



NPWS

An tSeirbhís Páirceanna
Náisiúnta agus Fiadhúlra
National Parks and Wildlife
Service

Application for Derogation Under Regulation 54 & 54A of the European Communities (Birds and Natural Habitats) Regulations 2011, as amended

Revision 2.0 – July 2025

- This form can be used by any individual or Company applying for a derogation under Regulation 54 of the European Communities (Birds and Natural Habitats) Regulations 2011 (“the Regulations”) or any individual applying on behalf of the Minister for Housing, Local Government and Heritage under Regulation 54(A) of the Regulations.
- Note this application form is not for Domestic Dwelling Derogations (bats within private homes) which can be found here > ([3D Application Form](#))
- Please ensure that you answer questions fully in order to avoid delays and/or your application being rejected on the basis that it does not contain sufficient information and detail for the application to be considered further.
- Please read and familiarise yourself with the [NPWS Guidance on Applications for Regulation 54 Derogations for Annex IV species: Guidance for Applicants](#)
- Please read and familiarise yourself with the [European Commission's Guidance document on the strict protection of animal species of Community interest under the Habitats Directive](#)
- Please also note that the responses to these questions are supplementary to the documentation required for the NPWS to be in a position to consider your application. A complete application should include both the application form and an associated report. Failure to supply either will result in your application being returned and/or refused.
- In circumstances in which a derogation is given on foot of this application, the Applicant is responsible for ensuring compliance with the conditions of any such derogation, even though they may employ another person to act on their behalf. To carry out any activity without, or not in accordance with, a derogation granted under regulation 54 or 54A of the Regulations constitutes a criminal offence, subject to prosecution.
- If you experience any problems filling in this form, please contact the Wildlife Licensing Unit: reg54derogations@npws.gov.ie
- Please note – applications, associated reports and derogations will be published on the NPWS website and/or the Department’s Open Data website.
- Where any applicant is applying for a derogation to carry out surveys, please ensure to list all qualified ecologists and trainees under their supervision. See section 1(c) of Part A.

Part A: The Applicant - Personal Details

These questions relate to the person responsible for any proposed works and who will be the **Applicant**. **If this application is being submitted on behalf of a third party, please also complete Part B below.**

1. (a) Name of Applicant

Title (Mr/Mrs/Miss/Ms/Dr)	Forename(s)	Surname
Mr		
(b) Company Name, if applicable	Limerick Gaelic Grounds Limited	
(c) Address Line 1	Gaelic Grounds	
Address Line 2	Ennis Road	
Town	Limerick	
County	Limerick	
Eircode		
(d) Contact number		
(e) Email address		
(f) Address where works are to be carried out if different from (b) above.		
Address Line 1	PROSPECT HALL	
Address Line 2	TONBAUN	
Town	CRECORA	
County	Limerick	
Eircode	V94 DN40	

Details of Person Submitting Application on Behalf of Applicant/Derogation Holder

Information relating to the person (e.g. ecologist) responsible for submitting the application on behalf of the applicant should be entered below:

1. (b) Name of Person/Ecologist

Title (Mr/Mrs/Miss/Ms/Dr)	Forename(s)	Surname
Mr	John	Curtin
(b) Company Name	Eire Ecology	
Address Line 1	8a Saint Patrick Street	
Address Line 2		
Town	Portumna	
County	Galway	
Eircode	H53 X571	
(c) Contact number	[REDACTED]	
(d) Email address	[REDACTED]	
(e) Relationship to Applicant	Ecological consultant	

Part B: Species covered by the Derogation

1. **Species of Animal:** Please indicate which species is/are the subject of the application:

- Bat
- Otter
- Kerry Slug
- Natterjack Toad
- Dolphin
- Whale
- Turtle
- Porpoise

2. Please detail the exact species (scientific name): Pipistrellus pygmaeus, Rhinolophus hipposideros, Plecotus auritus, Myotis nattereri, Pipistrellus pipistrellus, Myotis species

3. Please provide the maximum number of individuals affected*

Pipistrellus pygmaeus - 16

Rhinolophus hipposideros - 2

Plecotus auritus – (small accumulation of droppings approx. 5)

Myotis nattereri - 1,

Pipistrellus pipistrellus - 2,

Myotis species - 2

4. Please provide the maximum number of breeding or resting sites affected* 6 roosts within an existing unoccupied residential building and 1 roost in an ash tree

5. Please provide the maximum number of eggs to be taken* N/A

6. Please provide the maximum number of eggs to be destroyed* N/A

*If no figures can be provided for the maximum number of individuals, breeding sites, resting places and eggs to be covered by the derogation please provide reasons why.

7. **Species of Plant:** Please indicate which species is/are the subject of the application:

- Killarney Fern
- Slender Naiad
- Marsh Saxifrage

8. If you previously received a derogation for any species of animal or plant, please state derogation number and confirm that you have made a return to NPWS on the numbers actually affected by that derogation.

Numerous (recent; DER-BAT-2025-312)

9. Proposed Dates for Activities: Please indicate the timeframe that you propose to carry out the activities. Dates set by NPWS may differ from dates proposed here. *A derogation will only be issued with a start and end date within a calendar year.*

Start Date:	1 st September 2026
End Date:	31 st December 2026

Part C: Nature of the Derogation.

1. Please tick which prohibition(s) the application for a derogation relates to:

Regulation 51	
Deliberately capture or kill any specimen of the relevant species in the wild	<input type="checkbox"/>
Deliberately disturb these species particularly during the period of breeding, rearing, hibernation and migration	<input type="checkbox"/>
Deliberately take or destroy eggs of the relevant species in the wild	<input type="checkbox"/>
Damage or destroy a breeding or resting place of such an animal, or	<input checked="" type="checkbox"/>
Keep, transport, sell, exchange, offer for sale or offer for exchange any specimen of the relevant species taken in the wild, other than those taken legally as referred to in Article 12(2) of the Habitats Directive.	<input type="checkbox"/>
Regulation 52	
Deliberately pick, collect, cut, uproot or destroy any specimen of these species in the wild, or	<input type="checkbox"/>
Keep, transport, sell, exchange, offer for sale or offer for exchange any specimen of these species taken in the wild, other than those taken legally as referred to in Article 13(1)(b) of the Habitats Directive.	<input type="checkbox"/>

Further information should be provided in the format set out in Part E: Template for Supporting Information

Part D: Derogation Tests

Note: The following summary information must be provided by the applicant in all cases, and will be used to determine if a derogation can be provided. Further information must be provided in the format set out in Part E: Template for Supporting Information

Test 1: Reason for the Derogation

1. Please tick which reason(s) below explains how this application qualifies under Regulation 54(2)(a-e) or Regulation 54A(2)(a-e) of the European Communities (Birds and Natural Habitats) Regulations: Please provide a summary of how the application meets the 3 conditions required to provide a derogation. Note that in all cases additional information must be provided (see Part E).

a.	In the interests of protecting wild flora and fauna and conserving natural habitats (proceed to 2a)	<input type="checkbox"/>
b.	To prevent serious damage, in particular to crops, livestock, forests, fisheries and water and other types of property (proceed to 2b)	<input type="checkbox"/>

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 (proceed to 2c)	<input checked="" type="checkbox"/>
d.	For the purpose of research and education, of re-populating and re-introducing these species and for the breeding operations necessary for these purposes, including artificial propagation of plants (proceed to 2d)	<input type="checkbox"/>
e.	To allow, under strictly supervised conditions, on a selective basis and to a limited extent, the taking or keeping of certain specimens of the species to the extent specified therein, which are referred to in the First Schedule (proceed to 2e)	<input type="checkbox"/>

2a. In the interests of protecting wild flora and fauna and conserving natural habitats:

i) Please state the wild flora, fauna or habitats that require protection and /or conservation.

N/A

ii) Please summarise how the interests of protection and conservation of the species/habitat concerned justify affecting another species under strict protection.

N/A

2b) To prevent serious damage, in particular to crops, livestock, forests, fisheries and water and other types of property:

i) Please summarise the nature of the potential damage, why it is considered “serious” and how this outweighs the conservation interest of the species under strict protection.

N/A

2c) 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) Where the reason is for public health and public safety, summarise the evidence provided to support this reason (e.g. documentary evidence of the risk from a chartered structural engineer, tree surgeon, Garda Síochána, qualified health professional etc.)

The proposed development will provide a state-of-the-art training centre for Limerick GAA for academy and senior groups from U14 to Senior including Hurling, Camogie and Ladies Gaelic Football. This will encourage and assist all age groups and players in participation and development of GAA both personally and as a county. The development will provide a meaningful avenue for increased health and wellbeing for many people throughout the county.

In addition, there will be a significant benefit to the local community including community walkways and other facilities including playing pitches, Ball Wall and use of Main Pavillion Building for various functions.

It will also bring economic benefit to the local community.

The design has considered all environmental aspects and provides a parkland type setting with significant landscaping and biodiversity enhancement.

The Limerick County development plan Objective SCS1 O20 – Protection of Sports Grounds/Facilities aims to *“ensure new developments provide enough playing fields, protect existing sports grounds, and promote integrated, accessible community recreation by linking with sports clubs and schools, enhancing community health, and maximizing facility use for all ages, often through shared facilities and active travel access.”* The proposed development fulfils this objective.

The mitigation measures proposed will ensure that any negative impacts on the affected bat populations are reduced to negligible levels. In this context, and with appropriate safeguards in place, the project’s public benefits can be achieved without compromising the conservation interests of the bat species. |

ii) Where the reason is 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”, summarise the nature of the public interest and how this outweighs the conservation interest of the species under strict protection.

N/A

2d) For the purpose of research and education, of re-populating and re-introducing these species and for the breeding operations necessary for these purposes, including artificial propagation of plants:

- i) Please summarise the objective(s) of the proposed activities making reference to those listed above and how the the purpose of such activities overrides the interests of strict protection of the species. ¹

N/A

- 2e)** To allow, under strictly supervised conditions, on a selective basis and to a limited extent, the taking or keeping of certain specimens of the species to the extent specified therein, which are referred to in the First Schedule

- i) Please clearly state the objective of the activity and verify that this reason is being chosen as the objective of the activity does not match reasons a-d listed above.

N/A

- ii) Please summarise how the activity will result in the taking or keeping of limited numbers of specimens of the species, how it will be applied on a selective basis and to a limited extent, and how it will be done under strictly supervised conditions.

N/A

Test 2: Absence of Alternative solutions

2. Please summarise the alternative solutions that have been considered and why these solutions are deemed unsatisfactory. This must include the option of the “do-nothing” alternative and evidence should be objective and robust. Note that in all cases further information must be provided in the format set out in Part E: Template for Supporting Information.

Alternative Solution	Reasons for “Unsatisfactory”
Do-Nothing	<p>The “do nothing” option would not deliver the permitted development or meet policy objectives for sustainable development in Limerick.</p> <p>The existing residential building, Prospect Hall, is currently unoccupied. Although Lesser Horseshoe Bats were recorded on one occasion, the roost is considered highly vulnerable, as any future securing of the building would remove access to the roost. Under a do-nothing scenario,</p>

¹ Note that this reason may be appropriate for when research involves surveys that may cause disturbance of species under strict protection. But the sole purpose of the surveys should be for research and education or the other reasons listed above under 1d.

	the roost would remain at risk of loss, and the social and economic benefits associated with the proposed project would not be realised.]
Adding bat boxes	Bat boxes are not a viable alternative roost space for Lesser Horseshoe bats and are typically, unattractive to Brown Long-eared bats, two species found roosting within the existing residential building.
Retention of roosts in existing residential building and tree only]	The proposed development will see an increase of lighting close to the existing roosts. Some treelines and hedges will be lost during the construction phase however significant woodland creation is proposed in other sections of the site as well as the creation of ponds. If the existing roosts were retained only, it is highly likely woodland species such as Brown Long-eared, Myotis and Lesser Horseshoe bats will find the site less favorable as a roost site.
Retention of roosts and creation of purpose built bat building	The existing unoccupied residential building found within the site contains several roosts within attics that will be viable post construction with some modifications including the instillation of bat access slates and bitumen felt membrane after roof repairs have been carried out. It is the surveyors experience that despite these efforts, given the increased human activity in the area, it is likely that woodland bats such as Brown Long-eared, Myotis and Lesser Horseshoe bats will not find the site as attractive. As such a purpose built roost will be constructed to the north west in an area close to new wetland ponds, woodland in a dark zone. It is likely that Pipistrelle species will persist in the original roosts, given these species are less impacted by light.

Test 3: Impact of a Derogation on Conservation Status

3. Please summarise the possible impacts on the population of the species that is subject to this application, taking into account all the mitigation and/or compensation measures that are to be undertaken. Evidence that such mitigation has been successful elsewhere should be provided where relevant. Mitigation measures being relied upon must ensure that the derogation will not be detrimental to the maintenance of the populations of the species to which the Habitats Directive relates at a favourable conservation status in their natural range. Note that in all cases further information must be provided in the format set out in Part E: Template for Supporting Information.
- The estimated soprano pipistrelle population is 1.2-2.7million in the Republic of Ireland with a substantial increase in population over the previous 20 years. The number of Soprano Pipistrelle using the residential building was 16. As such the roost state is noted as a small maternity roost, with a value of "local higher value". Without mitigation, the works at the existing residential building could result in the mortality of a number of breeding Soprano Pipistrelle bat, if timed inappropriately. This would result in an adverse effect on the conservation status of the local population of Soprano Pipistrelle bat but would not be significant on a national or regional scale.

- The estimated common pipistrelle population is 1.9-4.2 million in the Republic of Ireland with a substantial increase in population over the previous 20 years. The number of roosting Common Pipistrelle using the existing residential building was 2, with another roost found in an ash tree (1 bat). As such the roost state are noted as satellite roosts, with a value of “local higher value”. Without mitigation, the renovation of the existing residential building could result in the mortality of a small number of non-breeding Common Pipistrelle bat, if timed inappropriately. This would result in an adverse effect on the conservation status of the local population of Common Pipistrelle bat but would not be significant on a national or regional scale.
- The estimated Brown Long-eared population is 65,000 to 102,000 in the Republic of Ireland with a 26% increase in population over the previous 16 years. No live brown long-eared bats were observed however an accumulation of droppings indicate a small satellite roost for this species in one of the upper attic spaces of the existing residential building, with a value of “local higher value”. Without mitigation, the works at the existing residential building could result in the mortality of a small number of non-breeding Brown Long-eared bats, if timed inappropriately. This would result in an adverse effect on the conservation status of the local population of Brown Long-eared bat but would not be significant on a national or regional scale.
- The estimated Natterers bat population is unknown in the Republic of Ireland. The NPWS state the population is secure. BCI are currently carrying out a new woodland monitoring scheme aiming to monitor the population trends of Natterers and Whiskered bat. It will take several more years before trends emerge on the condition of these species. The number of Natterers bat using the existing residential building was 1, however another 2 Myotis species were also observed, and these are likely also Natterer’s bats. These numbers equate to a satellite roost, with a value of “local higher value”. Without mitigation, the works at the existing residential building could result in the mortality of a small number of non-breeding Natterers bat, if timed inappropriately. This would result in an adverse effect on the conservation status of the local population of Natterers bat but would not be significant on a national or regional scale.
- The Lesser Horseshoe summer population in 2023 is estimated as 14,975 with a cumulative increase in population from 2017 to 2023 of 17.09%. The number of Lesser Horseshoe found using the existing residential building was 2, with other surveys showing no roosting bats. As such the roost state is noted as a satellite roost, with a value of “county value”. Without mitigation, the works at the existing residential building could result in the mortality of a small number of non-breeding Lesser Horseshoe bat, if timed inappropriately. This would result in an adverse effect on the conservation status of the local population of Lesser Horseshoe bat but would not be significant on a national or regional scale.

With the implementation of the mitigation measures outlined in section 8 of the attached report, using established guidelines (e.g. Marnell, 2022) the proposed development will not be detrimental to the maintenance of populations of bat species at favourable conservation status in their natural range (as required under Section 54(2) of the European Communities (Birds and Natural Habitats) Regulations, either locally or nationally. Indeed, the provision of a dedicated roost following established guidelines may potentially result in a positive effect on the population of bat species locally.

Mitigation and enhancement measures include;

Construction of a new bat roost building with an internal area of 20m². Full details can be found in the attached report. (Marnell, 2022) states that for the roosts found within the site bats are not to be left without a roost, must be given time to find the replacement roost and monitoring for 2 years is required. As such this roost will be constructed prior to any works on the existing residential building.

Regarding works to the main roost in the existing residential building;

- Works to the roof will be restricted to the 01st of October 2026 to December 2026 and after the completion of the new roost. Demolition will take place under supervision of a bat worker with a handling licence.
- Exclusion of Lesser horseshoe bats will involve waiting until none are present in the attic spaces and at this time, close the attic hatches.

- A Natterers bat was recorded emerging from a service in the rear wall of the residential building. This will require a one way door to be left in place until such time as all bats have exited (installation at appropriate time of year).
- Bitumen felt and two bat access slates will be added to each attic void.
- No direct impacts will occur to the ash tree roost.

Part E: Template for Supporting Information

This application form should provide a summary of the evidence that the applicant has provided. In all cases, it is necessary to provide separate supporting information so that the assessment of the application can be undertaken in a robust and comprehensive manner. Applicants should refer to guidance provided by the NPWS and the European Commission whilst preparing this application form and the supporting information.

It is essential that supporting information is prepared in a consistent manner using the template below so that NPWS officials assessing the application can locate the relevant evidence to determine if the three Tests can be met. Failure to provide sufficient evidence will result in the application being refused.

The structure of the Supporting Information should be as follows:

- 1) Table of Contents
- 2) Introduction
 - a. Objective of the proposed works (for example, as part of construction of a national road, repair of roofing, undertaking surveys etc.)
 - b. Name, qualifications and relevant experience of scientific staff, including trainees, (e.g. ecologist) involved in the preparation of the application and those responsible for carrying out the proposed activity.
 - c. If this application is for the carrying out of surveys that may cause disturbance, qualifications of all involved must be provided and trainees must be clearly identified.
- 3) Background to proposed activity including location, ownership, type of and need for the proposed activity, planning history, policy context, zoning in relevant Development plan (or equivalent), etc.
- 4) Full details of proposed activity to be covered by the derogation (including a site plan). The site may be inspected by an NPWS representative, so the details given should clearly reflect the extent of the project. This information will be used to compare site conditions with the Method Statement.
- 5) Ecological Survey and site assessment (Not required for applications to carry out surveys)
 - a. Pre-existing information on species at location and environs.
 - b. Status of the species in the local/regional area (relevant to the consideration of the impact on the population at the relevant geographic scale (Test 3))
 - c. Objective(s) of survey
 - d. Description of Surveys Area
 - e. Survey methodology (including evidence as to how the methodology represents best practice and is appropriate to the Objective). Methodology should include survey maps, details of timing, climate, equipment used and identify any uncertainties or difficulties encountered.
 - f. Survey results including raw data, any processed or aggregated data, and negative results as appropriate. Photographs and maps must be provided where site-specific features are referred.
 - g. Population size class assessment.
- 6) Evidence to support the Derogation Tests
 - a. Test 1 - Reason for Derogation:
 - i. There should be a clear explanation as to why a specific reason(s) has been selected in the application form.

- ii. Applicants are advised to read the guidance published by the NPWS '[Guidance on Applications for Regulation 54 Derogations for Annex IV species: Guidance for Applicants](#)' with specific reference to Section 3.1.
- b. Test 2 - Absence of Alternative Solutions
 - i. Applicants must list the alternatives to the proposed activity that have been considered, including the do-nothing alternatives in a clear and objective manner. A basic requirement is that these alternatives should be compared in terms of their impact on the species subject to strict protection. It should be clear to NPWS officials as to why the chosen approach has been selected.
 - ii. Applicants are advised to read the guidance published by '[Guidance on Applications for Regulation 54 Derogations for Annex IV species: Guidance for Applicants](#)' with specific reference to Section 3.2.
- c. Test 3 - Impact of a derogation on Conservation Status
 - i. Applicants should include details of the population at the appropriate geographic scale and an evaluation of how the proposed activity will affect the conservation status both before and after mitigation measures have been applied.
 - ii. Full and detailed descriptions of proposed mitigation measures that are relevant to the potential impact on the target species. Evidence that such mitigation has been successful elsewhere should be provided, where available.
 - iii. Applicants are advised to read the guidance published '[Guidance on Applications for Regulation 54 Derogations for Annex IV species: Guidance for Applicants](#)' with specific reference to Section 3.3.

7) Monitoring the impacts of the derogations

- a. Applicants must include details of how they propose to verify whether the derogations have been implemented correctly and whether they achieved their objective, using scientifically based evidence, and, if necessary, how the applicant will take corrective measures where required.
- b. Applicants should provide details of proposed reports to be submitted to the NPWS including the results of monitoring.
- c. Applicants are advised to read the guidance published by the European Commission "[Guidance document on the strict protection of animal species of Community interest under the Habitats Directive](#)" with specific reference to Section 3.4.

Part F. Declaration

I declare that all of the foregoing particulars are, to the best of my knowledge and belief, true and correct. I understand that the deliberate killing, injuring, capturing or disturbing of protected species, or damage or destruction of their breeding sites or resting places or the deliberate taking or destroying of eggs is an offence without a derogation and that it is a legal requirement to comply with the conditions of any derogation I may be granted following this application. I understand that NPWS may visit to check compliance with a derogation.

Please note that under Regulation 5 of the European Communities (Birds and Natural Habitats) Regulations 2011-2021 an authorised officer may enter and inspect any land or premises for the purposes of performing any of their functions under these Regulations or for obtaining any information which they may require for such purposes.

Signature of the Applicant



Date

08/12/2025

Name in BLOCK LETTERS

John Curtin on behalf of Limerick Gaelic Grounds Limited

PRIVACY STATEMENT

See Privacy Statement at www.npws.ie/licences

npws.ie

Department of Housing, Local Government and Heritage



An Roinn Títhíochta,
Rialtais Áitiúil agus Oidhreachta
Department of Housing,
Local Government and Heritage