Derogation Number
DER-BAT-2027-04

EUROPEAN COMMUNITIES (BIRDS AND NATURAL HABITATS) REGULATIONS, 2011 (S.I. No 477 of 2011)

DEROGATION

Granted under Regulation 54 of the European Communities (Birds and Natural Habitats) Regulations 2011, hereinafter referred to as "the Habitats Regulations".

The Minister for Housing, Local Government & Heritage, in exercise of the powers conferred on him by Regulation 54 of the Habitats Regulations hereby grants to **Geoffrey Shortt** of **Regeneron Ireland DAC, Raheen Business Park, Raheen, Limerick, County Limerick, V94 Y7Y3** a derogation. It is stated that this derogation is issued:

A. 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
B. As there is no satisfactory alternative, and the action authorised by this derogation will not be detrimental to the maintenance of the population of **bats** referred to below at a favourable conservation status in their natural range.

This derogation authorises the following:

1. Roost disturbance
2. Actions authorised within the derogation

The derogation is issued in respect of the following **bat species**:

- **Brown Long-Eared Bat** **Plecotus Auritus**
- **Natterer's Bat** **Myotis Nattereri**
- **Common Pipistrelle** **Pipistrellus Pipistrellus**

Terms and Conditions

1. This derogation is granted solely to allow the activities specified in connection with the works located at **Raheen Business Park, Raheen, Limerick, County Limerick, V94 Y7Y3** for **Geoffrey Shortt**
2. All activities authorised by this derogation, and all equipment used in connection herewith, shall be carried out, constructed and maintained (as the case may be) so as to avoid unnecessary injury or distress to any species of **BAT**. Anything done other than in accordance with the terms of this derogation may constitute an offence
3. This derogation may be modified or revoked, for stated reasons, at any time. In addition, the Minister reserves the right to revoke the derogation where updated information indicates that the basis upon which the derogation was granted has materially changed.
4. The mitigation measures outlined in the application report **(Report in support of Derogation Licence Application Proposed Regeneron Outbuildings Refurbishment, Limerick.)** together with any changes or clarification agreed in correspondence between NPWS and the agent or applicant, are to be carried out. Strict adherence must be paid to all the proposed measures in the application.
5. The actions which this derogation authorise shall be completed between **1st January – 31st March 2027, inclusive.**
6. The works will be supervised by bat ecologist(s): **Carl Dixon**
7. If this derogation addresses works that are subject of a planning application, no such works permitted under this derogation can occur until planning permission is granted.
8. If this derogation expires prior to works permitted under this derogation commencing, a new application must be sought in advance, including the provision of any updated data or reports.
9. This derogation shall be produced for inspection on a request being made on that behalf by a member of An Garda Síochána or an authorised NPWS officer appointed under Regulation 4 of the Habitats Regulations.
10. The local **NPWS Regional Manager – Aine Lynch,** aine.lynch@npws.gov.ie**,** must be contacted prior to the commencement of any activity, and if bats are detected on site during the course of the work, under the terms of this derogation.
11. On completion of the actions which this derogation authorises, all recordings of bat species affected will be made using the standardised Returns form and must be submitted to the NPWS **within four weeks of the expiry date of this derogation**. Included with the Returns form, a report will also be submitted to wildlife.reports@npws.gov.ie detailing results of works and success of mitigation. **Both documents must be submitted to constitute a derogation return.**

For the Minister for Housing, Local Government & Heritage

Fiona O' Mahony.

(an officer authorised by the Minister to sign on his behalf)

18 November 2026

Any query in relation to this derogation should be sent to reg54derogations@npws.gov.ie

National Parks & Wildlife Service LICENCE

Derogation Assessment

Name of Applicant: Geoffrey Shortt

Location/Name of Project: Raheen Business Park, Raheen, Limerick, County Limerick, V94 Y7Y3

Tick the following prohibition as chosen on the application:

(a) Deliberately capture or kill any specimen of the relevant species in the wild	☐
(b) Deliberately disturb these species particularly during the period of breeding, rearing, hibernation and migration	☐
(c) Deliberately take or destroy eggs of the relevant species in the wild	☐
(d) Damage or destroy a breeding or resting place of such an animal, or	☒
(e) 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.	☐
(a) Deliberately pick, collect, cut, uproot or destroy any specimen of these species in the wild, or	☐
(b) 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.	☐

Test 1: A reason(s) listed in Regulation 54 (a)-(e) applies to the proposed activity

i. Tick which reason the applicant claims should be applied to the derogation

(a) In the interests of protecting wild flora and fauna and conserving natural habitats,	☐
(b) To prevent serious damage, in particular to crops, livestock, forests, fisheries and water and other types of property	☐
(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,	☒
(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, or	☐
(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.	☐

ii. Test 1: Conclusion

Please tick the following where it applies:

There is a valid reason(s) listed in Regulation 54 (a)-(e) which applies to the proposed activity:	Yes	☒
	No	☐

Please outline your analysis below and state how the applicant has provided evidence to support your conclusion:

The application form and associated documentation provided by the applicant has been reviewed in full. The application relies on regulation 54(2)(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' as the reason chosen for a derogation that they believe applies to the proposed activity.

In the detail provided, it is clear that the applicants are relying on the imperative reasons of overriding public interest, including those of a social or economic nature aspect of Reason C. As outlined on page five of the accompanying report, the derogation is required to assist with proposed works at the Regeneron facility, Raheen Business Park, at the southern environs of Limerick City.

The objective of the works involves the refurbishment and extension of existing outbuildings to allow the construction of an Event Centre building within the facility site. This centre building will provide a number of different use spaces including for conferences and events, training space, meetings rooms and welfare areas. The report outlines on page 23, that Regeneron is a "high-tech, knowledge-based enterprise" which employs over 1400 staff and exports pharmaceutical products worldwide. Regeneron, therefore views effective communication as critical to its business needs. The Event Centre building with space for meetings and events will assist with this objective and support its operations.

The applicants have provided evidence as to the nature and scale of the overriding public interest reasoning and the proposed activity is necessary to achieve these overall objectives. Based on the above this application has passed Test 1 and can now proceed to Test 2

Test 2: Absence of a satisfactory alternative

Please tick the following where it applies and add a comment below to support the recommendation:

The applicant has provided satisfactory evidence that alternative solutions have been considered and have given reasons why the proposed approach is the only satisfactory alternative:	Yes	☒
	No	☐

Please outline your analysis below and state how the applicant has provided evidence to support your conclusion (If you wish to add additional conditions please complete pg. 6):

This assessment follows previous comments made on the original application in January 2026, which precipitated further information and modifications of the proposed works. This assessment now includes a review of the original documentation and the further information, clarification and mitigatory actions outlined in correspondence to NPWS Wildlife Licensing Unit dated 05/06/26 applicant's ref. 26038 from consultant Carl Dixon (DixonBrosnan ecological consultants) on behalf of the applicant.

The documentation submitted by the applicant has been reviewed, including the evidence for alternative solutions.

The purpose of the derogation is to allow the following activity to take place: proposed development by Regeneron involving the refurbishment of the Roche Castle outbuildings at its campus in Raheen Industrial Estate, Limerick.

The specific situation that needs to be addressed is the proposed development includes the refurbishment and extension of the existing stables and outbuildings within the associated courtyard. Roosting sites for bats are located within the stable buildings/outbuildings. Building 12 is proposed for use as a dedicated bat house.

The alternative solutions suggested by the applicant are:

1. Do-Nothing: No In-Person Meetings

Rejected as it conflicts with company strategy and would negatively impact communication.

2. Off-Site Solution: Hiring external venues or constructing a facility off-campus was deemed inefficient and costly, requiring additional parking, security, and services. An on-campus solution ensures accessibility, security, and integration with existing infrastructure.

3. Alternative On-Site Locations: Other campus sites were considered but found unsuitable due to regulatory and safety restrictions near production areas. Need to preserve space for future manufacturing expansion. Limited space for extensions to administration buildings. Loss of essential car parking or impact on amenity woodland, which would conflict with planning policy and biodiversity protection.

The applicant has provided evidence that alternative solutions have been considered. As outlined on page 24 of the original supporting report. For the development to proceed as proposed there is no alternative other than derogation. All of the mitigation referenced in the most recent correspondence (05-06-26) should be a condition of any derogation.

Based on the assessment of the application documentation, it is regarded that the applicant has considered all available alternative solutions and at this time, no other alternative solutions are apparent.
Having weighed the possible solutions to solve the applicant's problem against the effects of a derogation on the species concerned, it is concluded that the application has passed Test 2 and can proceed to Test 3

Upon completion of your assessment, please return this Recommendation to WLU to continue the application process.

Test 3: Impact of a derogation on conservation status of the species

Please tick the following where it applies and add a comment below to support the recommendation:

The derogation would NOT be detrimental to the maintenance of the populations of the species in question at a favourable conservation status in their natural range.	Yes	☒
	No	☐

Please outline your analysis below and state how the applicant has provided evidence to support your conclusion. (If you wish to add additional conditions please complete pg. 6)

A number of bat species are recorded roosting inside the buildings. All of these species are widespread in Ireland and all are in favourable conservation status.

Suitable and proportionate mitigation is planned including the retention of a designated roosting area within the a building, with continued access via the already installed bat access tile. Repairs will be supervised to ensure safe bat access is maintained and additional bat boxes will be erected. Works will occur within the NPWS-agreed seasonal window using bat-safe materials and under ecological supervision. With the proposed mitigation measures, the impact of the derogation on the local bat population will be minimal.

These mitigation measures ensure that the existing roost remains functional and protected during the works, and hence the derogation will not be detrimental to the maintenance of the populations of the species in question at a favourable conservation status in their natural range.

If the answer above is Yes then the derogation may be granted, providing Tests 1 and 2 have also been met.

Upon completion of your assessment, please return this Recommendation to WLU to continue the application process.

Derogation decision

The application for a derogation under Regulation 54 of the European Communities (Birds and Natural Habitats) Regulations, 2011 (S.I. 477 of 2011), as amended, has been assessed by officials in the Department and the following decision has been made:

Tick box where appropriate:

There is no satisfactory alternative	☒
and the derogation is not 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.	☒

Therefore, a derogation may be granted to the applicant, since it is—

(a) in the interests of protecting wild fauna and flora and conserving natural habitats	☐
(b) to prevent serious damage, in particular to crops, livestock, forests, fisheries and water and other types of property,	☐
(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,	☒
(d) for the purpose of research and education, of repopulating and re-introducing these species and for the breeding operations necessary for these purposes, including the artificial propagation of plants, or	☐
(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.	☐
OR **This application has been refused as one or more of the conditions set out above have not been met**	☐

The following conditions should be attached to the derogation:

1.
2.
3.
4.

[add additional conditions where required]

Signed: Kate Greaney Date: November 18, 2026

Position: Ecologist