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**B I L L**

TO

Amend the Sunday Trading Act 1994 in connection with the sale of horticultural supplies.

**B**E IT ENACTED by the Queen’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

- 1 Local authority resolution permitting extended Sunday sales of horticultural supplies**
- (1) Schedule 1 to the Sunday Trading Act 1994 (c. 20) (restrictions on Sunday opening of large shops) is amended as follows.
- (2) In paragraph 1, after the entry for “alcohol” insert— 5  
     ““ garden centre” means a large shop where the trade or business carried on consists wholly or mainly of the retail sale of horticultural supplies,”.
- (3) After paragraph 2(4) insert— 10  
     “(4A) In addition to the exemption conferred by sub-paragraph (3) above, sub-paragraph (1) above does not apply in relation to the opening of a garden centre during any period permitted by a resolution under paragraph 2A below.”
- (4) After paragraph 2 insert— 15  
     “*Local authority resolutions*”
- 2A (1) A local authority may by resolution permit the opening of garden centres in their area during any continuous period, as specified in the resolution, of no more than eight hours on a Sunday, beginning no earlier than 9.00am and ending no later than 7.00pm.
- (2) A local authority may by resolution rescind or vary a resolution made under sub-paragraph (1) above. 20

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- (3) A resolution made under sub-paragraph (1) above may provide that it is to cease to have effect after a specified period.
- (4) A resolution made under sub-paragraph (1) above may apply to—
- (a) every Sunday during the period for which it has effect,
  - (b) specified Sundays (including every Sunday during a specified period), or 5
  - (c) a maximum number of Sundays during a specified period (for example, no more than four Sundays which must fall in the months March to May).
- (5) In relation to a local authority in executive arrangements (within the meaning of Part II of the Local Government Act 2000), the making of a resolution under this paragraph is a function to be discharged by the authority and not by the executive of the authority.” 10

## **2 Short title, commencement and extent**

- (1) This Act may be cited as the Sunday Trading (Horticulture) Act 2008. 15
- (2) This Act comes into force at the end of the period of one month beginning with the day on which it is passed.
- (3) This Act extends to England and Wales only.

# **Sunday Trading (Horticulture) Bill [HL]**

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To amend the Sunday Trading Act 1994 in connection with the sale of horticultural supplies.

*Earl of Courtown*

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