

**CONTROLLING OFFICER'S REPLY**

**(Question Serial No. 1005)**

Head: (49) Food and Environmental Hygiene Department

Subhead (No. & title): (-) Not Specified

Programme: (2) Environmental Hygiene and Related Services

Controlling Officer: Director of Food and Environmental Hygiene (Miss Vivian LAU)

Director of Bureau: Secretary for Food and Health

Question:

Under this programme, it is mentioned that the Department will “assist the Food and Health Bureau in following up the implementation of measures to enhance the liquor licensing regime”. Regarding the regime of the Liquor Licensing Board, please provide information on the following:

- (a) the expenditure and manpower to be involved in handling the work of the Liquor Licensing Board in 2015-16;
- (b) the number of existing liquor licences in the territory, the locations of liquor-licensed premises and the types of buildings (residential, commercial or composite commercial / residential buildings) in which these premises are located;
- (c) the total number of liquor licence applications received in the past three years (i.e. from 2012-13 to 2014-15); among them, the number of applications granted and refused, the number of appeals lodged and the success rate of appeals; and
- (d) the details of and the follow-up actions on the measures to enhance the liquor licensing regime.

Asked by: Hon HO Chun-yin, Steven (Member Question No. 22)

Reply:

- (a) 40 staff in the three licensing offices in the Food and Environmental Hygiene Department (the Department) are responsible for handling liquor and club liquor licence applications as part of their licensing-related duties. There is no separate breakdown of the expenditure involved in the handling of liquor licence applications and appeals. In addition, another nine staff are deployed for providing secretariat support to the Liquor Licensing Board (LLB). The estimated expenditure involved in manning the LLB Secretariat in 2015-16 is \$5.7 million.

- (b) The number of liquor licences in the territory (broken down by district) as at end-2014 is provided in the table below. There is no separate breakdown on the type of buildings in which the licensed premises are located.

District	No. of Liquor Licences (as at end-2014)		Total
	Liquor Licences	Club Liquor Licences	
Central and Western	842	73	915
Eastern	382	15	397
Southern	117	25	142
Wanchai	898	112	1 010
Islands	237	18	255
Yau Tsim Mong	1 586	97	1 683
Sham Shui Po	248	9	257
Kowloon City	363	19	382
Wong Tai Sin	150	2	152
Kwun Tong	262	10	272
Tsuen Wan	198	11	209
Kwai Tsing	107	4	111
North	99	8	107
Tai Po	143	3	146
Sai Kung	190	7	197
Shatin	211	12	223
Tuen Mun	166	5	171
Yuen Long	237	13	250
Total	6 436	443	6 879

- (c) Relevant statistics are provided as follows :

	2012	2013	2014
Total number of liquor licence applications <sup>1</sup>	7 789 (1 077)	8 179 (1 087)	8 630 (1 116)
Total number of liquor licence granted by LLB <sup>2</sup>	7 359	7 221	8 156
Total number of applications refused by LLB <sup>2</sup>	50	69	67
Total number of appeals lodged with Municipal Services Appeals Board	48	55	32

(MSAB)			
Successful rate of appeals (i.e. appeals allowed by MSAB) <sup>3</sup>	51%	49%	58%

<sup>1</sup> The figures in bracket denote the number of applications for new liquor licence.

<sup>2</sup> Applications for liquor licence received in one year may be carried forward with the processing completed in the subsequent year.

<sup>3</sup> Only appeal cases with MSAB's decision issued before the end of a year are taken into account for calculating the success rate of appeals in that year.

- (d) The Government conducted a public consultation in 2011 and implemented a number of administrative measures subsequently to improve the liquor licensing regime. For instance, the LLB has in May 2013 revamped its procedures for dealing with applications for the renewal or transfer of liquor licence, aiming to provide added room for sensitive handling of voices from the neighbourhood. A set of guidelines has also been published by the LLB in December 2013 capturing the factors that need to be taken into account when assessing liquor licence applications and highlighting the scrutiny that applications from upstairs bars would have to go through, as well as the more stringent conditions that the LLB may impose including those relating to capacity limit and measures to abate noise nuisance for premises etc. Separately, we have since June 2014 added express provisions in the licensing conditions stipulating that restaurant licensees must comply with fire safety requirements at all times (such that minor breaches, if repeatedly not attended to promptly, would render them liable to suspension/cancellation of licence). In addition, documentary evidence of continuous compliance with fire safety requirements (namely that the fire safety related certificates issued by registered specialist contractors remain valid at the material time) must be adduced when the Department processes applications for licence renewal. An overwhelming majority of liquor-licensed premises have restaurant licences.

Apart from the administrative measures that have been implemented, on 4 February 2015, we introduced to the Legislative Council (LegCo) the Dutiable Commodities (Liquor) (Amendment) Regulation 2015 (the Amendment Regulation) to adjust the maximum validity period of a liquor licence, and to facilitate electronic submission of applications including the issue or renewal of liquor licence, with a view to further improving the liquor licensing regulatory regime. The Amendment Regulation will come into operation on 3 August 2015.

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