

Variation of Independent Water Networks Limited's appointment to include Upper Worsham Farm, Bexhill-On-Sea, East Sussex

On 2 May 2023, Ofwat began a [consultation](#) on a proposal to vary Independent Water Networks Limited's (“**Independent Water Networks**”) appointment to become the water and sewerage services provider for a development in South East Water Limited's (“**South East Water**”) water supply area and Southern Water Services Limited's (“**Southern Water**”) sewerage services area called Upper Worsham Farm, Bexhill-On-Sea, East Sussex (“**the Site**”). Details of the application and our assessment of it were set out in the consultation document.

The consultation ended on 29 May 2023. During the consultation period, we received one representation from Rother District Council, which is summarised in Section 1 of this document. The lapse in time since the consultation ended was due to waiting for the bulk discharge agreement to be provided.

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 response we received to the consultation has 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 and sewerage services. This appointment became effective on 11 March 2024.

The Site maps for the variation can be found in Section 2 of this document.

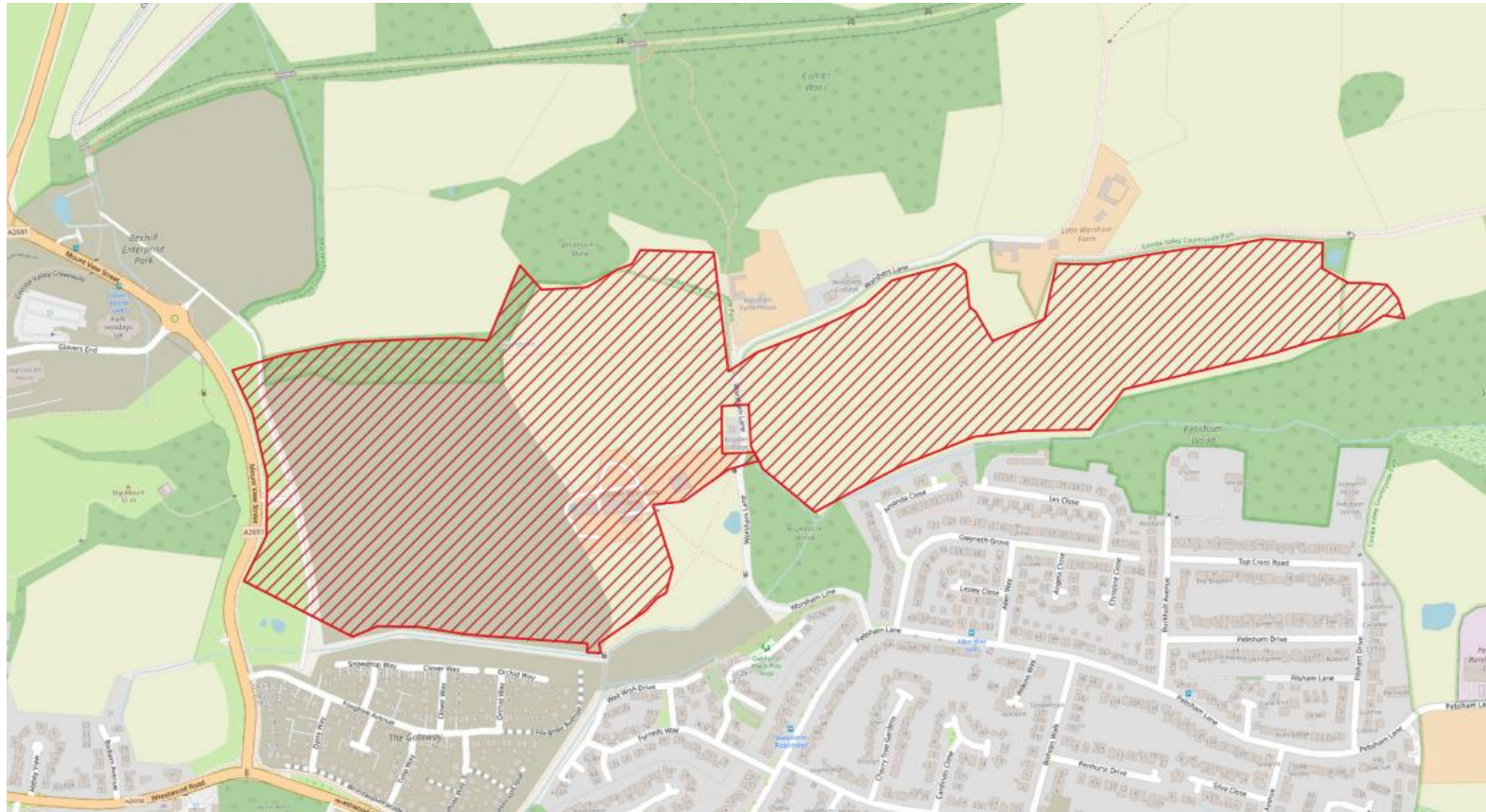
The Variation Notice legally making the variation can be found in Section 3 of this document.

1. Responses received to the consultation

We received responses to our consultation from one organisation: Rother District Council. The respondent agreed with our proposal and did not raise any issues that have made us reconsider our recommendation. We considered this response before making the decision to vary Independent Water Networks' appointment.

2. Site Maps

Water boundary



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

8 March 2024 *E. R.*

ADDRESS: UPPER WORSHAM FARM, BEXHILL-ON-SEA, EAST SUSSEX, TN40 2QP.
OS GRID REFERENCE: 575370, 109165
SCALE: 1: 6000
DRAWN BY: GM
DATE: 29/03/2023

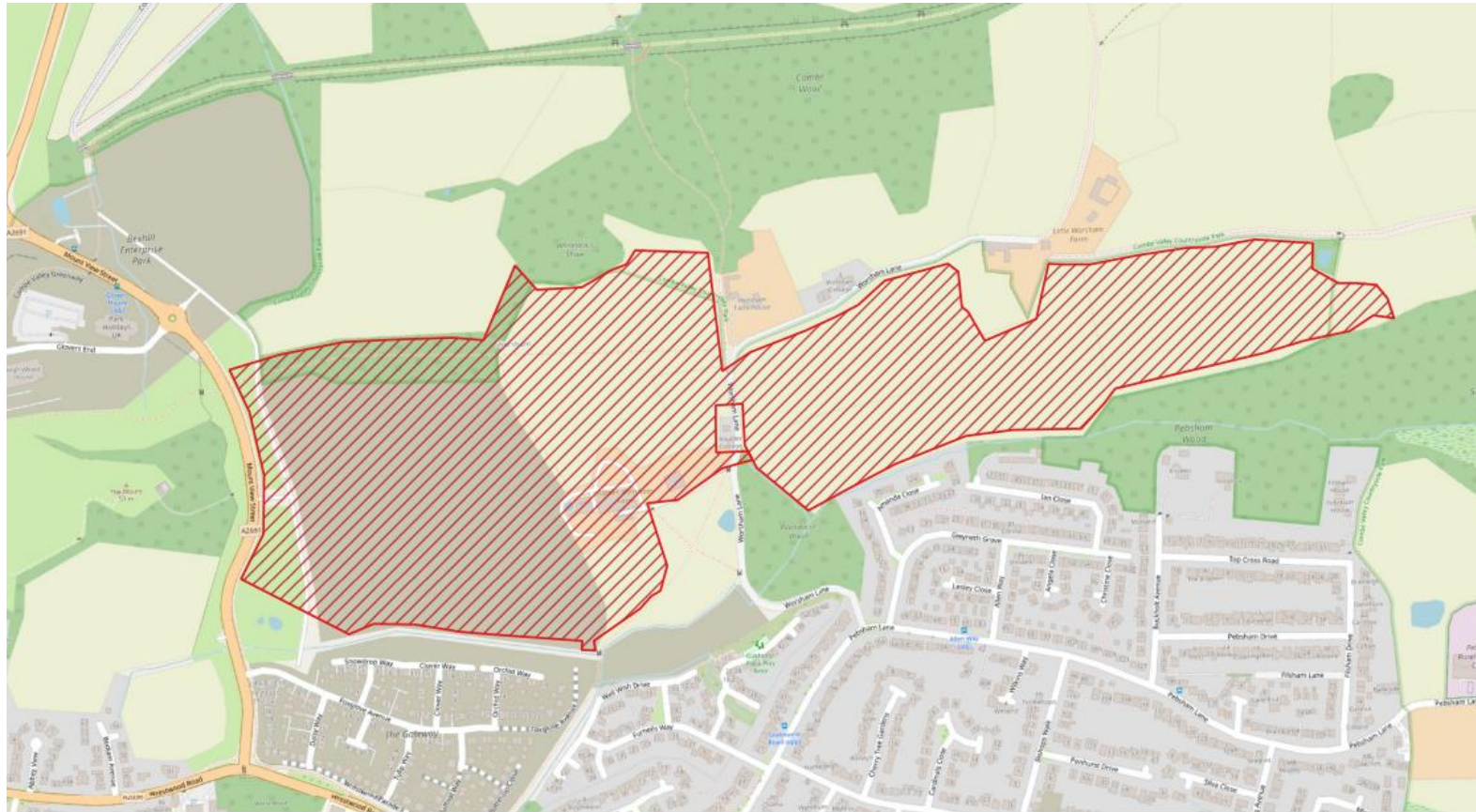
0 100 200 m



UPPER WORSHAM FARM INSET WATER

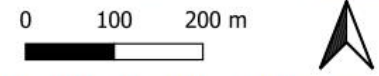
MAP 1

Sewerage boundary



PLAN REFERRED TO IN THE VARIATION OF THE APPOINTMENTS OF INDEPENDENT WATER NETWORKS LIMITED AND SOUTHERN WATER SERVICES LIMITED, AS SEWERAGE UNDERTAKERS, MADE BY THE WATER SERVICES REGULATION AUTHORITY ON ... 8 March 2024 *GM*

ADDRESS: UPPER WORSHAM FARM, BEXHILL-ON-SEA, EAST SUSSEX, TN40 2QP.
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SCALE: 1: 6000
DRAWN BY: GM
DATE: 29/03/2023



UPPER WORSHAM FARM INSET SEWERAGE

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, South East Water Limited, and Southern Water Services Limited as Water and Sewerage Undertakers

Made on 8 March 2024

Coming into effect on 11 March 2024

1. Independent Water Networks Limited ("Independent Water Networks"), [South East Water Limited ("South East Water") and Southern Water Services Limited ("Southern Water") hold Appointments as water and sewerage undertakers for their respective areas ("the Appointments").¹ The areas to which the Appointments of Independent Water Networks, South East Water and Southern 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 Upper Worsham Farm, Bexhill-On-Sea in East Sussex, which is shown edged in red on the plan attached to this variation ("the Site") is within South East Water's Water Supply Area and Southern Water's Sewerage Services Area. The Site is being developed by Vistry 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 and sewerage undertaker to include the Site and for a consequential variation of South East Water's and Southern Water's Appointments 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 Vistry Homes Limited, the Water Services Regulation Authority **varies**–

¹ South East Water's and Southern Water's original Appointments as water and sewerage undertakers were 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 water and sewerage undertaker so that the Site is included in Independent Water Networks' Water Supply Area and Sewerage Services Area;
- (b) the Appointment of South East Water as a water undertaker so that the Site is excluded from South East Water's Water Supply Area; and
- (c) the Appointment of Southern Water as a sewerage undertaker so that the Site is excluded from Southern Water's Sewerage Services Area.

Signed for and on behalf of the Water Services Regulation Authority



Emma Kelso
Senior Director, Markets and Enforcement