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AGENDA

Committee	LICENSING SUB COMMITTEE
Date and Time of Meeting	FRIDAY, 14 OCTOBER 2016, 10.00 AM
Venue	ROOM E, CITY HALL - CITY HALL
Membership	Councillor Parry (Chair) Councillors Goddard and Murphy

1 **Declarations of Interest**

To be made at the start of the agenda item in question, in accordance with the Members' Code of Conduct.

2 **Application for the Variation of a Premises Licence - Ice House Wales** *(Pages 1 - 18)*

3 **Application for a Temporary Event Notice** *(Pages 19 - 20)*

Davina Fiore

Director Governance & Legal Services

Date: Monday, 10 October 2016

Contact: Graham Porter, 029 2087 3401, g.porter@cardiff.gov.uk

This document is available in Welsh / Mae'r ddogfen hon ar gael yn Gymraeg

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CARDIFF COUNCIL
CYNGOR CAERDYDD

Agenda Item CO. 1150

LICENSING SUB-COMMITTEE: 07 October 2016

Report of the Head of Regulatory Services

Application for Premises Licence - Variation

Application No: CCCP/01919

Name of Premises: Ice Arena Wales

Ward: Grangetown

1. Application

1.1 An application for a Premises Licence - Variation, has been received from Ice Arena (Wales) Limited in respect of Ice Arena Wales, Olympian Drive, Cardiff Sports Village Cardiff, CF11 0JL.

1.2 The current conditions attached to the Premises Licence:

(1) In respect of the following licensable activities:

1. The sale by retail of alcohol for consumption on the premises.

2. The provision of regulated entertainment in the form of plays, films, indoor sporting events, boxing or wrestling entertainment, live music, recorded music, performances of dance and anything of a similar description.

3. The provision of late night refreshment.

(2) Unless otherwise indicated the premises may be open to the public during the following hours and for any hours consequential to the non standard timings:

Sunday to Friday: 06:00 to 02:00

Saturday: 06:00 to 06:00 the following day

New Years Eve: from the end of permitted hours New Years Eve to start of permitted hours New Years Day.

(3) The premises are permitted to provide licensable activities during the following hours:

1. The sale by retail of alcohol for consumption on the premises:

Sunday to Wednesday: 10:00 to 00:00

Thursday to Saturday: 10:00 to 02:00

New Years Eve: from the end of permitted hours New Years Eve to start of permitted hours New Years Day.

2. The provision of regulated entertainment in the form of plays (indoors):

Monday to Sunday: 11:00 to 00:00

3. The provision of regulated entertainment in the form of films (indoors):

Monday to Sunday: 06:00 to 01:00

4. The provision of regulated entertainment in the form of indoor sporting events:

Monday to Sunday: 06:00 to 00:00

5. The provision of regulated entertainment in the form of boxing or wrestling entertainments (indoors):

Monday to Sunday: 10:00 to 00:00

6. The provision of regulated entertainment in the form of live music (indoors):

Monday to Sunday: 11:00 to 23:00

New Years Eve: from the end of permitted hours New Years Eve to start of permitted hours New Years Day.

7. The provision of regulated entertainment in the form of recorded music (indoors):

Sunday to Wednesday: 06:00 to 01:00

Thursday to Saturday: 06:00 to 02:00

New Years Eve: from the end of permitted hours New Years Eve to start of permitted hours New Years Day.

8. The provision of performances of dance (indoors):

Monday to Sunday: 10:00 to 00:00

New Years Eve: from the end of permitted hours New Years Eve to start of permitted hours New Years Day.

9. The provision of late night refreshment (indoors):

Sunday to Wednesday: 23:00 to 01:00

Thursday to Saturday: 23:00 to 02:00

New Years Eve: from the end of permitted hours New Years Eve to start of permitted hours New Years Day.

- 1.4 The following application for variation is now made.

To vary the licence to include the sale by retail of alcohol for consumption off the premises to allow alcohol consumption in a pre-determined area outside on the plaza area.

2. **Promotion of Licensing Objectives.**

- 2.1 The additional conditions proposed by the applicant to meet the licensing objectives are attached to the report.

3. **Relevant Representations**

Representations have been received in respect of the application, copies of which are enclosed with the report.

4. **Legal Considerations.**

- 4.1 The decision must be taken following consideration of the representations received with a view to promoting the licensing objectives which are:

Prevention of crime and disorder
Public Safety
Prevention of Public Nuisance
Protection of Children from Harm

- 4.2 In each case the Sub-Committee may make the following determination

- a) To grant the application.
- b) To modify the conditions of the licence, by altering, omitting or adding to them, where relevant.
- c) Reject the whole or part of the application.

- 4.3 All decisions taken by the Sub-Committee must (a) be within the legal powers of the Council and its Committees; (b) comply with any procedural requirement imposed by law; (c) be undertaken in accordance with the procedural requirements imposed by the Council eg. standing orders and financial regulations; (d) be fully and properly informed; (e) be properly motivated; (f) be taken having regard to the Council's fiduciary duty to its taxpayers; and (g) be reasonable and proper in all the circumstances.

5. **Issues for Discussion.**

- 5.1 The appropriateness of the hours of operation and conditions on the licence needs to be discussed.

Dave Holland
Regulatory Services

16 September 2016

Continued from previous page...

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
new years eve - from the end of permitted hours on new years eve to the start of permitted hours on new years day.

Identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

- I have enclosed the premises licence
 I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

Section 16 of 17

LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

We will train all staff to the required standard to meet the relevant legislation. This venue will continue to comply with all the conditions on the justices license, public entertainment license and other licenses in force for the additional hours. The public entertainment guidelines are specific to this venue, its location and style of operation. The venue has an established capacity.

b) The prevention of crime and disorder

1. The CCTV system will continue to operate during additional hours of trading
2. The level of lighting will continue through the additional hours of trading
3. If a DJ is used on any night then the DJ will ask the customers to leave quietly
4. Notices stating that CCTV is in operation 24 hours a day will be displayed throughout the venue
5. Any person who appears to be intoxicated or who is behaving disorderly will be not allowed entry to the venue
6. The venue will actively take part in the local pub watch or equivalent scheme

Continued from previous page...

7. Text/Radio pages will continue to be used for the additional hours of trading and will be monitored by a responsible member of staff
8. There will be regular ID checks at the premises and the venue will only accept photographic driving licenses, passport or in agreement with the police a form of identification with the PASS hologram
9. Regular liaison with the police
10. All instances of crime and disorder will be reported to the police and kept in an incident log book which will be monitored
11. Any illegal drugs and weapons found will be stored in a secure facility and arrangements made with the venue for their delivery to the police
12. The company will only operate responsible drink promotion and will aim for a drug free environment

c) Public safety

1. This venue takes its obligation under the existing legislation seriously. The nature and operation of the venue will not alter during the additional hours
2. A person trained in first aid will be at the venue for all opening hours
3. The venue will have a risk assessment
4. The venue has effective emergency lighting systems and fire evacuation procedures
5. All the staff are fully trained on safety issues

d) The prevention of public nuisance

1. Noise limiters will be in operation where appropriate and windows and doors will be closed as appropriate
2. There will be an air conditioning system operating in the premises
3. Staff will pick up litter
4. Staff will encourage customers to leave the premises quietly recognizing the needs of local residents and businesses

e) The protection of children from harm

1. The venue will require proof of age in appropriate cases
2. No one under the age of 18 will be allowed to remain in any licensed area where alcohol is being served after 11 pm unless it is a private party or they are accompanied by a parent

Section 17 of 17

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Variation Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £8700	£315.00
Band D - £87001 to £12500	£450.00*
Band E - £125001 and over	£635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £12500	£900.00
Band E - £125001 and over	£1,905.00

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999	£1,000.00
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Barker, Kirstie

From: Louise.Helm@south-wales.pnn.police.uk
Sent: 12 September 2016 11:36
To: Licensing (Licensing, Regulatory); adam.porter@icearenawales.co.uk
Cc: Rob.Gunstone@south-wales.pnn.police.uk
Subject: Police response [NOT PROTECTIVELY MARKED]
Attachments: ice arena wales app.docx

NOT PROTECTIVELY MARKED

Good morning,

Please see attached copy of Police response to Ice Arena Wales application.

Many thanks

Louise Helm (for PC 3487 Gunstone)

Louise Helm

Support Staff 51135/Staff Cymorth 51135
Licensing Department/Adran Trwyddedau
Eastern BCU/Dwyreiniol BCU
Cardiff Bay Police Station/Gorsaf Heddlu Bae
James Street/Stryd James
Cardiff Bay/Bae Caerdydd
Cardiff/Caerdydd
CF10 5EW

Extension number/Rhif uniondyrchol: 34 503
Direct Line/Llinell Uniongyrchol : 029 20633496

Email/Ebost:louise.helm@south-wales.pnn.police.uk

NOT PROTECTIVELY MARKED

**Ydych chi angen siarad gyda'r heddlu ond nad oes angen ymateb brys arnoch? Ffoniwch 101? Gellir defnyddio'r rhif i roi gwybod am achos nad yw'n un brys i unrhyw heddlu yng Nghymru a Lloegr.
Mewn argyfwng, ffoniwch 999 bob amser.**

**Do you need to speak to police but don't require an emergency response? Call 101? The number can be used to report a non-emergency to any force in Wales and England.
In an emergency, always dial 999.**

Unauthorised use or disclosure of this email may be unlawful. View our confidentiality statement at <http://www.south-wales.police.uk/e-mail-confidentiality-statement/>



Police Licensing Department
 Cardiff Bay Police station.
 James Street,
 Cardiff.
 CF1 0SEW.

9¹¹ September 2016

Ice Arena Wales
 Olympian Drive.
 Cardiff Bay.
 Cm-diff
 CF1 0JS

**APPLICATION FOR A VARIATION UNDER THE LICENSING ACT 2003.
 ICE ARENA WALES.OLYMPIAN DRIVE , CARDIFF CF11 0JS.**

To whom it may concern,

I have caused enquiries to be made into this application. The premises has been the subject of a site visit and the application has been discussed with the applicant.

The application relates to the variation of the existing premises licence to allow the off sale of alcohol and the use of a designated external seating area.

The Police object to the granting of this variation on the basis of crime and disorder, public safety and that of public nuisance.

The following conditions are therefore requested and relate to the use of the external area specified by the applicant. Should the applicant agree to these conditions then the Police will withdraw their objection.

1

The use of the external area will cease at 20:00 daily.

2

The use of the external area will cease for a period of three hours before the commencement of any event held at the venue. Examples of such an event are Cardiff Devils home games, any other sporting event including boxing events and any musical event. The DPS must consult with the Police no less than 28 days before any such event is due to take place to avoid any doubt.

3

There will be no off sales on those days when an event as outlined above is being held at the venue.

For your consideration and approval .

Yours faithfully,



D Howe

Chief Inspector.

COPY TO:
Claire HARTREY
Operations Manager,
Licensing and Strategic Services.
Cardiff City Council.
City Hall,
Cardiff.
CF10 3ND

Barker, Kirstie

From:
Sent: 07 September 2016 21:55
To: Licensing (Licensing, Regulatory)
Cc: Development Management; Jo Mann
Subject: Re: Application for a Premise Licence - Ice Arena Wales

Dear Sir Madam,

Re. Ice Arena Wales - Premise licence applications

I write to you as a representation towards a local premise licence application for the Ice Arena Wales , Cardiff international sports village.

I would not usually take much consideration against items such as these but as a developing area that is set to receive further housing residential development i feel that it is imperative that consideration is given towards the consent to the application.

I have read the guidelines and will be making my representation in line with all 4 of the licensing objectives as below:

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

these are my points for consideration;

• **The prevention of crime and disorder** - we, as residents to the locality currently experience on game days an extremely high volume of cars, traffic and walking visitors. These visitors at present limited to sensible time arrangements and the lack of further alcohol congestion can be expected in regard to an area that is deemed a sports location. What i can say that with an increase in alcohol and extended opening times to what can only be described as ridiculous (530am) it will increase the probability of drunken misbehaviour , criminal damage as people return to their cars or homes on foot which directly effects us already with the visitors bringing there own alcohol i assume. The area is commonly scattered with the latest craze of nitrous oxide gas canisters which increase following the occasions that games or events are held. Certain events that we have experienced to date such as the boxing left littering (**Public Safety**) which even to date remnants remain in outlying areas.

When you consider **The protection of children from Harm** , the area is frequented with children from an extremely young age group or people who have physical or mental disabilities due to its direct correlation with not only the visitors it brings but the swimming pool that it neighbours. This application asking for alcohol consumption and extended hours to very early hours will compound the left bottles etc. With early starts at the pool being as early as 6am, this in my mind is a complete overlap of very differing types of public and creating a clash that should not be expected in mind of public safety. It is running proof that the littering and absence to control nuisance car noise from revelling horn blows (**prevention of public nuisance**) etc at the times that they are already restricted to will become worse with extended permissions as they have applied for.

As a resident already suffering from the lack of control and regard for its neighbours in relation to the events held at Ice Arena wales i would like my claims to be taken seriously,

we often have abandoned vehicles on all footpaths and even the roundabout where it seems the Ice arena take no responsibility for its visitors and their actions and the impact that it has on the residents at large.

These additional requests from the Arena seem to be directed as an inhouse bar area that can serve alcohol until 530 am weekends and 2 am in the week, any and all other activities that it has applied for finish no later than 2 am (Live Music) , i dont deem the option of then staying to drink on for a further 3.5 hours will be a benefit to anyone other than the purse strings of the arena and will leave the car parks that surround a policing issue to say the least with public nuisance an obvious concern.

I suggest that the Hours applied for be reconsidered and i would like to see what plans are in place for self policing of litter and nuisance behaviour and what noise consideration has been allowed.

I know that i will not be the only resident with concern and trust that in mind of the developing area to home many new residents over the coming years you will consider the impact of what can only be described as nightclub opening times and considerations.

Kind regards

On Wednesday, 7 September 2016, 9:11, Development Management <Development.Management@cardiff.gov.uk> wrote:

Dear

This notice relates to an Application for a Premise Licence and not a planning application. You need to contact the Licensing Section directly by the 13th September as stated on the Public Notice below.

I have forwarded a copy of your correspondence to our Licensing Section.

Regards

Gail Connelly

From: ...
Sent: 06 September 2016 21:41
To: Development Management;
Subject: Re: Planning

From:
Sent: 10 September 2016 16:33
To: Licensing (Licensing, Regulatory)
Subject: Ice Arena Wales application for liquor license

From:
Date: 10 September 2016 16:31:05 BST
To: "licensing@cardiff.gov.uk" <licensing@cardiff.gov.uk>
Subject: Ice Arena Wales application for liquor license

I am writing with concerns about the impact of extended hours until 5am for consumption on and off the premises.

As a local resident, my concern is what 'off the premises' actually means.

We do not have objections to on the premises because the noise impact will not affect us but in any circumstance I hope you will make it clear that when large events are held (e.g boxing) that Ice Arena Wales makes sure that there are adequate temporary bins which are managed on the night.

The existing bins in the immediate vicinity do not cope with bottles etc and the bins overflow and cans and bottles get left and blown around to our back doors. This not only affects resident in the Cardiff Pointe development but makes the area look dreadful to visiting tourists etc so will undoubtedly impact on Cardiff City's image.

Please make it a condition of any licence that the recycling of waste happens on the night not two or three days after.

Many thanks

Sent from my iPad

From:
Sent: 10 September 2016 13:13
To: Licensing (Licensing, Regulatory)
Subject: Re: Ice Arena Wales
Attachments: IAW Liquor Licence Application copy.jpg

Dear Licensing Section, City of Cardiff Licensing Authority

I write in opposition to the extent of the licensing hours request by IAW (Ice Arena Wales), and attach a photographic version of the specific notice on display, on the following grounds:

There is an existing issue with parking in which visitors to IAW/attendees of ice hockey games park in areas, including unlit areas, that are either not allocated IAW parking, that is in areas that are public access rather than private, but also wherever there is space in areas that are reserved/restricted and private, like those that are designated Cardiff Pointe/Figurehead Homes development land and parking areas.

In any event, the licence as stated is not accurate. For example, in asking for hours on Thursday and Friday extending to 0200 on the following day, and beyond midnight on Saturday to 0530 on Sunday, the proper request should be for two periods on Friday, Saturday and Sunday, so for example Sunday 0001 to 0530 and 1000 to 0000.

In the absence of any local off licence, it hardly seems appropriate for IAW to attempt to fill this role at all under any circumstances, let alone on a permanent basis. If there is reasonable justification for sales by a sporting and exercise facility to sell liquor for off site consumption, it should be as an interim measure to be rescinded as soon as an off licence business is open for business, assuming that the City of Cardiff considers that the consumption of alcohol does not conflict with the ethos of sport, health and fitness.

Games are always concluded by 2200 hours, so it seems excessive to allow, nor does there seem to be any reasonable necessity for the sales of alcoholic beverages beyond 0000.

The possibility of tailgate parties and drinking alcohol in the vicinity beyond 0000 hours poses a noise and other nuisance risk to residential interests in the vicinity, as well as a risk from broken glass bottle, discarded drink containers, accidental collisions with the vehicles of residents and other IAW visitors resulting from miscalculation and misjudgment by alcohol impaired drivers, as well as the risk of altercations.

Unless the City of Cardiff and IAW agreed jointly on the need for and provision of a police presence, and accept to jointly fund such presence, then it seems wise to restrict a liquor sales licence to on premises consumption to not beyond midnight,

and to restrict off site consumption sales, on the temporary basis described above, to 2200 hours.

It is my understanding that a six star hotel is planned to be built in the near vicinity, and this hotel will also no doubt have the right to sell liquor, but will almost certainly have their own security to take account of the cost of rooms, and the kind of guests they will hope to attract, so again the extensive hours requested by IAW seem unnecessary in addition to being unwise. In this way, those who have a need for extended alcoholic beverage drinking hours will soon have both a place to drink, and there will be a security presence to prevent the kinds of concerns I have outlined.

I urge you to consider adopting substantially what I have recommended here.

I commend this objection to your best judgement.

Yours sincerely

Resident of Cardiff Pointe

From:
Sent: 11 September 2016 00:09
To: Licensing (Licensing, Regulatory)
Subject: Ice Arena Wales liquor licence objection

> Dear Cardiff Council,

>

> It has been brought to my attention that Ice Arena Wales is in the process of applying for an extended liquor licence. As a resident near by, I would like to raise my objection to their request of 'Sales of consumption off premises'

>

> I believe that the surrounding area does not have the correct crowd and transport management to oversee the behaviour of the patrons of the Ice Arena. I believe that due to the events that are programmed at the arena there will be an increase of litter and waste.

>

> Sincerely

>

>

Barker, Kirstie

From:
Sent: 11 September 2016 08:39
To: Licensing (Licensing, Regulatory)
Subject: Ice Arena Wales Liquor Licence

Dear Sirs,

I am writing to register my objection to the application for a premises licence by Ice Arena Wales, Cardiff. The basis for this opposition is that granting a licence for these premises will not promote the licensing objectives, particularly the prevention of crime, disorder and antisocial behaviour.

Residents in this area already suffer noise nuisance and antisocial behaviour. In particular, I oppose the sales by retail of alcohol for consumption off the premises. Even without the off premises licence, residents currently suffer noise nuisance and find empty glass bottles in the car park, often broken, on Cardiff Devils match days.

In view of the above, I would urge the Licensing Authority to refuse the application.

Yours faithfully

Barker, Kirstie

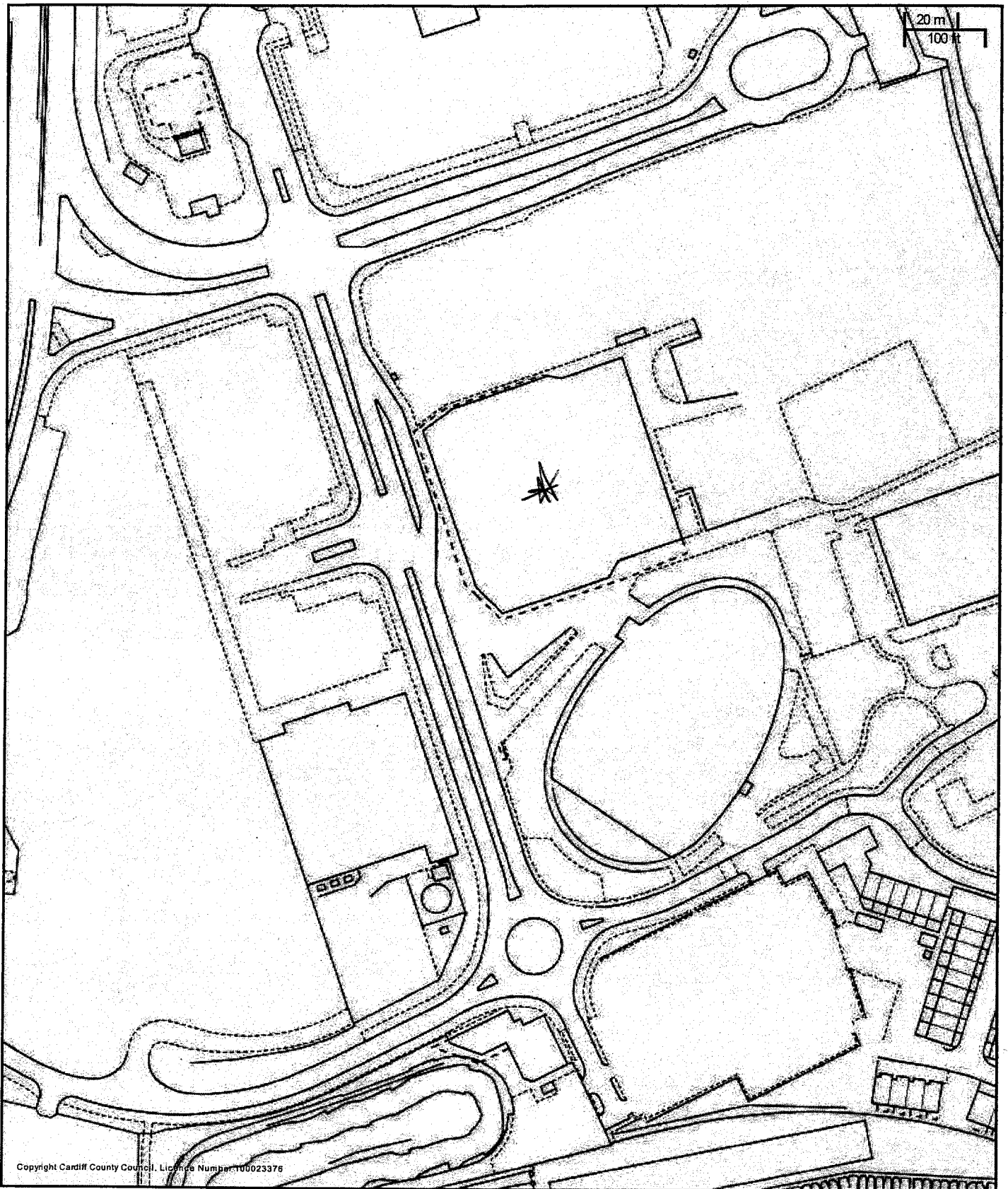
From:
Sent: 12 September 2016 13:43
To: Licensing (Licensing, Regulatory)
Subject: Liquor Licence - Ice Arena Wales

Licencing Authority

I would like to register my strong objection to the application by the IAW for the liquor licence on the 2 particular points below

- *Retail of alcohol for consumption "off" the premises
- *Saturday hours to 05.30 for both on and off the premises

For clarity I live in Cardiff Pointe which is a residential area and I fully support the sports village and the fantastic facilities. However we are already experiencing increased levels of noise from both people and vehicle due to unauthorised parking on the streets at Cardiff Pointe in particular relating to the IAW despite it having its own parking area.



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CHIEF EXECUTIVE
 Paul Orders
 County Hall
 Atlantic Wharf
 Cardiff CF10 4UW
 Tel: 029 20872000

City of Cardiff Council
Cyngor Dinas Caerdydd



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CARDIFF COUNCIL

Agenda Item CO. 1153

LICENSING SUB-COMMITTEE: 14 October 2016

Report of the Head of Regulatory Services

Consideration of Objections Received – Temporary Event Notice

Application No: CCCT/08205

Name of Premises: Cathays Community Centre

1. Application

1.1 A Temporary Event Notification was received on 05 October 2016 from:

Jasper Gaskin

for authorisation of a temporary event at:

Cathays Community Centre
36-38 Cathays Terrace
Cathays
Cardiff
CF24 4HX.

1.2 The notification is in respect of an event which is to take place between 05:00PM on 28 October 2016 and 11:00PM on 28 October 2016 to allow the sale by retail of alcohol.

1.3 Details of the objections are attached to the report.

1.4 The Sub-Committee is required to determine if a Counter Notice, which would prevent the licensable activity from being authorised, should be issued.

Dave Holland
Regulatory Services

10 October 2016

Barker, Kirstie

From: Rob.Gunstone@south-wales.pnn.police.uk
Sent: 10 October 2016 09:42
To: Licensing (Licensing, Regulatory)
Subject: TENS 28/10/2016

With regard to the above TENS submitted for an event to be held at the Cathays Community Centre.

The event is a sixth form party to be held on the premises on the evening of Saturday 28th October 2016. Numbers requested at the event are 250.

I have spoken to the organiser, Jasper Gaskin, 18yrs and a representative of the premises, Joel Beswick.

Mr Gaskin has applied for 250 persons to attend but the premises licence stipulates a maximum of 200 persons and the submitting officer is concerned that the event may have already have been over-subscribed.

I am informed that the premises is allowing the organisers to run their own bar selling alcohol at the event. The organiser Jasper Gaskin informs me that persons running the bar will be carrying out their own ID checks.

There is no provision for security at the event and neither could provide satisfactory answers when asked what provision is made for persons, potentially underage, attending the event intoxicated and how they see their duty of care to these persons.

I have tried again this morning to speak to the organiser and the premises, without success.

Having had these conversations I am not satisfied that there are sufficient measures in place to prevent the sale of alcohol to under age persons at this event and therefore I therefore objecting to the granting of this TENS under the following licensing objectives;

Prevention of harm to children,

Public safety/Public nuisance,

Prevention of crime and disorder.

For your information and consideration.

ROB GUNSTONE.
Pc 3487

Police Licensing Department
Cardiff Bay Police station.
James Street
Cardiff
CF10 5EW

Tel 029 20 634159

Mob 07584 004356

Ydych chi angen siarad gyda'r heddlu ond nad oes angen ymateb brys arnoch? Ffoniwch 101? Gellir defnyddio'r rhif i roi gwybod am achos nad yw'n un brys i unrhyw heddlu yng Nghymru a Lloegr.
Mewn argyfwng, ffoniwch 999 bob amser.