

## LCQ21: Light nuisance

Following is a question by Dr Hon Elizabeth Quat and a written reply by the Secretary for the Environment, Mr Wong Kam-sing, in the Legislative Council today (November 14):

Question:

It has been reported that quite a number of outdoor signboards and advertising screens emit dazzling light, giving rise to serious light pollution as well as causing nuisance to the residents nearby and harm to their health. Although the Environment Bureau released the Guidelines on Industry Best Practices for External Lighting in 2012 and launched the Charter on External Lighting (the Charter) in 2016 inviting owners/persons-in-charge of external lighting installations to sign up for the Charter, the light pollution problem has persisted. In this connection, will the Government inform this Council:

(1) of (a) the number of complaints received about light nuisance, with a breakdown by (i) whether the complainee is a public organisation or a private organisation, and (ii) type of follow-up actions taken by the authorities, (b) the number of such complaints in respect of which advice was given to the complainee and, among such cases, the number of those in which the nuisance was subsequently mitigated, and (c) the targeted measures taken against those persons who had repeatedly been alleged to have caused light pollution, in each of the past five years;

(2) of the number of inspections conducted on the black spots of light pollution by government officers in each of the past five years, as well as the Government's short, medium and long term measures to mitigate the impacts of light pollution on the residents;

(3) whether it knows when the Working Group on External Lighting will (i) complete the review of the effectiveness of the Charter and (ii) release the findings and recommendations of the review;

(4) of the respective numbers of occasions in each of the past five years on which government officers (i) participated in the activities held by community organisations on reduction of light pollution and (ii) liaised with such organisations to collect their views, as well as the views collected; and

(5) as the Charter is not legally binding, whether the Government will, by making reference to the relevant regimes and experience of other jurisdictions in regulating external lighting, step up the regulation of external lighting, including considering the enactment of legislation to that effect; if so, of the details and timetable; if not, the reasons for that?

Reply:

President,

The Government set up the Task Force on External Lighting (the Task Force) in 2011 to advise on the strategy and measures for tackling issues relating to nuisance and energy wastage caused by external lighting.

Having thoroughly considered the views collected during the public engagement exercise, the Task Force submitted its report to the Government in April 2015, and pointed out that the views collected were diverse, and there was a lack of consensual view. While some called for immediate legislation, others objected to any form of regulation, including voluntary measures.

Therefore, the Task Force recommended the adoption of a multi-pronged approach, including implementing a voluntary charter, reviewing effectiveness of the charter two years after its introduction, and re-launching the Guidelines on Industry Best Practices for External Lighting Installations (the Guidelines). The Environment Bureau (ENB) subsequently launched the Charter on External Lighting (the Charter) in 2016 to invite responsible persons for external lighting installations to sign the Charter, and switch off lighting installations with decorative, promotional or advertising purposes that affect the outdoor environment during the preset time (i.e. 11pm or midnight to 7am on the following day).

My reply to the question raised by Dr Hon Elizabeth Quat is as follows:

(1), (2) and (4) The numbers of complaints received by the Environmental Protection Department (EPD) about external lighting in the past five years are set out in the Annex. The EPD conducted more than 2 000 on-site inspections in relation to light nuisance complaints during the same period.

Upon receipt of complaints about light nuisance, the EPD will relay the complainants' concerns and requests to the persons responsible for the lighting installations in question, invite them to sign up to the Charter, refer them to the Guidelines for taking appropriate measures (e.g. lowering the lighting intensity where appropriate, adjusting the angle of spot lights to avoid nuisances from spilled light, or switching off non-essential lights at an earlier time) to minimise the impacts of the lighting installations on the residents in the vicinity as far as practicable. Most of the persons and organisations responsible for the lighting installations would adopt the EPD's advice and take improvement measures. The EPD however does not maintain any statistics and breakdown on the follow-up actions taken.

The Government is striving to implement the multi-pronged measures recommended by the Task Force, promote the Charter and encourage owners of and responsible persons for external lighting installations to switch off lighting installations with decorative, promotional or advertising purposes that affect the outdoor environment during the preset time. As for districts with more complaints about light nuisance, we have conducted on-site investigations and collected information of external lighting installations in Wan Chai, Yau Tsim Mong, Central and Western, Eastern, Kowloon City and Tsuen Wan, as well as invited relevant business establishments to sign up to the Charter.

Since the Charter took effect in April 2016, nearly 5 000 participants

from different sectors (including building management, property development, hotels and catering, retail, laundry, banking, telecommunications and real estate agencies, as well as schools, public utilities and public/non-governmental organisations) have signed up to the Charter. Although the Charter is a voluntary document, most of the participants take their pledge seriously. Our on-site compliance checks conducted in 2017 and 2018 show that over 99 per cent of the participants have been able to follow the switch-off requirement.

As to encouraging the trades to adopt the good practices in the Guidelines, the ENB has organised 30 seminars to appeal to about 100 public and private organisations (including relevant professional organisations and trade bodies) to observe the Guidelines when planning for, installing or managing their external lighting installations and to adopt the good practices provided in the Guidelines.

The ENB also supports the Earth Hour event organised by the World Wide Fund for Nature and call on bureaux and departments to turn off unnecessary lights under their management during the event.

(3) and (5) As recommended by the Task Force, the Government plans to review the effectiveness of the Charter two years after implementation. To this end, the Government has reorganised the Working Group on the Promotion of the Charter of External Lighting into the Working Group on External Lighting (WGEL), and expanded its scope of work to include promotion of the Charter, reviewing its effectiveness and advising the Government on more options to effectively manage external lighting. To engage different sectors in the review, members of the WGEL are drawn from professional bodies, relevant trades, academia, green groups and District Councils in the hopes that the WGEL will be a good platform to forge stronger community consensus.

To commence the review, the WGEL agreed that two consultancies to be engaged by the ENB to conduct an opinion survey to gauge the views of various sectors towards the current situation and regulation of external lighting; and to look into regulatory arrangements adopted by other economies and cities for external lighting installations and considering whether there are any outside experiences, measures and standards that Hong Kong can learn from. The opinion survey is expected to commence and be completed in 2019.

The WGEL expects to be able to complete the review and submit recommendations to the Government in the first half of 2020. Having regard to the WGEL's review findings and recommendations, we will consider the next step, including whether legislation should be introduced to control nuisance caused by external lighting.