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19 January 2015

Mr. Anthony CHU
Clerk to Public Accounts Committee
Legislative Council Secretariat
Legislative Council Complex
1 Legislative Council Road
Central, Hong Kong
(Fax : 2543 9197)

Dear Mr. Chu,

**Public Accounts Committee
Consideration of Chapter 2 of the Director of Audit's report No. 61
Management of Roadside Skips**

We refer to your letter of 9 January 2014 addressed to Secretary for the Environment, the Secretary for Development, and the Secretary for Transport and Housing. We have been authorized to reply.

To follow up on the recommendations in the Director of Audit's report No. 61, a Joint Working Group (JWG) led by the Environment Bureau and Environmental Protection Department has been set up in February 2014 with participation of eight relevant bureaux and departments. The JWG has consulted the skip operator trade on the operation matters and has explored related measures with a view to better regulate them.

In response to public complaints against roadside skips, the Hong Kong Police Force (HKPF) and the Lands Department (LandsD) have taken proactive enforcement efforts in response to public complaints against roadside skips. During January – September 2014, there were 889 complaints received by HKPF. Among these

complaints, the scene officers were able to locate roadside skips in 772 cases and advice and/or warning were given by HKPF under the Summary Offences Ordinance (Cap. 228) in 629 cases while over 80% of the skip(s) of these cases were removed by skip operators (usually within hours after complaint was received) and three cases were removed by HKPF. During the same period, LandsD handled 900 complaints in accordance with the Land (Miscellaneous Provisions) Ordinance (Cap. 28). The skips were removed by the skip operators in 99% of the cases, usually within two days of LandsD posting the relevant notice on the skip.

The trade has estimated that there are about 3 500 skips in Hong Kong, of which about 1 500 skips are placed in works sites and storage areas. Roughly about 2 000 skips are placed on roads and in public places across the territory. The JWG has conducted day and night visits to various hotspots of frequent complaints. The skips found on such locations were not actively engaged in waste loading and unloading activities. According to the feedbacks from the trade, these skips were placed there idling for convenience, either because they were close to their operating sites or due to a lack of proper storage areas, especially during night time.

In addition, the JWG has also looked into the 14 traffic accidents since 2010 involving roadside skips, of which four cases occurred in day time between 7:00am to 7:00pm and 10 cases occurred between 7:00pm to 7:00am. The accidents resulted in a total of 23 injuries. Subsequent investigations by HKPF revealed that most cases were relating to driving manner and five drivers were summonsed for careless driving. In all the 14 traffic accidents, the skips concerned were idling and placed at roadside without any associated loading and unloading activities.

Having considered the findings so far, the Secretary for the Environment, the Secretary for Development, and the Secretary for Transport and Housing agree that the relevant Departments would enhance co-operation and proactively explore the following short term measures in order to better address the problems caused by placing of roadside skips:

- (a) to identify suitable sites to be made available to skip operators through tendering on short-term tenancies for storage of “idling” skips and/or to facilitate skips to be placed in suitable commercially managed sites of other uses, with a view to reducing the number of such skips placed on roads or in public places; and
- (b) to enhance enforcement efficiency by engaging term contract service providers to speed up the removal of roadside skips by relevant government departments.

Meanwhile, it is recognised that some institutional measures, for example, regulating the operation of skips through a licence system in the longer term require further consideration. Any regulatory system (irrespective of whether it is to be in the form of a licence system for the skip operators or skips themselves, or both), if implemented, will need to duly cater for skip operations in Hong Kong, to address the public acceptance to the nuisance caused, to ensure fair treatment to all trade operators carrying out loading/unloading activities, and be backed by an effective enforcement mechanism. The Government will consider the need for such, having regard to the effectiveness of the short term measures mentioned above.

The JWG is now working out the implementation details of the short term measures and engaging the trade.

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'Fong Che Ping', written over a horizontal line.

(Dr. Sherman Fong)
for Director of Environmental Protection

c.c.

Secretary for Development

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