



Licence Return Report to Wildlife Licensing Unit of the National Parks and Wildlife Servives

Supporting Information

Department of Housing, Local Government and Heritage

March 2025

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1. Introduction

This document provides supporting information which has been compiled by the Applicant (Petr Dobes) to accompany an application for a Derogation Licence under Regulation 54 of the European Communities (Birds and Natural Habitats) Regulations, 2011.

Petr Dobes is an Ecologist with Malachy Walsh and Partners (MWP), Engineering and Environmental Consultants, where he has been working for the past 19 months. He has experience in ecological surveying and impact assessment, with a diverse survey portfolio that includes habitats, mammals (including bats), aquatic species, and birds. Details of the applicant's bat-related experience and training can be found in **Section 5** below.

The purpose of this document is to provide sufficient information to the National Parks and Wildlife Service (NPWS) and the Department of Housing, Local Government and Heritage to allow them to make an informed decision regarding the granting of a Derogation Licence to the Applicant to carry out certain bat surveys, where disturbance of bats and/or roosts will/may occur.

As per Section 11 of the 'Application for Derogation Licence' form which is available on the NPWS website and is required to be completed, this supporting document details relevant information in response to the four criteria which are set out, in relation to the level of supporting information required. These are discussed under the following sub-headings.

2. 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

The Applicant seeks to apply for a Derogation Licence to facilitate specific bat surveys, which are necessary for the effective assessment and management of potential ecological impacts. In particular, the surveys may involve activities that could disturb bats and/or a bat roost, particularly during sensitive periods such as the maternity and hibernation periods as outlined in Regulation 51 of the 2011 Regulations. The primary reason for the application, as specified in Regulation 54 of the 2011 Regulations, is based on option c:

(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.

The need for the derogation license arises due to the necessity of conducting these surveys in locations where bat roosts are either confirmed or suspected. Such surveys could involve a range of methods, including building/structure and tree inspections (e.g., using endoscopes, mirrors, etc.), presence/absence surveys, roost characterisation surveys, and other established best-practice techniques as detailed in Collins (2023), Marnell et al. (2022), SNH (2021), Collins (2016), and Kelleher & Marnell (2006). These surveys are often a requirement as part of baseline ecological assessments, which in turn inform planning applications for development projects.

It is important to note that various alternatives to the proposed derogation licence have been considered, but they have proven to be unsatisfactory for several reasons. First, non-invasive survey methods that would not disturb bats or roosts are either not feasible or would provide insufficient data to meet the regulatory requirements for assessing ecological impact. For instance, standard observation techniques or use of nonintrusive technologies may not provide the level of detail necessary to determine the presence and or the type of bat roosts, particularly in complex or hard-to-reach areas.

Furthermore, alternative approaches, such as relying solely on external licensed surveyors, would not fully address the timing or scope of the surveys required for compliance. Given the sensitivity of the species and the need for timely, accurate data to inform planning decisions, external licensed surveyors may not always be

available within the necessary timeframes, leading to delays in the development process and potentially impacting public interest.

Without the granting of this derogation licence, it would not be possible to undertake the necessary surveys in a timely manner, and essential ecological data would remain uncollected. This would significantly hinder the Applicant's ability to evaluate and mitigate potential impacts on bat populations and their roosts, ultimately preventing developers from fulfilling their obligations under current environmental legislation. The granting of the derogation licence is, therefore, essential to ensure that important survey work can proceed without undue disturbance to the bat population, ensuring that the development proposals are in compliance with both ecological and regulatory standards.

In conclusion, after careful consideration of all available alternatives, it has been determined that the derogation licence is the only viable option to allow these critical surveys to be carried out. The importance of obtaining accurate ecological data to assess the potential impacts of development on bat populations, and the associated risks to public and environmental safety, make the derogation license the most appropriate and necessary course

3. 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.

As discussed above, the Derogation Licence is being applied for to facilitate general bat survey work carried out as part of the normal role of a professional ecologist (the Applicant), who is adequately qualified and experienced. There will be no: • killing, injuring, taking/capturing of any bats • wilful interference with any breeding/resting places of bats • damage or destruction of any breeding/resting places of bats • retaining, selling, transport or exchange of any bats taken in the wild.

The licence is intended to allow for bat surveys to be undertaken where surveys could potentially cause disturbance of bats or their roosts, and/or allow for more comprehensive bat surveys to be undertaken, where roosts are confirmed present. There will be no physical interference with any bats or roost-sites. All survey work will be undertaken in accordance with current best-practice guidance, as outlined in Section 2 above, and with any best-practice guidance which may be published within the licence period. Bearing the above factors in mind, the actions permitted by the Derogation Licence being applied for will not be detrimental to the maintenance of the populations of any bat species at their respective favourable conservation status in their natural ranges, as required under Section 54(2) of the 2011 Regulations.

4. 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

With regard to survey methods, equipment etc, all survey work will be undertaken in accordance with best practice guidance, as outlined in Section 2 above. All surveys will be carried out in as short a time as possible to allow for the capture of adequate information, while minimising disturbance to bats and roosts. No specific mitigation measures, over and above what is in line with standard survey methods, are deemed required with regard to any bat species which may be affected.

5. Applicant's relevant experience and training

Applicant (Petr Dobes) has been involved in a range of bat surveys across various projects, including infrastructure developments, renewable energy proposals, and residential and commercial planning applications. His experience includes conducting Preliminary Roost Assessments, Emergence and Re-entry Surveys, and Walkover Surveys in accordance with industry guidelines.

Petr is also a volunteer with the Vincent Wildlife Trust (VWT), where he has participated in emergence counts of Lesser Horseshoe Bats in 2024 and will continue this work in 2025. Through his involvement with VWT, he has gained valuable experience in Lesser Horseshoe Bat ecology and behaviour, enhancing his expertise in monitoring techniques and conservation considerations for this protected species. He also participated in the 2024 Daubenton's Waterways Surveys for Bat Conservation Ireland, where he conducted surveys along a section of the River Lee in Ballyseedy Woods, monitoring Daubenton's bat activity and recording their presence along the waterway.

Additionally, Petr has undertaken specialized bat training and CPD courses to further develop his expertise. In February 2024, he completed a two-day CPD course with Tina Aughney, which included a presentation at the MWP office covering Irish bat species, survey methodologies, sonogram analysis, bat survey equipment, and mitigation strategies.

Furthermore, from October 2024 to January 2025, Petr participated in one-on-one mentoring sessions with Conor Kelleher, which encompassed both theoretical learning and hands-on practical experience. These sessions provided in-depth knowledge of bat ecology, species identification, survey techniques, and mitigation strategies. In addition to theoretical discussions, the mentoring included practical field outings, where Petr gained experience in catching and handling bats under supervision, further enhancing his understanding of bat behavior, roosting ecology, and conservation practices. Please see **Figure 1** below with course attendance record.



Aardwolf Wildlife Surveys

Bat Survey, Assessment and Mitigation Specialists

Ballymakeera East, Macroom, Co. Cork, P12 HW35. Telephone: 087-2980297
Email: conorkelleher59@gmail.com Business Reg. No. 244214 VAT Reg. No.: 3925400B

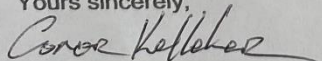
Date: 15th January 2025

COURSE ATTENDANCE RECORD

To whom it may concern, this is to certify that Mr. PETR DOBEŠ has attended the following modules on bat ecology:

- Bat Research and Conservation in Ireland over Three Centuries (1 hour)
- Development, Legislation and Mitigation: Ireland's Bats Both During and Post the Celtic Tiger Years (1 Hour)
- Bat Detectors and Detection: The Physics of Bat Sound and its Use, Identifying Bat Species Aurally and from Sonograms (1.5 hours)
- Surveying for Bats: Buildings: Methodology and Evidence of Bat Presence (1 Hour)
- Surveying for Bats: General Countryside, Road Construction, Wind Turbines, Bridges: Methodologies and Evidence of Bat Presence (2 hours)
- The Life Cycle and Ecology of the Lesser Horseshoe Bat *Rhinolophus hipposideros* (1.5 hours)
- Bat Species and Bat Dropping Identification in the Hand: Individual Anatomical Features of Importance, Hands-on Dead Specimen Examination/Identification (1.5 hours)
- Catching and Handling Bats in the Field (Practical Session): Demonstration of Harp Trap, Mist Net and Hand Net use, Bat Handling Skills (4 hours)

Yours sincerely,


Conor Kelleher

Mammal and Bird Survey - Environmental Impact Assessment
- Courses in Bat Ecology -

Figure 1: Course attendance record with Conor Kelleher