

SCHEDULES

SCHEDULE 1

LOADING AND UNLOADING AT LARGE SHOPS ON SUNDAY MORNING

Shops to which Schedule applies

1.—(1) Subject to sub-paragraph (2), this Schedule applies to any large shop situated in a district designated as a loading control district under Article 7.

(2) This Schedule does not apply to a shop in relation to which Article 3(1) does not apply by virtue of an exemption conferred by Article 4(1).

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 district council for the district 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 district council considers appropriate.

(2) The district council 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.

Application for consent

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

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

6.—(1) Where an application is duly made to the district council for a consent under this Schedule, the council shall grant the consent unless it is 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 council shall determine the application and notify the applicant in writing of its decision within the period of 21 days beginning with the day on which the application is received by the council.

Changes to legislation: There are currently no known outstanding effects for the The Shops (Sunday Trading &c.) (Northern Ireland) Order 1997. (See end of Document for details)

(3) In a case where a consent is granted, the notification under sub-paragraph (2) shall specify the conditions, if any, subject to which the consent is granted.

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 by reason of his failure to comply with the conditions subject to which the consent was granted; or
- (b) the district council is satisfied that the loading or unloading authorised by virtue of a consent under this Schedule has caused undue annoyance to local residents,

the council may revoke the consent.

Publication of consent

8. Where a district council grants a consent under this Schedule, the council may cause a notice giving details of that consent to be published in a local newspaper circulating in its district.

Offence

9. A person who contravenes paragraph 2 shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Changes to legislation:

There are currently no known outstanding effects for the The Shops (Sunday Trading &c.) (Northern Ireland) Order 1997.