

**CONTROLLING OFFICER'S REPLY****TLB224****(Question Serial No. 3455)**Head: (60) Highways DepartmentSubhead (No. & title): (-) Not SpecifiedProgramme: (2) District and Maintenance WorksControlling Officer: Director of Highways (YAU Kwok-ting)Director of Bureau: Secretary for Transport and LogisticsQuestion:

There was a recent court ruling that under general circumstances, public bodies did not have responsibility for claims for negligence or breach of obligations that involved public right of way. However, members of the public still have rights to lodge complaints to the Government and claim compensation for injury or death caused by stumbling in public places, including public footpaths. In this connection, will the Government advise this Committee on the following:

1. Over the past three years, what were the respective numbers of complaints about uneven footpath surfaces in various districts received by the Highways Department (HyD) each year? What was the respective maintenance frequency each year? (Please list by district and year).
2. Over the past three years, what were the respective numbers of claims for compensation for injury or death caused by uneven road surfaces of public ways received by the HyD?
3. What measures did the HyD have in place to handle the complaints from members of the public as early as possible and expedite the maintenance of uneven footpath surfaces? Did the HyD make performance pledges regarding the time taken to deal with uneven road surfaces?

Asked by: Hon LEUNG Hei, Edward (LegCo internal reference no.: 28)Reply:

1. Over the past three years (i.e. 2022 to 2024), the numbers of complaints about uneven footpath surfaces in various districts received by the Highways Department (HyD) are as follows:

<b>District</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>
Central and Western District	881	863	1659
Eastern District	592	639	1034
Southern District	252	320	515

<b>District</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>
Wan Chai District	608	469	675
Kowloon City District	230	258	415
Yau Tsim Mong District	1051	1114	1299
Sham Shui Po District	409	584	475
Wong Tai Sin District	156	158	217
Kwun Tong District	294	319	661
Tai Po District	190	252	259
Yuen Long District	624	699	702
Tuen Mun District	393	360	356
North District	376	374	482
Sai Kung District	134	221	200
Sha Tin District	417	387	542
Tsuen Wan District	489	504	663
Kwai Tsing District	310	334	365
Islands District	156	173	122

The HyD engages contractors via term contracts to conduct regular road inspections and maintenance works, including footpaths. In case damages on footpaths and associated facilities are identified during regular inspections or reported by the public, the HyD would arrange for appropriate maintenance works in a timely manner according to actual circumstances. As the contractors would normally deal with various types of footpath damages (including uneven footpath surfaces, and damages on roadside railings, traffic signs etc.) identified during road inspections at the same time when they conduct maintenance, the HyD does not keep any statistics on the maintenance frequency of individual types of damage.

2. Over the past three years (i.e. from 2022 to 2024), the HyD received 30, 22 and 33 cases of claims for compensation lodged by members of the public respectively for injury caused by uneven public road surfaces (including public footpaths and carriageways). The HyD did not receive any claims for compensation involving death.
3. The HyD conducts regular inspections on the footpaths under its ambit and arranges for appropriate maintenance works in a timely manner to ensure that the footpaths are maintained in good condition. Since mid-2024, the HyD has gradually increased the frequency of regular footpath inspections in the term contracts at various districts. The regular inspections of footpaths that were previously conducted once every one to three months, and the detailed inspection that were conducted once every six months, are combined into a comprehensive inspection, with the inspection frequency increased up to once every month. For important footpaths (such as the footpaths inside the areas of the pedestrianisation schemes), regular inspections would be conducted once every seven days, with the inspection frequency higher than the other footpaths. If damages that may cause pedestrian safety issues are identified during inspections, or complaints or reports about uneven footpath surfaces are received, the HyD would carry out assessments and take prompt and appropriate follow-up actions in relation to the footpath surfaces in need of maintenance (such as fencing off the relevant road sections and conducting inspections in the surrounding areas etc.) and complete the repair works as soon as possible.

Besides, the HyD has formulated measures for the inspection quality. For example, relevant qualification requirements for the establishment of inspection team were drawn up to ensure that the inspections are conducted effectively. The HyD also has in place the established guidelines about inspection records. Apart from recording the wear and tear of road surfaces, the inspection team is also required to categorise the relevant wear and tear pending maintenance to facilitate the HyD in prioritising road maintenance more effectively. In order to enhance the service standard of maintenance works, the HyD would review and improve the contract requirements and mechanisms regularly, such as requesting contractors to increase the number of workers responsible for regular maintenance in accordance with the latest contracts to expedite the relevant maintenance works.

When holes are identified on footpath surfaces, the HyD would, in accordance with its performance pledge, complete the repair works of holes within 48 hours upon receipt of reports. According to the records of the HyD, all repair works for holes on roads were completed within 24 hours upon receipt of reports in the past two years. For the other damage types of footpaths, owing to the varying extent of damage in each case and hence the largely different scale of repair works, the HyD has not drawn up a relevant performance pledge for the maintenance of other types of damage of footpath surfaces.

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