

立法會
Legislative Council

LC Paper No. CB(4)1339/14-15
(These minutes have been seen
by the Administration)

Ref: CB4/PS/2/12

**Panel on Food Safety and Environmental Hygiene
Subcommittee on Hawker Policy**

**Minutes of the meeting held on
Monday, 11 May 2015, at 4:30 pm
in Conference Room 2B of the Legislative Council Complex**

Members present : Hon Steven HO Chun-yin (Chairman)
Hon Alan LEONG Kah-kit, SC (Deputy Chairman)
Hon WONG Kwok-hing, BBS, MH
Hon Cyd HO Sau-lan, JP
Hon Claudia MO
Hon CHAN Chi-chuen
Hon CHAN Han-pan, JP
Dr Hon Kenneth CHAN Ka-lok

Members absent : Hon Vincent FANG Kang, SBS, JP
Hon CHEUNG Kwok-che
Hon WONG Yuk-man
Hon Alice MAK Mei-kuen, JP
Hon Christopher CHUNG Shu-kun, BBS, MH, JP

Public Officers attending : Agenda item I

Dr KO Wing-man, BBS, JP
Secretary for Food and Health

Mrs Cherry TSE, JP
Permanent Secretary for Food and Health (Food)

Mr Christopher WONG, JP
Deputy Secretary for Food and Health (Food)1

Mrs Miranda YIM
 Assistant Commissioner for Tourism (3)
 Commerce and Economic Development Bureau

Ms Vivian LAU, JP
 Director of Food and Environmental Hygiene

Mr Edward CHAN
 Acting Assistant Director of Food and Environmental
 Hygiene (Operations)2

Clerk in attendance : Ms Debbie YAU
 Chief Council Secretary (4)5

Staff in attendance : Ms Shirley TAM
 Senior Council Secretary (4)5

Ms Zoe TONG
 Legislative Assistant (4)5

Action

I. Principles for formulation of hawker policy and proposed measures

(LC Paper No. CB(4)561/14-15(01) -- Administration's paper on proposals on hawker management

LC Paper No. CB(4)920/14-15(01) -- Food and Health Bureau's written response to follow-up actions raised at the meetings on 14 April 2015

LC Paper Nos. CB(4)920/14-15(02) -- Further follow-up actions raised at the meetings on 14 April 2015, and Commerce and Economic Development Bureau and Food and Health Bureau's written response)

Discussion

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

ActionFollow-up actions to be taken by the Administration

2. The Administration undertook to provide a contact point for the proposals of setting up district-led open-air hawker bazaars and night markets.

(Post-meeting note: The contact point information provided by the Administration was circulated to members via LC Paper No. CB(4)1026/14-15(01) on 20 May 2015.)

3. The Chairman said that the Subcommittee's report would be prepared and a working meeting would be arranged in due course for discussing the report, in particular the Subcommittee's recommendations.

II. Any other business

4. There being no other business, the meeting ended at 5:59 pm.

Council Business Division 4
Legislative Council Secretariat
20 July 2015

**Proceedings of the meeting of the Subcommittee on Hawker Policy
on Monday, 11 May 2015, at 4:30 pm
in Conference Room 2B of the Legislative Council Complex**

| Time marker | Speaker | Subject(s) | Action required |
|--|---|---|-----------------|
| Agenda item I – Principles for formulation of hawker policy and proposed measures | | | |
| 001011 – 001106 | Chairman | The Chairman's opening remarks | |
| 001107 – 001649 | Chairman Secretary for Food and Health ("SFH") | SFH briefed members on the response of the Food and Health Bureau ("FHB") to the issues raised at the meetings on 14 April 2015 (LC Paper No. CB(4)920/14-15(01)). He clarified that the bottom-up approach only applied to proposals for setting up open-air hawker bazaars and night markets. For other proposals such as reviewing the case for issue of new fixed-pitch hawker licences and considering converting existing public market with low occupancy into off-street cooked food centre, the ball was still in the Government's court. He understood that one District Council ("DC") had been discussing a bazaar proposal whilst some members of another DC had submitted a proposal for FHB's comments. | |
| 001650 – 002402 | Chairman Mr CHAN Han-pan SFH | <p>Noting the Chapter 3 of the Audit Report No. 64 ("Report 64") pointing out that the vacancy rates of cooked food hawker bazaars ("CFHBs") were high, Mr CHAN –</p> <p>(a) considered that this could be attributable to the cancellation of licences without re-issuance after the licensees passed away. As a result, the number of stalls in CFHBs concerned was decreasing and the impact of a clustering effect was eroded;</p> <p>(b) enquired about the Administration's policy on CFHBs and relayed the concern of some stall operators who had operated the stalls in CFHBs for forty years;</p> <p>(c) requested the Administration to issue more licences to new entrants; and</p> <p>(d) enquired if the Administration would make reference to Singapore to refurbish the CFHBs, particularly those which were old and dilapidated, and revitalize them with new elements.</p> | |

| Time marker | Speaker | Subject(s) | Action required |
|--------------------|------------------------------------|--|-----------------|
| | | <p>SFH responded that according to the Government's policy, CFHBs were originally intended to be transient and no new licence was re-issued. Hence, a progressively high vacancy rate was a natural step leading to the ultimate decommissioning of a CFHB. He stressed that different approaches would be adopted for individual CFHBs on a case-by-case basis. For those with high vacancy rates and viability problems, the Administration would step up its efforts to release them with a view to facilitating development for other purposes. For CFHB sites having business potential after taking on improvement measures, the Administration would consider refurbishment works subject to resources availability. It would also consider relocating stalls to these CFHBs with vacancies, from CFHBs that were about to be closed.</p> | |
| 002403 – 003104 | Chairman Ms Cyd HO SFH | <p>In respect of proposals on open-air food bazaars, Ms HO considered that in addition to those initiated or supported by DCs aiming at enhancing district features, such as Dragon Market or the Gala Point, the Administration should also consider proposals gestated by individual public rental housing ("PRH") estates for which the Hong Kong Housing Authority and the Owners' Corporation(s) concerned, if any, had given consent, indicating/meaning that they already met the needs of the people therein.</p> <p>SFH responded that a bottom-up bazaar proposal was expected to be gestated either by (a) a committee of an interested DC which took the initiatives to identify suitable site(s) for this purpose, or (b) local communities. In any case, he expected that the proposal should have been discussed by the DC concerned. Under scenario (b), where the residents in the neighbourhood already gave their support, it was unlikely that the DC concerned would advise against the proposal. Otherwise, FHB would have difficulties in taking it forward. SFH further advised that if a food bazaar was set up through the proposed bottom-up approach, FHB would provide necessary facilitation to ensure that the bazaar could operate with basic facilities and in compliance with the requirements of food safety and environmental hygiene.</p> | |
| 003105 – 003658 | Chairman Deputy Chairman SFH | Given that some community planners and social workers had taken initiatives in helping communities to draw up proposals on bazaars and/or night markets, | |

| Time marker | Speaker | Subject(s) | Action required |
|-----------------|--------------------------------------|--|---|
| | | <p>the Deputy Chairman enquired whether the Administration could assist them in gestating proposals and developing some model bazaars as pilot run for other interested parties to follow.</p> <p>SFH said that interested parties were welcome to let him have an advance sight of the proposal. A contact point in his office would be provided in due course. Nevertheless, he reiterated that discussion and support by the respective DC was critical and FHB would only consider facilitating liaison with relevant government departments on bazaar proposals which were supported by the DC concerned.</p> | The Administration to follow up as per paragraph 2 of the minutes |
| 003659 – 004409 | Chairman Mr CHAN Chi-chuen SFH | <p>Mr CHAN appreciated SFH's undertaking in assisting interested parties in putting up bazaar proposals, and suggested FHB setting up a working group to deal with relevant matters, including the liaison with DCs and handling enquiries. In addition, FHB should step up publicity about the initiatives. Separately, he invited the representative of the Commerce and Economic Development Bureau ("CEDB") to share with members the role CEDB played in the implementation of hawker policy, for example, promotion of small business.</p> <p>SFH stressed that FHB stood ready to facilitate liaison with relevant government departments, including CEDB in respect of food truck.</p> | |
| 004410 – 005151 | Chairman Mr WONG Kwok-hing SFH | <p>Mr WONG considered that the Subcommittee should exchange views with FHB on the issuance and succession of hawker licences, and ways to retain the hawking activities of traditional or creative cultural activities and/or handicrafts.</p> <p>Mr WONG also suggested preparing a summary of views of deputations/individuals received at previous meetings for the Administration to provide a written response.</p> <p>In response, SFH reiterated that the bottom-up approach applied only to the proposal on setting up bazaars and night markets, whereas other proposals would be dealt with by the Government.</p> | |
| 005152 – 005819 | Chairman SFH | The Chairman expressed concern that while FHB might answer enquiries of parties interested in making bazaar proposals, it should not give any view but forward all these proposals directly to the relevant | |

| Time marker | Speaker | Subject(s) | Action required |
|-----------------|------------------------------------|--|-----------------|
| | | <p>DCs for consideration.</p> <p>In reply to the Chairman's further enquiry, SFH explained that there would be a number of vacant pitches after completing the relocation programme to improve fire safety precautions and operating environment under the five-year Assistance Scheme for Hawkers in Fixed-pitch Hawker Areas ("the Scheme") and the Government would consider issuing some new fixed-pitch hawker licences for the pitches in question taking into account the location of the vacated pitches and the need of the hawker areas. The five-year Scheme (which commenced in mid-2013) was yet to run its full course. Details of the review outcome (including whether to issue new licences and if so the exact number of new licences that could eventually be issued) might only be available nearer 2018.</p> | |
| 005820 – 010654 | Chairman Dr Kenneth CHAN SFH | <p>Dr CHAN referred to the two community workshops he had recently attended, and shared that the Administration should adopt a new thinking at the macro level and engage community planners to take forward bazaar proposals based on a bottom-up and people-based approach. He appreciated the commitment of these professional planners who were prepared to give voluntary help on setting up bazaars and/or night markets, such as coordinating and managing the needs, roles and expectations of different stakeholders, including Government departments. He called on the Administration to take part in such kind of workshops to understand more about the overall process of the gestation of these proposals, and review whether the policy and measures adopted for the development of the hawker policy were benefiting the community.</p> <p>Dr CHAN said that he was pleased to note that under the assistance of these volunteers, a pilot bazaar proposal for Sham Shui Po ("SSP") was in place with both DC and community's support. He urged the Administration to provide facilitation to ensure its successful implementation.</p> <p>SFH responded that while the Government would refrain from participating in preliminary community discussions on specific bazaar proposals, he would consider taking part in those which were more of a general nature, and meeting on bazaar proposal for a particular district upon the invitation of the DC</p> | |

| Time marker | Speaker | Subject(s) | Action required |
|--------------------|------------------------------------|--|-----------------|
| | | <p>concerned.</p> <p>As regards the SSP proposal, SFH observed that the Food and Environmental Hygiene Department ("FEHD") had attended the meeting(s) held by a working group of SSP's DC to discuss the said proposal.</p> | |
| 010655 – 011618 | Chairman Deputy Chairman SFH | <p>The Deputy Chairman said that Members belonging to the Civic Party had all along considered that the hawker policy was a matter of town planning. He believed that the Administration might work closely with voluntary community planners, who had shared relevant experiences of Singapore, Taiwan and the South Korea, in migrating from the role of management to facilitate development in respect of hawker policy implementation. He added that it was a benevolent act to enhance a successful development of the trade, which would bring benefits to many people, such as small business operators and customers wishing to buy value-for-money commodities.</p> <p>The Deputy Chairman raised issues relating to public markets that as there were 17 Government sites under SFH's purview for the purpose of CFHBs, cooked food markets and cooked food centres as stated in the Audit Commission's Report No. 64, FHB should, upon returning some of these sites for alternative uses, request for land resources to set up hawker areas in return. In response, SFH observed that resources would be allocated for different project developments as appropriate.</p> | |
| 011619 – 012410 | Chairman Dr Kenneth CHAN SFH | <p>Dr CHAN shared that the local government of Seoul had engaged community planners to conduct a study with a view to formulating a plan for Seoul's development in the next 20 to 30 years. The study was conducted because the original planning did not fully address the needs of Seoul, and focused studies on different districts of the city were held. He said that while the Planning Department would draw up future development plans, community planners could assist the Government in understanding community needs, and hence devising more suitable town plans.</p> <p>The Chairman concurred with Dr CHAN's views and invited SFH to consider having a new planning and consultation framework taking into account the views of professional community planners.</p> | |

| Time marker | Speaker | Subject(s) | Action required |
|--|-----------------|--|-----------------|
| | | <p>Dr CHAN also drew members' attention to the teething problems arising during the initial start-up of the Tin Sau Bazaar, including matters of discharge of waste water, provision of electricity and sun shades. He urged FHB to review the case of Tin Sau Bazaar which was operated by the Tung Wah Group, and get prepared for solving related problems, such as a lack of patronage, when setting up new bazaars and/or night markets. The Subcommittee might also refer to the case of Tin Sau Bazaar and draw lesson from its implementation.</p> | |
| 012411 – 012919 | Chairman SFH | <p>The Chairman enquired if the Administration would provide any financial assistance to support the setting up of bazaars, e.g. costs of land formation or other improvement works for the sites.</p> <p>SFH advised that if suitable sites were identified and support from the relevant DCs had been obtained, FHB would assess the support required and explore resources to meet the needs.</p> <p>The Chairman suggested that the Administration should take into consideration the provision of space for hawking activities during the planning stage of a residential area.</p> | |
| Agenda item II – Any other business | | | |
| 012920 – 012925 | Chairman | Closing remarks. | |