

Variation of Icosa Water Services Limited's appointment to include West of Mochdre Brook, Newtown, Wales

On 6 June 2023, Ofwat began a [consultation](#) on a proposal to vary Icosa Water Services Limited's ("**Icosa Water**") appointment to become the water and sewerage services provider for a development in Hafren Dyfrdwy Cyfyngedig's ("**Hafren Dyfrdwy**") water supply area and sewerage services area called West of Mochdre Brook, Newtown in Powys, Wales ("**the Site**"). Details of the application and our assessment of it were set out in the consultation document.

The consultation ended on 5 July 2023. During the consultation period, we received one response to our proposal, from Powys County Council. This response related to the statutory planning conditions for developing the Site; however it does not impact our decision and we have passed the comment onto Icosa Water to note. We received no other responses to our proposal.

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.

Having assessed Hafren Dyfrdwy's application and having reviewed the response to our consultation, we decided to grant a variation to Hafren Dyfrdwy's area of appointment to allow it to serve the Site for water and sewerage services. This appointment became effective on 7 September 2023.

The Site Maps for the variation can be found in Section 1 of this document.

The Variation Notice legally making the variation can be found in Section 3 of this document.

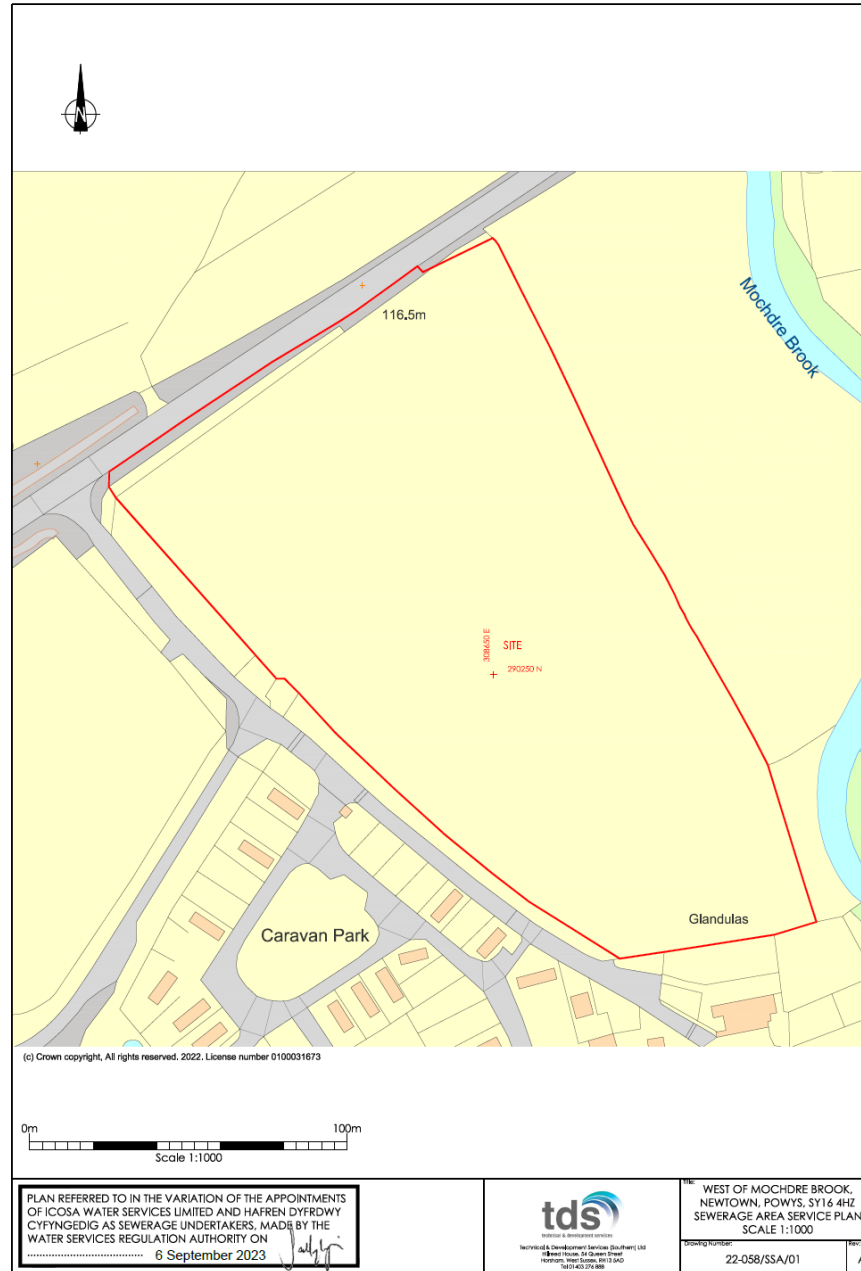
1. Site Maps

Water:



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Sewerage:



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 Hafren Dyfrdwy Cyfyngedig as Water and Sewerage Undertakers

Made on 6 September 2023

Coming into effect on 7 September 2023

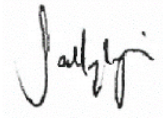
1. Icosa Water Services Limited ("Icosa Water"), and Hafren Dyfrdwy Cyfyngedig ("Hafren Dyfrdwy") hold Appointments as water and sewerage undertakers for their respective areas ("the Appointments").¹ The areas to which the Appointments of Icosa Water, and Hafren Dyfrdwy as water and sewerage undertakers relate ("Water Supply Area" and "Sewerage Services Area") are set out in their Instruments of Appointment.
2. The site called West of Mochdre Brook, Newton in Powys, Wales, which is shown edged in red on the plan attached to this variation, ("the Site") is within Hafren Dyfrdwy's Water Supply Area and Sewerage Services Area. The Site is being developed by S J Roberts Construction Ltd.
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 and sewerage undertaker to include the Site and for a consequential variation of Hafren Dyfrdwy'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 Icosa Water's application.
5. Therefore, as provided by sections 7(2) and 7(4)(b) of the Act, and with the agreement of S J Roberts Construction Ltd, the Water Services Regulation Authority **varies**–

¹ Hafren Dyfrdwy'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. Icosa Water's 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.

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

Signed for and on behalf of the Water Services Regulation Authority

A handwritten signature in black ink, appearing to read 'Sally Irgin', is written over a light grey rectangular background.

**Sally Irgin
Director of Enforcement**