

Test of Reasonableness Board (TORB)

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

19th September 2019

Ref: 12SepTORB_04

Mr. Nicholas Osthus
165A, Adelpia Flats, Flat 1
Manwel Dimech Street
Sliema SLM 1051

PA/01934/19 – Sliema - To obtain permit of Class 3C (Gymnasium/ Fitness Studio) of a pre 1967 premises holding a police licenses between 1956-2014.

On Thursday 12th September 2019 the Test of Reasonableness Board (TORB) discussed a request for exemption received on the above indicated subject. Perit Charlot Caruana was present on behalf of the applicant.

Exemption from accessibility requirements for the above permit application was requested due to the space restrictions of the existing property. Main and only entrance is stepped and through a small door having a clear height of only 1.3m. Ground floor/ mezzanine at 73cm below pavement level and with an area of circa 12.7sqm comprising of a shower area, changing room and sanitary facilities.

CRPD objected on the following non-conforming elements:

- The entrance contain a flight of steps thus it is not accessible for all
- The entrance door LEAF OPENING & DIMENSIONS should be indicated on plan in conformity to AADG 2011 (Double/Sliding doors should be done in accordance & correspond with the elevation)
- The INTERNAL/external floor levels should be indicated since line/s could refer to a step/s (Pavement & Internal/Both Floors). Any threshold/s should not exceed the maximum permissible floor level as per AADG 2011
- Basement level is stepped thus it is not accessible for all
- All internal/external doors WIDTH should conform to AADG 2011 (Some are not)
- An accessible sanitary facility should be provided and marked on plan with its DOOR LEAF OPENING & DIMENSIONS as per AADG2011
- An accessible CHANGING ROOM & SHOWER ROOM should be provided and marked on plan with its DOOR LEAF OPENING & DIMENSIONS as per AADG 2011
- Corridor WIDTH do not conform to AADG 2011 (Ground Floor)

Taking all arguments in consideration, the TORB concluded that it is **REASONABLE** to exempt Gymnasium from access for all requirements as long as total floor area remains as is.

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



Rita Vella
Chairperson
Test of Reasonableness Board