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Panel on Food Safety and Environmental Hygiene

**Subcommittee on Issues Relating to the Improvement of
Environmental Hygiene and Cityscape**

**Minutes of meeting by videoconferencing
held on Tuesday, 9 February 2021, at 4:30 pm
in Conference Room 2B of the Legislative Council Complex**

Members present : Hon CHAN Han-pan, BBS, JP (Chairman)
Hon SHIU Ka-fai, JP (Deputy Chairman)
Hon Steven HO Chun-yin, BBS
Hon Elizabeth QUAT, BBS, JP
Hon Wilson OR Chong-shing, MH
Hon LAU Kwok-fan, MH
Dr Hon CHENG Chung-tai
Hon Vincent CHENG Wing-shun, MH, JP
Hon Tony TSE Wai-chuen, BBS, JP

Public Officers attending : Item II

Miss Diane WONG Shuk-han, JP
Deputy Director (Environmental Hygiene)
Food and Environmental Hygiene Department

Mr Gilford LAW Sun-on
Principal Assistant Secretary for Food and Health (Food) 2

Mr TSE Yu-cheung
Assistant Director (Operation) 3 (Acting)
Food and Environmental Hygiene Department

Mr FORK Ping-lam
Coordinator (Waste Collection Facilities)
Food and Environmental Hygiene Department

Mr LEE Ming-wai
Pest Control Officer-in-charge
Food and Environmental Hygiene Department

Mr TSE Ki-cheong
Senior Superintendent (Cleansing and Pest Control) 1
Food and Environmental Hygiene Department

Mr Vincent KWAN Wing-hong
Chief Highway Engineer/Kowloon
Highways Department

Mr Edmund NG Kok-hung
Principal Land Executive/Task Force 1
Lands Department

Item III

Miss Diane WONG Shuk-han, JP
Deputy Director (Environmental Hygiene)
Food and Environmental Hygiene Department

Mr Gilford LAW Sun-on
Principal Assistant Secretary for Food and Health (Food) 2

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Mr LEE Ming-wai
Pest Control Officer-in-charge
Food and Environmental Hygiene Department

Mr TSE Ki-cheong
Senior Superintendent (Cleansing and Pest Control) 1
Food and Environmental Hygiene Department

Mr Ken WONG Yiu-kwong
Assistant Director (Environmental Compliance)
Environmental Protection Department

Mr Vincent KWAN Wing-hong
Chief Highway Engineer/Kowloon
Highways Department

Miss LEE Sin-man
Chief Manager/Management (Hong Kong Island and Islands)
Housing Department

Mr Edmund NG Kok-hung
Principal Land Executive/Task Force 1
Lands Department

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

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

Ms Cally LAI
Legislative Assistant (2) 2

Ms Camy YOONG
Clerical Assistant (2) 2

Action

I. Application for late membership
(LC Paper No. CB(2)732/20-21(01))

The Subcommittee accepted the application for late membership from Ms Elizabeth QUAT.

II. Efforts to improve environmental hygiene and cityscape
(LC Paper Nos. CB(2)746/20-21(01) and (02))

2. The Subcommittee deliberated (index of proceedings at **Annex A**).

Action

3. At the invitation of the Chairman, Deputy Director (Environmental Hygiene), Food and Environmental Hygiene Department ("DD(EH)/FEHD") briefed members, with the aid of power-point presentation, on the policy and measures as well as the Government's efforts in enhancing environmental hygiene and cityscape, as set out in the Administration's paper (LC Paper No. CB(2)746/20-21(01)).

(Post-meeting note: The softcopy of the power-point presentation materials was issued to members vide LC Paper No. CB(2)768/20-21(01) on 9 February 2021.)

4. Members noted the information note prepared by the Legislative Council Secretariat on the subject (LC Paper No. CB(2)746/20-21(02)).

Follow-up actions arising from the discussion

5. The Administration was requested to provide a written response to the issues raised by members as set out in **Annex B**.

(Post-meeting note: The Chinese and English versions of the Administration's response (LC Paper No. CB(2)849/20-21(02)) were issued to members respectively on 8 and 10 March 2021.)

III. Measures to improve refuse collection and street cleanliness
(LC Paper Nos. CB(2)746/20-21(03) and (04))

6. The Subcommittee deliberated (index of proceedings at **Annex A**).

7. At the invitation of the Chairman, DD(EH)/FEHD briefed members, with the aid of power-point presentation, on the measures adopted by the Food and Environmental Hygiene Department for improving refuse collection and street cleanliness, as set out in the Administration's paper (LC Paper No. CB(2)746/20-21(03)).

(Post-meeting note: The softcopy of the power-point presentation materials was issued to members vide LC Paper No. CB(2)768/20-21(02) on 9 February 2021.)

8. Members noted the background brief entitled "Administration's efforts to improve public cleansing services" prepared by the Legislative Council Secretariat (LC Paper No. CB(2)746/20-21(04)).

Admin

Action

IV. Any other business

Clerk 9. As members might wish the Administration to respond at a meeting to their other questions than those raised at this meeting, the Chairman instructed the Clerk to seek members' views on the need to hold a further meeting on 23 February 2021 for continued discussion on the items "Efforts to improve environmental hygiene and cityscape" and "Measures to improve refuse collection and street cleanliness".

(Post-meeting note: Members were consulted vide LC Paper No. CB(2)769/20-21 issued on 10 February 2021. After considering members' responses, the Chairman decided to hold a further meeting. The notice of the further meeting (re-scheduled from 23 February to 9 March 2021) was issued to members vide LC Paper No. CB(2)788/20-21 on 18 February 2021. On 8 March 2021, after considering members' availability, the Chairman instructed that the meeting on 9 March 2021 be cancelled and discussion on the above two items be deferred to the meeting scheduled for 23 March 2021. Members were informed of these meeting arrangements vide LC Paper Nos. CB(2)853/20-21 and CB(2)861/20-21 issued respectively on 8 and 9 March 2021.)

10. There being no other business, the meeting ended at 6:38 pm.

Council Business Division 2
Legislative Council Secretariat
21 April 2021

**Subcommittee on Issues Relating to the
Improvement of Environmental Hygiene and Cityscape**

**Proceedings of the meeting by videoconferencing
on Tuesday, 9 February 2021, at 4:30 pm
in Conference Room 2B of the Legislative Council Complex**

Time marker	Speaker	Subject(s)/Discussion	Action Required
<i>Agenda item I - Application for late membership</i>			
000649 - 000738	Chairman Mr Wilson OR Mr Vincent CHENG Mr Tony TSE	The Subcommittee's consideration and acceptance of Ms Elizabeth QUAT's application for late membership (LC Paper No. CB(2)732/20-21(01)).	
<i>Agenda item II - Efforts to improve environmental hygiene and cityscape</i>			
000739 - 000826	Chairman	Arrangements for upcoming meetings	
000827 - 001956	Chairman Admin	Briefing by the Administration on the policy and measures as well as the Government's efforts in enhancing environmental hygiene and cityscape (LC Paper No. CB(2)746/20-21(01)).	
001957 - 002748	Chairman Mr Wilson OR Admin	<p>Mr Wilson OR raised the following enquiries:</p> <p>(a) how the Food and Environmental Hygiene Department ("FEHD") ensured the effectiveness of its enforcement efforts against cleanliness offences and the sustainability of existing measures for improving environmental hygiene;</p> <p>(b) what measures had been taken by FEHD for monitoring the performance of outsourced cleansing service contractors; and</p> <p>(c) what promotional efforts were/would be made by FEHD to raise public awareness of and encourage active participation in keeping the city clean.</p> <p>The Administration's response that:</p> <p>(a) to tackle cleanliness offences, FEHD had, since 2017, set up 35 dedicated enforcement teams ("DETs"). FEHD planned to set up five additional DETs in the second quarter of 2021 to step up inspection and anti-littering enforcement at more serious illegal refuse deposit blackspots over the territory;</p>	

Time marker	Speaker	Subject(s)/Discussion	Action Required
		<p>(b) to address public expectation for environmental hygiene in public places, FEHD had allocated additional manpower and resources for stepping up street cleansing work. A total of 135 additional street washing and mobile cleansing teams (including dedicated cleansing teams to handle junk and refuse in rear lanes) had been deployed for enhancing street cleansing service;</p> <p>(c) to ensure that the service performance of its outsourced contractors met the contract requirements, FEHD monitored the performance of contractors by conducting regular spot checks and surprise inspections. In addition, FEHD was enhancing its complaint management information system and had revamped the contract management system. FEHD would collect data from these two systems for compilation of consolidated management information, so as to facilitate the analysis of information about the number of complaints and follow-up actions to be taken (e.g. issuance of default notices). This was conducive to the monitoring of outsourced contractors and, in turn, improving their performance; and</p> <p>(d) on the promotion front, a dedicated thematic website was launched in January 2021, setting out the work done by FEHD on environmental hygiene and street cleansing services. The website, regularly updated, also provided useful information and advice on environmental hygiene, with a view to promoting public collaboration and understanding.</p>	
002749 - 003849	Chairman Mr Tony TSE Admin	Mr Tony TSE expressed concern about the increasing trend of illegal disposal of domestic waste/construction waste on streets/in public places. He urged the Administration to (a) step up enforcement efforts in combating such offences; and (b) take stringent actions against unauthorized display of commercial publicity materials (bills and posters with the use of easy-mount frames and other display fittings) on the streets, which had become rampant in recent years.	

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		<p>Mr TSE considered that Keep Clean Ambassador Ah Tak appeared to be less effective than "Lap Sap Chung" (the cartoon litterbug used by the former Municipal Councils in the Keep Hong Kong Clean Campaign) in soliciting public support for and encouraging public participation in keeping the city clean.</p> <p>The Administration's response that:</p> <p>(a) there was established division of work among relevant government departments for illegal dumping of construction waste in public places. For example, the Environmental Protection Department ("EPD") was mainly responsible for enforcing the Waste Disposal Ordinance (Cap. 354) and taking enforcement and prosecution actions against offenders. To combat fly-tipping or illegal waste dumping activities, EPD had installed closed-circuit television monitoring systems at about 160 illegal refuse deposit blackspots as of January 2021. The Highways Department ("HyD") assisted in the removal of illegal dumping of construction waste on public roads under its management;</p> <p>(b) FEHD was mainly responsible for street cleansing work, including the clearance of illegal domestic waste deposits in public places. To monitor and combat such illegal refuse deposits, FEHD had, starting from June 2018, launched a scheme on installation of Internet Protocol ("IP") cameras at illegal refuse deposit blackspots in all districts. As at the end of 2020, over 220 illegal refuse deposit blackspots had been installed with IP cameras. 1 880 prosecutions had been initiated, with 619 convicted cases;</p> <p>(c) regarding the removal of unauthorized commercial publicity materials, FEHD had issued 2 521 fixed penalty notices ("FPNs") in 2020 to offenders for unauthorized display of commercial bills and posters with easy-mount frames and other display fittings in public places, and removed 13 620 easy-mount frames; and</p> <p>(d) through Keep Clean Ambassador Ah Tak, FEHD appealed to the public to maintain street</p>	

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		<p>cleanliness, and educated the public on proper disposal of refuse. Compared with "Lap Sap Chung", the reincarnated Ah Tak sought to portray a righteous and civic-minded character who loved cleanliness.</p>	
<p>003850 - 004815</p>	<p>Chairman Mr Vincent CHENG Admin</p>	<p>Mr Vincent CHENG expressed concern about the worsening situation of illegal shop front extensions ("SFEs") causing street obstruction in some districts. According to his observation, many chain shops in Sham Shui Po, Mongkok and Tsim Sha Tsui often extended their business areas to the pavement in front of the shops, causing serious street obstruction and environmental hygiene problems. He considered that FEHD should step up its enforcement actions against SFEs and where necessary, seek the assistance of the Police when FEHD staff encountered difficulties in their enforcement actions.</p> <p>The Administration's response that:</p> <p>(a) illegal extension of business by shops was a street management problem which fell within the purview of a number of government departments. Depending on circumstances, enforcement against street obstruction was generally taken by various departments (including FEHD, the Police, the Lands Department ("LandsD") and the Buildings Department) in accordance with their respective powers and responsibilities;</p> <p>(b) the core function of FEHD was to maintain environmental hygiene. Hence, it accorded priority to handling cases causing obstruction to scavenging operations or cases relating to illegal hawking or unauthorized extension of food premises, and took enforcement actions in the light of the ground situation. Enforcement officers of various departments would take the most appropriate actions under their purview depending on the situation at the scene. The Police would take part in joint operations to offer assistance as required to other departments (including FEHD), guard against any breach of the peace, safeguard public safety and maintain public order, if necessary, in inter-departmental operations;</p>	

Time marker	Speaker	Subject(s)/Discussion	Action Required
		<p>(c) regarding the case as referred to by Mr Vincent CHENG, in view of the serious problems of unlicensed hawking and illegal SFEs in the vicinity of Pei Ho Street Market and Cooked Food Centre in Sham Shui Po, the Sham Shui Po District Environmental Hygiene Office conducted 30 joint operations with the Sham Shui Po Police District in the vicinity of Pei Ho Street from 1 December 2020 to 18 January 2021. Apart from issuing FPNs and making arrests, FEHD also seized the abandoned articles of hawkers and confiscated illegally hawked goods; and</p> <p>(d) FEHD would explore with other relevant departments, including the Police, on how to step up its operations against street obstruction caused by SFEs.</p>	
004816 - 005628	Chairman Ms Elizabeth QUAT Admin	<p>Ms Elizabeth QUAT expressed dissatisfaction that the Administration had not expeditiously removed illegally affixed bills and posters which first appeared on the streets in June 2019, causing serious environmental hygiene problems. Also, the Administration had not thoroughly removed the graffiti in public places (e.g. graffiti found on the walls of subways), as stains and marks were still found on the defaced walls after the clean-up exercises.</p> <p>Regarding illegal hawking and SFEs causing street obstruction, Ms QUAT asked whether FEHD staff/officers would only take enforcement actions when being accompanied by the Police.</p> <p>The Administration's response that:</p> <p>(a) FEHD had been closely monitoring the situation of unauthorized display of bills and posters in public places. In accordance with established procedures, FEHD would work with relevant government departments and carry out joint operations to clean up bills and posters displayed or affixed without permission;</p> <p>(b) HyD conducted regular inspection of the public roads and ancillary facilities under its maintenance. If graffiti was found on them or related reports were received, HyD would arrange a clean-up in a timely manner.</p>	

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		<p>Between July 2019 and December 2020, HyD had removed close to 9 200 graffiti. As some graffiti could only be removed through deep cleansing with liquid detergent, it would take some time for the stains and marks on the defaced walls to disappear completely. HyD would also arrange beautification works for footbridges and subways under its purview after the clean-up. In the fourth quarter of 2020, HyD had completed improvement works on the appearance of road facilities, including wallpapering of 15 road facilities, deep cleansing of 36 road facilities and repainting of 19 road facilities; and</p> <p>(c) FEHD took enforcement actions against illegal hawking and SFEs pursuant to section 83B(1) of the Public Health and Municipal Services Ordinance (Cap. 132) (for illegal hawking) and section 4A of the Summary Offences Ordinance (Cap. 228) (for obstruction of public places), having regard to the actual circumstances. For complicated cases of street obstruction caused by SFE, straddling the purview of several departments, the district office concerned would assist in coordinating inter-departmental joint operations, as and where necessary.</p>	
005629 - 010945	Chairman Mr Steven HO Admin	<p>Mr Steven HO queried whether the existing tools for tackling the problem of SFE (such as issuing FPNs to offenders) could achieve adequate deterrent effect, in particular on repeated/habitual offenders who regarded the court/FPN fine as part of the operating cost. He suggested that the Administration should review and consider the need of increasing the level of penalties against repeated offenders of illegal SFEs. Regarding cases of illegally affixed bills and posters/graffiti in public places, Mr HO enquired about the maximum penalty for such offences.</p> <p>The Administration's response that:</p> <p>(a) to combat illegal acts related to SFEs, FEHD would take stringent enforcement actions to minimize the nuisance caused to nearby residents. Since the commencement of the Fixed Penalty (Public Cleanliness and Obstruction) Ordinance (Cap. 570) on 24 September 2016, 34 901 FPNs had been</p>	

Time marker	Speaker	Subject(s)/Discussion	Action Required
		<p>issued for offences relating to illegal SFEs as at the end of 2020. As mentioned earlier, the Administration would examine how to strengthen the existing measures for tackling street obstruction caused by SFEs; and</p> <p>(b) pursuant to section 104A(1) of Cap. 132, any person displaying or affixing a bill or poster on Government land without permission committed an offence and was liable to a maximum penalty of a fine of \$10,000 with a daily fine of \$300 upon conviction. The offence was also subject to a FPN of \$1,500 pursuant to Cap. 570.</p> <p>The Administration was requested to provide the maximum penalties (imprisonment or fine) meted out by the court for convicted offences over the past two years concerning cases of (a) unauthorized hawking and illegal extension of business by shops causing street obstruction; (b) unauthorized display or affixation of bills or posters; and (c) graffiti in public places.</p>	<p>Admin (item (a) of Annex B refers)</p>
010946 - 011851	Chairman Admin	<p>The Chairman opined that the current penalty level of FPN (set at \$1,500) did not have sufficient deterrent effect against illegal SFEs, as evidenced by the behavior/attitude of repeated offenders. He asked whether FEHD would issue additional FPNs within the same day to offenders who repeatedly committed the offence of illegal SFEs.</p> <p>The Administration's response that:</p> <p>(a) the Fixed Penalty System provided an additional tool for tackling more efficiently and effectively the problem of obstruction of public places caused by SFEs. It could help complement the summons system in place, i.e. the long lead time involved in the prosecution process and the light penalties that carried insufficient deterrent effect;</p> <p>(b) enforcement actions against illegal SFEs were taken in the light of the ground situation. During the inter-departmental joint operations conducted in 2020 and early 2021, FEHD had issued FPNs, served summons, taken arrest actions, and confiscated hawker goods; and</p>	

Time marker	Speaker	Subject(s)/Discussion	Action Required
		<p>(c) the Administration would take into account the views of members, in considering whether the current enforcement tools against illegal SFEs had achieved/could achieve sufficient deterrent effect.</p> <p>The Administration was requested to provide a written response on whether it had any plans to review the existing policies/measures (e.g. increasing the maximum penalties for the offences or amending relevant legislation) in order to tackle the problem of street obstruction caused by SFEs at root.</p>	<p>Admin (item (c) of Annex B refers)</p>
011852 - 012332	Chairman Mr Steven HO Admin	<p>Mr Steven HO commented that FEHD was unable to grasp the full picture of the problem of obstruction of public places caused by SFEs in the territory. He urged the Administration to step up inspection and enforcement at serious SFE blackspots (e.g. those streets in Sham Shui Po and Yuen Long as referred to by members). He also suggested that FEHD should deploy staff to patrol SFE blackspots regularly, deterring illegal SFEs and taking, in a more timely manner, enforcement actions.</p> <p>The Administration responded that FEHD would take strict enforcement actions against illegal acts related to SFEs. Members were welcome to provide information about serious cases of street obstruction caused by SFEs to FEHD for follow-up.</p>	
012333 - 012702	Chairman Mr Vincent CHENG Admin	<p>Mr Vincent CHENG expressed concern about the serious problem of unlicensed hawking and illegal SFEs in the vicinity of Pei Ho Street Market and Cooked Food Centre in Sham Shui Po. While acknowledging the Administration's efforts in tackling the problem of street obstruction caused by SFEs, he considered that FEHD should come up with more effective solutions for tackling the problem, in particular ways to achieve deterrent effect against repeated contravention of the law.</p>	
012703 - 013440	Chairman Admin	<p>The Chairman expressed concern about the large number of abandoned vehicles left on the roads in the rural areas, causing obstruction to traffic and pedestrians and affecting environmental hygiene. He asked how the Administration would tackle the problem.</p>	

Time marker	Speaker	Subject(s)/Discussion	Action Required
		<p>The Administration's response that:</p> <p>(a) LandsD was responsible for handling abandoned vehicles on unleased and unallocated Government land other than public roads. After confirming that an abandoned vehicle was not a missing vehicle, LandsD staff would affix a notice on the abandoned vehicle in accordance with section 6 of the Land (Miscellaneous Provisions) Ordinance (Cap. 28), requiring the occupier to cease occupation of the land in question before such date as specified in the notice. If the occupation of Government land by the abandoned vehicle persisted after the expiry of the notice period, LandsD would take possession of and remove the vehicle;</p> <p>(b) in order to handle abandoned vehicles on public roads more effectively, relevant government departments were working out the modus operandi of joint clearance operations. Under the arrangements being contemplated, various District Offices of the Home Affairs Department ("HAD") would play an overall planning and coordinating role in respect of the joint clearance operations. The Transport Department had accepted LandsD's delegation of power under section 6 of Cap. 28 to affix notices on abandoned vehicles on public roads. If the vehicles concerned remained intact upon the expiry of the notice period, HyD would be responsible for towing away the abandoned vehicles to the storage pounds managed by LandsD for disposal; and</p> <p>(c) a joint clearance operation was conducted in West Kowloon in January 2021, with 112 abandoned vehicles (all were motorcycles) removed from the roads.</p> <p>In response to the Chairman's follow-up enquiry on whether and how the cost of towing away the abandoned vehicles would be recovered from the vehicle owners, the Administration advised that most of the abandoned vehicles did not display any vehicle licence number and vehicle registration number, thus making it difficult to identify the vehicle owners and to recover the relevant towing cost.</p>	

Time marker	Speaker	Subject(s)/Discussion	Action Required
<i>Agenda item III - Measures to improve refuse collection and street cleanliness</i>			
013441 - 015340	Chairman Admin	<p>Briefing by the Administration on the measures adopted by FEHD for improving refuse collection and street cleanliness (LC Paper No. CB(2)746/20-21(03)).</p> <p>The Chairman expressed concern about the waste collection service in rural areas. He said that the existing refuse collection facilities in some rural areas were insufficient to cater for the additional demand arising from the increase in population and the developments in the areas. This had led to refuse being stacked up along the pavements and an increasing trend of illegal disposal of domestic waste on streets. The Chairman asked whether the Administration had any plans or blueprints for enhancing the refuse collection services in rural areas.</p> <p>The Administration's response that:</p> <p>(a) it was aware of the needs of residents in rural areas for refuse collection service. Among other measures, solar-powered aluminium refuse collection points ("RCPs") were put on trial by FEHD at 31 rural sites in phases from September 2019 to December 2020. When members of the public approached these RCPs with their refuse in hand, the door at the opening would open automatically, allowing them to put their refuse into the refuse bin inside RCPs. It was both convenient and hygienic. The preliminary results of the trial were found satisfactory. FEHD would further assess the effectiveness of solar-powered aluminum RCPs and consider extending this facility to other RCPs in rural areas;</p> <p>(b) FEHD had launched a pilot scheme for RCPs with lower refuse yield in rural areas on the use of the third-generation solar-powered compacting refuse bins ("SCRBs"). A total of 24 SCRBS had been installed in rural residences of nine districts (for one year) by two phases since September and October 2020 respectively; and</p> <p>(c) for RCPs with higher refuse yield, solar-powered mobile refuse compactors had been put on trial at three rural RCPs in Yuen</p>	

Time marker	Speaker	Subject(s)/Discussion	Action Required
		<p>Long District (for one year) since July 2020 and one site in Tsuen Wan District (for four months) since October 2020.</p>	
<p>015341 - 020309</p>	<p>Chairman Mr Vincent CHENG Admin</p>	<p>The Chairman's instruction of extending the meeting by 15 minutes.</p> <p>Mr Vincent CHENG raised the following enquiries:</p> <p>(a) noting that FEHD had, in response to the Coronavirus Disease 2019 ("COVID-19") epidemic, stepped up the cleansing of facilities under its management (including public markets, cooked food centres, hawker bazaars, public toilets, RCPs, etc.), whether similar cleansing services would be arranged for the hawker areas in Sham Shui Po;</p> <p>(b) noting that a large amount of garbage/waste was piled up in many "three-nil" buildings (i.e. buildings without owners' corporations, residents' organizations or property management companies), whether FEHD and relevant departments would provide assistance to residents/owners of these buildings in their cleansing and anti-rodent work; and</p> <p>(c) how EPD and FEHD would collaborate to tackle the problem of illegal dumping of construction waste.</p> <p>The Administration's response that:</p> <p>(a) in response to the ongoing COVID-19 epidemic, FEHD had launched a two-week stepped-up clean-up campaign in January 2021 to enhance street cleansing operations at complaint hotspots in all districts, combat illegal SFEs, and strengthen rodent prevention and control work. FEHD aimed to, among others, consolidate the efforts of containing the epidemic through the territory-wide year-end clean-up campaign which commenced on 18 January 2021 (six weeks before the Lunar New Year);</p> <p>(b) FEHD would enhance street cleansing operations within "specified restricted areas" (i.e. areas within which any person who had been present during a specified period were required to undergo a COVID-19 nucleic acid</p>	

Time marker	Speaker	Subject(s)/Discussion	Action Required
		<p>test pursuant to the compulsory testing notice issued under the Prevention and Control of Disease (Compulsory Testing for Certain Persons) Regulation (Cap. 599J)), and would arrange deep cleansing and disinfection work at FEHD's facilities (including Yau Ma Tei Market, Reclamation Street Cooked Food Hawker Bazaar, and the hawker areas in Reclamation Street and Temple Street) within the areas, with a view to protecting the health and safety of the vendors and the public;</p> <p>(c) in view of the COVID-19 epidemic, HAD had, since 25 January 2021, arranged one-off cleansing services for 24 buildings in "specified restricted areas", and was expanding the provision of such services to some 100 buildings by February 2021. HAD would make further arrangements based on the developments of the COVID-19 epidemic and actual needs;</p> <p>(d) FEHD had strengthened cooperation with HAD in tackling the refuse collection problem of "three-nil" buildings. Between December 2019 and January 2021, HAD and its district offices had arranged about 4 100 times of cleansing services for over 2 000 "three-nil" buildings; and</p> <p>(e) when complaints/reports about illegal dumping of construction waste were received, government departments would promptly clean up the construction waste found in areas under their respective purview/management. For example, HyD was responsible for clearing construction and demolition materials illegally placed on public roads under its maintenance, and LandsD was responsible for handling construction and demolition waste disposed on unleased and unallocated Government land. In addition, EPD had developed a geographic information system to enhance the enforcement efforts against illegal dumping of construction waste and expedite the referrals to the relevant departments for clearance.</p>	
020310 - 021036	Chairman Deputy Chairman Admin	The Deputy Chairman asked how FEHD would, when performing street cleansing work, remove faeces/excretion of pets (e.g. dogs) on the streets.	

Time marker	Speaker	Subject(s)/Discussion	Action Required
		<p>The Deputy Chairman also expressed concern about the problem of illegal SFEs. According to his observation, some shops would occupy the streets by placing commodities on pavements and putting goods/miscellaneous items on carriageways, causing obstruction to pedestrians and traffic. He found that in some cases, frontline FEHD officers were facing great difficulties and experiencing personal danger when taking enforcement actions against shops committing illegal SFEs, as staff of those shops very often ignored FEHD officers' warnings and advices or even behaved in a hostile manner. In view of the complexity involved in cases of street obstruction caused by SFEs, the Deputy Chairman urged the Administration to work out more effective solutions for tackling street obstruction. He suggested that a hotline for the public to report cases of illegal SFEs should be developed.</p> <p>The Administration's response that:</p> <p>(a) for pet owners who did not clean up the streets/public areas and remove the faeces/excretion after their pets had fouled, FEHD staff would issue FPNs to the pet owners concerned. If faeces/excretion of pets were found on streets or if such reports/complaints were received, street cleansing service contractors of FEHD would clean them up during duty hours; and</p> <p>(b) FEHD acknowledged the seriousness of street obstruction problem caused by SFEs, and had conducted inter-departmental joint operations regularly to tackle the problem. FEHD would review existing enforcement actions and measures within the existing legal framework, and come up with an effective solution to tackle the illegal SFE problem. If any solution/proposal was made, the Administration would revert to the Subcommittee.</p> <p>The Administration undertook to provide after the meeting details of enforcement actions and inter-departmental joint operations conducted against SFEs in the past three years.</p>	<p>Admin (item (b) of Annex B refers)</p>

Time marker	Speaker	Subject(s)/Discussion	Action Required
<i>Agenda item IV - Any other business</i>			
021037 - 021214	Chairman Admin	The Chairman's closing remarks	

Council Business Division 2
Legislative Council Secretariat
21 April 2021

Panel on Food Safety and Environmental Hygiene

**Subcommittee on Issues Relating to the Improvement of
Environmental Hygiene and Cityscape**

**List of follow-up actions arising from the discussion
at the meeting on 9 February 2021**

The Administration was requested to provide a written response to the following issues raised by members:

- (a) concerning cases of (i) unauthorized hawking and illegal extension of business by shops causing street obstruction; (ii) unauthorized display or affixation of bills or posters; and (iii) graffiti in public places, the maximum penalties (imprisonment or fine) meted out by the court for convicted offences over the past two years;
- (b) details of enforcement actions and inter-departmental joint operations conducted against shop front extensions ("SFEs") in each of the past three years, including (i) the number of complaints received and prosecutions instituted by the Food and Environmental Hygiene Department, with a breakdown by nature of business of the shops involved and their geographic distribution (across the 18 districts); and (ii) the number of joint operations conducted and the government departments/law enforcement agencies involved, as well as the geographical distribution of such operations; and
- (c) as some members held the view that issuing fixed penalty notices ("FPNs") to offenders committing illegal SFEs could not achieve adequate deterrent effect, in particular on repeated offenders who regarded the court/FPN fine as part of the operating cost, whether the Administration had any plans to review the existing policies/measures (e.g. increasing the maximum penalties for the offences or amending relevant legislation) in order to tackle the problem of illegal SFEs/street obstruction at root.