

Changes to legislation: There are currently no known outstanding effects for the Sunday Trading Act 1994, SCHEDULE 3. (See end of Document for details)

SCHEDULES

SCHEDULE 3

Section 2.

LOADING AND UNLOADING AT LARGE SHOPS ON SUNDAY MORNING

Modifications etc. (not altering text)

- C1** Sch. 3 applied (22.7.2012) by [Sunday Trading \(London Olympic Games and Paralympic Games\) Act 2012 \(c. 12\)](#), **ss. 1(2)(3), 3(1)**

Shops to which Schedule applies

- 1 This Schedule applies to any shop—
- (a) which is a large shop, within the meaning of Schedule 1 to this Act, [^{F1}that is permitted to be open on a Sunday by virtue of paragraph 2(3) of that Schedule and which the occupier opens on Sunday for the serving of retail customers], and
 - (b) which is situated in an area designated as a loading control area under section 2 of this Act.

Textual Amendments

- F1** Words in Sch. 3 para. 1(a) substituted (27.2.2004) by [Regulatory Reform \(Sunday Trading\) Order 2004 \(S.I. 2004/470\)](#), arts. 1(1), **2(3)**

Consent required for early Sunday loading and unloading

- 2 The occupier of a shop to which this Schedule applies shall not load or unload, or permit any other person to load or unload, goods from a vehicle at the shop before 9 a.m. on Sunday in connection with the trade or business carried on in the shop, unless the loading or unloading is carried on—
- (a) with the consent of the local authority for the area in which the shop is situated granted under this Schedule, and
 - (b) in accordance with any conditions subject to which that consent is granted.
- 3 (1) A consent under this Schedule may be granted subject to such conditions as the local authority consider appropriate.
- (2) The local authority may at any time vary the conditions subject to which a consent is granted, and shall give notice of the variation to the person to whom the consent was granted.

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Modifications etc. (not altering text)

- C2** Sch. 3 paras. 3-8 applied (with modifications) (9.12.2004) by [Christmas Day \(Trading\) Act 2004 \(c. 26\)](#), [ss. 2\(2\), 6\(3\)](#); [S.I. 2004/3235, art. 2](#)

Application for consent

- 4 An application for a consent under this Schedule shall be made in writing and shall contain such information as the local authority may reasonably require.

Modifications etc. (not altering text)

- C2** Sch. 3 paras. 3-8 applied (with modifications) (9.12.2004) by [Christmas Day \(Trading\) Act 2004 \(c. 26\)](#), [ss. 2\(2\), 6\(3\)](#); [S.I. 2004/3235, art. 2](#)

- 5 An applicant for a consent under this Schedule shall pay such reasonable fee in respect of his application as the local authority may determine.

Modifications etc. (not altering text)

- C2** Sch. 3 paras. 3-8 applied (with modifications) (9.12.2004) by [Christmas Day \(Trading\) Act 2004 \(c. 26\)](#), [ss. 2\(2\), 6\(3\)](#); [S.I. 2004/3235, art. 2](#)

- 6 (1) Where an application is duly made to the local authority for a consent under this Schedule, the authority shall grant the consent unless they are satisfied that the loading or unloading of goods from vehicles before 9 a.m. on Sunday at the shop to which the application relates, in connection with the trade or business carried on at the shop, has caused, or would be likely to cause, undue annoyance to local residents.
- (2) The authority shall determine the application and notify the applicant in writing of their decision within the period of 21 days beginning with the day on which the application is received by the authority.
- (3) In a case where a consent is granted, the notification under sub-paragraph (2) above shall specify the conditions, if any, subject to which the consent is granted.

Modifications etc. (not altering text)

- C2** Sch. 3 paras. 3-8 applied (with modifications) (9.12.2004) by [Christmas Day \(Trading\) Act 2004 \(c. 26\)](#), [ss. 2\(2\), 6\(3\)](#); [S.I. 2004/3235, art. 2](#)

Revocation of consent

- 7 Where—
- (a) the occupier of a shop in respect of which a consent under this Schedule is in force is convicted of an offence under paragraph 9 below by reason of his failure to comply with the conditions subject to which the consent was granted, or

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- (b) the local authority are satisfied that the loading or unloading authorised by virtue of a consent under this Schedule has caused undue annoyance to local residents,
the local authority may revoke the consent.

Modifications etc. (not altering text)

- C2** Sch. 3 paras. 3-8 applied (with modifications) (9.12.2004) by [Christmas Day \(Trading\) Act 2004 \(c. 26\)](#), [ss. 2\(2\), 6\(3\)](#); [S.I. 2004/3235](#), [art. 2](#)

Publication of consent

- 8 Where a local authority grant a consent under this Schedule, the authority may cause a notice giving details of that consent to be published in a local newspaper circulating in their area.

Modifications etc. (not altering text)

- C2** Sch. 3 paras. 3-8 applied (with modifications) (9.12.2004) by [Christmas Day \(Trading\) Act 2004 \(c. 26\)](#), [ss. 2\(2\), 6\(3\)](#); [S.I. 2004/3235](#), [art. 2](#)

Offence

- 9 A person who contravenes paragraph 2 above shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

[^{F2}Christmas Day

Textual Amendments

- F2** Para.10 and cross-heading inserted (9.12.2004) by [Christmas Day \(Trading\) Act 2004 \(c. 26\)](#), [ss. 4\(3\), 6\(3\)](#); [S.I. 2004/3235](#), [art. 2](#)

- 10 Paragraph 2 does not apply where the Sunday is Christmas Day (loading and unloading at large shops on Christmas Day being regulated by section 2 of the Christmas Day (Trading) Act 2004).]

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