

7 January 2002

To: Members of LegCo Panel on Planning, Lands and Works

Dear Honourable Panel Members,

**Proposed Charging and Penalty System for Road Opening Works**

We refer to the letter dated 17 December 2001 from the Administration of Legislative Council and would like to provide our views on the above subject as follow:

1) Scheme Integrity

In general, there are a number of loop holes in the proposed system which should not be implemented until the utility undertakings arrive at a consensus over those issues. Some of the key issues are as follows:

- i) Controversial criteria for the determination of the road opening permit's first issue period.
- ii) Controversial criteria for waiving the proposed daily charge based on the economic cost for permit extension.
- iii) According to the conditions of permit, some items in the non-compliance checklist issued by Highways Department are not measurable.

2) Penalty or Delay Cost

There are insufficient details from government to substantiate the fee structure for the proposed daily charge based on economic cost of traffic delay.

3) Diversion Work

Utility services diversion or relocation works as requested by government departments or under the Railway Ordinance are carried out by the utility undertakings at their own expenses to facilitate the works of the Government or railway companies. We request that the utility undertakings need not bear the Permit Fee and economic cost under this situation.

4) Appeal System

We have concerns about the efficiency of the proposed Appeal System, which could cause delay in the commencement of work.

5) Alternatives to the proposed charging and penalty system

There are other alternatives which are more effective than the proposed scheme such as better town planning, common utility trough, better disposition of utilities, one-stop-shop permit application system etc. that the government should undertake to implement.

We hope that our views could assist in the discussion on the proposal at the meeting to be held on 15 January 2002.

Yours faithfully

Dennis Kwok  
Chief Engineering Officer