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

Application for Derogation Licence

Under the European Communities (Birds and Natural Habitats) Regulations 2011 – 2021

Prepared by the Department of Housing, Local Government and Heritage

npws.ie

- This form is to be used by any person applying for a derogation licence under Regulation 54 or by the Minister under Regulation 54(A)
- Please ensure that you answer questions fully in order to avoid delays
- If you experience any problems filling in this form, please contact the Wildlife Licensing Unit;
- Please note – applications/reports received and licences issued under this derogation may be published on the NPWS website and/or the Department's Open Data website

Wildlife Licensing Unit,

Department of Housing, Local Government and Heritage

National Parks and Wildlife Service

Wildlife Licensing Unit, R. 2.03

90 North King Street

Smithfield

Dublin 7 D07 N7CV

Email: wildlifelicence@npws.gov.ie

Part A. The Applicant: Personal Details

These questions relate to the person responsible for any proposed works and who will be the **named licensee**. As the licensee you will be responsible for ensuring compliance with the licence and its conditions, even though you may employ another person to act on your behalf.
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
Ms	Kate-Marie	O'Connor
(b) Address Line 1	St. Margaret's Rd.,	
Address Line 2	Finglas North	
Town	Dublin 11	
County	Dublin	
Eircode		
(c) Contact number	[redacted]	
(d) Email address	[redacted]	
(e) Address where works are to be carried out if different from (b) above.		
Address Line 1	Mountrath ESBN Substation	
Address Line 2		
Town	Mountrath	
County	Laois	
Eircode		

Part B. Details of Person Submitting Application on Behalf of Applicant/Licensee

Information relating to the person (e.g. ecologist) responsible for submitting the application on behalf of the applicant/licensee should be entered below:

1. (a) Name of Person/Ecologist

Title (Mr/Mrs/Miss/Ms/Dr)	Forename(s)	Surname
Mr	Damien	McAndrew
(b) Company Name	Woodrow Sustainable Solutions, part of APEM Group	
Address Line 1	Upper Offices, Ballisodare Centre	
Address Line 2	Station Road	
Town	Ballisodare	
County	Sligo	
Eircode	F91 PE04	
(c) Contact number	[redacted]	
(d) Email address	[redacted]	
(e) Relationship to Applicant	Bat Ecologist	

Part C. The Application

1. **Species of Animal:** Please indicate which species is affected by the proposed works:

- Bat ☒
- Otter ☐
- Kerry Slug ☐
- Natterjack Toad ☐
- Dolphin ☐
- Whale ☐
- Turtle ☐
- Porpoise ☐

2. Please detail the exact species (scientific name): Soprano pipistrelle (*Pipistrellus pygmaeus*)

3. Please provide the maximum number of individuals affected* 271

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 affected by the proposed works:

- Killarney Fern ☐
- Slender Naiad ☐
- Marsh Saxifrage ☐

8. If you previously received a derogation for any species of animal or plant please state licence number and confirm that you have made a return to NPWS on the numbers actually affected by that licence

DER/BAT 2022-19 Licence No. DER/BAT 2022-19. Licence issued for 8/9 Rutland Street, Opera Development Site, Limerick City, Co. Limerick V94 F2K7

Return made by JBA Consulting

9. **Proposed Dates for Works:** Please indicate the timeframe that you propose to carry out works. Dates set by NPWS may differ from dates proposed here.

Start Date:	24/02/2025
End Date:	31/03/2025

10. Please tick which reason below explains How this Application Qualifies under Regulation 54(2)(A-E) of the European Communities (Birds and Natural Habitats) Regulations:

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	☐
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	☐

11. Report Checklist: Please append a detailed report to support this application and ensure that it contains the following information:

11.1	Explanation as to why the derogation licence sought is the only available option for works and no suitable alternative exists as per Regulation 54 of the European Communities (Birds and Natural Habitats) Regulations.	☒
11.2	Evidence that actions permitted by a derogation licence 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 as is required under Section 54(2) of the European Communities (Birds and Natural Habitats) Regulations.	☒
11.3	Details of any mitigation measures planned for the species affected by the derogation at the location, along with evidence that such mitigation has been successful elsewhere.	☒
11.4	As much information as possible to allow a decision to be made on this application.	☒

Part D. 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 licence and that it is a legal requirement to comply with the conditions of any licence I may be granted following this application. I understand that NPWS may visit to check compliance with a licence.

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 his or her functions under these Regulations or for obtaining any information which he or she may require for such purposes.

Signature of the Applicant Damien McAndrew **Date** 04/02/2025

Name in BLOCK LETTERS DAMIEN MCANDREW

PRIVACY STATEMENT

Please note that under Data Protection legislation Wildlife Licencing Unit staff may only discuss licence applications with the applicant, and not with any third party. See Privacy Statement at www.npws.ie/licences

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