

## Variation of Independent Water Networks Limited's appointment to include Witham St Hughs, Lincoln (Water)

On 18 January 2024, 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 Anglian Water Services Limited's (“**Anglian Water**”) water supply area called Witham St Hughs, Lincoln (Water) (“**the Site**”). Details of the application and our assessment of it were set out in the consultation document.

The consultation ended on 16 February 2024. During the consultation period, we received no responses from any organisations.

Independent Water Networks have also applied for a variation to allow it to serve sewerage services to a Site in the same area. The Site is called Witham St Hughs, Lincoln, (Sewerage) and the public consultation for this Site closed on 12 February 2024 it is published on our website [here](#). This Site is for 182 properties for sewerage services only.

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 and having taken received no responses 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 26 February 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 Map



PLAN REFERRED TO IN THE VARIATION OF THE APPOINTMENTS OF INDEPENDENT WATER NETWORKS LIMITED AND ANGLIAN WATER SERVICES LIMITED, AS WATER UNDERTAKERS, MADE BY THE WATER SERVICES REGULATION AUTHORITY ON ... 23 February 2024

*E. R.*

ADDRESS : WITHAM ST HUGHS, LINCOLN, LN5 9EJ  
OS GRID REFERENCE: 489147, 362938  
SCALE: 1: 12000  
DRAWN BY: GM  
DATE: 01/09/2023

0 250 500 m



WITHAM ST HUGHS INSET WATER

MAP 2

## 2. Variation Notice

**WATER SERVICES REGULATION AUTHORITY**

**WATER INDUSTRY ACT 1991, SECTIONS 6 TO 9**

**Variation of the Appointments of Independent Water Networks Limited and Anglian Water Services Limited as Water Undertakers**

Made on 23 February 2024

Coming into effect on 26 February 2024

1. Independent Water Networks Limited ("Independent Water Networks") and Anglian Water Services Limited ("Anglian Water") hold Appointments as Water undertakers for their respective areas ("the Appointments").<sup>1</sup> The areas to which the Appointments of Independent Water Networks and Anglian Water as water undertakers relate ("Water Supply Area") are set out in their Instruments of Appointment.
2. The Site called Witham St Hughs, Lincoln (Water), which is shown edged in red on the plan attached to this variation ("the Site") is within Anglian 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 sewerage undertaker to include the Site and for a consequential variation of Anglian 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 Services<sup>2</sup> 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 Limited as a water undertaker so that the Site is included in Independent Water Networks' Water Supply Area; and

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<sup>1</sup> Anglian 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.

<sup>2</sup> 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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(b) the Appointment of Anglian Water as a water undertaker so that the Site is excluded from Anglian Water's Water Supply Area.

**Signed for and on behalf of the Water Services Regulation Authority**

A handwritten signature in black ink, appearing to read 'E. Kelso', is written over a light blue rectangular background.

**Emma Kelso**

**Senior Director, Casework and Enforcements**

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