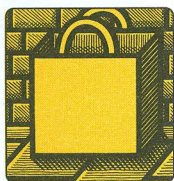


open all hours?



In his Summer Budget of 2015 the Chancellor announced that: 'To ensure that local areas have a greater say over their own economies, the government will consult on devolving powers on Sunday trading to city mayors and local authorities. This will look at allowing mayors or councils to extend Sunday trading for additional hours within parameters that they would determine.¹ On 5 August the consultation was duly issued, with a deadline for submissions of 16 September.² The consultation sought views on whether Sunday trading rules should be extended to local levels, but also introduced the potential discretion for such rules to be applied to defined areas within localities. Perhaps unsurprisingly the proposals have generated considerable debate, with both support and concern in many quarters.³

The current situation

In England a distinction is made between large and small shops in respect of Sunday trading. Large shops (over 3000 square feet in area) may open Monday to Saturday without restrictions, but on Sundays can only open for six hours between 10 am and 6 pm, and must close on Easter Sunday and Christmas Day.⁴ Exemptions include farm shops, bike shops, exhibition stands, pharmacies, airport, station and port shops, and forecourt retailers. Small shops (i.e. those below 3,000 square feet in area) can open any hours they choose.

It is 21 years since the current Sunday trading legislation was introduced,⁵ repealing Part IV of the Shops Act 1950.⁶ The implemented solution (the so-called 'partial reform proposal') represented a 'happy British compromise'⁷ between strongly held and competing views. Ten years later, the Regulatory Reform (Sunday Trading) Order 2004 removed the previous requirement for large shops to notify local authorities of Sunday trading hours, but hours must be displayed and are still limited to six hours per day on Sundays.⁸ In 2006 an informal consultation took

place in recognition that ten years had passed, working patterns had changed and society was more multicultural.² This concluded that there was no demand or good reason to change the law.

In 2012 limited legislation to relax Sunday trading laws for eight days was introduced for the London Olympics. George Osborne did note that the Treasury 'may learn lessons' from the experiment, but it was stated at the time that it was not a pilot for wider liberalisation of Sunday trading.⁹ In 2013, during the Business, Innovation and Skills Select Committee Retail Inquiry into the Retail Sector, the issue was raised by London's New West End Company's submission:¹⁰

'... it is important to ensure that retailers can compete with 24/7 internet retailing. While we appreciate that the Committee does not wish to examine Sunday trading, research undertaken by NWEAC during the extended hours introduced by the government during the Olympic and Paralympics games showed that longer opening had a very positive impact on retailing with little deterrent to smaller stores or employees.'

The New West End Company has argued that 3,000 jobs would be created in London, generating £200 million, if shops were allowed to trade for an extra two hours on a Sunday.¹¹ The Select Committee report noted that it specifically excluded the issue of Sunday trading deregulation as there were no consistent views across the sector.¹²

When she became High Streets Minister in 2014, Penny Mordaunt was reported as saying that the potential for Sunday trading must be explored.¹³ However, in April 2015 David Cameron reiterated that 'we have no current plans to relax the Sunday trading laws'.¹⁴

Pros and cons

The Summer Budget announcement and subsequent consultation have been welcomed by some and condemned by others.¹⁵ The context is very different from that of the 1994 debate, although some of the issues are the same.

Both the pro- and anti- sides of the debate claim that their position will make a better society and promote family life.¹⁶ The online environment has expanded and flourished, creating competitive

