

立法會
Legislative Council

LC Paper No. CB(2)1316/17-18
(These minutes have been seen
by the Administration)

Ref : CB2/PL/FE

Panel on Food Safety and Environmental Hygiene

Minutes of meeting
held on Tuesday, 13 March 2018, at 2:30 pm
in Conference Room 3 of the Legislative Council Complex

Members present : Hon Steven HO Chun-yin, BBS (Chairman)
Dr Hon KWOK Ka-ki (Deputy Chairman)
Hon LEUNG Yiu-chung
Hon Tommy CHEUNG Yu-yan, GBS, JP
Prof Hon Joseph LEE Kok-long, SBS, JP
Hon CHAN Hak-kan, BBS, JP
Hon Claudia MO
Hon CHAN Chi-chuen
Hon CHAN Han-pan, JP
Hon Alice MAK Mei-kuen, BBS, JP
Hon KWOK Wai-keung, JP
Dr Hon Helena WONG Pik-wan
Dr Hon Elizabeth QUAT, BBS, JP
Hon POON Siu-ping, BBS, MH
Dr Hon CHIANG Lai-wan, JP
Hon Andrew WAN Siu-kin
Hon CHU Hoi-dick
Hon HO Kai-ming
Hon SHIU Ka-fai
Hon SHIU Ka-chun
Hon Wilson OR Chong-shing, MH
Hon YUNG Hoi-yan
Hon Tanya CHAN
Hon HUI Chi-fung
Hon LAU Kwok-fan, MH
Hon Jeremy TAM Man-ho

Members attending : Hon Charles Peter MOK, JP
Dr Hon Fernando CHEUNG Chiu-hung

Members absent : Hon Starry LEE Wai-king, SBS, JP
Hon Michael TIEN Puk-sun, BBS, JP
Hon LEUNG Che-cheung, SBS, MH, JP
Ir Dr Hon LO Wai-kwok, SBS, MH, JP
Dr Hon Pierre CHAN
Hon Kenneth LAU Ip-keung, BBS, MH, JP
Hon KWONG Chun-yu

Public Officers attending : Item IV

Dr CHUI Tak-yi, JP
Under Secretary for Food and Health

Miss Diane WONG
Principal Assistant Secretary for Food and Health (Food) 2

Mr CHIU Yu-chow
Assistant Director (Grade Management and Development)
Food and Environmental Hygiene Department

Mr Edward TSE Cheong-wo
Project Director 3
Architectural Services Department

Mr Tony LEE Cheuk-ming
Chief Project Manager 301
Architectural Services Department

Item V

Dr CHUI Tak-yi, JP
Under Secretary for Food and Health

Miss Diane WONG
Principal Assistant Secretary for Food and Health (Food) 2

Mr David WONG Fuk-loi
Deputy Director (Administration and Development)
Food and Environmental Hygiene Department

Mr Eric TSAI Yu-sing
District Environmental Hygiene Superintendent (Sha Tin)
Food and Environmental Hygiene Department

Mr Edward TSE Cheong-wo
Project Director 3
Architectural Services Department

Mr Tony LEE Cheuk-ming
Chief Project Manager 301
Architectural Services Department

Item VI

Dr CHUI Tak-yi, JP
Under Secretary for Food and Health

Miss Diane WONG
Principal Assistant Secretary for Food and Health (Food) 2

Mr David WONG Fuk-loi
Deputy Director (Administration and Development)
Food and Environmental Hygiene Department

Mr LAM Wing-hong
Assistant Director (Operations) 2
Food and Environmental Hygiene Department

Mr Tang Ngai-man
Senior Engineer/Municipal/Project
Electrical and Mechanical Services Department

Clerk in attendance : Miss Josephine SO
Chief Council Secretary (2) 2

Staff in attendance : Ms Wendy LO
Senior Council Secretary (2) 2

Miss Michelle TANG
Council Secretary (2) 2

Miss Cally LAI
Legislative Assistant (2) 2

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I. Confirmation of minutes
(LC Paper No. CB(2)983/17-18)

The minutes of the meeting held on 9 January 2018 were confirmed.

II. Information papers issued since the last meeting
(LC Paper Nos. CB(2)974/17-18(01) and CB(2)1015/17-18(01))

2. Members noted that the following papers had been issued since the last meeting:

- (a) letter dated 28 February 2018 from Dr Hon CHIANG Lai-wan concerning rice samples tested by the Hong Kong Organic Resource Centre found to have excessive inorganic arsenic content; and
- (b) Administration's response to the letter dated 28 February 2018 from Dr Hon CHIANG Lai-wan.

III. Date of next meeting and items for discussion
(LC Paper Nos. CB(2)985/17-18(01) and (02))

Regular meeting in April 2018

3. Members agreed to discuss the following items at the next regular meeting scheduled for Tuesday, 10 April 2018 at 2:30 pm:

- (a) Implementation of the Convention on the Conservation of Antarctic Marine Living Resources in Hong Kong;
- (b) New allocation arrangement for public niches (including extendable niches and computer balloting); and
- (c) Issues relating to the operation of the Liquor Licensing Board.

(Post-meeting note: Members were informed vide LC Paper No. CB(2)1171/17-18 issued on 6 April 2018 that the Chairman had directed that the title of the agenda item as referred to in paragraph 3(c) above be rephrased as "Issues relating to Hong Kong's liquor licensing system and the operation of the Liquor Licensing Board", having regard to the content of the discussion paper provided by the Administration for this item and its relevance to the item "Liquor

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licensing system in Hong Kong: enhancement measures" on the Panel's list of outstanding items for discussion.)

Special meeting in April 2018

4. The Chairman said that pursuant to members' suggestion and agreement made at previous Panel meetings, he had directed that a public hearing be held on Monday, 30 April 2018 from 9:00 am to 11:00 am to receive deputations' views on the two policy initiatives announced by the Government in December 2017 to address the land premium and traffic impact assessment issues of pre-cut-off columbaria seeking a licence under the Private Columbaria Ordinance. Members noted that the duration of the special meeting might be adjusted and, if required, be extended depending on the number of deputations attending the meeting. In line with the usual practice, a general notice to invite views from the public would be posted on the Legislative Council ("LegCo") website. The 18 District Councils ("DCs") would also be invited to submit their views.

IV. Provision of columbarium at Cape Collinson Road in Chai Wan (Item 3023NB)

(LC Paper No. CB(2)985/17-18(03))

5. At the invitation of the Chairman, Under Secretary for Food and Health ("USFH") briefed Members on the proposed project to construct a columbarium block at Cape Collinson Road in Chai Wan, as set out in the Administration's paper (LC Paper No. CB(2)985/17-18(03)).

Scope of works

6. Mr CHAN Chi-chuen and Ms Tanya CHAN enquired about the capacity of the 25 000 new niches to be provided under this project. Principal Assistant Secretary for Food and Health (Food) 2 ("PASFH(F)2") responded that 99% of the 25 000 niches were standard niches (that might hold more than two sets of ashes) and the remaining 1% were large niches (that might hold more than four sets of ashes). As the Food and Environmental Department ("FEHD") had relaxed since 2 January 2014 the arrangement of placing additional sets of ashes into public niches, the Administration would flexibly handle requests from allocatees for placing additional sets of ashes into the niches.

7. In response to the enquiries of the Deputy Chairman and Mr POON Siu-ping about the scope of works of the proposed project, PASFH(F)2 and Project Director 3, Architectural Services Department ("PD3/ArchSD") advised that the estimated capital cost of the project at

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\$791.7 million would cover all the construction works as detailed in paragraph 7 of the Administration's paper. The Administration aimed to complete the construction of the five-storey columbarium block and the pedestrian access route with escalators and stairways connecting Cape Collinson Road and San Ha Street by the first quarter of 2022. Although a Garden of Remembrance ("GoR") was not included in the proposed project due to the limited size of the subject site and geographical constraints, members of the public could apply for scattering ashes of the deceased in the two nearby GoRs in Cape Collinson Columbarium.

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8. At the request of the Deputy Chairman, PASFH(F)2 undertook to provide information in the relevant funding proposal to be submitted to the Public Works Subcommittee ("PWSC") on whether (a) energy saving installations/renewable energy facilities and (b) drinking fountains would be provided at the columbarium block and if yes, the details.

9. The Deputy Chairman asked whether the Administration would, in allocating the 25 000 public niches to be provided under this project, accord priority to residents in the district as they would be most affected by the additional traffic and pedestrian flow arising from the project. PASFH(F)2 responded that the number of niches to be provided by different public columbarium developments proposed under the District-based Columbarium Development Scheme varied. The Administration noted the diverse public views on the issue.

Impact of the proposed project and mitigation measures to be implemented

10. Ms Tanya CHAN expressed deep concern that the proposed provision of 25 000 niches at Cape Collinson might worsen the traffic condition in Chai Wan, particularly during grave sweeping periods. She sought detailed information on (a) the traffic improvement measures to be taken by the Administration to cope with additional traffic and pedestrian flow arising from the proposed provision of a columbarium block at Cape Collinson Road and (b) the greening works and environmental mitigation measures associated with the project. Ms CHAN said that Members belonging to the Civic Party would not support the proposed works project if the Administration did not take appropriate measures to address the traffic and environmental issues pertinent to the project. Ms YUNG Hoi-yan also said that Members belonging to the New People's Party had yet to be convinced.

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11. PASFH(F)2 undertook to provide the information requested by Ms Tanya CHAN in the relevant funding proposal to be submitted to PWSC. PASFH(F)2 advised that the works project would include two improvement measures, i.e. (a) construction of a pedestrian access route with escalators and

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stairways connecting Cape Collinson Road and San Ha Street and (b) road widening and improvement works at Cape Collinson Road. Regarding the pedestrian access route, there would be two escalators (each divided into six flights) with the designed loading capacity of each escalator being about 2 400 commuters per hour; and the movement of the escalators could be adjusted either upward or downward in response to actual circumstances as necessary to cater for busy pedestrian flows at different periods of time. The Traffic Impact Assessment ("TIA") Study completed in 2012 and the TIA Review Study completed in 2014 concluded that the additional traffic and pedestrian volume arising from the proposed columbarium development during the Ching Ming and Chung Yeung festive periods should be manageable with the implementation of the above improvement measures. PASFH(F)2 further said that the Administration would carry out other traffic improvement works in the vicinity, e.g. constructing two lay-bys for buses at the junction of Lin Shing Road and Cape Collinson Road and carrying out improvement works at Wan Tsui Road westbound, to alleviate traffic congestion in Chai Wan. The Administration had consulted and obtained the support of the Eastern DC for the proposed columbarium project and the relevant traffic improvement works.

12. Mr KWOK Wai-keung said that since the Administration would implement a number of traffic improvement measures to cope with the anticipated traffic growth, Members belonging to the Hong Kong Federation of Trade Unions were supportive of the proposed columbarium project. He called for the early completion of the above-mentioned road widening and improvement works and suggested that close-circuit television systems be installed at major roads and pedestrian facilities in Chai Wan for monitoring real-time traffic conditions.

13. PD3/ArchSD advised that the Administration would explore whether there was room to expedite the road widening and improvement works at Cape Collinson Road. PASFH(F)2 said that the relevant departments were considering other traffic improvement works in the vicinity of the proposed columbarium. The Administration would monitor the traffic and pedestrian flow in the area during Ching Ming and Chung Yeung festive periods arising from the proposed project and, as and where appropriate, take suitable crowd control measures to ensure smooth traffic movements and pedestrian safety.

14. The Chairman said that Members belonging to the Democratic Alliance for the Betterment of Hong Kong supported the proposed works project. He considered that the Administration should take into account the future supply of public housing units in Chai Wan in planning for traffic improvement measures for the district.

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15. Dr Helena WONG said that Members belonging to the Democratic Party were supportive of the proposed works project. She enquired about the progress of other proposed public columbarium developments on the 24 sites identified under the District-based Columbarium Development Scheme. PASFH(F)2 responded that up to 31 December 2017, relevant DCs had given support or raised no objection to 14 columbarium development projects which would provide around 590 000 new niches in total. The Administration had decided to use the Fu Shan site for the reprovisioning of the Fu Shan Public Mortuary. For the proposed projects on the remaining nine potential sites, which would provide roughly an additional 300 000 niches, the Administration would consult relevant DCs on the projects as and when ready. She undertook to revert to the Panel on the progress of and the timetable for taking forward other public columbarium projects proposed under the District-based Columbarium Development Scheme.

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Construction of a pedestrian access route with escalators and stairways

16. In response to Mr CHAN Chi-chuen's enquiry about the construction cost and the operational details of the two escalators connecting Cape Collinson Road and San Ha Street, PASFH(F)2 advised that the construction cost of the escalators was about \$170 million in money-of-the-day prices. The opening hours of the escalators would dovetail with that of the columbarium block. It was expected that with the use of the escalators, the time required for travelling from San Ha Street to the new columbarium block at Cape Collinson Road, or vice versa, would take about seven minutes. Grave sweepers might also use the stairways next to the escalators or walk from Lin Shing Road to Cape Collinson Road to get to the new columbarium block. Responding to the Chairman's follow-up question, PASFH(F)2 said that the Electrical and Mechanical Services Department would be responsible for the maintenance and repairs of the escalators.

17. The Chairman, Mr Tommy CHEUNG and Mr POON Siu-ping expressed concern that it would be difficult for the elderly, people with disabilities and grave sweepers carrying funeral offerings to go to the planned columbarium development by stairways or escalators. They asked whether consideration would be given to including in the project the provision of lift(s) connecting Cape Collinson Road and San Ha Street, in addition to the construction of the pedestrian access route with escalators and stairways. Mr Tommy CHEUNG said that Members belonging to the Liberal Party would support the proposed works project if lift service was included in the design or to be provided at a later stage under a separate funding proposal.

18. PASFH(F)2 and PD3/ArchSD responded that as escalators had a much higher loading capacity than lifts, the Administration considered it more

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appropriate to make use of escalators in lieu of lift to connect Cape Collinson Road and San Ha Street. To facilitate pedestrian flow, the Administration would consider enlarging the passenger platforms between the flights of the two escalators. At members' request, the Administration would provide a response in the relevant funding proposal to be submitted to PWSC on whether consideration would be given to including in the proposed works project the provision of lift service connecting Cape Collinson Road and San Ha Street and if yes, details of the plan.

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(Post-meeting note: The Administration's response to various issues raised by members was circulated vide LC Paper No. CB(2)1290/17-18 on 26 April 2018.)

V. Installation of air-conditioning system at Tai Wai Market (Item 3034NM)

(LC Paper Nos. CB(2)985/17-18(04) and (05))

19. At the invitation of the Chairman, USFH briefed Members on the proposed project to install an air-conditioning ("A/C") system and carry out improvement works at Tai Wai Market to enhance its operating environment, as set out in the Administration's paper (LC Paper No. CB(2)985/17-18(04)). Members noted the background brief on issues relating to the retrofitting of air-conditioning in public markets (LC Paper No. CB(2)985/17-18(05)) prepared by the LegCo Secretariat.

Time required for carrying out the retrofitting works

20. Mr Tommy CHEUNG said that as a frequent patron of Tai Wai Market, he welcomed the project. Mr CHAN Chi-chuen, Dr Fernando CHEUNG, Mr Wilson OR and Ms YUNG Hoi-yan also indicated support for the proposed project.

21. Noting that the A/C retrofitting works would be carried out in three phases for about 18 months in total and Tai Wai Market would be completely closed during Phase 3 for about eight months for extensive building works for installation of the A/C system as well as other general improvement works, Mr KWOK Wai-keung, Dr Fernando CHEUNG, Dr Elizabeth QUAT, Mr POON Siu-ping, Mr SHIU Ka-fai, Mr Wilson OR and Ms YUNG Hoi-yan expressed concern about the adverse impact of the full market closure on stall tenants as they had to suspend business during Phase 3. These members urged the Administration to expedite the A/C retrofitting works, with a view to compressing the works timetable and shortening the full market closure of Tai Wai Market to not more than six months. They suggested that arrangements should be made for workers to carry out less noisy construction activities at nights. Mr POON and

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Ms YUNG wondered if the cost of the project would increase should the Administration push for a tighter work schedule.

22. Deputy Director (Administration and Development)/FEHD ("DD(AD)/FEHD") and PD3/ArchSD made the following responses:

- (a) the A/C retrofitting works at Tai Wai Market would be carried out in three phases for about 18 months in total. Phases 1 and 2 would respectively involve the re-provisioning of two poultry stalls and the improvement works for electricity supply. The first two phases would last for about 10 months, during which the market could continue normal operation. The impact of the works in Phases 1 and 2 on stall tenants would be minimal. In Phase 3, full market closure for about eight months would be required for extensive building works for installation of the A/C system as well as other general improvement works;
- (b) the technical constraints involved in the A/C retrofitting works varied significantly among different public markets. To avoid causing disruption to the operation of Tai Wai Market, stall tenants (except two poultry stalls) would be allowed to continue their business during Phases 1 and 2 of the works project. This would inevitably pose constraints to and require more time for completing the retrofitting works. Besides, as the market was located on the ground floor of the Grandeur Garden, the works had to be carried out during normal hours of work. To address the concerns of the Management Office and Incorporated Owners of the Grandeur Garden about the possible noise impacts arising from the A/C retrofitting works, suitable mitigation measures (including the use of silencers, mufflers, acoustic lining or shields for noisy construction activities) would be employed to control short-term environmental impacts; and
- (c) the Administration had taken into account various factors, including stall tenants' preference, stakeholders' views and technical considerations, in working out the work schedule for the project. The cost factor was not the primary concern. Given stall tenants' worries over the impact of the full market closure, FEHD would work with ArchSD and relevant departments to try to shorten as much as possible the time required for retrofitting the A/C system. FEHD would also explore temporary measures to help stall tenants tide over difficult times.

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23. At members' request, the Administration undertook to provide a response in the relevant funding proposal to be submitted to PWSC on whether effort could be made to expedite the installation of the A/C system at Tai Wai Market with a view to compressing the works timetable and shortening the full market closure to not more than six months and if yes, details of the Administration's plan in this regard.

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24. Mr Wilson OR enquired about the measures to be taken by the Administration for enhancing the coordination among government departments involved in the installation of the A/C system at Tai Wai Market. DD(AD)/FEHD responded that the dedicated team to be set up in FEHD to launch a 10-year Market Modernization Programme as a pledge to improve the operating environment of existing public markets would coordinate departments' efforts to take forward the A/C retrofitting proposals in different public markets including the proposed project under discussion. The Administration undertook to provide more details in this respect in its funding proposal to be submitted to PWSC.

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25. The Chairman said that Members belonging to the Democratic Alliance for the Betterment of Hong Kong supported the proposed project. He called on the Administration to formulate comprehensive plans in taking forward A/C installation works in public markets, with a view to enhancing their operating environment. He also hoped that FEHD could exercise a greater degree of flexibility in managing public markets so as to create a better business environment for stall tenants.

Assistance to stall tenants

26. Mr Tommy CHEUNG, Dr Fernando CHEUNG, Mr POON Siu-ping, Mr HO Kai-ming, Mr SHIU Ka-fai and Ms YUNG Hoi-yan urged the Administration to consider providing stall tenants affected by the A/C retrofitting works with various forms of assistance including the provision of (a) a rental waiver to all stall tenants for one year; (b) a temporary market in the vicinity of Tai Wai Market so that existing stall tenants could move and continue their business in the temporary market; (c) ex-gratia payments to the affected stall tenants to compensate for their loss of income during the installation of A/C system as well as the wear and tear to their tools of trade which would be left idling for a prolonged period; and (d) a permanent waiver for stall tenants of general maintenance costs and A/C charges. Dr Elizabeth QUAT made similar requests, as set out in her proposed motion.

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Provision of a temporary market

27. Dr Helena WONG and Mr Andrew WAN considered it important for the Administration to provide a temporary market for stall tenants to continue their business during the eight-month full closure of Tai Wai Market. They asked whether the Administration would identify sites for setting up a temporary market and if yes, the progress made so far.

28. DD(AD)/FEHD and District Environmental Hygiene Superintendent (Sha Tin)/FEHD ("DEHS(ST)/FEHD") responded that FEHD was exploring a notion that a seven-a-side hard surface soccer pitch in the vicinity of Tai Wai Market might be feasible for setting up a temporary market. Mr Andrew WAN suggested that FEHD could, in the present case of considering the provision of a temporary market, draw reference from the successful experience of the Tung Yan Street Interim Hawker Bazaar which was set up to accommodate the licensed hawkers from the two former bazaars at Kwun Tong Town Centre.

Granting of rental waiver and ex-gratia payments

29. In response to members' suggestion of providing rental waiver and ex-gratia payments to the affected stall tenants to compensate for their loss of income during the works period, DD(AD)/FEHD advised that under the existing arrangement, if certain markets or stalls needed to suspend business during the course of the installation works, the relevant tenants would, subject to their consent, be granted a full waiver of rentals for the period of suspension plus an additional full rental waiver for a certain period of time after the relevant markets or stalls re-opened. The duration of the additional rental waiver would depend on the length of the suspension period and be subject to a cap of two months.

30. Mr CHAN Chi-chuen enquired about the total number of stall tenants to be affected by the first two phases of the retrofitting works and whether any compensation would be provided to these tenants. DEHS(ST)/FEHD replied that Phases 1 and 2 would last for about two and eight months respectively. Among the 166 existing stalls in Tai Wai Market, seven stalls (including two poultry stalls) would be affected by the installation of the new A/C system and associated alteration works starting from Phases 1 and 2. These tenants would be granted a 50% rental reduction during the works period. FEHD had briefed the affected tenants on the details of the project, including the scope, the detailed design and the work schedule.

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Air-conditioning charging arrangement

31. Responding to members' suggestion that the Administration should shoulder the A/C charges to alleviate the financial burden on stall tenants, DD(AD)/FEHD responded that in line with the existing practice, the Administration was responsible for the capital costs of installing the A/C systems. The recurrent expenses including electricity charges and general maintenance costs were to be borne by the stall tenants on a pro rata basis, based on the floor area of their respective stalls. Since stall tenants in public markets were commercial operators, the Administration considered it reasonable for tenants to pay the A/C charges in accordance with the "user pays" principle. He added that since the consultations with stall tenants concerned starting from 2014 on the proposed A/C project, FEHD had made it clear that the A/C charges had to be borne by tenants. On the basis of this understanding, the Administration subsequently worked out the details of the project.

32. Mr Tommy CHEUNG and Mr Andrew WAN considered that stall tenants should not be required to pay the A/C charges for common areas in public markets such as the passageways. In their views, A/C charges attributable to public areas of markets should be borne by the Administration and stall tenants should only pay charges on the basis of the actual size of their stall areas. DD(AD)/FEHD responded that since public areas were integral parts of the market trading environment and were used by the patrons of the stalls, it was reasonable for stall tenants to pay for the relevant A/C charges.

33. Ms YUNG Hoi-yan asked about the estimated amount of the A/C charges to be paid by stall tenants after the A/C retrofitting works at Tai Wai Market had been completed. DD(AD)/FEHD advised that the estimated A/C charges (including general maintenance cost) to be borne by stall tenants each month was about \$127 to \$210 per square metre.

34. Dr Helena WONG asked whether the Administration would consider lowering the threshold of tenants' support required for the retrofitting of A/C facilities in public markets (e.g. from the existing 80% to 70%). DD(AD)/FEHD responded that the Administration set the threshold at 80%, as it could strike an appropriate balance among the interests of various stakeholders. The Administration considered it appropriate to take forward in public markets A/C installation projects with the majority support of stall tenants. If the threshold was set too low, it might give rise to discontent and grievances among those tenants who did not support the proposal.

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35. In response to the enquiries of Dr Helena WONG and Mr Andrew WAN concerning the resources allocated for improving the operating environment of existing public markets, DD(AD)/FEHD advised that in the 2018-2019 Budget Speech, the Financial Secretary had announced that apart from making available resources to build public markets in districts with such needs, \$2 billion would be earmarked for implementing a Market Modernization Programme over the next 10 years, which would entail a comprehensive review of existing markets and improvement works including early installation of A/C systems, major overhaul or redevelopment. The Administration would make full use of the funding to enhance the operating environment of public markets to attract patronage.

Motions proposed by members

36. Mr HO Kai-ming and Dr Elizabeth QUAT indicated their intention to move motions under this discussion item. The Chairman ruled that the motions proposed respectively by Mr HO and Dr QUAT were directly related to the agenda item and members present agreed that the motions should be dealt with. Since, at this point of time, there was a lack of quorum, the Chairman ordered that the quorum bell be rung to summon members before proceeding to deal with the motions. A quorum was subsequently present.

Motion 1

37. The Chairman put the following motion moved by Mr HO Kai-ming to vote:

(議案中文措辭)

本事務委員會促請政府，就大圍街市安裝空調系統工程，考慮實施以下措施，以減低工程帶來的影響，包括：

1. 免除街市檔戶租金一年；
2. 在原有街市附近設立臨時街市，供原有檔戶繼續擺檔經營；
3. 向受影響檔戶發放恩恤金；及
4. 免除檔戶日後維修費及冷氣費。

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(English translation of the motion)

Regarding the installation of air-conditioning system at Tai Wai Market, this Panel urges the Government to consider taking the following measures to minimize the impact so caused, including the provision of:

1. a rental waiver to all stall tenants for one year;
2. a temporary market in the vicinity of Tai Wai Market so that existing stall tenants could move and continue their business in the temporary market;
3. ex-gratia payments to the affected stall tenants; and
4. a permanent waiver for stall tenants of general maintenance costs and air-conditioning charges.

38. The Chairman invited members to vote for or against the motion by a show of hands. Eleven members voted for the motion, and no member voted against it or abstained from voting. The Chairman declared that the motion was carried.

Motion 2

39. The Chairman then put the following motion moved by Dr Elizabeth QUAT to vote:

(議案中文措辭)

鑒於大圍街市的商戶在安裝冷氣工程期間生計大受影響，本事務委員會促請政府實施以下措施：

1. 加快工程進度，縮短工程至不超過 6 個月；
2. 工程完畢後街市重開，免租金及冷氣費用 12 個月(當中並不包括全封街市的幾個月份)；
3. 以協商而非競投處理原有檔戶拆遷安排；
4. 由於安裝冷氣期間檔戶沒有收入，檔內生財工具放置太久會有損耗，故此為商戶提供恩恤及補償；及
5. 將來街市公共地方的冷氣費、冷氣的保養及維修費用由政府承擔。

(English translation of the motion)

As the livelihood of the stall tenants would be seriously affected during the installation of air-conditioning system at Tai Wai Market, this Panel urges the Government to implement the following measures:

1. to expedite and shorten the retrofitting works to not more than six months;
 2. to provide a waiver of rental and air-conditioning charges for 12 months (excluding the several months of full market closure) to the stall tenants when the market reopens after completion of works;
 3. to handle the reprovisioning of existing stall tenants through negotiation rather than auction;
 4. to provide ex-gratia payments to the stall tenants to compensate for their loss of income during the installation of air-conditioning system, as well as the wear and tear to their tools of trade which will be left idling for a prolonged period; and
 5. to permanently shoulder the air-conditioning charges for common areas in the market, as well as the repair and maintenance costs of the air-conditioning system.
40. As 12 members voted for the motion, and no member voted against it or abstained from voting, the Chairman declared that the motion was carried.

(Post-meeting note: The Administration's response to various issues raised by members was circulated vide LC Paper No. CB(2)1332/17-18 on 3 May 2018.)

VI. Replacement of the radio communications system of the Food and Environmental Hygiene Department

(LC Paper Nos. CB(2)985/17-18(06) and (07))

41. At the invitation of the Chairman, USFH briefed Members on the proposal to replace the existing radio communications system ("the existing system") of FEHD with a new digital system ("the proposed system") in a bid to improve and strengthen FEHD's communication capability and efficiency in performing hawker management functions, as detailed in the

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Administration's paper (LC Paper No. CB(2)985/17-18(06)). Members noted the information note prepared by the LegCo Secretariat on the subject (LC Paper No. CB(2)985/17-18(07)).

The proposed system

42. Pointing out that mobile phones could now be used to receive telecommunication signals and could perform most of the functions of the proposed system as set out in paragraph 7 of the Administration's paper, Mr Charles MOK queried the necessity for FEHD maintaining a radio communications system. The Chairman shared Mr MOK's concern and asked whether the existing system could be substituted by other electronic devices available on the market.

43. In response, DD(AD)/FEHD and Assistant Director (Operations) 2, FEHD ("AD(O)2/FEHD") advised that:

- (a) the existing system had been running since 1985 and was encountering various problems, in particular, a growing number of radio blind spots. In August 2015, FEHD commissioned the Electrical and Mechanical Services Trading Fund ("EMSTF") to conduct a consultancy study on present-day technologies and solutions to address the problems encountered. In the final report of the consultancy study, EMSTF recommended a total replacement of the existing system with the proposed system which employed Radio over Internet Protocol ("RoIP") technology with enhanced functions;
- (b) the enhanced functions were intended to meet frontline operation requirements of Hawker Control Teams ("HCTs") and Hawker Control Task Forces ("HCTFs"). In contrast to mobile phones, the proposed system could provide a common communications platform enabling multi-user communication. By holding down the push-to-talk button on their portable radio handsets, HCT/HCTF officers could communicate with the console (such as seeking advice or reporting ground situations) and among themselves, call for assistance from the console or fellow members during emergency situations. This would facilitate FEHD's deployment of manpower of HCTs/HCTFs in an efficient and effective manner; and
- (c) the Administration had consulted HCT/HCTF frontline staff. The latter showed support for maintaining a radio

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communications system and the procurement of the proposed system.

44. In response to Mr Charles MOK's follow-up questions about the Internet Protocol network coverage of the proposed system and the locations of the fixed radio stations, DD(AD)/FEHD advised that the proposed system could cover all 19 districts across the territory. Making use of the RoIP technology, the proposed system was planned to set up up to well over 200 fixed radio stations/repeaters to be installed on either government land or government premises and 17 mobile radio stations/repeaters for the commissioning of the proposed system. The new digital system would therefore provide more comprehensive and flexible radio communications coverage, in particular in bustling urban areas.

45. The Chairman opined that the proposed system should carry more advanced/forward-looking features that could cater for the day-to-day operation requirements of HCTs/HCTFs. DD(AD)/FEHD responded that to better support the work of HCTs/HCTFs, FEHD would incorporate into the proposed system new features that were essential to future operational needs of HCTs/HCTFs including electronic map, emergency button, "man down", hot microphone, Global Positioning System and voice recording.

46. Mr SHIU Ka-chun expressed worries that the use of the emergency button and the "man down" function might be abused by some HCT/HCTF staff resulting in frame-ups against hawkers. He enquired about (a) the prerequisites for triggering the "man down" function; and (b) whether there were internal guidelines instructing HCT/HCTF staff when they should use the emergency button and the "man down" function. The Chairman cited a case in which an HCT officer passed away after he was attacked by a hawker when performing duties in March 2015, and cast doubt if the "man down" function might be able to achieve the desired effect in real-life situations.

47. DD(AD)/FEHD responded that the Administration attached great importance to the personal safety of frontline staff when performing hawker management operations. The emergency button and the "man down" function enabled consoles to immediately locate HCT/HCTF officers and offer necessary assistance during emergency situations. He stressed that HCTs/HCTFs were well trained and would carry out their duties in a professional manner. Besides, FEHD would monitor the use of the proposed system to prevent abuse. Regarding the "man down" function, DD(AD)/FEHD explained that if a portable radio handset user fell down on the ground, it would trigger the automatic sending of a specific emergency alert signal and the location of the portable radio handset concerned would be displayed on the electronic map installed at the relevant console.

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48. The Chairman said that while he supported the total replacement of the existing system with a new digital radio system, he was concerned about the high capital cost of around \$56.4 million for the proposed project. He enquired whether there were other options which could serve the same purpose, e.g. utilizing the network or technology of the existing radio communications systems operated by other departments or law enforcement agencies. Sharing a similar concern, Mr POON Siu-ping asked whether the Administration had compared the proposed system with existing radio communications systems currently in use by other departments in terms of cost-effectiveness.

49. DD(AD)/FEHD responded that in conducting the consultancy study, EMSTF had made reference to the respective experience and scale of the existing radio communications systems currently in use by other government departments. Taking into account the operational needs of about 190 squads of HCTs/HCTFs performing duties across the territory, EMSTF came to the recommendation that the needs of HCTs/HCTFs would best be met by a radio communications system of their own. The proposed system would employ RoIP technology enabling the connection of multiple radio stations/repeaters and consoles via an Internet Protocol network in a cost-effective manner. In reply to the Chairman's enquiry, AD(O)2/FEHD advised that the Administration planned to procure 1 163 portable radio handsets under the proposed replacement project.

50. Noting that the Administration planned to launch an extended pilot run of the proposed system in the Southern, Mong Kok and Tsuen Wan districts in mid-2018, Mr POON Siu-ping enquired whether the results of the extended pilot run would affect the Administration's timetable for seeking funding approval from the Finance Committee for the proposed replacement project, which was scheduled to be within 2018. He also asked about the reasons for conducting the extended pilot run in those three districts.

51. DD(AD)/FEHD replied that to test out and demonstrate the capability and viability of the proposed system, a specially designed, scaled-down pilot with all the essential features was built and launched in June 2016 in the Central and Western, Yau Tsim and Sha Tin districts, where the problem of radio blind spots was critical. The outcome of the pilot run was satisfactory overall with technical issues identified and solutions worked out for full system rollout. To further confirm the communication capability, functioning and reliability of the proposed system and to prepare for the live run of the system, the Administration planned to extend the pilot run to the Southern, Mong Kok and Tsuen Wan districts in mid-2018. The early results of the extended pilot, alongside with those of the first run, would contribute useful inputs to working out and fine-tuning the detailed user and system

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requirements for system design and preparation of the tender documents for commissioning a total system across the whole territory. In addition, the pilots would facilitate experience sharing and knowledge transfer among frontline users prior to the total system replacement.

Enforcement

52. Citing an incident occurred in mid-2017 where a 75-year-old woman who collected cardboards to make a living was charged for unlicensed hawking on the street when a domestic helper got several pieces of cardboard from her for \$1, Mr SHIU Ka-chun commented that if FEHD maintained a stringent enforcement strategy seeking to eradicate hawkers or scavengers, similar incidents would recur in future causing social discontent. In his view, the Administration should be more humane in handling street obstruction caused by scavengers to reduce the adverse effect on the public's perception of the Government.

53. DD(AD)/FEHD responded that under the Government's current hawker management policy, FEHD sought to strike a proper balance between allowing legal hawking activities on the one hand and maintaining environmental hygiene, ensuring public safety and protecting the public from nuisance on the other. District Environmental Hygiene Superintendents would attend DC meetings of their respective districts to listen to the views of DC members, with a view to identifying scope for continuous improvement.

54. Concluding the discussion, the Chairman said that members present supported the Administration's plan to submit the funding proposal to the Finance Committee.

VII. Any other business

55. There being no other business, the meeting ended at 4:53 pm.