



November 29, 2012

Rickshaw Enterprises Ltd.
The Rickshaw
254 East Hastings Street
Vancouver BC V6A 1P1

Via email: mo@rickshaw.com

Dear Mo Tarmohamed:

Re: Temporary Licence Suspension (De-Licensing) – December 2, 2012 and January 12, 2013 event
Establishment: The Rickshaw
Liquor Primary Licence # 304738

The Liquor Control & Licensing Branch received your application for temporary change to the above-noted licence on November 6, 2012 for all ages events on December 2, 2012 and January 12, 2013.

I understand that you have had discussions with Donna Lister regarding both events and that you agreed to withdraw your application for December 2, 2012. Your co-operation in this regard is appreciated by all. My staff has sent a letter to rescind the approval to you under separate cover so that your normal licence will be in effect on that date.

With respect to the all-ages event on January 12, 2013, I have received representations from both the Regional Manager and the Vancouver Police Department. Both agencies have raised serious concerns about this event and oppose it going forward as an all-ages event.

Their concerns stem from the significant increase in assaults and robberies in the immediate vicinity of the Rickshaw, with young people forming a large part of the victim group. Police advise me that the Rickshaw finds itself at the hub of a neighbourhood plagued by violent crime. The recent gang slayings raise additional concerns about the potential for retaliation in and around licensed establishments.

I share the Regional Manager's and Police Department's view that it is not appropriate to bring young people into the area. I understand that although there is a transit bus stop and bench in front of your establishment, the bench is regularly used by various establishment patrons and persons who frequent the area. Across the street are store front alcoves that are used after stores close for the night as temporary shelters for persons living on the street. Minors using the Skytrain would need to walk a significant distance to get public transit which increases the risk of harm.

In view of the significant potential safety concern for minors, I am denying the application for January 12, 2013.

Liquor Control and
Licensing Branch

Mailing Address:
PO Box 9292 Stn Prov Govt
Victoria BC V8W 9J8
Telephone: 250 952-5787
Facsimile: 250 952-7066

Location:
4th Floor, 3350 Douglas Street
Victoria, BC

<http://www.pssg.gov.bc.ca/clb>

November 29, 2012

You will also find enclosed a letter from me and a copy of Policy Directive 12-09

If you have any questions, please contact

Sincerely



Cheryl Y. Caldwell
Deputy General Manager
Licensing & Local Government Liaison

cc: Rick Brydon, Inspector
Donna Lister, Regional Manager
Vancouver Police Dept. #5 Attn: Alex Clarke
City of Vancouver, Attn: Lucia Cumerlato and/or Susan Smith

Caldwell, Cheryl Y MEM:EX

From: Hammel, Tom [tom.hammel@vancouver.ca]
Sent: Thursday, November 29, 2012 5:22 PM
To: Caldwell, Cheryl Y MEM:EX
Subject: RE: LCLB Policy Directive 12-09: Alternate use

Thanks, Cheryl,

I think those are good changes and will deal with a lot of the problems with the underage events and those businesses.

Tom

From: Caldwell, Cheryl Y MEM:EX [mailto:Cheryl.Caldwell@gov.bc.ca]
Sent: Wednesday, November 28, 2012 12:27 PM
To: Hammel, Tom
Subject: RE: LCLB Policy Directive 12-09: Alternate use

Hi Tom,

Yes, the intent of the policy directive is that licensees would be limited to 4 – 6 temporary changes (defined as events) per year regardless of the type of change. Licensees are encouraged to apply for permanent changes if they want to have hours extended frequently. There may be some exceptions for area extensions where it is not possible for licensees to apply permanently (for example, an outside space) and we would consider those on a case-by-case basis. Wherever possible, we want licensees to be looking for permanent changes if that's how they want to operate.

The de-licensing for alternate use for all ages events will not be permitted for the reasons we have set out.

Cheryl

Cheryl Caldwell
Deputy General Manager, Licensing
Liquor Control & Licensing Branch

From: Hammel, Tom [mailto:tom.hammel@vancouver.ca]
Sent: Tuesday, November 27, 2012 4:41 PM
To: Caldwell, Cheryl Y MEM:EX
Subject: FW: LCLB Policy Directive 12-09: Alternate use

Hi Cheryl,

Can you clarify whether the limit on the number of temporary changes such as hours extensions and area extensions is included within the limit of 4-6 per year? (for example, an LP would be limited to 3 hours extensions, 2 area extensions and 1 de-licensing in a year)

That's how I read the following statement on page 3: *Since alternate use during licensed hours requires a temporary change application, and in keeping with the new policy limiting the number of temporary change applications, the total number of temporary change applications, including temporary de-licensing for alternate use, are subject to the above policy restricting them to in the range of 4-6 per year.*

However, earlier in the document, it notes: *In keeping with the original intent of the licence category and considering branch resources, temporary de-licensing for licensed establishments is now restricted to in the range of 4-6 events per year.*

Tom

Tom Hammel, P.Eng.
Assistant Director, Licenses & Animal Control Division
and Deputy Chief License Inspector
City Of Vancouver
Licenses & Inspections
Tel: 604.873.7545 Email: tom.hammel@vancouver.ca
vancouver.ca/inspections

From: LCLB LCLB:EX [<mailto:lclb.lclb@gov.bc.ca>]
Sent: Tuesday, November 27, 2012 3:38 PM
To: LCLB LCLB:EX
Subject: LCLB Policy Directive 12-09: Alternate use

Policy Directive 12-09, regarding alternate use, has just been posted to the Liquor Control and Licensing Branch's website.

The purpose of this policy directive is to announce amendments to policy:

- Limiting the frequency of events for which temporary changes to a licence may be issued;
- Clarifying the types of events for which a temporary suspension to an LP or LP club license may be issued to permit alternate use of the establishment during licensed hours, and
- decreasing the amount of time required as a separation between licensed hours and an SOL event or unlicensed alternate use.

These policies come into effect on January 15, 2013, and apply to all events scheduled on or after that date.

You can view the policy directive here: <http://www.pssg.gov.bc.ca/lclb/docs-forms/policy-directive-2012-09.pdf>.

Liquor Control and Licensing Branch
Ministry of Energy, Mines and Natural Gas
<http://www.pssg.gov.bc.ca/lclb>

Caldwell, Cheryl Y MEM:EX

From: Lister, Donna O MEM:EX
Sent: Tuesday, December 4, 2012 12:07 PM
To: Caldwell, Cheryl Y MEM:EX; Edmundson, Bruce MEM:EX
Subject: FW: Nice work

Hi Cheryl, although she has the date wrong I am really happy with this recognition.
donna

Donna Lister

Vancouver Regional Manager SPC
Liquor Control and Licensing Branch
Compliance and Enforcement Division
Ph: 604-775-0075
fax: 604-775-0044
donna.lister@gov.bc.ca

From: DAVEY, Michelle [<mailto:michelle.davey@vpd.ca>]
Sent: Tuesday, December 4, 2012 11:32 AM
To: Lister, Donna O MEM:EX
Cc: CLARKE, Alex
Subject: Nice work

Hi Donna,

Alex showed me the letter sent to the Rickshaw by Kristen Sanderson, denying their application for an exemption for an event on December 14th. I wanted to thank you for the time and effort you put into this file, in passing along your concerns as well as those raised by the VPD. I read the letter and it was clear that a significant amount of input was provided and considered on the part of the LCLB and that an informed decision was made – quite frankly, the right decision. If you could please pass along my sincere appreciation to Ms. Cheryl Caldwell in Victoria, I would greatly appreciate it. I think we have made a significant difference in the lives of many young people through this decision.

Sincerely,

Michelle Davey
Inspector i/c District 2
Operations Division
Vancouver Police Department
3585 Graveley St
Vancouver, BC
V5K 5J5

Direct: 604-717-2780
Email: michelle.davey@vpd.ca

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Caldwell, Cheryl Y MEM:EX

From: Lister, Donna O MEM:EX
Sent: Monday, November 19, 2012 3:49 PM
To: Eastwood, Catharine MEM:EX; Caldwell, Cheryl Y MEM:EX
Subject: FW: Rickshaw

Ladies please find the attached response from the VPD regarding the de-licensing request for the Rickshaw
Thank you

Donna Lister

Vancouver Regional Manager SPC
Liquor Control and Licensing Branch
Compliance and Enforcement Division
Ph: 604-775-0075
fax: 604-775-0044
donna.lister@gov.bc.ca

From: DAVEY, Michelle [<mailto:michelle.davey@vpd.ca>]
Sent: Monday, November 19, 2012 2:55 PM
To: CLARKE, Alex; Lister, Donna O MEM:EX
Subject: RE: Rickshaw

Hi Donna and Alex,

Thank you for passing along this request. As Donna has so astutely pointed out in her email, the Rickshaw finds itself at the hub of a neighbourhood plagued by violent crime. There has been a significant increase in assaults and robberies in this neighbourhood, with young people forming a large part of the victim group. The latest trend is iPhone robberies – thieves are targeting people talking or texting, using distraction and taking their phones. Some thieves have resorted to violence thus making it a robbery.

In addition to the increase in violent crime, we are seeing a high level of liquor-related offenses in this area, offences related to people suffering from mental health issues or addiction issues and quite often, these incidents turn violent. This is not a place to inject a large number of young people, day or night.

I don't anticipate the view of the VPD will change on this issue, until crime rates and incidents of street disorder drop significantly.

Please don't hesitate to contact me if you require further information.

Thanks,

Michelle Davey
Inspector i/c District 2
Operations Division
Vancouver Police Department
3585 Graveley St
Vancouver, BC
V5K 5J5

Direct: 604-717-2780
Email: michelle.davey@vpd.ca

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From: CLARKE, Alex
Sent: Monday, November 19, 2012 12:27 PM
To: DAVEY, Michelle
Subject: FW: Rickshaw

Inspector Davey,

For your comment.

Det Cst Alex Clarke
Liquor Coordinator
Vancouver Police Department

s.17

From: Lister, Donna O MEM:EX [<mailto:Donna.Lister@gov.bc.ca>]
Sent: Wednesday, November 14, 2012 12:51 PM
To: CLARKE, Alex
Subject: Rickshaw

Alex I apologize but I don't have Inspector Davey's email address so could you please forward this to her?

Inspector Davey, the Branch has received an application from the Rickshaw (200E Hastings) to de-license for 2 all age events. The dates for these events are December 2nd and January 13th.

This application is to temporarily suspend the liquor license to hold an event to which minors can attend.

Although similar, it is not the same as Vinyl as it is not confined to a particular school, the minors will be coming from everywhere in the lower mainland.

I believe that the concerns, however, are the same in that we would experience an influx of minors into the heart of an area riddled with a significant increase in violence, drugs, liquor and mental health issues.

In order for me as the Regional Manager to deny this application I need to have VPD support and input. I am wondering if you could send me an email briefly outlining why you do not support this application.

I appreciate your help
Thank you
Donna

Donna Lister
Vancouver Regional Manager SPC

Liquor Control and Licensing Branch
Compliance and Enforcement Division
Ph: 604-775-0075
fax: 604-775-0044
donna.lister@gov.bc.ca

Nov 27/12 - Michell (004 717-2180)
Inspector Davey, VPD

→ she expressed sign concern
about movement at Robshaw

→ quarter block of #401 up

5th violent crime &
robberies

→ no sky train to get there

→ no view

→

Bio Theatre has 2 sky train

→ no 5 orange is around
the corner

5



Nov 1, 2012

Job #713727-75

Vinyl Retro Dance Lounge
c/o Rising Tide Consultants
1090-1130 West Pender Street
Vancouver, BC V6E 4A4

Via e-mail: risingtide@shawcable.com

Attention: Shannon Malcolm

Re: Temporary Change to a Liquor Licence – Denied
Establishment: Vinyl Retro Dance Lounge
Liquor Primary Licence # 030281

The Liquor Control & Licensing Branch (Branch) received your application for a temporary change to the above-noted licence on October 19, 2012 for two all-ages events for November 8 and 21, 2012.

As stated in the letter dated October 16, 2012 (letter attached), there has been an increasing rise in crime and liquor-related incidents in this area; as such, the Branch questions the suitability of the environment for a group of minors to gather. These concerns were brought forward by Donna Lister, the Vancouver Regional Manager of Compliance and Enforcement Division (Regional Manager), and the Vancouver Police Department (VPD).

I understand that there was a discussion between the applicant, and Alex Clarke, VPD, regarding these upcoming events; however the VPD has since confirmed with the Branch that they do not support these two upcoming events for reasons stated above.

The principle concern regarding the proposed event is not derived as a result of the manner in which the establishment is operated; rather, it is a result of the concerns with the area in which the establishment is located. The Branch acknowledges that the licensee agreed to implement security measures to monitor the minors within the establishment during the event, including arranging drop-off/pick-up services; unfortunately, even with these measures in place, the licensee cannot maintain control over the activities of neighbourhood.

In view of the fact that the Regional Manager and Vancouver Police Department do not support the change requested, the application is denied.

Liquor Control and
Licensing Branch

Mailing Address:
PO Box 9292 Stn Prov Govt
Victoria BC V8W 9J8
Telephone: 250 952-5787
Facsimile: 250 952-7066

Location:
4th Floor, 3350 Douglas Street
Victoria, BC

<http://www.pssg.gov.bc.ca/lclb>

If you have any questions, please contact Catharine Eastwood, Licensing Supervisor at 250-952-5774.

Sincerely,



Cheryl Y. Caldwell
Deputy General Manager
Licensing & Local Government Liaison

CYC/ce

Attachment

cc: Alex Clarke, Liquor Coordinator, VPD
Donna Lister, Regional Manager
Marilyn Lowden, Liquor Inspector
City of Vancouver (Fax: 604-925-7006)
Fitton Mark, 1598440 Alberta Ltd



October 16, 2012

Job #713727-74

Vinyl Retro Dance Lounge
c/o Rising Tide Consultants
1090-1130 West Pender Street
Vancouver, BC V6E 4A4

Via e-mail: risingtide@shawcable.com

Attention: Shannon Malcolm

Re: Temporary Change to a Liquor Licence – Denied
Establishment: Vinyl Retro Dance Lounge
Liquor Primary Licence # 030281

The Liquor Control & Licensing Branch (Branch) received your application for a temporary change to the above-noted licence on October 5, 2012 for an all-ages event on October 28, 2012.

Donna Lister, the Vancouver Regional Manager of Compliance and Enforcement Division (Regional Manager), and the Vancouver Police Department (VPD) have identified a number of concerns regarding liquor-related incidents in your neighbourhood. According to the VPD, there has been a significant increase in the number of liquor-related incidents and street disorder in this area, including an increase in violent crimes.

For the reasons noted above, that the Regional Manager and VPD do not believe this is a safe environment for minors to gather in and, therefore, do not support your request.

As the Regional Manager and VPD do not support the application for a temporary change to the liquor licence to host an all-ages event, the application is denied.

If you have any questions, please contact Catharine Eastwood at 250-952-5774 or 1-866-209-2111.

Sincerely,

Cheryl Y. Caldwell
Deputy General Manager
Licensing & Local Government Liaison

CYC/ce

cc: Alex Clarke, Liquor Coordinator, VPD
Donna Lister, Regional Manager
Marilyn Lowden, Liquor Inspector
City of Vancouver (Fax: 604-925-7006)
Filton Mark, 1598440 Alberta Ltd

Liquor Control and
Licensing Branch

Mailing Address:
PO Box 9292 Stn Prov Govt
Victoria BC V8W 9J8
Telephone: 250 952-5787
Facsimile: 250 952-7066

Location:
4th Floor, 3350 Douglas Street
Victoria, BC

<http://www.pssg.gov.bc.ca/clb>

Eastwood, Catharine MEM:EX

From: Lister, Donna O MEM:EX
Sent: Monday, October 15, 2012 12:23 PM
To: Eastwood, Catharine MEM:EX
Cc: Lowden, Marilyn MEM:EX
Subject: Vinyl Temp Change request

I just spoke with Alex Clarke who is the liquor coordinator for the Vancouver Police department. She just finished a meeting with Inspector Michelle Davey who is the District 2 area commander.

You should have on record her email regarding the Modern and Fabric requests for all age events, in particular her non-support.

The same reasons for non support apply to the Vinyl application, but with additional stronger reasons. The Vinyl is located in the same hotel as the Pint which has become a very popular place for a young demographic to frequent and drink. The Vinyl entrance is on Abbott Street very close to an alley frequented by unsavory characters. This street also gets very busy with people who are in line to get into Pint, and those who have been drinking and come outside to smoke. The vacant lot across the street is a frequent problem for police.

This hotel is also a stones throw (1-1/2 blocks) from the heart of skid row. Violent crime (robberies; assaults) has gone way up in this area recently.

This temp change is not supported by the VPD or myself.

If there are any questions please do not hesitate to give me a call

Thanks
donna

Donna Lister
Vancouver Regional Manager SPC
Liquor Control and Licensing Branch
Compliance and Enforcement Division
Ph: 604-775-0075
fax: 604-775-0044
donna.lister@gov.bc.ca

Not Responsive

From: CLARKE, Alex [mailto:alex.clarke@vpd.ca]
Sent: Wednesday, October 31, 2012 1:45 PM
To: Lister, Donna O MEM:EX
Subject: FW: Vinyl Retro Lounge - All Ages

We do such good work together!!! Partnership of :)

From: DAVEY, Michelle
Sent: Wednesday, October 31, 2012 1:37 PM
To: CLARKE, Alex
Subject: RE: Vinyl Retro Lounge - All Ages

Good work Alex.

Insp. Michelle Davey
District 2 - Operations Division
Vancouver Police Department
604-717-2780

From: CLARKE, Alex
Sent: Wednesday, October 31, 2012 12:58 PM
To: 'Lister, Donna O MEM:EX'; Eastwood, Catharine MEM:EX
Cc: DAVEY, Michelle
Subject: RE: Vinyl Retro Lounge - All Ages

Catharine,

I am confirming that Donna Lister and I have had several conversations with respect to the de-licensing request made by Rising Tide on behalf of Vinyl. The Vancouver Police Department's position on these types of requests from this establishment has not changed as per the reasons listed in Donna Lister's response.

Please call me should you have further questions.

Det Cst Alex Clarke
Liquor Coordinator
Vancouver Police Department

s.17

From: Lister, Donna O MEM:EX [mailto:Donna.Lister@gov.bc.ca]
Sent: Tuesday, October 30, 2012 11:47 AM
To: Eastwood, Catharine MEM:EX
Cc: CLARKE, Alex
Subject: RE: Vinvyl Retro Lounge - All Ages

As per our conversation, I have just gotten off the phone with Alex Clarke. Inspector Davey, the district 2 commander has not changed her opinion regarding events with children at the Vinyl LP. The violent crime in the area continues to be very high, as a matter of fact this neighbourhood is the most violent in Canada at the moment. Alex did speak with Bert, she listened to his reasons and told him she would bring it forward to the Inspector who said she did NOT support any temp change application to the Vinyl to permit minors. Alex did not approve or agree with this application.

**Alex if you could please confirm this for Catharine so it can be taken forward to Cheryl
Thanks!

Donna Lister
Vancouver Regional Manager SPC
Liquor Control and Licensing Branch
Compliance and Enforcement Division
Ph: 604-775-0075
fax: 604-775-0044
donna.lister@gov.bc.ca

From: Eastwood, Catharine MEM:EX
Sent: Tuesday, October 30, 2012 9:04 AM
To: Lister, Donna O MEM:EX
Subject: RE: Vinvyl Retro Lounge - All Ages

Okay, I thought it was surprising to see another application so soon, but they said they have talked to the police about it and this is a "school" event..... Anyhow let me know what you find out.

Thanks
Catharine

From: Lister, Donna O MEM:EX
Sent: Tuesday, October 30, 2012 8:55 AM
To: Eastwood, Catharine MEM:EX
Subject: RE: Vinvyl Retro Lounge - All Ages

I am awaiting a call from Alex. I do not believe that there will be approval for them on this either

Donna Lister
Vancouver Regional Manager SPC
Liquor Control and Licensing Branch
Compliance and Enforcement Division
Ph: 604-775-0075
fax: 604-775-0044

donna.lister@gov.bc.ca

From: Eastwood, Catharine MEM:EX
Sent: Tuesday, October 30, 2012 8:48 AM
To: Lister, Donna O MEM:EX
Cc: Caldwell, Cheryl Y MEM:EX
Subject: RE: Vinyl Retro Lounge - All Ages

Good morning

I have Rising Tides asking about this application, there next event is the 8th. Donna, did you hear back from the Vancouver Police yet?

Thanks
Catharine

From: Lister, Donna O MEM:EX
Sent: Thursday, October 25, 2012 4:35 PM
To: Eastwood, Catharine MEM:EX
Cc: Caldwell, Cheryl Y MEM:EX
Subject: Re: Vinyl Retro Lounge - All Ages

Alex is away till Saturday, I will talk to her about it then however I have no doubt that the commander will not be in favour of any underage events

On 2012-10-25, at 4:24 PM, "Eastwood, Catharine MEM:EX" <Catharine.Eastwood@gov.bc.ca> wrote:

Hi Cheryl and Donna

As you are aware we recently just denied an –all-ages event on Oct. 16th for this establishment. Well we have just received a new application submitted by Rising Tides Consultants for two more all-ages events for this establishment, this time in relation to school grad events.....summary as per below

Student Association fundraising event Wednesday Nov. 21

Sutherland Dry Grad Thursday Nov. 8

The application states that these event are not an “all-ages” promoter party, it is organized by the school’s grad committee, ticketed events, and that parents will be dropping off and picking up or bused in and out....also parents will be chaperoning.

The application states that they have spoken with Alex Clarke with the Vancouver Police and have addressed many of their concerns - **Donna**, not sure if the Police contacted you about this.....

As we still can’t mention the policy directive at this time the application is on hold on my desk until further direction.....

Thanks

Catharine

Catharine Eastwood | Licensing Supervisor
Liquor Control & Licensing Branch
PO Box 9292 Stn Prov Govt | Victoria BC V8W 9J8
P: 250-952-5774 | F: 250-952-7034
www.pssg.gov.bc.ca/lclb



BRITISH
COLUMBIA

Job #709447-78

October 9, 2012

The Modern
c/o 302-1110 Hamilton St.
Vancouver BC V6A 1B2

Via e-mail: ab@donnellygroup.ca

Dear Adam Blender:

Re: Temporary Change to a Liquor Licence – Denied
Establishment: Post Modern Dancebar
Liquor Primary Licence # 121813

The Liquor Control & Licensing Branch (Branch) received your application for a temporary change to the above-noted licence on September 13, 2012 for an all-ages event on October 18, 2012.

The local RCMP detachment in your area identified a number of concerns regarding liquor-related incidents in your neighbourhood. According to the RCMP, there has been a significant increase in the number of liquor-related incidents and street disorder in this area. It is for these reasons that the RCMP do not believe this is a safe environment for minors to gather in and, therefore, do not support your request.

As the RCMP does not support the application for a temporary change to the liquor licence to host an all-ages event, the application is denied.

If you have any questions, please contact Catharine Eastwood at 250-952-5774 or 1-866-209-2111.

Sincerely,

Cheryl Y. Caldwell
Deputy General Manager
Licensing & Local Government Liaison

CYC/ce

cc: Alex Clarke, Inspector
Donna Lister, Regional Manager
Vancouver Police – District 2- Operations Division
City of Vancouver (Fax: 604-925-7006)

Liquor Control and
Licensing Branch

Mailing Address:
PO Box 9292 Stn Prov Govt
Victoria BC V8W 9J8
Telephone: 250 952-5787
Facsimile: 250 952-7086

Location:
4th Floor, 3350 Douglas Street
Victoria, BC

<http://www.pseg.gov.bc.ca/lclb>

Inspector Comments for Job 000709447-078

Process Edit

Inspector Comments Job 000709447-078

Assigned To	Status	Outcome	Scheduled		Actual	
			Start	Completed	Start	Completed
Rick Brydon	Complete	Commented	Oct 09, 2012			Oct 10, 2012 06:38:36

Details

Comments Denied because of concerns of police

Eastwood, Catharine MEM:EX

From: Lister, Donna O MEM:EX
Sent: Tuesday, October 9, 2012 9:23 AM
To: Eastwood, Catharine MEM:EX
Subject: FW: Temp Change - All Ages - The Modern

VPD Inspector Michelle Davey has approved forwarding her email to you
D☺

Donna Lister

Vancouver Regional Manager SPC
Liquor Control and Licensing Branch
Compliance and Enforcement Division
Ph: 604-775-0075
fax: 604-775-0044
donna.lister@gov.bc.ca

From: DAVEY, Michelle
Sent: Friday, September 28, 2012 9:54 AM
To: CLARKE, Alex
Subject: RE: Temp Change - All Ages - The Modern

Hi Alex,

I am not in support of either event in Gastown for the following reasons:

- this new "entertainment district" is not built with the wide sidewalks which allows better (and safer) movement of people, including those who are intoxicated in the neighbourhood. It is also very close to the DTES where we have had a significant rise in violent crime over the past few months.
- this establishment is in close proximity to other licensed establishments where we have a constant challenge in managing liquor related incidents and street disorder. As you point out, there were 30 incidents in a single night requiring police attendance. This in my view is not a safe environment to inject a mass of young, underage people.
- anecdotal information from beat officers working in the area is that Thursdays are quite busy - some of the bars have lineups, which take up much of the sidewalks in Gastown, they are dealing with fights and disorderly conduct and in their view, it would not be a suitable environment to inject a large number of young people.

Thursdays are typically the start of the weekend bar scene for many people. If you were asking me about a Sunday night then there may be a different answer to this question.

I am not supportive of either event.

Please let me know if you would like to discuss it further.

Thanks Alex,

Michelle

Insp. Michelle Davey
District 2 - Operations Division
Vancouver Police Department
604-717-2780

From: CLARKE, Alex
Sent: Thursday, September 27, 2012 2:54 PM
To: DAVEY, Michelle
Subject: FW: Temp Change - All Ages - The Modern

Inspector Davey,

LCLB has received a de-licensing request for The Post Modern. What this means is that their liquor is removed and they have suspended the license just for the night. This is to host an All Ages Show on Thursday October 18, the same night Jake wants to do his event at Fabric.

I told Donna that there would be concerns. I had Agnes run the calls for Thursday nights. I had a quick look at the 30 calls for service in the area. A few of them are associated to SRO's but I need to look at the remainder. I also saw the response to Ian about Fabric, so given the area, the concerns should be no different for Post Modern I would conclude. We would just need to articulate this to Donna so she can advise Victoria.

I am off tomorrow but always available on cell at s.17, s.22

Thanks.

From: Lister, Donna O MEM:EX [<mailto:Donna.Lister@gov.bc.ca>]
Sent: Thursday, September 27, 2012 2:43 PM
To: Eastwood, Catharine MEM:EX; Brydon, Rick MEM:EX
Cc: CLARKE, Alex
Subject: RE: Temp Change - All Ages - The Modern

Yes, I would like to speak with Rick and Alex before we approve this
Thanks so much!
d

Donna Lister
Vancouver Regional Manager SPC
Liquor Control and Licensing Branch
Compliance and Enforcement Division
Ph: 604-775-0075
fax: 604-775-0044
donna.lister@gov.bc.ca

From: Eastwood, Catharine MEM:EX
Sent: Thursday, September 27, 2012 2:37 PM
To: Brydon, Rick MEM:EX; Lister, Donna O MEM:EX
Subject: Temp Change - All Ages - The Modern

Hi Donna

We received an application for temp suspension for an all ages show -- (Halloween Party hosted by Nico Sto Tomas)
Oct 18 from 8:00 pm to 2:00 pm

The Modern – Licence # 121813

Is there any concerns?

Thanks
Catharine

Catharine Eastwood | Licensing Supervisor
Liquor Control & Licensing Branch
PO Box 9292 Stn Prov Govt | Victoria BC V8W 9J8
P: 250-952-5774 | F: 250-952-7034
www.pssg.gov.bc.ca/lclb



May 30, 2012

Job # 714319-186

Seemore Entertainment Ltd.
674 Seymour St
Vancouver, BC V6B 3K4

info@aubarnightclub.com

Dear Chris Childs:

Re: Temporary Licence Suspension (De-Licensing) – Denied
Establishment: AuBar
Liquor Primary Licence # 200926

The Liquor Control & Licensing Branch received your application on May 15, 2012 that included a request for a temporary suspension for a June 27, 2012 event.

The Branch is not able to approve your request due to potential safety concerns indicated by the Liquor Inspector.

I understand there was a discussion between the manager, licensee and Liquor Inspector, Marilyn Lowden, regarding the potential issues that can arise when you host non- school sanctioned events, especially involving more than one group. It's recognized that the licensee implements security measures and monitors minors within the establishment during the shows; however, this does not mitigate the potential safety issues that often arrive when more than one group is involved.

Due to potential safety issues of the minors, the request for a temporary suspension on June 27, 2012 is therefore denied.

If you have any questions, please contact Lindsie Nicholas at 250-952-7045 or 1-866-209-2111.

Sincerely,

Cheryl Y. Caldwell
Deputy General Manager
Licensing & Local Government Liaison

CYC/ln

Please Note:

The Branch operates on the basis that you are responsible for understanding and complying with the requirements of the LCLB Act, its Regulations, and the terms and conditions of your licence.

cc: Marilyn Lowden, Inspector
Donna Lister, Regional Manager
Vancouver Police Dept. #5 Attn: Alex Clarke
City of Vancouver, Attn: Lucia Cumerlato

**Liquor Control and
Licensing Branch**

Mailing Address:
PO Box 9292 Stn Prov Govt
Victoria BC V8W 9J8
Telephone: 250 952-5787
Facsimile: 250 952-7066

Location:
4th Floor, 3350 Douglas Street
Victoria, BC

<http://www.pssg.gov.bc.ca/lclb>
Page 23

EGM-2013-00015

Inspector Comments for Job 000714319-186

Process Edit

Inspector Comments

Job 000714319-186

Request for 2 temp suspensions for all ages events - see notes tab for details and security plan

Assigned To	Status	Outcome	Scheduled		Actual	
			Start	Completed	Start	Completed
Marilyn Lowden	Complete	Commented	May 23, 2012			May 23, 2012 13:49:0

Details

Comments

I have contacted Charlie... regarding the Kits event and have no issues with that one.

I do not approve of the North Vancouver event because of the following:

- 1) s.22 and claims his Dad s.22 is assisting him with selling tickets.
- 2) tickets are being sold to at least 4 high schools in North Vancouver and untold Vancouver schools through a Vancouver promoter (to trustworthy people under 18)
- 3) not a school sanctioned event
- 4) students are promoting the event to other students
- 5) s.22 company is on Face Book and has a following of more than 50,000

Events involving more than one school can be problematic - this event has the potential to be very problematic and I cannot support it.



Job #696834-46

May 4, 2012

The Ocean Club Tapas Bar Ltd

Via e-mail: derek@seatoskygroup.com

The Ocean Club Tapas Bar
105-100 Park Royal South
West Vancouver BC V7T 1A2

Dear Derek Pink:

Re: Temporary Change to a Liquor Licence – Denied
Establishment: The Ocean Club Tapas Bar
Liquor Primary Licence # 159281

The Liquor Control & Licensing Branch received your application for a temporary change to the above-noted licence on April 19, 2012 for a May 12, 2012 event and just recently for another event for May 18, 2012.

It has come to my attention that in a previous recent all ages show that took place April 20, 2012, there were incidents involving five minors that resulted in involvement with the West Vancouver Police and Emergency Medical Services. This is a serious matter.

I have been advised that security measures were implemented to manage and monitor the minors within the establishment during the shows; however, there were questions and concerns with the measures used to initially identify any students under the influence prior to their entrance into the establishment. The licensee is responsible for ensuring that security measures are adequate to prevent such incidents from occurring in the first place.

I understand there was a discussion between the licensee and Liquor Inspector, Heather Lahoda, that the school involving these five students would be banned from participating in any other all ages shows. I am not satisfied that this measure is sufficient to address the serious public safety concerns.

As stated in our previous approval letters regarding temporary changes for all ages show, "if any event previously approved has not been managed to the satisfaction of the General Manager, all remaining dates will be cancelled. Future approvals for similar temporary changes will be conditional on this event(s) being managed to the satisfaction of the General Manager."

Given the serious public safety concerns associated with the previous event, I am not prepared to approve further requests suspending the licence for all ages shows. The application for May 12th and 18th has been denied.

If you have any questions, please contact Kristen Bjarnason at 250-952-5765 or 1-866-209-2111.

Sincerely,

Cheryl Y. Caldwell
Deputy General Manager
Licensing & Local Government Liaison

CYC/kb

cc: Heather Lahoda, Inspector
Donna Lister, Regional Manager
West Vancouver Police (Fax: 604-925-5937)
District of West Vancouver (Fax: 604-925-7006)

**Liquor Control and
Licensing Branch**

Mailing Address:
PO Box 9292 Stn Prov Govt
Victoria BC V8W 9J8
Telephone: 250 952-5787
Facsimile: 250-952-7066

Location:
4th Floor, 3350 Douglas Street
Victoria, BC

<http://www.pssg.gov.bc.ca/lclb>

Bjarnason, Kristen MEM:EX

From: Lahoda, Heather MEM:EX
Sent: Monday, April 30, 2012 12:06 PM
To: Bjarnason, Kristen MEM:EX
Subject: Ocean Club (The Shore) Temp Changes - delicensing

Kristen,

The Ocean Club Tapas Bar (Lounge) Licence # 159281 has had four 'all ages' events in the last two months. It is my understanding that they will be applying for two more in May. Although two of the four past events went off without a hitch, the first one was a bit of a gong show in that the students advertised the event on social media (facebook/twitter) which led to a number of kids being turned away at the door once capacity had been reached. The event was never over crowded. The police attended to manage crowd control of those turned away that were spilling into the parking lot. There were no other incidents. I discussed the concern with the manager and he assured me that he had spoken to the other schools planning to hold events there and that he didn't anticipate anything future crowd control concerns. (I have checked with West Vancouver Police and they advised me there were no more crowd control or overcrowding issues.)

The forth event held April 20, was for West Vancouver High School. There are two different stories being told regarding this event. One is that the licensee discovered 3 intoxicated females on site and removed them immediately calling their parents to come collect them. The females admitted to the licensee that they snuck mini bottles of alcohol into the premise in their bras. The Police maintain that upon a walk through they discovered 5 intoxicated minors, 3 females and two males. One female was so intoxicated that EHS was called. She was cleared and released to her parents on the scene. The police attended at 22:18. It is my concern that these students were already intoxicated, or well on their way, when they arrived at the club and should've been detected by the security team upon arrival and not permitted entry.

The licensee (third party operator) has two more all ages events ready to go for May. One on May 12 for Windsor High School and one on May 18 for West Vancouver high School. I advised him that I would not support the May 18th event for West Van High. He has contacted West Van High and advised him that he is cancelling their event due to the conduct of the above. He had a waiting list of schools and approached Centennial who asked for an event on May 19th.

I have concerns for future all ages events with this operator. Page two of letter sent approving the first 4 events stated that "if any event approved in this letter is not being managed to the satisfaction of the General Manager, all remaining dates be cancelled. Future approval for similar temporary changes will be conditional on the event(s) being managed to the satisfaction of the General Manger." Although the students attending the first 3 events were not an issue and the licensee has taken steps to prevent the students of the 4th event to hold another fundraiser at the club, I'm torn in providing support for the last two events in May. I find it hard to believe that 5 people could get intoxicated on the amount of minis that the 3 females would've been able to smuggle into the establishment in their bras. Police also reported to me that the third party operator was argumentative and refused to provide them with his personal details when asked.

This establishment has been sold and the keys are being handed to the new operator May 22.

I am fine with whatever decision makes for the pending events.

~H~

Heather Lahoda
Liquor Inspector SPC
Compliance and Enforcement Division
Liquor Control & Licensing Branch

Inspector Comments for Job 000696834-046

Process Edit

Inspector Comments

Job 000696834-046

Temp De-Licensing for May 12th and May 18, 2012.

All ages for May 12th- hosted by Windsor Secondary (fundraiser)
May 18th - Hosted by Sentinel Secondary

Melanie Chalmers

Complete

Commented

May 04, 2012

May 04, 2012 09:28:3

Details

Comments

Spoke with Liquor Inspector Lahoda regarding this de-licensing request. Inspector Lahoda expressed concerns about the event, and was hesitant to support it, unless it was approved by DGM Cadwell, and with specific conditions met.

Eastwood, Catharine MEM:EX

From: debbiemcintosh s.22
Sent: Saturday, February 4, 2012 9:46 AM
To: Florio Vassilakakis; Laurel MATHEW
Cc: Kevin Chernoff; Dan Rye; Susan Heaton; Russ Hearne; Gordon Turner; Lawrence Chernoff; Booth, Jim A MEM:EX
Subject: Re: Element Teen Dances

Auto correct sorry.

Sent on the TELUS Mobility network with BlackBerry

From: debbiemcintosh s.22
Date: Sat, 4 Feb 2012 17:45:47 +0000
To: Florio Vassilakakis <florio@clubelement.ca>; Laurel MATHEW <laurel.matthew@rcmp-grc.gc.ca>
ReplyTo: debbiemcintosh s.22
Cc: Kevin Chernoff s.22 >; Dan Rye s.22 >; Susan Heaton <sue.heaton@bchydro.com>; Russ Hearne <Russell.Hearne@sheret.com>; Gordon Turner s.22 ; Lawrence Chernoff s.22 ; Jim A SG:EX Booth <Jim.Booth@gov.bc.ca>
Subject: Re: Element Teen Dances

Thanks for your reply Florin.

Sent on the TELUS Mobility network with BlackBerry

From: Florio Vassilakakis <florio@clubelement.ca>
Date: Fri, 03 Feb 2012 22:55:18 -0800
To: Laurel MATHEW <laurel.matthew@rcmp-grc.gc.ca>
Cc: Kevin Chernoff s.22 ; Dan Rye s.22 ; Susan Heaton <sue.heaton@bchydro.com>; Debbie McIntosh s.22 a>; Russ Hearne <Russell.Hearne@sheret.com>; Gordon Turner s.22 ; Lawrence Chernoff s.22 ; Jim A SG:EX Booth <Jim.Booth@gov.bc.ca>
Subject: Element Teen Dances

Confidential.

Sirs and Mesdames,

I am writing you all this email as I would appreciate a meeting with the City and the RCMP to discuss the letter that was recently sent to the City Council from Corporal Deb Postnikoff. I would prefer to meet face to face to discuss this issue. However, I will provide some commentary below.

Firstly, I would like to say that from day one, my family and I have always been open communicators and have always willingly participated in roundtable discussions on the social (plus other) impact of our business on this community. We are invested in this community not only financially, but otherwise and have an interest on our reputation and on the well-being of our patrons.

With all due respect to Corporal Postnikoff, I find it upsetting that her scathing letter does not represent all the facts surrounding our events. I am not going to point out the misinformation within her letter here. I would however like to comment on the theme of her letter and my opinions. We can leave the rest for our meeting.

We operate our business in the City of Castlegar. We pay over s.22 every year. We unlike many nightclub owners in other communities and larger centres are hand-on, caring and community minded citizens. We are very respectful of the liquor and other laws, the RCMP, and other agencies. We care about our business, continue to invest in it and continue to give back to the community in any way we can.

We have gained approval to do these Teen events through the LCLB in part because of our track record in running previous events (3-5 per year since 2006). We follow all the rules and regulations (in addition to our own extra safety policies) and have adequate staff and we do a very good job of monitoring the event. The notion that an adult/parental supervised event would result in perfectly behaved teens is fantasy. One look no further than high school dances that resulted in the same behaviour amongst the few. (we do let parents in to come and have a look and see what happens inside)

During the last event, the RCMP was called by us as we believed that that was the responsible thing to do. It seems as though, by calling the RCMP to deal with those few, we have brought on the wrath of the RCMP themselves. The events surrounding our last dance are not typical of our events and for the most part with the exception of a few minor problems, the events operate smoothly and are enjoyed by all.

The concern of the RCMP should be any illegal activity. While I respect Corporal Postinkoff's right to opinion, I find it very disappointing that her personal opinions of this event have blurred the lines on her duty as RCMP. It is not the duty of the RCMP to impose their moral and ethical beliefs on my business, nor on individual parental decision making. Youth drink. It's a fact. We are not an enabler of this, nor does our establishment promote youth drinking, mini skirts or drug abuse. It is very concerning to me that youth get involved in that type of behaviour. However, let's not blame the bushes on the bush parties and let's not blame the Element for the social problems of today's youth. Our establishment provides less alcoholic imagery than Boston Pizza and the beer commercials on TV and the internet. Our venue promotes miniskirt usage on a far lower magnitude than the pages of Teen magazine and Glee on TV.

We are constantly thanked by parents for offering the opportunity for their children to participate in these types of events. Parents have the right to not allow their children to partake. We provide a great venue and event for these youth and we will continue to provide these services as long as there is demand.

Please contact me to discuss a meeting time and I will be there. Our next event is February 19th.

With Respect,

Florio Vassilakakis
General Manager

Element Club Bar Grill
www.clubelement.ca
292 Columbia Avenue
Castlegar, BC V1N 1G4

Eastwood, Catharine MEM:EX

From: Florio Vassilakakis [florio@clubelement.ca]
Sent: Friday, February 3, 2012 11:14 PM
To: Laurel MATHEW
Cc: Kevin Chernoff; Dan Rye; Susan Heaton; Debbie McIntosh; Russ Hearne; Gordon Turner; Lawrence Chernoff; Booth, Jim A MEM:EX
Subject: Re: Element Teen Dances Follow up.

Hi everyone,

Just as an aside. The RCMP always receive a copy of the same approval letter from the LCLB that we receive and know about our events well in advance.

Thanks,

Florio Vassilakakis
General Manager

Element Club Bar Grill
www.clubelement.ca

292 Columbia Avenue
Castlegar, BC V1N 1G4

P 250-365-8066
F 250-304-2520

s.22

Van Schaik, Katherine MEM:EX

From: Sherry Voykin [svoykin@sd20.bc.ca]
Sent: Wednesday, February 8, 2012 2:03 PM
To: Booth, Jim A MEM:EX; Greg Luterbach
Cc: Nathan Robinson; Aaron McKenzie; Karen Lavender
Subject: Element Teen Dances in Castlegar
Attachments: Element Letter.pdf

Please see attached letter.

Sherry Voykin
Administrative Assistant
Stanley Humphries Secondary School
720-7th Ave
Castlegar, BC V1N 1R5

Stanley Humphries Secondary School

SCHOOL DISTRICT No. 20 (KOOTENAY-COLUMBIA)
720 - 7TH AVENUE, CASTLEGAR, BC V1N 1R5
TEL. (250) 365-7735 FAX (250) 365-0247

February 8, 2012

Jim Booth – Inspector - Liquor Control and Licensing Branch

Email – jim.booth@gov.bc.ca

Phone – 250.354.6747

Fax – 250.354.6657

Dear Jim,

RE: Element Teen Dances in Castlegar

We are writing to you to express concern regarding the Element Teen Dances taking place in Castlegar. The last dance that occurred in December left many issues that spilled over into the school in the time that followed. The buzz in the school consisted of rumors of arrests, students going to the “drunk tank”, students going under the influence of alcohol or sneaking alcohol into the venue, drug use, fights, etc. While we understand that this is not a school event, it has significant ramifications on the school for an extended period. Our counsellor’s spent significant time working with students to resolve issues arising from their attendance at the dance.

Our main concern is the safety of our students. Other concerns include the impact these dances have on our attendance rate the following day and the social issues that spill over into the school and the emotional dysfunction we observe in some of our students that have a direct impact on their academic achievement. Several staff has expressed their concern to us regarding the dances and the impact it has on students and their classrooms.

Our Vice Principal, Ms. Lavender, made a call to RCMP the day following the last dance regarding the activities of SHSS and Crowe students at the dance held at the Element night club to express her concern. Our other Vice Principal, Mr. McKenzie, spent over an hour on the phone with Marty Kooiman, Drug Awareness officer for the RCMP, discussing the ramifications to Stanley Humphries as well.

The school’s mandate is education. In dealing with the issues that today’s youth face we have worked in conjunction with Interior Health, Freedom Quest, the Public Health nurse, Castlegar and District Community Services, Get Comfortable, Men Speaking Out, Trail Mental Health and Substance Use Services, WINS Transition House Outreach, the Saleema Noon Group, the SD20 Health and Lifestyle committee, and the local RCMP in delivering relevant, up to date information and on good decision making.

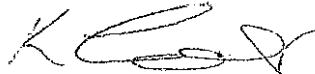
We are concerned that our students are identifying one of their social outlets as a night club prior to them being 19 years old. As a community stakeholder it seems like we are at a cross purpose in supporting students to be healthy contributing citizens.

There is another Element Teen dance on February 19th. We are concerned again, about the impact this will have on the health and welfare of our students.


Sincerely,



Mr. Nathan Robinson
Principal



Ms. Karen Lavender
Vice Principal



Mr. Aaron McKenzie
Vice Principal

sv

Cc: Florio Vassilakakis, Element Club Bar & Grill, Owner
Castlegar City Council
Castlegar RCMP
Greg Luterbach, Superintendent SD.20

Van Schaik, Katherine MEM:EX

From: Booth, Jim A MEM:EX
Sent: Monday, February 13, 2012 2:17 PM
To: Eastwood, Catharine MEM:EX
Subject: RE: 002505079-044 Element Club Bar & Grill - Temp Delicening for Teen dances

The additional T&C's for the Feb 19 teen dance were provided by the Castlegar RCMP. I am expecting to receive these conditions in writing from the City of Castlegar. It is my understanding that the concerned participants involved in developing this response suggest that these conditions would apply to the Feb 19 event only and will reassess after the event. It seems reasonable that they could be included as a requirement for the Licensee.

Regarding the remaining dates:

I'm not sure we should provide a specific RCMP commitment as a T&C. We are making the RCMP response a responsibility of the Licensee. I'm not certain that the RCMP will be able to commit the resources for this event on an ongoing basis. I am awaiting a reply from the RCMP regarding this. I do not expect a response before Wed evening.

In the absence of the RCMP response and written conditions from the LG, I recommend the following additional T&C's for the remaining dates:

- 1) The Licensee will cooperate fully with RCMP and provide full support in whatever capacity required.
- 2) In addition to servers, at least 10 staff will be present to supervise the event and monitor the washrooms.
- 3) Community stakeholders (such as local government representatives, Interior Health, Public Health Nurse, Castlegar and District Community Services, Freedom Quest, Trail Mental Health and Substance Abuse, WINS Transition House Outreach, etc) as well as all parents will be warmly welcomed and encouraged to attend the club during the night.
- 4) The Licensee will refuse entry to anyone showing any signs of intoxication. Specifically the Licensee must employ suitable measures to identify any children showing signs of alcohol or drug use and refuse them entry.
- 5) The Licensee is strongly encouraged to ensure that safe measures of addressing intoxicated children is available. Such measures would include medical care and/or transportation.

From: Eastwood, Catharine SG:EX
Sent: Monday, February 13, 2012 10:56 AM
To: Booth, Jim A SG:EX
Subject: RE: 002505079-044 Element Club Bar & Grill - Temp Delicening for Teen dances

Hi Jim

We will revise the approval letter to include the additional t & c's as per below – are these measures going to be required for all remaining dates that we have as well?

Thanks
Catharine

From: Booth, Jim A SG:EX
Sent: Thursday, February 9, 2012 5:24 PM
To: Caldwell, Cheryl Y SG:EX
Cc: Eastwood, Catharine SG:EX; Barker, Gary SG:EX
Subject: RE: 002505079-044 Element Club Bar & Grill - Temp Delicening for Teen dances

UPDATE:

I just completed a phone call with Cpl. Postnikoff. The RCMP have met with the community and the Licensee and developed the following to address additional security for the upcoming teen dance on Feb 19, 2012.

1. Two uniformed RCMP will patrol the line-up.
2. One plainclothes RCMP will remain inside.
3. 10-12 staff will be present and monitor the washrooms.
4. The Licensee is extending an invitation to all parents.
5. A city council member as well as several parents will attend the club during the night.
6. An RCMP member will be on site to identify signs of intoxication.
7. The Licensee will refuse entry to anyone showing any signs of intoxication.

Copy of the letter from the RCMP (the previous format may have been difficult to open).

<< File: RCMP Teen.pdf >>

Copy of letter received previously

<< File: Complaint letter.pdf >>

J.A.Booth
LCLB Central Kootenay
(250) 354-6747

Van Schaik, Katherine MEM:EX

From: Debbie POSTNIKOFF [debbie.postnikoff@rcmp-grc.gc.ca]
Sent: Monday, February 13, 2012 4:36 PM
To: Booth, Jim A MEM:EX
Subject: Re: Element Complaint - Information

Jim. I'm in on wednesday night. Ill sit down and review this with laurel.

Deb

-----Original Message-----

From: "Booth, Jim A SG:EX" <Jim.Booth@gov.bc.ca>
To: POSTNIKOFF, Debbie <debbie.postnikoff@rcmp-grc.gc.ca>

Sent: 02/13/2012 16:19:29
Subject: RE: Element Complaint - Information

Deb,
The licensing division of the LCLB is revising the approval letter for the temp changes at the Element. I have been asked if the conditions below will form terms and conditions required for all of the teen dances for the remainder of the current temp change. I replied to the licensing supervisor that I would check to see if the Castlegar RCMP had the resources to assist the Licensee should the 7 points listed below become a requirement. Will the RCMP be able to commit to the conditions as specified in 1) 2) and 3) below? I hope the Licensee is paying for any added police presence.

Additional approved nights for Element teen dances:

February 19, 2012

March 11, 2012

April 22, 2012

May 6, 2012 (I will unable to attend)

June 3, 2012

From: Booth, Jim A SG:EX

Sent: Friday, February 10, 2012 6:57 PM

To: 'Debbie POSTNIKOFF'

Subject: RE: Element Complaint - Information

Deb,
I forwarded the extra safety measures that you described to LCLB HQ. I expect that these conditions will be implemented as terms and conditions of the approval and that the Licensee (Florio) will be notified in writing.

- 1) Two uniformed RCMP will patrol the line-up.
- 2) One plainclothes RCMP will remain inside.
- 3) 10-12 staff will be present and monitor the washrooms.
- 4) The Licensee is extending an invitation to all parents.
- 5) A city council member as well as several parents will attend the club during the night.
- 6) An RCMP member will be on site to identify signs of intoxication.
- 7) The Licensee will refuse entry to anyone showing any signs of intoxication.

J.A.Booth
LCLB Central Kootenay
(250) 354-6747

From: Debbie POSTNIKOFF [mailto:debbie.postnikoff@rcmp-grc.gc.ca]
Sent: Thursday, February 9, 2012 11:13 AM
To: Booth, Jim A SG:EX
Subject: RE: Element Complaint - Information

Ok...Thanks Jim....I will fax it now along with the letter that we got (and was C.C'd to you) from Stanley Humphries School.

We had a meeting this morning and have made progress with some extra safety measures that are being put into place. I feel much better today than when I left the meeting on Monday night.

Deb

>>> "Booth, Jim A SG:EX" <Jim.Booth@gov.bc.ca> 2012-02-09 11:09 >>>
I'm in the office and my fax machine is dedicated. I'm the only person working in my office. The fax machine is secure.

From: Debbie POSTNIKOFF [mailto:debbie.postnikoff@rcmp-grc.gc.ca]
Sent: Thursday, February 9, 2012 7:11 AM
To: Booth, Jim A SG:EX
Subject: RE: Element Complaint - Information

I figured as much. RCMP has different formats. Please let me know when you are in your office. I'll fax it to you.

Deb

>>> "Booth, Jim A SG:EX" <Jim.Booth@gov.bc.ca> 2012-02-08 18:33 >>>
Deb,
I am unable to open the attached file.

Jim Booth
Liquor Control and Licensing Branch
Central Kootenay
Public Safety Solicitor General
310 Ward Street
Nelson, B.C.
V1L 5S4
(250) 354-6747
Fax 354-6657

From: Debbie POSTNIKOFF [mailto:debbie.postnikoff@rcmp-grc.gc.ca]
Sent: Wednesday, February 8, 2012 10:30 AM
To: Booth, Jim A SG:EX
Subject: RE: Element Complaint - Information

Hi Jim,

Thanks for coming out the other night. I appreciate your support. I have sent the letter. If you cannot open it, let me know and I'll fax it.

Deb

Debbie Postnikoff, Corporal
Supervisor/Media Relations Officer
RCMP Castlegar Detachment
440 Columbia Avenue,
Castlegar, B.C. V1N 1G7
Phone# 250-365-7721
Fax# 250-365-0803
Debbie.postnikoff@rcmp-grc.gc.ca<mailto:Debbie.postnikoff@rcmp-grc.gc.ca>

>>> "Booth, Jim A SG:EX" <Jim.Booth@gov.bc.ca> 2012-02-08 09:31 >>>
Deb,
Would it be possible to get a copy of your letter.
Thanks

From: Debbie POSTNIKOFF [mailto:debbie.postnikoff@rcmp-grc.gc.ca]
Sent: Friday, February 3, 2012 6:17 PM
To: Booth, Jim A SG:EX
Subject: Re: Element Complaint - Information

Hi Jim,

Just to let you know, I forwarded my letter to Mayor Chernoff and City Councilors today. It has stirred up some discussion. It will be addressed at the City Council meeting on Monday at 700 PM.

FYI - in the event you are interested in attending.

Deb

>>> "Booth, Jim A SG:EX" <Jim.Booth@gov.bc.ca> 2011-12-20 11:58 >>>
For Your Information:

I received a complaint about the Element regarding minors, entertainment and the youth dances. I have forwarded you the complaint for your information. The complainant is anonymous so I am unable to follow up with an interview. I telephoned Florio regarding this complaint and he described his version of the incident on Dec 11, 2011. He said there were no assaults. There was no crack. Staff discovered youths with street drugs in washroom. Florio claims that this is the first time he was aware of drugs at an Element youth event and he phoned the RCMP.

Florio further explained that he has met with you (Laurel) and discussed this incident.

Additionally:

1. The LCLB is currently reviewing the policy on delicensing liquor primaries for youth events and may discontinue approval for all future applications.
2. Florio is aware we have had several complaints regarding minors at the Element and I have advised Florio (and Nick) that staff should check 2 pieces of ID THOROUGHLY, EVERY TIME a young looking person enters the premises.

3. Strippers and exotic dancers are not permitted to physically contact each other or patrons.

Please contact me if you have any questions or additional info.

J.A.Booth
LCLB Central Kootenay
(250) 354-6747

Van Schaik, Katherine MEM:EX

From: Debbie POSTNIKOFF [debbie.postnikoff@rcmp-grc.gc.ca]
Sent: Monday, February 13, 2012 4:48 PM
To: Booth, Jim A MEM:EX
Subject: Re: 002505079-044 Element Club Bar & Grill - Temp Delicensing for Teen dances

Ok thx. The extra provisions only apply for the feb 19th dance. If there is continued repeat problems I'm pushing for them to be banned. Fyi. I have a lot of support brewing in the community.

Deb

-----Original Message-----

From: "Booth, Jim A SG:EX" <Jim.Booth@gov.bc.ca>
To: POSTNIKOFF, Debbie <debbie.postnikoff@rcmp-grc.gc.ca>

Sent: 02/13/2012 19:42:21
Subject: FW: 002505079-044 Element Club Bar & Grill - Temp Delicensing for Teen dances

Additional Info for you and Laurel only. Catherine is the Licensing supervisor preparing the approval letter. Please don't distribute.

From: Booth, Jim A SG:EX
Sent: Monday, February 13, 2012 2:17 PM
To: Eastwood, Catharine SG:EX
Subject: RE: 002505079-044 Element Club Bar & Grill - Temp Delicensing for Teen dances

The additional T&C's for the Feb 19 teen dance were provided by the Castlegar RCMP. I am expecting to receive these conditions in writing from the City of Castlegar. It is my understanding that the concerned participants involved in developing this response suggest that these conditions would apply to the Feb 19 event only and will reassess after the event. It seems reasonable that they could be included as a requirement for the Licensee.

Regarding the remaining dates:

I'm not sure we should provide a specific RCMP commitment as a T&C. We are making the RCMP response a responsibility of the Licensee. I'm not certain that the RCMP will be able to commit the resources for this event on an ongoing basis. I am awaiting a reply from the RCMP regarding this. I do not expect a response before Wed evening.

In the absence of the RCMP response and written conditions from the LG, I recommend the following additional T&C's for the remaining dates:

- 1) The Licensee will cooperate fully with RCMP and provide full support in whatever capacity required.
- 2) In addition to servers, at least 10 staff will be present to supervise the event and monitor the washrooms.
- 3) Community stakeholders (such as local government representatives, Interior Health, Public Health Nurse, Castlegar and District Community Services, Freedom Quest, Trail Mental Health and Substance Abuse, WINS Transition House Outreach, etc) as well as all parents will be warmly welcomed and encouraged to attend the club during the night.
- 4) The Licensee will refuse entry to anyone showing any signs of intoxication. Specifically the Licensee must employ suitable measures to identify any children showing signs of alcohol or drug use and refuse them entry.
- 5) The Licensee is strongly encouraged to ensure that safe measures of addressing intoxicated children is available. Such measures would include medical care and/or transportation.

From: Eastwood, Catharine SG:EX
Sent: Monday, February 13, 2012 10:56 AM
To: Booth, Jim A SG:EX
Subject: RE: 002505079-044 Element Club Bar & Grill - Temp Delicening for Teen dances

Hi Jim

We will revise the approval letter to include the additional t & c's as per below - are these measures going to be required for all remaining dates that we have as well?

Thanks
Catharine

From: Booth, Jim A SG:EX
Sent: Thursday, February 9, 2012 5:24 PM
To: Caldwell, Cheryl Y SG:EX
Cc: Eastwood, Catharine SG:EX; Barker, Gary SG:EX
Subject: RE: 002505079-044 Element Club Bar & Grill - Temp Delicening for Teen dances

UPDATE:

I just completed a phone call with Cpl. Postnikoff. The RCMP have met with the community and the Licensee and developed the following to address additional security for the upcoming teen dance on Feb 19, 2012.

1. Two uniformed RCMP will patrol the line-up.
2. One plainclothes RCMP will remain inside.
3. 10-12 staff will be present and monitor the washrooms.
4. The Licensee is extending an invitation to all parents.
5. A city council member as well as several parents will attend the club during the night.
6. An RCMP member will be on site to identify signs of intoxication.
7. The Licensee will refuse entry to anyone showing any signs of intoxication.

Copy of the letter from the RCMP (the previous format may have been difficult to open).

<< File: RCMP Teen.pdf >>

Copy of letter received previously

<< File: Complaint letter.pdf >>

J.A.Booth
LCLB Central Kootenay
(250) 354-6747

Van Schaik, Katherine MEM:EX

From: Florio Vassilakakis [florio@clubelement.ca]
Sent: Friday, February 17, 2012 1:24 PM
To: Nicholas, Lindsie MEM:EX
Cc: Booth, Jim A MEM:EX; Barker, Gary MEM:EX
Subject: Re: Temp Suspensions - Amendment to Approval Letter - Element Club Bar & Grill

Hi Lindsie,

Just so you are aware, everything that you wrote in the Terms & Conditions are things we already have been doing. We are responsible business owners and care for our patrons and the youth that attend this event. The notion that we do not is offensive. We have been operating these events since they were permitted almost 10 years ago and have operated 20 in Castlegar. They have always been successful and with the exception of the last event (which had a few more unruly teens than usual) all have gone smoothly.

We did not have to wait for these "terms" to implement the safety measures that you have implied with the conditions. I have always been open and communicated with Jim Booth, the City and the RCMP on all issues surrounding the Social concerns of our establishment.

This whole process is very disappointing as it has made our establishment and me look uncaring and indifferent, which is completely the opposite of the truth. Our family has been in this industry for more than 35 years, but none of us fit into the stereotypical nightclub owner category and we are very involved community minded citizens.

Thanks,

Florio Vassilakakis
General Manager

Element Club Bar Grill
www.clubelement.ca

292 Columbia Avenue
Castlegar, BC V1N 1G4

P 250-365-8066
F 250-304-2520

s.22

On 2012-02-17, at 1:07 PM, Nicholas, Lindsie SG:EX wrote:

To: Florio Vassilakakis

Please see attached regarding the upcoming Temporary suspensions at Element Club Bar & Grill starting February 19, 2012.

Many Thanks,

Lindsie Nicholas | Case Manager
Liquor Control and Licensing Branch
Ph. 250 952 7045 | Fax: 250 952 7066
<http://www.pssg.gov.bc.ca/lclb/>

<Element Club - Amended - February 17, 2012.pdf>

AMENDMENT

February 17, 2012

by e-mail: florio@clubelement.ca

JPN Holdings Ltd.
292 Columbia St
Castlegar, BC V1N 1G4

Dear Florio Vassilakakis:

Re: Temporary Licence Suspension (De-Licensing) – Approved
Establishment: Element Club Bar & Grill
Liquor Primary Licence # 302009

The Liquor Control & Licensing Branch has approved the temporary change application for the above-noted establishment.

Temporary Licence Suspension (De-Licensing):

- Date: February 19, 2012, March 11, 2012, April 22, 2012, May 6, 2012 and June 3, 2012 – Family Dining/Teen Dance
- Event hours: 3:00pm-11:00pm
- Liquor licence #302009 is suspended (de-licensed) from 2:00pm to 2:00am for each of the listed dates.

Terms & Conditions which apply to alternate use during licensed hours:

- The alternate use of this establishment for unlicensed activities is temporary and occasional.
- **All liquor must be secured and inaccessible (locked or removed) while the unlicensed activities are taking place.**
- The establishment is not used for any purpose from 2:00am to 6:00am.

The following additional security measures and conditions are to be in effect during all remaining events:

- 1) The Licensee will cooperate fully with RCMP and provide full support in whatever capacity required.
- 2) In addition to servers, at least 10 staff will be present to supervise the event and monitor the washrooms.
- 3) Community Stakeholders (such as local government representatives, Interior Health, Public Health Nurse, Castlegar and District Community Services, Freedom Quest, Trail Mental Health and Substance Abuse, WINS Transition House Outreach, etc) including all parents will be welcome to attend the club during the night.
- 4) The Licensee will refuse entry to anyone showing any signs of intoxication. Specifically the Licensee must employ suitable measures to identify any children showing signs of alcohol or drug use and refuse them entry.
- 5) The Licensee is strongly encouraged to ensure that safe measures of addressing intoxicated children are available. Such measures would include medical care and/or transportation.

A copy of this approval letter must be kept on site, with your liquor licence and your red-lined floor plans, ready for inspection at all times during your event.

If any event approved in this letter is not being managed to the satisfaction of the General Manager, all remaining dates will be cancelled. Future approvals for similar temporary changes will be conditional on this event(s) being managed to the satisfaction of the General Manager.

**Ministry of Public Safety
and Solicitor General**

Liquor Control and
Licensing Branch

Mailing Address:
PO Box 9292 Stn Prov Govt
Victoria BC V8W 9J8
Telephone: 250 952-5787
Facsimile: 250 952-7066

Location:
4th Floor, 3350 Douglas Street
Victoria BC V8Z 3L1
<http://www.pssg.gov.bc.ca/lclb>

Please note, there's been a change to the amount of notice the Branch requires for temporary change requests. For future requests, applicants must ensure they submit their completed application a minimum of fourteen (14) business days (or two (2) months, if it's a request for discretion) in advance of the proposed event, otherwise your application may not be processed in time for your event(s).

If you have any questions, please contact me at 250-952-7045 or 1-866-209-2111 or your local Liquor Inspector, Jim Booth at 250-354-6747.

Sincerely,



Lindsie Nicholas
Case Manager

Please Note:

The Branch operates on the basis that you are responsible for understanding and complying with the requirements of the LCLB Act, its Regulations, and the terms and conditions of your licence.

cc: Jim Booth, Inspector
Gary Barker, Regional Manager
Castlegar RCMP (Fax: 250-365-0803)
City of Castlegar (Fax: 250-365-4810)

P 250-365-8066
F 250-304-2520
s.22

Van Schaik, Katherine MEM:EX

From: Debbie POSTNIKOFF [debbie.postnikoff@rcmp-grc.gc.ca]
Sent: Monday, March 26, 2012 7:55 PM
To: Booth, Jim A MEM:EX
Subject: Re: Teen Dance/Family night

Jim. Just for record. I'm still not a supporter of these teen dances. But I am pleased to see a safety plan in place. I'm hoping the province will soon ban them. Fyi.

Deb

-----Original Message-----

From: "Booth, Jim A SG:EX" <Jim.Booth@gov.bc.ca>
Cc: MATHEW, Laurel <laurel.matthew@rcmp-grc.gc.ca>
Cc: POSTNIKOFF, Debbie <debbie.postnikoff@rcmp-grc.gc.ca>
To: Vassilakakis, Florio <florio@clubelement.ca>

Sent: 03/26/2012 22:26:47
Subject: RE: Teen Dance/Family night

Florio,

As you know I have received complaints regarding the teen dances at your club Castlegar. I did not observe contraventions or receive complaints regarding the February teen dance.

Your current application for the teen dances is approved subject to the terms of the approval letter(s). Please be advised that future applications may not be approved. Elsewhere in BC, temporary changes that permit youth in liquor primaries have been associated with concerns and problems.

Thanks again for cooperating with the Castlegar RCMP with these events.

J.A.Booth
LCLB Central Kootenay
(250) 354-6747

From: Florio Vassilakakis [mailto:florio@clubelement.ca]
Sent: Saturday, March 17, 2012 3:28 PM
To: Debbie POSTNIKOFF; Booth, Jim A SG:EX; Laurel MATHEW
Subject: Teen Dance/Family night

Hi Everyone,

I am in the early stages of planning an event for May 6th. I am skipping over the March and April dates for which I was approved.

Please let me know your thoughts.

Thanks,

Florio Vassilakakis
General Manager

Element Club Bar Grill
www.clubelement.ca<<http://www.clubelement.ca>>
292 Columbia Avenue
Castlegar, BC V1N 1G4

P 250-365-8066

F 250-304-2520

s.22

Van Schaik, Katherine MEM:EX

From: Booth, Jim A MEM:EX
Sent: Tuesday, October 16, 2012 11:09 AM
To: Eastwood, Catharine MEM:EX
Subject: RE: Approval Letter for Temp Change for Element Castlegar

Catherine,

I have consulted with the RCMP in Castlegar. They are not opposed to the next event on Oct 28th. The RCMP would like to reserve comment on the future events based on the results of this event on the 28th of October. As you are aware that there have been youth safety concerns from the local school, the RCMP and the community related to these events in the past.

See:



RE: 002505079-044 002505079-044
Element Cl... Element Club B...

The RCMP will consult with the LG and the Licensee to confirm that RCMP support (plainclothes and uniformed members) will continue to be provided. I note that these conditions were not included in the approval letter for the 28th of October, but thought you might like to be informed. I will advise you if I learn of changes to the security measures.

Do we have a process or deadline for approving the next event(s)?

J.A.Booth
LCLB Central Kootenay
(250) 354-6747

From: Eastwood, Catharine MEM:EX
Sent: Sunday, October 14, 2012 10:46 AM
To: Anderson, Graeme MEM:EX; Booth, Jim A MEM:EX; Barker, Gary MEM:EX
Subject: FW: Approval Letter for Temp Change for Element Castlegar

FYI – Approval for upcoming Event of Oct 28, 2012.

Thanks
Catharine

From: Eastwood, Catharine MEM:EX
Sent: Sunday, October 14, 2012 10:43 AM
To: 'florio@clubelement.ca'
Subject: Approval Letter for Temp Change of Liquor Licence

Hi Florio

Please attached approval letter for your event of October 28, 2012. As discussed, we will be in touch regarding the remainder dates. Sorry for the delay in our response, I understand you submitted your application well in advance which is always appreciated.

Journie Hofschneider is the Supervisor who deals with new food primary applications. She can be reached at 250-952-7054 or via email at Journie.Hofschneider@gov.bc.ca

Good luck with your upcoming event.

Catharine

Catharine Eastwood | Licensing Supervisor
Liquor Control & Licensing Branch
PO Box 9292 Stn Prov Govt | Victoria BC V8W 9J8
P: 250-952-5774 | F: 250-952-7034
www.pssg.gov.bc.ca/lclb

Van Schaik, Katherine MEM:EX

From: Booth, Jim A MEM:EX
Sent: Thursday, February 9, 2012 5:24 PM
To: Caldwell, Cheryl Y MEM:EX
Cc: Eastwood, Catharine MEM:EX; Barker, Gary MEM:EX
Subject: RE: 002505079-044 Element Club Bar & Grill - Temp Delicening for Teen dances

UPDATE:

I just completed a phone call with Cpl. Postnikoff. The RCMP have met with the community and the Licensee and developed the following to address additional security for the upcoming teen dance on Feb 19, 2012.

- 1) Two uniformed RCMP will patrol the line-up.
- 2) One plainclothes RCMP will remain inside.
- 3) 10-12 staff will be present and monitor the washrooms.
- 4) The Licensee is extending an invitation to all parents.
- 5) A city council member as well as several parents will attend the club during the night.
- 6) An RCMP member will be on site to identify signs of intoxication.
- 7) The Licensee will refuse entry to anyone showing any signs of intoxication.

Copy of the letter from the RCMP (the previous format may have been difficult to open).



RCMP Teen.pdf

Copy of letter received previously



Complaint
letter.pdf

J.A.Booth
LCLB Central Kootenay
(250) 354-6747

09-FEB-2012 12:15 From:2503650803

Page:1/6



Royal Gendarmerie
Canadian royale
Mounted du
Police Canada

Security Classification/Designation
Classification/désignation sécuritaire

Confidential

NCO i/c RCMP Castlegar Detachment
440 Columbia Avenue,
Castlegar, British Columbia
V1N 1G7

Your File Votre référence

Castlegar City Council

Our File Notre référence

Mayor Chernoff and City Councillors

2012-February 1

Teen Dances at the Element Nite Club

Dear Mayor Chernoff and City Councillors,

I am writing this letter to express my concerns from not only a policing stand point, but as a concerned parent, relating to the Teen Dances at the Element Nite Club. I am hopeful, as are many of the other police officers in the Castlegar Detachment, that the teen dances will cease immediately. Many concerned citizens and parents mirror my concerns and are appreciative that this matter is finally getting addressed. The most recent teen dance was held on December 11th, 2012, which has sparked and raised various concerns within our Detachment and in our community that I feel need to be acknowledged and addressed.

One must ask, if it is recognized by British Columbia Lottery Corporation that exposing kids merely visually to gambling (casinos, gaming centers, and even scratch tickets) drastically increases their chance of gambling addictions and related problems, why on earth would a teen dance be permitted in a bar? I don't necessarily think the concept of a teen dance should be squashed, but I think a change of venue would be more appropriate.

To gain a better understanding on how such an event gets its approval, I contacted the local Liquor Inspector, Jim BOOTH who stated that the teen dances have to be approved by the General Manager of the Liquor Control and Licensing Corporation. A temporary change application is made to the existing licence that holds the sale of all liquor for the requested time period. The liquor is then expected to be secured. This allows for families and of course minors to be inside the establishment (bar) during this temporary period where alcohol is not being served. Jim BOOTH also stated that support from the local government and police are to be obtained to hold such teen dances. The Castlegar RCMP has never provided support, nor been made aware that such teen dances were even going to take place in our community.

09-FEB-2012 12:16 From:2503650803

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The Element has done this on two occasions that I am aware of. They will host a "Family Dining" hours, then host a "Teen Dance" following dining hours. Having dinner with the family is obviously acceptable. Placing teens ages 13-18 years of age into a poorly supervised, non-chaperoned bar environment is another issue. Why are parents never canvassed and provided the option of attending and chaperoning the event? Can two or three bar bouncers supervise hundreds of teens? The combination of alcohol, drugs, hormones and adrenaline clearly was not effectively managed by Staff at the Element during the last teen dance.

Jim BOOTH advised that the General Manager is currently actively assessing these teen dances within British Columbia, specifically, in Vancouver and Victoria, which have been victim of these teen dances resulting in problems of vandalism to property and teenage drinking.

In speaking with police officers that were on duty during the last teen dance, one member quotes:

....."the attitude of the persons attending the dance is that it is like a rave and a chance to get blasted. The youth just deal right in front of staff and do lines in the bathrooms. This is usually what we look for in adults using cocaine and other drugs, not from 15-17 year old youths."

This officer also stated feeling "sick" after working this shift and having arrested 15 year old kids for being drunk in public and for possession of drugs. It felt as though all recent efforts on getting the drugs off the streets were made readily available in one establishment, in just a couple hours. This police officer found this depressing.

Further, this police officer stated that in the past three years of his tenure in Castlegar, there has been only two other events that rivaled the amount of drugs seized from an event. These were Shambala and the mini-Shambala that was held at the Element. The drugs that were being seized off of these youth were not marihuana joints, common to many youth. The drugs were MDMA (Ecstasy) and Ketamine (known to youth as "Special K")

Ketamine is primarily used in veterinary medicine and essentially the same as PCP. Individuals anesthetized with Ketamine feel detached or disconnected from their pain and environment. A person who is on Ketamine has superhuman strength and all forms of pain compliance do nothing as the person cannot feel anything. For a such a small price, the effects of this drug can be very severe and in some cases, deadly.

MDMA (Ecstasy) is marketed as a "feel good" drug and is a psychedelic-amphetamine. It is both a hallucinogen and a stimulant like methamphetamine. The addiction potential is high. MDMA is a very dangerous and unforgiving drug that also can have severe side effects and cause death, especially when combined with other drugs or alcohol.

Another police officer (and parent) who was also on duty at the last teen dance states:

....."As a constable with the RCMP in Castlegar and a parent, I am against the Element holding these teen dances. In my profession, I deal with a lot of people, (not all) that are affected by the atmosphere of the Element. These are supposed to be mature adults, but seem to not be able to use the simple life lessons they are taught as children. We then send several hundred teenagers into the same atmosphere and the problem seems to multiply."

09-FEB-2012 12:16 From:2503650803

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...."The amount of drugs seized from the Element at the last teen dance was astonishing. The feeling by many people afterwards was, 'well only a few bad apples will ruin it for everyone'. It is these few bad apples that could potentially send me to some ones house and explain that a 'bad apple' had made a bad decision and now their child is in the hospital and might not make it, or even worse has passed away. Due to the small town atmosphere of Castlegar, I would potentially know these kids and parents. That would be not only devastating to the family but to the community as a whole.

s.22

s.22 I am also, after talking to parents that do drop their children off, astonished that it is believed that there is adult supervision at these events. It is my understanding that there are a few 'bouncers' tending to the door, doing a coat check and walking around the floor, but I am sure the ratio for kids to 'adults' is pretty low, and not able to handle the issues presented."

From my understanding, teen dances carry certain rules for those attending. Teens are not to attend the dance after consuming alcohol, bring in alcohol inside the bar, or 'go in and outside' the bar after paying the cover charge. It is rumored that the youth are sharing alcohol and other substances while waiting in the line-up prior to their entry into the bar. This goes on for up to an hour. Who is monitoring the line-up? Obviously, youth have been concealing various types of drugs on their person and bringing them inside the bar, as several youth were found in possession of drugs and/or using them inside the washroom. Staff also identified tables to Police where suspected drug activity was taking place. Police officers working that evening have stated that although there were only five youth arrested for either selling or using drugs, there were a LOT of youth observed to be "high" and displaying symptoms of having consumed drugs. If parents knew just how free flowing the Ecstasy and Ketamine were at this event, they may feel differently about allowing their children to be there for future events. These teen dances at the Element are facilitating a place for young drug dealers to distribute their "garbage product" to other youth.

As we are aware from media headlines, the potential problems, especially with Ecstasy and this PMMA (form of Ecstasy), have contributed to deaths and overdoses (8 in Alberta recently and Nelson last week). In my opinion, this simply outweighs the benefits of having such an event.

From a policing perspective, these events are a huge drain on resources. Specifically, the Castlegar Detachment was not made aware that such an event was taking place until the evening of the event. Should there have been a serious altercation inside the bar, how could police have been prepared to respond with minimal resources on shift? It is imperative the police be made aware in advance of such events. What about a safety plan in the event of a fire? Did any of the Staff have proper First Aid certification? Have the Staff been security cleared to work with children?

Teen dances have obviously been around for a long time. The idea means well, however, the unchaperoned venue, is not acceptable. It was also observed that many of the youth attending these teen dances at the Element are dressing provocatively in outfits that are not suited to their current age group. Mingling 13 year old girls with 17 and 18 year old boys in such an environment is concerning. Although there have been no reported incidents of sexual interference, there is huge potential when you mix alcohol, drugs and hormones. The lack of supervision only adds fuel to the fire. Further, these teen dances at the Element are not just limited to Stanley Humphrey Secondary Students, but open to all neighboring cities. There is the potential for rival-type assaults occurring when you are mixing and mingling youth from outside of the city of Castlegar. At least when teen dances are held at the school, you are only dealing with the students that actually attend that school. The Principal of Stanley Humphries Secondary School always advises the Castlegar RCMP when they are hosting a school dance and request patrols to enhance the supervision already in place by Staff and parent volunteers. They are typically uneventful and well controlled.

09-FEB-2012 12:16 From:2503650803

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In conclusion, the Element hosting teen dances is not supported at many levels. I do believe, with the right venue and supervision, having our children attend a teen dance/party is a wonderful idea. Putting them in an environment that was built for mature adults (Exotic Dancers/ Foam Parties/ Fetish nights/ Cage Rage, to name a few events) with inadequate supervision is not a suitable venue. I am hopeful that the City of Castlegar will review and re-visit future teen dances at the Element. It has been confirmed that the next teen dance is scheduled on Sunday, February 19th, 2012 from 800 PM-1100 PM.

Perhaps this is a topic we need to involve our community members (parents, teens, grand parents, Police, Government officials, concerned citizens, Media, stake holders etc) to discuss and make decisions on the continuance or cancellation of these teen dances at the Element?

If a teen overdoses or dies at one of these teen dances at the Element, many of us will be asked why we didn't step up and try and stop these dances from continuing after making observations on the numbers of "high kids" inside the bar coupled with the availability of drugs observed at this event on Sunday, December 11th, 2011. How will we respond to the parents of that child or answer to the Community as a whole?

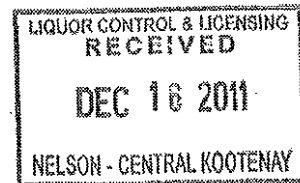
Thank you for your consideration into the matter. Please do not hesitate to contact me should you have any questions or wish to discuss this further.

Sincerely,

Corporal Deb POSTNIKOFF (Police Officer and parent)
RCMP Castlegar Detachment
440 Columbia Avenue, Castlegar, BC
(250) 365-7721

Untitled

December 12/2011



To whom it may concern,

I thought about writing this letter sometime ago but decided not to, but after last weekend at the Element night club I believe its important to let you know about the things i saw at that club.

I was there for ladies night a couple of weeks ago, s.22

s.22 I saw at least 3 kids that were underage in the bar that night. I also witnessed the most discusting displays from the male dancers and staff did nothing about it, the manager was standing right there watching as a women grabbed the dancers private parts, this happened on several occasions. I dont know if this is acceptable it certainly wasn't what my friends and I expected to see.

Which brings me to the reason I am writing you, last Sunday the Element had a fun night for the teens,

s.22 there were several fights outside the club and s.22 had more than one person try to sell s.22 crack inside the club. at that place

s.22 again its terrible that these things are happening in what should be a safe place for people to go. In the past I have been to events in other establishments in Castlegar and Nelson and never have I seen this kind of behaviour. What the hell is going on?

Sincerely, someone who cares about this community

Page 1

Van Schaik, Katherine MEM:EX

From: Booth, Jim A MEM:EX
Sent: Tuesday, November 13, 2012 10:44 AM
To: Eastwood, Catharine MEM:EX
Subject: FW: Teen Dances

FYI

J.A.Booth
LCLB Central Kootenay
(250) 354-6747

From: Booth, Jim A MEM:EX
Sent: Thursday, November 1, 2012 6:29 PM
To: Laurel MATHEW; Debbie POSTNIKOFF
Subject: RE: Teen Dances

Meeting 2pm October 30, 2012 Castlegar. Mathew, Postnikoff, Vassilakakis, Booth

My summary of the meeting was that the RCMP are uncertain about their support for these events due to related problems happening in the community. Problems like; numerous children in possession of liquor, children intoxicated, children having sex and most specifically children swarming a RCMP member. Despite the Licensee's best efforts it seems that these events may be the catalyst that is encouraging some high risk behavior. Understandably the police would be hesitant to support these events when community members are asking the RCMP why they allow this venue when it appears problematic.

I attended the event and observed the Element staff; making reasonable efforts to address intoxicated children, trying to prevent children from bringing liquor inside and discouraging sexual activity.

Shortly after I arrived at about 8:30pm some of the children were discussing

s.22

I did not witness the incident.

s.22, s.16

The LCLB is currently reviewing the types of events for which a temporary suspension to an LP or LP club license may be issued to permit alternate use of the establishment.

Tallies/numbers of incidents during the evening that may be related to the event will be helpful for feedback regarding the future approvals. If precise numbers are not available ranges are acceptable.

J.A.Booth
LCLB Central Kootenay
(250) 354-6747

From: Florio Vassilakakis [<mailto:florio@clubelement.ca>]
Sent: Wednesday, October 31, 2012 11:30 AM
To: Laurel MATHEW; Debbie POSTNIKOFF
Cc: Booth, Jim A MEM:EX
Subject: Teen Dances

Hi Laurel and Deb,

Thanks for the meeting yesterday. My comments below outline my thoughts and facts. I hope you can appreciate that

s.22

I think it is pretty clear from our conversation that we won't agree on the topic of Teen Dances. While I respect that the RCMP should have input on this matter, it is disappointing nonetheless that the RCMP can't support this event due to some disturbances in the surrounding area. While my event clearly gets teens excited and provides them a venue to have a good time, we are certainly not enabling teen drinking, sexual activity or police beatings. I believe that we agree on this point, however, it is frustrating that my business is clearly being pointed at. There will always be problems when any number of people congregate in one area and this fact should not restrict the potential for me to host these events.

I have had on average 3 events a year for the past 5 years; that is 15 nights out of 1800+ days. In that same amount of time, there have been 500+ weekend days of bush parties, house parties and such that include teen drinking, driving and other activities that compromise safety and well-being. I find it very difficult to believe that my few monitored and regulated events create so many problems from a policing standpoint that its just easier to shut them down, put people out of work and make it that much harder for a local tax paying business to function in this small community. If it were like that everywhere, we would not have professional sport venues or stadium concerts due to the massive congregation of intoxicated and rowdy fans. The Shambalah music festival is policed (even by Castlegar RCMP) and supported even though there is a massive drug and alcohol problem there. Not only is there a large percentage of teens at this event, but they are mixing with adults. Again, I find it very frustrating that we can't as a group find a way to make this work.

As discussed at the meeting yesterday, the event and the crowd was managed very effectively in the immediate vicinity of the Element. The people in the line-ups were well behaved, people inside were well behaved and while three teens were sent home (by way of parents) for being intoxicated, I thought that from our point of view that the event was run very smoothly. In our meeting Jim Booth re-iterated my observations however neither of us were aware of what happened blocks away in the Park behind the library or at Millennium (which may be unrelated). In addition to this, school principles and their concerns about a shutting down a business should have no bearing on my event. Teens not showing up for school is a parenting issue, not an Element issue.

There is no question that

s.22

that had that not happened, we wouldn't have had the discussion we did yesterday. To be completely frank, it seems that again, that the RCMP is passing judgement on the morality/ethics of my event when the real discussion should be on how to police it. I also suspect from our conversation that if the RCMP had more resources to provide policing that we would then be able to put on an event that quells some of your concerns.

My establishment pays a s.21 a year and the expectation as a business is that the services are there to support us. We have continued to pay our taxes and support the community and charities through good times and bad. Over the last 4 year period we went from being open 3-4 days a week in the nightclub accommodating upwards of 1300+ people per week to currently being open 2 days a week and averaging a total of 250 people which has resulted in a significant drop in RCMP calls to the Element. It seems that 3 Sundays a year is not too much to ask for.

While the LCLB may be revoking future events due to your non-support, they may actually be changing policy all together which makes my rant moot anyway. I certainly

s.22

s.22 I know that this is just business and it is not personal and appreciate the general support of the RCMP over the years. I have always valued working closely with the RCMP and Jim to make sure my establishment has as little negative impact on the community. From the day we opened our establishment we have been community minded and will continue to be even though this decision will make it harder for us to do business in these very tough economic times.

Sincerely,

Florio Vassilakakis
General Manager/Owner

Element Club Bar Grill
www.clubelement.ca

292 Columbia Avenue
Castlegar, BC V1N 1G4

P 250-365-8066
F 250-304-2520

s.22

Van Schaik, Katherine MEM:EX

From: Laurel MATHEW [laurel.mathew@rcmp-grc.gc.ca]
Sent: Tuesday, November 13, 2012 3:02 PM
To: Florio Vassilakakis; Debbie POSTNIKOFF
Cc: Booth, Jim A MEM:EX
Subject: Re: Teen Dances

Florio, if you are seeking approval for another teen dance, I need to know at least 30 days in advance. We have policy that indicates that if I want to change our members' schedule that I need to give them at least 28 days notice. I will ensure there are at least 4 extra officers working these events to prevent issues like at the last one, and the one 2 previous.
Thanks

Laurel

Sgt Laurel MATHEW
NCO i/c Castlegar RCMP
(250)365-7721 office
(250) 304-9310 cell
(250)365-0803 fax
>>> Florio Vassilakakis <florio@clubelement.ca> 2012-10-31 11:29 >>>
Hi Laurel and Deb,

Thanks for the meeting yesterday. My comments below outline my thoughts and facts. I hope you can appreciate that

s.22

I think it is pretty clear from our conversation that we won't agree on the topic of Teen Dances. While I respect that the RCMP should have input on this matter, it is disappointing nonetheless that the RCMP can't support this event due to some disturbances in the surrounding area. While my event clearly gets teens excited and provides them a venue to have a good time, we are certainly not enabling teen drinking, sexual activity or police beatings. I believe that we agree on this point, however, it is frustrating that my business is clearly being pointed at. There will always be problems when any number of people congregate in one area and this fact should not restrict the potential for me to host these events.

I have had on average 3 events a year for the past 5 years; that is 15 nights out of 1800+ days. In that same amount of time, there have been 500+ weekend days of bush parties, house parties and such that include teen drinking, driving and other activities that compromise safety and well-being. I find it very difficult to believe that my few monitored and regulated events create so many problems from a policing standpoint that its just easier to shut them down, put people out of work and make it that much harder for a local tax paying business to function in this small community. If it were like that everywhere, we would not have professional sport venues or stadium concerts due to the massive congregation of intoxicated and rowdy fans. The Shambalah music festival is policed (even by Castlegar RCMP) and supported even though there is a massive drug and alcohol problem there. Not only is there a large percentage of teens at this event, but they are mixing with adults. Again, I find it very frustrating that we can't as a group find a way to make this work.

As discussed at the meeting yesterday, the event and the crowd was managed very effectively in the immediate vicinity of the Element. The people in the line-ups were well behaved, people inside were well behaved and while three teens were sent home (by way of parents) for being intoxicated, I thought that from our point of view that the event was run very smoothly. In our meeting Jim Booth re-iterated my observations however neither of us were aware of what happened blocks away in the Park behind the library or at Millennium (which may be unrelated). In addition to this, school principles and their concerns about a shutting down a business should have no bearing on my event. Teens not showing up for school is a parenting issue, not an Element issue.

There is no question

s.22

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s.22

Van Schaik, Katherine MEM:EX

From: Nathan Robinson [nrobinson@sd20.bc.ca]
Sent: Thursday, November 15, 2012 4:47 PM
To: Booth, Jim A MEM:EX; sherheat@telus.net
Cc: Greg Luterbach
Subject: Element Dances and SHSS School concerns
Attachments: img-Y151633-0001.pdf; Element letter.docx.docx

Please see attached...

Regards,

Nathan Robinson

Principal

Stanley Humphries Secondary School

Castlegar, BC

From: donotreply@sd20.bc.ca [<mailto:donotreply@sd20.bc.ca>]
Sent: November-15-12 4:33 PM
To: Nathan Robinson
Subject: Scan Data from XC-2766D9

February 8, 2012

Jim Booth – Inspector - Liquor Control and Licensing Branch

Email – jim.booth@gov.bc.ca

Phone – 250.354.6747

Fax – 250.354.6657

Dear Jim,

RE: Element Teen Dances in Castlegar

We are writing to you to express concern regarding the Element Teen Dances taking place in Castlegar. The last dance that occurred in December left many issues that spilled over into the school in the time that followed. The buzz in the school consisted of rumors of arrests, students going to the “drunk tank”, students going under the influence of alcohol or sneaking alcohol into the venue, drug use, fights, etc. While we understand that this is not a school event, it has significant ramifications on the school for an extended period. Our counsellor’s spent significant time working with students to resolve issues arising from their attendance at the dance.

Our main concern is the safety of our students. Other concerns include the impact these dances have on our attendance rate the following day and the social issues that spill over into the school and the emotional dysfunction we observe in some of our students that have a direct impact on their academic achievement. Several staff has expressed their concern to us regarding the dances and the impact it has on students and their classrooms.

Our Vice Principal, Ms. Lavender, made a call to RCMP the day following the last dance regarding the activities of SHSS and Crowe students at the dance held at the Element night club to express her concern. Our other Vice Principal, Mr. McKenzie, spent over an hour on the phone with Marty Koolman, Drug Awareness officer for the RCMP, discussing the ramifications to Stanley Humphries as well.

The school’s mandate is education. In dealing with the issues that today’s youth face we have worked in conjunction with Interior Health, Freedom Quest, the Public Health nurse, Castlegar and District Community Services, Get Comfortable, Men Speaking Out, Trail Mental Health and Substance Use Services, WINS Transition House Outreach, the Saleema Noon Group, the SD20 Health and Lifestyle committee, and the local RCMP in delivering relevant, up to date information and on good decision making.

We are concerned that our students are identifying one of their social outlets as a night club prior to them being 19 years old. As a community stakeholder it seems like we are at a cross purpose in supporting students to be healthy contributing citizens.

There is another Element Teen dance on February 19th. We are concerned again, about the impact this will have on the health and welfare of our students.

Sincerely,

Mr. Nathan Robinson
Principal

Ms. Karen Lavender
Vice Principal

Mr. Aaron McKenzie
Vice Principal

sv

Cc: Florio Vassilakakis, Element Club Bar & Grill, Owner
Castlegar City Council
Castlegar RCMP
Greg Luterbach, Superintendent SD.20

Stanley Humphries Secondary School

SCHOOL DISTRICT No. 20 (KOOTENAY-COLUMBIA)
720 - 7TH AVENUE, CASTLEGAR, BC V1N 1R5
TEL. (250) 365-7735 FAX (250) 365-0247

Mr. Jim Booth Inspector
Liquor Control and Licensing Branch
Email – jim.booth@gov.bc.ca
Phone – 250.354.6747
Fax – 250.354.6657

Re: RE: Element Teen Dances in Castlegar

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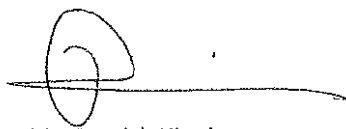
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Vice Principal


Mr. Aaron McKenzie
Vice Principal

NR/cc

Cc: Florio Vassilakakis, Element Club Bar & Grill, Owner
Castlegar City Council
Castlegar RCMP
Greg Luterbach, Superintendent SD.20

Van Schaik, Katherine MEM:EX

From: Sherry Voykin [svoykin@sd20.bc.ca]
Sent: Friday, November 16, 2012 11:03 AM
To: Booth, Jim A MEM:EX
Subject: RE: Element Teen Dances in Castlegar
Attachments: img-Y161103-0001.pdf

Please read attached....

From: donotreply@sd20.bc.ca [mailto:donotreply@sd20.bc.ca]
Sent: November-16-12 11:03 AM
To: Sherry Voykin
Subject: Scan Data from XC-2766D9

Stanley Humphries Secondary School

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Vice Principal


Mr. Aaron McKenzie
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Cc: Florio Vassilakakis, Element Club Bar & Grill, Owner
Castlegar City Council
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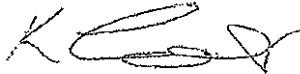
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Cc: Florio Vassilakakis, Element Club Bar & Grill, Owner
Castlegar City Council
Castlegar RCMP
Greg Luterbach, Superintendent SD.20

Van Schaik, Katherine MEM:EX

From: Sherry Voykin [svoykin@sd20.bc.ca]
Sent: Friday, November 16, 2012 12:51 PM
To: Booth, Jim A MEM:EX
Subject: Element Teen Dances in Castlegar
Attachments: img-Y161253-0001.pdf

Please note date added to correspondence regarding Element Teen Dances.

Sherry Voykin
Administrative Assistant
Stanley Humphries Secondary School

720 -7th Avenue
Castlegar, BC V1N 1R5
Tel: 250-365-7735 ext 221 (Sherry)
Fax: 250-365-0247

From: donotreply@sd20.bc.ca [mailto:donotreply@sd20.bc.ca]
Sent: November-16-12 12:53 PM
To: Sherry Voykin
Subject: Scan Data from XC-2766D9

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Phone – 250.354.6747
Fax – 250.354.6657

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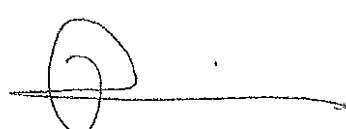
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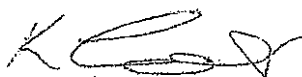
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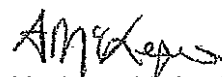
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Mr. Aaron McKenzie
Vice Principal

sv

Cc: Florio Vassilakakis, Element Club Bar & Grill, Owner
Castlegar City Council
Castlegar RCMP
Greg Luterbach, Superintendent SD.20

Van Schaik, Katherine MEM:EX

From: Booth, Jim A MEM:EX
Sent: Friday, November 16, 2012 1:05 PM
To: Eastwood, Catharine MEM:EX
Subject: FW: Element Teen Dances in Castlegar
Attachments: img-Y161253-0001.pdf

I have received more input regarding the delicensing of the Element for the Dec 16, 2012 teen dance. Attached.

Also John Malcolm Chief Administrative Officer at City of Castlegar telephoned me and asked if the approval for the Dec 16, 2012 Element teen dance has been approved. I advised that it has not but may be approved on Monday. Castlegar council currently has no opinion regarding the teen dance. Malcolm advised that the Castlegar Council will meet on Monday evening and will discuss the teen dance. An opinion will be available on Tuesday Nov 20, 2012.

J.A.Booth
LCLB Central Kootenay
(250) 354-6747

From: Sherry Voykin [<mailto:svoykin@sd20.bc.ca>]
Sent: Friday, November 16, 2012 12:51 PM
To: Booth, Jim A MEM:EX
Subject: Element Teen Dances in Castlegar

Please note date added to correspondence regarding Element Teen Dances.

Sherry Voykin
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Stanley Humphries Secondary School

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Van Schaik, Katherine MEM:EX

From: Booth, Jim A MEM:EX
Sent: Friday, November 16, 2012 1:07 PM
To: Hofschneider, Journie MEM:EX
Cc: Jones, David J MEM:EX
Subject: FW: Element Teen Dances in Castlegar
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Information

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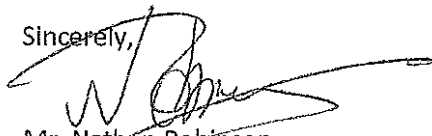
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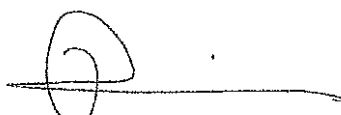
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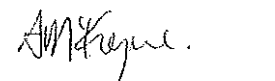
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Fax – 250.354.6657

Dear Jim,

RE: Element Teen Dances in Castlegar

We are writing to you to express concern regarding the Element Teen Dances taking place in Castlegar. The last dance that occurred in December left many issues that spilled over into the school in the time that followed. The buzz in the school consisted of rumors of arrests, students going to the "drunk tank", students going under the influence of alcohol or sneaking alcohol into the venue, drug use, fights, etc. While we understand that this is not a school event, it has significant ramifications on the school for an extended period. Our counsellor's spent significant time working with students to resolve issues arising from their attendance at the dance.

Our main concern is the safety of our students. Other concerns include the impact these dances have on our attendance rate the following day and the social issues that spill over into the school and the emotional dysfunction we observe in some of our students that have a direct impact on their academic achievement. Several staff has expressed their concern to us regarding the dances and the impact it has on students and their classrooms.

Our Vice Principal, Ms. Lavender, made a call to RCMP the day following the last dance regarding the activities of SHSS and Crowe students at the dance held at the Element night club to express her concern. Our other Vice Principal, Mr. McKenzie, spent over an hour on the phone with Marty Koolman, Drug Awareness officer for the RCMP, discussing the ramifications to Stanley Humphries as well.

The school's mandate is education. In dealing with the issues that today's youth face we have worked in conjunction with Interior Health, Freedom Quest, the Public Health nurse, Castlegar and District Community Services, Get Comfortable, Men Speaking Out, Trail Mental Health and Substance Use Services, WINS Transition House Outreach, the Saleema Noon Group, the SD20 Health and Lifestyle committee, and the local RCMP in delivering relevant, up to date information and on good decision making.

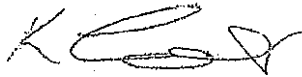
We are concerned that our students are identifying one of their social outlets as a night club prior to them being 19 years old. As a community stakeholder it seems like we are at a cross purpose in supporting students to be healthy contributing citizens.

There is another Element Teen dance on February 19th. We are concerned again, about the impact this will have on the health and welfare of our students.

Sincerely,



Mr. Nathan Robinson
Principal



Ms. Karen Lavender
Vice Principal



Mr. Aaron McKenzie
Vice Principal

sv

Cc: Florio Vassilakakis, Element Club Bar & Grill, Owner
Castlegar City Council
Castlegar RCMP
Greg Luterbach, Superintendent SD.20

Van Schaik, Katherine MEM:EX

From: Booth, Jim A MEM:EX
Sent: Tuesday, November 20, 2012 11:36 AM
To: Eastwood, Catharine MEM:EX
Subject: RE: Element Teen Dances in Castlegar

John Malcolm (CAO Castlegar (250) 365-8951) phoned at 1106am today and left a message that the Castlegar council meet last night discussed the Element teen dance and passed a motion that they do not support and do not oppose the event.

J.A.Booth
LCLB Central Kootenay
(250) 354-6747

From: Eastwood, Catharine MEM:EX
Sent: Friday, November 16, 2012 1:05 PM
To: Booth, Jim A MEM:EX
Subject: Out of Office: Element Teen Dances in Castlegar

I am currently away from the office until Monday Nov. 19 , 2012. I will respond to your email as soon as I can upon my return.

For any urgent licensing matters please contact Journie Hofschneider at 250-952-7054.

Thanks

Van Schaik, Katherine MEM:EX

From: Booth, Jim A MEM:EX
Sent: Wednesday, November 21, 2012 11:08 AM
To: Eastwood, Catharine MEM:EX
Subject: RE: Teen Dances

Catharine,

In regard to approval to temporarily delicense for a teen dance at the liquor primary Element Club Bar & Grill on Dec. 16, 2012:

- 1) The LG is not opposed nor supportive.
- 2) The Police are very concerned and will require additional resources.
- 3) The local high school principle and vice principles are firmly opposed to the event and claim it will have a negative impact on the children.

This type of event is high risk for problems in the community and I can add no further suggestions to previous recommendations for actions that the Licensee must employ. The safety concerns extend beyond the scope of the Licensee's control.

If the Dec. 16th 2012 date is approved I recommend it include the previous Terms and Conditions (See letters of Feb 17 and Oct 12, 2012).

I also recommend that:

- 1) The approval is dependent on the availability of sufficient police resources to monitor and control the community to the satisfaction of the Castlegar RCMP.

Furthermore, because these events are cause for safety concerns for Castlegar children, we may want to gather input from the local government and the community before approving additional dates.

J.A.Booth
LCLB Central Kootenay
(250) 354-6747

From: Booth, Jim A MEM:EX
Sent: Tuesday, November 13, 2012 10:44 AM
To: Eastwood, Catharine MEM:EX
Subject: FW: Teen Dances

FYI

J.A.Booth
LCLB Central Kootenay
(250) 354-6747

From: Booth, Jim A MEM:EX
Sent: Thursday, November 1, 2012 6:29 PM
To: Laurel MATHEW; Debbie POSTNIKOFF
Subject: RE: Teen Dances

Meeting 2pm October 30, 2012 Castlegar. Mathew, Postnikoff, Vassilakakis, Booth

My summary of the meeting was that the RCMP are uncertain about their support for these events due to related problems happening in the community. Problems like; numerous children in possession of liquor, children intoxicated,

children having sex and most specifically children swarming a RCMP member. Despite the Licensee's best efforts it seems that these events may be the catalyst that is encouraging some high risk behavior. Understandably the police would be hesitant to support these events when community members are asking the RCMP why they allow this venue when it appears problematic.

I attended the event and observed the Element staff; making reasonable efforts to address intoxicated children, trying to prevent children from bringing liquor inside and discouraging sexual activity.

Shortly after I arrived at about 8:30pm some of the children were discussing
s.22 I did not witness the incident.

The LCLB is currently reviewing the types of events for which a temporary suspension to an LP or LP club license may be issued to permit alternate use of the establishment.

Tallies/numbers of incidents during the evening that may be related to the event will be helpful for feedback regarding the future approvals. If precise numbers are not available ranges are acceptable.

J.A.Booth
LCLB Central Kootenay
(250) 354-6747

From: Florio Vassilakakis [<mailto:florio@clubelement.ca>]

Sent: Wednesday, October 31, 2012 11:30 AM

To: Laurel MATHEW; Debbie POSTNIKOFF

Cc: Booth, Jim A MEM:EX

Subject: Teen Dances

Hi Laurel and Deb,

Thanks for the meeting yesterday. My comments below outline my thoughts and facts. I hope you can appreciate that
s.22

I think it is pretty clear from our conversation that we won't agree on the topic of Teen Dances. While I respect that the RCMP should have input on this matter, it is disappointing nonetheless that the RCMP can't support this event due to some disturbances in the surrounding area. While my event clearly gets teens excited and provides them a venue to have a good time, we are certainly not enabling teen drinking, sexual activity or police beatings. I believe that we agree on this point, however, it is frustrating that my business is clearly being pointed at. There will always be problems when any number of people congregate in one area and this fact should not restrict the potential for me to host these events.

I have had on average 3 events a year for the past 5 years; that is 15 nights out of 1800+ days. In that same amount of time, there have been 500+ weekend days of bush parties, house parties and such that include teen drinking, driving and other activities that compromise safety and well-being. I find it very difficult to believe that my few monitored and regulated events create so many problems from a policing standpoint that its just easier to shut them down, put people out of work and make it that much harder for a local tax paying business to function in this small community. If it were like that everywhere, we would not have professional sport venues or stadium concerts due to the massive congregation of intoxicated and rowdy fans. The Shambalah music festival is policed (even by Castlegar RCMP) and supported even though there is a massive drug and alcohol problem there. Not only is there a large percentage of teens at this event, but they are mixing with adults. Again, I find it very frustrating that we can't as a group find a way to make this work.

As discussed at the meeting yesterday, the event and the crowd was managed very effectively in the immediate vicinity of the Element. The people in the line-ups were well behaved, people inside were well behaved and while three teens were sent home (by way of parents) for being intoxicated, I thought that from our point of view that the event was run very smoothly. In our meeting Jim Booth re-iterated my observations however neither of us were aware of what happened blocks away in the Park behind the library or at Millennium (which may be unrelated). In addition to this, school principles and their concerns about a shutting down a business should have no bearing on my event. Teens not showing up for school is a parenting issue, not an Element issue.

There is no question that

s.22

s.22 that had that not happened, we wouldn't have had the discussion we did yesterday. To be completely frank, it seems that again, that the RCMP is passing judgement on the morality/ethics of my event when the real discussion should be on how to police it. I also suspect from our conversation that if the RCMP had more resources to provide policing that we would then be able to put on an event that quells some of your concerns.

My establishment pays a s.21 a year and the expectation as a business is that the services are there to support us. We have continued to pay our taxes and support the community and charities through good times and bad. Over the last 4 year period we went from being open 3-4 days a week in the nightclub accommodating upwards of 1300+ people per week to currently being open 2 days a week and averaging a total of 250 people which has resulted in a significant drop in RCMP calls to the Element. It seems that 3 Sundays a year is not too much to ask for.

While the LCLB may be revoking future events due to your non-support, they may actually be changing policy all together which makes my rant moot anyway. I certainly

s.22

s.22 I know that this is just business and it is not personal and appreciate the general support of the RCMP over the years. I have always valued working closely with the RCMP and Jim to make sure my establishment has as little negative impact on the community. From the day we opened our establishment we have been community minded and will continue to be even though this decision will make it harder for us to do business in these very tough economic times.

Sincerely,

Florio Vassilakakis
General Manager/Owner

Element Club Bar Grill
www.clubelement.ca

292 Columbia Avenue
Castlegar, BC V1N 1G4

P 250-365-8066
F 250-304-2520

s.22

Van Schaik, Katherine MEM:EX

From: Eastwood, Catharine MEM:EX
Sent: Wednesday, November 21, 2012 11:38 AM
To: Booth, Jim A MEM:EX
Subject: RE: Teen Dances

Hi Jim

We normally don't put on a conditional approval and I don't want to hold up the application much longer.

We will be sure to cc the RCMP, if you provide a direct contact info (Laurel and Debbie?) we could send the letter directly to them via email so they get this right away - hopefully if we get the letter out today or tomorrow that will give them sufficient time to plan their resources for that night? Again the approval letter will be very clear that is for this upcoming event only and that we will require additional input from LG/RCMP etc before considering any additional dates in 2013.

Any issues please call.

Thanks
Catharine

From: Booth, Jim A MEM:EX
Sent: Wednesday, November 21, 2012 11:08 AM
To: Eastwood, Catharine MEM:EX
Subject: RE: Teen Dances

Catharine,

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I also recommend that:

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Furthermore, because these events are cause for safety concerns for Castlegar children, we may want to gather input from the local government and the community before approving additional dates.

J.A.Booth
LCLB Central Kootenay
(250) 354-6747

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Sent: Tuesday, November 13, 2012 10:44 AM
To: Eastwood, Catharine MEM:EX
Subject: FW: Teen Dances

FYI

J.A.Booth
LCLB Central Kootenay
(250) 354-6747

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J.A.Booth
LCLB Central Kootenay
(250) 354-6747

From: Florio Vassilakakis [<mailto:florio@clubelement.ca>]
Sent: Wednesday, October 31, 2012 11:30 AM
To: Laurel MATHEW; Debbie POSTNIKOFF
Cc: Booth, Jim A MEM:EX
Subject: Teen Dances

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I think it is pretty clear from our conversation that we won't agree on the topic of Teen Dances. While I respect that the RCMP should have input on this matter, it is disappointing nonetheless that the RCMP can't support this event due to some disturbances in the surrounding area. While my event clearly gets teens excited and provides them a venue to have a good time, we are certainly not enabling teen drinking, sexual activity or police beatings. I believe that we agree on this point, however, it is frustrating that my business is clearly being pointed at. There will always be problems when any number of people congregate in one area and this fact should not restrict the potential for me to host these events.

I have had on average 3 events a year for the past 5 years; that is 15 nights out of 1800+ days. In that same amount of time, there have been 500+ weekend days of bush parties, house parties and such that include teen drinking, driving and other activities that compromise safety and well-being. I find it very difficult to believe that my few monitored and regulated events create so many problems from a policing standpoint that its just easier to shut them down, put people out of work and make it that much harder for a local tax paying business to function in this small community. If it were like that everywhere, we would not have professional sport venues or stadium concerts due to the massive congregation of intoxicated and rowdy fans. The Shambalah music festival is policed (even by Castlegar RCMP) and supported even though there is a massive drug and alcohol problem there. Not only is there a large percentage of teens at this event, but they are mixing with adults. Again, I find it very frustrating that we can't as a group find a way to make this work.

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Sincerely,

Florio Vassilakakis
General Manager/Owner

Element Club Bar Grill
www.clubelement.ca

292 Columbia Avenue
Castlegar, BC V1N 1G4

P 250-365-8066
F 250-304-2520

s.22

Van Schaik, Katherine MEM:EX

From: Florio Vassilakakis [florio@clubelement.ca]
Sent: Thursday, November 22, 2012 2:36 PM
To: nrobinson@sd20.bc.ca; pkinghorn@sd20.bc.ca; amckenzie@sd20.bc.ca
Cc: Booth, Jim A MEM:EX; Laurel MATHEW; Debbie POSTNIKOFF;
Russell.Hearne@sheret.com Hearne; Kevin Chernoff; Mayor L.Chernoff; Gordon Turner; Sue
Heaton; Dan Rye Home; Debbie McIntosh
Subject: Re: Teen Dances in Castlegar

Dear Mr. Nathan Robinson,

I thank you for forwarding us your letter addressed to Jim Booth and the LCLB.

I hope you and the rest of your staff appreciate that we care about this community and the effect our business has on it. We have worked hard at being good corporate citizens and giving back to the community in many different ways. We are involved in various community organizations and strive to make Castlegar a better place for our families. This makes it all the more disappointing to see a letter that directly attacks what we do.

While we understand the concerns of your letter, we are frustrated that our business and this event is continually being pointed at as the cause for the problems you list. I have been very open and have worked closely with the RCMP, LCLB and the City of Castlegar at making these events as safe as possible. In fact, at our October 28th event, Jim Booth, many parents and the Citizens on Patrol were inside our event keeping a watchful eye. At previous events, City Councillors, Laurel Mathews of the RCMP and concerned parents were also present. For you to judge our event based on rumour is unfair. In the future it might be a good idea to find out first hand from people who were at the event or to come and see what happens yourself. Jim Booth, at a recent meeting told RCMP that the line-up and crowd was very well-behaved and other than a few people that were caught with alcohol outside, the people inside were behaved and having a great time. These echo my observations of responsibility amongst most of the worth.

It's easy to point fingers at us because we are a big shiny building downtown, but we are not the originator of the problems you mention. The schoolyard fight existed long before the Element had it's first youth event and I suspect that it will continue in our event's absence. There were a few problems in the blocks around the Element that night that were unfortunate, specifically the altercation between a student and an RCMP officer.

While I am upset that something like that happened near my establishment, I take offence at the insinuation that we are somehow at fault. We are the cause of "at risk behaviour" as much as the trees are at the weekend bush party. While there is no doubt that there is some social spill-over at the school on the day following our event, this is absolutely no different than the social fallout of a weekend house party or even your very own school sponsored dances. All social outlets play a part in the lives of teenagers and the challenges you face.

We recognize that anytime you have an event with 400+ people, old or young, there are bound to be some problems. We have had on average 3 events a year for the past 5 years; that is 15 nights out of 1800+ days. In that same amount of time, there have been 500+ weekend days of bush parties, house parties and such that include teen drinking, driving and other activities that compromise safety and well-being. I find it very difficult to believe that educated people such as yourselves truly believe that shutting down our very few monitored and regulated events will put an end to at risk behaviour among teens, and solve the social and academic problems at the school. It is unfortunate that your energies are so focused on our business and events. It is equally disheartening and nonsensical that you believe that our events create so many issues from a school standpoint that it's easier to just try and have the events shut down as if they are the root cause of the school problems.

We are not doing anything illegal or contravening any laws, yet rather than having the courtesy of discussing this issue with me directly, you choose to write to the LCLB and the local liquor inspector, RCMP and others. "Community Stakeholders" such as yourselves are supposed to be proactive and work together with all parties to find solutions, which I have always been open to and as I suggested in a letter to SHSS numerous years ago. Remember, we are community stakeholders as well and we have a vested interest as this will ensure our business is able to continue to prosper, employ local people, pay taxes and contribute to local charities and the local economy.

It seems very clear to me that we will not agree on this matter. However, if you are interested in having a constructive and open discussion, I would be more than happy to meet so that we may be part of a solution. Please feel free to contact me at florio@clubelement.ca or at 250-365-8066.

Sincerely,

Florio Vassilakakis
General Manager/Owner

Element Club Bar Grill
www.clubelement.ca
292 Columbia Avenue
Castlegar, BC V1N 1G4

P 250-365-8066
F 250-304-2520
s.22

Van Schaik, Katherine MEM:EX

From: Booth, Jim A MEM:EX
Sent: Wednesday, February 8, 2012 6:19 PM
To: Caldwell, Cheryl Y MEM:EX
Cc: Eastwood, Catharine MEM:EX; Barker, Gary MEM:EX
Subject: 002505079-044 Element Club Bar & Grill - Temp Delicensing for Teen dances

Follow Up Flag: Follow up
Flag Status: Flagged

Cheryl,

I attended a meeting with the RCMP and LG on Monday to discuss concerns about teen dances at the Element. There are concerns about drug and liquor use with the children as well the suitability to use a liquor primary for events for children. There was a significant show of support from the city council to allow the Element to continue to have the teen dances. The general consensus was that the Element was not responsible for all of the problems but that everyone could do more to help protect the children.

From my perspective this issue is bigger than the Element. I have worked with 3 venues in Nelson who have attempted to regularly host youth events. Two Licensed establishments structured their hours of sale and utilized the "Alternate use outside licensed hours" policy for teen events. One business discussed options for liquor licensing in detail with me and then chose to open an unlicensed club to provide a opportunity for teen dances separate from the family and adult events. All three of these businesses were overwhelmed by problems associated with alcohol and drug abuse as well as community complaints of vandalism, assaults and late night noise. None of them continued with the teen events.

There are additional delicensed nights at the Element scheduled for:

February 19, 2012

March 11, 2012

April 22, 2012

May 6, 2012

June 3, 2012

I am forwarding the letters received from the RCMP and School District in Castlegar.



RE: Element Element Teen
Complaint - InformDances in Castlegar..

I have also received an anonymous complaint that alleges over 100 members in the community do not support teen dances at this establishment. The complaint quotes comments from the community including:

1. *It's like they (the Element) are grooming my teenager for drinking/doing drugs and trying to get into the Element under age.*
2. *Why on earth have such things when the kids go there knowing that they aren't properly supervised and they perceive the evening as anything goes.*
3. *Some wonder if the drugs/booze themselves come from inside the Element.*
4. *Have you seen the drinking that happens as they wait in line?*
5. *Under age kids just shouldn't be in such an establishment – because at the end of the day it's a night club and it only makes the kids think its ok to drink and/or do drugs.*

6. *One of the biggest question is – why does the RCMP and the City of Castlegar let these dances continue*
7. *Many didn't realize that entrance is not only limited to those High School students in Castlegar. Some parents were concerned about the non-reportable fights between Trail and Castlegar boys that are not called into the RCMP.*

s.22

The following are emails from the Licensee.



Re: Element Teen
Dances



Re: Element Teen
Dances

J.A.Booth
LCLB Central Kootenay
(250) 354-6747



Re: Element Teen
Dances Follo...

Pages 91 through 92 redacted for the following reasons:

s.22

Van Schaik, Katherine MEM:EX

From: Booth, Jim A MEM:EX
Sent: Tuesday, December 20, 2011 11:59 AM
To: Laurel MATHEW
Cc: Debbie POSTNIKOFF
Subject: Element Complaint - Information

Follow Up Flag: Follow up
Flag Status: Flagged

For Your Information:

I received a complaint about the Element regarding minors, entertainment and the youth dances. I have forwarded you the complaint for your information. The complainant is anonymous so I am unable to follow up with an interview.



Complaint
letter.pdf

I telephoned Florio regarding this complaint and he described his version of the incident on Dec 11, 2011. He said there were no assaults. There was no crack. Staff discovered youths with street drugs in washroom. Florio claims that this is the first time he was aware of drugs at an Element youth event and he phoned the RCMP.

Florio further explained that he has met with you (Laurel) and discussed this incident.

Additionally:

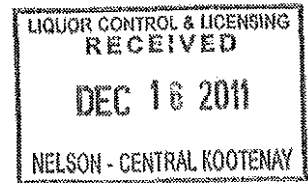
- 1) The LCLB is currently reviewing the policy on delicensing liquor primaries for youth events and may discontinue approval for all future applications.
- 2) Florio is aware we have had several complaints regarding minors at the Element and I have advised Florio (and Nick) that staff should check 2 pieces of ID THOROUGHLY, **EVERY TIME** a young looking person enters the premises.
- 3) Strippers and exotic dancers are not permitted to physically contact each other or patrons.

Please contact me if you have any questions or additional info.

J.A.Booth
LCLB Central Kootenay
(250) 354-6747

Untitled

December 12/2011



To whom it may concern,

I thought about writing this letter sometime ago but decided not to, but after last weekend at the Element night club I believe its important to let you know about the things i saw at that club.

I was there for ladies night a couple of weeks ago, s.22

s.22 I saw at least 3 kids that were underage in the bar that night. I also witnessed the most discusting displays from the male dancers and staff did nothing about it, the manager was standing right there watching as a women grabbed the dancers private parts, this happened on several occasions. I dont know if this is acceptable it certainly wasn't what my friends and I expected to see.

Which brings me to the reason I am writing you, last Sunday the Element had a fun night for the teens, s.22

s.22 there were several fights outside the club and s.22 had more than one person try to sell s.22 crack inside the club. anything at that place

s.22 again its terrible that these things are happening in what should be a safe place for people to go. In the past I have been to events in other establishments in Castlegar and Nelson and never have I seen this kind of behaviour. What the hell is going on?

Sincerely, someone who cares about this community

Page 1

Inspector Comments for Job 000707416-091

Process Edit

Inspector Comments

Job 000707416-091

Assigned To	Status	Outcome	Scheduled		Actual	
			Start	Completed	Start	Completed
Charlie Wager	Complete	Commented	Jan 20, 2011		Feb 01, 2011 07:49:3	

Details

Comments

These are commitments made by the Security Mgr, Mr. Joe Ghattas, hired by Motel for this event. I am satisfied with the plan and after conferring with RM Donna Lister and VPD Liquor Coordinator Alex Clarke I am prepared to support the application.

In regards to Motel nightclub...

Motel is having an underage event in February. I have talked to Andre in length about the possible risks and the challenges of underage events could bring. On that note, Andre gave me an unlimited budget and full control to do what I need to get done to ensure a safe event. As you know I have done many underage events in my time. We have had nothing worse than having to call parents/VPD to pick up their son/daughter that started fights or snuck in alcohol.

I will have at Motel;

- Staff roaming the parking lot to make sure no one tries to pre drink. The usual at these events is to drink a "big gulp" while in line, to go around the corner slamming of a Mickey so they appear sober upon entry and it hits them 10 minutes later inside.
 - Anyone deemed aggressive, intoxicated or under the influence will not be allowed in.
 - All man bags, purses and jackets will be coat checked to minimize drug dealing.
 - Even though it is a minors event we will still be scanning ID if they have it and if not we will be still taking photos of all those that enter. This will allow if needed, to ID someone thru the tree scope picture via networking of kids attending. Primarily I have used this practice to give the minors the illusion that "police" can find you if needed and we are serious here.
 - Full pat downs and metal detection will be in effect. As standard practice for minors, we will employ a female to search the girls. Again, as usual in these events the girls put alcohol in zip lock bags to avoid being detected by metal detectors and place the bags in their bras. Also, alcohol is put in hairspray bottles, hand sanitizer bottles and all other bottles.
 - No people over the age of 19 will be allowed in.
 - Staff inside will do female/male bathroom checks every five minutes in case some alcohol did make it in.
 - We will not open the patio/smoke pit to ensure no ejection or turn always are tempted to jump the fence. They are minors and are not permitted to buy cigarettes, so we will not give them a place to smoke.
 - No in's and out will be permitted.
 - I have spoken with representatives of "safe ride" and have a hand full of safe ride cards to hand out incase teens are stranded.
- We will be using the blocked off/fenced secure patio as a place if needed to safely hold ejected minors till parents arrive. That way we do not let them roam the streets alone.
- If you have any questions or concerns, please let me know.

Regards,

Joe Ghattas
Security manager
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