Variation of Independent Water Networks Limited's appointment to include Panfield Lane, Braintree, Essex

On 26 September 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 Panfield Lane, Braintree, Essex ("**the Site**"). Details of the application and our assessment of it were set out in the consultation document.

The consultation ended on 24 October 2022. During the consultation period, we did not receive any representations.

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.

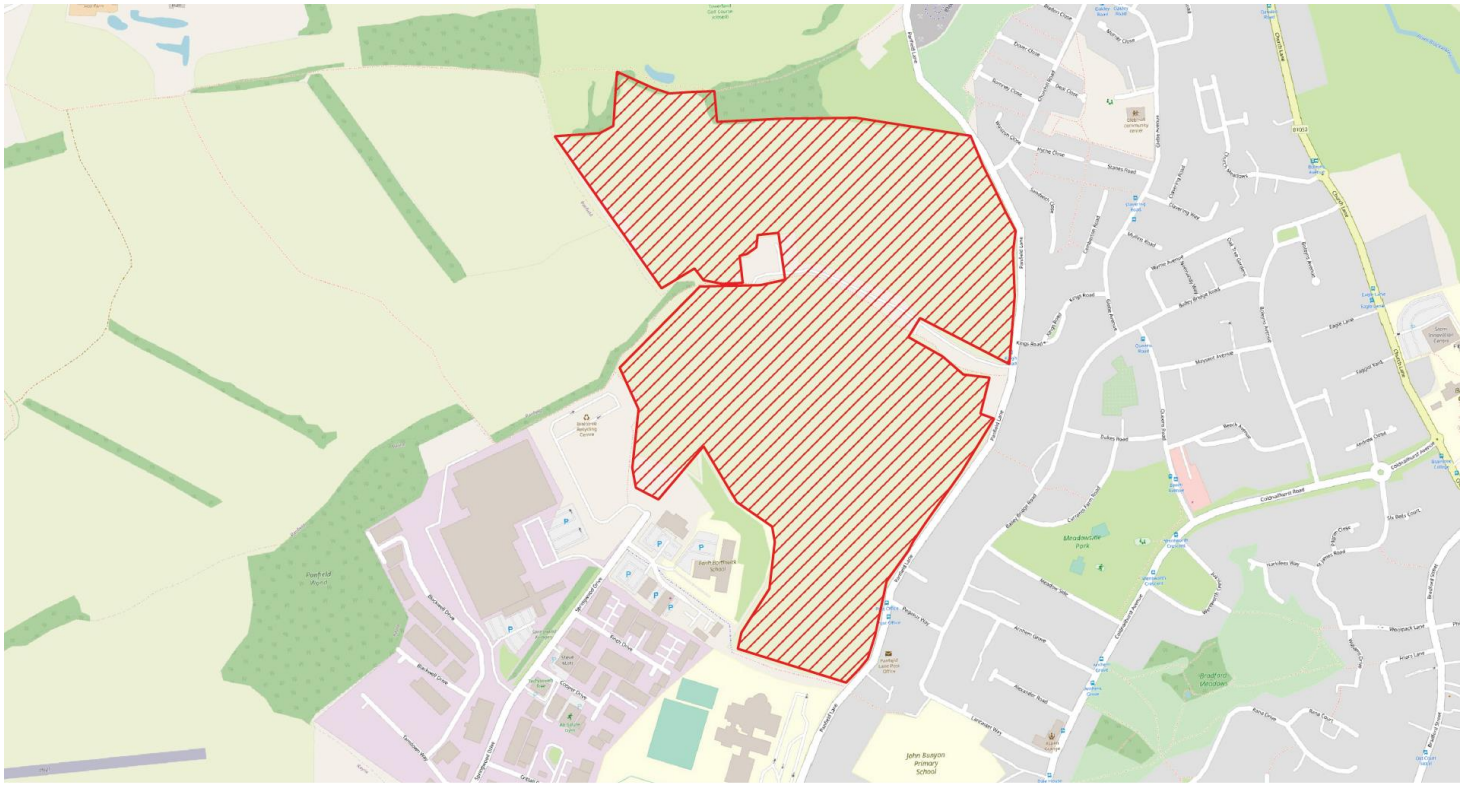
Having assessed Independent Water Networks' application and having taken account of the responses we received to our consultation, we decided to grant a variation to Independent Water Networks' area of appointment to allow it to serve the Site for water and sewerage services. This appointment became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

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. Site Maps

Water



PLAN REFERRED TO IN THE VARIATION OF THE APPOINTMENTS OF INDEPENDENT WATER NETWORKS LIMITED AND ANGLIAN WATER SERVICES LIMITED, AS WATER UNDERTAKERS, MADE BY THE WATER SERVICES REGULATION AUTHORITY ON ... 27/10/2022

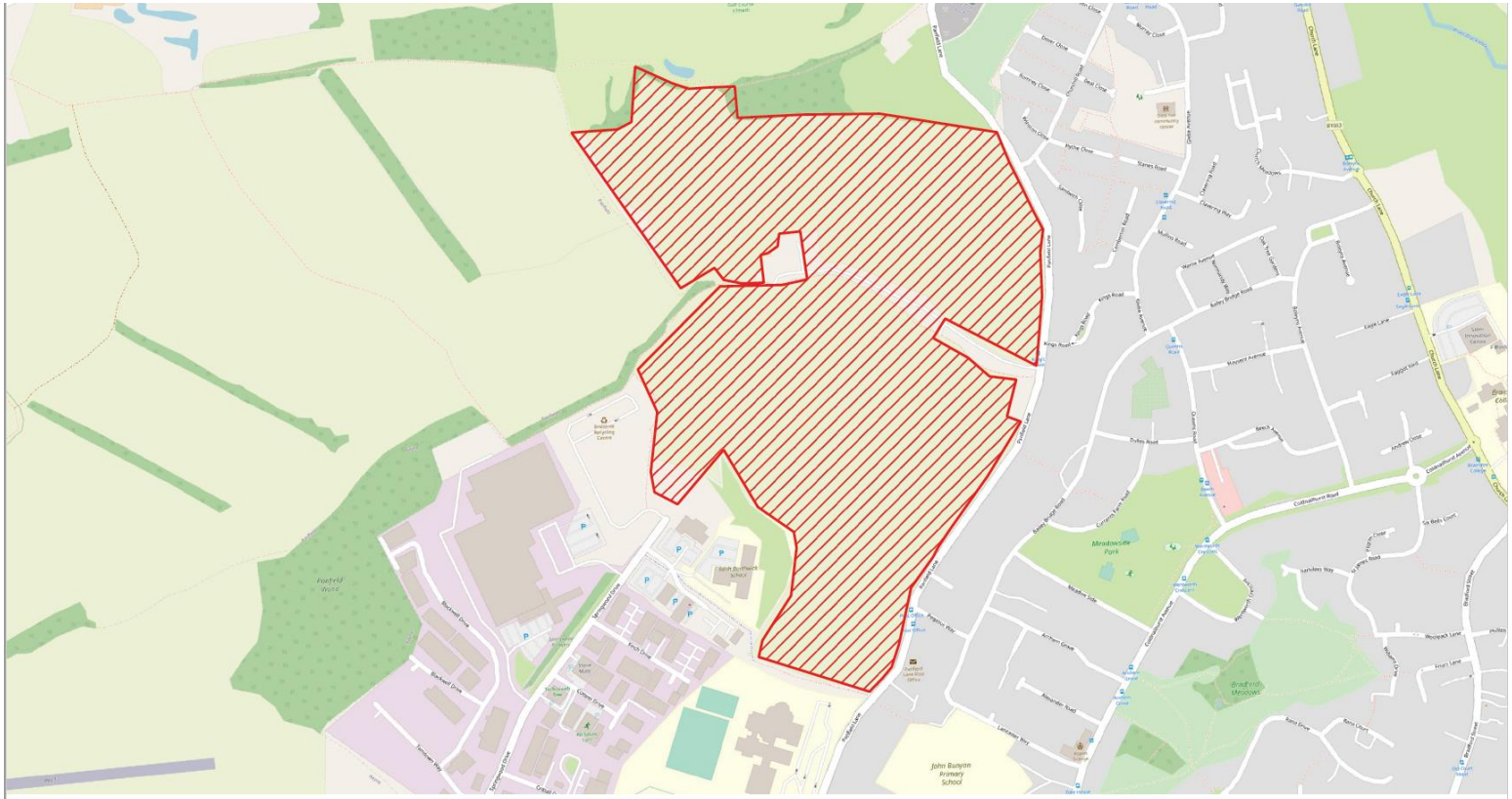
ADDRESS: PANFIELD LANE, BRAINTREE, CM7 5RW.
OS GRID REFERENCE: 575111,223966
SCALE: 1:8000
DRAWN BY: NS
DATE: 11/07/2022

0 100 200 m

PANFIELD LANE INSET WATER

MAP 1

Sewerage



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0 100 200 m

PANFIELD LANE INSET SEWERAGE

MAP 1

2. 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 27 October 2022

Coming into effect on 28 October 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 Panfield Lane, Braintree in Essex, 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 Hills Residential Construction Limited.

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 Services[2] 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 Hills Residential Construction Limited, the Water Services Regulation Authority **varies**–

[1] Anglian Water's original Appointments as water and sewerage undertakers 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 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

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