

LEGISLATIVE COUNCIL BRIEF

Declaration of King Yin Lei at 45 Stubbs Road, Hong Kong as a Monument

INTRODUCTION

The Secretary for Development, in her capacity as the Authority (“Authority”) under the Antiquities and Monuments Ordinance (“Ordinance”) (Cap. 53), has –

- (a) after consultation with the Antiquities Advisory Board (AAB) and with the approval of the Chief Executive (CE), decided to declare the buildings and the adjoining land situated within the Inland Lot No. 7327, No. 45 Stubbs Road, Hong Kong together with all structures erected on such lot (the “Building”) (commonly known as “King Yin Lei”) to be a monument under the Ordinance; and
- (b) decided to withdraw the declaration of the Building as a proposed monument under the Ordinance.

The above declaration and withdrawal of declaration will be made by notice in the Gazette on 11 July 2008.

JUSTIFICATION

Proposed monument declaration

2. Built in around 1937 with gross floor area of about 1,641 square metres, the Building is a private residence with strong association with two famous families. It was built in fine “Chinese Renaissance” style combining the Chinese and Western architectural influences in a sophisticated manner, demonstrating the superb building technology and craftsmanship in Hong Kong’s early colonial period and reflecting the rising status and growing wealth of the Chinese community before World War II (please see photos at Annex A and information about historic background of King Yin Lei at Annex B). The Building was sold to its current owner (Ice Wisdom Limited) in August 2007, and works to remove the roof tiles, stone features and window frames were noticed on site in early September 2007.

3. To save the Building from further damage, the Secretary for Development, in her capacity as the Authority under section 2A of the Ordinance, took urgent action to declare the Building as a proposed monument on 15 September 2007 after consultation with the AAB. The declaration gives the Building statutory protection and allows a period of up to 12 months for the Authority to consider in a comprehensive manner whether the Building should be declared as a monument. It also provides an opportunity for the Government to discuss with the owner feasible options for preservation of the Building. Unless it is withdrawn earlier, the proposed monument declaration will expire after 14 September 2008. Under the Ordinance, proposed monument declaration within private land cannot be extended.

4. Subsequent to the proposed monument declaration, the Antiquities and Monuments Office (AMO) of the Leisure and Cultural Services Department engaged an expert recommended by the State Administration of Cultural Heritage, Professor Tang Guohua of the School of Architecture and Urban Planning of Guangzhou University to conduct a study on the restoration works of the Building. Professor Tang confirmed the heritage value of the Building, and considered that the original appearance of the Building could be restored up to 80% while its heritage value could be basically maintained.

5. Meanwhile, the AMO carried out on-site inspections to the Building for further assessment. Based on the information obtained from those inspections and Professor Tang's conclusions, AMO considered that the heritage value of the Building had reached the threshold that justified its declaration as a monument under the Ordinance. Based on AMO's professional advice, the Authority intended to declare the Building as a monument under section 3(1) of the Ordinance. The AAB was consulted on the intended declaration at its meeting on 25 January 2008 and Members unanimously supported the proposal.

6. On 29 April 2008, the Authority served a notice under section 4 of the Ordinance to inform the owner about the intended monument declaration, and the owner may object by petition to the CE within a month. Upon the expiry of the one-month period, the owner has not made any objection by petition. Accordingly, in accordance with the Ordinance, the Authority has obtained the approval of the CE for the declaration of the Building as a monument by notice in the Gazette. To avoid any gap during which there is no statutory protection for the Building, the monument declaration will have to be made before the proposed monument declaration expires after 14 September 2008. With the declaration of the Building as a monument, the declaration of the Building as a proposed monument made on 15 September 2007 can be withdrawn.

Proposed preservation option

7. The declaration of the Building as a monument is based on the high heritage value of the Building. As the Building is in private ownership, we have, as provided for under the new heritage conservation policy announced by CE in his 2007-08 Policy Address, explored with the owner possible economic incentives aiming at preserving the Building. In implementing this policy, we aim to strike a proper balance between preservation of historic buildings and respect for private property rights.

8. After several rounds of discussion with the owner's representatives, Government has reached an understanding with the owner on a preservation option. Under the proposed arrangement, the owner will surrender the whole lot of the Building to Government for preservation, while Government in exchange will grant an adjacent site of man-made slope of the same size as the existing lot to the owner for new residential development. In addition, the owner has agreed to carry out and fund the restoration works of the Building to the satisfaction of AMO. We consulted the Sub-committee on Heritage Conservation of the Panel on Home Affairs of the Legislative Council at its meeting on 22 February 2008, and Members generally supported the proposed preservation option (please refer to the paper to the Sub-committee LC Paper No. CB(2)1105/07-08(01)). The proposed preservation option is currently undergoing the relevant statutory process under the Town Planning Ordinance (Cap. 131). After that, we will seek approval of the CE in Council for the proposed non-in-situ land exchange.

9. After King Yin Lei has been surrendered to Government, we plan to put it to adaptive re-use and revitalise it into an attraction for local residents as well as tourists. There is wide public interest to have access into the Building to enjoy its architecture and to learn about its history. We plan to consult the public and devise suitable proposals for its revitalisation.

PUBLICITY

10. A press release was issued on 25 January 2008 on the consultation with the AAB and the intention of the Authority to declare the Building as a monument. We will continue to adopt the approach of keeping the public informed at every stage of the process to preserve the Building. A Legal Notice will be published in Gazette on 11 July 2008 to give effect to the monument declaration and the consequential withdrawal of the proposed monument declaration. A press release will be issued, and a spokesperson will be available to answer media and public enquiries.

ENQUIRIES

11. For any enquiries on this brief, please contact Mr. Jack Chan, Commissioner for Heritage of the Development Bureau, at 2848 2104.

Development Bureau
July 2008

Photos of King Yin Lei



Information about Historic Background of King Yin Lei

King Yin Lei (the Building) has strong association with two famous families. It was built in 1937 by Mrs Shum Li Po-lun (岑李寶麟), the granddaughter of Mr Li Sing (李陞), the daughter of Mr Li Po-chun (李寶椿) and the wife of Mr Shum Yat-chor (岑日初), all were notable merchants and philanthropists in Hong Kong. The Building was sold in 1978 to the Yow family – Mr. Yow Qhei-man (邱子文) and his son Mr. Yow Mok-shing (邱木城), who gave the name “King Yin Lei” to the Building which meant “house of virtuous views”.

2. The Building is important in signifying the historical development of Hong Kong. As one of the luxurious historic houses located along the hillside of Hong Kong Island, the Building reflects the rising status and growing wealth of the Chinese community in Hong Kong. It also represents an earlier phase of Hong Kong history when the upper-class residential area took shape in the Mid-Levels.

3. The Building was built in the “Chinese Renaissance” style that was very popular between the 1920’s to 1930’s in Hong Kong. It is a fine and unique example of the style that generally features a Western floor plan with lavish Chinese decorations and architectural elements. The Building is an outstanding and unique example of such a style as it combines the Chinese and Western architectural influences in a very sophisticated manner. There are not too many buildings in Hong Kong characterising the Chinese Renaissance style.

4. The façade of the Building has been a popular spot for taking photographs by visitors. The social value of the Building also lies in the role it played in the film heritage and entertainment industry of Hong Kong. The mansion has been featured in films of international renown such as “*Soldier of Fortune*” (江湖客) (1955), “*Love is a Many-Splendoured Thing*” (生死戀) (1955) and a locally produced television series “*Delightful Dream of the Capital*” (京華春夢) (1980). These examples reflect the high scenic character of the site.