



Comhairle Contae Chill Mhantáin
Wicklow County Council

Pleanáil, Forbairt Eacnamaíochta agus Tuaithe
Planning, Economic and Rural Development

Áras An Chontae / County Buildings
Cill Mhantáin / Wicklow
Guthán / Tel: (0404) 20148
Faics / Fax: (0404) 69462
Rphost / Email: plandev@wicklowcoco.i
Suíomh / Website: www.wicklow.ie

Aby McLaughlin

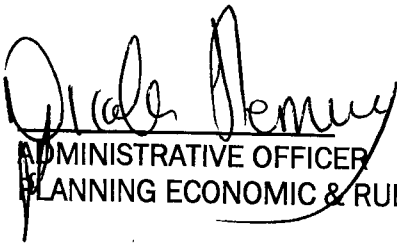
27th March 2024

RE: Declaration in accordance with Section 5 of the Planning & Development Acts 2000 (As Amended) – EX21/2024

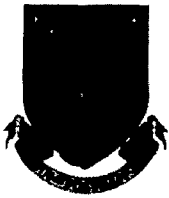
I enclose herewith Declaration in accordance with Article 5 (2) (A) of the Planning & Development Act 2000.

Where a Declaration is used under this Section any person issued with a Declaration under subsection (2) (a) may, on payment to An Bord Pleanála of such fee as may be prescribed, refer a declaration for review by the Board within four weeks of the date of the issuing of the declaration by the Local Authority.

Is mise, le meas,


ADMINISTRATIVE OFFICER
PLANNING ECONOMIC & RURAL DEVELOPMENT





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Dooley Poynton
25 Main Street
Market Square
Wicklow Town

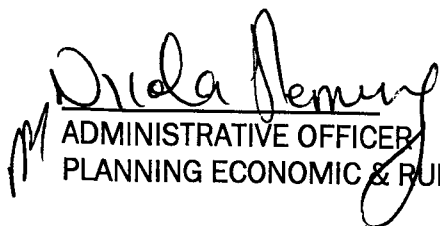
27th March 2024

RE: Declaration in accordance with Section 5 of the Planning & Development Acts 2000 (As Amended) – EX21/2024

I enclose herewith Declaration in accordance with Article 5 (2) (A) of the Planning & Development Act 2000.

Where a Declaration is used under this Section any person issued with a Declaration under subsection (2) (a) may, on payment to An Bord Pleanála of such fee as may be prescribed, refer a declaration for review by the Board within four weeks of the date of the issuing of the declaration by the Local Authority.

Is mise, le meas,


ADMINISTRATIVE OFFICER
PLANNING ECONOMIC & RURAL DEVELOPMENT





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DECLARATION IN ACCORDANCE WITH ARTICLE 5 (2) (A) OF THE PLANNING & DEVELOPMENT
ACT 2000 AS AMENDED

Applicant: Aby McLaughlin

Location: Unit C, The Mall, Wicklow Town

CHIEF EXECUTIVE ORDER NO. CE/PERD/386/2024

A question has arisen as to whether “change of use of premises from a barbershop to a dog grooming business” at Unit C, The Mall, Wicklow Town is or is not exempted development.

Having regard to:

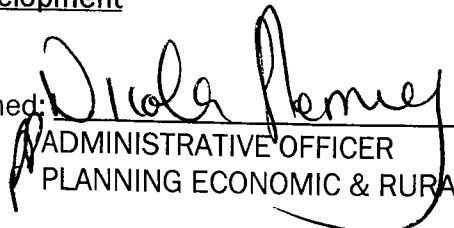
- The details submitted with the Section 5 Declaration Application.
- Wicklow Town Council PRR 87/1446.
- Article 5, 10 and Schedule 2: Part 1 and Part 4 of the Planning & Development Regulations 2001 (as amended).
- An Bord Pleanála Reference RL 2903

Main Reasons with respect to Section 5 Declaration:

- The ground floor of the Unit C. The Mall was permitted for use as a shop.
- The change of use from use as a shop/ barbershop to use for Dog Grooming is considered a material change as it would give rise to new planning consequences, in particular in relation to noise and effluent,
- There is not provision for such a change of use in the Planning and Development Act 2000 (as amended) or the Planning and Development Regulations 2001 (as amended).

The Planning Authority considers that “change of use of premises from a barbershop to a dog grooming business” at Unit C, The Mall, Wicklow Town” is development and is not exempted development

Signed:


ADMINISTRATIVE OFFICER
PLANNING ECONOMIC & RURAL DEVELOPMENT

Dated 27th March 2024



WICKLOW COUNTY COUNCIL
PLANNING & DEVELOPMENT ACTS 2000 (As Amended)
SECTION 5

CHIEF EXECUTIVE ORDER NO. CE/PERD/386/2024

Reference Number: EX21/2024

Name of Applicant: Aby McLaughlin

Nature of Application: Section 5 Referral as to whether or not "change of use of premises from a barbershop to a dog grooming business" is or is not development and is or is not exempted development.

Location of Subject Site: Unit C, The Mall, Wicklow Town

Report from Patrice Ryan, EP & Edel Bermingham, SEP

With respect to the query under section 5 of the Planning & Development Act 2000 as to whether "change of use of premises from a barbershop to a dog grooming business" at Unit C, The Mall, Wicklow Town is or is not exempted development within the meaning of the Planning & Development Acts 2000 (as amended).

Having regard to:

- (a) The details submitted with the Section 5 Declaration Application.
- (b) Wicklow Town Council PRR 87/1446.
- (c) Article 5, 10 and Schedule 2: Part 1 and Part 4 of the Planning & Development) Regulations 2001 (as amended).
- (d) An Bord Pleanala Reference RL 2903

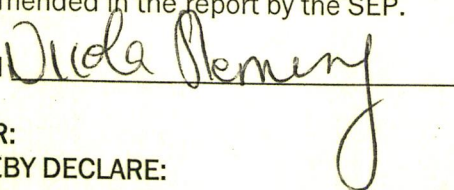
Main Reason with respect to Section 5 Declaration:

- The ground floor of the Unit C. The Mall was permitted for use as a shop.
- The change of use from use as a shop/ barbershop to use for Dog Grooming is considered a material change as it would give rise to new planning consequences, in particular in relation to noise and effluent,
- There is not provision for such a change of use in the Planning and Development Act 2000 (as amended) or the Planning and Development Regulations 2001 (as amended).

Recommendation:

The Planning Authority considers that "change of use of premises from a barbershop to a dog grooming business" at Unit C, The Mall, Wicklow Town is development and is not exempted development as recommended in the report by the SEP.

Signed



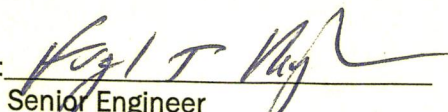
Dated 27th day of March 2024

ORDER:

I HEREBY DECLARE:

That "change of use of premises from a barbershop to a dog grooming business" at Unit C, The Mall, Wicklow Town is development and is not exempted development within the meaning of the Planning & Development Act 2000 (as amended).

Signed:



Senior Engineer
Planning, Economic & Rural Development

Dated 27th day of March 2024

Exemption Report EX 21/2024.

Date: 25th March 2024.

Applicant: Aby McLaughlin.

Address: Unit C, The Mall, Wicklow Town

Exemption Whether or not :

Change of use of the premise from a Barbershop to a Dog Grooming Business constitutes exempted development within the meaning of the Planning and Development Acts, 2000(as amended).

NOTE: No reference made to dog kennelling/boarding in this application.

Planning History;

WTC 87/621446: Planning permission GRANTED to Michael Fitzpatrick for extension to Doyle's Shop.

Relevant Legislation:

Planning and Development Act 2000 (as amended)

Section 2 : (1) In this Act, except where the context otherwise requires—

“structure” means any building, structure, excavation, or other thing constructed or made on, in or under any land, or any part of a structure so defined, and—

(a) where the context so admits, includes the land on, in or under which the structure is situate,

“works” includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal and, in relation to a protected structure or proposed protected structure, includes any act or operation involving the application or removal of plaster, paint, wallpaper, tiles or other material to or from the surfaces of the interior or exterior of a structure.

Section 3:

3.—(1) In this Act, “development” means, except where the context otherwise requires, the carrying out of any works on, in, over or under land or the making of any material change in the use of any structures or other land.

Section 4(2) provides that the Minister may by regulations provide any class of development to be exempted development. The Regulations which are applicable in this case are the Planning and Development Regulations 2001 (as amended).

Section 4

(1): The following shall be exempted developments for the purposes of this Act—

(h) development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures;

(3); A reference in this Act to exempted development shall be construed as a reference to development which is—

(a) any of the developments specified in *subsection (1)*, or

(b) development which, having regard to any regulations under *subsection (2)*, is exempted development for the purposes of this Act.

Planning and Development Regulations 2001(as amended)

Part 2, Exempted Development -Article 5

'shop' means a structure used for any or all of the following purposes, where the sale, display or service is principally to visiting members of the public –

- (a) for the retail sale of goods,
- (b) as a post office,
- (c) for the sale of tickets or as a travel agency
- (d) for the sale of sandwiches or other food or of wine for consumption off the premises, where the sale of such food or wine is subsidiary to the main retail use, and "wine" is defined as any intoxicating liquor which may be sold under a wine retailer's off-licence (within the meaning of the Finance (1909-1910) Act, 1910),
- (e) for hairdressing,
- (f) for the display of goods for sale,
- (g) for the hiring out of domestic or personal goods or articles,
- (h) as a launderette or dry cleaners,
- (i) for the reception of goods to be washed, cleaned or repaired, but does not include any use associated with the provision of funeral services or as a funeral home, or as a hotel, a restaurant or a public house, or for the sale of hot food or intoxicating liquor for consumption off the premises except under paragraph (d), or any use to which class 2 or 3 of Part 4 of Schedule 2 applies;

Article 10 -Changes of Use

10. (1) Development which consists of a change of use within any one of the classes of use specified in Part 4 of Schedule 2, shall be exempted development for the purposes of the Act, provided that the development, if carried out would not—

- (a) involve the carrying out of any works other than works which are exempted development,
- (b) contravene a condition attached to a permission under the Act,
- (c) be inconsistent with any use specified or included in such a permission, or
- (d) be a development where the existing use is an unauthorised use, save where such change of use consists of the resumption of a use which is not unauthorised and which has not been abandoned.

Schedule 2: Part 4 Exempted Development –Classes of Use

CLASS 1

Use as a shop.

CLASS 2

Use for the provision of

- (a) financial services,
- (b) professional services (other than health or medical services),
- (c) any other services (including use as a betting office), where the services are provided principally to visiting members of the public.

Assessment:

The query relates to whether the change of use to use of a Barbershop to a Dog Grooming Business constitutes exempted development within the meaning of the Planning and Development Acts, 2000(as amended). I note that the description of the development refers to dog grooming services only and not reference is made to dog kennelling/boarding.

The first instance the question to be asked is would the use as a dog grooming business result in a change of use, and would that change of use be material.

From a review of the planning history with respect to the development, it is evident that permission was granted on the site for a shop unit. The information submitted indicates that this ground floor unit has a floor area of c40.6sq.m and has an open plan space and staff toilets. From examining google maps streetview it is noted that the unit was in use as a Barbershop/Hairdressers until circa 2014 and was then used as a clothes shop for a short spell in circa 2019 . It appears to have remained vacant since however the shop front has been left intact and the unit has been advertised for rent as a commercial unit. It is therefore considered that the use of the units as a shop has not been abandoned even though the unit has been vacant. The applicant is seeking to open a dog grooming business in the unit.

The existing use is as a shop as a hairdressers /barbershop as defined under **Part 2, Exempted Development -Article 5 definition of a 'shop'**.

Having regard to Schedule 2: Part 4 Exempted –Classes of Use, the current use of the premises as a Barbershop/Hairdressers falls under Class 1 use as a shop.

It is considered that the proposed use of the premises as a dog grooming business falls under Class 2 Use for the provision of

- a) financial services,
- b) professional services (other than health or medical services),
- c) any other services (including use as a betting office), where the services are provided principally to visiting members of the public.

In this regard I refer to Article 10 - Changes of Use which states that:

10. (1) Development which consists of a change of use within any one of the classes of use specified in Part 4 of Schedule 2, shall be exempted development for the purposes of the Act, provided that the development, if carried out would not—

- (a) involve the carrying out of any works other than works which are exempted development,
- (b) contravene a condition attached to a permission under the Act,
- (c) be inconsistent with any use specified or included in such a permission, or
- (d) be a development where the existing use is an unauthorised use, save where such change of use consists of the resumption of a use which is not unauthorised and which has not been abandoned.

In this regard the change of use of the unit from Class 1 Shop (barbershop/hairdressers) to Class 2 (c) any other services (including use as a betting office), where the services are provided principally to visiting members of the public (dog grooming service) will not be materially different as the proposal

- a) Does not require any material changes to the shop unit internally or externally;
- b) Dose not contravene a condition attached to a permission under the Act;
- c) Would not be inconsistent with any use specified or including in such a permission (In this regard the proposed use will not give rise to differing pedestrian and vehicular traffic to the permitted use of the premises as a shop/Hairdressers/barbershop). ; or
- d) Would be a development where the existing use is unauthorised.

The change of use is, therefore, “development” within the meaning of section 3 of the Planning and Development Act, 2000,(as amended) and is considered to be ‘exempt development’ having regard to the Use Classes as listed under **Schedule 2: Part 4 Exempted Development – Classes of Use of the Planning and Development Regulations.**

In light of the above it is considered that the proposed change of use is development and is exempted development.

Recommendation:

~~With respect to the query under Section 5 of the Planning and Development Act 2000(as amended), as to whether the change of use of the premise from a Barbershop to a Dog Grooming Business constitutes exempted development within the meaning of the Planning and Development Acts, 2000(as amended).~~

~~The Planning Authority considers that the proposal is **development** and is **exempted development**.~~

~~Main Considerations with respect to Section 5 Declaration:~~

- ~~a) The details submitted with the Section 5 Declaration Application.~~
- ~~b) Wicklow Town Council PRR **87/621446**.~~
- ~~c) Article 5, 10 and Schedule 2: Part 1 and Part 4 of the Planning & Development) Regulations 2001 (as amended).~~

~~Main Reasons with respect to Section 5 Declaration:~~

- ~~• The ground floor of the Unit C. The Mall was permitted for use as a shop.~~
- ~~• The change of use from Class 1 use as a shop/Hairdressers/Barbershop to Class 2 (c) dog groomers/ any other services, where the services are provided principally to visiting members of the public would not be a material change of use, having regard to the provisions of Section 3 of the Planning & Development Act 2000 (as amended).~~
- ~~• No material changes are proposed to the shop unit either externally or internally.~~

~~I recommend that the applicant be informed accordingly.~~



Patrice Ryan
Executive Planner
25/03/2024

25/3/2024

The report of the Ex Planner is noted and the recommendation therein. The query is whether the change of use from shop to Dog Grooming Business is exempted development.

The first question is whether a material change of use has occurred. The test with respect to such matters is the effects of such a change i.e. will there be a change in the character of the use, will there be increases in noise, traffic, odours. The use as a dog grooming business will it is considered be different in character to a barbers / shop, it will give rise to noise impacts over and above that normally associated with a shop, and there will be associated animal effluent. It is noted that under RL 2903 the Board considered that the change of use from medical to small veterinary medicine was a material change of use in particularly given the noise impacts that would arise. It is considered the same conclusion can be applied in this instance from barbershop to dog grooming. It is therefore concluded that dog grooming is a material change of use, and therefore development having regard to Section 3 of the Planning and Development Act 2000 (as amended).

The Ex Planner considers that the change of use can be considered under Article 10, however the change of use can only be considered **within** the class and not between. Furthermore I do not consider the use for dog grooming comes within Class 2, given the nature of the use for animals which is more analogous with a veterinary surgery.

As there is no exemption within the Regulations for such a change of use the change of use is not exempt development.

Recommendation :

With respect to the query under Section 5 of the Planning and Development Act 2000(as amended), as to whether the change of use of the premise from a Barbershop to a Dog Grooming Business constitutes exempted development within the meaning of the Planning and Development Acts, 2000(as amended).

The Planning Authority considers that the proposal is **development** and is **NOT exempted development**.

Main Considerations with respect to Section 5 Declaration:

- (a) The details submitted with the Section 5 Declaration Application.
- (b) Wicklow Town Council PRR **87/1446**.
- (c) Article 5, 10 ~~and~~ Schedule 2: Part 1 and Part 4 of the Planning & Development) Regulations 2001 (as amended).
- (d) An Bord Pleanala Reference RL 2903

Main Reasons with respect to Section 5 Declaration:

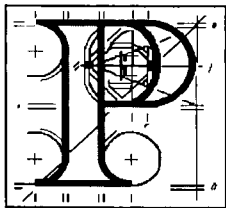
- 1) The ground floor of the Unit C. The Mall was permitted for use as a shop.
- 2) The change of use from use as a shop/ barbershop to use for Dog Grooming is considered a material change as it would give rise to new planning consequences, in particular in relation to noise and effluent,
- 3) There is ~~no~~ provision for such a change of use in the Planning and Development Act 2000 (as amended) or the Planning and Development Regulations 2001 (as amended).

Seán Cunningham SE

25/3/2024

*Issue declaration as notified
Paul T. High SE
27/03/24*

An Bord Pleanála



Board Direction

Ref: 28. RL 2903

The submissions on this file and the Inspector's report were considered at a Board meeting held on 14th November, 2011.

The Board generally approved of the terms of the draft order.

The Board decided that a change of use from medical to small animal veterinary medicine and surgery at Endsleigh Lodge, Douglas Road, Cork is development and is not exempted development

Note: In disagreeing with the Inspector, the Board considered that the medical treatment of animals has material planning consequences which are different from those of a medical practice, particularly in regard to noise and a material change of use would occur that requires planning permission.

Please issue a copy of this direction with the order.

DRAFT ORDER

WHEREAS a question has arisen as to whether a change of use from medical to small animal veterinary medicine and surgery at Endsleigh Lodge, Douglas Road, Cork is or is not development or is or is not exempted development:

AND WHEREAS the said question was referred to An Bord Pleanála by Cork City Council on the 12th day of July, 2011:

AND WHEREAS An Bord Pleanála, in considering this referral, had regard particularly to -

- (a) sections 2, 3 and 4 of the Planning and Development Act, 2000,
- (b) article 10 of the Planning and Development Regulations, 2001-2011,
- (c) Class 8 of Part 4 of Schedule 2 to the Planning and Development Regulations 2001,
- (d) the nature of the uses, and

- (e) the general character of the area

AND WHEREAS An Bord Pleanála has concluded that -

- (a) a veterinary practice dealing with the medical treatment of animals is a change of use from the medical practice that currently occupies the premises,
- (b) this change of use is considered material as there are new planning consequences arise from the veterinary practice, in particular relation to noise, and
- (c) there is no provision for exemption for such a change of use in the Planning and Development Acts, 2000-2011, or the Planning and Development Regulations, 2001-2011.

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 5 (4) of the 2000 Act, hereby decides that a change of use from medical to small animal veterinary medicine and surgery at Endsleigh Lodge, Douglas Road, Cork is a material change of use that is development and is not exempted development.

Board Member: _____
Mary Mac Mahon

Date: 14th November, 2011

MEMORANDUM

WICKLOW COUNTY COUNCIL

**TO: Patrice Ryan
Executive Planner**

**FROM: Nicola Fleming
Staff Officer**

**RE:- Application for Certificate of Exemption under Section 5 of the
Planning and Development Acts 2000 (as amended).
EX21/2024**

I enclose herewith application for Section 5 Declaration received 5th March 2024

The due date on this declaration is 2nd April 2024.



**Staff Officer
Planning Development & Environment**



Comhairle Contae Chill Mhantáin
Wicklow County Council

Pleanáil, Forbairt Eacnamaíochta agus Tuaithe
Planning, Economic and Rural Development

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Suíomh / Website: www.wicklow.ie

12th March 2024

Aby McLaughlin

RE: Application for Certificate of Exemption under Section 5 of the Planning and Development Acts 2000 (as amended). – EX21/2024 – Unit C, The Mall, Wicklow Town

A Chara

I wish to acknowledge receipt on 05/03/2024 details supplied by you in respect of the above Section 5 application. A decision is due in respect of this application by 02/04/2024.

Mise, le meas

NICOLA FLEMING
STAFF OFFICER
PLANNING ECONOMIC & RURAL DEVELOPMENT



Wicklow County Council
County Buildings
Wicklow
0404-20100

05/03/2024 09 26 26

Receipt No L1/0/326190
***** REPRINT *****

ABY MC LOUGHLIN

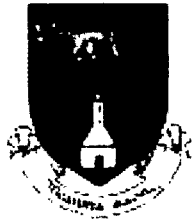
EXEMPTION CERTIFICATES	80 00
GOODS	80 00
VAT Exempt/Non-vatable	

Total 80 00 EUR

Tendered
Credit Card 80 00

Change 0 00

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Co Wicklow
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Office Use Only

Date Received _____

Fee Received _____

**APPLICATION FORM FOR A
DECLARATION IN ACCORDANCE WITH SECTION 5 OF THE PLANNING &
DEVELOPMENT ACTS 2000(AS AMENDED) AS TO WHAT IS OR IS NOT
DEVELOPMENT OR IS OR IS NOT EXEMPTED DEVELOPMENT**

1. Applicant Details

(a) Name of applicant: ABY McLAUGHLIN

Address of applicant: _____

Note Phone number and email to be filled in on separate page.

2. Agents Details (Where Applicable)

(b) Name of Agent (where applicable) DOOLEY POYNTON

Address of Agent : 25 MAIN STREET MARKET SQUARE, WICKLOW TOWN

WICKLOW COUNTY COUNCIL
05 MAR 2024
PLANNING DEPT.

WICKLOW COUNTY COUNCIL
05 MAR 2024
PLANNING DEPT.

WICKLOW COUNTY COUNCIL
WICKLOW COUNTY COUNCIL
05 MAR 2024
PLANNING DEPT.
PLANNING DEPT.

3. Declaration Details

i. Location of Development subject of Declaration

UNIT C THE MALL WICKLOW TOWN

ii. Are you the owner and/or occupier of these lands at the location under i. above ? Yes/
No.

NO

iii. If 'No' to ii above, please supply the Name and Address of the Owner, and or
occupier MICHAEL FITZPATRICK

% DOOLEY POYNTON, AUCTIONEERS 25 MAIN STREET MARKET SQUARE
A67 RK52

iv. Section 5 of the Planning and Development Act provides that : If any question arises as to what, in any particular case, is or is not development and is or is not exempted development, within the meaning of this act, any person may, an payment of the prescribed fee, request in writing from the relevant planning authority a declaration on that question. You should therefore set out the query for which you seek the Section 5 Declaration

I seek to know if it is satisfactory to run a dog grooming business from this premises. It has most recently been used as a barbershop. I am of the belief that it has permission as a retail and service unit which my business is also, we do not plan any structural changes to the unit

Additional details may be submitted by way of separate submission.

v. Indication of the Sections of the Planning and Development Act or Planning Regulations you consider relevant to the Declaration

Permission of usage

Additional details may be submitted by way of separate submission.

vi. Does the Declaration relate to a Protected Structure or is it within the curtilage of a Protected Structure (or proposed protected structure) ?

No

vii. List of Plans, Drawings submitted with this Declaration Application

Original planning number in 1987 was 87621446

viii. Fee of € 80 Attached ?

Signed : Dated : *Aby McLaughlin, 29.02.2024*

Additional Notes :

As a guide the minimum information requirements for the most common types of referrals under Section 5 are listed below :

A. Extension to dwelling - Class 1 Part 1 of Schedule 2

- Site Location Map
- Floor area of structure in question - whether proposed or existing. •
Floor area of all relevant structures e.g. previous extensions.
- Floor plans and elevations of relevant structures.
- Site Layout Plan showing distance to boundaries, rear garden area, adjoining dwellings/structures etc.

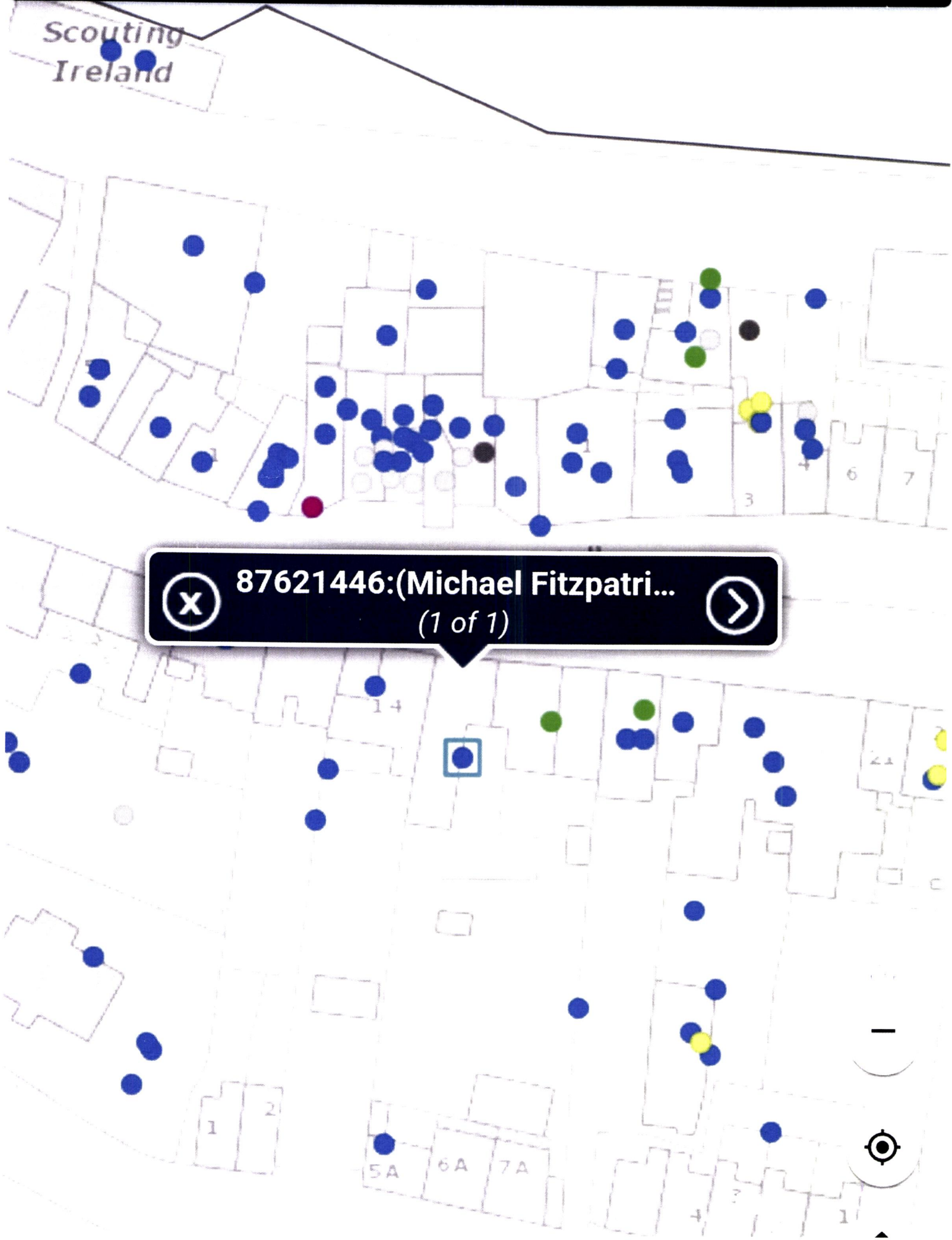
B. Land Reclamation -

The provisions of Article 8 of the Planning and Development Regulations 2001 (as amended) now applies to land reclamation, other than works to wetlands which are still governed by Schedule 2, Part 3, Class 11. Note in addition to confirmation of exemption status under the Planning and Development Act 2000(as amended) there is a certification process with respect to land reclamation works as set out under the European Communities (Environmental Impact Assessment) (Agriculture) Regulations 2011 S.I. 456 of 2011. You should therefore seek advice from the Department of



Scouting
Ireland

87621446:(Michael Fitzpatri...
(1 of 1)

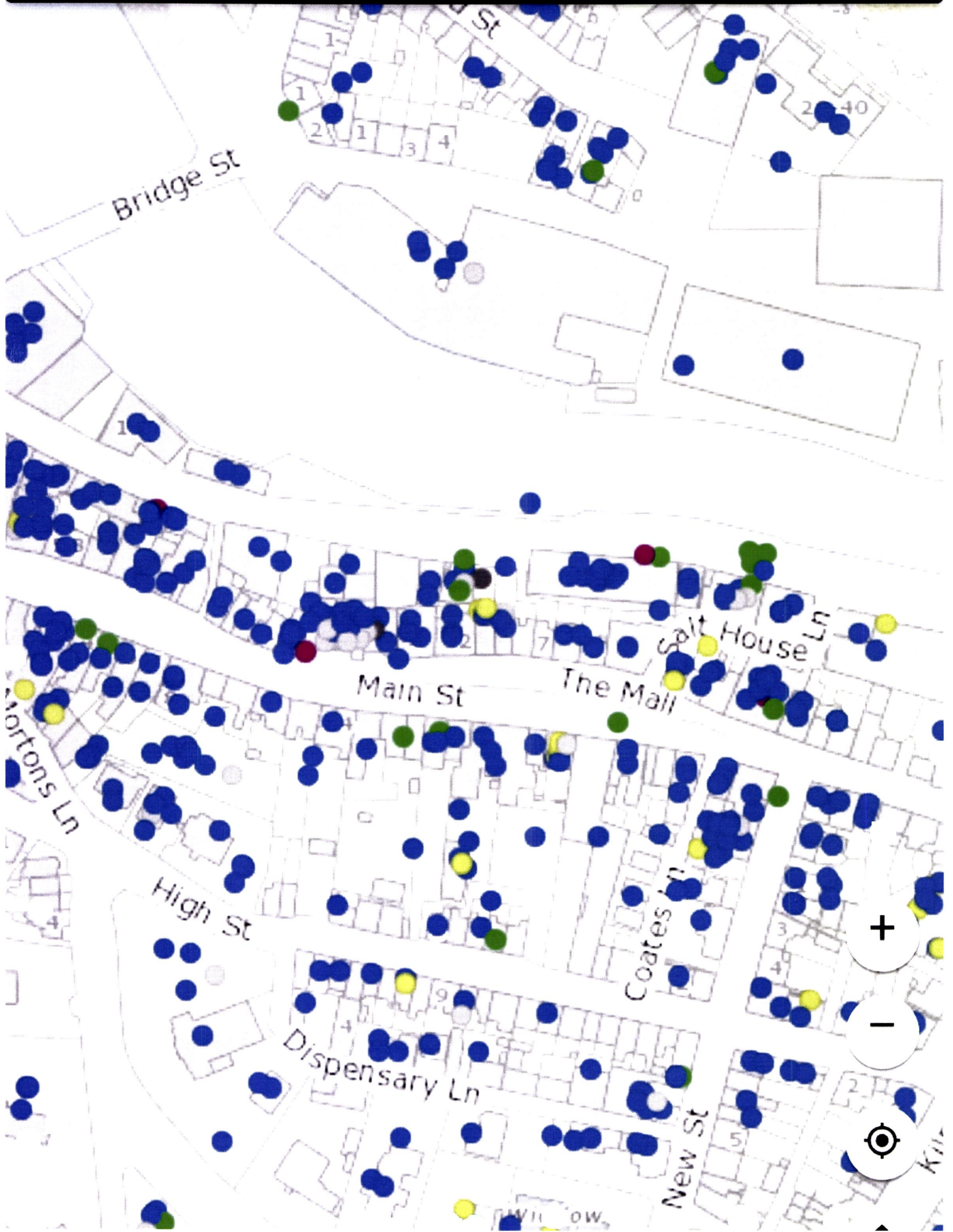


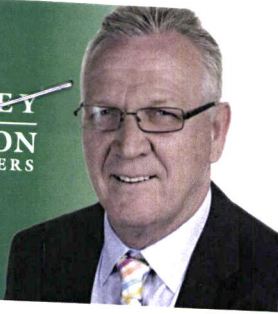
Forename	Michael
Surname	Fitzpatrick
Application Type	Permission
Status Description	Application Finalised
Description	Extension
Address Line 1	Doyles Shop
Address Line 2	The Mall
Received Date	July 29, 1987
Decision Date	September 28, 1987
Withdrawn Date	
Appeal Date	
Link2ePlan	More info

Planning Ref: 87621446

Google Maps View







Eugene Dooley MIPAV MMCEPI REV
Recognised European Valuer
Mob: 087 205 3633.

Tel: 0404 62292
Email: info@wicklowproperty.com
www.wicklowproperty.com

License Number: 001700-001984



Ground Floor Retail Shop/Office Unit C. 40.6m²

TO LET.

111, MAIN ST., WICKLOW TOWN, CO. WICKLOW.
TOWN CENTRE LOCATION



- Ground Floor Retail Shop/Office Unit c.40.6m² in a good trading location on main street, Wicklow Town.
- The property consists of ceramic tiled polished floors & staff toilets.
- Main services.
- Flexible lease terms.
- Commercial Rates €1,488.62 Per Annum
- Available immediately. Viewing by appointment only.
- Contact Eugene Dooley M.I.P.A.V. 087 2053633 / 0404 62292.

Rent €7,000 Per Annum

Dooley Poynton Auctioneers have been asked to market this property and we are acting as agents for the property with the effect of a general invitation for offers to be made by any person, firm or company who may be interested in the property. The property is being offered for sale on a 'no obligation' basis and the seller is not bound to accept any offer or to complete any sale. The property is being offered for sale on a 'no obligation' basis and the seller is not bound to accept any offer or to complete any sale. The property is being offered for sale on a 'no obligation' basis and the seller is not bound to accept any offer or to complete any sale.



