

- Re: General Purposes Committee
December 3, 2001
Item 2

Mayor and Councillors

Subject: FW: BridgePoint / New Years Eve
From: Riel Roussopoulos [mailto:riel@undernet.ca]
Sent: November 29, 2001 2:30 PM
To: mayorandcouncillors@city.richmond.bc.ca
Subject: BridgePoint / New Years Eve Party.

The following letter was also sent by fax to city hall

November 29, 2001

City of Richmond

6911 No 3 Road

Richmond, British Columbia

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Attention: Community Services Committee of Council

Dear Committee Members,

Bridgepoint

As you are aware, we have made the following applications to the City of Richmond:

1. application to add Bridgepoint Market to the list of "Approved Locations" under By-Law 7202 Late Night Event (Rave) Regulation (the "By-Law"); and
2. application to hold a New Years Eve event at Bridgepoint Market.

We are writing this letter to the Community Services Committee of Council (the "Committee") as we are unclear on two points. First, what is the position of the City of Richmond with respect to

allowing "raves" to occur in Richmond? Second, who has final approval of our applications – City Council, the City staff or the RCMP. Our request for clarification on both of these points arises primarily as a result of the change in attitude that we have experienced as we have proceeded with our applications. The "open for business" attitude that we first encountered at meetings with Councillor McNulty and with Alan Clark has been followed up with a negative letter from Alan Clark to us dated November 13, 2001 and an unequivocally "no" to the New Years Eve event from the RCMP at our meeting with them on November 23, 2001.

This letter sets out the meeting with the RCMP and ties in the letter from Alan Clark dated November 23, 2001. This will allow us to illustrate why we have these concerns as well as allow us to provide a response to each of the issues raised by the RCMP. Also, we understand that as part of the processing of our applications, amendments to the By-Law are being considered, we would like to take this opportunity to make some suggestions as to the scope of these amendments.

Our goal at the end of the day remains the same, to have both applications approved and to be able to develop a long-term business in the City of Richmond.

A. Meeting with the RCMP

As we stated above, we met with OIC Ward Chapman, Inspector Tanya Enger and Constable Peter Thiessen on the morning of Friday, November 23, 2001. This meeting was the result of David McLellan on Thursday, November 22, 2001 recommending to us that we should meet with the RCMP. This was contrary to advise we have received from Alan Clark at our meeting with him on October 31, 2001. At this meeting, Mr. Clark assured us that we did not need to meet with RCMP as the City of Richmond would contact them directly. Furthermore, we were advised that the City dictated the actions of the RCMP as the "RCMP work for the City". At the time, we were somewhat surprised by Mr. Clark's position due to our experience in Vancouver. Prior to the implementation of the Rave Guidelines in Vancouver and the required meeting of the promoter, the necessary City officials and the police, we would contact the Vancouver Police directly to answer any questions they had.

At this meeting we were told that the RCMP would not support our application for a New Years Eve event at Bridgepoint Market. They advised us that they ultimately decide whether an event of this nature would take place. They set out the following reasons for their lack of support:

1. Bridgepoint Market is not an "Approved Location" under the By-Law;
2. Under the By-Law, "raves" are only allowed to occur on the first three Saturdays of each month and not on the weekend of a statutory holiday; and

3. The RCMP did not have the manpower to police such an event.

B. Response to the Concerns of the RCMP and Requests regarding Amending the By-Law

In response to the first issue, we have made a complete application to add Bridgepoint Market as an "Approved Location" under the By-Law. Paragraph 2 of the guidelines "Information for Applicants for New Venues for holding Rave Parties" states that "assuming all the information submitted by the applicant is complete and correct, the process should take less than six weeks" to have a new location approved. The final part of the application submitted on November 16, 2001 made the application complete. As to the application being "correct", we assume that it is correct but, due to the ambiguity of this word, we are not sure how you or we would determine this.

Furthermore both the application to have Bridgepoint Market added as an "Approved Location" and the application to hold a New Years Eve event at Bridgepoint Market should be considered and processed simultaneously. Mr. Clark in his letter to us of November 13, 2001, stated that the application to hold the New Years Eve event at Bridgepoint Market is "premature" and that the application "cannot be processed or considered" "unless and until the venue is acceptable and approved by City Council". Paragraph 7 of the guidelines "Information for Applicants for New Venues for holding Rave Parties" specifically states that both applications can proceed concurrently. Therefore we are puzzled by Mr. Clark's remark and trust that both applications are proceeding concurrently.

In response to the second issue, we pressed Alan Clark on this issue at our meeting on October 31, 2001. We asked him directly whether he foresaw any problems with the restrictions on the nights on which "raves" can be held. He responded that there should be a way around this restriction, particularly in light of the fact that it was New Years Eve. This was not the tone in his letter to us of November 13, 2001 in which he set out three reasons why the New Years Eve event could not proceed under the existing By-law and concluded "New Years Eve does not fit the Bylaw criteria and would require review by the City and the RCMP to see if there are any extenuating circumstances to consider".

We understand that the Committee and City Council will be considering amendments to the By-law as part of our application. We are requesting that the provisions restricting the number and nights that "raves" can be held on be amended. We understand that the limitation to three raves a month was put in place based on two "Approved Locations" both of which are owned by the same entity. We believe that the number of nights should be increased in order to ensure that there is an equitable distribution of nights and the City is not continuing to promote a monopoly.

We are also concerned with the prohibition of raves on the weekends in which there is a statutory holiday. We have a very difficult time understanding how the City of Richmond can claim that they are "open for business" and have a progressive rave by-law, when the by-law prohibits raves on the weekends of the biggest events of the year being New Years Eve, May long weekend, July 1st, Labour Day and Halloween (which does not fall on the first three Saturdays of the month). Such a limitation unfairly limits the development of business, which in turn hinders our ability to develop Bridgepoint into an Expo Centre. At our meeting with the RCMP, they made it clear that they did not

want us making a healthy profit from holding raves at BridgePoint. We have difficulty understanding why a legitimate business should be chastised and prohibited from making a profit. We therefore request that the restriction on dates on which raves can be held as set out in the By-law be removed in its entirety or at least remove the restriction as the restriction to the dates on which these events can be held. We understand that the City does not want "raves" every weekend and suggest that an alternative may be to limit the number of raves held each month, but that there be no restriction on the dates on which these events can be held.

In response to the third issue, we are fully aware of the increase demand on the RCMP due to September 11th and the gang violence in the City of Richmond. In order to address the concern of the drain on manpower, we have offered both to the City and to the RCMP to pay for any additional RCMP officers that are required to be on duty on New Years Eve due to our event. The RCMP told us that they just do not have the resources to put additional officers on duty. Our frustration arises because the Richmond RCMP told us that they will be providing manpower to the City of Whistler for New Years Eve due to the 107 arrests last year with 7,000 patrons. Our concern is that the City of Richmond is depleting its resources in order to assist another municipality and therefore stifling the operation of business in Richmond. Additionally, while last years New Years Eve event at Whistler generated over 100 arrests, there were no arrests at last years New Years Eve event at the Plaza of Nations where there were over 4,000 patrons. We question why our application to host a New Years Eve event at Bridgepoint market is being sited as a threat to public safety and not Whistlers event.

The issue of insufficient police or safety services is specifically set out in the By-law as a reason for not issuing a permit for a "rave". We would like to raise two issues regarding this. First, as we have stated, we believe that this should not be considered if the promoter is willing to pay for the additional policing services that are required for the event in question. Second, we question the need for an "armed" presence (which is the phrase that was used by the RCMP at our meeting on November 23, 2001) at an event. To our knowledge, the police have never been called out to a situation that security was not able to handle at any of the "legal" events in Richmond or the rest of the lower mainland. The RCMP said themselves that they are not "security guards", we submit that they shouldn't need to be as long as the security company that has been hired by the promoter is bonded and has a good reputation and history with the police and there is a sufficient guard to patron ratio. We therefore would like this section of the By-law amended to provide that if the promoter engages sufficient safety services, the ability of the City to not issue a permit because of insufficient police or safety services cannot be relied upon.

C. Additional Concerns of the RCMP and Lack of Communication

One of the biggest issues that was discussed at our meeting with the RCMP is the fact that we did not meet with the RCMP initially when we were in discussions with the City and Mr. Clark about holding a New Years Eve event. Furthermore, the RCMP claimed that they had no information on who we were or the event application. We explained that we had been told by Mr. Clark that we did not need to meet with the RCMP. Also, the letter from Mr. Clark to us dated November 13, 2001 stated that "in anticipation that the outstanding information will be received by the City within the next couple of days, I have forwarded the necessary information to the RCMP so that the background check process can commence". This had still not been done at the time of our meeting.

Inspector Enger advised us that she had told Alan Clark at least 10 days prior to our meeting with the RCMP that the RCMP would not be supporting this application. Alan Clark did not inform us of the RCMP's position in his letter of November 13, 2001 and has to date not followed up with us to advise us of the RCMP's position. Since the date that Mr. Clark was aware of this position, the Company has incurred over \$40,000 in pre-production costs. If Mr. Clark had advised us of the RCMP's position when he first became aware of it, which we would expect he would do, the amount of costs incurred may have been greatly reduced as we considered our ability to overcome this obstacle.

In closing, we hope that these issues can be clarified. We would be please to assist the Committee and Staff of the City of Richmond in any way possible to ensure that these applications are processed in an expedient and positive manner.

Yours truly,

Foraver Entertainment

Lewis Neilson

Riel Roussopoulos

cc: Mayor and City Councillors

Mr. David McLellan