

**LegCo Panel on Food Safety and Environmental Hygiene
Follow-up to the Meeting on 10 January 2012**

**Supplementary Information Note:
Matters Concerning Liquor Licensing**

At its meeting on 10 January 2012, the LegCo Panel on Food Safety and Environmental Hygiene discussed the review of liquor licensing. In response to Members' enquiries, we are providing the following supplementary information:

(I) Number of liquor licence applications refused by the Liquor Licensing Board (LLB) in the past three years due to objection from local residents and/or property owners

2. From 2009 to 2011, the number of cases in which LLB refused to issue new liquor licences, refused to renew licences or issued licences valid for a period of less than one year for reasons relating to objection raised by property owners or residents in the neighbourhood of the premises concerned are set out as follows:

	Number of cases in which LLB refused to issue licences		Number of cases in which LLB issued licences valid for a period of less than a year	
	Liquor licences	Club liquor licences	Liquor licences	Club liquor licences
2009	10	2	34	2
2010	17	0	21	1
2011	29	2	36	0
Total	56	4	91	3

(II) Statistics relating to liquor licence renewal applications refused by LLB

in view of the complaints received by relevant departments in the previous valid period of the licence, particularly those received by the Food and Environmental Hygiene Department (FEHD) in respect of problems such as obstruction and noise nuisance caused by illegal extension of business areas by restaurants

3. From 2009 to 2011, the number of cases in which LLB refused to issue new liquor licences, refused to renew licences or issued licences valid for a period of less than one year for reasons relating to illegal extension of business areas by the premises concerned and/or noise nuisances are set out as follows:

	Number of cases in which LLB refused to issue licences		Number of cases in which LLB issued licences valid for a period of less than a year	
	Liquor licences	Club liquor licences *	Liquor licences	Club liquor licences *
2009	3	0	9	0
2010	9	0	5	0
2011	21	0	25	0
Total	33	0	39	0

* Clubs were not involved in the illegal extension of business areas by food premises

4. There might be overlapping cases listed in the two tables above. In processing an application for liquor licence, LLB will, pursuant to the Dutiable Commodities (Liquor) Regulations, consider three factors, namely (i) whether the applicant is a fit and proper person to hold the licence; (ii) whether the premises are suitable for selling liquor; and (iii) whether the grant of a licence will be contrary to public interest, before deciding on whether a liquor licence would be granted. As such, information provided in the tables above is not the only determining factor for LLB's decision.

(III) How the scope of consultation is defined in the context of consultation in respect of an application for liquor licence

5. At present, LLB adopts a three-pronged approach in notifying the public on liquor licence applications: (i) the applicant for liquor licence is required to place an advertisement in newspapers; (ii) staff of FEHD posts three copies of the notice about the application for new liquor licence in conspicuous locations of the building (such as the entrance of the premises, lift, lobby, etc.) in which the premises under application are located; and (iii) local consultation is conducted through District Offices (DOs). As regards local consultation, FEHD, on LLB's behalf, seeks the assistance of relevant DOs in gathering the views of nearby residents through residents' organisations and District Councillors on the applications for LLB's consideration. The relevant DO staff would, having regard to the local situation, advise on the stakeholders to be consulted. In general, the DO staff would issue an information note prepared by FEHD to those directly affected by an application, including District Councillors, representatives of the relevant nearby residents' organisations (such as Owners Corporations/Mutual Aid Committees) and other local stakeholders, collate the feedback and forward it to FEHD together with a summary of the views received.

Food and Health Bureau

Food and Environmental Hygiene Department

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