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Panel on Food Safety and Environmental Hygiene

Subcommittee on Issues Relating to Public Markets

Background brief prepared by the Legislative Council Secretariat for the meeting on 17 December 2018

Issues relating to planning and provision of public markets

Purpose

This paper provides background information on issues relating to the planning and provision of public markets, and summarizes the major views and concerns expressed by Members during previous discussions on the subject.

Background

Public markets managed by the Food and Environmental Hygiene Department ("FEHD")

2. According to the Administration, public markets were provided by the two former Municipal Councils ("MCs") in early years for resiting hawkers with a view to improving street hygiene and alleviating street obstruction. Since the late 1990s, as the number of licensed hawkers has decreased significantly, the main positioning and functions of public markets as a means to resiting hawkers and supporting the hawker policy were no longer valid. Following the dissolution of the former MCs on 1 January 2000, FEHD has taken over the responsibility for managing public markets. Public markets are now positioned to be one of the major sources of shopping fresh food provisions for the general public. FEHD is currently managing 74 wet markets and over 60% of them were built before 1990s (the newest one opened in 2008).

Hong Kong Planning Standards and Guidelines ("HKPSG")

3. HKPSG stipulates general guidelines for determining the scale, location and site requirements of various land uses, community facilities and infrastructures. According to the Administration, the relevant bureaux and departments will formulate, review and update the relevant planning standards, having regard to the policies under their purview and development needs. The Food and Health Bureau ("FHB") and FEHD conducted a policy review of public markets in 2007, which concluded that the provision of new public markets should be considered on a case-by-case basis to ensure the efficient use of public resources. Subsequently, those parts concerning public markets in HKPSG were amended in April 2009. Under the revised HKPSG¹, the planning of public markets was based on a more holistic consideration of all relevant factors, rather than just the size of the population.² The relevant factors that should be considered include the demographic mix, community needs, the presence of market facilities nearby, the number of fresh provision retail outlets available in the vicinity, and public sentiment towards the preservation of hawker areas in the particular locality.

Members' major views and concerns

4. The major views and concerns expressed by Members at various platforms, including the two subcommittees formed under the Panel on Food Safety and Environmental Hygiene ("the Panel") in the Fifth Legislative Council ("LegCo") and the Sixth LegCo respectively to study issues relating to public markets, on the subject are summarized in the ensuing paragraphs.

Development of new public markets

5. One of the grave concerns of the Subcommittee formed in the Fifth LegCo ("the former Subcommittee") was the lack of public markets in newly developed districts, such as Tin Shui Wai and Tung Chung. The former Subcommittee passed a motion at its meeting on 18 November 2014 urging the Administration to expeditiously take forward the planning for building new markets in Tin Shui Wai and Tung Chung, so as to respond to the needs of the

¹ Please see Chapter 6 of HKPSG on retail facilities.

² Before the amendment in April 2009, provision of new public markets was based on the size of population of the areas (i.e. one public market stall should be provided for every 55 to 65 households or approximately 40 to 45 stalls per 10 000 persons).

community; and to comprehensively review its policy in regard to the provision of new markets in newly developed districts.³

6. The Administration advised that when considering any proposals to establish a new market in a certain district, FEHD would, on a case-by-case basis, take into consideration various relevant factors set out in HKPSG. According to the Administration's experience, the viability of the newly established markets would be significantly reduced if there were many similar retail outlets in the vicinity of the new markets, resulting in an increase of vacant stalls and therefore weakening the function of these markets for the provision of services to the public.

7. The Subcommittee formed in the Sixth LegCo ("the Subcommittee") noted that the Panel received a briefing by the Secretary for Food and Health on the Chief Executive's 2017 Policy Address at its meeting on 31 October 2017. Members were advised that the Government would build new public markets in Tung Chung New Town Extension Area, Hung Shui Kiu New Development Area and Tin Shui Wai. If necessary, the Government would study the need and the feasibility of providing new public markets. At its meeting on 10 April 2018, the Subcommittee passed a motion urging the Government to, among others, identify suitable sites for building new public markets, including the building of municipal complexes, instead of the proposed community complexes, for incorporating public market facilities in line with the "single site, multiple use" principle.⁴

8. Some Members considered that the Administration should regard developing new markets as a way to promote healthy competition among various types of retail outlets as well as to increase consumers' choice. There was a view that the Administration should consider providing new public markets in old districts where wet markets were managed by private operators. There was another view that FEHD should consider collaborating with the Housing Authority/the Housing Department to take revitalization measures in wet markets in various districts, particularly those districts in which wet markets in their vicinity were owned by the Link Real Estate Investment Trust.

³ For the wording of the motion passed by the former Subcommittee and the Administration's response, please refer to LC Paper Nos. CB(2)312/14-15(02) and CB(2)815/14-15(01) respectively.

⁴ For the wording of the motion and the Administration's response, please refer to LC Paper Nos. CB(2)1200/17-18(01) and CB(2)1572/17-18(01) respectively.

9. The Administration advised that the provision of new public markets would be considered on a case-by-case basis. The Administration would take into account the relevant factors set out in HKPSG, the actual situation of individual districts and the views of stakeholders in the process. In line with the Government policy, where the site was zoned for "Government, Institution or Community" purposes, FHB/FEHD would pursue the "single site, multiple use" model in multi-storey developments and welcomed collaboration with other public agencies to accommodate compatible uses. Besides, FHB/FEHD had consistently looked into ways to improve the operating environment of existing public markets so as to benefit the community at large, and would consider collaborating with other bureaux and/or departments in taking forward relevant measures as appropriate. However, the Government did not control the prices of the goods sold in public markets, and was not in a position to guarantee that the goods sold in public markets would be cheaper than those in other shops.

New public markets under planning

10. When the Subcommittee was briefed by the Administration on the progress of development of new public markets at its meeting on 6 November 2018, Members noted that local consultation on two new public market projects was underway, namely Tin Shui Wai and Tung Chung Town Centre. Besides, a number of new markets projects in various areas/districts were at different stages of planning, including Tseung Kwan O, Kwu Tung North Development Area, Hung Shui Kiu New Development Area and Tung Chung New Town Extension.

11. Some Members considered that new public markets in Tung Chung and Tin Shui Wai under planning should each be provided with a cooked food centre ("CFC") to meet the community needs. As regards the proposed new public market in Tung Chung, some Members urged the Administration to provide CFC and/or other community facilities therein so as to increase the patronage of the market. Besides, there was a view that the site near the Tin Shui Wai MTR Station selected for building the new public market could not fully satisfy the needs of residents in Tin Shui Wai, and therefore, the Administration should consider providing one more public market in the northern part of Tin Shui Wai.

12. The Administration advised that while it had noted the views of Members and the communities concerned on the provision of CFCs in the aforesaid two public markets under planning, it had to balance the needs for wet markets and CFCs given the limitation on the size of the selected sites.

Review of HKPSG

13. The Subcommittee noted that at the Council meeting of 7 December 2016, the Council passed a motion on "Updating the Hong Kong Planning Standards and Guidelines and increasing community facilities to enhance living environment". The motion urged the Administration to adopt the principles of "people-orientation" and "enhancing community participation" to expeditiously update HKPSG and relevant town planning guidelines by, among others, incorporating public markets into the item of "community facilities" and restoring the prescription of a standard for population-to-market stall ratio, etc. In response to the motion, the Administration stated in its progress report to the Council that when planning for new markets, the Government should consider a host of factors, including but not limited to population-based consideration. This would provide greater flexibility in assessing the local circumstances and the need to improve the provision of facilities in public market.

14. Some Members held the view that while HKPSG listed a set of factors pertaining to the provision of public markets, community needs should be an overriding factor in deciding whether a new market should be established. The Subcommittee passed a motion at its meeting on 10 July 2018 urging the Government to, among others, review the planning standards for public market facilities as set out in HKPSG, with a view to ensuring an adequate supply of market stalls for the community.⁵

15. At the Subcommittee meeting on 6 November 2018, many Members expressed a similar view that the Administration should review HKPSG and they considered it desirable if HKPSG would be revised so as to provide a set of clear and objective criteria for the provision of public markets. The Administration advised that the relevant revision was made to HKPSG in 2009 with a view that planning of new public markets could be considered on a case-by-case basis, taking into account not only the population, but also a host of other relevant factors. In considering whether a public market should be built, the Administration had to duly assess the need for the market and cost effectiveness and to ensure proper use of public resources. The planning and provision of new public markets would be guided by the established planning mechanism, design features of a new generation of public markets and site requirements.⁶

⁵ For the wording of the motion, please refer to LC Paper No. CB(2)1812/17-18(01).

⁶ For details of new design features of a new generation of public markets and site requirements, please see paragraphs 8 and 9 of the Administration paper (LC Paper No. CB(2)186/18-19(01)).

Latest development

16. The Subcommittee will meet with deputations and the Administration on issues relating to the planning and provision of public markets at its meeting on 17 December 2018.

Relevant papers

17. A list of relevant papers available on the LegCo's website is in the **Appendix**.

Council Business Division 2
Legislative Council Secretariat
12 December 2018

**Relevant papers on
Issues relating to planning and provision of public markets**

Committee	Date of meeting	Paper
Subcommittee on Issues Relating to Public Markets formed under the Panel on Food Safety and Environmental Hygiene ("FSEH Panel") in the Fifth Legislative Council	18.11.2014 (Item III)	Agenda Minutes
FSEH Panel	-	Report of the Subcommittee on Issues Relating to Public Markets formed under FSEH Panel in the Fifth Legislative Council
Legislative Council	7.12.2016	Motion moved by Hon CHAN Han-pan Progress Report
FSEH Panel	31.10.2017 (Item I)	Agenda Minutes
Subcommittee on Issues Relating to Public Markets formed under the FSEH Panel in the Sixth Legislative Council	10.4.2018 (Item I)	Agenda Minutes
	10.7.2018 (Item I)	Agenda Minutes
	6.11.2018 (Item II)	Agenda