

Europe Economics' appraisal of a report
"The economic costs and benefits of
easing Sunday shopping restrictions
on large stores in England and Wales"
by Indepen Consulting Limited
for the DTI

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BACKGROUND

- 1 On May 5 2006 Europe Economics was commissioned by the Association of Convenience Stores (“ACS”) to comment on a report entitled “The economic costs and benefits of easing Sunday shopping restrictions on large stores in England and Wales”, written by Indepen Consulting Limited (“Indepen”) for the DTI. Indepen’s report is dated May 2006.

- 2 Europe Economics (hereinafter “we” or “us”) is an independent London-based consulting firm specialising in the application of economics and econometrics to issues of competition, regulation and public policy. Our clients include Government departments, regulators, companies large and small, trade associations, law firms and charities. More about us can be found on our website, <http://www.europe-economics.com>.



SUMMARY

- 3 We acknowledge that Indepen may well have been disadvantaged by constraints of time or budget in assessing the complex issues that arise. It seems likely that Indepen was researching the issues, and possibly drafting its conclusions, in parallel with, rather than after, the DTI's consultation on extending Sunday trading hours, which closed in mid-April 2006. Given that the report is dated May 2006, it must have been problematic for Indepen to take on board everything that might have arisen in the consultation.
- 4 Indepen is right to emphasise that the report covers only economic impacts. We entirely agree that the cultural/social impacts of Sunday trading deserve serious consideration too.
- 5 That said, we find some serious shortcomings in the work that Indepen has carried out.
- 6 The possible aim or aims of further deregulation of Sunday trading are not stated; nor, if that is not possible, are they hypothesised. Although it is perfectly possible to carry out a cost-benefit analysis in a policy vacuum, elements of analysis which involve judgment (and there a number of those in this study) are better dealt with if the policy aim is known.
- 7 There is little assessment, less still any systematic evaluation, of consumer preferences. Indepen briefly contrasts Sunday shopping habits in Scotland with those in England and Wales, concluding that the English and Welsh must necessarily be frustrated by the differences. Indepen also misquotes from a consumer survey carried out by ACS.
- 8 No less importantly, certain assumptions used in the economic model are highly questionable, specifically:
 - That 90 per cent of cost savings secured by retailers would flow through to reduced prices.
 - That extending Sunday trading hours will smooth out congestion in stores, car parks and roads, rather than merely move it to a different time of day.
 - That environmental disbenefits will be neutralised by an offsetting improvement in resource usage productivity.
 - That there will be no further shift in market power to large retail groups at the expense of others, and that competitive intensity will be maintained or increased.
 - That the Sunday pay premium for shop employees will continue to fall in relative terms.
 - That the inconvenience cost to households that lose access to a small store is £5 per shopping trip.



- 9 The report is also disfigured by some assertions or suggestions which, although they do not affect the modelling, cast doubt upon the objectivity of the analysis. These are:
- That there is majority consumer support for extended Sunday hours for large stores.
 - That, in grocery, large stores alone supply fresh produce on a Sunday, and that fresh food is necessarily healthier food.
 - That low income households will benefit disproportionately because they spend a greater percentage of income on food items.
 - That on-line shopping offsets the possible loss of convenience shopping for an overwhelming majority of households (Indepen quotes Tesco's claim to be able to reach 98 per cent).
 - That small shops which are deemed to be “complementary” to large stores will gain from increased Sunday footfall. Indepen assumes elsewhere that shopping volumes will remain unchanged, which suggests that increased Sunday footfall will be offset by reduced footfall on other days.
- 10 Overall, the analysis and conclusions emerge as biased towards the interests of the large retailing groups which stand to benefit from longer Sunday trading hours. Given all these doubts about Indepen's objectivity and methods, we find its valuation of economic benefits unpersuasive.
- 11 Even if the calculations could be shown to be correct, the benefits claimed – an average of £64.10 per household per year (£1.23 per week), or 10 minutes per week per family that shops on a Sunday, or 2 minutes per week for all families on average – are trivial in context. They could be sharply reduced or rendered negative by assessment of the costs and benefits that were not part of Indepen's remit.
- 12 The report should not be relied upon as a component of support for policy making.



DETAIL COMMENTS BY CHAPTER

In what follows, references to the Indepen report are preceded by a page and/or paragraph number in brackets, and the quotation itself is given in italics within quotation marks. Our comments are in plain text immediately following.

Executive Summary

13 There is a major omission from the Executive Summary, and indeed from the whole report, namely a statement of the aim or aims of an extension of Sunday trading hours for large stores. Although one can conduct a cost-benefit analysis in a vacuum, where there is a prospect of policy change, it is important to assess costs and benefits against the aim. Indepen neither states the policy aims nor points out that they are absent.

14 (Page 1, paragraph 4) *“Some changes at the sectoral level that one might think have national economic impacts may in fact have very little impact on the economy as a whole. The reason for this is that at the level of the whole economy various negative feedbacks operate which dampen or eliminate sectoral impacts.”*

15 This is all very well, but distributional effects – i.e. who loses and who gains, and by how much – may be very important, even if the net economic result is neutral.

16 (Page 1, paragraph 5) *“Finally, secondary market impacts of changes should not necessarily be quantified since these generally represent a redistribution of the costs and benefits of primary impacts rather than additional economic costs and benefits.”*

17 This is a rather sweeping assertion, and one which we regard as questionable. In a cost-benefit analysis, one should quantify all costs and benefits wherever possible, and then see if they have nil net effects, not start from the assumption that they do.

18 (Page 2, paragraph 5) *“Taking changes in unit costs and convenience into account a discounted flow of net benefits is calculated, which sums to £20.3 billion in present value terms for the full 20 years. On an annualised basis this is equivalent to £1.4 billion per year, or £64.10 per household per year over 20 years. We note that the assumed time costs due to congestion and coordination problems amount to approximately 10 minutes per household that shops on a Sunday per week, or 2 minutes per week across all households.”*

19 Our view is that in context these gains are trivial. Policy makers would need to be very sure that consumers valued such small benefits more than offsetting detriments, whatever these might be.

20 (Page 3, paragraph 3) *“Distributional impacts were found to be favourable in some instances, for example, low income households spend more of their budget on retail expenditure and would therefore benefit disproportionately from lower prices.”*

21 No doubt some distributional impacts are favourable, but no doubt others are not. It is completely disingenuous to equate lower prices only with extended Sunday hours, since



any cost decreases that might show through in lower prices (and there's a heroic assumption!) will presumably apply across the whole week. We know of no store, large or small, which price-discriminates by day of week. And is it sensible to assume that low-income families will be able to access the claimed lower prices only as a result of extended trading hours? Are they currently being denied the opportunity of accessing the claimed lower Sunday prices altogether? And will households that cannot now access the claimed lower Sunday prices be any better able to do so if the trading hours are longer?

22 (Page 3, final paragraph) *"To the extent that extended Sunday trading improves both the price and convenience of shopping at large stores it will attract additional customers to those stores over an extended period of time. This will impact negatively on small stores that are primarily substitutes for large stores, and positively on small stores that are complements to large stores and benefit from additional footfall."*

23 In principle this is quite right. The question, however, is (and the report does not assess this) how many stores now count as complements. One can see that shops in shopping malls in which a large grocery/DIY/leisure outlet operates might well benefit from the greater Sunday footfall that the large stores *might* attract (although, as the report rightly assumes, total sales across the week will remain unchanged) – but in shopping malls, how many shops are "small"? Our impression is that the majority of shops in malls are branches of large groups, not independents. In addition, and leaving aside the question of shops within malls, it is also our impression that large grocery outlets and garden centres (though perhaps not DIY sheds) are extending into the product areas previously supplied by small stores, e.g. catering, pharmaceuticals, books, photographic processing, dry cleaning and so on. Shops that might once have been complements (and therefore categorised as winners from further deregulation) may well now be substitutes (and therefore losers). It is important to estimate how many winners and losers there might be, and to recognise that losers will be losers for all seven days of the week, not just on Sundays.

24 A significant omission from the Executive Summary (and a point dealt with only in a qualitative way in the report itself) is any conclusion as to the effects of a further shift in market power from smaller to larger stores that might flow from allowing larger stores longer Sunday trading hours. Given that the costs and benefits that Indepen calculates are so small, at least in context, and that market power effects can be so large, it seems to us vital for policy makers to assess the possible impact on consumer welfare (and on prices in particular) if the convenience/small store sector is further weakened.

Section 1: Introduction

25 (Page 4, paragraph 1.2) *"We quantify two categories of cost and benefit:*

- changes in unit costs, and therefore profits and retail prices, from an increase in retail capacity that extended Sunday trading would allow....."*

26 But the report covers costs, profits and prices only of the larger stores that would benefit from extended Sunday hours, not the opposite effects that might or would apply to



other stores. This is a serious imbalance, which does not respond fully to the DTI's rather more comprehensive terms of reference.

27 (Page 5, first paragraph) *"We conclude that the impact of liberalisation would on balance be beneficial. Distributional impacts will be the subject of further scrutiny in a Regulatory Impact Assessment that the DTI will conduct if it takes proposals for liberalisation forward."*

28 Such a further assessment would be vital.

Section 2: Context

29 Page 12, Table 2.1 gives examples of types of larger stores that are currently disadvantaged in some way by restrictions on Sunday trading hours. It is not clear to us what the value of this (purely anecdotal) presentation is. There is, for example, no attempt made to estimate the number of stores or consumers who are disadvantaged in consequence. It would be more germane to the discussion if Indepen were to balance up the number of large stores that would benefit with the number of small stores (and consumers) that would be disadvantaged. It is hard to escape the conclusion, at this point in the report, that the authors are not wholly objective in their approach.

30 Page 16 paragraph 2.3.1.1 and Figure 2.12 show what the consumer response has been to opportunities opened up for Sunday trading, but, again, it is not clear to us what the presentation seeks to show. When the report says that "13 per cent of adults aged 16 and over shop at supermarkets on Sunday every week, while 7 per cent shop at other large stores every Sunday" the more telling point, surely, is that 87 per cent and 94 per cent respectively do not. Figure 2.12 adds that only 10 per cent of adults shop at large stores (of any type – not just for groceries) every Sunday.

31 (Page 17, paragraph 3, in a section dealing with internet sales) *"...the Tesco grocery home shopping service now reaches 98 per cent of the UK."*

32 What does the 98 per cent refer to? It is unlikely to be households and equally unlikely to be land mass. Our expectation is that a much larger percentage (than 2) of consumers or households is unable for one reason or another to shop on-line. A recent Ofcom publication states that no more than two thirds of UK adults live in households with a PC and that only 57 per cent have taken up the internet (and many of these will not have broadband access to make internet shopping convenient to use).¹ It is tendentious for Indepen to include Tesco's claim without clarifying or qualifying it.

33 (Page 21, Table 2.2) Indepen reports that the ACS consumer survey of 1000 consumers in November 2005 found that *"28 per cent would like bigger stores such as ASDA and Tesco to open for longer hours on Sunday."* In fact what the survey, which

¹ Ofcom, *The Communications Market, Nations and Regions*, 26 April 2006



ACS has copied to us, shows is that, in answer to the question: "Would you like bigger stores like ASDA. Tesco or Sainsburys to open for longer hours on a Sunday?" –

- 68 per cent of respondents gave a straight "no";
- 13 per cent replied "yes, even if this meant small stores/local shops might go out of business";
- 15 per cent said "yes, but if this threatened small businesses I would reconsider and choose not to support longer opening hours"; and
- 6 per cent said they did not know.

34 Even if it were true that 28 per cent gave the unqualified "yes" that Indepen claims, that would still leave 72 per cent who thought differently. In fact, it seems to us that only 13 per cent gave an unqualified "yes", leaving 87 per cent who did not.

35 (Page 21, paragraph 3, the last on the page) Indepen reports that in the ONS Omnibus Survey of December 2005/January 2006 *"between 21.5 and 23 per cent of adults aged 16+ would alter their shopping behaviour depending on the type of store (that is, supermarket or other large store). Of these, the majority would prefer to shop later on a Sunday."* Again, this says to us that over 70 per cent think otherwise.

36 (Page 22, paragraph 2) *"In some instances the removal of the Sunday wage premium has been accompanied by an increase in the standard wage rate or the introduction of other employee benefits. We expect this trend to continue..."*

37 In fact Table 2.3 on page 23 presents a very mixed pattern of Sunday pay rates. We accept that table 2.3 is only a snapshot, but it is not clear why the trend towards a lower Sunday pay premium would continue, nor whether it would be desirable from a policy point of view if it did. If the wage premium for Sunday working goes up rather than down, Indepen's calculation of net benefits (already small in our estimation) is adversely affected. Indepen's underlying logic Indepen is also questionable. If the introduction/extension of Sunday trading has caused an increase in general wage levels and/or associated benefits, then surely this is an additional cost for retailers, i.e. a negative impact of Sunday trading even if the Sunday premium itself is reduced?

Section 3: Appraising the costs and benefits

38 Tables 3.1 and 3.2 on page 33 are unsatisfactory because the message is fudged. It would be clearer if journeys related to shopping in Scotland were contrasted with equivalent journeys in England and Wales (preferably England and Wales separately), not with journeys in GB. Table 3.3 gets it right.

39 One might, however, interpret Table 3.1 differently, since the figures show that there is a greater sparsity of retail outlets in Scotland than in Great Britain (if measured by average trip length). The average length of trips was 0.4 miles longer in 2002 in Scotland (equivalent to 10%) than in Great Britain, despite starting at the same level in 1985/6.



40 Although it is commendable that Section 3.2.4 should deal with Scotland as a contrast to England and Wales, Indepen makes no reference to what the situation is in relation to convenience stores in Scotland. Thus the presentation is again unbalanced.

Section 4: The cost benefit analysis

41 (Page 35, section 4.1.1, paragraphs. 2 and 3) *“One estimate for the US put the share of gains appropriated by producers as a result of productivity improvements at between 5 and 10 per cent over the past 150 years. This outcome is what one would expect if markets are more or less competitive....We therefore consider both consumer and producer surplus in our analysis, and include the division between the two from a reduction in costs as a choice variable in the model. Our default assumption is that 90 per cent of the value of a reduction in costs is ultimately captured by consumers via lower retail prices, with 10 per cent captured via share ownership.”*

42 These are huge assumptions, unsupported by evidence or argument that the UK level of retail competitiveness is equivalent to that of the US. The authors admit that the Nordhaus estimate referred to is indeed only one study, but do not say what other estimates are.

43 (Page 36, section 4.1.2, last paragraph) *“In addition, in terms of the possible distributional impacts of further liberalisation of Sunday trading we note the growth over recent years in the convenience store market (notwithstanding shifts between convenience store categories), including the entry and growth of multiples in the convenience store market.”*

44 This is muddled thinking. The implication is that there is no need to worry about the impact of extending large store trading hours because (a) an increasing number of convenience stores are now in the hands of the groups that own large stores and/or (b) an increasing number of convenience stores are now part of symbol groups. It fails to take into account the increasing market power of groups that own both large stores and convenience stores relative to those convenience stores that are members of symbol groups or independently run. For the avoidance of doubt, membership of a symbol group is not the same thing as ownership by a supermarket group.

45 (Page 37, section 4.1.3.1, last paragraph) *“Another example [of secondary effects] directly relevant to the retail sector would be the impact on the retail supply chain, which we do not therefore quantify.”*

46 Yet the impact of a shift in market power towards the larger stores (see above) could be decisive on the viability of wholesaling of goods to small stores. If the small stores' wholesale chains are further threatened, the viability of the retail outlets is threatened too. It is not enough to dismiss this consideration as not worth quantifying.

47 (Page 37, section 4.1.3.3, second paragraph) *“In practice, we consider environmental costs and benefits qualitatively, and conclude that there are reasonable grounds for considering that environmental harm associated with any use of resources by the retail*



sector would be reduced by improvements in productivity (less resources per unit of sales) and reduced congestion resulting from liberalisation of Sunday trading.”

48 Environmental impacts are non-trivial issues. Indepen lets itself off the hook by resorting to an incomplete and fuzzy appraisal.

49 (Page 39, last paragraph) *“Extending the scope for Sunday shopping would allow existing and future stores where the demand exists to sell more for a given floor space, resulting in higher efficiency.”*

50 But Indepen has assumed that total sales remain constant at a point in time, so gains in sales in one store would be offset by reductions (efficiency losses) in another. A comment just below Table 4.1, where Indepen claims potential increases in sales will result, again contradicts its initial assumption.

51 (Page 40, first new paragraph) *“Table 4.1 shows data provided by a large (non-supermarket) retailer in the leisure activity sector by day of the week for England and Wales (comparative data for Scotland was not available).”*

52 The trading pattern by day of week is an important point, so it is disappointing that information to describe it is so thin. Surely it must be possible to get a better picture than is provided by one leisure store for England & Wales only, and one large supermarket group for the whole of the UK?

53 (Page 40, Table 4.2) We think there is a labelling error here. Unless we misunderstand what Indepen is saying, “Share of goods for resale” should surely be “Share of costs of goods for resale”?

54 (Page 42, Table 4.4) We reiterate here our reservations about the assumption that Indepen has made that 90 per cent of cost benefits secured by larger stores from extended Sunday hours would find their way into price reductions for consumers. The figure of 90 per cent is derived from a US-based study covering 100 years, not a UK study with a more recent reference point. The Competition Commission’s quoted judgement that the UK supermarket sector is “broadly competitive” comes nowhere near substantiating Indepen’s decision to read across the 90 per cent figure from the US to the UK.

55 (Page 43, section 4.3.2, first bullet point) *“Differences in consumer behaviour between Scotland and England and Wales suggest that overall demand for Sunday shopping is frustrated by the current restriction.”*

56 The ACS consumer survey paints a different picture. In any event, it is not logical to assume that, if the pattern of Sunday shopping in Scotland is different from that in England and Wales, it must be the English and Welsh who are frustrated. Furthermore, so far as we can see, Indepen’s conclusion is based on information from two supermarket chains and garden centres – hardly representative or conclusive.

57 (Page 44, second bullet point after Figure 4.3) *“extended queuing up to closure when stores are still busy and due to excess demand for parking, etc”*



58 Where is the evidence for this? Is Sunday any different in these respects from other days of the week? And what does “etc” imply? It is naïve to assume that extending Sunday hours will simply smooth out demand for parking and check-out capacity: extended hours could just as easily defer the peak rather than ease it.

59 (Page 44, third paragraph) *“Finally, we estimate the potential cost in terms of convenience to some customers if the increase in capacity at large stores leads to the closure of some small stores. We use the cost of an online grocery delivery as a proxy for the convenience cost to such consumers (which might take the form of longer journeys and/or use of alternative transport rather than an online shop).”*

60 The typical price of an on-line delivery is set at £5 (we do not disagree with this). But it is baffling that the figure of £5 is then taken as the inconvenience cost to a consumer of losing a convenience store. If the convenience store closes, the inconvenience will run for seven days a week, not just on the Sunday. If there is any merit in the use of £5, it probably needs to be applied multiple times per week, depending on shopping habits.

61 With this in mind, we particularly question the last input assumption that appears in Table 4.5, namely that which deals with “lost convenience due to possible reduction in total store numbers”. We have already commented on the £5 inconvenience cost, and are unable to understand Indepen’s wording “probability made worse off 10 per cent”. Does this suggest that 10 per cent of households would be worse off, or 10 per cent of consumers, or something else? Indepen assesses this effect as very small (it barely shows up in Figure 5.2) but for lack of clarity about what the calculation is we are uneasy about taking it at face value.

Section 5: Results

62 (Page 49, Table 5.1) Because a number of Indepen’s model input assumptions seem to us questionable we are sceptical about the veracity of the output. We reiterate that, even if the assumptions could be upheld the net benefit calculated is trivial, while the costs not quantified could be large.

Section 6: Qualitative and distributional impacts

63 (Page 54, first paragraph) *“Removing the constraint on Sunday trading would increase capacity and therefore competition in the short run, in particular, it would increase competition between stores in particular locations that are currently congested (since the incentive to attract customers via improved service and lower prices is diminished when the full capacity of stores is reached).”*

64 This makes no sense. If two stores that already compete with each other at current permitted trading hours are both allowed longer and equal trading hours, it does not follow that the intensity of competition between them will be increased. Matters might (not



necessarily would) be different if both stores were already trading at full capacity, but Indepen adduces no evidence to show that this is generally true.

65 The report does not deal sufficiently with changes in market power as between larger stores and smaller stores that would follow from changes in Sunday trading hours. It is not sufficient to say that the Competition Commission has found that the supply of groceries is “broadly competitive”. The Commission admitted that there were problem that it could not deal with, and, more tellingly, the OFT has just referred the grocery market to the Commission on the grounds that all is not well after all.

66 (Page 55, second new paragraph) *“Those households with incomes in the lowest 20 per cent range spend on average 24 per cent of their income on food and non-alcoholic drinks, alcohol and tobacco and clothing and footwear; whilst those households with incomes in the highest 20 per cent range spend on average 15 per cent on the same goods. Low income households would therefore benefit disproportionately from lower retail prices.”*

67 This argument is valid only if extended Sunday trading hours lead to lower prices and if prices fall on products that low income families want. We have already expressed reservations about the first condition, and there is no evidence either way in relation to the second. In general terms it is hard to believe that competition will intensify in low-price, low-margin goods.

68 The bullets at the end of page 56 summarise the conclusions of section 6.3 (impacts on employment and employees). However, this summary notably ignores the final point made in the main text of the section regarding the negative effect of a possible increase in the number of disputes regarding requirements to work on Sundays.

69 (Page 57, section 6.5, first paragraph) *“Limited Sunday trading hours limit the scope to purchase healthy fresh produce both in terms of access to supermarkets, and the availability of fresh produce within supermarkets at certain times on Sundays. Restricted Sunday trading hours increase in-store congestion making it more difficult to maintain target levels of availability for fresh produce, compounded by the reduced opportunity to special off excess fresh produce leading to reduced availability and/or increased wastage.”*

70 This is astonishing. Where is the evidence that on Sundays fresh food can be bought only in supermarkets? Where is the evidence that restrictions on Sunday trading hours bear particularly on consumers’ ability to buy fresh foods? And where is the evidence that fresh food should be equated with healthy food? How exactly does in-store congestion make it “more difficult to maintain target levels of availability for fresh produce”? What are these targets anyway?

71 (Page 58, section 6.6, fourth paragraph) *“Pricing at supermarkets is in general national, so the impact of any change in costs and prices as a result of liberalisation of Sunday trading will benefit both rural and urban consumers.”*

72 The Competition Commission found that supermarkets price partly according to whether there is effective local competition. Pricing is not necessarily uniform or national.



73 On page 59 Indepen go to some lengths to debunk the allegation that rural communities lack access to local stores. We do not disagree with this, but the issue of market power as between the supermarket groups and small retailers (whether independent or symbol group members) is not a rural *versus* non-rural matter. The problems apply across urban, semi-urban and rural areas alike.

74 (Section 6.7, beginning on page 60) We do not disagree with the argument that some small stores are complements to larger stores and could benefit from the larger footfall (if any) that may result from extended Sunday trading hours, but no effort is made by Indepen to estimate how many small stores are complements and how many are (vulnerable) substitutes. In a report which purports to quantify the economic effects of increasing Sunday trading hours this is a regrettable omission. Indepen particularly overlooks the fact that, as supermarkets extend the range of goods and services they supply, an increasing number of smaller specialist shops become substitutes.

75 (Page 60, quotation beginning at the foot of the page) We are not inclined to place much value on the inclusion of the letter from the *Evening Standard* reader in Crystal Palace, because, whatever its validity, it is simply one anecdote. In any event, the letter writer simply argues for the replacement of the lost supermarket, not for extending Sunday trading hours. Even if Indepen had drawn the right conclusions from the letter, we still suggest that its report should rely more on factual evidence (in this case the complementary nature of the relationship between large and small stores) than on anecdote.

76 Figure 6.6 on page 62 needs to be treated with caution if it purports to show a similarity of trading pattern between Saturdays and Sundays. As we understand it, the period 5pm to 7pm on a Saturday is heavily influenced by lottery ticket sales for those small stores that have terminals: there is no equivalence of types of trade. The claimed evidence here cannot be taken at face value.

77 (Table 6.1 on page 62) It is not correct in our view to treat web-based retailers as though they were a separate group from large stores groups. By and large, they are one and the same thing.

78 (Page 63, second paragraph) *“The entry of supermarkets into the convenience store market, and the growth of multiples, has arguably raised standards of service and reduced prices in the convenience store market.”*

79 The key word here is “arguably”. ACS and others have argued that there are certainly some downsides. Even if there were no downsides, the convenience-format stores operated by supermarket groups already enjoy the unrestricted Sunday trading hours of other small stores, so there is no gain to them from longer Sunday hours.

80 (page 63, final paragraph) *“Some customers could nevertheless be worse off as a result of market adjustment, for example, those customers who preferred a particular small retailer who exits the market or chooses not to open on Sunday. These customers may find that the loss of convenience more than offsets the potentially lower prices of alternatives. Some customers may also be made worse off if the opening of a new large*



or small store in their vicinity is delayed by the increase in capacity made available by extended Sunday trading.”

81 From a consumer point of view, this is the key question. How many would be made worse off? Who are they? By how much would they be worse off? Does the damage done to them justify the benefits that others would experience? We acknowledge that Indepen cannot address all the issues that are involved, but our view is that its report falls short of reasonable analysis even in the areas that it is able to tackle.