

**For discussion  
on 4 April 2005**

**LegCo Subcommittee  
to Study the Streamlining of Food Business Licensing**

**Licensing of Food Businesses at Langham Place, Mongkok**

**Purpose**

This paper sets out information on issuing of provisional and full licences to restaurants and other food businesses at Langham Place, Mongkok.

**Background**

2. Langham Place is a new shopping mall with a number of food premises located on different floors. As at 28 February 2005, the Food and Environmental Hygiene Department (FEHD) received 37 applications for food licences (30 restaurants and 7 non-restaurants).

3. The licensing position of these 37 applications is described in the following paragraphs.

**Issue of Provisional Licence**

4. Of the 37 applications, one applied for a full licence only while the others applied for a provisional licence in addition to a full licence. All 36 food premises are now operating under a provisional licence. The remaining food business applied for a full licence to operate a food factory which is under processing.

5. According to the records of FEHD, all applications for provisional licence were issued with letters of requirements within 20 working days from the date of application, except for three cases due to the following special reasons. Two applicants requested postponement of the scheduled dates of the Application Vetting Panel meeting. The

remaining application was issued with a Category 3 objection by the Buildings Department due to insufficient provision of means of escape. The letter of requirement was subsequently issued within 7 days when the Category 3 objection was resolved.

6. Of the 36 applications for provisional licence, 14 took less than 30 working days to obtain the provisional licence, including 6 which took 21 working days or less. The remaining 22 applications took a longer time for issue of the licence (ranging from 34 to 141 working days), depending on when they were able to submit the required certificates of compliance on health/hygiene, fire services, ventilation, and building safety respectively. For all 36 cases, FEHD issued the applicants with a provisional licence within the same day upon receipt of the required certificates.

7. Although some of the applicants at Langham Place appeared to be experienced food business operators and should be well aware of FEHD's licensing regime, not all of them observed the legal requirement for obtaining a food licence before commencement of business. Two applicants submitted application for licence only after FEHD initiated prosecution action against them for conducting unlicensed food businesses. They subsequently obtained a provisional licence in 12 and 18 working days respectively.

### **Issue of Full Licence**

8. As at 15 March 2005, two applications (a restaurant and a bakery) were issued with full licences. Issue of full licences to the remaining applicants is pending upon report of compliance by the applicants on the requirements in respect of health/hygiene, fire services, ventilation and building safety as applicable.

9. Details of the licensing position of the restaurants and non-restaurant food businesses at Langham Place are at **Annex I and Annex II.**

## **Advice Sought**

10. Members are requested to note the licensing position of restaurants and other food businesses at Langham Place as described above.

**Health, Welfare and Food Bureau**  
**Food and Environmental Hygiene Department**  
**March 2005**

**Licensing of Food Premises (Restaurant) at Langham Place, Mongkok**

Serial No.	Nature of Business  (Remarks : GR : General Restaurant LRR: Light Refreshment Restaurant)	Date of Application for Provisional (P) and Full Licence	Date of Application Vetting Panel(AVP) Meeting / Date of Issue of Letter of Requirements (L/R) for P and Full Licence	No. of Working days between date of application and date of issue of L/R	Date of producing valid FEHD/ FSD/ BD Certificates	Date of Issue of P-Licence	No. of Working Days from Application to Issue of P-Licence	Date of complying FEHD, FSD, BD requirement(s) for issue of full licence				List of Major outstanding requirements for issue of full licence (1) Final layout/ventilating system plan (2) Fire Services Certificate (3) Letter of Compliance for Ventilating System (4) BD's Category(Cat) 1 & 2 &3 requirements ( Cat 1 – conditions to be adhered to at all time, e.g Means of escape to be free from obstruction ; Cat 2 – certification on fire resistant period of door, calculation re loading of floor slab ; Cat 3 – removal of unauthorized structure )
								FEHD	FSD	FSD (VENT)	BD	
1	GR	2/12/2003	9/1/2004	25 (The date of AVP meeting was postponed upon applicant's request)	30/6/2004		141 *	29/12/2004	- pending -		29/12/2004	outstanding requirements No. (2) & (3); (provisional licence was renewed)
2	GR	2/12/2003	9/1/2004	25 (The date of AVP meeting was postponed upon applicant's request)	30/6/2004		141 *	29/12/2004	pend- ing	22/1/2005	29/12/2004	outstanding requirement No. (2) only; (provisional licence was renewed)

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								FEHD	FSD	FSD (VENT)	BD		
				request)									
3	GR	25/8/2004	17/9/2004	17	2/11/2004		46 *					- pending -	outstanding requirements No. (1), (2), (3) & (4).
4	GR	26/8/2004	17/9/2004	16	22/11/2004		59 *					- pending -	outstanding requirements No. (1), (2), (3) & (4).
5	GR	27/8/2004	24/9/2004	20	23/11/2004		59 *					- pending -	outstanding requirements No. (1), (2), (3) & (4).
6	GR	10/9/2004	8/10/2004	18	1/12/2004		55 *					- pending -	outstanding requirements No. (1), (2), (3) & (4).
7	GR	16/9/2004	15/10/2004	19	16/12/2004		62 *					- pending -	outstanding requirements No. (1), (2), (3) & (4).
8	GR	28/9/2004	29/10/2004 (L/R issued on 2/12/2004 because of BD's Cat.3 objection.	44	6/12/2004		46 (Because of BD's Cat.3 objection, Letter of Requirements was not issued on the date of AVP.					- pending -	outstanding requirements No. (1), (2), (3) & (4).

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								FEHD	FSD	FSD (VENT)	BD	
			Applicant submitted revised plan on 23/10/2004 and Cat. 3 objection was resolved with BD on 22/11/2004. )				Applicant submitted revised plan on 23/10/2004 and Cat. 3 objection was resolved with BD on 22/11/2004)					
9	GR	4/10/2004	29/10/2004	18	24/11/2004		36 *	14/3/2005	14/2/2005	22/2/2005	20/1/2005	Nil (Full licence was issued on 15/3/2005. No. of working days from Application to issue of full licence : 111 days)
10	GR	6/10/2004	29/10/2004	16	30/11/2004		38 *	- pending -				outstanding requirements No. (1), (2), (3) & (4).
11	GR	7/10/2004	5/11/2004	20	8/12/2004		43 *	- pending -				outstanding requirements No. (1), (2), (3) & (4).
12	GR	7/10/2004	5/11/2004	20	8/12/2004		43 *	- pending -				outstanding requirements No. (1), (2), (3) & (4).

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								FEHD	FSD	FSD (VENT)	BD	
13	LRR	7/10/2004	5/11/2004	20	22/12/2004		53 *	pend- ing	31/1 /2005	- pending -		outstanding requirements No. (1), (3) & (4).
14	LRR	8/10/2004	5/11/2004	19	16/11/2004		26			- pending -		outstanding requirements No. (1), (2), (3) & (4).
15	GR	13/10/2004	5/11/2004	16	19/11/2004		26			- pending -		outstanding requirements No. (1), (2), (3) & (4).
16	LRR	14/10/2004	12/11/2004	20	7/12/2004		37 *			- pending -		outstanding requirements No. (1), (2), (3) & (4).
17	LRR	26/10/2004	19/11/2004	18	2/12/2004		27	pend- ing	31/1 /2005	pend- ing	pend- ing	outstanding requirements No. (1), (3) & (4).
18	GR	27/10/2004	19/11/2004	17	26/11/2004		22	pend- ing	31/1 /2005	9/12 /2004	pend- ing	outstanding requirements No. (1) & (4).
19	GR	28/10/2004	19/11/2004	16	2/2/2005		68 *			- pending -		outstanding requirements No. (1), (2), (3) & (4).
20	GR	1/11/2004	26/11/2004	19	30/11/2004		21			- pending -		outstanding requirements No. (1), (2), (3) & (4).
21	GR	5/11/2004	3/12/2004	20	4/12/2004		20			- pending -		outstanding requirements No. (1), (2),

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								FEHD	FSD	FSD (VENT)	BD		
													(3) & (4).
22	LRR	5/11/2004	3/12/2004	20	8/12/2004		23					- pending -	outstanding requirements No. (1), (2), (3) & (4).
23	LRR	10/11/2004	3/12/2004	17	4/12/2004		17					- pending -	outstanding requirements No. (1), (2), (3) & (4).
24	GR	16/11/2004	10/12/2004	18	14/12/2004		20					- pending -	outstanding requirements No. (1), (2), (3) & (4).
25	GR	19/11/2004	17/12/2004	20	24/12/2004		25					- pending -	outstanding requirements No. (1), (2), (3) & (4).
26	LRR	19/11/2004	17/12/2004	20	7/1/2005		34 *					- pending -	outstanding requirements No. (1), (2), (3) & (4).
27	LRR	1/12/2004 (The applicant was prosecuted on 30/11/2004 for running unlicensed business before submitting application for	24/12/2004	17	28/12/2004		18					- pending -	outstanding requirements No. (1), (2), (3) & (4).



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								FEHD	FSD	FSD (VENT)	BD	
		licence on 1/12/2004)										
28	GR	17/12/2004	14/1/2005	19	8/2/2005		36 *					outstanding requirements No. (1), (2), (3) & (4).
29	LRR	22/12/2004	14/1/2005	16	11/3/2005		53 *					outstanding requirements No. (1), (2), (3) & (4).
30	GR	5/1/2005	28/1/2005	17	7/2/2005		23					outstanding requirements No. (1), (2), (3) & (4).

\* The provisional licence could not be issued earlier as the applicant took a longer time to submit the relevant certificates required by the Food and Environmental Hygiene Department, the Fire Services Department and the Buildings Department.

**Licensing of Food Premises (non-restaurant) at Langham Place, Mongkok**

Serial No	Nature of Business (Remarks FF : Food Factory)	Date of Application for Provisional (P) and Full Licence  (Date of resubmission of acceptable layout plan)	Date of clearance from FSD and BD	Date of Issue of Letter of Requirements (L/R) for P and Full Licence	Date of producing valid FEHD/ FSD/BD Certificates	Date of Issue of P-licence	No. of Working Days from Application to Issue of P-licence	Date of Issue of Full Licence	No. of Working Days from Application to Issue of Full Licence	List of Major outstanding requirements for issue of full licence- (1) Final layout/ventilating system plan (2) Fire Services Certificate (3) Letter of Compliance for Ventilating System (4) BD's Category(Cat) 1, 2 & 3 requirements (Cat. 1 –conditions to be adhered at all time, e.g Means of escape to be free from obstruction ; Cat. 2 – certification on fire resistant period of door, calculation re loading of floor slab etc Cat. 3 – removal of unauthorized structure)
1	Bakery	2/12/2003	14/1/2004	20/1/2004	30/6/2004		142 *	14/3/2005	317	Nil (Requirements No. (1) to (4) met and last outstanding Certificate on Fire Services received on 7/3/2005)
2	FF	23/7/2004 (17/9/2004) (Apply for full licence only)	--	28/09/2004 (Apply for full licence only)	--		--	--	--	Outstanding requirements No. (1), (2), & (4). (Requirement No.(3) not required)
3	FF	27/08/2004 (28/10/2004)	13/11/2004	20/11/2004	29/11/2004		62 *	--	--	Outstanding requirements No. (1) & (4). (Requirement No.(2) complied with and No. (3) not required)
4	FF	20/9/2004 (30/9/04)	16/11/2004	20/11/2004	2/12/2004		51 *	--	--	Outstanding requirements No. (1), (2), & (4). (Requirement No.(3) not required).
5	FF	13/10/2004 (27/10/2004)	18/11/2004	24/11/2004	29/11/2004		32 *	--	--	Outstanding requirements No. (1), (2), & (4). (Requirement No.(3) not required).
6	FF	9/11/2004 (23/11/2004)	15/12/2004	15/12/2004	17/12/2004		28	--	--	Outstanding requirements No. (1), (2) & (4). (Requirement No.(3) not required)
7	FF	2/12/2004 (The applicant was prosecuted for running	--	17/12/2004	18/12/2004		12	--	--	Outstanding requirements No. (1), (2), & (4). (Requirement No.(3) not required)

Serial No	Nature of Business (Remarks FF : Food Factory)	Date of Application for Provisional (P) and Full Licence (Date of resubmission of acceptable layout plan)	Date of clearance from FSD and BD	Date of Issue of Letter of Requirements (L/R) for P and Full Licence	Date of producing valid FEHD/ FSD/BD Certificates	Date of Issue of P-licence	No. of Working Days from Application to Issue of P-licence	Date of Issue of Full Licence	No. of Working Days from Application to Issue of Full Licence	List of Major outstanding requirements for issue of full licence- (1) Final layout/ventilating system plan (2) Fire Services Certificate (3) Letter of Compliance for Ventilating System (4) BD's Category(Cat) 1, 2 & 3 requirements (Cat. 1 –conditions to be adhered at all time, e.g Means of escape to be free from obstruction ; Cat. 2 – certification on fire resistant period of door, calculation re loading of floor slab etc Cat. 3 – removal of unauthorized structure)
		unlicensed business on 30/11/2004 before submitting application for licence on 2/12/04)								

Note : There is no Application Vetting Panel Meeting for other food licence

\* The provisional licence could not be issued earlier as the applicant took a longer time to submit the relevant certificates required by the Food and Environmental Hygiene Department, the Fire Services Department and the Buildings Department.