Variation of Independent Water Networks Limited's appointment to include Land off Lucas Lane, Hilton

On 10 November 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 South Staffordshire Water PLC's ("**South Staffordshire Water**") water supply area and Severn Trent Water Limited's ("**Severn Trent Water**") sewerage services area called Land off Lucas Lane, Hilton, Derby ("**the Site**"). Details of the application and our assessment of it were set out in the consultation document.

The consultation ended on 8 December 2022. During the consultation period, we did not receive any representations to the consultation.

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.

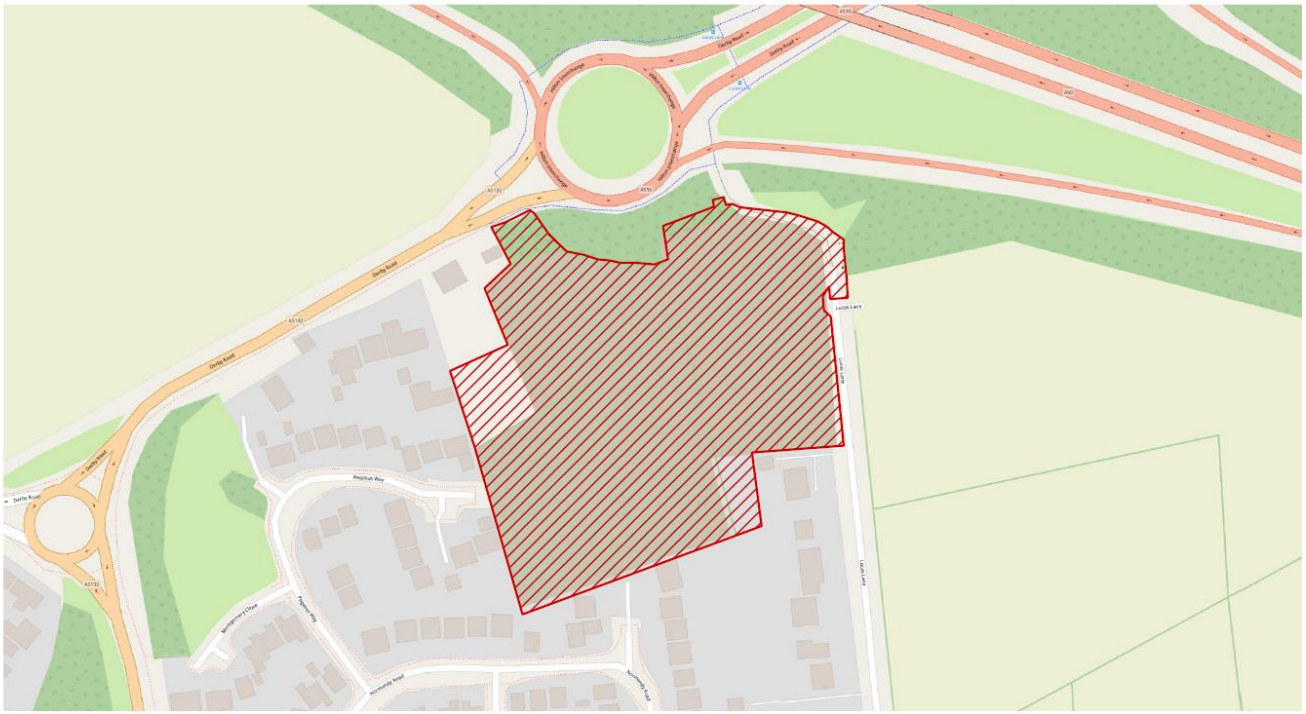
Having assessed Independent Water Networks' application and having received no responses to the consultation, we decided to grant a variation to Independent Water Networks' area of appointment to allow it to serve the Site for water and sewerage services. This appointment became effective on 14 December 2022.

The Site maps for the variation can be found in Section 1 of this document.

The Variation Notice legally making the variation can be found in Section 2 of this document.

1. Site Maps

Water



PLAN REFERRED TO IN THE VARIATION OF THE APPOINTMENTS OF INDEPENDENT WATER NETWORKS LIMITED AND SOUTH STAFFORDSHIRE WATER PLC, AS WATER UNDERTAKERS, MADE BY THE WATER SERVICES REGULATION AUTHORITY ON ...
14 December 2022

ADDRESS: LAND OFF LUCAS LANE, HILTON, DERBY, DE65 5HW
OS GRID REFERENCE: 425405 , 331021

SCALE: 1:2000
DRAWN BY: SC
DATE: 04/10/2022

Laura Clayton

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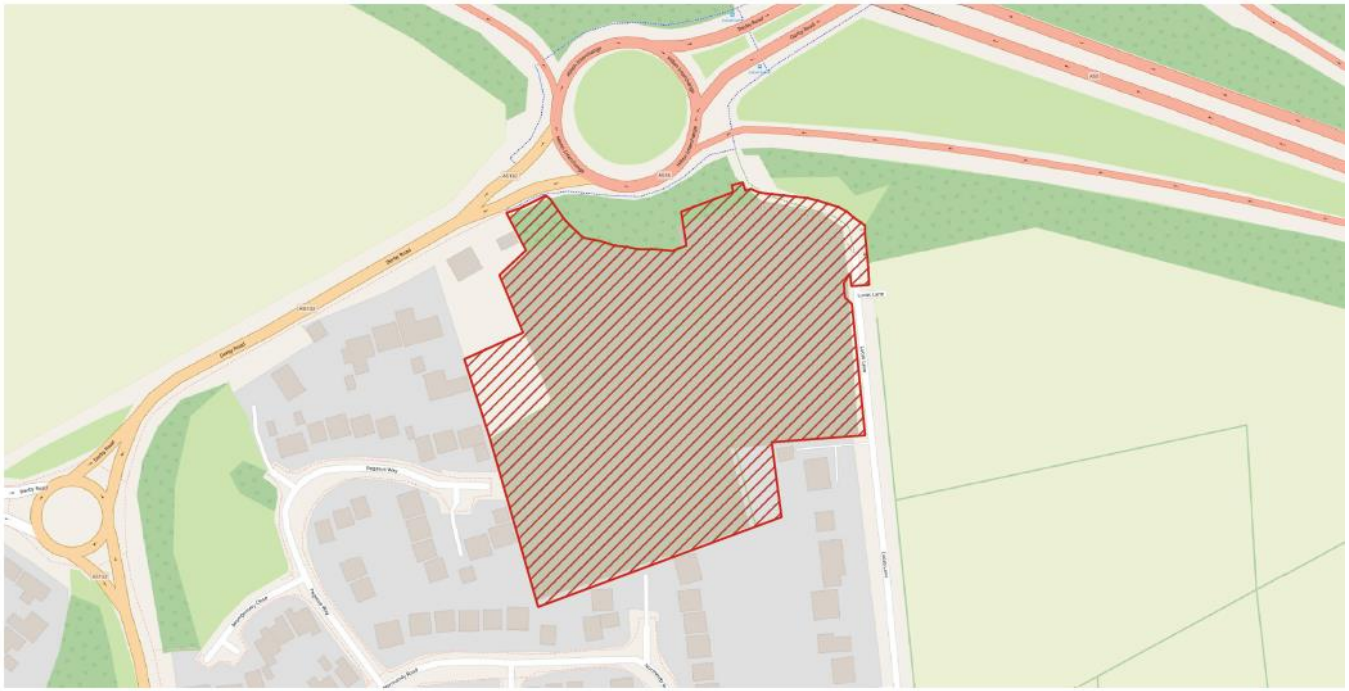
LAND OFF LUCAS LANE

INSET WATER MAP 1

Sewerage



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

14 December 2022

ADDRESS : LAND OFF LUCAS LANE, HILTON, DERBY, DE65 5HW
OS GRID REFERENCE: 425405 , 331021

SCALE: 1:2000
DRAWN BY: SC
DATE: 04/10/2022

Laura Clayton

0 50 100 m

LAND OFF LUCAS 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, South Staffordshire Water Plc and Severn Trent Water Limited as Water and Sewerage Undertakers

Made on 14 December 2022

Coming into effect on 15 December 2022

1. Independent Water Networks Limited ("Independent Water Networks"), South Staffordshire Water Plc ("South Staffordshire Water") and Severn Trent Water Limited ("Severn Trent 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, South Staffordshire Water and Severn Trent 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 Land off Lucas Lane, Hilton, Derby which is shown edged in red on the plan attached to this variation ("the Site") is within South Staffordshire Water's Water Supply Area and Severn Trent Water's Sewerage Services Area. The Site is being developed by Morris Homes (Midlands) 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 South Staffordshire Water's and Severn Trent 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 Morris Homes (Midlands) Limited, the Water Services Regulation Authority **varies**–

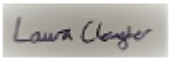
[1] South Staffordshire Water's and Severn Trent Water's original Appointments as water and sewerage undertakers were made by the Secretary of State for the Environment under sections 11 and 14 of the Water Act 1989, now replaced by sections 6 and 11 of the Water Industry Act 1991. Independent Water 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.

(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;

(b) the Appointment of South Staffordshire Water as a water undertaker so that the Site is excluded from South Staffordshire Water's Water Supply Area; and

(c) the Appointment of Severn Trent Water as a sewerage undertaker so that the Site is excluded from Severn Trent Water's Sewerage Services Area.

Signed for and on behalf of the Water Services Regulation Authority



Laura Clougher
Principal, Casework and Enforcement