

CONTROLLING OFFICER'S REPLY

FHB(FE)307

(Question Serial No. 5644)

Head: (49) Food and Environmental Hygiene Department

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

Programme: (3) Market Management and Hawker Control

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

Director of Bureau: Secretary for Food and Health

Question:

1. Please set out the number of unlicensed hawkers arrested by the Department in each of the past 5 years.
2. Please set out the number of unlicensed hawkers prosecuted by the Department in each of the past 5 years.
3. Please set out the number of complaints against illegal hawking received by the Department in each of the past 5 years.
4. Please set out the number of food poisoning cases reported as a result of patronising unlicensed cooked food hawkers in each of the past 5 years.
5. Please set out the number of complaints about obstruction by unlicensed hawkers received by the Department in each of the past 5 years.
6. Will the Department re-issue hawker licences in 2018-19? If yes, what are the details and expenditure involved?
7. Will the Department designate new hawker areas at suitable locations in the territory in 2018-19? If yes, what are the details and expenditure involved?
8. Will the Department conduct studies on providing new public markets at suitable locations in the territory in 2018-19? If yes, what are the details and expenditure involved?

Asked by: Hon CHAN Tanya (Member Question No. (LegCo use): 175)

Reply:

1 – 3. The information sought is provided at Annexes I – III.

4. The Food and Environmental Hygiene Department (the Department) has over the years been taking stringent enforcement actions against unlicensed hawking activities involving the sale of cooked food. In the past 5 years, the Department has not received any reports of food poisoning cases as a result of patronising unlicensed cooked food hawkers.
5. Please refer to Annex III for the number of complaints against unlicensed hawking and obstruction. A further breakdown to show the number of the complaints about obstruction is not available.
6. In taking forward the Hawker Assistance Scheme implemented since June 2013 with a view to further reducing fire risks in 43 hawker areas, some hawker pitches were vacated as a result of surrender of licence for ex-gratia payment. On whether to re-issue new hawker licences to fill any vacant pitches in the relevant hawker areas, the Government would carefully consider the case, taking into account the circumstances of individual hawker areas, including their fire safety and environmental hygiene situations, the business environment, comments of relevant departments, as well as the views of the relevant District Council and local residents. Existing resources will continue to be deployed to carry out the work.
7. The Government is committed to implementing a hawker policy which can strike an optimal balance between allowing licensed hawking business to thrive on the one hand and addressing other legitimate concerns such as avoiding unreasonable nuisance to the local community in addition to ensuring food safety, environmental hygiene and public security on the other hand. We keep an open mind towards proposals for developing the hawker trade or the establishment of bazaars with local characteristics, so long as food safety and environmental hygiene are not compromised, public passageways are not obstructed and local community support is obtained. If suitable sites are identified, support from the relevant District Councils has been obtained and food safety and environmental hygiene are not compromised, the Department stands ready to facilitate liaison with other relevant government departments. Existing resources will continue to be deployed to carry out the work.
8. In her maiden Policy Address in October 2017, the Chief Executive pledges that the Government would make available resources for building new public markets to offer wider choices of fresh provisions to the public in Tung Chung, Tin Shui Wai and Hung Shui Kiu. The Government has initially identified suitable sites in the east of Tung Chung New Town Extension Area as well as in the southwest of Hung Shui Kiu New Development Area to build new public markets. Well-connected by public transport and close to future train stations and public transport interchanges, these two new market sites will be accessible to more members of the public. As regards the proposed new public market in Tin Shui Wai, we are actively exploring possible locations.

The Government will also study the need and feasibility of providing new public markets in districts where relevant facilities are alleged to be insufficient. The Government will consider factors including the population and demographic mix of the area; community needs; the availability of market facilities and the number of fresh provision retail outlets in the vicinity. On the suitability of any potential sites

for a new public market when the need for it is confirmed, consideration will be given to their geographical location, existing and planned uses, usable area and ancillary transport facilities nearby, in order to ensure that, upon completion, the markets will be of a substantial scale and viability, and that public money and land resources are put to optimal use.

The Department has set up a dedicated team of 21 staff in 2017 to take forward the planning of new markets among other duties, with regard to the schedule for the new town developments and availability of suitable sites. The estimated staff cost of the team in 2018-19 is \$17.9 million. The capital expenditure of any project could only be determined at a later stage, upon completion of technical feasibility studies.

**Number of arrests taken out against unlicensed hawkers
(2013-2017)**

Calendar Year	No. of arrests
2013	8 953
2014	7 424
2015	6 945
2016	4 420
2017	1 766

**Number of prosecutions taken out against unlicensed hawkers
(2013-2017)**

Calendar Year	No. of prosecutions
2013	29 243
2014	26 025
2015	23 054
2016	15 310
2017	6 402

**Number of complaints against unlicensed hawking and obstruction
(2013-2017)**

Calendar Year	No. of complaints
2013	15 797
2014	16 468
2015	13 428
2016	10 512
2017	10 729

A further breakdown to show the number of the complaints against unlicensed hawking is not available.

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