

(Translation)

Minutes of the 1<sup>st</sup> Meeting of  
Food, Environment and Hygiene Committee (1/2024)

Date: 22 February 2024 (Thursday)

Time: 2:30 p.m.

Venue: Main Conference Room, Tsuen Wan District Office

Present:

Mr KOT Siu-yuen, MH (Chairman)

Mr TSANG Tai (Vice Chairman)

Mr KOO Yeung-pong, MH

Mr NG Chun-yu

Ms LAM Yuen-pun

Mr CHOW Sum-ming

Mr YAU Kam-ping, BBS, MH

Mr CHAN Sung-ip, BBS, MH

Mr MOK Yuen-kwan

Mr FUNG Cheuk-sum

Mr WONG Wai-kit, MH

Mr WONG Kai-chun

Mr CHENG Chit-pun

Mr LAU Chung-kong

Absent:

Mr CHAN Chun-chung

In Attendance:

Mr LEE Soeng-him, Sean

Assistant District Officer (Tsuen Wan),  
Tsuen Wan District Office

Mr HUNG Sai-kit

District Environmental Hygiene  
Superintendent (Tsuen Wan), Food and  
Environmental Hygiene Department

Mr SO Yeung-fung

Chief Health Inspector (Tsuen Wan) 1,  
Food and Environmental Hygiene

Mr TSE Ka-hong

Department  
Environmental Protection Officer  
(Regional West) 22, Environmental  
Protection Department

Attendance by Invitation:

For discussion of item 1:

Mr HO Yiu-wing

Chief Inspector of Police (Operations) (Tsuen Wan),  
Hong Kong Police Force

Tsuen Wan District Council Secretariat Representatives:

Mr LIM Kuen

Senior Executive Officer (District  
Council), Tsuen Wan District Office

Miss LEUNG Wai-ching, Clementine  
(Secretary)

Executive Officer (District Council)1,  
Tsuen Wan District Office

Mr LI Hongfeng, Ken

Assistant Executive Manager (District  
Council)2, Tsuen Wan District Office

I Opening Remarks and Introduction

The Chairman welcomed Members and representatives from government departments to the 1st meeting of the Food, Environment and Hygiene Committee (FEHC). He introduced the government departments which would be in regular attendance at meetings of the FEHC, namely the Food and Environmental Hygiene Department (FEHD) and Environmental Protection Department (EPD).

2. Members unanimously approved the application for absence submitted by Mr CHAN Chun-chung who was unable to attend the meeting due to legitimate reason.

3. The Chairman stated that according to the requirements stipulated in the Tsuen Wan District Council Standing Orders, if a District Council (DC) Member found that he/she had any direct personal or pecuniary interests in a discussion item or relevant matters when attending a meeting of the Council or dealing with matters related to the Council, the DC Member should declare the interests. The Secretariat had not received any declaration of interests prior to this meeting. No Member made a declaration of interests immediately.

II Item 1: On-street Begging and Unlicensed Hawking Activities in Tsuen Wan District

(TWDC FEHC Paper No. 1/2024)

4. The Chairman stated that the paper was submitted by Mr NG Chun-yu. The representatives from the departments responsible for giving responses were:

- (1) Mr HUNG Sai-kit, District Environmental Hygiene Superintendent (Tsuen Wan) (DEHS(TW)), FEHD;
- (2) Mr SO Yeung-fung, Chief Health Inspector (Tsuen Wan) 1 (CHI(TW)1), FEHD; and
- (3) Mr HO Yiu-wing, Chief Inspector of Police (Operations) (Tsuen Wan) (CIP(O)(TW)), Hong Kong Police Force (HKPF).

Besides, the written reply of the FEHD was tabled at the meeting.

5. Mr NG Chun-yu introduced the paper.

6. The views and enquiries of Members were summarised as follows:

- (1) the location outside the main entrance of the Tsuen Wan District Council (TWDC) was the centre of the footbridge network in Tsuen Wan where frequent on-street begging and unlicensed hawking activities were observed;
- (2) what measures would be adopted by the departments concerned correspondingly to tackle a series of actions developed by offenders of unlicensed hawking activities for evading law enforcement;
- (3) to which government department members of the public should make immediate report if they identified persons engaged in on-street begging;
- (4) whether the HKPF had found any evidence suggesting that persons begging on the streets were under the control of criminal syndicates; and
- (5) what the definition of begging was. As a Member found that some beggars would not only engage in on-street begging for money but also retail activities or street performance in exchange for money.

7. DEHS(TW) of the FEHD responded as follows:

- (1) the Tsuen Wan District Environmental Hygiene Office (TWDEHO) had all along been concerned about the problem of unlicensed hawking activities in the district. It had also taken enforcement actions against unlicensed hawking activities to minimise the nuisance caused by such activities to residents. In addition to routine inspections, the Hawker Control Team would arrange blitz operations and increase the frequency of inspections having regard to the

actual situation, endeavouring to ensure that major roads and places with high pedestrian flow in the district (including the areas around the footbridge network in Tsuen Wan and Tsuen Wan Market) would not be adversely affected by unlicensed hawking activities;

- (2) the area within a footbridge was public place. Enforcement actions would be taken against unlicensed hawking activities in public place once identified by the staff of the FEHD. In response to the problem of unlicensed hawking activities at the section of the footbridge outside the main entrance of the TWDC, the FEHD had strengthened patrols in the vicinity (especially during weekends and holidays) and would take enforcement actions against such illegal acts;
- (3) to tackle street obstruction caused by unlicensed hawking activities in the areas around the footbridge network in Tsuen Wan and Tsuen Wan Market, the FEHD had instituted a total of five prosecutions, including two prosecutions against unlicensed hawking activities taking place at the footbridge network, and recorded 35 seizures of articles discarded by hawkers during the period from August 2023 to January 2024; and
- (4) Members having identified unlicensed hawking activities might report by telephone to the TWDEHO or the hotline 1823.

8. CIP(O)(TW) of the HKPF responded as follows:

- (1) any person who begged or gathered alms at any public place might contravene Section 26A of the Summary Offences Ordinance (Cap. 228). Pursuant to Section 26A of the Summary Offences Ordinance (Cap. 228), any person who engaged in begging activities committed the offence of “begging alms” and was liable on conviction to a fine of \$2,000 and imprisonment for one month for a first or second offence; and to a fine of \$2,000 and imprisonment for 12 months on a third or subsequent offence;
- (2) depending on the circumstances of each case, if a person’s begging activity was conducted in a threatening or disorderly manner, the person concerned might commit other offences, such as “begging in threatening manner” under Section 26B of the Summary Offences Ordinance (Cap. 228), which carried a maximum penalty of imprisonment for 18 months, and “disorder in public places” under Section 17B of the Public Order Ordinance (Cap. 245), which carried a maximum penalty of a fine at level 2 (i.e. \$5,000) and imprisonment for 12 months;
- (3) pursuant to Section 4(15) of the Summary Offences Ordinance (Cap. 228), any

person was not allowed to play musical instrument in any public street or road without lawful authority or excuse, unless that person had been given any such general or special permit as the Commissioner of Police in his absolute discretion might issue;

- (4) pursuant to Section 4(17) of the Summary Offences Ordinance (Cap. 228), any person who participated in any fundraising activities (i.e. collection of money or sale or exchange for donations of badges, tokens or similar articles in a public place) had to submit prior applications to the Director of Social Welfare for a permit for such activities for charitable purposes or submit prior applications to the Secretary for Home and Youth Affairs for a permit for such activities for any other purpose;
- (5) police officers on patrol would promptly take follow-up actions when they identified on-street begging activities or received related reports from members of the public. Depending on the evidence available, the Police would take enforcement actions against such offenders. The HKPF would assess the situation and, where necessary, strengthen collaboration with other government departments, including stepping up joint patrols and enforcement operations with the Immigration Department at black spots of begging activities and in streets with high pedestrian flow;
- (6) as observed by the HKPF, there was a rising trend of begging activities in various districts. However, at the time police officers arrived at the scenes after receiving reports from members of the public, the persons engaged in begging activities had already left. The HKPF therefore could not rule out the possible involvement of criminal syndicates in begging activities. The HKPF would not only deploy uniformed police officers for law enforcement but also arrange plainclothes officers to conduct targeted operations to combat begging activities; and
- (7) in case of identifying begging activities in public places, Members might report to the report rooms of the HKPF. On publicity and education, the HKPF called on Members to assist in reminding the public not to casually give alms to beggars in the streets for combating on-street begging activities.

9. The Chairman thanked the FEHD for combating illegal hawking activities in the district during the Lunar New Year. In addition, he found that some foreign domestic helpers engaged in illegal hawking of cooked food in public places on Sundays, adversely affecting the environmental hygiene in the district. He hoped that the departments concerned would follow up on the situation. Furthermore, he opined that

when conducting operations, the departments concerned should deploy plainclothes officers instead so that offenders could not easily identify law enforcement officers and swiftly escape from the scene.

10. The Chairman stated that the FEHC would continue to discuss the captioned agenda item under the Matters Arising from the Minutes of the Previous Meeting at the next meeting.

### III Item 2: Information Paper

Work Report on Environmental Pollution Control in Tsuen Wan District (1 October 2023 to 31 December 2023)  
(TWDC FEHC Paper No. 2/2024)

11. The Chairman stated that the paper was submitted by the EPD. The representative from the EPD responsible for giving response was Mr TSE Ka-hong, Environmental Protection Officer (Regional West) 22 (EPO(RW)22).

12. EPO(RW)22 of the EPD introduced the paper.

13. The enquiries of Members were summarised as follows:

- (1) whether the EPD could provide the figures of relevant cases regarding the complaints lodged by members of the public about discoloured water identified at Tsuen Wan harbourfront; and
- (2) why was there a huge discrepancy between the figures of “complaint cases handled”, “frequency of inspection” and “prosecution cases completed” as mentioned in the paper.

14. EPO(RW)22 of the EPD responded as follows:

- (1) the EPD had received complaints on the relevant issues. The Government had all along been concerned about the discharge of pollutants from the sewage outfalls at Tsuen Wan harbourfront and had been adopting a multi-pronged approach to monitor and control the sources of pollution. The EPD had conducted large-scale polluter investigations. During the period between 2018 and 2023, it had carried out about 2 000 inspections to manhole to see if suspected sources of pollution were found. If cases of misconnection of foul water pipe to stormwater drain were identified during such investigations, the EPD would refer the cases to the departments concerned for follow-up. The EPD had also continued to conduct odour assessments at

Tsuen Wan harbourfront to have a better understanding of the impact of odour on the environment. The EPD noted that other departments concerned had also adopted various measures to mitigate odour problems caused by the drainage system such as placing a larger amount of odour control hydrogel; and

- (2) in addition to paying attention to the details given by the complainants when handling complaint cases, the EPD would examine whether legislations related to environmental protection were involved in such cases for follow-up action and investigation. The staff of the EPD might need to conduct several inspections to complete the investigation of one case. Besides, as the EPD would conduct proactive inspections according to the actual needs of individual cases, therefore the figure of “frequency of inspection” would be higher than that of “complaint cases handled” as mentioned in the paper. Most of the complaints received by the EPD had been settled properly after handling or were not suspected to be in breach of the legislations related to environmental protection. As for cases suspected of breaching the law, the EPD would instigate prosecution proceedings once sufficient evidence was available and hand over such cases to the court for trial.

#### IV Item 3: Information Paper

##### Work Report on Environmental Hygiene in Tsuen Wan District (TWDC FEHC Paper No. 3/2024)

15. The Chairman stated that the paper was submitted by the FEHD. The representatives from the FEHD responsible for giving response were Mr HUNG Sai-kit, DEHS(TW) and Mr SO Yeung-fung, CHI(TW)<sup>1</sup>.

16. DEHS(TW) of the FEHD introduced the paper.

17. The views and enquiries of Members were as follows:

- (1) whether the FEHD had not received any complaint about “allowing one’s dog to foul in public places” since the number of fixed penalty notice (FPN) issued against such offence was zero;
- (2) a Member requested the FEHD to provide reports regarding the statistics of water seepage and leakage cases in buildings; and
- (3) a Member hoped that the FEHD would step up its efforts in mosquito prevention and control during rainy season, in particular by taking early anti-mosquito measures at blackspots of mosquito infestation.

18. DEHS(TW) of the FEHD responded as follows:

- (1) in 2023, the FEHD had issued a total of two FPNs to offenders for committing the offence of “allowing one’s dog to foul in public places”. Many people at present would bring their own utensils to clean up dog faeces, while only a few still allowed their dogs to foul in streets without proper cleaning. However, as such offence was committed in a short period of time in general, it was difficult for the staff of the FEHD to immediately identify such illegal behaviour and take enforcement actions against the offenders. The FEHD would continue to monitor the situation in the district, particularly the inspections to the black spots of such offence. It would also enhance public awareness of maintaining environmental hygiene through publicity and education;
- (2) the Joint Office, which was set up by the FEHD and the Buildings Department, was currently dedicated to handle the problem of water seepage in buildings. Cases of water seepage in buildings in Tsuen Wan district were followed up by the New Territories West Regional Joint Office (NTWRJO). The NTWRJO was not under the TWDEHO which, however, could obtain the relevant statistics from the NTWRJO for consolidation and report. Members could also make direct request to the NTWRJO for obtaining the relevant information; and
- (3) the FEHD had launched the Tsuen Wan District Anti-mosquito Campaign 2024 (Phase1) on 19 February 2024 and such anti-mosquito campaign would continue throughout the year. The FEHD would also strengthen the prevention and control work before the rainy season to avoid aggravation of mosquito infestation.

19. The Chairman stated that the Secretariat would further follow up with the departments concerned on the report regarding the statistics of water seepage and leakage cases in buildings, hoping that such reports could be provided to Members for perusal at meetings on a regular basis in the future.

#### V Item 4: Any Other Business

20. The Chairman stated that a total of four public markets and one cooked food market in Tsuen Wan district were advised by five Market Management Consultative Committees (MMCCs) respectively. MMCCs would held regular meetings on a quarterly basis, and their functions included giving advice to the FEHD on improving



the management and operating environment of public markets, organising promotion programmes to publicise public markets, and advising on the provision and enhancement of the facilities of public markets. The FEHD invited Members to join the MMCCs of various public markets in the district. The Chairman announced the nomination list as follows:

- (1) Mr MOK Yuen-kwan, Mr NG Chun-yu and Mr FUNG Cheuk-sum would join the MMCC of Yeung Uk Road Market;
- (2) Mr KOT Siu-yuen, Mr CHAN Chun-chung and Mr CHOW Sum-ming would join the MMCC of Tsuen Wan Market;
- (3) Ms WONG Shuk-fan, Luparker, Mr TSANG Tai and Ms WAH Mei-ling would join the MMCC of Heung Che Street Market;
- (4) Ms LAM Yuen-pun and Mr LAU Chung-kong would join the MMCC of Chai Wan Kok Cooked Food Market; and
- (5) Mr WONG Kai-chun and Mr CHENG Chit-pun would join the MMCC of Sham Tseng Temporary Market.

#### VI Adjournment of Meeting

21. The Chairman reminded Members that the next meeting was scheduled for 25 April 2024 (Thursday) and the deadline for submission of papers was 10 April 2024 (Wednesday).

Tsuen Wan District Council Secretariat

4 March 2024