Derogation Number
DER-BAT-2025-255
(Survey Derogation)

EUROPEAN COMMUNITIES (BIRDS AND NATURAL HABITATS) REGULATIONS, 2011 (S.I. No 477 of 2011)

DEROGATION

Granted under Regulation 54A 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 54A of the Habitats Regulations hereby grants to **Penny Bartlett, Conservation Ranger** of **NPWS, NEPS Building, Francis Street, Ennis, County Clare, V95 K3CH** 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. As 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 is issued in respect of **all bat species**

Under supervision of the named person above: Ciaran Cronin, Deirdre Foley

Terms and Conditions

1. This derogation is granted solely to allow the examination of potential bat roosts, including **all bat species and all roost types**, as necessary in order to undertake environmental impact assessments for property owners or developers or scientific study within the Republic of Ireland.
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**.
3. This derogation may be modified or revoked, for stated reasons, at any time.
4. The actions which this derogation authorises shall be completed between the **29th May – 31st December 2025, inclusive.**
5. The **Bat Roost Survey Protocol** as set out below must be adhered to, in order to ensure minimisation of disturbance to bats**.**
6. This derogation shall be produced for inspection on a request being made on that behalf by a member of An Garda Síochána or any authorised NPWS officer appointed under Regulation 4 of the Habitats Regulations.
7. On completion of the actions which this derogation authorises, all recordings of bat species affected will be made using the standardised data form provided below and must be submitted to the NPWS **within four weeks of the expiry date of this derogation**. Included with the below returns form, a report will also be submitted to wildlife.reports@npws.gov.ie detailing results of works and success of mitigation. **Both documents must be submitted to constitute a derogation return.**

Bat Roost Survey Protocol to ensure minimisation of disturbance to bats

1. **For unknown roosts**
    a) Check with owner/client re presence of bats.
    b) Check with Bat Conservation Ireland to determine roost records.
    c) Survey for external signs of bats and roost entry points. If positive signs, then treat as known /suspected roost.
    d) 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.

2. **For known/suspected roosts**
    a) Generic measures to include:
        i. Avoid using roost illumination apart from torches.
        ii. Talking in low tone is preferred to whispering.
        iii. Bats seen in situ should be counted where possible and then left alone.
        iv. Handling of bats to confirm identification is only used as a last resort and is subject to separate licencing under the Wildlife Acts (S.23).
        v. Samples of droppings, dead bats etc. may be removed to facilitate species identification.
        vi. Care to be taken to avoid cooling or warming effects as described below.
    b) During potential hibernation season (November-March), only one person should enter roost area. If any hibernating bats are seen to be showing signs of waking, then the roost survey will be abandoned immediately.
    c) During the breeding season, known breeding roosts should be avoided unless emergency work is required. This will usually be the subject of a separate derogation.

For the Minister for Housing, Local Government & Heritage

(an officer authorised by the Minister to sign on his behalf)

29 May 2025

Any query in relation to this derogation should be sent to wildlifelicence@npws.gov.ie

Article 16 (Habitats Directive) - Returns Form

This returns form is for use in respect of:

Regulation 54A – Derogation to protect wild fauna and conserving natural habitats

1st January to 31st December 2024, inclusive

Derogation Number: DER-BAT-2025-255
Derogation Holder: Penny Bartlett

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