

**PROCEDURE AND INFORMATION FOR A DEED OF SURRENDER WHERE THE TITLE IS  
HELD BY THE SCOUT ASSOCIATION TRUST CORPORATION AS A CUSTODIAN  
TRUSTEE**

**Deed of Surrender**

A deed of surrender is a consensual arrangement between the landlord and the tenant that brings the lease to an end and returns the property to the landlord.

**Surrendering the Lease with SATC Board Approval**

In order for SATC to enter into a deed of surrender on behalf of the scout unit the matter must be placed before the SATC Board of Trustees (SATC Board) for approval. This is usually done on the first Friday of each month and will normally be processed within a matter of days. Unless any particular questions arise, the SATC Board will normally approve the request.

Before the matter can be placed before the SATC Board for approval, we will require the following:

**(a) Letter of Request**

The completed letter of request which must be formatted and signed accordingly. The letter is necessary to confirm the scout unit's executive committee has passed a formal resolution to surrender the existing lease; and confirms that the executive committee of the scout unit agree that they will be responsible for the compliance with the terms of the deed of surrender.

Once the letter of request has been completed please return the hard copy to the following address:

The Scout Association Trust Corporation  
Gilwell Park  
Chingford  
London  
E4 7QW

**(b) Background information**

This should comprise brief background information as to why the lease is being surrendered and how the proceeds from surrender (if any) will be used.

**(C) Draft Deed of Surrender**

Copy draft deed of surrender with our standard clauses included (more information is provided below)

The information described at (b) and (c) can be sent by email to [trust.corporation@scouts.org.uk](mailto:trust.corporation@scouts.org.uk) clearly stating the group name and address of the property.

**(D) Group Information Form**

The completed Group Information Form that has been provided.

### **Obtaining a satisfactory Section 119 Report (formerly called a Section 36 Report)**

If a scout unit surrenders their lease, it will be considered a disposal of a charitable interest in land under the Charities Act 2011. The scout unit will therefore be required to obtain a satisfactory Section 119 Report, unless the disposition falls within s117(3)-(4) of the Charities Act 2011.

The Scout Unit will need to instruct a Designated Advisor to produce the report and will also need to pay the any fee. The report is necessary to confirm that the proposed transaction is in the best interests of the scout unit and must be prepared in accordance with The Charities (Dispositions of Land: Designated Advisers and Reports) Regulations 2023 which we have provided and which you should pass to the Designated Advisor that will prepare the report. The report must address all of the points in these regulations. Where the Designated Advisor is unable to comply with a point, they must explain their reasons for being unable to do so.

Please note, this report is a legal requirement (as opposed to SATC) in all cases of a formal disposal of a charitable interest in land with the only real exception applicable being where the land is being disposed of to another 'like' charity.

### **SATC Administration Fee – payable by the Scout unit**

Once the board has approved a request, the Scout unit will be required to pay an administration fee of £500 plus VAT (reduced to £450 plus VAT if premises insured via Unity). We will request the administration fee as and when it becomes due. Payment can be made by cheque or bank transfer. Cheques should be made payable to The Scout Association and bank details will be provided upon request.

### **Designated Advisor and Legal Fees**

The Scout Unit is responsible for any legal or Designated Advisor fees that arise in respect of a matter.

### **Standard SATC Clauses**

These must be included in the deed of surrender and have been provided in a separate document.

### **SDLT Form**

If an SDLT form is required then this should be submitted by and on behalf of your Scout Unit as the beneficial owner.

### **Land Registry**

The deed of surrender will have to be registered at the Land Registry. This is not a service that we provide. We strongly suggest that you instruct a solicitor to do this for you as the process is complicated (more information in relation to solicitors is provided below).

### **Role of the Legal Department, Legal Advice and Representation**

As well as acting as solicitor for TSA and SATC, we also provide general legal advice to members. Due to a potential conflict of interest, and the legal department's capacity, advice can only be general and more specific legal advice in relation to particular circumstances would have to be provided by a separate solicitor. In view of the charitable nature of The Scouts, and because the movement is largely run by volunteers, it would not be unusual for a solicitor to act for free on a pro bono basis. In respect of a deed of surrender, we would strongly advise a unit to obtain legal advice and representation as they can be complicated and in some instances there is a degree of risk.

If you have any questions please do not hesitate to contact us otherwise, if you wish to appoint SATC, we look forward to receiving the required items detailed in this procedure.