

From: EIR Compliance

To:

Subject: EIR

Date: 17 November 2025 10:53:03

Dear

We refer to your request for environmental information submitted to Yorkshire Water dated 20 October 2025:

"Therefore, I am now writing to make a formal request for information under the Freedom of Information Act 2000 (FOIA) and, where applicable, the Environmental Information Regulations 2004 (EIR). I appreciate your organisation's commitment to transparency and look forward to your assistance in this matter.

The information I am seeking is as follows:

- A list of your unused water supply assets including, but not limited to, abstraction licences, springs, boreholes, raw water reservoirs, treatment works, service reservoirs and pipelines (raw or supply).*
- Key details on these assets such as location, size or capacity, historical output, condition"*

In accordance with section 12(5) paragraph (a) of the EIR, a public authority may refuse to disclose information to the extent that its disclosure would adversely affect international relations, defence, national security or public safety. Whilst we understand that for the purposes of public interest it would be beneficial to obtain this information we also have to consider whether it would be in the wider public interest to disclose the information. When weighed against the potential risk to national security and public safety for our clean water infrastructure.

Disclosure of details relating to unused water assets including abstraction licences, pipelines, reservoirs, boreholes, tanks, and treatment facilities present a

significant risk to public safety and the national security of Critical National Infrastructure (CNI). Safeguarding national security includes the protection of potential targets, even if there is no evidence that an attack is imminent. The clean water network forms part of the CNI of this country and could be perceived as a potential target for such an attack. Although certain assets referenced may currently be 'unused', confirming their status or condition could expose vulnerable sites. This could increase the likelihood of trespass, illegal abstraction, theft, or interference with the public water network. Such activity could compromise water quality, disrupt supply, and create physical safety hazards. The Northern Ireland Water (2023) decision recognises that information identifying the precise location or condition of water infrastructure can engage Regulation 12(5)(a) due to its potential to facilitate criminal activity and leave essential assets exposed to harm. In addition to this, we have to consider that whilst some assets may at this time be recorded as 'unused' this does not permit any future strategic planning whereby, we may undertake a decision to re-utilise assets based on business requirements, linked to our public task functions for clean water supply. Releasing further asset specific details in relation to these assets, including metadata relating to size, capacity, or operational history, would also conflict with other regulatory obligations. We also have to consider the guidance issued to us by DEFRA on what we can make available in the public domain in relation to Critical National Infrastructure (CNI). We recognise the importance of transparency and accountability, and we have carefully considered whether the public interest in disclosure outweighs the potential harm. However, we believe that in this case, the public interest in maintaining the exemption outweighs the public interest in disclosure. The potential risks associated with releasing the information are too significant to justify its disclosure, as such we will not be disclosing the information to you.

In addition to the above, in accordance with section 12(5) paragraph (e) of the EIR, a public authority may refuse to disclose information to the extent that its disclosure would adversely affect the confidentiality of commercial or industrial information where such confidentiality is provided by law to protect a legitimate economic interest. The information in relation to unused assets is considered commercially sensitive, the information requested forms part of our internal asset management strategy and may relate to assets that could be reactivated, repurposed, or sold in future. This information is not readily available in the public domain and the confidentiality of the information is protected by law. Releasing such information would prejudice our commercial interests and undermine our

ability to operate in a competitive market, by providing an unfair advantage to prospective purchasers or competitors, particularly outside a controlled tendering environment, disclosure would compromise our ability to secure fair market value and manage commercial negotiations effectively. We recognise the public interest in maintain transparency and accountability regarding the management of water supply infrastructure. However, we consider in this case that the public interest in maintaining the commercial confidentiality outweighs the public interest in disclosure, the harm to our legitimate economic interest and wider implications on fair competition have been factored into our assessment.

We trust that the provision of this data satisfies your request. In accordance with the Environmental Information Regulations 2004, if you are not satisfied with this reply to your request you can ask for an internal review. A request for an internal review must be submitted within 40 working days by contacting the Data Protection Team.

Thank you for contacting Yorkshire Water.

Yours sincerely,

Data Protection Team

Email: EIR@Yorkshirewater.co.uk