

**The 6th Meeting of
the Environmental Hygiene and Sustainable Development Committee of
the Kowloon City District Council**

Date: 19 November 2020 (Thursday)
Time: 2:30 p.m.
Venue: Conference Room, Kowloon City District Office

Present:

Chairman: Dr KWAN Ka-lun

Members: Mr WONG Wing-kit
Mr LAI Kwong-wai
Miss CHAU Hei-man
Mr PUN Kwok-wah, JP (Arrived at 2:35 p.m.)
(Left at 5:20 p.m.)
Mr LEE Hin-long (Left at 5:45 p.m.)
Mr KWOK Tin-lap (Arrived at 2:50 p.m.)
Mr LAM Tak-shing (Left at 5:25 p.m.)
Mr YUM Kwok-tung, Pius
Mr FUNG Man-tao, Joshua
Miss MAK Sui-ki, Jakki
Mr SIU Leong-sing
Mr WONG Kwok-tung, Daniel
Mr TSANG Kin-chiu
Mr YEUNG Chun-yu (Arrived at 2:38 p.m.)
The Hon LEE Wai-king, Starry, SBS, (Left at 3:48 p.m.)
JP
Mr HE Huahan (Left at 3:36 p.m.)
Mr NG Po-keung, MH (Arrived at 2:37 p.m.)
(Left at 5:30 p.m.)
Mr CHO Wui-hung, MH (Arrived at 2:40 p.m.)
(Left at 4:15 p.m.)
Mr CHEUNG King-fan (Arrived at 3:02 p.m.)
(Left at 4:15 p.m.)
Mr YANG Wing-kit (Left at 4:50 p.m.)
Dr KWONG Po-yin

Secretary: Mr TSO Yuen-kiu, Brian Executive Officer (District Council)
2, Kowloon City District Office

<u>Absent:</u>	Mr MA Hei-pang Mr HO Hin-ming, BBS, MH	
<u>In Attendance:</u>	Mr TANG Wai-kuen, Samuel	Senior Environmental Protection Officer (Regional East) 5, Environmental Protection Department
	Mr LAM Ming-wai	District Environmental Hygiene Superintendent (Kowloon City), Food and Environmental Hygiene Department
	Mr WONG Chun-nam	Deputy District Leisure Manager (Kowloon City) 2, Leisure and Cultural Services Department
	Ms KWOK Lai-kuen, Eva	Senior Executive Officer (District Management), Kowloon City District Office
	Mr LI Chi-him, Samson	Executive Officer I (District Management), Kowloon City District Office
<u>Attendance by Invitation:</u>		
Matters Arising	Mr CHEUNG Chi-wai, Edmond	Property Services Manager / Kowloon City North, Architectural Services Department
Matters Arising, Item 3 and 10	Ms LAW Lai-yi, Chief Inspector of Police	Assistant Divisional Commander (Operations) (Hung Hom), Hong Kong Police Force
	Mr WU Zhen-dong, Senior Inspector of Police	Task Force Sub-unit Commander (Hung Hom), Hong Kong Police Force
	Mr TSANG Tat-wing, Station Sergeant	Assistant Police Community Relations Officer (Kowloon City District), Hong Kong Police Force
Item 7-9	Dr Vivian CHAN	Senior Medical and Health Officer (Emergency Preparedness and District Relations) 1, Department of Health
Item 11	Ms CHUNG Si-weng, Renee	Assistant District Social Welfare Officer (Kowloon City/Yau Tsim Mong), Social Welfare Department
	Mr CHAK Kwok-wai	Division Officer (Kowloon Central), Fire Services Department
	Mr FUNG King-nam	Station Commander, Hung Hom Fire Station, Fire Services Department

Item 12 Mr FAN Chak-kee District Inspector of Works/Hung
Hom 1, Highways Department

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Opening Remarks

The Chairman welcomed Members and representatives of government departments and organisations to the meeting. Before proceeding to the discussion of the agenda items, **the Chairman** reminded Members that if the matters to be discussed gave rise to conflict of interest with their property rights, profession or investment, they should make a declaration prior to the discussion so that he would consider if it was necessary to ask the Members concerned to exit from the meeting during the discussion or voting. Also, according to Order 36(2) of the Standing Orders, the quorum for committee meetings was half the number of members. As there were 24 members in the Environmental Hygiene and Sustainable Development Committee (EHSDC), once there were less than 12 members present at the meeting, he would terminate the discussion immediately. **The Chairman** stated that prior to the meeting, he received a notification from Mr HO Hin-ming, saying that he could not attend the meeting because of sickness. After consulting Members, he agreed to give consent to the application of absence from Mr HO Hin-ming in accordance with Order 51(1) of the Kowloon City District Council Standing Orders (Standing Orders).

Item 1

Confirmation of Minutes of Last Meeting

2. **The Chairman** declared that the minutes of the 5th meeting and the 1st special meeting were unanimously endorsed by EHSDC without amendments.

Item 2

Progress of the Intensive Anti-rodent Operation in Public Markets and Enhancement of Health Protection Measures for Markets (Paper No. 56/20)

3. It was decided at the last meeting that the discussion of Progress of the

Intensive Anti-rodent Operation in Public Markets and Enhancement of Health Protection Measures for Markets (Paper No. 56/20) would be continued in order to follow up on the anti-rodent measures and anti-epidemic work for public markets. The Food and Environment Hygiene Department (FEHD) reported their follow-up actions after the last meeting.

4. **Mr LAM Ming-wai, District Environmental Hygiene Superintendent (Kowloon City) of FEHD**, consolidated his reply as follows:

- (i) the Department had already carried out an inspection with the Pest Control Advisory Section in Hung Hom Market, upon which the Pest Control Officer opined that installing wire fences at the 2.5-inch gap between stalls or blocking the gap would only make rodents find another passage to move around. Therefore, he suggested using trapping devices and rat baits to eliminate rodents effectively;
- (ii) the Department had already discussed with the Architectural Services Department (ArchSD) the installation of rodent guards at drain pipes to enhance rodent disinfection;
- (iii) the Department had visited Hung Hom Market with Members and explored ways to improve the hygiene condition of refuse collection points, including putting up notices to remind market stall tenants not to discard refuse in full rubbish bins, and to cover the lid of rubbish bins after waste disposal, etc. The Department would also remove the waste as soon as possible; and
- (iv) the Department had strengthened the communication with market stall tenants and advised them to store the food in sealed containers after business hours so as to eliminate the food sources of rodents.

5. **Mr Edmond CHEUNG, Property Services Manager / Kowloon City North of ArchSD**, said that the Department would work closely with FEHD and provide necessary technical support and aid on construction matters in response to the requests and suggestions of FEHD about rodent control measures in markets in Kowloon City District.

6. **Mr Pius YUM** raised the following opinions/enquiries:
- (i) he went to Hung Hom Market for inspection yesterday and found traces of rodents at the refuse room mentioned at the 5th meeting and saw scattered offals on the ground, indicating that the hygiene problem had not been improved;
 - (ii) he thanked FEHD for providing a detailed record of the number of live and dead rodents caught, and then requested the Department to submit the relevant record from the day of the 5th meeting to today;
 - (iii) he quoted the Department's response and questioned if the installation of rodent guards at drain pipes could eliminate rodents effectively;
 - (iv) he emphasised that the 2.5-inch gap was a safety passage for rodents. He then enquired the Department if trapping devices could be placed in the gap and the frequency of the rat baits placement; and
 - (v) since two 19-year-old cats in Hung Hom Market had passed away, rodent infestation in the market was aggravated.
7. **Mr LAM Ming-wai of FEHD** consolidated his response as follows:
- (i) the use of trapping devices and rat baits was the professional advice from the Pest Control Officer;
 - (ii) he would ask the Pest Control Advisory Section to visit Hung Hom Market again. He also invited Mr Pius YUM to join the site visit;
 - (iii) he admitted that there was room for improvement in the Department's anti-rodent work. Apart from stepping up the work, FEHD would enhance the cooperation with market stall tenants and advise them to handle the waste properly; and
 - (iv) the Department would take enforcement action against irregularities.

8. **Mr Pius YUM** put forward the following views:
- (i) he wished that the Department would not shift the responsibility to market stall tenants;
 - (ii) he opined that the refuse room must be equipped with a lidded rubbish bin with the lid closed at all times. There should not be offals scattering on the floor as well; and
 - (iii) he asked the Department to follow up on the problem of refuse room in public markets in the district.
9. **Mr LAM Ming-wai of FEHD** promised to follow up on the refuse room problem in Hung Hom Market and explained that the waste was mainly collected through the refuse chutes in the refuse room of Hung Hom Market.
10. **Mr Pius YUM** hoped that the Department could respond to the requests mentioned in the email.
11. **Mr LAM Ming-wai of FEHD** consolidated his reply as follows:
- (i) FEHD had already provided the relevant record till 29 October after the 5th meeting and the details were listed in the minutes of the 5th meeting; and
 - (ii) from 6 August to 17 November, the live and dead rodents caught in To Kwa Wan Market were 10 and 56 respectively, while those caught in Hung Hom Market were 14 and 62 respectively.

Item 4

Kowloon City Market Stall Operators' Opposition to the Closure and Relocation of Stalls and Request to the Government for Seeking a Consensus before Making Major Policy Decisions
(Paper No. 77/20)

Item 5**Concern over the Progress of Refurbishment Works for Markets Managed by the Food and Environmental Hygiene Department (FEHD)
(Paper No. 78/20)****Item 6****Request for Curbing Light Pollution in the Streets of Kowloon City District
(Paper No. 79/20)**

12. As agenda items 4 to 6 were related to public markets, after consulting Members, the Chairman announced that the items would be discussed together.
13. **Mr NG Po-keung** presented Paper No. 77/20 and No. 79/20.
14. **Mr Pius YUM** introduced Paper No. 78/20.
15. **Mr LAM Ming-wai of FEHD's** response was consolidated as follows:
 - (i) the Department continued to consult with tenants on the Market Modernisation Programme. They had also held a meeting with the representatives of tenants again last week to find out the mainstream views of the tenants. After consolidating tenants' opinions on the overall refurbishment works of Kowloon City Market, the Department would study and propose the preliminary views of the programme with ArchSD. The actual scope, approach and timetable of the refurbishment would be confirmed after seeking the opinions of tenants and stakeholders. They would also make timely reports to Members in accordance with the progress of the works;
 - (ii) the vacancy rates of markets in the district were associated with the Market Modernisation Programme. Since the Department was uncertain about the details of the programme, the vacant stalls in public markets were reserved temporarily for priority consideration by affected tenants or for arrangements in line with the programme;
 - (iii) the Department was currently studying the feasibility of turning off

some of the lighting system at the 3/F lobby of the Kowloon City Municipal Services Building (MSB), including 16 sphere lampposts at 00:00 a.m. every night or reducing the brightness of the light bulbs, in the hope of lowering the impact on residents near Kowloon City Market. In addition, the Department had already discussed with the Kowloon City Sports Centre under the Leisure and Cultural Services Department (LCSD) and re-examined the operating hours of the lighting system;

- (iv) since many tenants would carry out preparation work for next day's business during midnight, the passageways and entrances of the market required minimal lighting;
- (v) the Department had been maintaining close communication with tenants through the Market Management Consultative Committees as well as taking the initiative to collect tenants' opinions and improve the operating environment of public markets; and
- (vi) he would request contractors to step up cleaning work to resolve the problem of wet floors at the wet goods zone. The Department would also institute prosecution depending on the actual situation.

16. **Mr YANG Wing-kit** raised the following opinions/enquiries:

- (i) he enquired whether the Market Modernisation Programme, which lasted for 20 years and cost \$1 billion, would be extended to cover To Kwa Wan Market and Hung Hom Market;
- (ii) as the coverage of Kowloon City Market was wide, he asked if the Department had interim measures to help the affected neighbourhood and traders; and
- (iii) he asked the Department to give a detailed explanation on the relocation arrangement.

17. **Mr NG Po-keung** put forward the following views/enquiries:

- (i) he enquired how long it would take for the Electrical and Mechanical

Services Department (EMSD) to conduct the study on reducing the brightness of the lighting in MSB;

- (ii) as the lighting system in other floors of MSB also affected the residents nearby, he advised the Department to include the impact posed by the lighting of other floors in their study;
- (iii) he asked if the brightness of light bulbs could be reduced under the current lighting system of the Department. He also hoped that the Department could follow up immediately to minimise the lighting impact on the residents nearby; and
- (iv) he knew that the Department was conducting a consultancy study on the Kowloon City Market Modernisation Programme. He wished that the Department could state clearly tenants' opinions in the consultancy study, that is, to improve the operating environment of public markets by conducting minor works such as beautification works of the floor, installation of air-conditioners and the provision of circular routes for transporting citizens, so that they did not have to relocate or wind up their business.

18. **Mr Pius YUM** voiced the following opinions/enquiries:

- (i) he opined that the Department had to formulate a thorough plan before implementing the Market Modernisation Programme as it was expected to last for 20 years and \$1 billion;
- (ii) he felt happy yet worried about the Market Modernisation Programme and hoped that the Department could refurbish Hung Hom Market and install more community facilities. However, he lacked confidence in the Department;
- (iii) he enquired whether the male and female toilets of Hung Hom Market mentioned in the document of the Department were located above the office of the market. If so, he hoped that the Department could follow up on the provision of a barrier-free access; and
- (iv) he stated that tenants were worried that their livelihood would be

affected while the neighbourhood was concerned about where they could buy groceries.

19. **Mr LAM Tak-shing** raised the following opinions/enquiries:

- (i) he wished that the Department could report the progress of the Market Modernisation Programme to Members timely and facilitate the communication of both sides in order to achieve the expected outcomes;
- (ii) he mentioned that the accessible toilet near the newspaper stalls in the lobby of Hung Hom Market was always clogged which led to a backflow, affecting the environmental hygiene. He requested the Department to step up patrol at the location concerned and refer the situation to the relevant department for follow-ups;
- (iii) he pointed out that the business performance of the dry goods area on the second floor of Hung Hom Market was relatively poor, therefore, he asked the Department to maintain close communication with tenants to enhance the publicity and promotion work; and
- (iv) he hoped that the Department could step up anti-rodent work.

20. **The Hon Starry LEE** put forward the following views/enquiries:

- (i) she believed that Members would all hope that the market from their constituency area be selected for the implementation of the Market Modernisation Programme;
- (ii) she wished that the Department could strive for more renovation works for markets in the district and added that To Kwa Wan Market was an older market with operating difficulties;
- (iii) she noticed that markets in some districts had better performance in operation and were more competitive ; and
- (iv) she hoped that the Department could strengthen the communication with stakeholders and try to improve the operating environment of

the markets, so that tenants could sell their goods to residents in the district at a lower price.

21. **Mr LAM Ming-wai of FEHD** consolidated his reply as follows:

- (i) the Department announced that three more public markets would be covered under the Market Modernisation Programme announced by the Legislative Council in May, including Kowloon City Market in Kowloon City District. Other public markets like Hung Hom Market and To Kwa Wan Market were not included in the programme;
- (ii) he said that the Kowloon City Market Modernisation Programme was at the preliminary conceptual and consultation stage, therefore, it was still early to consider the relocation arrangements for the tenants;
- (iii) he knew and understood that most of the stakeholders had qualms about the programme and did not want the markets to cease operation. The Department would formulate the programme after listening to the views from all parties and would officially commence the works once the planning of ancillary facilities was properly done;
- (iv) he promised that he would report to Members once the Kowloon City Market Modernisation Programme was finalised after consulting tenants and stakeholders;
- (v) the toilet mentioned in the document was located in Hung Hom Market while the toilet mentioned by Mr Pius YUM was the public toilet outside the market;
- (vi) the Department had already followed up on the accessible toilet with ArchSD and the Drainage Services Department in a bid to solve the problem of toilet blockage and backflow in the long run;
- (vii) the Department would strengthen the communication with tenants and launch more attractive publicity activities;
- (viii) he would take reference from markets in other districts to improve the operating environment in the markets of Kowloon City District.

He pointed out that Tai Wai Market, which was suspended from operation for a period of time to conduct renovation works, won much praise after the completion of renovation;

- (ix) the problem of light pollution of MSB would be followed up on after the study of EMSD was completed. The brightness of the light bulbs could only be reduced when additional equipment was installed in the lighting system of MSB;
- (x) he noted the opinions of Mr NG Po-keung, Mr LAM Tak-shing and the Hon Starry LEE.

22. **Mr NG Po-keung** stated that according to the Department's reply on 24 August, some of the lighting system at the 3/F lobby of MSB would be turned off at 2:00 a.m., however, he still received complaints from the neighbourhood after 24 August. He requested the Department to give an account of the location of the 16 sphere lampposts.

23. **Mr LAM Tak-shing** hoped that the Department could follow up on and address the problem of blockage and backflow in the accessible toilet, and the problem of damaged facilities like door locks with the relevant departments as soon as possible.

24. **Mr LAM Ming-wai of FEHD** said that he would reply to Mr NG Po-keung after the meeting and noted Mr LAM Tak-shing's opinions.

Item 10

Plastic Boxes Placed Everywhere in Kowloon City Due to the Connivance of FEHD

(Paper No. 63/20)

Concern over the Problem of Shop Front Extension on Pavements

(Paper No. 83/20)

25. It was decided at the last meeting that the discussion of Plastic Boxes Placed Everywhere in Kowloon City Due to the Connivance of FEHD (Paper No. 63/20) would be continued in order to follow up on the situation of shop extension. In addition, the Committee hoped that the Hong Kong Police Force (HKPF) would send representatives

to the meeting. As agenda item 10 was related to shop extension as well, after consulting Members, the Chairman announced that the items would be discussed together.

26. **Mr LAM Ming-wai of FEHD** consolidated his response as follows:

- (i) the Department stated that shop extension and street obstruction by goods were the problems of street management which fell within the ambits of various government departments. The main duty of FEHD was to maintain environmental hygiene and thus, they would accord priority to tackle issues related to illegal hawking or obstruction to street sweeping operations, and would take actions according to the actual situation;
- (ii) the Department had all along been concerned about the environmental hygiene and road obstruction in the streets of Kowloon City District. Apart from providing regular street sweeping and washing services, FEHD would also enhance these services when necessary;
- (iii) the Department had deployed staff to strengthen regular inspections and would carry out blitz enforcement operations against offenders;
- (iv) between November 2019 and October 2020, the Department had issued a total of 573 fixed penalty tickets to persons who committed cleanliness offences or caused the problem of shop extension around Ma Tau Wai Road, Station Lane, Bulkeley Street, Sheung Heung Road, Lok Shan Road and Kowloon City Road; and
- (v) the Department would conduct joint operations with HKPF against contraventions from time to time.

27. **Ms LAW Lai-yi, Chief Inspector of Police, Assistant Divisional Commander (Operations) (Hung Hom) of HKPF**, expressed that since October this year, HKPF would deploy officers to participate in regular joint operations led by FEHD every week to tackle the problem of shop extension. The operations would be conducted twice or thrice a week, which included issuing tickets to offending vehicles in order to maintain smooth traffic flow.

28. **Mr Pius YUM** put forward the following views:
- (i) he stated that the written reply was not targetted at Hung Hom district;
 - (ii) he remarked that the problems of shop extension and illegal parking were severe in Hung Hom district. He had also notified HKPF the problem of illegal parking and unloading activities via email, stating the illegal parking and unloading activities occurred for three consecutive days in the 7-7 restricted zone (the restriction time period was from 7:00 a.m. to 7:00 p.m.) in Tak Man Street; and
 - (iii) he requested the Department to issue tickets to offending vehicles in Tak Man Street, Ma Tau Wai Road and Ming On Street.
29. **Mr LAM Tak-shing** raised the following opinions:
- (i) he was not satisfied with the responses of the Department and HKPF. He said that he had been reflecting the problem of shop extension and illegal parking to the Department and HKPF for years, yet the situation did not improve;
 - (ii) he pointed out that two light goods vehicles had been occupying the meter parking spaces at 165-167 Bulkeley Street for a long time and using them as mobile offices. Flowers were handled in front of the vehicles and displayed inside the vehicles, which caused obstruction to residents and hygiene problems, worsening the situation even more. He reported the situation to FEHD and HKPF for multiple times but no improvements were seen. He was worried that other shops would follow the practice of setting up a mobile office which exacerbated the problem; and
 - (iii) he asked the Department to conduct joint operations with HKPF to address the problem directly.
30. **Ms LAW Lai-yi, Chief Inspector of Police of HKPF**, consolidated her response as follows:

- (i) she remarked that the joint operations involving HKPF covered the streets mentioned by Mr Pius YUM. She advised to ask FEHD for the number of prosecutions;
- (ii) she stated that after the social movement, the problem of illegal parking and street obstruction by miscellaneous items became worse than before as resources of all departments were allocated to other aspects, leading to a drop in prosecution. In addition, citizens' law-abiding awareness was weakened due to the social movement;
- (iii) HKPF had resumed their regular patrols and policing duties, including the deployment of officers to deal with illegal parking issues;
- (iv) HKPF would form a traffic team in December to address serious traffic congestions or illegal parking issues; and
- (v) HKPF would record the locations mentioned by Members and pay extra attention to the locations concerned.

31. **Mr LAM Ming-wai of FEHD** noted the opinions of Mr LAM Tak-shing and Mr Pius YUM and would increase the frequency of the joint operation with HKPF.

32. **Mr NG Po-keung** put forward to following views/enquiries:

- (i) he opined that shop extension was a contingency measure for shop operators to save the rental cost. Hence, if the penalty was lower than the rent, the deterrent effect would be limited;
- (ii) he advised the Department to raise the penalties for shops that were not amenable to repeated advice;
- (iii) he stated that the problem of shop extension could only be tackled by inter-departmental joint operations for now. As the frequency of joint operations would affect the deterrent effect, he wished to increase the frequency of joint operations; and
- (iv) he enquired whether the Department and HKPF could make

prosecution independently to improve the efficiency of prosecution.

33. **The Hon Starry LEE** raised the following opinions:

- (i) she considered that the fixed penalty fine could not solve the problem of shop extension. She understood that the Department could only issue fixed penalty tickets under the current law and therefore, she hoped that FEHD could strengthen the inter-departmental joint operations with HKPF;
- (ii) she requested FEHD to attach great importance to the problem and reflect Members' opinions to their headquarters; and
- (iii) she pointed out that the pavements were narrow and the number of pedestrians and vehicles were large in the district. Also, the road obstruction problem generated by styrofoam boxes was not yet resolved. Therefore, the risk of fatal traffic accidents increased.

34. **Mr YEUNG Chun-yu** gave the following views:

- (i) he remarked that the problem of illegal parking and shop extension had been discussed in district council meetings for one to two terms, therefore, he asked HKPF not to associate the long-standing problem with the social movement last year;
- (ii) he expressed that the inter-departmental joint operations saw an instant effect. However, shop operators resumed the old practice once the operations concluded; and
- (iii) he opined that illegal parking and shop extension were done by recidivists and thus hoped that the Department could target against shop operators who were not amenable to repeated advice.

35. **Mr LAI Kwong-wai** put forward the following opinions/enquiries:

- (i) he concurred with Mr YEUNG Chun-yu's opinions and considered that new street-level vegetables stalls, fruit shops and supermarkets in the district aggravated the problem of illegal parking and shop

extension; and

- (ii) he expressed that Members were concerned about the problem of plastic boxes placed everywhere instead of the problem of illegal parking. He asked HKPF which ordinance would be invoked for prosecution against non-compliant shops.

36. **Mr LAM Tak-shing** agreed with the opinions of Mr NG Po-keung and the Hon Starry LEE, requesting the Department to raise the penalties for shops that were reluctant to follow the advice and to conduct intensive inter-departmental operations with HKPF and the Home Affairs Department (HAD). He emphasised that shop extension seriously affected the daily lives of residents and the shop operators had the responsibility to handle styrofoam boxes properly.

37. **Mr Pius YUM** gave the following views:

- (i) he considered that HKPF was shifting the responsibility;
- (ii) he said that the pavements had enough spaces for pedestrians originally. However, both sides of the pavements were now placed with styrofoam boxes which were stacked to the height of a man;
- (iii) he mentioned that a shop in Ma Tau Wai Road had been occupying the street for a long period of time and wet the floor, which caused environmental hygiene problems;
- (iv) he thanked FEHD for deploying staff for inspection, but he pointed out that the shop placed their goods on steps illegally set up to avoid being prosecuted; and
- (v) he opined that the tolerance of the abovementioned illegal acts posed unfairness towards shop and market stall tenants who abided by the law.

38. **Mr YANG Wing-kit** put forward the following opinions:

- (i) he remarked that the problems of street obstruction and shop extension had been discussed for multiple times in the district council

meetings. The piling of styrofoam boxes also gave rise to the problem of scavengers;

- (ii) he concurred with the opinions of Mr LAM Tak-shing and considered that the shops should be regulated, or else, the current situation would remain unimproved;
- (iii) he advised the Vegetable Marketing Organisation to carry vegetables and fruits with bamboo baskets since they could be stacked and thus, more spaces could be saved comparing to the use of styrofoam boxes; and
- (iv) he agreed with Mr NG Po-keung and opined that the fixed penalty lacked deterrent effect.

39. **Dr KWONG Po-yin** raised the following opinions:

- (i) she said that the discussion of the agenda item about styrofoam boxes was continued because it kept affecting the surrounding environment;
- (ii) she pointed out that styrofoam boxes were reusable and sending them to the landfills would eat up landfill space;
- (iii) she opined that the Environment Bureau had to introduce new policies and consider the recycling issue, so that the problem of styrofoam boxes could be solved;
- (iv) she accused HKPF of shifting responsibilities and stated that Members were concerned about the problem of street obstruction by styrofoam boxes instead of illegal parking;
- (v) as there were lots of vegetable stalls and fruit shops in the district and they knew that FEHD could not resolve the problem of road obstruction, styrofoam boxes were stacked on the road to evade prosecution from FEHD;
- (vi) she pointed out that the traffic accidents happened in To Kwa Wan and Wuhu Street were caused by styrofoam boxes blocking the road;

- (vii) she knew that the Police could issue fixed penalty tickets to prosecute offenders on their own without participating in the inter-departmental joint operations. Therefore, she hoped that HKPF could instruct officers to put efforts to take enforcement actions;
- (viii) she considered that the amount of the fixed penalty had to be higher than that of the rent in order to exert a deterrent effect; and
- (ix) she expressed that government policies had to take into account the recycling issue.

40. **Ms LAW Lai-yi, Chief Inspector of Police of HKPF** consolidated her response as follows:

- (i) she said that the shops would continue to transport goods if they had to maintain their business and thus, the Police would focus on combatting against illegal parking and unloading activities in the hope of resolving the problem of shop extension;
- (ii) she remarked that the styrofoam boxes placed on roads would be collected and recycled by elders. If vegetables and fruits were carried by bamboo baskets instead, she believed that the current situation would be improved as their recycling value would be lower than that of styrofoam boxes;
- (iii) during patrols, the police officers noticed that shop operators were generally be well-behaved and would move their goods back into shops immediately;
- (iv) she hoped that Members and KCDO could step up the communication with shop operators and appeal to them to abide by the law; and
- (v) she remarked that the Police and FEHD shared concerns on the problem of road obstruction.

41. **Mr LAM Ming-wai of FEHD** gave a consolidated response as follows:
- (i) normally, the Department would issue fixed penalty tickets to persons contravening the Fixed Penalty (Public Cleanliness and Obstruction) Ordinance or causing street obstruction. If the case was serious or the person concerned disregarded repeated advice, the Department would consider issuing a fixed penalty ticket and a summons to the offender, requesting him/her to appear in court;
 - (ii) he would relay the opinions of the Hon Starry LEE and Mr YEUNG Chun-yu to the Headquarters and the relevant departments and actively look for new ways to resolve the problem of street obstruction by shops;
 - (iii) the Department had stepped up enforcement actions and instructed frontline staff to issue fixed penalty tickets to persons who disregarded repeated advice instead of just giving verbal warnings;
 - (iv) the Department would keep in view the situation at the locations mentioned by Mr Pius YUM and wished that the problem could be rectified;
 - (v) in accordance with the legal provisions, when initiating prosecutions against shops violating the regulations, the Department would consider the actual circumstances such as whether obstruction was caused to pedestrians. Hence, the Department sometimes would only give verbal warnings to shop operators committing minor breaches;
 - (vi) he thanked Mr YANG Wing-kit and Dr KWONG Po-yin for their opinions. The Department also hoped to tackle the problem of styrofoam boxes at source; and
 - (vii) the Department noticed that scavengers would wander among different shops to collect styrofoam boxes. Since the majority of them were elders with slow movements who took time to pick up boxes, the streets were filled with styrofoam boxes.

42. **Mr TSANG Kin-chiu** raised the following views:

- (i) he opined that while it was certainly a problem that the law-abiding awareness of shop operators was weak, it was also an issue that the law enforcement efforts of the Police were insufficient;
- (ii) he accused the Police for turning a blind eye to shops violating the regulations and requested the Police to carry out enforcement; and
- (iii) he pointed out that the problem of styrofoam boxes was serious in the district, causing street obstruction all the time. Thus, he demanded the Department to solve the problem at the soonest.

43. **Mr Pius YUM** said that the problem of styrofoam boxes was serious in Ming On Street and at the intersection of Ma Tau Wai Road and Wuhu Street in Hung Hom. Styrofoam boxes were always piled up higher than a minibus and occupied half of the road, posing danger to road users. Thus, he was willing to work with the Police and participate in interdepartmental joint operations.

44. **Mr LAM Tak-shing** stated that the previous joint operations were ineffective. He wished KCDO to give an account on the details of the joint operations and invite Members to come along to monitor the operations. He requested to discuss the Paper further to follow up the enforcement actions taken by the Department and tackle the problem of styrofoam boxes.

45. **Dr KWONG Po-yin** put forward the following opinions / enquiries:

- (i) she stated that Members had given advice to shops violating the regulation. However, as they dismissed the advice, Members could only request the Department and the Police for taking enforcement actions;
- (ii) she said that the problem of shop front extensions had been discussed for nearly ten years and it even gave rise to the problem of the accumulation of styrofoam boxes;
- (iii) FEHD and the Police should not put the blame on scavengers because

they actually contributed to the community;

- (iv) she requested FEHD and the Environmental Protection Department (EPD) to implement a pilot scheme in Kowloon City District to improve the flow of recycling styrofoam boxes and assist scavengers in collecting the boxes; and
- (v) she demanded FEHD and the Police to give advice to and carry out enforcement against shops breaching the law.

46. **Ms LAW Lai-yi of HKPF** made a consolidated reply as follows:

- (i) the Police would give more concerns to the situation at the locations mentioned by Members and she remarked that the Police had instituted prosecutions twice against Chan Hing Wong Food Market in the past six weeks;
- (ii) the Police and FEHD had strived to combat illegal activities in interdepartmental operations, and Members were invited to come along to monitor the operations; and
- (iii) the Police would conduct an interdepartmental joint operation in Ming On Street, Ma Tau Wai Road and Tak Man Street in Hung Hom on 23 November (Monday) and she invited Mr Pius YUM to take part in it.

47. **Mr LAM Ming-wai of FEHD** stated that the Department would send more staff to strengthen daily inspections and initiate prosecutions against offenders who refused to heed advice. They would also enhance communication with the Police and conduct joint operations to improve the situation in the district.

48. **Ms Eva KWOK, Senior Executive Officer (District Management) of KCDO**, gave a consolidated response as follows:

- (i) she understood the concerns of Members and residents over the problem of shop front extensions; and
- (ii) she said that shop front extension was a long-standing problem in the district. KCDO would join the interdepartmental joint operations

under the invitation of FEHD. They would also pay close attention to the situation and coordinate joint operations with various departments when necessary.

49. **Mr Samuel TANG of EPD** would relay Dr KWONG Po-yin's views to the colleagues concerned.

50. **Mr Pius YUM** pointed out that some shop owners had occupied public spaces to erect unauthorised steps. He hoped that KCDO could invite the Lands Department to take part in the interdepartmental joint operations.

51. **Mr LAM Tak-shing** drew FEHD and the Police's attention to the fact that some streets were on the boundary between two constituencies. Thus, he wished that joint operations could be conducted in various constituencies in the district at the same time.

52. After consulting Members, **the Chairman** announced to further discuss the Paper at the next meeting.

Item 3

Further Call for Joint Operations to Abate the Disturbance Suffered by Residents of Low-floor Apartments in Dyer Avenue (Paper No. 76/20)

53. **Mr Pius YUM** presented Paper No.76/20.

54. **Mr YANG Wing-kit** stated that the aforesaid problem in the district was difficult to handle. When dealing with it, a balance should be struck among the exercise of discretion, maintenance of justification and enforcement of legislation. He understood that residents were suffering from nuisances and thus he wished that departments could propose new solutions to the problem.

55. **Dr KWONG Po-yin's** opinions were as follows:

- (i) she stated that the aforesaid problem was indeed an old issue which had been discussed in the meetings of EHSDC this year. KCDO had also carried out joint operations to address the problem. Streets were

not blocked on the day of the joint operation, however, everything returned to the previous state on the following day;

- (ii) she suggested that departments could communicate with air cargo companies and advise them to rent a place in the vicinity for domestic helpers to pack and pick up goods. She commented that it was unreasonable for air cargo companies to reap profits by exploiting public spaces and let the community bear the consequences; and
- (iii) she pointed out that the environmental hygiene condition of the area of the shopping mall at the abovementioned location was poor with a large amount of cardboards, packing boxes and food dumped, piling up at the rear lanes of the shopping mall. Thus, she hoped that departments would pay heed to the situation.

56. **Mr LAM Ming-wai of FEHD** remarked that the Department would address problems such as obstruction to scavenging operations, illegal hawking and illegal extension of food business and take enforcement actions according to actual circumstances. The Department had issued 23 fixed penalty tickets to persons contravening the relevant cleansing legislation on Dyer Avenue between May and October this year.

57. **Ms Eva KWOK of KCDO** stated that KCDO so concerned about the environmental hygiene problems on Dyer Avenue that they had conducted a joint operation against the problems in June this year, which was joined by Members. However, since the problems had yet to be solved, KCDO planned to stage another joint operation at the location on a Sunday morning at the end of November or the beginning of December.

58. **Ms LAW Lai-yi of HKPF** stated that HKPF would provide active support to the joint operations organised by KCDO. Taking a serious view on the problem of crowd gathering during the pandemic, the Police conducted inspections and gave advice to the crowds from time to time and had appointed Special Constables to help with the Police's work by closely monitoring the problem at the abovementioned place.

59. **Mr Pius YUM** wished that KCDO could carry out joint operations every Sunday morning. Only then could the problem be solved effectively.

60. **Miss CHAU Hei-man** put forward the following opinions:

- (i) she took part in the last joint operation and found that the situation had truly improved at the location that day. However, as joint operations would not be regular actions taken by departments, it was still necessary for departments to come up with a long-term solution to the problem;
- (ii) Dyer Avenue was wholly occupied by domestic helpers for hawking and packing goods. Since the majority of residents in the district were elders, they were unable to return to their homes in Hung Hom Estate via Dyer Avenue and their access was greatly affected;
- (iii) she viewed that it was unreasonable for air cargo companies to reap profits and transfer the cost to the community;
- (iv) she enquired whether KCDO would increase the number of joint operations; and
- (v) she said that as domestic helpers would gather at the place and take off their masks to have meals, the risk for spreading virus increased. She commented that the Police should be entrusted with the responsibility of dismissing gatherings.

61. **Mr YANG Wing-kit** expressed support for the joint operations taken by departments. However, he opined that discretion, justification and legislation had to be taken into account and he requested departments to propose new solutions to the aforesaid problem.

62. **Ms Eva KWOK of KCDO** remarked that KCDO would conduct regular joint operations when necessary. They would actively consider the suggestions given by Dr KWONG Po-yin and Miss CHAU Hei-man and communicate with air cargo companies to advise them to provide spaces for domestic helpers to pack goods. KCDO would decide on the number of joint operations to be taken based on the effectiveness of the operations, the situation at the place and the manpower of departments.

63. **Miss CHAU Hei-man** stated that every joint operation was very effective.

However, the situation would always emerge very soon and even become more serious. She pointed out that last Sunday, domestic helpers not only occupied the part of Dyer Avenue near Whampoa Estate but also the part of the street near Hung Hom Estate.

64. **Mr Pius YUM** put forward the following opinions:

- (i) he stated that in fact, the occupation had extended to Hung Hom Road and Tak Man Street. The area was very close to the office of the Traffic Kowloon West of HKPF in Hung Hom but the Police did not take any enforcement actions;
- (ii) after last meeting, as requested by Members, one joint operation was successfully carried out by KCDO while another was cancelled due to typhoon. No more joint operations were arranged afterwards. Thus, he wished that KCDO could conduct joint operations consecutively; and
- (iii) he expected that the situation of road occupation by domestic helpers would turn serious before Christmas.

65. **Mr YANG Wing-kit** expressed understanding on the nuisances suffered by residents living at low-floor flats at the place. He demanded the Police to prosecute domestic helpers as requested by Mr Pius YUM.

66. **Dr KWONG Po-yin**'s views were as follows:

- (i) she wished that KCDO could communicate with air cargo companies as soon as possible and advise them to rent spaces for domestic helpers to pack goods. If air cargo companies were not cooperative, she requested KCDO to carry out joint operations every Sunday; and
- (ii) she deemed that it was unnecessary for the Police to deploy street washing vehicles and a police vehicle to achieve the aim. As long as KCDO claimed to conduct joint operations, domestic helpers would no longer pack goods at the place. Air cargo companies would face declining business and have to come up with solutions. Thus, the problem of road occupation by domestic helpers would be solved.

67. **Ms Eva KWOK of KCDO** stated that KCDO would increase the number of joint operations as far as possible.

68. **Mr LAM Ming-wai of FEHD and Ms LAW Lai-yi of HKPF** both said that they would actively support the joint operations.

Item 7

Request for Stepping up Efforts to Prevent Rodent Infestation (Paper No. 80/20)

Item 8

Strong Request for Strengthening Rodent Control Work in Kowloon City District and Resolving the Odor Problem of the Refuse Collection Point in Baker Street (Paper No. 81/20)

Item 9

Request for Disclosing More Information about Cases of Residents Being Infected with Hepatitis E by Rodents in Hung Hom and Request to FEHD for an Account of the Progress of Rodent Control Work in Hung Hom (Paper No. 82/20)

69. As agenda items 7 to 9 were all related to rodent infestation, after consulting Members, **the Chairman** announced that the three items would be discussed together.

70. **Mr LAM Tak-shing** introduced Papers No. 80/20 and 81/20.

71. **Mr Pius YUM** introduced Paper No. 82/20.

72. **Mr YANG Wing-kit** raised the following opinions:

- (i) he stated that rodent infestation was a very serious problem in the district, especially in housing estates. Thus, he wished that FEHD could provide assistance;

- (ii) he took Lok Man Sun Chuen as an example and said that the Hong Kong Housing Society (HKHS) only installed rat guards on lower floors of buildings. This could not stop rodents from climbing up to upper floors through pipes. Thus, he hoped to install rat guards at each floor;
- (iii) he wished to set up a dedicated rodent control squad which would take up the rodent control work in public places and public housing estates as rodents would move across areas under the management of different departments; and
- (iv) since the current rat baits could not address the problem of rodent infestation effectively, he hoped that the newly established rodent control squad could explore new approaches to kill rodents.

73. **Dr Vivian CHAN, Senior Medical and Health Officer (Emergency Preparedness and District Relations) 1 of the Department of Health (DH),** gave a response as follows:

- (i) the Centre for Health Protection under DH had announced a case of human infection of rat Hepatitis E virus (HEV) on 29 October 2020. The epidemiological investigations revealed that the patient, living in Hung Hom, did not have contact with rodents or rats and had no travel history during the incubation period. Her household contacts remained asymptomatic so far. Based on the epidemiological information available, both the source and the route of infection could not be identified;
- (ii) CHP had already informed the Pest Control Advisory Section of FEHD about the case to carry out rodent control measures and an investigation as appropriate;
- (iii) cases of human infection of rat HEV were rare. The mode of transmission and the details of infection were both unknown at the moment. Possible routes of transmission included ingestion of food or water contaminated by rodents or their excreta, exposure to environments or objects contaminated by rodents or their excreta and direct contact with rodents or their excreta; and

- (iv) to prevent HEV infection, members of the public should eliminate sources of food and nesting places for rodents in the living environment by storing food properly, disposing of all refuse and food remnants in dustbins with well-fitted covers, keeping premises clean, inspecting all flower beds and pavements regularly, etc.

74. **Mr LAM Ming-wai of FEHD** made a reply as follows:

- (i) informed by DH about a case of human infection of rat HEV in Hung Hom District on 29 October, the Department had instantly arranged staff to cleanse the streets and public places near the residence of the patient that night. On the next day, they had also conducted investigation in the building where the patient lived and the nearby public places and provided technical advice on rodent control for the owner's corporation and the management company of the building. In addition, the Department had strengthened the rodent control work in the vicinity of the building where the patient lived in hope of addressing the problem of rodent infestation;
- (ii) in view of the continuous emergence of cases of rat HEV, the Headquarters of FEHD allocated additional resources to enhance the rodent control work and deployed additional manpower to cope with the situation. It was expected that one or two months later, the Department would set up one more rodent control squad, which would be deployed to take up rodent control and prevention work;
- (iii) concerning the emission of odours from Baker Street Refuse Collection Point, the Department had instructed the street cleansing contractor to step up cleansing at the collection point every day and conduct large and thorough cleansing work regularly. They had also requested frontline staff to give more attention to the environmental hygiene at the rear lane behind the refuse collection point; and
- (iv) the Department noted that rodent infestation in Kowloon City District was serious and they would carry out joint operations with other departments at public housing estates, private markets, etc. During the operations, the Department would conduct rodent control and

prevention work inside and outside the venue with the management staff of the venue to achieve better results.

75. **Dr KWONG Po-yin**'s opinions were as follows:

- (i) she stated that apart from the refuse collection point and the market, serious rodent infestation also occurred in old buildings pending redevelopment in Hung Hom District. These old buildings were under no management at all, providing rodents a safe habitat which facilitated their reproduction. Thus, she wished that FEHD could monitor the situation in these buildings;
- (ii) she said that the Department released the Rodent Infestation Rate once a year and the rate for 2019 was released in April 2020, which could not accurately reflect the severity of rodent infestation. She pointed out that the overall rate only reached the serious level of 10% in 2000 and hovered between 3% and 4% in recent years. Nevertheless, the number of rodents reported by residents and discovered by Members in daily inspections far exceeded the figures given by the Department; and
- (iii) she advised the Department to issue the Rodent Infestation Rate by districts every month and make public the number of rodents caught and the locations where they were caught so that the public could monitor the situation.

76. **Mr Pius YUM**'s opinions were as follows:

- (i) he enquired how FEHD would supervise the collection of refuse by the contractors in private buildings. The video footages captured by him showed that the refuse collection contractor staff still disposed of waste into the overflowing rubbish bins, making the rubbish bins not fully closed and rodents search for food casually; and
- (ii) he stated that residents had reflected to him that a rat box with rat baits near a vegetable stall on Tak Man Street was likely to be knocked over, causing the rat baits spilled onto the road. He wished that the Department could do follow-ups.

77. **Mr LAM Tak-shing** thanked the Department for conducting site inspections with owners' corporations and management companies of buildings and offering advices on rodent prevention and control. He hoped that, when conducting inspections on the environmental hygiene condition of the district under the District-led Actions Scheme, KCDO could pay heed to the condition of rear lanes in Hung Hom District where a large amount of trolleys with rubbish, miscellaneous items and food waste were placed, resulting in rodent infestation. He wished that KCDO could carry out inspections with Members and FEHD.

78. **Mr LAM Ming-wai of FEHD** gave a consolidated response as follows:

- (i) the Department had all along been monitoring the situation of construction sites in the district. Since there were usually less food sources in construction sites, the Department would give more concerns to mosquito infestation at the sites and monitor rodent infestation at the same time. Generally speaking, the problem of rodent infestation in construction sites was not serious unless building demolition works were in progress. The Department would continue to monitor the situation;
- (ii) he noted Members' views on the Rodent Infestation Rate and he would pass them to the Pest Control Advisory Section of FEHD for consideration;
- (iii) the Department was mainly responsible for rodent prevention and control work at public places. Upon receipt of complaints, departmental staff would inspect the nearby areas of private buildings. They would also conduct promotion and education for the management companies of the buildings and give them recommendations on rodent prevention and control;
- (iv) the Department would carry out checks regularly at locations where rat baits were placed and address any problems spotted. Moreover, the cleansing contractors of FEHD would clear the rat baits discovered on streets; and
- (v) the Department would continue following up the problem of rodent

infestation at rear lanes in Hung Hom District and maintain communication with Members and the management companies of buildings in the district.

79. **Mr Samson LI, Executive Officer I (District Management) of KCDO**, said that hygiene black spots in the district would normally be inspected under the District-led Actions Scheme. KCDO would step up inspections at hygiene black spots mentioned by Mr LAM Tak-shing. In addition, if Members wished to enhance inspections at any hygiene black spots, they could notify KCDO.

Item 11

Request for Immediate Action to Address the Environmental Nuisance Problem Caused by the Rubbish Accumulated by Street Sleepers in the Back Alley of Million Building in Station Lane in Hung Hom (Paper No. 84/20)

80. **Mr LAM Tak-shing** introduced Paper No. 84/20.

81. **Mr LAM Ming-wai of FEHD** made a consolidated reply as follows:

- (i) street sleeping was a complex social problem involving the policies and work of various bureaux and departments. The Department was mainly responsible for keeping the environment clean. To handle the situation of places where street sleepers gathered, district offices used to coordinate interdepartmental joint operations, in which the departments concerned would perform their duties in accordance with their respective purviews to further improve the environmental hygiene condition at the relevant locations;
- (ii) during the joint operations, departmental staff would be in charge of removing waste and miscellaneous items dumped by street sleepers on the ground and cleansing nearby public places; and
- (iii) since January 2020, KCDC had staged a total of five joint operations and FEHD had taken part in all of them. The Department would participate in future joint operations in an active manner.

82. **Mr CHAK Kwok Wai, Division Officer (Kowloon Central), the Fire Services Department**, stated that departmental staff had conducted inspections at the place on 10 November and 13 November and miscellaneous items were found

accumulated there but no obstruction was caused to the means of escape. Thus, there was no violation of the Fire Services Ordinance.

83. **Ms Renee CHUNG, Assistant District Social Welfare Officer (Kowloon City/Yau Tsim Mong) 1 of the Social Welfare Department**, gave a consolidated reply as follows:

- (i) the Department had arranged social workers to pay on-site visits and requested the street sleeper concerned to remove the miscellaneous items accumulated at the place as soon as possible. The street sleeper noted Members' concerns and agreed to remove items on his own;
- (ii) since the street sleeper was in poor health condition and with poor self-care ability, social workers suggested providing assistance for him;
- (iii) social workers from non-governmental organisations were now following up his case. Upon advice, the street sleeper agreed to give reusable items to recycling groups and remove the remaining miscellaneous items accumulated at the place; and
- (iv) considering the health condition of the street sleeper, social workers advised him to accept residential care services so that he could quit street sleeping as soon as possible.

84. **Mr Samson LI of KCDO** remarked that before conducting joint operations at the abovementioned location in the future, KCDO would notify Mr LAM Tak-shing and invite him to come along and monitor the operations. In the light of the aforesaid problem, KCDO had organised five joint operations this year and would continue to stage operations in the future to enhance the environmental hygiene condition at the place, while showing respect for the street sleeper.

85. **Mr LAM Ming-wai of FEHD** hoped that all departments could actively take part in the joint operations to resolve the environmental hygiene problem at the place.

Item 12

Request for the Replacement of the Drain Cover on the Small Road between Tak Yue Mansion and Cheron Court in Hung Hom by a Square-shaped Stainless Steel Outdoor Drain Cover (Paper No. 85/20)

86. **Mr Pius YUM** presented Paper No. 85/20 and stated that the drain cover was damaged again after replacement by the Highways Department (HyD). Thus, he hoped that the Department could replace the drain cover at the site by a square-shaped drain cover in a bid to eliminate rodent infestation.

87. **Mr FAN Chak-kee, District Inspector of Works/Hung Hom 1 of HyD**, gave a reply consolidate as follows:

- (i) the Department had all along been monitoring the condition of facilities on public roads and ancillary roads in the district. In respect of the situation at the small road between Tak Yue Mansion and Cheron Court in Hung Hom, after carrying out on-site inspections, departmental staff viewed that the holes on the U-shaped drain cover were small enough to stop rodents from getting through;
- (ii) departmental staff had carried out an on-site inspection with Mr Pius YUM on 6 November and discovered that part of the drain cover was already damaged. The Department had completed replacement of the damaged drain cover on 10 November to block the access of rodents; and
- (iii) the Department would follow up on the damaged drain cover and consider the need to replace the drain cover at the place with a square-shaped drain cover.

88. **Mr LAM Ming-wai of FEHD** made a consolidated reply as follows:
- (i) the Department had been keeping in view the environmental hygiene condition of the place. The contractor commissioned by FEHD would provide regular sweeping services every day as well as cleanse the place from time to time;
 - (ii) according to the record, the Department had initiated ten prosecutions against illegal street obstruction by shops at the place between January to October 2020; and
 - (iii) the Department had also strengthened rodent prevention and control work at nearby areas including placing rat baits at appropriate locations and displaying promotional posters at conspicuous spots with a view to raising the awareness of adjacent shops and residents on rodent prevention.

89. **Mr Pius YUM** said that HyD had completed the replacement of the drain cover on 10 November. However, he inspected the place one day before the meeting, i.e. 18 November, and found that the drain cover was damaged again. Thus, he suggested replacing the drain cover there by a square-shaped cover with even smaller holes in order to address the environmental hygiene problem.

90. **Mr FAN Chak-kee of HyD** stated that he would follow up on the aforesaid problem after the meeting.

Item 13

Concern over the Effectiveness of Supervision over the Contracted-out Street Cleansing Service by FEHD
(Paper No. 86/20)

Item 14

Request for Accounting for the Progress of Implementing the Recommendations Made in The Ombudsman's Report
(Paper No. 87/20)

91. In view that both agenda items 13 and 14 were related to the quality of the outsourced services of FEHD, the Chairman announced the combined discussion of these two items after consulting the opinions of Members.

92. **Dr KWONG Po-yin** presented Paper No. 86/20 and raised the following opinions:

- (i) it was pointed out that the outsourced service contract for street cleansing in Kowloon City District involved an amount exceeding \$100 million but the fine was set at \$160,000 only. The amount was so small that the deterrent effect was weak;
- (ii) she asked if any outsourced contractors with a score of zero were awarded the contract for street cleansing in the district;
- (iii) she viewed that it was FEHD's responsibility to monitor the cleansing contractor and she questioned under what circumstances the Department would issue a default notice; and
- (iv) she pointed out that the cleanliness of the streets in the district was worsening and deemed that the supervision of the performance of outsourced service contractors directly affected the improvement efficacy of environmental hygiene in the district.

93. **Mr Joshua FUNG** presented Paper No. 87/20.

94. **Mr WONG Wing-kit** expressed his opinions as follows:

- (i) he asked whether a form or a special hotline was made available for the public to voice their opinions to the Department; and
- (ii) he said the Department had stated in the reply that if a contractor's performance was found to be seriously inconsistent with or violating the contract terms, the contract would be subject to termination. However, the investigation report of the Office of The Ombudsman (The Ombudsman) found that between April 2019 and March 2020, the bidder awarded the contract only scored 0 to 3 points out of the

full score of 7.5 points, and yet the Department still granted the contract. Over half of the contractors scored 0 points on service items. He enquired the Department if any contract was terminated before, and if yes, whether it was because their score was 0 or below.

95. **Mr LAM Ming-wai of FEHD** responded with the following reply:

- (i) when FEHD studied the tenders of outsourced service contractors, the assessment criteria clearly set out in the tender would be applied. The score items included the company's past performance in undertaking government service contracts, the company's experience in related services, the remuneration of the employees, etc.;
- (ii) he believed that the contractor who won the bid with 0 score did not gain 0 point in all service items. The marking scheme for assessing tenders would include into service scores and price scores, and it would be set out that under some conditions, the tenders would not be accepted regardless of the scores of the contractors concerned, for example, when the remuneration for employees was lower than the minimum wage. The contractors would also be required to gain a certain score in a particular service item before the tender submission would be considered. He took the view that the successful contractor should only score 0 point in items of less importance, for example, relatively new contractors might be given 0 point in the item of experience;
- (iii) the amount deducted from the tender price by the Department in cases where default notices were issued indeed represented only a small amount of the entire contract price, but the amount was calculated according to the criteria set for the Department's administrative expenses, which were standard ones adopted by all government bureau and departments;
- (iv) in terms of service performance, if the Department found that the condition was unsatisfactory after the contractor had conducted cleansing in streets, they would require the contractor to clean again within 45 minutes for streets and 30 minutes for public toilets. The staff of the Department would inspect again afterwards, and if the

situation remained unsatisfactory, a default notice would be issued. The departmental staff would then give another 45 minutes for the contractor to clean once more. The above procedures would be repeated until the departmental staff were satisfactory with the outcome;

- (v) meanwhile, he could not provide any information about the time table as the headquarters should first study the of The Ombudsman's report before giving instructions to implement the recommendations made in the report;
- (vi) members of the public or district councils were welcome to advise the Department on the performance of the contractors in order to upgrade the cleansing services in the district. They could dial 1823 to make reports while Members could inform him directly and the departmental staff would then make follow-ups;
- (vii) he had given instructions to the staff of the Kowloon City District Environmental Hygiene Office (KCDEHO), asking them to inspect the performance of the contractor from time to time. If they discovered that the performance of the contractor was not up to standard, a default notice would be issued. He hoped that, by taking the above action, the frontline staff of the Department would be motivated to strengthen the supervision of contractors. If the contractor was found seriously underperformed, a meeting with the contract manager or director of the contractor should be initiated and the submission of an improvement plan requested; and
- (viii) at present, there was room for improvement in street cleanliness in this district. The Department would try its best to strengthen supervision and strive for better hygiene compliance in the district.

96. **Mr WONG Wing-kit** asked if the contractor would be deducted one point every time a default notice was issued, and if they would not be qualified for tendering in five years' time when three points were deducted.

97. **Mr Joshua FUNG** understood that FEHD should carry out the improvement plan as a whole, and KCDEHO was not in the position to make any relevant decision.

Thus he enquired about the feasible recommendations the Department would implement for the time being.

98. **Mr SIU Leong-sing** hoped that KCDEHO would discuss with its headquarters about the early implementation of the recommendations of The Ombudsman because the current contract would expire on 30 September next year. He wished that the recommendations could be put into practice before the next tender exercise commenced.

99. **Mr Pius YUM** enquired whether FEHD conducted tender exercises six months before the expiry of the contract and whether it would include the recommendations of The Ombudsman into the terms of the new contract before the tender exercise. He also asked if the District Council had opinions on the outsourced service contract and when these should be conveyed to the Department for deliberation.

100. **Mr LAM Wai-ming of FEHD** responded with the following reply:

- (i) the system of allocating demerit points to a contractor implied that there was a violation of the Employment Ordinance and once the contractor was convicted by the court, the Government Logistics Department would credit one point to it and when three points were accumulated, the contractor would not be allowed to bid for government contracts for five years;
- (ii) regarding the suggestion of increasing the penalty charges for the contractor to which a default notice was issued, as this was related to the practice of the Government as a whole, the Department had to take time to deliberate the details and consult the policy bureaux to decide if an administrative cost should be charged and the penalty charges be raised to achieve a deterrent effect;
- (iii) he would follow up with the headquarters for implementing the suggestions for improvement as soon as possible;
- (iv) the preparation work for the new contract would start nine months before its expiry, and the Department would review whether new technologies or requirements needed to be added. In general, the Department would approve the tender offer four months before the

expiry of the contract and the tendering process would last for one and a half months; and

- (v) KCDC was welcome to give comments. And in case any members held views on the terms of the outsourced contract, they could tell him their views by the end of 2020, which would then be forwarded to FEHD headquarters for follow-ups.

Item 15

Request for Accounting for the Progress of Implementing the Recommendations Made in The Ombudsman's Report (Paper No. 88/20)

Item 16

Request for Giving an Account of the Management Arrangement of the Three-colour Recycling Bins (Paper No. 89/20)

101. As both agenda items 15 and 16 were related to the recycling issue, the Chairman announced the combined discussion of the two items after consulting the opinions of Members.

102. **Mr Joshua FUNG** presented Papers No. 88/20 and 89/20.

103. **Mr LAM Wai-ming of FEHD** said that the written reply had listed the amount and types of recyclable materials collected by the Department in the past year. Since three-colour recycling bins fell within the scope of recycling, and EPD also had recycling programmes for items such as glass bottles and food waste, the operation of which was well-organised, it would be more efficient to let EPD take over the management of three-colour recycling bins as this made possible a better integration of resources.

104. **Mr Samuel TANG, Senior Environmental Protection Officer (Regional East) 5 of EPD**, responded with the following reply:

- (i) EPD took over the management of three-colour recycling bins because

both EPD and FEHD believed that the above arrangement could allow the relevant departments to better focus on the management of the related matters, that is, EPD was responsible for the work of recycling while FEHD was in charge of refuse collection. In so doing, the two departments were able to be more concentrated on their responsibility and therefore, achieve higher efficiency of work with better use of resources;

- (ii) after EPD had taken over the management of three-colour recycling bins, one of the objectives was to improve the current overflow problem of the bins;
- (iii) the newly designed recycling bins would be placed at individual locations progressively from 2021 onwards on trial basis, and the design would be finalised with reference to the trial results. The newly designed recycling bins and waste bins would be introduced in stages from 2022 onwards and the existing facilities would be replaced in order to facilitate the public to do clean recycling and then frontline staff to collect waste;
- (iv) EPD would review the distribution and usage of these recycling bins, and if the use of a recycling bin was found to be frequently abused, say, a large amount of waste be put and the effectiveness of recycling reduced, the Department would make appropriate adjustments to maintain the efficiency of the recycling service. In order to achieve the goal of "easy reporting", a new label with a smart QR code would be affixed to the recycling bins to provide convenience to the public for reporting the overflow and damage of the bins, which could in turn help elevate the follow-up efficacy of recycling contractors.

105. **Mr Pius YUM** enquired whether EPD would take reference with the current recycling machines in the private market which would compress the waste placed inside to increase the recycling volume.

106. **Mr WONG Wing-kit** expressed his opinions as follows:

- (i) EPD completed a review plan for the design of recycling bins and litter compartments between July and August this year. As public opinions

were collected, these opinions should be fine-tuned at the present stage and trial tests be conducted in 2021. He enquired the Department if trial points had been selected and whether any of them was in Kowloon City District. He also wanted to know if there was any difference between the design released by the Department earlier and the fine-tuned ones;

- (ii) he further asked if new terms were inserted into the contract for the waste collection contractor by the Department to enhance the efficiency of waste collection; and
- (iii) EPD responded that, in terms of the design, the litter compartment directly connected to the recycling bins was already changed to collect recyclables instead of waste with a view to pushing up the capacity of collecting recyclables such as plastic items as well as reducing the chance of the public casting waste in recycling bins by mistake. He reckoned that the measure would help reduce the number of litter compartments in the area, and thus he enquired whether additional litter compartments would be put at the locations selected for collecting recyclables.

107. **Mr Joshua FUNG** expressed that he could see the things recycled in Hong Kong were mainly plastic items, but most of those collected in Kowloon City District were paper items, he asked why there existed such a difference. And in view of the phenomenon, EPD should give due consideration when designing the recycling bins.

108. **Miss Jakki MAK** questioned if FEHD had given guidance to the Housing Department (HD) or HKHS on the management of recycling bins.

109. **Mr Samuel TANG of EPD** gave the following reply:

- (i) he said that the recycling bins currently placed on the roadside did not bear the function of compressing plastic bottles;
- (ii) there was still no information about the trial points of the newly designed recycling bins. He guessed the Department was still fine-tuning the plan; and

- (iii) the Department would enhance the supervision of the contractor for collecting recyclables. The entire recycling process would be recorded to ensure that the recyclables were properly disposed of and the waste was transformed into useful things.

110. **Mr LAM Wai-ming of FEHD** gave the following reply:

- (i) the recycled items in Kowloon City District were mainly made of paper, which was different from other areas;
- (ii) when clearing three-colour recycling bins, the staff of the Department always found household garbage thrown away by residents in three-colour recycling bins; and
- (iii) the Department had not given other departments the guidelines on the management of three-colour recycling bins. It was believed that all departments or site managers would hand out guidelines to frontline staff. When collecting recyclable materials for the Department, the contractors would also collect things placed in three-colour recycling bins at places under the management of HD, HKHS, and LCSD.

111. **Mr WONG Wing-kit** expressed his views as follows:

- (i) he enquired if the public informed the Department about the overflow of recycling bins via "easy reporting", the Department would immediately send staff to collect them for handling or just record it for disposal later;
- (ii) for locations where overflow frequently happened, the Department would add recycling bins at specific places;
- (iii) he asked how the Department would dispose of materials that were not suitable for recycling, and whether they would be treated to become recyclables;
- (iv) it was pointed out that an organisation had conducted research on three-colour recycling bins and found that only 40% of citizens could

accurately distinguish the recyclable materials and place them into the corresponding recycling bins. This showed that EPD had been ineffective in educating citizens for years. He asked the Department if it would consider using new publicity means.

112. **Mr Samuel TANG of EPD** gave the following reply:

- (i) the Department would send outreach teams to various locations in the district, including housing estates, private buildings, organisations, etc., to explain the recycling methods or how to carry out recycling in a more effective manner;
- (ii) no information about the actual operation of "easy reporting" was available at the moment. It was believed that if the public always reported about the overflow of bins, the Department would respond appropriately including providing more recycling bins or increasing the frequency of cleaning; and
- (iii) the Department was developing smart management. In the future, citizens might be able to use their smartphones or tablet computers to check the number and location of recycling bins in their area, so that they could have a more comprehensive understanding of the distribution of recycling bins in each district.

Item 17

Any Other Business

Hong Kong Flower Show 2021 – Introductory Exhibition of Green Attractions in 18 Districts

113. **The Chairman** revealed that Mr SIU Leong-sing, the Chairman of KCDC, received a letter from LCSD, inviting KCDC to participate in the "Introductory Exhibition of Green Attractions in 18 Districts" for this year's flower show. Mr SIU expressed that the above matters were to be handled by EHSDC following the past practices.

114. **Mr WONG Chun-nam, Deputy District Leisure Manager (Kowloon City) 2 of LCSD**, revealed the details as follows:

- (i) he presented the activity "Introductory Exhibition of Green Attractions in 18 Districts" in which all district councils were invited to promote green scenic spots in the district and release photos or videos to be shown in the flower show; and
- (ii) it was recommended that photos of 12 old trees of precious species cultivated by LCSD in the area to be introduced in the above activity, including one agarwood tree, one Indian oak tree, one linden tree and nine banyan trees respectively, located in Dorset Crescent Rest Garden, Rutland Quadrant Children's Playground, Essex Crescent Rest Garden, Pui Ching Road Rest Garden, Princess Margaret Road near Pui Ching Road Rest, the entrance of Carpenter Road Park near Junction Road, the entrance of Carpenter Road Park near Tung Tau Tsuen Road and close to the roller skating rink in Kowloon Tsai Park. If the above proposal was supported by committee members, he would forward the relevant photos to the group organising the flower show for consolidation prior to displaying them to the public at the flower show.

115. After consulting Members, **the Chairman** announced that KCDC supported the proposal of LCSD and would participate in the flower show this year and he requested LCSD to follow up the issue.

116. **The Chairman** asked Members to refer to the Paper No. 90/20, Progress Report on District Minor Works in Kowloon City District in 2020-21, submitted to EHSDC. The Secretariat would send the document to the committee members via email before the meeting.

117. **Dr KWONG Po-yin** raised the following questions / views:

- (i) he asked about the progress of the Study for Environmental Improvement of Refuse Collection Points in Kowloon City District as approved earlier by EHSDC. She said that the above activity had been approved by the Administration and Finance Committee (AFC) held on 28 October, but the organiser had not yet received a formal funding approval letter, and so he enquired about the progress;

- (ii) he said that EHSDC approved the establishment of the Working Group on Environmental Improvement Projects of Refuse Collection Points to coordinate the activity on 4 June and had held a meeting with the head of FEHD office in Kowloon City District. The Working Group selected organisations to stage the above activities on 3 September, and the selection had been discussed and approved by both EHSDC and AFC; and
- (iii) she believed that the above activities were fully discussed and well understood and thus she hoped that the funding approval letter could be sent out as soon as possible such that the activities could be held by Christmas and New Year, the times when more recyclables could be collected. This would enable the activity to come to a successful end.

118. **The Secretary** said that the application was subject to the vetting and approval by DO (KC) and the relevant organisations would be informed of the result as soon as possible.

119. **Mr Pius YUM** asked the Secretary when the funding application would be handed to DO (KC) for vetting and approval.

120. **The Secretary** stated that the funding application was already submitted to DO (KC) on 29 October.

121. **Dr KWONG Po-yin** commented that as the above activities were related to the people's livelihood in the community and help solve problems that had plagued the community for years, contribute to the well-being of the residents in the district and improve the people's livelihood, she wished that HAD could approve the funding as soon as possible to enable the organiser to stage the activity.

122. **Mr SIU Leong-sing** said that he had received an email from the organiser, stating that he had not yet received a formal fund approval letter. Hence, he sent a letter to DO (KC) to check the progress of the funding application. He remarked that the aforesaid activities were related to people's livelihood and hoped that DO (KC) could give a reply.

Date of Next Meeting

123. **The Chairman** announced that the next meeting would be held on 21 January 2021 (Thursday) and the deadline for submission of papers would be 9 January 2021 (Wednesday). There being no other business, **the Chairman** declared that the meeting was adjourned at 6:25 p.m.

The minutes of this meeting were confirmed on _____ 2021.

Chairman

Secretary

KCDC Secretariat
December 2020