

**Minutes of the 8<sup>th</sup> Meeting of  
Food and Environmental Hygiene Committee  
Yau Tsim Mong District Council (2012-2015)**

**Date :** 30 May 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:**

Vice-chairman

Mr CHAN Wai-keung

District Council Members

Mr CHUNG Kong-mo, JP	Mr IP Ngo-tung, Chris
Ms KO Po-ling, BBS, MH, JP	Ms KWAN Sau-ling
Mr CHAN Siu-tong, MH	Mr LAU Pak-kei
Mr CHOI Siu-fung, Benjamin	Mr LEUNG Wai-kuen, Edward, JP
Mr CHONG Wing-charn, Francis	The Honourable TO Kun-sun, James
Mr CHOW Chun-fai, BBS, JP	Mr WONG Chung, John
Mr HAU Wing-cheong, BBS, MH	Mr WONG Kin-san
Mr HUI Tak-leung	Ms WONG Shu-ming
Mr HUNG Chiu-wah, Derek	

Co-opted Members

Ms LAM Wai-lung	Mr HO Siu-tak
Mr SHUM Chu-wah	Mr JO Chun-wah
Ms CHENG So-ngor	Mr LUI Wing-kong, Vincent
Mr CHOI Vai-hung	

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 Superintendent (Yau Tsim)	Food and Environmental Hygiene Department
Mr LUK Kwok-po	Chief Estate Officer/Kowloon	Lands Department
Mr CHAN Hoi-sing	Principal Estate Officer/Kowloon West (South)	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 CHEUNG Chi-wai	Patrol Sub-Unit 5 Commander (5) (Tsim Sha Tsui Division)	Hong Kong Police Force

Mr FAN Ka-fai, Raymond	Sergeant, Police Community Relations Office (Yau Tsim District)	Hong Kong Police Force
Mr WONG Siu-shan	Task Force Sub-unit Commander (2) (Mong Kok District)	Hong Kong Police Force
Mr MAK Ching-yu	Station Sergeant (Mong Kok District)	Hong Kong Police Force
Mr YEUNG Yuk-sing	Sergeant, Police Community Relations Office (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

### Secretary

Ms CHAN Cheuk-ka, Eliza Executive Officer (District Council) 3, Home Affairs Department  
Yau Tsim Mong District Office

### **In Attendance:**

Ms LO Yuet-yee, Rhonda	Coordinator (Hawker Assistance Scheme)	Food and Environmental Hygiene Department
Mr LAU Chi-keung	Chief Health Inspector (Hawker Assistance Scheme)	Food and Environmental Hygiene Department
Mr LOK Kin-chong	Divisional Officer (Planning Group) (Acting)	Fire Services Department
Ms YEUNG Yu-shan, Alice	Senior Field Officer (Farm/Eastern District)	Agriculture, Fisheries and Conservation Department
Ms Angel MAK	Area Manager	Hong Kong Housing Society
Ms Deon CHAN	Property Manager (Prosperous Garden Office)	Hong Kong Housing Society
Mr LEE Pak-chuen	Senior Engineer/Mainland South 3	Drainage Services Department
Mr LAM Wai-wah, Chris	Engineer/Kowloon 7	Drainage Services Department

### **Absent:**

Mr YEUNG Tsz-hei, Benny	District Council Member
Mr Wong Man-sing, Barry, MH	District Council Member
Mr MOK Yuk-kwong	Co-opted Member

### **Opening Remarks**

The Vice-chairman welcomed all to the meeting. He said that the Chairman was absent due to other prior commitments, so he would chair this meeting in his stead. There was no objection. He then reported that Mr Mohammad Munir KHAN, Police Community

Relations Officer (Yau Tsim) of the Hong Kong Police Force (“HKPF”) was absent with apologies, Mr CHEUNG Chi-wai, Patrol Sub-Unit 5 Commander (5) (Tsim Sha Tsui Division) and Mr Raymond FAN, Sergeant, Police Community Relations Office (Yau Tsim District) of the HKPF stood in for him at the meeting.

**Item 1: Confirmation of Minutes of Last Meeting**

2. The Vice-chairman said that before the meeting, the Secretariat had received from The Hon James TO a proposal for amendment to the minutes of the last meeting. The relevant document (see Annex 1) had been distributed at the meeting for Members’ information.

3. The amended minutes of the last meeting were confirmed.

(Mr Chris IP joined the meeting at 2:38 p.m.)

**Item 2: Assistance Scheme for Hawkers in Fixed-pitch Hawker Areas  
(YTMFEHC Paper No.25/2013)**

4. The Vice-chairman introduced the following representatives from government departments present to join the discussion:

- (i) Ms Rhonda LO, Coordinator (Hawker Assistance Scheme) and Mr LAU Chi-keung, Chief Health Inspector (Hawker Assistance Scheme) of the Food and Environmental Hygiene Department (“FEHD”); and
- (ii) Mr LOK Kin-chong, Divisional Officer (Planning Group) (Atg) of the Fire Services Department (“FSD”).

(Ms KO Po-ling, Mr HUI Tak-leung and Mr Benjamin CHOI joined the meeting at 2:40 p.m.)

5. Ms Rhonda LO briefly introduced the Assistance Scheme for Hawkers in Fixed-pitch Hawker Areas (“Assistance Scheme”), including the background of the Assistance Scheme, the amount of ex-gratia payment, and the progress of implementing the Assistance Scheme in the Yau Tsim Mong (“YTM”) District.

6. Ms KWAN Sau-ling enquired about the number of stalls in the YTM District that had to be relocated urgently due to high fire risks. She also wanted to know if the FEHD had any mechanism in place to vet applications for ex-gratia payment from hawkers who voluntarily surrendered their licences to ensure proper use of public funds.

7. Mr HAU Wing-cheong said that there were many hawker stalls in the YTM District. He supported FEHD’s implementation of the Assistance Scheme which provided assistance to hawkers for stall reconstruction or relocation, in order to reduce fire risks posed by the stalls and to alleviate traffic congestion problems. He was pleased to know that the hawkers at Ki Lung Street and Poplar Street, who were affected by the relocation, had no objection to the proposed arrangements by the FEHD. He also wanted to know about the progress of FEHD’s implementation of the Assistance Scheme in other hawker areas.

(Mr SHUM Chu-wah joined the meeting at 2:46 p.m.)

8. Mr Chris IP said that although the five-year Assistance Scheme had been launched for hawkers in the YTM hawker areas, there might not be enough vacant pitches in some hawker areas in the district for them to move in. He hoped that the FEHD could put forth more flexible proposals, so that hawkers could consider if they would remain licenced to carry on the operation. The FEHD should also maintain close liaison with the hawkers and try to relocate their stalls to the original streets to minimise the impact on them.

9. Mr WONG Kin-san said that there were deficiencies in the planning of hawker areas in the past. Some stalls were located so close to the emergency exits of other buildings that they actually hampered fire fighting efforts. He opined that the Government should provide more financial assistance to the hawkers to encourage them to reconstruct or relocate their stalls, or surrender their licences. In the wake of the two major fires which broke out at Fa Yuen Street in Mongkok, many hawkers had carried out stall improvement works in accordance with the Government's requirements. He urged the Administration to extend the coverage of the Assistance Scheme, allowing hawkers to claim reimbursement of expenses for stall reconstruction incurred earlier. Also, he was doubtful whether the Assistance Scheme could be implemented successfully as the number of stalls to be relocated outnumbered the vacant pitches.

10. Mr HUI Tak-leung opined that the amount of the one-off ex-gratia payment was too low. He said that, when compared with the high rents charged for shops in the market, the operating cost of hawker stalls was low. Hence, the existing amount of ex-gratia payment did not provide enough incentive for hawkers to surrender their licences. Also, he suggested the FEHD to implement the Assistance Scheme in phases. The FEHD might first evaluate the number of pitches vacated from hawkers who were willing to surrender their licences together with the number of existing vacant pitches, and then relocate stalls which had fire safety problems, so as to assign pitch spaces effectively. As to hawkers who relocated their stalls due to reasons other than fire safety, he enquired whether the hawkers concerned could receive subsidy for reinstalling power supply units under the Assistance Scheme.

11. Ms KO Po-ling praised the FEHD for taking the initiative to launch the Assistance Scheme for the benefits of the hawkers. However, as there were only a limited number of vacant pitches at Reclamation Street, Canton Road and some other hawker areas, she worried that it might not be possible to accommodate a large number of stalls. She hoped that the FEHD could increase the amount of ex-gratia payment to encourage hawkers to surrender their licences, so that more pitches could be released for relocation of other stalls. Also, she agreed that the FEHD should implement the Assistance Scheme in phases and urged it to foster communication with hawkers.

12. Mr Edward LEUNG was pleased to know that the FEHD was launching the Assistance Scheme to improve management issues of fixed-pitch hawker areas. He also pointed out that the amount of ex-gratia payment was too low, but understood that it could not be set too high as it was subject to the fund allocation by the Finance Committee of the Legislative Council ("LegCo"). He further said that since the Assistance Scheme involved various aspects, some hawkers might not be able to understand all the information well in a short period of time. He hoped that the front-line officers of the FEHD could explain the details of the Assistance Scheme to hawkers patiently so that the Assistance Scheme could be

implemented smoothly. He considered the management of fixed pitch hawker areas a social issue, and therefore he appealed professionals to offer voluntary assistance to hawkers on the design of stalls and reinstallation of power supply units.

13. Mr CHUNG Kong-mo welcomed the launch of the Assistance Scheme by the FEHD. He opined that the Assistance Scheme helped reduce fire risks at hawker areas in the long run. He agreed that the ex-gratia payment had room for upward adjustment and hoped that the FEHD could consider Members' opinions in this regard when evaluating the Assistance Scheme in future. To ensure that the Assistance Scheme could be implemented successfully and reduced fire risks effectively, he opined that the FEHD should provide more subsidy to attract hawkers to reconstruct or relocate their stalls. Also, after the break out of two major fires at Fa Yuen Street in Mongkok, many hawkers had carried out stall improvement works in accordance with the Government's fire safety requirements. He urged the FEHD to reimburse hawkers their expenses on stall reconstruction on a discretionary basis, so as to reward hawkers who had taken the initiative to reconstruct their stalls according to the Government's standards.

14. Ms LAM Wai-lung hoped that the assignment of pitch spaces in hawker areas could be rationalised through the implementation of the Assistance Scheme, in order to improve the operating environment of hawkers and promote the development of tourism in the district.

15. Ms Rhonda LO responded as follows:

- (i) To expedite the relocation of hawker stalls that were close to the staircase discharge points of buildings, and to reduce fire risks at hawker areas, the FEHD set no time limit on the three aspects of work under the Assistance Scheme. In other words, during the five-year period, hawkers could apply for ex-gratia payment upon surrendering their licences or subsidies for stall reconstruction/relocation. The vacant stalls arising from the surrender of licences could be used for the relocation of stalls. The FEHD would hold briefing sessions for licensed hawkers in the YTM District to explain the content of the Assistance Scheme and listen to their opinions.
- (ii) In relocating the stalls that were close to staircases of buildings, the FEHD adopted the principle of minimal disturbance to hawkers. If there were vacant stalls near the stalls to be relocated, the hawkers could have the priority to relocate their stalls to those nearby pitches. If there were no vacant pitches nearby for the stalls to be relocated, the FEHD would decide the order of hawkers' selection of location of the new pitches by balloting.
- (iii) It was inevitable that the Assistance Scheme would affect the operating environment of some hawkers in hawker areas. The FEHD would maintain communication with hawkers and adopt their suggestions as far as practicable to minimise any inconvenience caused by the relocation of stalls.
- (iv) As Ki Lung Street and Poplar Street had relatively less stalls and the two hawker areas had enough vacant pitch spaces to meet the relocation needs of hawkers, hawkers affected by the relocation did not oppose the proposed arrangements of the FEHD.
- (v) Some existing hawker areas had complicated arrangement on pitch space

assignment. Therefore, the hawkers affected by the relocation thought that they needed more time to consider the FEHD's suggestions and they would give other suggestions to the FEHD.

- (vi) Regarding the problem of inadequate vacant pitches at the hawker areas of Reclamation Street, Canton Road and other locations, the FEHD would build additional stalls at individual hawker areas to accommodate the affected hawkers. The FEHD would discuss with hawkers and relevant government departments later to decide the exact locations of those additional stalls.
- (vii) The amount of financial assistance for stall reconstruction or relocation and the ex-gratia payment was decided after several rounds of consultations. Being the executive arm of the Assistance Scheme, the FEHD would provide financial assistance to hawkers in accordance with the policies in place.
- (viii) The Assistance Scheme would not cover the stall reconstruction costs incurred before the implementation of the scheme. To reduce fire risks, the stalls concerned could still apply for a one-off subsidy for reconstruction within five years after the launching of the Assistance Scheme (i.e. on or before 2 June 2018).
- (ix) As the Assistance Scheme did not have retrospective effect, all reconstruction works completed before the implementation of the Assistance Scheme would not be eligible for assistance under the Assistance Scheme. She promised to reflect Members' opinions to the FEHD and study the feasibility of granting incentive payment to hawkers who had improved the design of their stalls on voluntary basis.
- (x) At present, only pitches at wet markets and cooked food centres were available for letting as the FEHD had no arrangement to let hawker stalls. Holders of a fixed-pitch hawker licence needed to pay around \$4,000 to \$6,000 every year for the licence and pitch fees.
- (xi) The FEHD would maintain close liaison with stall hawkers and help them understand relocation arrangements for hawker areas in their districts. The FEHD would also report the outcomes of consultations at the upcoming meetings.

16. There being no further comments, the Vice-chairman closed the discussion on this item.

**Item 3: To Request Relevant Department to Take Measures to Improve Street Hygiene and Dog Fouling Problems in Tai Kok Tsui (YTMFEHC Paper No. 17/2013)**

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----- 17. The Vice-chairman said that the written response of the FEHD (Annex 2) 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.

18. Mr Benjamin CHOI supplemented the paper with some additional information. He pointed out that the hygiene conditions of streets in Tai Kok Tsui were poor and the problem of dog fouling was serious. He strongly requested the FEHD to take heed of the situation and enhance street cleansing.

19. Mr LI Ka-kei responded as follows:

- (i) The FEHD had been concerned about the hygiene conditions of Chui Yu Road, Sham Mong Road and Tai Kok Tsui Road. Since mid-May 2013, the FEHD had arranged for its contractor to conduct street cleansing with high pressure water jets at least once a week at the streets mentioned above. The FEHD would consider increasing the frequency of street cleansing depending on the actual circumstances.
- (ii) The FEHD had installed 13 dog excreta collection bins in Tai Kok Tsui. Recently, dog excreta collection bins had also been added in the vicinity of Harbour Green and Fuk Lee Street. The FEHD would like to hear Members' opinions on the addition of dog excreta collection bins at suitable locations.
- (iii) Apart from regular inspections, the FEHD also conducted blitz operations in Tai Kok Tsui in the evening and morning to prosecute offending dog owners. In several blitz operations, the FEHD found that most dog owners would clear away the excreted waste of their own dogs.
- (iv) The FEHD staff would continue to carry out enforcement actions in Tai Kok Tsui.
- (v) From time to time, the FEHD deployed staff to distribute leaflets to dog walkers and displayed posters at noticeable locations on streets to remind dog owners that they must dispose of their dogs' droppings in public places properly.

(Mr Francis CHONG joined the meeting at 3:35 p.m.)

20. Mr CHUNG Kong-mo pointed out that the dog fouling problem in the district had existed for a long time and the problem was particularly serious on the Ferry Street Footbridge. He suggested that the FEHD adopt a flexible approach in deploying manpower for street cleansing during different time periods depending on the actual hygiene conditions of the streets in the district. He was dissatisfied with the relatively small number of prosecutions against dog owners and said that some commercial tenants allowed their dogs to foul public places with faeces. He opined that the FEHD should step up prosecutions against offending dog owners. Also, he hoped that the FEHD could display more banners at dog fouling black spots in the district to remind dog owners in bilingual text that they would be liable to prosecution if they did not dispose of their dogs' droppings at public places properly.

21. Mr HUI Tak-leung said that the YTM District Council ("YTMDC") had discussed several times about the dog fouling problem in the district and Councillors had pointed out that the problem was serious at Soy Street, Kam Lam Street and Kam Fong Street. He hoped that the FEHD could actively refer stray dog cases to the Agriculture, Fisheries and Conservation Department ("AFCD") for follow-up actions. He also said that many dog

owners brought their dogs to urinate or defecate at the dog toilets provided by the FEHD. However, some commercial tenants in the district just let their dogs to urinate or defecate at public places. Therefore, the FEHD should enhance enforcement and strengthen education and publicity. Besides, he also enquired whether the FEHD had any measure to prevent dogs from urinating or defecating repeatedly at the same spot.

22. Mr LAU Pak-kei pointed out that the dog fouling problem was serious at Chui Yu Road and Sham Mong Road (the vicinity of Metro Harbour View and disciplined services quarters). He strongly requested the FEHD to take strict law enforcement actions to minimise the nuisance caused by the dog fouling problem to the residents in Tai Kok Tsui. As the problem of dog fouling got intensified gradually, he believed that increasing the number of prosecutions was far more effective than education and publicity in improving the situation.

23. Mr Benjamin CHOI opined that the FEHD should not look on with folded arms the worsening of dog fouling problem. He strongly requested the FEHD to cleanse the streets in the district at least twice a week in order to improve the environmental hygiene.

24. Mr Edward LEUNG agreed that the FEHD should strengthen enforcement as well as public education and publicity. He pointed out that besides the dog fouling problem, there were also some reckless dog owners that allowed their dogs to urinate at will in YTM District. He also said that the street cleansing service managed by the FEHD at the streets in King's Park was not frequent enough and thus the hygiene conditions were poor in Wylie Path and King's Park Rise.

25. Ms WONG Shu-ming agreed to the suggestion that the FEHD should cleanse the streets in the district at least twice a week. She pointed out that the problem of dog fouling also existed at Canton Road, Cheung Wong Road and Tong Mi Road. She was worried that as temperature rose in summer, the impact of dog fouling on the environment would worsen. She requested the FEHD to adopt a flexible approach in deploying manpower to increase the frequency of street cleansing.

26. Mr WONG Kin-san supported the request for the FEHD to increase the frequency of street cleansing and urged the department to pay attention to the dog fouling problem at Boundary Street and Flower Market Road.

27. Ms LAM Wai-lung said that besides increasing the frequency of street cleansing, the FEHD should also strengthen educational and publicity efforts through media to remind dog owners that they must dispose of their dogs' droppings in public places properly.

28. Mr Francis CHONG said that the dog fouling problem also existed at Sycamore Street in Tai Kok Tsui. He urged the FEHD to increase the frequency of street cleansing at Sycamore Street.

29. Mr LI Ka-kei responded that the FEHD was making banners and would display them at suitable public places in the district upon completion to remind dog owners that they must dispose of their dogs' droppings properly. He would also arrange staff to inspect the dog fouling black spots mentioned by Members and discuss with Members on solutions to the problem. Possible solutions included increasing the number of dog toilets and excreta collection bins, aiming to improve the hygiene conditions of streets in YTM District within a



short period of time through pragmatic and feasible ways.

30. Mr LAU Pak-kei reiterated that the FEHD should cleanse the streets in the district at least twice a week and step up prosecutions against offending dog owners. He added that some members of the public reflected that the hygiene condition of the dog toilets at the junction of Lok Kwan Street and Wai On Street was unsatisfactory. Besides, he suggested that the FEHD install more dog excreta collection bins in YTM District and evaluate the distribution of dog toilets.

31. Mr WONG Kam-wah said that the FEHD would continue to show concern over the cleanliness of the streets in King's Park area and improve the environmental hygiene of that area.

32. Mr LI Ka-kei welcomed Members' views on the quantity and locations of dog excreta collection bins and toilets. He said that the FEHD would continue to take enforcement actions, prosecute offending dog owners and refer stray dog cases to the AFCD for follow-up actions.

33. Ms KWAN Sau-ling suggested the FEHD to erect signs at dog fouling black spots in the district to remind dog owners that they must dispose of their dogs' droppings in public places properly. If there was no improvement shown after repeated advice, the FEHD should take enforcement actions against the dog owners concerned. She also thanked Mr WONG Kam-wah for actively following up a case where a citizen requested to relocate the dog toilet near his/her home.

**Item 4: Concern over Feral Bird Feeding in the District**  
**(YTMFEHC Paper No. 18/2013)**

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----- 34. The Vice-chairman said that the written responses of the FEHD and AFCD (Annexes 3 and 4) had been faxed to Members for perusal before the meeting. He then welcomed the following representatives to join the discussion:

- (i) Mr WONG Kam-wah, District Environmental Hygiene Superintendent (Yau Tsim) of the FEHD;
- (ii) Ms Alice YEUNG, Senior Field Officer (Farm/Eastern District) of the AFCD; and
- (iii) Ms Angel MAK, Area Manager and Ms Deon CHAN, Property Manager (Prosperous Garden Office) of the Hong Kong Housing Society ("HKHS").

35. Mr JO Chun-wah supplemented the paper with some additional information. He urged the relevant government departments to show concern over the hygiene problems caused by bird droppings and step up prosecutions against feral bird feeders.

36. Ms Alice YEUNG responded that the FEHD was responsible for prosecuting feral bird feeders who fouled public places. She explained that the main reason for feral birds to flock at a spot was to feed. Once members of the public stopped feeding, food sources of feral birds would be eliminated and the birds would not flock at the same spot for a long

period of time. The AFCD would promote the message of “no feral bird feeding” to the public through different channels.

37. Mr WONG Kam-wah responded that the Star Ferry Pier was a black spot of feral bird feeding within the district. With confirmed human cases of avian influenza A (H7N9), the FEHD had sent staff to carry out long-term inspections around the Star Ferry Pier to prevent members of the public from feeding feral birds, and arranged them to station there for the provision of cleaning services. Also, the FEHD had arranged water bowzers to cleanse the area regularly and staff to use bleach to scrub the streets fouled by bird droppings. He supplemented that in the past year, seven prosecutions were instituted by the FEHD against members of the public who fouled public areas by feeding feral birds, and most of these prosecution actions were taken in the vicinity of Star Ferry Pier.

38. Ms Angel MAK responded that some members of the public fed feral birds at the common area of Prosperous Garden. To improve the environmental hygiene of Prosperous Garden, the HKHS had already written to the FEHD to request for deployment of officers to prosecute feral bird feeders who fouled public places.

39. Mr WONG Kam-wah responded that the common area of Prosperous Garden was a private area and the FEHD’s officers were not authorised to enter the area for law enforcement. To prevent members of the public from feeding feral birds at that common area, he suggested the property management office of Prosperous Garden to send staff to station there.

40. Mr Chris IP said that illegal feeding of feral birds had existed in YTM District for a long time. Although he agreed to FEHD’s long-term arrangements to inspect and provide cleansing services at Star Ferry Pier, he was disappointed with the relatively small number of prosecutions by the department. He recalled that a member of the public always fed feral birds at Kowloon Park and fouled the streets nearby. Only upon the advice of the staff of the Leisure and Cultural Services Department (“LCSD”), that member of the public stopped feeding feral birds and the hygiene condition was improved. Therefore, he urged the FEHD to step up prosecutions against those who fed feral birds in urban districts, and impose severe punishment to create deterrent effect.

41. Mr Derek HUNG pointed out that there were many bird feeding black spots in the YTM District and enquired about the number of feral birds in the district. He suggested the AFCD to better understand the breeding conditions of feral birds in order to control the number of them effectively. He also said that bird droppings were accumulated on the canopy of the pedestrian link at Star Ferry Pier, hence he urged the government departments concerned to step up cleansing of the canopy to prevent bacterial growth. Also, he asked if the Police would prosecute people who fed feral birds illegally.

42. Mr WONG Kam-wah responded that the FEHD had deployed staff to station at the vicinity of Star Ferry Pier and advise members of the public not to feed feral birds, aiming to eliminate the food sources of feral birds so they would not flock at the site mentioned above. Regarding the bird droppings on the canopy of the Star Ferry Pier’s pedestrian link, the FEHD had liaised with the Transport Department (“TD”), Highways Department (“HyD”) and Architectural Services Department (“ArchSD”). As the canopy belonged to the bus terminus area, the TD would later discuss with the HyD on how to clear the bird droppings there.

43. Ms Alice YEUNG supplemented that the contractor of the AFCD had worked with the staff of the ArchSD to clear the bird droppings on the canopy of the Star Ferry Pier's pedestrian link. If necessary, the AFCD would also send staff to collect dead feral birds at Star Ferry Pier.

44. Mr Derek HUNG urged the relevant government departments to propose more effective measures to prevent the flocking of feral birds in the district. He opined that besides stepping up enforcement, the government departments concerned should strengthen educational and publicity efforts to advise members of the public not to feed feral birds illegally. He also pointed out that some members of the public suggested the Government to trap feral birds that flocked at urban areas and rehouse them to outdoor areas in the New Territories. It hoped to prevent feral birds from flying near urban areas in unison to search for food.

45. Mr Chris IP said that the number of human cases of avian influenza A on the Mainland China had been on the rise. He again urged the FEHD to step up prosecutions against offending feral bird feeders to prevent bird droppings from fouling public places and spreading viruses.

46. Mr HAU Wing-cheong said that some members of the public fed feral birds on the rooftops of some private buildings in the district, such as the buildings in the vicinity of Haiphong Road and Granville Road. He requested the relevant government departments to show concern over the situation.

47. Mr WONG Kam-wah said that if anyone was found feeding feral birds illegally and there was sufficient evidence for prosecution, the staff of the FEHD would take out prosecutions immediately. Upon receipt of complaints concerning feral bird feeding on the rooftops of private buildings, the FEHD would deploy its officers to conduct on-site inspection and urge the persons concerned to observe good environmental hygiene and stop feeding feral birds.

48. Mr LAI Ka-yin responded that some members of the public fed feral birds illegally at Kowloon Park. But after inspections and advice by the LCSD officers, the situation had been improved. He supplemented that in general, the LCSD staff would give advice to members of the public who fed feral birds inside the park, and if the behaviour was not rectified after repeated advice, the department would not rule out the possibility of prosecutions against the offenders.

49. Ms Deon CHAN pointed out that a food establishment in the vicinity of Public Squares Street disposed of their food waste at will earlier. This had indirectly provided food for feral birds and attracted them to flock around Prosperous Garden, fouling the common area there with bird droppings. The food establishment concerned suspended business later and the bird droppings problem was improved significantly. She hoped that the FEHD could step up enforcement against offending food establishments to eliminate food sources of feral birds.

50. After the discussion of this agenda item, Mr Derek HUNG discussed with the Vice-chairman and got approval from him to submit a supplementary paper. The content of the paper was as follows: Since the population growth of feral birds at urban districts was rapid, causing nuisance and affecting environmental hygiene, I had in the past put forth

suggestions at the YTMDC and listened to the views of members of the public who cared about the situation. Two proposals were now raised for the relevant government departments to consider and study their feasibilities:

1. Building a large cage like the “aviary” at Kowloon Park to attract feral birds. After entering the large cage, the birds would be kept and fed, so they could live in comfort for the rest of their lives and the number of feral birds in urban districts would be reduced.
2. Building a bird farm at a proper location in the New Territories to keep feral birds trapped in urban districts. Professional officers would be employed to keep and manage the feral birds trapped to control their breeding rate, in order to solve environmental hygiene problems caused by feral birds in the district effectively.

**Item 5: To Request Government to Take Lead in Reducing Light Pollution**  
**(YTMFEHC Paper No. 19/2013)**

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----- 51. The Vice-chairman said that the joint written responses of the LCSD, Environmental Protection Department (“EPD”) and Environment Bureau (“ENB”) (Annexes 5 to 6) 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 and Mr LAI Ka-yin, Deputy District Leisure Manager (Yau Tsim Mong) of the LCSD to join the discussion.

52. Mr Francis YEUNG said that currently there was no legislation in Hong Kong to regulate light pollution. But in order to minimise the nuisance that might be caused by external lighting, the Government had issued the Guidelines on Industry Best Practices for External Lighting Installations (“Guidelines”) and established the Task Force on External Lighting (“Task Force”) to study the technical standards and parameters suitable for local circumstances, in order to regulate external lighting installations.

53. Mr LAI Ka-yin said that some newspapers falsely reported that the Hong Kong Space Museum (“Space Museum”) was the most severely light polluted place in the territory. He explained that the exterior of the museum used only basic lighting fixtures with brightness maintained at a low level, and they were turned off after 10 p.m. every day. Therefore, the Space Museum was not the major source of light pollution in the Tsim Sha Tsui district. He further said that the LCSD had equipped most of its venues with energy saving installations, such as light sensors to minimise light pollution.

54. Mr LAU Pak-kei opined that minimising light pollution would be the city’s development trend in future. He said that some members of the public had relayed to him that the lights of the Fuk Tsun Street exit of Tai Kok Tsui Municipal Services Building were on even after the building was closed at night. He hoped that the LCSD could save energy and show concern over the possible light pollution at the location mentioned above.

55. Ms KO Po-ling said that the light pollution problem in YTM District was severe because of vibrant economic activities. She hoped that the Administration could strike a balance between public interests and business promotion needs, and bring external lighting installations under the scope of regulation as soon as possible.

56. Ms KWAN Sau-ling said that the serious light pollution would undermine Hong Kong's position as an international city and its competitive edges. She suggested that the Administration take the lead in controlling the brightness of lights in government buildings and venues (especially government premises in the Tsim Sha Tsui district) to save energy for the sake of encouraging business corporations and other organisations to reduce light pollution. Also, she suggested the Government to regulate light nuisance by legislation as soon as possible.

(The Hon James TO joined the meeting at 4:15 p.m.)

57. Mr Francis YEUNG responded that the Government set up the Task Force in 2011 to study the issue of light nuisance and the Administration would consult the relevant stakeholders on measures governing light nuisance. Also, the government departments concerned, including the Housing Authority, LCSD and HyD, had adopted a number of measures to prevent any nuisance to the public caused by external lighting installations at government venues.

58. The Hon James TO suggested bringing government venues and their external lighting facilities under the scope of regulation in future legislative exercises in order to effectively minimise light nuisance.

59. Mr Derek HUNG recalled that the light pollution problem had been discussed at the YTMDC for many times, yet the light pollution along the waterfront of Victoria Harbour was still severe. He wanted to know when the Administration would regulate light pollution by legislation and the expected difficulties in enforcement. He further said that at present the Administration handled most of the complaints involving light pollution with an advisory approach. He urged the government departments concerned to take more stringent action to create deterrent effect.

60. Ms WONG Shu-ming pointed out that many commercial tenants disregarded the Guidelines and caused serious light pollution problem in YTM District. The most notable example was Sai Yeung Choi Street South in Mong Kok. She considered the Guidelines outdated and strongly requested the Administration to regulate light pollution through legislative enactment and bring LED advertising light boxes under the scope of regulation, so as to improve the situation effectively.

61. Mr Francis YEUNG responded that the Task Force was reviewing the light pollution problem and would consult the relevant stakeholders in due course as it was necessary to balance different views during consideration. He supplemented that when handling complaints concerning light pollution, the EPD would advise the responsible persons of external lighting installations to refer to the Guidelines and take appropriate improvement measures.

62. Mr LAI Ka-yin responded that the LCSD would follow up the situation regarding the external lighting installations at Fuk Tsun Street exit of the Tai Kok Tsui Municipal Services Building after the meeting.

63. Ms KWAN Sau-ling said that some massage establishments placed a lot of advertising light boxes inside private buildings, causing light nuisance to the residents nearby. She wanted to know if government departments had any measures to regulate the aforesaid

situation.

64. Mr Francis YEUNG responded that there was no legislation to regulate indoor advertising light boxes at present.

65. There being no further comments, the Vice-chairman closed the discussion on this item.

**Item 6: To Support Office of the Ombudsman, Hong Kong to Actively Investigate Illegal Extension of Business Area by Food Premises and Recommendations on Government's Control and Enforcement Actions against the Malpractice (YTMFEHC Paper No. 20/2013)**

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**Item 7: Are the Police Frequently Taking Enforcement Actions for FEHD due to Poor Enforcement by the Latter? (YTMFEHC Paper No. 21/2013)**

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66. The Vice-chairman said that both Items 6 and 7 were about illegal extension of business area by food premises. He proposed that the two items be discussed together. There was no objection to his proposal.

67. The Vice-chairman said that the written response of the Office of The Ombudsman ("The Ombudsman") (Annex 7) had been faxed to Members for perusal before the meeting. He then welcomed the following representatives from government departments to join the discussion:

- (i) Mr LI Ka-kei, District Environmental Hygiene Superintendent (Mong Kok) of the FEHD;
- (ii) Mr WONG Kam-wah, District Environmental Hygiene Superintendent (Yau Tsim) of the FEHD;
- (iii) Mr LUK Kwok-po, Chief Estate Officer/Kowloon and Mr CHAN Hoi-sing, Principal Estate Officer/Kowloon West (South) of the LandsD;
- (iv) Mr CHEUNG Chi-wai, Patrol Sub-Unit 5 Commander (5) (Tsim Sha Tsui Division) and Mr Raymond FAN, Sergeant, Police Community Relations Office (Yau Tsim District);
- (v) Mr WONG Siu-shan, Task Force Sub-unit Commander, Mr MAK Ching-yu, Station Sergeant and Mr YEUNG Yuk-sing, Police Community Relations Office of the Mong Kok District; and
- (vi) Ms Connie LIU, Senior Executive Officer (District Management) of the Yau Tsim Mong District Office.

68. Mr WONG Kin-san supplemented the paper with some additional information. He agreed with the findings of The Ombudsman's investigation report that the FEHD's enforcement actions were not effective enough to combat illegal extension of business area by

food premises. He wanted to know how the government departments concerned would implement the recommendations made by The Ombudsman and hoped that the relevant government departments could consult the YTMDC more often on their enforcement action plans.

69. Ms WONG Shu-ming supplemented the paper with some additional information. She opined that the FEHD should be more proactive than the HKPF in taking enforcement actions against illegal pavement encroachment by food premises. Besides the one in Tsuen Wan, she urged the FEHD to set up another task force in YTM District to tackle illegal extension of business area by food premises.

70. Mr LI Ka-kei briefly introduced the new strengthened measures to combat black spots of illegal extension of business area by food premises in YTM District (Paper No. 26/2013) and responded as follows:

- (i) Besides issuing licences for restaurants, the FEHD was also responsible for regulating the problem of illegal extension of business area by food premises.
- (ii) To step up regulation of illegal extension of business area by food premises, the FEHD adopted targeted measures such as instituting prosecutions as appropriate under the Food Business Regulation and suspending or cancelling licences of food premises temporarily under the Demerit Points System. After studying the recommendations put forth by The Ombudsman, the FEHD would adopt new targeted measures at the black spots of YTM District and continue enforcement actions.
- (iii) For food premises situated at black spots where illegal extension of business area was rampant and with records of repeated prosecutions, the FEHD would impose an additional licensing condition for applications for provisional licence, requiring the licensees not to occupy areas beyond the confines of their premises, otherwise no provisional licence would be issued before the situation could be improved during the observation period. If food premises were found in breach of such licensing condition after getting their provisional licences, the FEHD would cancel their provisional licences if the concerned irregularities were not rectified by licensees within a specified period.
- (iv) When the suspension or cancellation of a licence was pending appeal by a recalcitrant offender, the FEHD would consider not suspending the execution of licence suspension or cancellation so as to prevent the licensee concerned from abusing the appeal mechanism for a delay in the execution of penalties.
- (v) For food premises with licence cancelled due to continuous illegal extension of business area, the FEHD would consider rejecting the licensees' re-application for a food business licence for their premises during a specified period after the cancellation of licences.
- (vi) For food premises operating without a licence and beyond the confines of their premises, the FEHD would take prosecution actions and consider applying for court orders under section 128B of the Public Health and

Municipal Services Ordinance (Cap. 132) to close the premises that persistently failed to rectify their irregularities. The FEHD would also write to the owner of the premise concerned, informing him/her that his/her tenant had been ordered to close.

71. Mr LUK Kwok-po said that illegal extension of business by shops was a street management issue which fell within the purview of a number of government departments. The LandsD was primarily responsible for handling illegal free-standing structures built on public roads, such as platforms, ramps or steps. If any shops had the above-mentioned illegal structures, the LandsD would place notices under the Land (Miscellaneous Provisions) Ordinance to request the concerned occupants to stop occupying government land before a specified deadline.

72. Mr LUK Kwok-po further said that regarding The Ombudsman's recommendations, the LandsD would consult again the Department of Justice ("DoJ") on the constraints of invoking the Land (Miscellaneous Provisions) Ordinance in handling cases involving easily movable articles and take follow-up actions upon legal advice.

73. Mr LAU Pak-kei agreed with The Ombudsman's recommendations and urged the relevant government departments to step up enforcement against illegal pavement occupation by shops. He also pointed out that some hardware stores in Tai Kok Tsui had been encroaching pavements illegally for a prolonged period of time. He wanted to know which department was responsible for controlling the situation by enforcement actions.

74. Ms KWAN Sau-ling was dissatisfied that the FEHD did not prosecute food premises that extended business areas illegally in accordance with section 34C of the Food Business Regulation. By citing the example of prolonged illegal extension of business areas by food premises in the vicinity of Peninsula Centre at Tsim Sha Tsui East since 2004, she requested the FEHD to step up prosecution to improve community image and environmental hygiene.

75. Mr HUI Tak-leung said that the problem of pavement occupation by food premises had existed in the district for a long period of time. He hoped that the relevant government departments could work closely together to solve the problem proactively. He praised FEHD's new measures to combat occupation of public places by food premises and hoped that Members could allow more time for the department to improve the situation.

76. Ms WONG Shu-ming enquired whether the FEHD was authorised to immediately arrest the persons in charge of food premises that were found extending business areas illegally, and confiscate their goods. She asked again whether the FEHD would set up a task force in YTM District to combat those malpractices. She suggested the Chairman to send a letter to the Director of Food and Environmental Hygiene ("DFEH") in the name of the Committee, requesting the FEHD to deploy additional manpower and resources to set up a task force in YTM District.

77. Mr CHAN Siu-tong pointed out that in YTM District, besides illegal extension of business areas by food premises, some material shops and pet shops also occupied pavements for business. He hoped that the FEHD could take enforcement actions against non-compliant shops in a fair and equal manner. Also, he wanted to know that under the new measures, whether the FEHD would reject, within a specified period, licence applications made by food premises which had their licences cancelled due to continuous illegal extension



of business area.

(Mr CHOW Chun-fai left the meeting at 4:45 p.m.)

78. Mr SHUM Chu-wah pointed out that there was illegal extension of business area by some tea restaurants at Kwong Wa Street in Mong Kok. He hoped that the FEHD could show concern over the situation and agreed with the suggestion of setting up a task force in YTM District.

79. Mr Edward LEUNG said that illegal occupation of pavements by shops had existed in the district for a long period of time. He was glad to see FEHD's efforts to come up with a list of black spots in the district and follow up the concerned situation proactively. He urged the FEHD to stay committed to the full implementation of those new measures and plug the loopholes of the legislation, so that non-compliant licensees would not be able to re-apply for a licence for food premises operation within a short period of time. Also, he opined that there were few locations for setting up open air cafes in YTM District and the cafes might cause problems such as traffic congestion and pavement occupation. Therefore, he opposed the idea to set up areas for open air cafes in the district.

80. Mr WONG Kin-san further asked how the relevant government departments would implement the Ombudsman's recommendations to consult the YTMDC on their enforcement action plan. Also, he praised FEHD's new measures which would help improve the problem of illegal extension of business area by food premises effectively. He enquired about the criteria the FEHD based on when considering the implementation of the new measures.

81. The Hon James TO supported the FEHD to consider applying for court orders to close food premises which continued to operate without a licence and extend their business areas illegally. He also agreed with the suggestion that the FEHD should set up another task force.

(Mr HAU Wing-cheong and Ms CHENG So-ngor left the meeting at 5:00 p.m.)

82. Mr LI Ka-kei responded as follows:

- (i) As regards the prolonged illegal occupation of pavements for business by some hardware stores in the district, if any article was found to obstruct public places and scavenging operations, the FEHD officers might issue a verbal warning or notice to the owner concerned under the relevant legislation, requiring him/her to remove the article within a specified period of time. If the owner failed to comply with the relevant requirement, the FEHD would carry out enforcement actions. And if any hardware stores were caught disposing of their waste illegally or fouling public places in the vicinity, the FEHD could issue fixed penalty tickets and take out prosecution against the persons in charge of the concerned shops.
- (ii) The FEHD could arrest and prosecute non-compliant or unlicensed hawkers, and confiscate their goods in accordance with the Hawker Regulation and relevant legislation.
- (iii) In regard to the illegal extension of business area by food premises, the

FEHD would in general take out prosecution against licensed food premises. But for food premises that were operating without a licence, the FEHD could carry out arrest and prosecution actions, as well as confiscation of goods.

- (iv) On a pilot basis, the FEHD had set up a task force in Tsuen Wan comprising Health Inspector grade officers to carry out enforcement actions at targeted black spots of illegal extension of business area in the district. The FEHD would later evaluate the effectiveness of the task force. If significant effects were seen, the department would consider strengthening its manpower and setting up more task forces as appropriate to step up enforcement actions against non-compliant food premises in other districts.
- (v) For food premises operating without a licence and extending their business areas illegally, the FEHD would consider applying for court orders under section 128B of the Public Health and Municipal Services Ordinance (Cap. 132) to close the premises that persistently failed to rectify irregularities. He supplemented that the FEHD was applying for court orders to close two repeated non-compliant food premises in Mong Kok district.
- (vi) The FEHD had been concerning about the illegal extension of business area to pavements by some tea restaurants at Kwong Wa Street and would continue to follow up the concerned cases.
- (vii) The FEHD had gradually set out in its internal guidelines the criteria and details for the implementation of the new measures. For instance, the observation period for issuance of a provisional licence had been extended to 56 days from 14 days.
- (viii) To effectively prevent non-compliant licensees from applying for a food premises licence again within a short period of time, the FEHD was considering to reject, within a specified period, new licence application from any food premise which its licence was cancelled due to prolonged illegal extension of business area.

83. Mr WONG Kam-wah responded that the FEHD would pay more attention to the illegal extension of business area by food premises in the vicinity of Peninsula Centre at Tsim Sha Tsui East.

84. Mr CHEUNG Chi-wai responded that for material shops illegally occupying pavements for operation, the Police would in general refer the cases to the relevant government departments for follow-up actions. If the encroachment of pavements posed threats to the public, the Police would carry out enforcement actions against the non-compliant shops. In the past five months, the Police had received 19 complaints about the occupation of pavements and obstruction to traffic caused by food premises next to Regal Kowloon Hotel. The Police had already issued tickets to the commercial tenants concerned, but due to time constraint, the Police could not consult the YTMDC on their immediate enforcement actions. He added that the Police was willing to conduct joint operations with other government departments to crack down on illegal encroachment of pavements by commercial tenants.

85. Mr WONG Siu-shan responded that the Police noted that the FEHD was applying for court orders to close two repeated non-compliant food premises in the Mong Kok district. If necessary, the Police is willing to send officers to assist the FEHD in closing non-complaint food premises.

86. Mr CHAN Hoi-sing responded that the LandsD was mainly responsible for handling illegal immobile structures on the streets, so if the occupation of pavements by hardware stores in Tai Kok Tsui involved any illegal structure, the department would take follow-up actions. Also, the LandsD would actively participate in inter-departmental enforcement actions against non-compliant commercial tenants involving illegal immobile structures.

(Mr Edward LEUNG left the meeting at 5:14 p.m.)

87. Mr CHAN Siu-tong hoped that the government departments concerned could strengthen enforcement and amend legislation to continuously improve the problem of illegal occupation of pavements by shops in the district. He said that the problem of illegal hawking also existed in Mong Kok Pedestrian Precinct (“Precinct”), and some people even provided photo-taking services there. He wanted to know whether the provision of such kind of services in the Precinct was legal.

88. Ms WONG Shu-ming suggested again the Chairman to send a letter to the DFEH in the name of the Committee, requesting the FEHD to deploy additional manpower and resources to set up a task force in YTM District for tackling the problem of illegal extension of business area by food premises.

89. Mr HUI Tak-leung agreed that the Chairman should send a letter to the DFEH in the name of the Committee, requesting for additional resources to set up a task force in YTM District. Moreover, he strongly requested the Police to strengthen enforcement against illegal occupation of pavements by food premises in addition to maintaining law and order. He also supported the prosecution actions taken by FEHD staff.

90. Mr LAU Pak-kei asked whether the EPD would carry out enforcement actions against the prolonged illegal occupation of pavements by hardware stores in Tai Kok Tsui. He believed that Tai Kok Tsui was one of the black spots of illegal extension of business area by food premises throughout the territory, therefore he agreed with Ms WONG Shu-ming’s suggestion that the Chairman should send a letter to the DFEH in the name of the Committee to request for setting up of a task force in YTM District as soon as possible.

(Mr SHUM Chu-wah left the meeting at 5:20 p.m.)

91. Mr Francis CHONG said that the problem of occupation of pavements by food premises had existed in the district for a long period of time. He opined that in order to indirectly urge owners to prohibit their tenants from occupying pavements for operation and improve the situation on an on-going basis, the government department concerned could consider not issuing a license to the same non-compliant food premise within six months after confiscating its goods, revoking its licence and closing its operation. Also, he urged the Administration to amend the laws and plug the loopholes of the legislation in order to effectively control the commercial tenants that encroached public area for operation.

92. The Hon James TO said that the main responsibility of the HKPF was to maintain

law and order, and support other law enforcement departments as appropriate.

93. Ms KWAN Sau-ling suggested that besides carrying out enforcement actions against persons in charge of non-compliant food premises, the FEHD should also send a letter to inform owners that their tenants were extending business areas illegally.

94. Mr LI Ka-kei responded that the FEHD consulted the DoJ in 2003 and it responded that street photographers were not categorised as hawkers. Therefore, the FEHD could not treat them as unlicensed hawkers and take prosecution actions. However, if street photographers caused any street obstruction, the relevant government departments could institute prosecutions according to Section 4A of the Summary Offences Ordinance.

95. Mr LI Ka-kei noted Members' expectation for the FEHD to set up a task force for the YTM District, but he reiterated that the task force project was a pilot scheme implemented for the Tsuen Wan district on a trial basis. The FEHD would evaluate the effectiveness of the project and if the task force had achieved significant effect, the department would consider deploying additional resources to set up more task forces in other districts. For management issues of the Precinct, he hoped that the relevant government departments could work closely together and follow up the situation proactively.

(Mr Francis CHONG, Mr Derek HUNG and Mr Vincent LUI left the meeting at 5:30 p.m.)

96. Mr WONG Kam-wah responded that if the FEHD applied for a court order to close a non-compliant food premise, its owners would be informed in writing.

97. Mr CHAN Siu-tong said that some people occupied pavements in the Precinct to set up stalls and provide metaphysics services. He wanted to know if the FEHD would take out prosecution against these people.

98. Mr LI Ka-kei responded that FEHD staff encountered difficulties in collecting evidence and taking enforcement actions in regard to the provision of metaphysics services in the Precinct. Under current practices, FEHD staff would advise the persons concerned to stop providing metaphysics services. If necessary, the FEHD would solicit support from the Police when taking enforcement actions.

99. Mr MAK Ching-yu responded that the Mong Kok Police District had established a streets control team about a year ago to proactively follow up the environmental nuisance caused by illegal occupation of pavements by commercial tenants. He added that if members of the public filed a complaint with the Police, the information about the complainants would be kept confidential and would not be disclosed.

100. Mr LAU Pak-kei asked again whether the EPD would take enforcement actions against the prolonged illegal occupation of pavements for operating business by hardware stores in Tai Kok Tsui.

101. Mr Francis YEUNG responded that the EPD would refer the prolonged street obstruction problem caused by hardware stores to the LandsD and FEHD for follow up.

102. The Vice-chairman concluded that Members unanimously agreed to send a letter to the DFEH in the name of the FEHC, requesting the FEHD to set up a task force in the YTM

District and step up enforcement actions against black spots of illegal extension of business area in the district.

(Post-meeting note: On 20 June 2013, the Chairman sent a letter to the DFEH in the name of the FEHC (Annex 8) to relay Members' requests.)

**Item 8: Cleaning of Drains under Hampton Place, The Long Beach and the Park next to a School Nearby**  
**(YTMFEHC Paper No. 22/2013)**

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----- 103. The Vice-chairman said that the written response of the LCSD (Annex 9) had been faxed to Members for perusal before the meeting. He then welcomed the following representatives from government departments to join the discussion:

- (i) Mr LEE Pak-chuen, Senior Engineer/Mainland South 3 and Mr Chris LAM, Engineer/Kowloon 7 of the Drainage Services Department ("DSD");
- (ii) Mr LAI Ka-yin, Deputy District Leisure Manager (Yau Tsim Mong) of the LCSD;
- (iii) Mr Francis YEUNG, Senior Environmental Protection Officer (Regional East) 1 of the EPD; and
- (iv) Mr LUK Kwok-po, Chief Estate Officer/Kowloon and Mr CHAN Hoi-sing, Principal Estate Officer/Kowloon West (South) of the LandsD.

104. The Hon James TO supplemented the paper with some additional information. He invited the relevant government departments to report on the progress of the open space works at the junction of Hoi Fai Road and Hoi Fan Road in Tai Kok Tsui. He requested the relevant government departments to improve the odour and water quality problems at the underground drains in the vicinity of Hampton Place and The Long Beach.

105. Mr LAI Ka-yin said that the LCSD had consulted the YTMDC on the development scope of the above-mentioned open space and had completed the preliminary layout drawings. After the ArchSD had come up with a refined design, the LCSD would consult the YTMDC again on the development plan of the site and then seek funding approval from the LegCo for commencement of works.

106. Mr CHAN Hoi-sing responded that in March 2009, the LandsD had allocated the open space at the junction of Hoi Fai Road and Hoi Fan Road to the LCSD for the construction of a park. Before the completion of formal handover procedures, the site was still managed by the LandsD. He supplemented that a drainage reserve had been specified in the land grant provisions to facilitate future drainage works to be carried out by the DSD.

107. The Hon James TO asked when the design refinement works and procedure of seeking funding approval from the LegCo would be completed. He also enquired if the government department concerned had come up with solutions to technical difficulties of the works.

108. Mr LAI Ka-yin responded that the LCSD would liaise closely with the ArchSD on

the development of the site mentioned above and urged the ArchSD to complete the design refinement works as soon as possible.

109. The Hon James TO wanted to know DSD's schedule of drain clearance for the underground drains in the vicinity of Hampton Place and The Long Beach.

110. Mr LEE Pak-chuen responded that it took around four to five months for the DSD to clear the underground drains in the site mentioned above. He said that the DSD originally planned to clear the concerned drains in July this year, but some residents of The Long Beach relayed that it would be more suitable to defer the commencement of the works to September.

111. The Hon James TO supplemented that most residents of The Long Beach agreed with DSD's commencement of drain clearance in September.

112. There being no other business, the Vice-chairman closed the meeting at 5:43 p.m. The next meeting would be held at 2:30 p.m. on 11 July 2013.

Yau Tsim Mong District Council Secretariat  
July 2013

**Proposed Amendment for the Draft Minutes of  
the 7<sup>th</sup> Meeting of Food and Environmental Hygiene Committee held on 7 March 2013  
Yau Tsim Mong District Council (2012-2015)**

Paragraph 62:

Original text:

“The Hon James TO urged the MD to enhance coordination with the owners’ corporations and the management offices of the buildings in the residential area of Olympic City to proactively collect evidence for more effective enforcement actions against vessels emitting black smoke.”

Proposed amendment:

“The Hon James TO urged the MD to enhance coordination with the owners’ committee and the management offices of the estates in the residential area of Olympic City to proactively collect evidence for more effective enforcement actions against vessels emitting black smoke.”

**要求部門採取措施改善大角咀區街道衛生及狗糞問題**

多謝油尖旺區區議會劉柏祺議員及蔡少峰議員就上述標題事宜提呈文件供各委員於 5 月 30 日的食物及環境衛生委員會討論，並要求食物環境衛生署跟進及回覆，本署現按文件內提出的問題回覆如下：

1. 由 2012 年 11 月至 2013 年 4 月，本署在大角咀區有關街道衛生的投訴個案數字約有 106 宗(包括 40 宗狗糞投訴)。同期，本署人員在大角咀區向違反清潔條例人士合共提出了 8 宗檢控。
2. 本署一向十分關注聚魚道、深旺角及大角咀道的街道清潔及環境衛生情況。並按實際環境安排清掃及清洗街道的次數。現時，本署的街道潔淨服務承辦商每天均會派人在上址提供街道清掃服務。此外，潔淨服務承辦商亦會按實際情況在區內不同街道進行清洗工作，次數由每星期一次至每星期兩次不等，並在有需要時使用高壓水槍進行徹底清洗，以保持環境衛生。根據現行清洗旺角區內街道時間表，本署潔淨服務承辦商每星期會清洗大角咀道一帶(包括聚魚道、深旺道及大角咀道)的街道路面 1 次。在接獲劉議員及蔡議員的聯署文件後，本署已安排潔淨服務承辦商於 5 月中開始每星期在上址一帶的行人路面以高壓水槍清洗路面一次，以保持地方環境衛生。如有須要，本署會按實際情況增加清洗的次數。
3. 本署人員一直都有關注大角咀居民在上址一帶放狗的情況，除日常巡查外，每月亦會安排特別行動，在黃昏及早上進行突擊檢控行動，檢控違反清潔條例的放狗人士。根據我們過往的觀察，大部分狗主均很自律地自行清理狗隻糞便後才離開。除安排突擊檢控行動外，本署亦不時安排職員在上址一帶向放狗人士派發宣傳單張及在顯眼地方張貼海報，提醒放狗人士必須妥善處理其狗隻在公眾地方遺下的糞便，否則會被檢控。



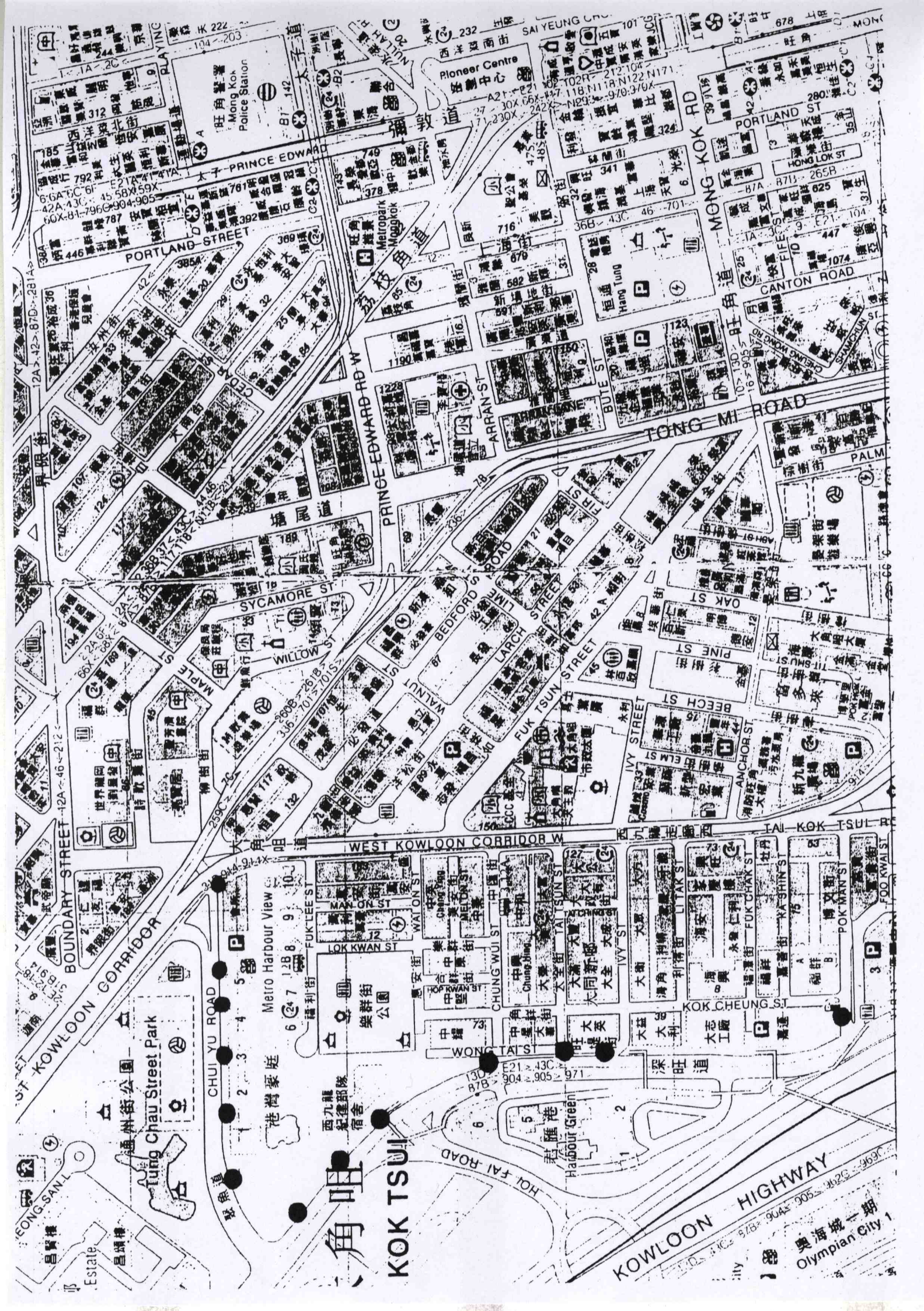
4. 此外，本署人員每當發現上址有流浪狗隻時，亦會轉介漁農自然護理署跟進。
5. 爲了方便大角咀區內一帶的放狗人士，本署在上址合共設置了13個狗糞收集箱。另外，本署於樂群街公園附近亦置有狗廁所，方便放狗人士。有關狗糞收集箱及狗廁所的分佈位置，請參閱附件。如有須要，本署可考慮在適當位置增設有關設施。
6. 本署已提醒前線人員加倍留意上址的潔淨情況及採取適當行動。此外，本署亦已督促潔淨服務承辦商加強在上址的清潔工作，以保持地方環境衛生。

食物環境衛生署

旺角區環境衛生辦事處

2013年5月22日







關注區內餵飼野鳥問題

食物環境衛生署的回應如下：

1. 任何人士餵飼野鳥致弄污公眾地方（例如遺下殘餘飼料在地上），本署人員按現場情況進行調查，如有足夠證據，會向違例人士發出 1,500 元定額罰款通知書。過去一年內，本署於油尖旺區就餵飼野鳥致弄污公眾地方共作出 7 次檢控。
2. 本署一向關注野鳥聚集地點的街道衛生情況，本署潔淨服務承辦商每天會多次清掃相關地點，並安排水車及使用漂白水清洗被野鳥糞便污染的街道。有關天星碼頭行人通道上蓋不屬本署的工作範疇，本署已將個案轉介運輸署及路政署跟進。
3. 本署在野鳥聚集的公眾地方已張貼警告海報，提醒市民切勿餵飼野鳥，並且安排員工加強在該處巡查和清洗。

食物環境衛生署

2013 年 5 月

漁農自然護理署

九龍長沙灣道三〇三號  
長沙灣政府合署五樓



AGRICULTURE, FISHERIES AND  
CONSERVATION DEPARTMENT

Cheung Sha Wan Government Offices  
303 Cheung Sha Wan Road,  
5<sup>th</sup> floor, Kowloon, Hong Kong

本署檔案 OUR REF. : (181) in AF GR LSK 06/21/2 Pt.2

來函檔案 YOUR REF. :

Annex 4

電話號碼 Tel. No. : 2413 5402

附件四

電郵地址 E-mail Add. : kh\_mo@afcd.gov.hk

油尖旺食物及環境衛生委員會第 18 / 2013 號文件

傳真號碼 Fax No. : 2954 4105

民建聯油尖旺支部  
九龍渡船角文匯街  
文華樓12號2樓

敬啟者:

關注區內餵飼野鳥問題

有關以上標題的事項，漁農自然護理署謹覆如下：

本署一直關注野鳥聚集問題，尤其對禽流感病情的關注。雖然本署並沒有統計該區野鳥數目，但只要收到有關因野鴿聚集而引致環境衛生問題的投訴時，本署會派職員調查及收集鴿糞樣本作禽流感病毒測試。在過去三年，本署在油尖旺區共接獲 89 宗有關野鴿的投訴或查詢，並收集了 390 個鴿糞樣本作禽流感病毒測試，所有樣本均呈陰性反應。

基於維持生態平衡的原則，本署並不鼓勵滅殺或控制某一種生物或控制其繁殖速度，野鳥在民居聚集主要是為了覓食，而最有效的解決方法是杜絕餵飼活動。只要沒有食物供應，野鳥不會長期停留或聚集。大廈管理處宜豎立標誌，勸告住客勿餵飼野鴿。本署亦會在巡查時派發宣傳單張，向市民宣傳教育「不應餵飼野鳥」的信息。

有關環境清潔或檢控餵飼野鳥的情況，您可向食物環境衛生署查詢。如有任何疑問，可致電 2413 5402 向本人查詢。謝謝。

漁農自然護理署署長



(巫啟康

代行)

二〇一三年五月二十四日



2012 至 2015 年度油尖旺區議會食物及環境衛生委員會

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

「要求政府帶頭減少光污染」

所作的書面回應

就一些報章於三月二十日的報道及評論指，位於尖沙咀的香港太空館是全港光污染最嚴重的地點，是誤解了香港大學調查的報告，香港太空館並非尖沙咀區光污染的主要源頭。

由香港大學物理系進行的夜空光度監測研究，香港太空館亦有參與研究，並同意將其中三組量度儀器安裝在香港太空館，及由該館管理的西貢遙控天文台及天文公園。

研究報告所指，在香港太空館安裝的量度儀器（天空光度計），測出在尖沙咀區域天空的亮度比國際認同的黑暗夜空超出一千二百倍，這些光污染主要是由尖沙咀區的商場、廣告照明和街燈等所造成，並非指由香港太空館所造成。事實上，該館外牆只設有基本照明，亮度不高，並且會在每晚約十時後關掉。

康文署支持環境保護，雖然並未有訂立建築物照明光度的標準，但在不影響日常運作和市民安全的情況下，會減低屬下各場館的照明亮度，避免造成光污染。

康樂及文化事務署

香港太空館

2013 年 5 月

## 2012-2015 油尖旺區議會

## 食物及環境衛生委員會

要求政府帶頭減少光污染

過去 1 年，環境保護署(環保署)共收到 22 宗有關油尖旺區的光滋擾投訴。

為鼓勵業界及早採取行動，盡量減少光滋擾和能源浪費，政府於 2012 年 1 月發出了「戶外燈光裝置業界良好作業指引」。該指引列載戶外燈光裝置一般的良好做法，包括燈光裝置的操作時段、燈光裝置的自動控制、光污染控制措施及能源效益措施等。當局把指引分發給相關持份者，包括環保團體、旅遊業界、專業團體、商會組織、零售業界、物業管理組織等。

隨着上述指引的發布，環保署在處理光污染投訴時，會聯絡戶外照明設施的負責人，反映投訴人的關注，並建議負責人參考指引，考慮採取適當的改善措施，例如減低相關裝置的光度、調校射燈的角度，或提早關掉非必要的照明設備。大部分建築物／燈光裝置擁有人會參考指引的方法，盡量減少光滋擾，以回應有關投訴。

政府作為燈光擁有人，正採取多項措施處理戶外燈光裝置造成的環境問題。相關政府部門會定期檢討戶外燈光裝置的指引，以免政府場地的戶外燈光裝置對市民造成滋擾。一般來說，由政府部門管理的裝飾及宣傳用的戶外燈光裝置，大多在晚上十一時或之前關掉，因操作或保安理由，或因商業廣告合約須繼續使用的燈光裝置除外。目前，約有 80% 的商業廣告合約訂明，須在晚上十一時前關掉戶外燈光裝置。個別部門會繼續推展有關措施，以減少燈光裝置造成的影響，並會在餘下合約屆滿時作出檢討。

舉例來說，康樂及文化事務署(康文署)為場地安排安裝燈光照明系統時，會按場地的運作及安全需要，盡量避免影響鄰近居民。該署亦已採取多項措施，包括調校射燈的角度、為照明系統加裝燈罩或遮光罩、在公園採用向下照明的燈、改用光度較低的燈泡，並在不影響運作和安全的前提下，關閉一些無人使用的設施的照明系統。

就路燈而言，路政署發布了內部指引，盡量避免把路燈設置於大廈外牆而影響居民。如因環境的限制，路燈需設置在接近低層居民單



位的位置，路政署會採取一些可行的措施以減低路燈對居民的影響，例如用截光式燈具及安裝遮光板。

就香港房屋委員會（房委會）的場地而言，房委會已於1998年發出有關室外公共照明的技術設計指引，並不時更新設計指引，以配合環保需要及減少對居民的影響。一般來說，須在約晚上11時把無人使用的非必要室外照明和球場內的泛光燈關掉；使用合適的燈罩使光線集中照向地面，減低燈光散落到居民單位內；以及盡量避免使用直接向天空照射的燈具。

為應對戶外燈光裝置可能造成的光滋擾和能源浪費問題，政府於2011年8月成立了戶外燈光專責小組（專責小組），成員來自不同專業團體、相關業界及環保組織。專責小組現正研究可否制訂一套適用於本港的技術標準及參數，以規管戶外燈光。同時，小組亦正計劃於本年稍後時間諮詢有關持份者，然後向政府提出建議。我們會考慮小組的建議，並按情況採取跟進行動。

環境局

環境保護署

香港房屋委員會

康樂及文化事務署

路政署

2013年5月

有關「支持申訴專員公署主動調查並就當局對食肆違例擴展營業範圍的規管及執法行動提出多項建議」討論文件

本署已完成有關政府當局對食肆違例擴展營業範圍的規管及執法行動的主動調查，並於本年五月九日發表調查報告。本署在報告中向食物及環境衛生署（「食環署」）及地政總署提出共17項改善建議。

就油尖旺區議會食物及環境衛生委員會委員的提問，本署的回覆如下：

問題3：申訴專員公署將如何有效監督和跟進兩署就17項建議的執行情況？

回覆3：本署提出改善建議，目的是促使公共行政更加開明問責，同時提升當局工作程序和處事方式的成效。所涉部門的首長有責任定期向申訴專員匯報落實本署建議的進度。本署亦會透過書信和會議與他們保持聯繫，跟進和監察有關進展。

問題5：在公署17項建議中……上述涉及區議會運作及公眾諮詢的程序，公署的具體操作建議為何？

回覆5：本署在調查報告中指出，食肆在露天地方提供餐飲服務，一向受部分市民歡迎；有關當局如果能夠在適當的地點推廣這種經營模式，促使其合法化及規範化，不單會便利食肆經營者及顧客，同時亦會減低食環署執法的壓力，令該署可集中資源處理造成嚴重環境滋擾的個案。故此，本署建議食環署：

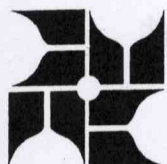
- (i) 諮詢區議會以劃定一些適宜設立露天座位的地點，然後盡量方便食肆在該些地點申請設置露天座位；
- (ii) 就食肆設置露天座位申請的公眾諮詢程序，與民政事務總署商討如何可更適切地平衡各方的利益；
- (iii) 對於須要執法的情況，就其執法行動的方針及計劃，諮詢區議會的意見及爭取其支持，以加強其執法行動的公眾認受性，並且減低藉違例而獲益的人士的阻力。

上述建議屬於方向性建議，目的是引導當局作更深入研究，以制定具體執行政策及程序指引。

申訴專員公署

二〇一三年五月二十四日





油尖旺區議會

YAU TSIM MONG DISTRICT COUNCIL

檔號：( ) in HAD YTMD C13-30/1/1 Pt.

電話：2399 2154

傳真：2722 7696

Annex 8

附件八

香港金鐘道 66 號

金鐘道政府合署 45 樓

食物環境衛生署署長

梁卓文太平紳士

郵寄及傳真

(傳真：2877 9507)

梁先生：

關注油尖旺區食物業處所非法擴展營業範圍問題

在 2013 年 5 月 30 日油尖旺區議會食物及環境衛生委員會第八次會議上，委員對區內食肆違例擴展營業範圍的問題甚表關注。

有關食肆不但阻塞行人通道，亦造成街道環境衛生及噪音問題，影響附近居民。鑑於區內食肆非法擴展營業範圍的情況未見改善，會上多位委員建議食物環境衛生署參照現時在荃灣區推行的先導計劃，亦在油尖旺區成立特遣隊，針對佔用公眾地方的食肆加強執法，以收阻嚇之效。

謹此轉達委員會的意見，盼能積極回應委員的訴求，致力改善食肆違例擴展營業範圍的問題。

油尖旺區議會

食物及環境衛生委員會主席

楊子熙

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)

食物環境衛生署油尖區環境衛生總監  
黃錦華先生(傳真：2735 5955)

油尖旺區議會食物及環境衛生委員會委員

2013 年 6 月 20 日

2012 至 2015 年度油尖旺區議會食物及環境衛生委員會

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

凱帆軒浪澄灣及學校附近的公園土地地下之渠道清理問題

所作的書面回覆

就上述文件的提問的第一點、第二點及第三點，本署謹覆如下：

第一點

2. 大角咀海輝道與海帆道交界的休憩用地的策劃工作正在進行中。建築署將適時展開設計工作。其餘各程序如諮詢油尖旺區議會的意見、深化設計、向立法會申請撥款等工作亦將陸續進行。

第二點

3. 有關上述休憩用地地底排洪暗渠及其周邊共 33 米寬的渠務專用範圍所引致的技術困難，本署、建築署及渠務署已就主要問題訂出解決方案，建築署將適時展開設計工作。

第三點

4. 有關建議本署在上述休憩用地開始施工之前，供渠務署先清理地下渠道，本署會與渠務署聯絡及作出積極的配合。

康樂及文化事務署

策劃事務組

2013 年 5 月