

**LICENSING APPLICATIONS SUB-COMMITTEE MEETING MINUTES
18 JUNE 2026**

Present: Councillors Woodward (Chair), Dennis and Magon.

4. APPLICATION FOR THE GRANT OF A PREMISES LICENCE - READING BISCUIT FACTORY, 1A QUEENS WALK, READING, RG1 7QF

The Sub-Committee considered a report on an application by RIENT Ltd for the grant of a premises licence in respect of Reading Biscuit Factory, 1a Queen's Walk, Reading, RG1 7QF. The report stated that the premises described itself as an independent cinema, bar, and arts venue located within the town centre. Its stated primary function was as a cinema, with the sale of alcohol being ancillary to this principal use.

The report stated that the premises had previously held a Premises Licence (LP2003295), granted in June 2021, and set out the licensable activities and permitted hours under that licence. The report explained that the licence was originally held by Really Local Group Limited and was subsequently transferred to RLG SPV BETA Ltd following the liquidation of Really Local Group Limited. On 6 February 2026, RLG SPV BETA Ltd entered liquidation. Under the Licensing Act 2003, where a premises licence holder enters liquidation, administration, or bankruptcy, the licence lapses immediately. To prevent permanent loss, the licence must be transferred within a statutory period of 28 days. The report further stated that on 23 April 2026, the Council's Business Support Team had informed the Licensing Team that Reading Biscuit Factory was being operated by RIENT LTD rather than RLG SPV BETA Ltd. However, the Sub-Committee was advised that the licence had not been transferred to RIENT LTD within the required 28-day period and had therefore lapsed.

On 23 April 2026, a member of the Licensing Authority contacted Reading Biscuit Factory by email advising that, due to the lapse of the licence, all licensable activity must cease immediately. This correspondence was accompanied by an explanatory letter, which likewise stated that all licensable activity must cease, and which was also hand-delivered to the premises and provided directly to a Duty Manager on the same date.

On 24 April 2026, officers from the Council's Licensing Team attended the premises to verify whether all licensable activity had stopped. An officer entered the premises and purchased a pint of beer. Two Licensing Officers then identified themselves, spoke with staff, and reiterated to them that the premises licence had lapsed and that licensable activity must cease.

On 25 April 2026, officers from the Council's Licensing Team attended the premises again to hand-deliver a warning letter. Officers entered the premises under section 179 of the Licensing Act 2003 to ascertain whether any unauthorised licensable activities were taking place. The officers observed a sign displayed at the bar stating that there was "no beer", and the Duty Manager confirmed that no alcohol had been served. However, during the visit, officers noted that films were being shown across three cinema screens. Officers advised the Duty Manager that the exhibition of films without valid authorisation constituted an unauthorised licensable activity. Officers further advised the Duty Manager that this was the third occasion on which officers had attended the premises and observed licensable activity taking place. Guidance was also provided in relation to the use of Temporary Event Notices (TENs).

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The report stated that, on 27 April 2026, a new Premises Licence application had been submitted by RIENT Limited. A copy of the application form was included at Appendix RT001. The application sought the grant of a new Premises Licence for the following licensable activities and hours:

Sale of Alcohol

Monday to Saturday	from 1030hrs to 2300hrs
Sunday	from 1100hrs to 2300hrs

Late night refreshment:

Thursday	from 2300hrs to 0000hrs
Friday to Saturday	from 2300hrs to 0100hrs

Recorded Music:

Monday to Thursday	from 0800hrs to 0000hrs
Friday to Saturday	from 0800hrs to 0100hrs
Sunday	from 0900hrs to 2300hrs

Live Music

Monday to Thursday	from 1600hrs to 2300hrs
Friday to Saturday	from 1600hrs to 0000hrs
Sunday	from 1500hrs to 2300hrs

Provision of Films

Monday to Thursday	from 1030hrs to 2300hrs
Friday to Saturday	from 1030hrs to 0100hrs
Sunday	from 1100hrs to 2300hrs

Hours the Premises is Open to the Public:

Monday to Wednesday	from 0800hrs to 0000hrs
Thursday	from 0800hrs to 0100hrs
Friday to Saturday	from 0800hrs to 0200hrs
Sunday	from 0900hrs to 2300hrs

The report explained that the Applicant had subsequently indicated a wish to amend the original application. Details of the proposed amendments, as set out by the Applicant's representative, were included at Appendix RT002. The proposed changes to the application were as follows:

- A change of the stated Designated Premises Supervisor (DPS) from Guyan Mathavan DE LIVERA to Matthew FERGUSON;
- The inclusion of all conditions attached to the previous 'lapsed' licence (LP2003295) within the new application;
- No longer wishing to apply for the provision of Live Music;
- No longer wishing to apply for the provision of Recorded Music.

The report stated that, during the mediation period, both the Licensing Authority (RBC) and Thames Valley Police were provided with details of the amended application. However,

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neither Responsible Authority had accepted the proposed amendments. Copies of the relevant correspondence were included at Appendix RT003.

The report stated that, during the 28-day consultation period for the application, six representations had been received. Of these, four were deemed valid and two invalid.

The valid representations were as follows:

- Mike Harding, RBC Licensing Enforcement (copy at Appendix RT004, together with supporting appendices);
- Rebecca Moon, RBC Environmental Protection (copy at Appendix RT005). The report explained that this representation was subsequently withdrawn (details Appendix RT005b);
- Declan Smyth, Thames Valley Police Licensing Team (copy at Appendix RT006);
- Karen Rowland (copy at Appendix RT007).

The supporting appendices to Appendix RT004 included two body-worn camera video recordings, which provided footage of the incidents detailed in the report that had occurred on 24 and 25 April 2026. The recordings were circulated solely to the Sub-Committee and the parties to the hearing, as they contained footage of members of the public and were therefore treated as exempt information in accordance with Schedule 12A of the Local Government Act 1972. In addition, the Sub-Committee and the parties to the hearing were provided with an unredacted version of Appendix RT005, which contained restricted information submitted by Thames Valley Police, and which was likewise treated as exempt information under Schedule 12A of the 1972 Act.

The two representations deemed invalid were as follows:

- Councillor Jacqueline Dominguez (copy at Appendix RT008);
- Tony Page (copy at Appendix RT009).

At the meeting, Licensing Officers advised the Sub-Committee that, following advice from the Council's Legal Department, the two representations originally deemed invalid (Appendices RT008 and RT009) should be considered by the Sub-Committee as valid representations.

The representation submitted by Mike Harding, RBC Licensing Enforcement, (copy at Appendix RT004) objected to the application on the grounds that granting the application would undermine the licensing objectives and in particular that of the prevention of crime and disorder. The representation explained that, following the lapse of the previous licence, the Applicant had continued to carry out licensable activities despite repeated written and verbal warnings. The Licensing Authority considered these breaches to be serious and indicative of failures in management oversight and regulatory compliance rather than being an isolated administrative error. The representation submitted that these concerns could not be adequately addressed by conditions, as the issue related to a fundamental failure to comply with the licensing regime. The representation concluded that the Licensing Authority had insufficient confidence in the applicant's ability to operate compliantly in future and therefore recommended refusal.

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Appendix RT006 submitted by Declan Smyth (copy at Appendix RT006) objected to the application on all four licensing objectives. The representation concluded that the application, as presented, did not demonstrate that the licensing objectives would be adequately promoted and requested that the Sub-Committee either refused the application or granted it only with reduced hours and robust, enforceable conditions agreed with the Licensing Authority and Thames Valley Police.

The representations included at Appendices RT007, RT008 and RT009 were submitted in support of the application, emphasised the community value of the premises, its low-risk nature, and expressed the view that the grant of a licence would not undermine the licensing objectives.

Following the publication of the agenda papers, a skeleton argument was submitted by the Applicant's representative, Bill Donne of Silver Fox Licensing Consultants Ltd. A copy was circulated to members of the Sub-Committee and to relevant parties to the application. In that submission, the Applicant accepted that Reading Biscuit Factory had operated without a valid premises licence after the previous licence had lapsed following insolvency and acknowledged that licensable activities should have ceased immediately when instructed by Licensing Officers. However, it argued that the breaches had arisen from administrative failures during the insolvency process, management disruption, staff misunderstandings regarding the scope of the licence lapse and the temporary absence of the General Manager, rather than any deliberate disregard of the licensing regime. The Applicant stated that substantial remedial action had been taken, including the proposed appointment of local General Manager Matthew Ferguson as the Designated Premises Supervisor (DPS), additional personal licence qualifications for managers, enhanced licensing training for staff and the adoption of the conditions attached to the previous premises licence. The submission invited the Sub-Committee to take a prospective rather than punitive approach, focusing on whether the licensing objectives would be promoted in the future, and highlighted the venue's cultural and community value, the potential impact on approximately 20 jobs and the wider economic benefits associated with the business. Accordingly, the Applicant requested that the premises licence be granted subject to the revised hours, activities and conditions set out in Appendix RT002.

The report set out the powers of the Licensing Authority when determining an application for the grant of a Premises Licence, which were:

- To grant the application as applied for;
- To grant the application with modifications;
- To refuse the application.

The report explained that, when considering the representations received, the Licensing Authority had a duty to carry out its functions with a view to promoting the four licensing objectives, which were as follows:

- The prevention of crime and disorder;
- Public safety;
- The prevention of public nuisance;
- The protection of children from harm.

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The report stated that any conditions placed on a Premises Licence should be appropriate and proportionate with a view to promoting the licensing objectives and that the Licensing Authority could amend, alter or refuse an application if it were deemed appropriate for the promotion of the licensing objectives.

The report also stated that, when determining an application, the Licensing Authority must have regard to the representations received, the Licensing Authority's own statement of Licensing Policy and to any relevant section of the statutory guidance issued to licensing authorities by the Secretary of State.

The report set out paragraphs 1.6, 3.1, 5.6, 5.7, 6.1, 6.2, 6.5, 6.19-6.23, 10.1 and 10.3 of the Council's Statement of Licensing Policy. The report also set out paragraphs 1.18, 1.2, to 1.5, 8.41 to 8.49, 9.12, 9.38 to 9.40, 9.42 and 9.43 of the Amended Guidance issued under Section 182 of the Licensing Act 2003. The report also highlighted relevant sections of The Licensing Act 2003 (namely Section 18(6)) and set out relevant case law for consideration.

Mike Harding, RBC Licensing Enforcement Team, attended the meeting, addressed the Sub-Committee on the representation he had submitted on behalf of the Licensing Authority, and asked and responded to questions.

Declan Smyth, Thames Valley Police Licensing Team, attended the meeting, addressed the Sub-Committee on his representation, and asked and responded to questions.

Mr Matthew Ferguson, General Manager at Reading Biscuit Factory, and Bill Donne, Silver Fox Licensing Consultants, were present at the meeting on behalf of the Applicant. Both addressed the Sub-Committee and asked and responded to questions.

Tony Page was present at the meeting, addressed the Sub-Committee and asked and responded to questions regarding his representation. Tony Page also made representations on behalf of Karen Rowland who observed proceedings remotely via Microsoft Teams.

Riley Timney, Licensing & Enforcement Officer, Reading Borough Council, presented the report to the Sub-Committee. Robert Smalley, Licensing & Enforcement Officer also attended the hearing and responded to questions.

During the hearing, the Applicant's representative proposed that an additional condition be attached to any licence granted, requiring that a Personal Licence Holder be present at the premises and on duty at all times when licensable activities were taking place. This was offered to provide reassurance to the Sub-Committee as to the management and supervision of licensable activities at the premises, and to ensure clear personal accountability in light of previous licensing issues.

Resolved -

DECISION

- (1) That the application for a Premises Licence in respect of Reading Biscuit Factory, 1a Queens Walk, Reading RG1 7QF be granted subject to the following:

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- (a) The Licensable Activities and Hours of the licence being as follows:

Sale of Alcohol

Monday to Saturday	from 1030hrs to 2300hrs
Sunday	from 1100hrs to 2300hrs

Late night refreshment:

Thursday	from 2300hrs to 0000hrs
Friday to Saturday	from 2300hrs to 0100hrs

Provision of Films

Monday to Thursday	from 1030hrs to 2300hrs
Friday to Saturday	from 1030hrs to 0100hrs
Sunday	from 1100hrs to 2300hrs

Hours the Premises is Open to the Public:

Monday to Wednesday	from 0800hrs to 0000hrs
Thursday	from 0800hrs to 0100hrs
Friday to Saturday	from 0800hrs to 0200hrs
Sunday	from 0900hrs to 2300hrs

- (b) The inclusion within the licence of the conditions attached to the previous (now lapsed) licence, as proposed by the Applicant and set out in Appendix RT002;
- (c) It being noted that the application no longer included the provisions for live and recorded music, as confirmed by the Applicant and set out in Appendix RT002;
- (d) The addition to the licence of the following condition, as proposed by the Applicant during the hearing:
- “That there be a personal licence holder on duty all the time the business is open to the public for licensable activities.”*
- (e) The request to specify Mr Mathavan DE LIVERA as the Designated Premises Supervisor being refused, and it being noted that no determination had been made by Sub-Committee in respect of the subsequently proposed Designated Premises Supervisor Mr Matthew FERGUSON.

REASONS

- (2) That the Sub-Committee reasons be noted as follows:
- (a) In coming to its decision, the Sub-Committee considered the Licensing Act 2003, the Secretary of State’s Guidance issued under section 182

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of that Act, the Environmental Protection Act 1990, the Equality Act 2010 and Reading Borough Council's Statement of Licensing Policy;

- (b) The Sub-Committee made its decision based upon an appreciation of the likely effect of granting the licence on the promotion of the four Licensing Objectives: the prevention of crime and disorder, public safety, the prevention of public nuisance, and the protection of children from harm;
- (c) The Sub-Committee carefully considered the representations received from the Applicant, the professional representations of the Reading Borough Council Licensing team and Thames Valley Police and the representations of the three interested parties;
- (d) The Sub-Committee noted the seriousness of the Applicant's conduct in having carried on licensable activities without the requisite authorisation and seriously considered refusing the application on that basis. However, the Sub-Committee took into account the following factors:
 - (i) That there had been no attempts by the Applicant to undermine or minimise the seriousness of the offending;
 - (ii) That there had been a change in management and staffing;
 - (iii) That Mr Mathavan De Livera was no longer involved in the day-to-day running of the business;
 - (iv) That training had been undertaken and steps taken to ensure that all Duty Managers would complete the APLH (Award for Personal Licence Holders) course and hold a personal licence;
 - (v) That there had been no regulatory issues or breaches prior to the licence lapsing;
 - (vi) That only five incidents of crime and disorder had been reported to the police between 1 January 2021 and 11 May 2026.
- (e) In coming to its decision, the Sub-Committee commended the Council's Licensing Enforcement Officers for their hard work and diligence in investigating the incidents that had occurred in April 2026;
- (f) In coming to its decision, the Sub-Committee noted that the licence could be brought back for review at any time by responsible authorities and anticipated that those authorities would closely monitor the Premises moving forward.

(All parties to the decision have the right to appeal to the Magistrates' Court against the decision of the Licensing Applications Sub-Committee. Any such appeal must be made within 21 days beginning with the day on which the party is notified of this decision in writing.)

(The meeting started at 9.30 am and closed at 1.01 pm)