

立法會
Legislative Council

LC Paper No. CB(1)107/13-14(06)

Ref. : CB1/PL/EA

Panel on Environmental Affairs

Meeting on 28 October 2013

**Updated background brief on "External lighting in Hong Kong"
prepared by the Legislative Council Secretariat**

Purpose

This paper provides background information on the measures for tackling the issues arising from external lighting in Hong Kong, and gives a brief account of the views and concerns expressed by Members on the subject.

Background

2. External lighting in Hong Kong exists in many different forms and some typical examples include signs (either internally illuminated or externally illuminated), lighting for facades and features, lighting outside buildings (including those for shops), lighting for sports fields and playgrounds, and external video structures (e.g. video walls, display panel). In recent years, there has been increased public awareness about the impact of external lighting, as reflected by the increasing number of complaints against light nuisance from advertisement signboards, decorative lightings, and spot lights on the external wall of buildings.

3. To address the energy wastage and light nuisance problems that may be caused by excessive external lighting, the Government issued the Guidelines on Industry Best Practices for External Lighting Installations ("the Guidelines") on 26 January 2012 to provide a reference for the trade and relevant parties in planning external lighting projects and their daily operation. The Guidelines, which are hyperlinked in the **Appendix**, suggest some best practices on external lighting installations that government departments and the private sector should observe.

4. Apart from promulgating the Guidelines, the Task Force on External Lighting ("the Task Force") has been set up to advise the Government on the appropriate strategy and measures for tackling nuisance and energy wastage problems caused by external lighting, having regard to international experience and practices. The Task Force has studied the technical standards and

parameters as well as implementation approaches adopted by overseas regulatory regimes in tackling the problems of energy wastage and nuisance caused by external lighting. It has also visited locations in Hong Kong where external lighting has been the subject of complaints, such as Causeway Bay and Mongkok, to assess the applicability of the parameters and standards to Hong Kong.

5. On 19 August 2013, the Task Force published the "Document for Engaging Stakeholders and the Public" (LC Paper No. CB(1)40/13-14(01)), which is hyperlinked in the **Appendix**, to invite comments on its proposal of requiring lighting installations with decorative, promotional or advertising purposes that affect the outdoor environment to be switched off after a preset time in order to address the issues of light nuisance and energy wastage. The Task Force will consider the views collected before drawing up specific recommendations to the Government on the appropriate ways to regulate external lighting. The deadline for public consultation is **18 November 2013**¹.

Deliberations by Members

6. The Panel on Environmental Affairs ("the Panel") and the Subcommittee on Issues Relating to Air, Noise and Light Pollution ("the Subcommittee") have discussed issues arising from external lighting. A summary of the discussions is set out in the ensuing paragraphs.

Panel on Environmental Affairs

7. At its meeting on 28 March 2011, the Panel noted the findings of the consultancy study on external lighting commissioned by the Environment Bureau ("ENB") in 2009, and discussed the way forward to minimize energy wastage and light nuisance.

8. While supporting in principle the promulgation of the Guidelines, some members questioned the effectiveness of the Guidelines in regulating external lighting. These members considered the Guidelines not only vague and incomprehensive in the absence of standards on light intensity, but also toothless and non-enforceable without a mechanism to handle disputes. They were skeptical that the Administration was merely using the Guidelines as an excuse to procrastinate statutory control on external lighting. In their view, the Administration should solicit cooperation from the trades to adopt the voluntary measures in the Guidelines, and to closely monitor the effectiveness of those measures. To demonstrate its commitment, the Administration should also introduce control measures, such as licensing control on the intensity and duration of animated lighting, and provision of shields for spotlights etc.

¹ The Task Force on External Lighting announced on 10 October 2013 that the public consultation exercise would be extended by one month from 18 October 2013 to 18 November 2013.

9. Some members held the view that light pollution was a result of poor planning to allow intermingling of residential and commercial buildings. Given that neon lights were one of the tourist attractions in Hong Kong, the proposal to switch off external lights after 11 pm might affect the night life of Hong Kong. In assessing the problem of light nuisance in Hong Kong, members suggested that reference should be made to experiences in cities like Las Vegas and Macau where neon lights were used to attract tourists. Consultation should be held with the affected trades, including the tourism trades. Meanwhile, appropriate assistance should be given to those who were affected by external lighting but could not afford to move to residential districts, such as dwellers of bedspace apartments.

10. On 28 January 2013, the Panel had a deliberation on light pollution when it was briefed on the environmental initiatives set out in the 2013 Policy Address. Members expressed support for the early introduction of legislation to regulate external lighting on account of its nuisances to affected residents. There were also views that the Guidelines were not effective in regulating external lighting and a system of control by district, similar to that of noise control, could be applied to regulate external lighting in the territory.

11. Noting that there was no legislation controlling the light pollution arising from the reflection from glass curtain walls, it was suggested that studies should be made on the means to regulate the reflected glare from glass curtain walls. The Administration had responded that existing legislation did not regulate reflected glare from buildings. ENB's current work on external lighting was focused on energy wastage and light nuisances, but not reflected glare from glass curtain walls. This notwithstanding, the Administration considered that the subject was worth studying and as a start, consideration could be given to including green specifications in the design of buildings to prevent the glaring effect of glass curtain walls.

12. At its meeting on 24 June 2013, the Panel was informed of the Task Force's view that the introduction of a switch-off requirement after a preset time would be the appropriate way forward for Hong Kong, and that an engagement exercise would be conducted by the Task Force to consult stakeholders and the public on the preset time; the scope of regulation and exemptions; as well as the implementation approach.

13. On the implementation approach, some members favoured the introduction of legislation to mandate the switch-off requirement in order that the regulation could be enforced and be effective. On the other hand, some other members supported the introduction of a charter scheme under which owners and the management of external lighting installations would pledge to switch off their lighting installations at preset time as this could enable the Administration to gauge the impact of the requirement on business operators.

14. Noting the Task Force's proposal that the switch-off requirement should not apply to lighting necessary for security, safety or operational reasons, some members were concerned that such exemption might create loopholes whereby some shop operators could circumvent the requirement by claiming that their lighting installations had to be switched on after the preset time for security reasons. However, some members supported that lighting for security and safety purposes should be exempted. Some other members held the view that the Task Force should consider setting standards to control excessive light intensity and flashy light.

Subcommittee on Issues Relating to Air, Noise and Light Pollution

15. The Subcommittee discussed the current legislation and administrative measures on the control of light pollution at its meeting on 12 July 2013. Members expressed concern about the problems of light nuisance and energy wastage caused by excessive external lighting. While some members expressed support for an early introduction of legislation to regulate external lighting on account of its nuisance to the public, some considered that external lighting installations contributed to the safe environment of the city and promoted tourism.

16. Some members opined that the Administration should consider bringing the nuisance caused by reflected glare from glass curtain walls of buildings and excessive street lighting under the control of the Buildings Ordinance (Cap. 123) ("the BO"), while at the same time extending the scope of the BO to regulate the lighting intensity and specify the operating hours of lighting installations. A comprehensive approach should be adopted for vetting and approving the installation of external lightings so that lighting intensity and flashy light could be taken into account. Besides, the Administration should formulate control measures to regulate roadside lighting installations, which might pose safety concerns to pedestrians and road users.

Council questions

17. Hon IP Kwok-him and Hon James TO raised questions relating to external lighting at the Council meetings on 7 January 2009 and 14 December 2011. Details of the Council questions are hyperlinked in the **Appendix** for ease of reference.

Relevant papers

18. A list of relevant papers is set out in the **Appendix**.

Appendix

List of relevant papers

Council/ Committee	Date of meeting	Paper
Panel on Environmental Affairs	3 March 2009*	Information note on "Light pollution and the regulation of outdoor lighting in selected places" prepared by the Research and Library Services Division of the Legislative Council Secretariat (LC Paper No. IN08/08-09) http://www.legco.gov.hk/yr08-09/english/sec/library/0809in08-e.pdf
Panel on Environmental Affairs	5 November 2009*	Referral arising from the meeting between Legislative Council Members and Yau Tsim Mong District Council members on 4 June 2009 regarding the light pollution problem in urban area (Restricted to Members) (LC Paper No. CB(1)271/09-10(01))
Panel on Environmental Affairs	19 May 2010*	Referral arising from the meeting between Legislative Council Members and Wan Chai District Council members on 29 April 2010 regarding the noise and light nuisance from outdoor television wall screens (Chinese version only) (Restricted to Members) (LC Paper No. CB(1)1956/09-10(01))

Council/ Committee	Date of meeting	Paper
Panel on Environmental Affairs	28 March 2011	<p>Administration's paper on "External Lighting in Hong Kong" (LC Paper No. CB(1)1673/10-11(03)) http://www.legco.gov.hk/yr10-11/english/panels/ea/papers/ea0328cb1-1673-3-e.pdf</p> <p>Paper on supplementary information on the regulation of outdoor lighting in selected places prepared by the Legislative Council Secretariat (Fact sheet) (LC Paper No. FS16/10-11) http://www.legco.gov.hk/yr10-11/english/sec/library/1011fs16-e.pdf</p> <p>Referral arising from the meeting between Legislative Council Members and Wan Chai District Council members on 13 January 2011 regarding the noise and light nuisances generated by outdoor video walls (Chinese version only) (Restricted to Members) (LC Paper No. CB(1)1708/10-11(02))</p> <p>Administration's paper on "External Lighting of The ONE and Hopewell Centre" (LC Paper No. CB(1)1719/10-11(01)) http://www.legco.gov.hk/yr10-11/english/panels/ea/papers/ea0328cb1-1719-1-e.pdf</p> <p>Minutes of meeting (LC Paper No. CB(1)2191/10-11) http://www.legco.gov.hk/yr10-11/english/panels/ea/minutes/ea20110328.pdf</p>
Panel on Environmental Affairs	Tabled in the Legislative Council on 13 July 2011	<p>Report of the Panel on Environmental Affairs for submission to the Legislative Council (LC Paper No. CB(1)2546/10-11) http://www.legco.gov.hk/yr10-11/english/panels/ea/reports/ea0713cb1-2546-e.pdf</p>
Panel on Environmental Affairs	28 January 2013	<p>Administration's paper on "2013 Policy Address – Policy Initiatives of Environment Bureau: Environmental protection" (LC Paper No. CB(1)431/12-13(02)) http://www.legco.gov.hk/yr12-13/english/panels/ea/papers/ea0128cb1-431-2-e.pdf</p> <p>Minutes of meeting (LC Paper No. CB(1)732/12-13) http://www.legco.gov.hk/yr12-13/english/panels/ea/minutes/ea20130128.pdf</p>

Council/ Committee	Date of meeting	Paper
Panel on Environmental Affairs	24 June 2013	<p>Administration's paper on "External Lighting in Hong Kong" (LC Paper No. CB(1)1332/12-13(03)) http://www.legco.gov.hk/yr12-13/english/panels/ea/papers/ea0624cb1-1332-3-e.pdf</p> <p>Background brief on "External lighting in Hong Kong" prepared by the Legislative Council Secretariat (LC Paper No. CB(1)1332/12-13(04)) http://www.legco.gov.hk/yr12-13/english/panels/ea/papers/ea0624cb1-1332-4-e.pdf</p> <p>Minutes of meeting (LC Paper No. CB(1)1807/12-13) http://www.legco.gov.hk/yr12-13/english/panels/ea/minutes/ea20130624.pdf</p>
Subcommittee on Issues Relating to Air, Noise and Light Pollution	12 July 2013	<p>Administration's paper on "Current legislation and administrative measures on the control of light pollution and associated public expenditure" (LC Paper No. CB(1)1472/12-13(01)) http://www.legco.gov.hk/yr12-13/english/panels/ea/ea_anlp/papers/ea_anlp0712cb1-1472-1-e.pdf</p> <p>List of follow-up actions arising from the discussion at the meeting on 12 July 2013 (LC Paper No. CB(1)1640/12-13(01)) http://www.legco.gov.hk/yr12-13/english/panels/ea/ea_anlp/papers/ea_anlp0712cb1-1640-1-e.pdf</p> <p>Administration's response to the follow-up actions arising from the discussion at the meeting on 12 July 2013 (LC Paper No. CB(1)1640/12-13(02)) http://www.legco.gov.hk/yr12-13/english/panels/ea/ea_anlp/papers/ea_anlp0712cb1-1640-2-e.pdf</p>
Panel on Environmental Affairs	Tabled in the Legislative Council on 17 July 2013	<p>Report of the Panel on Environmental Affairs for submission to the Legislative Council (LC Paper No. CB(1)1476/12-13) http://www.legco.gov.hk/yr12-13/english/panels/ea/reports/ea0717cb1-1476-e.pdf</p>

* Date of issuance of papers

Hyperlinks to relevant Council Questions:

Date	Council Question
7 January 2009	Council question raised by Hon IP Kwok-him http://www.info.gov.hk/gia/general/200901/07/P200901070137.htm
14 December 2011	Council question raised by Hon James TO http://www.info.gov.hk/gia/general/201112/14/P201112140182.htm

Hyperlinks to relevant documents:

Government bureau/department	Document
Environment Bureau	Guidelines on Industry Best Practices for External Lighting Installations issued on 26 January 2012 http://www.enb.gov.hk/en/resources_publications/guidelines/files/guidelines_ex_lighting_install_eng.pdf
Task Force on External Lighting	Document for Engaging Stakeholders and the Public (LC Paper No. CB(1)40/13-14(01)) http://www.legco.gov.hk/yr13-14/english/panels/ea/papers/ea1028cb1-40-1-e.pdf