

**立法會**  
**Legislative Council**

LC Paper No. CB(2)2187/13-14  
(These minutes have been seen  
by the Administration)

Ref : CB2/PS/6/12

**Panel on Food Safety and Environmental Hygiene**

**Subcommittee on Issues Relating to Public Markets**

**Minutes of meeting**  
**held on Monday, 23 June 2014, at 4:30 pm**  
**in Conference Room 2B of the Legislative Council Complex**

- Members present** : Hon Vincent FANG Kang, SBS, JP (Chairman)  
Hon Alan LEONG Kah-kit, SC (Deputy Chairman)  
Hon WONG Kwok-hing, BBS, MH  
Hon Cyd HO Sau-lan  
Hon Michael TIEN Puk-sun, BBS, JP  
Hon Steven HO Chun-yin  
Hon WU Chi-wai, MH  
Hon CHAN Chi-chuen  
Hon CHAN Han-pan  
Dr Hon KWOK Ka-ki  
Hon Christopher CHUNG Shu-kun, BBS, MH, JP
- Member attending** : Hon CHAN Yuen-han, SBS, JP
- Members absent** : Hon Alice MAK Mei-kuen, JP  
Dr Hon Helena WONG Pik-wan
- Public Officers attending** : Item III  
Miss Diane WONG Shuk-han  
Principal Assistant Secretary for Food and Health (Food) 2  
Miss Vinci CHAN  
Assistant Secretary for Food and Health (Food) 7

Ms Ava CHIU Wai-fan, JP  
Deputy Director of Food and Environmental Hygiene  
(Administration and Development)

Mr FAN Yung-kai  
Assistant Director of Food and Environmental Hygiene  
(Operations) 2

**Clerk in attendance** : Ms Alice LEUNG  
Chief Council Secretary (2) 2

**Staff in attendance** : Mr Richard WONG  
Council Secretary (2) 2

Ms Camy YOONG  
Clerical Assistant (2) 2

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Action

**I. Confirmation of minutes**  
(LC Paper No. CB(2)1795/13-14)

The minutes of the meeting held on 29 April 2014 were confirmed.

**II. Matters arising**  
(LC Paper Nos. CB(2)1830/13-14(01) and CB(2)1613/13-14(01))

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

3. Members noted the list of follow-up actions required of the Administration prepared by the Legislative Council ("LegCo") Secretariat and raised no questions.

4. Members noted the referral memorandum from LegCo Members' meeting with Islands District Council members on 8 May 2014 regarding the suggestion of constructing a public market / cooked food centre in Tung Chung. The Chairman drew members' attention that issues relating to establishing new markets had already been included in the Subcommittee's work plan and considered that it was not necessary

Action

for the Subcommittee to discuss the issue raised at the above meeting as a separate discussion item. Members agreed.

**III. The positioning, functions and usages of public markets**  
(LC Paper Nos. CB(2)1830/13-14(02) and (03))

5. Mr WONG Kwok-hing and Mr Christopher CHUNG suggested inviting deputations to give views on the operating environment of public markets and improvement measures at a future meeting. The Chairman consulted members' views on the suggestion and members agreed that it would be more appropriate for the Subcommittee to invite deputations' views after receiving the consultancy report on improvement measures on the operating environment of public markets ("the consultancy report").

Admin

6. The Chairman and the Deputy Chairman requested the Administration to arrange another meeting in the next one or two months for members to meet with the consultant (i.e. BMT Asia Pacific) to further exchange views on how to improve the operating environment of the five or six public markets identified for detailed case study.

*(Post-meeting note: Subsequent to the meeting, the Administration advised that should members provide written views regarding the consultancy study on improving the operating environment of public markets, the Administration would convey those views to the consultant. Upon acceptance of the consultancy report, the Administration would arrange the consultant to brief members on major findings and recommendations of the consultancy report, tentatively in November or December 2014.)*

**IV. Any other business**

7. The Chairman said that as the Legislative Council would have a heavy meeting schedule towards the end of the session in July, the next meeting of the Subcommittee would be scheduled at a later time. The Chairman further said that the Administration's response to the Subcommittee's request for arranging a further meeting with the consultant would be taken into account in considering the timing for the next meeting. The Deputy Chairman raised similar view. Members raised no objection to the arrangement.

Action

8. There being no other business, the meeting ended at 5:55 pm.

Council Business Division 2  
Legislative Council Secretariat  
13 August 2014

**Proceedings of the meeting of the  
Subcommittee on Issues Relating to Public Markets  
on Monday, 23 June 2014, at 4:30 pm  
in Conference Room 2B of the Legislative Council Complex**

<b>Time marker</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action Required</b>
000321 - 000328	Chairman	The Chairman's opening remarks	
<i>Agenda Item I - Confirmation of minutes</i>			
000329 - 000358	Chairman	LC Paper No. CB(2)1795/13-14	
<i>Agenda Item II - Matters arising</i>			
000359 - 000546	Chairman	List of follow-up actions required of the Administration (LC Paper No. CB(2)1830/13-14(01)); and  Referral memorandum from Legislative Council Members' meeting with Islands District Council members on 8 May 2014 relating to the suggestion of constructing a public market / cooked food centre in Tung Chung (LC Paper No. CB(2)1613/13-14(01)).	
<i>Agenda Item III - The positioning, functions and usages of public markets</i>			
000547 - 001205	Chairman Admin	Briefing by the Administration on the discussion paper entitled "Positioning and functions of public markets" ("the discussion paper") (LC Paper No. CB(2)1830/13-14(02))	
001206 - 001946	Chairman Dr KWOK Ka-ki Admin	Dr KWOK Ka-ki's views that the Administration should -  (a) construct new public markets in newly developed districts such as Tung Chung and Tin Shui Wai as soon as practicable; and  (b) consider how to better utilize public markets with very low occupancy rates. For example, the Tsuen King Circuit Market (which had an occupancy rate of 26%) could be converted into community facilities providing leisure and cultural services and/or other social services.  The Administration's responses that -  (a) future provision of public markets in newly developed districts would be considered on	

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		<p>a case-by-case basis. As for Tung Chung, the Housing Department already had plans to build a wet market in a public rental housing estate located at Area 39 in Tung Chung; and</p> <p>(b) the Food and Environmental Hygiene Department ("FEHD") had consistently looked into the feasibility of converting the function of those public markets that had very low occupancy rates. The Tsuen King Circuit Market was given the top priority, and relevant works would be carried out once there was an agreement among various stakeholders including residents nearby and stall operators.</p>	
001947 - 002732	Chairman Mr WONG Kwok-hing Admin	<p>Mr WONG Kwok-hing's views that -</p> <p>(a) the Subcommittee should invite deputations (particularly public market stall operators) to give views on how to improve the operating environment of public markets;</p> <p>(b) provision of air conditioning was a key factor in affecting whether patrons and stall operators of public markets would be satisfied with the overall conditions of public markets; and</p> <p>(c) it was unreasonable that the Administration required a support rate of 85% among stall operators before taking forward air-conditioning retrofitting projects in public markets.</p> <p>The Administration's responses that -</p> <p>(a) while it was open to any proposals of retrofitting air-conditioning facilities in public markets, it was necessary to get the support of the vast majority of stall operators concerned before taking forward these proposals; and</p> <p>(b) the Architectural Services Department was undertaking the feasibility study on the proposal of retrofitting air-conditioning facilities in Shui Wo Street Market.</p>	

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002733 - 003351	Chairman Mr Christopher CHUNG Admin	<p>Mr Christopher CHUNG's views that -</p> <ul style="list-style-type: none"> <li>(a) issues relating to public markets should be considered together with those relating to cooked food centres;</li> <li>(b) the occupancy rate cannot fully reflect the utilization of public markets, as it was not uncommon to see non-operating stalls in public markets;</li> <li>(c) the Administration should consider closing down a few public markets that had very low utilization rates, such as Tang Lung Chau Market and Shaukeiwan Market;</li> <li>(d) air conditioning should be provided in public markets as a way to improve the operating environment of public markets;</li> <li>(e) major functions of public markets included the offering of commodities of good quality at reasonable prices, and provision of employment opportunities for the grassroots; and</li> <li>(f) the original function of public markets for resiting on-street hawkers should be retained;</li> </ul> <p>The Administration's responses that -</p> <ul style="list-style-type: none"> <li>(a) there were a total of 13 958 stalls in FEHD's public markets, of which 12 639 stalls were let out (with 46 stalls being used as storage stalls);</li> <li>(b) FEHD also acknowledged that some stall operators might merely rent stalls without actively operating their business. To enhance the utilization of public markets, FEHD had carried out inspection regularly, and enforcement action would be taken against stall operators that were found to be not operating their business for seven consecutive days; and</li> <li>(c) the Administration would further review the functions of public markets, taking into consideration members' views and recommendations in the consultancy report on improving the operating environment of</li> </ul>	

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		public markets ("the consultancy report") to be submitted by BMT Asia Pacific ("the consultant").	
003352 - 003950	Chairman Mr Michael TIEN Admin	<p>Mr Michael TIEN's views that -</p> <p>(a) the function of public markets should be providing the public with good quality commodities at affordable prices, instead of subsidizing stall operators in the form of concessionary rental arrangement. No rental increase for years was out of step with the normal practice of the retail industry; and</p> <p>(b) the Administration should expedite its work in converting the function of Tsuen King Circuit Market into providing community facilities.</p> <p>The Administration's response that FEHD had undertaken to expeditiously follow up the case of Tsuen King Circuit Market.</p>	
003951 - 004734	Chairman Mr CHAN Chi-chuen Admin	<p>Mr CHAN Chi-chuen's views that -</p> <p>(a) the Administration should conduct surveys on both patrons and non-patrons of public markets in order to gauge the view of the general public on the existing mode of operation of public markets; and</p> <p>(b) the questionnaire survey to be conducted by the consultant should collect stall operators' views on the business environment of (such as patronage and revenue) and FEHD's management of public markets;</p> <p>The Administration's responses that -</p> <p>(a) the utilization survey on public markets conducted by FEHD in 2009 interviewed more than 5 900 public market patrons and more than 5 300 non-public market patrons. The questionnaire survey in the consultancy study in 2014 would cover public market patrons and non-public market patrons, apart from market tenants; and</p> <p>(b) in the questionnaire survey to be conducted</p>	



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		<p>by the consultant in May 2014, apart from standard questions, open-ended questions would be asked so as to obtain as much relevant information as possible.</p> <p>The Chairman's comment that it was unlikely for stall operators to disclose their revenues to the consultant.</p>	
004735 - 005349	Chairman Deputy Chairman Admin	<p>The Deputy Chairman's views that pending the outcome of the consultancy study -</p> <p>(a) the Administration should consider improvement measures (such as upgrading air conveying facilities) should they find it not feasible to take forward air-conditioning retrofitting projects in all public markets. Priority should be given to major public markets such as Ngau Chi Wan Market, Ngau Tau Kok Market and Tai Shing Street Market; and</p> <p>(b) the Administration should enhance its regulatory measures against unauthorized extension of business areas by public market stalls.</p> <p>The Administration's responses that -</p> <p>(a) they would explore the feasibility of the Deputy Chairman's suggestion of upgrading air conveying facilities in public markets; and</p> <p>(b) FEHD had consistently implemented improvement measures on public markets. In 2014-2015, \$31.5 million was earmarked for improvement works (including installation of lifts and escalators, improvement of ventilation and lighting systems) in selected public markets.</p>	
005350 - 010216	Chairman Miss CHAN Yuen-han Admin	<p>Miss CHAN Yuen-han's view that -</p> <p>(a) the Administration should conduct in-depth study on those public markets that were popular among members of the public (such as Bowrington Road Market, Po On Road Market and Yeung Uk Road Market) so as to identify key success factors of public markets; and</p>	

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		<p>(b) the Administration should put less emphasis on administration issues (such as ease of management) when drawing up measures on improving the operating environment of public markets.</p> <p>The Administration's response that the consultant was expected to formulate recommendations after a comprehensive analysis of all relevant factors affecting the operating environment of public markets, including consumer profile (e.g. income and age), their shopping preferences, the mode of market operation, as well as the state of transport network in the vicinity, etc.</p>	
010217 - 010451	Chairman Mr Christopher CHUNG	<p>Mr Christopher CHUNG's views that -</p> <p>(a) the poor operating environment facing many stall operators (such as those in Yue Wan Market) could be attributed to the poor management of FEHD and old-fashioned layout design and outdated facilities; and</p> <p>(b) the Subcommittee should invite deputations' views, particularly those stall operators that encountered major difficulties in their daily operation.</p> <p>The Chairman's conclusion after consulting members that it would be more appropriate for the Subcommittee to invite deputations' views after receiving the consultancy report.</p>	
010452 - 010931	Chairman Admin	<p>The Chairman's comments that -</p> <p>(a) he was unconvinced of several findings in the discussion paper (including the occupancy rate of public markets and the patrons' satisfaction level of the overall conditions of public markets) based on his experience and observation;</p> <p>(b) the Administration should take into consideration the issue of ventilation when taking forward air-conditioning retrofitting projects;</p> <p>(c) the design and layout of some public markets were too old-fashioned to keep up with present-day expectations of patrons</p>	

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		<p>and stall operators; and</p> <p>(d) he looked forward to receiving the consultant's improvement proposals on five or six representative public markets.</p> <p>The Administration's responses that -</p> <p>(a) the occupancy rate of public markets as stated in the discussion paper was based on updated information as at 30 April 2014;</p> <p>(b) since the 1990s, the design and layout of new public markets had been improved significantly; and</p> <p>(c) the consultant was tasked with proposing concrete and pragmatic measures for improving the operating environment of public markets.</p>	
010932 - 011918	Chairman Mr CHAN Chi-chuen Admin	<p>Mr CHAN Chi-chuen's comment that FEHD had been preoccupied with administration issues (such as occupancy rate and maintenance of hygienic conditions), thus failing to make adequate efforts to improve the operating environment of public markets.</p> <p>The Administration's response that while it was FEHD's responsibility to maintain high occupancy rates and good hygienic conditions in public markets, FEHD had also made sustained efforts over the years to enhance the operating environment and competitiveness of public markets.</p>	
011919 - 012211	Chairman Mr Christopher CHUNG Admin	<p>The Chairman's suggestion that the consultant should draw up a concrete improvement proposal for a poorly-run public market so as to demonstrate to the public that the Administration was determined to revitalize public markets.</p> <p>Mr Christopher CHUNG's view that in addition to implementing measures to improve the operating environment of public markets, the Administration should consider closing down a few public markets that were too old to be revitalized.</p>	

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012212 - 012321	Chairman Admin	<p>The Chairman's comment that the Administration should take action to ensure that all public market stall operators actively operate their business.</p> <p>The Administration's response that they noted members' concerns.</p>	
012322 - 012519	Chairman Deputy Chairman Admin	<p>The request of the Chairman and the Deputy Chairman that another meeting be held with the Administration and the consultant to further exchange ideas and views on issues relating to the selection of the five to six representative public markets for further detailed study and the improvement measures proposed for these representative public markets.</p> <p>The Administration's response that they would consider the request and revert to the Subcommittee.</p>	<p><b>Admin to follow up</b> (paragraph 6 of the minutes refer)</p>
012520 - 012655	Chairman Admin	<p>Timing for the next meeting</p> <p>The Chairman's closing remarks that the Administration's response to the Subcommittee's request for arranging a further meeting with the Consultant would be taken into account in considering the timing for the next meeting.</p>	