

Test of Reasonableness Board (TORB)

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

13th September 2019

Ref: AugTORB_04

Mr. Mark Fothergill
57, 58, 59
Triq San Pawl
Rabat RBT1244

PA/11302/18 – Rabat – Internal alterations to existing town house, to change of use from residential to guest house (class 3A). Including construction of lift and installation of fascia sign.

On Thursday 5th September 2019 the Test of Reasonableness Board (TORB) discussed a request for exemption received on the above indicated permit. Perit Adrian Mangion and Mr. Cedric Calleja were present on behalf of applicant.

Exemption was requested on access for all from Ground Floor to Basement and First floor levels due to space restrictions for a passenger lift to be installed. Exemption also requested on the Ground Floor Level from fully conforming to Accessibility Standards also due to the historic and space restrictions of the existing building.

CRPD objected on the following non-conforming elements:

- The entrance contains a step/s thus it is not accessible for all (The elevation, section and site photos do not correspond with the spot levels marked on plan)
- The INTERNAL/EXTERNAL floor levels should be indicated since line/s could refer to a step/s (All Internal/All Floors). Any threshold/s should not exceed the maximum permissible floor level as per AADG 2011
- The entrance double leaf door do not conform to AADG 2011 (One leaf should be 900mm)
- The entrance lobby dimensions do not conform to AADG 2011
- The 'Accessible guest room' should be clearly annotated
- The 'Accessible guest room' sanitary facility dimensions do not conform to AADG 2011
- All internal/external doors WIDTH should conform to AADG 2011 (Some are not)
- Corridor WIDTH do not conform to AADG 2011. Turning circles should be indicated in the change in direction (Ground Floor)
- An accessible sanitary facility should be provided and marked on plan with its DOOR LEAF OPENING & DIMENSIONS as per AADG 2011 (Basement)
- All floors above/below 'Ground Floor Level' are not accessible for all
- Refuge areas should be provided (All Floors Incl. Basement) and separated as per AADG 2011
- The architect is to clarify if the bathrooms at First floor level & Second floor level form part of the bedrooms/common bathrooms
- The passenger lift SHAFT/DOORS dimensions do not conform to AADG 2011
- Landings in front of the passenger lift do not conform to AADG 2011

The external paving materials should be indicated in conformity to AADG 2011 (Roof)

Taking all arguments in consideration, the TORB concluded that it is **REASONABLE** to exempt the above from fully conforming to AADG 2011 requirements on condition that an accessible for all entrance, common breakfast area and accessible guest room at Ground Floor Level are provided.

**Exempted elements are ticked in an 'X' above*



Rita Vella
Chairperson
Test of Reasonableness Board