

## Test of Reasonableness Board (TORB)

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

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28th June 2019

Our Ref: JunTORB\_01

Mr. Benjamin Aquilina  
31, Chamonix  
Triq il-Għid  
Siggiewi SĠW 1153

PA/03973/18 – Żabbar – To sanction change of use from residential to guesthouse (Class 1 to Class 3A) including sanctioning of minor internal alterations.

On Friday 21st June 2019 the Test of Reasonableness Board (TORB) discussed a re-consideration for exemption received on the above indicated permit. Perit Iynne Grixti and Ms. Bernice Aquilina were present on behalf of the applicant.

The applicant proposed to convert the garage to an accessible room with personalised services for guest with disability since room will not be interconnected to the main areas of the guest house. A detailed proposal was presented to board and a request for exemption on points 1-5 and 7 from CRPD's objection report was requested.

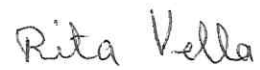
CRPD had objected on the following non-conforming elements:

- The entrance contains a flight of steps thus it is not accessible for all. An accessible entrance should be provided with the INTERNAL/EXTERNAL floor levels should be indicated since line/s could refer to a step/s (Pavement & All Internal/External). Any threshold/s should not exceed the maximum permissible floor level as per AADG 2011
- Some of the thresholds exceed the maximum permissible floor level
- The entrance door LEAF OPENING & DIMENSIONS should be indicated on plan in conformity to AADG 2011 (Double/Sliding doors should be done in accordance)
- An accessible sanitary facility should be provided and marked on plan with its DOOR LEAF OPENING & DIMENSIONS as per AADG 2011
- External paving materials should be indicated in conformity to AADG 2011 (Courtyard, Backyard etc.)
- All internal/external doors WIDTH should conform to AADG 2011
- An accessible sanitary facility should be provided and marked on plan with its DOOR LEAF OPENING & DIMENSIONS as per AADG 2011 (Ground Floor)
- An accessible guest room should be provided as per the 'Tourism for All Guidelines' & AADG 2011
- Swimming pool should be made accessible for all (Hoist in accordance to EU Standards)

Taking all arguments in consideration and the limitations of the site, the TORB concluded that it is reasonable to exempt the guest house from being fully accessible considering the alternate measures and

services being proposed for guests with disability. Plans should be updated with landings, dimensions and layouts and forwarded to CRPD technical officer for the best possible access considering the site limitations.

*\*Exempted elements are ticked in an X above.*

A handwritten signature in black ink that reads "Rita Vella". The letters are cursive and slightly slanted to the right.

Rita Vella  
Chairperson  
Test of Reasonableness Board