

dti

**Sunday Trading Act 1994
notification procedures**

Summary of Responses

October 2003

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We champion UK business at home and abroad. We invest heavily in world-class science and technology. We protect the rights of working people and consumers. And we stand up for fair and open markets in the UK, Europe and the world.

On 18 March 2003 the Department of Trade and Industry issued the consultation document "Sunday Trading Act 1994 notification procedures" on proposals to remove by means of a Regulatory Reform Order,

Proposal 1: the requirement for large shops (internal floor area of over 280 square metres) to give 14 days notice of their Sunday opening hours or any change in their Sunday opening hours to local authorities, and to remove the requirement on local authorities to maintain a register of such notifications.

Proposal 2: the restrictions on the sale of methylated spirits on a Sunday.

Summary of Responses

The Department received 46 responses. The Department invited views on all aspects of the Consultation document and specifically asked the following questions:

Q1. Proposal 1: Are you in favour of removing the requirement on large shops to notify Local Authority of their opening hours? and **Q2.** Are you in favour of abolishing the register of notifications?

85% were in favour of the removal of the notification procedures and the removal of maintaining a register of notifications. 7% were opposed.

Q3. Proposal 2: Are you in favour of removing the restrictions on the sale of methylated spirits on a Sunday?

76% of respondents were in favour of removing the restrictions on the sale of methylated spirits on a Sunday. The remaining 24% gave no view on proposal 2.

Q4. Proposal 1 and 2: If the reforms were implemented, would you expect to have an increase or reduction in costs? By how much would you expect your costs to change?

Proposal 1

Of those who responded to question 4, 1 respondent answered "increase" 13 respondents answered "reduction" and 3 respondents answered "no change".

Proposal 2

Of those who responded to question 4, no respondents answered "increase", 5 respondents responded "reduction" and 9 respondents answered "no change"

Q5. Are there any other benefits that would be gained from these proposals?

Proposal 1

Summary of comments from respondents who consider other benefits which would be gained from the proposals:

- Reduction in rather pointless bureaucracy
- Cost savings to businesses and local authorities
- The benefit will outweigh any disadvantages
- Flexibility of trading hours to suit the consumer
- The proposals would allow businesses to work together more effectively with local authorities to accommodate local needs

Proposal 2

Summary of comments from respondents who consider other benefits which would be gained from the proposals:

- Public able to purchase methylated spirits on a Sunday
- No longer necessary
- No useful purpose
- Save in admin/paperwork
- Absurd to single out one single product for restriction

Q6. In your opinion, what are the potential disadvantages that might arise from these proposals?

Proposal 1

11 respondents do not see any disadvantages for the proposed changes. Two respondents were concerned that it would create enforcement difficulties in proving what hours a shop may have been open. The remaining respondents did not give a view.

Proposal 2

7 respondents said that they do not see any disadvantages from the proposed change. The remaining respondents did not give a view.

Q7. **Proposal 1** – Question to be answered by retailers only: How many times were you required to notify local authority per year of your Sunday opening hours or any change in those hours?

The number of notifications varied between retailers, averaging around 90 times per year, depending on the number of outlets, opening of new large shops and the festive season.

Q8. **Proposal 1** – Question to be answered by Local Authorities only: How many notifications per year have you received?

The number of notifications received were around 10 per year, depending on the number of large shops in an area and opening of new large shops.

Q9. Do proposals 1 and 2 put forward in this consultation exercise maintain necessary protections for those effected?

Proposal 1

13 respondents said that necessary protections would be maintained. One respondent said the proposal would reduce protection for shop workers whose hours on Sunday may be less consistent. One respondent said the proposal would reduce protection for members of public who want to restrict commercial activity on a Sunday.

Proposal 2

10 respondents said that necessary protections would be maintained. The remaining respondents did not give a view.

Q10. Do proposals 1 and 2 put forward in this consultation exercise prevent any person from continuing to exercise any right or freedom that he/she might reasonably expect to continue to exercise?

Proposal 1

13 respondents said that the proposal would not prevent any person from continuing to exercise any right or freedom. The remaining respondents did not give a view.

Proposal 2

11 respondents said that the proposal would not prevent any person from continuing to exercise any right or freedom. The remaining respondents did not give a view.

Q.11 Do proposals 1 and 2 put forward in this consultation exercise impose or re-enact any burdens on those affected?

Proposal1

14 respondents said that the proposal would not impose or re-enact any burdens on those affected. One respondent considered that the proposal imposes and or re-enacts burdens of restrictions on large shops of six trading hours on Sunday. The remaining respondents did not give a view.

Proposal 2

9 respondents said that the proposal would not impose or re-enact any burdens on those affected. The remaining respondents did not give a view.

Q12. Any other comments on proposals 1 and 2 put forward in this consultation exercise

Proposal 1

Summary of comments raised in support of the proposal:

- Many wholeheartedly support the proposal
- Large shops will still publicise Sunday opening hours
- Notification requirements serve no useful purpose
- Proposals would reduce administration costs
- Existing procedures are unnecessary red tape
- Should proceed as soon as possible in affecting the change
- Respondents urge Government to bring forward measures under the RRO system

Proposal 2

Summary of comments raised in support of the proposal:

- There is a need to publicise this move to avoid further confusion
- It is important that the amendments are implemented promptly
- The removal of this restriction is long overdue
- There is no public interest to be preserved in maintaining this legislation

End