

Variation of Leep Networks (Water) Limited's appointment to include Thickthorn, Kenilworth

On 17 October 2022, Ofwat began a [consultation](#) on a proposal to vary Leep Networks (Water) Limited's ("**Leep Water**") appointment to become the water and sewerage services provider for a development in Severn Trent Water Limited's ("**Severn Trent Water**") water supply area and sewerage services area called Thickthorn, Leamington Road in Kenilworth ("**the Site**"). Details of the application and our assessment of it were set out in the consultation document.

The consultation ended on 15 November 2022. During the consultation period, we received a representation from one organisation, which is 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 response we received to the consultation has not changed that view.

Having assessed Leep Water's application and having taken account of the response we received to our consultation, we decided to grant a variation to Leep Water's area of appointment to allow it to serve the Site for water and sewerage services. This appointment became effective on 28 February 2023.

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. Response received to the consultation

We received a response to our consultation from one organisation: the Environment Agency had no comments to make with regard to this consultation and did not have any objections.

2. Site Maps

Water



27 February 2023

Laura Clough

Sewerage



3. Variation Notice

WATER SERVICES REGULATION AUTHORITY

WATER INDUSTRY ACT 1991, SECTIONS 6 TO 9

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Variation of the Appointments of Leep Networks (Water) Limited and Severn-Trent Water Limited as Water and Sewerage Undertakers

Made on 27 February 2023

Coming into effect on 28 February 2023

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1. → Leep Networks (Water) Limited ("Leep Water") and Severn-Trent Water Limited ("Severn-Trent Water") hold Appointments as water and sewerage undertakers for their respective areas ("the Appointments"). The areas to which the Appointments of Leep 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 Thickthorn, Leamington Road in Kenilworth which is shown edged in red on the plan attached to this variation ("the Site") is within Severn-Trent Water's Water Supply Area and Sewerage Services Area. The Site is being developed by Persimmon Homes Limited.
3. → Leep Water 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 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 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 Leep Water's application.
5. → Therefore, as provided by sections 7(2) and 7(4)(b) of the Act, and with the agreement of Persimmon Homes Limited, the Water Services Regulation Authority varies --

¶ Severn-Trent Water's original Appointment as a water and sewerage undertaker was 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. Leep Water's original Appointment was made by the Water Services Regulation Authority under sections 6 and 11 of the Water Industry Act 1991.

¶ 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 Leep Water as a water and sewerage undertaker so that the Site is included in Leep Water's Water Supply Area and Sewerage Services Area; and

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

Signed for and on behalf of the Water Services Regulation Authority

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Laura Clougher

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Laura Clougher
Principal, Casework and Enforcement

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