

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.

Date: 29/05/2025
Re: Bat derogation licence
Subject: Licence application

Dear Wildlife Licensing Unit,

This letter supports the Application Form submitted by Síofra Sealy, Senior Ecologist of Roughan & O'Donovan Consulting Engineers pursuant to a Derogation Licence under Regulation 54 of the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No. 477 of 2011).

Introduction

ROD carries out a range of bat surveys and mitigation design on infrastructure projects in Ireland. In order to inform Environmental Impact Assessment Reports and Ecological Impact Assessments it is important to identify the presence or absence of bat roosts prior to applying for planning permission for a development. This licence will be used to carry out routine inspections on potential bat roost features in trees and built structures in Ireland.

To this end, I, Síofra Sealy, seek to submit an application for a licence under Regulation 54 of the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No. 47 of 2011) to undertaken examinations of potential bat roosts.

Methodology

For the duration of the licence only, if granted, identification of potential roost features in trees and built structures will involve inspection at ground level, using a ladder or mewp (or other suitable alternative). Inspection will in the first instance involve unobtrusive visual inspection only; and if required, the use of a torch; or, if the full extent of the feature is inaccessible, the use of a Rigid CA300 Endoscope. Where features are inaccessible, or a full characterisation of the entire feature cannot be ascertained, emergence and re-entry surveys will be conducted following best practice guidelines.

Actions permitted under the Licence sought in this application will not be detrimental to the maintenance of bat species populations 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.

At all times during surveying, the derogation licence will be kept in my possession and available for inspection by any member of An Garda Síochána or any person authorised by Regulation 4 of the Habitats Regulations.

Where a bat roost has been confirmed and may be impacted by a development, appropriate mitigation measures will be prescribed according to the below best practice guidance documents:

- *Bat Mitigation Guidelines for Ireland – V2* (Marnell, F., Kelleher, C. & Mullen, E., 2022).
- *Bat Surveys for Professional Ecologists: Good Practice Guidelines 4th edition* (Collins, J., 2023).
- *UK Bat Mitigation Guidelines – V1.1* (Reason, P.F. & Wray, S., 2023).

Need for the Derogation

This application qualifies under Regulation 54(2)(A-E) of the European Communities (Birds and Natural Habitats) Regulations as it is 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.

Projects undertaken by ROD generally involve infrastructure improvements, which may be required for health and safety or infrastructure development for the purposes of social and economic nature.

Alternatives

The following is a list of alternatives considered to carrying out roost inspection surveys:

1. Do nothing

The do-nothing scenario would be to not carry out any roost inspection surveys at any potential roost sites. Then any potential roost sites would not be adequately surveyed to inform an Ecological Impact Assessment for a planning application and it would not be possible to prescribe appropriate mitigation. Without complete survey data, impact assessment and mitigation, it could result in the destruction of a bat roost.

2. Emergence Surveys with no inspection surveys

If this licence is not granted then it would not be permitted to carry out inspection of a roost with an endoscope. The alternative is to carry out dusk emergence surveys with night vision aids of any potential roost features. While bats may be detected in some settings, not all settings can be adequately surveyed using these methods, in particular potential tree roosts. Trees may contain very dense foliage which can obscure roost features. As per Scenario 1, any potential roost sites would not be adequately surveyed to inform an Ecological Impact Assessment for a planning application and it would not be possible to prescribe appropriate mitigation. Without complete survey data, impact assessment and mitigation, it could result in the destruction of a bat roost.

The alternatives presented here have the potential to contravene the requirements of Section 54 (2) of the European Communities (Birds and Natural Habitats) Regulations, as they could result in the destruction of bat roosts and negatively impact bat populations. Therefore, 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.

Summary

A derogation licence is sought to comply with the requirements of Section 54 (2) of the European Communities (Birds and Natural Habitats) Regulations. As such, actions permitted under the licence sought in this application will not be detrimental to the favourable conservation status of bats in their natural range.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Síofra Sealy', is written in a cursive style.

Síofra Sealy

Senior Ecologist, MCIEEM
Roughan & O'Donovan