Dear Sir / Madam,

I write to object in the strongest possible terms against the application for a new Premises Licence by Gullivers Kingdom Ltd in respect of the Explorers Retreat, Temple Road, Matlock Bath, DE4 3PG.

There a fine balance in maintaining the attractiveness of Matlock Bath as a major regional tourist attraction to the Derbyshire Dales and the amenities of its residents. I believe that this application fails to do so in many ways and should be rejected.

The application proposes to permit the sale of alcohol, live music, recorded music, performance of dance and anything similar every day from 11:00 - midnight and late night refreshment every day from 3:00 to 05:00 the following morning. This level and type of activities late at night will cause significant public nuisance. The river Derwent valley, by its shape, helps noise reverberates across the hills. Noise generated at Gullivers Kingdom during the day can very clearly be heard in the houses and gardens of properties along Upperwood Road already. I accept, as a resident of the village, that this daytime noise forms part what it is to live in a thriving village like Matlock Bath. From late afternoon however, noise levels in the village reduce dramatically as traffic reduces, visitors leave and residents are able to enjoy a peaceful and quiet atmosphere. Allowing the sale of alcohol, performances and the playing of live music late in the evening (including in an outdoor area as indicated in the plans accompanying the application) will disrupt this peace and cause significant public nuisance to residents of the village.

The application also proposes for residents and guests to be permitted access to the premises 24-hours a day and also for films to be permitted 24 hours a day every day of the week. I fail to understand why a family theme park would require such unusual activities and I would urge the Council to think carefully of the potential implication with regards to crime, disorder and impact on public safety that such activities being permitted all around the clock could have on our small community in Matlock Bath.

Yours sincerely,

Fabien Bernard-Gaudin
Masson Cottage
Upperwood Road
Matlock Bath
DE4 3PD
Dear Sir/Madam,

As a resident of Upperwood Avenue, I was not concerned to learn of the application from Brunner Kingdon LLP for a new premises licence, particularly in respect of such extreme opening hours, which will inevitably impact on the quality of life of residents as well as on the experience of walkers using the footpath. We already regularly have to put up with more pollution from noise and traffic systems. The prospect of more pollution, changing until midnight and beyond is extremely worrying. Noise comes in the valley, but also the sound of people talking outside and the slamming car doors.

In conclusion, I would consider the facility opening until 5am more appropriate for buildings than methods like

Yours faithfully,

[Signature]

[Address]
Gilderoy West, Upperwood Rd., Matlock Bath, Derbyshire DE4 3PD

DDDC Licensing Authority,
Town Hall,
Bank Rd.,
Matlock DE4 3NN

To whom it may concern:

We are writing to complain about Gulliver’s Kingdom application in respect of Explorer’s Retreat, Temple Walk, Matlock Bath.

We are particularly worried about:

To permit the sale of alcohol, live music, recorded music and performance of dance every day from 11:00h until 00:00h. To permit thirty minutes drinking up time following the last permitted sale of alcohol.

Late night refreshment every day from 23:00h until 05:00 the following morning.

We feel that this will encourage drunkenness and loutish behaviour, including for stag and hen celebrations, and will cause too much noise, too late at night, all year round. Our house overlooks Temple Walk and we are worried about being kept awake, night after night. We are also worried that this will affect the value of our house. We are already experiencing difficulty in selling it.

When the Pavilion in Matlock Bath was acting as a night-club, we were frequently disturbed by noisy, drunken behaviour. Sound travels a long way round the valley at night.

This proposal is not appropriate for the quiet residential area that is Matlock Bath.

Yours faithfully,

Michael Trier, Joan Nicholson
Valley View,
Uppermoor,
Matlock Bath,
Derbyshire.
August 10th, 2019.

Re Cullivers Kingdom Premises Licence Application

I wish to object to the approval of the licence for the Explorers Retreat, Temple Walk, Matlock Bath.

I believe the application per hours from 11:00h to 00:00h every day of the week will inevitably lead to overall noise nuisance for local residents.

I understand that the music would be indoors but there would need to be suitable controls on containment.

S. Humphrey
Tierney, Eileen

To: Tierney, Eileen  
Subject: Representation: Gullivers Kingdom - Explorers Retreat

Sent: 14 August 2019 19:57  
To: Licensing Inbox <LicensingInbox@derbyshiredales.gov.uk>  
Subject: Gullivers Kingdom - Explorers Retreat

Peter Baranek  
Coppice End, Woodland Terrace, Derby Road, Matlock Bath, Derbyshire, DE4 3PU

Message:
13th August 2019

Dear Sir/Madam

Application for New Premises Licence – Gullivers Kingdom (Explorers Retreat)

I write to object to this proposal on a number of grounds.

Having lived at Coppice End for over 40 years, I have experienced the noise pollution from various musical venues in Matlock Bath. There are the annual events of the music festival – for 1 night per year and the Illuminations – up to 16 nights per year. Given the limited evenings when these occur, the sound pollution from these events in a tourist destination can be tolerated. The Illuminations ends at 9pm and the music festival at 11pm. In the past we had the weekly sound pollution from the Pavilion night club – fortunately now closed. The topography of the village means any sound is amplified and does not just effect neighbouring properties but the whole village in the gorge. It is worse in the winter when the foliage is off the trees. Even the solid Edwardian structure of the Pavilion and the extra sound proofing installed could not protect us from the amplified music until 1am twice a week.

The Explorers Retreat does not appear to be a substantial sound proofed structure placed up in the valley in a prime position to broadcast this music around the sound bowl that is Matlock Bath. Even if constraints were put on the license to limit the sound, the management of the ‘theme park’ has a reputation for flouting such regulations and does not respond to requested from residents.

Since its inception, Gullivers has operated as theme park for younger aged children open in the summer months from 10am until 5pm. Suddenly and without warning, it intends to operate around the clock for 12 months of the year and seems to be offering a service to all ages. All this without consultation and as far as I can see any permissions to do so. The whole village is a conservation area and Gullivers borders on SSSIs and the wildlife living there.

The granting of this license will have a detrimental effect on the quality of life in this residential village and the conservation area. It should be rejected.

Yours faithfully

Peter Baranek
From:                        
Sent: 13 August 2019 16:20
To: Licensing Inbox
Subject: Concern re: An application for a new Premises Licence has been made by Gullivers Kingdom Ltd in respect of the Explorers Retreat, Temple Road, Matlock Bath, DE4 3PG.

Name: Louise Moran
Address: 35 Clifton Road, Matlock Bath, DE4 3PW

Re: An application for a new Premises Licence has been made by Gullivers Kingdom Ltd in respect of the Explorers Retreat, Temple Road, Matlock Bath, DE4 3PG.

As a resident of the area, I would like to express my concern with regards to this application with regards to potential noise pollution.

They have applied to have live and recorded music, dance and similar until midnight each night. They have stated that this will be indoors. I would like to ask that there is provision made for soundproofing and that doors to outside areas be kept closed to prevent disruption to local residents. I would also like to question whether the outside patio will have speakers or be open to the outside as this would cause local noise pollution.

Regards

Louise Moran
I have been informed that the closing date for complaints to the licencing of music and sale of alcohol at Gullivers Kingdom has been extended until today 29th. August. We have not had any information about the application until a neighbour pointed it out to me yesterday. There was no proper notification to residents living nearby.

I believe that playing music and the sale of alcohol until 5am. Is quite excessive when the Park is situated within a residential area. Loud music is often played during the day and if this was to continue until 5am it will be extremely disturbing to residents. I hope this will be taken into consideration when the application is reviewed.

Many Thanks

Sue Francombe
Rock Weir, New Bath Road, Matlock Bath
Tierney, Eileen

To: Tierney, Eileen
Subject: representations concerning an application for a new Premises Licence by Gullivers Kingdom Ltd in respect of the Explorers Retreat, Temple Road, Matlock Bath, DE4 3PG.

Importance: High

From: Sue & Peter Dargavel
Sent: 29 August 2019 10:15
To: Licensing Inbox <licensinginbox@derbyshiredales.gov.uk>
Subject: Representations concerning an application for a new Premises Licence by Gullivers Kingdom Ltd in respect of the Explorers Retreat, Temple Road, Matlock Bath, DE4 3PG.
Importance:

FOR THE ATTENTION OF THE LICENSING AND APPEALS SUB-COMMITTEE OF DERBYSHIRE DALES DISTRICT COUNCIL

Representations concerning an application for a new Premises Licence by Gullivers Kingdom Ltd in respect of the Explorers Retreat, Temple Road, Matlock Bath, DE4 3PG.

The following objections to the subject licencing application are made by Mrs Susan M Dargavel and Mr L Peter Dargavel, of 33 Clifton Road, Matlock Bath, Matlock, DE4 3PW.

1. Gullivers Kingdom propose to have potentially continuous daily performance of indoor music and dancing from 11am until 12 midnight. We make representation that for the prevention of public nuisance this application should not be allowed. The mere fact that such performance is indoors is no guarantee that excessive noise will not be heard outside for a considerable distance. In support of this statement, it is well known that noise from indoor evening performances at the Fishpond public house and other local venues carries around the valley. This will be more pronounced if originating from Gullivers Kingdom, due to the following factors:
   (a) its more elevated and prominent position in the valley;
   (b) the unsuitability of the accommodation to contain the noise (thin metal walls with insufficient sound insulation);
   (c) the long-term proven inability or unwillingness of the present management to control daytime noise under the present arrangements.

It should be understood that the Derwent Gorge is a natural amphitheatre. When music is played on the hillside at Gulliver's Kingdom, other residents on the hillside hear it too, which is annoying. Under current planning controls Gulliver's Kingdom is supposedly not allowed to play music which can be heard off-site, but despite this, Matlock Bath residents experience annoying "music" daily when the site is open.

2. With regard to the restriction of the licence to indoor performance of music and dancing, there can be no guarantee that music and dancing will remain behind closed doors. In fact, the present arrangement of the site makes this impossible. The accommodation consists of small ensuite bedrooms inside converted shipping containers, whose doors open into a central courtyard area intended for communal gatherings. Self-evidently, this arrangement will not allow indoor music and dancing. We contend that the application is disingenuous and deceptive and should be rejected.
3. The use of Gulliver’s Kingdom as a venue for wedding celebrations as proposed in the application, makes it very likely that large amounts of alcoholic drinks will be consumed by the guests, as is normal at such occasions. This is likely to lead to rowdy behaviour inside and outside the accommodation. We therefore oppose the application on the grounds of prevention of crime and disorder, public safety, the prevention of public nuisance and protection of children from harm. We point out that if the application is allowed, alcohol will be allowed to be consumed every day of the year by all those present, continuously from 11am to 12:30am, and until 5am by those staying on the site overnight. Not only will access to the site be allowed every day from 8am onwards, but also residents and guests will have 24 hour access, meaning that alcohol bought elsewhere is likely to be brought onto the site. In other words, if this application is approved, Gulliver’s Kingdom is effectively going to become an all-day, every-day party venue. Not only is this incompatible with its present use as a children’s theme park, it is also incompatible with the rights of Matlock Bath residents to quiet enjoyment of their properties.

4. The application proposes that after drinking up time at 12:30am, visitors to the site (as opposed to those residents and their guests who are staying overnight) will leave. This again leads us to oppose the application on grounds of public safety and prevention of public nuisance, since visitors will consequently be leaving the site via Temple walk at any time up to 1am, perhaps in an inebriated state and driving cars or motorbikes, with consequent shouting, slamming of doors, revving of engines and egress onto the A6 at a particularly difficult-to-negotiate junction.

5. The application apparently proposes extending Gulliver’s Kingdom’s present public opening hours from eight hours a day to 16 hours a day, plus 24 hour access for those staying overnight. We believe that it is presently the case that large amounts of rubbish are burnt on site, including plastics, instead of being disposed of in more environmentally acceptable ways through the local authority. This burning of rubbish produces plumes of toxic smoke that drift around the valley. Partying for 18 hours a day (11am to 5am) will inevitably generate considerably more waste and consequent environmental pollution. Furthermore, it must be doubtful that even the proposed very lax time limits can be enforced in such a situation. We therefore again oppose the application on the grounds of public safety and prevention of public nuisance.

6. When considering this application, it should be understood that because of a legislative loophole, Gulliver’s Kingdom is not subject to normal planning laws and restraints and has consistently taken advantage of this, even though located in a conservation area. They erect buildings and other structures at will and without regard to whether they fit into the surroundings. We note that the Explorers’ Retreat was not there a short while ago, is now perhaps 20 units and may grow more in the future, so increasing its ability to cause public nuisance of various kinds. Furthermore, the units themselves are exempt from normal building control regulations and comprise lightweight materials, and the arrangement of the indoor/outdoor areas may change at any time in ways which cannot be controlled. You should understand that the size of the property you are prospectively licencing is not fixed and may expand without restraint. If the licence is granted in accordance with the application there will be nothing to prevent Gulliver’s Kingdom expanding the “Explorers Retreat” to cover the whole site! They may insist that they don’t want to do that, but the experience of Matlock Bath residents is that they can’t be trusted. The potential of Gulliver’s Kingdom to cause public nuisance through expansion of the Explorer’s retreat with all-day, all-night partying would be virtually unlimited if this application is granted.

7. Currently, the Explorer’s retreat is operating as a family-oriented hotel. While most reviews are favourable, it is already generating complaints on social media about noisy and rowdy behaviour. I reproduce relevant extracts from a recent review on Trip Advisor.
“Each room is made out of what appear to be metal shipping containers ... The "rooms" face into a central outdoor communal area ... The main problem however was the terrible noise outside the room (in the communal area). We went to bed at 9pm at which point quite a few people were sitting out in the communal area. The noise they made continued until nearly midnight. There was raucous laughter (adults), shouting and cheering (children), slamming doors, thumping/running along the board-walks and knocking on doors. The thin walls of the converted containers were a disaster.”

Here are relevant extracts from two reviews on Booking.com.

“We were located by a small courtyard with a table tennis table - around 10pm a large group of around 15 adults descended on the area, drinking [N.B., this is without a licence! - the undersigned’s comment] and being outrageously loud until nearly midnight. This in a place that is designed and supposed to be good for families. Nobody checked or intervened, nobody making sure the environment was appropriate for families with young children, so had to try to address the problem ourselves head on. Nobody wants to be in a conflict situation at 11pm in a hotel. Could have been avoided with one simple security check or something. It was like trying to sleep in a busy pub! The noise was unreal.”

“Very noisy people above us. Not your usual everyday living noises either! Constant banging for hours and shouting. We could not slee [sic]. very stressful. 2 complaints was ignored.”

The relevance of these quotes is that the application is seeking to turn a family-oriented hotel into a night and day party venue, even though now there are occasions now when guest’s complaints about noise are not addressed. One must expect, given the way that sound travels around the valley, that alcohol-fuelled all-night parties will be very disturbing for Matlock Bath residents.

8. There are important public policy implications that must be considered in respect of this licencing application. Gullivers Kingdom is a family theme park, and its trading hours were severely limited so that the noise and nuisance to the community could be contained. Trading hours have already been agreed with the local authority as between 10:30am and 5pm. Yet now they apply for something that allows unknown numbers of the public to party on site from 08.00am until 12.30am. We also note that if four guests per room are allowed on site throughout the night, the licence, if granted, isn’t for a quiet residents bar, but for an all-day, all-night indoor-outdoor party venue for perhaps up to a hundred people for up to 365 days per year. Besides the potential for extreme noise nuisance to neighbouring residents caused by revellers, the public policy principle of containment of nuisance previously established under planning regulations will be completely overturned if the licence is granted.

For all the above reasons, we strongly object to the application and respectfully request that the application is refused in its entirety.

Yours faithfully,

L P and S M Dargavel.