

LEGISLATIVE COUNCIL

PANEL ON PLANNING, LANDS AND WORKS

Illegal Fuel Filling Stations on Government Land

Background

As part of its enforcement efforts, the Customs & Excise Department (C&ED) has been taking action against illegal fuel filling stations within vehicle parking sites across the Territory. Some 55 locations were identified by C&ED during 1999 and January 2000 as harbouring illegal filling operations. Among these sites, 25 are Government land sites presently held under short term tenancies (STTs) for fee-paying vehicle parking. The remainder are mainly vehicle parking sites on private land.

Present Position

2. Acting on information provided by C&ED, DLOs have been sending warning letters to car-park operators on these STT sites demanding the eradication of such illegal activities. These STT operators have been warned that unless they improve the security of their premises through the introduction of effective measures (including security guards, closed circuit television and floodlighting) and successfully eradicate the illegal activities, Government will terminate the tenancy agreements and will consider excluding them from future tender exercises. The Lands Department has further asked these operators to contact the Police Crime Prevention Bureau for advice on security measures.

3. DLOs are monitoring the situation by carrying out inspections to these sites. So far, the response from most of these operators has been positive. They have undertaken to enhance the security of their sites and more closely monitor the movement of vehicles through, for example, the recording of vehicle registration numbers. Nevertheless, in the past three months, one STT in Kwai Tsing was cancelled by the DLO because of repeated reports of illegal filling operations and potential risk to a nearby school. Another STT in Kwun Tong has been terminated because of the tenant's failure to prevent the recurrence of illegal filling activities on the site.

4. It should be noted that wholesale cancellation of STTs and closure of sites will have other implications, notably the short-term loss of vehicle parking spaces with consequent on-street parking and traffic problems.

Other Improvement Measures

5. The Lands Department will further enhance the existing provisions of the tenancy agreements to facilitate more effective lease enforcement action. A new clause has recently been included in the special conditions of new tenancy agreements for vehicle parking sites (see Annex). The clause mandates the provision of proper security systems on vehicle parking sites and provides for specific advice from the Police to tenants.

6. Moreover, to ensure that DLOs may more rapidly terminate STT upon confirmed reports of illegal activities, Lands Department intends to include new clauses in future tenancy agreements to facilitate early termination of tenancies.

Conclusion

7. The Lands Department will continue to monitor the situation closely and is determined to take effective measures (including termination of tenancies) to tackle the problem. It has established close liaison with other enforcement agencies such as the Customs and Excise Department in a multi-pronged approach by the Administration to tackle the problem of illegal filling stations. In this respect, the Customs and Excise Department will consider seeking the advice of the Department of Justice to review, in appropriate cases, the sentences imposed on illicit fuel offenders so as to achieve sufficient deterrent effect. It will also increase publicity to encourage reporting by members of the public on illegal filling stations.

Planning and Lands Bureau
April 2000

Annex

New special conditions included in new tenancy agreements for vehicle parking sites

'Within three calendar months from the commencement date of the tenancy, the Tenant shall submit a proposed scheme of security to the Commissioner of Police (Attn: Crime Prevention Bureau) for his approval. The Tenant shall abide by the scheme duly approved as aforesaid in his operation of the fee-paying public carpark and shall not make any alteration to the said approved scheme without the prior written consent of the Commissioner of Police.'