

**From:** [Tierney, Eileen](#)  
**To:** [Tierney, Eileen](#)  
**Subject:** Bulan Review Comments - Environmental Health  
**Date:** 20 October 2023 12:51:41  
**Attachments:** [image006.png](#)  
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[image015.png](#)  
[image016.png](#)  
[image001.jpg](#)

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**From:** Cowley, David <[David.Cowley@derbyshiredales.gov.uk](mailto:David.Cowley@derbyshiredales.gov.uk)>  
**Sent:** 19 October 2023 15:12  
**To:** Licensing Inbox <[LicensingInbox@derbyshiredales.gov.uk](mailto:LicensingInbox@derbyshiredales.gov.uk)>  
**Cc:** Hulley, Matthew <[matthew.hulley@derbyshiredales.gov.uk](mailto:matthew.hulley@derbyshiredales.gov.uk)>; Goodwill, Amanda <[Amanda.Goodwill@derbyshiredales.gov.uk](mailto:Amanda.Goodwill@derbyshiredales.gov.uk)>  
**Subject:** Bulan Review Comments - Environmental Health

Dear Licensing,

Further to the submission from Environmental Health, on this matter. If the licensing committee are minded to make / amend conditions regarding this Premises Review Application these are the thoughts from the Environmental Health Service regarding the application.

This is in addition to the correspondence previously by the service.

Page 5 of the Premises Licence – Paragraph 2 Prevention of Crime and Disorder:

**B) Amended to - All fire doors must be kept closed at all times when the premises are in use except in cases of emergency and doors leading to the smoking area. The doors leading to the smoking area at the rear of the premises must be self-closing. The structure of the site must allow for two sets of self-closing doors with a sufficient lobby in between to prevent noise escape. The self-closing doors must not be opened unless for access and egress to the smoking area.**

**NEW Condition) the perimeter of the smoking area must be secure. The access and egress from this location must only be used in case of emergency and not for members of the public accessing and egressing the site.**

**NEW Condition) An SIA door supervisor or nominated member of staff must oversee outdoor activities on the front of the premises, and within the rear smoking area at times when SIA door supervisors are required on the premises.**

**NEW Condition) The consumption of Alcohol or other drinks and substances**

**is not permitted within the rear smoking area, or outside the front of the premises on the street / pavement i.e. no external areas.**

C) Amended - Adequate noise insulation shall be maintained to the satisfaction of the **Environmental Health Service**

**D) NEW Condition) The CCTV system shall cover the smoking areas at the rear of the property, and areas outside of the front of the property**

Then Page 6 Paragraph 4 The Prevention of Public Nuisance

H) Agree with this amendment or removal if the new condition above is imposed.

Kind regards

David

**David Cowley**

Principal Environmental Health Officer  
Regulatory Services



Town Hall, Matlock, Derbyshire, DE4 3NN  
Tel: (01629) 761249

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**From:** Goodwill, Amanda <[Amanda.Goodwill@derbyshiredales.gov.uk](mailto:Amanda.Goodwill@derbyshiredales.gov.uk)>

**Sent:** 03 October 2023 09:35

**To:** Licensing Inbox <[LicensingInbox@derbyshiredales.gov.uk](mailto:LicensingInbox@derbyshiredales.gov.uk)>

**Cc:** Holdgate, Lora, 3278 <[lora.holdgate@derbyshire.police.uk](mailto:lora.holdgate@derbyshire.police.uk)>; Hulley, Matthew <[matthew.hulley@derbyshiredales.gov.uk](mailto:matthew.hulley@derbyshiredales.gov.uk)>; Cowley, David <[David.Cowley@derbyshiredales.gov.uk](mailto:David.Cowley@derbyshiredales.gov.uk)>

**Subject:** FW: Police Review of Premises License for Bulan, 119 Dale Road, Matlock DE4 3LU

Dear Licensing

Further to the re-start of consultation on this matter, we have revisited our original comments as cited and submitted below by colleagues Matthew Hulley and Dave Cowley. As a Service our comments remain unchanged and I kindly request that they are carried forward accordingly.

Regards

Amanda

Amanda Goodwill  
Environmental Health Manager  
Telephone 01629 761316  
[amanda.goodwill@derbyshiredales.gov.uk](mailto:amanda.goodwill@derbyshiredales.gov.uk)



Town Hall, Matlock, Derbyshire DE4 3NN  
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**From:** Cowley, David <[David.Cowley@derbyshiredales.gov.uk](mailto:David.Cowley@derbyshiredales.gov.uk)>  
**Sent:** 11 September 2023 15:19  
**To:** Goodwill, Amanda <[Amanda.Goodwill@derbyshiredales.gov.uk](mailto:Amanda.Goodwill@derbyshiredales.gov.uk)>  
**Cc:** Licensing Inbox <[LicensingInbox@derbyshiredales.gov.uk](mailto:LicensingInbox@derbyshiredales.gov.uk)>; Holdgate, Lora, 3278 <[lora.holdgate@derbyshire.police.uk](mailto:lora.holdgate@derbyshire.police.uk)>; Hulley, Matthew <[matthew.hulley@derbyshiredales.gov.uk](mailto:matthew.hulley@derbyshiredales.gov.uk)>  
**Subject:** FW: Police Review of Premises License for Bulan, 119 Dale Road, Matlock DE4 3LU

Dear Licensing

Further to the comments by Matthew Hulley Environmental Health Officer, the service has provided advice and guidance to the operators of the premises generally.

Having read the review information provided by Derbyshire Police, it would appear the matters of concern relate to Crime and Disorder from the site. The Environmental Health service has received 14 requests for service relating to this premises, for matters we can investigate. This is namely noise from the premises itself, rather than activities on the street. Activities on the street, and the general behaviour of the public is a police matter, and the reason for this review.

Some of our investigations have been extensive and time consuming generally, with site inspections and multiple contacts with the public and the site operators.

The issues surrounding this review appear to relate to the management of the site, which requires improvement. It is important to note that service requests have been received for other premises on Dale Road, relating to Noise and Crime and Disorder.

Kind regards

David

**David Cowley**

Principal Environmental Health Officer (Commercial)



Derbyshire Dales District Council  
Town Hall  
Matlock  
Derbyshire  
DE4 3NN

Tel: 01629 761249

Email: [david.cowley@derbyshiredales.gov.uk](mailto:david.cowley@derbyshiredales.gov.uk)

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**From:** Hulley, Matthew

**Sent:** 08 September 2023 11:36

**To:** Licensing Inbox <[LicensingInbox@derbyshiredales.gov.uk](mailto:LicensingInbox@derbyshiredales.gov.uk)>

**Cc:** Tierney, Eileen <[eileen.tierney@derbyshiredales.gov.uk](mailto:eileen.tierney@derbyshiredales.gov.uk)>

**Subject:** Police Review of Premises License for Bulan, 119 Dale Road, Matlock DE4 3LU

Dear Licensing

I write in connection with the above matter.

Although Derbyshire Dales District Council, Environmental Health, have not called for a Review of the Premises Licence, in respect of the above named premises, we do have some concerns in respect of noise and have received noise complaints from several local residents, since the premises was taken over approximately two years ago and opened as Bulan.

Environmental Health Officers have investigated these noise complaints, however, no noise nuisance evidence has been collated and, therefore, no further formal action has been taken, in respect of noise nuisance.

Although we have seen evidence of noise in the street in the vicinity of Bulan, from people shouting, fighting and other antisocial behaviour, this is not within the remit of the Environmental Protection Act 1990, as the street is not classed as a 'premises' and as such, we are unable to take action for noise nuisance.

We have also received noise complaints in respect of people-noise emanating from the smoking area, situated to the rear of the premises, at first floor level. These complaints have been investigated, though a statutory noise nuisance has not been found to exist. However, we do have concerns that there is the potential

for noise nuisance to emanate from this area, particularly through increased use, if no other smoking areas are available and the area is not being properly managed by staff at the premises. We have communicated this issue and our concerns to the DPS of the premises on several occasions.

I trust this information is helpful.

Kind regards

**Matthew**

Matthew Hulley  
Environmental Health Officer  
Regulatory Services

Town Hall | Matlock | Derbyshire, DE4 3NN  
Tel : (01629) 761350  
[www.derbyshiredales.gov.uk](http://www.derbyshiredales.gov.uk)



Luke Taylor  
Bulan  
119 Dale Road  
Matlock  
Derbyshire  
DE4 3LU

[Office.fabago@gmail.com](mailto:Office.fabago@gmail.com)

Contact Name & Address  
Chris Timons

West Area – Buxton Office  
Buxton Fire & Rescue Centre  
Staden Lane  
Buxton  
Derbyshire  
SK17 9RZ

Contact Telephone No  
01298 608720

Contact Email  
West\_Area\_Admins@derbys-fire.gov.uk

Our Reference  
J799-527/CT/ND/AC

Your Reference  
LET04

Date  
4 September 2023

Dear Sir

## Letter of Fire Safety Matters

**Premises: BULAN, 199 DALE ROAD, MATLOCK, DERBYSHIRE, DE4 3LU**

I visited your premises on 31 August 2023 and evaluated the fire safety provided. I am of the opinion that some people are at risk in case of fire. You have assured me that you will make necessary improvements. You have an ongoing duty to ensure the safety of people. The attached schedule sets out what you need to do.

## Timescale for Completion

You should complete the work outlined in the schedule as soon as possible, balancing the need for safety against the demands on your business or undertaking. I intend to return in connection with the visit in approximately three months from the date of this letter.

## Consequence for Non-compliance

If you do not address the matters in the schedule (or I find that safety provisions have worsened), the authority may serve an enforcement notice on you. An enforcement notice would legally bind you to do the work.

## Route to Appeal

You can clarify or challenge what you need to do. You can also comment on your experience of my regulation of you. Our ['Challenges \(Appeals\) and Complaints procedure'](http://www.derbys-fire.gov.uk/accp) (see <http://www.derbys-fire.gov.uk/accp>) tells you how.

## Fire Safety Management

The schedule sets out what you need to do to improve fire safety. Taking this advice will help you to sustain that level of safety.

email: [reception@derbys-fire.gov.uk](mailto:reception@derbys-fire.gov.uk)  
[www.derbys-fire.gov.uk](http://www.derbys-fire.gov.uk)

Chief Fire Officer / Chief Executive  
Gavin Tomlinson MBA MIFireE



(a) You should review your fire risk assessment regularly especially if:

- i. There is reason to suspect that people are not safe in case of fire, or
- ii. There has been a significant change to the preventive and protective measures you have taken in case of fire.

Where in consequence of any such review, changes to your safety measures are required; you should make those changes.

(b) All your employees should be aware of the people you have nominated and trained to tackle small fires and those you have nominated and trained to implement your procedures for evacuation.

(c) You should tell anyone working in your premises (who are employed by another party) of any fire risk to them and what you have done to keep them safe, including the people you have nominated to help in an emergency.

- You should record the fire safety information and training you give to employees and managers.

### **Alternative Solutions**

If you want to use a different solution to bring about safety, please contact me to discuss an action plan. An action plan might enable you to apply an equally appropriate safety solution to better meet your needs. Any alternative solution you propose must meet the 'outcome(s)' stated in the schedule.

### **Further Recommendations**

I want you to be successful. The information, provided below, should assist you to improve safety or to enhance business continuity matters within your premises.

I strongly advise you to obtain the HM Government Fire Safety Risk Assessment Guide appropriate to your premises. These guides can be downloaded free of charge at [www.derbys-fire.gov.uk/fsq](http://www.derbys-fire.gov.uk/fsq) or can be purchased from bookshops.

As discussed during your visit, there are a range of resources available to you to assist in managing fire safety in your premises. These can be found here [Useful documents :: Derbyshire Fire and Rescue Service \(derbys-fire.gov.uk\)](http://www.derbys-fire.gov.uk/useful-documents).

Ensure that the intumescent treatment you have applied to the decorations on the seating and the walls is re-applied as per the instructions on the product, as these often have a nominated lifespan.

Yours faithfully



Authorised Fire Safety Inspecting Officer  
And on behalf of the Derbyshire Fire and Rescue Authority

**Important Information – schedule referred to in letter**

Notes to this schedule:

The government guidance most suitable to your premises is:

Fire Safety Risk Assessment: Small and Medium Places of Assembly

ISBN: 978 1 85112 820 4

<https://www.gov.uk/government/publications/fire-safety-risk-assessment-small-and-medium-places-of-assembly>



**Item number 1**

**Outcome**

This work is necessary to reduce the risk of fire.

**Suggested Action**

Review the risk assessment for the premises.

**Reason**

The risk assessment seen was out of date.

## **Item number 2**

### **Outcome**

This work is necessary to detect fire and raise an alarm.

### **Suggested Action**

Provide an alarm sounder alarm device complying with BS 5839 part 1 and linked to the existing fire alarm system in the flat above the premises .

The changes should be carried out and commissioned by a competent person.

### **Reason**

People within the premises may not be able to hear the fire alarm sounding because there was no sounder within the flat delaying their escape from fire.

### **Item number 3**

#### **Outcome**

This work is necessary to make sure that escape routes (corridors, stairs and doors) can be safely used whenever they are needed.

#### **Suggested Action**

Ensure that escape routes in the shared access road outside of the rear fire exit are illuminated by emergency lighting that will operate if the local lighting circuit fails.

The system should conform to BS 5266 Part 1.

#### **Reason**

People in the rear fire exit route may not be able to find the way out in an emergency because it may be dark .

#### **Item number 4**

##### **Outcome**

This work is necessary to make sure that escape routes (corridors, stairs and doors) can be safely used whenever they are needed.

##### **Suggested Action**

Ensure that door-sets that can resist fire and smoke for 30 minutes are provided in the entrance to the flat above the premises.

The term 'door-set' refers to the complete element as used in practice:

- The door leaf or leaves.
- The frame in which the door is hung.
- Hardware essential to the functioning of the door-set.
- Intumescent seals and smoke sealing devices. In the case of double doors you should ensure that they close without affecting the operation of the seals.

##### **Reason**

Doors were not capable of preventing the spread of fire for long enough to enable people to escape because of attachments on the outside of the door, and due to general damage and holes where locks had been changed or removed.

**Item number 5**

**Outcome**

This work is necessary to reduce the risk of the spread of fire.

**Suggested Action**

Complete the fire protection compartmentation of the ceiling which is required in the whole cellar area.

**Reason**

Compartmentation was not complete and could allow fire/smoke to pass easily to the upper floors.

## **Item number 6**

### **Outcome**

This work is necessary to help people understand what to do if fire breaks out.

### **Suggested Action**

Provide instructions and comprehensible information to people who work on your premises but are not employed by you, about what to do in case of fire.

### **Reason**

People working in your premises will be unfamiliar with your fire procedures and could be at risk, if fire breaks out. People were found to be working who were unfamiliar with your procedures.

**From:** [Tierney, Eileen](#)  
**To:** [Tierney, Eileen](#)  
**Subject:** Review Application Bulan, Dale Road, Matlock  
**Date:** 06 November 2023 16:05:22

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**From:** ISD Alcohol Licensing <Alcohol@homeoffice.gov.uk>  
**Sent:** 02 October 2023 14:35  
**To:** Holdgate, Lora, 3278 <lora.holdgate@derbyshire.police.uk>;  
<LicensingInbox@derbyshiredales.gov.uk>  
**Subject:** RE: Email 2 of 2: Review Application Bulan, Dale Road, Matlock

**Warning External**

Good afternoon,

Thank you for providing your submission on the above premises. Having searched our databases, we can find no recent record of any Immigration offences in relation to the above premises, therefore Immigration Enforcement will not be making any representations at this time.

Regards

Paul Wynter  
Alcohol and LNR Team  
Interventions & Sanctions Directorate  
Immigration Enforcement