

REVISED

House of Lords and House of Commons
EXAMINATION OF PETITIONS FOR PRIVATE BILLS

EXAMINATIONS OF PETITIONS FOR
PRIVATE BILLS

Monday 19 December 2016

Before:

The Examiners of Petitions for Private Bills:

MR COLIN LEE, Clerk of Private Bills, House of Commons
MS CHRISTINE SALMON PERCIVAL, Clerk of Private Bills, House of Lords

Appearing on the Petition for the MIDDLE LEVEL BILL:

MR NICK EVANS of Bircham Dyson Bell appeared as the Parliamentary Agent for the Bill.

There also appeared:

MRS PAM THOMPSON, Parliamentary Clerk, Bircham Dyson Bell LLP

Appearing on the Petition for the UNIVERSITY OF LONDON BILL:

MR RICHARD BULL of Pinsent Masons appeared as the Parliamentary Agent for the Bill.

There also appeared:

MRS Frances ELLIS, Clerk, Pinsent Masons LLP

Appearing on the Petition for the RICHMOND BURGAGE PASTURES BILL:

MR ALASTAIR LEWIS of Sharpe Pritchard appeared as the Parliamentary Agent for the Bill.

There also appeared:

MRS DAWN BAKER-COX, Parliamentary Clerk, Sharpe Pritchard LLP

(11.30 am)

1. **MS CHRISTINE SALMON PERCIVAL:** It is 11.30 am. Welcome to this year's examination. My name is Christine Salmon Percival and I am Clerk of Private Bills in the House of Lords. I will invite my colleague to introduce himself.

2. **MR COLIN LEE:** I am Colin Lee. I am Clerk of Bills in the House of Commons and a fellow examiner.

3. **MS CHRISTINE SALMON PERCIVAL:** I believe that you have been told the order in which we will take the Bills this morning. A Vote entry confirming the House in which the Bills will originate will appear in the Vote tomorrow. Let us begin with the Middle Level Bill. I call the Middle Level Bill.

4. **MR NICK EVANS:** Good morning. My name is Nick Evans of Bircham Dyson Bell. I am parliamentary agent for the Middle Level Commissioners, the promoters of the Middle Level Bill. I am accompanied by Mrs Pamela Thompson, our Principal Parliamentary Clerk. She is handing out copies of the following newspapers: the *Fenland Citizen*, which circulates in Cambridgeshire, of 30 November and 7 December 2016; the *Hunts Post*, also circulating in Cambridgeshire, of 30 November and 7 December 2016; the *Peterborough Telegraph*, circulating in Peterborough, of 1 December and 8 December 2016; and the *Cambs Times*, circulating in Cambridgeshire, of 2 December and 9 December 2016. These are marked separately A to H and they contain notice of the application for the Bill. I prove that each notice contains a concise summary of the purposes of the Bill.

5. I also prove that each notice states that, on and after 4 December 2016, a copy of the Bill may be inspected and copies obtained at a reasonable price at the offices of my firm in London and also at the offices of the Middle Level Commissioners at 85 Whittlesey Road, March, Cambridgeshire, an office in the county in which the principal office of the promoters of the Bill is situated.

6. I prove that each notice also states the time within which objections may be made by deposit of petition in the Office of the Clerk of the Parliaments or the Private Bill Office of the House of Commons, and that information regarding the deposit of such petitions may be obtained from either of those offices or from the agents for the promoter of the Bill. I prove that each notice is headed by the short title of the Bill and is subscribed with the name of the person responsible for the publication of the notice. I consider that this Standing Order has been complied with.

7. **MS CHRISTINE SALMON PERCIVAL:** Thank you very much.

8. **MR NICK EVANS:** Mrs Thompson, could you hand in the affidavit of Iain Alastair Smith, who is the Clerk to the Commissioners.

9. Mr Smith proves, and Mrs Thompson do you prove, that copies of the Bill were made available in the manner and at the offices mentioned in the notices?

10. **MRS PAM THOMPSON:** I do.

11. **MR NICK EVANS:** I consider that this Standing Order has been complied with. I prove that Standing Orders 5 to 9 are not applicable to the Bill.

12. In respect of Standing Order 10, I prove that the Bill is not promoted by a local or joint authority. I prove that the principal office of the Middle Level Commissioners promoting the Bill is situated in the county of Cambridgeshire. I prove that the newspaper notices, marked severally A to H and previously handed in, were duly published in the area of the said local authority, once in each of two consecutive weeks, with an interval of not less than six clear days between the two publication dates, the second publication being not later than 11 December 2016. I note that one of those, the *Peterborough Telegraph*, which circulates in Peterborough, also circulates in Cambridgeshire.

13. I prove that the several newspaper notices are in the same terms. I consider that this Standing Order has been complied with.

14. I prove that Standing Order 10A is not applicable to the Bill. Mrs Thompson, could you produce the *London Gazette* of 2 December, containing a notice of the Bill, and published online on 1 December 2016? I prove that such notice was published not later than 11 December 2016. I prove that such notice states the short title of the Bill, the time within which objection may be made by deposit of a petition, as aforesaid, and that information regarding the deposit of such petitions may be obtained from either of those offices or from the agents for the promoter of the Bill, and the offices at which copies of the Bill may be inspected and obtained, mentioned in the full notice. I consider that this Standing Order has been complied with.

15. I prove that Standing Orders 12 to 18 are not applicable to the Bill.

16. I prove that Standing Order 19 is not applicable to the Bill.

17. I prove that Standing Order 19A is not applicable to the Bill.

18. I prove that Standing Order 19B is not applicable to the Bill.

19. I prove that Standing Orders 20, 21 and 25 are not applicable to the Bill.

20. I prove that Standing Order 25A is not applicable to the Bill because it is not promoted by the Greater London Authority, Transport for London, the London Development Agency, nor a council of a London borough.

21. I prove that Standing Orders 27 to 37 are not applicable to the Bill.

22. Mrs Thompson, do you prove that on or before 28 November 2016—27 November being a Sunday this year—you deposited, in accordance with Standing Order 26, Standing Order 201 of the House of Lords, and Standing Order 209 of the House of Commons, a printed copy of the Bill in the Office of the Clerk of the Parliaments, in the Private Bill Office of the House of Commons and in the Vote Office?

23. **MRS PAM THOMPSON:** I do.

24. **MR NICK EVANS:** I prove that there is attached to every copy of the Bill a printed memorandum describing the Bill generally and, subject to Standing Order 38(4), every clause in the Bill; and including a statement of opinion by or on behalf of the promoters as to the compatibility of the provisions of the Bill with the convention rights as defined in the Human Rights Act 1998. I consider that this Standing Order has been complied with.

25. **MS CHRISTINE SALMON PERCIVAL:** Could I just interject and thank you for making the amendment to the proof. We had noticed that it had originally said 27 November but, as you say, that was a Sunday and Standing Order 201 in the House of Lords and Standing Order 209 in the House of Commons allow us to go one day ahead, so it was deposited on 28 November.

26. **MR NICK EVANS:** Thank you for picking that up. Mrs Thompson, do you prove that, on or before 4 December 2016, you deposited, as specified in the appropriate list kept under Standing Order 1A, and in accordance with Standing Order 26, printed copies of the Bill?

27. **MRS PAM THOMPSON:** I do.

28. **MR NICK EVANS:** Do you prove that those deposits are the only deposits required to be made under Standing Order 39?

29. **MRS PAM THOMPSON:** I do.

30. **MR NICK EVANS:** I consider that this Standing Order has been complied with.

31. I prove that Standing Order 41 is not applicable to the Bill.

32. I prove that Standing Orders 42 and 43 are not applicable to the Bill.

33. I prove that Standing Order 44 is not applicable to the Bill.

34. I prove that Standing Orders 45 and 47 to 59 are not applicable to the Bill.

35. **MS CHRISTINE SALMON PERCIVAL:** Thank you. That concludes our going through the proof. Mr Lee, do you have any questions?

36. **MR COLIN LEE:** No.

37. **MS CHRISTINE SALMON PERCIVAL:** Thank you. I find that the Standing Orders have been complied with. I will now sign the proof. That concludes our dealings with the Middle Level Bill.

(11.40 am)

38. **MS CHRISTINE SALMON PERCIVAL:** I now call the University of London Bill.

39. **MR RICHARD BULL:** Good morning. My name is Richard Bull and I am the parliamentary agent for the University of London Bill. I am accompanied by Frances Ellis who is the government affairs and legislation clerk at Pinsent Masons. Mrs Ellis is handing in copies of the The Times, circulating in London, of 2 December 2016 and 9 December 2016, marked A and B respectively, containing notice of the application for the Bill.

40. I prove that each notice contains a precise summary of the purposes of the Bill. I prove that each notice states that on and after 2 December 2016 a copy of the Bill may be inspected, and copies obtained at a reasonable price, at the offices of Pinsent Masons LLP, 30 Crown Place, Earl Street, London EC2A 4ES and at the University of London, Senate House, Malet Street, London WC1E 7HU, being an office in the London borough in which the principal office of the promoter of the Bill is situated.

41. I prove that each notice also states the time within which objections may be made by deposit of a petition in the office of the Clerk of the Parliaments or the Private Bill Office of the House of Commons and that information regarding the deposit of such petitions may be obtained from either of those offices or from the agents for the promoter of the Bill.

42. I prove that each notice is headed by the short title of the Bill and is subscribed with the name of the person responsible for the publication of the notice.

43. I consider that Standing Order 4 has been complied with.

44. Mrs Ellis is handing in the affidavit of Maureen Frances Boylan MBE, the university secretary of the University of London. By that affidavit, Ms Boylan proves that in respect of the University of London and, Mrs Ellis, do you prove in respect of the offices of Pinsent Masons LLP that copies of the Bill were made available in the manner and at the office mentioned in the notices?

45. **MRS FRANCES ELLIS:** I do.

46. **MR RICHARD BULL:** I consider that Standing Order 4A has been complied with.

47. I prove that Standing Orders 5 to 9 are not applicable to the Bill.

48. In respect of Standing Order 10, I prove that the Bill is not promoted by a local or joint authority. I prove that the principal office of the University of London, promoting the Bill, is situated in the London Borough of Camden. I prove that the newspaper notices marked A and B, previously handed in, were duly published in the area of the said local authority, once in each of two consecutive weeks with an interval of not less than six clear days between the two publication dates, the second publication being not later than 11 December 2016. I prove that the several newspaper notices are in the same terms.

49. I consider that Standing Order 10 has been complied with. I prove that Standing Order 10A is not applicable to the Bill. Mrs Ellis is now producing a copy of the London Gazette of 2 December 2016, containing a notice of the Bill. Mrs Ellis, do you prove that such notice was published not later than 11 December 2016?

50. **MRS FRANCES ELLIS:** I do.

51. **MR RICHARD BULL:** I prove that such notice states the short title of the Bill and the information set out in the proof at paragraphs B and C. I consider that Standing Order 11 has been complied with.

52. I prove that Standing Orders 12 to 18 are not applicable to the Bill.

53. I prove that Standing Order 19 is not applicable to the Bill. I also prove that Standing Order 19A is not applicable to the Bill.

54. I prove that Standing Order 19B is not applicable to the Bill.

55. I prove that Standing Order 20 is not applicable to the Bill.

56. I prove that Standing Orders 21 and 25 are not applicable to the Bill.

57. I prove that Standing Order 25A is not applicable to the Bill, because the Bill is not promoted by the Greater London Authority, Transport for London, the London Development Agency or the council of a London borough.

58. I prove that Standing Orders 27 to 37 are not applicable to the Bill.

59. Mrs Ellis, do you prove that on 28 November 2016 you deposited in accordance with Standing Order 26, Standing Order 201 of the House of Lords and Standing Order 209 of the House of Commons, a printed copy of the Bill in the office of the Clerk of the Parliaments, in the Private Bill Office of the House of Commons and in the Vote Office.

60. **MRS FRANCES ELLIS:** I do.

61. **MR RICHARD BULL:** I prove that there is attached to every copy of the Bill a printed memorandum describing the Bill generally and, subject to Standing Order 38(4), every clause in the Bill, and including a statement of opinion by or on behalf of the promoters as to the compatibility of the provisions of the Bill with the convention rights as defined in the Human Rights Act 1998.

62. I consider that Standing Order 38 has been complied with.

63. Mrs Ellis, do you prove that on or before 4 December 2016 you deposited, as specified in the appropriate list kept under Standing Order 1A, and in accordance with Standing Order 26, printed copies of the Bill.

64. **MRS FRANCES ELLIS:** I do.

65. **MR RICHARD BULL:** I prove that those deposits are the only deposits required to be made under Standing Order 39. I consider that Standing Order 39 has been complied with.

66. I prove that Standing Order 41 is not applicable to the Bill.

67. I prove that Standing Orders 42 and 43 are not applicable to the Bill.

68. I prove that Standing Order 44 is not applicable to the Bill.

69. Finally, I prove that Standing Orders 45 and 47 to 59 are not applicable to the Bill.

70. **MS CHRISTINE SALMON PERCIVAL:** Thank you Mr Bull. Mr Lee, do you have any questions?

71. **MR COLIN LEE:** No.

72. **MS CHRISTINE SALMON PERCIVAL:** I find that the Standing Orders applicable to this Bill have been complied with. My colleague Mr Lee will now take over.

(11.48 am)

73. **MR COLIN LEE:** Thank you. I call the Richmond Burgage Pastures Bill.

74. **MR ALASTAIR LEWIS:** Good morning. My name is Alastair Lewis from Sharpe Pritchard LLP. I am the parliamentary agent for the Richmond Burgage Pastures Committee, the promoters of this Bill. Mrs Dawn Baker-Cox sits alongside me and will hand in the *Darlington and Stockton Times*, which circulates in the county of North Yorkshire, copies dated 2 December 2016 and 9 December 2016, containing notice of the application for the Bill.

75. I prove that each notice contains a concise summary of the purposes of the Bill and I prove that each notice states that, on and after 2 December 2016, a copy of the Bill may be inspected, and copies obtained at a reasonable price, at our offices, Sharpe Pritchard LLP, Elizabeth House, 4-7 Fulwood Place, London WC1V 6HG, in London, and at the office of Hunton & Garget LLP, Burgage House, Millgate, Richmond DL10 4JL, being an office in the county in which the principal office of the promoters of the Bill is situated.

76. I prove that each notice also states the time within which objections may be made by deposit of a petition in the office of the Clerk of the Parliaments or the Private Bill Office of the House of Commons, and that information regarding the deposit of such petitions may be obtained from either of those offices or from the agents for the promoters.

77. I prove that each notice is headed by the short title of the Bill and is subscribed with the name of the person responsible for the publication of the notice. I consider that Standing Order 4 has been complied with. Mrs Baker-Cox is now handing in an affidavit marked number 1, being that of Lisa Potts, managing partner of Hunton & Garget LLP, Burgage House, Millgate, Richmond DL10 4JL. Ms Potts, by her affidavit, proves in respect of North Yorkshire; and Mrs Baker-Cox do you prove, that copies of the Bill were made available in the manner and at the offices mentioned in the notices?

78. **MRS DAWN BAKER-COX:** I do.

79. **MR ALASTAIR LEWIS:** I consider that Standing Order 4A has been complied with.

80. I prove that Standing Orders 5 to 9 are not applicable to the Bill.

81. I prove, in respect of Standing Order 10, that the Bill is not promoted by a local or joint authority and I prove that the principal office of the Richmond Burgage Pastures Committee, promoting the Bill, is situated in the county of North Yorkshire. I prove that the newspaper notice, previously handed in, was duly published in the area of the said county of North Yorkshire, once in each of two consecutive weeks, with an interval of not less than six clear days between the two publication dates, the second publication being not later than 11 December 2016. Mrs Baker-Cox, do you prove that the several newspaper notices are in the same terms?

82. **MRS DAWN BAKER-COX:** I do.

83. **MR ALASTAIR LEWIS:** I consider that Standing Order 10 has been complied with.

84. **MR COLIN LEE:** Thank you.

85. **MR ALASTAIR LEWIS:** I prove that Standing Order 10A is not applicable to the Bill. Mrs Baker-Cox is now producing the London Gazette of 6 December 2016, containing a notice of the Bill. Mrs Baker-Cox, do you prove that such notice was published not later than 11 December 2016?

86. **MRS DAWN BAKER-COX:** I do.

87. **MR ALASTAIR LEWIS:** I prove that the notice states the short title of the Bill, the time within which objection may be made by deposit of a petition in the office of the Clerk of the Parliaments or the Private Bill Office of the House of Commons, and that information regarding the deposit of such petitions may be obtained from either of those offices or from the agents for the promoters. The offices at which copies of the Bill may be inspected and obtained are mentioned in the full notice. I consider that Standing Order 11 has been complied with.

88. **MR COLIN LEE:** Thank you.

89. **MR ALASTAIR LEWIS:** I prove that Standing Orders 12 to 18 are not applicable to the Bill.

90. I prove that Standing Order 19 is not applicable to the Bill.

91. I prove that Standing Order 19A is not applicable to the Bill.

92. I prove that Standing Order 19B is not applicable to the Bill.

93. I prove that Standing Order 20 is not applicable to the Bill.

94. I prove that Standing Orders 21 and 25 are not applicable to the Bill.

95. I prove that Standing Order 25A is not applicable to the Bill, because it is not promoted by the Greater London Authority, Transport for London, the London Development Agency or the council of a London borough.

96. I prove that Standing Orders 27 to 37 are not applicable to the Bill.

97. Mrs Baker-Cox, do you prove that on 28 November 2016 you deposited, in accordance with Standing Order 26, Standing Order 201 of the House of Lords and Standing Order 209 of the House of Commons, a printed copy of the Bill in the office of the Clerk of the Parliaments, in the Private Bill Office of the House of Commons and in the Vote Office?

98. **MRS DAWN BAKER-COX:** I do.

99. **MR ALASTAIR LEWIS:** I prove that there is attached to every copy of the Bill a printed memorandum describing the Bill generally and, subject to Standing Order 38(4), every clause in the Bill and including a statement of opinion, by or on behalf of the promoters,

as to the compatibility of the provisions of the Bill with the convention rights, as defined in the Human Rights Act 1998. I consider that Standing Order 38 has been complied with.

100. **MR COLIN LEE:** Thank you.

101. **MR ALASTAIR LEWIS:** Mrs Baker-Cox, do you prove that on 30 November 2016 you deposited, as specified in the appropriate list kept under Standing Order 1A and in accordance with Standing Order 26, printed copies of the Bill?

102. **MRS DAWN BAKER-COX:** I do.

103. **MR ALASTAIR LEWIS:** I prove that those deposits are the only deposits required to be made under Standing Order 39 and I consider that Standing Order 39 has been complied with.

104. **MR COLIN LEE:** Thank you.

105. **MR ALASTAIR LEWIS:** I prove that Standing Order 41 is not applicable to the Bill.

106. I prove that Standing Orders 42 and 43 are not applicable to the Bill.

107. I prove that Standing Order 44 is not applicable to the Bill.

108. I prove that Standing Orders 45 and 47 to 59 are not applicable to the Bill.

109. **MR COLIN LEE:** Thank you. Ms Salmon Percival, do you have any questions?

110. **MS CHRISTINE SALMON PERCIVAL:** No.

111. **MR COLIN LEE:** I find that the Standing Orders applicable to this Bill have been complied with.

112. **MR ALASTAIR LEWIS:** Thank you.

113. **MR COLIN LEE:** That concludes this morning's examination. Good luck with piloting your Bills through both Houses. Happy Christmas, everybody.

The Examination was adjourned at 11.55 am.