

Variation of Independent Water Networks Limited's appointment to include The Street, Latchingdon

On 12 October 2022, Ofwat began a [consultation](#) on a proposal to vary Independent Water Networks Limited's (“**Independent Water Networks**”) appointment to become the water supplier for a development in Northumbrian Water Limited's (“**Northumbrian Water**”) water supply area called The Street, Latchingdon in Essex (“**the Site**”). Details of the application and our assessment of it were set out in the consultation document.

The consultation ended on 10 November 2022. During the consultation period, we received representations from two organisations, which are summarised in Section 1 of this document.

Following the start of the consultation period for this application, Independent Water Networks notified us on 12 October 2022 that the application needed to be amended to remove wastewater services from the application. There were no other material changes to the application and the number of properties on site and the boundary of the Site remains unchanged. We notified relevant stakeholders of the changes to the application and added a note to the consultation link on our website to advise of the change. Independent Water Networks has also provided an updated letter from Northumbrian Water, dated 27th March 2023, confirming that the Site is unserved. In addition, we re-completed our financial assessment of the Site based on this change and we remain satisfied that Independent Water Networks will be able to finance its functions if this variation is granted.

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 services. This appointment became effective on 12 April 2023.

The Site Map 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.

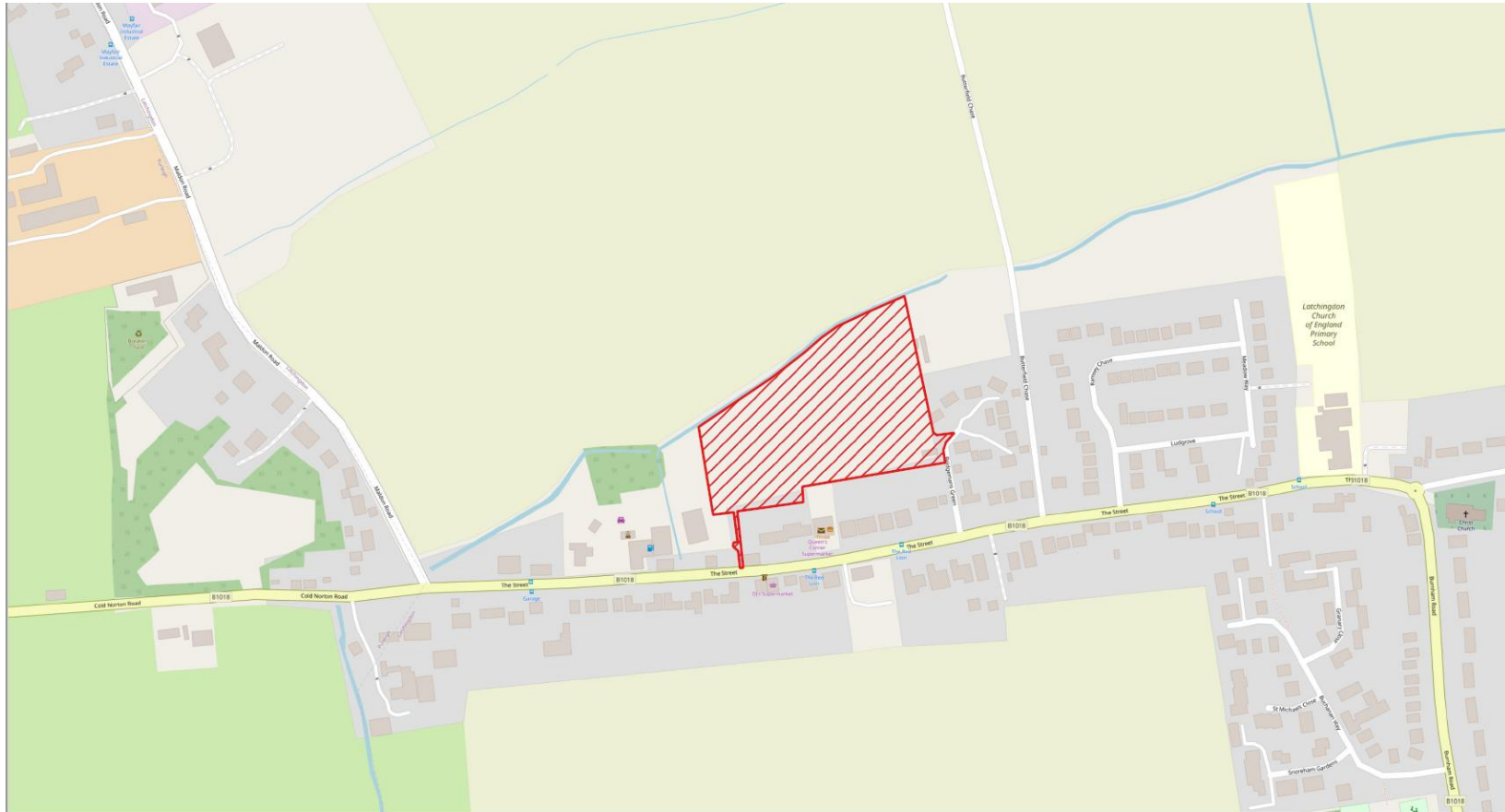
1. Responses received to the consultation

We received responses to our consultation from the Consumer Council for Water ("**CCW**") and Maldon District Council. CCW advised that following the change to the application to remove wastewater it did not have any additional comments to make in respect of this application.

Maldon District Council advised that based on the details outlined in the consultation document it did not wish to raise any objections to the proposed variation.

The Drinking Water Inspectorate and the Environment Agency no longer respond to our consultations on individual applications from Independent Water Networks. Both of these organisations were notified of the changes made to the application and did not have any further comments to make.

2. Site Map



PLAN REFERRED TO IN THE VARIATION OF THE APPOINTMENTS OF INDEPENDENT WATER NETWORKS LIMITED AND NORTHUMBRIAN WATER LIMITED, AS WATER UNDERTAKERS, MADE BY THE WATER SERVICES REGULATION AUTHORITY ON ...
11 April 2023

ADDRESS: The Street, Latchingdon, MALDON, CM3 6XR
OS GRID REFERENCE: E: 588132 N: 200537

SCALE: 1:6000
DRAWN BY: LR
DATE: 21/07/2022

0 100 200 m



**WATER SUPPLY
INSET MAP 2**

**PROJECT: N0023281
TAS: 74259**

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 Northumbrian Water Limited as Water Undertakers

Made on 11 April 2023

Coming into effect on 12 April 2023

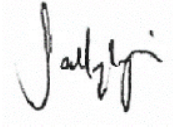
1. Independent Water Networks Limited ("Independent Water Networks") and Northumbrian Water Limited ("Northumbrian Water") hold Appointments as water undertakers for their respective areas ("the Appointments").¹ The areas to which the Appointments of Independent Water Networks, and Northumbrian Water 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 The Street, Latchingdon in Essex, which is shown edged in red on the plan attached to this variation, ("the Site") is within Northumbrian Water's Water Supply Area. The Site is being developed by Dandara Eastern 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 undertaker to include the Site and for a consequential variation of Northumbrian 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 Dandara Eastern Limited, the Water Services Regulation Authority **varies**–

¹ Northumbrian Water's original Appointment as a water 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 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 undertaker so that the Site is included in Independent Water Networks' Water Supply Area; and
- (b) the Appointment of Northumbrian Water as a water undertaker so that the Site is excluded from Northumbrian Water's Water Supply Area.

Signed for and on behalf of the Water Services Regulation Authority

A handwritten signature in black ink, appearing to read 'Sally Irgin', is written over a light grey rectangular background.

**Sally Irgin
Director of Enforcement**