

Test of Reasonableness Board (TORB)

As per the Equal Opportunities (Persons with Disability) Act I of 2000 Cap. 413 of the Laws of Malta

Our Ref: FebTORB_05

1st March 2019

Ms. Emma Jane Vella
Flat 25, Harmony Court
Triq il-Ħmistax t'Awissu
Mosta MST 2450

PA/10370/17 – San Pawl il-Baħar – To sanction: erection of a wall to act as a wave breaker, a toilet, installation of services ancillary to an existing licensed snack bar, placing of a demountable steel platform for tables, chairs and umbrellas, and use of adjacent boathouse as a store to ancillary to snack bar. To carry out various alterations so as to, raise boundary wall with adjacent property by 3 courses, remove part of existing staircase from promenade, enlarge existing toilet, raise existing level of jetty, form new opening to interconnect stores, and construct new staircase from promenade and underlying shower facilities. Placing of mobile pool bar.

On Friday 22nd February 2019 the Test of Reasonableness Board (TORB) discussed a request for exemption received on the above indicated permit. Perit Gilbert Debono and Mr. John Debono were present on behalf of the applicant.

Exemption was requested on the installation of a lift so as to provide access from the promenade down to the jetty due to harsh weather conditions.

CRPD objected on the following non-conforming elements:

- The entrances contains a flight of steps thus they are not accessible for all. An accessible entrance (Promenade to the below level) should be provided with the INTERNAL/EXTERNAL floor levels should be indicated since line/s could refer to a step/s (Promenade, Sunbeds Area, Dining Area & Internal). Any threshold/s should not exceed the maximum permissible floor level as per AADG 2011
- Wall signs at all main entrances (Promenade) should be provided and installed on façade to indicate the accessible entrance
- External paving materials should be indicated in conformity to AADG 2011 (Sunbeds Area & Dining Area)

- An accessible sanitary facility should be provided and marked on plan with its DOOR LEAF OPENING & DIMENSIONS as per AADG 2011
- The ramp DIMENSIONS/GRADIENT, MATERIAL & TOP/BOTTOM SPOT LEVELS should be indicated on plan in conformity to AADG 2011
- All doors WIDTH should conform to AADG 2011
- Bar counter should be done in accordance to AADG 2011 (More Details)

Taking all arguments in consideration, the TORB concluded that it is **REASONABLE** to exempt on the installation of an outside lift **ON CONDITION** that the relevant permits for a reserved parking bay for persons with disability at the bottom of the adjacent service road is obtained. All other issues indicated by CRPD's technical officer should be rectified and updated on plans.



Rita Vella
Chairperson
Test of Reasonableness Board