

Test of Reasonableness Board (TORB)

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

9th October 2019

Our Ref: SepTORB_09

Mr. Mark Gasan o.b.o Gasan Enterprises Limited
Gasam Centre
Mrieħel By Pass
Mrieħel BKR 3000

PA/01265/18 – Sliema – Change of use of current 33 apartments to offices Class 4a including minor alterations; alterations to piazza and underlying retail space Class 4B and overlaying retail spaces Classes 4C and 4B and food and beverage outlets Class 4d.

On Wednesday 2nd October 2019 the Test of Reasonableness Board (TORB) discussed a request for exemption received on the above indicated permit. Mr. Joseph Gasan, Mr. Mark Gasan, Perit Martin Xuereb and Ing. Ray Spiteri were present on behalf of the applicant.

Full permit application on the Piazzetta Seafront was approved in 2018 including the installation of vertical platform lifts at Ground, Intermediate and First Floor levels. An application for a minor amendment was submitted of which included the replacement of the vertical platform lifts with stair inclined platform lifts at the above mentioned levels. Clearance on the proposed stair inclined platform lifts was requested for a number of reasons.

CRPD objected on the following non-conforming elements:

Platform Lifts:

- The original application has platform lifts. These have now been replaced with stairlifts.
- Stairlift are not considered suitable in these circumstances and platform lifts need to be reinstated.
- Platform Lifts do not meet the AADG requirements
- Dimensions of Platform Lifts are not marked on the Plans

Reception Areas:

- Declaration which states that at least 1m length of the reception counter is not higher than 760mm has not been provided

Refuge Areas:

- Refuge Areas have not been provided
- Refuge Areas do not meet the AADG requirements

Taking all arguments in consideration, the TORB concluded that it is **REASONABLE** to exempt on the installation of a vertical platform lift **ON CONDITION** that the architect submits a declaration that the proposed vertical platform cannot be installed as it does not fit with the existent change in level at the proposed route in the Ground, Intermediate and First Floor Levels.*

*Decision is considered as Not Reasonable until the requested declaration is submitted.



Rita Vella
Chairperson
Test of Reasonableness Board