

Variation of Independent Water Networks Limited's appointment to include Whitfield 2, Dover

On 20 December 2022, Ofwat began a [consultation](#) on a proposal to vary Independent Water Networks Limited's (“**Independent Water Networks**”) appointment to become the water services provider for a development in Affinity Water Limited's (“**Affinity Water**”) water supply area called Whitfield 2, Dover, Kent (“**the Site**”). Details of the application and our assessment of it were set out in the consultation document.

The consultation ended on 23 January 2023. During the consultation period, we did not receive any representations. On 30 August 2023, Independent Water Networks informed us that it would like us to proceed with the application as a water only site whilst it finalised arrangements for how it might serve the Site for sewerage services. On this occasion, Ofwat has agreed to separate the water and sewerage applications and progress the water only application first. As the consultation was for both water and sewerage services, all stakeholders were updated and given an opportunity to raise any concerns to which we did not receive any. We are satisfied that the conclusions of our assessment of the application remain valid despite this change.

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.

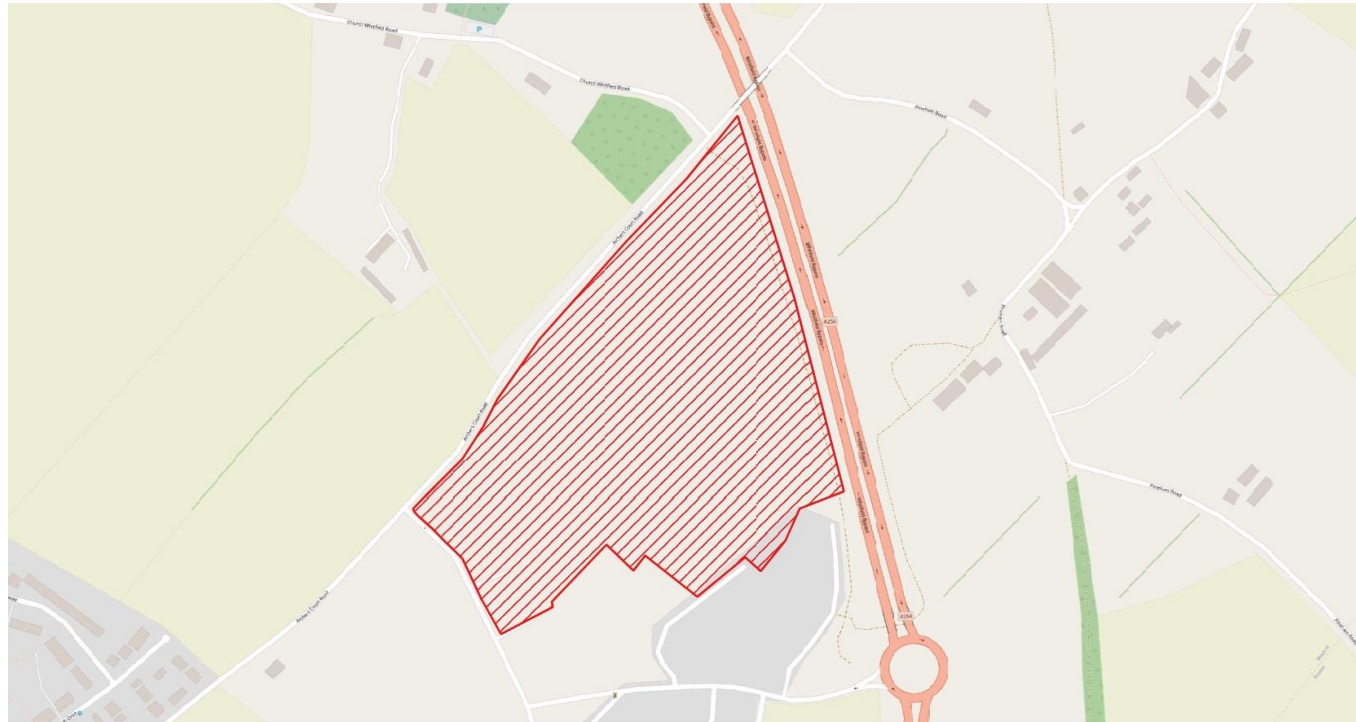
Having assessed Independent Water Networks' application, we decided to grant a variation to Independent Water Networks' area of appointment to allow it to serve the Site for water services. This appointment became effective on 18 January 2024.

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

The Variation Notice legally making the variation can be found in Section 2 of this document.

1. Site Maps

Water



PLAN REFERRED TO IN THE VARIATION OF THE APPOINTMENTS OF INDEPENDENT WATER NETWORKS LIMITED AND AFFINITY WATER LIMITED, AS WATER UNDERTAKERS, MADE BY THE WATER SERVICES REGULATION AUTHORITY ON ... 17/01/2023

ADDRESS: WHITFIELD 2, DOVER, KENT, CT16 3FS.
OS GRID REFERENCE: 631231, 145488
SCALE: 1:4000
DRAWN BY: NS
DATE: 17/11/2022

0 100 200 m



WHITFIELD 2 INSET WATER
MAP 1



2. Variation Notice

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

Variation of the Appointments of Independent Water Networks and Affinity Water Limited as Water Undertakers

Made on 17 January 2024

Coming into effect on 18 January 2024

1. Independent Water Networks Limited ("Independent Water Networks") and Affinity Water Limited ("Affinity Water") hold Appointments as water undertakers for their respective areas ("the Appointments").¹ The areas to which the Appointments of Independent Water Networks and Affinity Water as water undertakers relate ("Water Supply Area") are set out in their Instruments of Appointment.
2. The site called Whitfield 2, Dover in Kent, which is shown edged in red on the plan attached to this variation, ("the Site") is within Affinity Water's Water Supply area. The Site is being developed by BDW Trading 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 Affinity 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 BDW Trading 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 Affinity Water's original Appointments 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 Affinity Water as a water undertaker so that the Site is excluded from Affinity Water's Water Supply Area.

Signed for and on behalf of the Water Services Regulation Authority



Sally Irgin
Director of Enforcement