



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

Application for Derogation 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 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 derogations issued may be published on the NPWS website and/or the Department's Open Data website

Applications may be submitted by email: reg54derogations@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 person on the derogation**. As the named person on the derogation you will be responsible for ensuring compliance with the derogation 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
Mr	Daniel	Connell
(b) Address Line 1	9	
Address Line 2	Gort An Ghabhann	
Town	Claregalway	
County	Galway	
Eircode	H91 RT0X	
(c) Contact number	+353 894298487	
(d) Email address	connelldaniel2704@gmail.com	
(e) Address where works are to be carried out if different from (b) above.		
Address Line 1	Click or tap here to enter text.	
Address Line 2	Click or tap here to enter text.	
Town	Click or tap here to enter text.	
County	Click or tap here to enter text.	
Eircode	Click or tap here to enter text.	

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

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

1. (a) Name of Person/Ecologist

Title (Mr/Mrs/Miss/Ms/Dr)	Forename(s)	Surname
Mr	Daniel	Connell
(b) Company Name	Freelance/Self-employed/Subcontractor Ecologist	
Address Line 1	9	
Address Line 2	Gort An Ghabhann	
Town	Claregalway	
County	Galway	
Eircode	H91 RT0X	
(c) Contact number	0894298487	
(d) Email address	connelldaniel2704@gmail.com	
(e) Relationship to Applicant	Self	

Part C. The Application

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

- | | |
|-------------------------------------|-----------------|
| <input checked="" type="checkbox"/> | Bat |
| <input type="checkbox"/> | Otter |
| <input type="checkbox"/> | Kerry Slug |
| <input type="checkbox"/> | Natterjack Toad |
| <input type="checkbox"/> | Dolphin |
| <input type="checkbox"/> | Whale |
| <input type="checkbox"/> | Turtle |
| <input type="checkbox"/> | Porpoise |

2. Please detail the exact species (scientific name): All Bat Species

3. Please provide the maximum number of individuals affected* Unknown at Present

4. Please provide the maximum number of breeding or resting sites affected* Unknown at Present

5. Please provide the maximum number of eggs to be taken* Unknown at Present

6. Please provide the maximum number of eggs to be destroyed* Unknown at Present

*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.

Daniel Connell has in the past been granted a general derogation licence to be involved in any works listed as either Full Licensee or Trainee under supervision of a named Full Licensee – work is for entry to a known roost (disturbance) or handling/capture of bats.

Licence is for: (a) Roost disturbance; (b) Handling/capture of bat species (c) Actions authorised within the licence.

Used for carrying out inspections of known or suspected roost sites, while separate derogation licences have been applied for on a project specific basis where required.

Daniel is a trained bat ecologist, including internal and external building roost inspection, tree roost identification and inspection training, and endoscope training. He has prepared derogation licences for bats and their roosts, and overseen the discharge of licence obligations. He has conducted bat Surveys for large infrastructure projects within Ireland, as well as targeted species-specific and protect species surveys on behalf of private clients and ENGOS; from AA, NIS, EclA, and EIAR ecology reports for construction, infrastructure, forestry, solar, and windfarm projects, to conservation initiatives for national wildlife groups and individual clients. Recent bat surveys Daniel has project-managed include, but are not limited to: Ballyfeeny, Crag, Milane Hill, and Killadeer windfarms (2024 – Present) on behalf of Greensource/Inis; N6 GCRR (2023-2024) on behalf of Scott Cawley; Ballinasloe Strategic Housing Project (2022) on behalf of Limshill Ltd; (no. 9) Solar Farm projects in Cork, Meath, and Offaly, respectively, on behalf of Entrust Planning Services (2020-2022); N17/R320 Junction Upgrade at Lisduff to the southeast of Claremorris town in Co Mayo, on behalf of BAM (2021); and N59 Moycullen Bypass (2021 – 2022), on behalf of Wills Bros.; including applying for Bat Derogation licences with the NPWS Wildlife Licence Unit. Daniel has also volunteered with Bat Conservation Ireland (BCI) and the Vincent Wildlife Trust (VWT), respectively, on a variety of Bat conservation initiatives, and has advised clients, local ENGOS and Citizen Scientists on Bat surveying techniques, appropriate Bat Box Schemes, and mitigation measures.

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 derogation number and confirm that you have made a return to NPWS on the numbers actually affected by that derogation.

[Recent Derogation Licences include: DER/BAT 2024-53; C29/2024; DER/BAT 2024 – 96; also N59 Maigh Cuilinn (Moycullen) Bypass 2023]

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:

17/02/2025

End Date:

31/12/2025

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	<input type="checkbox"/>
b.	To prevent serious damage, in particular to crops, livestock, forests, fisheries and water and other types of property	<input type="checkbox"/>
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	<input checked="" type="checkbox"/>
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	<input checked="" type="checkbox"/>
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	<input type="checkbox"/>

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 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.	<input checked="" type="checkbox"/>
11.2	Evidence that actions permitted by a 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 as is required under Section 54(2) of the European Communities (Birds and Natural Habitats) Regulations.	<input checked="" type="checkbox"/>
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.	<input checked="" type="checkbox"/>
11.4	As much information as possible to allow a decision to be made on this application.	<input checked="" type="checkbox"/>

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.

This derogation licence is being sought for conducting bat-related surveys in relation to ecological assessments for plans and projects and biodiversity studies. Some of these surveys require entry into known or suspected bat roosts at various times of the year to determine the presence or absence of bats and the status of the roost site. In conducting ecological assessments in relation to bats, it is important to identify and assess the use of a suspect roost and bat roosting features and to document this.

Preference to identifying these elements would be conducted via non-intrusive methods such as ground visual assessment, manual/automated detectors during emergence/re-entry surveys and use of an IR camera. However, this may not be feasible in hard to view or difficult to access areas and may require close inspections of potential roost features in trees/ crevices or entry into a suspected bat roost. This can confirm if features are suitable for potential roosting bats and/or if there is evidence of bats, using torchlight and an endoscope in a careful and sensitive manner. This derogation licence would aim to inform potential mitigation measures and strategies. All surveys will follow UK and Ireland good practice guidelines as outlined by CIEEM, Bat Conservation Ireland and Bat Conservation Trust.

Daniel is a trained bat ecologist, including internal and external building roost inspection, tree roost identification and inspection training, and endoscope training. He has prepared derogation licences for bats and their roosts, and overseen the discharge of licence obligations. While at Scott Cawley, Daniel experienced bat handling training under the guidance of Neil Middleton, as part of internal training.

He has conducted bat Surveys and worked as an Ecological Clerk of Works (ECOW) for large infrastructure projects within Ireland, as well as targeted species-specific and protect species surveys on behalf of private clients and ENGOS; from AA, NIS, EcIA, and EIAR ecology reports for construction, infrastructure, forestry, solar, and windfarm projects, to conservation initiatives for national wildlife groups and individual clients.

Recent projects Daniel has managed with relation to bats include, but are not limited to:

- Ballyfeeny, Crag, Milane Hill, and Killadeer windfarms (2024 – Present) on behalf of Greensource/Inis;
- N6 GCRR (2023-2025) on behalf of Scott Cawley and Arup;
- Galway Racecourse New Stables Application (2023-2025) on behalf of Scott Cawley and Arup;
- Ballinasloe Strategic Housing Project (2022) on behalf of Limshill Ltd;
- (no. 9) Solar Farm projects in Cork, Meath, and Offaly, respectively, on behalf of Entrust Planning Services (2020-2022);
- N17/R320 Junction Upgrade at Lisduff to the southeast of Claremorris town in Co Mayo, on behalf of BAM (2021); and
- N59 Moycullen Bypass (2021 – 2022), on behalf of Wills Bros.; including applying for Bat Derogation licences with the NPWS Wildlife Licence Unit.

Daniel has also volunteered with Bat Conservation Ireland (BCI) and the Vincent Wildlife Trust (VWT), respectively, on a variety of Bat conservation initiatives, and has advised clients, local ENGOS and Citizen Scientists on Bat surveying techniques, appropriate Bat Box Schemes, and mitigation measures.

11.2 Evidence that actions permitted by a 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 as is required under Section 54(2) of the European Communities (Birds and Natural Habitats) Regulations.

This derogation licence will be used for survey only, Daniel Connell would be considered a suitability trained and proficient ecologist and will maintain the welfare of the bat(s) and insure minimum level of disturbance as possible. The granting of the derogation will not be detrimental to the maintenance of the population of any bat species. Daniel Connell will follow a strict protocol outlined below to ensure the minimum disturbance:

Protocols for the Protection of Bats During Works

Bat Roost Survey Protocol to ensure minimisation of disturbance to bats (this does not cover health and safety risk assessments which are carried out)

For unknown roosts

- Check with owner/client re presence of bats.
- Survey for external signs of bats and roost entry points. If positive signs then treat as known /suspected roost.
- Entry to possible roost should be made cautiously especially if survey is carried out in the winter period when signs of bats may be difficult to find. Should signs of bats be noted then treat as a known/suspected roost.
- Use of endoscope is to treat crevice/tree cavity as suspected roost, with insertion being conducted in a slow manner

For known/suspected roosts Generic measures to include:

- Avoid using roost illumination apart from torches
 - Talking in low tone is preferred to whispering
 - Bats seen in situ should be counted, photographed only if necessary and then left alone
 - Handling of bats to confirm identification is only used as a last resort. This may be necessary for suspected Whiskered/Brandt's bat roosts
 - Samples of droppings, dead bats etc may be removed to facilitate species identification
 - Care to be taken to avoid cooling or warming effects as described below
- During potential hibernation season (November-March), only one person will be permitted to enter roost area. If any hibernating bats are seen to be showing signs of waking, then the roost survey will be abandoned immediately.
- During the breeding season, known breeding roosts will be avoided unless emergency work is required. This will only be conducted under a separate granted derogation licence associated with the works.

Photography in roosts

The following protocols will be complied with to minimise the risk of injury or death to bats being photographed or filmed: Photography will not take place in nursery areas of roosts.

- Photography will be minimised in roosts and will comprise taking high-resolution photographs using a standard digital camera with flash at a minimum distance of 3 metres from the bats. This will allow images to be zoomed digitally rather than putting the flash close to bats
- No bats will be handled during photography
- Video footage may be taken of bats emerging from roosts or swarming around roosts and stills taken from this footage
- Use of endoscope is to treat crevice/tree cavity as suspected roost, with insertion being in a slow manner. Photograph will be taken if bat is present and best identifiable

These measures will serve to minimise disturbance of bats in their roosts by taking photographs.

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

This license is not specific to any location and will support my work as an ecologist.

11.4 As much information as possible to allow a decision to be made on this application.

Daniel Connell is requesting a licence to carry out the following activities restricted under the Wildlife Act and Birds and Natural Habitats Regulations 2011:

- To carry out bat roost surveys (Country-wide) including entry to known roosts to collect scientific data;
- To use endoscope to explore inaccessible locations in structures and trees;
- To capture bats by hand net, harp trap, by hand, and by mist net;
- To photograph bats within roosts for scientific and research purposes (Country-wide).

Daniel Connell has undertaken a variety of bat-related surveys in relation to environmental impact assessments for proposed developments. Some of these surveys require entry into known or suspected bat roosts at various times of year to determine the presence or absence of bats and the status of the roost site. Often new bat roosts are only revealed during surveys and in the absence of a Licence the survey must be ceased, preventing collection of useful information. A licence is therefore requested to enter roosts as part of standard bat surveys.

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 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 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:



DATE: 17/02/2025

Name in BLOCK LETTERS: Daniel Connell

PRIVACY STATEMENT

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

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