

**Minutes of the 11<sup>th</sup> Meeting of the  
Food and Environmental Hygiene Committee of the  
Yau Tsim Mong District Council (2012-2015)**

**Date** : 28 November 2013 (Thursday)  
**Time** : 2:30 p.m.  
**Venue** : Yau Tsim Mong District Council Conference Room  
4/F., Mong Kok Government Offices  
30 Luen Wan Street  
Mong Kok, Kowloon

**Present:**

Chairman

Mr YEUNG Tsz-hei, Benny, MH

Vice-chairman

Mr CHAN Wai-keung

District Councillors

Mr CHUNG Kong-mo, JP  
Ms KO Po-ling, BBS, MH, JP  
Mr CHAN Siu-tong, MH  
Mr CHOI Siu-fung, Benjamin  
Mr CHONG Wing-charn, Francis  
Mr CHOW Chun-fai, BBS, JP  
Mr HAU Wing-cheong, BBS, MH  
Mr HUI Tak-leung  
Mr HUNG Chiu-wah, Derek

Mr IP Ngo-tung, Chris  
Ms KWAN Sau-ling  
Mr LAM Kin-man  
Mr LAU Pak-kei  
The Honorable TO Kun-sun, James  
Mr WONG Chung, John  
Mr WONG Kin-san  
Mr WONG Man-sing, Barry, MH  
Ms WONG Shu-ming

Co-opted Members

Ms LAM Wai-lung  
Mr SHUM Chu-wah  
Ms CHENG So-ngor  
Mr CHOI Vai-hung

Mr HO Siu-tak  
Mr MOK Yuk-kwong  
Mr LUI Wing-kong, Vincent

Representatives of the Government

Mr LI Ka-kei	District Environmental Hygiene Superintendent (Mong Kok)	Food and Environmental Hygiene Department
Mr WONG Kam-wah	District Environmental Hygiene	Food and Environmental

	Superintendent (Yau Tsim)	Hygiene Department
Mr LUK Kwok-po	Chief Estate Officer/Kowloon	Lands Department
Mr LAI Ka-yin	Deputy District Leisure Manager (Yau Tsim Mong)	Leisure and Cultural Services Department
Mr YEUNG Chuen-ching, Francis	Senior Environmental Protection Officer (Regional East) 1	Environmental Protection Department
Mr FAN Ka-fai, Raymond	Sergeant, Police Community Relations Office (Yau Tsim District)	Hong Kong Police Force
Mr WONG Kai-wing	Sergeant, Police Community Relations Office (Yau Tsim District)	Hong Kong Police Force
Mr TSANG Kwok-keung	Senior Inspector (Mong Kok District)	Hong Kong Police Force
Mr WONG Kok-seng	Task Force Sub-Unit Commander (Mong Kok District)	Hong Kong Police Force
Mr MAK Ching-yu	Station Sergeant (Mong Kok District)	Hong Kong Police Force
Mr TSANG Man-shing	Sergeant (Mong Kok District)	Hong Kong Police Force
Ms LIU Suk-wa, Connie	Senior Executive Officer (District Management), Yau Tsim Mong District Office	Home Affairs Department

**In Attendance:**

Mr SHUM Ngai-on, William	Senior Engineer	Electrical and Mechanical Services Department
Mr WONG Chung-yin	Engineer	Electrical and Mechanical Services Department

Secretary

Miss FUNG Hoi-ha, Martha	Executive Officer (District Council) 3, Yau Tsim Mong District Office	Home Affairs Department
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**Absent:**

### **Opening Remarks**

The Vice-chairman welcomed all to the meeting. He said that as the Chairman would join the meeting later due to other prior commitments, he would chair this meeting in his stead for the time being. There was no objection. He continued to report that Mr LAM Kin-man newly joined the Food and Environmental Hygiene Committee (“FEHC”) and this would be the first time he attended a meeting of the FEHC. He then introduced Mr TSANG Kwok-keung, Senior Inspector (Mong Kok District); Mr WONG Kok-seng, Task Force Sub-Unit Commander (Mong Kok District); Mr MAK Ching-yu, Station Sergeant (Mong Kok District); and Mr TSANG Man-shing, Sergeant (Mong Kok District) of the Hong Kong Police Force (“HKPF”). Furthermore, he reported that Mr Mohammad Munir KHAN, Police Community Relations Officer (Yau Tsim) of the HKPF was absent with apologies. Mr Raymond FAN and Mr WONG Kai-wing, Sergeants of the Police Community Relations Office (Yau Tsim) of the HKPF stood in for him at the meeting. Mr JO Chun-wah was also absent due to other commitments.

(Mr CHUNG Kong-mo and Mr Vincent LUI joined the meeting at 2:34 p.m.)

### **Agenda Item 1: Confirmation of Minutes of 10<sup>th</sup> FEHC Meeting**

2. Since no proposed amendments were received by the Secretariat upon the issue of the draft minutes of the 10<sup>th</sup> meeting, the minutes were confirmed without amendment.

(Ms KO Po-ling, Mr HAU Wing-cheong and Ms KWAN Sau-ling joined the meeting at 2:35 p.m.)

(Mr John WONG joined the meeting at 2:36 p.m.)

### **Agenda Item 2: To Seek Continued Action on Noise Problem Arising from Yu Chau Street Refuse Collection Point (YTMFEHC Paper No. 38/2013)**

3. The Vice-chairman said that the the written response of the Food and Environmental Hygiene Department (“FEHD”) (Annex 1) had been faxed to Members for perusal before the meeting. He then welcomed Mr LI Ka-kei, District Environmental Hygiene Superintendent (Mong Kok) of the FEHD, to join the discussion.

4. Mr Francis CHONG briefly introduced the contents of the paper. He stated that noise was often generated from Yu Chau Street Refuse Collection Point (“Refuse Collection Point”) early in the morning, thus causing nuisance to the nearby residents. He urged the FEHD to follow up the situation.

5. Mr Chris IP reflected that besides Yu Chau Street Refuse Collection Point, loud noise was also generated from Parkes Street Refuse Collection Point early in the morning, thus leading to public complaints. He hoped that the Administration would improve the situation there.

(Mr LAM Kin-man joined the meeting at 2:40 p.m.)

6. Mr LI Ka-kei responded as follows:

- (i) Yu Chau Street Refuse Collection Point opened at 7:00 a.m.. He believed that the noise problem mentioned by Mr Francis CHONG was caused by those private refuse collection workers who were waiting there for the Refuse Collection Point to open early in the morning. He would tell the FEHD staff to advise the workers concerned to avoid making any noise while they were waiting for the Refuse Collection Point to open early in the morning; and if necessary, the department would not allow them to enter the site of the Refuse Collection Point.
- (ii) As the side door of Yu Chau Street Refuse Collection Point was close to residential areas, he had told the staff concerned to keep that side door closed before 9:00 a.m. The Refuse Collection Point was accessible through the main entrance only so as to minimise the impact on the nearby residents.
- (iii) He had reminded the frontline workers to reduce noise in the morning and avoid handling refuse outside the Refuse Collection Point in order to minimise the noise nuisance caused to the nearby residents.
- (iv) A closed refuse compactor was available at Yu Chau Street Refuse Collection Point. It could help minimise the odour nuisance affecting the surrounding environment in an effective way. He would tell the workers to clean more frequently the ground both inside and outside the Refuse Collection Point and the refuse bins there.

(The Chairman joined the meeting at 2:42 p.m.)

7. Mr WONG Kam-wah responded that the first reason for the noise problem at Parkes Street Refuse Collection Point was that the refuse collection vehicles of

cleansing service contractors created noise when the refuse compactors were in operation. The second reason was that having parked at the Refuse Collection Point for a period of time, the refuse collection vehicles had to restart their engines when they were ready to leave, thus causing noise nuisance. He indicated that the workers no longer used refuse compactors to handle the refuse at the Refuse Collection Point. Also, the FEHD had advised its contractors that having collected the refuse, the refuse collection vehicles were required to leave the Refuse Collection Point immediately. The department hoped that the noise problem arising from the Refuse Collection Point would be minimised through these measures.

8. Mr Francis CHONG reiterated that the FEHD should proactively follow up and tackle the noise problem arising from the Refuse Collection Point.

9. Mr LI Ka-kei said that the FEHD would take proactive action to follow up the noise problem caused by private refuse collection workers during their operations early in the morning.

10. There being no further comments, the Chairman closed the discussion on this item.

**Agenda Item 3: Attention Sought for Massive Dumping of Construction Materials and Wastes on Streets in Tai Nan and Mong Kok East, and Its Nuisances to Residents and Surroundings  
(YTMFEHC Paper No. 39/2013)**

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11. The Chairman said that the written responses of the FEHD and the Environmental Protection Department (“EPD”) (Annexes II and III) had been faxed to Members for perusal before the meeting. He then welcomed Mr LI Ka-kei, District Environmental Hygiene Superintendent (Mong Kok) of the FEHD and Mr Francis YEUNG, Senior Environmental Protection Officer (Regional East) 1 of the EPD to join the discussion.

12. Mr Francis CHONG and Mr John WONG supplemented the contents of the paper.

(Mr CHOI Vai-hung joined the meeting at 2:48 p.m.)

13. Mr LI Ka-kei responded that the FEHD was mainly responsible for disposal of

household waste. However, he had told the workers to assist in disposing the illegally dumped construction waste on the streets as far as possible. If frontline workers of the FEHD found that there was a small amount of construction waste on the streets, they would use their best endeavours to dispose of it immediately. Moreover, the FEHD would step up street patrols in the district. If the FEHD staff found that fitting-out works were being carried out in shops, they would collect personal information from the contractors, which would then be transferred to the EPD for further enforcement actions if necessary.

14. Mr Francis YEUNG said that the EPD conducted patrols and spot checks from time to time to combat illegal dumping of construction waste. Two offenders of illegal dumping of construction waste in the district had been successfully prosecuted earlier. In addition, when conducting routine patrols in the district, the EPD staff would convey messages on proper disposal of construction waste to those related to the premises in which fitting-out works were being carried out, the management office of the premises and the contractor concerned.

15. Mr Francis CHONG considered that the problem could not be solved effectively simply by education and publicity. He hoped that the department concerned would study the feasibility of installing closed-circuit television (CCTV) cameras at black spots in the district.

16. Mr Benjamin CHOI agreed with the opinion of Mr Francis CHONG. He urged the department concerned to proactively deal with this problem. For instance, if construction waste was found on the streets, the department should enquire of the management offices of the buildings nearby to see if fitting-out works were being carried out in any premises so as to trace the source of the construction waste.

17. Mr HAU Wing-cheong pointed out that some flat owners commissioned incompetent contractors to carry out the fitting-out works of “partitioned flats” and illegally dumped the construction waste. The departments concerned should pay more attention to this situation.

18. Mr HUI Tak-leung said that the problem of illegal dumping of construction waste was very serious in the district. Recently, loads of construction waste had been found on the roadside in the vicinity of Shantung Street and Ferry Street. He would like to know the number of the EPD staff responsible for handling the issue of construction waste disposal in the district.

19. Mr John WONG was discontented that the problem of illegal dumping of construction waste was serious in the district. He requested the department concerned to tackle the problem proactively.

20. Mr Barry WONG said that the department concerned should step up enforcement actions and should not tolerate this kind of illegal act. Moreover, he proposed to further discuss this item at the next meeting.

21. Mr WONG Kin-san enquired of the EPD about the recent number of prosecution cases of illegal dumping of construction waste in the district. He hoped that the EPD would tackle the problem in a more effective way, such as setting up a mechanism for members of the public and other departments to report non-compliance cases to the EPD.

(The Hon James TO joined the meeting at 3:05 p.m.)

22. Mr LAU Pak-kei suggested that the EPD should focus their manpower resources on enforcement actions against the black spots in the district, and pursue prosecution to enhance deterrent effect.

23. The Chairman said that this agenda item had been discussed several times at the FEHC meetings. He hoped that the departments concerned would propose feasible options to tackle the problem proactively.

24. Ms KO Po-ling said that the public consultation on the waste charging scheme was being carried out. If the departments concerned were unable to take stringent enforcement actions against offenders of illegal dumping of construction waste, it would be difficult to take forward the waste charging measure in the future.

25. The Hon James TO agreed with the opinion of Ms KO Po-ling. He commented that the EPD should consider using CCTV cameras in order to strengthen the effectiveness of enforcement, as well as raising penalties to enhance deterrent effect.

26. Mr LI Ka-kei remarked that owing to the limitation of its authority, the FEHD could only issue fixed penalty notices at a fine of \$1,500 to offenders of illegal dumping of construction waste, thus resulting in very little deterrent effect. On the contrary, the EPD might penalise offenders at a fine of \$500,000 under the relevant

environmental protection legislation, which achieved a greater deterrent effect. He continued to say that the FEHD had conducted 10 spot checks in the district in recent months and 27 successful prosecutions were made.

27. Mr Francis YEUNG said that the EPD was concerned about illegal dumping of construction waste. The department conducted nighttime spot checks from time to time and focused its resources on combating the problem at the black spots. He continued to say that if members of the public needed to report any cases or lodge any complaints, they could call the EPD hotline or the 1823 Government hotline if necessary. Regarding the proposal to install CCTV cameras, he said that both the public opinion of the community and privacy issue should be given careful consideration.

(Mr HAU Wing-cheong left the meeting at 3:26 p.m.)

28. Ms KWAN Sau-ling said that the FEHD's fixed penalty at a fine of \$1,500 was too moderate, resulting in very little deterrent effect. Moreover, she considered that it was an inefficient way to report offences through the 1823 hotline. She hoped that an EPD hotline would be set up exclusively for handling offences of illegal dumping of construction waste so that members of the public could report such cases.

29. Mr CHUNG Kong-mo suggested that the EPD and FEHD should work together to combat illegal dumping of construction waste. If the EPD staff found that construction waste was illegally dumped on the streets, they might report the cases to the EPD immediately for their enforcement actions. He pointed out that when conducting routine patrols in the district, police officers should also report such offences to the EPD in order to step up operation against such illegal act.

30. Ms KO Po-ling remarked that as there was a big difference between the amounts of fines of the EPD and FEHD, she asked whether the enforcement standards of the two departments were different from each other. Besides, she considered that the departments concerned should enhance education and publicity to contractors.

31. Mr Francis CHONG said that it was mentioned in the papers submitted that there were five main flytipping black spots in the district, namely, the area outside the entrance of the substation at Poplar Street, the refuge island at the junction of Cedar Street and Tai Nan Street, and the areas outside 11 Tai Nan Street, 17 Playing Field Road and 215 Sai Yee Street respectively. He hoped that the departments concerned



would step up enforcement actions against such illegal act in these black spots. He reiterated that the Administration should study the feasibility of installation of CCTV cameras and consider charging offenders a construction waste hauling cost with a view to increasing the penalty.

32. Mr Benjamin CHOI enquired that for those cases referred to the EPD by the FEHD, how long it would take the EPD to follow up the cases. He also said that in prosecution cases, the FEHD might consider imposing a fixed penalty at a fine of \$1,500 on each item of construction waste so as to increase the non-compliance cost. He also suggested the FEHD, upon enforcement actions, require the offenders to dispose of the seized construction waste on their own.

33. Mr HUI Tak-leung was discontented that the EPD did not respond to the enquiry about the number of staff responsible for handling the issue of construction waste disposal in the district. He pointed out that the EPD should increase the penalty to reinforce the deterrent effect. The EPD should also build inter-departmental co-operation with the Buildings Department (“BD”). Control of contractors could be done through the Minor Works Contractors Registration scheme of the BD.

34. Mr LAM Kin-man indicated that the FEHD and EPD should co-ordinate with each other to handle offences with a view to imposing a more severe penalty on offenders to reinforce the deterrent effect. He continued to say that publicity and education, as well as installation of CCTV cameras were effective in combating illegal dumping of construction waste. The departments concerned should put up posters at the black spots in the district to remind the public that illegal dumping of construction waste was subject to a maximum penalty of a \$500,000 fine. CCTV cameras should also be installed to strengthen enforcement action against such offences.

35. The Hon James TO agreed that the FEHD and EPD should step up their joint operations and increase the penalty as far as possible. Moreover, he supported the proposal to charge offenders a construction waste hauling cost and impose a fixed penalty at a fine of \$1,500 on each item of construction waste.

36. In response to Mr CHUNG Kong-mo’s proposal, Mr LI Ka-kei remarked that if admitted by the EPD as the prosecution witness, the FEHD was willing to refer the cases to the EPD and assist the department with enforcement. He continued to say that Ms KO Po-ling had indicated that there was a difference between the amounts of fines of the EPD and FEHD. It was because as the two departments relied on

different ordinances, the penalties imposed were different from each other.

37. Mr Francis YEUNG clarified that under the Waste Disposal Ordinance enforced by the EPD, any person who committed an offence of unauthorized disposal of construction waste was liable, for the first offence, to a fine of \$200,000 and to imprisonment for six months. He indicated that under the ordinance, the EDP was empowered to issue fixed penalty notices. For minor offences, the department might impose a fixed penalty at a fine of \$1,500 on offenders. He continued to say that the EPD welcomed members of the public and other departments to report such cases, and welcomed the FEHD to be the prosecution witness and provide information on offences.

38. There being no further comments, the Chairman closed the discussion on this item.

**Agenda Item 4: To Request FEHD to Address Serious Pavement Encroachment by Stalls on Nelson Street, Which Affects Passers-by and Street Hygiene**  
**(YTMFEHC Paper No. 40/2013)**

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39. The Vice-chairman said that the written response of the FEHD (Annex IV) had been faxed to Members for perusal before the meeting. He then welcomed the following representatives to join the discussion:

- (i) Mr LI Ka-kei, District Environmental Hygiene Superintendent (Mong Kok) of the FEHD;
- (ii) Mr TSANG Kwok-keung, Senior Inspector (Mong Kok District), Mr WONG Kok-seng, Task Force Sub-Unit Commander (Mong Kok District), Mr MAK Ching-yu, Station Sergeant (Mong Kok District) and Mr TSANG Man-shing, Sergeant (Mong Kok District) of the HKPF;
- (iii) Mr LUK Kwok-po, Chief Estate Officer of the Lands Department (“LandsD”); and
- (iv) Ms Connie LIU, Senior Executive Officer (District Management) of the Yau Tsim Mong District Office (“YTMDO”).

40. Mr HUI Tak-leung supplemented the contents of the paper.

41. Mr LI Ka-kei remarked that regarding pavement encroachment by stalls at

Nelson Street, the FEHD was stepping up publicity and education, as well as prosecution. To deal with stall traders who ignored repeated warnings, the FEHD would, besides reinforcing prosecution, by virtue of the Hawker Regulation made last year to suspend their licences. If stall traders were convicted of an offence under the Hawker Regulation six times within three months, their licences would be temporarily suspended for seven days. If they committed an offence again, their licences would be temporarily suspended for 14 days. For the hygiene problem at Nelson Street, the FEHD had enhanced cleaning and rodent disinfection operations there to keep the environment clean.

42. Ms Connie LIU made some clarifications on the written response of the FEHD and supplemented some information. The Yau Tsim Mong District Management Committee (“YTMDMC”) did not reach a consensus with the stall traders at Nelson Street, agreeing to their occupation of pavements at a distance within four feet in front of shops to set out their fish catch. She remarked that at a meeting of the YTMDMC held in 2008, the FEHD submitted a paper, proposing to allow stall traders at Nelson Street to occupy pavements within a distance of four feet in front of shops to set out their fish catch. Councillors and government representatives who attended the meeting had no objection to such an arrangement made by the FEHD. Moreover, it was proposed in the paper that a publicity campaign would be launched to educate the stall traders at Nelson Street. The FEHD hoped that the departments concerned and Councillors would work with them to distribute advisory letters to stall traders. Afterwards, the FEHD took more vigorous enforcement action against stall traders occupying pavements at a distance of more than four feet in front of shops.

43. There being no further comments, the Chairman closed the discussion on this item.

**Agenda Item 5: Concern over Street Obstruction by Recyclers of Electronic Products at Argyle Street, Mong Kok**  
**(YTMFEHC Paper No. 41/2013)**

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44. The Chairman said that the written responses of the FEHD and Immigration Department (“ImmD”) (Annexes V and VI) had been faxed to Members for perusal before the meeting. He then welcomed Mr LI Ka-kei, District Environmental Hygiene Superintendent (Mong Kok) of the FEHD, Mr TSANG Kwok-keung, Senior Inspector (Mong Kok District), Mr WONG Kok-seng, Task Force Sub-Unit Commander (Mong Kok District), Mr MAK Ching-yu, Station Sergeant (Mong Kok

District) and Mr TSANG Man-shing, Sergeant (Mong Kok District) of the HKPF to join the discussion.

45. Mr CHAN Siu-tong and Mr Chris IP supplemented the contents of the paper.

46. Mr LI Ka-kei remarked that recyclers or sellers of electronic products at Argyle Street, Mong Kok were not involved in illegal hawking activities. As the recyclers were buyers, it was not considered as a hawking activity. Likewise, as the sellers only engaged in one-off deals, it was not considered as a business activity either. As such, the FEHD was not in a position to take enforcement action against both the buyers and the sellers under the Hawker Regulation. The department could only disperse them and remind them not to assemble at the same place for a long period of time to avert street obstruction.

47. Mr MAK Ching-yu stated that the Police were concerned about street obstruction at the site. The Task Force of the Mong Kok Police District had sent police officers to conduct patrols at Argyle Street to inspect the situation there. He continued to say that if police officers found any persons recycling electronic products on the street, they would advise them to leave to avert street obstruction. In addition, the Police had all along been closely monitoring the public order in the vicinity of Argyle Street to prevent the outbreak of crimes due to the exposure of a large amount of cash on the street during transactions.

48. Mr Benjamin CHOI commented that although those recyclers of electronic products were buyers, it was still possible that they were involved in illegal hawking activities. He hoped that the FEHD would study the application of appropriate legislation to combat the situation.

49. Mr CHAN Siu-tong reflected that some recyclers of electronic products would re-sell the goods they collected on site. He hoped that the FEHD would monitor the situation and take enforcement actions.

50. Ms KWAN Sau-ling considered that as there was grey area with the existing legislation, illegal hawking activities could not be totally eliminated. The FEHD should seek legal advice on enforcement from the Department of Justice (“D of J”).

51. Mr WONG Kin-san indicated that electronic products recycling activities worsened the problem of street obstruction at Argyle Street. He opined that the

relevant regulatory legislation was not up-to-date. He hoped that the FEHD would consider making legislative amendments to combat illegal hawking activities effectively.

52. The Vice-chairman enquired the FEHD and Police whether they would take further enforcement actions against those who still occupied the streets to carry on recycling activities despite the fact that the departments had advised them to leave.

53. Mr HUI Tak-leung understood that the FEHD would encounter difficulties when taking enforcement action against such offences, while the Police did not have sufficient manpower to deal with these particular cases. He continued to say that during the last District Council Election, the LandsD staff took enforcement action against persons who distributed election leaflets on the streets. He enquired of the concerned departments about the enforcement standard applicable to prolonged street occupiers.

54. The Hon James TO remarked that prolonged occupation of streets for conducting recycling activities was a new social phenomenon. The Administration should consider making legislative amendments to combat the situation as soon as possible. Otherwise, it would be more difficult to tackle this problem in the future.

55. Mr LI Ka-kei responded that if those prolonged occupiers of streets were still unwilling to leave after being advised by the FEHD, the department might initiate prosecution against them for obstruction of pavements under the Summary Offences Ordinance.

(The Hon James TO left the meeting at 4:10 p.m.)

56. Mr TSANG Kwok-keung said that after being advised by the Police, most of the prolonged street occupiers would leave. The Police would continue to monitor the situation in the district. He also reported that between January and November 2013, three complaints about street obstruction at Argyle Street were received by Mong Kok Police District.

57. Mr LUK Kwok-po added that the Land (Miscellaneous Provisions) Ordinance was mainly against permanent illegal structures on government land or unlawful occupation of government land, but the LandsD was not empowered to take immediate enforcement action. Under the Ordinance, the department should cause a notice,

requiring the occupation of the land to cease before such date as might be specified in the notice, to be posted in specified places. The requirement of the notice was met if the occupation of land ceased before the specified date. He pointed out that the Ordinance was not applicable to temporary occupation of streets. As such, these cases were usually referred to other departments for further action.

58. Mr LI Ka-kei supplemented that recyclers of electronic products mostly re-sold their goods to the Mainland. Regarding the situation that some re-sold the goods they collected on site, as stated by Mr CHAN Siu-tong, the FEHD would follow up this matter. If that was the case, the department would take appropriate action.

(Mr LAM Kin-man left the meeting at 4:15 p.m.)

59. Mr Benjamin CHOI stated that according to the Public Health and Municipal Services Ordinance, “hawker” meant any person who “exposed goods to be afterwards delivered” or “exposed for sale any goods”. The ordinance did not specify whether the person who would afterwards deliver the goods was the seller or the buyer. As the recyclers exposed the goods after collecting them, it was possible that the recyclers would re-sell the goods to make a profit. He hoped that the FEHD would carefully study the interpretation of the Ordinance to facilitate law enforcement.

(Mr Francis CHONG left the meeting at 4:17 p.m.)

60. Mr LI Ka-kei remarked that according to the operational guidelines of the FEHD, any person who exposed goods in public places and cried for sale the goods or made a deal was considered as a “hawker”. Regarding the issue of “goods to be afterwards delivered” as stipulated in the Public Health and Municipal Services Ordinance, it meant the ordering service provided by the seller to the buyer, and the delivery of goods to the buyer afterwards. It did not refer to the re-selling of recycled goods by recyclers to other people.

61. The Chairman suggested that the FEHD should seek advice from the legal advisers of the department or the D of J on the interpretation of the Public Health and Municipal Services Ordinance.

62. There being no further comments, the Chairman closed the discussion on this item.

**Agenda Item 6: To Request FEHD to Follow Up on Pavement Obstruction by Miscellaneous Articles at Thistle Street and to Urge Police to Tackle Serious Illegal Parking There**  
**(YTMFEHC Paper No. 42/2013)**

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63. The Chairman said that the written response of the FEHD (Annex VII) had been faxed to Members for perusal before the meeting. He then welcomed Mr LI Ka-kei, District Environmental Hygiene Superintendent (Mong Kok) of the FEHD, Mr TSANG Kwok-keung, Senior Inspector (Mong Kok District), Mr WONG Kok-seng, Task Force Sub-Unit Commander (Mong Kok District), Mr MAK Ching-yu, Station Sergeant (Mong Kok District) and Mr TSANG Man-shing, Sergeant (Mong Kok District) of the HKPF to join the discussion.

64. Mr HUI Tak-leung supplemented the contents of the paper.

65. Mr LI Ka-kei stated that the shop operators at Thistle Street claimed that they just placed the plastic boxes on the pavement temporarily and would take back their articles later. The FEHD had urged the shop operators to have self-discipline and avoid placing miscellaneous articles on the pavement. He continued to say that the FEHD had conducted two enforcement operations in November, issuing a total of 17 Notices to Remove Obstruction. Shop operators were required to remove their miscellaneous articles within a specified period and most of them complied with the directions.

66. Mr MAK Ching-yu remarked that between January and October 2013, the Police issued 243 fixed penalty tickets to offenders of illegal parking at Thistle Street. The Mong Kok Police District had been closely monitoring the traffic problem and had stepped up prosecution against illegal parking there. The Police would report the progress at the next meeting.

67. Mr HUI Tak-leung thanked the FEHD and the Police for their concerns over the problem. He reiterated that the problems of pavement obstruction and illegal parking at Thistle Street had seriously affected the daily life of nearby residents. He urged the departments concerned to proactively follow up the situation there.

68. There being no further comments, the Chairman closed the discussion on this item.

**Agenda Item 7: Concern over Dog Fouling in Yau Tsim Mong District**  
**(YTMFEHC Paper No. 43/2013)**

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69. The Chairman said that the written response of the FEHD (Annex VIII) had been faxed to Members for perusal before the meeting. He then welcomed Mr WONG Kam-wah, District Environmental Hygiene Superintendent (Yau Tsim) of the FEHD to join the discussion.

70. Mr Chris IP and Mr LAU Pak-kei supplemented the contents of the paper.

71. The Vice-chairman opined that dog fouling caused greater nuisance to the public than the waste problem. He hoped that the FEHD would deploy more staff to combat dog fouling in the district.

72. Mr Benjamin CHOI suggested that the FEHD should put up in the district publicity posters with deterrent effect to remind dog owners of the proper handling of dog faeces left in public places to keep the streets clean. Moreover, he pointed out that some planters at Tai Kok Tsui Road easily became black spots of dog fouling. He hoped that the FEHD would erect fences around the planters to prevent dog fouling.

73. Mr CHUNG Kong-mo remarked that although the FEHD had been proactively taking enforcement actions against dog fouling, the number of prosecution cases remained relatively low. He considered that the department should conduct more spot checks and step up publicity to enhance enforcement efficiency. In addition, he reflected that several footbridges in the district had become black spots of dog fouling. He hoped that the FEHD would strengthen street cleaning at those black spots to keep the environment clean.

74. Mr Derek HUNG enquired whether cleaning of the provisional footbridge at Jordan Road fell within the purview of the FEHD, and he would like to know the frequency of cleaning public dog latrines by the FEHD.

75. Ms LAM Wai-lung opined that the FEHD should enhance publicity through Announcements of Public Interest (“API”), posters and promotional leaflets to remind dog owners of the penalty of a dog fouling offence so as to achieve a deterrent effect.

76. Mr WONG Kam-wah added that the FEHD conducted three spot checks in late



November and initiated prosecution against two dog fouling offenders. He continued to say that cleaning of footbridges in the district was under the purview of the Highways Department (“HyD”). But if the hygiene conditions of the footbridges were unsatisfactory, the FEHD staff would assist in the cleaning work. Besides, the FEHD staff would also clean the public dog latrines while they were cleaning the streets. He undertook to deploy more staff to step up cleaning of the dog latrines in the district.

77. Mr LI Ka-kei remarked that the FEHD would step up patrols and cleaning of black spots of dog fouling, and conduct spot checks from time to time as well. He continued to say that some FEHD staff found that the dogs kept by some vehicle repair garage operators in Tai Kok Tsui caused the dog fouling problem on the streets. The department had initiated prosecution against the offenders. He stressed that after inspection, the department found that most of the dog owners properly handled the dog faeces before they left.

78. Mr CHOI Vai-hung indicated that the pavement outside Kwong Wah Hospital at the junction of Dundas Street and Waterloo Street was another black spot with a serious dog fouling problem in the district. He hoped that the FEHD would enhance their enforcement action there.

79. Mr LAU Pak-kei urged the FEHD to step up their enforcement action against dog fouling in the district, particularly prosecution against some vehicle repair garage operators in Tai Kok Tsui.

80. There being no further comments, the Chairman closed the discussion on this item.

**Agenda Item 8: Concern over Noise Problems Created by Bars in Tai Kok Tsui**  
**(YTMFEHC Paper No. 44/2013)**

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81. The Chairman said that the written responses of the EPD and Liquor Licensing Board (“LLB”) (Annexes IX and X) had been faxed to Members for perusal before the meeting. He then welcomed Mr Francis YEUNG, Senior Environmental Protection Officer (Regional East) 1 of the EPD, Mr TSANG Kwok-keung, Senior Inspector (Mong Kok District), Mr WONG Kok-seng, Task Force Sub-Unit Commander (Mong Kok District), Mr MAK Ching-yu, Station Sergeant (Mong Kok District) and Mr TSANG Man-shing, Sergeant (Mong Kok District) of the HKPF to join the discussion.

82. Mr Benjamin CHOI supplemented the contents of the paper.

83. Mr Chris IP stated that he was a member of the LLB. He suggested that Mr Benjamin CHOI should lodge a complaint with the Police about the noise problems created by the bars in Tai Kok Tsui, and provided the LLB with the relevant information to facilitate their consideration of liquor licence renewal applications of the bars in the future.

84. Ms KWAN Sau-ling opined that the departments concerned should require the bars to enhance their noise insulation facilities and comply with the requirement on keeping doors and windows closed. The operating hours of the bars should also be restricted to reduce the noise impact on the nearby residents.

85. Ms WONG Shu-ming remarked that according to the written response of the LLB, the Board would conduct public consultation on applications for liquor licences or licence renewal to solicit views from the local community and the departments concerned. However, in fact, the LLB had approved liquor licence renewal applications of nuisance bars. She hoped that the Police would reflect to the LLB the noise problems created by the bars, so that the Board could make reference to the information when considering the liquor licence renewal applications of the bars concerned.

86. Mr HUI Tak-leung supported Mr Benjamin CHOI's submission to reflect the noise nuisance caused by the bars in Tai Kok Tsui to the nearby residents. He hoped that the Police would positively tackle the problem by taking vigorous enforcement action against the nuisance bars.

87. Mr Benjamin CHOI said that the bars in Tai Kok Tsui caused noise nuisance because of broadcast of music or live band shows late at night. He urged the Police and FEHD to proactively follow up the problem created by the nuisance bars.

88. Mr MAK Ching-yu remarked that the Police had been monitoring the noise problem created by some of the bars in Tai Kok Tsui. If frontline officers found any non-compliance with liquor licensing requirements, they would take enforcement action against the concerned bar operators and submit reports to the Police Licensing Office. He indicated that the issue of summonses to the bar operators would affect approval of their liquor licence renewal applications. He also reiterated that the

Police would keep an eye on and combat the noise problem created by the bars.

89. Mr Chris IP added that the LLB would impose additional conditions on individual licences, such as control over the time of using loud-speakers in the premises.

90. Mr MAK Ching-yu indicated that he would collaborate with the Police Licensing Office to study the feasibility of imposing additional conditions on licence renewal to strengthen the supervision of operations of individual bars.

91. Mr SHUM Chu-wah reflected that the bars in the vicinity of Temple Street and Bowring Street also created serious noise problems. He hoped that the departments concerned would follow up the situation there.

92. There being no further comments, the Chairman closed the discussion on this item.

**Agenda Item 9: Concern over Emission of Oily Fume from Blow Vent of Tai Kok Tsui Municipal Services Building**  
**(YTMFEHC Paper No. 45/2013)**

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93. The Chairman said that the written responses of the FEHD, EPD and Leisure and Cultural Services Department (“LCSD”) (Annexes XI to XIII) had been faxed to Members for perusal before the meeting. He then welcomed the following representatives to join the discussion:

- (i) Mr LI Ka-kei, District Environmental Hygiene Superintendent (Mong Kok) of the FEHD;
- (ii) Mr Francis YEUNG, Senior Environmental Protection Officer (Regional East) 1 of the EPD;
- (iii) Mr LAI Ka-yin, Deputy District Leisure Manager (Yau Tsim Mong) of the LCSD; and
- (iv) Mr William SHUM, Senior Engineer and Mr WONG Chung-yin, Engineer of the Electrical and Mechanical Services Department (“EMSD”).

94. Mr LAU Pak-kei supplemented the contents of the paper. He enquired about the commencement and completion dates of a series of improvement works undertaken by the EMSD as mentioned in the written response of the FEHD. The improvement works included installation of automatic drainage system, filters and electrostatic precipitators for water curtain spray booths in the cooked food centre.

(Mr HUI Tak-leung left the meeting at 5:03 p.m.)

95. Mr William SHUM responded that under the service level agreement established with the FEHD, the EMSD provided repair and maintenance services for the exhaust system and fume purification equipment in Tai Kok Tsui Cooked Food Centre. He remarked that the works such as installation of filters were completed in early 2013. Regarding installation of other fume purification equipment such as electrostatic precipitators, the EMSD was evaluating the feasibility of the works. Upon completion of the evaluation in January 2014, the EMSD would submit to the FEHD feasible proposals. He expected that the works could be completed within 11 months after approval of the proposal.

(Mr Vincent LUI left the meeting at 5:05 p.m.)

96. Mr LAU Pak-kei hoped that after completion of the evaluation, the EMSD and FEHD would submit a written report on the works progress to the FEHC.

97. Mr William SHUM indicated that the EMSD would maintain close ties with the FEHD and timely report the works progress to the FEHD.

98. Mr CHUNG Kong-mo hoped that the FEHD would collate information of the works as soon as possible for the FEHC's perusal. He also requested the Secretary to notify the submitter of the paper upon receipt of the response of the department.

(Mr HO Siu-tak left the meeting at 5:07 p.m.)

99. There being no further comments, the Chairman closed the discussion on this item.

#### **Agenda Item 10: Any Other Business**

100. There being no other business, the Chairman closed the meeting at 5:10 p.m. The next meeting would be held at 2:30 p.m. on 23 January 2014.

Yau Tsim Mong District Council Secretariat  
January 2014

油尖旺區區議會  
食物環境衛生委員會第 38/2013 號文件

要求繼續跟進汝州街垃圾站發出的噪音問題

多謝油尖旺區區議會莊永燦議員就上述事宜提呈文件，並要求食物環境衛生署（下稱「本署」）作出回覆。本署現按文件內提出的問題綜合回覆如下：

1. 本署一直有關注汝洲街垃圾站的運作情況，並已張貼告示提醒在垃圾站內工作的員工及使用上述垃圾站的市民在棄置或處理玻璃及鋁罐等垃圾時，必須小心輕放，盡量減低物件碰撞時發出的聲響。同時，本署亦已提醒員工於每天清晨在垃圾站簽到上班期間，必須顧及他人，減低聲浪，以免影響附近居民。
2. 本署會與機電工程署定期檢查垃圾站內的除臭系統及添加除臭劑，確保運作正常。同時，亦會加強清潔汝洲街垃圾站，提醒員工在每次垃圾收集後以漂白水清洗地面及增加清洗垃圾桶的頻次，盡量減少臭味積聚及改善站內的環境衛生。

食物環境衛生署  
旺角區環境衛生辦事處  
2013 年 11 月



油尖旺區區議會  
食物環境衛生委員會第 39/2013 號文件

**要求關注大量建材及棄置廢料對大南區及  
旺角東區內街道居民及環境構成滋擾事宜**

多謝油尖旺區區議會莊永燦議員、黃舒明議員、黃頌議員及黃建新議員就上述標題事宜提呈文件，並要求食物環境衛生署（下稱「本署」）作出回覆。本署現按文件內容綜合回覆如下：

1. 根據現行各有關政府部門就非法在公眾地方棄置建築廢物事宜的既定職責分配，環境保護署(環保署)負責按香港法例第 354 章《廢物處置條例》採取執法及檢控行動，路政署負責清除所有公用道路、公路和快速公路上的建築廢物，地政總署負責清除公用道路以外的政府土地上的建築廢物，而食環署的主要職責是負責街道清潔工作，包括清理棄置於公眾地方的家居/有機廢物。按上述部門之間的工作分配，食環署只會在下述情況下，才會把被棄置於公眾地方的建築廢物移走：
  - (a) 在未被察覺的情況下，被棄置於本署轄下設施場地內的建築廢物；或
  - (b) 被棄置於公眾地方並混雜家居/有機廢物的建築廢物，當中佔大部分為不能與建築廢物分類的家居/有機廢物。
2. 另外，本署設置於街道上的垃圾收集站只收取家居垃圾，當中並不包括建築廢物。如本署人員在巡查時發現有人非法在公眾地方棄置建築廢物，包括在廢屑箱傍，亦會按香港法例第 132BK 章《公眾潔淨及防止防擾規例》對違例人士作出檢控。同時亦會盡快通知相關部門採取清理行動。根據記錄，本署旺角區環境衛生辦事處在過去半年（4 月至 10 月）在旺角區內(當中包括文件中所指大南區及旺角東區內街道)向違例在公共地方非法棄置垃圾或廢物的人士提出了 27 宗檢控。
3. 本署會繼續留意大南區及旺角東區非法棄置垃圾及建築廢料的情況及採取適當行動，包括安排便裝人員巡邏，檢控違例人士。

2012至2015年度油尖旺區議會

食物及環境衛生委員會第11次會議

有關：要求關注大量建材及棄置廢料對  
大南區及旺角東區內街道居民及環境構成滋擾事宜

就上述討論文件的各項建議，環保署(本署)回覆如下：

針對大南區及旺角東區非法棄置建築廢料的情況，本署人員在過去一年於區內進行了多次巡查及埋伏行動，共發現6宗非法棄置建築廢料的違例個案，包括2宗近期在上述文件所提的地點，成功採取執法行動的個案。在向違例人士採取執法行動時，本署人員亦會要求有關人士將被棄置的廢料移走。

大部分在市區非法棄置建築廢料的活動均與舊區大廈商業或住宅單位的裝修等工程有關，本署人員在巡查時亦會加強進行宣傳工作，聯絡附近裝修單位的業主和管理處等，要求他們密切留意及提醒承建商及裝修工人妥善處置裝修工程所產生的廢料。

有關在非法棄置建築廢料黑點設置監控器的建議，需要小心考慮附近社區的意見及有關私隱的關注。本署將加強在區內的巡查，並會繼續與各相關部門從速處理區內非法棄置建築廢料的投訴。

環境保護署

2013年11月25日



油尖旺區區議會  
食物環境衛生委員會第 40/2013 號文件

要求食環署正視奶路臣街排檔嚴重霸佔道路  
影響途人出入及街道環境衛生

多謝油尖旺區區議會許德亮議員就上述標題事宜提呈文件，並要求食物環境衛生署（下稱「本署」）作出回覆。本署現就文件綜合回覆如下：

奶路臣街(魚仔街)是旺角區內一個歷史悠久的大型露天市集，該段街道自 1979 年起已是一個小販認可區，現時約有 60 個持牌固定攤位小販在該處經營。因此，該處的街頭販賣活動非常繁盛。根據記錄，油尖旺地區管理委員會於 2008 年與魚仔街販商代表達成共識，同意販商可佔用舖前四尺的行人路面展示魚獲，而販商亦同意在經營期間自律，不會在舖前行人路割魚等活動，而執法部門會按上述共識作為日後的執法標準，對未能遵守規定的商販採取嚴厲執法行動。

本署旺角區環境衛生辦事處一直有關注上址小販認可區地點的小販和商舖造成阻街的問題，除每天派小販事務隊人員到該處一帶駐守及巡邏外，亦不時安排突擊檢控行動，檢控非法在公共地方擴展營業範圍及造成通道阻塞的違規人士。

在接獲議員轉介市民投訴奶路臣街 5 號對出攤檔擴展營業範圍至街道中線，造成阻街後，本署隨即於 11 月 19 日在上址安排突擊檢控行動，行動中共向上述一帶違規的攤檔提出 7 宗檢控。根據記錄，由今年 6 月 1 日至 11 月 19 日，本署人員在奶路臣街一帶共向違規的攤檔提出共 18 宗檢控。

本署人員會繼續留意上址的情況及採取適當行動，以確保環境衛生。



油尖旺區區議會  
食物環境衛生委員會第 41/2013 號文件

**關注旺角亞皆老街回收電子產品人士阻街問題**

食物環境衛生署（下稱「本署」）就上述標題事宜的綜合回覆如下：

本署首要工作是保持環境衛生及街道清潔。若有關活動妨礙街道清掃工作，本署會按相關清潔條例採取跟進行動。如有關活動涉及無牌販賣及阻塞通道，本署會按相關小販條例檢控違例人士。

根據《公眾衛生及市政條例》（香港法例第 132 章）第 2 條，“小販”的定義是指任何人士在公眾地方將貨品售賣或為出售而將其展出；或展出貨品的樣本或式樣，以於較後時間交付；或將其手工藝技能或其個人服務出租或要約出租。除非持有有效小販牌照，任何人士均不得在街道上進行上述活動。就街頭流動經營者向市民收購二手流動電話/電子產品，單就表面而言只算是商業活動，而非經營者的售賣行為。有關市民出售流動電話的商業活動，並非處於“營業或營商狀況”，因他只有一件貨品進行一次性的交易。另一方面，雖然經營者是以“營商”方式購入電話，但他只“買”，沒有“賣”的活動行為，並未涉及非法販賣行為，故此本署未能引用小販條例向在先達廣場外收買二手電話/電子產品的人士採取執法行動。

根據記錄，自今年 1 月 1 日至 10 月 31 日，本署共收到 29 宗有關亞皆老街先達/百老匯廣場外一帶有人在收買二手流動電話/阻街的投訴。在每次接獲投訴後，由於有關活動並未涉及非法販賣行為，本署只會在資源許可下派員向有關人士作出口頭勸喻及驅散他們，提醒他們不要將物品擺放在行人路面及長時間聚集同一地點，避免對其他途人造成阻礙。





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香港特別行政區政府  
入境事務處  
調查分科

覆函請註明本處檔號 In reply please quote this ref. L/M (11) in INV/TF/CON/7/1 Pt. III

貴處檔案 Your ref.

Immigration Department  
The Government of the Hong Kong  
Special Administrative Region  
Investigation Sub-division

九龍聯運街三十號  
旺角政府合署四樓  
油尖旺區議會  
食物及環境衛生委員會  
(經辦人:馮凱霞女士)

馮女士:

關注旺角亞皆老街回收電子產品人士阻街問題

有關 貴委員會本年十一月十三日的來函邀請本處派員出席會議討論標題事宜，現謹覆如下。

入境事務處一直致力打擊涉嫌觸犯入境條例的罪行，包括非法勞工及非法居留。本處會主動巡查非法勞工黑點，以保障本地工人的就業機會及維持社會秩序。同時，本處對所有違反入境條例罪行的活動均十分重視，於收到舉報後，會適時採取行動，或聯同其他執法部門採取聯合行動，加以打擊。

在二零一二年十月及本年十一月，本處執法科人員曾在旺角亞皆老街(近先達廣場)一帶進行反非法勞工行動。行動中，並沒有發現涉嫌觸犯入境條例的人士。本處未能派員出席上述會議，謹此致歉。本處會繼續密切關注有關情況，會適時採取行動打擊有關非法罪行。

二零一三年十一月十九日

入境事務處處長  
( 代行)

油尖旺區區議會  
食物環境衛生委員會第 42/2013 號文件

**煩請食環署跟進地士道街什物阻塞行人路  
及強烈要求警方正視地士道街嚴重違例停泊情況**

多謝油尖旺區區議會許德亮議員就上述標題事宜提呈文件，並要求食物環境衛生署（下稱「本署」）作出回覆。本署現就文件綜合回覆如下：

1. 本署一向關注地士道街一帶雜物阻塞行人通道的情況，除每日安排潔淨服務承辦商在上址清理及清洗外，本署管理級人員亦會經常到上址巡查，如發現有什物妨礙本署執行清掃工作時，會根據相關法例向有關物主發出《移走障礙物通知書》，飭令其於指定時間內將有關物品移走，否則本署人員會在限期過後將該等物件移走。
2. 在接獲議員反映後，本署人員於 11 月 19 日到上址一帶進行執法動，期間共發出 17 張《移走障礙物通知書》及清走了約 300 公斤廢物。翌日覆查時，發現上址大部份放置在行人路面的雜物已被物主自行移走，本署亦隨即安排潔淨服務承辦商清理餘下的少量雜物和清洗上址路面，以改善該處的環境衛生。
3. 本署人員會繼續留意上址情況及採取適當行動，確保上址環境衛生。

食物環境衛生署  
2013 年 11 月



油尖旺區議會食物環境衛生委員會第 11 次會議  
第 43/2013 號文件

關注油尖旺區狗糞問題

食物環境衛生署的回應如下：

- 本署一向十分關注大角咀區內（包括深旺道、聚魚道及大角咀道一帶）及油尖區內（包括碧街、登打士街和佐敦道的行人天橋及渡船角一帶）的街道衛生情況。在過去六個月，本署於油尖旺區共檢控 4 位人士因沒有清理其狗隻遺下的糞便。
- 在過去六個月，油尖旺區共收到 96 宗狗隻隨處便溺的投訴。本署除定時派員巡查狗隻隨處便溺的黑點及其一帶外，亦不時安排執法行動檢控違例人士。接獲有關投訴後，本署人員於 11 月中清早及黃昏進行突擊執法行動，惟未發現有狗主未有清理狗隻遺下的便溺而離去。
- 本署人員已在狗隻隨處便溺的黑點及其一帶加強宣傳，向攜帶狗隻的人士派發宣傳單張，並在上址一帶張貼海報及展示相關橫額，提醒狗主須妥善處理其狗隻在公眾地方遺下的糞便，否則會遭檢控。本署同時亦在上址加設狗糞收集箱，以及增加一個狗廁所，方便市民攜帶的狗隻使用。
- 此外，本署人員如發現上址有流浪狗隻出沒，會儘快轉介漁農自然護理署跟進處理。
- 本署已提醒前線人員加倍留意上址的潔淨情況，以及採取適當行動，以保持地方環境衛生。

2012-2015 油尖旺區議會

食物及環境衛生委員會第11次會議

關注大角咀區酒吧噪音問題

就上述討論文件，環保署回覆如下：

過去 1 年，本署共收到 8 宗由警方轉介有關大角咀杉樹街兩間酒吧發出噪音的投訴。

就有關投訴，我們已作出跟進調查，包括在晚上的巡查，但未有發現有噪音滋擾的情況。雖然如此，我們已提醒該兩間酒吧負責人有關投訴，並提供消減酒吧噪音的優良手法給酒吧負責人參考，要求他們採取適當措施減低噪音，如將酒吧內播放的音樂聲量調低，以免對附近住戶構成噪音滋擾。

環境保護署

2013 年 11 月 25 日





九龍深水埗基隆街333號北河街市政大廈四字樓

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檔案編號: ( ) in FEHD (K) LL 36-55/40/00

郵寄

油尖旺區議會食物及環境衛生委員會秘書馮凱霞女士  
九龍聯運街三十號旺角政府合署四樓

馮女士：

**關注大角咀區酒吧噪音問題**

謝謝蔡少峰區議員對大角咀區酒吧噪音問題的關注，並提呈上述事宜於二零一三年十一月二十八日油尖旺區議會食物及環境衛生委員會討論。就蔡議員的提問及建議，現回覆如下。

酒牌局是一個根據香港法例第109B章《應課稅品(酒類)規例》所設立的獨立法定機構，負責處理簽發酒牌及會社酒牌的有關事宜。有關簽發酒牌時所持的準則，酒牌局是根據《應課稅品(酒類)規例》第17(2)條的規定行事。酒牌局除非信納下列事項，否則不會批出或續批酒牌：

(a) 申請人是持有該牌照的適當人選；

(b) 就與申請有關的處所而言，考慮到-

(i) 處所的位置及結構；及

(ii) 處所內的消防安全及衛生情況，

該處所是適合用作售賣或供應令人醺醉的酒類的地方；

(c) 在有關個案的整體情況下，批出該牌照並不違反公眾利益。

酒牌局在審議酒牌申請時會緊守公開、透明和公平的原則，務求在商業活動利益和區內居民生活方式權益兩者之間取得平衡。就此，在考慮酒牌申請時，酒牌局會透過各區民政事務處收集區內人士及居民的意見，並徵詢各有關的政府部門，例如警務處、屋宇署、消防處、食物環境衛生署及民政事務處等的建議及意見。遇有爭議性的申請，例如市民、當區區議員、及/或政府部門提出反對，酒牌局會舉行公開聆訊審議申請個案，待聽取申請人及各反對者的陳述後，才就酒牌申請個案作出議決。

酒牌局須遵循法例賦予的權責，根據每宗個案的獨特情況考慮個別的酒牌申請。酒牌局亦會針對造成滋擾或遭受投訴的處所考慮簽發短期牌照、附加適當的持牌條件以加強監控持牌處所的管理及營運情況，包括規管處所的售酒時限、關閉門窗的時間、播放音樂或使用揚聲器或卡拉OK設備的情況等，或拒絕有關的酒牌申請。

與此同時，香港警務處是酒牌規例的執法部門，負責持牌售酒處所的日常監管工作，並會不定期進行突擊巡查行動。如果警方發現售酒處所有任何違規事項，會向處所採取適當行動，如發出書面或口頭警告，或在違反酒牌持牌條件時，向酒牌持牌人提出票控。至於其他相關政府部門，例如消防處、食物環境衛生署及環境保護署，會根據各自的權限，執行適用於售酒處所的法例。如接獲有關售酒處所的投訴，酒牌辦事處會將投訴轉介相關政府部門跟進。在審議處所的酒牌申請時，警方會向酒牌局呈交報告提供意見和建議，而食物環境衛生署及環境保護署亦會就個別酒牌申請個案向酒牌局呈交該處所的投訴及檢控紀錄。



酒牌局一向十分重視酒牌申請的公眾諮詢，並於2013年5月起加強酒牌續期及轉讓申請的地區諮詢工作。倘若相關的售酒處所在前一次酒牌申請時曾遭公眾人士或團體反對，或在過去12個月內曾被投訴，酒牌局在接獲酒牌續期或轉讓申請後，會透過民政事務處徵詢相關區議員的意見。居民或區議員可利用每宗相關個案的公眾諮詢機制，向酒牌局提出意見，以便酒牌局可以一併考慮各方意見後，才作出裁決。

根據九龍牌照辦事處的紀錄，過去十二個月，警務處及環境保護署共接獲24宗有關大角咀杉樹街的酒牌處所的噪音投訴，涉及兩間酒牌處所。

助理秘書（酒牌）九龍1

PP

（李漢珈女士



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二零一三年十一月二十日

副本送：

食物環境衛生署旺角區環境衛生總監  
（李家驥先生）

傳真：2391 5572

油尖旺區議會  
食物環境衛生委員會第 45/2013 號文件

### 關注大角咀市政大廈排氣口油煙問題

多謝油尖旺區區議會劉柏祺議員及蔡少峰議員就上述事宜提呈文件，並要求食物環境衛生署（下稱「本署」）作出回覆。本署現按文件內提出的問題綜合回覆如下：

1. 根據記錄，過去一年本署共接獲兩宗有關大角咀市政大廈（下稱「市政大廈」）排氣口排放油煙的投訴。
2. 本署一向關注市政大廈街市油煙排放的情況，亦不時與機電工程署（下稱「機電署」）檢討街市內油煙過濾系統的運作情況。現時，市政大廈街市內裝有兩部花灑式洗滌器（俗稱「水濺機」）用作過濾熟食中心廚房的油煙。在過去一年，除了定期的維修保養水濺機裝置外，機電署亦已進行更換老化的加藥水泵、循環水泵及水濺機內的顆粒過濾裝置等大型維修工作。再者，為提升熟食中心的水濺機效能，機電署已進行一系列的改善工程，包括加裝自動排水系統及過濾網等設置。據了解，機電署現正研究加裝其他過濾油煙的設備，如靜電除油機作為長期改善措施的可行性。
3. 本署在接獲議員反映後，曾多次巡查市政大廈。最近一次於 11 月 16 日早上 6 時至 7 時。調查期間，熟食中心檔戶仍未開始營業，亦沒有發現有大量油煙或油煙氣味從二樓熟食中心排放口釋出。此外，調查期間曾發現只有少量因四樓室內暖水游泳池的操作而產生的白色煙霧排出，但有關白色煙霧與二樓熟食中心的排氣系統並無關連。
4. 本署與機電署會繼續留意市政大廈內街市及熟食中心排氣系統的運作情況及採取適當行動，以確保油煙過濾系統的運作正常及排放的質素不會對附近環境造成滋擾。



## 2012-2015 油尖旺區議會

## 食物及環境衛生委員會第11次會議

關注大角咀市政大廈排氣口油煙問題

就上述討論文件，環保署回覆如下：

過去 1 年，本署收到 1 宗由劉柏祺議員及蔡少峰議員轉介大角咀居民的投訴，指大角咀市政大廈鄰近其士工業大廈的排氣口噴出大量油煙，影响鄰近居民。在收到上述投訴後，我們曾到市政大廈的熟食中心進行調查並與市政大廈的管理人員聯絡。在調查期間，我們發現熟食中心所排放的油煙氣味輕微，未有造成滋擾。雖然如此，我們已提醒有關食肆負責人須定期清洗廚房油煙隔，以確保所排放的油煙和氣味不會對公眾造成滋擾。

大角咀市政大廈的街市及熟食中心及處理熟食中心的油煙洗滌器是由食物環境衛生署管理。因此，我們同時要求食環署盡快檢查及確保油煙洗滌器有效操作及採取措施以減少街市氣味。其後，我們得知食環署已進行所需維修，我們再到市政大廈進行跟進巡查，發現所排放的油煙及氣味已有明顯改善。

我們上星期曾於早上(包括 6 時至 7 時的時段)再到大角咀市政大廈巡查，發現在福全街業廣工商大廈地下的粉麵廠及市政大廈的街市正在運作。在埃華街休憩花園發現有輕微的街市氣味及沙河粉氣味，但未有造成滋擾。雖然如此，我們已提醒有關食物工場的負責人採取措施以確保在運作時不會對公眾造成滋擾。

環境保護署

2013 年 11 月 25 日

康樂及文化事務署

就油尖旺區議會食物及環境衛生委員會文件第 /2013 號

關注大角咀市政大廈排氣口油煙問題  
書面回應

就委員關注大角咀市政大廈排氣口油煙的問題，本署相信該排氣口是提供予二樓熟食中心使用，應由食物環境衛生署跟進。

康樂及文化事務署  
油尖旺區康樂事務辦事處  
二零一三年十一月