

Variation of Icosa Water Services Limited's appointment to include Elton Head Road, St Helens

On 3 May 2023, Ofwat began a [consultation](#) on a proposal to vary Icosa Water Services Limited's ("**Icosa Water**") appointment to become the water services provider for a development in United Utilities Water Limited's ("**United Utilities**") water supply area called Elton Head Road, St Helens ("**the Site**"). Details of the application and our assessment of it were set out in the consultation document.

The consultation ended on 2 June 2023. We received no responses to our consultation.

Ofwat has engaged with the Environment Agency as part of the application process. For this application, the Environment Agency has flagged a potential risk of supply deficit. Where a risk of deficit exists, applicants are expected to assure the Environment Agency, via statutory processes, that there is not a risk of deficit or, that any deficit will be resolved. The risk has been flagged to Icosa Water to action. The Environment Agency has confirmed to us that it is comfortable for the variation to proceed ahead of those discussions being concluded.

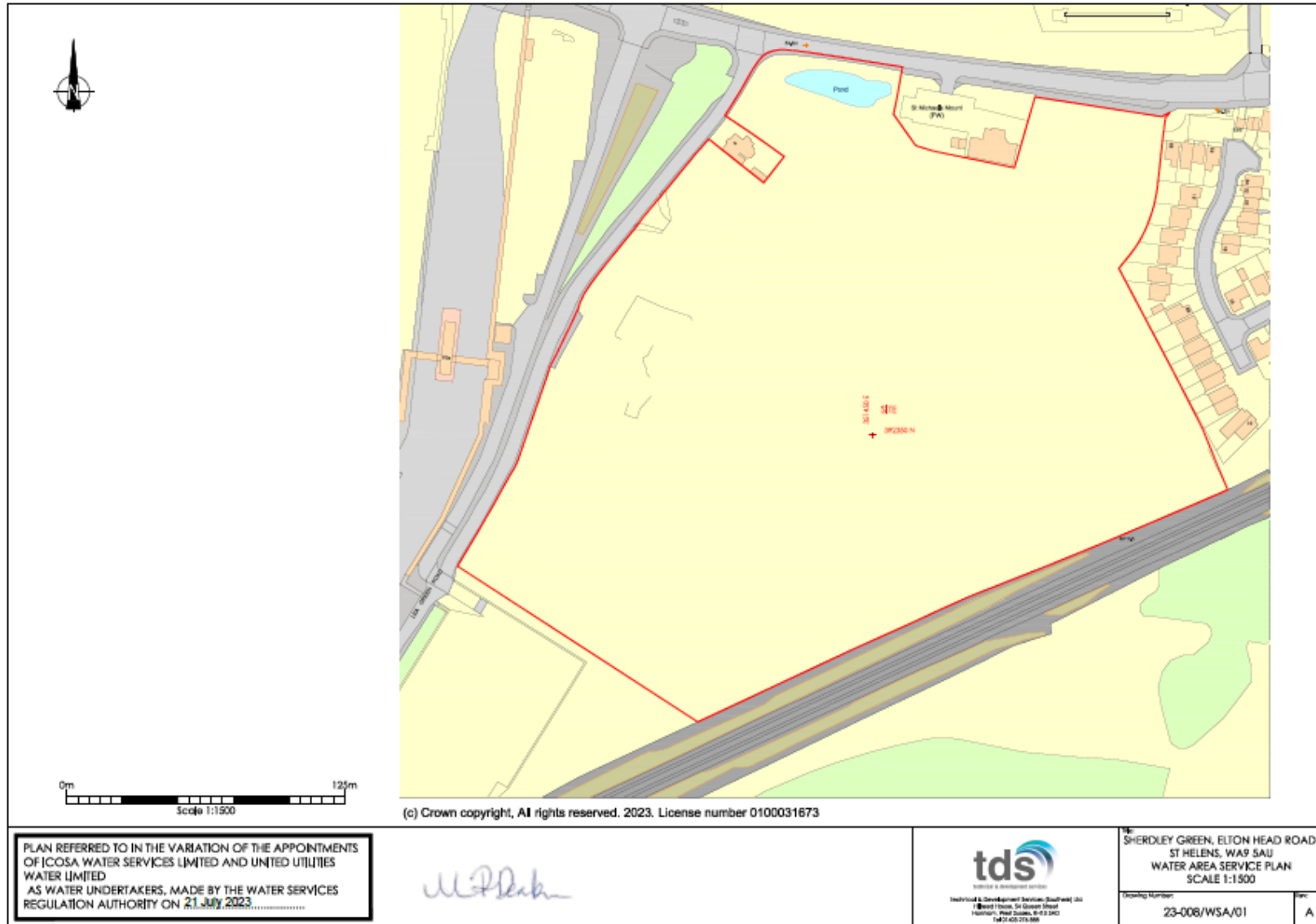
We will only make an appointment or variation if our assessment concludes that the application meets the criterion it has been made under; that customers or future customers on the site will be no worse off than if the site had been served by the existing appointee; and if the applicant will be able 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. Having received no responses to our consultation, our view has not changed.

Having assessed Icosa Water's application and having received no responses to our consultation, we decided to grant a variation to Icosa Water's area of appointment to allow it to serve the Site for water services. This appointment became effective on 24 July 2023.

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



2. Variation Notice

WATER SERVICES REGULATION AUTHORITY

WATER INDUSTRY ACT 1991, SECTIONS 6 TO 9

Variation of the Appointments of Icosa Water Services Limited and United Utilities Water Limited as Water Undertakers

Made on 21 July 2023

Coming into effect on 24 July 2023

1. Icosa Water Services Limited ("Icosa Water") and United Utilities Water Limited ("United Utilities") hold Appointments as water undertakers for their respective areas ("the Appointments").¹ The areas to which the Appointments of Icosa Water and United Utilities as water undertakers relate ("Water Supply Area") are set out in their Instruments of Appointment.
2. The site called Elton Head Road, St Helens which is shown edged in red on the plan attached to this variation, ("the Site") is within United Utilities' Water Supply Area. The Site is being developed by Taylor Wimpey UK Limited.
3. Icosa Water has applied under section 7(4)(b) of the Water Industry Act 1991 ("the Act") for a variation of its Appointment as a water undertaker to include the Site and for a consequential variation of United Utilities' 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 Icosa Water's application.
5. Therefore, as provided by sections 7(2) and 7(4)(b) of the Act, and with the agreement of Taylor Wimpey UK Limited, the Water Services Regulation Authority ~~varies~~
 - (a) the Appointment of Icosa Water as a water undertaker so that the Site is included in Icosa Water's Water Supply Area; and
 - (b) the Appointment of United Utilities as a water undertaker so that the Site is excluded from United Utilities' Water Supply Area.

Signed for and on behalf of the Water Services Regulation Authority



Michael Deakin
Principal, Casework, Enforcement and Customers