

## **WDCO Board Briefing Note**

### **Water Feature Repair Costs — KSS1 Residents Association Dispute**

*12 March 2026 | Prepared by Adrian Essex, Chair*

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#### **Background**

In February 2026, the KSS1 Residents Association (KSS1 RA) wrote to Berkeley Homes, Rendall & Rittner (R&R), Hackney Council, and WDCO to protest the allocation of the full £68,103 cost of repairing the estate water feature solely to KSS1's 344 leaseholders. Berkeley Homes and R&R rejected the complaint, asserting that the charge is contractually valid. WDCO responded on 4 March, acknowledging the fairness concerns and proposing a broader discussion about what constitutes the public realm on the estate. The KSS1 RA welcomed this approach.

#### **Key Issues**

The water feature sits in a prominent public location adjacent to the Berkeley Homes marketing suite and the Riverside Gardens thoroughfare. It appears in Berkeley promotional materials. The KSS1 RA argues convincingly that it functions as a site-wide community and commercial asset, yet only 344 households have been charged for it. A further complication has now arisen: the feature broke down again within weeks of the £68,103 repair, with a failed filter pump requiring a further replacement at £1,125 + VAT. This raises legitimate questions about the quality of the original repair and about ongoing liability.

#### **Current Position**

Berkeley Homes has stated that the feature is a permanent part of the approved development and is not open to removal. R&R has committed to improved communication and advance consultation before significant expenditure. Councillor Sarah Young has flagged the need to clarify the tendering process and whether the asset should remain in Berkeley ownership or transfer to Hackney as part of the park. KSS1 leaseholders have confirmed that ownership currently sits with them, and the RA is pressing for removal and replacement with planting.

#### **WDCO's Role and Next Steps**

WDCO has offered to facilitate a discussion — first between WDCO and the KSS1 RA, and subsequently with Hackney and Berkeley — on the definition of public realm across the estate. This is consistent with WDCO's partnership role and avoids prejudging the contractual position. The board is asked to note this matter and to endorse WDCO continuing to act as a bridge between the KSS1 RA and the wider partnership, with a view to establishing clearer principles for the allocation of costs for communal features that serve the estate as a whole.