



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

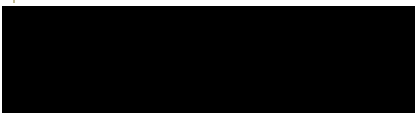
Revision 2.0 – July 2025

- 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	Liam	Gaffney, MCIEEM
(b) Company Name, if applicable	Synergy Environmental Ltd T/A DNV	
(c) Address Line 1	Synergy Environmental Ltd T/A DNV	
Address Line 2	3D Core C, Block 71,	
Town	The Plaza, Park West	
County	Dublin 12,	
Eircode	D12 F9TN	
(d) Contact number		
(e) Email address		
(f) Address where works are to be carried out if different from (b) above.		
Address Line 1	N/A	
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

Title (Mr/Mrs/Miss/Ms/Dr)	Forename(s)	Surname
(b) Company Name		
Address Line 1		
Address Line 2		
Town		
County		
Eircode		
(c) Contact number		
(d) Email address		
(e) Relationship to Applicant		

For Survey Derogations Only

**1. (c) Please Indicate the Names to Appear on the Derogation Along with the Position Held
e.g. Supervisor/Trainee**

Forename(s)	Surname	Supervisor or Trainee
Liam	Gaffney, MCIEEM	Supervisor
Shannen	O'Brien,	Supervisor
Ciara	Barry-Hannon, ACIEEM	Supervisor
Bryan	Thompson, MCIEEM	Supervisor
Sanni	Hintikka	Supervisor
Tom	Ryan	Supervisor
Shea	O'Driscoll, MCIEEM	Supervisor
Heather	O'Neill, ACIEEM	Supervisor
Cara	Shields	Supervisor
William	McCauley, ACIEEM	Supervisor
Brian	McCloskey	Supervisor
Charith	Rakesh Kumar	Trainee
Kelly	Macken	Trainee
Beth	Simms	Trainee

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): All Irish bat species

3. Please provide the maximum number of individuals affected* N/A General annual bat roost access/ disturbance licence being applied for.

4. Please provide the maximum number of breeding or resting sites affected* N/A General annual bat roost access/ disturbance licence being applied for.

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.

I am applying for a general annual bat roost access/ disturbance licence for the period of 2026 for senior members of the DNV Ecology Team. This includes Senior Ecologists and Consultant Ecologists with sufficient bat survey experience. This licence is being applied for as a precaution to cover the entrance/ inspection of confirmed or unconfirmed bat roosts in our day-to-day practice as ecologists i.e., covering activities that might entail minor and/or unintentional disturbance at known roosts, e.g., endoscopy, placing statics and checking bat boxes for occupancy as part of monitoring works etc. It is noted that, as per best practice and the CIEEM code of ethics in terms of ecological practice, as responsible ecologists it would be ensured that any chance of disturbance to bats would be minimised during any such activities. Furthermore, the NPWS would be consulted prior to any activities taking place that could significantly impact a bat roost/ bats.

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.

Derogation licences received by the DNV Ecology Team relevant to this application:

DER/BAT 2023 – 103 (Amended 27/09/2023) – Liam Gaffney, DNV Senior Ecologist.

Licence received from the NPWS for the demolition of known Common pipistrelle *Pipistrellus pipistrellus* and Brown long-eared bat *Plecotus auritus* roosts in Howth, Co. Dublin.

Return made to NPWS on 17/04/2024 (1x Brown Long-eared Bat discovered during the works and vacated overnight).

DER/BAT 2023 – 03 - Bryan Thompson, DNV Senior Ecologist.

Licence received from NPWS for potential disturbance during construction/landscaping works located at Limerick Road, Gurrane, Mitchelstown, Co. Cork to a roost used by Brown long-eared bat *Plecotus auritus*, Natterer's bat *Myotis nattereri*, Soprano pipistrelle *Pipistrellus pygmaeus* & Daubenton's bat *Myotis daubentonii*.

Return made to NPWS on 21/03/2025 (2x Brown Long-eared Bat, 4x Natterer's Bat, 1 Soprano Pipistrelle & 4x Daubenton's Bat).

DER/BAT 2023 – 04 - Bryan Thompson, DNV Senior Ecologist.

Licence received from NPWS for demolition of haybarn roost at Limerick Road, Gurrane, Mitchelstown, Co. Cork used by Soprano pipistrelle *Pipistrellus pygmaeus*.

Return made to NPWS on 21/03/2025 (3x Brown Long-eared Bat).

DER/BAT 2024 – 32 – Shannen O'Brien, DNV Senior Ecologist.

Licence received from the NPWS for the demolition of known Common pipistrelle *Pipistrellus pipistrellus* roost located at Gowan House, Carriglea Business Park, Naas Road, Co. Dublin D12 RCC4.

Return made to NPWS on 29/05/2025 (1x Common pipistrelle).

DER-BAT-2026-29 – Kelly Macken, DNV Ecologist.

Licence received from the NPWS for the demolition of known Common pipistrelle *Pipistrellus pipistrellus* roost located at an abandoned warehouse at the Murrough, Corporation Murragh, Wicklow, County Wicklow, A67 YY27

Return yet to be made, works pending.

DER-BAT-2026-30 – Kelly Macken, DNV Ecologist.

Licence received from the NPWS for the demolition of known Common pipistrelle *Pipistrellus pipistrellus* roost located at the former Garda Station, the Murrough, Corporation Murragh, Wicklow, County Wicklow, A67 YY27.

Return yet to be made, works pending.

- 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:	20/07/2026
End Date:	31/12/2026

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	☐
Deliberately disturb these species particularly during the period of breeding, rearing, hibernation and migration	☒
Deliberately take or destroy eggs of the relevant species in the wild	☐
Damage or destroy a breeding or resting place of such an animal, or	☐
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.	☐
Regulation 52	
Deliberately pick, collect, cut, uproot or destroy any specimen of these species in the wild, or	☐
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.	☐

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 1a)	☒
b.	To prevent serious damage, in particular to crops, livestock, forests, fisheries and water and other types of property (proceed to 1b)	☐
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 1c)	☐
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 1d)	☐
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 1e)	☐

1a. 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.

All Irish Bat species.

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

This application is being submitted for a licence to cover general activities that could entail bat roost access/ minor disturbance for the period of 2026 and the intention would be to reapply in January 2027 to cover the following year.

This licence is being applied for as a precaution to cover inadvertent disturbance to bats should they be encountered during the entrance/ inspection of confirmed or unconfirmed bat roosts during practice as an ecologist e.g., endoscopy, deploying statics and checking bat boxes as part of monitoring works etc. It does not cover any handling or trapping of bats and is solely intended to cover non-invasive, indirect disturbances.

It is intended that this licence would only cover minimal disturbances (if at all) to roosting bats and is being applied for in the interest of ensuring our ecologists are able to carry out their day-to-day works without inadvertently committing an offence. We confirm that this is not a licence to cover any particular project or development that has the potential to impact a known bat roost of any type or size. Any such development would require its own separate derogation licence which we would apply for on a case-by-case basis.

1b) 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.

1c) 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.)

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- 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.

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1d) 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

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1e) 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.

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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.

- 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.

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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>Although there is no specific project involved in this licence, we believe that it is good practice to apply for this licence as experienced bat ecologists.</p> <p>The alternative is not to be covered and to work within a ‘grey area’, possibly working at-risk of committing an offence. This could also prevent us from carrying out our day-to-day work as ecologists, possibly causing delays and uncertainty through applying for unnecessary precautionary licences for practices that may or may not disturb roosting bats e.g., checking bat boxes, endoscoping potential roost features etc.</p>
Subcontract bat work to licenced Bat Ecologists	<p>This alternative solution was considered and disregarded as DNV has the in-house expertise within the Ecology Team to carry out all manner of bat surveys and assessments and just requires a general derogation licence to cover the day-to-day activities described in this application and the accompanying Report. To use subcontractors would also prove unnecessarily complicated and costly for our clients when the work could be carried out in-house. The outcomes for bats</p>

	resulting from both options would however be the same, either licenced subcontractor ecologists would carry out the work or licenced DNV ecologists would do so.

* 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.

The derogation licence being applied for is to cover general activities that could entail bat roost access/ disturbance for the period of 2026 during the daily practice of an ecologist. **This licence would not cover** any works near or on roost structures/trees, or any handling/ moving or trapping of bats, or any destruction/ removal of bat roosts.

The potential for adverse effects to bats and their roosts is therefore considered to be minimal, as the activities concerned would be minimally intrusive and very brief in nature e.g., the potential for momentary disturbance by way of an endoscope survey of a roost feature, or the checking of a bat box.

As such, the granting of this derogation licence will not be detrimental to the maintenance of the populations of Irish bats at a favourable conservation status in their natural range as is required under Section 54(2) of the EC (Birds and Natural Habitats) Regulations.

As there is no specific project involved and this application applies to more general activities, there are no specific mitigation measures included within this application. It is noted that, as per best practice and the CIEEM code of ethics in terms of ecological practice, as a team of responsible ecologists it would be ensured that any chance of disturbance to bats is minimised during any day-to-day activities covered by this general licence. Our Ecology team also follows the Bat Conservation Trust (BCT) (2023) best practice guidance in the design and conduct of our bat surveys. |

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

30/07/2026

Name in BLOCK LETTERS

LIAM GAFFNEY

PRIVACY STATEMENT

See Privacy Statement at www.npws.ie/licences

npws.ie

Department of Housing, Local Government and Heritage



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