



department for
**culture, media
and sport**

Pre-Consultation on moving the May Day Bank Holiday

Inviting suggestions for alternative dates and occasions

May 2011

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Chapter 1: Introduction

Why a Pre-Consultation?

The Tourism Strategy, published in March 2011, included a commitment to consult about possibly moving the May Day Bank Holiday to a new date at some other point in the year. While the Tourism Strategy set out a number of suggestions there may be other possible dates and “occasions” which deserve active consideration.

This pre-consultation therefore invites suggestions and supporting evidence for alternatives for a new date and occasion to possibly replace the May Day Bank Holiday, as well as allowing respondents to set out the issues that need to be included and considered within the main consultation. This pre-consultation will allow us to make the main consultation a comprehensive study of all the issues that are affected by the date and occasion of a bank holiday. It will also allow it to be more focussed, with a limited number of options **including an option to retain the current early May bank holiday**. We welcome responses from all sources, whether individuals, companies, or any other organisation. The main consultation will allow those who support or oppose the movement of the May Day Bank Holiday to express their opinion and/or supply evidence.

Producing an Impact Assessment

We are committed to conducting a full impact assessment to accompany the main consultation and the final decision. It is essential though that we receive evidence to help us ensure that the Impact Assessment is as thorough as possible. This document sets out the areas where we need this further information.

Our Timetable

Following the conclusion of this pre-consultation we anticipate starting the main consultation in the summer, which will run for at least 12 weeks. Subject to the results of the consultation we hope to be able to announce a decision in the early part of 2012. This indicative timetable is subject to Governmental procedures and clearances.

Chapter 2: Background

2.1 Bank Holidays in the UK

Bank Holidays in the UK are established by the 1971 Banking and Financial Dealings Act 1971 (1971 Act) by Royal Proclamation or through common law. There is no automatic right to time off on these days. The number date and significance of bank holidays also change in the different constituent parts of the UK.

The table below summarises the regular bank holidays in each part of the UK and how they are established in law.

Date	Name	Where celebrated	How established in law
1 st January	New Years Day	England and Wales, Scotland, and Northern Ireland	Royal Proclamation in England and Wales and Northern Ireland. Banking and Financial Dealing Act 1971 in Scotland
2 nd January	2 nd January	Scotland	Banking and Financial Dealing Act 1971
17 March	St Patrick's Day	Northern Ireland	Banking and Financial Dealing Act 1971
The Friday before Easter Sunday	Good Friday	England and Wales, Scotland, and Northern Ireland	Common Law in England and Wales and Northern Ireland. Banking and Financial Dealing Act 1971 in Scotland
The Monday after Easter Sunday	Easter Monday	England and Wales, and Northern Ireland	Banking and Financial Dealing Act 1971
First Monday in May	May Day Bank Holiday (or Early May Bank Holiday in Scotland)	England and Wales, Scotland, and Northern Ireland	Royal Proclamation in England and Wales and Northern Ireland. Banking and Financial Dealing Act 1971 in Scotland
Last Monday in May	Spring Bank Holiday	England and Wales, Scotland, and Northern Ireland	Banking and Financial Dealing Act 1971 in England and Wales and Northern Ireland.

			Royal Proclamation in Scotland
12 July	12 th July	Northern Ireland	Royal Proclamation
First Monday in August	Summer Bank Holiday	Scotland	Banking and Financial Dealing Act 1971
Last Monday in August	Summer Bank Holiday	England and Wales, and Northern Ireland	Banking and Financial Dealing Act 1971
30 November	St Andrew's Day	Scotland	St Andrews Day Bank Holiday (Scotland) Act 2007
25 December	Christmas Day	England and Wales, Scotland, and Northern Ireland	Common Law in England and Wales and Northern Ireland. Banking and Financial Dealing Act 1971 in Scotland
26 December	Boxing Day	England and Wales, Scotland, and Northern Ireland	Banking and Financial Dealing Act 1971 in England and Wales and Northern Ireland. Royal Proclamation in Scotland

There are variations though in how bank holidays are observed across the different parts of the United Kingdom

England, Wales and Northern Ireland

While there is no automatic right to a day off for bank holidays, much of the working population either receives the day as a holiday or has it recognised in some way. The setting of Bank Holidays in England, Wales and Northern Ireland are the responsibility of the Westminster Government.

Scotland

There is a long established tradition of local holidays in home areas across Scotland. This means that bank holidays are observed more flexibly in Scotland than in other areas of the UK. In Scotland therefore it is less likely that each bank holiday provided for will be recognised as a public holiday, although overall it is likely that those in Scotland will have similar levels of public holidays as other parts of the UK. In 1996 Scottish Banks decided to harmonise their closure days with those in England and Wales. Bank Holidays in Scotland are the responsibility of the Scottish Government with individual local authorities specifying local holidays as appropriate.

2.2 What issues need to be included in the main consultation document?

We are committed to ensuring that the main consultation document includes reference to all the issues that a decision to move a bank holiday should take into account. Therefore in addition to calling for evidence to develop the Impact Assessment (see Chapter 4) we also invite respondents to set out the issues they feel need to be considered.

We believe that the issues can be broadly broken down into two distinct areas, though we are happy to take other types of issue. They are;

- Economic Issues - Issues related to the economy which would be affected by a change in the timing of a bank holiday e.g. the effect on productivity of a bank holiday at a different time of the year.
- Social Issues – Non economic issues which would be affected by a change in the timing of bank holiday e.g. Does the timing of a bank holiday have an effect on the health benefits that a bank holiday can provide

To respond please send an email to bankholiday@culture.gsi.gov.uk setting out your issue(s). Feel free to include as much detail as you feel is appropriate.

2.3 Why Mayday?

Mayday is positioned in between the Easter Bank Holidays and the bank holiday at the end of May. When Easter is late, as it has been this year, it can lead to 3 bank holidays (4 in 2011 due to the Royal Wedding) in the space of a short amount of time, with another bank holiday at the end of May. This concentration will have an effect on the economy. Moving the May Day bank holiday therefore would dilute this concentration.

We would be interested in hearing arguments which suggest that a different bank holiday should be moved.

2.4 Why can't we just have another permanent bank holiday?

There are many which make the case that we should have a permanent additional bank holiday, pointing to other countries in Europe which have many more than the UK does. The Government understands these issues, but is also aware of the evidence that bank holidays can affect the productivity of the UK economy. Given the current state of the public finances it would not be a sensible move to consider an additional permanent bank holiday at this point.

Chapter 3: Alternative Dates and Occasions

3.1 The Pre-consultation questions

The main purpose of this pre-consultation is to invite ideas for alternative dates and occasions to possibly replace the May Day Bank Holiday. In order to properly assess each idea it would be helpful for all respondents to provide as much information about any prospective alternative date or occasion. The two broad areas are set out below. We are happy to take responses that either suggest a date without stating that it celebrates an occasion or suggest an occasion without specifying a date.

The Tourism Strategy set out two suggestions; moving the bank holiday to October to create a UK Day or Trafalgar Day or; moving the bank holiday to the patron saints days of St Georges day (23rd April) and St David's day (1st March). While we are happy for respondents to suggest either of these days, we are particularly interested in hearing alternatives

3.1.1 Occasion

What “occasion” do you believe an alternative bank holiday should mark?

In your response you should set out a description of the occasion as well as any supporting evidence. While it is not compulsory you may find it useful to base your response around the following categories;

- A description of the occasion
- A background or history of the occasion
- It's relevance to the UK, or a particular part of the UK
- How it would benefit UK society and/or the UK economy

3.1.2 Date

When in the year should the alternative bank holiday be celebrated?

In your response you should set out when in the year the occasion should be held. While it is not compulsory you may find it useful to base your response around the following categories;

- The proposed date including whether it should always be a Monday or whether it should be held on the day (or next working day) of the occasion
- The date's connection with the occasion

3.2 How to Respond

Template

You can download a template to assist your response at <http://www.culture.gov.uk/consultations/8068.aspx>. Once you have completed the template, save it and then send it, along with any attachments, to bankholiday@culture.qsi.gov.uk

Email

If you would rather not use the template, please send your responses with attachments to bankholiday@culture.qsi.gov.uk

Letter

If you wish to send your response by letter please address it to;
Bank Holiday Pre-Consultation
Tourism Team
Department for Culture Media and Sport
2-4 Cockspur Street,
London SW1Y 5DH

Closing Date

This pre-consultation will close on **9th June**

Chapter 4: Developing an Impact Assessment

4.1 Introduction

The Department intends to publish a full Impact Assessment alongside the main consultation. However, we require further evidence in order to produce this assessment. This section sets out our current areas of consideration on developing an impact assessment, asks for evidence relating to these areas and asks if there are other areas and evidence that should also be considered.

4.2 Impact Assessment areas

4.2.1 Problem under consideration

The current distribution of Bank Holidays. Chapter 2 sets out how May Day can currently contribute to a relative concentration of bank holidays, especially when Easter is late. This is likely to have an effect on the economy but we need to understand what the effect is and whether changing the distribution would have a positive or negative effect.

4.2.2 Rationale for intervention

Discussion and investigation into whether replacing the Early May Bank Holiday with another bank holiday would be more beneficial than the current arrangements.

4.2.3 Policy Objective

To receive evidence and opinion to decide on whether moving the early May bank holiday to another point of the year would increase the benefit it provides, or reduces the costs, sufficiently to justify the transition cost of moving it to a different part of the year

4.2.4 Description of options considered

Do Nothing – The early May Bank Holiday is retained.

Change - The holiday is moved to another part of the year e.g. late October. The pre-consultation will invite suggestions from all stakeholders for a date and occasion for alternatives. From these suggestions the main consultation will ask for opinions and evidence on a limited number of alternative dates and occasions.

4.2.5 Costs and benefits of each option

4.2.5.1 Do Nothing

No change in costs and no change in benefits.

Is this correct?

4.2.5.2 Change the date or occasion of the early May Bank Holiday

Costs – We already know that bank holidays place a cost on business in terms of lost output but we will need to determine whether these costs are uniform across the year or if having a concentration of them (like we often do in April and Early May) reduces or increases these costs. We also need to take account of any costs of transition.

Questions

Does the timing of the bank holiday have a significant impact on overall cost of a bank holiday to businesses? Does this vary across different sectors of the economy?

What impact does the timing of a bank holiday have on the activities that people undertake during it?

Does having a relative concentration of bank holidays affect the cost that bank holidays impose on businesses? Does this vary across different sectors of the economy?

Are there any other costs that businesses are likely to incur if the date or occasion of the early May bank holiday is changed?

What would be the cost of transition from having a bank holiday in early May to a holiday at a different point in the year? Could this cost be reduced through a longer period of notice or through other means?

Would the movement of the May Day Bank Holiday impose any non-monetised costs to the public, businesses or the economy?

Benefits - The Impact Assessment will need to determine whether the level of benefits derived from having a bank holiday on a specified different date are higher or lower than the benefits derived from an early May date.

There are various categories of benefits

Impact on Tourism and Leisure Trade – Bank Holidays are known to be times when there are increased levels of spend on tourism and leisure activities.

Removing the concentration of bank holidays – Some have suggested that moving the May Day bank holiday to a different part of the year might “lengthen the tourism season” which provide a boost to tourism, especially domestic tourism.

Impact on other trade – Bank Holidays can also have positive effects on other sectors of the economy

Impact on non-monetised benefits – Bank holidays can also help to increase civic pride and help achieve a good work-life balance which can assist a healthy lifestyle.

Questions

Would the movement of the May Day Bank Holiday increase or decrease the benefit it is likely to bring to the Tourism and Leisure Trade? Please give an explanation for your answer including an alternative date (or time of year) if you believe a change should be made.

What effect would lengthening the tourism season have on the leisure and tourism trade? What contribution could the movement of a bank holiday have in achieving this? And what other measures could help achieve this?

Would the movement of the May Day Bank Holiday increase or decrease any benefits it brings to sectors of the economy other than the tourism and leisure trade? Please give an explanation for your answer

Would the movement of the May Day Bank Holiday provide any non-monetised benefits to the public, businesses or the economy? How much effect, positive or negative, would a change in the “occasion” that is marked by the bank holiday have?

Does aligning it with a particularly significant date (e.g. a National Saints Day) or naming it to commemorate a particular event or group of people (e.g. Trafalgar Day, or Veterans Day) make a difference to the economic or social costs and benefits?

4.2.6 Wider Impacts

4.2.6.1 Devolved Administrations

At present the Early May Bank Holiday is celebrated in all parts of the UK. The Power to set Bank holidays in Scotland is devolved to the Scottish Government. The power has not been devolved in Wales and Northern Ireland; therefore Bank Holidays in England and Wales, and Northern Ireland are set by the Westminster Government. While there are many differences in the pattern and observance of bank holidays across the United Kingdom we would need to consider carefully any decision to deharmonise this holiday. In addition to the public consultations the Government is also engaging with the Devolved Administrations to discuss all of the issues that this consultation process raises.

If a decision is made to move the bank holiday in Northern Ireland, the Government would need to take account of the statutory obligation under Section 75 of the Northern Ireland Act 1998. This states that public authorities in carrying out their various functions must have due regard to the need to promote equality of opportunity, between persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation; between men and women generally; between persons with a disability and persons without; and between persons with dependants and persons without.

What impact would a deharmonisation of this bank holiday have? In particular what would be the impact on trade?

4.2.6.2 Small Businesses

The UK has a high proportion of small businesses and within the tourism and leisure sector they make up about 80% of firms.

Would a change in date or occasion of the early May Bank Holiday have a disproportionate effect, either in an increase or decrease in costs or benefits, on Small Businesses.

4.2.6.3 Equality

Under equality legislation, public authorities have legal duties to have “due regard” to the need to eliminate discrimination and promote equality with regard to race, disability and gender, including gender reassignment, as well as to promote good race relations. In the Equality Act 2010, these three duties are harmonised into one, and also extend the scope to cover protected characteristics of

age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

What affect would a change in date or occasion of the early May Bank Holiday have on any of the protected characteristics?

4.2.6.4 Competition

Where a policy restricts competition this can be expected to lead to an Economic Cost.

Is there any evidence to suggest that moving a Bank Holiday would restrict competition?

4.2.6.5 Greenhouse Gases

Government is committed to making Greenhouse Gas Impact Assessments an integral part of assessing environmental impacts. As part of this work we may need to consider whether moving the bank holiday would increase or decrease the number of passenger journeys by air, which is a large contributor to greenhouse gases.

What evidence is there to suggest that moving a Bank Holiday would increase or decrease the levels of Greenhouse Gas emissions? Would this increase or decrease the number of passenger journeys by air?

4.2.6.6 Wider Environmental Impact

The purpose of the “Wider Environmental Impact Test” is to enable Departments to understand and quantify, where possible in monetary terms, the environmental consequences of their proposals. The range of potential impacts can be wide ranging, including impacts on air quality, water quality and quantity, flood risk, biodiversity, landscape and noise.

What evidence is there to suggest that moving a bank holiday would have any impact on the wider environment?

4.2.6.7 Health and Well Being

The health impact assessment considers the effects policies, plans, programmes and projects have on health and well-being, and in particular, how they can reduce health inequalities. One particular point of interest may be the suggestion that a spacing out of bank holidays, particularly having a bank holiday between the end of the summer and Christmas may improve work-life balance and or employer morale.

What impact could moving the early May Bank Holiday have on Health and Well Being? In particular what impact could moving a bank holiday to the autumn have on the health and morale of workers?

4.2.6.8 Human Rights

Departments must consider whether any proposal will have an impact on Human Rights.

Is there any evidence that moving the early May Bank Holiday will impact on Human Rights?

4.2.6.9 Justice Impact Test

The justice impact test considers the impact of the proposal on the justice system?

Is there any evidence that moving the early May Bank Holiday will impact on the Justice System?

4.2.6.10 Rural Proofing

The Government is firmly committed to ensuring that all domestic policies and programmes take account of the circumstances and needs of rural people and places.

What evidence is there that moving the early May Bank Holiday would impact disproportionately on Rural areas

4.2.6.11 Sustainable Development Impact Test

The Government is committed to sustainable development – essentially that the current generation satisfies its basic needs and enjoys an improving quality of life without compromising the position of future generations.

Is there any evidence that moving the early May Bank Holiday would impact on Sustainable Development

4.3 How to Respond

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Letter

If you wish to send your response by letter please address it to;

Bank Holiday Pre-Consultation

Tourism Team

Department for Culture Media and Sport

2-4 Cockspur Street,

London SW1Y 5DH

Closing date for returns

While it will be helpful to have returns by the **9th June**, we will still be interested in receiving evidence relating to the impact assessment after this date.



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