

What's terrorism got to do with my business?

By Graeme Ingate,
Surrey Police Counter Terrorism Security Advisor

IT'S A VERY good question and one many may not have considered among all the other pressing issues SMEs have to deal with. Why would international terrorists be interested in your business? The answer is, of course, they are not – unless you are an iconic business or the service you supply is essential to keeping UK PLC running.

But before you stop reading, consider the current threat level to the UK, which stands at severe.

The methodology of international terrorists is to attack crowded places, those places where many of your businesses are located.

Evidence from major terrorist events in the UK demonstrates that businesses that have not prepared for this eventuality do not survive. Your business may not be directly affected, but if the area is sealed off for weeks during

investigation and clear up, how are you going to work?

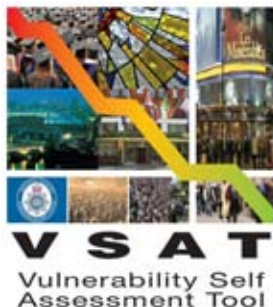
You need to consider the issues if your records are destroyed or are inaccessible. If you cannot serve your clients they will take their business elsewhere. If your

business is in a rural location or your back garden you still need to consider what would happen if your suppliers or clients are directly affected.

The National Counter Terrorism Security Office has devised an online Vulnerability Self Assessment Tool (VSAT) in conjunc-

tion with the business community to provide a free service to SMEs. The confidential assessment will identify your vulnerability to terrorism and signpost you to potential solutions and best practice.

For more information e-mail ctsa@surrey.pnn.police.uk or visit the website and follow the link to Counter Terrorism.



Working from home can be hard work

By Dawn O'Leary, Davis Burton Sellek

THERE ARE several reasons people set up their own businesses. It's not always about the money, it can be a lifestyle choice such as having more family time, creating a better work life balance, fitting in the school run and so on.

Unsurprisingly, we have seen a sharp increase in those choosing to start their own business from home, often in tandem with a full time job, providing a financial cushion in these uncertain times.

However, running a business from home isn't for everyone – it actually requires a lot of self-discipline and hard work. Work and home life can become blurred and the novelty of spending the day in your pyjamas soon wears off.

Before embarking on home office working, weigh up the facts. Are you self-motivated and able to work without professional interaction? How disciplined are you? Some people just can't work on their own – they need a gentle nudge to get the task done. Do you know when to put down your iphone or blackberry and call it a day?

Once you're confident home working is for you, then set up a professional work area. Have a real office and a desk, not just a corner of the kitchen. Having a separate room makes it easier to go home at the end of the day.

Invest in high speed internet, a good quality printer, monitor and PC with data recovery back up. Good lighting and ergonomic seating is important too.

Get out and stay in touch. Meet people to avoid losing external focus.

Oh yes, and get yourself a good accountant. We not only provide hands-on professional guidance, but actively encourage clients to work out of the DBS offices whenever they need a change of scene.

www.surrey.police.uk

www.davisburtonsellek.com

PLAIN SPEAKING LEGAL ADVICE

Unilateral undertakings and appeals

(Millgate Developments Ltd, R v Wokingham Borough Council 2011)

We are receiving a number of calls from clients in relation to this decision, and how it affects their own development proposals and submission of unilateral undertakings.

To recap the facts of this case, Millgate were refused planning for 14 homes and one of the reasons for the refusal was failing to provide satisfactory provision for local amenities. The council states this could be overcome by an undertaking to pay £170,500.

In submitting the appeal Millgate submitted a unilateral undertaking to pay this amount on commencement of the development. Millgate won the

appeal, but in making his decision the Inspector stated the council had not provided anything to show that the contribution was necessary.

In light of the Inspector's comments Millgate asked Wokingham to discharge the unilateral undertaking. Wokingham refused.

The Court held that the undertaking was voluntary and conditional only on the grant of planning and commencement of development. It was not conditional upon an Inspector finding the undertaking unnecessary. So Millgate still needed to comply with the undertaking even if it was not necessary.

The decision highlights that it is worth considering on an appeal to include provision as a precondition that the undertaking should only take effect if the Inspector deems the undertaking necessary to make the development acceptable.

Consideration should also be given as to whether a draft undertaking should be submitted to the Inspector which is only executed following the request of the Inspector.

If you would like to discuss any issues raised in this article contact our property team at commercialproperty@herrington-carmichael.com

www.surrey-chambers.co.uk/plain_speaking_legal_advice.php