

DISCOVERY BAY CITY OWNERS' COMMITTEE
Minutes of Meeting No.5 2019/20 Held on 7 October 2020
7:30pm at MPH, Discovery Bay Office Centre

Members Present:

Mr. Kent Rossiter	(KR)	Acting-Chairman, COC & La Costa VOC
Ms. Amy Yung	(AY)	Chairlady, Beach VOC
Mr. Ben Dalglish	(BD)	Chairman, Headland VOC
Mr. Michael Law-Kun	(MLK)	Chairman, La vista VOC
Mr. Murray Stuart Craig	(MSG)	Chairman, Neo Horizon VOC
Mr. Darren Barton	(DRB)	Chairman, Parkridge VOC
Mr. Kenneth Bradley	(KB)	Chairman, Parkvale VOC
Mr. Alan Macdonald	(AM)	Vice-chairman, Peninsula VOC
Mr. Peter Whalley	(PW)	Chairman, Siena 1 VOC
Dr. Francis Chiu	(FC)	Chairman, Siena Two B VOC
Mr. Christian Chasset	(CC)	Vice-Chairman, Amalfi VOC
Mr. Edwin Rainbow	(ER)	Chairman, Hillgrove VOC
Mr. Simon Tu	(ST)	Representative, Registered Owner
Ms. Beatrice Lee	(BL)	Representative, Registered Owner
Mr. Elena Chan	(ELC)	Representative, Clubs
Ms. Elena Cheung	(EC)	Representative, Hotel
Mr. Charles Stuart Bridge	(CSB)	Representative, Schools
Mr. Ernest Lee	(EL)	Assistant Director, DBSML
Mr. F.K. Wong	(FKW)	Chief Manager, Estate, DBSML

Apologies:

Dr. Jennie Lee	(JL)	Chairlady, DB Plaza VOC
Ms. Kathy Lui- Landheer	(KYL)	Chairlady, Chianti VOC
Ms. Vivien Lau	(VL)	Chairlady, Greenvale VOC
Mrs. Baby Hefti	(BH)	Chairlady, Peninsula VOC
Mr. David Kwok	(DK)	Chairman, Amalfi VOC

In Attendance:

Mr. G.H. Koo	(GHK)	Senior Manager, Estate, DBSML
Mr. W.S. Yau	(WSY)	Senior Manager, Contract Management and Works, DBSML

Secretary:

Mr. Eddie Heung	(EH)	Manager, Community Relations, DBSML
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Observers:

Bailly	Owner, Beach
Alex	Owner, Beach
Reid Nigez	Owner, Hillgrove
Phillip Dobbs	Owner, Peninsula
Emmanuel Marcuawd	Owner, Beach
David Ball	Owner, Headland
Michael Chang	Owner, Peninsula
Sally Conti	Owner, Midvale

	The Meeting was declared duly convened with the necessary quorum of members present.	
1.0	Apologies Apologies received from JL, KYL, VL, BH and DK	
2.0	To mourn for Mr. Simon Mawdsley (COC Chairman of 2011 – 2020 consecutively) The memorial was held on 27 th September 2020 and attended by many COC members. CM presented a 2-min movie clip in remembrance of Mr. Simon Mawdsley. ER thanked CM for the memorial arrangements.	
3.0	Election of Acting COC Chairman for Meeting No. 5 of 2019/2020 FC nominated KR and KB seconded. There were no more nominations and KR was elected as Acting COC Chairman for Meeting No. 5 of 2019-2020. KR declared that he was inexperienced but he would do his best adding that following in Simon's footsteps was impossible.	19:36
4.0	<p>Confirmation of Minutes of Previous Meeting (No. 3 – 2019/2020) EH advised the amended and final Minutes were issued to members on 30th September 2020. ER commented that the minutes might be correct but he disagreed with the statement made by FKW that managers had the right to decide which subjects could be discussed. FKW referred members to Clause 4, Section VII of the Principal Deed of Mutual Covenant which stated "<i>the meetings of the committee shall be convened by the Manager by at least 7 days' notice in writing, specifying the time and place of the Meetings and subjects to be discussed</i>". ER acknowledged that the Manager had the duty to issue the agenda to all members but disagreed that it was the Manager who set the agenda topics. KB remarked that over the years, practices had arisen whereby many members had submitted items that were incorporated into the agenda, and convention should be respected. KB added that unless an item was really objectionable and if a member had taken the time to submit an agenda item it should be included.</p> <p>KR agreed that the agenda was issued by the Manager and confirmed in past practice that the Chairman had allowed a wide range of reasonable subjects under AOB. AY referred to the Eighth Schedule (8) of the Building Management Ordinance and highlighted it was the Chairman and any 2 members, not the Manager to convene an owners' committee meeting. AY stated that the manager had nothing to do with it and agreed with KB that there should be flexibility and traditionally agenda items were allowed in the AOB submitted by members. KB reiterated when members submitted agenda items within the time-frame they should be included. KB stated that he was not only talking about AOB</p> <p>KR asked if members' items had not been placed on the agenda in the past and KB cited the example of item 7.3 in this agenda whereby the Transport Division had refused to attend citing the Passengers Liaison Group (PLG) as their form of consultation.</p> <p>KR clarified that an item could be put on the agenda and if, as in the case of the Transport Division which refused to attend, at least it had been recorded that COC tried to discuss it. The item was not excluded from the agenda.</p>	

	<p>PW said the Chairman should be able to make sensible decisions regarding the items and AOB additions. ER agreed that this minute [under review] should be approved but the truth to be reflected in the minutes of this meeting.</p> <p>The minutes was approved and signed as no further comments made during the meeting.</p>	
5.0	COC Sub-Committees/Working Groups Update	
5.1	<p>Finance Sub-Committee</p> <p>FC referred members to the FSC meeting minutes and highlighted that due to the government Employees Support Scheme, CM adjusted the budget expense 8.5% lower. Additionally, the major service providers also received government monetary support. The result was the cleaning contractor offered 5% rebate, although FC noted the amount was offered during tender interview in May, 2020 prior to the grant of government subsidy. The landscape contractor offered 25% rebate and no feedback from the security contractor had been received to-date and CM was requested to follow up.</p> <p>FC referred to the deposits outstanding from San Hing and the slow process to return deposits to households.</p> <p>It was also commented that a lands tribunal case had opened around the allocation of management units and FKW was asked to follow up. FC shared that members of the FSC noted this case related to commercial areas only, however FC was concerned that there could be repercussions for some villages that may be underpaying management fees due to the alleged historical misallocation.</p> <p>FKW reported that there were no further updates on the items mentioned.</p>	19:56
5.2	<p>Security Liaison Group</p> <p>FC presented the consistent low crime figures. The concern around electrical scooters was raised and it was noted that the police had carried out enforcement action within DB and issued two warnings.</p>	20:00
5.2.1	<p>Electric Mobility Devices in Discovery Bay, (COC Paper No. 656/20)</p> <p>KB referred to the paper and remarked there was no personal objection to electric scooters when integrated and regulated within the transportation system. The LEGCO transport panel were working on a regulatory structure for the devices. PW noted the fast speed of the electrical mobility devices and as they were unregulated posed danger. Members heard that AM was involved in preparing research for a study to be carried out by the government to investigate the integration of these vehicles on cycle tracks. It was noted that Singapore regulated with a maximum speed of 15km, as had the UK with the additional introduction of number plates. It was very difficult to regulate and it would be necessary for the government to introduce clear regulations.</p> <p>KB suggested a coordinated effort to control demand by adding tax or licensing fees. KB hoped the government working group would ensure</p>	20:02

	<p>there would be proper management, and requested CM to respond to the paper.</p> <p>GHK referred to the submitted paper and summarized CM's action and viewpoint in Paper COC 658/20. CM reassured members that they were taking the matter seriously and would continue the implementation of promotion, education and enforcement.</p> <p>GHK reported on the accident that involved an electrical scooter which collided with a skateboard when it was overtaking. The police were involved and took away the scooter to carry out further investigation.</p> <p>KB acknowledged the response from CM as a start and questioned the environmental value of EMDs, and highlighted the increase of usage since the promotion by CM in the summer and once again emphasized the danger they imposed.</p>	
5.3	<p>Formation of Working Group for Preparation of Tender of Security and Customer Services 2021-2020, (COC Paper No. T1774/20)</p> <p>GHK requested a working group be formed and invited the Chairman and/or Vice-Chairman of the different villages to join the group as well as other COC members. Members were asked to email their interests to CM.</p> <p>KB commented that in the past the working groups involved the same three/four people and enquired if other members from a VOC could attend. CM responded they would be opened to members from VOCs participating in the working group and agreed to communicate by email to all VOCs.</p>	20:20
6.0	Matters Arising from Previous Meetings	
6.1	<p>Renewal of Short-term Tenancies</p> <p>FKW requested the item be withdrawn for discussion because of diversified views and hot discussion in the past. It was agreed to defer the item to a later date.</p>	20:27
6.2	<p>Deposit refund from San Hing and Health Check by DSG, (COC Paper No. 652/20)</p> <p>KB requested DSG to attend the next meeting so that the LPG health check report could be discussed.</p> <p>FKW advised members that at the end of September there were 1,500 outstanding deposit refunds. There were primarily three reasons for the delays, i.e.</p> <ol style="list-style-type: none"> 1) COVID-19 work from home status and less manpower 2) outstanding bill settlements, and 3) the initial process had involved a third-party for auditing purposes. <p>However, from 1st October San Hing would sign off cheques to speed up the refund process. FKW assured members that CM would continue to monitor the situation and follow up with any complaints. FKW explained that CM would follow up with homeowners that had not applied for deposit refunds.</p> <p>FC enquired about the total weekly applications and FKW reported it was 100-200 if all the relevant paperwork had been completed.</p>	

	<p>AY thanked CM for following up and recommended that any outstanding deposit money should be secured in a trust account for the residential owners and if there was default in repayment, chasing order could be exercised. AY also stressed that since the original contract with San Hing was signed by HKR/CM, they had the fiduciary duty to protect owners' interests as the latter had no choice but to use this supplier. AY asked CM to encourage owners to apply for their deposit refunds and requested CM to issue a management notice to explain the reasons for the delay to the community.</p> <p>MSG reported from his VOC that less than 20% had received their deposit refund.</p> <p>FKW stated that CM could not force San Hing to set up a trust account but would relay the request for consideration. To his understanding San Hing had other business in HK</p>	
6.3	<p>Implication of judgment on the legal case regarding Annual General Meeting of owners in Parkridge (LBDM 23/2018)</p> <p>FKW provided a detailed presentation on the above and explained the possible implications of members adopting poll voting outside a physical meeting. FKW stated the Chairman had the ultimate authority to decide time and manner of a poll vote citing as an example the earlier situation which was the origin of the Parkridge Case.</p> <p>FKW referred to the background and developed the problem of associated costs and used an example of 3 weeks and 24hr a day and the owner would need to identify himself according to the Chairman's direction. There were data protection issues for CM. CM would have to station staff in the local Management Office. There could be problems of more than two options as progressive elimination should be adopted under the ICAC guidelines. Expectations of owners with regard to voting outside the physical location of the meeting could put additional pressure on the Chairman to protect owners' rights. There were also implications for DB as a whole. Phase 1 to Phase 10 –and are by and large identical. From Phase 11 the sub-DMC effectively refers to the BMO Schedule 8 - Schedule 8 prevails. FKW went on to describe a number of relevant clauses from the BMO and summarized by saying that the Parkridge decision mainly applies from Phase 1 to Phase 8. He went on to say that he would respect decisions of the Chairman but encouraged prior discussion with CM and encouraged the Chairman to explain to all owners his intentions for the poll vote outside the physical location of the meeting before the Owners Meeting.</p> <p>FK reiterated that the Chairman had the absolute power to decide in such manner and in such time and in such place to hold the poll vote.</p> <p>KR asked that with regard to increased workload who was responsible for the costs of the additional manpower. FKW replied that CM would consider charging the costs to individual villages.</p> <p>PW asked the meaning for Phases 11 onwards about anything would be changed as the result. KR answered the VOC Chairman has absolute discretion for the poll vote and was no disagreement.</p>	20:40

	<p>DRB claimed that the Chairman does not need to take advice from the Committee DRB referred to the presentation background and clarified that a poll vote could be taken for any resolution and not limited to the election of the VOC and was not limited to election of members. FKW agreed.</p> <p>DRB commented that as had already been suggested, if CM would be willing to work constructively with VOC Chairs then it could work and all owners would be able to vote. DRB added it was ludicrous to suggest Parkridge to have 24hr voting. DRB also disputed the claim that there was progressive elimination in voting as this would be in breach of the court judgement and a poll was decided on the sole discretion of the Chairman. DRB stressed that the collaboration between CM and Chairs would allow owners unable to attend a physical meeting to participate and vote. DRB suggested VOCs should work closely with their management teams to ensure there was not a heavy workload and potential savings could also be made. It was also commented that Eighth Schedule (8) of the Building Management Ordinance was not relevant for poll votes for phases one to ten. We all want to be elected as democratically as possible and this could be achieved efficiently through cooperation. There will be savings on the mechanical counting and we will not need to remain late into the night.</p> <p>MLK referred to La Vista village upcoming renovation and noted the importance of the AGM for Q&A and voting. MLK asked DRB to provide a one-page document that explained what could be done so that VOC members were guided in the voting of important items. DRB agreed to work with FKW to provide suggested guides but that these could only ever be suggestions as the Chairman has the final decision. It was also noted that the owners' management according to the DMC fees must be paid to validate the vote.</p> <p>KB suggested that there should be guidelines on the question of eligible votes. A discussion ensued and solutions were suggested FKW said it would be difficult to check for every owner. KR requested that CM report back on this point at the next meeting.</p> <p>FKW explained it was not possible for CM to check all status of management fees for all units immediate before an Owners' meeting and clarified management fees were classed as overdue past 30-days. FKW clarified CM would be able to check after a meeting.</p> <p>Members discussed the process and it was suggested to let CM obtain legal advice and update members at the next meeting.</p> <p>DRB agreed to work with FKW to provide suggested guidelines for VOC Chairs when conducting poll votes.</p>	
6.4	<p>Designation of Inclined Lifts as City Common Facility, (COC Paper No. 650/20)</p> <p>PW referred to the COC Paper and thanked HKR for responding to the legal questions raised. PW reminded members that the FSC considered the current situation unfair to the majority of home owners in Discovery Bay because they were funding the costs of the lift, which was a facility that enabled the developer to make its development more attractive.</p>	21:04

	<p>PW referred to the three legal questions raised as outlined in the submitted Paper. The key issue was whether the villages could assert a legal right to access the upper terminus of the inclined lift area. HKR responded that the upper area was a village retained area owned by HKR and access was given to other residents to access the lift. However, PW highlighted that the Amalfi Sub-DMC p27-29 stipulated the rights of the owner of a village retained area, which did not appear to give the right to owners to allow access to third parties to the upper area.</p> <p>PW went on to say the amount currently charged was not a large amount shared amongst the villages, and therefore it would be possible to compromise on the issue if the current costing charges could be maintained or only increased annually according to the consumer price index. The fear amongst villages was that the amount of operating costs would escalate.</p> <p>FC agreed to represent villages to make a compromise discussion with HKR and would report back progress at the next COC meeting.</p> <p>FKW referred to the COC Meeting on 24 August 2016, item 6.1.4 and quoted: <i>“FKW replied to AY comment saying the Lands Department had already rejected Andrew Burns’ claim that the inclined lift should be maintained by HKR as part of Area N2. There was no news from the ombudsman as Mr. Burns alleged that he would lodge a complaint though the ombudsman for the maladministration of the lands department.”</i> FKW reported there had been no update. FKW then asked AY if there was any information on the position of the ombudsman. AY replied that all complaints were kept confidential and therefore FKW would need to contact Mr. Burns directly to determine if there was any follow up action.</p> <p>AY advised members that she had submitted a paper related to the issue with the land around the inclined lift and N1 area and the changes after the Sub-DMC for Amalfi was created. AY would follow up with this issue if required.</p>	
6.5	<p>Appointment of Cleaning Contractor (COC Paper No. 653/20)</p> <p>KB asked for an update on costs. PW advised members that the cleaning contractor had agreed to refund cleaning charges for services not provided to Siena one, and this was considered fair by Siena One VOC.</p>	21:13
6.6	<p>Update on Upgrading the Computer System, (COC Paper No. 654/20)</p> <p>GHK presented information on the computer system and advised members that the upgrades were progressing smoothly and was expected to be completed by end of October 2020. It was agreed to update members on completion on 1st November 2020.</p>	21:14
6.7	<p>Progress of the Renovation of DB Plaza, (COC Paper No. 655/20)</p> <p>GHK conveyed the response from HKR to members and agreed to circulate to all members.</p> <p>DRB enquired about when the unfinished stones in the area facing McDonalds, currently patched with black duct-tape, would be completed</p>	21:16

	<p>and cited they were a danger especially to senior citizens. GHK agreed to follow up.</p> <p>AY noted that two representatives from HKR were in attendance as registered owners and were expected to attend, contribute, and answer questions related to HKR. AY emphasized she represented her village and contributed to the meeting and HKR and its subsidiaries that attended the meeting should also contribute. She said she had never heard anything said by ST in the COC meetings and so were other HKR subsidiary representatives who were there to vote only.</p> <p>ST responded the presence of HKR was to gather information as there were many departments and it was not always possible to answer all the questions immediately at the meeting.</p>	
7.0	Items for Discussion	
7.1	<p>Revised City Budget 2020/21 FKW referred to the comments previously made by FC in item 5.1.</p> <p>FKW updated members on the nursery relocation to the upland to a similar space of 4000sq.m.. It was reported the irrigation would be changed to a dripline system. The existing nursery would be used for the plant market on a monthly basis, and HKR would review future use of the site.</p> <p>FKW explained that the reason for the relocation was due to the noise and smell generated from the wood-chipper and it was inefficient to operate two landscape sites.</p> <p>AY asked ST to provide details on the expected completion date of the multi-recreation centre to be built in area 2A/2B. ST noted AY's request (this is an action item to be reported on in the next COC).</p> <p>FC advised members that the agreement by HKR was to build various additional facilities on area 2A/B within seven-years.</p> <p>KR asked HKR to update members on the planned use of the existing nursery at the next COC meeting.</p>	21:25
7.2	<p>Financial Position of Owners' Fund, (COC Paper No. 651/20) FKW referred members to the presentation and advised the audit report was sent out by 12th October 2020.</p>	21:34
7.3	<p>Future of the Ferry Service of Discovery Bay to Central, (COC Paper No. 657/20) KB stressed that COC must be entitled to consider ferry and bus issues even if though the Passenger Liaison Group (PLG) Chairman did not think it was necessary for COC to be involved. KB referred to the Transport Division which noted that any adjustment to the ferry schedule attached to the ferry service license, should be made after consultation from locals. However, there had been no consultation with locals. KB highlighted that millions of dollars from the government was subsidizing the ferry services, and the major costs to be incurred would be for the maintenance of the ageing vessels. KB added that there would be</p>	21:36

	<p>greater use of buses at other times throughout the day. KB thanked AY for raising the issues.</p> <p>AY updated members that she had written to the Transport Department and noted the ferry 5-year license had conditions which specified the frequency and timetable. AY sympathized there were fewer people taking the ferry. The ferry company had applied to the Transport Department to use the midnight bus and the approval came 2-days after and therefore there was no notice to inform members. As the situation with COVID was getting better the ferry schedule would be resumed as per the license. AY commented the ferry company verbally advised AY that two Catamaran ferries were out of order and in addition a staff member in the ship yard tested positive for the virus and the whole team had to be quarantined for 14-days. AY accepted the explanation and expected the normal schedule would resume shortly. Any changes would need to be raised with COC members and a consultation with DB residents.</p> <p>AY advised regarding the bus service which was an agreement signed by the bus company and the user group. The user group would ordinarily be the residents however because it was not a legal entity CM became the agent and had the duty to protect the interests of the residents and consult the COC. During the recent months' frequency had been reduced without any notice. In addition, the hire car was not operational and there were a large number of complaints. AY regretted that the HKR Transport Department failed to send representatives to the COC meeting to answer questions.</p> <p>AM reported the VOC members and residents were highly concerned with the removal of the T3 and a limited T4 which has caused a lot of overcrowding. AM had requested HKR to examine the situation however no response had been received. Recommendations to the Department of Health had also been made. With regards to the ferry there was extreme concern with the overcrowding at peak periods where on occasion there were standing passengers which should not be allowed under maritime regulation.</p> <p>KB remarked that the points raised reflected the weakness of the PLG and noted there was no in-depth discussion on the issues raised. This is why it was essential that transport matters were discussed at the COC.</p> <p>KR requested representatives from the Transport Division to attend the COC meetings. ST said the PLG was open for members to attend and engage in discussion and would follow up with the Transport Division for them to attend COC meetings on occasion when related matters were to be discussed.</p> <p>KR said transport matters were of critical importance to DB residents and therefore following the broad support from multiple COC members for representation, requested HKR to consider sending a representative from the Transport Division at every meeting.</p>	
7.4	<p>Retrospective Resolution of Tender Award for WR2 Defect Rectification at Siu Ho Wan Pumping Station, (COC Paper No. T1755/20)</p> <p>WSY advised due to the postponement of the COC meeting and the urgency of the work, an email had been sent requesting members</p>	21:50

	<p>consensus of tender award and no objection was received and the work was carried out.</p> <p>WSY asked members to award the tender as outlined in the paper.</p> <p>AY registered objection for allocating the city fund for contracting work outside DB and related to the STT yet to be resolved.</p> <p>As other Members consented for the tender award, KR confirmed for CM to proceed.</p>	
8.0	CM Report	
8.1	<p>COC Papers Endorsed</p> <p>WSY reported six papers endorsed with no objection.</p> <ol style="list-style-type: none"> 1) T1736/20 Tender for Insurance 2020 – 2021, 2) T1743/20 Tender for Water Tanks Cleaning Works in Discovery Bay 3) T1752/20 Tender for Maintenance Work on Extra Low Voltage (ELV) System 4) T1753/20 Tender for Maintenance on Water Pumps in Discovery Bay 5) T1762/20 Tender for Examination and Certification Services for Anchorage Points in Discovery Bay 6) T1772/20 Replacement of Defective Water Leakage Monitoring Device near Junction of Discovery Bay Road and Headland Drive. 	21:57
8.2	<p>Upcoming Tenders</p> <p>WSY reported upcoming Tenders were for:</p> <ol style="list-style-type: none"> 1) FS Annual Inspection and Certification Works in Discovery Bay, 2) Replacement of Malfunctioned Underground Isolating Valves. Both were under analysis. <p>There were six tenders scheduled for the next three months.</p> <ol style="list-style-type: none"> 1) Pest Control Tender 2) Consultancy services for condition review on infrastructure & E&M facilities in draw off tower of reservoir (Stage A) 3) Provision of high-pressure jetting and vacuum truck services. 4) Replacement of coarse screen and associated works in Sewage Pumping Station No. 2 5) Patch repair and associated works on City roads in Discovery Bay, and 6) Tender for Security and Customer Services 2021-2023. <p>KR asked for circulation of an email to all VOC members of all villages to advise them of the working group being set up, particularly for item No. 6).</p>	21:58
8.3	<p>Community Events</p> <p>EH reported the mask design competition via an online platform with sponsored prizes. EH encouraged members to promote the competition.</p>	21:52
8.4	<p>Update on Other Services, if any.</p> <p>WSY updated members on the Smart Meter Installation. Details were highlighted in the CM presentation and information was given on CLP's roll out of replacement meters across villages starting in October 2020. The benefits would be timely consumption data, forecast and energy</p>	22:00

	management, consumption and power outage alerts, and efficient relocation services. All residents would be advised of the timeline. KB remarked that the information should be clearly and widely communicated to all residents.	
9.0	AOB	
9.1	<p>Marina Promenade and Vehicle Usage</p> <p>AM raised the issue about the Marina promenade which although zoned as residential for pedestrian use only was now being used by a number of vehicles. There was further concern that this area would be used for future vehicle access for yacht owners and AM requested HKR to provide clarity on the situation.</p> <p>PW reported that BH had not received any response from HKR despite the request for information. PW expressed concern and raised ownership rights and maintenance responsibility which was currently paid by the Peninsula village. PW added the Lantau Yacht Club was a commercial entity however it was not licensed for commercial use. PW also requested HKR to provide answers.</p> <p>FKW responded that ten years ago CM sought legal advice on the passageway and maintenance responsibility. It was conveyed that the duty to maintain does not apply to an owner if the owner does not have the exclusive possession of that part of the building or use. ER asked FKW who was the owner. FKW advised HKR was the owner of the passageway and agreed to circulate the legal advice given.</p> <p>AM said there were user rights and vehicles were a danger to the pedestrians and children attending the Kindergarten. AM asked who would take responsibility for any accident that occurred on the promenade and stated no owners would accept liability.</p> <p>FKW noted comments and CM would discuss further with HKR. FKW emphasized the promenade was a passageway with Emergency Vehicle Access (EVA).</p> <p>AY defined EVA as Emergency Vehicle Access and not access for all vehicles. AM added EVA are only required to have 25% access to a building façade and no necessity for the whole promenade to be classified as EVA.</p> <p>KB said the expenses for maintenance should be shared by the village and the Yacht club.</p> <p>KR asked for confirmation that HKR owned the promenade and not the village. FKW agreed he would clarify and confirm ownership.</p> <p>PW suggested AM to convene a group of interested parties who would be able to understand the legal implications and then follow up.</p>	22:06
9.2	<p>Request for Funding for DB Scouting Club</p> <p>DRB spoke about the <i>English-Speaking Scouting in HK</i> which met in DBIS with 120 young people involved and mostly those are residents from DB. Unfortunately, schools were not able to host them at the moment because they were not allowed to hold extra-curricular activities</p>	22:20

	<p>under the current Covid-19 measures. DRB approached CM for an alternative venue however there would be costs involved. DRB requested COC members to consider subsidizing the venue costs from its social fund by way of a donation.</p> <p>FKW advised members that COC was not allowed to use the City Owners Fund for donations, and added if this was accepted it would set a precedent case for other organizations to approach COC for similar requests. FKW advised against this.</p> <p>AY said \$60K would be allocated annually from the government for the promotion of Discovery Bay (funds not related to HKR, CM, or the COC) and suggested that this amount could be used for the Big Picnic or for the benefit of DRB's request and asked members to decide.</p> <p>EL clarified that the MPH was only available on Saturdays in October and not all the dates DRB would like.</p> <p>KB commented on the Big Picnic and that it was considered to be a commercial enterprise that could obtain its own sponsorship and City Fund would not contribute.</p> <p>KR reminded members of AYs suggestion to support the local scout community. MLK opinioned it was not within the administration of the COC to agree or disagree rather it was for AY to decide how the fund was allocated.</p> <p>KR explained that the funds were for community support and the government fund was available as explained by AY, and that she was only trying to get some feeling for whether the community thought supporting the scouts would be a good use of these funds, to which it appeared there was general support. Members discussed the safety of gatherings.</p> <p>KR thanked everyone for attending and closed the meeting.</p>	
10.0	Date of Next Meeting – 9th December 2020	22:30