

CONTROLLING OFFICER'S REPLY

DEVB(PL)188

(Question Serial No. 0867)

Head: (91) Lands Department
Subhead (No. & title): (-) Not Specified
Programme: (1) Land Administration
Controlling Officer: Director of Lands (Thomas CHAN)
Director of Bureau: Secretary for Development

Question:

Regarding matters relevant to private recreational leases (PRLs), please inform this Committee of the following:

- 1) In the past three years, of the complaints about alleged lease breaches or failure to enforce lease conditions by PRL lessees received each year, how many of them were confirmed with lease breaches? Did the Lands Department hold the lessees concerned responsible for their lease breaches? If yes, what are the details of each case? If no, what are the reasons?
- 2) In the past three years, how many inspections were conducted in respect of PRLs each year? What were the expenditure and manpower involved?

Asked by: Hon WAN Siu-kin, Andrew (LegCo internal reference no.: 30)

Reply:

In accordance with the monitoring measures of the private recreational lease (PRL) policy, the Home Affairs Bureau conducts annual and ad-hoc (usually upon receipt of complaints and referrals) inspections of PRL sites to ensure that they are used in accordance with the PRL policy and in compliance with clauses on the user, operations, service-related and opening-up requirements provided in the lease. The Lands Department (LandsD) carries out site inspections upon receipt of complaints, enquiries, referrals or when processing lease renewal applications.

The number of cases with suspected breaches of lease conditions of PRLs which were inspected and investigated by LandsD, and the number of substantiated breaches identified in the past three years are set out below:

Year	No. of inspected and investigated cases	No. of substantiated breaches identified
2016	5	3
2017	3 ^{Note}	2
2018	2 ^{Note}	1

Note: As at end of December 2018, one case in 2017 and one case in 2018 are still under investigation.

The cases of lease breaches relate mostly to unauthorised building works or breach of user restrictions. They have been handled in accordance with LandsD's established procedures. Upon confirming a breach of the lease conditions, LandsD will take appropriate lease enforcement actions, such as issuing a warning letter to the lessee requiring rectification of the breach and follow-up compliance check

The above site inspection work is carried out by the staff of LandsD as part of their overall land administration duties. We are unable to provide a breakdown of the expenditure and manpower involved solely for the above site inspection work.

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