

**Extract from the minutes of the meeting between LegCo Members and
Wan Chai District Council members on 3 April 2003**

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VI. Policy on resumption of private streets

31. Mrs Peggy LAM pointed out that under the existing legislation, the resumption of private streets, in which there were private buildings with protruding balconies, would give rise to the “trespassing problem”. She was of the view that the Administration could consider amending the relevant legislation to repeal the restriction on trespassing.

32. Mr LO Tin-sown said that the resumption of private streets involved not only the ownership of the streets but also the issue of repair and maintenance, as well as the responsibility relating to accidents. He pointed out that both private and government streets could be found in the neighbouring areas along Thomson Street in Wan Chai and the Government might consider resuming the private streets just to facilitate the access of vehicles without bothering with the trespassing problem.

33. Mr Eric LI considered that the problems faced by the Government in resuming private streets mainly concerned compensation, maintenance and management. It could purchase the ownership of the streets concerned but that would require large sums of public money which would be hard to secure under its present stringent financial situation.

34. Ms Ada WONG pointed out that the Administration did not resolve the problem of private streets even when the property market was booming and its financial position sound, and it might mean that the problem was not just a matter of compensation. It was also possible that the Administration found no urgency in pursuing the solution actively. She considered that the Administration could draw from the successful experience in the resumption of other streets, such as those in Shiu Fai Terrace on Stubbs Road, in the future resumption. She was also of the view that the Administration could consider dealing with the issues of ownership and management separately. With the help of the respective DC as the co-ordinator, the Administration could make an agreement with the owners of the private streets and take up the management of the streets.

35. Mr SUEN Kai-cheong agreed to Ms WONG’s views and opined that the Administration could consider increasing the plot ratio of the buildings in private streets in exchange for the ownership of the streets.

Action

36. Mr IP Kwok-him also agreed to Ms WONG's views. He pointed out that private streets was one of the problems in the old areas. Other than Wan Chai, Kowloon City, Central and Western, and Eastern Districts also had the same problem. There were many issues involved in private streets, which had to be addressed by the Government in a serious and proactive manner.

LegCo
Secretariat

37. The Convenor decided to refer this issue to the Panel on Home Affairs.

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