

## 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\_02

Dr. Michel Constantin  
100, Ta' Monita, Blk 5, Apt 541  
Triq il-Bajja  
Marsascala MSK 2418

PA/00810/19 – Marsascala – Change of use from existing ground floor maisonette to Class 4A – Dental Clinic including internal alterations.

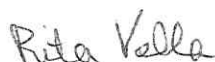
On Friday 21st June 2019 the Test of Reasonableness Board (TORB) discussed a request for exemption received on the above indicated permit. Perit Christian Buhagiar and Dr. Michel Constantin were present on behalf of applicant.

Exemption from CRPD's requirements marked in bold below as stated in Access Audit was requested due to the existing site dimensions of the property.

CRPD objected on the following non-conforming elements:

- The inclined platform lift is not acceptable for buildings constructed after 1st January 2000 as per 1.8.31 of the AADG 2011**
- The top/ bottom landings dimensions do not conform to AADG 2011 (inclined platform lift)**
- The clear stairway width for means of escape is not maintained between the carriage rail and the handrail opposite as per 1.8.39 of the AADG 2011**
- The inclined platform lift dimensions do not conform to AADG 2011**
- The inclined platform lift is not adequately sheltered from elements**
- The INTERNAL/ EXTERNAL floor levels should be indicated since line/s could refer to a step/s (Internal & Yard). Any threshold/s should not exceed the maximum permissible floor level as per AADG 2011
- The lobby dimensions do not conform to AADG 2011 (Clinic 2/ Sterilization Room)
- The threshold exceed the maximum permissible floor level (+2.05/ +2.08)
- The external paving materials should be indicated in conformity to AADG 2011 (Yards)
- The corridor width do not conform to AADG 2011 (Leading to the Accessible Sanitary Facility)**
- All internal/ external doors WIDTH should conform to AADG 2011 (Some are not)
- Clarification if the 'Staff bathroom' includes a shower/bath

The TORB concluded that it is **NOT REASONABLE** to exempt considering that the proposed use of the premises is that of a medical (dental) clinic.



Rita Vella  
Chairperson  
Test of Reasonableness Board