

WATER INDUSTRY ACT 1991: SECTION 17A

WATER SUPPLY LICENCE

The Director General of Water Services, in exercise of his powers under section 17A of the Water Industry Act 1991(a), in accordance with a general authorisation given by the Secretary of State, and having consulted the Secretary of State and the National Assembly for Wales, hereby grants a water supply licence to WaterCall Limited Registered Number 02290091 (“the Licensee”) of 3 Church Road, Haywards Heath, West Sussex, RH16 3NY.

Application of the standard conditions of water supply licences and interpretation

1. This licence is subject to the Standard Conditions of Water Supply Licences(b).
2. In this licence—
 - “the Act” means the Water Industry Act 1991;
 - “qualifying licensed water supplier” has the same meaning as in section 23 (meaning and effect of special administration order); and
 - “relevant introduction” means an introduction of water by the Licensee which is permitted under section 66B (introduction of water into water undertaker’s supply system) or 66C (wholesale water supply by secondary water undertaker) and which is designated as a strategic supply under section 66G (designation of strategic supply) or introductions of water by the Licensee which are so permitted and which are designated as a collective strategic supply under section 66H (designation of collective strategic supply)(c).
3. In this licence—
 - (a) any reference to any provision of—
 - (i) the Standard Conditions of Water Supply Licences, or
 - (ii) the Act,is a reference to that provision as amended from time to time; and
 - (b) unless the contrary intention appears, any reference to a section, Chapter or Part is a reference to a section, Chapter or Part of the Act.

Duration of licence

4.—(1) Subject to the following provisions of this paragraph, this licence comes into force on 2 December 2005 and, unless revoked in accordance with the Standard Conditions of Water Supply Licences (which set out the conditions of revocation), continues in force until it is terminated by not less than 25 years’ notice served by the Secretary of State on the Licensee.

(a) 1991 c. 56; section 17A was inserted by section 56 of and Schedule 1, paragraphs 1 and 2 to the Water Act 2003 (c. 37) and relevant transitional provisions conferring powers on the Director General of Water Services were made by the Water Act 2003 (Commencement No.5, Transitional Provisions and Savings) Order 2005 S.I. 2005/2714.

(b) The Standard Conditions of Water Supply Licences were determined on 7 November 2005 by the Secretary of State under section 17H(1). A copy may be obtained from www.defra.gov.uk or www.ofwat.gov.uk.

(c) Sections 66B, 66C, 66G and 66H were inserted by section 56 of and Schedule 1, paragraphs 1 and 3 to the Water Act 2003.

(2) At any time after the service of a notice under sub-paragraph (1) and before the end of the 25 year period mentioned in that sub-paragraph, the Secretary of State may by further notice served on the Licensee vary or withdraw the notice under sub-paragraph (1).

(3) A notice of variation under sub-paragraph (2) may not provide for termination to take place earlier than 25 years after the date first specified in the notice in sub-paragraph (1).

(4) Subject to sub-paragraph (5), this licence shall not be terminated by virtue of a notice under sub-paragraph (1) while the Licensee is a qualifying licensed water supplier.

(5) Sub-paragraphs (6) and (7) apply where the Secretary of State is satisfied that arrangements have been made to ensure that activities relating to any relevant introduction will be properly carried on after this licence is terminated.

(6) Where this sub-paragraph applies and the date of termination specified in the notice under sub-paragraph (1) has not passed, sub-paragraph (4) shall cease to apply.

(7) Where this sub-paragraph applies and the date of termination specified in the notice under sub-paragraph (1) has passed, this licence shall terminate immediately.

Retail authorisation

5. This licence authorises the Licensee to use a water undertaker's(a) supply system(b) for the purpose of supplying water to the premises of customers of the Licensee in accordance with Chapter 2A of Part 3 (supply duties etc: licensed water suppliers) and subject to section 17A(3) (requirements to be satisfied in relation to each of the premises supplied by the Licensee).

Supplementary authorisation

6. This licence also authorises the Licensee to introduce water into a water undertaker's supply system, by means of which any particular supply of water in accordance with its retail authorisation under paragraph 5 is to take place, in connection with that supply and in accordance with Chapter 2A of Part 3.

1 December 2005

Director General of Water Services

(a) See section 5 of and Schedule 1 to the Interpretation Act 1978 (c. 30) as to the meaning of "water undertaker".
(b) See section 17B(5), inserted by section 56 of and Schedule 1, paragraphs 1 and 2 to the Water Act 2003 as to the meaning of "supply system".