

Variation of Independent Water Networks Limited's appointment to exclude Norton Farm, Cribbs Causeway

On 3 May 2023, Ofwat began a [consultation](#) on a proposal to vary South West Water Limited's¹ (“**South West Water**”) appointment to become the water provider and Wessex Water Services Limited's (“**Wessex Water**”) appointment to become the sewerage services provider for a development in Independent Water Networks Limited's (“**Independent Water Networks**”) water supply area and sewerage services area called Norton Farm, Cribbs Causeway (“**the Site**”). Details of the application and our assessment of it were set out in the consultation document.

The consultation ended on 2 June 2023. During the consultation period, we received a representation from one organisation, which is summarised in Section 3 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.

Having assessed South West Water's and Wessex Water's applications and having taken account of the response we received to our consultation, we decided to grant a variation to South West Water's area of appointment to allow it to serve the Site for water services and Wessex Water's area of appointment to allow it to serve the Site for sewerage services. This appointment became effective on 7 June 2023.

Corrigendum: In November 2023 we became aware that the maps included for the variation were incorrect and excluded a small piece of land, called Berwick Drive, owned by YTL Property Holdings (UK) Limited. This piece of land had also originally been incorrectly included in a variation to Independent Water Networks at Cribbs Causeway. The maps were corrected to reflect this on 5 December 2023.

The Site Maps for the variation can be found in Section 4 of this document.

The Variation Notice legally making the variation can be found in Section 5 of this document.

¹ With effect from 1 February 2023 we varied South West Water Limited's area for water services so that it covers the area previously served by Bristol Water plc (the Bristol area) and also terminated Bristol Water plc's licence because it no longer provides water services to any area.

1. Background to the variation

This variation corrects the variation granted to Independent Water Networks at [Cribbs Causeway, Bristol - OFW-033612](#). Independent Water Networks applied for the Cribbs Causeway variation without obtaining letters of support from all landowners on the site and, as a consequence, the variation at Cribbs Causeway incorrectly included land owned by Autograph Homes Limited.

2. Business retail market

On 1 April 2017, the business retail market was opened to competition. South West Water and Wessex Water chose to exit the non-household retail market. Under the [Water and Sewerage Undertakers \(Exit from Non household Retail Market\) Regulations 2016](#) ("the Retail Exit Regulations"). Once a water and/or sewerage company exits the business retail market, its area of appointment becomes a 'retail exit area'. In a retail exit area, business customers must be supplied by a company holding a retail licence (a retailer), and water and sewerage companies are prohibited from providing retail services directly to those customers.

The Site was a non-retail exit area when operated by Independent Water Networks since it was unserved at the time the variation was granted. It now becomes an exited area, as South West Water and Wessex Water are both exited, regardless of whether they applied under the unserved or consent criterion. Therefore South West Water and Wessex Water will not be able to provide retail services to any business customers on the Site.

3. Responses received to the consultation

We received a response to our consultation from one organisation: the Consumer Council for Water ("CCW").

CCW noted that this variation will have the effect of a boundary change to the variation previously granted to Independent Water Networks for the site at Cribbs Causeway, and that it has no objections to the newly proposed variation being granted.

4. Site Maps
Water



PLAN REFERRED TO IN THE VARIATION OF THE APPOINTMENTS OF SOUTH WEST WATER LIMITED AND INDEPENDENT WATER NETWORKS LIMITED, AS WATER UNDERTAKERS, MADE BY THE WATER SERVICES REGULATION AUTHORITY ON ... **6 June 2023**....

Norton Farm, Cribbs Causeway, FILTON, BRISTOL, BS10 7TJ

Sewerage



PLAN REFERRED TO IN THE VARIATION OF THE APPOINTMENTS OF WESSEX WATER SERVICES LIMITED AND INDEPENDENT WATER NETWORKS LIMITED, AS SEWERAGE UNDERTAKERS, MADE BY THE WATER SERVICES REGULATION AUTHORITY ON ..6 June 2023.....

Norton Farm, Cribbs Causeway, FULTON, BRISTOL, BS10 7TJ

5. Variation Notice

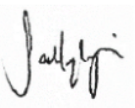
WATER SERVICES REGULATION AUTHORITY
WATER INDUSTRY ACT 1991, SECTIONS 6 TO 9

Variation of the Appointments of South West Water Limited, Wessex Water Services Limited and Independent Water Networks Limited as Water and Sewerage Undertakers

Made on 6 June 2023

Coming into effect on 7 June 2023

1. South West Water Limited ("South West Water"), Wessex Water Services Limited ("Wessex Water") and Independent Water Networks Limited ("Independent Water Networks") hold Appointments as water and sewerage undertakers for their respective areas ("the Appointments").¹ The areas to which the Appointments of South West Water, Wessex Water and Independent Water Networks 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 Norton Farm, Cribbs Causeway, which is shown edged in red on the plan attached to this variation, ("the Site") is within Independent Water Networks' Water Supply Area and Sewerage Services Area. The Site is being developed by Autograph Homes Limited.
3. South West Water has applied under section 7(4)(a) 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 Independent Water Networks' Appointment to exclude the Site.
4. Wessex Water has applied under section 7(4)(a) 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 Independent Water Networks' Appointment to exclude the Site.
5. 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 South West Water's and Wessex Water's applications.
6. Therefore, as provided by sections 7(2) and 7(4)(a) of the Act, and with the agreement of Autograph Homes Limited and Independent water Networks, the Water Services Regulation Authority **varies**–
 - (a) the Appointment of South West Water as a water undertaker so that the Site is included in South West Water's Water Supply Area;
 - (b) the Appointment of Wessex Water as a sewerage undertaker so that the Site is included in Wessex Water's Sewerage Services Area; and
 - (c) the Appointment of Independent Water Networks as a water and sewerage undertaker so that the Site is excluded from Independent Water Networks' Water Supply Area and Sewerage Services Area.



Signed for and on behalf of the Water Services Regulation Authority

Sally Irgin
Director of Enforcement