

August 2022

Variation of Independent Water Networks' appointment to include Stearn Land, Clipstone Park

Variation of Independent Water Networks Limited's appointment to include Stearn Land, Clipstone Park

On 15 June 2022, Ofwat began a [consultation](#) on a proposal to vary Independent Water Networks Limited's ("**Independent Water Networks**") appointment to become the water and sewerage services provider for a development in Anglian Water Services Limited's ("**Anglian Water**") water supply area and sewerage services area called Stearn Land, Clipstone Park ("**the Site**"). Details of the application and our assessment of it were set out in the consultation document.

The consultation ended on 13 July 2022. During the consultation period, we received representations from three organisations, which are summarised in Section 1 of this document.

We will only make an appointment or variation if our assessment concludes that the application meets the criterion it has been made under; that customers or future customers on the site will be no worse off than if the site had been served by the existing appointee; and if the applicant will be able to finance the proper carrying out of its functions as a water and/or sewerage company. As set out in our consultation we are satisfied this is the case. The responses we have received to the consultation have not changed that view.

Having assessed Independent Water Networks' application and having taken account of the responses we received to our consultation, we decided to grant a variation to Independent Water Networks' area of appointment to allow it to serve the Site for water and sewerage services. This appointment became effective on 16 August 2022.

The Site Maps for the variation can be found in Section 2 of this document.

The Variation Notice legally making the variation can be found in Section 3 of this document.

1. Responses received to the consultation

We received responses to our consultation from three organisations: the Consumer Council for Water (“**CCW**”), Central Bedfordshire Council, and the Environment Agency. We considered these responses before making the decision to vary Independent Water Networks' appointment.

Central Bedfordshire Council and the Environment Agency had no comments to make with regard to this consultation and did not have any objections. Details of CCW's response are set out below.

CCW

CCW no longer provides individual responses to specific NAV site consultations and instead provided us with its statement of position in relation to Independent Water Networks.

CCW stated that in general it expects new appointments and variation appointees to match or ideally better the incumbent's prices, service levels and service guarantees.

CCW noted that Independent Water Networks proposes to charge customers on the same basis as Anglian Water and it is disappointed that there will be no formal financial benefit to customers with it serving the Site. However, it noted that Independent Water Networks currently offers a discount of 2.5% against incumbents' charges and also offers discounts to customers who are able to and opt to take up e-billing or paying by direct debit. Therefore, it recognises that under this arrangement customers will be no worse off and will potentially be better off.

CCW noted that Independent Water Networks does not currently offer its financially vulnerable customers a social tariff in the way incumbent companies do. However, CCW recognised that Independent Water Networks will offer the standard WaterSure tariff for qualifying customers. CCW considers that until Independent Water Networks can provide a formal social tariff, it is appropriate that it tailors some of the services it provides. CCW expects Independent Water Networks to offer appropriate flexible support to any individual in financial difficulty, who would otherwise benefit from a social tariff. It noted that this should not be at the expense of its other customers. CCW said that it recognises that by matching Anglian Water's charges, Independent Water Networks already benefits from the cross-subsidy Anglian Water's customers pay to support its social tariffs.

CCW said that it notes that Independent Water Networks generally matches or exceeds incumbents' service standards, therefore, overall, it supports its NAV applications. CCW notes our policy that when considering applications, customers including existing customers of the

incumbent companies, should be no worse off because of the NAV appointment. Ideally CCW would like incumbents' existing customers to benefit from new arrangements and whilst CCW agrees with the 'no worse off' principle it states it is unclear what the benefits are for existing customers of incumbents.

CCW notes that in some cases there is a financial cost on the incumbents' customers' annual bills as a result of the NAV site. While this is negligible on an individual site basis, CCW recognises that cumulatively the total cost of numerous sites in any incumbent area could have a more significant impact. CCW questioned the value of a NAV regime if it cannot deliver benefits to all customers.

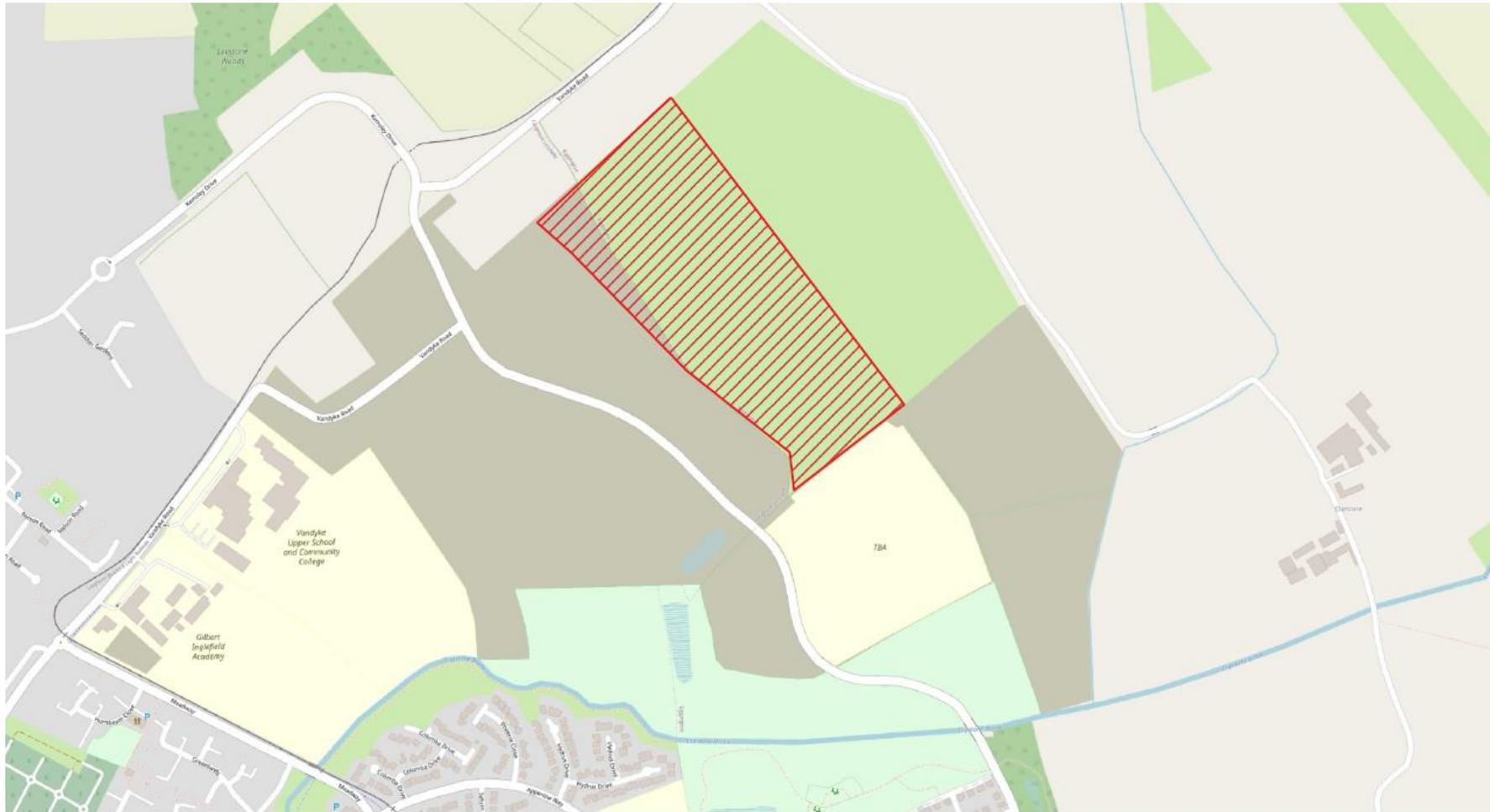
Our response

One of our key policies when considering NAV applications, is that customers should be no worse off if a new appointment and variation is granted. That is, an applicant must ensure its new customers are made no worse off in terms of charges and service than if they had been supplied by the previous appointee. We do not require applicants to better the service and price of previous incumbents.

Vulnerable customers may not be aware of the social tariff that would be available to them if they were served by the incumbent rather than by the applicant. It is the responsibility of the applicant to identify and protect vulnerable customers on the Site. Although the applicant does not offer a social tariff, it should ensure customers will be no worse off.

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Sewerage:



PLAN REFERRED TO IN THE VARIATION OF THE APPOINTMENTS OF INDEPENDENT WATER NETWORKS LIMITED AND ANGLIAN WATER SERVICES LIMITED, AS SEWERAGE UNDERTAKERS, MADE BY THE WATER SERVICES REGULATION AUTHORITY ON ...

15 August 2022

ADDRESS: STEARN LAND, CLIPSTONE PARK, LEIGHTON BUZZARD, BEDFORDSHIRE, LU7 9NZ
OS GRID REFERENCE: 493799, 226637

SCALE: 1:7000
DRAWN BY: CS
DATE: 08/04/2022

0 100 200 m

**STEARN LAND, CLIPSTONE PARK
SEWERAGE UNDERTAKERS
INSET MAP 1**

3. Variation Notice

WATER SERVICES REGULATION AUTHORITY
WATER INDUSTRY ACT 1991, SECTIONS 6 TO 9

Variation of the Appointments of Independent Water Networks Limited and Anglian Water Services Limited as Water and Sewerage Undertakers

Made on 15 August 2022

Coming into effect on 16 August 2022

1. Independent Water Networks Limited ("Independent Water Networks"), and Anglian Water Services Limited ("Anglian Water") hold Appointments as water and sewerage undertakers for their respective areas ("the Appointments").¹ The areas to which the Appointments of Independent Water Networks, and Anglian Water as water and sewerage undertakers relate ("Water Supply Area" and "Sewerage Services Area") are set out in their Instruments of Appointment.
2. The site called Stearn Land, Clipstone Park in Bedfordshire, which is shown edged in red on the plan attached to this variation, ("the Site") is within Anglian Water's Water Supply Area and Sewerage Services Area. The Site is being developed by Taylor Wimpey UK Limited and BDW Trading Ltd.
3. Independent Water Networks has applied under section 7(4)(b) of the Water Industry Act 1991 ("the Act") for a variation of its Appointment as a water and sewerage undertaker to include the Site and for a consequential variation of Anglian Water's Appointment to exclude the Site.
4. On 27 June 1995, the Secretary of State for the Environment and the Secretary of State for Wales acting jointly and pursuant to sections 6(1) and 7(2) of the Act authorised the Director General of Water Services² to make variations such as those contained in paragraph 5 below. After public consultation, as required by section 8 of the Act, the Water Services Regulation Authority has decided that it should grant Independent Water Networks' application.
5. Therefore, as provided by sections 7(2) and 7(4)(b) of the Act, and with the agreement of Taylor Wimpey UK Limited and BDW Trading Ltd, the Water Services Regulation Authority **varies**–

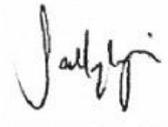
¹ Anglian Water's original Appointments as a water and sewerage undertaker were made by the Secretary of State for the Environment under sections 11 and 14 of the Water Act 1989, now replaced by sections 6 and 11 of the Water Industry Act 1991. Independent Water Networks' original Appointment was made by the Water Services Regulation Authority under sections 6 and 11 of the Water Industry Act 1991.

² With effect from 1 April 2006 the functions of the Director General of Water Services were transferred to the Water Services Regulation Authority in accordance with section 36 of, and Schedule 3 to, the Water Act 2003.

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- (a) the Appointment of Independent Water Networks as a water and sewerage undertaker so that the Site is included in Independent Water Networks' Water Supply Area and Sewerage Services Area; and
- (b) the Appointment of Anglian Water as a water and sewerage undertaker so that the Site is excluded from Anglian Water's Water Supply Area and Sewerage Services Area.

Signed for and on behalf of the Water Services Regulation Authority



Sally Irgin
Director of Enforcement

**Ofwat (The Water Services Regulation Authority)
is a non-ministerial government department.
We regulate the water sector in England and Wales.**

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