

## LCQ22: Dangerous, abandoned and unauthorised signboards

Following is a question by the Hon Vincent Cheng and a written reply by the Secretary for Development, Mr Michael Wong, in the Legislative Council today (October 28):

Question:

Under the Large Scale Operation on Target Streets implemented since 2014, the Buildings Department (BD) each year selects one or more street sections and carries out large scale operations to dispose of the signboards alongside the sections. The relevant work includes investigation, issuing Dangerous Structure Removal Notices to or instituting prosecutions against owners of unauthorised or abandoned signboards, and engaging contractors to carry out removal or rectification works on behalf of the owners. On the other hand, it was pointed out in Report No. 71 of the Director of Audit published in November 2018 that there had been a number of inadequacies in the BD's management of signboards. The Chief Executive stated in last year's Policy Address Supplement that the BD would use new technologies such as big data, artificial intelligence and three-dimensional images on a pilot basis in black spot areas to enhance the efficiency of law enforcement actions, with a view to protecting public safety. However, it has been reported that the Government has not yet awarded service contracts for the new technologies concerned. In addition, quite a number of shops in various districts have been affected by the epidemic and closed down in recent months, resulting in a continuous increase in the number of abandoned signboards. In this connection, will the Government inform this Council:

(1) why the service contracts for the aforesaid new technologies have not yet been awarded; of the expected time when such new technologies will start to be used, and whether it has identified districts in which new technologies will be used on a pilot basis;

(2) of the following statistics on signboard-related work of the BD in each of the past three years: (i) the number of reports received, (ii) the number of removal orders issued, (iii) the number of signboards removed or repaired, (iv) the number of outstanding removal orders, and (v) the number of prosecutions instituted (with a tabulated breakdown by District Council (DC) district);

(3) as quite a number of shops have been affected by the epidemic and closed down, whether the BD has compiled statistics on the additional number of abandoned signboards between January and September this year, with a breakdown by DC district;

(4) of the party responsible for removing abandoned or dangerous signboards under the circumstances that the owners of such signboards cannot be ascertained, and whether the owners' corporations, owners' committees or

management companies of the buildings concerned are required to assume such a responsibility;

(5) of the number of applications for joining the Signboard Validation Scheme received by the BD in each of the past three years; as the Scheme has been implemented for seven years, whether the BD has assessed the effectiveness of the Scheme; of the BD's new measures to expedite the handling of abandoned or unauthorised signboards; and

(6) given that some conservation groups have requested the Government to preserve some abandoned signboards with distinctive features or historic significance, whether the Government will consider acceding to such a request; if so, of the details; if not, the reasons for that?

Reply:

President,

The Government has all along attached great importance to signboard safety. At present, except for designated exempted works (Note 1), any signboards erected without obtaining the approval and consent of the Buildings Department (BD) or following the requirements under the Minor Works Control System (MWCS) are unauthorised building works (UBWs). The BD may issue removal orders to the signboard owners or persons concerned in accordance with section 24 of the Buildings Ordinance (Cap. 123) (BO). On the other hand, for signboards that are abandoned or which may pose a danger, regardless of whether approval was previously obtained for the erection of the signboard, the BD may issue Dangerous Structure Removal Notices (DSRNs) to the signboard owners in accordance with section 105(1) of the Public Health and Municipal Services Ordinance (Cap. 132) (PHMSO), requiring the removal of the signboards concerned. If the required rectification works have not been carried out within the specified period, or in case of emergency in order to remove these signboards to eliminate the danger posed to the public, the BD may engage government contractors to remove dangerous signboards and recover the costs from the individuals concerned afterwards.

With the Signboard Control System adhering to a "risk-based" principle, the BD has adopted a multi-pronged approach to deal with the unauthorised, dangerous and abandoned signboards. For signboards constituting obvious threat to life or property, the department carries out immediate enforcement action. Priority will also be accorded to enforce against unauthorised signboards under construction or are newly erected. The BD also carries out large scale operations (LSO) on Target Streets, selecting target street sections each year to remove unauthorised, dangerous and abandoned signboards in a comprehensive manner, as well as conducting LSO against large unauthorised signboards that pose a relatively higher risk to the public.

Nevertheless, considering that most existing signboards are being used by business operators and that their existence facilitates local commercial activities, the BD has implemented the Signboard Validation Scheme (SVS) since September 2, 2013. The scheme allows the continued use of signboards that are relatively small in scale, pose less risk, were erected before the

implementation date of SVS and comply with the prescribed technical specifications for minor works, on the condition that they have undergone safety inspection, strengthening (if required) and certification by prescribed building professionals and/or prescribed registered contractors to the BD. Such signboards are required to undergo safety validation every five years thereafter.

In consultation with the BD, the Development Bureau provides a consolidated reply as follows:

(1) The Government announced in The Chief Executive's 2019 Policy Address that the BD would step up the application of technologies to regulate signboards, including utilising artificial intelligence (AI) and three-dimensional images to develop a defective signboard diagnostic system, utilising AI to assist in the setting up of a legal signboards database, and using big data in the public realm to identify new businesses that may require erection of signboards so that the BD may actively approach them for publicity. The relevant studies on new technologies involve a number of consultancy contracts. The BD carried out a number of relevant technical and marketing researches and prepared the tender documents earlier this year. Tenders were invited in mid-2020. The relevant consultancy contracts are currently being awarded successively and the department anticipates their implementation or trial run within next year. The selection of pilot districts is underway.

(2) Statistics of various enforcement efforts relating to signboards in the past three years broken down by district is at the Annex. Figures for the same year in the respective tables of the Annex may not correspond to the same cases.

(3) From January to September 2020, the BD staff conducted target inspections in Wan Chai, North and Yuen Long Districts. The number of abandoned or dangerous signboards identified within the three districts is set out as follows, while a total of 516 abandoned and dangerous signboards were identified within the same period in all the 18 districts in the territory.

<b>District</b>	<b>Number of abandoned or dangerous signboards (as at end of September)</b>
Wan Chai	168
North	118
Yuen Long	166
Remaining 15 districts (Note 2)	64
<b>Total</b>	<b>516</b>

(4) The BD will issue DSRNs to the signboard owners concerned in accordance with section 105(1) of the PHMSO, requiring the removal of the abandoned or dangerous signboards (Note 3). In cases of non-compliance or emergency in

removing these dangerous signboards in order to eliminate the danger posed to the public, the BD will instruct government contractors to remove the signboards in default and recover the expenses from the signboard owners afterwards. Where signboard owners cannot be identified, the costs of the removal works would be covered by government funding.

(5) Since the introduction of the SVS in 2013, while most signboard owners tend to choose to remove and re-erect signboards under the MWCS, the continuing receipt of validation submissions by the BD reflects that some signboard owners wish to continue to use their existing signboards through the SVS due to cost and business considerations. In the past three years, the BD received a total of 145 validation submissions. Details are as follows:

<b>Year</b>	<b>Number of signboard validation submissions received</b>
2018	53
2019	53
As at end of September 2020	39
<b>Total</b>	<b>145</b>

The BD has continuously worked to publicise the SVS, including promoting the scheme to signboard owners in person (for example, when carrying out LSO on Target Streets). In addition, the department promoted the scheme through different channels, such as through television, radio, online platform, posters and publicity leaflets. Moreover, since September 2019, the BD, in collaboration with the Food and Environmental Hygiene Department, combined the SVS certificate for unauthorised signboards and the certificate of Food Business Premises free of UBWs to facilitate restaurant licence applicants to join the SVS at the same time.

Regarding abandoned or dangerous signboards, in order to raise the efficiency of regular surveys, the BD has adopted a streamlined workflow and adopted a target-oriented approach since 2019 to conduct inspection in districts with a higher density of dangerous or abandoned signboards, including Yau Tsim Mong, Sham Shui Po, Kowloon City, Wan Chai, Causeway Bay, North Point, Quarry Bay, Sheung Shui and Yuen Long. The BD will review the list of target districts annually. In this regard, the BD issued 778 DSRNs against dangerous or abandoned signboards in 2019, representing an increase of about 26 per cent over 618 DSRNs issued in 2018. The BD has also stepped up the removal of signboards by government contractors, clearing the outstanding DSRNs orderly.

(6) Signboard owners may consider joining the SVS if they wish to retain their signboards for continued use. The Home Affairs Bureau advised that should signboard owners propose to donate their signboards to museums under the Leisure and Cultural Services Department or West Kowloon Cultural District, the relevant museums will so consider per established procedures.

Note 1: Referring to works specified in Schedule 2 to the Building (Minor Works) Regulation.

Note 2: No target inspections were carried out in these districts within the period. The identification of relevant signboards was mainly through public reports.

Note 3: According to section 105 of the Public Health and Municipal Services Ordinance, Dangerous Structure Removal Notices (DSRNs) are issued to the signboard owner, or upon his servant or agent. Unless the owners' corporations, owners' committees or management companies of the buildings concerned falls within one of the three aforementioned categories, they do not have to assume responsibility to comply with the DSRN.