

立法會
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Panel on Home Affairs and Panel on Development

**Joint Subcommittee to Monitor the Implementation of the
West Kowloon Cultural District Project**

**Minutes of meeting
held on Tuesday, 29 March 2011, at 10:45 am
in Conference Room A of the Legislative Council Building**

Members present : Hon IP Kwok-him, GBS, JP (Chairman)
Hon LEE Wing-tat (Deputy Chairman)
Hon James TO Kun-sun
Hon CHAN Kam-lam, SBS, JP
Hon Mrs Sophie LEUNG LAU Yau-fun, GBS, JP
Hon Emily LAU Wai-hing, JP
Hon Abraham SHEK Lai-him, SBS, JP
Hon CHEUNG Hok-ming, GBS, JP
Prof Hon Patrick LAU Sau-shing, SBS, JP
Hon Starry LEE Wai-king, JP
Hon CHAN Hak-kan
Dr Hon Priscilla LEUNG Mei-fun
Hon CHEUNG Kwok-che
Hon Paul TSE Wai-chun
Hon Alan LEONG Kah-kit, SC
Hon Tanya CHAN

Members absent : Ir Dr Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP
Hon WONG Yung-kan, SBS, JP
Hon Timothy FOK Tsun-ting, GBS, JP
Hon Cyd HO Sau-lan
Hon WONG Sing-chi
Hon WONG Yuk-man

Public Officers : Agenda item II
attending

Home Affairs Bureau

Miss Salina YAN, JP
Deputy Secretary for Home Affairs (3)

West Kowloon Cultural District Authority

The Honourable Ronald ARCULLI, GBM, GBS, JP
Member, Board of the West Kowloon Cultural District
Authority and Chairman, Development Committee

Mr SIN Chung-kai, SBS, JP
Member, Board of the West Kowloon Cultural District
Authority and Chairman, Remuneration Committee

Dr CHAN Man-wai
Executive Director, Project Delivery

Mr Garmen CHAN
Executive Director, Communications and Marketing

The Public Policy Research Institute, The Hong Kong
Polytechnic University

Prof Peter YUEN
Principal Investigator

Dr Vincent LAW
Project Fellow

Clerk in : Mr Thomas WONG
attendance : Chief Council Secretary (2)2

Staff in : Ms Alice LEUNG
attendance : Senior Council Secretary (2)2

Ms Yvonne OA-YANG
Council Secretary (2)2

Miss Monique TSEUNG
Legislative Assistant (2)2 (Acting)

Action

I. Confirmation of minutes

[LC Paper No. CB(2)1350/10-11]

The minutes of the meeting on 14 January 2011 were confirmed.

2. The Joint Subcommittee deliberated (index of proceedings at **Annex**).

II. Meeting with the Administration and representatives of the West Kowloon Cultural District Authority

- (a) Update on the development of the West Kowloon Cultural District ("WKCD") project

LC Paper No. CB(2)1330/10-11(01) -- Background brief prepared by the Legislative Council ("LegCo") Secretariat

- (b) Results of Stage 2 Public Engagement ("PE") exercise

LC Paper No. CB(2)1180/10-11(01) -- Report on the Analysis of Views for the Stage 2 Public Engagement Exercise for WKCD ("the Report")

LC Paper No. CB(2)1330/10-11(02) -- Paper provided by the Administration

LC Paper No. CB(2)1330/10-11(03) -- Background brief prepared by the LegCo Secretariat

- (c) Selection of Conceptual Plan Options ("CPOs")

LC Paper No. CB(2)1330/10-11(04) -- Paper provided by the Administration

LC Paper No. CB(2)1330/10-11(05) -- Background brief prepared by
the LegCo Secretariat

Update on the development of the WKCD project

3. Deputy Secretary for Home Affairs (3) ("DSHA(3)") advised that Mr Graham Sheffield's resignation from the post of the Chief Executive Officer ("CEO") of the West Kowloon Cultural District Authority ("WKCDA") had not hindered the progress of the WKCD project. WKCDA had made appropriate arrangements during the absence of CEO. It was time to move on to the next stage of the WKCD project. She hoped that the new CEO would be recruited as soon as possible.

4. Members in general raised grave concerns about Mr Sheffield's resignation on health reasons in early January 2011 and his new appointment as the Director Arts of the British Council ("BC") announced in late February 2011.

Mr Sheffield's resignation

5. Dr Pricilla LEUNG opined that there might be deceptive elements in Mr Sheffield's grounds for resignation and his doctor's medical advice. She felt cheated and the public should feel the same. The Administration and WKCDA should not just move on and leave the case of his resignation aside.

6. Mr CHAN Kam-lam said that as BC's recruitment of a senior executive should take quite some time, he sought clarification from WKCDA on whether Mr Sheffield had commenced his search for the BC's post before tendering his resignation. Concerning that there were many international cheats, Mr CHAN asked whether WKCDA had notified BC of Mr Sheffield's health condition and his doctors' medical advice.

7. The Chairman of the Remuneration Committee of WKCDA ("CRC") responded that according to Mr Sheffield, he began his search for new employment opportunities after tendering his resignation. Nevertheless, WKCDA noted that he had met a recruitment firm regarding the BC's post on 4 January 2011, while his resignation was not accepted until 7 January 2011. The whole arrangements proposed to the Chairmen of the WKCDA Board, the Development Committee, the Performing Arts Committee and the Remuneration Committee on 5 January 2011 and endorsed by the WKCDA Board on 7 January 2011 for accepting Mr Sheffield's resignation on compassionate grounds were based on the information available to WKCDA at that time, i.e. the medical advice produced by Mr Sheffield's doctor and the observations on Mr Sheffield's health condition from his colleagues at WKCDA. Certain

information about his new appointment, such as the events happened on 4 and 18 January 2011, was not available to WKCDA until end-February and early March 2011. CRC added that he only knew Mr Sheffield's new appointment from news reports on the Internet on 27 February 2011.

8. The Deputy Chairman considered that given the importance of Mr Sheffield as CEO and if he was an honest person, he should have returned to Hong Kong or at least showed up in the UK to give a public explanation of his resignation.

9. Miss Tanya CHAN said that she also felt cheated by Mr Sheffield. In early January 2011, she was given to understand that he was nearly breakdown emotionally and therefore the WKCDA Board had to release his duty immediately. However, there turned out to be no problem with his health condition. She suspected whether the health reasons for his resignation had been an excuse made by WKCDA. Mr Alan LEONG opined that Mr Sheffield's resignation might be owing to his realization that his aspiration for WKCD would not be achieved.

Employment restriction

10. Dr Priscilla LEUNG opined that many questions concerning the arrangements for Mr Sheffield's resignation remained unanswered, including why the six-month employment restriction in his employment contract with WKCDA was not applicable outside Hong Kong, and why he had been granted the exemption of giving three months' prior written notice to WKCDA before his departure. She requested the disclosure of his employment contract.

11. CRC responded that when drafting the employment contract for Mr Sheffield, WKCDA had strived to protect its interests and meet the public concerns. In its formulation of the six-month employment restriction, WKCDA had struck a balance between protecting its interest and maintaining reasonableness towards talent acquisition and the relevant contract term's enforceability. The restriction was applicable to not only CEO but also Executive Directors ("EDs") at WKCDA. Members should not merely look at the individual case of Mr Sheffield's resignation when commenting on the restriction.

12. The Deputy Chairman considered that the employment restriction should be tightened and extended to employments outside Hong Kong, although it might be relaxed in certain circumstances, such as employments outside Hong Kong which had no conflict of interest with WKCDA or adverse impact on the image of WKCD.

13. CRC responded that after consultation with independent counsel, WKCD A had come to the view that the employment restriction, and the injunction sought in relation to it if necessary, would be more enforceable in Hong Kong than in overseas jurisdictions. In addition, if applied globally, the employment restriction might undermine the attractiveness of WKCD A's senior management posts to overseas talents.

Compensation

14. The Deputy Chairman noted that despite its acceptance of Mr Sheffield's resignation with immediate effect on 7 January 2011, WKCD A had paid his salary until the end of January 2011 on compassionate grounds. He asked whether WKCD A would demand the money back, as Mr Sheffield's search for new employment opportunities in early January 2011 had indicated that he might not be in poor health. Dr Priscilla LEUNG expressed dissatisfaction that Mr Sheffield had been allowed to leave without making any compensation for WKCD A.

15. Mr Paul TSE appreciated WKCD A for being a good employer by giving a discretionary payment to staff members resigned on health reasons. However, it should not have made the payment to Mr Sheffield immediately upon his resignation. It should instead decide whether to do so after observing the health conditions of the staff member concerned for a certain period, as it had a duty to ensure the prudent use of public money.

Legal action

16. Mr James TO asked whether, based on the information currently available, the WKCD A Board still believed that Mr Sheffield had really been sick as advised by his doctor and he could not recover in a short time, and if no, whether it would actively pursue legal action against him so as to dispel suspicions that the health reasons for his resignation had been fabricated by the Board in collusion with him. Dr Priscilla LEUNG strongly urged the Board to take legal action against him or at least issue a reprimand to him and copy it to his prospective employer, BC. LegCo should also follow up the matter.

17. CRC responded that there had definitely been no collusion between the WKCD A Board and Mr Sheffield concerning his resignation. The Board also hoped that he could show up either in Hong Kong or in the UK to provide a public explanation of his resignation. Subject to the availability of any new evidence, the Board would take appropriate action against him.

Impact on WKCD

18. Dr Pricilla LEUNG expressed concern that Mr Sheffield might obtain a lot of confidential information about WKCD before his departure. CRC responded that during his service period, Mr Sheffield had been involved in work relating to the start-up of the WKCD project, which included building the management team at WKCD and launching Stage 2 PE exercise. He had not accessed much confidential information about WKCD.

19. Mr Alan LEONG expressed worry that Mr Sheffield's departure might adversely affect the development of arts and cultural programmes to which Mr Sheffield had attached importance. He urged WKCD to explain its relevant policy, particularly the mode of operation to be adopted for such programmes and the performance facilities, as this would affect the autonomy of artists/arts groups in conducting such programmes and the nurturing of artists.

20. DSHA(3) responded that Mr Sheffield's departure would not have any substantial impact on the arts and cultural programme development in WKCD. Under WKCD, there were the Museum Committee and the Performing Arts Committee responsible for formulating the mode of governance of the museums and performing arts venues in WKCD. ED, M+ and ED, Performing Arts were consulting the stakeholders on the matter.

21. Miss Tanya CHAN was worried that Mr Sheffield's resignation had undermined the staff morale in WKCD. Noting a lot of vacancies posted on WKCD's website, she asked whether they were owing to the high personnel turnover rate or newly created to cope with the development of WKCD, and whether WKCD would have any plans to boost staff morale.

22. CRC hoped that WKCD's announcement of taking forward the WKCD project with the preferred CPO in March 2011 would help boost staff morale. He advised that most of the vacancies posted on WKCD's website were new posts created to cope with the latest development of WKCD. He added that the projected headcount for WKCD was over 100 in 2011 but WKCD had only some 60 staff at the current stage, and recruitment for more new posts were expected to be in the pipeline.

Medical checkup

23. Mr Paul TSE considered that while it might be in breach of the Disability Discrimination Ordinance (Cap. 487) if a job applicant or an employee was denied employment for health reasons, WKCD should still obtain more information from CEO candidates about their health conditions. For the sake of

better risk management, WKCDA might consider adding relevant safeguard provisions to the employment contract with the new CEO.

24. CRC responded that WKCDA would provide a voluntary annual medical checkup for CEO and EDs to manage their health risks, although their medical reports might not be made available to WKCDA for the sake of personal privacy.

Recruitment for new CEO

25. Mr Paul TSE opined that the new CEO should have experience in handling government departments and large works projects rather than being well-versed in arts and culture. He asked whether WKCDA would consider dividing the work of CEO into two posts, with one focusing on the development of works projects and the other on arts and culture.

26. CRC responded that the WKCDA Board was considering creating the post of deputy CEO or Chief Operating Officer to strengthen the support for CEO, and would consult the new CEO before making a decision.

27. Summing up, the Chairman hoped that the Administration and WKCDA would consider members' views and suggestions on matters relating to Mr Sheffield's resignation.

Results of Stage 2 PE exercise

Survey design

28. Mr Alan LEONG expressed concern about the absence of some important questions in the Public Policy Research Institute ("PPRI")'s questionnaire survey for Stage 2 PE exercise, such as the plot ratio and building height of CPOs, which CPO would be most beneficial to Hong Kong's cultural development, and how WKCD could achieve its cultural vision through its hardware. The absence of such questions would allow greater flexibility for WKCDA to develop WKCD. Mr LEONG asked about the role of PPRI in the survey design, particularly whether it had proposed any questions covering the concerns of the local arts and cultural sector. Ms Emily LAU expressed similar views.

29. Principal Investigator ("PI") /PPRI advised that the questionnaire survey contained three main parts – part one covered the extent to which CPOs had addressed the mainstream comments on the planning aspects of WKCD received in Stage 1 PE exercise; part two covered the individual features of each

CPO; and part three covered the phasing of the core arts and cultural facilities and the types of other arts and cultural facilities in WKCD. The whole PE exercise had been steered by WKCDA and its Consultation Panel and the Administration. PPRI had been providing technical support and professional advice to them. It had been involved in the questionnaire design but had not proposed questions relating to the concerns of the local arts and cultural sector.

30. Referring to pages 28 and 29 of PPRI's powerpoint presentation materials, Prof Patrick LAU pointed out that City Park ("CP") was the preferred CPO in terms of providing public open space; Project for a New Dimension ("PND") was the preferred CPO in terms of showcasing Hong Kong's unique local and traditional characteristics; and Cultural Connect: Key to Sustained Vitality ("CC") had relatively high level of support in terms of its design for core arts and cultural facilities. He asked which aspect was accorded the highest priority in the WKCDA Board's selection of the preferred CPO. He opined that Stage 2 PE exercise was a waste of public money, as members of the public had not been asked which CPO they preferred most. Ms Emily LAU also questioned the usefulness of PPRI's findings for identifying which CPO was most preferred by the public.

31. PI/PPRI responded that its research framework had been scientifically designed in response to the concerns expressed by the public during Stage 1 PE exercise. It was found that members of the public had different preferences over different aspects of concerns addressed by different CPOs.

Stage 3 PE exercise

32. Miss Tanya CHAN asked whether PPRI would continue to be responsible for collecting and analyzing the public's views during Stage 3 PE exercise, and if yes, whether Stage 3 PE exercise would be conducted in a more innovative manner, given that the public might have been fed up with consultation after consultation. PI/PPRI responded that it had been commissioned by WKCDA as the PE Analysis and Reporting Consultant for all three stages of the PE exercise. PPRI could further discuss with WKCDA on the mode of Stage 3 PE exercise.

Desirable features of CPOs

33. Miss Tanya CHAN asked whether PPRI had any findings on the public's views on the inclusion of the desirable features of the other two CPOs in the preferred CPO and the public's most preferred features of CPOs. PI/PPRI responded that the public's most preferred particular features of CPOs had been presented under Theme 6 in paragraph 3.3.3 of its Report. As for the qualitative data collected during Stage 2 PE exercise, there were no clear indications of the

public's preferences. For instance, "green setting" was the most preferred feature for CP, while "overall design" was the most preferred feature for CC and PND.

Financial arrangements

34. Miss Tanya CHAN asked whether PPRI had collected any public views on the financial arrangements for the WKCD project, and if yes, whether WKCDA would respond to such views. PI/PPRI responded that the relevant public views had been included in its Report.

Selection of CPOs

Selection criteria

35. Miss Tanya CHAN was worried that the WKCDA Board through its Selection Panel ("SP") might have chosen the preferred CPO, regardless of the various preferences expressed by the public during the PE exercise. It appeared that the six selection criteria and their weightings had neither been mentioned in the WKCDA's brief provided to the three CPO Consultants nor publicly announced until after the conclusion of Stage 2 PE exercise. Questions relating to such criteria (such as "design and phasing flexibility") had also been absent in PPRI's questionnaire survey.

36. Mr Paul TSE declared that he was a member of WKCDA's Consultation Panel. Referring to the six selection criteria, he considered that only the criterion on "meeting community and stakeholders aspirations", which accounted for 20% of the total score, was related to Stage 2 PE exercise, while the other five criteria were related to the technical aspects of WKCD.

37. Miss Tanya CHAN and Mr Paul TSE asked when the three CPO Consultants had been informed of the six selection criteria and their weightings, and how and by whom they had been formulated. Mr TSE questioned how SP members who did not have the relevant expertise had been able to assess the technical aspects of CPOs and make an informed and objective judgment. ED, Project Delivery of WKCDA responded that WKCDA commissioned the three Consultants in July 2009, and the six selection criteria were endorsed by the WKCDA Board before commencement of the selection process. Mrs Sophie LEUNG opined that the lead time given to the three Consultants to prepare their CPOs in accordance with the six selection criteria had been reasonable.

Selection of the preferred CPO

38. As the results of Stage 2 PE exercise had indicated that no single CPO stood out in all aspects, Prof Patrick LAU raised concern about the appropriateness of the WKCDA Board Chairman's remark made before the announcement of the preferred CPO that the choice had been obvious to him. His concern was shared by Ms Emily LAU and Mr James TO.

39. Noting that the local arts and cultural sector was not supportive of CP as the preferred CPO, Ms Emily LAU was concerned whether WKCDA had been fair and objective in the selection process and whether its decision would receive public support. CDC responded that Appendix II to the paper issued by the LegCo Secretariat (LC Paper No. CB(2)1330/10-11(03)) had shown that the public preferred CP over the other two CPOs in a number of aspects. As the WKCD project was large and complicated, it was impossible for any preferred CPO to obtain the overwhelming support from the society. Different stakeholders might also have different views and preferences on CPOs. It was hoped that such differences could be minimized through the PE exercise.

40. The Deputy Chairman opined that given the long time span and large scale of the WKCD project, it would be difficult for the current design of CP, including its goal to make WKCD zero-emission in 25 years, to remain unaltered. He was worried that CP might subsequently be altered to the extent that it would substantially depart from its current design. He asked about the discretion of the designer of CP, Foster & Partners ("F+P"), to alter CP in future. CDC responded that the basic design of CP would not be changed. Any such changes would need to be submitted to TPB for consideration.

41. Noting the WKCDA Board's decision to accept SP's recommendation to select CP as the preferred CPO at its meeting on 4 March 2011, Mr James TO raised concern about when the Board members who were non-members of SP had been notified of SP's recommendation. CDC responded that SP's recommendation was disclosed only at the Board meeting on 4 March 2011. The scores marked by each SP member for each CPO had been kept confidential and calculated only one hour or so before that Board meeting. As the Secretariat to the WKCDA Board had not known SP's recommendation in advance, it had prepared the written justification for each CPO. The procedures for the selection process had been formulated in consultation with the Independent Commission Against Corruption. In response to Mr TO's enquiry about how long the Board had taken to reach a decision on the preferred CPO at the meeting on 4 March 2011, CDC advised that the meeting lasted about two hours.

42. Mr James TO further questioned how the WKCDA Board, particularly its Chairman and members who were not SP members, could come to an important decision on the preferred CPO within just two hours. Mrs Sophie LEUNG opined that it was reasonable for the Board to delegate the selection of CPOs to SP.

43. CDC responded that the WKCDA Board had all along been fully informed about the features of CPOs. Prior to making the decision, its members had been given sufficient time to peruse the relevant documents and consider SP's recommendation. The Board might reject SP's recommendation if necessary. In addition, SP included the chairmen of the Performing Arts Committee and the Museum Committee under WKCDA, who should have relayed SP's views to their respective committees. He himself had also briefed members of such committees on SP's work so as to ensure that their views on CPOs had been taken into account in the selection of the preferred CPO.

44. Mr Alan LEONG said that the local arts and cultural sector had commented that CP was the least creative and most conservative CPO and short of local cultural characteristics. He was also given to understand that when designing their CPOs, the three Consultants had been frustrated about the lack of guidance from WKCDA on the cultural vision of WKCD. According to his observation, CP was selected mainly because its high flexibility would facilitate earlier development of commercial and residential blocks in WKCD and WKCDA could then generate incomes to finance the construction of the arts and cultural facilities there. CDC responded that he did not agree with Mr LEONG's observation.

Architectural design competitions

45. Prof Patrick LAU was concerned whether WKCDA would fulfill its undertaking to hold architectural design competitions for individual landmark facilities in WKCD, and whether the core facilities to be developed in each area of WKCD would be shown in DP to be submitted to TPB. CDC responded that the DP to be submitted to TPB would not contain the detailed architectural drawings for individual landmark facilities and their construction timetables, but would set apart the land for such facilities to be developed at least in Phase 1 of the WKCD project. WKCDA was studying with F+P the possible locations of such facilities. WKCDA would hold architectural design competitions for such facilities.

46. Prof Patrick LAU requested WKCDA to consult the Joint Subcommittee on the draft DP before its submission to TPB. CDC undertook to do so.

Integration of software and hardware

47. Mr Alan LEONG considered that the cultural software development should measure up to and complement the hardware development in WKCD. CDC agreed and added that WKCDA attached importance to the cultural software development as did the stakeholders, and would work closely with the Administration on it. The cultural software should be developed as early as possible and even ahead of the hardware development in WKCD.

Financial arrangements

48. Miss Tanya CHAN expressed concern about the lack of information on the financial implications of the preferred CPO, as CDC had told the media that the approved \$21.6 billion upfront endowment might be insufficient for the entire WKCD project. CDC responded that with the surging construction costs in recent years, the \$21.6 billion would definitely be insufficient, if the construction of all arts and cultural facilities in WKCD commenced immediately. However, during Stage 1 PE exercise, the public had expressed support for such facilities to be developed in phases. The WKCD development should also be flexible to accommodate the possible changing needs and expectations of the stakeholders and society. As the preferred option would be further developed into a DP for submission to and approval by TPB, it would be difficult to arrive at an accurate cost estimate for the entire project at the current stage.

49. The Deputy Chairman pointed out that Mrs Carrie YAU, former Permanent Secretary for Home Affairs, had assured members that the Administration would not seek additional funding from LegCo for WKCD other than the approved \$21.6 billion. He asked whether this assurance would still be valid if the phasing of WKCD proceeded with as planned. CDC responded that as the entire WKCD project would last over a decade, WKCDA would act prudently with its public resources.

50. Recalling that the WKCDA Board Chairman had also made similar assurance of not seeking additional funding for the WKCD project, Mr Alan LEONG asked about the plan of WKCDA if the project was overspent. CDC responded that it was difficult to judge whether the project would be overspent, as the phasing arrangements for WKCD and its DP had yet to be finalized. It was expected that the draft DP would be unveiled to the public during Stage 3 PE exercise scheduled for this summer.

51. Ms Emily LAU was concerned whether WKCD would become a white elephant. In view of the public's worry over the possible cost overrun of the

WKCD project, she urged WKCDA to enhance the transparency of the cost estimates of the project. CDC responded that a more specific cost estimate for the project was expected to be available after the approval of DP by TPB.

52. In response to Ms LAU's enquiry, CDC advised that the consultancy fee (i.e. \$1.5 billion) for the three CPOs had come from the investment returns of the approved \$21.6 billion which remained unspent.

Request for information

Admin/
WKCDA

53. The Chairman requested the Administration/WKCDA to provide a written response to members' questions below -

- (a) the scope of the draft DP to be unveiled during Stage 3 PE exercise, such as whether it would cover the phasing arrangements for the arts and cultural facilities in WKCD and the financial arrangement for each phase;
- (b) what arts and cultural facilities would be built first in WKCD and their completion dates;
- (c) if phase 1 of WKCD was overspent, whether the subsequent phases would be scaled down;
- (d) the criteria to be used by WKCDA to incorporate the individual desirable features of the other two CPOs into the preferred CPO and the authority responsible for making the decision;
- (e) whether SP's selection criteria had covered aspects such as creativity, uniqueness and attractiveness to tourists, and the main concerns raised by the public during Stage 1 PE exercise, including exhibiting a green setting, environmental friendliness, experiencing a relaxing atmosphere, showcasing Hong Kong's unique local and traditional characteristics, connectivity with the neighborhood districts, and catering the needs of different users;
- (f) whether the WKCDA Board, in its deliberation on SP's recommendation on the preferred CPO, had taken into consideration the main concerns raised by the Subcommittee on West Kowloon Cultural District Development in the Third LegCo, including the integration of hardware and software in WKCD, the use of hardware in WKCD to facilitate the exchanges between artists and citizens, the cultivation of sub-cultures and small-group

cultures, the development of cultural contents and sustainability of WKCD;

- (g) whether there were any major differences between the information on SP's six selection criteria and their weightings publicly released by WKCDA and that provided to the three CPO Consultants; and whether each and every Consultant had been provided with sufficient information about all the six criteria and their weightings;
- (h) whether SP had reported to the WKCDA Board on the progress of its work after each of its meeting to consider and assess the three CPOs against the six selection criteria, and whether the minutes of such meetings and their related documents might be made available to the public; and
- (i) the preferred CPO's environmental-friendly desirable features that could not be delivered by the other two CPOs.

III. Any other business

Next meeting

54. Members noted that the next meeting scheduled for 16 May 2011 from 9:00 am to 12:00 noon would invite deputations to give views on the latest development of the WKCD project.

(Post-meeting note: The meeting was rescheduled to be held on 16 May 2011 from 10:45 am to 12:45 pm.)

55. The meeting ended at 1:05 pm.

**Proceedings of the meeting of the
Joint Subcommittee to Monitor the Implementation
of the West Kowloon Cultural District Project
on Tuesday, 29 March 2011, at 10:45 am
in Conference Room A of the Legislative Council Building**

Time Marker	Speaker(s)	Subject(s)	Action required
000000 - 000106	Chairman	Confirmation of minutes [LC Paper No. CB(2)1350/10-11]	
000106 - 002224	Chairman Admin Public Policy Research Institute of the Hong Kong Polytechnic University ("PPRI")	As the Chairman of the Remuneration Committee of the West Kowloon Cultural District Authority ("WKCD") could not attend the meeting until 11:00 am, members agreed that the discussion on agenda item II(a) be held after agenda items II(b) and (c). <u>Agenda item II(b) - Results of Stage 2 Public Engagement ("PE") exercise</u> PPRI's powerpoint presentation on the key findings of the Report on the Analysis of Views for the Stage 2 Public Engagement Exercise for the West Kowloon Cultural District ("WKCD") [LC Paper No. CB(2)1380/10-11(01)]	
002225 - 002633	Chairman Miss Tanya CHAN PPRI	<ul style="list-style-type: none"> - Scope of questions in PPRI's questionnaire survey for Stage 2 PE exercise - Incorporation of the desirable features of the other two Concept Plan Options ("CPOs") in the preferred CPO - Mode of Stage 3 PE exercise 	
002634 - 003157	Chairman Mr Alan LEONG PPRI	<ul style="list-style-type: none"> - Scope of PPRI's questionnaire survey for Stage 2 PE exercise - Role of PPRI in the design of the survey 	
003158 - 003614	Chairman Prof Patrick LAU PPRI	<ul style="list-style-type: none"> - Scope of PPRI's questionnaire survey for Stage 2 PE exercise - Design of PPRI's survey and research framework 	

Time Marker	Speaker(s)	Subject(s)	Action required
003615 - 004232	Chairman Ms Emily LAU PPRI	<ul style="list-style-type: none"> - Design of PPRI's survey - Financial arrangements for the WKCD project 	
004233 - 004920	Chairman Admin WKCDA	<p><u>Agenda item II(c) - Selection of CPOs</u></p> <p>WKCDA's powerpoint presentation on the selection of CPOs [LC Paper No. CB(2)1380/10-11(02)]</p>	
004921 - 005441	Chairman Miss Tanya CHAN WKCDA	<ul style="list-style-type: none"> - Selection criteria for the preferred CPO and their weightings - Financial implications of the three CPOs - Selection process of WKCDA's Selection Panel 	
005442 - 005951	Chairman Mr LEE Wing-tat WKCDA	<ul style="list-style-type: none"> - Updated financial assessment of the WKCD project - Flexibility in changing the design of the preferred CPO - Green features of the preferred CPO 	
005952 - 010459	Chairman Mr Alan LEONG WKCDA	<ul style="list-style-type: none"> - Reasons for selecting the preferred CPO - WKCDA's plan for the possible cost overrun of the WKCD project 	
010500 - 011019	Chairman Ms Emily LAU WKCDA	<ul style="list-style-type: none"> - Fairness and objectivity of the selection process of the preferred CPO - Transparency of the financial arrangements for the WKCD project - WKCDA's plan for the possible cost overrun of the WKCD project 	
011020 - 011541	Chairman Prof Patrick LAU WKCDA	<ul style="list-style-type: none"> - Architectural design competitions for individual landmark facilities in WKCD - WKCDA's undertaking to brief the Joint Subcommittee on the draft Development Plan before its submission to the Town Planning Board 	WKCDA to follow up (paragraph 46 of the minutes)

Time Marker	Speaker(s)	Subject(s)	Action required
011542 - 012216	Chairman Mr James TO WKCD	- The WKCD Board's deliberations and decision on the preferred CPO	
012217 - 012829	Chairman Mr Paul TSE WKCD	- Declaration of interest by Mr Paul TSE - Selection criteria for the preferred CPO and their weightings	
012830 - 013414	Chairman Mrs Sophie LEUNG WKCD	- Selection criteria for the preferred CPO and their weightings - The WKCD Board's deliberations and decision on the preferred CPO	
013415 - 014902	Chairman Miss Tanya CHAN Mr Alan LEONG Mr James TO Mr LEE Wing-tat Mr Paul TSE WKCD	- Facilities to be built in the first phase of the WKCD project - Financial implications of the preferred CPO - Incorporation of the desirable features of CPOs - Integration of the software and hardware of WKCD - Selection criteria for the preferred CPO and their weightings - Green features of the preferred CPO - Request for the Administration/WKCD to provide a written response to members' questions	Admin/ WKCD to provide a written response (paragraph 53 of the minutes)
014903 - 015254	Chairman Admin	<u>Agenda item II(a) - Update on the development of the WKCD project</u> The Administration's briefing on matters relating to the resignation of Mr Graham Sheffield from the post of the Chief Executive Officer ("CEO") of WKCD and his appointment as the Director Arts of the British Council ("BC")	

Time Marker	Speaker(s)	Subject(s)	Action required
015255 - 015737	Chairman Dr Priscilla LEUNG WKCDA	<ul style="list-style-type: none"> - Dr Priscilla LEUNG's letter dated 16 March 2011 requesting the Joint Subcommittee to discuss matters relating to Mr Sheffield's resignation [LC Paper No. CB(2)1301/10-11(01)] - Reasons for Mr Sheffield's resignation - Employment restriction on Mr Sheffield - Requirement for Mr Sheffield to give three-month prior written notice to WKCDA before his departure - Impact of Mr Sheffield's resignation on the WKCD project 	
015738 - 020102	Chairman Mr CHAN Kam-lam Admin	<ul style="list-style-type: none"> - Account of events leading to Mr Sheffield's appointment by BC 	
020103 - 020425	Chairman Dr Priscilla LEUNG Mr Alan LEONG Admin	<ul style="list-style-type: none"> - Declaration of interest by Dr Priscilla LEUNG - Impact of Mr Sheffield's resignation on the development of arts and cultural programmes in WKCD - Mode of operation and funding for arts and cultural programmes and venues in WKCD 	
020426 - 020752	Chairman Mr LEE Wing-tat WKCDA	<ul style="list-style-type: none"> - Impact of Mr Sheffield's resignation on the image of WKCD - Reasons for Mr Sheffield's resignation - Employment restriction on Mr Sheffield - Request for Mr Sheffield's compensation for WKCDA 	
020753 - 021059	Chairman Miss Tanya CHAN WKCDA	<ul style="list-style-type: none"> - Reasons for Mr Sheffield's resignation - Impact of Mr Sheffield's resignation on the staff morale at WKCDA 	
021100 - 021433	Chairman Mr Paul TSE WKCDA	<ul style="list-style-type: none"> - Medical checkup for CEO and senior executives of WKCDA - Recruitment for new CEO 	

Time Marker	Speaker(s)	Subject(s)	Action required
021434 -021808	Chairman Mr James TO WKCDA Dr Priscilla LEUNG	- Suggestions on follow-up actions concerning Mr Sheffield's resignation	
021809 - 021836	Chairman	Date of next meeting	

Council Business Division 2
Legislative Council Secretariat
15 June 2011