

**Derogation Number:
3D-DER-BAT-2025-128**

**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 **Ann O’Shea of Derrinlough, Fivealley, Birr, County Offaly, R42 AV03** 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. 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 in respect of the following **Bat Species**:

- **Brown Long-Eared Bat Plecotus Auritus**



NPWS

An tSeirbhís Páircanna
Náisiúnta agus Fiadhúlra
National Parks and Wildlife
Service

Terms and Conditions

1. This derogation is granted solely to allow the activities specified in connection with domestic dwelling of **Ann O'Shea of Derrinlough, Fivealley, Birr, County Offaly, R42 AV03**
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.
4. The actions which this derogation authorise shall be completed between **26th November – 31st December 2025, inclusive. Should the work not take place between these dates a new derogation should be applied for 2026.**
5. The homeowner is to erect a suitable bat box on a mature tree or south facing gable wall to compensate for the loss of the roost.
6. The exclusion must only be conducted with guidance from a bat expert or local NPWS staff (District Conservation Officer, **Ciara Powell 085-8736499**).
7. The site must be checked before work commences to ensure bats have left. Where bats are thought to still be on site, appropriate action should be taken to exclude bats before any subsequent works are carried out on residential property.
8. 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.
9. The local **NPWS District Conservation Officer – Ciara Powell**, should 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.
10. On completion of the actions which this derogation authorises, all recordings of bats affected will be made using the standardised data form provided below and must be submitted to the NPWS at wildlife.reports@npws.gov.ie **within four weeks of the expiry date of this derogation.**



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Náisiúnta agus Fiadhúlra
National Parks and Wildlife
Service

For the Minister for Housing, Local Government & Heritage

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

15 October 2025

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





NPWS

An tSeirbhís Páircenna
Náisiúnta agus Fiadhúlra
National Parks and Wildlife
Service

Article 16 (Habitats Directive) - Returns Form

This returns form is for use in respect of:

Regulation 54 – Derogation to protect wild fauna and conserving natural habitats

1st January to 31st December 2025, inclusive

Derogation Number: 3D-DER-BAT-2025-128

Derogation Holder: Ann O'Shea

Species (English & Scientific)	No. of Individuals Affected	No. of Breeding Places	No. of Resting Places

Nil Return ☐

Derogation Holder Signature: _____ **Date:** _____

Returns must be emailed to the following email address:

wildlife.reports@npws.gov.ie

Instructions

- All fields are mandatory and should be completed in clear BLOCK writing
- Names in both English and Scientific are to be included for each species covered under the derogation.
- Species should be those granted on the derogation only
- 'Individuals' refers to the number of individuals per species affected under the derogation.
- The term 'individuals' refers to mammals of all ages.

- Number of individuals affected.
Should there be none enter as nil
- Number of Breeding Places Affected.
Should there be none enter as nil
- Number of Resting Places Affected.
Should there be none enter as nil