

Variation of Independent Water Networks Limited's appointment to include Land East of Kenilworth, Kenilworth

On 20 July 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 Severn Trent Water Limited ("Severn Trent Water") water supply area and sewerage services area called Land East of Kenilworth, Kenilworth ("the Site"). Details of the application and our assessment of it were set out in the consultation document.

The consultation ended on 16 August 2023. During the consultation period, we received no representations. Subsequently, after the consultation period had closed, Independent Water Networks notified us that it had provided an incorrect boundary map with its application and needed to change this. We notified the statutory consultees of this change, and they raised no comments or concerns. This change did not affect the number of properties on the Site or our financial assessment of the application. The revised site boundary can be viewed in Section 1 below.

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.

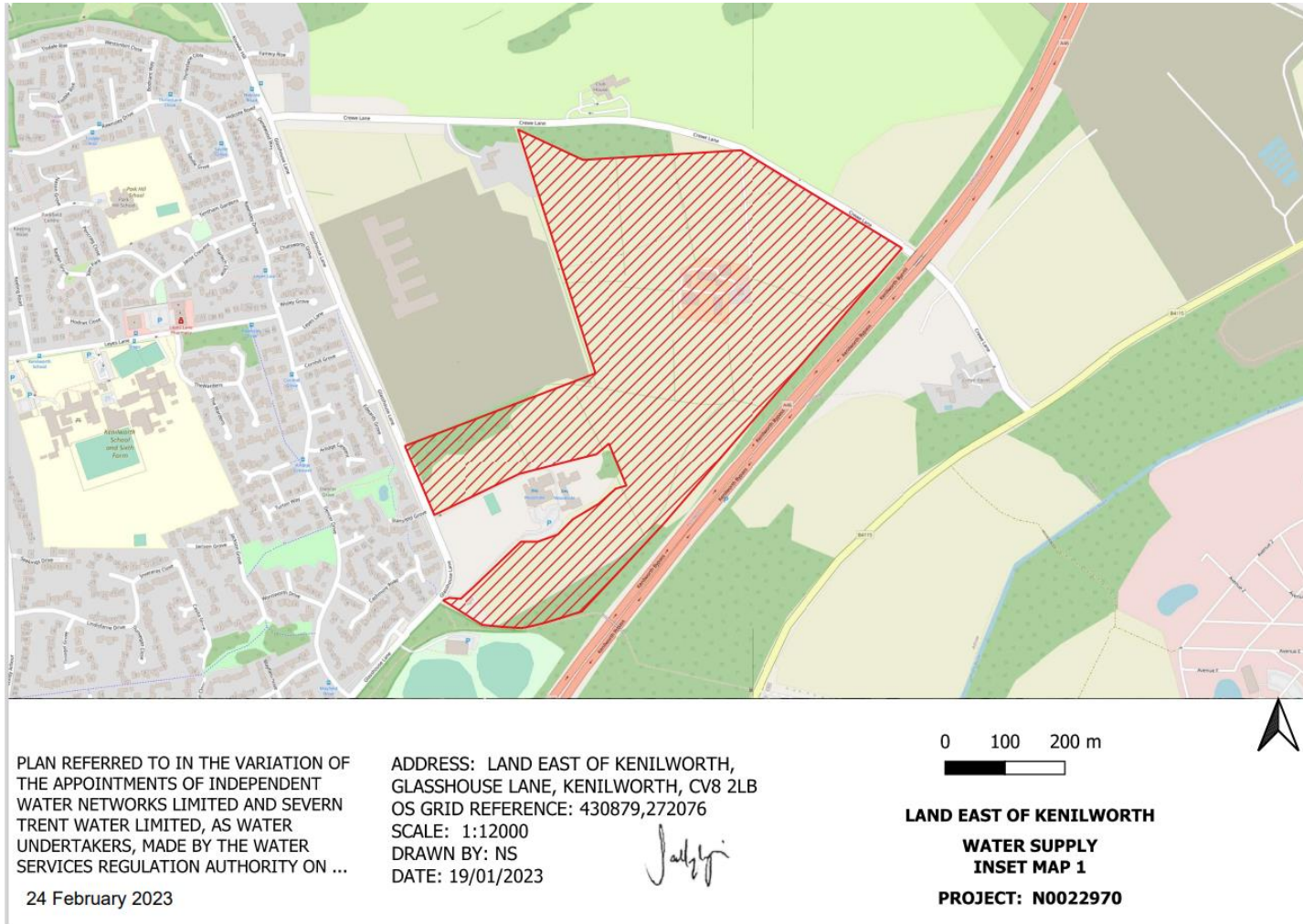
Having assessed Independent Water Networks' application and having received no responses to the consultation, we decided to grant a variation to Independent Water Networks' area of appointment to allow it to serve the Site for water and sewerage services. This appointment became effective on 27 February 2023.

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

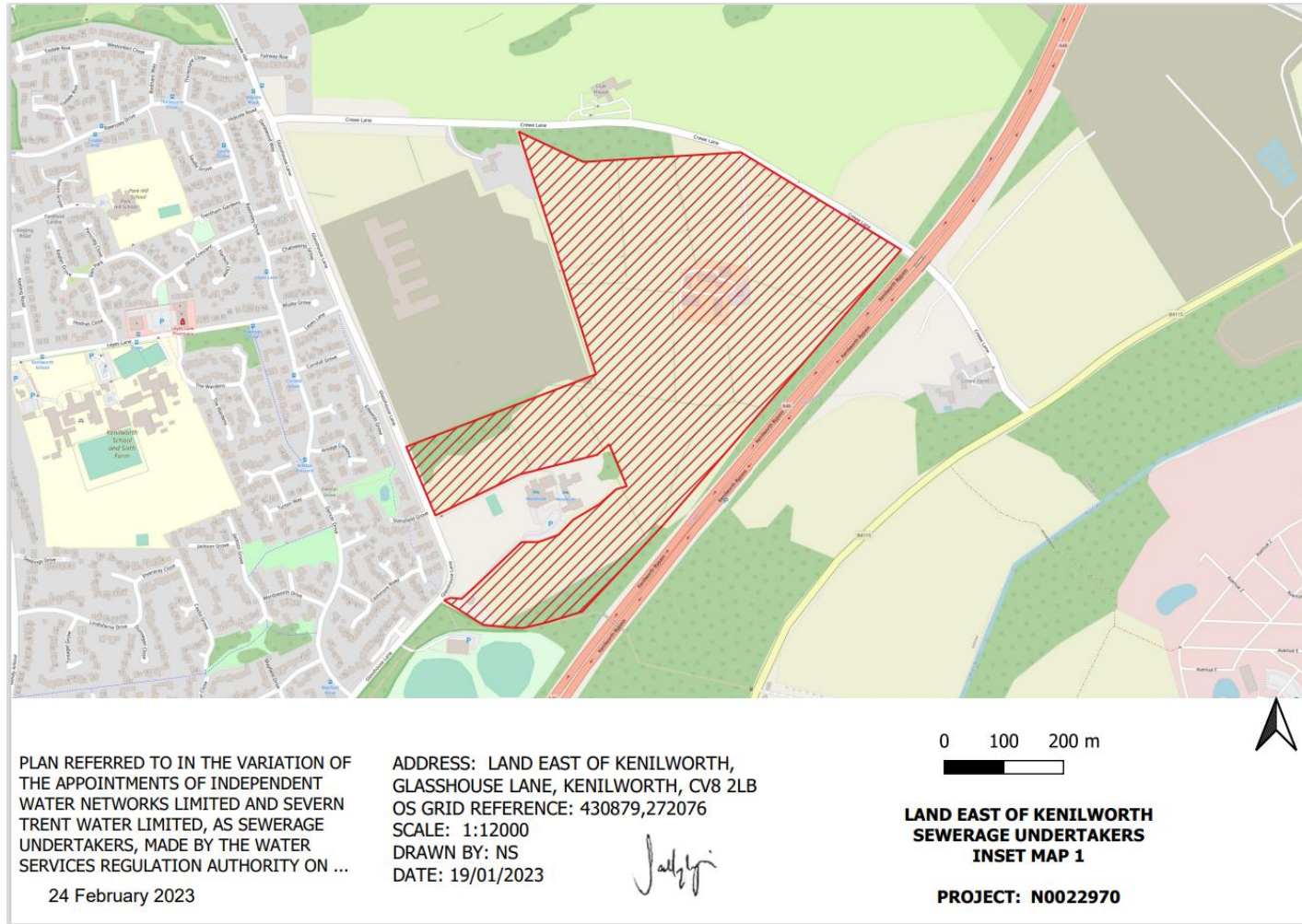
The Variation Notice legally making the variation can be found in Section 3 of this document.

1. Site Maps

Water



Sewerage



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 Severn
Trent Water Limited as Water and Sewerage Undertakers**

Made on 24 February 2023

Coming into effect on 27 February 2023

1. Independent Water Networks Limited ("Independent Water Networks") 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 and Severn Trent 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 East of Kenilworth, 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 Vistry Partnerships 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 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 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 Vistry Partnerships Limited, the Water Services Regulation Authority **varies**–
 - (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

¹ 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. Independent Water Networks' original appointment as a water and sewerage undertaker 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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- (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

A handwritten signature in black ink, appearing to read 'Sally Irgin', is positioned above the printed name and title.

Sally Irgin
Director of Enforcement