

Variation of Independent Water Networks Limited's appointment to include Old Barnstaple Road, Ilfracombe, Devon

On 20 October 2022, 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 West Water Limited's (“**South West Water**”) water supply area and sewerage services area called Old Barnstaple Road, Ilfracombe, Devon (“**the Site**”). Details of the application and our assessment of it were set out in the consultation document.

The consultation ended on 17 November 2022. During the consultation period, we received representations from the Environment Agency and South West Water, which are 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 and sewerage company. As set out in our consultation we are satisfied this is the case. The responses we have received to the consultation have not changed that view.

Having assessed Independent Water Network's application and having taken account of the responses we received to our consultation, we decided to grant a variation to Independent Water Network's area of appointment to allow it to serve the site for water and sewerage services. This appointment became effective on 12 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 two organisations: the Environment Agency and South West Water. We considered these responses before making the decision to vary Independent Water Networks' appointment.

The Environment Agency agreed with our proposal and did not raise any issues that have made us reconsider our recommendation.

South West Water

South West Water's response advised that it supports the development of markets where customers could benefit.

It also noted that Independent Water Networks proposes to match or better South West Water's charges (any discount being subject to annual review), and that savings will be available for those opting to pay by Direct Debit or e-billing.

South West Water agreed in principle to the variation proposal, however noted, the water and wastewater boundary shown within the consultation for the variation is larger than South West Water had been advised would apply to 347 households and 1 non-household. South West Water advised that it had raised this issue here for completeness but noted that additional properties may be the subject of a future variation.

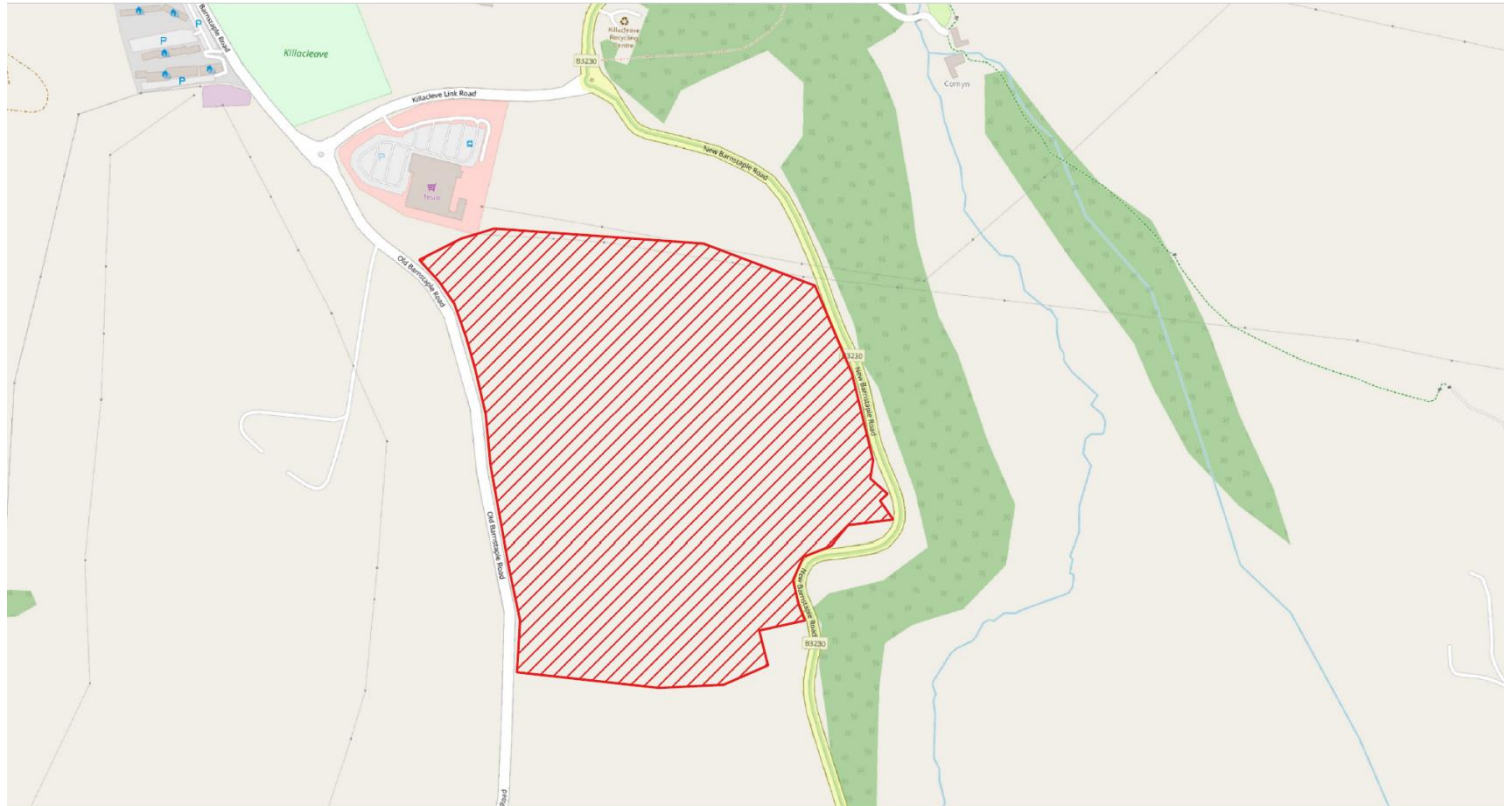
Our Response

Independent Water Networks confirmed to us in an email of 29 February 2024 that there are no disparities with the NAV boundary between Independent Water Networks and South West Water. Independent Water Networks confirmed that the boundary has been checked and that the plot number query with South West Water was resolved on 17th November 2022.

In addition, we checked the maps provided on the site served letters from South West Water and these match the maps provided to us by Independent Water Networks. Independent Water Networks offer a discount of 2.5% for the 2024/25 charging year. This discount is reviewed annually.

2. Site Maps

Water:



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 ...
11 March 2024

Laura Clough

ADDRESS: OLD BARNSTAPLE ROAD, ILFRACOMBE,
DEVON, EX34 8PG
OS GRID REFERENCE: 253118, 146210
SCALE: 1: 6000
DRAWN BY: GM
DATE: 29/06/2022

0 100 200 m

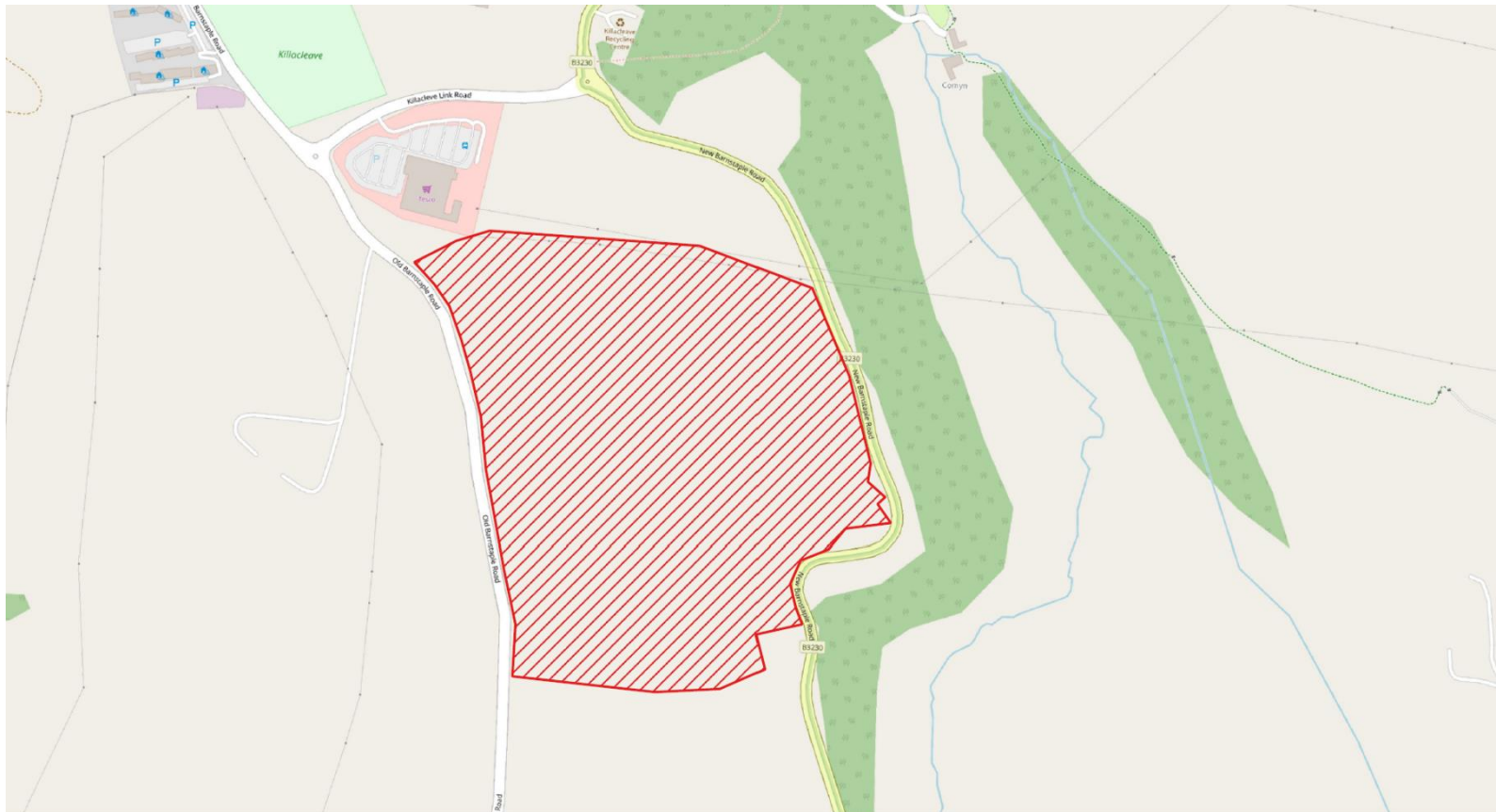


OLD BARNSTAPLE ROAD INSET WATER

MAP 1

Variation of Independent Water Networks Limited's appointment to include Old Barnstaple Road, Ilfracombe, Devon

Sewerage:



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 ...
11 March 2024

Laura Clough

ADDRESS: OLD BARNSTAPLE ROAD, ILFRACOMBE, DEVON, EX34 8PG
OS GRID REFERENCE: 253118, 146210
SCALE: 1: 6000
DRAWN BY: GM
DATE: 29/06/2022

0 100 200 m



OLD BARNSTAPLE ROAD 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 and South West
Water Limited as Water and Sewerage Undertakers**

Made on 11 March 2024

Coming into effect 12 March 2024

1. Independent Water Networks Limited ("Independent Water Networks") and South West Water Limited ("South West 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 and South West Water as the water and sewerage undertakers relate ("Water Supply Area" and "Sewerage Services Area") are set out in their Instruments of Appointment.
2. The site called Old Barnstaple Road, Ilfracombe, in Devon, which is shown edged in red on the plan attached to this variation, ("the Site") is within South West Water's Water Supply Area and Sewerage Services Area. The Site is being developed by Devonshire 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 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 Devonshire Homes Limited, the Water Services Regulation Authority varies–

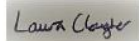
¹ South West Water's original Appointment as a water and sewerage undertaker was made by the Secretary of State for the Environment under sections 11 and 14 of the Water Act 1989, now replaced by sections 6 and 11 of the Water Industry Act 1991. Independent Water Networks' original appointment was made 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.

Variation of Independent Water Networks Limited's appointment to include Old Barnstaple Road,
Ilfracombe, Devon

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

Signed for and on behalf of the Water Services Regulation Authority



Laura Clougher
Principal, Casework and Enforcement