



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

I am an Ecologist Practitioner with MKO, and hold a Bachelor of Science (BSc) in Ecology and Evolutionary Biology as well as an Honours degree in Terrestrial Ecology from the University of Cape Town, in South Africa. My studies focused on Ecology, Biodiversity and Conservation Biology with a special interest in Botany and Bryology. I am an experienced ecological consultant, having worked in South Africa and the UK before joining MKO. I have experience conducting a wide range of ecological surveys, including bat emergence and re-entry and roost suitability assessments, reptile and amphibian sampling, mist netting and bird ringing, as well as botanical and bryological surveys.

I have been conducting bat survey since 2023, having worked as a consultant ecologist from March to December 2023 at LUC (Land Use Consultants), in London, United Kingdom. In this role, I gained extensive experience with bat survey techniques and attended multiple internal training courses. I conducted Bat Habitat Suitability Assessments and carried out Dusk Emergence and Dawn Re-Entry Surveys across the United Kingdom, working on a number of large projects. Since joining MKO in April 2024, I have conducted similar surveys across Ireland, practising updated bat survey methodologies according to the current BCT guidance (Collins, 2023). As a consultant ecologist in Ireland, I regularly work with bats and have extensive experience in scoping, undertaking, and reporting on bat surveys, as well as preparing ecological impact assessments relating to bats, for small scale and complex projects.

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.

Previous Personal Licences Held

- DER-BAT-2025-153 - returned 05.01.2026



Training Undertaken & Events

Training	Year
Advanced Kaleidoscope Pro Analysis (Bat Conservation Trust)	2025
Kaleidoscope Pro Analysis (Wildlife Acoustics)	2022, 2024
Structure & Tree Inspection (Internal)	2025
Manual Transect Survey (Internal)	2024
Bat Habitat Appraisal (Internal)	2024
Emergence and Re-Entry Surveys (Internal)	2024
Fieldmaps for bats (Internal - MKO Academy)	2025
Bats and trees (Internal)	2025
Bats and Light Pollution (BatLife) (Webinar)	2025
Static Detector Deployments (Internal - MKO Academy)	2025
Thermal Imaging NVAs (Internal - MKO Academy)	2025

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 two years, I have conducted Nighttime bat walkovers, Dusk Emergence and Dawn Re-Entry Surveys, and Roost Suitability Assessments, including internal inspections of buildings and tree surveys on a number of projects across Ireland. I have been licensed in Ireland since 2025 and have returned my licence from last year. I will be continuing to accrue experience in the field by carrying out inspections and continuous training, on the job or external. Details of this training and survey work are provided below, demonstrating that I have attained an appropriate level of competence to undertake the proposed survey activities independently.

Surveys Completed

Project Name	Brief Notes on Survey
Beaumont Hospital	Site walkover and external Building inspection of an existing hospital site. Nighttime bat walkover of the entire site / Dusk Emergence survey at a tree with high bat roost potential.
Lairakeen House	Site walkover, Bat Habitat Appraisal, External building inspections, Ground level tree inspections of over 200 trees, many of which had large-scale PRFs, as well as a systematic search of all accessible interiors of 5 buildings across the estate, including all attic spaces. Dusk Emergence Surveys and dawn Re-entry survey at buildings with high roosting suitability
Jamestown Rd, Finglas	Site walkover, Bat Habitat Appraisal, External building inspections, as well as a systematic search of all accessible interiors of large, warehouse buildings across the site. Static Detector Survey, as well as all associated bat data analysis.
Mount Bernard Park	Site walkover of an existing Public Park with large areas of open scrub. Bat Habitat Appraisal, Ground-level tree inspections. Dusk Emergence and Dawn Re-entry Surveys and Static Detector Survey, as well as all associated bat data analysis.
Dilleen Steiner	Site walkover of a greenfield site near Galway, Bat Habitat Appraisal, External building inspections, Nighttime bat walkover of the entire site. Dusk Emergence and Static Detector Survey, as well as all associated bat data analysis.
Wejchert - St Josephs Primary School	Site walkover, Bat Habitat Appraisal, Ground-level tree inspections of ~150 trees in a broadleaf woodland site. Dusk Emergence Surveys and dawn Re-entry survey at trees with roosting suitability. Investigation of PRFs using an endoscope and other NVAs.
Circal Solar Windfarm	Site walkover of agricultural fields and hedgerows within a large site in Co. Meath, Bat Habitat Appraisal, Nighttime bat walkover of the entire site. Dusk Emergence and Static Detector Survey, as well as all associated bat data analysis.



Traynor's Garden	Site walkover of a greenfield site in Dublin. Bat Habitat Appraisal, Nighttime bat walkover of the entire site. Dusk Emergence and Static Detector Survey, as well as all associated bat data analysis.
Various Surveys for Irish Rail	Site walkovers of culverts, bridges and other railway infrastructure on a number of sites in Co. Cork, Tipperary, and Offaly. Bat Habitat Appraisals, Inspections and Endoscopy of PRFs.

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



	<p>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.</p>
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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.

