

**LegCo Members' meeting with
Wan Chai District Council members
on 5 July 2001**

Issues raised by Wan Chai District Council members

At the above meeting, Wan Chai District Council (WCDC) members expressed concern about the fire safety requirements for old commercial buildings in Wan Chai district. The LegCo Members attended the meeting noted that the subject might involve the Buildings Department and the Fire Services Department (FSD). They finally decided that the subject be referred to the Panel on Planning, Lands and Works for consideration first.

2. The concerns of WCDC members are summarized below -
 - (a) WCDC members considered that the fire installation requirements for certain old commercial buildings which were now used for residential purposes should be relaxed. They requested LegCo Members to consider legislative amendments in this regard;
 - (b) WCDC members pointed out that the present fire safety requirements might not be applicable to certain old buildings in the district. Many of these old buildings were previously categorised as commercial buildings and were subject to stringent fire safety requirements. However, some six-storey commercial buildings which were built without elevators a long time ago were now inhabited by the elderly for residential purpose. According to the present legislation, FSD could require these buildings to provide fire safety facilities as those for commercial buildings, such as water tanks and sprinklers. WCDC members said that many elderly residents could not afford the costs for fire safety installations, and the structure of some of these old buildings might not permit such installation. They said that such installations did not match the actual usage of these buildings. The matter had been reflected to FSD but there was little progress; and
 - (c) WCDC members also expressed that probably due to manpower constraints, the departments concerned had not carried out site inspections before issuing installation orders to these buildings. They suggested that Government should first deal with those buildings which were actually used as commercial premises. They considered that as some old buildings in Wan Chai would probably be included in the urban renewal scheme, there was no point to execute the installation order for these buildings at this stage.

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17 October 2001

Clerk to Panel
(Attn : Mrs Queenie Yu)
LegCo Panel on Planning, Lands and Works
Legislative Council
Legislative Council Building
8 Jackson Road, Central
Hong Kong

Dear Mrs Yu,

LegCo Panel on Planning, Lands and Works

**Issues raised at LegCo Members' meeting
with Wan Chai District Council members on 5 July 2001**

Thank you for your letter of 26 September 2001.

2. As the issues raised in your letter fall within the responsibility of a number of bureaux and departments, we have consulted our colleagues in Security Bureau, Fire Services Department (FSD), Buildings Department (BD) and Home Affairs Department before responding to the points raised by LegCo/Wan Chai District Council (WCDC) members. A consolidated reply is set out below.

Fire Safety Requirements for certain old commercial buildings which are now used as residential premises

3. One of the main concerns of members of WCDC is the fire safety requirements for approved commercial buildings now converted for residential purposes in Wan Chai. It should be appreciated that the Administration has an obligation to ensure that people living in older buildings, including the buildings in question, are offered adequate fire protection under the Fire Safety (Commercial Premises) Ordinance (Cap. 502).

4. As regards enforcement actions under the said Ordinance, it is incumbent upon officers from FSD and BD to carry out joint inspections prior to issuance of fire safety improvement directions. A flexible and pragmatic approach has been adopted in taking such actions. Of the 198 fire service installation plans examined in the past three years, FSD required less than 10% of them (17 cases) to be fitted with standard-sized water tanks for the automatic sprinkler systems. For the remaining 90% cases, alternative arrangements such as a sprinkler system with water fed either from existing fire hydrant/hose reel tank or from the town's main and smaller water tanks were accepted.

5. The enforcement departments undertake the same flexible, pragmatic approach in dealing with the current use of old commercial buildings for habitation purposes. FSD/BD officers will follow up with the owner/occupier concerned to render necessary assistance to facilitate compliance with the statutory requirements and resolution of any practical difficulties. An extension of time to comply with the direction may be given where appropriate. In some cases, FSD/BD may determine that not all of the statutory requirements (e.g. sprinkler system) need be implemented or that some other alternative measures should be implemented. In exercising such discretion, FSD/BD will have to take into account all relevant considerations, including the building conditions and designs, fire service installations and fire safety construction currently in place, the specific use of the premises, the fire load and the flow of people, and assess the fire risk involved. Each case will be considered on its own merits.

Costs of the Fire Safety Requirements

6. The Administration has always been mindful of the financial burden the fire safety requirements have on property owners. For this

reason, a Fire Safety Improvement Loan Scheme had been put in place to provide financial assistance to affected owners. To make the loan even more flexible and accessible, we have replaced the above scheme by a new Comprehensive Building Safety Improvement Loan Scheme which came into operation in July this year. The new scheme covers both fire and building safety. Eligible owners now have recourse to a non-means-tested loan at low interest rate for all required works to their premises. Those in hardship, e.g. the elderly and other persons with very low income, will also be offered extra assistance in the form of longer repayment terms and interest-free loans.

Old Buildings included in the Urban Renewal Scheme

7. BD and FSD have also been applying the flexible and pragmatic approach to buildings which are subject to redevelopment by the Urban Renewal Authority. The fire safety measures required are limited to those absolutely essential or are waived altogether with reference to the time remaining before actual demolition. Moreover, under the Urban Renewal Strategy, we will introduce a maintenance costs reimbursement scheme to remedy property owners' losses due to improvement works required by authorities.

8. I trust the above response will prove useful. Should there be any further queries, please do not hesitate to contact us.

Yours sincerely,

(Parrish Ng)
for Secretary for Planning and Lands

c.c. Secretary for Security
Director of Fire Services
Director of Home Affairs
Director of Buildings