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(By fax no: 2543 9197)

29 January 2019

The Public Accounts Committee
Legislative Council Secretariat
Legislative Council Complex
1 Legislative Council Road
Central
Hong Kong

(Attn.: Mr. Anthony CHU)

Dear Mr. CHU,

**Follow-up to Public Accounts Committee Report No. 61
Management of Roadside Skips**

I refer to the Public Accounts Committee's letter of 4 January 2019 to the Secretary for the Environment and am authorized to give a coordinated reply, taking into account the inputs of concerned Government Bureaux and Departments of the Joint Working Group on Management of Roadside Skips¹ (the "JWG").

As reported in the Government Minute of May 2018, through the coordinated actions of the JWG, the Government has continued the efforts to enhance the management and control of roadside skips through providing two short-term tenancy ("STT") sites in Tseung Kwan O and Tuen Mun² for the skip trade to store idling skips since 2017, and engaging a term service contractor ("TSC") to assist enforcement departments in speeding up the removal of skips found to be posing serious obstruction to traffic and/or imminent danger to the public. The JWG has also conducted a total of 29 and 16 joint enforcement operations in 2017 and 2018 respectively to tackle a number of black spots with idling skips, including Tseung Kwan O, Sai Kung, Kowloon Bay, Kai Tak and Chai Wan areas with the participation of seven government departments³. As a result, the number of idling skips at such locations has reduced. This coupled with relocation of idling skips by skip operators to the two skip storage STT sites has led to significant improvement. The JWG is closely monitoring these

¹ The JWG is led by the Environment Bureau and the Environmental Protection Department ("EPD") and comprises Development Bureau, Transport and Housing Bureau, Food and Environmental Hygiene Department ("FEHD"), Highways Department ("HyD"), Hong Kong Police Force ("HKPF"), Lands Department ("LandsD"), Transport Department ("TD"), and Home Affairs Department (on a need basis).

² The two short-term tenancy sites in Tseung Kwan O Area 137 and Siu Lang Shui in Tuen Mun commenced their operations in January and December 2017 respectively.

³ The participating departments included the District Offices, EPD, FEHD, HKPF, HyD, LandsD and TD.

black spots through regular patrols and will conduct further joint enforcement operations at these black spots and others as advised by District Offices, in order to sustain the improvement achieved and to continue to deter malpractice of indiscriminate placement of skips at roadside.

Also, the JWG has been engaging the skip operators to devise a suitable trade-led registration system for skips under which the specifications for skips will be standardized, with a view to promoting good operational and safety practices.

The specific information requested in paragraphs 2(a) to (c) of your letter of 4 January 2019 is given below:

- (a) latest progress on the removal of roadside skips and statistics on the number of skips that have been removed, breakdown by 18 districts in 2018;

The HKPF and LandsD have been vigilant about the problem of indiscriminate placement of skips on roadside and have been mounting enforcement operations from time to time in order to deter malpractice of skip operators.

At present, the HKPF adopts the “Guidelines for Mounting and Placing of Skips” published by TD as reference to assist its frontline officers in determining any serious obstruction and imminent danger when dealing with roadside skips. In 2017 and 2018, the Police took enforcement actions against operators of 20 and 6 roadside skips respectively for causing serious obstruction and imminent danger to the public under Section 4A of the Summary Offences Ordinance (Cap. 228). Among these cases, a total of 6 and 3 skips respectively in 2017 and 2018 were removed by the TSC whilst the others by the operators themselves shortly after receiving advice or warnings from frontline police officers. So far, the maximum penalty meted out by the Courts in the convicted cases was \$3,500 fine.

As regards the enforcement actions by LandsD under Section 6 of the Land (Miscellaneous Provisions) Ordinance (Cap. 28), the District Lands Offices had posted 1 521 and 824 notices on the skips, resulting in confiscation of 13 and 6 skips in 2017 and 2018 respectively.

The enforcement statistics of the HKPF by Police Districts, and of LandsD by District Councils are tabulated at Annexes 1 and 2 respectively. As compared with the enforcement statistics in 2016, the HKPF and LandsD have devoted considerable efforts in stepping up their enforcement actions against the malpractice of indiscriminate placement of skips at roadside. Since the launch of joint enforcement operations against roadside skips in February 2017, the overall number of idling skips found in a number of black spots, including Tseung Kwan O, Sai Kung, Kowloon Bay, Kai Tak and Chai Wan areas, etc., has been significantly reduced by 90% during our joint operations as well as subsequent regular patrols. This has led to a drop in the number of enforcement notices posted on idling skips by the LandsD in the Eastern, Kwun Tong and Sai Kung districts and reduction in the overall enforcement statistics of the HKPF in 2017 and 2018. With this successful experience, we plan to extend the joint enforcement operations to other districts with black spots of roadside skips in the next few months. The JWG will continue to organize joint enforcement operations to tackle the indiscriminate placement of roadside skips at these black spots and others as advised by the District Offices as necessary.

- (b) plans and the implementation timetable to facilitate skip operations and the latest position of assigning a government department to take up the responsibilities for regulating and facilitating skip operation; and
- (c) timetable for taking forward a review to introduce a regulatory system to regulate and monitor skips operations.

The JWG has been in close liaison with the skip operators to engage its support to devise a suitable trade-led skips registration system to progressively enhance the standards of skip operations, including standardizing the specifications for skips and promoting good operational and safety practices. As indicated in our previous reply dated 26 January 2018, many participants of an earlier seminar organized by the JWG for the stakeholders in September 2017 were receptive to the idea of exploring a voluntary skips registration system to facilitate their skip operations. To facilitate progress on this initiative, the JWG has engaged an external consultant since June 2018 to work with the skip operators and other stakeholders, including the construction trade associations, property management companies, insurance trade, etc., in formulating proposals for setting up a trade-led registration system for skips. The study is still ongoing. Subject to smooth progress of the study and briefings to the skip operator trade, the JWG aims to support the skip operator trade to kick off the voluntary skips registration system in second half of 2019. The voluntary registration system for skips will be instrumental in addressing the trade's concern and stepping up the compliance rate of government requirements and guidelines.

Taking into account the effectiveness and progress of the above measures and the experience gained from the voluntary skips registration scheme, the JWG will review and examine in one year after the implementation of the voluntary registration scheme for skips whether it is necessary to introduce a new regulatory system and assign a government department to take up the responsibilities for regulating and facilitating skip operations in the long run.

Yours sincerely,



(Vanessa Au)

for Director of Environmental Protection

c.c.

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Enforcement Statistics of Hong Kong Police Force by Police District

| Police District | Number of cases in which advice or warnings were issued/ Number of skips removed | | | Number of cases in which skip operators were prosecuted | | | Number of cases convicted | | |
|------------------------------|--|---------------|----------------------------|---|-----------|----------|---------------------------|-----------|----------|
| | 2016 | 2017 | 2018 | 2016 | 2017 | 2018 | 2016 | 2017 | 2018 |
| Hong Kong Island | | | | | | | | | |
| Eastern | 97/ 0 | 166/ 0 | 145/1 | 0 | 0 | 2 | 0 | 0 | 2 |
| Western | 65/ 0 | 77/ 3 | 90/0 | 0 | 9 | 0 | 0 | 8 | 0 |
| Wan Chai | 161/ 0 | 179/ 0 | 59/0 | 0 | 1 | 0 | 0 | 1 | 0 |
| Central | 74/ 0 | 90/ 0 | 66/0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Kowloon | | | | | | | | | |
| Kowloon City | 95/ 0 | 110/ 0 | 130/0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Yau Tsim | 74/ 0 | 51/ 0 | 98/1 | 0 | 1 | 1 | 0 | 1 | 1 |
| Sham Shui Po | 59/ 0 | 59/ 0 | 24/0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Mong Kok | 60/ 0 | 53/ 0 | 53/0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Sau Mau Ping | 37/ 0 | 35/ 0 | 42/1 | 0 | 1 | 0 | 0 | 1 | 0 |
| Wong Tai Sin | 21/ 0 | 17/ 0 | 19/0 | 1 | 0 | 1 | 1 | 0 | 1 |
| Kwun Tong | 29/ 0 | 27/ 0 | 35/0 | 0 | 0 | 1 | 0 | 0 | 1 |
| Tseung Kwan O ⁽¹⁾ | - | 3/ 3 | 8/0 | - | 7 | 1 | - | 7 | 1 |
| New Territories | | | | | | | | | |
| Tai Po | 29/ 0 | 15/ 0 | 19/0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Tuen Mun | 24/ 0 | 19/ 0 | 19/0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Yuen Long | 30/ 0 | 20/ 0 | 14/0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Border | 0/ 0 | 0/ 0 | 1/0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Airport | 0/ 0 | 0/ 0 | 0/0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Sha Tin | 32/ 0 | 23/ 0 | 30/0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Tsuen Wan | 16/ 0 | 13/ 0 | 42/0 | 0 | 1 | 0 | 0 | 1 | 0 |
| Kwai Tsing | 26/ 0 | 24/ 0 | 25/0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Lantau | 6/ 0 | 1/ 0 | 2/0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total: | 935/ 0 | 982/ 6 | 921/3⁽²⁾ | 1 | 20 | 6 | 1 | 19 | 6 |

Notes: (1) Formerly a part of Kwun Tong District, Tseung Kwan O Division was upgraded to Tseung Kwan O District in 2017.

(2) As the situation of indiscriminate placement of roadside skips in the abovementioned black spots has been improved, the number of joint enforcement operations conducted by the JWG has been decreased in 2018 as compared to that in 2017, and so as the enforcement statistics.

Enforcement Statistics of Lands Department by District Council District

| District | Number of notices posted on skips/ Number of skips removed | | | Number of cases in which skip operators were prosecuted | | | Number of cases convicted | | |
|-------------------------|--|------------------|-----------------------------|---|----------|----------|---------------------------|----------|----------|
| | 2016 | 2017 | 2018 | 2016 | 2017 | 2018 | 2016 | 2017 | 2018 |
| Hong Kong Island | | | | | | | | | |
| Eastern | 422/ 1 | 522/ 1 | 295 / 2 | 0 | 0 | 0 | 0 | 0 | 0 |
| Southern | 7/ 0 | 2/ 0 | 10 / 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Wan Chai | 46/ 1 | 53/ 0 | 43 / 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Central & Western | 243/ 0 | 122/ 0 | 61 / 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Kowloon | | | | | | | | | |
| Kowloon City | 169/ 0 | 42/ 2 | 43 / 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Yau Tsim Mong | 63/ 0 | 49/ 1 | 55 / 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Sham Shui Po | 13/ 1 | 22/ 0 | 28 / 1 | 0 | 0 | 0 | 0 | 0 | 0 |
| Wong Tai Sin | 9/ 0 | 0/ 0 | 1 / 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Kwun Tong | 242/ 0 | 81/ 0 | 26 / 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| New Territories | | | | | | | | | |
| Tai Po | 13/ 0 | 5/ 0 | 1 / 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Tuen Mun | 1/ 0 | 0/ 0 | 0/ 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Yuen Long | 0/ 0 | 0/ 0 | 2 / 1 | 0 | 0 | 0 | 0 | 0 | 0 |
| North | 3/ 0 | 3/ 0 | 1 / 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Sai Kung | 762/ 8 | 524/ 9 | 223 / 2 | 0 | 0 | 0 | 0 | 0 | 0 |
| Sha Tin | 20/ 0 | 15/ 0 | 5 / 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Tsuen Wan | 33/ 0 | 20/ 0 | 2 / 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Kwai Tsing | 26/ 0 | 61/ 0 | 28 / 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Islands | 0/ 0 | 0/ 0 | 0 / 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total: | 2 072/ 11 | 1 521/ 13 | 824/ 6⁽¹⁾ | 0 | 0 | 0 | 0 | 0 | 0 |

Note: (1) As the situation of indiscriminate placement of roadside skips in the abovementioned black spots has been improved after the stepping up of joint enforcement operations, there was a decreasing trend for the enforcement statistics for posting notices on skips, particularly in the Eastern, Kwun Tong and Sai Kung (including Tseung Kwan O) districts.