

**Business Facilitation Advisory Committee
Food Business and Related Services Task Force**

***Implementation Progress of the Recommendations of the
Review on Application for Outside Seating Accommodation Permission
of Restaurants – January 2015 Update***

Background

In October 2013, the Outside Seating Accommodation (OSA) Working Group¹ completed a review on the application for OSA permission of restaurants and put forward 10 recommendations.

2. As at October 2014, the following five recommendations were implemented :

- ***Recommendation 2*** – To strengthen the mechanism for considering objections to OSA applications from the public;
- ***Recommendation 4*** – To highlight in the OSA Application Guide that parallel processing of separate OSA and restaurant licence applications is allowed and the outcome of restaurant licence application is independent of that of the OSA application;
- ***Recommendation 6*** – To convene joint departmental meetings with applicants at which relevant departments will discuss their concerns/objections with the applicants direct;
- ***Recommendation 7*** – To develop referral rules in order to streamline the processing procedures; and
- ***Recommendation 9*** – To streamline the application process for issue of land licence.

This paper updates members on the progress of implementation of the remaining five recommendations.

¹ The Working Group comprises representatives from the Food and Environmental Hygiene Department, Fire Services Department, Buildings Department, Lands Department, Planning Department, Housing Department, Transport Department, Home Affairs Department and Economic Analysis and Business Facilitation Unit.

Implementation Progress

3. The updated implementation progress is summarized below-

A. Implementation of one recommendation has been completed

Recommendation 5

To explore the feasibility of allowing OSA permission to be attached to the provisional restaurant licence

- The detailed procedures for processing an OSA application from a restaurant issued with provisional licence have been finalized. From 21 November 2014 onwards, the OSA permission will be granted together with or after the issue of a provisional or full restaurant licence upon compliance with the OSA requirements.

B. Implementation of four recommendations is in progress

Recommendation 1

To consider relaxing the pre-requisite for OSA application without compromising public interest

- FEHD has further consulted the Architectural Services Department, Buildings Department and Housing Department on the proposed criteria for providing OSA outside restaurant premises in 'open area' such as those underneath balcony, veranda or canopy. FEHD is now considering any scope for relaxing the pre-requisite for OSA application without compromising public interest.

Recommendation 3

To enhance the OSA Application Guide to make it more informative and business-friendly

- FEHD has drafted a revised version of 'A Guide to Application for Outside Seating Accommodation' (the Guide) by including more updated relevant information to make the Guide more business-friendly. Comments from other departments concerned on the draft revised Guide are being sought. Upon implementation of all the improvement proposals, the revised

Guide will be released and uploaded to the FEHD's website for the trade's reference.

Recommendation 8

To include OSA in the Licence Application Tracking Facility

- The system development work to include OSA applications in the Licence Application Tracking Facility has been completed. The user acceptance test is being conducted with expected live run in the first quarter of 2015.

Recommendation 10

To adopt the 'cancel and reissue' approach to shorten the Land Licence processing time in relation to the transfer of restaurant licence

- LandsD and FEHD have finalized the cross-departmental procedures for the 'cancel and re-issue' of land licence in relation to the transfer of restaurant licence with approved OSA. Relevant operational guidelines are being revised and the proposal will be implemented in the first quarter of 2015 tentatively.

Way Forward

4. Members are requested to note the progress and offer comments, if any.

**Secretariat of the Food Business and Related Services Task Force
February 2015**