



RHONDDACYNONTAF COUNTY BOROUGH COUNCIL

LICENSING COMMITTEE

12TH OCTOBER 2020

REVIEW OF THE LICENSING ACT 2003 & GAMBLING ACT 2005

REPORT OF THE DIRECTOR PUBLIC HEALTH, PROTECTION AND COMMUNITY SERVICES

1. PURPOSE OF THE REPORT

The purpose of the report is to update Members on relevant issues, with regard to

- **the Licensing Act 2003**
- **the Gambling Act 2005**

2. RECOMMENDATION

Members are requested to: -

- (i) note the contents of the report in respect of the **Licensing Act 2003** which has been provided for information;
- (ii) note the contents of the report in respect of the **Gambling Act 2005**, which has been provided for information.

3. BACKGROUND

Members will be aware that a quarterly meeting is convened to review and discuss the implementation and progress of the Licensing Act 2003, together with any ancillary matters arising from responsibilities with which this particular Committee is charged.

Such ancillary matters include the Gambling Act 2005. (There may also be ancillary matters arising from the impact of the Smoke-Free Premises Regulations, which have the potential to affect all licensed premises).

4. LICENSING ACT 2003

4.1 Application Process

Applications received since the last update (10th February, 2020 to 27th September, 2020) are as follows:-

<i>Application Type</i>	<i>Number received</i>
Personal Licence	38
Premises Licence	13
Transfer (Premises Licence)	41
Vary (Premises Licence)	7
Club Premises Certificate	0
Vary (Club Premises Certificate)	0
Temporary Event Notice (TEN)	58
Application to Review	0
Interim Authority Notice	1
Change of DPS	102
Minor Variation	6
Disapply provision of DPS (Community Premises)	0
Notification of Interest in Premises	0
Performance of Hypnotism	0
Total Number Applications	266

The number of Temporary Event Notices (TEN's) notifications have decreased this period to a total of 58. This will be attributed to the Covid-19 pandemic, resulting in the closure of licensed premises and the inability of the community to partake in the events that would usually occur during these months.

During this period restrictions were gradually lifted, leading to outside areas such as beer gardens and associated grounds being permitted. TEN's notifications were received from premises and clubs which allowed them to trade during this challenging time.

The TEN's process has also allowed two new premises to trade while they waited for their premises licence to be granted.

Analysis of the TEN's applications indicate 14 related to Private Members Clubs, 22 for existing premises licences and 22 permitted community events.

A summary of TEN's, is reproduced for Members information as **Appendix 1A**.

It must also be noted that applications to transfer licences and to change designated premises supervisors (DPS) have continued throughout this difficult period.

In accordance with the advice received in respect of data protection matters, the summaries of Personal Licences and Premises Licences issued under delegated authority are now reproduced for information as a Part II restricted item.

4.2 Contested Applications

Since the last summary report, there are two contested applications that are pending:-

Application Type	Name of Applicant	Name of Premises	Date of Hearing	Outcome
Variation of Premises Licence	Gold Bar Two Ltd Unit 7C, Llwyncelyn Industrial Estate, Porth	Soul Suite 14 High Street Pontypridd CF37 1QJ	22 nd October 2020	pending
Variation of Designated Premises Supervisor	Lianne Lewis 6, Typica Cottage Hopkinstown Pontypridd CF37 2SG	Players Sports Bar 2-3, Broadway Pontypridd CF37 1 BA	22 nd October 2020	pending

Reviews

No Reviews have been determined since the last report

Appeals

No Appeals have been determined since the last report

4.3 Premises Inspection & Infringements

The relevant Performance indicator for the Licensing Team is "*the premises licences found to be broadly compliant following inspection by Licensing Officers*". Officers will consider confidence in management, compliance with licence conditions and business competency when determining the risk rating of the premises when considering whether they are broadly compliant.

Our current performance level for inspected premises has remained at 90.5% as was during the last reporting period. This is due to a lack of inspections because of the coronavirus, and resultant safety measures placed on council staff.

4.4 Complaints, Advice and Guidance

This past reporting period has seen unprecedented change within the licencing trade. The trade has been one of the hardest hit UK industries during the Covid-19 pandemic. There was no real warning of the pandemic nor of the extraordinary impact it would have within RCT and the whole nation.

RCT local authority including the licensing department were faced with significant challenges with offices closed, staff working from home and absolute disruption of all normal arrangements and processes.

However, local authority licensing is a statutory function and the licensing department must consider and determine applications. Our department has worked tirelessly and adapted to changes by encouraging applicants to use electronic means rather than postal applications though these also continued. Payments are made electronically.

Applications continued to arrive throughout this reporting period, as can be seen by the figures within 4.1 and officers continued to ensure a quality service was provided. Applications have rigid timescales and each and every one was processed and determined in good time.

Officers have shown great resilience and came together to provide each other with assistance and the tools needed to complete tasks.

In March 2020 the Government announced a formal closure of the hospitality industry, this included pubs, clubs and restaurants.

The Welsh Government announced plans for the first phase of re-opening for bars, restaurants and cafes with outdoor spaces only from 13th July. Venues were able to open in spaces they own and have licences for, but businesses with indoor space remained closed or open for deliveries only. This resulted in the TENS being received to allow clubs to utilise outdoor space.

The licensing team were bombarded with requests for advice, much of which was not clear or arriving from Government. This caused much stress and anxiety to the trade and officers alike. Once appropriate information was known, the department took a proactive approach to contact each and every pub, club and bar within RCT. This was a large task but one we thought relevant. Assistance was provided from other teams within the Public Health Department.

This was a success, but shortlived due to the ever changing regulations and guidance coming from Government. This continuous upheaval has made the task of assisting businesses very difficult.

The department was now receiving many complaints of licensed premises open and trading indoors. Officers utilised their strong working relationship with South Wales Police licensing department, and conducted joint visits to these premises ensuring compliance with the regulations while also providing advice.

The Health Protection (Coronavirus Restrictions) (No. 2) (Wales) Regulations 2020 also provide licensing officers with enforcement powers if they felt premises were failing to take reasonable measures to minimise risk of exposure to coronavirus. In these instances officers can issue premises improvement notices or even closure notices on premises. Due to some complaints being substantiated at that time two premises were issued with premises improvement notices.

South Wales Police also provide a daily update to the licensing authority of any incidents occurring the previous day within licensed premises. Officers act on this information by contacting businesses or conducting visits where there is need.

From 3rd August Welsh Government permitted the opening of pubs, clubs & bars indoors. This has resulted in much more work for our enforcement officers in policing this activity. Complaints have increased and proactive visits have increased. Local Authority community safety officers are also assisting on low risk visits.

Guidance has been provided and placed on the Authority website and on social media to assist businesses.

The increase in visits has led to a number of premises being identified as falling short of the reasonable measures taken to protect staff and customers. To date three premises have received closure notices, one in Rhondda, one in Cynon and one in Taf. Further to these a number of premises improvement notices have been issued. Many of these have since been lifted as a result of adequate improvements being made.

Due to rising coronavirus cases within Wales 24th September saw new regulations come into force for licensed premises. These include a curfew between the hours of 22.00hrs and 06.00hrs on the sale of alcohol. Pubs and clubs must stop selling alcohol at 22.00hrs and be closed by 22.20hrs. Table service only and face coverings to be worn unless seated for food or drink. These further measures are now also being policed by officers.

The workload within licensing during this time of uncertainty is ever increasing. The flexibility of the licensing team and willingness to work above and beyond is a key factor in the success to date of the ever changing licensing environment. Through this hard work and working in partnership with businesses to help them sustain their ability to remain open, it has been evident to date that the majority of premises are trying to do the right thing. Those who are not are being appropriately dealt with.

How long this pandemic will remain and the effect it will have on licensing in the future is not known. But if business' continue to work with the licensing authority and South Wales Police the trade within RCT will survive and hopefully overcome this crisis.

4.5 Recovery of Annual Fees

Total Income Received; As at 31/08/20	Outstanding Invoices; As at 31/08/20
£19,540	£8,165

It will be noted that there is a large figure for outstanding payments for annual fees. The licensing department took a decision not to chase payment of the fees during the current period due to the economic hardship placed on premises due to the Covid pandemic, where many of the premises were instructed by Government to close.

The annual licence fee is a statutory payment to the local authority, legislated within the Licensing Act 2003. As such the licensing department have now proactively began obtaining payments from licence holders. During this coming period it is highly anticipated that the outstanding debts will decrease considerably.

5. GAMBLING ACT 2005

5.1 Trade profile – Premises Licences

Permission Type	Number at Transition (1/9/07)	Number at 30/09/20
Bingo Premises Licences	4	2
Betting Premises	46	25
Adult Gaming Centre	10	6
Licensed Family Entertainment Centre	1	4
Lotteries/ Registered Societies	N/A	189

5.2 Trade profile – Gaming Permits

Complimentary to Premises Licences are a wide range of Gambling Permits that allow lower level gaming in primarily alcohol licensed premises. A summary of existing permissions is as follows:-

Premises Type	Number of Permits	
	Licensed Gaming Notification Machines	Premises Machine (2 Permits (>2 Machines))
Public Houses (Premises License with Retail Alcohol 'On Sales')	187	9

Premises Type	Number of Permits	
	Club machine Permit (3 Machines)	Club Gaming Permit

Qualifying Member Clubs (Club Premises Certificate)	57	7
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5.3 Recovery of Annual Fees

Because of the static nature of the trade, there is little change to the position, where 100% recovery of annual fees is the standard, primarily due to the robust provisions contained within the legislation which allow for withdrawal of the licence/permit for non-payment of appropriate fees.

Paul J Mee

Director for Public Health, Protection and Community Services

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL
PUBLIC HEALTH & PROTECTION – LICENSING**

Temporary Event Applications
Received: from 10th February 2020 to 27th September 2020

Appendix 1A

REFERENCE APPL TYPE	PREMISES	APPLICANT	START DATE END DATE & TIMES	EVENT
438498 Standard TENS	Parc & Dare Ex Servicemens Club Sunnybank Terrace Cwmparc Treorchy CF42 6ND	Ms Leigh Bennett	28 February 2020 To 2 March 2020	To trade while waiting for license - 28/02 - 29/02 18:00 - 00:00
438499 Standard TENS	Parc & Dare Ex Servicemens Club Sunnybank Terrace Cwmparc Treorchy CF42 6ND	Ms Leigh Bennett	4 March 2020 To 9 March 2020	To trade while awaiting License application approval/Hearing
438501 Standard TENS	Parc & Dare Ex Servicemens Club Sunnybank Terrace Cwmparc Treorchy CF42 6ND	Ms Leigh Bennett	11 March 2020 To 16 March 2020	To trade while waiting new license approval - hearing if any

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438503 Late TENS	Rhydyfelin Non Political Club Poplar Road Rhydyfelin Pontypridd CF37 5LS	Gary Jones	23 February 2020 To 23 February 2020	Tyson Fury v Deontay Wilder Boxing event on PPV TV
438530 Standard TENS	Pontypridd Ex-Servicemens Club Woodland Terrace Maesycoed Pontypridd CF37 1DZ	Sharon Davies	7 March 2020 To 7 March 2020	Live music after 6 nations - 07/03/20
438568 Standard TENS	Treherbert RFC 55 Wyndham Street Tynewydd Treherbert CF42 5BS	Mr Mansel Rowland Pryse	13 March 2020 To 14 March 2020	13/03 - Male Choir and Disco 14/03 Vocalist and Band

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438597 Late TENS	Ysgol Gynradd Gymraeg Garth Olwg Campws Cymunedol Garth Olwg Community Campus St Illtyds Road Church Village Pontypridd CF38 1RQ	Mr Heulyn Rees	29 February 2020 To 29 February 2020	Flood devastation - 29/02/20
438619 Standard TENS	Pontypridd Ex-Servicemens Club Woodland Terrace Maesycoed Pontypridd CF37 1DZ	Miss Sharon Davies	14 March 2020 To 14 March 2020	live music band after the six nations - 14/03/20
438620 Standard TENS	Taffs Well Village Hall Cardiff Road Taffs Well Cardiff CF15 7PL	Mr Wesley Pritchard	22 March 2020 To 28 March 2020	Mothers days meal - 22/03/20 - male live vocalist 28/03/20

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438648 Late TENS	The Carne Park Hotel Park Street Abercynon Mountain Ash CF45 4PF	Mr Philip Wood	6 March 2020 To 7 March 2020	Birthday party 6-7/03/20
438669 Late TENS	Ground Control Coffee Unit 2 Ffordd Y Gwaith Glo Llanharan Pontyclun CF72 9WW	Ms Nicola Burford	6 March 2020 To 6 March 2020	Evening social event 06/03/20
438671 Standard TENS	The Tumble Inn 4-9 Broadway Pontypridd CF37 1BA	Ms Victoria-Rose Walker	13 April 2020 To 13 April 2020	Easter bank Holiday weekend - 13/04/20

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438673 Standard TENS	The Tumble Inn 4-9 Broadway Pontypridd CF37 1BA	Ms Victoria-Rose Walker	7 May 2020 To 8 May 2020	Early May Bank Holiday (VE Day) - 07/05/20 - 08/05/20
438708 Standard TENS	Maes Yr Haf Community Centre Brithweunydd Road Trealaw Tonypandy CF40 2UD	Mr Arthur Lewis	28 March 2020 To 28 March 2020	by engagement of an artiste - 28/03/20
438721 Standard TENS	Bradleys Coffee 12 Ely Valley Road Talbot Green Pontyclun CF72 8AP	Mr Simon Bradley	3 May 2020 To 3 May 2020	family/Friends get together - 03/05/20

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438769 Standard TENS	Cae Fardre Rugby Field St Illtyds Road Church Village Pontypridd	Mr Adam Iles	22 March 2020 To 22 March 2020	
438779 Standard TENS	Ynys View Community Hub Ynys View Community Centre, Ynys Playing Field Ynys Road Aberdare CF44 7RP	Mr Kenneth Allan Price	21 March 2020 To 21 March 2020	Presentation event - 21/03/20
438789 Standard TENS	Gelli Park Park View Gelli Pentre	Cllr Lorraine Jones	12 April 2020 To 12 April 2020	Concert, Band and Choir - 12/04/20

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438799 Standard TENS	Tonteg Community Centre Main Road Tonteg Pontypridd CF38 1ND	Mr John David	4 April 2020 To 4 April 2020	farmers market - 04/04/20
438822 Standard TENS	Ynys View Community Hub Ynys View Community Centre, Ynys Playing Field Ynys Road Aberdare CF44 7RP	Mr Kenneth Allan Price	28 March 2020 To 28 March 2020	Evening with Arts Council of Wales Event - 28/03/20
438877 Standard TENS	Pontyclun RFC Llantrisant Road Pontyclun CF72 9DQ	Ms Lynette Tucker	17 May 2020 To	wrestleing event 17 May 2020

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			17 May 2020	
438956 Late TENS	Frank and Otis Brewing Company Unit 7 Moy Road Business Centre Moy Road Industrial Estate Taffs Well Cardiff CF15 7QR	Mr Robert Parker	31 March 2020 To 4 April 2020	online sale of alcohol - 31/03/20 - 04/04/20
439005 Late TENS	Frank and Otis Brewing Company Unit 7 Moy Road Business Centre Moy Road Industrial Estate Taffs Well Cardiff CF15 7QR	Mr Robert Parker	8 April 2020 To 14 April 2020	on line sales of alcohol - 08/04/20- 14/04/20

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439058 Late TENS	Frank and Otis Brewing Company Unit 7 Moy Road Business Centre Moy Road Industrial Estate Taffs Well Cardiff CF15 7QR	Mr Robert Parker	20 April 2020 To 26 April 2020	on sale of alcohol - 20/04/20 - 26/04/20
439200 Standard TENS	Miltons Mix Ups 44a Cambrian Avenue Hendreforgan Gilfach Goch CF39 8TG		15 June 2020 To 21 June 2020	Fathers Day - hampers - 15/06/20- 21/06/20
439385 Late TENS	Cwm Rhondda Farm Shop Unit 14 Parc Busnes Treorci Abergorki Industrial Estate Treorchy CF42 6DL	Miss Grug Jones	13 July 2020 To 18 July 2020	Casual eating and drinking outdoor. With light background recorded mus

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439395 Late TENS	Penygraig RFC Tylacelyn Road Penygraig Tonypandy CF40 1JR	Mr Stephen Riddick	18 July 2020 To 19 July 2020	use of playing field
439402 Standard TENS	The Marquis Bute Terrace Aberdare CF44 7EN	Mr Gavin David Huish	23 July 2020 To 26 July 2020	beer garden to front of premises
439407 Late TENS	The Marquis Bute Terrace Aberdare CF44 7EN	Mr Gavin David Huish	15 July 2020 To 19 July 2020	use of beer garden

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439408 Late TENS	Temple Bar 324 Cardiff Road Aberaman Aberdare CF44 6UU	Miss Laura Banyard	13 July 2020 To 20 July 2020	beer garden 13 to 20 July 2020
439409 Standard TENS	Temple Bar 324 Cardiff Road Aberaman Aberdare CF44 6UU	Miss Laura Banyard	22 July 2020 To 29 July 2020	beer garden 22 to 29 July 2020
439416 Late TENS	Pandy Hotel Llwynypia Road Tonypany CF40 2QZ	Mr Stuart William Rees	15 July 2020 To 22 July 2020	use of beer garden

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439418 Late TENS	Cwm Rhondda Farm Shop Unit 14 Parc Busnes Treorci Abergorki Industrial Estate Treorchy CF42 6DL	Miss Grug Jones	20 July 2020 To 25 July 2020	use of outside area to front of premises
439431 Standard TENS	Penygraig RFC Tylacelyn Road Penygraig Tonypandy CF40 1JR	Mr Stephen Riddick	25 July 2020 To 26 July 2020	reugby field use for 25 & 26 July 2020
439465 Late TENS	Barini's Lounge Bar & Grill Unit 2 Broadway Retail Centre Treforest Pontypridd CF37 1BH	Mr Adrian Roach	24 July 2020 To 26 July 2020	serving alcohol outside premises - 24/07/20 - 26/07/20

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439466 Late TENS	Barini's Lounge Bar & Grill Unit 2 Broadway Retail Centre Treforest Pontypridd CF37 1BH	Mr Adrian Roach	28 July 2020 To 3 August 2020	serving alcohol and food outside due to covid 19 - 28/07/20 - 03/08/20
439470 Late TENS	Abercynon RFC Park Road Abercynon Mountain Ash CF45 4NA	Mr Jeremie Manning	31 July 2020 To 3 August 2020	Outside drinking due to Covid 19 - 31/07/20-03/08/20
439474 Late TENS	National Tap Unit 6 National Court Cardiff Street Aberdare CF44 7DP	Mrs Tracey Kerslake- Davies	25 July 2020 To 26 July 2020	Extend outdoor searing area for Covid 19 - 25/07/20 - 26/07/20

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439492 Standard TENS	26 Cenarth Drive Cwmbach Aberdare CF44 0NH	Mrs Emily Hooper	29 August 2020 To 29 August 2020	Live music/band for 40th Birthday Party - 29/08/20
439522 Late TENS	Hollybush Inn Main Road Church Village Pontypridd CF38 1PS	Mr Ryan Morgan	1 August 2020 To 2 August 2020	Extending beer garden hours 9pm- 10pm - 01/08/20-02/08/20
439550 Standard TENS	Penygraig RFC Tylacelyn Road Penygraig Tonypandy CF40 1JR	Mr Stephen Riddick	22 July 2020 To 23 July 2020	playing field 22 & 23 August 2020

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439565 Late TENS	Abercynon RFC Park Road Abercynon Mountain Ash CF45 4NA	Mr Jeremie Manning	8 August 2020 To 10 August 2020	outdoor patio area to be used in restrictions - 08/08/20 - 10/08/20
439580 Standard TENS	The Glamorgan Beer Company Limited Unit B Llantrisant Business Park Llantrisant Pontyclun CF72 8LF	Mr Richard Anstee	3 December 2020 To 5 December 2020	Extension of the Brewery shop - off sales only
439581 Standard TENS	The Glamorgan Beer Company Limited Unit B Llantrisant Business Park Llantrisant Pontyclun CF72 8LF	Mr Richard Anstee	7 December 2020 To 12 December 2020	Glamorgan Brewing - off sales

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439582 Standard TENS	The Glamorgan Beer Company Limited Unit B Llantrisant Business Park Llantrisant Pontyclun CF72 8LF	Mr Richard Anstee	14 December 2020 To 19 December 2020	Extension to Glamorgan Brewing off sales
439583 Standard TENS	The Glamorgan Beer Company Limited Unit B Llantrisant Business Park Llantrisant Pontyclun CF72 8LF	Mr Richard Anstee	21 December 2020 To 24 December 2020	Extension Glamorgan Bfewing off sales
439584 Standard TENS	The Glamorgan Beer Company Limited Unit B Llantrisant Business Park Llantrisant Pontyclun CF72 8LF	Mr Richard Anstee	30 December 2020 To 31 December 2020	Extension Glamorgan Brewery off sales 30-31/12/20

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439592 Late TENS	Abercynon RFC Park Road Abercynon Mountain Ash CF45 4NA	Mr Richard Barnes	15 August 2020 To 16 August 2020	late TEN can only have 15 & 16 August NOT 14 as per notice, too late
439642 Late TENS	Abercynon RFC Park Road Abercynon Mountain Ash CF45 4NA	Mr Richard Barnes	21 August 2020 To 23 August 2020	Clubhouse and Terrace for serving alcohol 21-23/08/20
439676 Standard TENS	Barry Sidings Cafe Barry Sidings Country Park Gyfeillion Road Hopkinstown Pontypridd CF37 2PP	Miss Alex Hallett	5 September 2020 To 6 September 2020	Sale of alcohol - 5 - 6 September 2020

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439677 Standard TENS	Barry Sidings Cafe Barry Sidings Country Park Gyfeillion Road Hopkinstown Pontypridd CF37 2PP	Miss Alex Hallett	12 September 2020 To 13 September 2020	Sale of alcohol - 12-13/09/20
439693 Late TENS	Barry Sidings Cafe Barry Sidings Country Park Gyfeillion Road Hopkinstown Pontypridd CF37 2PP	Miss Alex Hallett	30 August 2020 To 31 August 2020	Sale of alcohol - 30-31/08/20
439694 Standard TENS	Barry Sidings Cafe Barry Sidings Country Park Gyfeillion Road Hopkinstown Pontypridd CF37 2PP	Miss Alex Hallett	19 September 2020 To 20 September 2020	Sale of alcohol 19-20/09/20

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439696 Standard TENS	Barry Sidings Cafe Barry Sidings Country Park Gyfeillion Road Hopkinstown Pontypridd CF37 2PP	Miss Alex Hallett	26 September 2020 To 27 September 2020	Sale of alcohol - 26-27/09/20
439772 Late TENS	Miskin Manor Cricket Club Pendoylan Road Miskin Pontyclun CF72 8ND	Mr David Evans	16 September 2020 To 16 September 2020	Film screening between 8 - 9:30 followed by 30 min questions
439943 Late TENS	Barry Sidings Cafe Barry Sidings Country Park Gyfeillion Road Hopkinstown Pontypridd CF37 2PP	Mr Jamie Rowland	26 September 2020 To 27 September 2020	Tables for outside to sell alcohol - 26-27 September 2020

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439980 Late TENS	Abercynon RFC Park Road Abercynon Mountain Ash CF45 4NA	Mr Richard Barnes	25 September 2020 To 27 September 2020	Normal operation - times
440025 Late TENS	Barry Sidings Cafe Barry Sidings Country Park Gyfeillion Road Hopkinstown Pontypridd CF37 2PP	Mr Jamie Rowland	3 October 2020 To 4 October 2020	Outside serving - 03-04/10/20