

偏遠鄉郊舊村持牌食肆可行性研究

Feasibility Study of Licensed Food Business in Remote Old Villages

Guide to Applying for Licensed Food Business in Remote Old Villages

申請指南

本指南旨在為偏遠鄉郊舊村申請持牌食肆提供資料及指引，載述申請食肆牌照期間有關政府部門的要求及規定。申請人亦可向專業人士或相關公司獲取協助。

The purpose of this guide is to provide information and guidance for applications in remote old villages for licensed food business. It sets out the requirements of relevant government departments during the application period for the food business licence. Applicants may also seek assistance from professionals or relevant companies.

資助機構：



鄉郊保育資助計劃
Countryside Conservation Funding Scheme

主辦機構：



鄉郊保育辦公室
Countryside Conservation Office



The Hong Kong Countryside Foundation
香港鄉郊基金

食肆牌照申請注意事項

Points to Note

食肆牌照發牌的基本要求

Basics

- 化糞池／沙井需設置於廚房／食物室外
Septic tanks/sand wells must be installed outside the kitchen/food room.
- 牌照食肆使用的化糞池需距離水源(河道／水井)不少於30米
The septic tank used by a licensed restaurant must be at least 30 m² away from the water source (rivers/wells).
- 申請範圍(地界紀錄)不得越過政府土地
The application scope (boundary records) must not encroach on government land.
- 申請範圍需符合該區土地規劃用途
The application scope must comply with the land use planning purposes of the area.
- 建議以電力煮食以避免安裝大量消防裝置(例如消防水缸、喉轆及花灑系統等)
It is recommended to use electric cooking to avoid the installation of a large number of fire-fighting equipment (such as fire water tanks, hose reels, and sprinkler systems)
- 廚房／食物室須以高達樓頂並具有耐火時效的物料作分隔
The kitchen/food room must be separated with fire-resistant materials reaching up to the roof.

- ✓ 提供消防裝置及新建部份需符合防火要求
Provide fire protection equipment and newly constructed parts must comply with fire safety requirements.
- ✓ 提供廚房機械通風系統及空氣過濾系統
Provide kitchen mechanical ventilation systems and air filtration systems.
- ✓ 提供足夠電力系統
Provide sufficient electrical power systems.
- ✓ 提供足夠衛生設施以符合法例要求
Provide adequate sanitation facilities to meet the legal requirements.
- ✓ 提供供水系統
Provide water supply system.
- ✓ 鮮風入口與排氣喉管需相隔5米或以上的距離 (水平方向／垂直方向)
Fresh air inlet and exhaust pipe should be separated by 5 m² or more (horizontal/vertical).

備註 (Note):

個案研究主要針對地下面積大概50平方米及以下，其他面積數申請請參考食環處申請指引。The case study mainly focuses on ground floor areas of approximately 50 sq m² and below. For other floor areas, please refer to the FEHD application guidelines.

食肆牌照申請主要步驟 Key Steps in Applying for Licensed Food Business in Remote Old Villages

1: 地政總署(參考地政總署網頁，查詢申請範圍落成時間)
Lands Department (Please refer to the Lands Department's website to check the completion time of the application scope).

- * 若申請範圍於1961年1月1日前落成:屬舊批地段豁免現有建築物的限制
If the application area is completed before 1 January 1961: the old grant lot is exempt from the existing building restriction.
- * 若申請範圍於1961年1月1日至1987年10月15日期間落成: 建議向地政總署需查詢地契條款之限制，確保擬議用途符合地契條款的規定
If the application scope was completed between January 1, 1961, and October 15, 1987: It is recommended to consult the Lands Department regarding the restrictions of lease terms to ensure that the proposed use complies with the provisions of the lease terms.
- * 若申請範圍於1987年10月16日後落成:新批地段不適用於本指南
If the application scope was completed after October 16, 1987, this guide is not applicable for new lots.
- * 若地界紀錄不清晰，建議諮詢專業人士或相關公司獲取協助
If the boundary records are unclear, it is recommended to consult professionals or relevant companies for assistance.

2: 香港城市規劃委員會(約90個工作天)
Hong Kong Town Planning Board (approximately 90 working days)

- * 參考城規會網頁，查閱申請範圍擬議用途或發展的各项規定;
Refer to the Town Planning Board (TPB) website and review the various provisions for the proposed use or development of the application scope;
- * 申請範圍擬議用途或發展需涵蓋食肆或商店及服務行業;
The proposed scope of the application or development must include restaurants, shops, and service industries.

若申請範圍屬於城規會第一欄用途，無須另行申請規劃許可
If the application scope is under column 1, no separate planning permission is required.

若申請範圍屬於第二欄用途，須另行申請規劃許可 (S.16)
If the application scope is under column 2, application for planning permission separately under Section 16 is needed.

若申請範圍未有涵蓋用途，可提出修訂圖則申請 (S.12A)，申請修改規則用途；城規會可能會提出附加條件
If the application scope does not include the intended use, you can submit a revision plan (S.12A) to apply for a change in land use. The TPB may impose additional conditions.

3: 向食物環境衛生署申請食物牌照(約40個工作天)
Application for Food Business Licence from Food and Environmental Hygiene Department (approximately 40 working days)

- * 遞交申請(申請表格、設計視察圖則及租契聲明書)
Submit the application (application form, design inspection drawings, and a lease declaration).
- * 有關政府部門會進行實地視察
Relevant government departments will conduct on-site inspections.
- * 確定有關部門不反對申請後，食環署則會發出暫准牌照
The FEHD will issue a provisional licence after the applicant declares that the departments concerned have no objection to the application.
- * 申請人申報已辦妥所有發牌條件，食環署則會發出正式牌照
The FEHD will issue the official licence after the applicant declares that all licensing conditions have been fulfilled.

建議申請食肆牌照的種類

recommendation

建議牌照種類 Suggested type of licence	普通食肆 General Restaurant	小食食肆 Light Refreshment Restaurant		食物製造廠 Food Factory	
牌照特點／可提供食物種類 Feature of licence/Type of food that can be provided	任何種類食物，可在處所內進食 Any kind of food. Can service at premises.	列表列明食物，可在處所內進食 List of food by using simple cooking. Can service at premises.		任何種類的食物,只供外賣 Any kind of food, for take away only	
申請範圍的總樓面面積 Gross floor area for the application	100平方米或以下 100 sq m² or less	超過23平方米但不超過35平方米 exceeding 23 sq m² but not exceeding 35 sq m²	超過35平方米但不超過55平方米 exceeding 35 sq m² but not exceeding 55 sq m²	沒有特定要求 No specific requirements	
食物室的最小面積 Food Room Area	總面積的25%，但不小於8平方米 25% of total floor area, but not less than 8 sq m²	總樓面面積的20%或6平方米，以較小者為準 20% of gross floor area or 6 sq m² whichever is less	總樓面面積的18%或7.5平方米，以較小者為準 18% of gross floor area or 7.5 sq m² whichever is less	售賣外賣熟食／快餐的食物製造廠，須設有總面積最少6平方米的食物室 A minimum aggregate food room area of 6 m² shall be provided in food factories selling take-away cooked food/fast food.	加熱已煮熟食品以供售賣的食物製造廠，須設有總面積最少3.5平方米的食物室。 For food factories reheating pre-cooked food for sale, a minimum aggregate food room area of 3.5m² shall be provided therein.

研究個案分享

Case Study Sharing



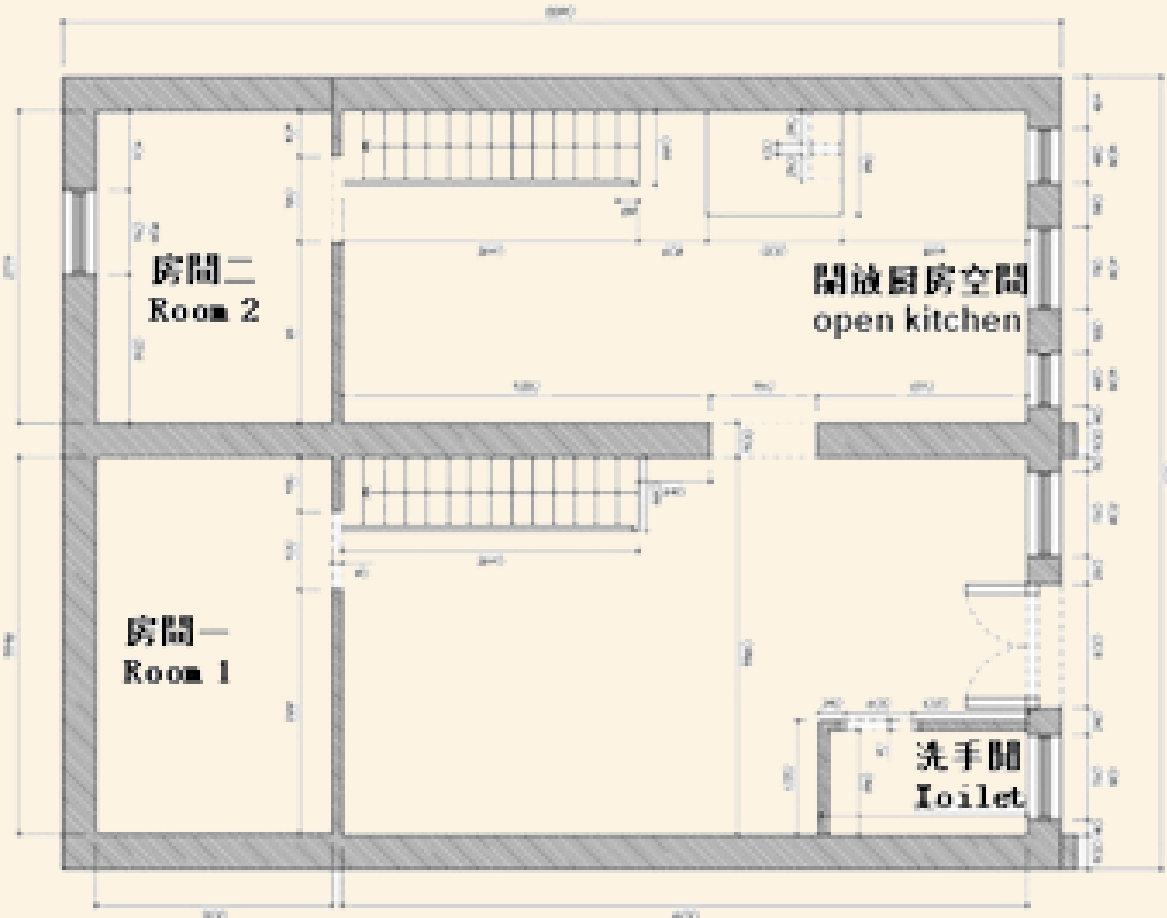
案例1：第232號舖租地段&第233號地段145分區，153&155號屋, 荔枝窩，沙頭角

Case 1: Ground Floor, 153 and 155 Lai Chi Wo Village (Portion), Taxlord Lot 232(Part) and Lot 233(Part) in D.D.145 Sha Tau Kok



場地位置圖

Site Location



現有平面佈置圖

Existing Ground Floor Plan



現場限制

- 樓宇安全－逃生通道
 - 通往廚房樓底淨高少於2000毫米
- 樓宇安全－防火結構
 - 木質廚房天花
 - 開放式廚房，沒有門或牆身分隔
 - 沒有提供消防裝置
 - 客人不需要穿過開放式廚房使用廁所
- 排水系統
 - 欠缺足夠廁格空間及潔具設施（尿廁）
 - 廚房範圍發現外露喉管
 - 廚房範圍發現錯誤喉管接駁
 - 欠缺隔油池
 - 室內範圍沒有沙井，屋外設有化糞池
- 供水系統狀況尚可
- 配有63A PSN電箱
- 機械通風及冷氣系統
 - 廚房沒有安裝機械通風系統及空氣過濾系統，僅以抽氣扇作換氣用途於廚房
 - 於廚房發現棄置煙囪，其結構狀況未能確定，未必能承受機械通風所產生的氣壓
 - 廁所依靠自然通風
 - 使用石油氣罐煮食

Site constrains

- Building Safety – Escape route
 - The clear height to the kitchen ceiling is less than 2000 millimeters.
- Building Safety - Fire Protection Structure
 - Wooden kitchen ceiling
 - Open kitchen without doors or walls for separation
 - No fire protection equipment provided
 - Guests do not need to walk through the open kitchen to use the toilet
- Drainage system
 - Lack of adequate toilet space and sanitary facilities (urinals)
 - Exposed pipes found in the kitchen area
 - Incorrect pipe connections found in the kitchen area
 - Lack of grease trap
 - No sump in indoor area, while a septic tank is located outside the building.
- Water supply system condition is acceptable.
- Equipped with a 63A PSN electrical box.
- Mechanical ventilation and air conditioning system.
 - No mechanical ventilation system and air filtration system are installed in the kitchen. Only ventilation fans are used for air circulation purposes.
 - A discarded chimney was found in the kitchen. Its structural condition could not be determined, and it may not be able to withstand the air pressure generated by a mechanical ventilation system.
 - The toilet relies on natural ventilation
 - Cooking with a liquefied petroleum gas (LPG) cylinder

建議申請之牌照

Proposed Licenced

一. 地下面積 Gross Floor Area

- 普通食肆：最好選擇實用樓面面積不少於30平方米
General Restaurant : Gross floor area better not Less than 30 sq m²
- 小食食肆：最好選擇實用樓面面積不少於23平方米
Light Refreshment Restaurant : Gross floor area better not Less than 23 sq m²
- 食物製造廠：沒有特定要求
Food Factory : No specific requirements

適合申請普通食肆/小食食肆/食物製造廠
Suitable for General Restaurant/ Light Freshment Restaurant/ Food Factory

二. 食物室面積 Food Room Area

- 普通食肆：不少於8平方米
General Restaurant : Not Less than 8 sq m²
- 小食食肆：不少於4.6 平方米
Light Refreshment Restaurant : Not Less than 4.6 sq m²
- 食物製造廠：不少於6平方米
Food Factory: Not Less than 6 sq m²

適合申請普通食肆/小食食肆/
食物製造廠
Suitable for General Restaurant/ Light Freshment Restaurant/ Food Factory

三. 食物性質：

中式食物（包括煎炸）
Type of food : Chinese food (including frying)

適合申請普通食肆/食物製造廠
Suitable for General Restaurant / Food Factory

四. 業主偏好 Owner Preference

希望提供室內座位/外賣
Would like to provide indoor seating /takeaway

適合申請普通食肆/食物製造廠
Suitable for General Restaurant / Food Factory

綜上所述，理論上該位置該業主適合申請普通食肆牌照/食物製造廠牌照
Based on the information provided, theoretically, the owner of this location is suitable to apply for a General Restaurant License /or Food Factory License.

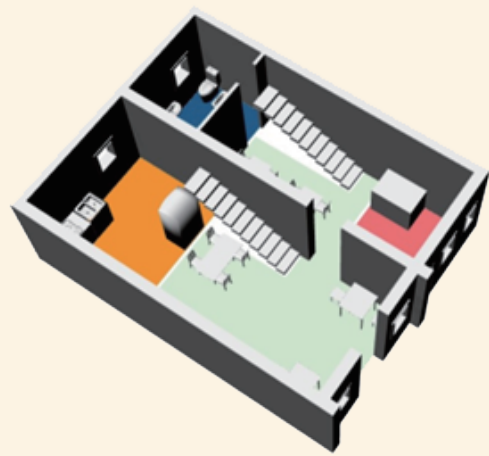
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- 個案研究中提供之數據均為建議之數據，僅供參考。The proposed figures provided in the case study are for reference only.
- 期間，還有兩個個案參與研究，由於所處位置建築地契等問題，在提交城規會申請規劃許可期間已退出。In this feasibility study, two other cases considered but withdrawn during the planning application stage due to respective land lease issues.

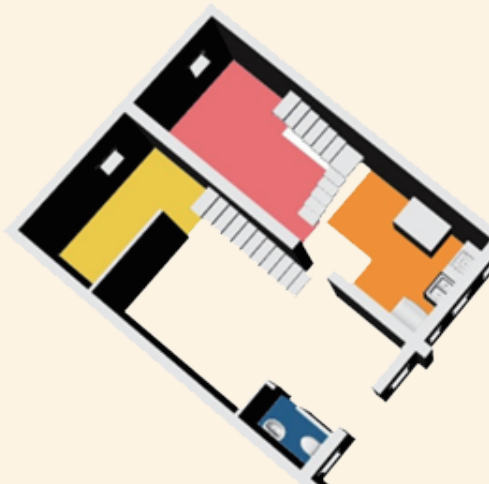
建議平面佈置

Proposed Options

建議平面佈置一 Option 1



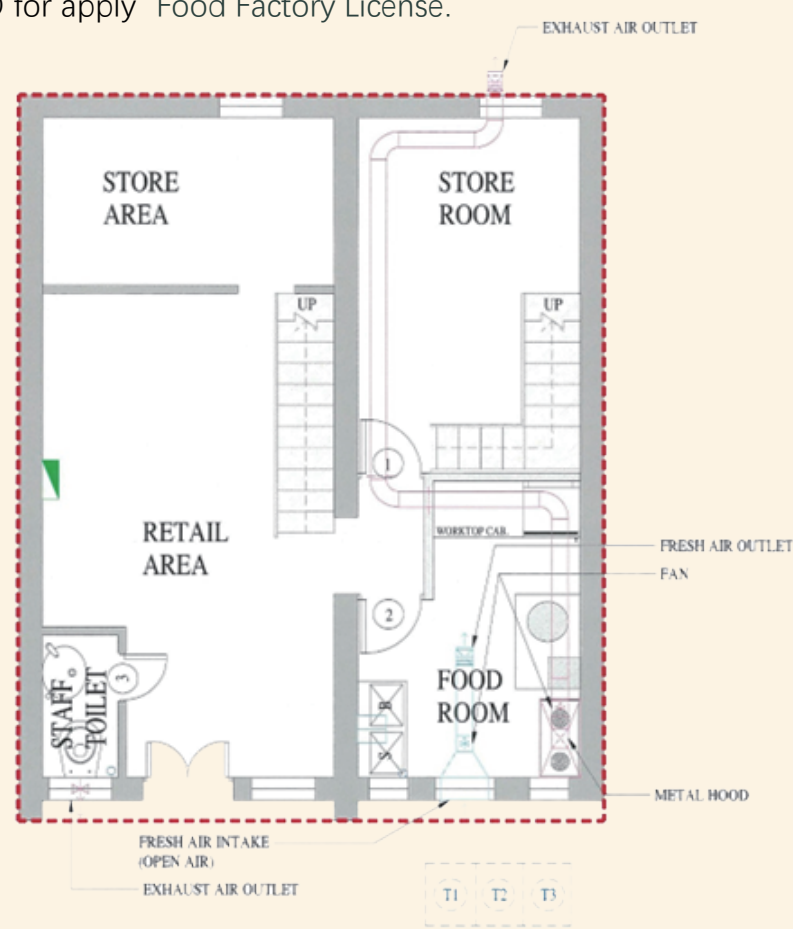
建議平面佈置二 Option 2



最終基於業主成本及空間上的需求
(食肆牌照需要提供加男女客廁)
業主最終提出“食物製造廠牌照”申請

However, due to cost and space consideration
(a General Restaurant License requires the addition of separate male and female toilet),
the owner finally decided to apply for a
“ Food Factory License.”

最終遞交食環署申請食物製造廠牌照的平面
The finally layout Plan submit to FEHD for apply “Food Factory License.”



資助機構：



鄉郊保育辦公室
Countryside
Conservation
Office

主辦機構：



研究個案分享

Case Study Sharing

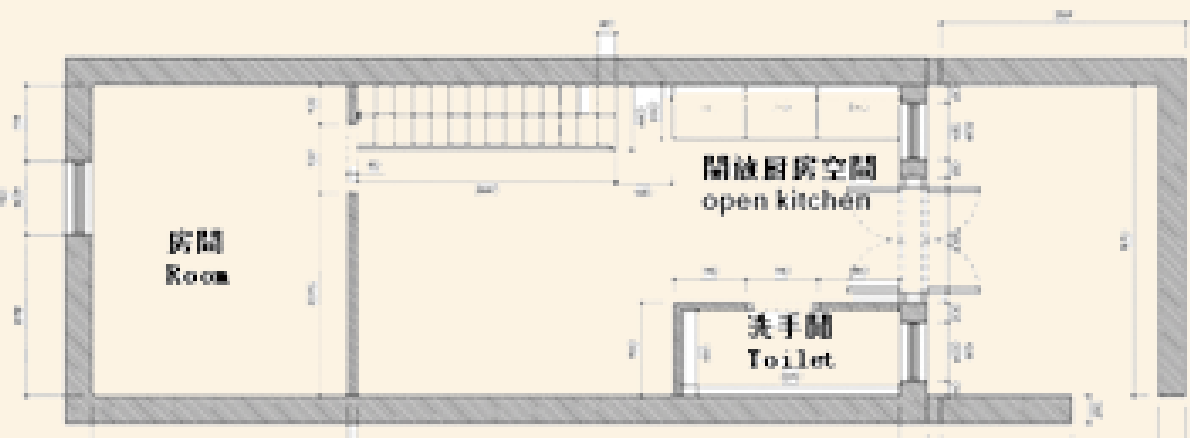


2. 第282號地段125分區，93號屋，荔枝窩，沙頭角

Case2: Ground Floor, 93 Lai ChiWo Village, Lot 282(Part) in D.D.145, ShaTau Kok



場地位置圖 Site Location



現有平面佈置圖 Existing Ground Floor Plan

現場限制

- 1: 樓宇安全－逃生通道
 - 廚房樓底淨高足夠，但沒有圍封
- 2: 樓宇安全－防火結構
 - 木質廚房天花
 - 開放式廚房，沒有門或牆身分隔
 - 沒有提供消防裝置
 - 客人需要穿過開放式廚房使用廁所
- 3: 排水系統
 - 欠缺足夠廁格空間及潔具設施（尿廁）
 - 廚房範圍發現外露喉管
 - 欠缺隔油池
 - 室內範圍沒有沙井，屋外設有化糞池
- 4: 供水系統狀況尚可
- 5: 配有63A PSN電箱
- 6: 機械通風及冷氣系統
 - 廚房沒有安裝機械通風系統及空氣過濾系統，僅以抽氣扇作換氣用途
 - 廁所依靠自然通風
 - 使用石油氣罐煮食

Site constrains

- 1: Building Safety – Escape route
 - The clear height of the kitchen ceiling is enough but not enclosed
- 2: Building Safety - Fire Protection Structure
 - Wooden kitchen ceiling
 - Open kitchen without doors or walls for separation
 - No fire protection equipment provided
 - Guests need to walk through the open kitchen to use the toilet
- 3: Drainage system
 - Lack of adequate toilet space and sanitary facilities (urinals)
 - Exposed pipes found in the kitchen area
 - Lack of grease trap
 - No sump in indoor area, while a septic tank is located outside the building.
- 4: Water supply system condition is acceptable.
- 5: Equipped with a 63A PSN electrical box.
- 6: Mechanical ventilation and air conditioning system.
 - No mechanical ventilation system and air filtration system are installed in the kitchen. Only ventilation fans are used for air circulation purposes.
 - The toilet relies on natural ventilation
 - Cooking with a liquefied petroleum gas (LPG) cylinder

建議申請之牌照

Proposed Licenced

一. 地下面積 Gross Floor Area

1. 普通食肆：最好選擇實用樓面面積不少於30平方米
General Restaurant : Gross floor area better not Less than 30 sq m²
2. 小食食肆：最好選擇實用樓面面積不少於23平方米
Light Refreshment Restaurant : Gross floor area better not Less than 23 sq m²
3. 食物製造廠：沒有特定要求
Food Factory : No specific requirements

適合申請普通食肆/小食食肆/食物製造廠
Suitable for General Restaurant/ Light Freshment Restaurant/ Food Factory

二. 食物室面積 Food Room Area

1. 普通食肆：不少於8平方米
General Restaurant : Not Less than 8 sq m²
2. 小食食肆：不少於4.6平方米
Light Refreshment Restaurant : Not Less than 4.6 sq m²
3. 食物製造廠：不少於6平方米
Food Factory: Not Less than 6 sq m²

適合申請普通食肆/小食食肆/
食物製造廠
Suitable for General Restaurant/ Light Freshment Restaurant/ Food Factory

三. 食物性質：

中式食物（包括煎炸）
Type of food : Chinese food (including frying)

適合申請普通食肆/食物製造廠
Suitable for General Restaurant / Food Factory

四. 業主偏好 Owner Preference

室內座位安排有限
Due to the indoor seating arrangement limited

適合申請食物製造廠
Suitable for Food Factory

綜上所述，理論上該位置該業主適合申請食物製造廠牌照

Based on the information provided, theoretically, the owner of this location is suitable to apply for a Food Factory License.

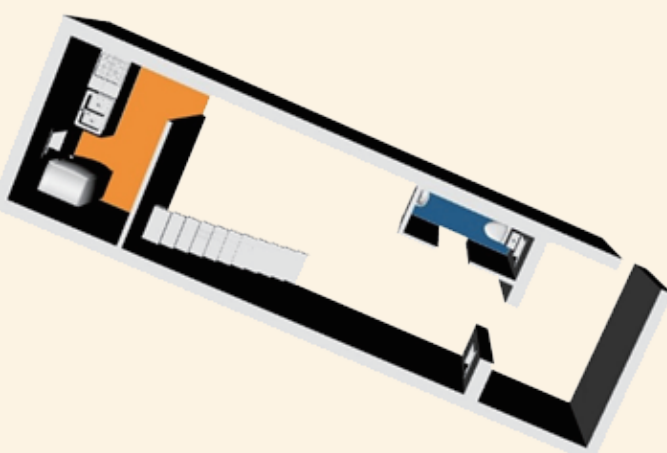
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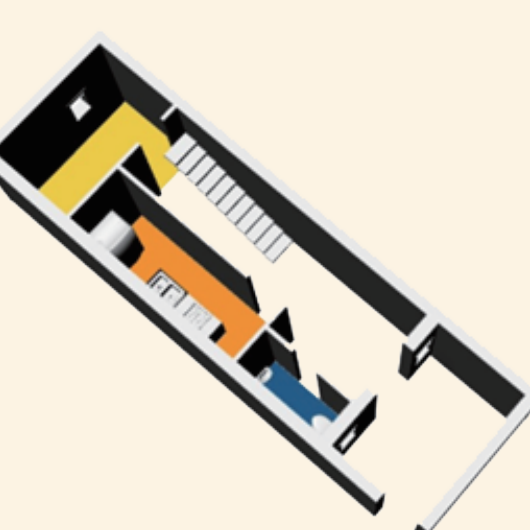
建議平面佈置

Proposed Options

建議平面佈置一 Option 1



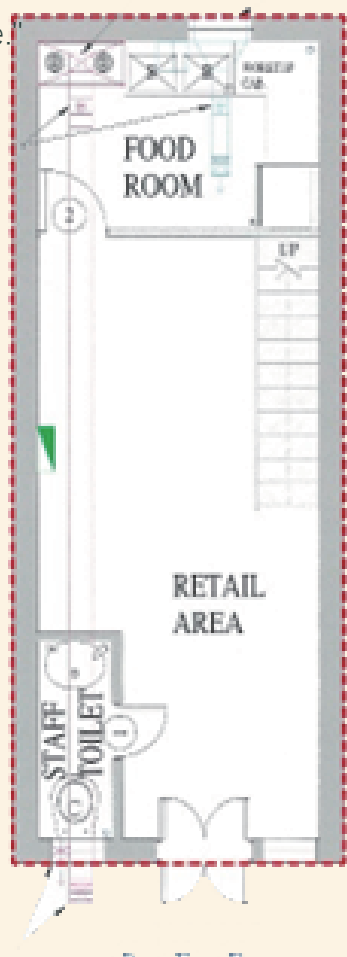
建議平面佈置二 Option 2



最終由於室內座位安排有限，因此只適合申請食物製造廠牌照

However, due to the limited indoor seating arrangements, it is only suitable to apply for a “Food Factory License”.

最終遞交食環署申請食物製造廠牌照的平面
The finally layout Plan submit to FEHD for apply “Food Factory License”



資助機構:



鄉郊保育辦公室
Countryside
Conservation
Office

主辦機構:

