

Case Summary

Complaint against the Highways Department, the Territory Development Department and the Lands Department for failing to erect street name plates at four new streets in Fanling in a timely manner.

THE COMPLAINT

The complainant bought a unit under the Home Ownership Scheme in Fanling in July 1996. Upon his gaining possession of the flat, he noticed that there was no street name plates erected in the vicinity thus causing inconvenience to him and other members of the public. However, from a street guide book available in the market, he noticed that the name of the four new streets in question, i.e. Fan Leng Lau Road, Wo Muk Road, Luen Chit Street and Ma Sik Road were clearly listed out.

2. Feeling dissatisfied, the complainant lodged a complaint with The Ombudsman against the Highways Department(HyD)for failing to provide street name plates in four new streets in Fanling in a timely manner. Upon enquiry into the matter, The Ombudsman considered that an investigation should be conducted and the scope of which extended to include the Territory Development Department(TDD) and the Lands Department(Lands D).

FINDINGS AND CONCLUSION

The HyD's Involvement

3. According to the Director of Highways(D of Hy), the four roads in question were constructed together with some other roads under a contract managed by the TDD. The current guidelines on the provision of street name plates for new roads are given in the Project Administration Handbook for Civil Engineering Works which lays down procedures and requirements to be followed by all the works department (including the HyD and TDD). The Handbook provides that when a new road is constructed under a road project, the project office, the TDD in the present complaint, is responsible for funding the necessary street name plates and arranging for the roads to be named and street name plates to be erected. The same project office may arrange for the street name plates to be erected by its contractor under the road construction contract, or may provide funds and request the HyD to erect the street name plates. The latter arrangement is applicable when the street naming exercise cannot be completed before the completion of the road construction contract. It normally takes about 3 months after the securing of funds for the erection of street name plates.

4. In the present complaint, the HyD had confirmed in October 1994 with TDD the taking over of the roads and at the same time reminded TDD to arrange for street naming and the erection of street name plates. The HyD requested the TDD on 23 January 1995 for the allocation of the necessary funding but there was no immediately reply. On the other hand, the HyD did not pursue the matter until it received in November 1996 a complaint referred from the press about the absence of the relevant street name plates. The HyD then issued a reminder to TDD in December 1996 drawing the

latter' s attention to its previous request for the allocation of funds. In response, the TDD indicated it could not locate the necessary documentation and, in any event, had not arranged for the necessary funding. As a result, the HyD decided in April 1997 to employ its highway maintenance funds for the erection of the street name plates concerned. A total of 16 street name plates for the four streets in question were erected in April 1997.

The TDD' s Involvement

5. The TDD, on the other hand, has explained that it was a normal practice for the department to provide the necessary funding to the HyD to erect street name plates upon the completion of the roads. Based on the HyD' s estimate, an allocation warrant is normally forwarded to the HyD for undertaking the works. The HyD would install the street name plates as soon as possible once the funds are made available by the TDD. When the works are completed, the HyD would advise the TDD of the final account of the cost of works involved. The TDD also relies on the HyD to monitor the progress of works for erecting the street name plates.

6. In the present complaint, the names of the roads was gazetted in January 1995 and the department had made the funds available for the erection works. But the HyD' s memo dated 23 January 1995 requesting TDD to issue an allocation warrant to cover the cost of the erection works had, for some unexplained reasons, never reached TDD. While the HyD did fax a copy of the memo to the TDD on 10 May 1995, the correspondence did not appear to have been noticed by the TDD' s subject officer at that time. When the HyD raised the matter again with the TDD in December 1996 after the receipt of the complaint referred from the press, the latter was,

however, unable to confirm if the necessary funding had been secured because of staff changes. The TDD accordingly admitted that there was a delay in the erection works under complaint and apologized for the inconvenience caused.

The Lands D' s Involvement

7. As early as in January 1995, the Lands D was informed by the HyD that arrangement had been made with the TDD to erect street name plates. However, no specific time frame was agreed to among the three departments on the erection works. The department assumed that the HyD and the TDD would attend to the matter and therefore did nothing to check on the relevant work progress.

CONCLUSION

8. This Office considers that the HyD, TDD and Lands D all had not taken proper follow-up actions on their part to monitor the relevant progress of the project. There was also an apparent lack of co-ordination among the three departments to see to it that the erection works would be properly carried out. This has resulted in a substantial delay of over two years in the erection works for the street name plates which were finally erected in April 1997. Having considered the above findings, The Ombudsman concludes that the complaint is substantiated.

RECOMMENDATIONS

9. The Ombudsman recommends that -
- (a) all three departments review their respective procedures for monitoring progress of erection programmes with a view to bringing about an effective bring-up system to avoid recurrence of similar incidents, and remind their staff to observe the procedures with due care and diligence; and
 - (b) the three departments examine how co-ordination among themselves could be improved in the erection of street name plates, and how the lead time of 3 months could be shortened.

RESPONSE FROM HyD, TDD AND LANDS D

10. The D of Hy, D of TD and D of L generally agreed to both the conclusion and the recommendations of this report.

FINAL REMARKS

11. The Ombudsman is pleased to know that representatives from the three departments in question have already met in October 1997 to review the relevant monitoring and inter-departmental co-ordination procedures and that the Lands D

has since set up a bring-up system to facilitate the monitoring of follow-up actions pertaining to all street naming cases.

Office of The Ombudsman

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