

## **Panel on Planning, Lands and Works**

### **Follow-up to meeting on 20 October 2006**

#### **Unauthorised occupation of government land by shop-front extensions**

- At the meeting of the Legislative Council Panel on Planning, Lands and Works on 6.10.2006, Members expressed concerns about unauthorised occupation of government land<sup>1</sup> by shop-front extensions. The Secretary for Housing, Planning and Lands undertook to provide after the meeting information on Government's enforcement action in this respect.
- The shop-front extension problem is primarily a street management issue. Relevant departments have taken appropriate joint action against illegal shop-front extensions from time to time in order to maintain a smooth passageway for pedestrians as well as to keep the streets clean and tidy.
- Shop-front extensions, illegally erected on private or government land, consist of mainly overhead projections or ground level encroachments such as extended side posts and floor slabs. These illegal structures are generally dealt with by Buildings Department (BD) and/or Lands Department (LandsD) under the Buildings Ordinance (Cap.123) and the Lands (Miscellaneous Provisions) Ordinance (Cap.28).

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<sup>1</sup> Legal actions to recover land in adverse possession are subject to a period of limitation. In the case of government land, the limitation of actions is 60 years, not 20 years from the date of bringing the actions.

- Various departments including LandsD, BD, District Offices, the Police, Food & Environmental Hygiene Department and Highways Department have also taken joint action to tackle the black-spots to reinforce the deterrent effect.
- Last year, LandsD took part in about 114 joint clearance operations and assisted in the clearance of illegal shop-front extensions erected on government land. LandsD would continue to co-operate with other departments in future clearance operations against unauthorized shop front extensions.
- Regarding unauthorized structures erected on private land, BD is committed to its established enforcement policy, under which priority is accorded to removing illegal structures posing imminent danger to the public.
- Since 2001, BD has selected 1,000 buildings each year for removal of external unauthorized building works including shop-front extensions. In the past year, BD successfully removed 756 shop front extensions.

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