

Variation of Independent Water Networks Limited's appointment to include Barnburgh View (Phase 3), Goldthorpe

On 21 August 2023, 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 Yorkshire Water Services Limited ("**Yorkshire Water**") water supply area sewerage services area called Barnburgh View (Phase 3), Goldthorpe ("**the Site**"). Details of the application and our assessment of it were set out in the consultation document.

The consultation ended on 14 September 2023. During the consultation period, we received no representations on our proposal. Independent Water Networks' original application was for it to provide both water and sewerage services to the Site. During the consultation period it notified us that it only wishes to provide water services to the Site. We assessed the updated financial model provided and we consider that the Site is still financially viable, with the removal of sewerage services. We notified statutory consultees of this change, and no comments or concerns were raised.

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 assessed Independent Water Networks' application and having 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 19 January 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 YORKSHIRE WATER SERVICES LIMITED, AS WATER UNDERTAKERS, MADE BY THE WATER SERVICES REGULATION AUTHORITY ON ... 18 January 2024

ADDRESS: BARNBURGH VIEW (PHASE 3), GOLDTHORPE, S63 9FL
OS GRID REFERENCE: 446554, 403681

SCALE: 1:2500
DRAWN BY: SC
DATE: 28/06/2023



**BARNBURGH VIEW (PHASE 3)
INSET WATER BOUNDARY MAP 1**

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 Yorkshire Water Services Limited as Water Undertakers

Made on 18 January 2024

Coming into effect on 19 January 2024

1. Independent Water Networks Limited ("Independent Water Networks") and Yorkshire Water Services Limited ("Yorkshire Water") hold Appointments as water undertakers for their respective areas ("the Appointments").¹ The areas to which the Appointments of Independent Water Networks and Yorkshire Water as water undertakers relate ("Water Supply Area") is set out in their Instruments of Appointment.
2. The site called Barnburgh View (Phase 3), Goldthorpe, which is shown edged in red on the plan attached to this variation, ("the Site") is within Yorkshire Water's Water Supply Area. The Site is being developed by Gleeson Developments 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 water undertaker to include the Site and for a consequential variation of Yorkshire 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 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 Independent Water Networks' application.
5. Therefore, as provided by sections 7(2) and 7(4)(b) of the Act, and with the agreement of Gleeson Developments Limited, the Water Services Regulation Authority **varies**–
 - (a) the Appointment of Independent Water Networks as a water undertaker so that the Site is included in Independent Water Networks' Water Supply Area; and

¹ Yorkshire Water's original Appointments as water undertakers were 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.

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.

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(b) the Appointment of Yorkshire Water as a water undertaker so that the Site is
excluded from Yorkshire 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 'Sally Irgin', is positioned above the printed name and title.

Sally Irgin
Director of Enforcement