

**Minutes of the 12th Meeting of
Yau Tsim Mong District Council (2012-2015)**

Date : 22 August 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 CHUNG Kong-mo, JP

District Council Members

Mr CHAN Siu-tong, MH	Ms KWAN Sau-ling
Mr CHAN Wai-keung	Mr LAU Pak-kei
Mr CHOI Siu-fung, Benjamin	The Honourable TO Kun-sun, James
Mr CHONG Wing-charn, Francis	Mr WONG Chung, John
Mr CHOW Chun-fai, BBS, JP	Mr WONG Kin-san
Mr HAU Wing-cheong, BBS, MH	Mr WONG Man-sing, Barry, MH
Mr HUI Tak-leung	Ms WONG Shu-ming
Mr HUNG Chiu-wah, Derek	Mr YEUNG Tsz-hei, Benny, MH
Mr IP Ngo-tung, Chris	

Representatives of the Government

Ms HO Siu-ping, Betty, JP	District Officer (Yau Tsim Mong)	Home Affairs Department
Mr CHIU Chung-yan, Charlson	Assistant District Officer (Yau Tsim Mong)	Home Affairs Department
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 Duncan Stuart MCCOSH	District Commander (Mong Kok)	Hong Kong Police Force
Mr YU Tat-chung	District Commander (Yau Tsim)	Hong Kong Police Force
Ms YUEN Miu-chun, Christine	Senior Transport Officer (Yau Tsim Mong)	Transport Department
Mr WONG Tat-ming, Richard	Chief Leisure Manager (Hong Kong West)	Leisure and Cultural Services Department
Mr WONG Chi-sing, Janson	Chief Engineer/Kowloon 2 (Kowloon)	Civil Engineering and Development Department
Ms WONG Shui-wah	Senior Housing Manager (Kowloon West)	Housing Department

In Attendance:

Mr LEUNG Cheuk-man, Clement, JP	Director of Food and Environmental Hygiene	Food and Environmental Hygiene Department
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Mr FAN Yung-kai	Assistant Director (Operations) 2	Food and Environmental Hygiene Department
The Honourable IP Kwok-him, GBS, JP	Representative of Functional Constituency - District Council (First)	Legislative Council
Ms WONG Yuet-wah	Principal Assistant Secretary for Home Affairs (Culture) 2	Home Affairs Bureau
Ms SHUM Ka-po, Medy	Chief Executive Officer (Culture) 2B	Home Affairs Bureau
Ms CHAN Wai-chun	District Social Welfare Officer (Kowloon City/Yau Tsim Mong) (Acting)	Social Welfare Department
Ms CHEUNG Ho-fong, Clare	Senior Manager (Kowloon East/Cultural Services)	Leisure and Cultural Services Department
Mr CHAU Kwun-tong	Senior Project Manager	Architectural Services Department
Mr SAT Sing-hin	Senior Project Manager	Architectural Services Department
Mr CHAN Wai-tak	Senior Engineer/Kowloon District West	Transport Department
Mr YIP Chi-kwai, Tom	Senior Town Planner/Yau Tsim Mong	Planning Department
Ms SIN Kwai-lan, Sandy	Senior Estate Surveyor/Kowloon South	Lands Department
Mr CHAN Tsz-kin	Property Services Manager	Architectural Services Department
Ms LAU Kim-wun	Supervisor	Tung Wah Group of Hospitals Jockey Club Tai Kok Tsui Integrated Services Centre
<u>Secretary</u>		
Ms CHUNG Siu-lan, Joanne	Senior Executive Officer (District Council), Yau Tsim Mong District Office	Home Affairs Department

Absent:

Ms KO Po-ling, BBS, MH, JP Vice-chairman

Opening Remarks

The Chairman welcomed representatives from government departments and participants to the meeting. He said that Ms KO Po-ling, the Vice-chairman, was absent due to other commitments. In addition, he reported that starting from the 12th meeting, Mr Richard WONG, Chief Leisure Manager (Hong Kong West) of the Leisure and Cultural Services Department (“LCSD”) would replace Mr SO Ting-lut, Vincent as the representative of the department. Mr CHOY Chik-sang, Mario, Chief Transport Officer/Kowloon of the Transport Department (“TD”) and Mr LUI Kwong-fai, Chief Manager/Management (Kowloon West and Hong Kong) of the Housing Department (“HD”), were absent due to other commitments. Ms Christine YUEN, Senior Transport Officer (Yau Tsim Mong) and Ms WONG Shui-wah, Senior Housing Manager (Kowloon West), were attending the meeting in their places respectively. The Chairman asked participants to speak as concise as possible since there were many items on the agenda. He proposed that Councillors who had submitted papers be given two minutes to make supplementary remarks, and that each

Councillor be allowed to speak twice on each item: two minutes for the first time and one minute for the second time. Participants had no objection to the proposal.

Item 1: Visit of Director of Food and Environmental Hygiene to Yau Tsim Mong District Council (“YTMDC”)

2. The Chairman welcomed Mr Clement LEUNG, Director of Food and Environmental Hygiene, Mr FAN Yung-kai, Assistant Director (Operations) 2, Mr LI Ka-kei, District Environmental Hygiene Superintendent (Mong Kok), and Mr WONG Kam-wah, District Environmental Hygiene Superintendent (Yau Tsim) of the Food and Environmental Hygiene Department (“FEHD”) to the meeting.

(Mr Francis CHONG joined the meeting at 2:42 p.m.)

3. Mr Clement LEUNG gave a brief introduction as follows:

- (i) The core function of the FEHD was to ensure food safety and environmental hygiene. On food safety, the FEHD was amending the food safety laws with a view to enhancing the control on pesticide residues in food in August 2014.
- (ii) The Centre for Food Safety (“CFS”) took over 60 000 food samples for testing every year and published information of the unsatisfactory food on a monthly basis. The CFS would also take samples of seasonal food for testing and was responsible for handling unforeseen food safety incidents, including issuance of food recall order when necessary. In addition, the CFS would also closely monitor the news of food safety incidents outside Hong Kong and from media and take appropriate follow-up actions.
- (iii) On environmental hygiene, the FEHD was responsible for street cleaning, refuse collection, managing cemeteries and markets, as well as handling the licensing matters of food premises.
- (iv) On hawker management, following the Fa Yuen Street Blaze in end-2011, the FEHD had strengthened the management of hawker areas, in order to reduce fire risks as far as possible. It focused on combatting the following irregularities: 1) stall canopies constructed of combustible materials; 2) overnight storage of commodities outside the approved stall areas; and 3) obstruction to fire escapes. Moreover, the FEHD had been allocated \$230 million by the Finance Committee of the Legislative Council (“LegCo”), in the form of an assistance scheme, to improve the fire safety effectiveness and design of the stalls of about 4 300 hawkers operating in 43 hawker areas, and to relocate stalls away from staircase discharge points of buildings or emergency vehicular accesses, in order to reduce the fire risks caused by hawking activities. In the past two to three months, the FEHD had held 30 to 40 briefing sessions on the assistance scheme, which was attended by about 60% of the stall owners in the territory.

4. Mr Chris IP said that the FEHD should handle the relocation issues of hawker stalls with flexibility, for example, it should allow affected stalls to slightly adjust their locations or reduce their areas of stalls, so that the owners would not have to move out of the original stall

area. He also pointed out that the time needed for the FEHD to handle complaints of water dripping from air-conditioners and to institute prosecutions was too long. He urged the FEHD to streamline the procedures and expedite the processing of cases.

5. The Chairman said that the YTMDC had discussed the problem of water dripping from air-conditioners in the district for many times. He hoped that the FEHD would streamline the procedures of handling complaints.

6. Ms KWAN Sau-ling was dissatisfied that the FEHD had not properly handled the problems of water dripping from air-conditioners and water seepage in building units. Moreover, she opined that the Joint Office (“JO”) set up by the FEHD and BD lacked efficiency in handling complaints of water seepage in building units. She asked whether it was related to the shortage of manpower and complexity of working procedures.

7. Mr HUI Tak-leung said that he had filed a complaint of water seepage in a building unit to the JO before, but the staff said that the water seepage situation of the unit concerned was not really serious and refused to continue to follow up the case. He continued that when relocating or resettling hawker stalls, the FEHD might consider planning the relocation of hawker stalls in the entire street altogether. Moreover, when implementing the assistance scheme in fixed-pitch hawker areas, the FEHD should also provide compensation to registered assistants in the hawking trade, and issue temporary hawker licences with prudence.

8. Mr LAU Pak-kei hoped that the FEHD would continue to improve the problems of dog fouling and rear lane hygiene in Tai Kok Tsui. He also said that the FEHD had proposed to relocate the vehicle depot at Sai Yee Street to Yen Ming Road, Tai Kok Tsui, but the location was close to residences and schools, and the FEHD should consider the choice of location carefully.

9. Mr WONG Kin-san opined that, on the management of streets and hawker stalls, as well as the removal of banners hung on streets without authorisation, the FEHD’s work had already shown improvement. Regarding the assistance scheme for fixed-pitch hawker areas, he hoped that the FEHD would relax the conditions for granting the assistance and raise the assistance amount. Moreover, he urged the FEHD to properly resolve the relocation problem of the Sai Yee Street Vehicle Depot within a short period, and to face up to the problem of unlicensed hawking in the Mong Kok Pedestrian Precinct (“the Precinct”).

10. Ms WONG Shu-ming praised the District Environmental Hygiene Superintendent (Mong Kok) for his performance. On the other hand, she said the Ombudsman’s investigation report had pointed out that the FEHD had not thoroughly resolved the problem of illegal shopfront extension of food premises. In this connection, the FEHD had set up task forces in Tsuen Wan and Yuen Long districts respectively to follow up the situations. She asked whether the FEHD would also set up such kind of task forces in Yau Tsim and Mong Kok districts. She continued that the markets in Mong Kok district had suffered from prolonged rodent problems, even after the drains around the markets had been replaced, the problems still existed. She hoped that the FEHD would explain what follow-up actions it would take.

11. Mr Benjamin CHOI said that the relocation of the Sai Yee Street Vehicle Depot by the FEHD would seriously affect the environmental hygiene of Tai Kok Tsui, and would cause noise problems, so the plan was opposed by the residents of Tai Kok Tsui. He also pointed

out that the problems of dog fouling and rear lane hygiene in Tai Kok Tsui had been unresolved for a long time, causing nuisances to residents, and the FEHD should take heed of the situation.

12. The Chairman said that the problem of dog fouling on the footbridges at Ferry Street, Dundas Street and Waterloo Road was serious, and he hoped that the FEHD would resolve it completely.

13. Mr Benny YEUNG urged the Director of Food and Environmental Hygiene to request the policy bureau to increase the level of fines for illegal hawking. He also said that there were quite a lot of complex environmental hygiene problems in the Yau Tsim Mong District. He praised the two District Environmental Hygiene Superintendents of Mong Kok and Yau Tsim for their efforts and hoped that the FEHD could increase frontline manpower in the district.

14. Mr CHAN Wai-keung asked the FEHD about the procedures of handling unauthorised banners and the figures of prosecution by the FEHD on unauthorised banners in commercial and non-commercial nature in the year. He also asked the FEHD why it only removed unauthorised banners but not issuing summons to the people who illegally displayed these banners.

15. Mr CHOW Chun-fai praised the two District Environmental Hygiene Superintendents for their efforts in improving the environmental hygiene in the district. He opined that the definition of “hawker” in the Hawker Regulation had become archaic, which made it difficult for the frontline staff of the FEHD to take enforcement actions. He requested the FEHD to review the legislation concerned and give an account of the progress of the review.

16. Mr John WONG indicated that the residents in Cherry Constituency Area objected to the relocation of Sai Yee Street Vehicle Depot of the FEHD. In addition, he was dissatisfied with the FEHD for its slow clearance of building debris in Tai Kok Tsui.

17. The Chairman pointed out that bus stops on Nathan Road were posted with bills and streets in the Precinct were occupied by easy-mount frames. He hoped that the FEHD could follow up the situation. He also said that the ground near the Dundas Street Refuse Collection Point (“RCP”) was often very slippery and would easily cause environmental hygiene problem. He suggested that the Government sink the RCP down one level into the ground during the redevelopment of Kwong Wah Hospital in order to improve the environmental hygiene of the vicinity.

18. Mr Clement LEUNG responded as follows:

- (i) The FEHD had an open mind on the proposal of slightly adjusting the position or reducing the area of hawker stalls for retaining the stalls in their original hawker areas. However, the hawker stalls should not block the staircase discharge points of buildings or emergency vehicular accesses to reduce the fire risks.
- (ii) Recently, the FEHD had stepped up actions against illegal hawking in the Precinct. Under prevailing laws, the FEHD staff could handle most of the similar cases. The FEHD would maintain close contact with other

departments for more effective street management.

- (iii) The FEHD controlled unauthorised publicity materials in accordance with the Public Health and Municipal Services Ordinance. The FEHD would coordinate with District Offices and the Police to step up clearance of easy-mount frames on the streets. It would provide information on the figure of prosecution after the meeting for reference.
- (iv) If the FEHD could successfully prove any unauthorised display of banners with evidence, it would request the beneficiary to pay for the cost for the removal of the banners concerned, and carry out prosecution in accordance with existing procedures.
- (v) The FEHD's plan of relocating the Sai Yee Street Vehicle Depot was intended to vacate land for the development of a traffic interchange. The FEHD noted that residents in Tai Kok Tsui held different views on the relocation of the vehicle depot to Yen Ming Road. Therefore, the FEHD had studied the traffic flow and alignments of the relocation plan again in the past few months. It would consult the YTMDC for its views in due course.
- (vi) Since the nuisance caused by air-conditioner water dripping usually happened at night, the staff of the FEHD would make appropriate arrangement for the investigation time in order to follow up complaints on air-conditioner water dripping. As for complaints on water seepage in building units, the FEHD hoped that property management agencies could support the JO to find out sources of seepage. The JO was in contact with the Innovation and Technology Commission to explore other new technologies in the market with a view to finding out sources of seepage more effectively.
- (vii) As for the problem of illegal shopfront extension of food premises, the FEHD had given positive response to the suggestions set out in the Ombudsman's investigation report. Also, it had set up a task force to handle the problem in Tsuen Wan District on a pilot basis. If resources permitted, the FEHD would consider setting up an additional task force to combat incompliant food premises and issuing closure orders against food premises which had seriously breached the regulations.

19. The Chairman said that most of the easy-mount frames in the Precinct were not placed above ground. To address the promotional activities with easy-mount frames on the streets, he requested the FEHD and other departments to enhance joint operations in the Precinct, or even deploy FEHD staff to station in the Precinct as a long-term measure for deterrent effect.

20. There being no further comments, the Chairman thanked the Director of Food and Environmental Hygiene and his colleagues for attending the meeting and closed the discussion on this item.

Item 2: Visit of Hon. IP Kwok-him, Legislative Councillor, to YTMDC

21. The Chairman welcomed the Hon IP Kwok-him, Representative of Functional

Constituency-District Council (“DC”) (First) of the LegCo to visit the YTMDC.

(Mr Barry WONG joined the meeting at 3:40 p.m.)

22. The Hon IP Kwok-him briefed Members as follows:

- (i) Since the commencement of the current DC term, he had visited a number of DCs, including the North DC, Islands DC, Yuen Long DC and Sham Shui Po DC.
- (ii) During the year, LegCo Councillors had met with District Councillors of ten districts to discuss district issues. Moreover, they had lunch gatherings with the 18 DC Chairmen and Vice-chairmen to exchange their views on district affairs.
- (iii) With the passing of District Council (Amendment) Bill 2013 by the LegCo on 22 May 2013, there would be no appointed seats from the new DC term commencing January 2016.
- (iv) During the year, the LegCo had adjusted the Statutory Minimum Wage rate upwards from \$28 per hour to \$30 per hour and passed the 2013-2014 Budget as well as the Personal Data (Privacy) (Amendment) Ordinance 2012.
- (v) The honorarium, Operating Expenses Reimbursement (“OER”), Medical Allowance and end-of-term gratuity for District Councillors had been increased with effect from 1 January 2013. In the light of rapid increase in rental for ward offices, there had been requests to further increase the honorarium and office rental allowance for District Councillors. The Home Affairs Department (“HAD”) would consult the views of Panel on Home Affairs of the LegCo on the proposal.

23. The Chairman said that the LegCo Secretariat would arrange a meeting for LegCo Councillors and Councillors of the YTMDC on 9 January 2014 and appealed for Councillors’ active participation in the meeting. Moreover, he hoped that the Hon IP Kwok-him could reflect the long-standing problems found in the district to the LegCo with a view to improving the situation, such as the complaints about illegal shopfront extension of food premises and shops, the issue of street sleepers and the management of the Precinct.

24. Mr HUI Tak-leung hoped that District Councillors could be granted the right to administer oaths for the purpose of assisting buildings in setting up owners’ corporations (“OC”). Moreover, pointing out that his ward office had been harassed, he opined that the Government should enhance safety protection for District Councillors in the execution of their duties. They should be compensated for injuries at work or accidental death.

25. Mr Barry WONG hoped that the Government could subsidise District Councillors joining study tours outside Hong Kong.

26. Mr Francis CHONG said that the YTMDO might decline to make OER to District Councillors if they rented premises in old domestic buildings as their ward offices. He opined that it would be more appropriate for the YTMDO to take corresponding actions after

the OC of the building had decided to prohibit the owner concerned from leasing the premise for such purpose or corresponding legal actions had been taken.

27. Ms KWAN Sau-ling pointed out that about two-thirds of the District Councillors in the territory rented premises in buildings under the Hong Kong Housing Authority (“HKHA”) or Urban Renewal Authority as their ward offices at a concessionary rate. However, one-third of the District Councillors, without receiving any subsidy, had to rent their ward offices in commercial buildings at market rental and this was not fair. She hoped that the Government could take heed of the issue and provide rent concessions for District Councillors who rented their ward offices in commercial buildings so as to relieve their rental burden.

28. Mr CHAN Siu-tong said that each DC had set up a District Facilities Management Committee (“DFMC”) since the last DC term to oversee the management of district facilities. In the year 2013-2014, the HAD had allocated about \$14,000,000 to the DFMC under the YTMDC for the implementation of district minor works (“DMW”) projects. However, since about half of the funds would be used to cover the capital works spending in the district incurred by the LCSD and other government departments, only half of the funds would be available for use by the DFMC. Moreover, given the high construction cost for DMWs, there were in fact not much fund applicable by the DFMC. Furthermore, he criticised that the procedures of fund applications for DMWs were complicated and asked the Hon IP Kwok-him to relay the above views to the Government.

29. Mr CHAN Wai-keung pointed out that District Councillors only received remuneration rather than salaries and were not entitled to the protection of workmen’s compensation insurance and the Mandatory Provident Fund (“MPF”). He hoped that the Hon IP Kwok-him could reflect the situation concerned to the Government with a view to enhancing the protection of District Councillors’ rights.

30. Mr Derek HUNG said that he had also attended earlier the public consultation session on the territory-wide review of remuneration of District Councillors held by the HAD and he believed that the Hon IP Kwok-him should have noted the views of participants of the meeting. District Councillors only received remuneration rather than salaries and he did not understand why the relevant income was subject to salaries tax. Moreover, he opined that District Councillors was obliged to make it clear whether the premise leased was appropriate for use as office of District Councillors under the existing provisions. Concerning the prohibition on the use of residential units as offices of District Councillors, he opined that the existing provisions should be maintained or other problems might arise if it allowed flexibility.

31. The Chairman said that a District Councillor in a particular district was suspected to have leased unknowingly a residential unit for use as an office of District Councillors. Regarding this case, he opined that the HAD should issue new guidelines and request District Councillors that before leasing an office, the premise concerned be checked by the District Office of the district concerned for its legitimacy for use as an office of District Councillors. Rent allowance would only be granted after the approval of the District Office was obtained. Moreover, if a District Councillor or his office was harassed, he should seek help from the Police as soon as possible. He also requested the Government to enhance labour protection for District Councillors such that District Councillors suffering from work injury would be entitled to reasonable compensation. He further said that recently a District Councillor in the district had been disqualified from office and the HAD immediately ceased all allowance payment to him. However, the District Councillor concerned still had to pay rent for his

office as well as the severance payment or one month's wages in lieu of notice to his assistant. The HAD said that winding up expenses reimbursement was not applicable to the case of that former District Councillor. The act of the HAD was in fact very unfair to that former District Councillor.

32. The Hon IP Kwok-him responded as below:

- (i) He would follow up on the case of harassment of Mr Hui Tak-leung's office in the Panel on Security of the LegCo. He believed that the Police would also find out details of the case from Mr Hui Tak-leung.
- (ii) If Councillors suffered from work injury, they could claim compensation from medical allowance.
- (iii) He would follow up on the suggestion of introducing overseas study tours allowance for Councillors but he opined that the society might hold different views on this issue.
- (iv) He understood that District Councillors of the YTM District had to pay exorbitant rent for leasing units in commercial buildings for use as offices and would continue to fight from the Government for additional financial assistance for District Councillors who could not set up an office in public rental housing (PRH) estates to alleviate their rental pressure.
- (v) He noted that if a re-elected District Councillor had claimed the setting-up expenses reimbursement (SER) in the previous term, he could only be entitled to 50% of the SER in the following term regardless of whether he had relocated, expanded or established his office. He agreed that this requirement was unreasonable and promised to fight for revision of the arrangement concerned.
- (vi) Concerning the suggestion of introducing MPF schemes for District Councillors, he said that both LegCo Councillors and District Councillors were self-employed. They received allowance rather than salaries during their term and received end-of-service gratuity rather than contract gratuity when the term finished. Therefore, there was no employer-employee relationship between Councillors and the Government. He agreed that to attract talents to join the Council, the Government should consider enhancing the protection for Councillors and he promised he would continue to follow up on the issue concerned.

33. The Chairman hoped that the Hon IP Kwok-him could follow up on the incident in which the HAD immediately refused to grant allowance to a District Councillor in the district after he was disqualified from office. He also asked the Hon IP Kwok-him to fight for compensation for District Councillors in the event of deaths in the execution of duty.

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

Item 3: Confirmation of Minutes of 11th YTMDC Meeting

35. The minutes of the last meeting were confirmed without amendment.

- Item 4: Financial Position of YTMDC Funds as at 12 August 2013
(YTMDC Paper No. 61/2013)**

- Item 5: Application for DC Funds to Cover Payment for Community
Involvement Projects Carried Forward from 2011-2012
(YTMDC Paper No. 62/2013)**

- Item 6: Funding Application from Committee on Promotion of Civic
Education for Organising Civic Education Activities in YTM District
in 2013-2014
(YTMDC Paper No. 63/2013)**

- Item 7: Funding Application from YTM District Youth Programme
Committee for Organising Youth Activities in the District
(YTMDC Paper No. 64/2013)**

- Item 8: Funding Application from 2013-2014 YTM District Road Safety
Campaign Organising Committee for Production of Road Safety
Promotional Items
(YTMDC Paper No. 65/2013)**

- Item 9: Funding Application from 2013-2014 YTM District Road Safety
Campaign Organising Committee for Organising a Road Safety Talk
for Elderlies in the District
(YTMDC Paper No. 66/2013)**

- Item 10: Funding Application from 2013-2014 Executive Committee of YTM
Healthy City for Organising Health Check Day cum Talk on
Hypertension Prevention for Elderlies in YTM District and
Production of Sanitary Packs for Prevention of Epidemics
(YTMDC Paper No. 67/2013)**

- Item 11: Funding Application from 2013-2014 Executive Committee of YTM
Healthy City for Launching Health Checks and Health Awareness
Promotional Activities for Underprivileged Community Members in
YTM District
(YTMDC Paper No. 68/2013)**

- Item 12: Funding Application from Environmental Improvement Campaign
Organising Committee for 2013-2014 for Organising 2013 YTM
Community Participation in Environmental Sanitation Scheme and
Opening Ceremony
(YTMDC Paper No. 69/2013)**

- Item 13: Funding Application from Organising Committee on Cultural Arts
Events for 2013-2014 for Organising Cultural Arts Events in the
District**

(YTMDC Paper No. 70/2013)

Item 14: Funding Application from Festival Celebration Organising Committee under 2012-2015 YTMDC for Organising Festive Activities in YTM District in 2013-2014
(YTMDC Paper No. 71/2013)

Item 15: Funding Application from Working Group on Promotion and Publicity for Production of Promotional Items and Renewal/Maintenance of YTMDC Web Pages
(YTMDC Paper No. 72/2013)

Item 16: Funding Application from Working Group on Concern for Yau Ma Tei Fruit Market for Organising a Seminar on Yau Ma Tei Fruit Market
(YTMDC Paper No. 73/2013)

Item 17: Funding Application from Working Group on Promotion of Tourism and Local Community Economy for Production of Souvenirs
(YTMDC Paper No. 74/2013)

Item 18: Review of Funding Applications for Organising Special District Programmes
(YTMDC Paper No. 75/2013)

Item 19: Funding Application from Working Group on Ethnic Affairs for Organising Ethnic Activities in 2013-2014
(YTMDC Paper No. 76/2013)

36. The Chairman proposed that papers in respect of Items 4 to 19 about DC funding be discussed together and there was no objection. He reminded Councillors to fill in the Declaration of Interests form on the table if necessary.

37. Councillors noted the financial position of the YTMDC as at 12 August 2013, and endorsed the allocation of funding for Items 5 to 19 (YTMDC Paper Nos. 62/2013 to 76/2013).

Item 20: Election of Chairperson of Organising Committee on Promotion of Civic Education for 2013-2014
(YTMDC Paper No. 77/2013)

38. The Chairman said that the position of Chairperson of the Organising Committee on Promotion of Civic Education under the YTMDC was vacated, and Councillors were required to re-elect the position.

39. The Chairman invited Councillors to nominate candidates for the Chairperson of the Organising Committee on Promotion of Civic Education, and Ms WONG Shu-ming nominated a candidate as follows:

	Nominee	Nominator	Seconder
Organising Committee on Promotion of Civic Education			
Chairperson	Mr HUI Tak-leung	Ms WONG Shu-ming	Mr CHAN Siu-tong Mr Derek HUNG

40. In the absence of other nominees, Councillors passed the appointment of Mr HUI Tak-leung as the Chairperson of the Organising Committee on Promotion of Civic Education.

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

**Item 23: Request for Increase of Subsidies for Actual Expenses Incurred by District Councillors
(YTMDC Paper No. 80/2013)**

42. The Chairman said that the written response of the HAD (Annex 1) had been distributed to Councillors for perusal before the meeting. He then welcomed Ms Betty HO, District Officer (Yau Tsim Mong) (“DO (YTM)”), to join the discussion.

43. Mr HUI Tak-leung supplemented the contents of the paper. He said that for the moment, District Councillors who had set up their ward offices in PRH estates only had to pay the concessionary rent to the HD, but for District Councillors who had set up their ward offices in private units, they would not be given any equivalent treatments. He hoped that the HAD would take heed of this unfair situation, and timely review the reimbursement arrangement for actual expenses incurred by District Councillors.

44. Ms Betty HO responded as follows:

- (i) She would relay to the HAD the views that Councillors had raised to The Hon IP Kwok-him regarding the functions and treatments of District Councillors.
- (ii) In May and early June 2013, the HAD had organised four focus group meetings on the review of District Councillors’ remuneration, allowance and expenses reimbursement (“remuneration package”), for District Councillors to attend. The HAD was currently taking forward the review on the arrangement of remuneration package.
- (iii) The HD would not provide any subsidy to District Councillors who set up their ward offices in PRH estates.
- (iv) The HAD noted that rents were high in certain districts (such as YTM District), and she would relay the situation to the HAD again.
- (v) Regarding Councillors’ concern over the issue of District Councillors unknowingly renting non-commercial or non-commercial/residential building units for use as their ward offices, she said that since the issue was not only a local one, she had consulted the HAD on the handling approach of similar cases, and would report to Councillors again in due course.

45. Ms WONG Shui-wah clarified that the HD would not provide any subsidy for Councillors setting up ward offices in PRH estates. Currently, the HD would set aside spaces in new PRH estates for Councillors to establish their offices at market rent. If any PRH ward office left vacant, the HD would notify Councillors through the LegCo Secretariat or the DC Secretariat in the area concerned.

46. The Chairman indicated that although Councillors who set up ward offices in PRH estates were required to pay market rent to the HD, the rental rate was still far below than that of private units. He urged the HAD to examine as soon as possible on how to assist Councillors in renting private units as offices in order to alleviate their rental burden.

47. Mr Francis CHONG said that it was hard to compare PRH's market rent with that of private units. In fact, the HD had indirectly rendered subsidy for Councillors who set up offices in PRH estates, it was grossly unfair to Councillors who rented private units for their offices. He hoped that the HAD could consider such situation and review proactively the corresponding allowance arrangement. Moreover, regarding the case that a District Councillor who contravened Deed of Mutual Covenant by renting a private unit for ward office, he opined that the Councillor spent the allowance only on running his office, the HAD should not immediately terminate the granting of allowance or even recover the allowed amount.

48. Mr WONG Kin-san pointed out that while reviewing the allowance arrangement of District Councillors, the Government should consider whether the remuneration for Councillors and salary for their assistants were proportional to the public's expectation on their work and actual workload. He also said that Miscellaneous Expenses Allowance (MEA) was used to cover daily operating expenses of ward offices. However, it was unreasonable that the amount was regarded as part of Councillors' taxable income.

49. Mr Barry WONG was dissatisfied that when re-elected District Councillors once claimed the SER during their previous term, they could just be entitled to 50% of the SER in the following term regardless of whether they had relocated, expanded or established their offices. He said that he had yet set up an office in his previous term but he had claimed the SER in that period of time, hence he could only claim 50% of the relevant reimbursement if he set up his office in the current term. He further said that, during the year, he had printed joint work reports with two appointed Councillors, but he forgot to specify his contact details on the report, the HAD therefore refused to reimburse them with the actual expenses incurred for printing the report, he felt helpless in this regard. In addition, he suggested that the Government provide ward offices for every elected Councillors in their respective constituencies. Nevertheless, in case any Councillor wanted to rent other premises for setting up their offices, they could continue to claim for allowance in accordance with the exiting mechanism.

50. The Chairman indicated that there was no PRH estate in the YTM District, so Councillors in the district had to rent units in commercial buildings for their ward offices. He hoped that the HAD could pay attention to such particular situation in the YTM District. He added that 80% electors in his constituency were residents of Home Ownership Scheme (HOS) so he had to rent a ground floor shop in a HOS estate for setting up his office, and the monthly rent reached as high as \$300 to \$400 per square metre. Furthermore, he hoped that the HAD could consider raising allowance for all DC Chairmen so that they could hire more secretaries to assist in handling clerical work for the sake of relieving workload of assistants to Councillors.

51. Mr Benny YEUNG said that Councillors setting up ward office in HOS estates under the HKHA would not receive additional subsidies from the HA. He suggested the HA consider providing the subsidy for Councillors who set up offices in HOS estates and requested the DO(YTM) to relay the relevant suggestions to the HAD.

52. Ms Betty HO responded that she would report in details the views of Councillors at the meeting to the HAD so that the department could consider the situation of the YTM District when reviewing the allowance arrangement for District Councillors.

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

Item 21: Reprovisioning of Shanghai Street Refuse Collection Point and Street Sleepers' Services Units to the Site at Hau Cheung Street, Yau Ma Tei for the Phase II Development of the Yau Ma Tei Theatre Project (YTMDC Paper No. 78/2013)

54. The Chairman welcomed the following representatives to the meeting:

- (a) Ms WONG Yuet-wah, Principal Assistant Secretary for Home Affairs (Culture) 2 and Ms Medy SHUM, Chief Executive Officer (Culture) 2B of the Home Affairs Bureau ("HAB");
- (b) Ms CHAN Wai-chun, District Social Welfare Officer (Kowloon City/Yau Tsim Mong) (Atg) of the Social Welfare Department ("SWD");
- (c) Ms Clare CHEUNG, Senior Manager (Kowloon East/Cultural Services) of the LCSD and Mr CHAU Kwun-tong, Senior Project Manager of the Architectural Services Department ("ArchSD");
- (d) Mr SAT Sing-hin, Senior Project Manager of the ArchSD;
- (e) Mr WONG Kam-wah, District Environmental Hygiene Superintendent (Yau Tsim) of the FEHD;
- (f) Mr CHAN Wai-tak, Senior Engineer/Kowloon District West of the TD;
- (g) Mr Tom YIP, Senior Town Planner/Yau Tsim Mong of the Planning Department ("PlanD"); and
- (h) Ms Sandy SIN, Senior Estate Surveyor/Kowloon South of the Lands Department ("LandsD").

55. Ms WONG Yuet-wah briefly introduced the paper. She said that the refuse collection point ("RCP") and street sleepers' services units at the junction of Waterloo Road and Shanghai Street had to be reprovisioned first for the Phase II Development of the Yau Ma Tei Theatre Project. The Authority had already submitted the project proposal in relation to the reprovisioning of the said RCP and street sleepers' services units to the site at Hau Cheung Street, Yau Ma Tei as soon as possible for vetting at the meeting of the Panel on Home Affairs of the LegCo on 15 April 2013 due to the urgency of the said project. However, the Panel did not support the Authority's submission of funding proposals to the Public Works

Subcommittee and the Finance Committee of the LegCo. The Panel on Home Affairs of the LegCo passed a motion requesting the Authority to separate the RCP from street sleepers' services units and relocate them into different lots. Moreover, some reprovisioning proposals had been suggested for the Authority's consideration. The relevant reprovisioning proposals were summarised in this YTMDC paper. Concerning the proposal nos.1 and 2 in the paper, the RCP and street sleepers' services units could not be reprovisioned in different lots due to the lack of other suitable locations for relocation. Besides, the site at Hau Cheung Street could not satisfy legal requirements in relation to the safety of two buildings as it was not spacious enough. As a result, the proposal no.3 in the paper was also infeasible. Therefore, the Authority was taking the revised proposal no.3 in the paper into consideration i.e. to enlarge the area of the site at Hau Cheung Street so that the RCP and street sleepers' services units might be able to be reprovisioned in two buildings. It was estimated initially that the two said facilities would still be built in an adjoining manner due to limited site area. The feasibility of this reprovisioning proposal could be confirmed only after more detailed studies on its technical feasibility had been completed, and therefore she would like to consult the views of Councillors on this proposal.

56. The Chairman would like to know how long the arrangement for reprovisioning took.

57. Ms WONG Yuet-wah responded that the studies on the feasibility of the revised proposal no.3 would take about three to four months to complete. After confirming that the said proposal was feasible, the relevant departments had to carry out detailed project design before submitting the project proposal to the LegCo for vetting in accordance with the established procedures.

58. Mr HUI Tak-leung said that the Community Building Committee ("CBC") had meetings on 10 Feb 2011, 5 May 2011, 25 August 2011 and 26 July 2012 to discuss about the relevant reprovisioning plan which was then endorsed by the CBC. However, the Legislative Councillors neglected that district consultation had been conducted for this plan and rashly objected it. He opined that it was equivalent to paying no respect to the YTMDC and he announced his withdrawal from this meeting to show his dissatisfaction.

(Mr HUI Tak-leung left the meeting temporarily at 4:58 p.m.)

59. The Chairman opined that the YTMDC should be more familiar with matters related to the YTM District than the LegCo and the Legislative Councillors had the responsibility to understand what had been discussed by the CBC concerning the reprovisioning plan as well as the response and follow-up actions of the departments before making decision on whether to accept the reprovisioning proposals. He recalled that the CBC had initially expressed views similar to the revised proposal no.3, but the Authority opined that the said proposal was infeasible and therefore Councillors agreed on the original proposal which was later submitted to the LegCo. However, the Authority requested the YTMDC to consider the revised proposal no.3 when the Legislative Councillors did not support the original proposal. In view of this, he opined that the Authority's practice was unfair to the YTMDC.

60. Ms WONG Yuet-wah explained that the original proposal had indeed been considered thoroughly. However, in order to gain the support of the Panel on Home Affairs of the LegCo for the funding application for the reprovisioning works, the Authority had to consider again the feasibility of reprovisioning the RCP and street sleepers' services units to separate sites in response to the panel's motion. She reiterated that the feasibility of the

revised proposal no.3 which involved slightly extending the area of the site at Hau Cheong Street had yet to be confirmed.

(Mr Francis CHONG left the meeting at 5:02 p.m.)

61. Mr WONG Kin-san said that the Authority had not yet confirmed the feasibility of the revised proposal no.3, and that if the proposal was not feasible technically, in order to commence the Phase II Development of the Yau Ma Tei Theatre as soon as possible, the Authority could only submit the original proposal again for Legislative Councillors' re-consideration. That being the case, he did not understand why the Authority still attended the meeting to seek Councillors' views.

(The Hon James TO joined the meeting at 5:03 p.m.)

62. Mr Benny YEUNG recalled that the CBC had discussed the reprovisioning project concerned again and again, and Councillors opined that the Shanghai Street RCP and street sleepers' services units had to be relocated to separate sites, but noted that it was not feasible at that time. As the Phase II Development of the Yau Ma Tei Theatre was urgent, and knowing that the outlook of the building accommodating the RCP and street sleepers' services units would put emphasis on achieving harmony with the community, the CBC endorsed the original proposal. However, the LegCo rejected the proposal without knowing its details. He opined that the Government should explain clearly the development of the matter to Legislative Councillors. In addition, he would like to know when the revised proposal no.3 could be implemented.

63. Mr Barry WONG pointed out that the Panel on Home Affairs opposed setting up street sleepers' services units above the RCP as it would not be fair to street sleepers. He said that he had raised the same view many times at previous meetings of the CBC. He supported the revised proposal no.3, and urged the Authority to commence the reprovisioning plan as soon as possible.

64. Mr CHAN Siu-tong said that the deferred launching of the reprovisioning plan had serious impacts on local residents, the street sleepers concerned and the Cantonese Opera sector. He hoped that the Authority could submit the original proposal or the revised proposal no.3 to the LegCo for vetting as soon as possible to avoid further delay in the reprovisioning plan.

65. The Chairman said that the repeated delay in the reprovisioning plan had impacts on the local residents, the street sleepers, the Cantonese Opera sector, the YTMDC as well as the LegCo.

66. Ms WONG Yuet-wah responded that it would take three to four months to complete the study on the technical feasibility of the revised proposal no.3 and over a year to complete the detailed design of the works. If the proposal was not adopted, the Authority would submit the original proposal to the LegCo as soon as possible. By then, the Authority would stress and reiterate the YTMDC's concerns and support for the original proposal.

67. Mr Benny YEUNG requested the Authority to explain clearly to Legislative Councillors the reason for re-submitting the original proposal. If the original proposal was turned down again, Legislative Councillors had to bear the consequences of repeated delay in

the reprovisioning plan.

68. Mr Derek HUNG said that Legislative Councillors opined that it was inhumane to set up street sleepers' services units above the RCP and therefore rejected the original proposal. He suggested the Authority to add on the current plan one or two floors between the RCP and street sleepers' services units for the provision of special community facilities when re-submitting the proposal to the LegCo. Apart from separating the RCP from street sleepers' services units, the added facilities might cater for uses that would meet the needs of the community. For instance, they could be served as emergency support centres in case of emergency, so as to reduce the need for borrowing community facilities that were already in severe shortage at the moment.

69. The Hon James TO pointed out that at the meeting of the Panel on Home Affairs on 15 April 2013, Councillors of various parties endorsed the following motion: "That this Panel calls on the Government to respect the dignity of street sleepers in the course of redeveloping the Yau Ma Tei Theatre and relocating the nearby street sleepers' shelter and refuse collection point, and to uphold the people-oriented principle by reprovisioning RCP and street sleepers' services units to separate sites as well as facilitating the access by street sleepers." He was not optimistic with the result of HAB's re-submission of the original proposal to the LegCo.

70. Mr Barry WONG indicated that the reprovisioning plan had been discussed for many times at YTMDC's CBC meetings in the current and previous term. Since the Government failed to find two suitable sites in the district for accommodating the Shanghai Street RCP and street sleepers' services units respectively, the CBC had to agree with relocating the two facilities to the same site even though the design of the proposed building might not be able to separate the two facilities. Since Legislative Councilors might not have a full picture of the reprovisioning plan, he suggested the YTMDC to send a letter to the Panel on Home Affairs to indicate YTMDC's support for the reprovisioning plan. Also government representatives, who would attend the panel, should declare YTMDC's stance on the reprovisioning plan.

71. Mr Derek HUNG suggested the Authority to consider his suggestion of building one to two additional storeys of community facilities in order to diversify the uses of the reprovisioned building, such as having some facilities for emergency response use. He requested the departments to study the feasibility of this suggestion, taking into account the base structure, construction and costs.

72. Mr Benny YEUNG stressed that the above-mentioned reprovisioning plan had been discussed at CBC meetings several times and different proposals had been studied. However, the Government indicated that the original proposal was the only feasible option. He urged the Authority to explain the concerned background information to Legislative Councilors. He continued that in the original proposal, street sleepers' services units would be provided above the RCP, while in the revised proposal no.3, street sleepers' services units would be built next to the RCP. There was indeed no big difference between the two options but if the latter was adopted, the reprovisioning plan might be postponed for at least a year.

73. Ms WONG Yuet-wah responded that regarding the suggestions of adding additional storeys to the building or using other facilities to separate the RCP and street sleepers' services units, many other concerns would need to be considered and relevant consultation would be required, which might further delay the reprovisioning plan.

74. Mr WONG Kin-san said that according to the paragraph 14 of the paper, the original proposal would be re-submitted to the LegCo if the revised proposal no.3 was not technically feasible. He would disagree if the Authority proposed the original proposal to the LegCo again on the ground that the YTMDC had been consulted on the original proposal.

75. Mr Chris IP said that the CBC had discussed the original proposal for many times and Councillors had opposed building street sleepers' services units above the RCP. However, the Government indicated that it was the only feasible proposal. But now when the Legislative Councilors rejected the original proposal, the Authority immediately requested the YTMDC to express views on other options again so that the new plan could be submitted to the LegCo for vetting. He considered the act disrespectful to the YTMDC and expressed great dissatisfaction.

76. The Hon James TO indicated that although the revised proposal no.3 might postpone the reprovisioning plan for a year, he supported it because the CBC had supported similar ideas before and the proposal was put forward by Legislative Councilors on the meeting of Panel on Home Affairs on 15 April 2013.

77. The Chairman reiterated that the YTMDC had proposed similar options in the past and supported the original proposal after knowing that the idea was not feasible. But once the Legislative Councilors opposed the original proposal, the Authority requested the YTMDC to reconsider the plan of reprovisioning the RCP and street sleepers' services units separately. He considered this act an ignorance of views of the YTMDC. Also, he enquired the Authority whether it had clearly explained to Legislative Councilors CBC's discussion on and arguments about the reprovisioning plan at that time.

78. Ms WONG Yuet-wah responded that in the paper submitted earlier to the LegCo's Panel on Home Affairs, the Government had explained that the concerned reprovisioning plan had been discussed at CBC meetings for many times and relayed CBC's request to commence the project as soon as possible. But the original proposal could not be implemented due to Legislative Councilors' opposition. Therefore, the Authority must take reference to Legislative Councilors' views and attempt to consider other reprovisioning plans and submit another proposal to the LegCo for vetting. If the revised proposal no.3 was not implemented, the Government would submit the original proposal again and call for Legislative Councilors to reconsider so that the reprovisioning plan and the subsequent Phase II Development of the Yau Ma Tei Theatre Project could be commenced as soon as possible.

79. The Chairman indicated that the YTMDC considered that no matter which reprovisioning proposal was adopted, the most important thing was to commence the reprovisioning plan as soon as possible so that the living environment of street sleepers currently living in Shanghai Street street sleepers' services units could be improved.

80. Mr Chris IP reiterated that the YTMDC urged the Authority to commence the reprovisioning plan as soon as possible so that the Phase II Development of the Yau Ma Tei Theatre Project could be implemented earlier and the living conditions of street sleepers currently living in Shanghai Street street sleepers' services units could be improved.

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

(The Hon James TO left the meeting at 5:38 p.m.)

**Item 22: Is the Government Performing So Poorly in Launching a District Project?
(YTMDC Paper No. 79/2013)**

82. The Chairman indicated that the written responses of the ArchSD and Tung Wah Group of Hospitals (Annexes 2 and 3) had been distributed to Councillors for perusal before the meeting. He then welcomed the following representatives to the meeting:

- (a) Mr CHAN Tsz-kin, Property Services Manager of the ArchSD;
- (b) Ms CHAN Wai-chun, District Social Welfare Officer (Kowloon City/Yau Tsim Mong) (Atg) of the SWD;
- (c) Ms Sandy SIN, Senior Estate Surveyor/Kowloon South of the LandsD;
- (d) Ms Christine YUEN, Senior Transport Officer (Yau Tsim Mong) of the TD;
- (e) Ms Betty Ho, District Officer (Yau Tsim Mong); and
- (f) Ms LAU Kim-wun, Supervisor of the Tung Wah Group of Hospitals Jockey Club Tai Kok Tsui Integrated Services Centre.

(Mr HAU Wing-cheong left the meeting at 5:39 p.m.)

83. Mr Derek HUNG supplemented the contents of the paper. He indicated that the HAD subsidised the implementation of the Creative Cube Social Enterprise, phase two of Sky Studio, under the Enhancing Self-Reliance Through District Partnership Programme in 2010. However, the programme had been delayed twice. He would like to know the current progress of the programme.

84. The Chairman indicated that the then District Social Welfare Officer (Kowloon City/Yau Tsim Mong) of the SWD and the Assistant District Officer (Yau Tsim Mong) had convened an inter-departmental meeting in July 2011 to discuss the above expansion programme. The government department representatives, who attended the meeting, had all expressed their support for the programme. However, the works had not yet commenced. He requested the Authority to explain the reason of delay in works.

85. Ms LAU Kim-wun indicated that the Tung Wah Group of Hospitals had consulted the views of nine government departments on the operation and fitting-out works of the programme. She further said that the ArchSD had coordinated with the FEHD to jointly improve the on-site environment of the Sky Studio. Moreover, the hoarding works of the Creative Cube Social Enterprise had been completed on 15 August 2013. The ArchSD would carry out leakage maintenance works between 19 and 25 August. Afterwards, the contractor would perform fitting-out works. It was expected that hoardings at Creative Cube Enterprise could be removed on 27 September and soft opening had been scheduled for 15 October 2013. She thanked government departments for their coordination efforts. She also thanked the Star Ferry Company Limited (“Star Ferry”) for their assistance as well as Councillors of YTMDC for their concern over the matter, so that the programme could be commenced smoothly.

86. Mr Derek HUNG indicated that District Officer (Yau Tsim Mong) had paid a visit at the Tsim Sha Tsui Star Ferry Pier on 15 January 2013 with representatives from several government departments. He and the Chairman, together with the former District Officer (Yau Tsim Mong), had urged the government departments concerned to launch the phase two of Sky Studio as soon as possible. However, the programme had been delayed twice,

showing that there were rooms for improvement in communication and coordination between government departments, and the TD should strengthen communication with the Star Ferry. He further said that the situation showed that District Officers played a vital coordination role in solving district issues. He hoped that government departments could learn from the lesson and strengthen their communication and coordination efforts. On the other hand, he asked the LandsD how to handle banners and pictures displayed at the pillars on the roof cover of Star Ferry Pier Plaza. Also, he asked the FEHD how to follow up on hawking activities in the vicinity of the pier. He also requested the government departments concerned to review the programme in three to six months after its implementation.

87. Mr Barry WONG hoped that the government departments and stakeholders participated in the programme could learn from the experience, so that District Partnership Programmes could be implemented more smoothly in future.

88. Ms LAU Kim-wun thanked Councillors again for their concern and support for Creative Cub Social Enterprise.

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

(Mr HUI Tak-leung returned to the meeting at 5:53 p.m.)

Item 24: Progress Reports

- (1) District Management Committee
(YTMDC Paper No. 81/2013)**
- (2) Community Building Committee
(YTMDC Paper No. 82/2013)**
- (3) District Facilities Management Committee
(YTMDC Paper No. 83/2013)**
- (4) Food and Environmental Hygiene Committee
(YTMDC Paper No. 84/2013)**
- (5) Housing and Building Management Committee
(YTMDC Paper No. 85/2013)**
- (6) Traffic and Transport Committee
(YTMDC Paper No. 86/2013)**
- (7) Working Group on Promotion of Tourism and Local Community
Economy
(YTMDC Paper No. 87/2013)**
- (8) Working Group on Publicity and Promotion
(YTMDC Paper No. 88/2013)**
- (9) Working Group on Concern for Yau Ma Tei Fruit Market
(YTMDC Paper No. 89/2013)**
- (10) Working Group on Care for the Community
(YTMDC Paper No. 90/2013)**
- (11) Working Group on Ethnic Affairs
(YTMDC Paper No. 91/2013)**

90. Councillors noted the contents of the progress reports.

Item 25: Any Other Business

(1) Police's Report on the Public Event Happened at Sai Yeung Choi Street South on August 4

91. Mr Duncan Stuart MCCOSH reported as follows:

- (i) There were two to three locations in Mong Kok which were often occupied by the Falun Gong and the Care for the Youth Group Association Hong Kong. The two organisations would from time to time conflict with each other and they had frequent conflicts recently. Since 1 January 2013, the Police had handled 33 dispute cases involving the two organisations at the scene, also there were complaints about street obstruction and noise nuisance, of which 22 cases involved criminal offences, such as criminal damage. In the past eight to nine months, conflicts between the two organisations had been intensified. The Police would handle every case in a fair and impartial manner having regard to the circumstances of individual cases.
- (ii) If the disputes between the above two organisations did not involve criminal elements, the Police would endeavour to separate them for mediation. However, under normal circumstances, the Police would not use force to separate different parties unless scuffles were involved.
- (iii) As to the incident happened at the Precinct on 14 July 2013, conflicts between the two parties were escalated and police officers were insulted by abusive languages. However, the Police still exercised restraint and resolved the issue promptly in a professional manner.
- (iv) The Police received notification from the Federation of Hong Kong Parents Association and Hong Kong Action on 29 July, requesting to hold a public meeting at the Precinct on 4 August to express their views on the incident happened on 14 July. On 31 July, the Police received notification of public meeting from another organisation of its intention to hold a public meeting at the Precinct on 4 August to express different views on the incident. The Police had met with those two parties and had been keeping track of the developments. It was the policy of the Police to facilitate all peaceful public events participated by members of the public while at the same time ensuring public order and safety.
- (v) On 4 August, each party sent wardens to maintain order and the Police had also made special manpower arrangements to facilitate the public meeting. There had been fierce arguments between the two parties and abusive languages were used by participants. However, no major violence was reported.
- (vi) As always, the Police respected the public's freedoms of expression, speech and assembly. In case of any contingency during public meetings, the Police would take corresponding actions depending on the circumstances and handle the incident in a fair and impartial manner. The Police also hoped that the public would respect them when they discharged their duties.
- (vii) It was inappropriate to hold large-scale public meetings at the Precinct, in

particular those which would cause conflicts among people with different views. They should not be held at the Precinct.

92. Mr Barry WONG affirmed the efforts of the Police and paid tribute to those who had discharged their duties according to the law and worked impartially without fear or favour.

93. Mr Derek HUNG praised the Police for handling numerous public meetings, processions and demonstrations which had taken place over the years in a professional manner. He also said that the Police should expedite the collection of evidence and prosecution procedures against illegal acts.

94. Mr CHOW Chun-fai said that shop tenants and residents living on both sides of the Precinct still remembered the chaotic situation happened on 4 August. He supplemented that the management of the Precinct had just been discussed at the meeting of the Traffic and Transport Committee on 18 July and the YTMDO would conduct local consultation on the opening hours of the Precinct. He urged government departments to work together to resolve properly the chaotic situation in the Precinct. He also thanked the Police for discharging their duties in an impartial manner.

95. Mr Duncan Stuart MCCOSH responded that there were clear internal guidelines on under what circumstances the Police should take prosecution actions but the Police would still take corresponding actions having regard to the circumstances of individual cases. He further said that he would not comment on individual cases. He hoped that problems associated with the Precinct could be resolved as soon as possible with existing resources. Moreover, he thanked Councillors for their comments on the management of the Precinct as well as the YTMDC and the public for their support to the Police.

96. Mr CHAN Siu-tong said that at the latest regular meeting of the Chairmen of Fight Crime Committees (“FCC”) of the 18 districts with the Commissioner of Police, the Commissioner of Police and the Chairmen of various FCCs praised the Mong Kok Police District for its hard work and dedication as well as its professional attitude in law enforcement.

97. The Chairman hoped that the public could respect police officers serving the public. Moreover, he thanked the Police on behalf of the YTMDC and residents of the Charming Constituency.

(2) Public Engagement Activity of Task Force on External Lighting

98. The Chairman said that the Task Force on External Lighting (“the Task Force”) set up by the Environment Bureau would organise a public engagement activity from 2 p.m. to 4 p.m. on 31 August 2013 (Saturday) at the Conference Hall, 4/F, Hong Kong Productivity Council Building, 78 Tat Chee Avenue, Kowloon Tong. The Task Force invited Councillors to attend the activity and give comments on the proposed switching-off requirements and implementation. The Secretariat would consult Councillors on whether they would attend the above activity later by circulation of papers. He further said that the Task Force would launch a new round of public engagement activity for two months until 18 October 2013.

(Mr Benny YEUNG left the meeting at 6:17 p.m.)

(3) Relocation of Mr HUI Tak-leung’s office

99. Mr HUI Tak-leung said that his office had been relocated to G/F, 503 Shanghai Street, Mong Kok on 1 August 2013.

100. There being no other business, the Chairman closed the meeting at 6:20 p.m. The next meeting would be held at 2:30 p.m. on 31 October 2013 (Thursday).

Yau Tsim Mong District Council Secretariat
September 2013

致：油尖旺區議會

「要求增加區議員實報實銷營運開支費用」

答覆：

我們定期檢討區議員的津助安排，以確保安排適切和與時並進。雖然區議員的津助由公帑支付，但區議員與政府之間並無僱傭關係。區議員的津助水平，要視乎社會接受程度。

2. 正如行政長官在 2013 年《施政報告》中公布，我們適當檢討區議員的津助，包括區議員租用辦事處方面的安排。同時，我們明白區議員在物色地方開設辦公室的困難。我們會繼續在資源許可下，盡力提供協助。

3. 我們已開展有關檢討津助安排的工作。我們已於今年 5 月底及 6 月初，舉辦了四場有區議員參與的聚焦小組，了解他們的訴求；並於 7 月中諮詢了區議會議員薪津獨立委員會的意見。我們會就建議方案諮詢立法會民政事務委員會。在完成諮詢後，如有需要，我們會就改善酬津安排的建議向立法會財務委員會尋求批准。

4. 為區議員提供津助的目的，是為了吸引來自不同界別和階層的人士出任區議員為市民服務。依照以往的慣例，任何建議如對區議員的津助安排帶來重大改變，都應在下一屆任期開始才會實施。

5. 最近兩次的區議員津助安排檢討於 2006 及 2010 年完成。有關的改善建議也於 2007 年至 2012 年全面實施。

6. 就區議員的營運開支，除了每年按照甲類消費物價指數作調整外，我們已亦分別於 2007 年 1 月及 2011 年 1 月，把營運開支償還款額分別上調 10% 及

15%。目前，區議員的營運開支償還款額為每年 304,704 元(即平均每月為 25,392 元)。現時的營運開支償還款額，涵蓋不同的支出項目，可讓區議員按其本人和辦事處的需要靈活和彈性運用。當中包括可用以支付辦公地方的租金和其他開支、助理的薪金、審計費用、印刷費、宣傳品開支和通訊費用等。區議員亦可根據自己的需要，考慮適當地增加聘用職員和其它開支的比例。而有關為租用私人樓宇或寫字樓的區議員增設特殊租金津貼的建議，未必符合設立營運開支償還款額一筆過撥款以提供較大彈性的原意。總括而言，議員的津助安排涉及公帑，我們必須在考慮公眾觀感以及回應區議員的訴求之間取得適當平衡。

7. 我們會細心考慮區議員對增加營運開支償還款額的意見，並會根據實際情況考慮調整議員的營運開支償還款額上限。

民政事務總署
二零一三年八月

建築署的書面回應

We received a repair request from "Tung Wah Group Hospitals" (TWGHs) in February for repairing water leakage from the roof of Blue Sky Gallery. Upon receipt of the repair request, we liaise with TWGHs for arrangement of the repair immediately. The repair work was completed in March.

In order to further improve the rainwater discharge system for Blue Sky Gallery, we are now arranging the replacement of the rainwater gutter above Blue Sky Gallery. The work is expected to be completed in this month.

我們在今年二月收到東華三院的來信，要求本署處理「南天藝廊」上蓋漏水的問題。得悉有關問題，我們立刻與東華三院聯絡及開展有關的維修工程。維修工程已於今年三月完成。

為了進一步改善「南天藝廊」上蓋的雨水排放裝置，我們正在安排更換「南天藝廊」上蓋的雨水槽，工程預算在本月底完成。

致：油尖旺區議會秘書處

有關尖沙咀碼頭第二期擴展計劃：
創意方塊社會企業最新跟進情況

在油尖旺民政事務專員於 2013 年 1 月 15 日與社會福利署、運輸署及地政署實地視察，及與各部門、天星小輪有限公司協調下，計劃有以下的進展：

1. 於 2013 年 1 月向相關部門提交計劃設計投標內容文件，以供諮詢修訂。
2. 獲本院董事局額外撥款支持項目，以應付各部門及天星小輪有限公司提出的關注和要求所增加的費用。
3. 把經修訂的設計要求，進行並完成投標程序，委託合資格承建商承辦工程。
4. 就計劃的運作及裝修工程，向 9 個政府部門（包括：民政事務處、社會福利署、運輸署、地政處、建築署、食物環境衛生署、路政署、消防處，以及水務署）正式致函諮詢，一併處理現場的天面漏水、為保障公眾安全而必須移除的掛牆及掛天面的電力裝置，現場地面擺放物品.....等事項。
5. 與建築署及食物環境衛生署協調有關維修天面、雨水渠及清拆現時藍天藝廊組合屋的日期，以便一併改善現場環境。漏水維修工程確定於 8 月 19 至 8 月 25 日進行。
6. 單位再次於 6 月 13 日獲民政事務總署批准延期 6 個月推行計劃，並與各部門及天星小輪有限公司協調、諮詢。
7. 單位於 7 月向各相關部門致函申請圍板開展工程，並邀請協助移除相關物件。
8. 經運輸署與天星小輪有限公司協調，大部份相關物件已於 8 月 6 日前移除。
9. 單位於 8 月 9 日接獲各部門回覆有關圍板開展工程，正式通知承建商可於 8 月 13 日開展工程。
10. 在各部門合作及協調下，單位於 8 月 15 日已完成圍板、拆除現址藍天藝廊組合屋，並交由建築署承建商於 8 月 19 日進行維修工程。

工程跟進：

1. 待建築署於 8 月 25 日完成漏水維修工程，本單位承建商即進行「創意方塊」社會企業的裝修工程，並於 9 月 27 日拆除圍板。
2. 9 月 28 日至 10 月 14 日單位進行內部裝修及員工培訓。
3. 10 月 15 日正式試業。

在此感謝各部門的協調，天星小輪有限公司的協助，以及區議會及各議員的關注，讓是項計劃能順利開展，為區內的弱勢社群創造就業和創業的機會。

提呈人：劉劍雲
東華三院賽馬會大角咀綜合服務中心主任

2013 年 8 月 19 日