

## EASEMENTS

The order that you have placed with Southern Gas Networks PLC (“Southern Gas”) requires an easement. Southern Gas will not complete your order, and undertake works, until the easement is in place. As such Southern Gas recommends that you review the following information before instructing Southern Gas to proceed with your order.

### What is an easement and how is it created?

An easement is a right that allows Southern Gas to enter onto land to install, inspect and maintain gas infrastructure. An easement is made when Southern Gas, and the landowner(s) affected by the proposed gas infrastructure, enter into a legal agreement known as a Deed of Grant. An easement, created by a Deed of Grant, can be registered with HM Land Registry and the terms contained in the same will bind both the landowner(s) that granted it as well as its/their successors.

A Deed of Grant will also contain restrictions that prevent the landowner(s) affected by the proposed gas infrastructure from carrying out any activity that might cause damage to same.

- **When is an easement required?** The installation of any size and pressure tier mains pipework in land that does not belong to you (third party pipework).
- The installation of any intermediate or medium pressure service pipework, or any low-pressure service pipework that is greater than 63mm in diameter in land that does not belong to you (third party service pipework).
- The installation of any size and pressure tier mains pipework in land that belongs to you (onsite mains pipework).
- Any size and pressure tier mains or service pipework that is being installed in land that is owned by particular bodies (such as Network Rail, the Ministry of Defence, the National Trust, or the Church Commissioners).

Please note that Southern Gas may, in some unusual, unforeseen or exceptional circumstances that do not fall within those categories detailed above, also require an easement.

### How long will an easement take?

The Deed of Grant, being the legal agreement that creates the easement, is negotiated by Southern Gas’ Legal Team and the legal representative(s) acting for the landowner(s). Such negotiations take time and can lead to delays to those works associated with the order that you have placed with Southern Gas. You can help Southern Gas with these negotiations by doing the following:

- Ensuring that you provide Southern Gas with accurate information (such as the contact details for the legal representative action for the landowner(s)).
- Ensuring that you legal representatives engage and respond to correspondence issued by Southern Gas’ Legal Team in a timely fashion.
- Ensuring that any third-party landowner(s), and their legal representatives, engage and respond to correspondence issued by Southern Gas’ Legal Team in a timely fashion.
- Limiting the changes that your, and/or a third-party landowner’s, legal representative(s) make to the draft Deed of Grant.

You should also be aware that Delays can be caused by:

- When information obtained from HM Land Registry does not correspond with the information that you provide, and which relates to the ownership of the land.
- Situations where the proposed works will affect land that is charged to a bank.
- When the landowner, or the landowner’s legal representative(s), fail to engage with Southern Gas’ Legal Team.
- Situations involving the installation of other utilities and services in the same area of land through/under which Southern Gas intend to install gas infrastructure.
- By land agents acting for you and/or third-party landowners.

**I own the land affected by the proposed gas infrastructure, so an easement is not required**

Southern Gas will still require an easement in those cases involving the installation of gas infrastructure in land that you own. This type of easement is called an 'On-Site Easement' and will provide Southern Gas with a right to enter your land to install the gas infrastructure and then carry out any maintenance and/or repair works to the same (if required). It will also secure these rights for Southern Gas' benefit if you should ever decide to sell your land to a third-party.

**I have an existing easement, I'm covered?**

If Southern Gas is not included as party to an existing Deed of Grant, then it cannot rely on or enforce any easement and/or restrictions contained in the same. As such Southern Gas will insist on a new Deed of Grant. Furthermore, an existing Deed of Grant is unlikely to be sufficient given that it is unlikely to have created an easement that provides Southern Gas with all that it requires to operate and manage the gas infrastructure correctly. An existing Deed of Grant is also unlikely to be sufficient as the easement created will usually apply only to specific and existing gas infrastructure and not to any new gas infrastructure.

**An easement was not required previously, why now?**

The requirements, or circumstances, for your order may have changed since you placed your order. These changes might mean that Southern Gas requires an easement. Some examples of the types of changes that will necessitate an easement can include: (1) Southern Gas now must install mains, rather than service pipework in land that does not belong to you or (2) Southern Gas now has to install mains pipework in land that belongs to a third party which was previously designated as being a public highway.

**Who should I contact for an update on the progress being made in obtaining an Onsite Easement?**

If you should require an update, in relation to the progress that is being made in obtaining an on-site easement, then you should first contact your legal representative before you contact Southern Gas.