

Test of Reasonableness Board (TORB)

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

28th November 2019

Our Ref: NovTORB_05

Mr. Ivan Azzopardi
Sarex Ltd.
Stoneybrook
Triq iż-Żebbuġa
Iklin, Naxxar NXR1961

PA/11197/18 – Rabat – Correction of site from that approved on PA/1591/94, internal Alterations and Change of use from Class 4B Shop to Class 4D Restaurant.

On Friday 22nd November 2019 the Test of Reasonableness Board (TORB) discussed a request for exemption on the above indicated permit. Perit Jesmond Mugliett was present on behalf of the applicant.

Exemption was requested on CRPD's objections as the building is very old and major structural alterations would be required to demolish part of the building and build a lift shaft.

CRPD objected on the following non-conforming elements;

- With reference to proposed development and following latest fresh drawings provided, proposed first and second floor levels are not accessible for all.
- Entire premises needs to be rendered accessible for all.
- No accessible for all sanitary facilities have been provided at proposed second floor level.
- Accessible for all sanitary facilities should be clearly indicated on submitted plan drawings using the international symbol of access.
- No refuge areas have been provided in accordance to AADG2011.
- Accessible route within entire premises should conform to AADG2011.

Taking all arguments in consideration, the TORB concluded that it is **REASONABLE** to exempt* the upper floors from being accessible for all on condition that the Ground Floor Level is accessible for all, including with accessible sanitary facilities, and that the accessible seating are made as priority seating for persons with disability.

**Exempted elements are marked with an 'X' above.*



Rita Vella
Chairperson
Test of Reasonableness Board