



BAT DEROGATION LICENCE APPLICATION

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Introduction

I am applying for a personal derogation licence to enable me to lawfully undertake precautionary inspection surveys of potential bat roost features as part of my professional duties. This licence is required as a precautionary measure to allow for the inspection of buildings, trees, and other features where bats may be present, ensuring that surveys can be undertaken in compliance with legislation and best practice.

Background

MKO maintains a dedicated bat unit within its Ecology team, with extensive experience in scoping, undertaking, and reporting on bat surveys, as well as preparing ecological impact assessments relating to bats. Ecologists within the team hold relevant academic qualifications and licences and are trained to undertake bat surveys to the required professional standards.

Evidence to support the Derogation Tests

The NPWS document, *Guidance on the Strict Protection of Certain Animal and Plant Species under the Habitats Directive in Ireland* - National Parks and Wildlife Service Guidance Series 1 (2021), was reviewed before undertaking this derogation application.

Article 16 of the Habitats Directive sets out three pre-conditions, all of which must be met before a derogation from the requirements of Article 12 or Article 13 of the Directive can be granted. These preconditions are also set out in Regulation 54 of the Regulations.

The preconditions are:

1. A reason(s) listed in Regulation 54 (a)-(e) applies
2. No satisfactory alternatives exist
3. Derogation would not be detrimental to the maintenance of a population(s) at a favourable conservation status.

It is believed that the pre-conditions for granting a derogation licence have been met, as follows:

Test 1 – Reasons for Seeking Derogation

Regulation 54(2) (a)-(e) states that a derogation licence may be granted for any of the reasons listed (a) to (e). We are of the opinion that the following reasons apply:



(c) In the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment

I am applying for a precautionary disturbance licence to allow me to inspect potential bat roost features, including buildings and trees, in order to determine the presence or absence of bats, and to undertake surveys of confirmed roosts to gather additional information where required. This licence is sought to enable me to carry out inspection surveys lawfully in situations where bats may be present, but roost locations are not yet known.

These inspection surveys are necessary to inform ecological impact assessments for proposed developments and represent the initial step in determining whether further survey work or mitigation measures are required. All survey activities will be undertaken in accordance with best practice guidance, with due care taken to avoid unnecessary disturbance to bats or damage to roosts. Any works will be carried out sensitively and only to the minimum extent required to confirm roost presence and status.

The purpose of this licence is to provide legal cover for precautionary inspections carried out in the course of my professional duties, particularly where bats may be encountered unexpectedly during surveys. Bats may be present at potential roost sites at any time of year, and there are no satisfactory alternatives to undertaking such inspections under a precautionary disturbance licence.

Over the past year, I have undertaken relevant training and gained practical experience through assisting licensed bat ecologists on multiple surveys, including roost inspections and activity surveys. This experience has provided me with the necessary skills to identify potential roost features, recognise signs of bat presence, and carry out surveys in a safe and sensitive manner. Details of this training and supervised survey work are provided below, demonstrating that I have attained an appropriate level of competence to undertake the proposed survey activities independently.

Training Undertaken

Bat Habitat Appraisal (Internal)
Structure & Tree Inspection (Internal)
Manual Transect Survey (Internal)
Emergence and Re-Entry Surveys (Internal)
Bat carcass identification (Internal)
Introduction to Bats and Using Detectors (BCI)
Kaleidoscope Pro Analysis (Wildlife Acoustics)
Analysing Kaleidoscope Pro Outputs with RStudio (Advanced)
Seasonal Summaries Reporting (Internal)
Fieldmaps for bats (Internal - MKO Academy)
Bats and trees (Internal)
Bats and Windfarms (BatLife) (Webinar)
Bats and Lighting (Internal)
R studio analysis (Internal)
Desktop Study (Internal - MKO Academy)
Static Detector Deployments (Internal - MKO Academy)
Thermal Imaging NVAs (Internal - MKO Academy)



Surveys Completed

Project Name	Brief Notes on Survey
Slievegrine	site walkover to each turbine location except for T9 as access was difficult. 4 buildings were inspected (no endoscope). building by T15 had no access.
Slievegrine	Deployed 15 static detectors, access to T11, T13, T18, T21 driving, T9 access okay (through felled forestry), T12 and T20 located in field with cattle- farmer set up fencing, detector at T7 had to be put in the hedge as there were cattle in the field at the time. another PRF found south of T1 could not get to the building as surrounding area overgrown.
Glaspistol	A daytime inspection and dusk emergence. No evidence of bats was found during the inspection. No bats were seen emerging from the castle. However, Leisler's bat, brown long-eared bat, and both common and soprano pipistrelle bats were observed commuting and foraging within and around the castle and its surrounding habitats.
Taurbeg compensation lands	8 statics deployed, two derelict buildings just outside site boundary to the north parcel of land, possible bat
University of Galway - Medical School	Emergence conducted on medical building on NUIG campus
GCC Kingston Park & Millers Lane	6 statics deployed. 2 buildings near D06 identified as PRF.
Corestone 16 Ltd Garraun LRD	2 statics deployed, near treeline at SW of site and hedgerow at NE of site.
Corestone 16 Ltd Garraun LRD	Walked transect conducted around site from 21:27 to 23:27, two 5-minute point counts carried out, no activity detected up until end of survey with two commuting PipPip detected.
Taurbeg compensation lands	collection and dusk - emergence on the buildings to the south of the north parcel and walked transect around the north field and then along the western boundary of the north middle parcel. Same two pips flying around building
GCC Kingston Park & Millers Lane	Collection of 6 statics. Emergence conducted on derelict building south of site. No emergence observed. 1 PIPPYG & 1 PIPPIP commuting
GCC Kingston Park & Millers Lane	Continued from emergence PRF, to Kingston park, to miller's lane. One commuting bat HNS.
Headford Residential Redevelopment	Conducted a building inspection followed by a dusk emergence. No emergence from either building. 1 PIPPIP and 1 PIPPYG commuting.
GCC Kingston Park & Millers Lane	6 static detectors deployed
GCC Renmore	Inspection of Renmore Community Centre. Attic space had little to no potential. Followed by dusk emergence - no emergence.
GCC Renmore	Walked transect from PRF to green areas and pitches. Commuting and foraging in treelines in southern green areas. Foraging in open areas of long grass. Very little activity around pitch behind community centre.



Kingston Park and Miller Lane	Emergence survey undertaken in southern lands, with thermal camera used to monitor building. no emergences observed that night or upon review of thermal footage.
Kingston Park and Miller Lane	Walked Transect near Detectors 3,4,5. No foraging behaviour observed. Several bat passes all of which were commuting. Leisler and soprano confirmed commuting during transect.
GCC Southpark	building inspection, emergence and walked transect. No evidence of bats found in building and no bats seen emerging. Pips and Leisler's recorded around site.
GCC Renmore	dusk emergence - no emergence. Walked transect conducted with, Leisler's, PipPip and PiPPyG foraging activity.
Kilcock Solar	4 statics & 1 WS deployed & dusk survey - areas around D01 and D03 transected
Taurbeg compensation land	8 statics & 1 WS (MKO9/10) collected. D03 redeployed as no data collected.
Taurbeg compensation land	Dusk emergence conducted on derelict two storey house. Emergence observed from front and rear of house. PIPPIP and PIPPYG commuting and foraging activity. MYOSPP and NYCLEI HNS.
Taurbeg compensation land	Driven transect covering D03 & D04
Statkraft Pinewoods PCM	11 statics & 1 WS collected. D09 redeployed (4072) as no data collected.
Killoshulan	11 detectors & 1 WS (MKO5) deployed.
Killoshulan	Dusk emergence covering sheds at back of farmhouse and shed beside farmhouse - emergence from two sheds that were previously confirmed as roosts in spring/summer. x4 PIPPYG from front shed & x4 PIPPYG + x1 NYCLEI from large shed at back. 2 PIPPIP foraging in courtyard at back. Occasional PIPPYG, MYOSPP, and NYCLEI activity.
Killoshulan	Driven transect from PRF past T3 > T5 - walked transect in forestry covering T7 > T6 and back. High activity along forestry track - up to 10 bats foraging at any given point - mostly PIPPYG & PIPPIP, some MYOSPP & NYCLEI.
Corestone 16 Ltd Garraun LRD	Dusk walked transect conducted around site, several 5-minute point counts carried out, two commuting PipPip detected in the centre of the site around the vegetation. Barn owl very active around trees and vegetation in middle of site – followed by the bats.
University of Galway - McLaughlin Building	Dusk emergence conducted on McLaughlin building, no emergence from building. Pipistrelles observed commuting, and foraging in the trees to the west, Daubenton's bat foraging in the river to the north. Leisler's recorded commuting/foraging. Soprano pipistrelle roost identified in a separate building to the south.
GCC Kingston Park & Millers Lane	Walked transect, Foraging PipPip & PipPyG recorded
Taurbeg compensation land	Deployment of 8 statics.
Taurbeg compensation land	Walked transect to D05 and W along site boundary and back. Then N from D05 along site boundary and back. Then S towards D04. Low activity. Mostly PIPPIP and PIPPYG commuting along conifer edge. Some foraging activity. 1 Possible NYCLEI HNS.
Killoshulan	Collected statics and MKO5 weather station



Statkraft Pinewoods PCM	Collected D09 which was redeployed last season.
Ballymoneen LRD	Dusk emergence carried out on 2 buildings within the redline boundary. Activity recorded from mainly common and soprano pipistrelles, one Leisler's. 4 emergences from eastern building.
Ballybroder	NVA pointing at one storage stone shed, SFitz at a second open stone shed and metal sheds and CM at Cottage - no emergences - just foraging around sheds and trees.

Test 2 – There is no Satisfactory Alternative

Alternative Solution	Reasons for “Unsatisfactory”
Do-Nothing	Choosing not to apply for a precautionary licence is not a viable option. Irish bat survey guidance (Marnell, Kelleher & Mullen, 2022, p. 27) notes that although a licence is not strictly required when searching for previously unknown roosts, surveyors are required to withdraw immediately if bats are discovered. This restriction would significantly limit the ability to complete essential roost assessments. As such, proceeding without a licence would prevent the collection of the information needed to inform ecological assessments and responsible project design.
Restricting inspections to certain times of year	Limiting inspections to specific seasons is not a workable alternative. Bats may be encountered at any time of the year, and the potential for disturbance cannot be completely avoided. While surveys are always carried out with care, particularly during sensitive periods such as maternity and hibernation, licensing remains essential to allow surveys to proceed lawfully should an unexpected roost be found. Seasonal restriction would also delay or prevent timely ecological assessment for active development proposals.
Not carrying out inspections at all	Forgoing inspections would result in incomplete bat survey data. Preliminary roost assessments are the first step in determining whether additional surveys (e.g., dusk/dawn activity surveys) are required and are fundamental to identifying species presence, roost type, and potential impacts. Without these inspections, there is a significant risk that important bat use of a site would go undetected, preventing appropriate mitigation measures from being



	designed and undermining the ecological impact assessment process. This approach is therefore incompatible with best practice and conservation objectives.
Applying for individual, project-specific precautionary licences	Submitting a separate licence application for each inspection is not practical or proportionate. As practising ecologists, we regularly undertake roost assessments across a wide range of projects. Requiring project-specific licences would create unnecessary administrative burden for us and NPWS, slow down survey programmes, and potentially reduce the capacity to influence project design in ways that benefit bat conservation. A single precautionary licence is the most efficient, resource-effective, and conservation-supportive solution.

Test 3 – Favourable Conservation Status

Annex IV species must be maintained at Favourable Conservation Status or restored to favourable status if this is not the case at present. The net result of granting a derogation licence must be neutral or positive for the species in question.

The purpose of this application is to ensure that any bat roost inspections undertaken are carried out lawfully and with full regard for the protection of bats and their conservation status. The derogation is being sought on a precautionary basis, and all work will be carried out in strict accordance with recognised best-practice guidelines to avoid unnecessary disturbance.

We are trained ecologists, experienced in conducting bat inspections and handling, and our survey methodology strictly adheres to established standards designed to minimise disturbance. Inspections will be carried out carefully, and disturbance will be limited to what is unavoidable when identifying the presence of bats within potential roost features. On this basis, it is not anticipated that the proposed survey work will negatively affect the favourable conservation status of any bat species.

If bats are encountered during inspections, this will be appropriately recorded and reported to NPWS as part of the licence return process. Such reporting contributes to national datasets and ensures transparency and continued monitoring of bat populations.

Our work follows up-to-date best-practice guidance, including but not limited to:

- › Bat Surveys for Professional Ecologists: Good Practice Guidelines, 4th Edition (Collins, 2023)
- › The Bat Worker’s Manual, 3rd Edition (Mitchell-Jones & McLeish, 2004)
- › Ecological and Behavioural Methods for the Study of Bats, 2nd Edition (Kunz & Parsons, 2009)
- › Handbook of Biodiversity Methods (Hill, 2005)
- › Bats and Appropriate Assessment Guidelines (BCI, 2012b)
- › UK Bat Mitigation Guidelines V1.2 (Reason & Wray, 2025)
- › Bat Mitigation Guidelines for Ireland v2 (Marnell, Kelleher & Mullen, 2022)
- › Best Practice Guidelines for the Conservation of Bats in the Planning of National Road Schemes (NRA, 2006a)



- › Guidelines for the Treatment of Bats During the Construction of National Road Schemes (NRA, 2006b)
- › Bat Surveys – NIEA Specific Requirements (Northern Ireland Environment Agency, 2017)

These methodologies have been widely applied across Ireland and the UK and have been demonstrated to be effective in ensuring that survey work does not compromise bat conservation status when implemented correctly.

Taken together, the precautionary approach, informed survey practice, and commitment to minimising disturbance provide assurance that the derogation will not be detrimental to maintaining bat populations at favourable conservation status within their natural range.

