

# **RETROFITTING OF BARRIER-FREE ACCESS FACILITIES FOR GRADE-SEPARATED WALKWAYS**

## **Executive Summary**

1. Under the Disability Discrimination Ordinance (Cap. 487) effective from 1996, it is unlawful for a person to discriminate against another person with a disability (PWD) by refusing to allow that other person access to, or the use of, any premises or facilities that the public is entitled, except where any alteration to the premises to provide such access or provision of such facilities would impose unjustifiable hardship on the provider of such access or facilities. According to the Highways Department (HyD), footbridges, elevated walkways and subways (hereinafter referred to as grade-separated walkways — GS walkways) are facilities governed under the Ordinance.

2. In September 2000, the then Transport Bureau (now the Transport and Housing Bureau — THB) stipulated in a circular that access for the PWDs had to be provided for all GS walkways either by the provision of ramps or lifts. In December 2001, the then Transport Bureau informed the Legislative Council (LegCo) that the Government would retrofit ramps or lifts for existing public footbridges according to an order of priorities (hereinafter referred to as the 2001 Retrofitting Initiative). As of December 2010, of the 1,540 GS walkways under its purview, the HyD had taken actions from 2001 to 2010 on investigation and retrofitting works for 94 walkways. In April 2011, the Labour and Welfare Bureau (LWB) informed LegCo that a total of 295 GS walkways in the territory were not provided with lifts, ramps or alternative at-grade crossings (hereinafter referred to as barrier-free access facilities). In June 2011, the THB informed LegCo that retrofitting works for barrier-free access facilities for GS walkways would be completed by 2017-18. In the same year, the HyD commenced a programme for carrying out investigation and retrofitting works for the remaining 201 (295 less 94) walkways not being provided with barrier-free access facilities (hereinafter referred to as the 2011 Retrofitting Programme, which formed part of the 2001 Retrofitting Initiative).

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3. In August 2012, in order to bring further convenience to the elderly, PWDs and the general public in using public GS walkways, the Government promulgated a new policy on “universal accessibility”, stating that, as long as site conditions permitted, it would consider installing lifts for walkways even when standard ramps had already been installed (hereinafter referred to as the 2012 Expanded Programme). Subsequently, in response to the Government’s invitation, members of the public submitted proposals for 253 walkways for lift retrofitting works. In November 2012, the THB informed LegCo that each of the 18 District Councils (DCs) would be invited to select three walkways from the List of Public Proposed Walkways (PPW List) for priority lift retrofitting works, which were to be carried out by the Civil Engineering and Development Department (CEDD — known as the First Phase of the 2012 Expanded Programme).

4. According to the HyD, the design, investigation, construction and supervision cost of retrofitting one lift each at both ends of a GS walkway was about \$40 million (or \$20 million for each lift) and the estimated annual operation and maintenance cost of each lift was about \$310,000. The total estimated cost of implementing the 2001 Retrofitting Initiative and the 2012 Expanded Programme from 2012-13 to 2021-22 would be about \$8.6 billion. The Audit Commission (Audit) has recently conducted a review to examine the retrofitting of barrier-free access facilities for GS walkways through implementation of the 2001 Retrofitting Initiative and the 2012 Expanded Programme.

### Implementation of 2001 Retrofitting Initiative

5. *Understatement of walkways requiring retrofitting works.* In April 2011, the LWB informed LegCo that 295 GS walkways were not provided with barrier-free access facilities (see para. 2). However, according to the HyD’s records, in fact 328 GS walkways were not provided with barrier-free access facilities. Accordingly, the number of walkways not having been provided with barrier-free access facilities were understated by 33 (328 less 295) (para. 2.2).

6. *Slow progress in implementing 2011 Retrofitting Programme.* As of February 2016, twenty years had lapsed since the effective date of the Disability Discrimination Ordinance in 1996. In June 2011, the THB informed LegCo that the majority of the retrofitting works for barrier-free access facilities for GS walkways under the 2011 Retrofitting Programme were scheduled for completion by 2016-17 and the remaining walkways by 2017-18. Of the 328 walkways not having been

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provided with barrier-free access facilities (see para. 5), 184 (56%) were found to be feasible for retrofitting works and carried out under the 2001 Retrofitting Initiative. However, Audit examination revealed that, of the 184 GS walkways as of December 2015, retrofitting works for: (a) only 60 (33%) had been completed; (b) 94 (51%) were in progress; (c) 17 (9%) were under detailed design and public consultation; and (d) 13 (7%) had not commenced. Furthermore, as of December 2015, of the total approved funding of \$4.03 billion for the lift/ramp retrofitting works under the 2011 Retrofitting Programme, only \$1.15 billion (29%) had been spent (paras. 1.3, 1.13, 2.2, 2.3 and 2.6).

7. ***Significant time and cost overrun in implementing retrofitting works items.*** Of the 60 GS walkways for which lift retrofitting works had been completed as of December 2015, works for 34 (57%) walkways were completed from 2001 to 2010 and the remaining 26 (43%) walkways under the 2011 Retrofitting Programme. For the 34 walkways, Audit examination revealed that, in one case, the approved project estimate of implementing retrofitting works for two subways had increased by 16% to \$67 million, partly due to additional works for utility diversions. In another two cases, the actual completion dates of implementing retrofitting works had been delayed by 1,088 and 730 days respectively. The works delay of the latter case was mainly caused by works interfacing problems related to a water-pipe replacement project in the vicinity. For the remaining 26 walkways, Audit examination revealed that the actual works completion dates of 20 (77%) had been delayed by 14 to 422 days (on average 156 days), in some cases due to utility diversion problems found after awarding works contracts (paras. 2.4, 2.10 and 2.12).

8. ***Some retrofitting works originally found to be infeasible by the HyD but later found to be feasible by the CEDD.*** Subsequent to the effective date of the Disability Discrimination Ordinance in 1996, the Government commenced to carry out lift/ramp retrofitting works for GS walkways not being provided with barrier-free access facilities. From 2001 to 2013, the HyD's feasibility studies under the 2001 Retrofitting Initiative found that 95 walkways were not feasible for carrying out lift/ramp retrofitting works mainly due to site constraints or existence of underground utilities, including a footbridge in Sham Shui Po, and a footbridge and a subway in Wan Chai. However, the CEDD's feasibility studies under the 2012 Expanded Programme found that it was technically feasible to carry out retrofitting works for these three walkways by adopting alternative solutions. Audit also noted that the HyD had not issued guidelines on determining whether a walkway is feasible for carrying out lift/ramp retrofitting works (paras. 1.5, 2.19, 2.23, 2.25 and 2.26).

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9. ***Lack of directional signs on nearby barrier-free access facilities.*** In March 2009, the THB informed LegCo that, to facilitate PWDs who were unable to use footbridges not being provided with barrier-free access facilities, the Government would consider installing signs near the footbridges providing information on nearby at-grade crossing facilities having regard to the actual situation. However, Audit site visits to 15 GS walkways not being provided with barrier-free access facilities found that no directional sign was erected near all the 15 walkways to advise needy persons of nearby barrier-free access facilities (paras. 2.28 and 2.29).

### Implementation of 2012 Expanded Programme

10. As of December 2015, the 18 DCs had nominated a total of 53 walkways (49 nominated from the PPW List and 4 outside the List) for priority lift retrofitting works under the 2012 Expanded Programme (paras. 3.7 and 3.8).

11. ***Low pedestrian flow of some nominated walkways.*** While the 18 DCs were each invited to nominate three walkways from the PPW List, the number of walkways included in individual PPW List for nomination by DCs varied from 1 to 28. For example, whereas the PPW List provided to Tuen Mun and Sha Tin DCs respectively contained 28 and 21 walkways, the List provided to Central and Western, Sham Shui Po and Sai Kung DCs each contained four walkways, and to Islands DC only one walkway. In this connection, Sham Shui Po and Islands DCs together nominated three walkways outside the PPW List for lift retrofitting works. Audit noted that the peak-hour pedestrian flow of some nominated walkways was relatively low. For example, an elevated walkway nominated in Southern District and a footbridge in Sai Kung District only respectively recorded peak-hour pedestrian flow of 69 and 112 (paras. 3.7 and 3.10).

12. ***Some useful information not provided to DCs for facilitating informed decision.*** Audit noted that the HyD had only provided to DCs some useful information of 219 walkways proposed by the public but omitted to include information of 32 walkways in the PPW List. Audit also noted that, in providing DCs with information for nominating walkways for lift retrofitting works, the HyD only provided three DCs (Tuen Mun, Kwai Tsing and Kwun Tong DCs) with

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information on nearby facilities for the elderly and PWDs, and alternative at-grade crossings within 100 metres, but did not provide such information to the remaining 15 (18 less 3) DCs. Furthermore, Audit examination revealed that the CEDD provided significant pedestrian-flow statistics to Wong Tai Sin DC relating to a footbridge only after the DC's nomination of the footbridge for retrofitting works (paras. 3.16, 3.17 and 3.21).

### Management information system and way forward

13. ***Information system not capable of generating important information.*** The HyD established an Integrated Structures Information System (ISI System) in 2002 for maintaining information of ramps, lifts, staircases and other furniture of walkways under its maintenance. However, Audit noted that the ISI System could not generate management reports on the locations and availability of ramps or lifts of GS walkways under the HyD's purview (paras. 4.2 and 4.6).

14. ***Some GS walkways constructed after effective date of Disability Discrimination Ordinance not being provided with barrier-free access facilities.*** Audit examination of the information provided by the HyD revealed that 11 GS walkways constructed from 1999 to 2005 (after the effective date of the Disability Discrimination Ordinance of 1996) were not provided with barrier-free access facilities at the time of walkway construction (para. 4.10).

15. ***Significant increase in average unit cost of lift retrofitting works.*** Audit noted that the average construction cost of retrofitting a lift for a walkway had significantly increased from \$6.7 million between 2002 and 2011 by 124% to \$15.0 million in 2015 (para. 4.21).

16. ***Second Phase of the 2012 Expanded Programme.*** In the Policy Address of January 2016, the Government said that, from the fourth quarter of 2016, the Government would again invite DCs to further nominate not more than three existing GS walkways in each district for lift retrofitting works under the Second Phase of the 2012 Expanded Programme (para. 4.18).

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### Audit recommendations

17. Audit recommendations are made in the respective sections of this Audit Report. Only the key ones are highlighted in this Executive Summary. Audit has *recommended* that the Government should:

#### *Implementation of 2001 Retrofitting Initiative*

- (a) expedite actions to complete the outstanding retrofitting works under the 2011 Retrofitting Programme (para. 2.15(a));
- (b) for works requiring utility diversions in implementing a works project in future, endeavour to find solutions before letting related works contracts (para. 2.15(c));
- (c) in implementing a works project in future, take measures to avoid unnecessary contract variations after contract award (para. 2.15(d));
- (d) conduct reviews of completed GS walkway retrofitting works items involving significant cost overrun or works slippages with a view to drawing lessons for improvement (para. 2.15(f));
- (e) re-examine the justifications for not carrying out retrofitting works for walkways found under the 2001 Retrofitting Initiative to be infeasible for such works, and inform LegCo and the related DCs of the examination findings (para. 2.30(e));
- (f) issue guidelines on determining whether a public GS walkway is feasible for carrying out lift/ramp retrofitting works (para. 2.30(f));
- (g) erect directional signs providing information on nearby barrier-free access facilities near GS walkways not being provided with such facilities (para. 2.30(g));

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### ***Implementation of 2012 Expanded Programme***

- (h) **provide DCs with useful information for making informed decisions in nominating GS walkways for implementation of lift retrofitting works (para. 3.22);**

### ***Management information system and way forward***

- (i) **make enhancements to the ISI System for generating management reports on important information of GS walkways under the HyD's purview (para. 4.12(a));**
- (j) **conduct a review of GS walkways constructed after the effective date of the Disability Discrimination Ordinance in 1996 which were not provided with barrier-free access facilities to ascertain whether such facilities should have been provided at the time of walkway construction, and take necessary remedial measures (para. 4.12(c));**
- (k) **ascertain the reasons for the omission of 33 GS walkways in reporting to LegCo in April 2011 the number of walkways not having been provided with barrier-free access facilities (para. 4.12(d));**
- (l) **take into account observations in this Audit Report in implementing lift retrofitting works for GS walkways in future (para. 4.22); and**
- (m) **conduct a review to ascertain whether the implementation of a large quantity of lift retrofitting works within a few years has created pressure on the related trade and driven up the cost of works, and take necessary improvement measures (para. 4.23).**

## **Response from the Government**

- 18. The Government agrees with the audit recommendations.