

## **Amendments to House of Commons Private Business Standing Orders – June 2017**

### **1. Insert after SO 244 the new SO244A –**

*Comments on environmental statement (HL 83A)*

224A.—(1) This order applies to any government bill in relation to which the Examiner decides Standing Orders 4 to 68 are applicable and in relation to which an environmental statement is required to be deposited under Standing Order 27A.

(2) In this order:

(a) " the relevant Minister" means the Minister of the Crown with responsibility for the bill;

(b) " the environmental statement" means the environmental information originally deposited by the relevant Minister in relation to the bill for the purpose of Standing Order 27A;

(c) " supplementary environmental information" means any additional environmental information deposited by the relevant Minister, after the deposit of the environmental statement, to supplement that statement for the purpose of meeting the requirements of any EU Directive relating to environmental impact assessment.

(3) The notice published under Standing Order 10 in relation to the bill shall state that any person who wishes to make comments on the environmental statement should send them to the relevant Minister in such manner and on or before such date as shall be specified by the relevant Minister in the notice, that date being no earlier than the 56th day after the first publication of the notice.

(4) For the purpose of Standing Order 224 paragraph (3) shall be treated as one of the Standing Orders compliance with which must be examined by the Examiner.

(5) The relevant Minister shall, in such form as may be specified by the Examiner, publish and deposit in the Private Bill Office any comments received by him in accordance with this order and shall also submit those comments to the independent assessor appointed under paragraph (6) below. The relevant Minister shall deposit a certificate in the Private Bill Office setting out the date on which all comments have been received by the independent assessor.

(6) (a) If the bill originated in this House and if comments are received on the environmental statement in accordance with this order:

i. a report shall be prepared by an independent assessor summarising the issues raised by those comments;

ii. the Examiner shall appoint the independent assessor within the period for commenting on the environmental statement prescribed by paragraph (3) above;

iii. the assessor shall be instructed to prepare the report within such period as the Examiner shall specify, the end of that period being no earlier than the 28th day after the date certified by the relevant Minister, in accordance with paragraph (5) above, as the date on which the assessor received all of the comments from the relevant Minister;

iv. before specifying a period in accordance with sub-sub-paragraph (iii) above, the Examiner shall consult the relevant Minister on the length of this period;

v . the Examiner shall submit the report of the assessor to the House.

(b) If a report is submitted to the House in accordance with sub-paragraph (a )( v) above, the Examiner has leave to submit the report of the assessor to the House of Lords.

(7) If paragraph (6) above is applied, the bill shall not receive a second reading until at least 14 days after the report of the independent assessor on the comments on the environmental statement has been submitted to the House.

(8) If any supplementary environmental information is deposited in relation to the bill:

(a) it shall be prefaced with a statement that the information is being deposited as supplementary information under this order;

(b) the requirements of Standing Order 27A in relation to the deposit of copies of the environmental statement shall apply to the supplementary environmental information;

(c) copies of the supplementary environmental information shall be made available for inspection and sale at the offices prescribed by Standing Order 27A(6);

(d) notice shall be published in accordance with Standing Order 10 (save in respect of dates) above stating that any person who wishes to make comments on the supplementary environmental information should send them to the relevant Minister in such manner and within such period as may be specified in the notice, the end of that period being no earlier than the 42nd day after the date of the first publication of the notice;

(e) paragraphs (5) and (6) above shall have effect in relation to any comments received on any supplementary environmental information deposited in this House as they apply to comments received on the environmental statement and irrespective of the bill's House of origin;

(f) the examiner shall examine and report to the House whether or not paragraphs (8)(a) to (d) have been complied with and Standing Order 224 shall apply to that examination.

(g) the bill shall not receive a third reading in this House or, if supplementary environmental information has been submitted before second reading, second reading in this House until at least 14 days after the assessor's report on the comments on the supplementary environmental information has been submitted to the House.

(9) At third reading of the bill the relevant Minister shall set out:

(a) the main reasons and considerations upon which Parliament is invited to give consent to the project to be authorised by the bill;

(b) the main measures to avoid, reduce and, if possible, offset the major adverse effects of the project.

A written statement setting out this information shall be laid before this House not less than 7 days before third reading.

(10) The costs of the assessor and also the costs of the process of appointing an assessor, incurred by the House by virtue of paragraphs (6) and (8 )( e) above, shall be reimbursed by the government.

(11) For the avoidance of doubt, any supplementary environmental information accompanying an amendment to a bill which, if the bill were a private bill, would require a petition for an additional provision shall be subject to paragraph (8) above and not paragraph (3) or (7) above.

## **2. Replace SO 12 with the following text –**

*Posting of notices in case of tramway etc., bills. (HL12)*

12.—(1) In the case of a bill whereby it is proposed, in connection with the construction of a tramway or a trolley vehicle system or an underground railway or tramroad, to alter or disturb the surface of any street or road—

(a) not later than 12th November application shall be made in writing to every authority having control of any street or road the surface of which it is proposed to alter or disturb for directions as to the manner in which notice of such proposed alteration or disturbance is to be posted in, or where that is not reasonably practicable, in some conspicuous position as close as is reasonably practicable to, the street or road;

(b) not later than 20th November notice of such proposed alteration or disturbance shall be posted in, or where that is not reasonably practicable, in some conspicuous position as close as is reasonably practicable to, every such street or road in the manner directed by the said authority or—

(i) if no directions have been received from the said authority within seven days after the said application, or

(ii) if the directions received cannot reasonably be complied with, in some conspicuous position in the street or road, or where that is not reasonably practicable, in some conspicuous position as close as is reasonably practicable to the street or road;

(c) the said notice shall be kept posted as aforesaid for not less than fourteen consecutive days.

(2) Where it is proposed to alter or disturb the surface of any street or road in connection with the construction of a tramway or an underground railway or tramroad, the notice posted under this order in the street or road shall also state the place or places at which the plans of the tramway, railway or tramroad will be or have been deposited for public inspection under Standing Orders 27 (Deposit of plan, book of reference, and section, etc.) and 36 (Deposit of copy of plan, etc., in certain cases with certain local authorities) with local government officers for areas comprising the street or road or any part thereof.

## **2. Replace SO 12A with the following text –**

*Posting of notices in case of stopping up etc., of public footpaths or bridleways. (HL 12A)*

12A.—In the case of a bill whereby it is proposed to stop up or divert any specified public footpath or bridleway, not later than 20th November notice of the proposal shall be displayed in a prominent position—

(a) at each end ("the notifiable end") of the part of the footpath or bridleway proposed to be stopped up or diverted; or

(b) where the notifiable end is not reasonably accessible or its exact location is not readily visible, at some other place where the notice is likely to come to the attention of persons seeking to use the footpath or bridleway.

### **3. Replace SO 27 with the following text –**

*Deposit of plan, book of reference, and section, etc. (HL 27)*

27.—(1) In the case of a bill whereby it is proposed—

- (a) to authorise the construction of works to which this order applies, or the alteration of any such works authorised by a former Act; or
- (b) to authorise the compulsory acquisition of any lands or buildings or of rights to use any lands or buildings; or
- (c) to render liable to the imposition of an improvement charge any lands or buildings;

there shall, on or before 20th November, be deposited with the proper officer of the council of each county, metropolitan district, unitary district, or London borough or (in Wales) of each county or county borough or (in Scotland) of each local government area in which any such works, lands or buildings are situate a plan of the works or alteration of works, and of the lands or buildings, and a book of reference thereto, and also, where the construction or alteration of works is proposed to be authorised, a section of the works to be constructed or the alteration to be made:

Provided that it shall be sufficient (at the option of the promoters) to deposit with the proper officer of the council of each county, metropolitan district, unitary district, and London borough and (in Wales) of each county or county borough or (in Scotland) of each local government area so much only of the said plan and section and book of reference as relates to the works, lands or buildings in the county, metropolitan district, unitary district, or London borough or (in Wales) the county or county borough or (in Scotland) the local government area:

Provided also that, in the case of a bill whereby it is proposed to revive the powers granted by a former Act for the construction or alteration of works, the deposit of a plan and section of the works shall not be required if—

- (a) the former Act was passed not more than ten years previously to the deposit of the petition for the bill; or
- (b) the lands in or upon which the works are proposed to be constructed or altered have been acquired by, or are vested in the promoters; or
- (c) the construction or alteration of the works has been commenced.

(2) In the case of a bill whereby it is proposed to authorise the construction of a railway or tramroad, there shall be deposited with such plans an ordnance map on the scale of 1/50,000 with the line of the railway or tramroad delineated thereon so as to show its general course of direction.

(3) Any such plan, section, book of reference and ordnance map may, instead of being deposited as aforesaid, be sent by registered post to the office of the proper officer of the council of the county, metropolitan district, unitary district, or London borough or (in Wales) of the county or county borough or (in Scotland) of the local government area, and if so sent shall be posted on or before 17th November.

(4) The proper officer or chief executive of the council of each county, metropolitan district, or London borough or (in Wales) each county or county borough or (in Scotland) each local government

area, shall make on every plan, section and book of reference deposited with him a memorial in writing denoting the date and hour when it was lodged at his office, and shall at all reasonable hours of the day permit any person to inspect it and to make copies thereof or extracts therefrom.

(5) On or before 20th November, one copy of every such plan, section, book of reference and ordnance map shall be deposited in the Private Bill Office, and copies of the same shall be deposited in accordance with Standing Order 1A.

(6) The works to which this order applies are works of any of the following descriptions:—

Aqueduct.

Archway.

Bridge.

Canal.

Cut.

Dock.

Drainage—where it is not provided in the bill that the cut shall not be more than 3.4 metres wide at the bottom.

Embankment for re-claiming land from the sea or any tidal river.

Ferry.

Harbour.

Motor road.

Navigation.

Pier.

Port.

Public carriage road.

Railway.

Reservoir.

Sewer or waterpipe the internal diameter of which exceeds 1 metre.

Street.

Subway.

Tramroad.

Tramway.

Tunnel.

Waterwork (not including any underground pipe the internal diameter of which does not exceed 1 metre).

(7) This order shall apply to Greater London as if it were a county and the Greater London Authority were the council of the county.

**4. Replace SO 55 with the following text –**

*Section. (HL 55)*

55.—(1) The deposited section shall be drawn to the same horizontal scale as the deposited plan, and to a vertical scale of not less than 1/1,250, and shall show the surface of the ground marked on the plan, the intended level of the proposed work, the height of every embankment, and the depth of every cutting, and a datum horizontal line by reference to Ordnance Survey or Chart datum.

(2) The datum line shall be the same throughout the whole length of the work, and any branch thereof.

(3) Where tunnelling or a viaduct is intended, the same shall be marked on the deposited section.

(4) Wherever the extreme height of any embankment, or the extreme depth of any cutting, is intended to exceed 1.5 metres, the extreme height over, or depth under, the surface of the ground shall be marked in figures upon the section; and if any bridge or viaduct of more than three arches is intended to intervene in any embankment, or if any tunnel is intended to intervene in any cutting, the extreme height or depth shall be marked in figures on each of the parts into which such embankment or cutting will be divided by such bridge, viaduct, or tunnel.

**5. Replace SO 1A with the following text –**

*Deposit of documents etc. at offices of Government departments and public bodies (HL 1A)*

1A.—(1) Any reference in a provision of these orders to a document, or to a copy or copies of a document, being deposited or delivered in accordance with, or by reference to, this order is a reference to the document, or to a copy or copies of the document, being deposited or delivered—

(a) at the offices of such government departments and public bodies as may be specified in the list, and

(b) if the context so admits, in such quantities as may be so specified.

(2) In paragraph (1) above—

"document" includes any bill, plan, section, book of reference, ordnance map, environmental or other statement or estimate;

"the list" means the list which, for the purposes of this order, is compiled and maintained by the Private Bill Office under the direction of the Chairman of Ways and Means.

(3) The provisions of these orders which contain such references as are mentioned in paragraph (1) above are—

(a) Standing Order 27(5),

(b) Standing Order 27A(1),

(c) Standing Order 29,

- (d) Standing Order 30,
- (e) Standing Order 30A(1),
- (f) Standing Order 31,
- (g) Standing Order 32,
- (h) Standing Order 33,
- (i) Standing Order 34,
- (j) Standing Order 37,
- (k) Standing Order 39,
- (l) Standing Order 42,
- (m) Standing Order 43,
- (n) Standing Order 45(3), and
- (o) Standing Order 47(1).

**6. Replace SO 32 with the following text –**

*Deposit of copy of plan, etc., in case of bill affecting fisheries. (HL 32)*

32.—(1) In the case of a bill whereby it is proposed to authorise the making, extending or enlarging of any dam, weir, or obstruction to the passage of fish in any river or estuary, or of any sewer discharging into any river or estuary, a copy of so much of the deposited plan and section as relates to the proposed dam, weir, obstruction, or sewer, shall, on or before 20th November, be deposited in accordance with Standing Order 1A.

(2) A copy of the said portion of the deposited plan and section shall also—

- (a) be delivered on or before 20th November, or
  - (b) be sent by registered post, having been posted on or before 17th November,
- to the recipient or recipients specified in Standing Order 1A.

**7. Replace SO 33 with the following text –**

*Delivery of copy of plan, etc., affecting banks, etc., of river. (HL 33)*

33.—(1) In the case of a bill whereby it is proposed to authorise the construction of any work to which Standing Order 27 (Deposit of plan, book of reference, and section etc.) applies on the banks, foreshore, or bed of any river, a copy of so much of the deposited plan and section as relates to the portion of the work by which the banks, foreshore, or river bed may be affected, shall—

- (a) be delivered on or before 20th November, or
- (b) be sent by registered post, having been posted on or before 17th November,

to the recipient or recipients specified in Standing Order 1A.

(2) If the plan includes any proposed tunnel under, or bridge over the river, the depth of the tunnel below the bed of the river, or the span and headway of the bridge, shall be marked thereon; and, if the plan is not based on an Ordnance map, the copy of the plan shall be accompanied by an Ordnance map, with the position and extent or route of the proposed works shown thereon.

**8. Replace SO 42 with the following text –**

*Delivery of copies of bills affecting watercourses to Environment Agency. (HL 42)*

42.—A printed copy of every bill whereby it is proposed to authorise any persons to impound or abstract water from, or to discharge water into, any watercourse, or to construct works over, or under, or affecting any such watercourse or the banks thereof, shall—

(a) be delivered on or before 4th December, or

(b) be sent by registered post, having been posted on or before 1st December,

to the recipient or recipients specified in Standing Order 1A.

**9. Replace SO 43 with the following text –**

*Delivery of copies of bills affecting rivers or estuaries to Environment Agency. (HL 43)*

43.—A printed copy of every bill whereby it is proposed to authorise the making, extending or enlarging of any dam, weir or obstruction to the passage of fish in any river or estuary, or of any sewer discharging into any river or estuary, or the abstraction of water from any river, shall—

(a) be delivered on or before 4th December, or

(b) be sent by registered post, having been posted on or before 1st December,

to the recipient or recipients specified in Standing Order 1A.

**10. Replace SO 10A with the following text –**

*Publication of notice relating to works bills. (HL 10A)*

10A.—(1) If the bill—

(a) authorises the construction of works to which Standing Order 27 (Deposit of plan, book of reference, and section, etc.) applies, or the compulsory acquisition of lands or of rights to use lands, or

(b) extends the time limited by a former Act for any of those purposes,

the notice shall be displayed for two consecutive weeks ending not later than 11 December at a place of public resort in each of the counties, metropolitan districts, unitary authorities, or London boroughs or (in Wales) the counties or county boroughs or (in Scotland) the local government areas in which the works are to be, or the lands are, situated.



(2) It shall be sufficient compliance with the requirement in paragraph (1) that notices shall be displayed for two consecutive weeks for the promoters to use reasonable endeavours to secure that the notices are so displayed.

(3) For the purposes of paragraph (1), "place of public resort" include a public library and a local government office.

**11. Replace SO 31 with the following text –**

*Deposit of copy of plan, etc., in case of bill affecting tidal lands. (HL 31)*

31. In the case of a bill whereby it is proposed that tidal lands below the level of mean high water springs should be acquired, or in any way affected, a copy of so much of the deposited plan and section (if any) as relates to the said tidal lands shall, on or before 20th November, be deposited in accordance with Standing Order 1A, marked "TIDAL WATERS", and on such copy all tidal waters below the said line shall be coloured blue, and, if the plan includes any proposed bridge across any such tidal waters, the dimensions as regards span and headway of the nearest bridges, if any, across the same tidal waters above and below the proposed bridge shall be marked thereon; and, where it is proposed by the bill to authorise the construction of works to which Standing Order 27 (Deposit of plan, book of reference, and section, etc.) applies affecting tidal lands below the said line, the copies so deposited of the plan and section shall, if the plan is not based on an ordnance map, be accompanied by an ordnance map with the position and extent or route of the proposed works shown thereon.

**12. Replace SO 38 with the following text –**

*Deposit of copies of bill in Vote Office and Private Bill Office. (HL 38)*

38.—(1) Printed copies of every bill for which a petition has been presented shall, on or before 27th November, be delivered at the Vote Office for the use of any member of the House and in the Private Bill Office for the use of any agent who may apply for the same.

(2) There shall be attached to every copy of a bill—

(a) delivered under this standing order,

(b) deposited, delivered or sent under any of the standing orders following this order,

(c) made available for inspection and sale under Standing Order 4A (Copies of bill to be made available),

a printed memorandum describing the bill generally and, subject to paragraph (4) below, every clause in the bill.

(3) The printed memorandum shall include 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).

(4) Related clauses may be dealt with together in the memorandum and it shall not be necessary to describe clauses providing only for the short title, commencement, interpretation, extent or costs of promotion of the bill.

(see also Standing Order 209 (Time for delivering notices, etc.))

**13. Replace SO 47 with the following text –**

*Deposit of statement as to houses and persons on land to be acquired (HL 47)*

47.—(1) Paragraph (2) applies in the case of a bill by which it is proposed—

(a) to authorise the acquisition compulsorily or by agreement of any specified land on which houses are standing, or

(b) to revive, or to extend the time limited for the exercise of, any power for such acquisition.

(2) The promoters shall, in relation to any area to which this order applies, deposit in the Private Bill Office and in accordance with Standing Order 1A, on or before 11th December a statement showing—

(a) the name of that area;

(b) the total number of those houses in that area; and

(c) the total number (so far as can be ascertained) of persons residing in them.

(3) If, in the case of a bill by which it is proposed to revive, or to extend the time limited for the exercise of, any such powers as aforesaid—

(a) those powers were originally conferred by an Act passed not more than four years before the date of the deposit of the petition for the bill, and

(b) statement in pursuance of this order, or of any former standing order corresponding thereto, was deposited in respect of the bill for that Act,

the houses included in that statement shall be excluded in determining whether a statement is required under this order to be deposited in respect of the bill in question.

(4) The areas to which this order applies are districts in England, London boroughs and counties and county boroughs in Wales.

(5) In this order the expression “house” means any house or part of a house occupied as a separate dwelling.

**14. Replace SO 48 with the following text –**

*Description of plan. (HL 48)*

48.—(1) Every deposited plan shall be drawn to a scale of not less than 1/15,000, and shall describe the lands which may be compulsorily acquired or used or which are rendered liable to the imposition of an improvement charge, and, in the case of bills in respect of which a plan and section are required under Standing Order 27 (Deposit of plan, book of reference, and section, etc.) to be deposited, shall also describe the line or situation of the whole of the work (no alternative line or work being in any case permitted), and the lands in or through which it is to be constructed or altered or through which any communication to or from the work may be made; and where it is the intention of the promoters to apply for powers to make any lateral deviation from the line of the

proposed work, the limits of such deviation shall be defined upon the plan, and all lands included within those limits shall be marked thereon; and, unless the whole of the plan is upon a scale of not less 1/5,000, there shall be added an enlarged plan upon a scale of not less than 1/5,000 of any building, yard, courtyard, or land within the curtilage of any building, or of any ground cultivated as a garden, either in the line of the proposed work, or included within the limits of deviation.

(2) Where a viaduct or tunnelling is intended the same shall be marked on the plan; the latter to be shown by a dotted line.

(3) Where, under any standing order, a length is required to be stated on the deposited plan, it shall be stated in kilometres and metres.

**15. Replace SO 50 with the following text –**

*Particulars in case of railways and tramroads. (HL 50)*

50.—In the case of a bill whereby it is proposed to authorise the construction or alteration of any railway or tramroad, the distances in kilometres from one of the termini shall be marked on the deposited plan.

**16. Replace SO 51 with the following text –**

*Particulars in case of diversion of roads, etc. (HL 51)*

51.—(1) In the case of a bill whereby it is proposed to authorise the diversion, widening or narrowing of any public carriage road, navigable river, canal, railway or tramroad, the course of the diversion, and the extent of the widening or narrowing, shall be marked upon the deposited plan

(2) In the case of a bill whereby it is proposed to authorise the diversion of any public footpath or bridleway, the course of such diversion shall be marked upon the plan, and where it is the intention of the promoters to apply for powers to make any lateral deviation from the course of the proposed diversion of any public footpath or bridleway, the limits of such deviation shall be defined upon the plan.

**17. Replace SO 57 with the following text –**

*Section of railway or tramroad. (HL 57)*

57.—(1) In the deposited section of a railway or tramroad the line marked thereon shall correspond with the upper surface of the rails.

(2) Distances on the datum line shall be marked to correspond with those on the deposited plan; a vertical measure from the datum line to the line of the railway or tramroad shall be marked in metres or parts of a metre, at the commencement and termination of the railway or tramroad, and at each end of a section of railway or tramroad with a constant gradient; and that gradient shall also be marked.

(3) Wherever a railway or tramroad is intended to cross any waterway, or (otherwise than on the level) any public carriage road, railway or tramroad, the height of the intended railway or tramroad

over, or depth under, the surface thereof, and the height and span of each arch of any bridge and viaduct by which the railway or tramroad will be carried over the same, shall be marked in figures on the section at every crossing thereof; and, where the railway or tramroad will be carried across any such public carriage road, railway or tramroad on the level thereof, such crossing shall be so described on the section.

**18. Replace SO 59 with the following text –**

*Cross sections of roads, etc. (HL 59)*

59.—If any alteration is intended in the water level of any canal, or in the level or rate of inclination of any public carriage road, railway or tramroad which will be crossed by the intended railway or tramroad, and such works are not works for which a section has been drawn in accordance with Standing Order 55, the same shall be stated on the deposited section, and each alteration shall be numbered, and cross sections, in references to the numbers, on a horizontal scale of not less than 1/5,000, and on a vertical scale of not less than 1/500, shall be added, which shall show the present surface of such road, canal, railway or tramroad and the intended surface thereof when altered; and the greatest of the present and intended rates of inclination of the portion of the road, railway or tramroad intended to be altered shall also be marked in figures on the section; and, where any public carriage road is crossed on the level, a cross section of that road shall be added, and every such cross section shall extend for 180 metres on each side of the centre line of the railway or tramroad.