

Minutes of the 2nd Meeting of
the Finance, Administration and Publicity Committee (2016-2017) of
the Tuen Mun District Council

Date : 19 February 2016 (Friday)

Time : 9:32 a.m.

Venue : Tuen Mun District Council (TMDC) Conference Room

<u>Present</u>		<u>Time of Arrival</u>	<u>Time of Departure</u>
Mr AU Chi-yuen (Chairman)	TMDC Member	9:30 a.m.	End of meeting
Mr HO Kwan-yiu (Vice-chairman)	TMDC Member	9:30 a.m.	End of meeting
Mr LEUNG Kin-man, BBS, MH, JP	TMDC Chairman	9:30 a.m.	End of meeting
Mr LEE Hung-sham, Lothar, MH	TMDC Vice-chairman	9:33 a.m.	End of meeting
Mr SO Shiu-shing	TMDC Member	9:30 a.m.	End of meeting
Mr TO Sheck-yuen, MH	TMDC Member	9:41 a.m.	End of meeting
Ms KONG Fung-yi	TMDC Member	9:30 a.m.	End of meeting
Mr CHAN Yau-hoi, MH, JP	TMDC Member	9:31 a.m.	End of meeting
Ms WONG Lai-sheung, Catherine	TMDC Member	9:51 a.m.	End of meeting
Ms HO Hang-mui	TMDC Member	9:45 a.m.	End of meeting
Mr LAM Chung-hoi	TMDC Member	9:39 a.m.	End of meeting
Ms CHING Chi-hung	TMDC Member	9:30 a.m.	End of meeting
Mr CHAN Man-wah, MH	TMDC Member	9:41 a.m.	End of meeting
Mr CHEUNG Hang-fai	TMDC Member	9:30 a.m.	End of meeting
Ms CHU Shun-nga, Beatrice	TMDC Member	9:30 a.m.	End of meeting
Mr TSANG Hin-hong	TMDC Member	9:56 a.m.	End of meeting
Ms SO Ka-man	TMDC Member	9:30 a.m.	End of meeting
Mr KAM Man-fung	TMDC Member	9:30 a.m.	End of meeting
Mr MO Shing-fung	TMDC Member	9:31 a.m.	End of meeting
Mr YIP Man-pan	TMDC Member	9:31 a.m.	End of meeting
Mr YEUNG Chi-hang	TMDC Member	9:30 a.m.	End of meeting
Mr YAN Siu-nam	TMDC Member	9:30 a.m.	End of meeting
Mr TAM Chun-yin	TMDC Member	9:30 a.m.	End of meeting
Ms LEE Wen-choi, Winnie (Secretary)	Executive Officer I (District Council) 2, Tuen Mun District Office, Home Affairs Department		

Absent with Apologies

Ms LUNG Shui-hing	TMDC Member
Mr CHAN Manwell, Leo	TMDC Member

By Invitation

Mr KWAN Wa-kit

Senior Land Executive/East, District Lands Office, Tuen Mun,
Lands Department

Mr CHAN Chi-pan, Ivan

Engineer/Tuen Mun North, Housing & Planning Section,
Traffic Engineering (NTW) Division, Transport Department

In Attendance

Ms FUNG Ngar-wai, Aubrey

District Officer (Tuen Mun), Home Affairs Department

Mr CHAU Ka-nin, Eric

Senior Liaison Officer (2), Tuen Mun District Office,
Home Affairs Department

Mr LAU Chun-fai, Lawrence

Senior Executive Officer (District Council), Tuen Mun District
Office, Home Affairs Department

I. Opening Remarks

The Chairman welcomed all to the 2nd meeting of the Finance, Administration and Publicity Committee (“FAPC”). In particular, he welcomed Ms Aubrey FUNG, District Officer (Tuen Mun), who attended an FAPC meeting for the first time. The Chairman would also like to take this opportunity to thank Mr LAU Kam-kuen, David, the former District Officer (Tuen Mun), for the contribution he made to the FAPC during his tenure.

2. The Chairman reminded Members that any Member who was aware of a personal interest in a discussion item should declare the interest before the discussion. The Chairman would, in accordance with Order 39(12) of the TMDC Standing Orders, decide whether the Member who had declared an interest might speak or vote on the matter, might remain in the meeting as an observer, or should withdraw from the meeting. All cases of declaration of interests would be recorded in the minutes of the meeting.

II. Absence from Meeting

3. The Secretary reported that it had not received any applications by Members for leave of absence.

III. Confirmation of Minutes of Last Meeting

4. As there were no amendments, the Chairman announced that the minutes of the 1st meeting of the FAPC (2016-2017) were confirmed.

IV. Discussion Items

(A) Terms of Reference of FAPC (2016-2017)
(FAPC Paper No. 1/2016)

5. The Chairman indicated that the terms of reference of the current FAPC had been endorsed by the Tuen Mun District Council (“TMDC”) on 5 January 2016. As Members had no comments, the Chairman announced that the terms of reference were endorsed.

(B) Formation of Working Groups under FAPC (2016-2017)
(FAPC Paper No. 2/2016)

6. The Chairman said that two working groups had been formed under the FAPC in the year 2014-2015, namely the Working Group on Matters Relating to 2015 TMDC Calendars and the Working Group on Matters Relating to 2016 TMDC Calendars and TMDC Work Report 2014-2015. In respect of the working group arrangements for the year 2016-2017, Members opined that working groups could be formed later in

light of actual needs, so the Chairman announced that the recommendations in the paper were endorsed - in other words, there was no need to form any working groups at the moment.

(C) Applications for TMDC Funds (Projects to be Held or Commenced between February 2016 and March 2017)
(FAPC Paper No. 3/2016)

7. The Chairman reminded Members that during the discussion on applications for TMDC Funds, Members should refrain from speaking on any funding applications with which they found themselves associated, and that if they wished to speak or vote on the funding applications concerned, they should make such a request to the Chairman before doing so. As Members had submitted the Declarations of Interests in Handling TMDC Funds before, they were not required to make declarations again at this meeting unless they wished to speak or vote on applications with which they were associated. Ms KONG Fung-yi declared interests as the chairperson of Tuen Mun Elderly United Association and Tuen Mun Forth Viewers, while Mr YEUNG Chi-hang declared interests as the chairperson of the Association For Serving Butterfly Estate Residents.

8. The Chairman referred Members to Item 312 in the paper, which related to the funding application for “Cleaning of TMDC Notice Boards and Posting of TMDC Notices”. The FAPC had used the services of the Pentecostal Church of Hong Kong Sheltered Workshop for many years, having regard to the principle of caring for the disadvantaged’s integration into the community and the fact that the organisation employed disabled persons to provide services. In addition, the Secretariat had remarked that the organisation had performed very well last year. According to the Government’s procurement procedures, arrangements for the appointment of contractors should be reviewed from time to time. Therefore, the Chairman asked Members whether they agreed to continue using the services offered by the organisation without having to invite quotations from other organisations.

9. A Member supported continuing to use the services of the organisation because care should be given to handicapped and disabled persons and the organisation had performed well. The Member said that a review could be conducted in the future when there were any other disadvantaged groups interested in providing the services. Another Member reckoned that quotations from other organisations should be invited pursuant to the procedures, but Members might still accept a higher offer based on the principle of supporting the disadvantaged. Besides, a Member enquired whether the quotation procedures had been changed.

10. The Secretary responded that there had been no changes in the relevant government procurement procedures. She further said that Members would be asked every year at an FAPC meeting whether they agreed to continue using the services offered by the organisation. She added that Members might opt for an open invitation for quotations if they deemed it necessary, and they had also to consider whether to invite quotations only from groups employing disabled persons. Moreover, the cleansing services provided under the previous approval would cease at the end of March; therefore, to ensure the continuity of the services, the Secretariat might need to discuss the recommended contractor with the Chairman after obtaining the quotations and then seek Members' consent by circulation of papers.

11. The Chairman indicated that time was too tight for an open invitation for quotations on this occasion and the Pentecostal Church of Hong Kong Sheltered Workshop had provided the services for years with satisfactory performance. Therefore, he suggested continuing to use the organisation in the current year while launching an open invitation for quotations in the next financial year. Members raised no objection to the above arrangements.

12. The Chairman further said that set out in Items 313 to 316 in the paper were the applications in respect of the recreation and sports activities organised by the Leisure and Cultural Services Department ("LCSD") in Tuen Mun between July 2016 and February 2017. The amounts stated in the above applications, when added to the amounts approved earlier in this term for use by the LCSD between March and June 2016, equalled \$6,819,380. The amount of funding being applied for was \$324,736 up on the previous year. As the Home Affairs Department ("HAD") had yet to announce the total amount of funding for the new financial year (i.e. the year 2016-2017), to ensure fiscal prudence, the Chairman suggested that by reference to the past practice, a total of \$6,494,644, which was equivalent to the total approved amount for the previous year, should be approved and allocated to the LCSD first for organising recreation and sports activities from this March to the next February. After deducting the amount approved earlier, the total amount recommended for these applications was \$4,714,065. After the HAD announced the actual total amount of funding to be allocated to the TMDC for the 2016-2017 financial year, the TMDC would work out the estimates on the funding to be allocated in the new financial year. The LCSD might review its use of funding as appropriate, and consider making additional funding applications for the TMDC's approval if necessary. The Chairman further said that the above arrangements had been endorsed by the District Facilities Management Committee at its meeting on 16 February. FAPC Members raised no objection to the above arrangements.

13. The Chairman said that the LCSD had submitted a total of four applications in respect of its recreation and sports activities, and under the above arrangements, funding would be allocated for each of the applications according to their respective proportions in the total amount being applied for. Besides, as the 2015-2016 financial year would close at the end of March, payment for the expenditures on LCSD activities in March would be deferred to the 2016-2017 financial year.

14. Members had no comments on the funding applications set out in the paper. The Chairman announced that an allocation of \$9,154,431.5 was endorsed for a total of 318 funding applications. The applications for funding of \$100,000 or more would be submitted to the TMDC for endorsement.

(D) Better Arrangements for Banner Display by TMDC Members

(FAPC Paper No. 4/2016)

(Written Response from District Lands Office, Tuen Mun)

15. The Chairman said that at its meeting on 19 January 2016, the TMDC had discussed the issue concerning better arrangements for banner display by TMDC Members, and resolved to invite representatives of the relevant government departments to attend this FAPC meeting to follow up on the above issue. Members made comments on the issue, which are summarised as follows:

- (i) It was pointed out that there were many problems with the current selected locations: (1) the selected locations were either at or facing places with low pedestrian flow; (2) the selected locations were unevenly distributed; (3) banner display was not allowed at suitable locations; and (4) banners could hardly be hung on the railings at the selected locations;
- (ii) Banner display was considered an issue of high importance, because banners served as a major important channel for TMDC Members to disseminate information to residents, particularly in places with more private buildings and thus fewer channels for TMDC Members' promotion;
- (iii) An enquiry was made as to who decided the locations for banner display, and whether the locations could be changed. A Member reckoned that TMDC Members should be allowed to select suitable display locations afresh as there had been changes in TMDC Members and the environment;
- (iv) A Member opined that TMDC Members should be allowed to display banners in neighbouring constituencies with the consent of their peers of the constituencies concerned and to make coordinated arrangements among themselves. Another Member did not support allowing Members to display

- banners in other constituencies as this would easily cause confusion (especially during election periods);
- (v) An enquiry was made as to why the display locations during the period of District Councils (“DCs”) election were different from usual;
 - (vi) A Member who considered the locations for banner display to be open information hoped that the District Lands Office (“DLO”) could answer Members’ enquiries in this connection and provide channels for the related enquiries. Another Member indicated that it took very long time for the DLO to process changes in display locations;
 - (vii) Noting that the DLO, the Housing Department (“HD”) and the Transport Department (“TD”) had different criteria for banner display, a Member suggested standardised arrangements be worked out. Another Member opined that the HD should have sent representatives to this meeting to answer Members’ questions. Besides, a Member opined that the DLO, the TD and consulting firm should join Members in site visits to identify suitable display locations. If departments considered that the locations selected by TMDC Members were not suitable, they should give reasonable justification. Moreover, a Member opined that display locations should be chosen by TMDC Members, instead of being decided by the consulting firm;
 - (viii) A Member indicated that as TMDC Members performed district duties, they had been given priority over members of the Legislative Council (“LegCo”) in selecting display locations. The Member asked why such priority was not given under the current arrangements. Besides, a Member enquired whether the banners of TMDC Members had to be removed during the LegCo election period, and opined that these banners should be allowed to be kept as they would not affect the LegCo election. Another Member suggested taking the opportunity of the LegCo election to re-arrange all the banner display locations, whereby TMDC Members were given priority, and to set a deadline of the end of the DC term for LegCo members to use the display locations;
 - (ix) It was suggested that departments install wire fences and mark numbers at the display locations to facilitate TMDC Members in putting up their banners;
 - (x) There was a view that the number of banners for each area should be adjusted in accordance with its size. Moreover, a Member suggested the number of display locations in each area be increased to 20 and TMDC Members be allowed to decide by themselves whether to use all the 20 display locations. Besides, a Member opined that a location with both sides available for banner display should be counted as one location;
 - (xi) A Member said that a temporary display location should be provided if a display location were affected by road works. Another Member whose

banners had been removed due to road works opined that workers should notify the DLO so that it could ask TMDC Members to remove the banners by themselves; and

- (xii) It was pointed out that some persons who were not TMDC Members displayed banners without permission on Friday to Sunday. The relevant departments were asked to follow up on this matter.

16. Mr KWAN Wa-kit, Senior Land Executive of the DLO, Tuen Mun, responded to Members' comments and enquires. His responses are summarised as below:

- (i) The DLO would contact TMDC Members in early March to understand and follow up on the problems;
- (ii) With a view to ensuring that eligible users could obtain permission for banner display in an orderly manner while maintaining road safety and clean environments, the Government had to make sure that all stakeholders using display locations fulfilled the allocation requirements for the display locations specified in the management scheme. Therefore, the Government could not consider increasing the number of display locations. A location with both sides available for banner display should still be counted as two locations. Moreover, the Lands Department applied the same criteria to all users including DC Members and therefore could not provide more display locations in individual areas;
- (iii) On cross-constituency display of banners, according to the current procedures, DC Members could display banners in their respective constituencies only;
- (iv) On the matter concerning banner display locations during election periods being different from usual, it was the Registration and Electoral Office which was responsible for matters about display locations during election periods, and the DLO had no role to play therein;
- (v) On channels for enquiries on banner display, he suggested TMDC Members contact him directly;
- (vi) Members' comments on the consulting firm were noted. Instructions would be given to the firm in a bid to improve its services;
- (vii) On the matter about giving TMDC Members priority in choosing display locations, he indicated that when the banner display locations were worked out for allocation to TMDC Members, some locations had already been earmarked for use by LegCo members until the end of the LegCo term, so the locations concerned were not available for allocation to TMDC Members. The suggestions of reallocating the locations after the LegCo election and setting the deadline of the end of the DC term for banner display by LegCo members were

territory-wide issues. The DLO would consider and follow up on these suggestions;

- (viii) On road works' impact on display locations, the DLO could provide temporary display locations for TMDC Members; and
- (ix) On enforcement arrangements, the DLO was responsible for the examination and approval of display locations only, while enforcement duties fell on the Food and Environmental Hygiene Department.

17. In response to Members' comments and enquiries, Mr Ivan CHAN, Engineer of the TD, said that the TD would offer advice on road safety in respect of the selected locations referred by the DLO and consider each of them in light of the pedestrian and vehicle flow at the individual locations based on the fundamental principle of no obstruction to the vision of pedestrians and motorists. The TD would keep an open mind on the suggestion of, among others, increasing the number of display locations as long as road safety would not be impaired. Furthermore, the TD would actively provide assistance by offering advice on road safety.

18. The Chairman concluded by saying that TMDC Members had been tolerant of the banner display arrangements for more than 20 years. He believed that banners served as an important channel for TMDC Members' communication with the public and TMDC Members were familiar with the actual situations of various areas, so the consulting firm should not work behind closed doors. Besides, he agreed that the number of display locations should be increased to 20. He asked the DLO, the TD and the HD to join TMDC Members in inspecting their constituencies and identifying suitable locations for banner display. He added that if TMDC Members displayed banners at inappropriate locations, the relevant departments should remind them to make rectification instead of removing the banners and then collecting fees from them. He hoped the problems with banner display could be solved promptly.

DLO
TD
HD

V. Reporting Items

(A) Position of TMDC Funds as at 28 January 2016
(FAPC Paper No. 5/2016)

19. The Chairman reported that as at 28 January 2016, the TMDC had allocated a total of \$28,202,192 for subsidising 1 136 community involvement activities.

VI. Any Other Business and Date of Next Meeting

20. The Chairman indicated that as the financial year was nearing an end, he would like the persons-in-charge of the activities already held by committees and working

Action

groups to provide the relevant documents as soon as possible to facilitate payment in the current financial year. Besides, the committees might consider discussing any items concerning the plans and funding estimates for the next year before the financial year ended or discussing them under “Any Other Business”. The chairmen of the committees might consider the suggestions and offer their views when the allocations in the 2016-2017 financial year were discussed at the next meeting.

21. There being no further business, the Chairman closed the meeting at 10:49 a.m. The next meeting would be held at 9:30 a.m. on 22 April 2016 (Friday).

Tuen Mun District Council Secretariat
Date: 15 March 2016
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