



Northern Ireland
Assembly

**COMMITTEE FOR
SOCIAL DEVELOPMENT**

**OFFICIAL REPORT
(Hansard)**

Review of Sunday Trading Laws

8 September 2011

NORTHERN IRELAND ASSEMBLY

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SOCIAL DEVELOPMENT**

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Members present for all or part of the proceedings:

Mr Alex Maskey (Chairperson)
Mr Mickey Brady (Deputy Chairperson)
Mrs Judith Cochrane
Mr Michael Copeland
Mr Sammy Douglas
Mr Alex Easton
Mrs Pam Lewis
Mr Fra McCann

Witnesses:

Mr Henry Johnston) Department for Social Development
Mr Gary McAlorum)

The Chairperson:

We will now have a departmental briefing on the outcome of the consultation on Sunday trading laws. I welcome Henry and Gary back again. Hansard will record the session. Henry and Gary will take us through the outcome of the consultation.

Mr Henry Johnston (Department for Social Development):

I will start by giving some background. Earlier this year, the Department published a discussion paper on the current restrictions on Sunday trading. At that stage, the focus was on potentially creating some flexibility to allow large shops to open before 1.00 pm on Sunday. That came

about as a result of some pressure from, in particular, the Tourist Board.

The paper addressed a number of other issues, including Christmas Day trading and Sunday browsing. At present, large shops may open on Christmas Day but not at all when Christmas Day falls on a Sunday. We are aware that some large shops open on a Sunday for browsing but the tills are not activated until 1.00 pm. There have been calls to clarify the law on that.

We received over 500 responses to the discussion paper, including the views of 61 businesses or organisations. You should have in your papers an analysis of the views expressed. It shows that opinion on the contentious issue of Sunday opening remains divided. However, there was very strong support for an outright ban on the opening of large shops on Christmas Day. The Minister regards the current restrictions on Sunday opening as an enforceable compromise and, given the strongly held competing views, is minded not to change the law on Sunday shopping hours. However, he is minded to promote a Bill to prevent large shops from opening on Christmas Day. That would bring Northern Ireland into line with Great Britain.

The Minister also sees some merit in clarifying the law on Sunday browsing and on what shops can do before 1.00 pm. However, that may not be as easy to enforce, depending on the definition of “shopping”. The definition of “shopping” may be the actual act of handing money over to a trader. Before coming to a final view on those issues, the Minister is pleased to consider any comments that the Committee wishes to make.

The Chairperson:

Thank you for that, Henry. Are members satisfied with that response or do they want to make any formal submissions by way of support or opposition to any of this, or make additions to it?

Mr Easton:

I am happy to go with the Minister’s suggestion.

The Chairperson:

Fair enough. Do members require any further information from Henry or Gary?

Mr Douglas:

I have a question on a matter that has come up many times before. There have always been major

concerns about employees being forced to work on those days. Has any information been gleaned or any evidence found to suggest that that will be a difficulty?

Mr Johnston:

Safeguards were built into the earlier legislation to prevent people from being forced to work. There was fairly strong opposition from some quarters to widening Sunday opening. We had 500 responses, 175 of which commented favourably on either totally liberalising or slightly changing the current Sunday opening hours. A number of commercial interests came in against it. Some did not think that it would be worth their while, and the smaller shops, in particular, argued that it is a time when they make a reasonable return. When people come out of church and go for the papers, milk and maybe a few groceries, that is one time when those shops compete quite successfully, because Tesco and Asda stores are closed. We got very positive signals from the smaller traders that they are happy with the current situation and do not want it changed. The Tourist Board's view is that there is an issue of visitors not having much to do, so changing to a 12 noon opening might be helpful for visitors. However, there have been no confirmatory views on that.

Mr Gary McAlorum (Department for Social Development):

The shopworkers' union would oppose any change in the law on Sunday trading.

The Chairperson:

In the consultation responses, did any significant sector argue for greater liberalisation?

Mr Johnston:

Of the 175 who responded to the question on which option they would like, a fairly significant proportion said that they would like to have unrestricted opening on Sundays.

Mr McAlorum:

You are talking about the larger retailers there, such as Tesco and B&Q.

The Chairperson:

Obviously they are interested parties, but were there any other responses to your consultation that made you think that you would have to consider that?

Mr Johnston:

No, there were just individual views.

The Chairperson:

OK. Are members content? Alex's point earlier was tantamount to a proposal that we are content with what we have heard thus far.

Mr Easton:

OK; I so propose.

The Chairperson:

Are members happy enough that there are no further comments to be made by the Committee?

Members indicated assent.

The Chairperson:

Henry, Gary, thank you both very much.