



## Running a Business from Home Policy

<b>Policy Name</b>	Running a Business from Home Policy		
<b>Policy Ref</b>	HM		
<b>Review Date</b>	November 2024		
<b>Next Review Date</b>	November 2029		
<b>Committee</b>	Service Delivery Sub Committee		
<b>Author</b>	Linlay Anderson		
<b>Internal Policy</b>		<b>To be published</b>	X

	<b>Outcomes</b>
This policy has been developed with reference to The Scottish Social Housing Charter	1 Equalities, 2 Communication and 11 Tenancy sustainment

<b>Written By</b>	Linlay Anderson
<b>Department</b>	Housing Management

<b>Approval Date by Committee</b>	
-----------------------------------	--

<b>Notes</b>  Policy drawn up with reference to:  Housing (Scotland) Act 2001  Policy Last approved 10 December 2014
--

**ANGUS HOUSING ASSOCIATION LIMITED**  
**POLICY RUNNING A BUSINESS FROM HOME**

**1.0 Statement of Intent**

- 1.1 The purpose of this policy is to outline the criteria by which the Association will assess any application to carry out a business from one of the Association's properties.

**2.0 Application to Carry Out a Business**

- 2.1 An application to carry out a business in any Angus Housing Association property must be made in writing with all relevant details on the nature, type and extent of the business proposed to be undertaken and any aspects that may influence the assessment criteria at 3.0 below. Forms will be made available online, at reception or upon request.
- 2.2 An acknowledgement will be sent to the applicant within 5 days of receipt of the written application.

**3.0 Assessment Criteria**

- 3.1 When assessing an application, the following criteria will be applied although this list is not exhaustive and may depend on additional, specific locality circumstances:
- Whether or not the property is suitable for the nature, type and extent of the business applied for or will need to be altered.
  - Whether or not any third-party liability insurance will be required.
  - Whether or not any registration is required by any statutory or professional bodies.
  - Whether or not there is a potential for any kind of nuisance or annoyance to neighbours, occupiers or residents within the locality of the property.
  - Whether or not there is likely to be any title conditions or planning implications.
  - Whether or not there is any health or safety issues related to the business applied for.
  - Whether or not the business will be liable for business rates.

#### **4.0 Decision on an Application**

4.1 A decision will be made by the Housing Manager as to whether permission will be given to carry out a business from the property and given to the applicant in writing within 28 days of their application indicating one of the following decisions:

- Unconditional approval
- Approval with conditions
- Approval refused with reasons

#### **5.0 Appeals Process Where Permission is Refused**

5.1 Any appeal on a decision where permission is refused must be made to the Housing Manager in the first instance. Where the Housing Manager upholds the original decision, the tenant can pursue any further grievance through Angus Housing Association's Complaints Procedure.

5.2 In instances where Angus Housing Association refuses to give a tenant permission to run a business from their home, the tenant has a legal right to raise a summary application in the Sheriff Court in order that the Sheriff may decide as to whether the terms of the tenancy may be varied in order to allow the running of a business.

#### **6.0 The Role of the Housing Management Department**

The recording of applications to run a business from an Angus Housing Association property is the responsibility of the Housing Assistants. The appropriate Housing Officer is responsible for the processing of all applications to run a business.

#### **7.0 Equalities**

In developing and implementing policies covering all aspects of our work, Angus Housing Association will ensure that our strong principles and commitment to equality of opportunity are evident. In line with the Housing (Scotland) Act 2001 the Association operates in a manner

which encourages equal opportunities and observes the equal opportunity requirements described in Section 106 of the Act. The Association also takes account of all applicable legislation, including the Equality Act 2010 and relevant Codes of Practice issued by the Equality and Human Rights Commission.

Our Policy recognises the protected characteristics as defined by the Equalities Act

- |   |   |
|---|---|
| <input type="checkbox"/> Age                            | <input type="checkbox"/> Race               |
| <input type="checkbox"/> Disability                     | <input type="checkbox"/> Religion or belief |
| <input type="checkbox"/> Gender reassignment            | <input type="checkbox"/> Gender             |
| <input type="checkbox"/> Marriage and civil partnership | <input type="checkbox"/> Sexual orientation |
| <input type="checkbox"/> Pregnancy and maternity        |   |

In line with this commitment to equal opportunities, this policy and any summary or information leaflet can be made available free of charge in a variety of formats including large print, translated into another language or on audio tape.

## **8.0 Review**

This policy will be reviewed 5 years from the date of implementation, which will be the date the policy is approved by the Committee of Management or earlier if deemed appropriate.