



**HOW TO PETITION
AGAINST A SPECIAL PROCEDURE ORDER
IN THE HOUSE OF LORDS**

WHAT IS A SPECIAL PROCEDURE ORDER?	1
HOW DO I HAVE MY VIEWS HEARD?	1
WHAT IS A PETITION?	1
WHO MAY PETITION?	2
SHOULD I PETITION THE HOUSE OF LORDS OR THE HOUSE OF COMMONS?	2
WHEN SHOULD I PRESENT THE PETITION?	2
WHAT SHOULD I PUT IN THE PETITION?	2
HOW SHOULD I WORD MY PETITION?	3
WHAT OTHER RULES SHOULD I FOLLOW WHEN PREPARING MY PETITION?	3
WHAT DO I DO WITH THE PETITION? HOW DO I DEPOSIT IT?	4
WHERE ELSE MUST I DEPOSIT COPIES OF MY PETITION?	5
AGENTS	5
COUNSEL	6
FEES	6
MAY I WITHDRAW MY PETITION AFTER I HAVE DEPOSITED IT?	6
PETITIONS FROM COMPANIES ETC.	7
PETITIONS FROM MORE THAN ONE INDIVIDUAL	7
PETITIONS FROM ORGANISATIONS, GROUPS ETC.	7
PETITIONS FROM LOCAL AUTHORITIES	8
WHERE IS THE HOUSE OF LORDS PRIVATE BILL OFFICE?	8
WHAT HAPPENS AFTER PETITIONS HAVE BEEN DEPOSITED?	8
MEMORIALS – CHALLENGING YOUR RIGHT TO BE HEARD	9
COUNTER-PETITIONS	10
THE JOINT COMMITTEE	10
FURTHER ENQUIRIES	11
INFORMATION ON THE INTERNET	11
CONTACT DETAILS	11
CHECK LIST: DOCUMENTS YOU NEED TO TAKE TO THE PRIVATE BILL OFFICE	13
WHEN WILL THE JOINT COMMITTEE MEET TO CONSIDER THE SPO?	15
APPENDIX A: PETITION TEMPLATE FOR A PETITION AGAINST A SPECIAL PROCEDURE ORDER	17
APPENDIX B: THIS SHEET MUST BE COMPLETED AND ATTACHED TO THE FRONT OF YOUR ORIGINAL, SIGNED, PETITION (BUT NOT TO THE COPY)	21
APPENDIX C: REQUISITION FOR WITHDRAWAL OF PETITION	23
APPENDIX D: LIST OF “ROLL A” PARLIAMENTARY AGENTS	25
APPENDIX E: “ROLL B” AGENT APPLICATION FORM	27
APPENDIX F: SPECIMEN LETTER OF AUTHORITY	28
APPENDIX G: CERTIFICATE OF RESPECTABILITY	29

WHAT IS A SPECIAL PROCEDURE ORDER?

A special procedure order (SPO) is an order created by a body outside Parliament (such as a local authority, called the **applicant for the order**). The SPO is made or confirmed by a Minister under statutory powers, which is subject to a procedure created by Act of Parliament¹. This gives those who are directly affected by what the SPO seeks to do an opportunity to put their views to a committee who will then decide whether the SPO should become law.

HOW DO I HAVE MY VIEWS HEARD?

You must act quickly; there is only one opportunity for you to take part. First of all you must give a summary of your objections to the SPO to either the House of Lords or the House of Commons (this summary is known as a **petition** and must be laid out as explained in this Guide). You must do this during the SPO's **petitioning period**² or you will not have an opportunity for your views to be considered (see the *SPO-specific Information Sheet* for the actual dates and *When should I present the petition?* below). You can always withdraw your petition at a later date if you change your mind but there will be no further opportunities to petition against the SPO.

If at least one petition meets certain criteria (these are explained later in the Guide) and it is not withdrawn then it is likely that a joint committee will be appointed to consider the case for and against the SPO. If your petition complies with the rules of the House then you, or someone representing you, will have an opportunity to explain what your objections are to the committee. This is a very simplified explanation of what happens and further detail is given in this Guide.

WHAT IS A PETITION?

A **petition** in this context is not a public petition (a paper headed “we the undersigned” followed by many signatures). A petition is a summary of objections to a particular SPO. A person or group presenting a petition is known as a **petitioner**. By presenting a petition, a petitioner is making a formal request³ to the House of Lords to be allowed to argue their case in due course, before a joint committee³.

If you object to the whole SPO you must present a petition called **A Petition of General Objection**.

If you would like to see the SPO amended but would be happy for it to proceed if it were amended then you must present a petition called **A Petition for Amendment** and your petition must contain the amendments which you would like to see made to the SPO.

If you wish to do both (perhaps you would not wish the SPO to proceed if it were not amended as you suggest) then you must present two separate petitions, one Petition for Amendment and one Petition of General Objection.

¹ Statutory Orders (Special Procedure) Act 1945 (which was amended by the 1965 Act of the same name).

² Usually within three weeks of the SPO being laid before Parliament

³ A joint committee is a committee made up of members of the House of Lords and the House of Commons (see *The Joint Committee*).

You must take special care to ensure that you have deposited the right type of petition (see *Memorials – Challenging your right to be heard* below). Although the format of the petition is important it is perfectly possible for anybody to draft a petition if they follow the instructions given in this Guide.

WHO MAY PETITION?

Any individual, group of individuals or organisation must be "*directly and specially affected*" by the provisions of an SPO in order to petition against that order; it is not enough to simply disagree with what the SPO proposes. Local authorities may also petition against SPOs but they have to meet different criteria.

If the relevant Government department or the applicant for the order⁴ feels that you are not "*directly and specially affected*", they may object to your right to be heard (see *Memorials – challenging your right to be heard* below).

SHOULD I PETITION THE HOUSE OF LORDS OR THE HOUSE OF COMMONS?

Petitions may be made to either House of Parliament – the House of Lords or the House of Commons – and essentially there is no advantage to petitioning one House or the other since all petitions are equally weighted and will be considered by a joint committee of both Houses (see *The Joint Committee* below). Some of the practical details of presenting a petition are different in each House and information relating to the procedure to be followed when petitioning the House of Commons is available from Annette Toft (see *Contact Details* below).

WHEN SHOULD I PRESENT THE PETITION?

You **MUST** deposit your petition during the **petitioning period**. The petitioning period usually lasts for twenty-one days beginning on the day the SPO is formally laid before Parliament. See the *SPO-specific Information sheet* for the petitioning date for the current SPO.

You can always withdraw your petition at a later date if you change your mind or reach agreement with the Promoters of the SPO but you cannot deposit a petition after the petitioning period has finished.

WHAT SHOULD I PUT IN THE PETITION?

Your petition should:

- say who you, the petitioner(s), are and where you live (or what your business is and where its premises are if it is your business which is affected by the SPO). If you are petitioning as a group or organisation, the petition should also mention what the group or organisation does and the

⁴ In the case of the Rookery South (Resource Recovery Facility) Order 2011 the "relevant Government department" is the Department of Energy and Climate Change and the applicant for the order is Covanta Rookery South Limited.

size of its membership,

- describe how you are specially and directly affected by the SPO and explain how you will be harmed or adversely affected by the SPO:
 - Which type of petition are you presenting?
 - Are you presenting a **Petition of General Objection** because you object to the whole SPO? Then you should briefly give your reasons why you believe the SPO should be rejected.
 - Or, are you presenting a **Petition for Amendment** because you wish the SPO to be amended? Then you should outline the changes you wish to see made to the SPO (and how they would reduce the adverse affect upon you).

Remember, your petition forms the basis of your case before a joint committee, so it must include **all** the objections which you wish to raise: matters can only be raised in committee if they are referred to in the original petition. You do not need to go into objections in great detail or rehearse the arguments which you will make to the committee; you should merely outline them briefly.

A petition template is attached in [Appendix A](#). If you live outside London it is a good idea to send a draft of your petition by fax, post or e-mail to the House of Lords Private Bill Office in advance to ensure that the form of your petition is correct before travelling down to present it.

HOW SHOULD I WORD MY PETITION?

The wording required for petitions to the House of Lords should broadly follow that of the petition template in [Appendix A](#). Some parts of your petition must be worded exactly as in the petition template⁵. If it is not, your petition may not be accepted.

WHAT OTHER RULES SHOULD I FOLLOW WHEN PREPARING MY PETITION?

- Your petition should ideally be printed (i.e. word-processed, typed etc) but it can be hand-written as long as it is easy to read.
- You should print it on paper of a reasonable quality, for example photocopying paper (80 gsm), preferably A4 size⁶. Please print on only one side of each sheet of paper.
- No changes should be made to your petition once it has been typed; nothing should be written in, crossed out, or rubbed out and nothing should be pinned or stapled to it⁷.
- If you are petitioning as an individual, group of individuals or other organisation, your petition must either be:

⁵ The petition must contain a prayer request (that is a formal request that Parliament should take certain action – it begins “The petitioner(s) therefore request(s) that, should a Joint Committee consider this Order...”) and the petition must end with the words “ And the petitioner(s) remain(s), etc.” It must also state on the front page whether it is a Petition for General Objection or a Petition for Amendment.

⁶ If you have a printed version of this document this page is A4 size and will most likely be printed on 80gsm paper.

⁷ In formal terms: No erasures or interlineations should be made in the petition; and no letter, affidavit, appendix or other document may be annexed to it.

- signed by all the petitioners named on your petition, or
- signed on the petitioner(s)' behalf by their duly authorised agent (see *Agents* below).
- If you are petitioning as a limited company or corporation or local authority, your petition must either be:
 - signed on the body's behalf by a duly authorised agent, or
 - sealed by affixing the common seal of that company, corporation or local authority to the petition (and no signatures are needed)⁸.

The first signature or seal must be on the same sheet of paper as the **prayer request**⁵ or part of the prayer request.

WHAT DO I DO WITH THE PETITION? HOW DO I DEPOSIT IT?

Your petition must be taken (or sent) to the House of Lords Private Bill Office. It is most important that your signed petition (in the proper form) is received by the Private Bill Office by the closing date for petitioning (see *When should I present the Petition?* above) with the petitioning fee (see *Fees* below).

Please note that there are also other places where you must deposit copies of your petition (see *Where else must I deposit copies of my petition?*).

You should contact the House of Lords Private Bill Office to make an appointment to deposit your petition. You are advised to deliver your petition before the last day of the petitioning period so there would be time for you to take appropriate action if you had got something wrong.

You may deposit your petition in the following ways:

- you (or any other petitioner named on the petition) may deliver your petition to the House of Lords Private Bill Office yourself,
- the person acting as your agent (see *Agents* below) may deliver your petition **but** they must also bring certain other documents with them (see the *Check list* below),
- another person may deliver your petition for you **but**, unless they are a Member of the House of Lords or a Member of Parliament, they must bring a signed consent from you saying that you agree that they can deposit the petition on your behalf,
- you may send your petition by post and, in certain circumstances, by fax (but you should contact the Private Bill Office before doing so). You are strongly advised to arrange for your petition to be hand delivered to the Private Bill Office, particularly as you must deposit other copies by hand (see the following section). Posted petitions must be **received** within the petitioning period and in the proper form. Postal delays will not be taken into consideration if you miss the deadline. **Please mark the top left-hand corner of the envelope “URGENT – PETITION”** and post it to the House of Lords Private Bill Office address given in *Contact details* below.

⁸ A company may elect not to use a seal if it so prefers. Any document formerly requiring a seal can now be signed “as a deed” by two officers of the company and this would be perfectly acceptable.

See the following sections for further information: *Contact details*, *Where is the House of Lords Private Bill Office?*, *Where else must I deposit copies of my petition?*, *Check list* for documents you should take to the Private Bill Office.

WHERE ELSE MUST I DEPOSIT COPIES OF MY PETITION?

A copy of any petition which is deposited in the Lords Private Bill Office must also be deposited **no later than the following day** and **in person** by the petitioner or his representative at:

- the House of Commons Private Bill Office,
- the office of the Chairman of Ways and Means, House of Commons (the Commons' Deputy Speaker),
- the relevant Government department⁹, and
- the office of the **applicant for the order**¹⁰. This copy (and only this copy) may be delivered by registered (i.e. special delivery) post.

You should contact each office and arrange the deposit (see *Contact details* below and *SPO-specific Information Sheet*).

AGENTS

As a petitioner you may decide to represent yourself. Many petitioners do and there is no disadvantage in doing that. Alternatively, you may ask someone to act as your **Parliamentary Agent**; to act on your behalf in all matters relating to the petition and to argue your case before the committee. You may pay someone to do this, for example, a solicitor, or you may simply ask someone you know (such as a friend, relative or colleague) to act for you.

There are two types of agents:

- professional Parliamentary Agents (solicitors who specialise in promoting and opposing hybrid and private bills). These are known as "Roll A" Agents and you will pay them a fee to act for you. A list of these is given in *Appendix D*,
- all other Parliamentary Agents are known as "Roll B" Agents. Any individual, including another petitioner, can become a "Roll B" Agent and can act on your behalf. Solicitors who are not "Roll A" Agents often register as "Roll B" Agents and may offer to act for you for a fee.

If you wish to be represented by a "Roll A" Agent they will take care of all of the necessary paperwork for you.

If you wish to be represented by anyone other than a "Roll A" Agent the person depositing your petition should bring the following documents with them to the Private Bill Office at that time:

⁹ In the case of the Rookery South (Resource Recovery Facility) Order 2011 the "relevant Government department" is the Department of Energy and Climate Change (see address on the *SPO-specific Information Sheet*).

¹⁰ In the case of the Rookery South (Resource Recovery Facility) Order 2011 this is Covanta Rookery South Limited (see address on the *SPO-specific Information Sheet*).

- a **letter of authority** – authorising a named person to act on your behalf as your agent signed by you, the petitioner (an example letter is given in [Appendix F](#)), and
- a completed “Roll B” Agent application form (See [Appendix E](#)), and
- a **certificate of respectability** (See [Appendix G](#)) duly signed. This certificate of respectability is only required for those agents who are not solicitors or who have not been enrolled on “Roll B” in recent parliamentary sessions¹¹.

You may change your agent at any time. Any new agent must be authorised in exactly the same way as the previous one: you will need to present a letter of authority and a certificate of respectability for the new agent to the House of Lords Private Bill Office before your new agent can take on that role.

COUNSEL

You may decide that you would like to have a barrister to put your case before the committee. You may instruct a barrister whether or not you have an agent. The Promoters will have a Counsel to represent them but many petitioners either speak for themselves or let their agents do so; the committee expect to hear evidence from those with no legal training and it is likely that many of the committee members will not be legally qualified themselves.

FEES

A £20 fee is levied for each petition presented. A charge of £10 must be paid at the time the petitions are presented in the Lords (the £10 balance is payable to the House of Commons who will invoice you once a copy has been deposited there). Payment by cheque would be preferred but cash will be accepted (but not credit or debit cards). Cheques should be made payable to "The House of Lords Account". If you decide to post your petition to us, obviously you cannot enclose cash; you will have to pay the fee by cheque.

Please note a petition may not be accepted without payment of the fee.

There are no other fees for you to pay to the House of Lords. If you employ a professional agent or Counsel you will have to pay their fees.

MAY I WITHDRAW MY PETITION AFTER I HAVE DEPOSITED IT?

Yes. You may withdraw your petition at any time before you appear before the committee, if you wish to do so, by depositing a letter (or **requisition**) in the House of Lords Private Bill Office, signed by you or your agent (see [Appendix C](#) for a specimen requisition form). If you are not the only petitioner on your petition, you or any of the other petitioners may withdraw from the petition in the same way leaving the remaining petitioners to continue with their case. The form may also be faxed to the House of Lords Private Bill Office (see [Contact details](#) below).

¹¹ If your Agent has been a “Roll B” Agent in the past but not in the last 5 years you should check with the Private Bill Office as to whether a new certificate of respectability is needed.

PETITIONS FROM COMPANIES ETC.

If your **business or company** wishes to petition against an SPO it must:

- be represented by an agent (lay or professional, for example, the Chief Executive or a Company Secretary), and
- present a letter, signed by a person who has the authority to act for the company authorising a petition to be presented and naming an agent to act on the company's behalf¹², at the House of Lords Private Bill Office when the petition is deposited.

PETITIONS FROM MORE THAN ONE INDIVIDUAL

You may present a petition from more than one person. If more than one person wishes to add their names to a petition:

- Every petitioner must be named at the beginning of the petition, and
- every petitioner must sign the petition (unless an agent, who is not a co-petitioner, is representing all of the petitioners **and** is signing the petition on their behalf).
- If an agent, who is not one of the co-petitioners, is appointed to represent all of the petitioners then you must present a letter of authority signed by all of the petitioners authorising that agent to act on their behalf, at the House of Lords Private Bill Office when you deposit the petition.
- One of the petitioners may act on behalf of his co-petitioners with their consent (he is effectively acting as an agent though he does not need to present a letter of authority or a certificate of respectability). In this case all of the petitioners **must** have signed the petition themselves. During the presentation of the case he may call the other petitioners as witnesses before the committee.

PETITIONS FROM ORGANISATIONS, GROUPS ETC.

If your **organisation or group** wishes to petition against an SPO it must:

- be represented by an agent (lay or professional, it could, for example, be the Chairman of the organisation),
- hold a properly constituted meeting and pass resolutions authorising:
 - the deposit of a petition against the order **and**
 - a named person (an agent) to act on behalf of the organisation,
- present a letter, containing the resolutions mentioned above (an extract of the Minutes of the meeting), signed by someone who has the authority to act for the organisation/group at the House of Lords Private Bill Office when the petition is deposited.

¹² The letter should be on company headed paper. If your company requires more than one person to sign documents on behalf of the company all of those required should sign the letter.

PETITIONS FROM LOCAL AUTHORITIES

If your **local authority** wishes to petition against an SPO it must:

- be represented by an agent (lay or professional, for example, a Councillor),
- comply with the requirements of the Local Government Act 1972 (this can be done after the petition has been presented),
- present a letter of authority, authorising a named person (an agent) to act on behalf of the local authority signed by someone who has the authority to do so, at the Private Bill Office when the petition is deposited.

Please note that if you are a councillor you may petition as an individual (and give evidence on how the SPO specially and directly affects you individually) but you cannot use that petition to give evidence on behalf of your local authority. The requirements listed above must be met and a petition presented in the name of the local authority.

WHERE IS THE HOUSE OF LORDS PRIVATE BILL OFFICE?

The House of Lords Private Bill Office is located in the Houses of Parliament, Westminster, London, SW1A 0PW. When you arrive to deposit your petition you will need to enter the House of Lords through Black Rod's Garden entrance in Abingdon Street (marked (9) on the *map* in the petitioning kit). This is the very last entrance to the House at the opposite end of the Houses of Parliament from Big Ben (just past the Victoria Tower and just before Victoria Tower Gardens). When you arrive you should ask for the House of Lords Private Bill Office. **Please make an appointment to deposit your petition.** The House is well served by public transport (though parking near the House is very difficult). The *map* shows details of local routes and stations. You can also obtain travel advice from Visit London or from Transport for London. Please do not come into the building by any other entrance.

WHAT HAPPENS AFTER PETITIONS HAVE BEEN DEPOSITED?

Once you have deposited your petition in the House of Lords Private Bill Office a copy will be given to the Government department/applicant's Parliamentary Agent (if they have one) and posted on our website (the details you give on the *Front Sheet (Appendix B)* will not be posted on the website but anything in the petition, including the endorsement sheet but not including your signature, will be posted). We will also give copies of your petition to anyone who requests them. Once the Parliamentary Agent has received a copy of your petition they, the Government department or the applicants will often contact you to discuss your objections.

Within 7 days of your petition's deposit – The applicants for the order or the relevant Government department may oppose your petition on two grounds by **depositing a memorial** against it (see *Memorials – Challenging your right to be heard* below).

After 10 January 2012 (in the case of the Rookery South (Resource Recovery Facility) Order 2011)¹³ – all petitions and memorials are referred to the Chairmen in the two Houses¹⁴. The Chairmen then examine all petitions and memorials and report to both Houses. If a petition complies with Standing Orders they certify it "proper to be received". They also certify whether it is a Petition for Amendment or a Petition of General Objection. If a Petition for Amendment involves amendments which would alter the scope of the SPO or affect the interests of anyone other than the petitioner, the Chairmen may make a Special Report to that effect. The Chairmen also have the power to alter a petition containing amendments which would effectively render the SPO pointless. They may either delete those amendments or certify the petition as a Petition of General Objection.

Within 14 days of the Chairmen's report being made to Parliament – counter-petitions may be presented (see *Counter-Petitions* below).

Within 21 days of the Chairmen's report being made to Parliament – Members of either House have the opportunity, within twenty-one days of the Chairmen's report being laid, to propose¹⁵ to either House that the SPO should not come into operation.

It is also open to members of either House to propose¹⁶ that a particular petitioner not have the right to have his views heard by the joint committee.

At the end of this time a joint committee will be appointed to consider the petitions unless the House has agreed to the contrary.

MEMORIALS – CHALLENGING YOUR RIGHT TO BE HEARD

A memorial is an official written notice of objection to a petition. It can only be presented by the applicant for (or promoters of) an SPO or by the Minister involved with the SPO and it must be presented within seven days of a petition being deposited in the House of Lords. There are two grounds for objection to a petition:

1. that a petition which is presented as a Petition for Amendment is really a petition of General Objection (see *What is a Petition?* above), or
2. that the petitioner does not have *Locus standi*¹⁷. In other words, that the petitioner will not be "specially directly and injuriously affected by its provisions".

If promoters of the SPO do present a memorial the matter is decided by the two Chairmen (see previous section). If the objection (on either ground) is upheld then the petition will not be considered by the joint committee and the petitioner(s) can take no further part in the proceedings, though he may listen to them with other members of the public.

¹³ after the end of the last possible memorialising time which would usually be 7 days after the deposit of the last petition.

¹⁴ the Chairman of Ways and Means (the Deputy Speaker in the Commons) and the Chairman of Committees in the Lords.

¹⁵ in Parliamentary terms, to table and move an **annulment resolution**. If this motion is agreed to (in either House) the SPO will not be proceeded with further.

¹⁶ in Parliamentary terms, to table a motion that a particular Petition of General Objection "shall not stand referred" to the Joint Committee.

¹⁷ *Locus standi* can be defined as the right of a petitioner to be heard against the order on the grounds that he is specially, directly and injuriously affected by its provisions.

COUNTER-PETITIONS

A counter-petition complaining that an amendment in a petition will affect the interest of the counter-petitioner (or the person on whose behalf a counter-petition is presented) may be presented against Petitions for Amendment within fourteen days of the Chairmen's report being made to Parliament. Prospective counter-petitioners may obtain more information on them from either Private Bill Office.

THE JOINT COMMITTEE

Where petitions are referred to a joint committee the promoters of the SPO will usually tell petitioners when the committee will meet. But it may be in the petitioners' own interests to check with either Private Bill Office from time to time to see whether the committee dates are known.

A petitioner may appear in person before the committee. A petitioner may also appear not only on his own behalf but also on behalf of other petitioners whose names appear at the beginning of the petition, the original copy of which must be signed by all of them. In this event a petitioner may call his co-petitioners as witnesses.

Alternatively, a petitioner or petitioners may appoint someone to act as agent on his or their behalf (see *Agents* above). The agent, who need not be a lawyer, will then appear on the petitioner's behalf before the committee. He will be entitled to examine and cross-examine witnesses and generally conduct the petitioner's case.

A joint committee consists of three Lords and three MPs, one of whom acts as chairman. The chairmanship of these joint committees alternates between the Commons and the Lords. If the Rookery South (Resource Recovery Facility) Order 2011 goes to a joint committee the chairman will be an MP.

The committee hears argument and evidence submitted by those involved¹⁸. The burden of proof rests with the petitioners against the SPO¹⁹.

The committee has wide powers. It may reject the SPO altogether, amend it, or approve it in unamended form. However, in some ways the committee's powers are restricted. Except in certain limited circumstances, it may not amend the SPO in a way which affects people who have not previously been affected by the SPO. Furthermore, except where permission is expressly given by the two Houses, the committee cannot call for evidence except that offered by the parties formally represented before it.

The length of committee proceedings depends on the complexity of the SPO and the extent of opposition to it. A committee stage may be over within a day, or may last many months. The average is one or two weeks. Committees usually sit on Tuesday, Wednesday and Thursday, from 10:30am (11:00am on the first day of sitting) till 1:00pm, and 2:15pm till 4:15pm.

¹⁸ The main stages of the proceedings are: a) factual statement of the purpose of the SPO b) petitioner's case c) case for the SPO d) petitioner's reply d) committee draws its conclusions ("deliberates").

¹⁹ In other words, it is up to the petitioner to convince the committee either to reject the SPO or that his amendments to it should be made.

If you present a petition and a joint committee is appointed we will send you more information on how the committee works nearer the time it is likely to consider the SPO.

FURTHER ENQUIRIES

Both Chris Bolton in the Private Bill Office in the House of Lords and Annette Toft in the Private Bill Office in the House of Commons will be more than happy to give impartial advice on all aspects of SPO procedure (see *Contact details* below).

INFORMATION ON THE INTERNET

There is further information on the UK Parliament's website, including the text of the SPO. At present you can find information on the Special Procedure Order pages here:

<http://www.parliament.uk/business/bills-and-legislation/secondary-legislation/special-procedure-orders/>

A page for the Rookery South (Resource Recovery Facility) Order 2011 will be created shortly and links to it will be placed on the SPO page. Any petitions against an SPO will also be posted on the SPO page within a day or so of the end of each petitioning period.

See *Appendix B* below for information about the posting of your petition on the Parliament website.

CONTACT DETAILS

See the *SPO-specific Information Sheet* for other contacts.

House of Lords Private Bill Office


Contact: Ms Chris Bolton

Private Bill Office

House of Lords

London

SW1A 0PW

 020 7219 3231

fax: 020 7219 2571

e-mail: prbohol@parliament.uk

House of Commons Private Bill Office

Contact: Ms Annette Toft

Private Bill Office

House of Commons

London

SW1A 0AA

 020 7219 6008

fax: 020 7219 3690

e-mail: prbohoc@parliament.uk

House of Commons Ways and Means Office

Please contact: Ms Annette Toft (in the HC Private Bill Office (see above))

Please note that the spam filter which Parliament uses occasionally treats a genuine e-mail as spam. You should receive a reply within a day or two of e-mailing at the most except during recess periods when you should receive an out of office reply to the first e-mail you send. If you do not receive a reply you should telephone to check that your e-mail has indeed arrived. If you leave a message please make sure to leave your phone number or e-mail address so that we can contact you.

CHECK LIST: DOCUMENTS YOU NEED TO TAKE TO THE PRIVATE BILL OFFICE

TYPE OF PETITION	WHAT YOU SHOULD BRING WITH YOU
Petitioning as an individual:	
not being represented by an agent	Signed copy of the petition Front sheet (<i>Appendix B</i>) Fee of £10 ¹ 1 unsigned photocopy of the petition
being represented by a “Roll A” Agent	The “Roll A” Agent will take care of all necessary paperwork for you
being represented by a “Roll B” Agent	Signed copy of the petition Front sheet (<i>Appendix B</i>) Fee of £10 ¹ 1 unsigned photocopy of the petition Roll B Agent application form (<i>Appendix E</i>) Certificate of Respectability (<i>Appendix G</i>) Letter of Authority (<i>Appendix F</i>)
Petition signed by more than one petitioner:	
being represented by one of the co-petitioners	Signed copy of the petition Front sheet (<i>Appendix B</i>) Fee of £10 ¹ 1 unsigned photocopy of the petition
being represented by a “Roll A” Agent	The “Roll A” Agent will take care of all necessary paperwork for you
being represented by any other “Roll B” Agent	Signed copy of the Petition Front sheet (<i>Appendix B</i>) Fee of £10 ¹ 1 unsigned photocopy of the petition Roll B Agent application form (<i>Appendix E</i>) Certificate of Respectability (<i>Appendix G</i>)

¹ you will be invoiced for a further £10 after you deposit a copy of your petition in the House of Commons

	Letter of Authority signed by all of the petitioners <i>Appendix F</i>)
Petitioners from organisations, groups etc. (must be represented by an agent):	
represented by a “Roll A” Agent	The “Roll A” Agent will take care of all necessary paperwork for you
represented by a “Roll B” Agent	Signed copy of the Petition Front sheet (<i>Appendix B</i>) Fee of £10 ¹ 1 unsigned photocopy of the petition Roll B Agent application form (<i>Appendix E</i>) Certificate of Respectability (<i>Appendix G</i>) Letter of Authority signed by someone who has authority to do so (<i>Appendix F</i>) Letter containing the Resolutions passed at a properly constituted meeting
Petitions from companies etc. (must be represented by an agent):	
represented by a “Roll A” Agent	The “Roll A” Agent will take care of all necessary paperwork for you
represented by a “Roll B” Agent	Signed copy of the Petition Front sheet (<i>Appendix B</i>) Fee of £10 ¹ 1 unsigned photocopy of the petition Roll B Agent application form (<i>Appendix E</i>) Certificate of Respectability (<i>Appendix G</i>) Letter of Authority (see section <i>Petitions from Companies etc.</i>) naming an agent & authorising a petition to be presented (a modified <i>Appendix F</i> or separate letters).
Petitions from local authorities (must be represented by an agent):	
represented by a “Roll A” Agent	The “Roll A” Agent will take care of all necessary paperwork for you
represented by a “Roll B” Agent	Signed copy of the Petition Front sheet (<i>Appendix B</i>) Fee of £10 ¹ 1 unsigned photocopy of the petition

	<p>Roll B Agent application form (<i>Appendix E</i>)</p> <p>Certificate of Respectability (<i>Appendix G</i>)</p> <p>Letter of Authority (see section <i>Petitions from Local Authorities</i>) naming an agent & authorising a petition to be presented (a modified <i>Appendix F</i> or separate letters).</p>
--	---

WHEN WILL THE JOINT COMMITTEE MEET TO CONSIDER THE SPO?

See also *Joint Committee* above. Sometimes there is a considerable amount of time between the petitioning period and the committee meeting. This may be for a variety of reasons; the applicant for the order may be negotiating with petitioners or the committee may be delayed through pressure of business in either the House of Commons or the House of Lords and the timing of other committees.

You will be informed, usually by the Promoters' Agent, as soon as possible of the date you are scheduled to appear before the committee. We will make every effort to accommodate reasonable needs but there may be little scope for radically altering the timetable to suit individual petitioners. If you know you (or any of your witnesses) will be unavailable on certain dates/periods you should let the Promoters' Agent know as soon as possible; the more warning they have the more likely it is that the schedule can be adjusted.

APPENDIX A: PETITION TEMPLATE FOR A PETITION AGAINST A SPECIAL PROCEDURE ORDER

Note: square brackets “[]” show where you should fill in the correct text. Delete the brackets once you have done so.

IN PARLIAMENT

HOUSE OF LORDS

[SESSION 2010-12¹]

[TITLE OF ORDER]

PETITION FOR AMENDMENT² {Pick one of these
PETITION OF GENERAL OBJECTION³ {lines and delete the other

To the House of Lords

THE PETITION OF [NAME OF INDIVIDUAL, COMPANY OR ASSOCIATION]

Declares that:

1. Your Petitioners are [description of petitioners⁴: together with a description of the Petitioners' property, etc. which the SPO may "directly and specially affect"].
2. [A brief, clear statement of the reasons why the petitioner objects to the SPO (for a Petition of General Objection) or the amendment(s) the petitioner would like to see made to the SPO and the reasons why he wants them made (for a Petition for Amendment)]

The petitioner(s) therefore request(s) that, should a joint committee consider this SPO, he/she/they, or someone representing them in accordance with the rules and Standing Orders

¹ For example, the current session would be "SESSION 2010-12"

² If you are happy with the SPO to proceed but wish to see it amended in some way then this line should stay in the petition and you should delete the line below (Petition of General Objection) or see footnote ³

³ If you object to the whole SPO this line should stay in the petition and you should delete the line above (Petition for Amendment), or see footnote ²

⁴ For example, "Your first Petitioner is an owner of property in. ...Your second Petitioner is...", "Your Petitioners are the ... Society, an association of the residents of ... Road, established in ... to..."; "Your petitioner is A Company Limited, a nominee company, incorporated in England" or, if there is only one petitioner, "Your petitioner is..."

PETITION TEMPLATE – *continued*

of the House, be given an opportunity to give evidence on all or some of the issues raised in this petition.

And the petitioner(s) remain(s), etc.

[Signature of Petitioner in person, or Agent for the Petitioner]

[date presented]

[name of Agent], Agent⁵

[name of petitioner signing the petition]

Note: The wording given above may be varied, except for the opening section and the prayer request at the end starting "The petitioner(s) therefore requests(s)".

⁵ if the petition is signed by an Agent rather than a petitioner. Otherwise deleted this line

PETITION TEMPLATE – *continued*

The Petition should be endorsed on the back page⁶ as follows:

IN PARLIAMENT
HOUSE OF LORDS
[SESSION 2010-12⁷]

[TITLE OF ORDER]

PETITION OF
[EACH PETITIONER'S NAME]

Petition of General Objection {choose whichever you used on the front
Petition for Amendment {of the petition and delete the other

Name, and address of at least one of the petitioner(s) or
the Agent for the Petitioner(s)

Please note: the above address will not be released to anyone without the consent of the petitioner(s)/Agent and will not be posted on the Parliament website. Your original signed petition together with this endorsement sheet will be kept in the Private Bill Office and subsequently kept as a record of Parliament in the Parliamentary Archives in a closed file, except where it must be made available under the Freedom of Information Act 2000. Please see *Appendix B*

You must complete a copy of Appendix B and hand it in with your petition.

⁶ In other words, the reverse of the last sheet should show the following information

⁷ For example, the current session would be “SESSION 2010-12”

APPENDIX B: THIS SHEET MUST BE COMPLETED AND ATTACHED TO THE FRONT OF YOUR ORIGINAL, SIGNED, PETITION (BUT NOT TO THE COPY)

Please supply the following information:

Phone number of petitioner/Agent:

daytime (mandatory):

mobile:

E-mail address:

I understand:

1. that a copy of this petition, excluding the endorsement page of my petition and without my signature, will be placed on the Parliamentary website, a hard copy will be made available to the public and it will be available for inspection in the Parliamentary Archives;
2. that the original signed petition together with the endorsement sheet and this sheet will be kept in the Private Bill Office and subsequently kept as a record of Parliament in the Parliamentary Archives in a closed file, except where it must be made available under the Freedom of Information Act 2000;
3. that the personal information supplied above and on the petition may be kept in a database by the House of Lords Private Bill Office. This database may be used to store summaries of e-mails and/or conversations for the purpose of keeping track of procedural advice/information given to the parties or received from them, or for other internal purposes connected with the Special Procedure Order. This information will not be shared with any other party unless prior permission has been obtained from the petitioner/Agent concerned.

signature of petitioner/Agent:

name of petitioner/Agent (in block letters please):

The Parliamentary Agents acting for the Department or the applicant may be assisting with the programming schedule for the consideration of the petitions against it. They will wish to contact you so that suitable dates can be arranged with you, and they, or the applicant for the order or the Government department, may wish to respond to you on the points raised in your petition. Can we make your contact details available to the Parliamentary Agent (and via them, the applicants for the SPO or the Government department involved with the SPO)?

YES / NO (please delete as appropriate) or specify if you only want certain details released.

APPENDIX C: REQUISITION FOR WITHDRAWAL OF PETITION

HOUSE OF LORDS
SESSION 2010-12

[NAME OF ORDER]

TO THE PRIVATE BILL OFFICE,
HOUSE OF LORDS

We hereby request to withdraw the Petition of (*name of petitioners*)

against the above Order deposited by us onday of.....20...

Signature of Petitioner(s) or Agent

print name

date withdrawn

[Private Bill Office stamp with date when received]

APPENDIX D: LIST OF “ROLL A” PARLIAMENTARY AGENTS

Firm	Roll A Agent	Parliamentary Clerk
<p>Bircham Dyson Bell LLP</p> <p>50 Broadway, Westminster London SW1H 0BL</p> <p>☎: 020-7227 7000 Fax: 020-7233 1351 Email: pamthompson@bdb-law.co.uk Website: www.bdb-law.co.uk</p>	<p>I H McCulloch P H Thompson E N W Brown R J V Owen</p>	<p>Mrs P J Thompson 020-7783 3437 pamthompson@bdb-law.co.uk</p>
<p>Eversheds LLP</p> <p>1 Wood Street London EC2V 7WS</p> <p>☎: 020-7919 4500 Fax: 0845-497 4919 Email: monicapeto@eversheds.com Website: www.eversheds.com</p> <p>(Rees & Freres Practice joined Eversheds on 1.1.08)</p>	<p>J A Durkin Miss M A R Peto S Collings</p>	<p>Mr K. Sanderson Mr D C White 0845 497 4800</p>
<p>Sharpe Pritchard</p> <p>Elizabeth House Fulwood Place London WC1V 6HG</p> <p>☎: 020-7405 4600 Fax: 020-7222 1451 Email: parliamentary@sharpepritchard.co.uk Website: www.sharpepritchard.co.uk</p>	<p>H M V Pritchard W A Lewis</p>	<p>Ms D Baker</p>
<p>Winckworth Sherwood</p> <p>Minerva House 5 Montague Close London SE1 9BB</p> <p>☎: 020-7593 5005 Fax: 020-7593 5199 Email: agorlov@wslaw.co.uk Website: www.wslaw.co.uk</p>	<p>P M C F Irving Mrs A M H Gorlov H S Wiggs</p>	<p>Mr D. Walker</p>
<p>Berwin Leighton Paisner LLP</p> <p>Adelaide House London Bridge London EC4R 9HA</p> <p>☎: 020-7760 1000 Fax: 020-7760 1111 Email: Helen.kemp@blplaw.com Website: www.blplaw.com</p>	<p>Ms H Kemp</p>	<p>Mr A. Rosamond</p>
<p>Veale Wasbrough Vizards</p> <p>Barnards Inn, 86 Fetter Lane, London EC4A 1AD</p> <p>☎: 020-7405 1234 Fax: 020-7405 4171 Email: rperry@vww.co.uk Website: www.vww.co.uk</p>	<p>R E Perry</p>	<p>No Clerk</p>

APPENDIX E: "ROLL B" AGENT APPLICATION FORM

Application form for those wishing to be registered as Parliamentary Agents for the purpose of opposing special procedure orders in the House of Lords. This should be sent/given to the Private Bill Office, House of Lords, London SW1A 0PW

Please complete Part 1 **or** Part 2.

PART 1: FOR A PERSON (OTHER THAN A SOLICITOR), APPLYING TO BE A ROLL B AGENT FOR THE FIRST TIME

I, _____ of (address)

not being a Solicitor or having been previously registered as a Parliamentary Agent, but actually being employed during the current session in opposing a special procedure order, herewith submit, in accordance with paragraph 10 of the Chairman of Committee's Rules for Parliamentary Agents, a certificate of respectability signed by

who is a Member of Parliament for _____, a Member of the House of Lords, a Justice of the Peace, a Barrister, a Solicitor (*cross out those which do not apply*)

of (give the address of the JP, Chambers or firm of the lawyer)

apply to have my name submitted to the Chairman of Committees for registration, for the session 2010-11 as a Parliamentary Agent entitled to practice as such in opposing special procedure orders.

Signature _____ date _____

PART 2: FOR SOLICITORS OR THOSE WHO HAVE PREVIOUSLY BEEN REGISTERED AS PARLIAMENTARY AGENTS

I, _____ being a member of the firm of (*cross out if not a solicitor*)

of (address of firm or home address as appropriate)

having previously been registered as a Parliamentary Agent, or, being a Solicitor, and being actually employed during the current session in opposing a special procedure order, hereby apply to have my name registered, for the Session 2010-11 as a Parliamentary Agent entitled to practise as such in opposing special procedure orders.

signature _____ date _____

APPENDIX F: SPECIMEN LETTER OF AUTHORITY

The letter should be on official stationery if the petitioner has it

I hereby authorise [name of Agent] to act as Agent on behalf of [name of petitioner(s) or petitioning organisation] in all matters relating to the [name of Special Procedure Order].

[Signature]

[print name, and if appropriate, position in company etc]

Notes

The text in square brackets [] describes what should be inserted at that point.

The authority should be given in the form of a letter on the headed paper (if any) of the petitioner(s) or petitioning organisation and should be signed by the petitioner(s), or, in the case of an organisation, by an officer of the organisation normally authorised to execute documents on its behalf.

APPENDIX G: CERTIFICATE OF RESPECTABILITY

To: The Private Bill Office, House of Lords, London SW1A 0PW

I,

being the Member of Parliament for

a Member of the House of Lords, a Justice of the Peace, a Barrister, a Solicitor* (*cross out those which do not apply*)

of (*give the address of the JP, Chambers or firm of the lawyer*)

.....

HEREBY CERTIFY THAT (*name*)

of (*address*)

is a person of respectability for the purpose of acting as Agent for the petitioners in respect of private legislation, and to appear before any Select Committees of the House of Lords considering private or hybrid bills, hybrid instruments or Special Procedure Orders.

signature

date

The certificate can only be given by a Member of either House of Parliament, a Justice of the Peace, a Barrister, or a Solicitor.