### For information

## Legislative Council Panel on Food Safety and Environmental Hygiene

## Progress Report on the Implementation of the Hawker Assistance Scheme

#### **PURPOSE**

This paper briefs Members on the outcome of the five-year Hawker Assistance Scheme ("the Scheme") launched in June 2013 for licensed fixed-pitch hawkers in 43 hawker areas.

#### BACKGROUND

- 2. To reduce the fire risks posed by on-street hawking activities, we obtained funding approval of \$230 million from the Finance Committee on 15 March 2013 for operating a five-year Scheme for licensed fixed-pitch hawkers in 43 hawker areas listed in **Annex I**. The Scheme sought to further improve fire resisting capability and design of hawker stalls, and to relocate stalls away from staircase discharge points of buildings or emergency vehicular access. It was launched on 3 June 2013, and expired on 2 June 2018.
- 3. The Scheme bore the following features
  - (a) hawkers who were required by the Food and Environmental Hygiene Department ("FEHD") to move their stalls for fire safety reasons might apply for a one-off relocation cum reconstruction grant to dismantle their old stalls and build new ones at the new pitch spaces in accordance with a set of prescribed fire-resisting specifications for reducing fire risks;
  - (b) hawkers who were not required to relocate their stalls under (a) might apply for a one-off grant to carry out partial or full

- reconstruction of their stalls in-situ to meet the prescribed fireresisting specifications; and
- (c) an ex-gratia payment ("EGP") was paid to hawkers (except those whose licences were newly issued pursuant to the hawker licensing policy review in 2008-09¹) who opted for voluntary surrender of their hawker licences to the Government. This helped expedite the release of vacant pitches and hence facilitated the relocation of stalls which pose higher fire risks. Hawkers who obtained a one-off grant for relocation cum reconstruction or in-situ reconstruction of their stalls under the Scheme were however not eligible for EGP, if they surrendered their hawker licences subsequently.

A summary of the package under the Scheme is at **Annex II**.

### **OVERVIEW OF THE SCHEME**

## **Engagement with stakeholders**

4. In June 2013, there were about 4 300 fixed-pitch hawker stalls in the 43 hawker areas. Of these, over some 500 hawker stalls were located in front of staircase discharge points of buildings or obstructing emergency vehicular access. In view of the large number of stalls required to be relocated, the streetscape constraints in different districts and the individual concerns of the hawkers affected and nearby residents, FEHD and Fire Services Department ("FSD") worked closely together to consider views and interests of various stakeholders in taking forward the hawker relocation work. In gist, FEHD conducted over 500 meetings in various scales with the hawkers concerned and hawker association representatives. This was to ensure that accurate and consistent messages were disseminated to the stakeholders. Amongst them, over 100 meetings and site inspections were carried out with the participation of FSD staff. In the process, apart from explaining to hawker licensees the

A comprehensive review on hawker licensing policy was conducted in 2008-09. A number of measures were subsequently implemented, including issue of new fixed-pitch hawker licences for vacant hawker pitches with support from respective District Councils. For this group of new entrants to the hawking trade, should they choose to surrender their licences so soon after the licences have been issued, a strong case for granting them an EGP does not exist.

need for relocation of hawker stalls and reconstruction of stall structures to meet fire safety requirements, we also encouraged hawker licensees to enhance the stall functionality and appearance. Besides, to strengthen communication, FEHD kept the relevant District Councils and Hawker Management Consultative Committees informed of the progress of the Scheme in their respective districts regularly, listened to members' views and responded to their enquiries. FEHD also maintained a dedicated webpage under the departmental website to provide information on the application procedures, progress of applications, stall designs, special features of hawker areas and other relevant information to enhance transparency.

### **Relocation of Hawker Stalls**

- 5. Based on risk assessment, FEHD accorded priority to the relocation of 508 hawker stalls which were located directly in front of staircase discharge points of adjacent buildings, or obstructing the operation of fire engines / emergency vehicular access ("selected hawker stalls"). In the planning and processing of relocation of selected hawker stalls, there were strong sentiments from hawkers concerned that they should be allowed to hawk from the same hawker area where they were plying their trade. Despite the fact that some hawker pitches were rendered available for reallocation as a result of surrender of hawker licences for EGP under the Scheme, mismatch of demand did occur and there were insufficient vacant pitches to accommodate selected hawker stalls in the same hawker area where they were hawking.
- 6. After rounds of discussions with hawker associations and individual hawker licensees, pragmatic ways were worked out to address the hawkers' concerns without compromising fire safety needs. These ranged from simple means such as reducing the size of hawker pitches to clear staircase discharge points of buildings from obstruction to complex process of realigning the disposition of hawker stalls neighbouring to selected hawker stalls jointly in a sequential order away from the building staircase discharge points.
- 7. In some more complicated situations such as in Fa Yuen Street and Apliu Street Hawker Areas where there were a large number of

selected hawker stalls but no vacant pitch in the same hawker area available for reallocation, agreement had to be reached with every single hawker in the hawker areas to rationalise the overall layout of the hawker areas by realigning all hawker pitches in a two-by-two disposition. Only in the event that the above ways of relocation of selected hawker stalls were exhausted or neighbouring hawkers did not agree to group shifting, would hawker licensees of selected hawker stalls be required to participate in a restricted ballot to determine the priority in selecting vacant pitches. By September 2017, all 508 selected hawker stalls were either relocated from original pitch sites or demolished as a result of surrender of hawker licence for EGP.

8. The above relocation plans were worked out after consultation with stakeholders concerned in full. In taking forward the above relocation plans, some of the vacant pitches already in existence before the commencement of the Scheme or pitches vacated as a result of surrender of hawker licences for EGP or through natural cause were absorbed.

#### **Reconstruction of Hawker Stalls**

- 9. Apart from reducing fire risk of hawker areas by relocating selected hawker stalls, the five-year Scheme also provided one-off financial assistance to hawkers to reconstruct their hawker stall structures to reach a higher fire safety standard and, at the same time, to enhance the stall functionality and appearance, thus improving the hawking environment in the respective hawker areas. Where opportunity arose and with the agreement of hawker licensees, the overall layout of the concerned hawker areas was rationalised by realigning the hawker pitches in a two-by-two disposition, allowing more circulation space and enhancing the operating environment.
- 10. Opportunity was also taken to pragmatically address the anomaly of hawker stall operation in some Hawker Permitted Places ("HPP"). At present, apart from some 700 HPP hawkers in Tung Choi Street, Temple Street and Nelson Street Hawker Areas who are operating in "morning set-up, evening dismantle" mode, the remaining 570 HPP hawkers in 20 hawker areas have not dismantled the stall structures after business and illumination is made possible through illegally connected

cables. They are de-facto "static" fixed-pitch hawker stalls. We have made good use of the financial assistance in the Scheme to regularise the "static" HPP hawker stalls to fixed-pitch status. Their stall structures were reconstructed in-situ in accordance with the standard specifications to reach a higher fire safety standard in the interest of the neighbourhood and local environment. At the same time, we have collaborated with electricity companies to provide safe power supply to these hawker stalls. This has not only helped reduce fire risks but also enhanced the hawking environment.

- 11. Similarly, for safety reasons, FEHD, working jointly with hawker associations of Tung Choi Street and Temple Street Hawker Areas, power supply company and concerned departments, has taken forward an overall revamp of the design of meter pillars in the two Hawker Areas which have been used for more than 30 years. The project is still underway and anticipated to be completed in December 2018. On completion, it will greatly enhance electrical safety of the operation of the hawker stalls and hence further reduce fire risks of the two Hawker Areas.
- 12. In short, apart from achieving its primary aim to reduce fire risks posed by on-street hawking activities, the Scheme has brought about a face-lift to the hawker areas, rationalised the overall layout of hawker areas where circumstances permit and enhanced electrical safety of hawker stalls. For the sake of parity and transparency as well as better management, the enhanced stall specifications would be laid down as licence conditions for observance by licensed fixed-pitch hawkers in the 43 hawker areas upon expiry of the Scheme in June 2018.

## PROGRESS UPDATE

As at 2 June 2018, that is, the expiry date of the Scheme, among the 4 330 hawker stalls, there are 854 applications for surrender of hawker licences for EGP, 422 applications for relocation cum reconstruction grant and 3 002 applications for in-situ reconstruction grant to upgrade hawker stalls to the required fire safety standard. In other words, 98.8% of the licensed hawkers in 43 hawker areas have joined the Scheme since its commencement. Out of the 3 424 applications for stall

reconstruction, 2 988 stall structures have been set up in 43 hawker areas. As regards the approved commitment of \$230 million for launching the Scheme since 3 June 2013, the total expenditure on grant for completion of all application cases is expected to be \$223 million. This aside, there are 48 hawkers who have set up their stalls according to designated specifications on their own accord. The application statistics and spending position of the Scheme are tabulated at **Annexes III and IV**.

## **Outstanding Work**

- 14. Hitherto, four hawkers have yet to apply for grant and have not reconstructed the stalls according to the stall specifications. Besides, there are 488 applications (11.4%) for reconstruction grant pending approval upon completion of stall reconstruction. The majority of the outstanding reconstruction applications are those belonging to hawkers operating "morning set-up and evening dismantle" HPP stalls in Tung Choi Street, Temple Street and Nelson Street Hawker Areas. It is anticipated that the whole project would be completed in December 2018.
- 15. We will continue to monitor the progress of the outstanding cases and encourage those hawkers who have applied financial subsidy to complete reconstruction of the hawker stalls early. We also make sure that operating hawkers who have not applied for subsidy under the Scheme make good their stall structure to meet the fire safety requirements.
- 16. Members are invited to note the content of the paper at this stage.

Food and Health Bureau
Food and Environmental Hygiene Department
July 2018

## 43 Fixed-pitch Hawker Areas

District	Loc	cation of Fixed-pitch Hawker Areas
Eastern	1.	Chun Yeung Street
	2.	Marble Road
	3.	Kam Wa Street
	4.	Tai Tak Street
	5.	Mong Lung Street
Central & Western	6.	Pottinger Street
	7.	Graham Street
	8.	Gage Street
	9.	Li Yuen Street East
	10.	Li Yuen Street West
	11.	Peel Street
	12.	Wing Kut Street
	13.	Upper Lascar Row
	14.	Man Wa Lane
Wan Chai	15.	Gresson Street
	16.	Cross Street
	17.	Tai Yuen Street
	18.	Jardine's Crescent
Yau Tsim	19.	Reclamation Street
	20.	Pak Hoi Street
	21.	Saigon Street
	22.	Canton Road
	23.	Bowring Street
	24.	Temple Street
Mongkok	25.	Tung Choi Street
	26.	Canton Road
	27.	Fife Street
	28.	Yin Chong Street
	29.	Ki Lung Street
	30.	Poplar Street
	31.	Fa Yuen Street
	32.	Nelson Street

## Annex I

Sham Shui Po	33.	Wing Lung Street
	34.	Fat Tseung Street
	35.	Cheung Fat Street
	36.	Fuk Wa Street
	37.	Fuk Wing Street
	38.	Pei Ho Street
	39.	Apliu Street
	40.	Ki Lung Street
	41.	Tai Nan Street
	42.	Kweilin Street
Kowloon City	43.	Pau Chung Street

# Amount of Grant/Ex-gratia Payment (EGP) under the Assistance Scheme for Hawkers in Fixed-pitch Hawker Areas

		Maximu	m Grant	EGP for	
Туре	Stall size	In-situ Reconstruction	Relocation cum Reconstruction	Voluntary Surrender of Licence	
	Not exceeding 1.1 m <sup>2</sup>	\$40,000	\$50,000		
"Cabinet-type" Hawker Stalls	Exceeding 1.1 m <sup>2</sup> but not exceeding 1.7 m <sup>2</sup>	\$47,000	\$57,000	\$120,000	
	Exceeding 1.7 m <sup>2</sup> but not exceeding 2.2 m <sup>2</sup>	\$54,000	\$64,000		
	Not exceeding 1.1 m <sup>2</sup>	\$20,000	\$30,000		
"Hawker Permitted Place" Hawker Stalls	Exceeding 1.1 m <sup>2</sup> but not exceeding 1.7 m <sup>2</sup>	\$23,500	\$33,500	\$120,000	
	Exceeding 1.7 m <sup>2</sup> but not exceeding 2.2 m <sup>2</sup>	\$27,000	\$37,000		

**Annex III** 

## Summary of Application Statistics under the Hawker Assistance Scheme (HAS) (Position as at 2.6.2018)

District	Hawker Areas	No. of Hawker Stalls <sup>1</sup>	Number of applications for ex-gratia payment	Number of applications for relocation cum reconstruction grant	Number of applications for in-situ reconstruction grant	Participation rate	No. of stalls reconstructed under reconstruction grants	No. of stalls reconstructed at own expenses	No. of stalls rebuilt under reconstruction grant and pending completion	No. of stalls with no application for grant and not meeting stall specifications	Percentage of stalls reconstructed
		(a)	(b)	(c)	( <b>d</b> )	(e)=[(b)+(c)+ (d)]/(a)	(g)	(h)	(i)	<b>(j</b> )	(k)=[(g)+(h)]/ $[(a)-(b)]$
	Chun Yeung Street	93	19	7	66	98.9%	73	1	0	0	100.0%
	Marble Road	120	51	13	56	100.0%	69	0	0	0	100.0%
Eastern	Kam Wa Street	110	25	8	43	69.1%	51	34	0	0	100.0%
Eastern	Tai Tak Street	36	15	1	16	88.9%	17	4	0	0	100.0%
	Mong Lung Street	14	10	0	4	100.0%	4	0	0	0	100.0%
	Sub-total	373	120	29	185	89.5%	214	39	0	0	100.0%
	Pottinger Street	45	7	1	37	100.0%	38	0	0	0	100.0%
	Graham Street	56	13	6	37	100.0%	43	0	0	0	100.0%
	Gage Street	15	4	0	11	100.0%	11	0	0	0	100.0%
Control	Li Yuen Street East	63	5	12	46	100.0%	58	0	0	0	100.0%
Central &	Li Yuen Street West	58	5	20	33	100.0%	53	0	0	0	100.0%
Western	Peel Street	45	20	2	23	100.0%	25	0	0	0	100.0%
Western	Wing Kut Street	33	1	6	26	100.0%	32	0	0	0	100.0%
	Upper Lascar Row	13	1	0	12	100.0%	12	0	0	0	100.0%
	Man Wa Lane	32	1	2	29	100.0%	31	0	0	0	100.0%
	Sub-total	360	57	49	254	100.0%	303	0	0	0	100.0%

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		(a)	(b)	(c)	(d)	(e)=[(b)+(c)+ (d)]/(a)	(g)	(h)	<b>(i)</b>	<b>(j</b> )	(k)=[(g)+(h)]/ $[(a)-(b)]$
	Gresson Street	52	12	2	38	100.0%	40	0	0	0	100.0%
Wan	Cross Street	70	2	7	60	98.6%	66	1	1	0	98.5%
Chai	Tai Yuen Street	76	1	5	70	100.0%	74	0	1	0	98.7%
Ciiai	Jardine's Crescent	167	25	34	107	99.4%	140	1	1	0	99.3%
	Sub-total	365	40	48	275	99.5%	320	2	3	0	99.1%
	Reclamation Street	233	58	28	147	100.0%	175	0	0	0	100.0%
	Pak Hoi Street	16	3	1	11	93.8%	12	1	0	0	100.0%
Yau	Saigon Street	19	4	1	14	100.0%	15	0	0	0	100.0%
Tsim	Canton Road	38	26	1	11	100.0%	12	0	0	0	100.0%
TSIIII	Bowring Street	99	12	9	78	100.0%	87	0	0	0	100.0%
	Temple Street	322	83	5	234	100.0%	161	0	78	0	67.4%
	Sub-total	727	186	45	495	99.9%	462	1	78	0	85.6%
	Tung Choi Street	688	190	0	497	99.9%	188	0	309	1	37.8%
	Canton Road	318	64	34	220	100.0%	253	0	1	0	99.6%
	Fife Street	34	15	2	17	100.0%	19	0	0	0	100.0%
	Yin Chong Street	78	13	10	54	98.7%	64	1	0	0	100.0%
Mongkok	Ki Lung Street	22	16	2	4	100.0%	6	0	0	0	100.0%
	Poplar Street	12	8	1	3	100.0%	4	0	0	0	100.0%
	Fa Yuen Street	219	1	30	188	100.0%	218	0	0	0	100.0%
	Nelson Street	63	20	3	39	98.4%	0	0	42	1	0.0%
	Sub-total	1 434	327	82	1 022	99.8%	752	1	352	2	68.0%

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		(a)	(b)	(c)	(d)	(e)=[(b)+(c)+ (d)]/(a)	(g)	(h)	<b>(i)</b>	<b>(j</b> )	(k)=[(g)+(h)]/ $[(a)-(b)]$
	Wing Lung Street	72	34	4	34	100.0%	37	0	1	0	97.4%
	Fat Tseung Street	47	17	5	25	100.0%	30	0	0	0	100.0%
	Cheung Fat Street	65	23	3	39	100.0%	42	0	0	0	100.0%
	Fuk Wa Street	167	11	33	123	100.0%	156	0	0	0	100.0%
Classic	Fuk Wing Street	39	1	8	30	100.0%	38	0	0	0	100.0%
Sham Shui Po	Pei Ho Street	153	7	14	132	100.0%	146	0	0	0	100.0%
Shui Po	Apliu Street	221	12	51	153	97.7%	204	4	0	1	99.5%
	Ki Lung Street	133	7	21	105	100.0%	124	0	2	0	98.4%
	Tai Nan Street	61	1	13	47	100.0%	60	0	0	0	100.0%
	Kweilin Street	59	0	8	50	98.3%	58	1	0	0	100.0%
	Sub-total	1 017	113	160	738	99.4%	895	5	3	1	99.6%
Kowloon	Pau Chung Street	54	11	9	33	98.1%	42	0	0	1	97.7%
City	Sub-total	54	11	9	33	98.1%	42	0	0	1	97.7%
	Total	4 330	854	422	3 002	98.8%	2 988	48	436	4	87.3%

## <u>Note</u>

<sup>&</sup>lt;sup>1</sup> Figure adjusted after commencement of the HAS due to death of licensee / licence surrender cases other than HAS / resiting / succession cases, etc

## Spending Position of Hawker Assistance Scheme (Position as at 2.6.2018)

District	Location of Hawker Areas	No. of hawkers applied for grants <sup>1</sup>	No. of approved applications	Expenditure required for approved applications (\$)	No. of applications still in progress  (d) = (a) - (b)	Projected Expenditure for applications still in progress (\$)	Total Expenditure required for applications for grant <sup>1</sup> (\$)  (f) = (c) + (e)	No. of hawkers not joining the Scheme <sup>2</sup>
	Chun Yeung Street	92	92	5,270,000	0	0	5,270,000	1
	Marble Road	120	120	9,010,000	0	0	9,010,000	0
Eastern	Kam Wa Street	76	76	4,297,000	0	0	4,297,000	34
	Tai Tak Street	32	31	2,347,000	1	30,000	2,377,000	4
	Mong Lung Street	14	14	1,340,000	0	0	1,340,000	0
	Pottinger Street	45	45	2,426,000	0	0	2,426,000	0
	Graham Street	56	55	3,131,000	1	20,000	3,151,000	0
	Gage Street	15	15	920,000	0	0	920,000	0
Central &	Li Yuen Street East	63	63	3,040,000	0	0	3,040,000	0
Western	Li Yuen Street West	58	58	2,920,000	0	0	2,920,000	0
VVCSUCI II	Peel Street	45	45	3,450,000	0	0	3,450,000	0
	Wing Kut Street	33	33	1,427,000	0	0	1,427,000	0
	Upper Lascar Row	13	12	604,800	1	40,000	644,800	0
	Man Wa Lane	32	31	1,542,900	1	47,000	1,589,900	0

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		(a)	(b)	(c)	(d) = (a) - (b)	(e)	$(\mathbf{f}) = (\mathbf{c}) + (\mathbf{e})$	
	Gresson Street	52	52	2,987,000	0	0	2,987,000	0
Wan Chai	Cross Street	69	68	2,797,700	1	40,000	2,837,700	1
wan Chai	Tai Yuen Street	76	74	1,759,500	2	40,000	1,799,500	0
	Jardine's Crescent	166	165	8,944,600	1	40,000	8,984,600	1
	Reclamation Street	233	229	13,500,000	4	160,000	13,660,000	0
	Pak Hoi Street	15	15	750,000	0	0	750,000	1
<b>X</b> 7 /D •	Saigon Street	19	19	1,104,000	0	0	1,104,000	0
Yau Tsim	Canton Road	38	37	3,550,000	1	40,000	3,590,000	0
	Bowring Street	99	99	5,010,000	0	0	5,010,000	0
	Temple Street	322	244	14,785,242	78	2,106,000	16,891,242	0
	Tung Choi Street	687	340	26,582,066	347	9,081,858	35,663,924	1
	Canton Road	318	315	18,046,200	3	120,000	18,166,200	0
	Fife Street	34	34	2,586,800	0	0	2,586,800	0
24 1 1	Yin Chong Street	77	76	4,170,000	1	50,000	4,220,000	1
Mongkok	Ki Lung Street	22	22	2,180,000	0	0	2,180,000	0
	Poplar Street	12	12	1,129,300	0	0	1,129,300	0
	Fa Yuen Street	219	219	9,196,000	0	0	9,196,000	0
	Nelson Street	62	20	2,400,000	42	408,000	2,808,000	1

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	Wing Lung Street	72	71	5,092,000	1	27,000	5,119,000	0
	Fat Tseung Street	47	47	3,100,000	0	0	3,100,000	0
	Cheung Fat Street	65	65	4,366,000	0	0	4,366,000	0
	Fuk Wa Street	167	167	7,887,000	0	0	7,887,000	0
Cham Chui Da	Fuk Wing Street	39	39	960,000	0	0	960,000	0
Sham Shui Po	Pei Ho Street	153	153	6,295,000	0	0	6,295,000	0
	Apliu Street	216	215	9,250,000	1	20,000	9,270,000	5
	Ki Lung Street	133	131	4,230,000	2	40,000	4,270,000	0
	Tai Nan Street	61	61	1,450,000	0	0	1,450,000	0
	Kweilin Street	58	58	1,240,000	0	0	1,240,000	1
Kowloon City	Pau Chung Street	53	53	3,535,600	0	0	3,535,600	1
	Total:	4 278	3 790	210,609,708	488	12,309,858	222,919,566	52

#### <u>Note</u>

<sup>&</sup>lt;sup>1</sup> Applications for grants included ex-gratia payment on surrender of hawker licence, in-situ reconstruction and relocation cum reconstruction of hawker stalls

<sup>&</sup>lt;sup>2</sup> Among the 52 hawkers, 48 of them have reconstructed their stalls according to the standard specifications and passed compliance check