

Test of Reasonableness Board (TORB)

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

6th June 2019

Ref: MayTORB_06

Mr. Mark Grech
The Penthouse, Olive Gardens
Triq is-Srug
Xaghra XRA 1374

PA/03165/19 – Swieqi – To change of use from apartment to Clinic (Class 4A) and other alterations.

On Friday 31st May 2019 the Test of Reasonableness Board (TORB) discussed a request for exemption received on the above indicated permit. Perit Alexander Bigeni and Mr. Mark Grech were present on behalf of the applicant.

Exemption was requested from CRPD's requirements of a sheltered cover for the lift at entrance of clinic due to the structure of site and building regulations.

CRPD objected on the following non-conforming elements:

- Stair lifts will only be considered as an acceptable form of vertical circulation in an existing building following clear proof by a competent person (warranted perit) that other form of vertical access are not technically possible.
- In existing building and facilities the use of a stair lift as part of an accessible entrance route shall be considered only if it is located within the building fabric and / or adequately sheltered from the elements
- Inclined stair lift shall have a clear area of 1.5 x 1.5m wide at the top and the bottom landing
- The clear stairway width for means of escape shall be provided
- Spot level on the inside building should be provided

Taking all arguments in consideration, the TORB concluded that it is **NOT REASONABLE** to exempt on the sheltered area over the lift at the entrance unless the Planning Authority objects to the installation of a canopy.



Rita Vella
Chairperson
Test of Reasonableness Board