

Recreational club operation made easy with Government's facilitation efforts

Hong Kong's private recreational clubs offer members leisure activities that expand their social circles and enrich their lives. To assist private recreational clubs to comply with regulatory requirements, the Business Liaison Group (BLG) under the Efficiency Office of the HKSAR Government has been tasked to foster communication with the trade. BLG serves as a platform to address the trade's concerns, clarify their misunderstandings and brief them on relevant regulations and trade facilitation measures.

Facilitating proper tree care

Effective tree risk assessment

To help tree owners and property managers better understand how to care for trees, the Greening, Landscape and Tree Management Section (GLTMS) of the Development Bureau has developed and briefed club operators on the "Handbook on Tree Management" (HTM). Club operators found the guidelines and good practices provided in the HTM very useful. Regarding the recommendation to conduct an annual tree risk assessment, however, the trade was concerned whether every tree required individual assessment, as this would result in high compliance costs. GLTMS suggested the trade could inspect trees by group first, targeting areas with a lot of trees and high frequency of use, before singling out any individual trees in need of more in-depth inspection. This advice helped club operators, particularly clubs with many trees, lower tree management costs significantly without compromising public safety.

Proper pruning practice

A key component of proper maintenance of trees is pruning. Trade operators raised concerns about the cost of hiring arborists for routine pruning, which could be carried out quite frequently. The Lands Department clarified at a BLG meeting that, while pruning in general should be carried out by trained personnel under the supervision of an expert, routine day-to-day maintenance pruning, such as removal of dead branches, could be carried out by qualified personnel fit for the job and in accordance with the good pruning practice. As such, the trade could assign such tasks to a capable in-house staff and thus

save a great deal of money for hiring an arborist, as well as eliminating the related administrative cost. Useful information on 'How to Prune a Tree' is available at the Greening website of the Development Bureau.

(https://www.greening.gov.hk/en/tree_care/prune_tree.html)

Healthy compensatory plantings in limited space

Generally, when a tree needs to be removed or is felled for whatever reason, club leases require compensatory planting which are usually new planting(s) having an aggregated girth commensurate with the lost tree. However, this requirement could not always be satisfied. When a few trees are required to be planted because of smaller girth size, this will obviously take up larger space than that of the single tree removed. Under such circumstances, even clubs with a lot of open space may not be able to comply with the requirements due to issues such as sloping or drainage problems, or when the open space is already taken up by sports fields etc., not to mention small clubs with less space. At a BLG meeting, the Lands Department advised that if adequate justification is submitted to demonstrate that the baseline level of compensatory planting is not feasible, reduced provision of compensatory planting would be acceptable. Besides, proper spacing between two trees should be maintained.

Facilitating liquor licensing

Minimizing disruption to business upon sudden departure of licensee

Liquor licensing is another important area of concern discussed at BLG meetings. One particular issue is the inevitable disruption to business operations when a liquor licensee, usually an employee, suddenly leaves the job. To address this, the government implemented the Reserve Licensee Mechanism as a trade facilitation measure in March 2017 which allows the trade to identify and nominate a suitable person as a reserve licensee during an application for new issue, transfer or renewal of liquor licence. Upon sudden departure of the licensee, the reserve licensee can take up the licensee's role shortly and the business owner can apply for transfer or new issue of licence, therefore minimizing disruption to business operation.

In the event that a liquor licensee refuses to transfer the licence, the business owner needs to apply for a new licence despite no change in ownership. This process is more time-consuming than a transfer application because of the

time taken for the revocation of the existing licence and local consultation. To address this issue, a new mechanism was established for processing transfer application without the consent of the current liquor licensee since July 2017. Business owner should submit all necessary supporting documents, such as a written statement giving reason(s) for failing to obtain the consent of current licensee, Business Registration Certificate showing the ownership of business, proof showing the current licensee is an employee of the business owner (e.g. employment contract), tenancy agreement of the liquor-licensed premises, or any relevant documents substantiating the application, for consideration by the Liquor Licensing Board. This measure, together with the Reserve Licensee Mechanism, minimizes disruption to business operation when the liquor licensee suddenly leaves the job.

Longer licence validity facilitates long-term business planning

The government has since August 2015 extended the maximum validity of a liquor licence to two years for businesses with a good track record. This measure benefits recreational clubs and many other trades with liquor-selling business and facilitates their long-term business planning.

Online applications made easy

Since late 2016, applications for new issue, renewal, transfer and amendment of liquor licence can be submitted online using passwords assigned or approved by the Liquor Licensing Board, along with the option of using digital signature which is not widely adopted by the trade. This makes online submission of liquor licence applications much easier.

With the online submission service extended to cover applications related to reserve licensee and temporary absence of licensee in December 2017, all liquor licensing and related applications are provided with online services by then.

These measures are a result of open dialogue fostered by BLG between the government and the clubs. They have been well received by the industry as a whole, with more such measures surely to follow.

Efficiency Office, Innovation and Technology Bureau