


## 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

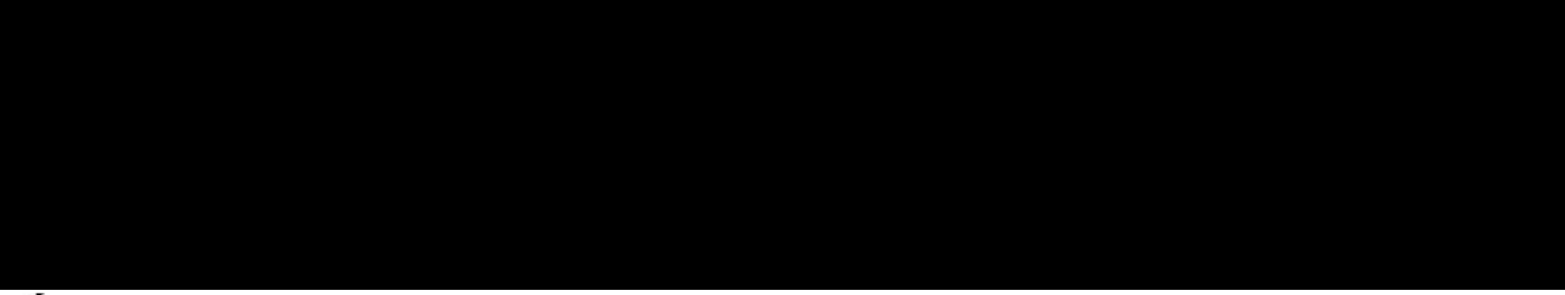
Title (Mr/Mrs/Miss/Ms/Dr)	Forename(s)	Surname
	Julie Anne	RODGERS.
(b) Company Name, if applicable		
(c) Address Line 1	South view	
Address Line 2	Coolick	
Town	Kilcummin	
County	Kerry	
Eircode	V93 E9P5	
(d) Contact number		
(e) Email address		
(f) Address where works are to be carried out if different from (b) above.		
Address Line 1	/	
Address Line 2		
Town		
County		
Eircode		

### 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

(Offered support only, I'm submitting the application)

Title (Mr/Mrs/Miss/Ms/Dr)	Forename(s)	Surname
	Daniel	Buckley
(b) Company Name	NPWS	
Address Line 1	Muckross House	
Address Line 2	Killarney National Park	
Town	Killarney	
County	Kerry	
Eircode		
(c) Contact number		
(d) Email address		
(e) Relationship to Applicant		



## 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): Rhinolophus hipposideros

3. Please provide the maximum number of individuals affected\* 5

4. Please provide the maximum number of breeding or resting sites affected\* 1

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:

- Killamey 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.

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: 01/10/2025  
End Date: 31/03/2026

## Part C: Nature of the Derogation.

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

<b>Regulation 51</b>	
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 checked="" 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 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"/>
<b>Regulation 52</b>	
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.

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

**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.

**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.)

- 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.

Renovation works are proposed on the building where the bats are roosting in order to allow me to live in it. I am currently staying in temporary accommodation and am under time pressure to renovate and move into this house. It is proposed to facilitate the bats post construction works in the attic space through the installation of bat access points in the roof. The works will include the complete replacement of the roof structure. See supporting documentation.

- 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.<sup>1</sup>

- 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.

- 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.

<sup>1</sup> 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.

--

**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	This would result in me not being able to live in the house.
Carry out renovation works and exclude bats	I do not wish to do this and am happy to facilitate roosting bats in the attic space.

\* Please insert additional rows above if needed

**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.

See supporting documentation

Engineer's report + photographic evidence  
of dereliction sent by email already.

**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 Julie Rodgers Date 7. Nov 2025

Name in **BLOCK LETTERS** JULIE ANNE RODGERS

**PRIVACY STATEMENT**

See Privacy Statement at [www.npws.ie/licences](http://www.npws.ie/licences)