

## **Request for Complete Solution for the Problem of Noise Nuisance in Tuen Mun Park**

### **Written Reply from the Leisure and Cultural Services Department**

The pleasure grounds managed by the Leisure and Cultural Services Department (LCSD) are regulated by the Pleasure Grounds Regulation (Cap. 132BC), a piece of subsidiary legislation under the Public Health and Municipal Services Ordinance (Cap. 132). The LCSD has been very concerned about the issue of excessive noise generated by musical performances in its pleasure grounds. According to Section 25 of the Pleasure Grounds Regulation, “[s]ave where the Director has, in writing, permitted the operation or playing of, or the making of any sounds by means of, any such instrument or the singing of any song, no person shall, in any pleasure ground, to the annoyance of ***any other user thereof*** operate or play, or make any sounds on, any musical or other instrument, including any gramophone or radio apparatus or sing any song.” In normal circumstances, venue users are free to play musical instruments or sing for self-entertainment in a venue, as long as such activities do not cause nuisance to other users. Venue management staff do not intervene unless they find that excessive noise has been generated by the music performers in the venue and nuisance may have been caused to others. The staff will first advise the performers to lower the sound level and may, if the advice is ignored, take enforcement action in the light of the circumstances, provided that sufficient evidence has been obtained and that other venue user(s) is/are willing to give evidence.

The LCSD has already enhanced patrols in Tuen Mun Park. Daily patrols by security guards have been stepped up to keep the musical performances in the park under control. There are banners in the venue to remind users to lower the sound level of their activities. Moreover, the LCSD has maintained close contact with the Police and conducted a number of joint operations in the park to warn parties concerned of the excessive noise generated by their musical performances. In addition, the two departments have, inter alia, issued verbal advice to suspected offenders, seized their sound equipment and initiated prosecutions. In the past five years, the LCSD and the relevant departments have altogether issued 9 330 pieces of verbal advice in Tuen Mun Park and instituted 99 prosecutions.

To further address the noise problem caused by musical performances in Tuen Mun Park, the LCSD is actively studying the feasibility of laying down specific house rules (such as banning the carrying of loudspeakers into the park during specified hours or the use of loudspeakers with a sound-emitting surface

exceeding the specified limit) so as to minimise the nuisance caused by noise produced during the performances. A total of four public consultation sessions arranged by the LCSD took place between May and July this year to solicit the views of relevant singing groups and of residents/owners' corporations/management committees in the neighbourhood on the proposed rules. After consolidating the views collected, the LCSD will draft the house rules and implementation arrangements with reference to the circumstances of the park and the needs and views of the public, and legal advice will be sought. Upon completion of the study, the LCSD will consult the District Facilities Management Committee under the Tuen Mun District Council on the proposed house rules.

Meanwhile, the LCSD will continue to monitor the use of the park closely. It will also maintain close contact and increase co-operation with the Police. Appropriate follow-up actions will be taken in response to any irregularities to maintain order in the park.

Leisure and Cultural Services Department  
2 July 2014