

16 October, 2013

Helping Business since 1861

Mr Wong Kam Sing, JP
Secretary for the Environment
Environment Bureau
16/F, East Wing, Central Government Offices
2 Tim Mei Avenue, Tamar
Hong Kong

Dear Mr Wong,

Tackling Nuisance and Energy Wastage caused by Excessive External Lighting

The Hong Kong General Chamber of Commerce (“HKGCC”) is pleased to submit our views on the above subject as follows:

1. **The HKGCC welcomes the Government’s initiatives to clearly ascertain the problems arising from excessive external lighting, and we appreciate the efforts of the Task Force on External Lighting to identify possible measures to address the related issues.** Hong Kong’s spectacular night scene has long been its distinctive trademark, a testament to its reputation of being a city that never sleeps, and undeniably a must-see attraction to tourists. From neon signs to billboards to skyscrapers, in the past keeping lights on throughout the night was accepted or tolerated as being the norm. However, there have been growing concerns within society in recent years about the impact of excessive external lighting, and we are glad to note that a significant portion of the business community has voluntarily and responsibly adopted some mitigating measures in this regard. All in all, almost everybody agrees that there is a need to strive for a balance between Hong Kong’s image and the quality of life of its residents.
2. It would not be practical to draw up a meaningful “Light Zone Map” to regulate all external lighting, in view of the high density of buildings, co-existence of commercial and residential buildings, as well as the multiple light sources in our densely populated city. In this regard, **the HKGCC agrees in principle with the Task Force that a proposed requirement to switch off external lighting after a preset time would be the most tenable solution among other options, as long as sufficient lead time is given for implementing the switch-off**

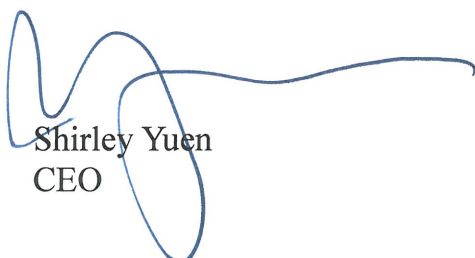
requirement. As there are currently many external advertising light boxes and panels across the territory under contractual arrangements to stay on after midnight, the new switch-off requirement will violate the existing commercial agreements and create financial impact on businesses. Any changes on illumination period should therefore be communicated upon contract renewal, with due consideration of practicality and commercial implication subject to market feedback.

3. **The two alternative pre-set times proposed by the Government differ only by one hour, i.e. (i) 11pm-7am, and (ii) midnight to 7am. Given Hong Kong's cosmopolitan nature, we have a slight preference for the latter proposal. In addition, we suggest a targeted approach focusing initially on those areas most seriously affected by excessive external lighting.** According to the data contained in the consultation document, about 48% of the 225 complaint cases made against excessive lighting in 2012 were located in Yau Tsim Mong, Wan Chai, and Hong Kong Island along the coastal areas, which are tourist destinations. In these areas, special pre-set times (for example 12 midnight during Sunday to Thursday and 12.30 a.m. from Friday and Saturday) might therefore be considered to meet with the expectation of the residents as well as to accommodate the needs of some industries, such as the entertainment and tourism sectors. The Government should work with the industries and local residents to develop the best and most practicable implementation details.
4. In regard to controlling the lighting sources, **the switch-off requirement should be applied to lighting installations for decorative, promotional or advertising purposes that affect the outdoor environment;** these include shop signs, advertising boards and video walls, which contributed some 50% of all complaints in 2012. On the other hand, about 47% of 2012 complaints were related to functional lighting, i.e. lighting for streets, construction sites, recreational activities, and buildings (excluding facades and features). It may be more appropriate for security, safety and operational reasons to reduce the level of such lighting during the pre-set switch-off period rather than having them switched off entirely. Meanwhile, lighting for facades and features seems to be producing much less nuisance (2% only) than other external lighting, and so there may not be an urgent need to include it in the new requirement, whilst Hong Kong's famed night scene could somehow be maintained.
5. **Exemptions of the switch-off requirement should be given to ground-floor lighting of businesses during their hours of operation after the pre-set time,** including relevant shop-front signs, signs for upper floor shops and indicator signs for business facilities, as well as special decorative lighting during festive seasons. In other words, specific exemptions should apply to particular circumstances (e.g. New Year countdown), special industries (e.g. 24-hour retail shops), public services (e.g. hospitals, police stations), and the like.

6. **We recommend that a charter scheme should be implemented to trial run the new switch-off and reduced lighting intensity requirements, and legislation should only be put forward after reviewing the outcome of the charter scheme.** We are not aware of any successful case of legislating lighting nuisance in other jurisdictions and so it may not be justified to introduce new legislation based on only some 100 complaints against non-functional lighting a year. In addition, controversies remain over the definition of “decorative, promotional and advertising lighting”. Accordingly, the city may need more lead time to engage all stakeholders in educational and communication programmes before we can reach a clear view as to guidelines for fully implementing the new requirements. The interim arrangement of our proposed charter scheme is thus considered appropriate, as it accords with both the practicality and aspiration for best practices.
7. In addition to the above recommendations in response to the issues raised by the Task Force, the HKGCC would like to supplement further views raised by members:
- 7.1 Since external lighting does not usually account for the lion’s share of electricity consumption of most businesses, the issue of energy wastage is generally less significant than other operational facilities. The Government should therefore focus on the nuisance aspect in policy formulation.
- 7.2 There seems to be lacking accurate licensing control on the specification of neon signs, and the Government should develop specific requirements to regulate their sizes and luminosity.
- 7.3 The Government may consider a staged approach to encourage replacement of neon light devices by LEDs, which is proved to be more effective in controlling lighting spill and substantially reducing energy usage.
- 7.4 The Government should lead by example, i.e. to reduce the level of functional lighting after the pre-set time, and to replace lighting devices on street and housing estates by LEDs.

Thank you for your attention, and I hope you find the HKGCC’s views useful.

Yours sincerely,



Shirley Yuen
CEO