

Enhancement Measures to Facilitate the Application for Alteration to the Layout Plans

- Under the Food Business Regulation, food business licensees are required to seek approval from the Food and Environmental Hygiene Department (FEHD) before carrying out any alteration or addition works to their licensed premises which would result in deviation from the layout plan of the premises approved by the Government.

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- In recent years, the trade has expressed concern about the lengthy time required to vet applications for alteration to the layout plans, thus affecting the implementation of the works.
- To address the issue, the FEHD, the Fire Services Department (FSD), the Buildings Department (BD) and the Independent Checking Unit (ICU) , after reviewing the existing system and procedures for processing applications for alteration to the layout plans, proposed a package of enhancement measures.

(1) Allowing More Flexibility

- To ensure public safety, the law requires that the approved plan of a food premises should clearly show the layout of the premises and the position of appliances/furniture therein, and any alterations to the plan should be submitted to the FEHD for approval.
- At present, movable appliances, facilities, furniture **not of a permanent and substantial nature** are not required by the FEHD to be shown on the layout plan of a restaurant.

(1) Allowing More Flexibility (cont'd)

- To give operators in the trade more flexibility in requiring items to be shown on the layout plan of a premises and the arrangement of appliances/furniture therein, the departments concerned have reviewed the existing guidelines and considered allowing operators to make certain alterations without the need to seek prior approval from the licensing authority.

(2) Revising Inter-departmental Referral Protocols

- Upon receipt of a licensee's application for alteration to the plan, the FEHD will refer the case to the BD/ICU and FSD according to the established protocols to seek their advice on building safety and fire safety respectively.
- In order to streamline the processing procedures, the relevant departments will set out clearly the circumstances under which referral can be obviated without compromising public safety.

(3) Engaging Professionals to Process Application for Alteration

- After taking into account the well-established and effective system currently in place, under which safety certification is undertaken by Authorised Persons/Registered Structural Engineers (APs/RSEs), the BD and ICU considered that the professional services of APs/RSEs could be further engaged to help processing applications for alteration with regard to matters concerning building safety. The BD and ICU will also conduct random checks on such certifications and take follow-up action.

(3) Engaging Professionals to Process Application for Alteration (cont'd)

- The BD and ICU propose that the licensees may choose to appoint APs/RSEs to certify whether the planned alteration or addition works comply with the building safety requirement so long as the applications for alteration to the layout plans **meet specific criteria**.
- The arrangement will expedite the processing of applications as there is no need for the FEHD to refer such applications to the BD/ICU.

(4) Clearing Backlog of Long-outstanding Cases

- To clear the backlog of long-outstanding applications for alteration to the layout plans with potential public safety implications, the FEHD will process them in batches under a special arrangement. Applications for alteration to the layout plans which were submitted **before 2013** but received objection(s) by the department(s) concerned due to their potential public safety implications will be processed first.

Thank You