

Variation of Independent Water Networks Limited's appointment to include Land to the East of The Boulevard, Hengrove, Bristol

On 20 September 2023, Ofwat began a [consultation](#) on a proposal to vary Independent Water Networks Limited's ("**Independent Water Networks**") appointment to become the water provider for a development in South West Water Limited's ("**South West Water**") water supply area called Land to the East of The Boulevard, Hengrove, Bristol ("**the Site**"). Details of the application and our assessment of it were set out in the consultation document.

The consultation ended on 18 October 2023. During the consultation period, we received a representation from one 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 water 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 Independent Water Networks' application and having taken account of the response 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 11 December 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. Response received to the consultation

We received one response to our consultation from South West Water; it raised a concern that the Site's boundary which was published in the consultation notice did not match the map within the signed bulk supply agreement it had agreed with Independent Water Networks to serve the Site. South West Water was concerned that if the variation was granted, Independent Water Networks would be granted more land than set out within the agreement.

We notified Independent Water Networks of this concern, which resulted in further discussions between itself and South West Water. We subsequently received confirmation on 4 December 2023 that South West Water were happy with the Site boundary and had no further objections; Independent Water Networks provided an updated bulk supply agreement and corrected maps which align with those published in the consultation notice.

We have considered this response before making the decision to vary Independent Water Networks' appointment.

2. Site Map



PLAN REFERRED TO IN THE VARIATION OF THE APPOINTMENTS OF INDEPENDENT WATER NETWORKS LIMITED AND SOUTH WEST WATER LIMITED, AS WATER UNDERTAKERS, MADE BY THE WATER SERVICES REGULATION AUTHORITY ON ... 8 December 2023

ADDRESS: LAND TO THE EAST OF THE BOULEVARD, HENGROVE, BRISTOL, BS14 0BB
OS GRID REFERENCE: 359434, 168224
SCALE: 1:1000
DRAWN BY: TB
DATE: 22/06/2023

0 25 50 m

LAND TO THE EAST OF THE BOULEVARD WATER SUPPLY INSET MAP 1 PROJECT: N0023948



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 Water Undertakers

Made on 8 December 2023

Coming into effect on 11 December 2023

1. Independent Water Networks Limited ("Independent Water Networks") and South West Water Limited ("South West Water") hold Appointments as water undertakers for their respective areas ("the Appointments").¹ The areas to which the Appointments of Independent Water Networks and South West Water as water undertakers relate ("Water Supply Area") are set out in their Instruments of Appointment.
2. The site called Land to the East of The Boulevard, Hengrove in Bristol, which is shown edged in red on the plan attached to this variation, ("the Site") is within South West Water's Supply Area. The Site is being developed by Goram Homes 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 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 Goram Homes Limited, the Water Services Regulation Authority **varies**—

(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

¹ South West 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.

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

Signed for and on behalf of the Water Services Regulation Authority



Sally Irgin
Director of Enforcement