

Test of Reasonableness Board (TORB)

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

4th March 2020

Our Ref: 20200228_TORB04

Mr. Daniel Grima
Anchor Lodge, 25
Qrib Sant' Anton
#Attard ATD 1110

PA/08801/19 – Marsa – Modification of existing office Class 4a at first floor, part demolition of existing dangerous slabs and construction of additional Class 4a offices at second, third, fourth and receded level as per LN74 of 2014.

On Friday 28th February 2020 the Test of Reasonableness Board (TORB) discussed a request for exemption received on the above indicated permit application. Mr. Daniel Grima and Perit David Muscat Parker were present on behalf of the applicant.

CRPD objected on the following non-conforming elements:

- Spot levels should be provided where lines could refer as a step (main door/ terrace/ balconies/ yard/ etc.).
Maximum threshold is 15mm height
- The lift shaft do not conform as per AADG2011. Lift cabin and door should be provided as per AADG2011.
- All lift landings do not conform as per AADG2011.
- The fifth floor level is not accessible to all (no lift).
- No accessible for all sanitary have been provided at fifth floor level.
- Refuge area should be allocated into fire compartment.

Exemption requested from the installation of a lift as according to AADG 2011 and from the lift landings due to restricted space at Ground Floor Level since the majority of the Ground Floor pertains to third party.

Case had already appeared for the TORB in January 2020 whereby the Board had noted that shaft accommodates a Type 1 lift, which although would not conform to Accessibility Regulations in the building in question, is the smallest lift accepted by Accessibility Standards. Applicant had therefore been advised to consider the installation of a Type 1 lift.

Following the last Board, the applicants contacted several suppliers and provided TORB with a copy of their replies. All replies were that a Type 1 lift cannot be accommodated in the lift shaft dimensions and directed instead the dimensions of the lifts which may be accommodated. Lift landings were also revised to hold a better turning circle.

Taking all arguments in consideration, the TORB concluded that it is **REASONABLE** to exempt* the lift shaft, cabin and landing dimensions in view of the restricted space of the existing building. A passenger lift with the closest dimensions to a Type 1 lift should be implemented instead. The Fifth Floor is also exempted from AADG requirements in view that the other floors are accessible. Should there be however a change in footprint or in levels, exemption should be reconsidered.

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



Ms. Rita Vella
Chairperson
Test of Reasonableness Board