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## Review of the hawker licensing policy: From welfare to creating job opportunities

We welcome the renewal and issue of new hawker licenses, and we urge for a more comprehensive review of the Hawker Licensing Policy.

### **1. Change policy from 'Clean Hong Kong' to 'Vibrant Hong Kong'**

Hawker licensing should no longer be regarded as part of street cleansing under "Clean Hong Kong" policy of the Food and Environmental Hygiene Department, but should be regarded as an economic services opportunity important for the vibrancy of our street life and economy. To do so successfully will require a pro-active policy of designating areas, issuing of limited tenure licences, and providing quality area management.

### **2. Ensure the welfare of existing hawkers – but limit the tenure of new licenses**

The livelihood of existing hawkers should be guaranteed till the death or retirement of an existing license holder. In case a hawker pitch has to be removed an alternative location or compensation must be offered.

However, new licenses should have a limited tenure to ensure a competitive and vibrant market environment, and to ensure greater control over the quality of operations, the mix of services offered, and the quality of pitches used.

### **3. Separate the 'designation of hawker areas' from 'licensing policy'**

The designation of areas for hawkers and the number and size of pitches should become a deliberate policy with a mechanism involving both the Government, district councils and the community. These areas should be marked on administrative and statutory plans to ensure that they are well recognized. We propose to distinguish between:

- 'Single hawker permitted place' (i.e. for a newspaper stand).
- 'Permanent hawker permitted area' (a pedestrian precinct, promenade or portion of a pleasure ground designated for a permanent open air bazaar with fixed pitches and support facilities – such as the ladies market, central market).

- ‘Temporary hawker permitted area’ (a street, pedestrian precinct, promenade, portion of a pleasure ground, or vacant land designated for temporary open air bazaar – either regular or once off – with relevant support infrastructure – such as early-morning markets “Tin Kwong Hui” in Tin Shui Wai, Wah Fu, night markets in Yau Ma Tei, holiday markets like the Kam Sheung Road Flea Market, book fairs, CNY and mid autumn markets, etc.
- ‘Hawker permitted zones’ (areas where mobile itinerant hawkers can operate subject to area specific guidelines and the conditions of their license).

#### **4. The design and management of hawker areas**

The number of open-air wet markets, cooked food bazaars, and Dai Pai Tongs can be expanded as long as these are well planned. To minimize the risk of nuisance, obstruction and environmental hygiene, designated areas should include drainage, electricity, water, storage and access. Areas must be well managed including traffic and cleansing. In planning and designing hawker areas, the drainage, refuse transfer and cleansing should consider the permitted type of goods and services (dry, wet, food, cooked food).

#### **5. Enhance existing hawker pitches and areas**

To date, markets and hawkers have been condoned pending their extinction, resulting in dilapidated and unhygienic situations. Hygiene, nuisance and obstruction problems are a direct result of the accidental location of pitches and lack of management and lack of support infrastructure.

Existing hawkers must be permitted to upgrade and enhance their pitch, and adjustments must be made to their permitted size and location based on local circumstances. The location of existing pitches must be reviewed and rationalized. New locations must be found for pitches which are causing obstruction.

The current permitted pitch sizes may well be unrealistic and should be reviewed based on the actual practice. One hawker license holder can only be allowed to operate one pitch and in no instance should the illegal occupation of adjacent pitches be normalized.

#### **6. New licenses needed urgently**

New license holders are required urgently to maintain the critical mass of existing markets, and to stop their dilapidation.

Having stopped issuing new hawker licences in the 1970’s, retirement and death of the remaining license holders is resulting in a growing number of vacant pitches in Graham and Peel Street, and illegal occupation in Mongkok.

These markets must be recognized as important assets to be safeguarded and revitalized.

#### **7. Broaden the scope of trades which are permitted in public space**

The scope of trades recognized and permitted could and should be expanded.

There are an increasing number of temporary bazaars where goods and services are promoted and sold, and there is a latent demand for more book fairs, flower markets, second hand markets, festivals and carnivals on a ad-hoc or regular (annual/weekly) basis.

There is a range of private activities on public space which overlap and are currently poorly looked after: 'outside seating'; promotions in public spaces; the display of wares outside shops on footpaths and performances in public spaces.

The collection and sorting of waste for recyclable materials, as well as the handling of small renovation waste and household junk, are trades which require designated public areas and could and should be managed with hawker licenses. This would reduce fly tipping and increase recycling, and allow for more pro-active management.

With the diversification of public space, the policy review should not only cover the streets and side walks, but also include unallocated Government land, pleasure grounds, the new harbourfronts, as well as public spaces and passages on private land.

## **8. New hawker licensing**

To keep the trade vibrant and to afford opportunities to those who want to enter, any and all new hawker licenses must be limited in tenure to three years and to one pitch only. The size of pitches is subject local circumstances. New licenses should be issued following an auction or other fair system. Tender marking includes previous experience, clean record, and contribution to service mix available in an area. New hawker licenses can be made subject to the completion of a test to ascertain the knowledge of relevant rules and regulations.

## **9. Itinerant (mobile) hawker licensing**

Although we support that mobile hawkers are strictly controlled in line with the capacity of a specific trading zones, we believe that a more flexible approach is required. Mobile hawker licenses should have conditions related to the type of pitch they use (car/van, bike, push cart, sandwich board/banner), the goods/services they sell or promote and the zone(s) they can operate in. Issuing itinerant licenses must be made subject to the approval of the mobile pitch. A system must be adopted which allow operators to propose new mobile pitch types for approval.

In addition to ice cream, other food products should be allowed subject to the quality of the pitch, including chest nut, tofu dessert, pancakes and peanut candies which are part of Hong Kong's culture. With the expansion of 'promotional hawkers' using banners, stands or vans, the itinerant hawker licensing has to be expanded to cover the sale of products, services and promotions.