

Variation of Independent Water Networks Limited's appointment to include Totnes Road, Collaton St Mary (Sewerage)

On 17 October 2023 Ofwat began a [consultation](#) on a proposal to vary Independent Water Networks Limited's ("Independent Water Networks") appointment to become the sewerage services provider for a development in South West Water Limited's ("South West Water") sewerage services area called Totnes Road, Collaton St Mary (Sewerage) ("the Site"). Details of the application and our assessment of it were set out in the consultation document.

The consultation ended on 14 November 2023. During the consultation period, we received a representation from 1 organisation, South West Water, 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 sewerage company. As set out in our consultation we are satisfied this is the case. The response we have received to the consultation have not changed that view.

Having assessed Independent Water Networks' application and having taken account of the response 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 sewerage services. This appointment became effective on 29 November 2023. On 27 September 2023 [a Variation was granted](#) to Independent Water Networks to provide the Site with water services.

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

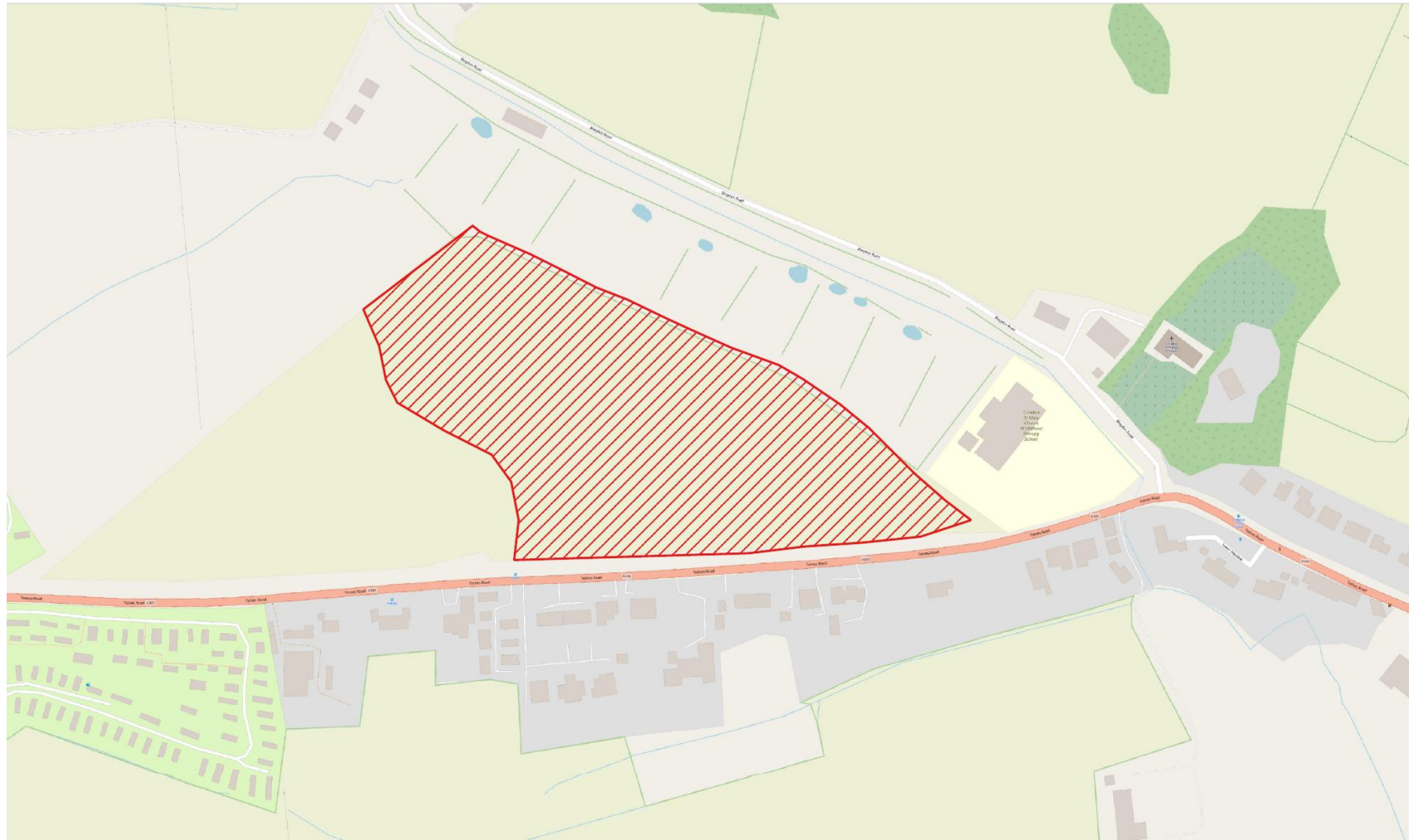
South West Water

South West Water stated that it does not have any objections to the proposed variation and supports the development of markets where customers could benefit, or in the least suffer no detriment. South West Water responded to the consultation on 13 November and noted that a Bulk Discharge Agreement was not yet in place, but that it did not anticipate having any further objections to the proposal once the Bulk Discharge Agreement was finalised.

Our response

Independent Water Networks have since provided Ofwat with a signed Bulk Discharge Agreement between itself and South West Water for this Site.

2. Site Map



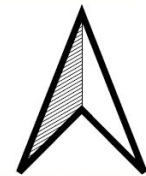
PLAN REFERRED TO IN THE VARIATION OF THE APPOINTMENTS OF INDEPENDENT WATER NETWORKS LIMITED AND SOUTH WEST WATER LIMITED, AS SEWERAGE UNDERTAKERS, MADE BY THE WATER SERVICES REGULATION AUTHORITY ON ...

ADDRESS: TOTNES ROAD, COLLATON ST MARY, PAIGNTON, DEVON, TQ4 7PW
OS GRID REFERENCE: 286109, 060137
SCALE: 1:3000
DRAWN BY: TB *Laura Clough*
DATE: 30/08/2023

28 November 2023

0 75 150 m

**TOTNES ROAD (WASTE)
SEWERAGE UNDERTAKERS
INSET MAP 1**



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 South West Water Limited as Sewerage Undertakers

Made on 28 November 2023

Coming into effect on 29 November 2023

1. Independent Water Networks Limited ("Independent Water Networks") and South West Water Limited ("South West Water") hold Appointments as sewerage undertakers for their respective areas ("the Appointments").¹ The areas to which the Appointments of Independent Water Networks and South West Water as sewerage undertakers relate ("Sewerage Supply Area") are set out in their Instruments of Appointment.
2. The site called Totnes Road, Collaton St Mary in Devon which is shown edged in red on the plan attached to this variation, ("the Site") is within South West Water's Sewerage Supply Area. The Site is being developed by Taylor Wimpey UK 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 sewerage undertaker to include the Site and for a consequential variation of South West 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 Taylor Wimpey UK Limited, the Water Services Regulation Authority **varies**–

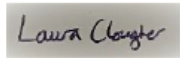
¹ South West Water's original Appointment as a sewerage undertaker was made by the Secretary of State for the Environment under sections 11 and 14 of the Water Act 1989, now replaced by sections 6 and 11 of the Water Industry Act 1991. Independent Water Networks' original appointment was made by the 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 sewerage undertaker so that the Site is included in Independent Water Networks' Sewerage Supply Area; and
- (b) the Appointment of South West Water as a sewerage undertaker so that the Site is excluded from South West Water's Sewerage Supply Area.

Signed for and on behalf of the Water Services Regulation Authority



Laura Clougher
Principal, Casework and Enforcement