



RECORD OF DECISION

LICENSING SUB-COMMITTEE

DATE OF HEARING: MONDAY, 8 SEPTEMBER 2025

MEMBERS: Councillors B S Banks (Chair), S Criswell and P A Jordan

APPLICATION CONSIDERED: ICELAND FOODS LIMITED, UNIT 3
STUKELEY ROAD RETAIL PARK,
HUNTINGDON, PE29 6DA

We heard representations from the following persons:

The Applicant - Piers Warne from TLT Solicitors and Robert Hayes both on behalf of Iceland Foods Limited

Interested Parties – 1 Other Party (written representation within the agenda pack)

We found the following facts:

Huntingdonshire District Council as the Licensing Authority has received an application for a new Premises Licence for the premises Iceland Food Warehouse, Unit 3 Stukeley Road Retail Park, Huntingdon PE29 6DA.

The Application was received on the 14th July 2025. As required under the Licensing Act 2003, notice of the application was advertised by blue notices displayed at or near the premises from the 15th July 2025 and in the local newspaper on the 23 July 2025. The 28- day consultation period ended on the 11th August 2025.

The Premises Licence application initially requested the following:

Sale of alcohol by retail for consumption OFF the premises

Monday to Sunday 00:00 - 23.59

Hours premises are open to the public

Monday to Sunday 00:00 - 23.59

As part of the consultation the Responsible Authorities as determined by the Licensing Act 2003 were consulted on the application. No additional conditions were proposed by any Responsible Authorities.

During the period for representations a total of 1 valid representation was received from 'other persons.' These are presented within the papers presented to the Sub-Committee at Appendix C.

Mediation was undertaken with the applicant and resident 'other person'. During the mediation, the applicant offered to restrict alcohol sales to 07:00-23:00 daily, as this would in his words 'align us with nearby competition in the immediate area', but on the basis that the representation was withdrawn before the date of the Sub-Committee hearing. However, as the representation was not withdrawn a hearing was still required, and the applicant re stated its intention to request the full 24 hour sale of alcohol condition. The Members acknowledged that the applicant had offered this concession. Details of the communications between the parties were presented within the papers presented to the Sub-Committee at Appendix D1 and D2 (pp. 35, 39).

In making our decision we considered the following:

- The Licensing Act 2003
- The Section 182 Guidance
- The Council's Statement of Licensing Policy
- The Applicant's oral submissions
- Suggested amendments from the Applicant and Interested Parties
- Responses to questions asked by members and those attending the hearing

We did not consider the following matters to be relevant:

N/A

Our decision is as follows:

The application be granted as applied for, specifically that:

The sale of alcohol for consumption off the premises is granted as 00:00-23:59 daily.

Supply of Alcohol - Off- sales

Monday to Sunday - 00:00 to 23:59

Hours premises are open to the public

Monday to Sunday 00:00 - 23.59

The licence is subject to the conditions set out in the application.

Our reasons for reaching the decision are as follows:

Members accepted that Iceland is an experienced national operator with robust alcohol management policies. The Responsible Authorities were consulted with as part of the application process (agenda para 3.1). None submitted representations, indicating that the conditions in the operating schedule were considered sufficient. As part of mediation, the applicant offered to limit alcohol sales to 07:00-23:00 daily.

Members read written submissions from the objector that although the retail park is established, he regarded the area as essentially residential, surrounded by housing. His objections were based on potential noise, parking pressures, traffic at peak times (including school runs), and the store's proximity to Stukeley Meadows Primary School (within 100 yards). He feared the licence would increase loitering, anti-social behaviour, and disrupt the peace of residents.

Members noted that no evidence of actual incidents was provided. The school community itself had not raised concerns or made representations. The objector's submissions on nuisance and congestion were anecdotal, without measurements or objective data. He did not attend for further questioning.

While Members accepted that risks could be imagined in the absence of safeguards-such as under-age drinking or loitering-they were reassured by the applicant's robust measures: Challenge 25, CCTV, incident logs, and till prompts. Members noted that the Guidance at 10.15 provided as follows:

10.15 Shops, stores and supermarkets should normally be free to provide sales of alcohol for consumption off the premises at any times when the retail outlet is open for shopping unless there are good reasons, based on the licensing objectives, for restricting those hours.

On congestion and parking, Members found it unlikely that alcohol sales would materially increase daytime footfall, and there was no evidence of parking problems at late-night or early-morning times. They considered it improbable that alcohol sales alone would generate new vehicle trips that impacted residents or the school. The complainant's suggestion that alcohol sales be limited in time was considered disproportionate and unnecessary.

Members had regard to the Licensing Policy, which requires consideration of local sensitivities, proximity of residential properties and schools, and the protection of children from harm. The application did not undermine the promotion of the licensing objectives.

In reaching this conclusion, the Sub-Committee had regard to the Licensing Act 2003, the Section 182 Guidance, and the Council's Licensing Policy. They noted the single resident representation but concluded it carried limited weight in light of the absence of cogent evidence and the lack of Responsible Authority objections.

In particular:

1. Prevention of Public Nuisance (Policy §9, pp.11-12): Members noted that nuisance includes noise, litter, obstruction of the highway and congregation outside premises. The objection alleged congestion and loitering, but Members found no evidence of actual

nuisance or obstruction, and noted that the applicant's conditions - including CCTV, delivery and waste restrictions, customer notices, litter patrols directly address these risks.

2. Protection of Children from Harm: Members considered the premises' proximity to Stukeley Meadows Primary School. They were reassured by Challenge 25, CCTV coverage, spirits secured behind the counter, staff training. Together, these measures were considered sufficient to protect children from harm.
3. Cumulative Impact and Local Context: Members considered whether granting a further licence would add to cumulative problems. They concluded that an additional off-licence within a managed retail park, absent evidence of street drinking or disorder, would not realistically add to cumulative impact.
4. Evidence, Proportionality and Conditions: Members applied the requirement that decisions be evidence-based and proportionate. They accepted that Iceland is an experienced operator and had engaged constructively with Responsible Authorities.

Accordingly, Members were satisfied that granting the application as originally applied for would promote the licensing objectives and was appropriate and reasonable. The licence remains subject to review should evidence of nuisance or disorder emerge.

In conclusion, Members considered the Licensing Act 2003, the Section 182 Guidance and the Council's Licensing Policy. They noted the single resident representation but concluded it carried limited weight due to the absence of evidence and the distance of the property from the premises. Members considered that the objectives of preventing crime and disorder, protecting children from harm and preventing public nuisance can be adequately promoted by the reduced alcohol hours and the comprehensive set of conditions offered and agreed.

The decision is appropriate, proportionate and reasonable, and remains subject to review in the event of evidence of nuisance or disorder.

Date: 9 September 2025

PLEASE NOTE

You have a right of appeal to the Magistrates Court against the decision above. You MUST lodge any appeal with the Magistrates Court within 21 days from the date of this decision.

The address of the Magistrates Court is:-
Peterborough, Huntingdon and Fenland Magistrates Court
Bridge Street
Peterborough
PE1 1ED