

**From: The Minister**

Michelle McIlveen MLA  
Northern Ireland Assembly  
Parliament Buildings  
Ballymiscaw  
Stormont

Dear Michelle

**AQW 45514/22-27 – INFORMATION TO BE PLACED IN THE ASSEMBLY LIBRARY**

Due to the volume of detail required to answer AQW 45514/ 22-27, the information attached at Annex A has been placed in the Assembly Library.

Yours Sincerely,



**Gordon Lyons MLA  
Minister for Communities**

This issue is an operational matter for the Housing Executive, they have has advised me as follows:

*“The Northern Ireland Housing Executive’s (NIHE) approach to the maintenance of public areas within its estates is informed by its statutory duty of care under the Occupiers’ Liability Act 1957, which requires occupiers to take reasonable steps to ensure that visitors are safe from harm.*

*In fulfilling this duty, NIHE operates a programme of regular Public Liability Insurance Claim (PLIC) Walk Inspections. These inspections are used to identify defects such as cracks, potholes, or uneven surfaces that may present a risk to public safety.*

*PLIC walk inspections may be undertaken by a range of operational staff, including Maintenance Officers, Neighbourhood Officers, Concierge/Caretaker staff, Grounds Maintenance staff and Contractors.*

*In addition to scheduled PLIC walk inspections, staff and contractors carrying out regular duties within NIHE estates are required to be mindful of potential hazards encountered during the course of their work and to report such issues for assessment and action as appropriate.*

*The frequency of PLIC Walks will be agreed locally between the Area Manager and Maintenance Manager, taking account of factors such as;*

- *Population Levels & Footfall.*
- *Type of users of Visitors to the Area.*

- *Accident/Claim History.*
- *The overall assessed risk level.*

*The risk-based approach is summarised as follows:*

<b><i>Risk Level</i></b>	<b><i>Frequency of Inspection and Action Required</i></b>
<b><i>Low 1-4</i></b>	<i>Negligible to minor footfall / vulnerable users, no recent history of incidents, claims, vandalism or obstructions. Path maintained to an acceptable standard. It is less likely people will be injured while using the footpath / steps and frequency of inspection may be every 12-18 months as appropriate.</i>
<b><i>Moderate 5-10</i></b>	<i>Minor to moderate footfall / vulnerable users, with limited or increased history of incidents, claims, vandalism or obstructions. Path maintained to an acceptable standard. It is possible people may be injured while using the footpath / steps due to the above triggers and the frequency of inspection should be at least every 6-12 months and defects resolved in a timely manner.</i>
<b><i>High 11-16</i></b>	<i>Moderate to high footfall / vulnerable users, with a history of incidents, claims, vandalism or obstructions. Footpath maintenance infrequent. It is possible people may be injured while using the footpath / steps due to the above triggers and the frequency of inspection should be at least every 3-6</i>

	<i>months and defects resolved in a timely manner.</i>
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*In line with guidance used in the assessment of public liability claims, defects measuring greater than 20mm are generally considered to present an actionable tripping hazard. Officers undertaking inspections are required to exercise professional judgement and consider all relevant factors, including the location of the defect, levels of pedestrian use, and the potential vulnerability of users, such as children.*

*Where defects are identified through regular inspection as posing a risk to safety, appropriate remedial action is undertaken.”*