



An tSeirbhís Páirceanna  
Náisiúnta agus Fiadhúlra  
National Parks and Wildlife  
Service

**Derogation Number:**  
**3D-DER-BAT-2025-47**

**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 **Kathleen Kelly of New Mills, Letterkenny, County Donegal, F92 WVH2** 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:**

- **Common Pipistrelle** **Pipistrellus Pipistrellus**



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 **Kathleen Kelly of New Mills, Letterkenny, County Donegal, F92 WVH2**
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 **1<sup>st</sup> October – 31st December 2025, inclusive**
5. **31st December 2025, inclusive**
6. The works will be supervised by an NPWS field officer or a licensed bat specialist, if the same NPWS officer deems it appropriate.
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 Conservation Ranger**, [mark.mcfadden@npws.gov.ie](mailto:mark.mcfadden@npws.gov.ie), 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](mailto:wildlife.reports@npws.gov.ie) **within four weeks of the expiry date of this derogation.**



**NPWS**

An tSeirbhís Páirceanna  
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)

**26 June 2025**

Any query in relation to this derogation should be sent to [reg54derogations@npws.gov.ie](mailto:reg54derogations@npws.gov.ie)





**NPWS**

An tSeirbhís Páircenna  
Náisiúnta agus Fiadhóilra  
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***

***1<sup>st</sup> January to 31<sup>st</sup> December 2025, inclusive***

**Derogation Number: 3D-DER-BAT-2025-47**

**Derogation Holder: Kathleen Kelly**

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](mailto:wildlife.reports@npws.gov.ie)