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	Roger	Macnaughton
(b) Address Line 1	Mott MacDonald	
Address Line 2	South Block	
Town	Dundrum	
County	Dublin 16	
Eircode	D16 R6V0	
(c) Contact number	[redacted]	
(d) Email address	[redacted]	
(e) Address where works are to be carried out if different from (b) above.		
Address Line 1	County Wexford	
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
Ms	Sam	Blazey (ACIEEM)
Ms	Lucy	Mason (ACIEEM)
Ms	Kathy	Halsall (MRSB)
Ms	Lisa	O'Dowd (ACIEEM)
Mr	Fintan	Damer
Mr	Michael	Smith (MCIEEM)
Mr	Roger	Macnaughton
Sam Blazey, Lucy Mason and Kathy Halsall will act as lead surveyors with Lisa O'Dowd, Fintan Damer and Michael Smith assisting where necessary. Experience and credentials of each surveyor is outlined within the supporting report.		
(b) Company Name	Mott MacDonald	
Address Line 1	South Block	

Mott MacDonald Restricted

Address Line 2	Rockfield
Town	Dundrum
County	Dublin 16
Eircode	D16 R6V0
(c) Contact number	[redacted]
(d) Email address	[redacted]
(e) Relationship to Applicant	Roger Macnaughton “the Applicant” and the Ecology team outlined are ecologist employees of Mott MacDonald. Mott McDonald are consultants supporting Wexford County Council and Transport Infrastructure Ireland on the planning and design of the proposed N11/N25 road scheme.

Part C. The Application

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

- Bat ☒
- Otter ☐
- Kerry Slug ☐
- Natterjack Toad ☐
- Dolphin ☐
- Whale ☐
- Turtle ☐
- Porpoise ☐

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

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

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

5. Please provide the maximum number of eggs to be taken* n/a
6. Please provide the maximum number of eggs to be destroyed* n/a

This license application is being requested to carry out endoscope surveys only. This will involve minimal risk of disturbance and will only be performed to check potential roosting features in trees and to record the presence or not of bat species.

The survey is required to follow best practice guidelines (*Collins, J. (ed.) (2023) Bat Surveys for Professional Ecologists: Good Practice Guidelines (4th edition). The Bat Conservation Trust, London.*) to accurately identify the baseline bat roost population that may be at risk from a proposed road scheme. The survey findings will more accurately inform mitigation to be detailed in the Environmental Impact Assessment Report (EIAR) for the proposed N11/ N25 road scheme.

The number of individual and breeding/resting sites of bats in potential roost features in trees that would be removed as part of the scheme is currently unknown. The surveys are intended to determine the suitability of potential roosting features in trees and note presence and species of any bats recorded. This will help better inform impacts from the scheme and appropriate mitigation to reduce impacts to bat populations locally in Co Wexford. If the survey is not done, then there is a risk that adequate information on bat roosts will not be known for the EIAR.

Click or tap here to enter text.

7. **Species of Plant:** Please indicate which species is affected by the proposed works:

- Killarney Fern ☐
- Slender Naiad ☐
- Marsh Saxifrage ☐

Mott MacDonald Restricted

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.

No previous derogation licences were received for this project.

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:	14/07/2025
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	☐
b.	To prevent serious damage, in particular to crops, livestock, forests, fisheries and water and other types of property	☐
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	☒
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	☐
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	☐

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

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:**	23/07/2025
Name in BLOCK LETTERS:	Roger Macnaughton on behalf of Mott MacDonald		

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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