

LCQ20: Private streets

Following is a question by the Hon Lau Wong-fat and a written reply by the Secretary for Home Affairs, Dr Patrick Ho, in the Legislative Council today (April 25):

Question:

Will the Government inform this Council:

- (a) of the existing number of private streets freely accessible by the public in the territory, and their geographical distribution;
- (b) whether the maintenance of these private streets is required to meet certain established standards; if so, of the details; if not, the reasons for that; and
- (c) how it tackles the environmental hygiene problems arising from poor maintenance of private streets?

Reply:

Madam President,

(a) According to the Buildings Ordinance (Cap. 123), a private street means a street on land held under lease, licence or otherwise from the Government or on land over which the Government has granted a right of way. As the actual condition of each private street differs, the Administration does not keep records on the basis of private streets freely accessible by the public and is therefore unable to provide the information requested.

(b) The Buildings Ordinance provides that private streets should be maintained in good order by the frontagers and that the maintenance should be in compliance with the relevant building regulations, including the standards (such as road width) as stipulated in the Building (Private Streets and Access Roads) Regulations and to the satisfaction of the Building Authority. In general, the Government will also make reference to its internal maintenance standards for public streets in assessing whether the maintenance of private streets is satisfactory.

(c) Private streets are private properties. Management and maintenance of private streets fall within the responsibilities of the land owners. Under normal circumstances, the Government would not be involved in the management of private properties, including private streets. The Government would only provide assistance to property owners under exceptional circumstances and when significant public interest is involved.

The Home Affairs Department and District Offices (DOs) in various districts play a co-ordinating role in the liaison between residents and relevant departments and in tackling environmental hygiene problems in private streets. If owners of private streets could not organise themselves to carry out urgent environmental improvement works such as repair of blocked drains and sewers, the Government would carry out the improvement works on their behalf. In this respect, the Government adopts the "act first, recover costs later" principle. Relevant departments will take swift actions to address public health hazards and recover the expenses from the owners/occupiers concerned after the completion of works.

Furthermore, DOs would also assist residents in the formation of owners' corporations or mutual aid committees to help them better manage their properties. District Councils, area committees, DOs and relevant departments would assist residents, including those in the private streets, in improving their living environment.

Ends/Wednesday, April 25, 2007