



LICENSING APPLICATIONS SUB-COMMITTEE

18 JUNE 2026

ADDITIONAL INFORMATION

Documents circulated after the publication of the agenda:

<u>AGENDA ITEM</u>	<u>DESCRIPTION:</u>	<u>DATE RECEIVED</u>	<u>DATE CIRCULATED</u>	<u>PAGE Nos</u>
2. Application for the Grant of a Premises Licence - Reading Biscuit Factory, 1a Queens Walk, Reading, RG1 7QF	Skeleton Argument submitted on behalf of the Applicant by Bill Donne, Silver Fox Licensing Consultants	15/06/2026	16/06/2026	3 - 11

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BEFORE READING BOROUGH COUNCIL

Licensing Sub Committee Hearing Thursday 18th June 2026

Application for the Grant of a Premises Licence

Rient Ltd (Applicant)

Under S.17 Licensing Act 2003

At

Rient Ltd t/a The Reading Biscuit Factory

1A Queens Walk, Reading RG17QF

Skeleton Argument on behalf of the Applicant

Bill Donne, Silver Fox Licensing Consultants

Documents submitted on behalf of the Premises Licence Holder.

A. SECTION 182 GUIDANCE LICENSING ACT 2003 – FEBRUARY 2026

Part 9.3 to 9.11 Where representations have been made and

9.12 Responsible Authorities as experts

9.38 give weight to the evidence.

1.17 Each application on its own merits

1.18 When making licensing decisions, all licensing authorities should **consider the need to promote growth** and deliver economic benefits.

11.19 In coming to a decision on individual licensing applications, licensing committees should have regard **to relevant local plans** and strategies – such as those relating to town planning, the night-time economy, or business support.

B. READING BOROUGH COUNCIL:

STATEMENT OF LICENSING POLICY

9.20 The Authority shall endeavour to work with licence holders and applicants where it is believed that steps can be taken to rectify issues identified at licensed premises.

C. HUMAN RIGHTS ACT 1998

3.5 The Council has a duty under the European Convention on Human Rights to protect both the rights of a resident to privacy and family life (Article 8) and the **rights of a licence holder to operate their business** without undue interference (Article 1 of the First Protocol). This promotes the need for the licensing authority to reach a **balance between these two principles** when making decisions.

D. CASE LAW

It is well established that licensing decisions must be **evidence-based** and **proportionate**: • *Hope & Glory Public House v City of Westminster [2011] EWCA Civ 31*, at [41] – decisions must be rational, justified, and based on the promotion of the licensing objectives.

Conditions must be:

Appropriate for the promotion of the licensing objectives (*per s.18(2)(a) LA 2003*); **Tailored to the individual premises (Guidance under s.182, para 10.8)*;

Proportionate and not unduly burdensome (*Guidance under s.182, para 1.17*).

East Lindsey District Council v Abu Hanif (t/a Zara's Restaurant) (2016) establishes that the LSC should take a prospective approach

E. ARGUMENT KEY POINTS

1. This Skeleton Argument is filed on behalf of the Premises Licence Holder (PLH) in response to the representations objecting to the application for the Grant of a premises licence pursuant to section 17 of the Licensing Act 2003. The Application was submitted on the 27th April 2025 with the statutory consultation period ending at midnight 25th May.
2. The Decision respectfully requested is for the Committee to take a prospective approach and the Grant of the premises licence with the revised hours, licensable activities and conditions as outlined in the Public Agenda Reports Pack on Appendix RT002.
3. It is accepted that the business was trading without a valid premises licence in place from February 2026 in contravention of Sections 136 and 137 of the Licensing Act 2003 when the PLH, RLG SPV Beta Ltd went into liquidation on 17th February 2026 causing the licence to lapse.

4. Furthermore, it is accepted that the duty manager(s) should have ceased the licensable activities immediately that they were informed by the Licensing Officer on Thursday 23rd April 2026 via email, and by the letter served on the Duty Manager on the same day, but failed to do so completely until the evening of Saturday 25th April, despite visits from Officers.
5. It is concerning that the duty managers did not comply with the clear directions to cease licensable activities when told to do so by an Officer however appropriate training has now taken place for all staff to ensure that there will be no re-occurrence. This inaction was ascribed to a miscommunication from the operations director and the duty management at the venue.
6. Once the situation was properly understood the venue submitted a series of Temporary Event Notice (TEN) in order to enable the business to trade during the statutory consultation period. There were no issues during TENs events
7. The initial confusion was that the issue was the payment of the annual fee, and then secondly that it only applied to the sale of alcohol.
8. To address future concerns that Councillors may have regarding the management of the venue, four duty managers are now enrolled on the Award in Personal Licence Holders (APLH) nationally accredited course with the intention of applying for their own personal licence.
9. Mr Matthew Ferguson, the local General Manager, in order to become the specified Designated Premises Supervisor (DPS) has recently passed the APLH course examination, and obtained his personal licence. In addition, he has attended two review hearings from the public gallery heard before the Licensing Sub Committee at Reading Council, and is fully aware of the responsibilities of being the DPS.
10. It is considered that by appointing Mr FERGUSON as the specified DPS more effective control can be maintained by a manager who attends the site on an almost daily basis, and resides in Reading.

11. In addition, eleven staff have attended a licensing seminar conducted by Bill Donne from Silver Fox Licensing Consultants.
12. All staff have been enrolled on the CPL online training programme for the Award for Licensed Premises Staff (ALPS) and the prevention of underage sales course.
13. The venue has been trading as The Biscuit Factory, a cinema, bar and community centre since 2021 and was one of five cinemas that the group operated across the South of England.
14. A premises licence was originally granted in June 2021 to the Really Local Group Limited, authorising the sale of alcohol, provision of late-night refreshment and showing of films and was transferred to RGL SPV Beta Ltd following the insolvency of the PLH.
15. The specified Designated Premises Supervisor (DPS) on the lapsed premises licence was Mr Guyan Ravith MATHAVAN DE LIVERA, the operations director based in London.
16. The Biscuit Factory remained open under the newly formed Company Rient Ltd, with staff being transferred under TUPE
17. Rient Ltd, as the new tenant of the Biscuit Factory had a twenty-eight day time period to transfer the Premises Licence by a simple application form and a fee of £23.00, but with all the internal turmoil and redundancies going on, failed to do so.
18. This was a serious oversight by a Mr MATHAVAN DE LIVERA, the operations director, a member of senior management at the head office based in London.

19. Mr MATHAVAN DE LIVERA was now no longer directly employed by the new Company but working as a consultant working one or two days a week.
20. In April the Licensing department from Reading Borough Council sent an invoice and/or a notification to the previous PLH, the RLG SPV Beta Ltd requesting payment of the annual fee.
21. We understand that a communication was sent to Licensing Department to say that Rient Ltd, was now operating the venue.
22. The General Manager of the Reading Biscuit Factory, Mr Matthew FERGUSON was aware that the payment of the annual fee was required, and duly requested the finance controller to pay the fee.
23. On Wednesday 22nd April, Mr FERGUSON left the Biscuit Factory at c. 14:00 hours having completed his scheduled day shift and commenced his pre-booked vacation.
24. Mr FERGUSON travelled to Salisbury to spend a few days looking after his mother who was suffering from illness and was not scheduled to return to work until the Monday 27th April.
25. During this time Mr FERGUSON only had limited access to emails via his mobile telephone, and was located in an area with poor reception. However, he did read on the Friday an email regarding the visit and believed it was regarding the payment of the annual fee.
26. On Friday 24th Mr Ferguson was informed by Mr MATHAVAN DE LIVERA that the business had to stop selling alcohol, and this was communicated to the duty managers.

27. On Saturday evening Mr Ferguson received a text message from a staff member stating they had received a Cease and Desist letter ordering the venue to stop the sale of alcohol and close the
28. cinema. He instructed them to close the business down that evening.
29. Mr Ferguson returned to work a day early on Monday 27th April and communicated with the council and head office as to established what happened in his absence.
30. Several attempts have been made to arrange a mediation meeting with licensing officers from the council and police and all were denied.
31. A change of the specified DPS to Mr Ferguson was also rejected, with a direction to submit an application under S.37 to vary the DPS once the premises licence had been granted.
32. In summary, the failure to transfer the premises licence in time and to not instruct the duty managers to cease licensable activities was down to the operations Director who is no longer a direct employee.
33. The Applicant, Rient Ltd has taken steps to engage a professional consultant, train/ retrain all the staff in the basics of licensing law, and has enrolled all the duty managers on the APLH course and staff members on the CPL courses.
34. This was a straightforward application for the Grant of a new premises licence but has been adversely prejudiced by the non-closure.
35. We would ask the Committee to take heed of the S.182 Secretary of State guidance under 1.18 to consider the need to promote growth, in addition to the promotion of the four licensing objectives. Twenty full and part time jobs are at stake.

36. The profit stream for the business comes from the sale of alcohol, soft drinks and food. There is little profit in showing films given the upfront fees and high levels of commission paid to the Film Distributors.

37. The business has remained closed since the last of the Temporary Events Notices finished on the 30th May.

38. It is appreciated the two Responsible Authorities wished the application to be determined by the LSC.

Reading Biscuit Factory-External View



Internal views



