

**For Discussion
on 12 January 2009**

LegCo Panel on Food Safety and Environmental Hygiene

Allocation Method of Vacant Fixed Hawker Pitches

Purpose

This paper sets out the background of and stakeholders' views on the method for allocating vacant fixed hawker pitches and invites Members' comments on the allocation arrangements.

Background

2. Street hawking has a long history in Hong Kong. It provides job opportunities and members of the public may find a cheaper source of goods. However, such activities may give rise to environmental hygiene problems and cause obstruction to passageways. Therefore, since the early 1970's, the former Urban Council had stopped issuing new hawker licences under normal circumstances and imposed stringent restrictions on succession to and transfer of hawker licences already issued, with a view to gradually reducing the number of hawkers by natural attrition. In recent years, the number of hawkers has declined significantly. There are also views from the community to retain and revitalise the hawking trade because of its traditional characteristics. In this connection, the Administration conducted a review of the hawker licensing policy in 2008.

3. At its meetings on 10 February, 10 March and 14 April last year, the LegCo Panel on Food Safety and Environmental Hygiene ("the Panel") discussed in detail the Administration's proposals on hawker licensing policy review and listened to the views of District Councils ("DCs"), hawker associations and other stakeholders. As set out in paragraph 10 of LC Paper No. CB(2)782/08-09(3), DCs and hawker associations held different views on the question of who should be issued with new fixed pitch hawker licences and how this should be done. Most of the DCs which supported the issue of new licences had no strong view on who should be licensed, while there were individual DC members who suggested that priority be given to registered assistants of licensed hawkers. Hawker associations considered that in relation

to any vacant fixed pitch, the fixed pitch hawker operating in the adjacent pitch should first be invited to take it up. If the adjacent fixed pitch hawker had no intention to do so, existing registered assistants with experience in the hawking trade should be given priority to select the vacant pitch. Any vacant pitches left could be open to application from members of the public. Some hawker associations proposed prescribing a ratio of vacant pitches for application by existing registered assistants and members of the public.

4. Having considered the views of stakeholders, the Administration proposed in paragraph 11 of the above LegCo paper to give priority to fixed pitch hawkers in the front row in taking up adjacent vacant fixed pitches in the back row. If there are still vacant pitches after selection by front row fixed pitch hawkers, applications will be invited in a fair and open manner so that anyone interested in the hawking trade will have an equal opportunity to apply. The priority of pitch selection will be decided by balloting. This is a fair and reasonable arrangement as it allows existing registered assistants to submit applications while other people will also have an equal opportunity to join the hawking trade. According to the minutes of meetings concerned, there were views in the Panel that priority should be given to registered assistants in the allocation of vacant pitches and, at the meeting on 14 April, the Panel supported the policy direction with regard to hawker licensing as set out in LC Paper No. CB(2)782/08-09(3).

Current Situation

5. The Administration has since been handling licensing matters relating to vacant fixed hawker pitches in accordance with the method set out in the said paper. Priority selection of vacant fixed pitches in the back row by licensed hawkers in the front row has now been completed. As to the remaining vacant fixed pitches, after consultation with various DCs, we have identified a total of 208 pitches available for re-allocation to members of the public, including five in the Southern District, 11 in Yau Tsim Mong, 82 in Kowloon City and 110 in Sham Shui Po. There are another 95 vacant pitches in Central and Western District (12 pitches) and Sham Shui Po District (83 pitches)*, the availability of which will be decided after further discussion and consideration by the relevant DCs.

6. In accordance with the proposal set forth in LC Paper No. CB(2)782/08-09(3), the Administration intends to openly invite those interested

* There are a total of 193 vacant fixed pitches in Sham Shui Po, of which 110 have been agreed by the DC for re-allocation and the availability of 83 is still pending further discussion.

in the hawking trade to apply for the vacant pitches mentioned in paragraph 5 above, with the pitch selection priority to be decided by balloting. As some hawker associations recently reiterated their suggestion that priority be given to existing registered assistants in the selection of vacant fixed pitches, the Panel has decided to invite the relevant associations to its meeting to present their views.

Advice Sought

7. Members are invited to comment on the allocation arrangements for vacant fixed hawker pitches.

**Food and Health Bureau
Food and Environmental Hygiene Department
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