

COMMUNITY SPORTS COMMITTEE

Proposals to Improve the Arrangements for the Booking and Allocation of Recreation and Sports Facilities under the Leisure and Cultural Services Department

Purpose

This paper seeks Members' comments on the recommendations made in the Direct Investigation Report of the Office of The Ombudsman (the Ombudsman) on the booking and allocation of the recreation and sports facilities under the Leisure and Cultural Services Department (LCSD), as well as the proposed improvement measures put forward by the LCSD.

Background

2. The LCSD provides a variety of recreation and sports facilities which are available for hire by members of the public and organisations. The department has put in place the "Booking Procedures for Use of Recreation and Sports Facilities" and the "Conditions of Use of Recreation and Sports Facilities" to ensure effective management and fair allocation of public facilities. These booking and allocation procedures are kept under constant review, with a view to improving the existing arrangements, preventing abuse, and meeting the needs of organisation and individual hirers.

3. According to the booking procedures, schools are allowed to make advance bookings for the coming school year. For international events, championships, leagues, training courses, etc. that are promoted and organised by National Sports Associations (NSAs) and other sports organisations, reservation of facilities can be made 3 to 12 months in advance. To balance the demands of various stakeholders, block booking by organisations is subject to quota control. Normally, only one-third of the total peak-hour sessions available in the month and not more than half of the total number of facilities at each venue may be allowed for block booking, so that most of the facilities will be available for use by individual hirers. The guidelines aim to

strike a balance between the needs of different stakeholders who use the facilities for training, competition or recreation purpose.

4. The complaints received by the Ombudsman about the booking and use of LCSD leisure facilities mainly concern the predominant use of the facilities by organisations and touting activities. To ensure a fair opportunity for the public to use the facilities and to prevent abuse and wastage of public resources, the Ombudsman initiated a direct investigation in July 2011. On 19 September 2012, the Ombudsman released the investigation report and made recommendations on the improvement measures.

The Ombudsman's Views and Recommendations on the Booking of Venues

5. After examining the current arrangements for the booking of LCSD leisure facilities, the Ombudsman identified some areas for improvement and made recommendations to the LCSD on the following four areas:

- (a) curbing touting activities
- (b) improving the booking arrangements for individuals
- (c) improving the booking arrangements for organisations
- (d) enhancing the use of venues

6. The Ombudsman's views and recommendations on the arrangements for the booking and use of recreation and sports facilities are detailed in the Executive Summary of the Direct Investigation Report at **Annex 1**.

Response and Follow-up Actions of the LCSD on the Recommendations

7. In view of the strong demands for recreation and sports facilities, the LCSD is committed to improving the booking and allocation mechanism to meet the needs of different parties and prevent abuse of facilities. We generally accept the recommendations made in the investigation report. Actually, a number of improvement measures have been introduced following a comprehensive review of the booking and allocation procedures in mid-2011.

(A) Measures Taken**(a) Ceasing to accept identity documents other than the Hong Kong Identity (HKID) Card for registration as Leisure Link Patrons (LLPs) (paragraph 15 of the Executive Summary)**

Some people may use different identities or false information to make multiple LLP registrations and book recreation and sports facilities online, so as to circumvent the reservation quota for individual hirers. To prevent this, we only accept HKID Cards for LLP registration and no other documents (e.g. travel documents) can be used as identity proof for online registration with effect from 20 August 2012.

(b) Improving the arrangements for telephone reservation (paragraph 18 of the Executive Summary)

Under the previous arrangement, telephone reservation is only required to be confirmed by payment within 3 days from the day of the telephone call. It came to our notice that some people abused the arrangement by not paying for the reserved sessions and making repeated bookings after the expiry of the 3-day period. As a result, these sessions could not be made available to other users in a timely manner. To address this problem, we put in place some interim measures on 29 September 2011. Under the new arrangements, telephone reservation is also required to be made at least 3 days in advance and confirmed by payment at least 1 day before the day of use. And with effect from 14 August 2012, we have further improved the booking procedure by posting on the Leisure Link website the released sessions at 1 a.m. on the day following the cancellation of telephone reservation. These sessions are available for booking from 7:30 a.m. on the same day through telephone, the Internet, Leisure Link booking offices or self-service kiosks on a first-come-first-served basis. Since then, the number of cancellation cases has dropped from a daily average of 1 300 – 1 500 to 420 in mid-September 2012. We believe the measures have greatly helped in curbing touting activities. In the long run, we plan to introduce immediate payment for telephone reservation. The arrangement, which requires improvement to the computerised system and will be finalised in 2014/15, will further safeguard against the abuse of telephone reservation service.

(c) **Requiring staff to strictly follow the verification procedure to check the identity documents of all venue users (paragraph 28 of the Executive Summary)**

To prevent unauthorised transfer of booked facilities, the LCSD has stated clearly in the Conditions of Use that hirers are required to produce their identity documents for verification at the check-in counters. In response to the concerns raised by the public about possible abuse and touting activities, we have instructed all venue staff to strictly follow the verification procedure to check the identity documents of all hirers starting last year. They are reminded that only HKID Cards, passports and Hong Kong Re-entry Permits will be accepted as identity documents. For children who do not have a HKID Card, Birth Certificate or photo-bearing student card/handbook will be accepted (as the Identity Card for children under the age of 11 does not bear a photo of the holder). Hirers are required to produce, for verification, the identity documents used at the time of booking. Users who are not the registered hirers will not be allowed to sign in. The above measure has proved to be effective in preventing abuse and curbing the transfer of user permits or touting activities.

(d) **Upgrading the Leisure Link System (LLS) (paragraph 44 of the Executive Summary)**

The LLS, which has been used for many years, is approaching its full capacity. To ease the network congestion during the morning peak hours, the LCSD has completed the first phase of the LLS upgrade project in March this year. Since the upgrade, the loading of the central processing unit of the system has dropped from about 90% to below 40% on average at 7 a.m. during the peak hours, indicating a significant improvement. The average number of online transactions processed during the period has increased by 56% from 360 to 560, while the waiting time at booking counters has been reduced by 36% from 14 minutes to 9 minutes on average. Upon the completion of the second phase of the LLS upgrade project in mid-2013, the speed of processing online bookings will be further enhanced.

(B) **Measures to be Implemented in the Coming Two Years**

8. Regarding the other recommendations made in the Ombudsman's report, some of them involve major changes to the current booking procedures and will affect existing users of sports facilities. Given that the changes require modification of the LLS and in-depth consideration, we will conduct a review and consult the stakeholders (including District Councils) before we can draw up a detailed implementation plan. The **major improvement measures** are as follows:

(a) **Shortening the 30-day advance booking period for individuals (paragraph 10 of the Executive Summary)**

At present, individual hirers may book recreation and sports facilities 30 days in advance. It is understood that while some hirers may find it difficult to ascertain whether they can take up the hired session 30 days beforehand, they have to make early bookings in order to secure the availability of the facilities. The 30-day advance booking period, however, has given sufficient time for touts to find "buyers".

Early this year, the LCSD conducted a questionnaire survey at sports centres with relatively higher usage rates to gauge public views on the booking of fee-charging facilities by individual hirers. A total of 1 430 valid questionnaires were received. About 60% of the respondents agreed to shorten the advance booking period, among which 70% were of the view that the booking period should be shortened from 30 days to 7 or 10 days.

Taking into account the above information, our initial view is that it is preferable to shorten the advance booking period for individual hirers from 30 days to 10 days. On the one hand, the time for touts to sell or transfer their booked sessions will be greatly shortened. On the other hand, it will be easier for hirers to ascertain whether they can take up the hired facilities, thus reducing the chance of failing to show up for their reserved session.

(b) **Reviewing the arrangement of granting free use of facilities to "stand-by" users (paragraph 32 of the Executive Summary)**

We have collected the following information for the review of the "stand-by" arrangement:

- (i) The “stand-by” mechanism is intended to enable the public to fully utilise the facilities and minimise wastage of resources. Under the arrangement, “stand-by” users may use for free the facility that is not taken up by the original hirer 10 minutes after the starting time of a session, provided that there is no other facility available for booking at that time. They are required to surrender the facility upon the arrival of the original hirer. However, it has recently come to our notice that the arrangement could be abused by touts who would book the facilities and transfer the user permits to another person. In such cases, the buyer would be told to wait at the venue and take up the booked session as a “stand-by” user 10 minutes after the starting time. The problem was particularly acute for football pitches.
- (ii) According to our records, the “no show” rates for the natural and artificial turf football pitches booked by individual hirers for July to September 2011 were 31% and 37% respectively, and of these “no show” sessions, 85% and 87% were taken up by “stand-by” users. The number of sessions taken up by “stand-by” users accounted for 27% and 33% of the overall sessions of the natural and artificial turf pitches respectively. As football is a team sport and most venues have only one football pitch, it is uncommon that a group of players would wait at a pitch as “stand-by” users. Nevertheless, available information shows that the number of sessions taken up by “stand-by” users accounts for approximately one-third of the overall booked sessions. The situation is unusual and gives rise to the suspicion that touting activities may be involved and the “stand-by” arrangement may be abused.
- (iii) Moreover, our records show that the “no show” cases for 59 arenas and 24 venues with tennis courts that had relatively higher usage rates for July to September 2011 accounted for 8% and 17% of the sessions booked by individual hirers respectively. Of these “no show” sessions, 84% and 60% were taken up by “stand-by” users respectively. The number of sessions taken up by “stand-by” users accounted for approximately 6% and 10% of the overall booked sessions. As revealed by the data on the use of venues, the percentages of “no show” and “stand-by” cases for these facilities are relatively lower than those for natural/artificial turf football pitches. Given that the facilities can be taken up by just two users and there are usually more than one court in a sports centre, it is not unlikely that many hirers would take up the facilities on the spot as “stand-by” users. As such, the abuse of “stand-by” arrangement is less obvious when compared to the case of

football pitches.

Regarding the recommendation of the Ombudsman to charge the “stand-by” users, our views are as follows:

- (i) **Charging the “stand-by” users and offering a refund to the original hirers** — The arrangement will not help in reducing touting activities. A tout will transfer the user permit to a “buyer” by charging a service fee. The “buyer” would take up the booked session as a “stand-by” user and pay the hiring charges on the spot. Subsequently, the tout would show up and apply for a refund, without suffering any loss. In a separate case, if the original hirer arrives late for 10 minutes and finds that the booked session has been taken up by a “stand-by” user, there might be argument or dispute among the original hirer, the “stand-by” user and the venue staff. The refund arrangement will also significantly increase the LCSD’s administrative work.
- (ii) **Charging the “stand-by” users without offering a refund to the original hirers** - The original hirers will consider that the arrangement seriously prejudices their right to use the venues. They may have arrived late for some unexpected reasons such as traffic congestion, and will be deeply dissatisfied if they are not allowed to use the venues for being late for just 10 minutes. Furthermore, the proposed arrangement is unprecedented in the management of public facilities in Hong Kong.
- (iii) Most of the hirers may enjoy sports activities with their family or friends by booking two consecutive sessions, such as booking a badminton court for two hours. If an original hirer is not allowed to use the first booked sessions for being late for 10 odd minutes and the session is taken up by other users, the original hirer and his/her companions will have to wait for about 50 minutes before they can use the second booked session. In such cases, the recommendation will cause difficulties in implementation and will not be acceptable to the public.
- (iv) At present, many football pitches are not provided with shroff counters. The recommendation requires the provision of additional manpower and ancillary facilities at the venues to receive on the spot payment from “stand-by” users. The proposed arrangement is not cost-effective.

The fact that about one-third of the total number of booked sessions for football pitches are taken up by “stand-by” users indicates an unusual situation and gives rise to the suspicion that touting activities may be involved and the “stand-by” arrangement may be abused. It is indeed dubious that more than ten players would gather outside a pitch to wait as “stand-by” users. Abolishing the “stand-by” arrangement for football pitches will substantially reduce the abuse. Therefore, the LCSD **suggests that the “stand-by” arrangement for football pitches should be cancelled on a trial basis.** The LCSD will assess the effectiveness of the measure after its trial implementation and then consider whether the measure should be further extended to other facilities.

(c) **To impose penalties on individual hirers who fail to show up for their booked sessions or commit other irregularities (paragraphs 32, 35 and 36 of the Executive Summary)**

To reduce the abuse of the “stand-by” mechanism or minimise wastage caused by hirers who neither take up their booked sessions nor notify the department in advance to facilitate the release of the sessions for booking by other users, and to increase the penalties for other booking irregularities, it is proposed that the offenders should be suspended from booking leisure facilities in the following circumstances:

- (i) Hirers repeatedly fail to take up their booked sessions and make prior cancellation for a period of time

Our initial proposal is that the hirer who, on two occasions in 30 days, fails to take up the booked session or notify the department of the cancellation of booking at least one day in advance will be suspended from booking land-based fee-charging facilities for 90 days.

To facilitate hirers’ cancellation of their bookings before the day of use, the department will simplify the cancellation procedure for individual hirers in 2013/14 (please refer to Item (d)(15) of Annex 2).

- (ii) Hirers are engaged in unauthorised transfer of user permits

Since unauthorised transfer of user permits involves touting activities,

we propose to increase the administrative penalties imposed on hirers who are found to be engaged in unauthorised transfer of user permits. These hirers should be immediately suspended from booking leisure facilities for 180 days.

(iii) Hirers abuse the concessionary rates in making bookings

It is proposed that hirers who are found to have abused the concessionary rates in making bookings should be immediately suspended from booking leisure facilities for 90 days.

9. Other improvement measures recommended by the Ombudsman are summarised below:

(a) Curbing touting activities

- (i) reducing the maximum booking hours for fee-charging facilities for individual hirers;
- (ii) accepting only HKID Card for bookings by individual hirers;
- (iii) accepting immediate payment for telephone reservations;
- (iv) reviewing the booking arrangements for organisations registered as limited companies;
- (v) reviewing the reallocation arrangements in case of bad weather;

(b) Improving the booking arrangements for individuals

- (i) reviewing the booking quota for organisations (including the Home Affairs Bureau/the LCSD) during peak hours;
- (ii) providing a computerised system for the booking of non-fee charging recreation and sports facilities;
- (iii) making the sign-in arrangement more flexible for individual hirers;

(c) Improving the booking arrangements for organisations

- (i) reviewing the notice period for cancellation of bookings by organisations;

(d) Enhancing the use of venues

- (i) simplifying the cancellation procedure for individual hirers;
- (ii) reviewing the penalties for organisations failing to take up the booked sessions; and
- (iii) adjusting the opening hours of venues.

Our initial responses to the improvement measures proposed by the Ombudsman are set out in **Annex 2**.

10. As stated above, some of the improvement measures will affect the existing booking arrangements. The LCSD will consult the public and the relevant organisations before considering the implementation of these measures. The consultation will include submitting papers to the 18 District Councils and the Community Sports Committee of the Sports Commission, sending letters to the NSAs to invite their comments, conducting a questionnaire survey in major recreation and sports facilities such as sports centres, tennis courts and turf football pitches managed by the LCSD from December 2012 to February 2013, and uploading a consultation paper onto the department's website to gauge public views on the improvement measures. After collecting, analysing and balancing the views from various sectors, we will revise the booking and allocation procedures and accordingly modify the LLS to facilitate the implementation of the improvement measures.

Advice Sought

11. Members are invited to note this paper and comment on the improvement measures recommended by the Ombudsman and the follow-up actions proposed by the LCSD as set out in paragraphs 8 to 9.

Leisure and Cultural Services Department
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