



# WEBSITE GUIDE TO SERVITUDES

## What is a servitude?

A servitude is a legally binding agreement between SGN and the landowner to allow us to lay down, construct, use, replace, renew, inspect and maintain a gas pipeline and other apparatus for the transmission or storage of gas or other ancillary materials in the future. The servitude stipulates what work can and can't be done on the land in question and restricts activities above and around the pipeline. It's also to allow us future access to the pipe for any maintenance or emergency work that may be required. A Deed of Servitude will be registered against the landowner's title deeds at the Land Register of Scotland. We usually require a servitude when a mains pipe is being installed in private land, although there are some other service installations that would also need one. **Please be aware that negotiating servitudes can be very time consuming and may delay the process.**

## A servitude will be required for:

- All mains pipework in third party/shared land (all pressure tiers)
- Any intermediate/medium pressure services or low pressure services greater than 63mm in third party land
- Any mains pipework in private land even when owned by the customer, except when laid wholly within permanent footpaths and/or road/driveway
- Any mains laid through private car parking bays
- Any pipe in certain types of land (eg Network Rail, MOD, National Trust or Church Commissioners)
- Other exceptional circumstances when we deem a servitude is required

## How long will a servitude take?

Because the servitude process is a negotiation between solicitors, we're unable to give accurate lead times. It can generally take up to 6 weeks, but will vary for every job.

To ensure the servitude is agreed as quickly as possible, you should:

- Ensure your solicitor/third party land owner is aware of the urgency and will respond to correspondence as quickly as possible
- Be aware that any changes to the draft servitude proposed by our legal team may delay the process further
- Provide an email address for the proposed solicitor, as some stages of the process can be carried out this way

Delays can be caused by:

- The land ownership result from the Land Register not matching the details you provided
- Us needing consent from the lender if money is owed on the land (eg a mortgage)
- Slow responses from the land owner/solicitor
- Other servitudes being required (eg there are electricity cables on the same site)
- A land agent being involved as this tends to extend the negotiation process

## I own the land so a servitude isn't required

We would still require a servitude if you own the land. This is called an on-site servitude and ensures that we continue to have the right for the pipe and ensures successive proprietors are aware of it if the land is sold on.

## Am I covered by my existing servitude?

An existing servitude won't always cover any additional pipe work on the same site and SGN may not be able to rely on the rights given that they're not a party to that servitude. The servitude will refer to a specific pipe and its location, so additional mains/services may require a new servitude.