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(By fax no: 2543 9197)

26 January 2018

The Public Accounts Committee
Legislative Council Secretariat
Legislative Council Complex
1 Legislative Council Road
Central
Hong Kong

(Attn.: Mr. Anthony CHU)

Dear Mr. CHU,

**Follow-up to Public Accounts Committee Report No. 61
Management of Roadside Skips**

I refer to Public Accounts Committee's letter of 5 January 2018 to the Secretary for the Environment and am authorised to give a coordinated reply on his behalf, incorporating the inputs of concerned Government Bureaux and Departments of the Joint Working Group on Management of Roadside Skips¹ (the "JWG").

As set out in the progress report in the Government Minute of October 2017, the Government has stepped up the management and control of roadside skips. Firstly, through short-term tenancies, two sites have been provided in Tseung Kwan O Area 137 and Siu Lang Shui in Tuen Mun for use by the skips trade to store idling skips since January and December 2017 respectively, so as to alleviate the problem of the lack of such storage sites. Secondly, a dedicated term service contractor ("TSC") has been engaged by the Government since February 2017 to assist enforcement departments in speeding up the removal of skips found to be posing serious obstruction to traffic and/or imminent danger to the public, so as to enhance enforcement efficiency and the deterrent effect. Joint enforcement operations have been conducted since February 2017 in tackling a number of black spots on placement of idling skips, including Tseung Kwan O, Sai Kung, Kowloon Bay, and Kai Tak areas in 2017, with the participation of the Hong Kong Police Force ("HKPF"), the Lands Department ("LandsD"), the Food and Environmental Hygiene Department, the Transport Department ("TD"), the Highways Department,

¹ The JWG is led by the Environment Bureau and the Environmental Protection Department and comprises the Development Bureau, the Transport and Housing Bureau, the Food and Environmental Hygiene Department, the Highways Department, the Hong Kong Police Force, the Lands Department, the Transport Department, and the Home Affairs Department (on a need basis).

the District Offices and the Environmental Protection Department (“EPD”). As a result, we observed that the malpractice of indiscriminate placement of idling skips has been significantly improved. The JWG will continue to coordinate joint enforcement operations at other black spots as advised by the District Offices, in order to deter malpractice of indiscriminate placement of skips at roadside.

To progressively raise the standards of skip operations and to address safety concerns associated with obstruction to traffic and road users arising from the placement of skips at roadside, the JWG has been in close liaison with the skip operators trade to support its pursuit of a trade-led skips registration system to enhance the standards of skip operations, including standardising the specifications for skips and promoting good operational and safety practices.

Below are the specific information requested in paragraphs 3(a) to (d) of your letter of 5 January 2018:

- (a) Progress of the removal of roadside skips and statistics on the number of skips that have been removed, breakdown by 18 districts;

Legislative control of roadside skips resulting in obstruction and illegal occupation of Government land are provided for under the Summary Offences Ordinance (Cap. 228) and the Land (Miscellaneous Provisions) Ordinance (Cap. 28) respectively. The HKPF and the LandsD have been vigilant about the problem of indiscriminate placement of skips on roadside and have been mounting enforcement operations from time to time in order to deter malpractice of skip operators.

In 2017, the Police took enforcement actions against operators of 16 roadside skips for causing serious obstruction and imminent danger to the public. Among these cases, a total of six (6) skips were removed by the TSC whilst the others by the operators themselves. So far, the maximum penalty meted out by the Courts in the convicted cases was \$3,500 fine.

As regards enforcement actions by the LandsD, the District Lands Offices had posted 1,521 notices on the skips which resulted in confiscating 13 skips in 2017. It also participated and contributed in the joint enforcement operations against roadside skips at the aforementioned black spots, among other participating departments.

The enforcement statistics of the HKPF by Police Districts, and of the LandsD by District Councils are tabulated at Annex 1 and Annex 2, respectively.

- (b) Reasons for the skips still placing at roadsides and measures/strategies to deal with skips at black spots, including timetable to speed up the clearance of such skips;

Since the launch of joint enforcement operations against roadside skips in February 2017, the situation of indiscriminate placement of roadside skips in a number of black spots, including Tseung Kwan O, Sai Kung, Kowloon Bay and Kai Tak areas, etc. has been improved. Having regard to the advice from District Offices, the JWG will continue to progressively organise joint operations to tackle the indiscriminate placement of roadside skips at other black spots as necessary.

The JWG’s findings revealed that idling skips are placed at roadsides owing to the lack of suitable skip storage sites at convenient locations. The JWG is monitoring closely the utilisation rates of the two skip storage sites and will

continue its efforts in searching additional suitable sites across the territory for placement of idling skips by the trade. On the advice of the District Offices, the JWG will continue to mount joint enforcement operations among the relevant Government departments in order to sustain the improvements achieved at the black spots.

- (c) Progress of setting up a skips registration system and the trade's views towards the proposal; and
- (d) Latest position on the adoption of safe practices and compliance of TD's "Guidelines for Mounting and Placing of Skips" by the trade, including the making use of colour and outlook of skips to alert drivers/road users of the existence of skips, reasons for the non-compliance of the trade with the guidelines and any measures to address the trades' concerns.

On compliance of TD's "Guidelines for Mounting and Placing of Skips", as indicated in our letter of 7 July 2017 in response to your letter of 26 May 2017, skips as well as skip operations are mobile in nature and scattered all over the territory, posing difficulty for TD to monitor the extent of compliance. The TD has therefore conducted regular surveys at the two centralised skip storage sites at Tseung Kwan O Area 137 and Siu Lang Shui in Tuen Mun regarding the colour and outlook of the skips. The survey in January 2018 revealed that 41% of the skips were painted in yellow and 8% of the skips were equipped with reflective strips.

The JWG organised a seminar for the skip operators trade on 27 September 2017, with the participation of the TD and LandsD to promote safe practices in skip operations and wider adoption of the TD's "Guidelines for Mounting and Placing of Skips". Participants were briefed on LandsD's enforcement actions against skips occupying Government land under the Land (Miscellaneous Provisions) Ordinance (Cap. 28), and that at present, the HKPF uses the TD's Guidelines as reference to assist their frontline officers in determining any serious obstruction and imminent danger when dealing with roadside skips.

The JWG held three liaison meetings with the trade in 2017 to explore setting up of a voluntary skips registration system, aiming at including compliance of applicable Government requirements and guidelines (e.g. those covered in TD's Guidelines, and the guidelines to address environmental concerns) as the criteria for registration. During the seminar, EPD also introduced JWG's plan to work with the trade in setting up a trade-led skips registration system. Many participants were receptive to the idea of exploring a voluntary skips registration system to facilitate their skip operations. To facilitate progress on this initiative, the JWG is engaging an external consultant to work with the skip operators trade in developing proposals for setting up a trade-led registration system in 2018.

The voluntary skips registration system will be instrumental in addressing trade's concern and raising the compliance rate of Government requirements and guidelines. The TD will continue to participate in the JWG to formulate action plans for regulating and facilitating skip operations.

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'Joe Fong', with a stylized flourish at the end.

(Joe Fong)
for Director of Environmental Protection

c.c.

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Enforcement statistics of the Police by the Police Districts

Police District	Number of skips removed in 2017	Number of prosecutions in 2017	Number of convictions in 2017
Hong Kong Island			
Eastern	0	0	0
Western	3	8	6
Wan Chai	0	1	1
Central	0	0	0
Kowloon			
Kowloon City	0	0	0
Yau Tsim	0	0	0
Sham Shui Po	0	0	0
Mongkok	0	0	0
Sau Mau Ping	0	1	1
Wong Tai Sin	0	0	0
Kwun Tong	0	0	0
Tseung Kwan O	3	5	5
New Territories			
Tai Po	0	0	0
Tuen Mun	0	0	0
Yuen Long	0	0	0
Border	0	0	0
Airport	0	0	0
Sha Tin	0	0	0
Tsuen Wan	0	1	1
Kwai Tsing	0	0	0
Lantau	0	0	0
Total:	6	16	14

Enforcement statistics of the Lands Department by the District Councils

District Council	Number of notices posted on the skips in 2017	Number of skips removed in 2017	Number of prosecutions in 2017	Number of convictions in 2017
Hong Kong Island				
Eastern	522	1	0	0
Southern	2	0	0	0
Wan Chai	53	0	0	0
Central & Western	122	0	0	0
Kowloon				
Kowloon City	42	2	0	0
Yau Tsim Mong	49	1	0	0
Sham Shui Po	22	0	0	0
Wong Tai Sin	0	0	0	0
Kwun Tong	81	0	0	0
New Territories				
Tai Po	5	0	0	0
Tuen Mun	0	0	0	0
Yuen Long	0	0	0	0
North	3	0	0	0
Sai Kung	524	9	0	0
Sha Tin	15	0	0	0
Tsuen Wan	20	0	0	0
Kwai Tsing	61	0	0	0
Islands	0	0	0	0
Total:	1521	13	0	0