

## MEMORANDUM OF AGREEMENT

The following memorandum of agreement is made between Crawley Borough Council (“the Council”) in its capacity as the relevant licensing authority as responsible authority who has applied for a review under the Licensing Act 2003 (“the Act”) and the premises licence holder Mr Lufti Neza of [REDACTED] (“the parties”), in respect of the premises licence in effect under the Act for the premises known as Mon Ami Crawley, West Sussex RH10 7QH (“the premises”).

A Premises Licence in respect of the above was applied for on 08/08/23 and granted on 07/10/23 following negotiations with Sussex Police and licence conditions agreed with them, The licence was issued on 07/10/23, specifying Ergon Neja as the Premise Licence Holder and Designated Premises Supervisor.

On 30/11/23, an application to vary the premises licence was lodged by the then premises licence holder and Designated Premises Supervisor ("DPS") Mr Ergon Neja. The Council as Licensing Authority and a Responsible Authority filed a written representation in respect of the application to vary the premises licence. .

During the consultation period in relation to the variation application, and due to on-going issues at the premises regarding alleged breaches of licence conditions and smoke-free legislation, the Council as Licensing Authority and a Responsible Authority filed an application to Review the premises licence under the Act. The full circumstances leading to the application to review the licence are contained in the supporting documentation submitted with the application for Review.

Following some initial discussions between the Council and Lufti Neza, the premises owner, Mr Neza applied for the premises licence to be transferred to him and that he be specified as the DPS on the licence. This action was taken to start to address the Council’s concerns regarding confidence in management, and alleged licence breaches and offences under the smoke-free regulations. These changes took effect on 27/01/24..

It is noted that the premises voluntarily closed on or near 09/01/24 and remains closed at the time of preparing this Memorandum of Agreement. The licence holder, Mr Lfti Neza via his Licensing Consultant has informed the Council that he intends that it shall remain closed such until the proposed conditions set out below have been implemented by him.

On 10/01/24, Mr Noel Samaroo, Licensing Consultant, acting on behalf of the premises owner Mr Lufti Neza, met with Ms Kareen Plympton, Health Safety and Licensing Manager, and Mr Warren Jones, Senior Licensing Officer. The purpose of the meeting was to discuss the outstanding representation by the Council as Licensing Authority to the licence variation and the pending application for Review of the premises licence.

In consequence of that meeting, the parties agree as follows:

1. That the following amendments be made to the premises licence:
  - a. To modify existing condition in Annex 2 Condition 2 requiring those wishing to consume alcohol on the premises to read:

*The sale, supply, and consumption of all beverages (including alcohol) on the premises, shall be restricted to patrons seated at tables, service will be by waiter/ess only.*

- b. To add the following condition:

*There is to be no Vertical drinking permitted, food will be available throughout the time that alcohol is being served.*

- c. *There shall be no smoking nor use of smoking-related products, including shisha, in any part of the premises at any time. All types of smoking paraphernalia including shisha pipes and associated products must be removed from the premises prior to the recommencement of trading, and in any event by 15/01/24.*

- d. *Mr Egzon Nezaj, former Designated Premises Licence Holder and Premises Licence Holder, will not be involved in the operation of premises in any capacity, nor will he be on the premises whilst any licensable activity is taking place.*
- e. *Written evidence is to be provided to the Council to demonstrate that all prior to the recommencement of trading, all staff members have been re-trained in the Licensing Act 2003 and requirements of the premises licence, including premises licence conditions. This evidence must be provided to the Council no later than 14/02/24*
- f. *No persons under the age of 18 shall be permitted on the premises after 2100 hours or before 0700 hours.*
2. That the parties will present this memorandum of agreement to the Crawley Borough Council Licensing Sub-Committee in readiness for the hearing of the application for review on 12/02/24 with the joint invitation that the agreement set out herein be implemented by the Sub Committee as its determination of the application for review.

Dated the 01/FEB/2024

Signature:  

Name: MR LUTFI REZA / NOEL A. SAMAROU  
(Premises Licence Holder / Duly Authorised Agent)

Signature: Karen Plympton, Health, Safety and Licensing Manager Date 01/02/24

Name: Karen Plympton

(For/on behalf of Crawley Borough Council – As Licensing Authority and applicant for a review of the premises licence)