

Before the Licensing Committee of Epping Forest District Council

Licensing Act. 2003

In the matter of

Licensing Application of Metro Superstore Ltd.

Please note Mr. H. Akhtar will represent us at the hearing on 2.11.10

Rana Fida Anwar

INDEX

Statement Para and Exhibits	Document	Page No.
	Statement of the applicant	1 to 4
2/A.	Copy of my PLDP	5 to 6
5/B	12 Incident Log sheets	7 to 18
8/C.	Central London County Court judgement	19
10/D.	Local Residents' petition signed by 115 residents in support of the Store	20 to 26
11.1/E.	Email to the Council's Licensing Officer confirming reaching an agreement with the Essex CC	27
11.2/F.	Email to Epping Police Station	28

/

Before the Licensing Committee of Epping Forest District Council

Licensing Act. 2003

In the matter of

Licensing Application of Metro Superstore Ltd.

Statement of Rana Fida Anwar

1. I, Rana Fida Anwar of [REDACTED] Thorold Road, Ilford IG1 4HF MAKE this statement in support of the application to seek license to sell alcohol at Metro Superstore, 785 Chigwell Road, Chigwell. IG8 8AU.

2. I am the applicant requesting grant of the license. I hold a Personal License of Designated Premises issued by the Southend Bough Council. I have worked as supervisor in a Southend store, holding license to sell alcohol for more than two years. (see Exhibit A).

3. I have no conviction spent or otherwise or caution or warning given and more particularly in matters of selling alcohol or tobacco of any kind to under age children.

4. . At present I work as supervisor at the said store and have overall charge of it. I have the following staff working under me :-

- (i) Amjad Iqbal of [REDACTED] Crouch Avenue, Barking. IG11 OQY
- (ii) Iqbal Junaid of [REDACTED] Crouch Avenue, Barking. IG11 OQY
- (iii) Mohammad Riaz of [REDACTED] Penge Road, London. E13 OSN

I further state that the above named hold Personal License of Designated Premises and have no conviction spent or otherwise or caution or warning given and more particularly in matters of selling alcohol or tobacco of any kind to under age children

5. I am fully aware of the provisions of the Licensing Act 2003 pertaining "the protection of children from harm" and am fully committed to preserving it in letter and spirit. As evidence see Exhibit B for incident log kept at the store.

6. This store at 785 Chigwell Road, Chigwell. IG8 8AU was first opened on 20.2.10 by a company in the name of S.A London Ltd. having (i) K. Asim Iqbal (ii) Khawaja Owais Iqbal and (iii) Khawaja Ferhan Qayyum as its directors. The License to sell alcohol was held by Khawaja Owais Iqbal and the store was run jointly by Asim Iqbal and Owais Iqbal.

7. There is no evidence to suggest that (i) any prosecutions carried out (ii) caution given (iii) warning issued and (iv) friendly advice offered to Khawaja Owais Iqbal or any body else working at this store on the allegation of selling alcohol or tobacco to under age children.

8. On 7.7.10 because of some disagreement directors (i) and (ii) took control of the Store and dislodged director (iii) namely Khawaja Ferhan Qayyum from his position. Mr. Qayyum went to the Central London County Court and got a judgement restoring his control. (see Exhibit C for the Court judgement)

9. The Metro Superstore is now working under new management under my supervision and has no connection whatsoever with directors (i) and (ii).

10. At Exhibit D is shown residents' petition signed by 115 residents of the area in support of the Store.

11. There appear to be 11 letters/emails of objections received by the Council and I deal with them individually as below. At the outset I assert that almost all of them are full of allegations but not even of them has produced any tangible, credible and reliable evidence. Some of them live far away from 785 Chigwell Road.

11.1 Letter from Service Manager, Children's Safeguard Service of Essex County Council dated 27.9.10.

With reference to paragraph 5 aforesaid, on 26th October, 2010 I have already come to an agreement with Sian Fordham, Children's Safeguarding Service of Essex County Council and we have been informed that the Essex CC is withdrawing its objections (see Exhibit E).

11.2 Letter from Licensing Unit, Epping Police Station dated 21.9.10.

It is admitted that utmost consideration must be given to the Police opinion, but the Police also has a duty to express its opinion fairly and duly backed by facts and properly evaluated evidence. I maintain that the letter in question is full of general allegations and not one proven against my store. The Police letter lacks credibility as it failed to mention that there is already a Made in Italy restaurant and take away at 783 Chigwell Road, which has a license to sell all kinds of alcohol and it also has seating arrangements out side the restaurant, a direct invitation to the young persons to congregate while Metro has no such arrangements.

At Exhibit F is produced a copy of the email sent to the Police on 25th October seeking better and further particulars. A reply is still awaited.

11.3 Email from Richard Swan of Smeaton Road dated 29.9.10.

Mr. Swan does not say that he lives more than 58 houses away from 785 Chigwell Road, and how he is affected. He has made various allegations but failed to provide any evidence in support. He claims " from my own experience the same people are still operating the shop as from the beginning and since losing their current license are allegedly selling alcohol from the back of the shop" . Mr. Swan does not say what his experience is and as regards to his second part of the allegation why did he not report to the police.

11.4 Email from Bradley Micallef of [redacted] Smeaton Road, dated 8.10.10

Mr. Micallef failed to mention that he lives more than 40 houses away from 785 Chigwell Road and that he has produced no evidence in support his allegations connecting Metro Store.

11.5 Letter from Miss Lisa M Wilkes of [redacted] Smeaton Road dated 5.10.10

Miss. Wilkes have made a number of unsubstantiated and loose allegations but pointedly failed to admit that at 783 Chigwell Road there is a restaurant and take away, which has a license to sell all kinds of alcohol and it also has seating arrangements out side the restaurant, a direct invitation to the young persons to congregate while Metro has no such arrangements.

She also alleges that "we are regularly disturbed by Metro customers pulling up out side our house late at night" but does not say how she can claim that they are Metro customers.

11.6 Letter from Elaine Russo of [redacted] Turpins Lane dated 6.10.10

The writer of this letter fails to admit that she lives nearly 1/2 a KM away from 785 Chigwell Road and therefore could not have been effected as she alleges and further the letter is too general and does not show any direct impact on her.

11.7 Email from Dave Hart of [redacted] Chigwell Road dated 28.9.10

Mr. Hart lives 5 houses away from No. 785 Chigwell Road. There are in between a few more houses and none of them made any complaint. He has made a number of allegations but provided no evidence in support. If he has this much detailed knowledge why he failed to ask the Police to investigate, he offers no explanation.

11.8 Email from Hayley Newman of [redacted] Smeaton Road dated 27.9.10

Mr. Newman lives more than 15 houses away from 785 Chigwell Road and could not have been in a position to witness his claims if they are correct, nor is there any record of him reporting any such alleged incidents to the police.

11.9 Letter from Kevin Phelan and Ifio Russo of [redacted] Chigwell Road of no date

This letter is a classic example of conflict of interest, concocted comments and utterly false accusations. They both are plainly wrong to allege that "the store lost its license recently due to continuous law breaking including under age sale of alcohol and tobacco". (see paragraph aforesaid 6,7,8,and 9 and Exhibit C) .

They failed to disclose that they also hold a license to sell all kinds of alcohol from their restaurant and take away. Further, they sold to customers a £4 bottle of wine for £15 and the Metro store, when it had the license, sold the same for £3.99 (with 35% profit). Similarly they sell a can of coke for £1 and we sell the same for P.50. Their opposition is derived from their fear of competition and no more.

11.10 Letter from Micheal Brooks of [REDACTED] Chigwell Road dated 24.9.10 .

This letter is too general and has failed to provide details of any specific complaint.

11.11 Email from Ursula Thomas of [REDACTED] Chigwell Road dated 8.10.10

In line with others, the writer of this letter also makes very general and loose observations not backed by direct evidence. Further, she lives 20 houses away from 785 Chigwell Road.

12. Exhibits produced with this statement

- A. Copy of my PLDP
- B. 12 Incident Log sheets
- C. Central London County Court judgement
- D. Local Residents' petition signed by 115 residents in support of the Store
- E. Email to the Council's Licensing Officer confirming reaching an agreement with the Essex CC
- F. Email to Epping Police Station

Statement of Truth

I believe that the facts stated afore said are true and correct to the best of my knowledge and belief

[REDACTED]

(Rana Fida Anwar)
The Applicant

2/A.

5

Southend-on-Sea Borough Council

Mr Rana Fida
Anwer

Licence No. 674285

Expires: 10 September 2019



TO CHECK CARD DETAILS
TEL: 01702 215000

THE LICENSING ACT 2003-PERSONAL LICENCE

2/A
6

Personal Licence Holder details

Mr Rana Fida Anwer
Milton Road
Westcliff-on-Sea SS0 7JX
Issue No 1

Licence No. 674285

Expires: 10 September 2019

IF FOUND PLEASE RETURN TO

Southend-on-Sea Borough Council
Licensing Authority
PO Box 5558 - Civic Centre
Victoria Avenue - Southend-on-Sea
Essex, SS2 6ZG. Tel.01702 215000 or 534333

INCIDENT LOG

5/B
7

Date: 04/08/2010

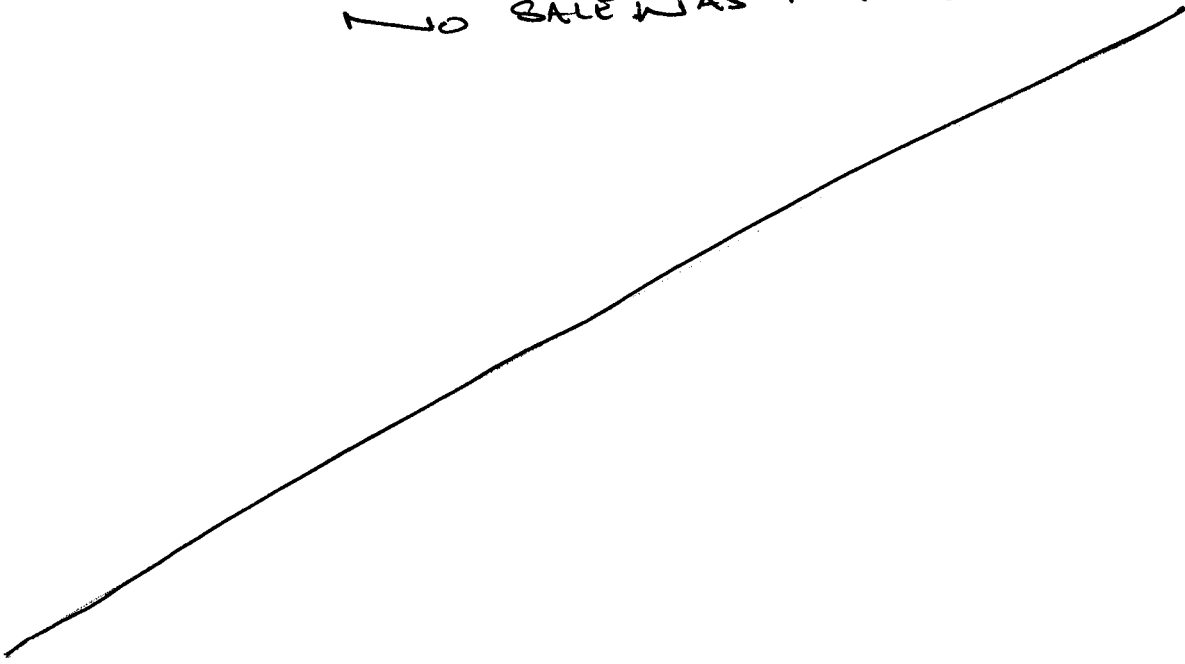
Time: 21:09:00 approx.


Description: An Black male looked underage. requested to be served for 10 mayfair. smooth. upon requesting Id, the boy replied "he forgot it at home".

sale was refused.

CONCLUSION:-

NO SALE WAS MADE!



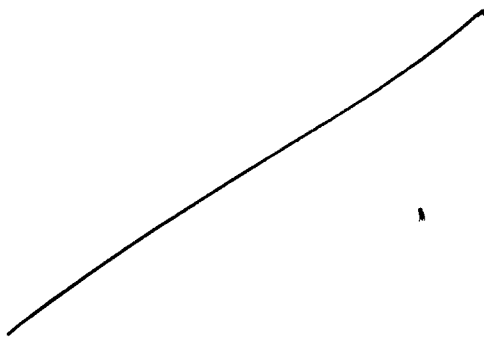
Signed...  Date... 04/08/2010...

INCIDENT LOG

Date: 04/08/10

Time: 17:30 approx.

Description: A Group of Kids came in the shop, One of them stole the chocolates bars. I stopped him and retrieve the goods. I also told him that if he try it again, I will call the police and also will banne him from the shop.



Signed. 

Date: 04/08/10

INCIDENT LOG

Date: 03/08/10

Time: -19:00 approx.

Description: Two young girls came to the shop. One of them ask for the cigarettes. They look quite young to me.

Action taken: I ask her for the ID.

She showed her ID (DVLA). She was legal to buy the cigarettes. I write down her name and date of birth.

Then I served her.

SALE made on seen ID.

Signed



Date

03/08/10

INCIDENT LOG

Date: 05/08/10 .

Time: 18:30 approx .

Description: A Young Boy^(male) come to the shop .
and ask for the cigarettes .

Action Taken : I ~~ate~~ asked for the ID .

He showed his DVLA and He is over 18 years old .

CONCLUSION :
SALE has been made on
seen ID .

Signed 

Date: 05/08/10 .

INCIDENT LOG

Date: 06/08/10 .

Time: 11:30 approx .

Description: A young girl arrived to the Shop and asked for cigarettes .

Action Taken: I asked her for the ID proof that if she was legal to buy. She said she left it at home.

So I refused to serve her .

Conclusion : No sale had been made .

Signed



Date

06/08/10 .


INCIDENT LOG

Date: 06/08/10

Time: 10:30 approx.

Description: A young white male come to me and ask for cigarettes. I asked him to show his ID. He showed me his driving license (DVL) which shows he is 18+. I record his detail on my diary.

Conclusion: Sale has been made on seen ID.

Signed  Date: 06/08/10

INCIDENT LOG

Date: 06/08/10

Time: 16:00

Description: A Boy come to shop and bought some cans of coke and other stuff as well. Then he went off and again back in a minute. He asked for Rizzle: ~~and~~

Action Taken: I asked for his ID which he haven't had it.

Conclusion: NO sale was made.

Signed.....  Date..06..08..10.....

INCIDENT LOG

Date: 06/08/10

Time: 17:50 approx.

Description: An Asian boy came and ask for cigarettes and I asked him for the ID because he looks young. So he told us he left at home. I told him no sale without ID.

Conclusion:

No Sale has been made.

Signed



Date

06/08/10

INCIDENT LOG

Date: 07/08/10 .

Time: 17:30 .

Description: A young girl came to the shop. She asked for cigarette and I asked her for ID because she looks too young. She told us that she is 18 yr but did not have ID with her. I refused to serve her.

Conclusion:

No sale was made.

Signed



Date...07/08/10.....

INCIDENT LOG

Date: 08/08/10

Time: 17:35

Description: A Girl came to shop and asked me to serve alcohol. I refused at first instance and asked about her ID. SHE SHOWED ME A PASSPORT which clearly shows her date of birth FEB 1992. THEN I served her alcohol and informed my manager:

Conclusion: Sale made ON Display of
 Passport:
 Girl Name: LUCI

Signed.  Date..... 8/8/10 -


INCIDENT LOG

Date: 17/08/10

Time: 17:00 -

Description: A boy come to shop and ask for (fags) cigarettes. He looks underage young. So I asked him for the ID and he said he hasn't got it with him. so I told him "NO ID NO SALE".

Conclusion " No sale was made .

Signed  Date.....17/08/10.....

Injunction Order

between Metro Superstore Limited Claimant
and S.A. London Limited Defendant

In the Central London	
County Court	
Claim No.	0CL02025
Claimant's Ref.	SL/VD/QAYUM/10571
Defendant Ref.	
For completion by the court	
Issued on	



If you do not obey this order you will be guilty of contempt of court and you may be sent to prison.

On the 19 of August 2010 the court considered an application for an injunction

The Court ordered that⁽¹⁾ SA LONDON LIMITED

must⁽²⁾ (1) allow the Claimant back into the premises known as and situate at ground floor shop, 785 Chigwell Road, Chigwell, Essex IG8 8AU ("the premises") so as to trade from the premises

And/or (2) deliver up to the Claimant all the items (and classes of items) on the attached schedule held at the premises or within the control or possession of the Defendant, its servants, agents or employees.

on or before⁽³⁾ *within one hour of being served with this order on the premises.*
and is forbidden (whether by himself or by instructing or encouraging or permitting any other person)⁽⁴⁾ from (1) interfering with the Claimant's occupation and trading from the premises (2) interfering, using, disposing with the Claimant's items listed in the attached schedule

This order will remain in force until trial unless before then it is revoked by a further order of the court

It is further ordered that⁽⁵⁾

(i) Costs reserved.

⁽¹⁾The name of the person the order is directed to

⁽²⁾The terms of any orders requiring acts to be done. Delete if no mandatory order is made.

⁽³⁾Enter time (and place) as ordered

⁽⁴⁾The terms of the injunction order. If the defendant is a limited company, delete the words in brackets and insert "whether by its servants, agents, officers or otherwise"

⁽⁵⁾The terms of any orders, costs etc.

⁽⁶⁾State the clause numbers to which the power of arrest relates

If you do not understand anything in this order you should go to a Solicitor, Legal Advice Centre or a Citizens' Advice Bureau

the court office at

open between 10 am and 4 pm Monday to Friday. When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number.

IN THE CENTRAL LONDON COUNTY COURT

CLAIM NO:

BETWEEN:

METRO SUPERSTORE LIMITED

Claimant

-and-

S A LONDON LIMITED

Defendant

SCHEDULE

Items/ description	Quantity	Amount (£)
Chillers – Freezer	1	£3000.00
Cabinet Dairy fridge	1	£1500.00
Freezer frozen food freezer	1	£600.00
Coca Cola Fridge	2	£600.00
Ice cream freezer	1	£400.00
Till	1	£175.00
T.V LCD Plasma	1	£365.00 incl. VAT
Camera	1	£450.00
I Phone	1	£550.00
Stock		
Cigarettes		£10,000.00
Confectionaries (Chocolate, drinks frozen food ice cream and biscuit, cereals, dairy products etc.) Groceries, and other household cleaning materials.		£15000.00



10/20

20

RESIDENT PETITION

We undersign petition to Epping Forest District Councilor John Knapman to express our support to Metro Store, 785 Chigwell Road.

We as local resident and regular customers of this store fully agree to the following:

- Metro Store is operating in accordance to conditions of its license.
- At no given time have we felt threatened around above mentioned address. Under no circumstances Metro Store is a threat to us or public safety.
- Metro Store is not involved in any wrong doing to cause harm to children and we never have encountered any incident as not to support above statement.
- Metro Store is not encouraging any public nuisance.
- Metro Store is indeed being a source of convenience and supportive part of community.

We are happy the shop is here and use it as our local Store.

Name	Address	Signature	Date
MR O MURRAY	[REDACTED] RODING LANE CHIGWELL IG76BJ	[REDACTED]	21/10/10
MRS A. KEESEY	[REDACTED] RODING LANE IG76BJ	[REDACTED]	1st Aug 10
MR. D. STREET	[REDACTED] Latchingdon gardens	[REDACTED]	1/8/10
MR. J. FLESTON	[REDACTED] SANDS GROY WOODFORD BRIDGE	[REDACTED]	1/8/10
MR L. BEVAN	[REDACTED] Waltham Road	[REDACTED]	1/8/10
Mr M. Gorman	[REDACTED] ROSEMOUNT CLOSE	[REDACTED]	1.8.10
T Tommy	[REDACTED] Chilben	[REDACTED]	1/8/10
Tom Walker	[REDACTED] Turpins Lane	[REDACTED]	1/8/10
P Jones	[REDACTED] Thurlby Close	[REDACTED]	1/8/10

A petition has been received in support of the application for a new premises licence.

Having checked all addresses, 57 are valid and within close proximity of the shop and 57 are not considered to be within the vicinity.

Please note that page 20 of this bundle is page 1 of the resident petition.

From: hakhtaruk@hotmail.co.uk
To: ktuckey@eppingforestdc.gov.uk; nglasscock@eppingforestdc.gov.uk
CC: sian.fordham@essex.gov.uk
Subject: Licensing Application by Rana Fida Anwar, Metro Superstore Ltd.
Date: Tues, 26 Oct 2010 15:18:26 +0000

11.11/E
27

**Nicki Glasscock,
Licensing Officer**


Application is to be considered by the Committee on 2.11.10

Dear Nicki Glasscock,

Re. Licensing Application by Rana Fida Anwar, Metro Superstore Ltd.
785 Chigwell Road, Chigwell. IG8 8 AU.

We write to confirm that we have come to an agreement with the Safeguarding Support Officer, Children's Safeguarding Service, Essex County Council on 25th October, 2010 to amend the application to include the following measures:

- The "Challenge 25" scheme has been adopted to ensure that alcohol will not be sold on the premises to those under the age of 18 years. Only approved proof of age identification will be accepted which shows their photograph, their date of birth and a holographic mark; such as a passport, photo driving licence and a pass accredited card.
- Staff training for the implementation of the Challenge 25 policy will be carried out regularly, training records will be kept for at least 12 months and compliance will be monitored within the store.
- Details of any sale of alcohol that has been refused will be kept in refusals log book.


Rana Fida Anwar
Metro Superstore Ltd.
785 Chigwell Road,
Chigwell. IG8 8 AU.

From: hakhtaruk@hotmail.co.uk
To: simon.fisher@essex.pnn.police.uk
Cc: nglasscock@eppingforestdc.gov.uk
Subject: Licensing Application by Rana Fida Anwar, Metro Superstore Ltd.
Date: Mon, 25 Oct 2010 09:39:44 +0000

1/2/F
28

Simon Fisher,
Licensing Unity,
Epping Police Station,
High Street,
Epping.
Essex.

Urgent

25th October, 2010

Application to be heard by the Committee on 2.11.10

By email to .pnn.police.uk
By fax to: 01279-625440

Dear Sirs,

Re: **Licensing Application by Rana Fida Anwar, Metro Superstore Ltd.
785 Chigwell Road, Chigwell. IG8 8 AU.**

In your letter of 21st September, 2010 to Licensing Department of Epping Forest District Council, you have stated that the Police would resist the application on a number of grounds supported by evidence but your letter does not provide any hard evidence at all.

We would be grateful if you could supply us with the following information by email and attachments if necessary urgently:-

1. The above store was first opened on 20.2.10. Please state since then:-
 - (i) the number of prosecutions carried out
 - (ii) cautions given
 - (iii) warnings issued and
 - (iv) friendly advice given and to whom

against this store on grounds that it sold alcohol to under age children or by its action contributed to anti social behaviour ?

2. Number of anti social behaviour complaints received during the same period directly attributed to the named store ?

3. Do you accept that at 783 Chigwell Road there is Pizza Restaurant and take away, which also has a license to sell all types of alcohol and has seating arrangements out side while the store has no such seating arrangements ?

4. Do you accept that the present applicant has no relations or connections whatsoever with the earlier license holder namely Khawaja Owais Iqbal of S A London Ltd.?

Thank you for your help.

Yours faithfully,
H. Akhtar for
Metro Superstore, Ltd.