

Malvern Hills Bill [HL]: Select Committee guidance for petitioners and witnesses

Published documents can be found on:

- [Malvern Hills Bill \[HL\]](#)
- [Malvern Hills Bill \[HL\] Select Committee webpage](#)
- [Malvern Hills Bill \[HL\] Select Committee Upcoming meetings](#)

Dates of committee sittings

The Select Committee will meet for the first time, in private, on Wednesday 17th December 2025 to consider preliminary matters.

It is anticipated that the Committee will generally sit for full days on Tuesdays and Wednesdays (10.30am until 4.30pm with an hour for lunch) and on Thursday mornings (10.30am until 1.00pm) from Tuesday 20th January.

The Private Bill Office will assign a date and time, in consultation with each petitioner, for petitioners to appear before the Committee.

Please note: the duration of proceedings and of individual sessions is estimated and scheduling may, therefore, be subject to change. Petitioners will be kept informed throughout, but petitioners and others attending are asked to bear this in mind when making travel arrangements and, in particular, may wish to consider flexible options.

Committee membership

The members of the Committee are:

- Lord Hope of Craighead (Chair)
- Baroness Bakewell of Hardington Mandeville
- Lord Evans of Guisborough
- Lord Inglewood
- Lord Ponsonby of Shulbrede

Proceedings

Right to be heard (locus standi)

Generally speaking, individuals, groups of individuals, companies or organisations have a “right to be heard” on their petition if they are able to prove that their property or interests are directly and specially affected by a bill.

This means, in effect, that the basis of a petitioner's objections to a bill must be that the bill adversely affects them or their interests in a specific way that is different from the effect on people and bodies generally.

There is no standard or set definition of "directly and specially affected" (a concept which is enshrined in Erskine May, the guide to Parliamentary procedure), since it varies depending on the bill in question. In a broad sense, it is generally understood as meaning a direct and demonstrable impact on property or personal interests, and an adverse effect different to and beyond that experienced by people or bodies generally. Understanding of this concept has developed over the years, and determinations in the cases of individual petitioners will be guided by past precedents, the cases presented by the promoter and petitioner, and the views of the Select Committee.

The decision to challenge a petitioner's right to be heard is made by the Promoter. Staff of the Private Bill Office are not able to provide petitioners with specific guidance as to whether they will or will not be found to have a right to be heard. It is for the Select Committee to decide whether to reject or uphold the Promoter's challenge.

If a petitioner has received a notice from the Promoter that they are challenging the petitioner's right to be heard, the petitioner will be informed by the Private Bill Office of the date and time for them, or their representative, to appear before the Select Committee, taking into account their previously requested availability.

At the right to be heard hearings, the usual procedure is for the Promoter to make opening submissions explaining why they believe the petitioner in question does not have the right to be heard. The petitioner will then have an opportunity to respond, making their case for why they consider themselves to be specially and directly affected by the Bill.

When both sides have made their submissions, the Select Committee will decide whether the petitioner has a right to be heard (either in full or on parts of their petition) or whether the Promoter's challenge should be upheld. The Select Committee's decision is final. Should the Select Committee grant a full, or partial, right to be heard, the petitioner will be invited back at a later date to speak to their petition.

Petitioners whose right to be heard is being challenged may submit written evidence and call witnesses to support their case (see below). At the right to be heard hearing, petitioners must confine themselves to making submissions about why they have a right to be heard and should not stray into the issues contained in their substantive petition.

Substantive hearings on petitions

The proceedings before the Committee are quasi-judicial and so, like court proceedings, they are adversarial. The Committee's role is to establish the facts and decide on the merits of provisions of the Bill and on the cases put by petitioners in the light of those facts.

On the first day of the substantive hearings, the Promoter will be invited to make an opening statement, which may last a full morning. The Promoter is entitled to call witnesses, and petitioners may cross-examine those witnesses. After the opening statement, the Select Committee will proceed to consider the petitions.

On the day when a petition is being considered, the petitioner in question will be invited to make either an opening statement or a closing statement. Petitioners will present their evidence to the Committee orally, supported, if they wish, by written evidence, witnesses and a

presentation on screen (see below).

Standing orders require that petitioners' submissions should be restricted to the grounds as stated in their petitions. They may not argue against a provision which they have not objected to in their petition, nor may they submit evidence or call witnesses to speak in relation to any such provision.

After a petitioner has presented their case to the Select Committee, the Promoter has a right of reply. The Promoter may cross-examine any witnesses called by the petitioner.

Written evidence

Written evidence should support petitioners in presenting their case to the Select Committee, such as proof or an illustration of points being made orally. Petitioners are strongly encouraged to submit any written evidence (as a PDF document) to the Private Bill Office in advance of the petitioner's hearing. It will be published on the Committee website and shared with the Promoter.

Petitioners should provide 10 hard copies of the evidence (5 for committee members, 3 for the committee administration and 2 for the Promoter) on the day of their hearing. They may also wish to provide sufficient hardcopies for any witnesses they intend to call.

It is possible for a petitioner to submit evidence on the day of their hearing, but petitioners should be aware that, if this happens, the Committee will be unlikely to have had time to read the evidence before the hearing.

If a petitioner's written evidence exceeds one document, a numbering system should be used so that the Committee can easily identify the documents being referred to. Hardcopies of evidence should be given to committee staff for distribution to Committee members.

Witnesses

Petitioners may call witnesses to support their evidence to the Committee. Witnesses, if not fellow petitioners, will be required to be sworn in before giving evidence. Names of witnesses should be provided in advance of the hearing, together with confirmation of whether they would like to take the oath or affirm. If taking the oath, committee staff will need to know which religious text the witness/es would like to use.

The Promoter will be able to cross-examine any witnesses who appear in support of a petitioner.

Presentations

If a petitioner would like to show a presentation on the screens in the committee room, a copy of the presentation must be submitted to the Private Bill Office at least 3 working days in advance of the petitioner's appearance in order to ensure that the presentation works with the committee's equipment and that the appropriate committee staff are available.

Presentations should be for illustrative purposes to support a petitioner's oral submissions to the Committee.

Further information

If you have any further queries, please contact the Private Bill Office at:
HLPrivateBills@parliament.uk or 020 7219 6061.