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Wildlife Licencing Unit

An Roinn Tithíochta, Rialtais Áitiúil agus Oidhreacht

An tSeirbhis Páirceanna Náisiúnta agus Fiadhúlra

90 Sráid an Rí Thuaidh, Margadh na Feirme, Baile Átha Cliath 7, D07 N7CV

05 April 2025

RE: Report on Q 11, bat derogation application (20/3/2025)

Dear Dan,

The following outlines the additional requirement supporting the above licence application.

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 licence is required to permit access to structures and/or feature(s) that could contain roosting bats, mainly during the preliminary stages associated with bat surveying. The derogation licence being sought is the only available option for such works and no suitable alternative exists, where a structures and/or feature(s) needs to be entered by the bat specialist (Dr Barry Walls CEcol CEnv) under strict conditions, and on a selected limited basis and extent (please refer to item no. 2 for further details, to avoid replication).

In many cases, internal inspection of such structures and/or features is the only option available and no suitable alternatives exist, when evaluating their nature and condition, in order to better advise private clients and public bodies in terms of protecting bat species and populations. At times, my role includes the evaluation of bat related reports completed by other consultants, and internal inspections are an essential component for fact checking purposes.

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.

The actions permitted by this derogation licence *will not* be detrimental to the maintenance of the populations of bat 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. Measure outlined in Commission notice- Guidance document on the strict protection of animal species of Community interest under the Habitats Directive (EC, 2021), and current best practices guidelines, will be strictly adhered to during such actions.

This licence application relates primarily to the following actions/tasks:

- Bat surveying scoping, to ensure adequate protection of bat species and roosting features.
- Identification of relevant internal features (i.e. bat hibernacula, cellars, etc.) that are not externally visible, that requires additional surveying efforts and protection during the planning process.
- Evaluation of the nature and condition of internal building fabric, that may otherwise result in harm to bat species and loss of roosting features, if not adequately addressed i.e. roof structural issues, rain penetration, etc. Refinement of impact avoidance and impact mitigation measures based on the precautionary principle, in accordance with the mitigation hierarchy, in terms of protecting bat populations.
- When an undocumented bat roost is confirmed, it will be reported to the authorities, allowing continued protection. In such cases, a roost will not be entered, thereby preventing any potential disturbance; it is critical to prevent disturbance to bat species, especially during breeding/rearing and/or hibernation periods.

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 licence application relates primarily to permission to access structures and/or features that may contain roosting bats, mainly during the preliminary (scoping) stage associated with bat surveying. In such cases, best practice guidelines will be strictly adhered to, to avoid disturbance to bat species.

Following the completion of bat surveys, where bat species are identified within a ZOI, site and project-specific bat mitigation plans (BMP) will be developed for each case, based on the established mitigation hierarchy and current best practices. If required, the BMP and a site-specific derogation licence will be submitted to the competent authority(s) for approval, in line with best practice and legislative requirements. Where required, established impact avoidance and/or impact mitigation measures (inc. compensatory habitat and features) will be approved to account for the requirements and preferences of each bat species (i.e. a species-by-species approach), given their unique requirements i.e. roost types and size, individual compensation habitat provisions, dynamic population range requirements, ecological functionality, etc.

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

As a Bat Specialist, I am occasional required to access structures and feature that may contain roosting bats or potential roost features. I am trained and experienced in the use of bat survey equipment (bat detectors, thermal and night vision devices, endoscope techniques, etc.), roost access, and bat handling. Over the last 20 years, I have held multiple bat licences, including bat handling licences and bat research licences.

The granting of this derogation licence will not be detrimental to the maintenance or restoration of bat species at a favourable conservation status in its natural range. To the contrary, it will allow the licensee to extend further protection to bat species, thus ensuring net positive result for bat species.

Should you require any further information, please do not hesitate to contact.

Yours sincerely,
For BWCE Ltd. Environmental & Ecological Consultants



Dr Barry Walls PhD MSc BEng (Hons) CEcol CEnv MCIEEM
Managing Director
Chartered Ecologist
Chartered Environmentalist