



# **GUIDANCE ON PETITIONING AGAINST A PRIVATE BILL IN THE HOUSE OF LORDS**

House of Lords Private Bill Office

June 2021

**The principal purpose of this Guidance is to assist those who may wish to object to (“petition against”) a private bill whilst it is in the House of Lords. (We also set out,**

however, how you can “petition against alteration” if you do not want a private bill to be changed.)

**Further information can be obtained from the House of Lords Private Bill Office or from the internet. Contact details and relevant web addresses can be found at the end of this Guidance.**

**A template petition can also be found at the end of this Guidance.**

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## **I. WHAT IS A PRIVATE BILL?**

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A private bill is a bill which seeks to confer benefits on particular individuals, institutions or localities, over and above the provisions of the general law of the land. It is different from a public bill, which relates to the public general law affecting everybody. Private bills are introduced not by members of the House of Lords or the House of Commons but by an outside body such as a company or a local authority, who are known as the Promoters of the bill. The Promoters are represented by a firm of specialist solicitors known as Parliamentary Agents.

Private bills, like public bills, cannot become law until they have passed through both Houses of Parliament. They may begin in either the House of Commons or the House of Lords.

Proceedings relating to private bills are governed by Standing Orders relating to Private Business (PrBSOs). The link to House of Lords PrBSOs is given at the end of this Guidance.

## **2. PETITIONING AGAINST A PRIVATE BILL**

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### ***Who may petition?***

Any individual, group of individuals or organisation “directly and specially affected” by the provisions of a private bill may petition against that bill. Local authorities and MPs may also petition against private bills.

If the Promoters of the bill feel that you are not “directly and specially affected”, they may object to your petition being considered (see Section 5 below).

## ***What should I put in my petition?***

Your petition should:

- say who you, the petitioner or petitioners, 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 bill). If you are petitioning as a group or organisation, the petition should also mention what the group or organisation does and the size of its membership;
- describe how you are “directly and specially affected” by the bill, and set out your objections to the bill. You may object to the whole bill or only to certain parts of it. If the latter, say which clauses or parts of the bill affect you if you can; and
- state what needs to be done to reduce the adverse effect the bill has on you or your property and, if possible, how the bill should be amended to achieve this.

Remember, your petition forms the basis of your case before the Committee appointed to consider petitions against the bill (see Section 5 below). It must include all the objections which you wish to raise. Matters can only be raised in Committee if they are referred to in your petition.

If you petitioned in the House of Commons against the same bill, you can re-use the same text in your petition to the House of Lords if you wish. If you do this, you will need to ensure that all of the references to the House of Commons are changed where appropriate.

Your petition should ideally be typed (and submitted through the portal) but it can be hand-written as long as it is easy to read. No other document should be appended to your petition.

## ***Can I include photos and pictures in my petition?***

No. Your petition is just a summary so do not include anything other than text. The appropriate place for photos etc. is in your evidence to the Committee.

## ***When can I submit my petition?***

You must submit your petition within the **petitioning period**.<sup>1</sup> The timing of the petitioning period depends on whether the bill has started in the House of Lords or was brought up from the House of Commons. If the bill started in the House of Lords, petitions have to be submitted on or before 6 February. If the bill has been brought up from the House of Commons, the petitioning period runs for 10 calendar days after the bill was introduced into the House of Lords. *The Private Bill Office can advise when the petitioning period runs for specific bills.* That information is also contained on the bill’s webpage.

## ***How do I submit my petition?***

A template for petitions is available at the end of this document. After downloading and completing the template, you can submit your petition via the portal on the committees webpage. You can also submit it via email or by post using the contact details set out in Section 6 below.

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<sup>1</sup> Under very exceptional circumstances, for example a medical emergency, you can petition the Standing Orders Committee of the House of Lords to request that your petition be accepted later than the petitioning deadline.

Please note that because of present restrictions, you will not be able to submit your petition in person.

If you post your petition, you should allow time for it to arrive before the end of the petitioning period. You may wish to contact the Private Bill Office to check that it has arrived. Postal delays will not be taken into consideration if you miss the deadline.

### ***Is there a charge for petitioning?***

Yes. You will have to pay a fee of £20 for your petition to be considered by the Committee. This is a flat fee for each petition (not each petitioner). You can pay by bank transfer (quoting sort code 30-99-50, account number 00345391, and a reference of your choice) or cheque (payable to "The House of Lords").

Please note a petition will not be considered by the Committee if the fee has not been received.

### ***Can you check my petition for me?***

Yes. If you send a draft of your petition to us in advance we will check it to ensure that the form of your petition is correct. We cannot comment on your arguments though as those are a matter of your own judgment.

### ***Can I withdraw my petition after submitting it?***

Yes. Please inform the Private Bill Office, in writing or by email. 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.

### ***Does it matter whether or not I have already petitioned the House of Commons?***

No. You may petition either or both Houses (but have to pay the fee in each). So, you can petition the House of Lords, *whether or not* you petitioned the House of Commons.

If you petitioned the House of Commons and you want the Committee in the House of Lords to consider your petition, you will need to make your case as though you were doing so for the first time. The House of Lords Committee will only consider the petitions submitted in the House of Lords, and will be unaware of evidence to the Committee in the House of Commons.

If you were content with the outcome of the consideration of your petition in the House of Commons (or if you reached agreement with the Promoters of the bill) you do not need to petition again.

## **3. PETITIONING AGAINST ALTERATION**

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You cannot petition in favour of a bill. However, you may present a “**petition against alteration**” to the bill. You would do this if you have a special interest (usually financial) in the bill and you wish the bill (or some of its provisions) to remain unamended by the Committee.

Whilst your position coincides with the Promoters’ position on the bill, you would not have the right to be heard by the Committee. Should the Promoters undertake to alter the bill (in its negotiations with other petitioners) then you, as a petitioner against alteration, would be able to

argue the case for provisions to remain as originally drafted. Further information on the form of a petition against alteration is available from the Private Bill Office.

#### **4. PETITION REPRESENTATIVES**

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##### ***Can someone else represent me in front of the committee?***

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 representative, to act on your behalf in all matters relating to the petition and to argue your case in front of 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 representative:

- Parliamentary Agents (lawyers accredited by Parliament who specialise in promoting and opposing hybrid and private bills). These are also known as “Roll A” Agents and you will pay them a fee to act for you (see list in Appendix I below).
- All other representatives, including lawyers that are not Roll A Agents.

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 for someone else to represent you, they may submit the petition on your behalf, or you can do so yourself, and provide contact details for your representative for when the petition is due to be considered by the Committee.

You may change your representative at any time. Just let the Private Bill Office know when this happens, so we know who to contact about your petition.

##### ***Does a business need a representative?***

Yes. If your business wishes to petition against a bill it must have a representative who will speak on behalf of the petition. This can be either a Roll A Agent or someone else, for example the chief executive or company secretary.

##### ***Does a group of individuals need a representative?***

Yes. One of the petitioners may act on behalf of their co-petitioners with their consent, as their representative. Or the group can employ a Roll A Agent or someone else to represent them. The names of all the co-petitioners must be set out at the beginning of the petition.

##### ***Do other types of organisation need a representative?***

Yes. If your organisation or group wishes to petition against a bill, it must have a named representative, which can be either a Roll A Agent or someone else, such as the chair of the organisation who will represent the petition in front of the Committee. Your organisation should hold a properly constituted meeting and pass resolutions authorising the submission of the petition and for the named person to act as a representative.

### ***How are local authorities represented?***

If a local authority wishes to petition against a bill it must be represented by either a Roll A Agent or someone else, for example, a councillor. You must also comply with the requirements of the Local Government Act 1972.

Please note that if you are a councillor you may petition as an individual and give evidence if a bill specially and directly affects you individually, but you cannot use that petition to give evidence on behalf of your local authority. Such a petition must be presented in the name of the local authority.

### ***Should I employ someone with legal expertise to represent my petition?***

It is up to you. You may decide that you would prefer a Roll A Agent or other legal representative to put your case before the Committee. The Promoters will have Counsel to represent them, but many petitioners either speak for themselves or let their representatives do so. The committee expects to hear cases from people with no legal training and the Committee members will not necessarily be legally qualified themselves.

You only need to tell us whether you intend to instruct someone to put your case close to the time that your petition is due for consideration by the committee.

### ***Which Parliamentary Agents (Roll A Agents) can I ask to represent me?***

The firms listed in Appendix I to this Guidance are Parliamentary (Roll A) Agents who you can employ to represent you in all matters relating to your petition.

## **5. WHAT HAPPENS AFTER SUBMITTING MY PETITION?**

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### ***Will my petition be published?***

Yes. A copy will be given to the Promoters' Parliamentary Agent and posted on our website. This will include your name and address. Once the Parliamentary Agent has received a copy of your petition they, or the Promoters, will often contact you to discuss your objections.

The Parliamentary Agent for the Monken Hadley Common Bill is Sharpe Pritchard LLP.

### ***What happens next?***

If the bill is read a second time in the House, it is referred, with any petitions, to a Committee of five members which is appointed solely to consider that bill. The Committee has power to amend the bill or not to proceed with it, and it can instruct the Promoters to make an undertaking (a promise, for example, to carry out a particular action or proceed in a particular way).

### ***Will my petition be considered by the Committee?***

If the Promoters believe that you are not specially and directly affected by the bill, they may ask the Committee not to hear you. The Promoters may choose to challenge certain parts of your petition whilst accepting that you may speak on the remaining parts.

### ***What happens if the Promoters challenge my right to be heard?***

If the Promoters wish to challenge your right to be heard, they must give you, and the House of Lords, written notice of their intention to do so. The decision as to whether you will be able to argue your case on all or some of the matters in your petition rests with the Committee.

At the Committee's first meeting any right to be heard challenges will be considered. Each challenge will be dealt with in the following way:

- The Committee will first hear the petitioner's argument in support of their right to be heard. (The Committee will not hear the petitioner's argument against the bill itself at this stage only arguments as to how the petitioner considers that he is directly and especially affected by the bill).
- The Promoters will then make their case against the petitioner having that right to be heard.
- The Committee then deliberates and announces its decision. An unsuccessful petitioner can take no further part in the proceedings, though may remain as a member of the public to hear the rest of the proceedings.

After these issues have been decided, the Committee may begin the proceedings on the bill.

### ***What happens when the Committee considers my petition?***

It is usual for all petitioners who have complied with the rules of the House to be heard by the Committee.<sup>2</sup> It is likely that you (or someone representing you) will be expected to present your case before the Committee.

It is the duty of the Promoters of the bill to assist the House of Lords by timetabling the Committee, but it is the Private Bill Office who will contact petitioners to set the date for the Committee's sitting and organise the likely timetable of hearings.

Sometimes there is a considerable amount of time between the petitioning period and the actual Committee. This may be for a variety of reasons: the Promoters may be negotiating with petitioners or Government Departments, the Committee may be delayed through pressure of business in the House and the timing of other committees.

We shall make every effort to accommodate reasonable needs but there may be little scope for altering the timetable to suit individual petitioners. If you know you (or any of your witnesses) will be unavailable on certain dates or for certain 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.

For more information, see Appendix 2 below.

## **6. CONTACT DETAILS AND OTHER INFORMATION**

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### ***Contact details***

Mr Mark Cooper, Private and Hybrid Bills Manager



020 7219 3231

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<sup>2</sup> Although the Standing Orders make provision for "grouping" petitioners.

Email: [cooperm@parliament.uk](mailto:cooperm@parliament.uk) or [hlprivatebills@parliament.uk](mailto:hlprivatebills@parliament.uk)

### ***Address of the House of Lords Private Bill Office***

The address is: Private Bill Office, House of Lords, London SW1A 0PW.

### ***Information on the internet***

There is a variety of information on the UK Parliament's website, including the text of the bill. Each private bill has its own page. The petitions against a bill will also be posted on the appropriate bill page shortly after the end of the petitioning period.

The webpage for a private bill currently before Parliament can also be found from this index page: <http://services.parliament.uk/bills/private.html> (scroll down the page and select the appropriate bill title to go to its bill page).

The House of Parliament Private Business webpage is:  
<http://www.parliament.uk/about/how/laws/bills/private/>

Private Business Standing Orders can be found here:  
<https://www.parliament.uk/business/publications/house-of-lords-publications/rules-and-guides-for-business/the-standing-orders-of-the-house-of-lords-relating-to-private-business/>

## APPENDIX I: LIST OF “ROLL A” PARLIAMENTARY AGENTS

Firm	Roll A Agent	Parliamentary Clerk
<p><b>Bryan Cave Leighton Paisner LLP</b>                      Adelaide House, London Bridge, London EC4R 9HA                      ☎: 020-7760 1000                      Fax: 020-7760 1111                      Email: <a href="mailto:Helen.kemp@blplaw.com">Helen.kemp@blplaw.com</a>                      Website: <a href="http://www.blplaw.com">www.blplaw.com</a></p>	Ms H Kemp	A Rosamond
<p><b>BDB Pitmans LLP</b>                      One Bartholomew Close, London EC1A 7BL                      ☎: 020-7227 7080                      Fax: 020-7233 1351                      Email: <a href="mailto:pamthompson@bdb-law.co.uk">pamthompson@bdb-law.co.uk</a>                      Website: <a href="http://www.bdb-law.co.uk">www.bdb-law.co.uk</a></p>	I H McCulloch P H Thompson E N W Brown D N Mundy N J Evans	Mrs P J Thompson 020 7783 3437
<p><b>Eversheds Sutherland (International) LLP</b>                      1 Wood Street, London EC2V 7WS                      ☎: 020-7497 9797                      Fax: 0845-497 4919                      Email: <a href="mailto:stephencollings@eversheds-sutherland.com">stephencollings@eversheds-sutherland.com</a>                      Website: <a href="http://www.eversheds-sutherland.com">www.eversheds-sutherland.com</a>                      (Rees &amp; Freres joined Eversheds in 2008)</p>	J A Durkin Miss M A R Peto S Collings	D C White D Slevin 020 7919 4878
<p><b>Pinsent Masons LLP</b>                      30 Crown Place, Earl Street, London EC2A 4ES                      ☎: 020-7418 7000                      Fax: 020-7418 7050                      email: <a href="mailto:robbie.owen@pinsentmasons.com">robbie.owen@pinsentmasons.com</a>                      Website: <a href="http://www.pinsentmasons.com">www.pinsentmasons.com</a></p>	R J V Owen	Frances Ellis 020 7667 0164
<p><b>Sharpe Pritchard LLP</b>                      Elm Yard, 13-16 Elm Street, London WC1X 0BJ                      ☎: 020-7405 4600                      Fax: 020-7405 4646                      Email: <a href="mailto:alewis@sharpepritchard.co.uk">alewis@sharpepritchard.co.uk</a>                      Website: <a href="http://www.sharpepritchard.co.uk">www.sharpepritchard.co.uk</a></p>	W A Lewis E Rh Thomas	No Clerk
<p><b>Veale Wasbrough Vizards</b>                      Barnards Inn, 86 Fetter Lane,                      London EC4A 1AD                      ☎: 020-7405 1234                      Fax: 020-7405 4171                      Email: <a href="mailto:rperry@vwv.co.uk">rperry@vwv.co.uk</a>                      Website: <a href="http://www.vwv.co.uk">www.vwv.co.uk</a></p>	R E Perry	No Clerk
<p><b>Winckworth Sherwood LLP</b>                      Minerva House, 5 Montague Close, London SE1 9BB                      ☎: 020-7593 5005                      Fax: 020-7593 5199                      Email: <a href="mailto:agorlov@wslaw.co.uk">agorlov@wslaw.co.uk</a>                      Website: <a href="http://www.wslaw.co.uk">www.wslaw.co.uk</a></p>	P M C F Irving Mrs A M H Gorlov H S Wiggs	D N Walker



## **APPENDIX 2: SUMMARY OF COMMITTEE PROCEDURE**

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*Please note that because of present restrictions, the Committee may conduct its proceedings remotely.*

Petitioners may appear in person before the Committee. They are entitled to cross-examine witnesses called by the Promoters of the bill and may call their own witnesses in support of the allegations in their petition.

A petitioner may also appear on behalf of other petitioners whose names are set out at the beginning of the petition. In this event a petitioner may call the co-petitioners as witnesses.

Alternatively, petitioners may appoint someone to act as representative. The representative will then appear on the petitioner's behalf and will be entitled to examine and cross-examine witnesses and generally conduct the petitioner's case.

**All petitioners (or their agents) should attend on the first day on which the Committee meets, so as to establish their right to appear before the Committee.** If they do not do this the Committee will assume that the petitioner no longer wishes to be “heard” on his or her petition (that is, the petition will be treated as though it had been withdrawn). If a petitioner or representative knows in advance that they cannot attend on the first day they should contact the Private Bill Office *in advance* so that alternative arrangements can be made.

The committee stage begins with the Promoters setting out the case in principle for the bill. The petitioners make their cases subsequently.

The burden of proof is always on the Promoters to demonstrate that their bill should be passed. They are requesting that Parliament should set aside or supplement in their interest the general law of the land, and accordingly it is up to them to prove to the Committee's satisfaction that this should be done.

The Committee has wide powers. It may reject the bill altogether or it may approve the bill with or without amendment. It may not, however, amend the bill in a way which affects people who have not previously been affected by the bill and, except where permission is expressly given by the House, the Committee cannot call for evidence except that offered by the parties formally represented before it.

The public proceedings of the Committee are transcribed and each day's transcript is posted on our website as soon as possible.

# **Petition**

**House of Lords  
Session 2021-22  
Monken Hadley Common Bill**

Do not include any images or graphics in your petition. There will be an opportunity to present these later if you give evidence to the committee.

Your bill petition does not need to be signed.

Expand the size of the text boxes as you need.

## **1. Petitioner information**

In the box below, give the name and address of each individual, business or organisation(s) submitting the petition.

In the box below, give a description of the petitioners. For example, “we are the owners/tenants of the addresses above”; “my company has offices at the address above”; “our organisation represents the interests of...”; “we are the parish council of...”.

## **2. Objections to the Bill**

In the box below, write your objections to the Bill and why your property or other interests are directly and specially affected. Please number each paragraph.

Only objections outlined in this petition can be presented when giving evidence to the Committee. You will not be entitled to be heard on new matters.

### 3. What do you want to be done in response?

In the box below, tell us what you think should be done in response to your objections. You do not have to complete this box if you do not want to.

You can include this information in your response to section 2 'Objections to the Bill' if you prefer. Please number each paragraph.

### Next steps

Once you have completed your petition template, save it and either submit it via the petition portal, email it to [hprivatebills@parliament.uk](mailto:hprivatebills@parliament.uk) or post to the Private Bill Office, House of Lords, London, SW1A 0PW.

## Petitioner's details

Organisation/group name (if relevant)

First name(s)

Last name

Address line 1

**Address line 2**

**Post code**

**Country**

**Email**

**Phone**

**Who should be contacted about this petition?**

Individual above

Another contact (for example, Roll A Agent or other representative)

If another contact, complete the 'main contact's details' section.

## Main contact's details

**First name(s)**

**Last name**

**Address line 1**

**Address line 2**

**Post Code**

**Country**

**Email**

**Phone**

# Terms and conditions

## **Personal information**

A copy of this petition and information provided in the online form will be:

- kept in the Private Bill Office and as a record in the Parliamentary Archives.
- sent to the Bill's Promoter after the petition has been received by the Private Bill Office.

We will publish your petition on UK Parliament's website. This will include your name and address.

The personal information you have provided may be kept in a database by both Private Bill Offices.

## **Communications**

Private Bill Office staff may call or email any of the people named in the petition to verify the information provided.

Communications may be stored in databases to keep track of information you have given or received. This information may be shared between the Private Bill Offices.

## **Consent and confirmation**

The information you have provided in the petition and online form is accurate.

If you have completed the form on behalf of an individual, a group of individuals, an organisation, or a group of organisations, you have been authorised to do so.

**Check this box if you agree to the terms and conditions**