



















10. I/we confirm that if **connected** with the tenant, I/we will fully state this at the outset and subsequently ensure an independent market rental valuation is obtained, dated within 6 months of the lease start date. I/we will adhere to the values stated in the valuation report and will ensure all **connected** transactions will be done on an **arm's length** basis.
11. I/we acknowledge that, in the event of the lease not completing for any reason, all costs incurred up to the point that **BW SIPP LLP** and any third party providers receive notification of the cancellation, will be met from my/our **SIPP** funds. Third party fees (e.g. panel solicitor) will be settled by the relevant **SIPP** fund(s), in proportion to all co-owners.
12. I/we acknowledge that, unless I/we have made separate arrangements with the prior approval of **BW SIPP LLP, BW SIPP LLP** will arrange for the property to be insured and that **BW SIPP LLP** will be entitled to retain any commission it is paid in respect of the property insurance policy, as notified.
13. I/we indemnify **BW SIPP LLP** and **BW SIPP Trustees Limited** against all costs, expenses, fees, losses or liability incurred by either or both of them in relation to the management and holding of the property. If any such costs, expenses, fees, losses or liability occur, I/we understand these will be payable to **Barnett Waddingham** either from funds in my/our **SIPP(s)** or if insufficient funds are held within that **SIPP(s)**, I/we agree to meet them from personal funds outside of my/our **SIPP(s)** which I/we shall transfer to **Barnett Waddingham** immediately on request.
14. I/we acknowledge that **BW SIPP LLP** and **BW SIPP Trustees Limited** do not monitor the property on an ongoing basis and that it is my/our responsibility to do so.
15. I/we accept responsibility for arranging for landlord's insurance to be put in place on the property in accordance with the minimum requirements as detailed in **Barnett Waddingham's** "Property Guide". I/we also accept that, if I/we fail to arrange adequate cover the **trustee** and/or **operator** reserve the right to arrange cover under their block insurance policy at the expense of my/our **Barnett Waddingham SIPP**.
16. I am/we are aware that the **trustee** reserves the right to appoint a surveyor or property manager to act on its behalf to ensure that the pension scheme fully complies with its duties and obligations as landlord of the property, if they consider this necessary. The fees for such a surveyor or property manager will be met from my/our **Barnett Waddingham SIPP**.
17. I/we confirm that **BW SIPP Trustees Limited** shall have no personal liability under any covenants or obligations on its part contained in any documentation, whether expressed or implied, related to the property and the liabilities of **BW SIPP Trustees Limited** shall be limited to the value of the assets of the **SIPP(s)** at any given time.
18. I/we have read the guidance note at the start of this application and have had the opportunity to raise any questions or concerns regarding the tax penalties that could arise in respect of the lease and/or property investment if certain changes are made to it. I accordingly agree to keep **BW SIPP LLP** informed of any proposed changes to my/our **SIPP** property investment, prior to any such changes being made. Such changes include, but are not limited to, a change of tenancy, change of use permission and any development or building work to be carried out at the property.
19. I/we declare that every statement made in this Questionnaire is to the best of my/our knowledge and belief true and complete and that I/we have not knowingly withheld any information in relation to this property or this transaction. I/we accept full responsibility for the accuracy and completeness of the information provided.

To be signed by all participating **members** as agreement of the above (duplicate if necessary):

Signed: .....

Signed: .....

Print name: .....

Print name: .....

Date: .....

Date: .....

Signed: .....

Signed: .....

Print name: .....

Print name: .....

Date: .....

Date: .....

Signed: .....

Signed: .....

Print name: .....

Print name: .....

Date: .....

Date: .....

## Panel solicitors

Our options for leasing a property with your SIPP have been designed to be as flexible and streamlined as possible. As part of these options, our panel of solicitors has been carefully selected for their experience of dealing with property transactions within a pension scheme environment and we have a choice of solicitors for transactions across Scotland, Northern Ireland or England and Wales. The costs for carrying out this work will be agreed in advance on a case by case basis.

We have worked closely with these companies to put in place streamlined processes for their appointment and ongoing transactions. Please see below for further details on each of our panel partners.

### Birketts

Birketts LLP is a long established and highly successful law firm, holding a place in the Lawyer's Top 100 UK law firms and recognised in the industry's leading independent directories as a top tier regional heavyweight. With a total headcount of 530 it is large enough to provide specialist skills in most areas of law but small enough to maintain a highly personalised service.

Birketts' property team is one of the best regarded in the east of England, serving clients nationwide and is noted in Chambers as being "the strongest property team in East Anglia".

It comprises around 100 specialists dealing with all types of commercial property transactions, supported by colleagues with construction, planning and commercial expertise. The depth and range of expertise means the team can work together on major and complex transactions on cost effective terms and also deal with high volume and bulk transactions.

Birketts' specialist and dedicated SIPP and SSAS property team is led by Oliver Crichton and deals with all elements of commercial property transactions involving SIPPs and SSASs to include acquisitions, disposals, leases and mortgages.

Collectively our dedicated team of five fee earners have over 30 years' experience of working within the SIPP industry. This gives them a full understanding of the regulations faced by our clients and also their day to day challenges. Birketts pride themselves in delivering high quality levels of expert service and providing their clients with true value for money.



**CRS**  
CharlesRussell  
Speechlys

Formed in 2014 by the merger of Charles Russell and Speechly Bircham, their aim is to be the leading English law firm combining specialist business law and private wealth advice internationally.

Charles Russell Speechlys LLP provide transactional, regulatory, advisory and litigation & dispute resolution services to major corporates and privately owned businesses. They have significant strength in real estate and construction, transactional expertise across financial services and specialist litigation and dispute resolution, employment, intellectual property and commercial teams advising in healthcare, retail and leisure, sport and TMT.

At the heart of the new firm is their commitment to private wealth. The merger reinforces their ability to provide a seamless service for wealthy individuals, family offices, private banks, trustees and wealth managers and large, privately held businesses, combining advisory skills, developed in the world of private wealth, with their business law expertise.



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Whatever the specialism, all their lawyers are focussed on delivering solutions and personal guidance supported by legal insight and commercial judgment.

Charles Russell Speechlys LLP work with several leading SIPP and SSAS trustees in relation to all aspects of commercial property, pensions, corporate and litigation advice.



A leading business law firm, DWF is dedicated to offering robust legal advice rooted in specialised sector expertise. This approach enables them to understand the issues, anticipate obstacles and help their clients successfully negotiate the particular challenges of their business landscape. With DWF you will get a dedicated team with current, relevant experience and lawyers with a pragmatic approach and enthusiasm for delivering the highest quality service, and ensuring the right solutions are delivered to meet your objectives.

DWF has one of the largest commercial real estate practices in the UK with the capacity to provide a wide range of property services. Combine this with their extensive sector knowledge and the result is a commercially focused approach to real estate matters, backed up with excellent service.

DWF are available for work in England & Wales and in Scotland. Their experienced team is approachable and easy to work with and, wherever appropriate, they can call on expertise from colleagues in other disciplines to help you get the best results. This includes one of the UK's most well thought of pensions teams who have worked together for decades to build one of the most respected reputations in this field.

DWF's property and pensions teams work together to provide a fully integrated property service to a range of pension providers/Trustees and funders. Working together the teams secure for their clients efficient and compliant investment with appropriate risk control.

Experience includes advising a number of SIPP providers on property investment and management matters. This includes more complex transactions involving multiple SIPP members or third parties, and they have experience in drafting precedent documents for use in SIPP transactions and in providing advice to SIPP providers in relation to their internal processes.

## gunnercooke

gunnercooke is an award-winning full service law firm, founded in 2010, to challenge, improve and evolve the way that legal services are delivered. At present, we are more than 225 expert partners, operating nationally and internationally via offices and hubs. In November 2018, we were delighted to be named Large Law Firm of the Year at The Law Society Excellence awards, in recognition of the services we deliver to our clients.

Our Real Estate team comprises some of the most senior advisors in the market. We work with developers, traders, corporate occupiers, investors and investment funds and lenders, and there are few scenarios that our team will not have encountered. We take a commercial approach, taking time at the outset to understand our clients' objectives and timescales, and to meet them on time and within budget.

Our aim is to develop a long-term relationship with each of our clients and to become a trusted advisor. In fact, our clients have rated us with an NPS score of +84, placing us at the highest end of global law companies in recognition of excellent client service.

The Real Estate team have worked closely with some of the largest SIPP and SSAS providers advising on all aspects of property matters including co-ownership structures

## +McKees

Their Pension Property team is led by Andrea McCann, who has 20 years experience working in SIPP and SSAS commercial property work. Their team acts for a number of leading SIPP and SSAS providers in the UK for their Northern Ireland property portfolios either on an exclusive panel appointment or a preferred recommended solicitor basis. They are proud of their working relationship with their SIPP and SSAS provider clients, IFAs and members. Their team can also offer finance and lending support, being a panel firm for all local banks.

Their expertise includes commercial property purchases and sales, in-specie transfers, leases and lease renewals, property litigation including rent arrears and unauthorised payments, SIPP and SSAS lending and loan back schemes.



**MORTON  
FRASER**  
**SOLICITORS**

Morton Fraser has its own dedicated Property in Pensions team, one of the largest of its kind in the country which acts for a large number of SIPP, SSAS and other pension providers, structures and arrangements throughout the United Kingdom and has extensive experience in this field built up over many years.

The Property in Pensions team acts in all types of pension real estate transactions, from all aspects of property acquisition, management, leasing and disposal to funding/security models and also in relation to syndication and multi member arrangements.

Morton Fraser completes hundreds of SIPP/SSAS transactions every year delivering clear technical advice and keeping to agreed fee levels and timescales to meet the requirements of each client.

Morton Fraser is a thriving, top ten Scottish law firm delivering clear advice to businesses, the public sector, individuals and families. With over 260 people working with us, we provide highly rated legal services across the UK. Our people work from our three offices in Edinburgh, Glasgow and London advising clients throughout the UK as well as internationally.

The firm has one of the country's top rated Commercial Real Estate Divisions covering all aspects of commercial real estate work and servicing all client requirements in this sector from its bases.

## SDM

Shean Dickson Merrick solicitors are an established commercial and private client firm in practice for over one hundred years. Based in the heart of Belfast city centre, they cover the whole of Northern Ireland. They have acted for a number of large pension providers, resulting in a known reputation in the pension property field and close ties with financial advisors in the province. They are often the first port of call to assist with queries or unusual cases.

All cases are handled by one of the directors in the firm, who have vast experience in this field, to include property acquisitions (both SIPP and SSAS), securitisation of property, leases and multi member agreements. They are more than happy to have initial contact with prospective members up front, which can often provide clarification and assistance at an early stage.



**BARNETT  
WADDINGHAM**  
beyond the expected

If you would like to discuss anything relating to this property sale please contact your usual Barnett Waddingham client manager, or:



0344 443 0100



propertyteam@bwsipp.co.uk

[www.barnett-waddingham.co.uk/sip](http://www.barnett-waddingham.co.uk/sip)

March 2021

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Barnett Waddingham LLP is a body corporate with members to whom we refer as "partners". A list of members can be inspected at the registered office. Barnett Waddingham LLP (OC307678), BW SIPP LLP (OC322417), and Barnett Waddingham Actuaries and Consultants Limited (06498431) are registered in England and Wales with their registered office at 2 London Wall Place, London, EC2Y 5AU.

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