

Subcommittee on Issues Relating to Bazaars

Follow-up actions arising from the meeting on 4 July 2017

- (a) Members note that the Housing Department ("HD") will need to seek consent from other private owners for the establishment of bazaars at the common areas of public rental housing ("PRH") estates that are jointly-owned by the Housing Authority and other private owners (e.g. Link Real Estate Investment Trust ("Link REIT")). Moreover, some PRH estates are located on land lots subject to land leases or deed of mutual covenants. Subject to the terms and conditions of the land leases or deed of mutual covenants, approval from the Lands Department ("LandsD") may also be required for a temporary waiver or lease modification permitting the use of the land for the purpose of establishing bazaars. The Administration is requested to provide the following information:
- (i) legal advice on whether HD, being the major owner of PRH estates with the majority of shares in the property, has the legal power to approve a bazaar proposal even there is objection from other private owners;
 - (ii) legal advice on the role and power of LandsD in vetting applications for change in the use of land in PRH estates for setting up bazaars, in particular when residents welcome the bazaar proposal but consent from some of the private owners cannot be obtained;
 - (iii) the mechanism adopted by HD in handling bazaar proposals (including procedures for obtaining consent from other private owners and communication with bazaar organizers during the process), using the recent proposal of setting up a bazaar in Lai Kok Estate as an example; and
 - (iv) a copy of the new application form developed by HD for setting up bazaars in PRH estates (i.e. 慈善團體／機構在屋邨／屋苑內進行臨時墟市活動申請書) which the Subcommittee has already requested at the meeting on 13 June 2017.

- (b) The Administration's response to Subcommittee members' suggestions as follows:
- (i) using vacant stalls of public markets to develop community kitchens with a view to assisting bazaar operators to prepare cooked food for sale;
 - (ii) to work out a list of vacant market stalls suitable for setting up community kitchens; and
 - (iii) identifying and liaising with potential non-governmental organizations for setting up community kitchens in vacant market stalls.

Council Business Division 1
Legislative Council Secretariat
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