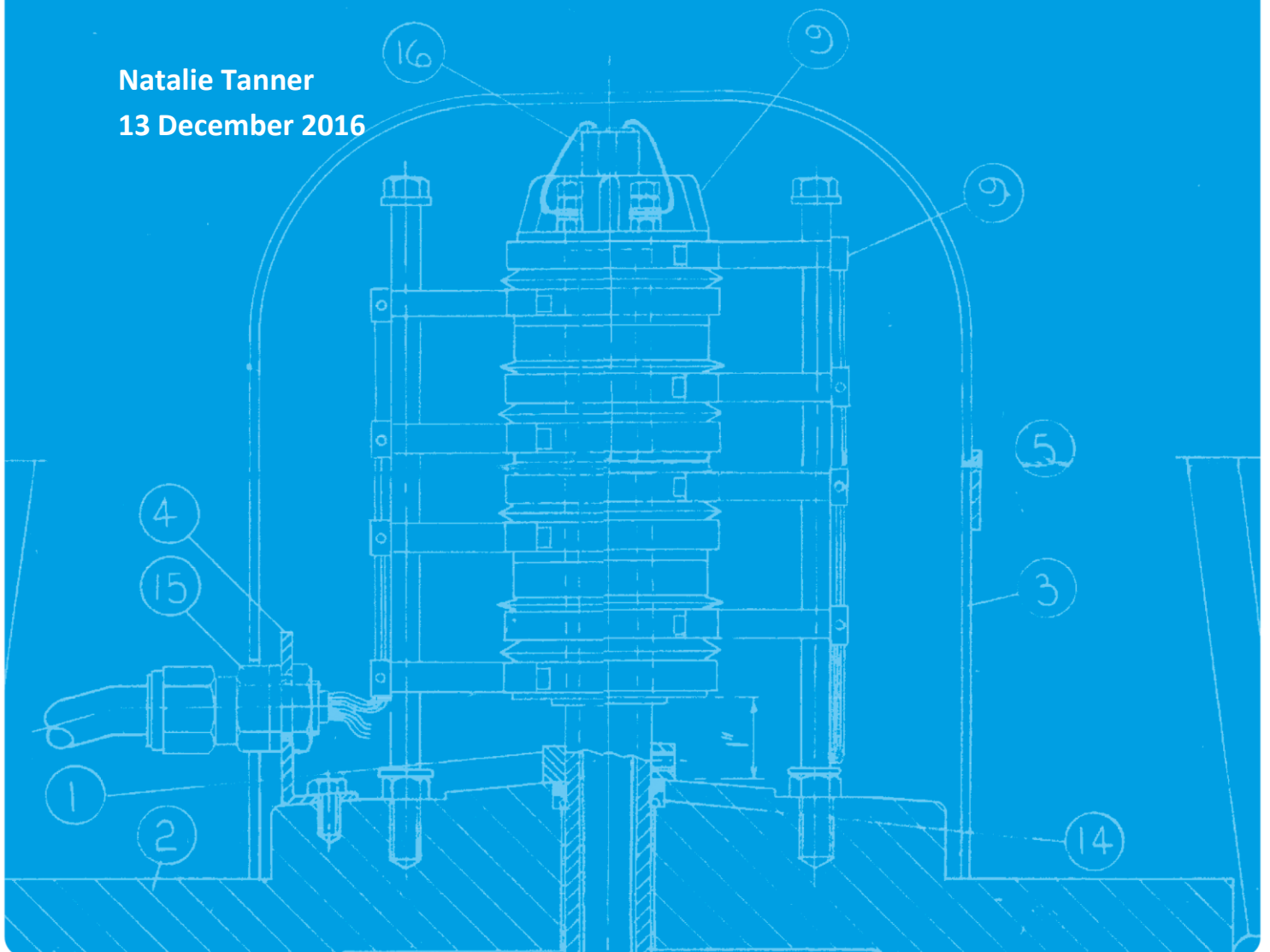


Consultation on code appeals for the water supply & sewerage licensing regime

SVT Response

Natalie Tanner

13 December 2016



Q1: Do you agree that the WRC and the MAC should be designated codes under the regulations? If you disagree, please state which code, or part(s) of the codes, should not be designated and explain your reasons why.

Yes, we agree with Defra's proposal.

Q2: Do you have any comments on the evidence provided in the impact assessment? Do you have any information on costs and benefits that should be included in the impact assessment?

No we do not wish to provide further comment or have any further information that should be included in the impact assessment.

Q3: Do you agree that Ofwat's decisions to accept or refuse a recommendation on a change proposal from the Code Panel should be appealable if Ofwat consults on that change?

Yes, we agree with Ofwat's decision. Further information may become evident after a consultation period has ended, therefore an appeals process futureproofs any decisions made after consultation.

Q4: Should Ofwat have a power to stop an appeal if it believes that a delay caused by an appeal could have an adverse impact on water or sewerage services?

No, we believe that such a provision is not required given that urgent changes to the WRC under 66C and 117H are not appealable.

Q5: Do you agree that only undertakers and licensees materially affected by a decision should be able to apply for (or intervene in) a CMA appeal? If not, please state who else should be able to appeal and why.

Yes, we agree with this proposal.

Q6: Do you think that those applying for a licence or appointment should be able to apply or intervene in an appeal?

Yes, we believe that those who have formally started the application process should be able to apply or intervene in an appeal, if they are materially impacted.