portsea, in the County of Southampton”.

3. The *preamble* to the 1787 Act recorded that the inhabitants of Portsea “have of late Years considerably increased” and that the existing church accommodation in the locality was “insufficient to accommodate the Inhabitants of the said Place”. The preamble also recorded the willingness of two local benefactors<sup>34</sup> to meet the expenses of erecting a new chapel, Minister’s house and chapel-yard. Legislation was, however, necessary to achieve this, together with other objectives.

4. The 1787 Act accordingly provided as follows-

- (a) appointment of Commissioners to carry out the Act; selection of replacement Commissioners
- (b) the two benefactors were authorised to build the chapel (which was to be called St John’s Chapel) and create an access road to the chapel from Queen Street
- (c) construction of pews within the chapel; subscriptions to be paid to the two benefactors for the right to use the pews; chapel to be kept in repair

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<sup>33</sup> Portsea is an area in Portsmouth (Hampshire) located on Portsea Island. St John’s Church started life as a chapel to complement the local parish church.

<sup>34</sup> John Monday and John Shean.

by the pew owners; pew owners to be rated if the repair costs exceeded £5

- (d) appointment of Minister to the chapel; duties of Minister; Minister's salary; performance of sacraments; appointment of clerk, sexton, organist and chapel wardens; duties of chapel wardens including receiving pew rents
- (e) conveyancing provisions; purchase of clock and bells; appointment of a lecturer; chapel to be subject to the jurisdiction of the Bishop of Winchester
- (f) civil procedure issues; status of this Act.

#### *The 1865 Act*

5. According to its long title, the purpose of the 1865 Act was to amend the 1787 Act.

6. The *preamble* to the 1865 Act recorded that the chapel was duly erected in accordance with the 1787 Act and was consecrated by the name of *Saint John's Chapel, on Portsmouth Common, in the Parish of Portsea in the County of Southampton*. A number of provisions in the 1787 Act, however, had turned out to be defective. Further legislation was therefore necessary.

7. The main changes provided by the 1865 Act were as follows-

- (a) the chapel was to be re-designated as *The Church of St John, Portsea, in the County of Southampton*
- (b) forfeiture of pews for non-payment of rent/rates; changes in appointment of Minister
- (c) amendment of the Commissioners' power to raise money.

#### *Conclusion*

8. St John's was destroyed by enemy action in August 1940. Although most of the provisions of the 1787 and 1865 Acts were in any event obsolete by that stage,

the total loss of the church in 1940 meant that neither Act had any practical utility beyond that date. The repeal of both Acts is proposed on that basis.

*Consultation*

9. The Bishop of Portsmouth and the Legal Office of the Church of England have been consulted about these repeal proposals.

LAW/005/031/06  
08 July 2014

Reference	Extent of repeal or revocation
28 Geo.3 c.74 (1788) (Paddington Parish Church Act)	The whole Act.
33 Geo.3 c.43 (1793) (Paddington Parish Church Act)	The whole Act.

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*Paddington Parish Church Acts 1788 and 1793*

1. This note proposes the repeal of two obsolete late 18<sup>th</sup> century Acts passed for the purpose of rebuilding the church that is today known as St Mary's, Paddington.<sup>35</sup>

*The 1788 Act*

2. According to its long title, the purpose of the *Paddington Parish Church Act* of 1788 ("the 1788 Act") was-

*for rebuilding the Parish Church of Paddington, in the County of Middlesex, and for enlarging the Church-yard of the said Parish.*

3. St Mary's was in a state of disrepair by the late 18<sup>th</sup> century. The *preamble* to the 1788 Act recorded that the church "is a very ancient Structure, and in such a decayed State, that it cannot be effectually repaired, but must be taken down and rebuilt". Moreover, the church was considered to be too small to accommodate the local inhabitants. Fortunately a new site had been found to house an enlarged church and churchyard. Legislation would however be required to permit this.

4. The 1788 Act accordingly provided as follows-

- (a) appointment of Trustees to take down the old church and build a new church and churchyard and to put this Act into effect; meeting of the Trustees; appointment of treasurer and other officials
- (b) the Trustees were authorised to allocate and let out pews; authority to enter into the necessary building contracts
- (c) the Trustees were authorised to levy annual rates to pay for the expenses of the Act, such rates not to exceed one shilling for each pound of rateable value of property in the parish; rates collectors to account for the moneys received; penalties for defaulting collectors; enforcement of rates payments; appeals

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<sup>35</sup> Also known as St Mary's Paddington Green.



- (d) the Trustees were authorised to raise up to £4500 for the purposes of this Act by selling annuities; annuities to be recorded, assignable and chargeable on the rates
- (e) the materials of the old church were to vest in the Trustees; accounting provisions; election of replacement Trustees
- (f) civil procedure issues; expenses and status of this Act.

### *The 1793 Act*

5. According to its long title, the purpose of the *Paddington Parish Church Act* of 1793 (“the 1793 Act”) was “for enlarging the Powers of and rendering more effectual” the 1788 Act.

6. The *preamble* to the 1793 Act recorded that considerable progress had been made in implementing the 1788 Act. The church had been built and consecrated<sup>36</sup> and was in regular use. Work to the churchyard, however, remained unfinished. Moreover all the money raised under the 1788 Act had been spent. Another £1500 was needed.

7. The 1793 Act accordingly provided as follows-

- (a) the Trustees were authorised to raise a further £1500 by means of selling annuities; they were also authorised to levy an additional rate not exceeding six pence in the pound
- (b) new penalties for non-payment of rates; new procedures for apportioning liability for rates; vaults to be repaired by their owners upon pain of being sold and the proceeds put to church use
- (c) expenses and status of this Act.

### *Both Acts now obsolete*

8. The principal purpose of the 1788 Act (the rebuilding of St Mary’s, Paddington) was met in 1791 with the completion of the building works. The 1788 and 1793 Acts as a whole ceased to serve any useful purpose once the final annuity sold had come

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<sup>36</sup> The designer of the new church was John Plaw. The church was consecrated in 1791.

to an end, which would have been no later than 1830 or thereabouts. Moreover, the parish records show that the rates chargeable under the two Acts ceased to be levied after 1823. Both Acts are accordingly obsolete and their repeal is proposed on that basis.

*Consultation*

9. St Mary's Church, Paddington, the Bishop of London and the Legal Office of the Church of England have been consulted about these repeal proposals.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
30 Geo.3 c.20 (1790) (St Thomas Church, Bristol Act)	The whole Act.
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<i>St Thomas Church, Bristol Act (1790)</i>	
<p>1. This note proposes the repeal of an obsolete late 18<sup>th</sup> century Act passed for the purpose of rebuilding the church of St Thomas the Martyr in Bristol. The building is no longer used as a church.</p> <p>2. According to its long title, the purpose of the <i>St Thomas Church, Bristol Act</i> of 1790 ("the 1790 Act") was "<i>for rebuilding the Parish Church and Tower of Saint Thomas, within the City of Bristol</i>".</p> <p>3. A church has stood on the site of St Thomas the Martyr in Bristol since the early 13<sup>th</sup> century. By the late 18<sup>th</sup> century, the church and tower were in poor repair and the decision was taken to demolish and rebuild them. Parliamentary authority was required to give effect to this decision.</p> <p>4. The 1790 Act accordingly provided as follows-</p> <ul style="list-style-type: none"> <li>(a) appointment of Commissioners to implement the Act; appointment of new Commissioners; disqualification from office</li> <li>(b) appointment of officers including a treasurer; appointment of rate collectors who were obliged to account for and hand over all rates moneys received by them; penalties for defaulting collectors</li> <li>(c) the Commissioners were authorised to levy parish rates on all property in the parish; special provision for rented and empty properties; rates to cease once all moneys borrowed and all annuities sold under the Act had been paid off; enforcement of rates liability; appeals</li> <li>(d) the trustees of the St Thomas parish lands and of the local market were authorised to raise and pay up to £700 to the Commissioners for the purposes of the Act; other trustees were authorised to raise and pay to the Commissioners £1470 for the purposes of the Act (by selling stock held on behalf of the parish); the Commissioners were authorised to</li> </ul>	

raise up to £3500 by taking out loans and selling annuities; all such moneys raised were to be applied in meeting the costs and expenses of the Act

(e) the Commissioners were authorised to take down and rebuild the church and tower

(f) the justices of the peace were authorised to hear and determine cases arising under the Act; appeals; civil procedure matters; status of this Act.

5. The rebuilding work was duly completed in 1793 under the supervision of James Allen. However, falling congregations after the Second World War resulted in the church being declared redundant. The last service held there was in 1982. It was put into the care of the Churches Conservation Trust in 1988.

6. The purpose of the 1790 Act, to rebuild the church of St Thomas the Martyr in Bristol, was fulfilled when the rebuilding works were completed in 1793. The Act ceased to serve any useful purpose once the final annuity had come to an end, which would have been no later than 1830 or thereabouts. The 1790 Act is accordingly obsolete and its repeal is proposed on that basis.

#### *Consultation*

7. The Churches Conservation Trust, the Bishop of Bristol and the Legal Office of the Church of England have been consulted about these repeal proposals.

LAW/005/031/06  
08 July 2014



**Church of St Mary the Virgin, Banbury**

<i>Reference</i>	<i>Extent of repeal or revocation</i>
30 Geo.3 c.72 (1790) (Banbury Church Act)	The whole Act.
<i>Banbury Church Act (1790)</i>	
<p>1. This note proposes the repeal of an obsolete late 18<sup>th</sup> century Act passed for the purpose of rebuilding the church of St Mary the Virgin in Banbury, Oxfordshire. St Mary's remains in use to this day.</p> <p>2. According to its long title, the purpose of the <i>Banbury Church Act</i> of 1790 ("the 1790 Act") was-</p> <p style="padding-left: 40px;"><i>for taking down the Church, Chancel, and Tower belonging to the Parish of Banbury, in the County of Oxford, and for rebuilding the same.</i></p> <p>3. By the late 18<sup>th</sup> century, the parish church in Banbury had fallen into disrepair and become dangerous. Part of the church, including the tower, collapsed in April 1790. The church needed to be rebuilt and Parliamentary authority was required to facilitate this.</p> <p>4. The 1790 Act accordingly provided as follows-</p> <ul style="list-style-type: none"> <li>(a) appointment of Trustees to implement the Act; appointment and qualification of new Trustees; appointment of clerk and treasurer</li> <li>(b) the Trustees were authorised to levy annual rates to cover the rebuilding costs, such rates not exceeding three shillings and six pence for each pound of rateable value of property and rents in the parish; special provision for rented properties; enforcement provisions</li> <li>(c) the Trustees were authorised to borrow and sell annuities using the rates moneys as security; such loans and annuities to be assignable</li> <li>(d) appointment of rates collectors who were obliged to account for and hand over all rates moneys received by them; penalties for defaulting collectors</li> <li>(e) power for the sale of church estates in Banbury to help meet the rebuilding costs</li> </ul>	

(f) the Trustees were authorised to take down and rebuild the church, chancel and tower; construction and letting out of pews

(g) civil procedure matters; status of this Act.

5. The rebuilding work was carried out under the supervision of the architect Samuel Pepys Cockerell. The new church opened for services in September 1797. However, financial constraints and difficulties with contractors delayed the completion of the rebuilding until 1822.

6. The principal purpose of the 1790 Act was met in 1822 when the rebuilding of St Mary's was completed. The Act ceased to serve any useful purpose once the final annuity had come to an end, which would have been no later than 1850 or thereabouts. The 1790 Act is accordingly obsolete and its repeal is proposed on that basis.

#### *Consultation*

7. The Church of St Mary the Virgin, Banbury, the Bishop of Oxford and the Legal Office of the Church of England have been consulted about these repeal proposals.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
30 Geo.3 c.79 (1790) (East Grinstead Church Act)	The whole Act.
51 Geo.3 c.i (1811) (East Grinstead Parish Church Act)	The whole Act.

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*East Grinstead Church Act (1790)*  
*East Grinstead Parish Church Act (1811)*

1. This note proposes the repeal of two obsolete Acts passed for the purpose of rebuilding St Swithun's church in East Grinstead, West Sussex. St Swithun's remains in active use.

*The 1790 Act*

2. According to its long title, the purpose of the *East Grinstead Church Act* of 1790 ("the 1790 Act") was "for rebuilding the Parish Church of East Grinstead in the County of Sussex".

3. A church has stood on the present site of St Swithun's since the 11<sup>th</sup> century. The *preamble* to the 1790 Act recorded that in 1785 the church steeple "suddenly gave way, and falling upon the Body of the said Church, entirely demolished the same". Parliamentary authority was needed to raise the funds necessary to rebuild the church.

4. The 1790 Act accordingly provided as follows-

- (a) appointment of Trustees to implement the Act; appointment of treasurer and other officers; allocation of pews
- (b) the Trustees were authorised to levy rates to cover the rebuilding costs, such rates not to exceed one shilling for each pound of rateable value of property and rents in the parish; special provision for rented properties
- (c) rates collectors to account for and hand over all rates moneys received by them; penalties for defaulting collectors; enforcement provisions; appeals



- (d) the Trustees were authorised to raise money (up to a maximum of £4000) by borrowing or by selling annuities, all borrowings and annuities to be secured on the rates; annuities to be recorded and assignable
- (e) the Trustees' power to dispose of the materials of the old church; keeping of accounts; election of new Trustees
- (f) civil procedure matters; costs and status of this Act.

#### *The 1811 Act*

5. According to its long title, the purpose of the *East Grinstead Parish Church Act* of 1811 ("the 1811 Act") was "for enlarging the Powers of [the 1790 Act] for rebuilding the Parish Church of East Grinstead, in the County of Sussex".

6. The *preamble* to the 1811 Act recorded that great progress had been made in rebuilding the church pursuant to the powers in the 1790 Act. However, the £4000 authorised by the 1790 Act to be raised by the Trustees had all been spent, and it seemed that a further £4000 would need to be raised to complete the project.<sup>37</sup>

7. The 1811 Act accordingly provided as follows-

- (a) the Trustees were authorised to complete the building of the church; and
- (b) the Trustees were authorised to raise a further £4000 for that purpose (using any means authorised by the 1790 Act).

#### *Both Acts now obsolete*

8. With the finance provided by the 1811 Act, the church rebuilding was completed in 1812 under the supervision of the architect James Wyatt. Accordingly the principal purpose of both the 1790 and 1811 Acts was fulfilled in 1812, although it appears that the loans raised pursuant to these Acts were not cleared until 1876. It follows that both Acts have been obsolete for over 130 years. Their repeal is proposed on that basis.

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<sup>37</sup> The preamble to the 1811 Act recorded that the reason for the increased costs was "the advanced Price of Labour and Materials".

*Consultation*

9. St Swithun's Church, East Grinstead, the Bishop of Chichester and the Legal Office of the Church of England have been consulted about these repeal proposals.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
31 Geo.3 c.71 (1791) (All Saints Church, Southampton Act)	The whole Act.
33 Geo.3 c.101 (1793) (All Saints Church, Southampton Act)	The whole Act.
38 Geo.3 c.i (1797) (All Saints Church, Southampton Act)	The whole Act.

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*All Saints Church, Southampton Acts 1791, 1793, 1797*

1. This note proposes the repeal of three late 18<sup>th</sup> century Acts passed for the purpose of rebuilding the parish church of All Saints in Southampton. The church was destroyed by enemy bombing in 1940.

*The 1791 Act*

2. According to its long title, the purpose of the *All Saints Church, Southampton Act* of 1791 ("the 1791 Act") was-

*for taking down and rebuilding the Parish Church of All Saints, within the Town and County of the Town of Southampton; and for purchasing Land for the Purpose of a Church Yard for the Use of the said Parish.*

3. The *preamble* to the 1791 Act recorded that the church was "very ancient, and in a very decayed and ruinous Condition". The preamble also recorded that, because the old church was too small and in need of a churchyard, land would need to be purchased to address this. The funds needed for this could not be raised without Parliamentary authority.

4. The 1791 Act accordingly provided as follows-

- (a) appointment of Trustees to implement the Act; appointment and qualification of new Trustees; appointment of treasurer and other officers
- (b) the Trustees were authorised to take down the church and nearby buildings; to purchase land (including land already let out); to erect the new church; to sell or let parts of the existing parish estate; and to purchase land for use as a churchyard
- (c) transitional arrangements for solemnising marriages; removal of physical obstructions to the erection of the new church; allotment of pews

- (d) the Trustees were authorised to borrow up to £5000 on the security of the rates to be levied under this Act; authority for the Trustees to sell annuities, such annuities to be assignable
- (e) the Trustees were authorised to levy annual rates to cover the costs of rebuilding the church, such rates not to exceed one shilling for each pound of rateable value of property and rents in the parish; authority to levy additional rates; special provisions for rented and empty properties; enforcement provisions
- (f) compensation for loss of property rights arising in the execution of this Act; conveyancing and valuation provisions
- (g) civil procedure matters; costs and status of this Act.

#### *The 1793 Act*

5. According to its long title, the purpose of the *All Saints Church, Southampton Act* of 1793 (“the 1793 Act”) was to amend and extend the powers in the 1791 Act.

6. The *preamble* to the 1793 Act recorded that progress had been made in implementing the 1791 Act. The old church had been taken down and building work had started on the new church. However, the Trustees’ powers had proved to be insufficient. In particular, the fund-raising provisions in the 1791 Act were proving inadequate.

7. The 1793 Act accordingly provided as follows-

- (a) the Trustees were authorised to raise an additional sum of £4000
- (b) provisions for electing new Trustees and for enforcing payment of rates from persons quitting their premises; appeals
- (c) costs and status of this Act.

#### *The 1797 Act*

8. According to its long title, the purpose of the *All Saints Church, Southampton Act* of 1797 (“the 1797 Act”) was to amend the 1791 and 1793 Acts.

9. The *preamble* to the 1797 Act recorded that the Trustees had completed the building and furnishing of the new church. However the fund-raising provisions in the 1791 and 1793 Acts had proved insufficient to cover the costs of implementing the 1791 Act.

10. The 1797 Act accordingly provided as follows-

(a) the Trustees were authorised to raise an additional sum not exceeding £4000; the rates were increased to a maximum of one shilling and six pence in the pound

(b) costs and status of this Act.

*All three Acts now obsolete*

11. The principal purpose of the 1791 Act was met in 1795 when the rebuilding of All Saints Church was completed and the church was consecrated. All three Acts ceased to serve any useful purpose once the final annuity sold under the Acts had come to an end and the last debt repaid. This would have been no later than 1840 or thereabouts. The church itself remained until its destruction in 1940 by enemy bombing. These Acts are accordingly long obsolete and their repeal is proposed on that basis.

*Consultation*

12. Southampton City Council, the Bishop of Winchester and the Legal Office of the Church of England have been consulted about these repeal proposals.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
31 Geo.3 c.73 (1791) (Saffron Walden Parish Church Act)	The whole Act.
<hr/> <i>Saffron Walden Parish Church Act (1791)</i>	
<p>1. This note proposes the repeal of an obsolete late 18<sup>th</sup> century Act, passed for the purpose of rebuilding the parish church of St Mary's in Saffron Walden, Essex. St Mary's remains in use to this day.</p> <p>2. According to its long title, the purpose of the <i>Saffron Walden Parish Church Act</i> of 1791 ("the 1791 Act") was "for repairing the Parish Church of Saffron Walden, in the County of Essex".</p> <p>3. The present church of St Mary's dates mainly from the late 15<sup>th</sup> century when the previous church, built some two centuries earlier, was rebuilt and enlarged. The first church on this site, however, was probably erected in Saxon times.</p> <p>4. By the late 18<sup>th</sup> century, St Mary's was in a bad state of repair. The church was struck by lightning in July 1769 and was extensively damaged. The preamble to the 1791 Act recorded that the church "is in so ruinous and decayed a State as to be unfit for the Performance of Divine Worship therein, and a very considerable Sum of Money is necessary to be raised for repairing the same, which cannot be done without the Aid and Authority of Parliament".</p> <p>5. The 1791 Act accordingly provided as follows-</p> <ul style="list-style-type: none"> <li>(a) appointment of Trustees to implement the Act and repair the church; appointment and qualification of new Trustees; appointment of treasurer and other officers; holding of meetings</li> <li>(b) the Trustees were authorised to organise the repairs to the church and enter into building contracts</li> <li>(c) the Trustees were authorised to borrow up to £4000 by the issue of bonds; such bonds were to be in units of £100, to be assignable and to be charged on, and to be repaid out of, the rates levied by the Act</li> </ul>	

- (d) authority for the levy of annual rates; such rates to continue for only so long as the debts arising under this Act remained outstanding; rates not to exceed one shilling in the pound; enforcement provisions; church-wardens to account for rates moneys received by them; application of moneys arising under this Act
- (e) transitional arrangements pending completion of the repair works; allotment of pews; keeping of records and accounts
- (f) civil procedure matters; appeals; status of this Act.

6. The repairs were duly completed, pursuant to the 1791 Act, by 1793. The principal purpose of the 1791 Act was thereupon fulfilled. The Act ceased to serve any useful purpose once the final debts arising under the Act had been paid off. Although the date of the final payment is uncertain, it is very probable that all debts were cleared by 1830 or thereabouts. The 1791 Act is accordingly obsolete and its repeal is proposed on that basis.

#### *Consultation*

7. St Mary's Church, Saffron Walden, the Bishop of Chelmsford and the Legal Office of the Church of England have been consulted about these repeal proposals.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
32 Geo.3 c.88 (1792) (Lane End Chapel, Stoke upon Trent Act)	The whole Act.

*Lane End Chapel, Stoke upon Trent Act (1792)*

1. This note proposes the repeal of an obsolete late 18<sup>th</sup> century Act passed for the purpose of rebuilding a chapel in the Lane End area of Stoke-on-Trent. The chapel was dedicated to St John the Baptist and later became known as St John's Church, Longton.<sup>38</sup> St John's was demolished in 1979 because of mining subsidence.

2. According to its long title, the purpose of the *Lane End Chapel, Stoke upon Trent Act* of 1792 ("the 1792 Act") was-

*for rebuilding the Chapel, and enlarging the Chapel Yard of Lane End, within the Parish of Stoke upon Trent, in the County of Stafford.*

3. The chapel was originally built in 1762 by public subscription, the major contributor being John Bourne. It soon became apparent that the church and chapel yard were too small for the growing local population. Moreover, according to the *preamble* to the 1792 Act, the chapel "is also gone greatly to Decay, and become so ruinous, that the Inhabitants cannot, without Danger, attend Divine Service therein". Parliamentary authority was required to raise the money needed to rebuild the chapel.

4. The 1792 Act accordingly provided as follows-

- (a) appointment of Trustees to carry out the Act; meetings of Trustees; appointment and qualification of new Trustees
- (b) the Trustees were authorised (i) to purchase land for the purpose of enlarging the chapel yard and (ii) to demolish the existing chapel and build a new chapel, the new chapel to be dedicated to St John the Baptist
- (c) provisions for allotting, selling and leasing the pews in the new chapel; appointment and duties of chapel wardens; chapel wardens to levy taxes

<sup>38</sup> The areas of Lane End and Longton became known simply as "Longton" during the 19<sup>th</sup> century.



to cover the costs of repairing the new chapel; penalties for defaulting chapel wardens

(d) appointment, duties and residence of the curate to the new chapel; savings provisions

(e) provisions to enforce the payment of moneys agreed by individuals to meet the costs arising under this Act; appointment of treasurer and other officials; keeping of accounts; appeals

(f) civil procedure matters; costs and status of this Act.

5. The rebuilding of the chapel was duly completed in 1795. However, because of mining subsidence, it proved necessary to demolish the building in 1979. The site of the chapel and chapel yard was subsequently cleared and is now used as retirement homes.

6. The purpose of the 1792 Act was achieved when the chapel was rebuilt in 1795. The Act thereupon became unnecessary. Its repeal after 200 years is proposed on that basis.

#### *Consultation*

7. Stoke-on-Trent City Council, the Bishop of Lichfield and the Legal Office of the Church of England have been consulted about these repeal proposals.

LAW/005/031/06

08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
33 Geo.3 c.45 (1793) (Hanbury Church Act)	The whole Act.

#### *Hanbury Church Act (1793)*

1. This note proposes the repeal of an obsolete late 18<sup>th</sup> century Act passed for the purpose of rebuilding the tower of the parish church of St Mary the Virgin in Hanbury, Worcestershire. St Mary's remains in use to this day.

2. According to its long title, the purpose of the *Hanbury Church Act* of 1793 ("the 1793 Act") was-

*for taking down and rebuilding the Tower of the Parish Church of Hanbury, in the County of Worcester, and for repairing the said Church, and rendering the same more commodious for the Parishioners.*

3. St Mary's Church dates from the 13<sup>th</sup> century. By the late 18<sup>th</sup> century, according to the *preamble* to the 1793 Act, the tower, "having become exceedingly ruinous, has in Part been taken down for the Safety of the Inhabitants attending Divine Service, and it is necessary the same should be wholly taken down and rebuilt". The preamble also recorded that the inside of the church, especially the pews and the gallery, was very much in need of repair. The expense of the necessary rebuilding and repair works could not be met without the authority of Parliament.

4. The 1793 Act accordingly provided as follows-

- (a) appointment of Trustees with authority to carry out the necessary rebuilding and repair works; appointment of new Trustees; appointment of treasurer and other officers
- (b) the Trustees were authorised to levy annual rates to cover the costs of the works; appointment of rates collectors; enforcement provisions; penalties for defaulting collectors
- (c) the rates were not to exceed the sum required each year to discharge the debts arising from this Act; special provision for rented properties

- (d) the Trustees were authorised to borrow and sell annuities using the rates money as security; limit of £1600 to be raised in this way; all loans to be repaid within 20 years; such loans and annuities to be assignable and recorded
- (e) the Trustees were authorised to enter into contracts with builders; to sue on the contracts; to sell the materials of the old tower; and to allot and rent out the pews
- (f) expenses and status of this Act; civil procedure matters; appeals.

5. The rebuilding and repair works were duly supervised and completed pursuant to the 1793 Act by the architect Thomas Johnson of Worcester. The works were completed in or around 1795, at which point the principal purpose of the Act was fulfilled. The Act ceased to serve any useful purpose once the final annuity had come to an end, which would have been no later than 1830 or thereabouts. The 1793 Act is accordingly obsolete and its repeal is proposed on that basis.

#### *Consultation*

6. St Mary's Church, Hanbury, the Bishop of Worcester and the Legal Office of the Church of England have been consulted about these repeal proposals.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
34 Geo.3 c.107 (1794) (Tipton Church, Stafford Act)	The whole Act.

*Tipton Church, Stafford Act (1794)*

1. This note proposes the repeal of an obsolete late 18<sup>th</sup> century Act passed for the purpose of rebuilding the parish church in Tipton, West Midlands. The church was declared redundant in 1988.

2. According to its long title, the purpose of the *Tipton Church, Stafford Act* of 1794 (“the 1794 Act”) was-

*for taking down and rebuilding the Parish Church of Tipton, otherwise Tibbington, in the County of Stafford, and for enlarging the Cemetery or Burial Ground belonging thereto.*

3. The ancient parish church of Tipton<sup>39</sup> was thought, by the late 18<sup>th</sup> century, too small and too dangerous for its parishioners.<sup>40</sup> The cemetery was also too small. The decision was taken to rebuild the church and enlarge the cemetery. Parliamentary authority was needed to achieve this.

4. The 1794 Act accordingly provided as follows-

- (a) appointment of Trustees to carry out the necessary works and to raise up to £2000; appointment of new Trustees and officers
- (b) the Trustees were authorised to levy annual rates to cover the costs of the Act; appointment of rates collectors who were obliged to account for and hand over all rates money received by them; penalties for defaulting collectors
- (c) rates not to exceed six pence for each pound of rateable value of property and rents in the parish; special provision for rented properties

<sup>39</sup> The church was originally dedicated to St John. After the rebuilding authorised by the 1794 Act, the church was dedicated to St Martin. After further building works in 1854, the church was re-dedicated to St John.

<sup>40</sup> The old church had suffered damage from a storm and from mining subsidence.

- (d) the Trustees were authorised to borrow money and to sell annuities using the rates monies as security; total money raised by loans and annuities was not to exceed £2000; loans to be repaid within 30 years; loans and annuities to be recorded and assignable
- (e) the Trustees were authorised to enter into contracts with workmen; to sell the materials of the old church; to rebuild the church; to buy land for the enlarged cemetery; and to allot or rent out pews
- (f) civil procedure matters; costs and status of this Act.

5. The necessary building works were duly carried out pursuant to the 1794 Act under the supervision of the architect, John Keyte of Kidderminster. The new church was dedicated to St Martin and was completed in 1797. By the late 20<sup>th</sup> century, the building had become distanced from the main focus of housing in the parish. The church was closed in December 1989 and the parish was united with St Paul's, Tipton. During the 1990s the building was used as a youth centre, but was sold for residential use in 2005.

6. The purpose of the 1794 Act was met in 1797 when the rebuilding of the church was complete. The Act ceased to serve any useful purpose once the final annuity had come to an end, which would have been no later than around 1840. The 1794 Act is accordingly obsolete and its repeal is proposed on that basis.

#### *Consultation*

7. The Bishop of Lichfield and the Legal Office of the Church of England have been consulted about these repeal proposals.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
38 Geo.3 c.lxii (1798) (St Peter's Church, St Albans Act)	The whole Act.
43 Geo.3 c.ix (1803) (St Peter's Church, St Albans Act)	The whole Act.
46 Geo.3 c.lxviii (1806) (St Peter's Parish Church, St Albans Act)	The whole Act.

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*St Peter's Church, St Albans Acts (1798 and 1803)*  
*St Peter's Parish Church, St Albans Act (1806)*

1. This note proposes the repeal of three obsolete Acts passed in connection with repair works to St Peter's parish church in St Albans (Hertfordshire). St Peter's remains in active use to this day.

#### *The 1798 Act*

2. According to its long title, the purpose of the *St Peter's Church, St Albans Act* of 1798 ("the 1798 Act") was-

*for authorising the Trustees therein named, to raise Money by Rates or Assessments, within the Parish of Saint Peter, in the Borough and Liberty of Saint Alban, in the County of Hertford, for the better and more effectually discharging Annuities, heretofore granted to certain Persons who have advanced Money towards repairing the Church belonging to the said Parish.*

3. A church has stood on the present site of St Peter's for 1000 years or more. Alterations to the existing church, made in 1756, so weakened the structure that the tower became dangerous. In 1785 the tower was underpinned with timber at a cost of £2790. This money was advanced by several parishioners in return for annuities on their respective lives. Although these annuities were secured on parish rate receipts, by 1796 there was insufficient parish income to make the annuity payments. This problem could be solved by levying a special parish rate. Parliamentary sanction, however, was required to authorise this.

4. The 1798 Act accordingly provided as follows-

- (a) appointment of Trustees with authority to use their money-raising powers under this Act to pay the annuities as they fell due together with the arrears

- (b) the Trustees were authorised to levy such annual rates upon the parish inhabitants as appeared necessary to meet the purposes of this Act; enforcement provisions
- (c) appointment and remuneration of rates collectors who were obliged to account for and hand over all rates moneys received by them; appeals
- (d) rates to cease once all the annuitants had died
- (e) civil procedure matters; expenses and status of this Act.

#### *The 1803 Act*

5. According to its long title, the purpose of the *St Peter's Church, St Albans Act* of 1803 ("the 1803 Act") was-

*for rebuilding the Tower of the Parish Church of Saint Peter, in the Borough and Liberty of Saint Alban, in the County of Hertford, together with the Chancel thereof; and for more effectually repairing the said Parish Church.*

6. Unfortunately, the 1785 underpinning work proved insufficient to support the tower. In 1799 the tower had become so dangerous that it, together with the adjacent chancel, had to be taken down. Two years later the belfry floor collapsed. Expensive repairs would be needed, requiring the authority of Parliament.

7. The 1803 Act accordingly provided as follows-

- (a) appointment of Trustees to implement the Act; appointment and qualification of new Trustees; meetings and proceedings of Trustees
- (b) the Trustees were authorised to rebuild the church tower and chancel; to appoint officers; and to enter into contracts for the building works
- (c) the Trustees were authorised to raise up to £4000 by means of loans or selling annuities, all such loans and annuities to be charged on the rates; annuities to be assignable
- (d) the Trustees were authorised to levy annual rates on all parish inhabitants; rates to cease once all debts arising under the Act had been paid and after the death of the last surviving annuitant; appointment of rates collectors; penalties for defaulting collectors

- (e) civil procedure matters; expenses and status of this Act; appeals.

#### *The 1806 Act*

8. According to its long title, the purpose of the *St Peter's Parish Church, St Albans Act* of 1806 ("the 1806 Act") was for enlarging the powers of the 1803 Act.

9. The *preamble* to the 1806 Act recorded that the Trustees had spent all the money authorised by the 1803 Act and had also "incurred a considerable Debt, which cannot be paid unless Power is given to raise a further Sum of Money for that Purpose".

10. The 1806 Act accordingly provided as follows-

- (a) the Trustees were authorised to raise a further sum of money, not exceeding £2000, such sum to be charged on the rates
- (b) the Trustees were also authorised to levy additional rates to clear their debts, such rates not to exceed four shillings for each pound of rateable value of property in the parish
- (c) status of this Act.

#### *All three Acts now obsolete*

11. The tower and chancel were duly rebuilt in accordance with the 1798, 1803 and 1806 Acts. The church re-opened for divine service on 16 February 1806. The principal purpose of the Acts was met at that point. The Acts ceased to serve any useful purpose once the final annuity had come to an end, which would have been no later than 1845 or thereabouts. All three Acts have accordingly been obsolete for over 160 years and their repeal is proposed on that basis.

#### *Consultation*

12. St Peter's Church, St Albans, the Bishop of St Albans and the Legal Office of the Church of England have been consulted about these repeal proposals.

LAW/005/031/06  
08 July 2014



<i>Reference</i>	<i>Extent of repeal or revocation</i>
39 & 40 Geo.3 c.li (1800) (Chelmsford Parish Church Act)	The whole Act.
<i>Chelmsford Parish Church Act (1800)</i>	
<p>1. This note proposes the repeal of an obsolete 1800 Act passed for the purpose of repairing the parish church of Chelmsford, Essex, now Chelmsford Cathedral.<sup>41</sup></p> <p>2. According to its long title, the purpose of the <i>Chelmsford Parish Church Act</i> of 1800 (“the 1800 Act”) was “for repairing the Parish Church of Chelmsford, in the County of Essex”.</p> <p>3. The parish church of St Mary the Virgin, Chelmsford, was originally built before 1300. Following excavations in the church’s vaults, the nave partly collapsed in 1800, in consequence of which the church was “in so ruinous a State as to be unfit for the Performance of Divine Worship” (<i>preamble</i> to the 1800 Act). The cost of the necessary repairs had to be authorised by Parliament.</p> <p>4. The 1800 Act accordingly provided as follows-</p> <ul style="list-style-type: none"> <li>(a) appointment of Trustees to execute the Act; appointment and qualification of new Trustees; appointment of treasurer and other officers; meetings of the Trustees</li> <li>(b) the Trustees were authorised to take steps to secure the necessary repairs, including entering into contracts with builders</li> <li>(c) the Trustees were authorised to raise up to £5000 by taking out loans and granting annuities; loans and annuities to be assignable and secured against the rates to be levied under this Act</li> <li>(d) the Trustees were authorised to order the levy of annual rates to cover the costs of the Act; rates not to exceed four shillings for each pound of rateable value of property and rents in the parish; special provision for rented properties; enforcement provisions; churchwardens required to</li> </ul>	

<sup>41</sup> The parish church became a cathedral when the Diocese of Chelmsford was created in 1914.

collect the rates and account for them; penalty for defaulting churchwardens; application of rates receipts

(e) allotment and letting out of pews; provisions as to burials within the site of the church; keeping of records and accounts

(f) civil procedure matters; appeals; status of this Act.

5. The church was duly repaired pursuant to the 1800 Act in or around 1803 under the supervision of the architect John Johnson. The purpose of the 1800 Act was thereupon fulfilled. The Act ceased to serve any useful purpose once the final annuity had come to an end, which would have been no later than 1840 or thereabouts. The 1800 Act is accordingly obsolete and its repeal is proposed on that basis.

#### *Consultation*

6. The Bishop of Chelmsford and the Legal Office of the Church of England have been consulted about these repeal proposals.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
41 Geo.3 c.lxiv (1801) (Leeds Kirkgate Street Church Act)	The whole Act.

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*Leeds Kirkgate Street Church Act (1801)*

1. This note proposes the repeal of an obsolete early 19<sup>th</sup> century Act passed to authorise the consecration of a church in Leeds. The church was demolished in 1950.

2. According to its long title, the purpose of the *Leeds Kirkgate Street Church Act* of 1801 (“the 1801 Act”) was-

*for establishing a new Church or Chapel, lately erected in or near Kirkgate Street, within the Town and Parish of Leeds, in the West Riding of the County of York.*

3. St James’ Church was built for a congregation of the Countess of Huntingdon’s Connexion.<sup>42</sup> The church was an octagonal building, situated near the junction of Kirkgate and New York Street in Leeds city centre. The *preamble* to the 1801 Act recorded the lack of Anglican churches to cope with the rapidly growing population of Leeds. The preamble also recorded that the Reverend John King, having recently purchased land on which a church (ie St James’ Church)<sup>43</sup> already stood, wished to have the church consecrated for the purpose of divine worship within the Church of England. However, Parliamentary authority was needed to achieve this.

4. The 1801 Act accordingly provided as follows-

- (a) the church and land were vested in John King and his successors for the purpose of the church being consecrated and dedicated as a place of divine worship within the Church of England; the church to be called “The Church or Chapel of Saint James in Leeds”
- (b) rights of presentation of the third and subsequent Ministers to vest in the Vicar of Leeds; provisions for vacancies before appointment of new Ministers; consecration of the church; nature of services to be held

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<sup>42</sup> This was a Calvinist branch of the Methodist Church founded during the evangelical revival of the late 18<sup>th</sup> century.

<sup>43</sup> The church was also known as the Zion Chapel.

- (c) no new parish or parish rates to be created by this Act; Minister's income to arise from pew rents; church repairs to be funded by pew owners and occupiers; rates to be levied on pew owners to meet cost of church repairs; enforcement provisions
- (d) appointment of clerk, sexton and chapel warden; duties of chapel warden
- (e) civil procedure matters; savings provisions; status of this Act.

5. In accordance with the terms of the 1801 Act, St James' Church was duly consecrated as a Church of England church on 30 September 1801. Renovations were carried out in 1902. In February 1949 the church the church closed and the building was demolished in 1950. Much of the congregation then moved over to St Cyprian's Church, and a new parish of St Cyprian with St James, Harehills was established in April 1959. The site is now part of a shopping precinct.

6. The closure of St James' Church in 1949 and its subsequent demolition means that the 1801 Act is now obsolete. Its repeal is proposed on that basis.

#### *Consultation*

7. St Cyprian with St James' Church, Leeds, the Bishop of Ripon and Leeds and the Legal Office of the Church of England have been consulted about these repeal proposals.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
43 Geo.3 c.lxii (1803) (Dagenham Parish Church Act)	The whole Act.

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*Dagenham Parish Church Act (1803)*

1. This note proposes the repeal of an obsolete 1803 Act passed for the purpose of repairing the parish church of St Peter and St Paul in Dagenham (Essex). The church remains in use to this day.
2. According to its long title, the purpose of the *Dagenham Parish Church Act* of 1803 (“the 1803 Act”) was “for the more effectually repairing the Parish Church of Dagenham, in the County of Essex”.
3. The parish church of St Peter and St Paul, Dagenham was originally built around 1200. Following the collapse of much of the church in 1798,<sup>44</sup> the church was “in such a State as to be unfit for the Performance of Divine Worship” (*preamble* to the 1803 Act). The cost of the necessary repairs had to be authorised by Parliament.
4. The 1803 Act accordingly provided as follows-
  - (a) appointment of Trustees to execute the Act; appointment and qualification of new Trustees; appointment of treasurer and other officers; meetings of the Trustees
  - (b) the Trustees were authorised to take steps to secure the necessary repairs including entering into contracts with builders; no alterations to be made to the altar or pulpit without consent
  - (c) the Trustees were authorised to raise up to £4000 by borrowing money through the issue of bonds and granting annuities; loans and annuities to be assignable and secured against the rates to be levied under this Act
  - (d) the Trustees were authorised to order the levy of annual rates to cover the costs of the Act; rates not to exceed one shilling and six pence for each pound of rateable value of property and rents in the parish; such rates to cease once all loans had been repaid and all annuities had

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<sup>44</sup> 1798 is the date according to the 1803 Act. Other sources, however, put the collapse as late as 1800.

ended; special provision for rented properties; enforcement provisions; churchwardens required to collect the rates and account for them; penalty for defaulting churchwardens; application of rates receipts

(e) allotment and letting out of pews; provisions as to burials within the site of the church; keeping of records and accounts

(f) civil procedure matters; appeals; status of this Act.

5. The church was duly repaired pursuant to the 1803 Act in 1805. The purpose of the 1803 Act was thereupon fulfilled. The Act ceased to serve any useful purpose once the final annuity had come to an end, which would have been no later than 1840 or thereabouts. The 1803 Act is accordingly obsolete and its repeal is proposed on that basis.

#### *Consultation*

6. St Peter and St Paul's Church, Dagenham, the Bishop of Chelmsford and the Legal Office of the Church of England have been consulted about these repeal proposals.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
45 Geo.3 c.lxvi (1805) (Redditch Chapel Act)	The whole Act.

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*Redditch Chapel Act (1805)*

1. This note proposes the repeal of an early 19<sup>th</sup> century Act passed for the purpose of rebuilding a chapel in Redditch, Worcestershire. The chapel (known as St Stephen's Chapel) was demolished in 1851.

2. According to its long title, the purpose of the *Redditch Chapel Act* of 1805 ("the 1805 Act") was-

*for building a Chapel in the Hamlet of Redditch, in the Parish of Tardebigg, in the Counties of Worcester and Warwick.*

3. The *preamble* to the 1805 Act recorded that the chapel of Bordesley (commonly called Bordesley Chapel or Redditch Chapel<sup>45</sup>) had been dedicated to Anglican worship in or around 1680. The preamble also recorded that, by 1805, the chapel had become unsafe through decay and lack of repair. Moreover, land had become available in the hamlet of Redditch upon which a new chapel could be built. Parliamentary authority was, however, required to give effect to this.

4. The 1805 Act accordingly provided as follows-

- (a) appointment of Trustees to implement the Act; appointment and qualification of new Trustees; meetings of Trustees
- (b) appointment of treasurer and clerk; treasurer's duty to produce accounts; penalties for defaulting treasurers
- (c) the Trustees were authorised to erect the new chapel, to be called Redditch Chapel, on land called The Green; power to enter into building contracts; services of the Church of England to be held in the new chapel
- (d) the Trustees were authorised to raise money by the sale and leasing of pews and by borrowing up to £3000; register of pews to be kept

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<sup>45</sup> The chapel was also known as the Gatehouse Chapel or the old chapel of St Stephen at Bordesley.

(e) repairs of the new chapel to be paid for by the imposition of rates on the local inhabitants; appointment of churchwardens; demolition of old chapel; stipend to be paid to the Minister out of the pew rental income; Divine service to be performed on Sunday mornings

(f) savings provisions; status of this Act.

5. The new chapel (known as *The Chapel on the Green*) was duly built in accordance with the 1805 Act. It was dedicated to St Stephen at its consecration in April 1807. Unfortunately the chapel turned out to be too small for the increasing local population. Despite enlargements of the chapel in 1817 and 1827, it was decided in 1851 to demolish the chapel and build a more substantial parish church. That new church was consecrated as St Stephen's Church in July 1855. St Stephen's Church remains in active use to this day.

6. The demolition of the Chapel on the Green in 1851 meant that the 1805 Act thereupon became obsolete. Its repeal is proposed on that basis.

#### *Consultation*

7. St Stephen's Church, Redditch, the Bishop of Worcester and the Legal Office of the Church of England have been consulted about these repeal proposals.

LAW/005/031/06  
08 July 2014



<i>Reference</i>	<i>Extent of repeal or revocation</i>
45 Geo.3 c.c (1805) (All Saints Lewes Parish Church Act)	The whole Act.
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<i>All Saints Lewes Parish Church Act (1805)</i>	
<p>1. This note proposes the repeal of an obsolete early 19<sup>th</sup> century Act passed for the purpose of rebuilding All Saints Church in Lewes (East Sussex). The building ceased to be used as a church in 1975.</p> <p>2. According to its long title, the purpose of the <i>All Saints Lewes Parish Church Act</i> of 1805 (“the 1805 Act”) was-</p> <p style="padding-left: 40px;"><i>for rebuilding the Parish Church of All Saints, in the Town of Lewes in the County of Sussex, and for repairing the Tower thereof.</i></p> <p>3. The <i>preamble</i> to the 1805 Act recorded that “the Church ... is in a very ruinous and decayed State” and that it was too small for accommodating the local inhabitants. Moreover the tower needed repair. Parliamentary sanction was needed to raise the necessary money for the rebuilding and repair works.</p> <p>4. The 1805 Act accordingly provided as follows-</p> <ul style="list-style-type: none"> <li>(a) appointment of Trustees to implement the Act; meetings of the Trustees; qualification of Trustees and their re-appointment; recording of Trustees’ proceedings</li> <li>(b) appointment of treasurer, clerks and other officials; treasurer to present accounts; penalty for defaults</li> <li>(c) the Trustees were authorised to enter into building contracts; to pull down the church and dispose of the materials; and to build the new church</li> <li>(d) consecration of the new church; savings of rector’s rights; interim arrangements pending completion of the new church; allotment of pews</li> <li>(e) the Trustees were authorised to levy annual parish rates to provide security for the moneys to be raised under this Act; appointment of rates</li> </ul>	

collectors; special provisions for rented properties; enforcement provisions; penalties for defaulting rates collectors

- (f) the Trustees were authorised to borrow and sell annuities of up to £2500 using the rates money as security; such loans and annuities to be assignable; application of money borrowed
- (g) enforcement of penalties; appeals; civil procedure matters; status of this Act.

5. The rebuilding and repair works were duly completed in 1806 under the supervision of the architect Amon Wilds senior. Further works were carried out in the late 19<sup>th</sup> century. The church ceased to be used for ecclesiastical purposes in 1975. It has since been adapted as an arts and community centre.

6. The principal purpose of the 1805 Act was met in 1806 when the rebuilding of All Saints Church was completed. The Act ceased to serve any useful purpose once the final annuity had come to an end, which would have been no later than 1845 or thereabouts. The 1805 Act is accordingly obsolete and its repeal is proposed on that basis.

#### *Consultation*

7. The Bishop of Chichester, the All Saints Community Centre and the Legal Office of the Church of England have been consulted about these repeal proposals.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
46 Geo.3 c.iv (1806) (Chertsey Parish Church Act)	The whole Act.
47 Geo.3 Sess.1 c.x (1807) (Chertsey Parish Church Act)	The whole Act.

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*Chertsey Parish Church Acts 1806 and 1807*

1. This note proposes the repeal of two obsolete 19<sup>th</sup> century Acts passed for the purpose of rebuilding St Peter's Church in Chertsey (Surrey). St Peter's remains in active use.

*The 1806 Act*

2. According to its long title, the purpose of the *Chertsey Parish Church Act* of 1806 ("the 1806 Act") was-

*for taking down and rebuilding the Body of the Parish Church of Chertsey, in the County of Surrey; and for repairing the Tower thereof, and building a Vestry Room near or adjoining to the said Church.*

3. The *preamble* to the 1806 Act recorded that "the Body of the Church ... is in a very ruinous and decayed State, so that Divine Service cannot with Safety be performed therein". It was decided to rebuild the church on an enlarged scale, repair the tower and build a new vestry room. Parliamentary approval for this would be needed.

4. The 1806 Act accordingly provided as follows-

- (a) appointment of Trustees to implement the Act; appointment of new Trustees; meetings of the Trustees; recording of proceedings of the Trustees
- (b) the Trustees were authorised to appoint officers; to enter into building contracts; to pull down the old church, repair the tower and build the vestry room; and to build the new church
- (c) interim arrangements pending the building of the new church; allotment and letting out of pews

- (d) the Trustees were authorised to levy annual rates to cover the building costs; such rates not to exceed four shillings for each pound of rateable value of property and rents in the parish; rate collectors appointed; special provision for rented properties; enforcement provisions; collectors to account for and hand over all rates moneys received by them; penalties for defaulting collectors
- (e) the Trustees were authorised to borrow up to £6000 using the rates money as security; part of such borrowing to be met by the selling of annuities; such loans and annuities to be assignable; application of money borrowed
- (f) recovery of criminal penalties; appeals; civil procedure matters; status of this Act.

#### *The 1807 Act*

5. According to its long title, the purpose of the *Chertsey Parish Church Act* of 1807 (“the 1807 Act”) was to enable the Trustees appointed under the 1806 Act “to raise a further Sum of Money for completing the Purposes of the said Act”.
6. The *preamble* to the 1807 Act recorded that the £6000 raised pursuant to the 1806 Act had now been spent but had proved insufficient to complete the building of the church. More money was needed.
7. The 1807 Act accordingly provided as follows-
  - (a) the Trustees were authorised to raise a further £6000 by the sale of annuities or by taking out further loans; such annuities and loans to be secured against the rates
  - (b) application of the new money now raised
  - (c) status of this Act.
8. The rebuilding of the church was duly completed in 1808. The 1806 and 1807 Acts ceased to serve any useful purpose once the final annuities raised under them had come to an end, which would have been no later than 1850 or thereabouts. Both Acts are accordingly obsolete and their repeal is proposed on that basis.

*Consultation*

9. St Peter's Church, Chertsey, the Bishop of Guildford and the Legal Office of the Church of England have been consulted about these repeal proposals.

LAW/005/031/06  
08 July 2014

Reference	Extent of repeal or revocation
46 Geo.3 c.lxi (1806) (Great Yarmouth Parish Church Act)	The whole Act.
3 Geo.4 c.xx (1822) (Great Yarmouth Parish Church Act)	The whole Act.

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*Great Yarmouth Parish Church Acts (1806 and 1822)*

1. This note proposes the repeal of two early 19<sup>th</sup> century Acts passed for the purpose of repairing the parish church of St Nicholas, Great Yarmouth (Norfolk). Today the church is known as the Minster Church of St Nicholas in Great Yarmouth.

*The 1806 Act*

2. According to its long title, the purpose of the *Great Yarmouth Parish Church Act* of 1806 ("the 1806 Act") was-

*for repairing the Parish Church of Great Yarmouth, in the County of Norfolk, and rebuilding the Tower thereof.*

3. The church was founded in 1101 by Herbert de Losinga, the first Bishop of Norwich, and consecrated in 1119. By the start of the 19<sup>th</sup> century, the church was in need of repair. The spire had been taken down as a safety precaution and the tower was, in the words of the *preamble* to the 1806 Act, "in a very ruinous State". However, repairs could not be carried out without the authority of Parliament.

4. The 1806 Act accordingly provided as follows-

- (a) appointment of Trustees to implement the Act; appointment and qualification of new Trustees; meetings of Trustees; recording of proceedings at such meetings; appointment of treasurer and other officers
- (b) the Trustees were authorised to arrange for the necessary repairs and rebuilding work (including the rebuilding of the tower and spire) and to enter into contracts with builders
- (c) the Trustees were authorised to arrange for future repairs to the church
- (d) to pay for the costs of carrying out the repairs and rebuilding pursuant to the Act, coal duties were imposed on all coal delivered by sea to

Yarmouth;<sup>46</sup> appointment of officials to check quantities and enforce payment of coal duties; anti-avoidance provisions and penalties

- (e) to raise further money to pay for the repairs and rebuilding, the Trustees were authorised to levy annual parish rates, such rates not exceeding one shilling for each pound of rateable value of property and rents in the parish; special provision for rented and vacant properties; enforcement provisions; church wardens to produce accounts
- (f) the Trustees were authorised to take out loans and sell annuities, using the rates money as security; no more than £8000 to be raised in this way; loans and annuities to be assignable; application of money raised
- (g) appeals; civil procedure matters; status of this Act.

#### *The 1822 Act*

5. According to its long title, the purpose of the *Great Yarmouth Parish Church Act* of 1822 (“the 1822 Act”) was “for altering and enlarging the Powers of [the 1806 Act]”.

6. The *preamble* to the 1822 Act recorded that the money-raising provisions of the 1806 Act were “found wholly inadequate to the completing such Repairs”. Unless more money was raised, “the said Church will inevitably fall into Decay and Ruin”.

7. The 1822 Act accordingly provided as follows-

- (a) appointment of additional Trustees; variation in qualification for trusteeship; accounting provisions
- (b) the Trustees were authorised to levy an additional parish rate of up to one shilling in the pound, and to borrow an additional £4000 (whether by loan or selling annuities)
- (c) amendments in the arrangements for paying off debts

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<sup>46</sup> The duty varied according to the type of coal delivered. For sea coal, the duty was one shilling for every 36 bushels (1 bushel was the equivalent of 8 gallons).

- (d) all coal duties and rates were to cease once all debts had been paid and the last annuity had ended
- (e) churchwardens authorised to levy church rates if further repairs were to be necessary later
- (f) accounts; Trustees' liability for non-payment of sums due; status of this Act.

*Both Acts now obsolete*

8. It appears that the repair and rebuilding works authorised by the 1806 Act were completed in stages and were completed only in 1834 or thereabouts. The coal duties were abolished with effect from March 1847. The 1806 and 1822 Acts ceased to serve any useful purpose once the final annuity sold under those Acts had come to an end, which would have been no later than 1865 or thereabouts. Both Acts are accordingly obsolete and their repeal is proposed on that basis.

9. The church was extensively damaged by enemy bombing in 1942. It was rebuilt and re-consecrated in 1961. The church acquired Minster status in 2011.

*Consultation*

10. St Nicholas' Church, Great Yarmouth, the Bishop of Norwich and the Legal Office of the Church of England have been consulted about these repeal proposals.

LAW/005/031/06  
08 July 2014



<i>Reference</i>	<i>Extent of repeal or revocation</i>
47 Geo.3 Sess.2 c.lxi (1807) (Shireoaks Chapel, Worksop, Right of Patronage Act)	The whole Act.
<hr/> <i>Shireoaks Chapel, Worksop, Right of Patronage Act (1807)</i>	
<p>1. This note proposes the repeal of an obsolete early 19<sup>th</sup> century Act passed to establish the right to appoint the Minister to a chapel in Worksop, Nottinghamshire. The chapel is now used as the village hall.</p> <p>2. According to its long title, the purpose of the <i>Shireoaks Chapel, Worksop, Right of Patronage Act</i> of 1807 (“the 1807 Act”) was-</p> <p style="padding-left: 40px;"><i>for settling the Right of Patronage or Presentation of or to a Chapel, to be called Shireoaks Chapel, in the Parish of Worksop in the County of Nottingham.</i></p> <p>3. The <i>preamble</i> to the 1807 Act recorded that the village of Shireoaks was situated “a very considerable Distance from any other Parish Church”. The preamble also recorded that the Reverend John Hewett, Lord of the Manor of Shireoaks, was building (at his own expense and on land provided by him) a chapel for “Divine Worship, according to the Rites and Ceremonies of the Church of England”. Parliamentary authority, however, was required to give John Hewett and successive Lords of the Manor the necessary right of patronage or presentation to appoint the Minister to the chapel.</p> <p>4. The 1807 Act accordingly provided as follows-</p> <p style="padding-left: 40px;">(a) the right of patronage and presentation to the new chapel was to vest in John Hewett for his life and then to his successors in title as Lords of the Manor of Shireoaks</p> <p style="padding-left: 40px;">(b) once consecrated, the chapel would be called <i>Shireoaks Chapel</i></p> <p style="padding-left: 40px;">(c) duties of the Minister of the chapel; use of pews; savings provisions</p> <p style="padding-left: 40px;">(d) status of this Act.</p>	

5. John Hewett duly completed the building of Shireoaks Chapel in 1809. However, its ecclesiastical use was short-lived. As the population of Shireoaks grew, due to the expansion of the local coal-works, the chapel became too small for Sunday services. A new, larger church – St Luke’s – was built in Shireoaks in the early 1860s. The chapel was then converted for use as a local school. Its use as a school continued until 1974 when a new local school opened. The building has since been used as the village hall, run by St Luke’s Church.

6. The closure of the chapel in the early 1860s meant that the 1807 Act could no longer serve any useful purpose. Accordingly the Act has been obsolete for 150 years and its repeal is proposed on that basis.

#### *Consultation*

7. St Luke’s Church, Worksop, the Bishop of Southwell and Nottingham and the Legal Office of the Church of England have been consulted about these repeal proposals.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
47 Geo.3 Sess.2 c.lxxvii (1807) (Standard Hill, Nottingham, Chapel Act)	The whole Act.

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*Standard Hill, Nottingham, Chapel Act (1807)*

1. This note proposes the repeal of an obsolete early 19<sup>th</sup> century Act passed to erect a chapel in Nottingham. This chapel, known as St James' Chapel, was demolished in 1935.

2. According to its long title, the purpose of the *Standard Hill, Nottingham, Chapel Act* of 1807 ("the 1807 Act") was-

*for erecting a Chapel on certain Extra-Parochial Land called Standard Hill, near the Town of Nottingham.*

3. The proposal to build the chapel at all had been opposed by clergy in Nottingham's existing parishes (St Mary's, St Peter's and St Nicholas') and the fact that the 1807 Act was passed owes much to the determination of its promoters.<sup>47</sup> The *preamble* to the 1807 Act recorded the wish of the promoters to erect a chapel upon or near Standard Hill "for the Celebration of Divine Service according to the Rites and Ceremonies of the Church of England". An Act of Parliament was, however, required to fulfil this wish.

4. The 1807 Act accordingly provided as follows-

- (a) appointment of Commissioners (including the promoters) to implement the Act; meetings of the Commissioners; appointment of a treasurer and other officers
- (b) the Commissioners were authorised to enter into contracts for the building of the chapel; to purchase land; and to build the chapel
- (c) sale and leasing of pews in the new chapel; provisions for assessing and collecting the rent

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<sup>47</sup> The promoters were Thomas Hill, Edmund Wright, Richard Eaton and Benjamin Maddock. It seems that they felt that the ministrations of the existing three parish churches did not adequately meet the spiritual requirements of the day.

- (d) the right to present or appoint the first three chapel Ministers was to be vested in the Commissioners; duties of the Minister; savings in relation to other parishes
- (e) appointment of chapel wardens, clerks and sexton
- (f) the Commissioners were authorised to borrow up to £10,000 upon the credit of the pew rental; recording of such loans; application of money received by the Commissioners; payment of Minister's salary
- (g) civil procedure matters; status of this Act.

5. The chapel was duly built in accordance with the 1807 Act. The works were completed in 1809 under the supervision of the architect William Stretton. The chapel was consecrated that year by the Archbishop of York, who dedicated the chapel to St James. The chapel was eventually demolished in 1935 (having closed in 1933) to make way for an extension to the Nottingham General Hospital.

6. The 1807 Act ceased to serve any useful purpose once the church had been closed in 1933. The Act is therefore obsolete and its repeal is proposed on that basis.

#### *Consultation*

7. The Bishop of Southwell and Nottingham and the Legal Office of the Church of England have been consulted about these repeal proposals.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
49 Geo.3 c.cxv (1809) (Worthing Chapel of Ease Act)	The whole Act.
5 Geo.4 c.xx (1824) (Worthing Chapel of Ease Act)	The whole Act.

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*Worthing Chapel of Ease Acts (1809 and 1824)*

1. This note proposes the repeal of two 19<sup>th</sup> century Acts passed for the purpose of building a chapel of ease<sup>48</sup> in Worthing, West Sussex. This chapel, later known as St Paul's Church, Worthing, closed in 1996.

*The 1809 Act*

2. According to its long title, the purpose of the *Worthing Chapel of Ease Act* of 1809 ("the 1809 Act") was "for building a Chapel of Ease in the Town of Worthing, in the County of Sussex".

3. The chapel of ease was built so that residents in, and visitors to, the newly-created town of Worthing would not need to travel the mile or so to the parish church of St Mary in Broadwater. However, Parliamentary authority was needed to buy the necessary land and to erect the chapel.

4. The 1809 Act accordingly provided as follows-

- (a) appointment of Trustees to implement the Act; appointment and qualification of new Trustees; meetings of the Trustees; appointment of treasurer and clerks
- (b) the Trustees were authorised to purchase land for the chapel, erect the chapel and enter into building contracts; conveyancing provisions
- (c) appointment of curate; no marriages were to be solemnised in the chapel
- (d) the Trustees were authorised to sell and let out the pews

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<sup>48</sup> A chapel of ease is an Anglican chapel situated for the convenience of parishioners living a long distance from the parish church. Such chapels usually arose in cases where the parish population was growing rapidly.

- (e) payment of subscriptions to pay for the costs of erecting the chapel; maximum of £7000 to be raised
- (f) curate's duties and salary
- (g) the Trustees were authorised to levy a rate on all holders of pews, such rate not to exceed five shillings for each pound of the pew's value; enforcement provisions
- (h) appointment and duties of chapel wardens
- (i) appeals; civil procedure matters; expenses and status of this Act.

#### *The 1824 Act*

5. According to its long title, the purpose of the *Worthing Chapel of Ease Act* of 1824 ("the 1824 Act") was "to revive and amend [the 1809 Act]".

6. The *preamble* to the 1824 Act recorded that it was necessary to revive the 1809 Act because it had accidentally been repealed.<sup>49</sup> The preamble also recorded that, although the chapel had now been built, the improvements and alterations that had proved necessary had resulted in the Trustees spending a considerable sum of money beyond the sum envisaged at the time of the 1809 Act. More money needed to be authorised by Parliament.

7. The 1824 Act accordingly provided as follows-

- (a) the 1809 Act was revived; validation of transactions carried out under that Act since its repeal
- (b) appointment and election of Trustees; disqualification; meetings of the Trustees; amendments to the 1809 Act including provisions about the Minister's salary and the collection of pew rates; repairs to pews
- (c) the Trustees were authorised to borrow up to £3000 using the pew income as security; such loans to be assignable

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<sup>49</sup> The accident arose because of a mix-up in the recording of the 1809 Act and of another 1809 Act relating to the town of Worthing: the Worthing Improvement Act 1809 (c.cxiv). A subsequent Act, the Worthing Improvement Act 1821 (c.lix), had repealed the Worthing Chapel of Ease Act 1809, mistaking it for the Worthing Improvement Act 1809.

- (d) conveyance of pews; application of purchase moneys; savings in respect of exchequer bill commissioners
- (e) expenses and status of this Act.

*Both Acts now obsolete*

8. The chapel was duly built pursuant to the 1809 Act and was consecrated in September 1812. It was upgraded to the status of parish church in 1893 and was dedicated to St Paul. During the latter part of the 20<sup>th</sup> century, however, the building became unsafe. It was eventually closed in 1996 because of major structural problems concerning the timbers supporting the roof. The church was declared redundant in or around 2001.<sup>50</sup>

9. The closing of the church in 1996 meant that both the 1809 and 1824 Acts ceased to serve any useful purpose. They are accordingly obsolete and their repeal is proposed on that basis.

*Consultation*

10. St Paul's Community Centre, the Bishop of Chichester and the Legal Office of the Church of England have been consulted about these repeal proposals.

LAW/005/031/06  
08 July 2014

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<sup>50</sup> The building has been converted into a community centre and cafeteria.



**St Mary's Church, Birmingham**



<i>Reference</i>	<i>Extent of repeal or revocation</i>
51 Geo.3 c.lxviii (1811) (Chapels of St Mary and St Paul, Birmingham Act)	The whole Act.
<hr/> <i>Chapels of St Mary and St Paul, Birmingham Act (1811)</i>	
<p>1. This note proposes the repeal of an obsolete early 19<sup>th</sup> century Act relating to St Mary's Chapel, Birmingham. St Mary's was closed in 1925.</p> <p>2. According to its long title, the purpose of the <i>Chapels of St Mary and St Paul, Birmingham Act</i> of 1811 ("the 1811 Act") was-</p> <p style="padding-left: 40px;"><i>to repeal certain Parts of an Act of His present Majesty for building Two Chapels, and providing Burial Grounds thereto, in the Town of Birmingham, in the County of Warwick, and for amending the said Act.</i></p> <p>3. The <i>preamble</i> to the 1811 Act recorded that an Act of 1772<sup>51</sup> (the 1772 Act) had authorised the building of two chapels in Birmingham (St Mary's Chapel and St Paul's Chapel) and had imposed restrictions upon the charging of pew rents. These restrictions were now proving unsatisfactory so far as St Mary's Chapel was concerned. Parliamentary authority was required to amend those restrictions in relation to St Mary's Chapel.</p> <p>4. The 1811 Act accordingly provided as follows-</p> <p style="padding-left: 40px;">(a) repeal of provisions in the 1772 Act restricting the sums that could be charged for pew rents in St Mary's Chapel</p> <p style="padding-left: 40px;">(b) in future the pew rents charged in St Mary's Chapel should not be less than £350 (and not more than £550) per annum</p> <p style="padding-left: 40px;">(c) enforcement of pew rents; status of this Act.</p> <p>5. Both St Mary's Chapel and St Paul's Chapel were built in accordance with the 1772 Act. St Mary's was consecrated on 24 August 1774. However, by 1925 the population of the parish of St Mary had been greatly diminished by the conversion of dwelling houses into shops and warehouses. Moreover, land was needed to expand the existing General Hospital. It was therefore decided that St Mary's should be</p>	

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<sup>51</sup> 12 Geo.3 c.64 (Birmingham Chapels) Act.

demolished and the site sold to provide for a new church elsewhere in Birmingham. This was authorised by the *Saint Mary's Church, Birmingham, and General Hospital Act 1925*.<sup>52</sup> St Mary's closed later that year.

6. The closure of St Mary's in 1925 meant that the 1811 Act could no longer serve any useful purpose.<sup>53</sup> It is proposed for repeal on that basis. St Paul's continues in use to this day and will not be affected in any way by the repeal of the 1811 Act.

#### *Consultation*

7. St Paul's Church, Birmingham, the Bishop of Birmingham and the Legal Office of the Church of England have been consulted about these repeal proposals.

LAW/005/031/06  
08 July 2014

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<sup>52</sup> 15 & 16 Geo.5 c.xli, s 6.

<sup>53</sup> Indeed, the 1811 Act has already been repealed in so far as it affects St Mary's: the 1925 Act, s 23. Nevertheless the current repeal proposal will ensure that the 1811 Act as a whole (including formal provisions such as the preamble) will be repealed formally.

<i>Reference</i>	<i>Extent of repeal or revocation</i>
51 Geo.3 c.cxxvi (1811) (Hungerford Parish Church Act)	The whole Act.
55 Geo.3 c.xx (1815) (Hungerford Parish Church Repairing and Enlarging Act)	The whole Act.

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*Hungerford Parish Church Act (1811)*

*Hungerford Parish Church Repairing and Enlarging Act (1815)*

1. This note proposes the repeal of two early 19<sup>th</sup> century Acts passed for the purpose of repairing and enlarging the parish church of St Lawrence in Hungerford, (Berkshire). St Lawrence's remains in use to this day.

*The 1811 Act*

2. According to its long title, the purpose of the *Hungerford Parish Church Act* of 1811 ("the 1811 Act") was-

*for repairing, enlarging, and improving the Parish Church of Hungerford, in the Counties of Berks and Wilts.*

3. A church has stood on the site of St Lawrence's since the 12<sup>th</sup> century. By 1800, the second such church was in need of repair. According to the *preamble* to the 1811 Act, the tower was "in Danger of falling" and the church itself was "too small for the Inhabitants of the said Parish". An Act of Parliament was necessary to raise the estimated £3000 needed to cover the costs of repair and enlargement.

4. The 1811 Act accordingly provided as follows-

- (a) appointment of Trustees to implement the Act; appointment and qualification of new Trustees
- (b) the Trustees were authorised to contract for the necessary repairs and building works; appointment of treasurer, rate collectors and other officers; penalties for defaulting collectors
- (c) the Trustees were authorised to take down the old tower, erect a new tower, and repair and enlarge the church; allotment and sale of pews

- (d) the Trustees were authorised to raise up to £4500 by selling annuities, using rates moneys raised under this Act as security; annuities to be assignable
- (e) the Trustees were authorised to levy annual rates on the inhabitants of the parish to cover the costs and expenses arising under the Act; rates to cease once the last annuity sold had come to an end; appeals
- (f) civil procedure matters; status of this Act.

#### *The 1815 Act*

5. According to its long title, the purpose of the *Hungerford Parish Church Repairing and Enlarging Act* of 1815 ("the 1815 Act") was to enlarge the powers of the 1811 Act.

6. The *preamble* to the 1815 Act recorded that, although the tower had been rebuilt and some enlargement work had been carried out in accordance with the 1811 Act, a collapse of most of the ancient parts of the church in February 1814 meant that the remainder of the church now needed to be taken down and rebuilt. Further money needed to be raised.

7. The 1815 Act accordingly provided as follows-

- (a) the powers in the 1811 Act to take down, rebuild and enlarge the church should be extended to this new Act
- (b) the Trustees were authorised to raise up to £6000 by any means provided by the 1811 Act
- (c) the Trustees were authorised to levy additional rates of between one shilling and sixpence and two shillings for each pound of rateable value of property in the parish
- (d) expenses of obtaining this Act; status of this Act.

*Both Acts now obsolete*

8. The rebuilding of St Lawrence's was duly completed in accordance with the 1811 and 1815 Acts, under the supervision of the architect John Pinch the Elder. The church was consecrated on 30 August 1816.

9. The purpose of the 1811 and 1815 Acts was met when the rebuilding works were completed in 1816. The two Acts ceased to serve any useful purpose once the final annuity created under them had come to an end, which would have been no later than 1860 or thereabouts. Both Acts are accordingly obsolete and their repeal is proposed on that basis.

*Consultation*

10. St Lawrence's Church, Hungerford, the Bishop of Oxford and the Legal Office of the Church of England have been consulted about these repeal proposals.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
51 Geo.3 c.clii (1811) (Sevenoaks Parish Church Repair Act)	The whole Act.
<i>Sevenoaks Parish Church Repair Act (1811)</i>	
<p>1. This note proposes the repeal of an obsolete early 19<sup>th</sup> century Act passed for the purpose of repairing the parish church of St Nicholas in Sevenoaks, Kent. St Nicholas' Church remains in use to this day.</p> <p>2. According to its long title, the purpose of the <i>Sevenoaks Parish Church Repair Act</i> of 1811 ("the 1811 Act") was "for repairing the Parish Church of Sevenoaks in the County of Kent".</p> <p>3. A church has stood on the site of St Nicholas' since the 12<sup>th</sup> century. By the 1800s the church had fallen into disrepair. The <i>preamble</i> to the 1811 Act recorded that parts of the church were "so decayed and in such a ruinous Condition that it is become dangerous for the Inhabitants to attend Divine Service therein". Parliamentary authority was needed to provide the necessary funding to pay for the repairs.</p> <p>4. The 1811 Act accordingly provided as follows-</p> <ul style="list-style-type: none"> <li>(a) appointment of Trustees to implement the Act; appointment and qualification of new Trustees; appointment of treasurer and other officers; Trustees' meetings</li> <li>(b) the Trustees were authorised to order the carrying out of the necessary repairs and enter into contracts</li> <li>(c) the Trustees were authorised to raise up to £10,000 by taking out loans and selling annuities to cover the costs incurred under the Act; such loans and annuities were to be assignable and secured on the rates arising under the Act</li> <li>(d) the parish churchwardens were authorised to levy annual rates to cover the repair costs, such rates not to exceed two shillings for each pound of rateable value of property and rents in the parish; special provision for</li> </ul>	

rented properties; enforcement provisions; churchwardens to account for and hand over the rates moneys received by them

(e) investment of surplus funds; provisions about gravestones and burials; the Trustees were authorised to replace the organ and enlarge the churchyard; savings and record-keeping

(f) civil procedure matters; appeals; status of this Act.

5. The repair works were duly completed pursuant to the 1811 Act in or around 1812.

6. The purpose of the 1811 Act was met in or around 1812 when the repairs were completed and the church re-opened. The 1811 Act ceased to serve any useful purpose once the final annuity sold under the Act had come to an end, which would have been no later than 1870 or thereabouts. The 1811 Act is accordingly obsolete and its repeal is proposed on that basis.

#### *Consultation*

7. St Nicholas' Church, Sevenoaks, the Bishop of Rochester and the Legal Office of the Church of England have been consulted about these repeal proposals.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
52 Geo.3 c.cix (1812) (St Sidwell, Exeter, Parish Church Act)	The whole Act.
54 Geo.3 c.cx (1814) (St Sidwell's Church, Exeter Act)	The whole Act.
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<i>St Sidwell, Exeter, Parish Church Act (1812)</i> <i>St Sidwell's Church, Exeter Act (1814)</i>	

1. This note proposes the repeal of two obsolete early 19<sup>th</sup> century Acts passed to secure the repair of the parish church of St Sidwell in Exeter. The church was destroyed by enemy bombing in 1942. The present St Sidwell's was built in 1958.

#### *The 1812 Act*

2. According to its long title, the purpose of the *St Sidwell, Exeter, Parish Church Act* of 1812 ("the 1812 Act") was-

*for repairing the Parish Church of Saint Sidwell, in the City and County of the City of Exeter.*

3. A church has occupied the site of the modern day St Sidwell's since Saxon times. By the 1800s, the original church and tower were, according to the *preamble* to the 1812 Act, "in Parts so decayed, and in such a ruinous Condition, that it is become dangerous for the Inhabitants to attend Divine Service therein". Extensive repairs and improvements were needed, the funding for which needed Parliamentary authority.

4. The 1812 Act accordingly provided as follows-

- (a) appointment of Trustees to implement the Act; appointment and qualification of new Trustees; meetings and proceedings of the Trustees; appointment of treasurer and other officers
- (b) the Trustees were authorised to carry out the necessary repairs and improvements and enter into the necessary contracts to achieve this; power to charge rent and rates for the use of pews
- (c) the churchwardens were authorised to levy annual rates to cover the repair and improvement costs, such rates not to exceed two shillings for



each pound of rateable value of property and rents in the parish; special provision for rented properties

- (d) the Trustees were authorised to raise up to £5000 by taking out loans or selling annuities; such loans and annuities were to be assignable and secured by the rates moneys
- (e) rates moneys were to be handed over to the treasurer by the churchwardens; penalties for defaulting churchwardens; rates enforcement provisions
- (f) appeals; civil procedure matters; status of this Act.

#### *The 1814 Act*

5. According to its long title, the purpose of the *St Sidwell's Church, Exeter Act* of 1814 ("the 1814 Act") was "for enlarging the Powers of [the 1812 Act] for repairing the Church of Saint Sidwell, in the City of Exeter".

6. The *preamble* to the 1814 Act recorded that the Trustees had raised and spent the £5000 authorised by the 1812 Act. However, since the walls of the church had needed a complete rebuild, more money was needed to finish the church repairs.

7. The 1814 Act accordingly provided as follows-

- (a) the Trustees were authorised to raise up to £3200 to pay off their debts and complete the church repairs
- (b) the powers of the 1812 Act were extended to the 1814 Act
- (c) savings; status of this Act.

#### *Both Acts now obsolete*

8. The repair and improvement works were duly completed in accordance with the 1812 and 1814 Acts. The works were supervised by William Burgess and completed in 1823.

9. The principal purpose of the two Acts was met in 1823 when the repairs to St Sidwell's were completed. The two Acts ceased to serve any useful purpose once the

final annuity granted under those Acts had come to an end, which would have been no later than 1855 or thereabouts. Both Acts are accordingly obsolete and their repeal is proposed on that basis.

10. The church was virtually destroyed by enemy bombing in May 1942. St Sidwell's was rebuilt in 1958. It is now used as a community centre, incorporating a small chapel at which a weekly service is held.

*Consultation*

11. St Sidwell's Community Centre, Exeter, the Bishop of Exeter and the Legal Office of the Church of England have been consulted about these repeal proposals.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
52 Geo.3 c.cx (1812) (Bishop Stortford Parish Church Act)	The whole Act.

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*Bishop Stortford Parish Church Act (1812)*

1. This note proposes the repeal of an obsolete early 19<sup>th</sup> century Act passed for the purpose of repairing St Michael's Church in Bishop's Stortford, Hertfordshire. St Michael's continues in use to this day.

2. According to the long title, the purpose of the *Bishop Stortford Parish Church Act* of 1812 ("the 1812 Act") was "for repairing the Parish Church of Bishop Stortford, in the County of Hertford".

3. A church has stood on the site of St Michael's since the 7<sup>th</sup> century. The current church dates from the early part of the 15<sup>th</sup> century. By the early 1800s, major repairs and restoration were required. The *preamble* to the 1812 Act recorded that "the said Church and the Tower and Spire thereof are in Parts thereof so decayed, and in such a ruinous Condition, that it is become dangerous for the Inhabitants to attend Divine Service therein". Parliamentary authority was required to raise the funds necessary to pay for the repairs.

4. The 1812 Act accordingly provided as follows-

- (a) appointment of Trustees to implement the Act; appointment of new Trustees; meetings of the Trustees; appointment of treasurer and other officers
- (b) the Trustees were authorised to carry out the repairs and to levy annual rates to cover the costs, such rates not exceeding two shillings for each pound of rateable value of property in the parish; rates to continue to be payable whilst debts arising under this Act remained outstanding; special provisions for rented properties
- (c) the Trustees were authorised to borrow money and sell annuities up to a maximum of £5000 using the rates money as security; such loans and annuities to be assignable

(d) duty of churchwardens to collect and account for the rates moneys;  
penalty for defaulting churchwardens; provisions for enforcing payment  
of the rates

(e) civil procedure matters; appeals; status of this Act.

5. The repair works were duly carried out pursuant to the 1812 Act and completed in 1819. The 1812 Act ceased to serve any useful purpose once the final annuity sold under the Act had come to an end, which would have been no later than 1860 or thereabouts. The 1812 Act is accordingly obsolete and its repeal is proposed on that basis.

*Consultation*

6. St Michael's Church, Bishop's Stortford, the Bishop of St Albans and the Legal Office of the Church of England have been consulted about these repeal proposals.

LAW/005/031/06  
08 July 2014

Reference	Extent of repeal or revocation
54 Geo.3 c.xxxii (1814) (Newton Chapel (Manchester) Act)	The whole Act.
57 Geo.3 c.xxii (1817) (Newton Chapel (Manchester) Act)	The whole Act.

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*Newton Chapel (Manchester) Acts (1814 and 1817)*

1. This note proposes the repeal of two obsolete early 19<sup>th</sup> century Acts passed for the purpose of rebuilding a chapel in the area of Newton (today Newton Heath) to the east of Manchester. The chapel, now All Saints Church, Newton Heath, remains in use to this day.

*The 1814 Act*

2. According to its long title, the purpose of the *Newton Chapel (Manchester) Act* of 1814 (“the 1814 Act”) was-

*for rebuilding the Chapel of Newton, in the Parish of Manchester, in the County Palatine of Lancaster.*

3. In 1808 the ancient chapel in Newton collapsed. The *preamble* to the 1814 Act recorded that “it is highly necessary that the said Chapel should be rebuilt in a substantial Manner”. Parliamentary authority was, however, necessary to achieve this end.

4. The 1814 Act provided as follows-

- (a) appointment of Trustees to implement the Act; appointment and qualification of new Trustees; meetings and proceedings of Trustees
- (b) power of the Trustees to appoint a treasurer and other officers; duties of officers to account; penalty for defaulting officers
- (c) the Trustees were authorised to purchase land for use as a cemetery; provisions concerning payment of purchase monies; power to dispose of land
- (d) the Trustees were authorised to enter into contracts for the building of the chapel and to construct the cemetery

- (e) the new chapel was to be called All Saints Chapel; allotment and letting out of pews
- (f) the Trustees were authorised to levy annual rates, payable by the inhabitants of the Chapelry of Newton, to cover the rebuilding costs, such rates not to exceed eight pence for each pound of rateable value of property in the parish; no more than £3500 was to be raised under this Act
- (g) rates to cease once all debts incurred under this Act had been paid off; special rate-raising provisions for rented properties; enforcement provisions; appointment of rates collectors who were obliged to account for and hand over all moneys received by them; penalties for defaulting collectors
- (h) the Trustees were authorised to borrow up to £3500 using the rates moneys as security; such loans to be assignable; application of money borrowed
- (i) civil procedure matters; recovery of penalties; appeals; status of this Act.

#### *The 1817 Act*

5. According to its long title, the purpose of the *Newton Chapel (Manchester) Act* of 1817 ("the 1817 Act") was "for amending [the 1814 Act]".
6. The *preamble* to the 1817 Act recorded that the money raised by the 1814 Act was "inadequate to the Completion of the said Chapel". More money needed to be raised. Furthermore, some other provisions in the 1814 Act needed to be "amended and rendered more effectual".
7. The 1817 Act accordingly provided as follows-
  - (a) the Trustees were authorised to raise an additional £3300
  - (b) the powers in the 1814 Act were extended to the 1817 Act
  - (c) provisions concerning rateable properties and properties occupied by tenants were amended

- (d) the Trustees were authorised to sell pews and build a cemetery perimeter wall; repair of the new chapel; quorum for Trustees' meetings; status of this Act.

*Both Acts now obsolete*

8. The rebuilding work was duly completed pursuant to the 1814 and 1817 Acts in 1816 and the chapel was consecrated in November that year. The principal purpose of both Acts was thereupon fulfilled. Both Acts ceased to serve any useful purpose once the levying of rates for the rebuilding works ceased. This would have been no later than 1830 or thereabouts. Accordingly both Acts have been obsolete for nearly two centuries and their repeal is proposed on that basis.

*Consultation*

9. All Saints Church, Newton Heath, the Bishop of Manchester and the Legal Office of the Church of England have been consulted about these repeal proposals.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
54 Geo.3 c.lxxvii (1814) (Sculcoates Additional Church Act)	The whole Act.

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*Sculcoates Additional Church Act (1814)*

1. This note proposes the repeal of an obsolete early 19<sup>th</sup> century Act passed for the purpose of building a chapel of ease<sup>54</sup> in the parish of Sculcoates, Hull. This chapel, later known as Christ Church, was demolished in 1962.

2. According to its long title, the purpose of the *Sculcoates Additional Church Act* of 1814 (“the 1814 Act”) was-

*for building a Church or Chapel of Ease in the Parish of Sculcoates, in the East Riding of the County of York.*

3. The chapel of ease was built so that residents of the parish of Sculcoates who lived a long distance from the existing parish church could more easily attend “the Celebration of Divine Service, the Administration of Sacraments and other Rites and Ceremonies according to the Usage of the Church of England”.<sup>55</sup> The authority of Parliament was, however, needed to achieve this.

4. The 1814 Act accordingly provided as follows-

- (a) appointment of Trustees to implement the Act; appointment and qualification of new Trustees; meetings of the Trustees; appointment of treasurer and officers
- (b) the Trustees were authorised to contract for the purchase of land (not exceeding 3 acres) for building a church or chapel and providing a burial ground; the church would be called “Christ’s Church in Sculcoates”
- (c) the Trustees were authorised to construct pews, seats and vaults, and to appropriate, sell or let them
- (d) the church or chapel was to be separately administered from the parish church of Sculcoates; provision for patronage, services, fees and salaries

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<sup>54</sup> A chapel of ease is an Anglican chapel situated for the convenience of parishioners living a long distance from the parish church. Such chapels usually arose in cases where the parish population was growing rapidly.

<sup>55</sup> The 1814 Act, preamble.



- (e) the Trustees were authorised to accept gifts and to raise money by sales or mortgages
- (f) establishment of a repairs fund; appointment of churchwardens; levy of pew rates to cover incidental expenses
- (g) civil procedure matters; savings; status of this Act.

5. The chapel of ease was duly built in Worship Street pursuant to the powers contained in the 1814 Act. The building costs amounted to £7000. The chapel was consecrated in September 1822 by the Archbishop of York. Unfortunately the building was badly damaged by enemy bombing in 1941. Although services continued until 1952, the building was demolished in 1962. The parish (the chapel was given its own parish in 1886) was then combined with that of St Paul. Today the site is used as a car park.

6. The principal purpose of the 1814 Act was met in 1822, when the building of the chapel of ease was completed. The demolition of the chapel in 1962 meant that the Act has become entirely obsolete. Its repeal is proposed on that basis.

#### *Consultation*

7. The Archbishop of York and the Legal Office of the Church of England have been consulted about these repeal proposals.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
55 Geo.3 c.v (1815) (Stockport Parish Church Act)	The whole Act.
<i>Stockport Parish Church Act (1815)</i>	
<p>1. This note proposes the repeal of an obsolete early 19<sup>th</sup> century Act passed for the purpose of completing the repairing and rebuilding of St Mary's parish church, Stockport. St Mary's continues in use to this day.</p> <p>2. According to its long title, the purpose of the <i>Stockport Parish Church Act</i> of 1815 ("the 1815 Act") was-</p> <p style="padding-left: 40px;"><i>for enlarging the Powers of an Act of His present Majesty, for repairing or rebuilding the Parish Church of Stockport, in the County Palatine of Chester.</i></p> <p>3. The Act referred to in the long title is an Act of 1810<sup>56</sup> which contained powers to repair or rebuild St Mary's, to rebuild its tower and to establish a churchyard for the parish.</p> <p>4. The <i>preamble</i> to the 1815 Act recorded the powers given by the 1810 Act for the Trustees appointed under that Act to levy an annual rate, not exceeding one shilling in the pound. This levy was to continue until all the costs arising under the 1810 Act had been met and all debts incurred had been repaid. The 1810 Act authorised the Trustees to borrow up to £12,000. However, as recorded by the preamble, the funds authorised by the 1810 Act had proved insufficient to complete the repairing and rebuilding work. More money needed to be raised.</p> <p>5. The 1815 Act accordingly provided as follows-</p> <p style="padding-left: 40px;">(a) the Trustees were authorised to levy an additional annual rate not exceeding one shilling in the pound</p> <p style="padding-left: 40px;">(b) the powers and provisions of the 1810 Act were extended to the 1815 Act</p> <p style="padding-left: 40px;">(c) the Trustees were authorised to erect an iron fence round the churchyard</p>	

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<sup>56</sup> 50 Geo.3 c.cxlvi (Stockport Parish Church and Cemetery Act). This 1810 Act contains provisions of continuing utility and so is not proposed for repeal for the present.

(d) the Trustees were authorised to raise money by mortgage, using the rates money as security

(e) status of this Act.

6. The repairing and rebuilding work authorised by the 1810 and 1815 Acts were carried out under the supervision of Lewis Wyatt and were completed in 1817. The principal purpose of the 1815 Act was thereupon fulfilled. The Act has accordingly been obsolete for two centuries and its repeal is proposed on that basis.

*Consultation*

7. St Mary's Church, Stockport, the Bishop of Chester and the Legal Office of the Church of England have been consulted about these repeal proposals.

LAW/005/031/06

08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
55 Geo.3 c.xxi (1815) (St John's Church, Wakefield Act)	The whole Act.

#### *St John's Church, Wakefield Act (1815)*

1. This note proposes the repeal of an obsolete 19<sup>th</sup> century Act passed to supplement the income of the church of St John in Wakefield, West Yorkshire. St John's continues in use to this day.

2. According to its long title, the purpose of the *St John's Church, Wakefield Act* of 1815 ("the 1815 Act") was-

*to amend an Act of His present Majesty, for building a new Church at Wakefield, in the West Riding of the County of York.*

3. The Act referred to in the long title is an Act of 1791 which provided for the building of St John's, the creation of a burial ground, and the appointment of a minister there.<sup>57</sup>

4. The *preamble* to the 1815 Act recorded that the new church had been duly built, along with a burial ground and a house for the minister. The church had been consecrated by the Archbishop of York in July 1795. However, all of the money raised under the 1791 Act was now exhausted. More was needed to keep the building in good repair and defray the expenses of running the church.

5. St John's was a chapel of ease to the existing parish church of All Saints, Wakefield.<sup>58</sup> It did not have its own parish and could not raise parish rates.<sup>59</sup> It therefore had to be funded out of the rates paid to the parish church.

6. The 1815 Act provided as follows-

(a) the Commissioners appointed under the 1791 Act were empowered to give directions for the repair of the church; to enter into contracts; and to provide seating for the poor

<sup>57</sup> 31 Geo.3 c.74 (Wakefield Church Act 1791). This Act contains provisions of continuing utility and is not proposed for repeal.

<sup>58</sup> A chapel of ease is an Anglican chapel situated for the convenience of parishioners living a long distance from the parish church. Such chapels usually arose in cases where the parish population was growing rapidly.

<sup>59</sup> 1791 Act, s 4

- (b) the churchwardens of the parish of Wakefield were required to pay St John's Church £400 out of the church rates to cover the cost of the current repairs
- (c) the churchwardens were required to pay St John's Church up to £100 out of the church rates annually to cover its running costs
- (d) keeping of records; appeals; expenses; savings
- (e) status of this Act.

7. In 1844, St John's was granted its own parish. The parish church of All Saints became Wakefield Cathedral in 1888. It is possible that the contribution to St John's ceased to be payable in 1844, but in any case, St John's no longer receives any payments under the 1815 Act. The Act is therefore obsolete and its repeal is proposed on that basis.

8. St John's Church, Wakefield, the Bishop of Wakefield and the Legal Office of the Church of England have been consulted about this repeal proposal.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
55 Geo.3 c.xliv (1815) (St Thomas, Dudley, Parish Church Act)	The whole Act.

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*St Thomas, Dudley, Parish Church Act (1815)*

1. This note proposes the repeal of an obsolete 19<sup>th</sup> century Act passed for the purpose of rebuilding the parish church of St Thomas in Dudley, West Midlands. St Thomas's remains in use by the parish of St Thomas & St Luke today.

2. According to its long title, the purpose of the *St Thomas, Dudley, Parish Church Act* of 1815 ("the 1815 Act") was-

*for taking down and rebuilding the Parish Church of Saint Thomas, in the Town of Dudley, in the County of Worcester.*

3. The *preamble* to the 1815 Act recorded that the church building was "very ancient, and much decayed, and... also too small for the Accommodation of the Inhabitants". It was therefore to be taken down and rebuilt. This would be funded partly by subscriptions and partly by the imposition of a rate. Parliamentary authority was needed to carry this out.

4. The 1815 Act therefore provided as follows-

- (a) appointment of Trustees to implement the Act; appointment and qualification of new Trustees; meetings of Trustees; appointment of treasurer and other officers; records
- (b) Trustees authorised to take down the old church and erect a new church and tower, and to repair the churchyard; Trustees authorised to enter contracts
- (c) interim arrangements for services; saving for the rights of the vicar; provisions on burials; church to be the parish church of Dudley
- (d) allotment of pews to subscribers; subscriptions to be paid to the treasurer
- (e) Trustees authorised to raise a parish rate; such rate not to exceed two shillings and one penny in each pound of rateable value of property and rents in the parish; enforcement provisions; appeals; appointment of rate

collectors; treasurer to produce accounts; special provision for rented properties

- (f) Trustees authorised to raise up to £7000 by taking out loans or selling annuities; such loans and annuities to be assignable and secured by the rates money

- (g) appeals; civil procedure matters; status of this Act.

5. The rebuilding works authorised by the 1815 Act were completed in 1819, under the supervision of the architect William Brooks. The principal purpose of the 1815 Act was thereupon fulfilled. The Act would have ceased to serve any useful purpose once the final annuity sold under it had come to an end, which would have been around 1860 or thereabouts. The 1815 Act is accordingly obsolete and its repeal is proposed on that basis.

6. St Thomas & St Luke's Church, Dudley, the Bishop of Worcester and the Legal Office of the Church of England have been consulted about these repeal proposals.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
55 Geo.3 c.lxxix (1815) (Hanworth Parish Church Act)	The whole Act.

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*Hanworth Parish Church Act (1815)*

1. This note proposes the repeal of an obsolete 19<sup>th</sup> century Act passed to cover the costs of rebuilding the parish church of St George in Hanworth. Hanworth now lies within the London Borough of Hounslow, and St George's remains in use to this day.

2. According to its long title, the purpose of the *Hanworth Parish Church Act* of 1815 ("the 1815 Act") was-

*for defraying the Expence incurred in rebuilding the Parish Church of Hanworth, in the County of Middlesex.*

3. The *preamble* to the 1815 Act recorded that the parish church of Hanworth had recently been rebuilt. The work had been funded by voluntary contributions from parishioners, including one advance made by a Mary Burgess in return for an annuity. However, the money was now exhausted, and the costs of the work had not yet been fully paid. Mary Burgess's annuity was also in arrears. Parliamentary authority was needed to raise more money by the levying of a parish rate.

4. The 1815 Act accordingly provided as follows-

- (a) appointment of Trustees to implement the Act; appointment of new Trustees
- (b) Trustees to pay the arrears of Mary Burgess's annuity and the outstanding costs of the rebuilding work; Trustees empowered to resist claims and to bring actions for breaches of contract
- (c) Trustees to raise money by granting annuities on the security of the rates; Mary Burgess's annuity deemed to have been granted under this Act; annuities to be recorded and assignable
- (d) churchwardens to levy a rate; rate to cease when the last annuity was paid in full



(e) accounts; expenses; status of this Act.

5. The rebuilding of the church had been completed in 1812, under the supervision of James Wyatt. The outstanding costs of the work were finally paid in May 1816. The 1815 Act ceased to serve any useful purpose once the final annuity had been repaid in full, which would have been no later than 1860 or thereabouts. The Act is accordingly obsolete and its repeal is proposed on that basis.

6. St George's Church, Hanworth, the Bishop of London and the Legal Office of the Church of England have been consulted about these repeal proposals.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
55 Geo.3 c.lxxx (1815) (Rochdale Chapel of Ease Act)	The whole Act.

#### *Rochdale Chapel of Ease Act (1815)*

1. This note proposes the repeal of an obsolete 19<sup>th</sup> century Act passed for the purpose of building the church of St James in Rochdale, Greater Manchester. The building is now used by the Ukrainian Catholic Church.

2. According to its long title, the purpose of the *Rochdale Chapel of Ease Act* of 1815 (“the 1815 Act”) was-

*for building a Chapel of Ease in the Town of Rochdale, in the County Palatine of Lancaster.*

3. The *preamble* to the 1815 Act recorded that the parish church of Rochdale was “at an inconvenient Distance from a large Proportion of the Inhabitants of the said Town and Parish”. It would therefore be “of great Benefit and Utility” if a chapel of ease were built in a more convenient location.<sup>60</sup> An Act of Parliament was needed to accomplish this.

4. The 1815 Act therefore provided as follows-

- (a) appointment of Trustees to implement the Act; appointment and qualification of new Trustees; meetings of Trustees; record-keeping; appointment of treasurer and other officers
- (b) Trustees authorised to purchase land and erect a church, to be known as the church of St James; allotment of pews; right of patronage vested in the vicar of Rochdale; payment of the minister; appointment of chapelwardens, clerk, organist and bell-ringers
- (c) Trustees authorised to borrow up to £10,000 for the purposes of this Act; loans to be assignable and secured against the pew rents and the rates

<sup>60</sup> A chapel of ease is an Anglican chapel situated for the convenience of parishioners living a long distance from the parish church. Such chapels usually arose in cases where the parish population was growing rapidly.

(d) Trustees authorised to raise a parish rate; such rate not to exceed one shilling in each pound of rateable value of property and rents in the parish; special provision for rented properties; enforcement provisions; rates collectors to account

(e) appeals; civil procedure matters; savings; status of this Act.

5. The church of St James was duly built under the 1815 Act, and consecrated in 1821. The principal purpose of the Act was thereupon fulfilled. In 1975 the building ceased to be used by the Church of England, and became a Ukrainian Catholic church.

6. Most of the 1815 Act would have ceased to serve any useful purpose once the final annuity sold under it had come to an end, which would have been around 1860 or thereabouts. The remainder became obsolete with the closure of the Anglican church of St James. The 1815 Act is accordingly obsolete and its repeal is proposed on that basis.

7. The Ukrainian Catholic Church of St Mary and St James, Rochdale, the Bishop of Manchester and the Legal Office of the Church of England have been consulted about these repeal proposals.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
56 Geo.3 c.xxviii (1816) (St George the Martyr, Middlesex, Parish Church Act)	The whole Act.
59 Geo.3 c.xi (1819) (St George the Martyr, Middlesex, Parish Church and Churchyard Act)	The whole Act.

*St George the Martyr, Middlesex, Parish Church Act (1816)*

*St George the Martyr, Middlesex, Parish Church and Churchyard Act (1819)*

1. This note proposes the repeal of two obsolete 19<sup>th</sup> century Acts passed for the purpose of repairing the parish church of St George the Martyr in Holborn, London. St George's remains in use to this day.

#### *The 1816 Act*

2. According to its long title, the purpose of the *St George the Martyr, Middlesex, Parish Church Act* of 1816 ("the 1816 Act") was-

*for repairing and altering the Parish Church of Saint George the Martyr, in the County of Middlesex, and for making further Provision for the Rector of the said Parish.*

3. St George's had been built in 1706 as a chapel of ease to the church of St Andrew in Holborn.<sup>61</sup> It was subsequently bought by the Commissioners for Building Fifty New Churches, and became a parish church in 1723.

4. The *preamble* to the 1816 Act recorded that the church building had become "much out of Repair, and not sufficiently commodious for the Inhabitants of the said Parish". Money would have to be raised for its repair. However, the agreement to establish the new parish had been poorly drafted, and it was not clear that St George's had the power to levy its own rates. An Act of Parliament was needed to clarify the issue.

5. The 1816 Act therefore provided as follows-

(a) appointment of Trustees to implement the Act; appointment of new Trustees; meetings of Trustees; appointment of clerk, rates collector, and

<sup>61</sup> A chapel of ease is an Anglican chapel situated for the convenience of parishioners living a long distance from the parish church. Such chapels usually arose in cases where the parish population was growing rapidly.

other officers; Trustees authorised to repair the church and enter into contracts

- (b) pews vested in the churchwardens; churchwardens to pay the rector £400 annually from the pew rents; payment of rents and enforcement provisions
- (c) Trustees authorised to raise up to £5000 for the purposes of this Act by taking out loans or selling annuities; annuities to be recorded, assignable, and secured by the rates money
- (d) Trustees authorised to raise a parish rate; such rate not to exceed sixpence in each pound of rateable value of property and rents in the parish; special provision for rented properties; enforcement provisions; rates collector to account
- (e) appeals; civil procedure matters; status of this Act.

#### *The 1819 Act*

6. According to its long title, the *St George the Martyr, Middlesex, Parish Church and Churchyard Act* of 1819 (“the 1819 Act”) was passed “for altering, amending and extending the provisions of” the 1816 Act.

7. The *preamble* to the 1819 Act explained that the Trustees had duly raised £5000 and “caused the said Parish Church to be well and substantially repaired”. The church had already been re-opened for services. However, the repairs had cost more than expected, and the Trustees had incurred debts of around £2000. They had also been unable to repair the parish burial ground. Parliamentary authority was therefore needed to raise more funds.

8. The 1819 Act provided as follows-

- (a) Trustees authorised to raise an additional £2500 by taking out loans or selling annuities, which would be charged on the rates; money to be used to discharge the costs of the previous repairs and to repair the burial ground

- (b) rate authorised by the 1816 Act to be continued; record-keeping; officers to account
- (c) Trustees to make regulations on the letting of pews; churchwardens to enforce the quitting of pews; penalties
- (d) status of this Act.

*Both Acts now obsolete*

9. The repairs to the church and churchyard were duly completed, whereupon the principal purpose of both Acts was fulfilled. The Acts would have ceased to serve any useful purpose once the final annuity had been repaid in full, which would have been no later than 1876 or thereabouts. The Acts are accordingly obsolete and their repeal is proposed on that basis.

*Consultation*

10. St George's Church, Holborn, the Bishop of London and the Legal Office of the Church of England have been consulted about these repeal proposals.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
56 Geo.3 c.lxv (1816) (St Mark's Church, Liverpool Act)	The whole Act.
<i>St Mark's Church, Liverpool Act (1816)</i>	
<p>1. This note proposes the repeal of an obsolete 19<sup>th</sup> century Act passed for the purpose of managing the church of St Mark in Liverpool. St Mark's was closed in 1908.</p> <p>2. According to its long title, the purpose of the <i>St Mark's Church, Liverpool Act</i> of 1816 ("the 1816 Act") was-</p> <p style="text-align: center;"><i>for establishing a New Church, called the Church of Saint Mark, situate in the Town and Parish of Liverpool, in the County Palatine of Lancaster.</i></p> <p>3. The <i>preamble</i> to the 1816 Act recorded that the population of Liverpool had recently increased, so that "the Churches and Chapels there were not sufficiently capacious conveniently to contain the Inhabitants of the said Parish... nor the Church Yards of the said Churches and Chapels large enough for the decent Interment of the Dead".</p> <p>4. Funds had therefore been raised by public subscription to build a new church and churchyard. These were completed in 1803, and consecrated on 15 December 1815. However, an Act of Parliament was needed to establish certain regulations on the management of the new church.</p> <p>5. The 1816 Act therefore provided as follows-</p> <ul style="list-style-type: none"> <li>(a) church authorised to celebrate marriages; fees for marriages; record-keeping</li> <li>(b) appointment of Commissioners for the management of the church; appointment of new Commissioners; appointment of churchwardens; appointment of minister and curate</li> <li>(c) pew rents to raise an annual total of £500; rents to be used to pay salaries and keep the church in good repair; collection of rents</li> <li>(d) civil procedure matters; savings; status of this Act.</li> </ul>	

6. In December 1908, St Mark's was closed due to a declining congregation. The building was demolished in 1913. The 1816 Act has therefore been obsolete for over a century, and its repeal is proposed on that basis.

7. The Bishop of Liverpool and the Legal Office of the Church of England have been consulted about these repeal proposals.

LAW/005/031/06  
08 July 2014



<i>Reference</i>	<i>Extent of repeal or revocation</i>
57 Geo.3 c.liii (1817) (Stansted Chapel, Stoughton (Sussex) Act)	The whole Act.

*Stansted Chapel, Stoughton (Sussex) Act (1817)*

1. This note proposes the repeal of an obsolete 19<sup>th</sup> century Act passed for the purpose of establishing the right of patronage of Stansted Chapel in Stansted Park, West Sussex. The chapel is no longer used for regular services.

2. According to its long title, the purpose of the *Stansted Chapel, Stoughton (Sussex) Act* of 1817 (“the 1817 Act”) was-

*for settling the right of Patronage or Presentation of or to a Chapel to be called Stansted Chapel, in the Parish of Stoughton, in the County of Sussex.*

3. The *preamble* to the 1817 Act recorded that Stansted House was situated over three miles from the parish church of Stoughton. Owing to “the Badness of the Bye Roads”, the inhabitants of the House (Lewis Way and family) were often unable to attend services at the church. Way had therefore converted a brewery on his estate into a chapel, and now sought an Act of Parliament to establish his right to appoint a chaplain.

4. The 1817 Act therefore provided as follows-

(a) right of patronage of the chapel vested in Lewis Way during his lifetime, and thereafter in the Lord or Lady of the Manor of Stansted; provisions in case of default

(b) chapel to be known as Stansted Chapel; qualifications and duties of chaplain; fees to be paid to the parish church of Stoughton; appointment of clerk and sexton; pews vested in Lewis Way

(c) savings; status of this Act.

5. The chapel was duly consecrated in 1819.<sup>62</sup> In 1924, Stansted Park became the family home of the Earls of Bessborough. Since 1983, it has been owned and administered by a charitable foundation. The chapel was recently de-consecrated and regular services are no longer held there.

<sup>62</sup> The service was attended by John Keats, who was inspired by the building to write his poem “The Eve of St Agnes”.

6. The 1817 Act has been obsolete since a chaplain ceased to be appointed to the chapel. Its repeal is proposed on that basis.
7. Stansted Park Foundation, the Bishop of Chichester and the Legal Office of the Church of England have been consulted about these repeal proposals.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
59 Geo.3 c.xxxvii (1819) (St Hilds Chapel, Jarrow Act)	The whole Act.

*St Hilds Chapel, Jarrow Act (1819)*

1. This note proposes the repeal of an obsolete 19<sup>th</sup> century Act passed for the purpose of rebuilding the church of St Hilda in South Shields, Tyne and Wear. St Hilda's remains in use to this day.

2. According to its long title, the purpose of the *St Hilds Chapel, Jarrow Act* of 1819 ("the 1819 Act") was-

*for defraying the Expences incurred in taking down, rebuilding and enlarging the Chapel of Saint Hilds, in the Parish of Jarrow, in the County Palatine of Durham.*

3. The *preamble* to the 1819 Act recorded that, in 1810, the chapel had become "in so ruinous and dangerous a State that it was deemed unsafe to attend Divine Service therein". The parishioners had therefore agreed to repair and extend the building, and to fund the works by authorising the chapelwardens to raise a parish rate. The chapel had been duly rebuilt, but the chapelwardens had been left with a debt of several thousand pounds. An Act of Parliament would be needed to raise the additional money.

4. The 1819 Act therefore provided as follows-

- (a) appointment of Trustees to implement the Act; Trustees authorised to borrow up to £5300 on the security of the rates
- (b) Trustees authorised to mortgage the rates to the chapelwardens; mortgages to be recorded and assignable; new rate imposed to pay off £500 of the mortgages each year
- (c) enforcement provisions; accounts; status of this Act.

5. The rebuilding of the church had been completed in 1812. It was consecrated on 30 July 1819 by the Bishop of Oxford. The Act would have ceased to serve any useful purpose once the final mortgage was paid off in full, which would have been

no later than 1830 or thereabouts. The Act is accordingly obsolete and its repeal is proposed on that basis.

6. St Hilda's Church, South Shields, the Bishop of Durham and the Legal Office of the Church of England have been consulted about these repeal proposals.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
59 Geo.3 c.lxiii (1819) (St John the Baptist, Peterborough, Parish Church Act)	The whole Act.

*St John the Baptist, Peterborough, Parish Church Act (1819)*

1. This note proposes the repeal of an obsolete 19<sup>th</sup> century Act, passed for the purpose of rebuilding the church of St John the Baptist in Peterborough, Cambridgeshire. The church remains in use to this day.

2. According to its long title, the purpose of the *St John the Baptist, Peterborough, Parish Church Act* of 1819 (“the 1819 Act”) was-

*for repairing and altering, and taking down and rebuilding, certain Parts of the Parish Church of Saint John the Baptist, Peterborough, in the County of Northampton.*

3. The *preamble* to the 1819 Act recorded that the church building and its tower were “very much decayed and out of Repair”, so that it would be necessary to repair and rebuild them. The work had already begun, “and Debts incurred to a considerable Amount”. An Act of Parliament was needed to raise the money to fund this work.

4. The 1819 Act therefore provided as follows-

- (a) appointment of Trustees to implement the Act; appointment and qualification of new Trustees; meetings of Trustees; appointment of treasurer and other officers; keeping of accounts
- (b) Trustees authorised to repair the church; provisions on gravestones and interments; allotment of pews
- (c) Trustees authorised to borrow up to £7000 for the purposes of this Act; loans to be recorded, assignable and charged on the rates
- (d) Trustees authorised to raise a parish rate; such rate not to exceed one shilling and sixpence in each pound of rateable value of property and rents in the parish; special provision for rented properties; enforcement

provisions; rates collectors to account; rate to cease when the loans had been paid off in full

(e) appeals; civil procedure matters; savings; status of this Act.

5. The building work was completed in 1820, whereupon the principal purpose of the 1819 Act was fulfilled. The Act has been wholly obsolete since the final loan was repaid in full, which would have been no later than 1865 or thereabouts. The Act is accordingly proposed for repeal.

6. St John the Baptist's Church, Peterborough, the Bishop of Peterborough and the Legal Office of the Church of England have been consulted about these repeal proposals.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
60 Geo.3 & 1 Geo.4 c.ii (1820) (Liverpool Church Act)	The whole Act.
20 & 21 Vict. c.xxxvi (1857) (St Philip's Church, Liverpool Act)	The whole Act.
45 & 46 Vict. c.x (1882) (St Philip's Church (Liverpool) Act)	The whole Act.

*Liverpool Church Act (1820)*

*St Philip's Church, Liverpool Act (1857)*

*St Philip's Church (Liverpool) Act (1882)*

1. This note proposes the repeal of three obsolete 19<sup>th</sup> century Acts passed for purposes connected with the church of St Philip in Liverpool. Two of the Acts were concerned with the first church of St Philip, which closed in 1882. The third Act was passed to build a replacement for the original church. The new building was itself replaced in 1976.

*The 1820 Act*

2. According to its long title, the purpose of the *Liverpool Church Act* of 1820 ("the 1820 Act") was-

*for regulating and supporting a new Church or Chapel within the Town of Liverpool, in the County Palatine of Lancaster, and for the Solemnization of Marriages therein.*

3. The *preamble* to the 1820 Act recorded that John Cragg had recently built "a Gothic Building, as and for a Church or Chapel". Cragg was the pioneer of iron churches, and this was the third to be built by him in Liverpool. In October 1816, it was consecrated as the church of St Philip by the Bishop of Chester. However, an Act of Parliament was needed to provide for its administration, and to permit marriages to be celebrated there.

4. The 1820 Act therefore provided as follows-

(a) appointment of Trustees to implement the Act; appointment of new Trustees

(b) allotment of pews; sale of vaults and burial places; churchwardens authorised to raise a pew rate to pay for church repairs

- (c) appointment and duties of minister and chaplain; advowson vested in Cragg for 40 years following the consecration of the church, then passing to the Corporation of Liverpool
- (d) appointment of clerk, sexton and churchwardens; keeping of accounts; marriages to be solemnised within the church; keeping of public registers
- (e) appeals; civil procedure matters; savings; status of this Act.

#### *The 1857 Act*

5. According to its long title, the purpose of the *St Philip's Church, Liverpool Act* of 1857 ("the 1857 Act") was<sup>63</sup> was-

*for uniting the Offices of Minister and Chaplain of Saint Philip's Church in Liverpool.*

6. The preamble to the 1857 Act explained that the advowson of the church (the right to nominate the minister and chaplain) had been vested in Cragg for 40 years, before passing to the Corporation of Liverpool. When the two offices became vacant in 1847, Cragg had obtained dispensation from the Archbishop of Canterbury to appoint the same man to both. However, doubts had since arisen as to whether the offices could be effectually united without an Act of Parliament. The advowson had now passed to the Corporation, but, in the interim, municipal corporations had been barred from holding advowsons.<sup>63</sup> The doubts over the status of the offices needed to be resolved so that the Corporation could sell the advowson.

7. The 1857 Act therefore provided as follows-

- (a) offices of minister and chaplain to be united
- (b) Corporation authorised to sell the advowson
- (c) savings.

#### *The 1882 Act*

8. According to its long title, the purpose of the *St Philip's Church (Liverpool) Act* of 1882 ("the 1882 Act") was-

*to authorise the sale of the existing Church of Saint Philip in the City of Liverpool and of the site thereof and purchase of a site for and the erection of*

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<sup>63</sup> This was one of the reforms made by the Municipal Corporations (England) Act 1835 (5 & 6 Will.4 c.76)



*a new church and to provide for the appointment of Trustees and other relative matters.*

9. The *preamble* to the 1882 Act recorded that, “owing to the conversion of many dwelling-houses in the neighbourhood into shops and the erection and enlargement of other churches in the neighbourhood, the attendance at the services of the church is now very small”. Furthermore, the building had “for some time been in want of substantial repair”. The minister and churchwardens of St Philip’s therefore proposed that the existing church be sold, and a new one built elsewhere in Liverpool.

10. The 1882 Act therefore provided as follows-

- (a) short title
- (b) appointment of Trustees to implement the Act; meetings of Trustees; Trustees authorised to sell the old church; Trustees to buy land and build a new church on it; upon completion, church to be vested in the Ecclesiastical Commissioners
- (c) parish to be assigned to the church; right of presentation vested in the Trustees
- (d) Trustees authorised to receive donations; money to be used to complete the new church; remaining money to be invested and the income paid to the minister.

11. The old church was closed in 1882. In July of that year, the site was sold at public auction and acquired by the Salvation Army. A new church of St Philip was subsequently built on Sheil Road. It was opened in 1886 and consecrated on 2 December 1890 by the Bishop of Liverpool.

*All three Acts now obsolete*

12. The first two Acts ceased to serve any useful purpose on the closure of the original church. They have accordingly been obsolete for over a century and their repeal is proposed on that basis.

13. The church built pursuant to the 1882 Act was demolished and rebuilt in 1976. In 2009, the new building became the Worship Centre for the newly-created parish of

All Saints, Liverpool. The 1882 Act has been obsolete since 1976 and its repeal is proposed accordingly.

*Consultation*

14. All Saints' Church, Liverpool, the Bishop of Liverpool and the Legal Office of the Church of England have been consulted about these repeal proposals.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
1 Geo.4 c.xli (1820) (St Mary Newington Parish Churches Act)	The whole Act.

*St Mary Newington Parish Churches Act (1820)*

1. This note proposes the repeal of an obsolete 19<sup>th</sup> century Act passed for the purpose of building two new churches in Newington, in the London Borough of Southwark. These were the churches of St Peter, Walworth, which remains in use to this day, and Holy Trinity, Newington, which has been reconstructed as a rehearsal and recording hall.

2. According to its long title, the purpose of the *St Mary Newington Parish Churches Act* of 1820 (“the 1820 Act”) was-

*for building Two new Churches or Chapels in the Parish of Saint Mary Newington, commonly called Newington Butts, in the County of Surrey; and for other Purposes relating thereto.*

3. The *preamble* to the 1820 Act recorded that the population of the parish of St Mary Newington had greatly increased, and the present parish church was unable to accommodate all of the inhabitants. Two new churches were therefore to be built “in some convenient Places within the said Parish, and upon an equal or a larger Scale than the present Parish Church”. An Act of Parliament was needed to accomplish this.

4. The 1820 Act provided as follows-

(a) appointment of Trustees to implement the Act; appointment and qualification of new Trustees; meetings of Trustees; appointment of treasurer and other officers; keeping of records and accounts

(b) saving for the powers of the Commissioners;<sup>64</sup> appointment of clerks, sextons and churchwardens

(c) Trustees authorised to purchase land and build two new churches thereon, and to enter contracts for this purpose; churches to be known as Trinity Church, Newington, and St Peter’s Church, Walworth

<sup>64</sup> The Church Building Commission was established by the Church Building Act 1818 (58 Geo.3 c.45).

- (d) allotment of pews; payment of pew rents; Trustees to use the pew rents from the parish church to build the new churches; sale of catacombs and vaults; burial fees
- (e) Commissioners to lend money to the Trustees for the building of the churches, to be repaid within 15 years; procedure for the purchase of land; disputes
- (f) Trustees authorised to raise up to £20,000 by issuing annuities; annuities to be assignable and charged on the rates
- (g) Trustees authorised to raise a parish rate; such rate not to exceed sixpence in each pound of rateable value of property and rents in the parish; special provision for rented properties; enforcement provisions; rates collectors to account; rate to cease when the money had been paid off in full
- (h) auditing of accounts; civil procedure matters; savings; status of this Act.

5. The two new churches were duly built under the Act. The church of St Peter, Walworth, was the first to be designed by the architect Sir John Soane. Building work began in 1823 and the church was consecrated by the Archbishop of Canterbury on 28 February 1825. It was badly damaged in the Second World War, but has since been restored and remains in use today.

6. Work on Holy Trinity, Newington, began in 1823 under the supervision of Francis Bedford. The building was consecrated by the Archbishop of Canterbury on 16 December 1824. It was damaged during the Second World War but remained in use until 1961, when it was declared unsafe and closed. In 1972, the building was purchased by a charitable trust. It was almost entirely reconstructed following a major fire in 1973, and is now a recording studio and rehearsal space known as Henry Wood Hall.

7. By 1860, the loans and annuities issued under the Act had been repaid in full. However, the Trustees had continued to appropriate the pew rents from the parish church, leaving it short of funds for its own building projects. Eventually, the Bishop of London intervened, offering to endow the two new churches with certain property on the condition that they released the pew rents from the trusts created by the 1820 Act. This was done on 17 January 1862.

8. The principal purpose of the 1820 Act was fulfilled when the building of the two churches was completed. The Act ceased to serve any useful function in 1862, when the trusts of the pew rents were dissolved. It is accordingly obsolete and its repeal is proposed on that basis.

*Consultation*

9. St Peter's Church, Walworth, Henry Wood Hall, the Bishop of London and the Legal Office of the Church of England have been consulted about these repeal proposals.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
1 Geo.4 c.lviii (1820) (St Matthew's Chapel, Pendleton Act)	The whole Act.

*St Matthew's Chapel, Pendleton Act (1820)*

1. This note proposes the repeal of an obsolete 19<sup>th</sup> century Act passed to cancel the building of a new chapel in Pendleton, Greater Manchester.

2. According to its long title, the purpose of the *St Matthew's Chapel, Pendleton Act* of 1820 ("the 1820 Act") was-

*to repeal an Act made in the Fifty-eighth Year of His late Majesty, for building a Chapel of Ease in the Township of Pendleton and Parish of Eccles, in the County Palatine of Lancaster.*

3. The *preamble* to the 1820 Act recorded that an Act had been passed in 1818<sup>65</sup> to authorise the building of a chapel of ease in Pendleton,<sup>66</sup> to be funded by the levying of a rate. However, the Trustees appointed by the 1818 Act had barely been able to raise enough money to cover the expenses of obtaining that Act in the first place. They concluded that the available funds were "totally inadequate", and that the building work should be called off.

4. The 1820 Act therefore provided as follows-

(a) 1818 Act repealed; saving for the validity of the rate already collected

(b) Trustees authorised to impose a new rate, to cover the expenses of passing the 1820 Act

(c) status of this Act.

5. The repealing provisions in the 1820 Act are now spent. The Act became wholly obsolete once the rate authorised by it ceased to be levied, which would have been not long after the Act was passed. It is accordingly obsolete and its repeal is proposed on that basis.

<sup>65</sup> Pendleton Chapel of Ease Act 1818 (58 Geo.3 c.lxxxvi)

<sup>66</sup> A chapel of ease is an Anglican chapel situated for the convenience of parishioners living a long distance from the parish church. Such chapels usually arose in cases where the parish population was growing rapidly.

*Consultation*

6. The Bishop of Manchester and the Legal Office of the Church of England have been consulted about this repeal proposal.

LAW/005/031/06

08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
1 & 2 Geo.4 c.cxiv (1821) (St Nicholas in Harwich Parish Church Act)	The whole Act.
5 Geo.4 c.cxxvii (1824) (St Nicholas Harwich Church Act)	The whole Act.

*St Nicholas in Harwich Parish Church Act (1821)*  
*St Nicholas Harwich Church Act (1824)*

1. This note proposes the repeal of two obsolete 19<sup>th</sup> century Acts passed for the purpose of rebuilding the parish church of St Nicholas in Harwich, Essex. St Nicholas' remains in use to this day.

*The 1821 Act*

2. According to its long title, the purpose of the *St Nicholas in Harwich Parish Church Act* of 1821 ("the 1821 Act") was-

*for the Completion of the Rebuilding of the Church or Chapel of the Parish of Saint Nicholas in Harwich, in the County of Essex.*

3. The *preamble* to the 1821 Act records that the church of St Nicholas was "in a very dilapidated, decayed and dangerous State, and not sufficient for the Accommodation of the Inhabitants of the Town". The parishioners had therefore taken it down and begun to build a new church. However, the money they had raised had been "found insufficient for the Purpose intended". Parliamentary authority would be needed to raise a rate.

4. The 1821 Act therefore provided as follows-

- (a) confirmation of orders already made for the rebuilding of the church
- (b) allotment of pews; pew rents; rents to be used for the repayment of sums borrowed under this Act
- (c) penalty for damaging monuments in the graveyard; penalty for stealing iron; penalty for committing nuisances near the church
- (d) churchwardens authorised to raise a parish rate; such rate not to exceed six shillings in each pound of rateable value of property and rents in the parish; churchwardens authorised to borrow up to £6000 on the security



of the rates; money to be used to complete the rebuilding of the church;  
rate to cease when all loans had been repaid in full

(e) enforcement provisions; appeals; civil procedure matters; status of this Act.

#### *The 1824 Act*

5. According to its long title, the *St Nicholas Harwich Church Act* of 1824 (“the 1824 Act”) was passed “to amend [the 1821 Act]”. The *preamble* to the 1824 Act explained that “the Expence of rebuilding the said Church has exceeded the Sum which by the said recited Act was authorized to be raised”, and that more money would be needed.

6. The 1824 Act therefore provided as follows-

(a) churchwardens authorised to raise an additional £4000 on the security of the rates and pew rents; churchwardens to appoint a rates collector; rate to cease when the loans had been repaid in full

(b) status of this Act.

#### *Both Acts now obsolete*

7. The rebuilding of the church of St Nicholas was duly completed under the supervision of the architect M. G. Thompson. It was consecrated on 20 July 1822 by the Bishop of London.

8. The Acts would have ceased to serve any useful purpose once the final loan had been repaid in full, which would have been no later than 1870 or thereabouts. The Acts are accordingly obsolete and their repeal is proposed on that basis.

#### *Consultation*

9. St Nicholas’ Church, Harwich, the Bishop of Chelmsford and the Legal Office of the Church of England have been consulted about these repeal proposals.

<i>Reference</i>	<i>Extent of repeal or revocation</i>
3 Geo.4 c.lxxi (1822) (St Mary's Church, Greenwich Act)	The whole Act.

*St Mary's Church, Greenwich Act (1822)*

1. This note proposes the repeal of an obsolete 19<sup>th</sup> century Act passed for the purpose of building the church of St Mary in Greenwich, London. St Mary's was demolished in 1936.

2. According to its long title, the purpose of the *St Mary's Church, Greenwich Act* of 1822 ("the 1822 Act") was-

*for erecting a new Church in the Parish of Greenwich in the County of Kent, and vesting the same and the Scite thereof in Trustees, and for making Provisions respecting the same.*

3. The *preamble* to the 1822 Act recorded that the parish church of Greenwich was much too small for its increased population. A site for a new church had therefore been obtained. Money towards building it had already been subscribed by parishioners, and a loan had been promised by the Church Building Commissioners.<sup>67</sup> However, Parliamentary authority was needed for the work.

4. The 1822 Act therefore provided as follows-

- (a) appointment of Trustees; appointment and qualification of new Trustees; meetings of Trustees; appointment of committees and officers; keeping of records
- (b) Trustees authorised to erect a church, to be known as St Mary's, and to enter into contracts
- (c) parish of Greenwich to raise a rate of threepence in each pound of rateable value of property and rents in the parish, for three years following the consecration of St Mary's, in order to support the new church
- (d) fees for burials; allotment of pews and collection of pew rents; sale of catacombs and vaults; pew rents to be used to pay the salary of an organist

<sup>67</sup> The Church Building Commission was established by the Church Building Act 1818 (58 Geo.3 c.45).

(e) Trustees authorised to borrow up to £2000 for the purposes of this Act; loans to be secured on the pew rents

(f) penalty for injuring the church or churchyard; penalty for committing nuisances near the church (eg driving trucks and carts past the church during services, or “blowing any Horn, or using any noisy Instrument... to the Disturbance of the Congregation”); Trustees to detain offenders

(g) penalties; civil procedure matters; savings; status of this Act.

5. Work on the church began in 1823, under the supervision of George Basevi. It was consecrated on 25 June 1825 by the Bishop of Oxford. However, in 1919 it was declared redundant, and the building was demolished in 1936.

6. The augmented parish rate would have ceased to be levied in 1828. The 1820 Act became wholly obsolete when St Mary’s was closed, almost a century ago. Its repeal is proposed on that basis.

#### *Consultation*

7. The Bishop of London and the Legal Office of the Church of England have been consulted about this repeal proposal.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
5 Geo.4 c.xxi (1824) (St John's Church in Roundhay Act)	The whole Act.

*St John's Church in Roundhay Act (1824)*

1. This note proposes the repeal of an obsolete 19<sup>th</sup> century Act passed for the purpose of building the church of St John in Roundhay, West Yorkshire. St John's was closed in 2008.

2. According to its long title, the purpose of the *St John's Church in Roundhay Act* of 1824 ("the 1824 Act") was-

*for building a Church or Chapel of Ease, in the Township of Roundhay, and Parish of Barwick in Elmet, in the West Riding of the County of York.*

3. The *preamble* to the 1824 Act recorded that there was no parish church within six miles of Roundhay, and "it would be of great Benefit and Utility" to the inhabitants if one were to be built. One Stephen Nicholson had agreed to provide the land and build the church, on the condition that the patronage were vested in him. An Act of Parliament was needed to accomplish this.

4. The 1824 Act therefore provided as follows-

(a) chapel and cemetery to be built by Stephen Nicholson and consecrated as St John's Church; patronage vested in Nicholson and his heirs and assigns; Nicholson to provide a house and trust fund for the benefit of the minister

(b) pews and vaults; duties of the minister; appointment of churchwarden and other officers

(c) churchwarden authorised to raise a rate on the pews; rate to be used for the maintenance of the church; Nicholson to provide a fund for repairs

(d) appeals; civil procedure matters; savings; status of this Act.

5. The church was duly built under the supervision of the architect Thomas Taylor, and consecrated in 1826. In recent decades, the costs of maintaining the building became unaffordable, and it was closed in 2008. In 2010, it was sold to the

Pentecostal City Mission. The congregation of St John's now shares premises with Roundhay Methodist Church. The two congregations were united as Oakwood Church in November 2013.

6. The 1824 Act has been obsolete since St John's Church was closed. Its repeal is proposed on that basis.

*Consultation*

7. Oakwood Church, the Bishop of Leeds and the Legal Office of the Church of England have been consulted about this repeal proposal.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
5 Geo.4 c.xl (1824) (Maidenhead Chapel Act)	The whole Act.

#### *Maidenhead Chapel Act (1824)*

1. This note proposes the repeal of an obsolete 19<sup>th</sup> century Act passed for the purpose of rebuilding the chapel of St Andrew and St Mary Magdalene in Maidenhead, Berkshire. The chapel was demolished in 1961.

2. According to its long title, the purpose of the *Maidenhead Chapel Act* of 1824 ("the 1824 Act") was-

*for taking down, rebuilding and enlarging Maidenhead Chapel, in the County of Berks.*

3. The *preamble* to the 1824 Act recorded that the present chapel in Maidenhead was "much too small for the Accommodation of the Inhabitants of the said Town", and was inconveniently located. The parishioners therefore wished to build a larger chapel on a new site.

4. The 1824 Act provided as follows-

(a) old chapel to be taken down and the land sold; money to be used to purchase a new site; new chapel to be built under the supervision of the Church Building Commission<sup>68</sup>

(b) new chapel to be in all respects in lieu of the old chapel; new chapel to be under the same jurisdiction and funded by the same means as the old chapel

(c) status of this Act.

5. Building work on the chapel began in July 1824. It opened in 1826, and in 1870 gained its own parish.

6. In 1961 the building was declared unsafe. It was demolished, and a new church of St Andrew and St Mary Magdalene was opened on the site in 1965. The

<sup>68</sup> The Church Building Commission was established by the Church Building Act 1818 (58 Geo.3 c.45).

1824 Act has been obsolete since the building was replaced, and its repeal is proposed on that basis.

*Consultation*

7. St Mary's Church, Maidenhead, the Bishop of Oxford and the Legal Office of the Church of England have been consulted about this repeal proposal.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
5 Geo.4 c.lxiv (1824) (Oldham Church, Burial Ground and Church Rates Act)	The whole Act.
9 Geo.4 c.xcix (1828) (Oldham Church Act)	The whole Act.

*Oldham Church, Burial Ground and Church Rates Act (1824)*  
*Oldham Church Act (1828)*

1. This note proposes the repeal of two obsolete 19<sup>th</sup> century Acts passed for the purpose of rebuilding the parish church of Oldham, Greater Manchester. Also known as the church of St Mary with St Peter, it remains in use to this day.

*The 1824 Act*

2. According to its long title, the purpose of the *Oldham Church, Burial Ground and Church Rates Act* of 1824 (“the 1824 Act”) was-

*for taking down and rebuilding the Body of the Church or ancient Parochial Chapel of Ease of Oldham, within the Parish of Prestwick-cum-Oldham, in the County Palatine of Lancaster, for providing additional Burial Ground, and for equalizing the Church Rates, and other Purposes.*

3. A church has stood on the site of St Mary’s since the 13<sup>th</sup> century. However, industrialisation meant that the population of Oldham had rapidly increased throughout the 1700s. The *preamble* to the 1824 Act recorded that the church had “become very ruinous and decayed, and... not sufficiently large for the Accommodation of the Inhabitants”. The burial ground of the church was also too small. Money was needed to take down and rebuild the church, and to extend the cemetery.

4. The 1824 Act therefore provided as follows-

(a) appointment of Trustees to implement the Act; appointment and qualification of new Trustees; meetings of Trustees; keeping of records; appointment of treasurer, clerk and other officers

(b) Trustees authorised to take down the old church and to rebuild an enlarged church; saving for the rights of the rector; temporary



arrangements for services during the rebuilding; purchase of land to enlarge the churchyard

- (c) allotment of pews; pew rents
- (d) Trustees authorised to raise a parish rate; such rate not to exceed one shilling in each pound of rateable value of property and rents in the parish; rate to cease when all money borrowed under the Act had been repaid; special provision for rented properties; enforcement provisions; rates collector to account
- (e) Trustees authorised to raise up to £20,000 for the purposes of this Act by issuing securities; securities to be recorded, assignable and charged on the rates
- (f) rates for the maintenance of the church to be equalised
- (g) penalty for committing nuisances near the church or churchyard; penalty for damaging monuments; enforcement provisions
- (h) civil procedure matters; status of this Act.

#### *The 1828 Act*

5. According to its long title, the *Oldham Church Act* of 1828 (“the 1828 Act”) was passed “for amending [the 1824 Act], and for taking down and rebuilding the Chancel and Private Chapels attached” to the church.

6. The *preamble* to the 1828 Act recorded that a chancel and two private chapels had been annexed to the church. Although the rest of the church had now been pulled down, they had “been left standing from Want of sufficient Powers in the [1824] Act to take down the same”. The rebuilding work could not be completed until they had been removed.

7. The 1828 Act therefore provided as follows-

- (a) powers of the 1824 Act extended to this Act; Trustees authorised to take down and rebuild the chancel and private chapels

(b) allotment of pews and vaults; pew rents; enforcement provisions

(c) nomination of curate; meetings of Trustees; provisions on burial ground and vaults; amendment of provisions on rates

(d) savings; status of this Act.

*Both Acts now obsolete*

8. The church was duly rebuilt under the supervision of the architect Richard Lane, and was consecrated in 1830. The principal purpose of both Acts was thereupon fulfilled. The Acts would have ceased to serve any useful purpose once the final loan had been repaid in full, which would have been no later than 1860 or thereabouts. The Acts are accordingly obsolete and their repeal is proposed on that basis.

*Consultation*

9. St Mary's Church, Oldham, the Bishop of Manchester and the Legal Office of the Church of England have been consulted about these repeal proposals.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
6 Geo.4 c.xxxiii (1825) (St Mary's Chapel, Hastings Act)	The whole Act.

*St Mary's Chapel, Hastings Act (1825)*

1. This note proposes the repeal of an obsolete 19<sup>th</sup> century Act passed for the purpose of building the church of St Mary in Hastings, East Sussex. St Mary's is now an arts and cultural centre.

2. According to its long title, the purpose of the *St Mary's Chapel, Hastings Act* of 1825 ("the 1825 Act") was-

*for erecting a Chapel at Pelham Crescent, in the Parish of St Mary in the Castle, in the Liberty of the Town and Port of Hastings in the County of Sussex.*

3. The *preamble* to the 1825 Act recorded that, despite the increased population of Hastings, there was "no Parish Church, Chapel, or Place of Worship, nor any Place of Burial" within the parish of St Mary in the Castle. Thomas Pelham, the Earl of Chichester, had agreed to build a church for the parish as the centrepiece to a new development of arcades and townhouses. An Act of Parliament was needed to authorise this.

4. The 1825 Act therefore provided as follows-

(a) chapel to be built by the Earl of Chichester and consecrated as St Mary's Chapel; the Earl and his heirs to nominate the curate and to be liable for repairs to the chapel

(b) duties of the curate; keeping of records; pews and recovery of pew rents; appointment of clerk and sexton

(c) appeals; savings; status of this Act.

5. The church was duly built under the supervision of the architect Joseph Kay, and opened in 1828. In 1970, it was closed due to a declining congregation. After the sale of the building by the Church Commissioners, it fell into disrepair, until restoration work was carried out in the 1990s. It was re-opened as an arts and

cultural centre in 1998 and is currently administered by the St Mary in the Castle Charitable Trust.

6. The 1825 Act has been obsolete since the church was closed. Its repeal is proposed on that basis.

*Consultation*

7. The St Mary in the Castle Charitable Trust, the Bishop of Chichester and the Legal Office of the Church of England have been consulted about this repeal proposal.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
6 Geo.6 c.lv (1825) (St James, Poole, Church Act)	The whole Act.

#### *St James, Poole, Church Act 1825*

1. This note proposes the repeal of an obsolete 19<sup>th</sup> century Act passed for the purpose of repaying loans taken out to rebuild the church of St James in Poole, Dorset. St James' remains in use to this day.

2. According to its long title, the purpose of the *St James, Poole, Church Act* of 1825 ("the 1825 Act") was-

*for making more effectual Provision for paying off and discharging the Debts and Expences incurred in taking down and rebuilding the Parish Church of Saint James, in the Town and County of Poole, and the Tower of the same Church.*

3. The *preamble* to the 1825 Act recorded that the church of St James and its tower, "having become much dilapidated and decayed, have been lately taken down and rebuilt". The parish had borrowed £8700 to pay for these works. The rebuilding had been completed in 1821, but the parish was left with significant debts at a high rate of interest. The church now wished to take out new loans, in order to pay these off.

4. The 1825 Act therefore provided as follows-

(a) appointment of Trustees to implement the Act; appointment of new Trustees; meetings of Trustees

(b) Trustees authorised to borrow up to £9000 on the security of the rates; loans to be assignable

(c) Trustees authorised to raise a parish rate; enforcement provisions; rate to cease when the final loan had been repaid in full

(d) civil procedure matters; accounts; savings; status of this Act.

5. The 1825 Act would have ceased to serve any useful purpose when the loans were fully repaid, which would have been no later than 1860 or thereabouts. The Act is therefore obsolete and its repeal is proposed on that basis.

*Consultation*

6. St James' Church, Poole, the Bishop of Salisbury and the Legal Office of the Church of England have been consulted about this repeal proposal.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
6 Geo.4 c.lviii (1825) (Chapel of the Holy and Undivided Trinity, Gosport Act)	The whole Act.
<i>Chapel of the Holy and Undivided Trinity, Gosport Act (1825)</i>	
<p>1. This note proposes the repeal of an obsolete 19<sup>th</sup> century Act passed for the purpose of funding the maintenance of Holy Trinity Church in Gosport, Hampshire. Holy Trinity remains in use to this day.</p> <p>2. According to its long title, the purpose of the <i>Chapel of the Holy and Undivided Trinity, Gosport Act</i> of 1825 (“the 1825 Act”) was-</p> <p style="padding-left: 40px;"><i>to provide for the perpetual Maintenance and Support of the Chapel of the Holy and Undivided Trinity, in the Town of Gosport, within the Parish of Alverstoke, in the County of Southampton.</i></p> <p>3. The <i>preamble</i> to the 1825 Act recorded that the church had been built in 1696. Since 1747, chapelwardens had levied pew rates to pay for the maintenance of the building, although they had never been granted the authority to do so. In 1818, the Court of Arches ruled that this arrangement was unlawful.<sup>69</sup> An Act of Parliament was needed to grant the authority to raise a rate.</p> <p>4. The 1825 Act therefore provided as follows-</p> <ul style="list-style-type: none"> <li>(a) appointment of chapelwardens to implement the Act; appointment of new chapelwardens</li> <li>(b) chapelwardens authorised to raise a rate on the owners of pews in the chapel; such rate not to exceed one shilling in the pound of the value of the pew; enforcement provisions; money raised to be used for the maintenance of the chapel</li> <li>(c) numbering of pews; sale of pews; appointment of committee of pew owners; meetings of committee; appointment of vestry clerk; keeping of accounts and records</li> </ul>	

<sup>69</sup> The Court of Arches is one of the Church of England’s ecclesiastical courts, with jurisdiction over the province of Canterbury.

(d) penalty for injuring the chapel or churchyard; penalty for committing nuisances near the chapel (eg for persons who “play at Foot Ball, or any other Game or Sport, or discharge Fire Arms or Fire Works in the said Chapel Yard”)

(e) appeals; civil procedure matters; savings; status of this Act.

5. Pew rents at Holy Trinity Church were abolished at Easter 1914, whereupon the 1825 Act ceased to serve any useful purpose. The Act is therefore obsolete and its repeal is proposed on that basis.

*Consultation*

6. Holy Trinity Church, Gosport, the Bishop of Portsmouth and the Legal Office of the Church of England have been consulted about this repeal proposal.

LAW/005/031/06  
08 July 2014



<i>Reference</i>	<i>Extent of repeal or revocation</i>
6 Geo.4 c.cxcv (1825) (St Dunstan in the East Parish Borrowing Act)	The whole Act.

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*St Dunstan in the East Parish Borrowing Act (1825)*

1. This note proposes the repeal of an obsolete 19<sup>th</sup> century Act passed for the purpose of repaying debts incurred by the church of St Dunstan-in-the-East, in the City of London. St Dunstan's was destroyed in the Second World War.

2. According to its long title, the purpose of the *St Dunstan in the East Parish Borrowing Act* of 1825 ("the 1825 Act") was-

*to enable the Rector, Churchwardens, and Inhabitants of the Parish of Saint Dunstan in the East in the City of London, to borrow Money for paying off certain Debts of the said Parish, and for other Purposes relating thereto.*

3. The *preamble* to the 1825 Act recorded that the church building had been taken down and rebuilt in 1817. £36,000 had been borrowed for this purpose, a large part of which was secured on the parish rates. However, doubts had arisen as to whether the church was authorised to raise a rate for this purpose. An Act of Parliament was needed to resolve the issue.

4. The 1825 Act therefore provided as follows-

(a) appointment of Trustees to implement the Act; appointment of new Trustees; appointment of treasurer and other officers; meetings of Trustees

(b) Trustees authorised to borrow up to £28,500 on the security of the parish rates; Trustees authorised to raise a rate, such rate not to exceed one shilling and sixpence in each pound of rateable value of property and rents in the parish; enforcement provisions; special provision for rented properties

(c) civil procedure matters; keeping of records; savings; status of this Act.

5. The 1825 Act would have ceased to serve any useful purpose when the final loan was repaid in full. This would have been no later than 1860 or thereabouts. St Dunstan's was destroyed in 1941, during the London Blitz. Its ruins are a Grade I

listed building and are now used as a public garden. The 1825 Act is therefore obsolete and its repeal is proposed on that basis.

*Consultation*

6. The Bishop of London and the Legal Office of the Church of England have been consulted about this repeal proposal.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
7 Geo.4 c.li (1826) (Church of St David, Liverpool Act)	The whole Act.
<i>Church of St David, Liverpool Act (1826)</i>	
<p>1. This note proposes the repeal of an obsolete 19<sup>th</sup> century Act passed for the purpose of building the church of St David in Liverpool. St David's was demolished in 1910.</p> <p>2. According to its long title, the purpose of the <i>Church of St David, Liverpool Act</i> of 1826 ("the 1826 Act") was-</p> <p style="text-align: center;"><i>for erecting and endowing a Church in the Parish of Liverpool in the County Palatine of Lancaster, to be called the Church of Saint David.</i></p> <p>3. The <i>preamble</i> to the 1826 Act recorded that "a great Number of Persons from the Principality of Wales have resorted to and become Inhabitants of the Parish of Liverpool". It was therefore "very desirable" that a new church should be provided to hold services in the Welsh language. Sufficient funds had been raised by voluntary subscription, but building work could not begin without the authority of Parliament.</p> <p>4. The 1826 Act therefore provided as follows-</p> <p style="margin-left: 40px;">(a) appointment of Trustees to implement the Act; appointment of new Trustees; meetings of Trustees; keeping of records; appointment of treasurer and other officers</p> <p style="margin-left: 40px;">(b) Trustees to build the church; sale of pews; pew rents; enforcement provisions; rents to be used for church repairs</p> <p style="margin-left: 40px;">(c) nomination of minister; appointment and duties of churchwardens; two Sunday sermons to be preached in Welsh each week; minister's stipend</p> <p style="margin-left: 40px;">(d) savings provisions; civil procedure matters; status of this Act.</p> <p>5. The church was duly built and was consecrated on 31 July 1827. In 1910, the land was bought by the Midlands Railway, who demolished the church in order to</p>	

expand their Adelphi Hotel. The congregation of St David's then moved to new premises on Hampstead Road. The church was closed in 1976.

6. The 1826 Act has been obsolete since the closure of St David's Church, and its repeal is proposed on that basis.

*Consultation*

7. The Bishop of Liverpool and the Legal Office of the Church of England have been consulted about this repeal proposal.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
7 & 8 Geo.4 c.xcii (1827) (Wisbech Chapel of Ease Act)	The whole Act.

#### *Wisbech Chapel of Ease Act (1827)*

1. This note proposes the repeal of an obsolete 19<sup>th</sup> century Act passed for the purpose of building a chapel of ease in Wisbech, Cambridgeshire.<sup>70</sup> The chapel was demolished in 1952.

2. According to its long title, the purpose of the *Wisbech Chapel of Ease Act* of 1827 (“the 1827 Act”) was-

*for erecting and endowing a Chapel of Ease in the Parish of Wisbech Saint Peter’s in the Isle of Ely in the County of Cambridge.*

3. The *preamble* to the 1827 Act recorded that the parish church of Wisbech was “inadequate to the Accommodation of the Inhabitants of the said Parish”. A number of parishioners had therefore purchased land as a site for a chapel of ease, and the vicar of Wisbech had agreed to endow it. However, the chapel could not be built without the authority of Parliament.

4. The 1827 Act therefore provided as follows-

- (a) appointment of Trustees to implement the Act; Trustees to ratify the purchase of the land or buy an alternative site; Trustees to build a chapel and burial ground
- (b) donations and subscriptions towards the building work; consecration of the chapel; chapel to be endowed by the vicar of Wisbech or his heirs; vicar to nominate the first minister of the chapel; duties of minister; burials
- (c) meetings of Trustees; keeping of records; appointment of chapelwardens and other officers
- (d) pew rents; enforcement provisions; rents to be used for the maintenance of the church; accounts

<sup>70</sup> A chapel of ease is an Anglican chapel situated for the convenience of parishioners living a long distance from the parish church. Such chapels usually arose in cases where the parish population was growing rapidly.

(e) penalty for committing nuisances in the chapel yard; enforcement provisions

(f) civil procedure matters; savings; status of this Act.

5. The chapel was duly built under the supervision of the architect William Swansborough and opened in 1831. Modelled on the Octagon of Ely Cathedral, it became known as the Octagon Church. The building subsequently became unsafe and the church closed in 1946. It was demolished in 1952. The site is now used for commercial premises.

6. The 1827 Act has been obsolete since the closure of the church. Its repeal is proposed on that basis.

#### *Consultation*

7. The Bishop of Ely and the Legal Office of the Church of England have been consulted about this repeal proposal.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
9 Geo.4 c.xv (1828) (Hove Chapel of Ease Act)	The whole Act.

#### *Hove Chapel of Ease Act (1828)*

1. This note proposes the repeal of an obsolete 19<sup>th</sup> century Act passed for the purpose of building a chapel of ease in Hove, East Sussex.<sup>71</sup> The chapel is now used as a concert hall.

2. According to its long title, the purpose of the *Hove Chapel of Ease Act* of 1828 ("the 1828 Act") was-

*to establish a Chapel of Ease in the Parish of Hove in the County of Sussex.*

3. The *preamble* to the 1828 Act recorded that the parish church of Hove was "inconvenient, and inadequate to the Accommodation of the Inhabitants". One Edward Everard had therefore begun to build a chapel of ease, but required the authority of Parliament to complete it.

4. The 1828 Act provided as follows-

(a) chapel and vaults to be completed by Everard; chapel to be consecrated as St Andrew's Chapel; Everard and his heirs to have the patronage of the chapel for 40 years

(b) duties of the minister; allotment of pews; sale of vaults; appointment of clerk and chapelwarden

(c) chapelwarden authorised to raise a rate on the pews; recovery of pew rents; appeals

(d) savings; status of this Act.

5. The chapel was duly built under the supervision of the architect Charles Barry. It was consecrated on 5 July 1828 and became a fashionable place to worship in Victorian times. However, in 1990 it was declared redundant due to declining

<sup>71</sup> A chapel of ease is an Anglican chapel situated for the convenience of parishioners living a long distance from the parish church. Such chapels usually arose in cases where the parish population was growing rapidly.

congregations. It is now in the care of the Churches Conservation Trust and, following restoration, is currently used as a concert hall and community centre. The 1828 Act has been obsolete since the closure of the church, and its repeal is proposed on that basis.

*Consultation*

6. The Churches Conservation Trust, the Bishop of Chichester and the Legal Office of the Church of England have been consulted about this repeal proposal.

LAW/005/031/06  
08 July 2014



<i>Reference</i>	<i>Extent of repeal or revocation</i>
10 Geo.4 c.xcvi (1829) (St Dunstan in the West Parish Church Act)	The whole Act.
<i>St Dunstan in the West Parish Church Act (1829)</i>	
<p>1. This note proposes the repeal of an obsolete 19<sup>th</sup> century Act passed for the purpose of rebuilding the church of St Dunstan-in-the-West, in the City of London. St Dunstan's remains in use to this day.</p> <p>2. According to its long title, the purpose of the <i>St Dunstan in the West Parish Church Act</i> of 1829 ("the 1829 Act") was-</p> <p style="padding-left: 40px;"><i>for taking down the Parish Church of Saint Dunstan in the West in the City of London, and building a new Church in lieu thereof.</i></p> <p>3. A church has stood on the site of St Dunstan's since medieval times. However, the <i>preamble</i> to the 1829 Act recorded that the building had, "by Lapse of Time, become ruinous". An Act of Parliament was needed to rebuild it.</p> <p>4. The 1829 Act therefore provided as follows-</p> <ul style="list-style-type: none"> <li>(a) appointment of Trustees to implement the Act; appointment and qualification of new Trustees; meetings of Trustees; keeping of records and accounts; appointment of treasurer and other officers</li> <li>(b) Trustees authorised to pull down and rebuild the church and to set out a burial ground; acquisition of land and compensation for owners; sale of materials of the old church; arrangements for renovating the burial ground</li> <li>(c) hackney cabs prohibited from plying for hire in Fleet Street; interim arrangements for services; sale of pews and vaults</li> <li>(d) Trustees authorised to raise a parish rate; such rate not to exceed more than two shillings in each pound of rateable value of property and rents in the parish; special provision for rented properties; enforcement provisions</li> <li>(e) Trustees authorised to borrow up to £40,000 for the purposes of this Act; loans to be recorded, assignable and secured by the rates; rate to cease when the loans were repaid in full</li> </ul>	

(f) civil procedure matters; appeals; savings; status of this Act.

5. The 1829 Act would have ceased to serve any useful purpose when the final loan was repaid in full. This was done on 3 July 1872, at which point the rate also ceased. The Act is accordingly obsolete and its repeal is proposed on that basis.

*Consultation*

6. The Church of St Dunstan-in-the-West, the Bishop of London and the Legal Office of the Church of England have been consulted about this repeal proposal.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
11 Geo.4 & 1 Will.4 c.xl (1830) (Church of St Augustine, Walton-on-the-Hill Act)	The whole Act.
<i>Church of St Augustine, Walton-on-the-Hill Act (1830)</i>	
<p>1. This note proposes the repeal of an obsolete 19<sup>th</sup> century Act passed to build the church of St Augustine in Everton, Liverpool. St Augustine's was destroyed during the Second World War.</p> <p>2. According to its long title, the purpose of the <i>Church of St Augustine, Walton-on-the-Hill Act</i> of 1830 ("the 1830 Act") was-</p> <p style="padding-left: 40px;"><i>for endowing a Church in the Township of Everton in the Parish of Walton-on-the-Hill in the County Palatine of Lancaster.</i></p> <p>3. The <i>preamble</i> to the 1830 Act recorded that the population of Everton had greatly increased and a new church was needed to accommodate its inhabitants. Thomas Shaw had agreed to provide the land, and enough money had been subscribed to begin the building work. However, an Act of Parliament was needed before this could be completed.</p> <p>4. The 1830 Act therefore provided as follows-</p> <ul style="list-style-type: none"> <li>(a) appointment of Committee to implement the Act; Committee to build a church on the land donated by Thomas Shaw; church to be known as the church of St Augustine; Committee to make calls on subscribers and to borrow up to £3000 for the building work</li> <li>(b) appointment of Trustees to manage the church after its consecration; appointment of minister; appointment of new Trustees; meetings of Committee and Trustees; keeping of records</li> <li>(c) allotment of pews; Trustees to set pew rents; enforcement provisions; appointment of churchwardens; churchwardens to use the rents to keep the church in good repair</li> <li>(d) duties of minister; appointment of clerk and other officers; burials and marriages</li> </ul>	

(e) civil procedure matters; savings; status of this Act.

5. The building of the church was duly completed under the supervision of John Broadbent, and it was consecrated in July 1830. On 4 May 1941, the building was destroyed by bombing. The congregation moved to the nearby church of St Timothy and the site was sold to the Corporation of Liverpool.

6. The 1830 Act has been obsolete since the church was destroyed, and its repeal is proposed on that basis.

*Consultation*

7. The Bishop of Liverpool and the Legal Office of the Church of England have been consulted about this repeal proposal.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
1 Will.4 c.xxiii (1831) (St John's Church, Liscard (Cheshire) Act)	The whole Act.

*St John's Church, Liscard (Cheshire) Act (1831)*

1. This note proposes the repeal of an obsolete 19<sup>th</sup> century Act passed to build the church of St John in Liscard, an area of Wallasey in Merseyside. St John's closed in 2004.

2. According to its long title, the purpose of the *St John's Church, Liscard (Cheshire) Act* of 1831 ("the 1831 Act") was-

*for building a Church or Chapel, with a Cemetery to the same, in the Township of Liscard in the Parish of Wallasey in the County Palatine of Chester.*

3. The preamble to the 1831 Act recorded that the parish church of Wallasey was too small to accommodate all the inhabitants of the area. It would therefore be "of great Benefit... and general Utility" if a new church were built in Liscard. Sir John Tobin, of Liscard Hall, had agreed to provide land for the church, and enough money had been raised by subscription to pay for the building work. However, an Act of Parliament was needed to carry it out.

4. The 1831 Act therefore provided as follows-

- (a) appointment of Committee to implement the Act; Committee authorised to build the church and cemetery, and to receive subscriptions and borrow up to £8000
- (b) appointment of Trustees after the completion of the church; appointment of minister; appointment of new Trustees; meetings of Committee and Trustees
- (c) allotment of pews; payment of pew rents; enforcement provisions; appointment of churchwardens; churchwardens to use the rents to keep the church in good repair
- (d) minister's stipend; duties of the minister; appointment of church officials; burials and marriages

(e) civil procedure matters; savings; status of this Act.

5. St John's was duly built and opened on 19 May 1833. The building was damaged during the Second World War, but subsequently restored.

6. In 2004, the church was closed due to a declining congregation. Planning permission was given for its conversion into flats in 2006. However, the building currently appears to be derelict.

7. The 1832 Act has been obsolete since St John's Church was closed. Its repeal is proposed on that basis.

*Consultation*

8. The Bishop of Chester and the Legal Office of the Church of England have been consulted about this repeal proposal.

LAW/005/031/06

08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
1 Will.4 c.xxiv (1831) (St Leonard's Chapel, Hastings Act)	The whole Act.

*St Leonard's Chapel, Hastings Act (1831)*

1. This note proposes the repeal of an obsolete 19<sup>th</sup> century Act passed to build the church of St Leonard in Hastings, East Sussex. The original building of St Leonard's was destroyed during the Second World War, but a replacement church remains in use today.

2. According to its long title, the purpose of the *St Leonard's Chapel, Hastings Act* of 1831 ("the 1831 Act") was-

*for erecting a Chapel in the Parish of Saint Leonard's within the Liberty of the Town and Port of Hastings in the County of Sussex, for the Accommodation of the Inhabitants of the said Parish and of the Parish of Saint Mary Magdalen within the said Liberty and County.*

3. The *preamble* to the 1831 Act recorded that there was no church in either the parish of St Leonard or the adjacent parish of St Mary Magdalen in Hastings. James Burton, an architect and builder involved in the development of the St Leonard's area, had offered to build a chapel for the two parishes. However, he needed Parliamentary authority to do so.

4. The 1831 Act therefore provided as follows-

- (a) Burton to build the chapel and cemetery; chapel to be known as St Leonard's
- (b) right to nominate minister vested in Burton; duties of minister; marriages, christenings and burials; allotment of pews and collection of pew rents; sale of vaults
- (c) appointment of chapelwardens and other officers; keeping of accounts; chapelwardens to raise a rate on pews to keep the chapel in repair; Burton to keep the burial ground in repair
- (d) enforcement provisions; appeals; savings; status of this Act.

5. The church was duly built under Burton's supervision. It was consecrated on 22 May 1834 by the Bishop of Durham.

6. St Leonard's was destroyed on the night of 29 July 1944 by a V-1 flying bomb. It was subsequently rebuilt to a design by the Gilbert Scott brothers, and reopened in 1961. The 1831 Act has been obsolete since the original church was destroyed, and its repeal is proposed on that basis.

*Consultation*

7. St Leonard's Church, Hastings, the Bishop of Chichester and the Legal Office of the Church of England have been consulted about this repeal proposal.

LAW/005/031/06  
08 July 2014



<i>Reference</i>	<i>Extent of repeal or revocation</i>
2 & 3 Will.4 c.lxxix (1832) (Church of St Mary, Birkenhead Act)	The whole Act.

*Church of St Mary, Birkenhead Act (1832)*

1. This note proposes the repeal of an obsolete 19<sup>th</sup> century Act passed to extend the church of St Mary in Birkenhead, Merseyside. St Mary's closed in 1974.

2. According to its long title, the purpose of the *Church of St Mary, Birkenhead Act* of 1832 ("the 1832 Act") was-

*for enlarging the Church of Saint Mary in the Chapelry of Birkenhead in the County Palatine of Chester.*

3. *The preamble to the 1832 Act* recorded that the church had been rebuilt by its patron, Francis Richard Price, in 1821. Since then, however, the population of Birkenhead had greatly increased, and it was necessary to extend the church. Price was willing to build the extension at his own expense, on condition that part of his estate was freed from paying an annual rent to the minister of St Mary's. He proposed to make up the shortfall in the minister's income by charging pew rents in the church. An Act of Parliament was needed to authorise this arrangement.

4. The 1832 Act therefore provided as follows-

- (a) Price authorised to build new aisles on each side of the church; patronage vested in him; church to be a perpetual cure, known as St Mary's in Birkenhead
- (b) pews vested in Price; Price authorised to sell or let pews; £30 per year from the pew rents to be paid as a stipend to the minister; remainder to be kept by Price
- (c) Price's lands to be discharged of rents previously paid to the minister; Price to convey a house to the minister to use as his residence
- (d) duties of the minister; keeping of records
- (e) churchwardens to raise a pew rate; rates to be used to pay the salaries of church officials and the expenses of running the church; enforcement provisions

(f) appointment and duties of churchwardens; appointment of clerk and other officials

(g) appeals; civil procedure matters; status of this Act.

5. Two new transepts were duly built, and completed in 1835.

6. In 1970, the building was declared unsafe. St Mary's was officially closed in 1974, as part of the reorganisation of parishes in Birkenhead. In 1975, it was partially demolished, and today only the tower remains. It is dedicated as a memorial to those who died in the *HMS Thetis* disaster of 1939.

7. The 1832 Act has been obsolete since St Mary's church was closed. Its repeal is proposed on that basis.

#### *Consultation*

8. The Bishop of Chester and the Legal Office of the Church of England have been consulted about this repeal proposal.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
2 & 3 Will.4 c.lxxx (1832) (Parish Church of St Bartholomew, Chichester Act)	The whole Act.

*Parish Church of St Bartholomew, Chichester Act (1832)*

1. This note proposes the repeal of an obsolete 19<sup>th</sup> century Act passed to rebuild the church of St Bartholomew in Chichester, West Sussex. St Bartholomew's is now used as the chaplaincy centre for Chichester College.

2. According to its long title, the purpose of the *Parish Church of St Bartholomew, Chichester Act* of 1832 ("the 1832 Act") was-

*for establishing as the Parish Church the newly erected Church in the Parish of Saint Bartholomew adjoining the City of Chichester.*

3. The original parish church had been destroyed when Chichester was captured by Roundheads during the English Civil War. The *preamble* to the 1832 Act recorded that the population of the parish had recently increased, and the inhabitants had begun to build a new church there in 1824. However, the money they had raised was not "sufficient to defray the whole of the Expences of erecting the said new Church". The building was unfinished and debts of £600 were already owed. An Act of Parliament was needed to raise enough money to complete the work.

4. The 1832 Act therefore provided as follows-

- (a) appointment of Trustees to implement the Act; appointment of new Trustees
- (b) new church to be known as St Bartholomew's and to be established as the parish church; appointment of curate
- (c) Trustees to complete the building of the church; meetings of Trustees; money raised under the Act to be used to pay for the building work
- (d) allotment of pews; recovery of pew rents
- (e) churchwardens to borrow £400 on the security of the rates; churchwardens to raise a rate, such rate not to exceed two shillings in

each pound of rateable value of property and rents in the parish; rate to cease when all debts incurred under the Act had been repaid in full

(f) enforcement provisions; savings; status of this Act.

5. The building of the church was completed in 1832 under the supervision of the architect George Draper. The loans taken out under the Act would have been repaid by 1865 or thereabouts.

6. St Bartholomew's ceased to be used as a parish church in 1954. It was used by the Chichester Theological College until its closure in 1994, and is currently the chaplaincy centre of Chichester College.

7. The 1832 Act has been obsolete since the closure of the church, and its repeal is proposed on that basis.

#### *Consultation*

8. Chichester College, the Bishop of Chichester and the Legal Office of the Church of England have been consulted about this repeal proposal.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
6 & 7 Will.4 c.lxix (1836) (Perlethorpe Chapelry (Nottinghamshire) Act)	The whole Act.

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*Perlethorpe Chapelry (Nottinghamshire) Act (1836)*

1. This note proposes the repeal of an obsolete 19<sup>th</sup> century Act passed for the purpose of establishing the chapel of Perlethorpe, Nottinghamshire, as a parish church. The chapel was replaced in 1876 by the present church of St John the Evangelist.

2. According to its long title, the purpose of the *Perlethorpe Chapelry (Nottinghamshire) Act* of 1836 (“the 1836 Act”) was-

*to enable Charles Herbert Earl Manvers to endow the Chapelry of Perlethorpe in the Parish of Edwinstowe in the County of Nottingham, to create the same a separate Benefice, and to vest the Nomination of the Incumbents thereof in the said Earl and his Heirs.*

3. The *preamble* to the 1836 Act recorded that the parish of Edwinstowe had a very large population, so that the parish vicar was unable to fulfil his duties “adequately to the Spiritual Wants of the Inhabitants”. A chapel of ease had previously been built in the grounds of the Thoresby estate, but was “only entitled by Law to a Service on alternate Sundays”.<sup>72</sup> The current Earl Manvers, who lived on the estate, wished to establish the chapel as a separate parish church with “the Benefit of regular Services”.

4. The 1836 Act therefore provided as follows-

- (a) the Earl to endow the chapelry with an annuity of £100, and to provide a sum for the maintenance of the building
- (b) the chapel to be a perpetual curacy, and the chapelry a separate parish; the right to nominate the curate to be vested in the Earl and his heirs
- (c) allotment of pews

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<sup>72</sup> A chapel of ease is an Anglican chapel situated for the convenience of parishioners living a long distance from the parish church. Such chapels usually arose in cases where the parish population was growing rapidly.

(d) status of this Act.

5. The endowment was duly made in 1837 and the chapel became a parish church. The Earl subsequently commissioned a new church building, which was built under the supervision of Anthony Salvin. It was consecrated as St John's Church in November 1876. On 1 February 1877, St John's was established as the new parish church by the Ecclesiastical Commissioners. The old chapel building was demolished.

6. The parish has not had its own curate since 1887, and is currently provided for by a priest-in-charge. The title of Earl Manvers became extinct in 1955.

7. The 1836 Act is accordingly obsolete, and its repeal is proposed on that basis.

*Consultation*

8. St John's Church, Perlethorpe, the Bishop of Southwell & Nottingham and the Legal Office of the Church of England have been consulted about this repeal proposal.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
4 & 5 Vict. c.xxxvii (1841) (Birkenhead Holy Trinity Church Act)	The whole Act.

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*Birkenhead Holy Trinity Church Act (1841)*

1. This note proposes the repeal of an obsolete 19<sup>th</sup> century Act passed to provide for the consecration of the church of the Holy Trinity in Birkenhead, Merseyside. Holy Trinity closed in 1974.

2. According to its long title, the purpose of the *Birkenhead Holy Trinity Church Act* of 1841 ("the 1841 Act") was-

*for completing and maintaining a new Church in Birkenhead in the County of Chester.*

3. The *preamble* to the 1841 Act recorded that the previous parish church of Birkenhead had become too small to accommodate all of its inhabitants. Two local builders, Hugh Williams and Thomas Brassey, had built a new church at their own expense. This was now being used for services, under a licence from the Bishop of Chester. However, an Act of Parliament was needed to consecrate the church.

4. The 1841 Act therefore provided as follows-

(a) church to be consecrated and known as Holy Trinity; appointment of minister; right of nomination to be vested in Williams and Brassey; duties of the minister; appointment of clerk and other officers

(b) pews vested in Williams and Brassey; sale of pews and payment of pew rents; appointment of churchwardens; churchwardens to use the pew rents to keep the church in good repair and pay the minister's stipend; accounts

(c) savings; interpretation; status of this Act.

5. Holy Trinity was duly consecrated later in the year. The church was closed in 1974, when a number of Birkenhead parishes were merged. The building was demolished and the site is now an industrial estate.

6. The 1841 Act has been obsolete since the closure of the church and its repeal is proposed on that basis.

*Consultation*

7. The Bishop of Chester and the Legal Office of the Church of England have been consulted about this repeal proposal.

LAW/005/031/06  
08 July 2014



<i>Reference</i>	<i>Extent of repeal or revocation</i>
5 & 6 Vict. c.lxi (1842) (Kingstown Episcopal Mariners Church Act)	The whole Act.

#### *Kingstown Episcopal Mariners Church Act (1842)*

1. This note proposes the repeal of an obsolete 19<sup>th</sup> century Act passed to provide for the Mariners' Church in Kingstown (now Dún Laoghaire), County Dublin. The building now houses the National Maritime Museum of Ireland.

2. According to its long title, the purpose of the *Kingstown Episcopal Mariners Church Act* of 1842 ("the 1842 Act") was-

*for authorizing the Conveyance of a Piece of Land upon which a Church at Kingstown in the County and Diocese of Dublin and Parish of Monkstown has been erected, and for providing for the due Celebration of Divine Service in the said Church, and for assigning a District thereto.*

3. The *preamble* to the 1842 Act recorded that funds had been raised to build a chapel of ease<sup>73</sup> "for the Resort of Seamen frequenting or residing at the Harbour of Kingstown aforesaid, and also to accommodate the increasing Population of the said Parish". The building had almost been completed, but an Act of Parliament was needed to authorise its conveyance to the founders of the church.

4. The 1842 Act therefore provided as follows-

(a) owners of the site and buildings authorised to convey them to the founders; founders to appoint Trustees to implement the Act; founders to convey the church to the Trustees

(b) church to be consecrated and assigned a district; appointment of chaplain; endowment by Revd Frederick Trench; patronage vested in Trench for his life, and thereafter in Trustees; church to be a perpetual cure, known as the Kingstown Episcopal Mariners Church

(c) status of this Act.

<sup>73</sup> A chapel of ease is an Anglican chapel situated for the convenience of parishioners living a long distance from the parish church. Such chapels usually arose in cases where the parish population was growing rapidly.

5. In 1971, the Mariners' Church was closed due to a declining congregation. Following an agreement between the Church of Ireland and the Maritime Institute of Ireland, the building was reopened as the National Maritime Museum of Ireland in 1978.

6. The 1842 Act has been obsolete since the closure of the church. Furthermore, it concerns a building which is now in the jurisdiction of the Republic of Ireland. The Act was passed by the United Kingdom Parliament at a time when the whole of Ireland formed part of the United Kingdom. The establishment of the Irish Free State in 1922 meant that the Act, whilst remaining on the statute book of the United Kingdom, no longer has any effect within the United Kingdom. Accordingly, it may be repealed as unnecessary so far as the United Kingdom is concerned. (This repeal will not affect the status of the Act in the Republic of Ireland.)

#### *Consultation*

7. The National Maritime Museum of Ireland, the Archbishop of Dublin and the Legal Department of the Church of Ireland have been consulted about this repeal proposal.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
8 & 9 Vict. c.xxvi (1845) (Claughton-cum-Grange (St Andrew) Church Act)	The whole Act.
<i>Claughton-cum-Grange (St Andrew) Church Act (1845)</i>	
<p>1. This note proposes the repeal of an obsolete 19<sup>th</sup> century Act passed for the purpose of building the church of St John the Evangelist in Birkenhead, Merseyside. St John's closed in 1974.</p> <p>2. According to its long title, the purpose of the <i>Claughton-cum-Grange (St Andrew) Church Act</i> of 1845 ("the 1845 Act") was-</p> <p style="padding-left: 40px;"><i>for enabling William Jackson Esquire to build and maintain a new Church in the Township of Claughton-cum-Grange in the County of Chester.</i></p> <p>3. <i>The preamble to the 1845 Act recorded that a new church was needed for the "rapidly increasing" population of Claughton-cum-Grange, an area in Birkenhead. William Jackson, a prominent local land-owner, had offered to build a church there at his own expense. However, he needed the authorisation of Parliament to do so.</i></p> <p>4. The 1845 Act therefore provided as follows-</p> <ul style="list-style-type: none"> <li>(a) William Jackson authorised to build the church; church to be consecrated and known as the church of St Andrew</li> <li>(b) building to be vested in the minister; patronage to be vested in Jackson and his heirs; parish to be assigned to the church</li> <li>(c) duties of the minister; appointment of clerk and other officers; registration of marriages and christenings</li> <li>(d) Jackson to let the pews and use the rents to pay off the costs of building the church; when fully repaid, churchwardens to let the pews and use the rents to pay the minister's salary and keep the building in good repair; appointment of churchwardens; keeping of accounts</li> <li>(e) savings; interpretation; status of this Act.</li> </ul>	

5. No church of St Andrew was ever built by William Jackson in Birkenhead. However, he and his brother, John Somerville Jackson, did build the church of St John the Evangelist in the area. The building work began in 1845 and was completed in 1858. The church was assigned a parish on 9 June 1859. Cheshire Archives and Birkenhead History Society agree that St John's was likely the church built using the powers of the 1845 Act.

6. St John's was closed in 1974 during a reorganisation of parishes in Birkenhead. The 1845 Act is therefore obsolete and its repeal is proposed on that basis.

*Consultation*

7. The Bishop of Chester and the Legal Office of the Church of England have been consulted about this repeal proposal.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
11 & 12 Vict. c. cli (1848) (Chapel for Marlborough College Act)	The whole Act.
<i>Chapel for Marlborough College Act (1848)</i>	
<p>1. This note proposes the repeal of an obsolete 19<sup>th</sup> century Act passed to provide for a chapel at Marlborough College in Marlborough, Wiltshire. The chapel was demolished in 1884.</p> <p>2. According to its long title, the purpose of the <i>Chapel for Marlborough College Act</i> of 1848 (“the 1848 Act”) was-</p> <p style="padding-left: 40px;"><i>to authorize the Endowment and Consecration of a new Chapel at Marlborough, and the Annexation of the same to Marlborough College.</i></p> <p>3. The <i>preamble</i> to the 1848 Act recorded that Marlborough College had been founded in 1843 to educate the sons of clergymen. An adjoining piece of land had since been conveyed to the governors, and a chapel was currently being built there. It would “greatly conduce to the spiritual Interests of such College, and to its permanent Prosperity”, if the chapel were consecrated and set apart for the college’s use.</p> <p>4. The 1848 Act therefore provided as follows-</p> <p style="padding-left: 40px;">(a) chapel to be consecrated and set apart to the use of Marlborough College; chapel to be exempt from the control of the parish; right to nominate and remove the chaplain vested in the Council of Marlborough College</p> <p style="padding-left: 40px;">(b) governors of the College to endow the chapel with an annual income of between £50 and £200; governors to provide at least £20 a year for the maintenance of the building</p> <p style="padding-left: 40px;">(c) exclusion of Statutes of Mortmain; savings; status of this Act.</p> <p>5. The chapel was duly completed under the supervision of the architect Edward Blore. It was consecrated on 5 October 1848 by the Bishop of Salisbury.</p>	

6. By 1880, however, the college had grown so much that the chapel could no longer accommodate all of its pupils. Its foundations had also been found to be insufficiently strong. The building was demolished in 1884 and a new chapel was built on the same site. It was opened in 1886 and remains in use to this day.

7. The 1848 Act has been obsolete since the original chapel was demolished. Its repeal is proposed on that basis.

*Consultation*

8. Marlborough College, the Bishop of Salisbury and the Legal Office of the Church of England have been consulted about this repeal proposal.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
St Patrick's Cathedral Economy Fund Act 1851 (14 & 15 Vict. c.lxxxii)	The whole Act.

#### *St Patrick's Cathedral Economy Fund Act 1851*

1. This note proposes the repeal of an obsolete 19<sup>th</sup> century Act passed to raise funds for the repair of the cathedral church of St Patrick in Dublin. St Patrick's remains in use today.

2. According to its long title, the purpose of the *St Patrick's Cathedral Economy Fund Act* of 1851 ("the 1851 Act") was-

*to provide for the Care and Maintenance of the Cathedral Church of Saint Patrick, Dublin.*

3. St Patrick's Cathedral was built during the 1200s. The *preamble* to the 1851 Act recorded that by the 19<sup>th</sup> century it had, "by reason of Age... fallen into a dangerous State of Decay". In order to provide funds for its repair, a reduction was planned in the number of officers conducting cathedral services. When certain offices next became vacant, their salaries were to be appropriated to a cathedral "economy fund" to maintain the building.

4. The 1851 Act provided as follows-

(a) on various offices falling vacant, their salaries to be paid into the economy fund; penalty for failing to account for these salaries

(b) Dean and Chapter authorised to borrow on the security of the economy fund; establishment of a sinking fund to repay the money borrowed; money to be used to repair the building

(c) provisions on leases; short title.

5. Some urgent repairs were made to the cathedral using the money raised by the Act. However, not enough funds could be found to properly restore the building until 1860, when the brewer Benjamin Guinness offered to cover the full cost of the work. The rebuilding was completed in 1865.

6. The 1851 Act has been obsolete since the final loan was repaid in full. Furthermore, it concerns a building which is now in the jurisdiction of the Republic of Ireland. The Act was passed by the United Kingdom Parliament at a time when the whole of Ireland formed part of the United Kingdom. The establishment of the Irish Free State in 1922 meant that the Act, whilst remaining on the statute book of the United Kingdom, no longer has any effect within the United Kingdom. Accordingly, it may be repealed as unnecessary so far as the United Kingdom is concerned. (This repeal will not affect the status of the Act in the Republic of Ireland.)

*Consultation*

7. St Patrick's Cathedral, Dublin, the Archbishop of Dublin and the Legal Department of the Church of Ireland have been consulted about this repeal proposal.

LAW/005/031/06  
08 July 2014



<i>Reference</i>	<i>Extent of repeal or revocation</i>
Kilkenny Cathedral Economy Fund Act 1864 (27 & 28 Vict. c.3)	The whole Act.

#### *Kilkenny Cathedral Economy Fund Act 1864*

1. This note proposes the repeal of an obsolete 19<sup>th</sup> century Act passed to raise funds for the repair of the cathedral church of St Canice in Kilkenny. St Canice's remains in use today.

2. According to its long title, the purpose of the *Kilkenny Cathedral Economy Fund Act* of 1864 ("the 1864 Act") was-

*for authorizing the Dean and Chapter of Kilkenny to raise Money for the Repair and Restoration of Kilkenny Cathedral, and to endow the Parishes of Durrow and Ballinamara; and for other Purposes.*

3. A church has stood on the site of St Canice's since the 6<sup>th</sup> century. The present cathedral was built during the 1200s. However, the *preamble* to the 1864 Act recorded that it had "fallen by reason of Age into a dangerous State of Decay", and there was "no adequate Fund... for keeping the same in good Repair". To address this, the Dean and Chapter had agreed to pay their surplus income from leases and rentcharges into an "economy fund" for the building's maintenance. They had also agreed to increase the endowments of two parishes, which were at present "wholly inadequate". An Act of Parliament was needed to achieve both of these purposes.

4. The 1864 Act therefore provided as follows-

(a) short title

(b) payment of income into the economy fund; Dean and Chapter authorised to borrow up to £10,000 on the security of the fund; when repairs completed, sinking fund to be established for the repayment of loans

(c) Dean and Chapter authorised to convey certain rentcharges to the parishes of Durrow and Ballinamara

(d) keeping of records; civil procedure matters; savings; status of this Act.

5. The restoration work was duly undertaken and completed in 1867.
6. The 1864 Act has been obsolete since the final loan was repaid in full. Furthermore, it concerns a building which is now in the jurisdiction of the Republic of Ireland. The Act was passed by the United Kingdom Parliament at a time when the whole of Ireland formed part of the United Kingdom. The establishment of the Irish Free State in 1922 meant that the Act, whilst remaining on the statute book of the United Kingdom, no longer has any effect within the United Kingdom. Accordingly, it may be repealed as unnecessary so far as the United Kingdom is concerned. (This repeal will not affect the status of the Act in the Republic of Ireland.)

*Consultation*

7. St Canice's Cathedral, Kilkenny, the Bishop of Cashel and Ossory and the Legal Department of the Church of Ireland have been consulted about this repeal proposal.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
Exeter Chapel of St John's Hospital Act 1878 (41 & 42 Vict. c.xix)	The whole Act.
<hr/> <i>Exeter Chapel of St John's Hospital Act 1878</i>	
<p>1. This note proposes the repeal of an obsolete 19<sup>th</sup> century Act passed for the purpose of selling the chapel of St John's Hospital in Exeter, Devon.</p> <p>2. According to its long title, the purpose of the <i>Exeter Chapel of St John's Hospital Act</i> of 1878 ("the 1878 Act") was-</p> <p style="padding-left: 40px;"><i>to provide for the sale and removal of the Chapel of Saint John's Hospital, in the parish of Saint Lawrence in the city of Exeter, and the application of the purchase money to arise from such sale; and for other purposes.</i></p> <p>3. St John's Hospital in Exeter was established in the 13<sup>th</sup> century and closed following the Reformation. In 1633, its buildings began to be used as a school. The <i>preamble</i> to the 1878 Act recorded that the hospital chapel had also "been used as the chapel for the Free Grammar School in that city... and for the Orphanage of Saint John's Hospital". However, the grammar school had recently acquired new premises and its old buildings were being sold. An Act of Parliament was needed in order to include the chapel building in the sale.</p> <p>4. The 1878 Act provided as follows-</p> <p style="padding-left: 40px;">(a) short title, interpretation</p> <p style="padding-left: 80px;">(b) school governors authorised to sell the chapel and its site; Corporation of Exeter authorised to buy the same</p> <p style="padding-left: 80px;">(c) half of the proceeds to be invested in a trust and used to build a chapel on the grammar school's new premises; the other half to be paid to the orphanage of St John's Hospital and treated as part of its endowment.</p> <p>5. In 1878, the grammar school moved to its new premises. A new chapel was built there in 1885, under the supervision of the architect William Butterfield. It remains in use by Exeter School today. According to the school's bursar, there is no specific trust of the purchase money still in existence.</p>	

6. The old chapel and most of the hospital buildings were subsequently sold and demolished. They were replaced by a shopping arcade. Some of the hospital buildings continued to be used by St John's Hospital orphanage, also known as the Blue Coat School. This was closed in 1931. Its premises and records were completely destroyed by bombing on 4 May 1942, and the site is now part of the Princesshay shopping development.

7. The endowment of St John's Hospital is now used by the St John's Hospital Educational Foundation. This is a registered charity, which makes grants to support the education of young people who attend schools in Exeter. According to the Foundation's clerk, any proceeds from the sale of the chapel would have been spent or invested long ago.

8. The 1878 Act is accordingly obsolete and its repeal is proposed on that basis.

#### *Consultation*

9. Exeter School, St John's Hospital Educational Foundation, the Bishop of Exeter and the Legal Office of the Church of England have been consulted about this repeal proposal.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
St Peter's (Clifton Bristol) Church Act 1883 (46 & 47 Vict. c.xvi)	The whole Act.

*St Peter's (Clifton Bristol) Church Act 1883*

1. This note proposes the repeal of an obsolete 19<sup>th</sup> century Act passed for the purpose of selling the old building of St Peter's church, Bristol.

2. According to its long title, the purpose of the *St Peter's (Clifton Bristol) Church Act* of 1883 ("the 1883 Act") was-

*for authorising the Sale of the old Church of Saint Peter (Clifton) in the City of Bristol and of premises connected therewith.*

3. The *preamble* to the 1883 Act recorded that St Peter's had been built in 1835 as a Methodist chapel, before being purchased by the Church of England and consecrated in 1855. However, it had "been found to be unsuitable and insufficient for the said parish", and a new, larger church had been built nearby. The new building had now been substituted as the parish church, but the old church could not be sold without authorisation from Parliament.

4. The 1883 Act therefore provided as follows-

(a) short title; interpretation

(b) old church to be sold; proceeds to be used to pay debts incurred in the building of the new church, to provide a parochial room, and for other purposes approved by the Bishop of Bristol.

5. The old church building was duly sold to the Corporation of Bristol, and was used for some time as a public library. In 1907 it was re-purchased by the new St Peter's church to be the parish hall. Owing to a declining congregation, St Peter's was closed in 1938, and both the old and new buildings were demolished a year later.

6. The 1883 Act is accordingly obsolete, and its repeal is proposed on that basis.

*Consultation*

7. The Bishop of Bristol and the Legal Office of the Church of England have been consulted about this repeal proposal.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
Bermondsey Vestry Act 1885 (48 & 49 Vict. c.cxvi)	The whole Act.

### *Bermondsey Vestry Act 1885*

1. This note proposes the repeal of an obsolete 19<sup>th</sup> century Act passed to vest the church of St James in Bermondsey, London, in the vicar of the parish. St James's remains in use to this day.

2. According to its long title, the purpose of the *Bermondsey Vestry Act* of 1885 ("the 1885 Act") was-

*for repealing certain Acts relating to the Church and disused Burial Ground of Saint James's Bermondsey in the county of Surrey and for vesting the said Church and Burial Ground in new Trustees, for the abolition of Easter Dues or Offerings and for other purposes.*

3. The *preamble* to the 1885 Act recorded that St James's had been built as a chapel of ease<sup>74</sup> in the parish of St Mary Magdalen, Bermondsey, under an Act of Parliament passed in 1826.<sup>75</sup> The church was consecrated on 7 May 1829 and vested in Trustees. A further Act had to be passed in 1831 to cover additional costs incurred in adding a spire to the building.<sup>76</sup>

4. St James's was assigned its own parish in 1840. However, the Trustees had continued to pay £200 each Easter to the rector of St Mary Magdalen, as required by the 1826 Act. Since the loans taken out by the Trustees to build the church had been repaid in full, it had been agreed that the two Acts should be repealed, the trust wound up, and the church and cemetery vested in the vicar of St James's.

5. The 1885 Act therefore provided as follows-

(a) short title; 1826 and 1831 Acts repealed; interpretation

(b) abolition of £200 Easter payment; abolition of trust; church vested in the vicar of St James's and dedicated as the parish church

<sup>74</sup> A chapel of ease is an Anglican chapel situated for the convenience of parishioners living a long distance from the parish church. Such chapels usually arose in cases where the parish population was growing rapidly.

<sup>75</sup> St Mary Magdalen Bermondsey, Additional Church Act 1826 (7 Geo.4 c.civ)

<sup>76</sup> St Mary Magdalen Bermondsey (Additional Church) Act 1831 (1 Will.4 c.xxii)

(c) appointment of churchwardens; churchwardens to maintain the (disused) cemetery; expenses of the vestry.

6. The cemetery had ceased to be used in 1855. In 1886, it was acquired by the Metropolitan Public Gardens Association and remains in use as a park today. According to the vicar of St James's, it is currently vested in the London Borough of Southwark.

7. St James's was closed in 1961 due to the dangerous condition of the building, but was saved from demolition by the intervention of Sir John Betjeman. It was extensively restored and has since re-opened.

8. The 1885 Act is now obsolete and its repeal is proposed on that basis.

#### *Consultation*

9. St James's Church, Bermondsey, the Bishop of Southwark, the London Borough of Southwark and the Legal Office of the Church of England have been consulted about this repeal proposal.

LAW/005/031/06  
08 July 2014



<i>Reference</i>	<i>Extent of repeal or revocation</i>
Birstall Wesleyan Chapel Trust Scheme Confirmation Act 1890 (53 & 54 Vict. c.clxxxiv)	The whole Act.

*Birstall Wesleyan Chapel Trust Scheme Confirmation Act 1890*

1. This note proposes the repeal of an obsolete 19<sup>th</sup> century Act, passed to confirm a scheme to hold Birstall Methodist Church property on the terms of the Methodist model trust deed.

2. According to its long title, the purpose of the *Birstall Wesleyan Chapel Trust Scheme Confirmation Act* of 1890 (“the 1890 Act”) was-

*to confirm a Scheme of the Charity Commissioners for the Charity known as “The Wesleyan Methodist Chapel, School-house, Dwelling-house (or Preacher’s Residence), and Trust Property,” in the parish of Birstall, in the West Riding of the county of York.*

3. There has been a Methodist church in Birstall, West Yorkshire, since 1750. It was rebuilt in 1846, and a school was provided by the church in 1868. The property of most Methodist churches had been settled on model trust deeds since the beginning of the movement. However, the church in Birstall had instead been settled on a deed which allowed the trustees to choose their own preachers, instead of those appointed by the Methodist Conference.

4. The *preamble* to the 1890 Act recorded that the Charity Commissioners had provisionally approved the new trust scheme set out in the Act’s schedule. This altered the Birstall trust so that its terms were in accordance with the Methodist model trust deed. The scheme then had to be confirmed by an Act of Parliament.

5. The 1890 Act therefore provided as follows-

- (a) scheme of the Charity Commissioners confirmed
- (b) short title.

6. The Methodist church in Birstall has since moved to a new building, and the old chapel has been converted into offices. The church no longer owns any of the properties dealt with in the Act.

7. Furthermore, under the Methodist Church Act 1976, all property previously held on a Methodist model trust deed has now been vested in the Trustees for Methodist Church Purposes, and is held by them on the terms of schedule 2 to the 1976 Act.<sup>77</sup> This includes the current property of Birstall Methodist Church.

8. The 1890 Act is accordingly obsolete, and its repeal is proposed on that basis.

*Consultation*

9. Birstall Methodist Church and the Legal Department of the Trustees for Methodist Church Purposes have been consulted about this repeal proposal.

LAW/005/031/06  
08 July 2014

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<sup>77</sup> 1976 c.xxx, s 9(2)

<i>Reference</i>	<i>Extent of repeal or revocation</i>
Hanover Chapel (Regent Street) Act 1891 (46 & 47 Vict. c.xvi)	The whole Act.

#### *Hanover Chapel (Regent Street) Act 1891*

1. This note proposes the repeal of an obsolete 19<sup>th</sup> century Act passed for the purpose of closing Hanover Chapel on Regent Street, London, and building the church of St Anselm on nearby Davies Street. St Anselm's was demolished in 1939.

2. According to its long title, the purpose of the *Hanover Chapel (Regent Street) Act* of 1891 ("the 1891 Act") was-

*for the pulling down of the Parish Church of Hanover Chapel (Regent Street) and building a new Parish Church instead thereof and for other purposes.*

3. The *preamble* to the 1891 Act recorded that Hanover Chapel was "remote from that part of the parish in which the parishioners principally reside", and that its porch formed "an inconvenient projecting obstruction in Regent Street". The Duke of Westminster had offered to provide a site for a new parish church, as well as a vicarage. Parliamentary authority was needed to authorise the removal of the chapel and the construction of the new church.

4. The 1891 Act therefore provided as follows-

(a) short title; interpretation

(b) on the completion of the new church, the old chapel to be closed and its materials sold; human remains to be removed

(c) site of the old chapel to be sold to the Crown for £44,950; proceeds of the sale to be used in building the new church; remaining money to be invested and the income paid to the vicar every six months

(d) new church to be consecrated as the parish church; seats to be free; appointment of vicar and churchwardens

(e) expenses; savings.

5. Hanover Chapel was closed in 1896. In 1898, it was replaced by Regent House, the first building to open in the redevelopment of Regent Street. It is now used as an Apple Store.

6. St Anselm's was consecrated on 15 February 1896. In 1936, however, the Church Commissioners decided to close the church due to a declining congregation. It held its last service on 28 April 1938 and was demolished in 1939. The site was then sold back to the Grosvenor Estate, and the parish was divided between two neighbouring churches.

7. The endowment of St Anselm's was transferred to the new church of St Anselm, Belmont, which was consecrated on 17 May 1941. The vicar of St Anselm's does not receive any specific income from the proceeds of Hanover Chapel.

8. The 1891 Act has been obsolete since the closure of St Anselm's, Davies Street. Its repeal is proposed on that basis.

#### *Consultation*

9. St Anselm's Church, Belmont, the Bishop of London and the Legal Office of the Church of England have been consulted about this repeal proposal.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
Saint Simon and Saint Jude's Church Anfield Act 1892 (55 & 56 Vict. c.cxlvi)	The whole Act.

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*St Simon and St Jude's Church Anfield Act 1892*

1. This note proposes the repeal of an obsolete 19<sup>th</sup> century Act passed for the purpose of building the church of St Simon and St Jude in Liverpool. St Simon and St Jude's was demolished in 1987.

2. According to its long title, the purpose of the *St Simon and St Jude's Church, Anfield Act* of 1892 ("the 1892 Act") was-

*to authorise the sale of Saint Barnabas Church Liverpool and the site thereof and the erection of a new Church at Anfield in the parish of Walton-on-the-Hill in the county of Lancaster to be called the Church of Saint Simon and Saint Jude Anfield and to provide for the appointment of Trustees and for other purposes.*

3. The *preamble* to the 1892 Act recorded that the population of the parish of St Barnabas in Liverpool had "of late years very greatly diminished". It had therefore been agreed that the church of St Barnabas would be closed and its parish united with the neighbouring parish of St Michael. The funds and materials of the old church would then be used to build a new church elsewhere in Liverpool.

4. The 1892 Act therefore provided as follows-

- (a) short title; interpretation
- (b) appointment of Trustees to implement the Act; Trustees authorised to pull down the old church, sell the site, and use the materials in the building of the new church
- (c) Trustees authorised to acquire a site and build the new church; parish to be assigned to the new church; parish of St Barnabas annexed to that of St Michael
- (d) appointment of minister; endowment of the old church transferred to the new church; new church to be substituted for the old church in the construction of any instrument

- (e) Trustees authorised to receive donations; money received by the Trustees to be used to build the new church.

5. The old church was closed in 1892 and had been demolished by 1894. Building work on St Simon and St Jude's began in 1893, using materials from the old church. It was completed in 1896 under the supervision of the architect Thomas Charles Ebdy.

6. St Simon and St Jude's was declared redundant and closed during the 1980s. It was demolished in 1987 and the site is now used as a nursing home. The 1892 Act is accordingly obsolete, and its repeal is proposed on that basis.

*Consultation*

7. The Bishop of Liverpool and the Legal Office of the Church of England have been consulted about these repeal proposals.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
Church of Emmanuel West End Hampstead Act 1899 (62 & 63 Vict. c.lxvii)	The whole Act.

#### *Church of Emmanuel West End Hampstead Act 1899*

1. This note proposes the repeal of an obsolete 19<sup>th</sup> century Act passed for the purpose of selling the church of Emmanuel in West Hampstead, London.

2. According to its long title, the purpose of the *Church of Emmanuel West End Hampstead Act* of 1899 (“the 1899 Act”) was-

*to provide for the sale and disposal of the site of the Church of Emmanuel West End Hampstead*

3. The preamble to the 1899 Act recorded that Emmanuel Church had been established in 1885. However, a new church building had since been consecrated elsewhere in the parish. The old church had ceased to be the parish church under an order made by the Ecclesiastical Commissioners on 1 December 1898, but Parliamentary authority was needed before the building could be sold.

4. The 1899 Act therefore provided as follows-

(a) short title; interpretation

(b) vicar authorised to sell the site and materials of the old church; purchase money to be paid to the Ecclesiastical Commissioners and used for the benefit of the parish.

5. The old church was duly sold and demolished. Today, the site is occupied by a mansion block built in the 1920s. The new Emmanuel Church remains in use.

6. The 1899 Act is accordingly obsolete, and its repeal is proposed on that basis.

#### *Consultation*

7. Emmanuel Church, Hampstead, the Bishop of London and the Legal Office of the Church of England have been consulted about this repeal proposal.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
All Saints' Church (Cardiff) Act 1899 (62 & 63 Vict. c.clvi)	The whole Act.

*All Saints' Church (Cardiff) Act 1899*

1. This note proposes the repeal of an obsolete 19<sup>th</sup> century Act passed for the purpose of replacing the church of All Saints in Cardiff. The new church of All Saints closed in 1965.

2. According to its long title, the purpose of the *All Saints' Church (Cardiff) Act* of 1899 ("the 1899 Act") was-

*to authorise the sale of the Church of All Saints Tyndall Street in the County Borough of Cardiff with the site thereof and the application of the proceeds of sale to the provision of a new Church and for other purposes.*

3. The *preamble* to the 1899 Act recorded that the church of All Saints, Tyndall Street had been built by the Marchioness of Bute in 1856. However, the population in the area had "very much decreased", due to the extension of the docks and the subsequent "conversion of dwelling-houses into warehouses". Meanwhile, a new church was "urgently needed in another part of the said parish". The Marquess of Bute had therefore agreed that the old church should be sold and the proceeds used to build a new church of All Saints on Adamsdown Square. Parliamentary authority was needed to carry this out.

4. The 1899 Act provided as follows-

(a) short title; interpretation

(b) old church to be closed and sold by the vicar and churchwardens; vicar and churchwardens to acquire the site on Adamsdown Square and build the new church

(c) proceeds of the sale to be used for the building work; any surplus to be added to the endowment of the Welsh language church of Dewi Sant (St David)

(d) vicar, clerk and sexton of the old church to be transferred to the new church; right of patronage likewise transferred.



5. The old church was duly sold in 1899. The new church of All Saints was built and consecrated in 1903. It was closed in 1965, when its parish was united with that of St John. The building has been used as commercial premises since 1966.

6. The 1899 Act has been obsolete since the closure of the church. Its repeal is proposed on that basis.

*Consultation*

7. The Bishop of Llandaff and the Legal Office of the Church in Wales have been consulted about this repeal proposal.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
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Bosden Wesleyan Trust Property Charity Scheme Confirmation Act 1913 (3 & 4 Geo.5. c.clxxiii)	The whole Act.
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*Bosden Wesleyan Trust Property Charity Scheme Confirmation Act 1913*

1. This note proposes the repeal of an obsolete 20<sup>th</sup> century Act, passed to confirm a scheme to hold Hazel Grove Methodist Church property on the terms of the Methodist model trust deed. This church remains in use today.

2. According to its long title, the purpose of the *Bosden Wesleyan Trust Property Charity Scheme Confirmation Act* of 1913 (“the 1913 Act”) was-

*to confirm a Scheme of the Charity Commissioners for the application or management of the School Burial Ground Wesleyan Place of Worship and Trust Property at Hazel Grove in Bosden in the County of Chester.*

3. The Methodist church in Hazel Grove, Greater Manchester, was founded in 1788. The property of most Methodist churches had been settled on model trust deeds since the beginning of the movement. However, the church in Hazel Grove had instead been settled on a deed with different terms.

4. The *preamble* to the 1913 Act recorded that the Charity Commissioners had provisionally approved the new trust scheme set out in the Act’s schedule. This altered the Hazel Grove trust so that its terms were in accordance with the Methodist model trust deed. The scheme then had to be confirmed by an Act of Parliament.

5. The 1913 Act therefore provided as follows-

- (a) scheme of the Charity Commissioners confirmed
- (b) short title.

6. Hazel Grove Methodist Church remains in use today. However, under the Methodist Church Act 1976, all property previously held on a Methodist model trust deed has now been vested in the Trustees for Methodist Church Purposes, and is held by them on the terms of schedule 2 to the 1976 Act.<sup>78</sup> This includes the property of Hazel Grove Methodist Church. The 1976 Act therefore superseded the 1913 scheme, which is no longer listed on the Charity Commission website.

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<sup>78</sup> 1976 c.xxx, s 9(2)

7. The 1913 Act is accordingly obsolete, and its repeal is proposed on that basis.

*Consultation*

8. Hazel Grove Methodist Church and the Legal Department of the Trustees for Methodist Church Purposes have been consulted about this repeal proposal.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
Eatington Wesleyan Methodist Chapel Property Charity Scheme Confirmation Act 1919 (9 & 10 Geo.5. c.lxxxvii)	The whole Act.

*Eatington Wesleyan Methodist Chapel Property Charity Scheme Confirmation Act 1919*

1. This note proposes the repeal of an obsolete 20<sup>th</sup> century Act, passed to confirm a scheme to hold the school room of Ettington<sup>79</sup> Methodist Church on the terms of the Methodist model trust deed. Both the church and the school room have since been closed.

2. According to its long title, the purpose of the *Eatington Wesleyan Methodist Chapel Property Charity Scheme Confirmation Act* of 1919 (“the 1919 Act”) was-

*to confirm a Scheme of the Charity Commissioners for the application or management of the Charity consisting of certain property in the Parish of Eatington in the County of Warwick used as a schoolroom in connexion with the Wesleyan Methodist Chapel in the said Parish.*

3. The Methodist church in Ettington, Warwickshire, was founded in 1836. In 1886, a piece of land adjoining the church had been conveyed to Trustees, to be used for purposes that would promote the moral, social and intellectual welfare of the area. A Sunday school was duly built there and was used by the Methodist church. In 1918, the surviving Trustees had requested that the land and building be settled on the terms of the Methodist model trust.

4. The *preamble* to the 1919 Act recorded that the Charity Commissioners had provisionally approved the new trust scheme set out in the Act’s schedule. This altered the Ettington trust in accordance with the Trustees’ wishes. The scheme then had to be confirmed by an Act of Parliament.

5. The 1919 Act therefore provided as follows-

- (a) scheme of the Charity Commissioners confirmed
- (b) short title.

<sup>79</sup> The village of Ettington was formerly known as Eatington.

6. Ettington Methodist Church closed in the mid-20<sup>th</sup> century, and the building was converted into private residences. The school room was demolished during the 1980s. The 1919 Act is therefore obsolete and its repeal is proposed on that basis.

*Consultation*

7. The Legal Department of the Trustees for Methodist Church Purposes have been consulted about this repeal proposal.

LAW/005/031/06  
08 July 2014

<i>Reference</i>	<i>Extent of repeal or revocation</i>
Hawkshead Mission Chapel Charity Scheme Confirmation Act 1923 (13 & 14 Geo.5. c.lv)	The whole Act.

*Hawkshead Mission Chapel Charity Scheme Confirmation Act 1923*

1. This note proposes the repeal of an obsolete 20<sup>th</sup> century Act, passed to confirm a scheme to transfer Hawkshead mission chapel to the Methodist Church. The building remains in use as a Methodist church today.

2. According to its long title, the purpose of the *Hawkshead Mission Chapel Charity Scheme Confirmation Act* of 1923 (“the 1923 Act”) was-

*to confirm a Scheme of the Charity Commissioners for the application or management of the Charity consisting of the Mission Chapel and the endowments thereof in the Parish of Hawkshead in the County of Lancaster.*

3. The building in question was a 15<sup>th</sup> century cottage in Hawkshead, Cumbria. It had been used as a mission chapel since 1862. On the death of the chapel’s minister, the Reverend Henry Cooke, it was agreed that the building should become a Methodist church.

4. The *preamble* to the 1923 Act recorded that the Charity Commissioners had provisionally approved the new trust scheme set out in the Act’s schedule. This provided that the chapel would henceforth be held on the terms of the Methodist model trust deed. It also appointed Trustees to manage the chapel and the funds left to it in Cooke’s will. The scheme then had to be confirmed by an Act of Parliament.

5. The 1923 Act therefore provided as follows-

- (a) scheme of the Charity Commissioners confirmed
- (b) short title.

6. Hawkshead Methodist Church remains in use today. However, under the Methodist Church Act 1976, all property previously held on a Methodist model trust deed has now been vested in the Trustees for Methodist Church Purposes, and is held by them on the terms of schedule 2 to the 1976 Act.<sup>80</sup> This includes the property

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<sup>80</sup> 1976 c.xxx, s 9(2)

of Hawkshead Methodist Church. The 1976 Act therefore superseded the 1923 scheme, which is no longer listed on the Charity Commission website.

7. The 1923 Act is accordingly obsolete, and its repeal is proposed on that basis.

*Consultation*

8. Hawkshead Methodist Church and the Legal Department of the Trustees for Methodist Church Purposes have been consulted about this repeal proposal.

LAW/005/031/06  
08 July 2014