



NPWS

An tSeirbhís Páircanna
Náisiúnta agus Fiadhúlra
National Parks and Wildlife
Service

**Derogation Number
DER-BAT-2025-289
(Survey Derogation)**

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

DEROGATION LICENCE

Granted under Regulation 54 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 54 of the Habitats Regulations hereby grants to **Niamh Roche, Ecologist of Bat Conservation Ireland, Grangegeeth, Collon, Drogheda, County Meath, A92 R504** a derogation. It is stated that this derogation is issued:

- A. 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
- 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**



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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 August – 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.



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For the Minister for Housing, Local Government & Heritage

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

29 August 2025

Any query in relation to this derogation should be sent to reg54derogations@npws.gov.ie



Derogation Assessment

Name of Applicant: Dr. Niamh Roche

Location/Name of Project: Survey

Tick the following prohibition as chosen on the application:

(a) Deliberately capture or kill any specimen of the relevant species in the wild	☐
(b) Deliberately disturb these species particularly during the period of breeding, rearing, hibernation and migration	☒
(c) Deliberately take or destroy eggs of the relevant species in the wild	☐
(d) Damage or destroy a breeding or resting place of such an animal, or	☐
(e) Keep, transport, sell, exchange, offer for sale or offer for exchange any specimen of the relevant species taken in the wild, other than those taken legally as referred to in Article 12(2) of the Habitats Directive.	☐
(a) Deliberately pick, collect, cut, uproot or destroy any specimen of these species in the wild, or	☐
(b) Keep, transport, sell, exchange, offer for sale or offer for exchange any specimen of these species taken in the wild, other than those taken legally as referred to in Article 13(1)(b) of the Habitats Directive.	☐

Test 1: A reason(s) listed in Regulation 54 (a)-(e) applies to the proposed activity

i. Tick which reason the applicant claims should be applied to the derogation

(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, or	☒
(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.	☐

ii. Test 1: Conclusion

Please tick the following where it applies:

There is a valid reason(s) listed in Regulation 54 (a)-(e) which applies to the proposed activity:	Yes	☒
	No	☐

Please outline your analysis below and state how the applicant has provided evidence to support your conclusion:

The application form and associated documentation provided by the applicant have been reviewed in full. The application relies on regulation 54(2)(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' as the reason chosen for a derogation that they believe applies to the proposed activity.

In the detail provided it is clear the applicant is relying on the purpose of research and education aspect of Reason D. The applicant has outlined the reason for the derogation is to train new ecologists and National Parks and Wildlife Service employees in how to identify and survey bats. The applicant has also outlined that supervised demonstrations with students on how to spot signs of bats and roosts may also be necessary as part of this training

The applicants have provided evidence as to the nature of the research and education reasoning and the proposed activity is necessary to achieve the overall objective. Based on the above this application has passed Test 1 and can now proceed to Test

Test 2: Absence of a satisfactory alternative

Please tick the following where it applies and add a comment below to support the recommendation:

The applicant has provided satisfactory evidence that alternative solutions have been considered and have given reasons why the proposed approach is the only satisfactory alternative:	Yes	☒
	No	☐

Please outline your analysis below and state how the applicant has provided evidence to support your conclusion (If you wish to add additional conditions please complete pg. 6):

Alternative methods will be used where possible and the training will use e.g. powerpoint and deceased bat specimens where appropriate. Nonetheless, some carefully controlled and minimal disturbance of bats will be required to allow this bat training course to take place. Entering active bat roosts and capturing and handling bats is an essential element of the training and is required to ensure that NPWS are fully trained in the necessary techniques.

Upon completion of your assessment, please return this Recommendation to WLU to continue the application process.

Test 3: Impact of a derogation on conservation status of the species

Please tick the following where it applies and add a comment below to support the recommendation:

The derogation would NOT be detrimental to the maintenance of the populations of the species in question at a favourable conservation status in their natural range.	Yes	☒
	No	☐

Please outline your analysis below and state how the applicant has provided evidence to support your conclusion. (If you wish to add additional conditions please complete pg. 6):

Some carefully controlled and minimal disturbance of bats will occur during the training courses, but the bats in question are in favourable conservation status and handling and disturbance will be carefully supervised. The timing of the courses is designed to avoid the critical breeding and hibernation periods.

Dr Niamh Roche is a highly experienced bat ecologist with many years of practical field based experience of bat monitoring. She has project managed NPWS's Bat Monitoring Programme for over 15 years and been involved in numerous training courses of NPWS staff.

On this basis I am satisfied that there will be no significant impact on the conservation status of the bats.

If the answer above is Yes then the derogation may be granted, providing Tests 1 and 2 have also been met.

Upon completion of your assessment, please return this Recommendation to WLU to continue the application process.

Derogation decision

The application for a derogation under Regulation 54 of the European Communities (Birds and Natural Habitats) Regulations, 2011 (S.I. 477 of 2011), as amended, has been assessed by officials in the Department and the following decision has been made:

Tick box where appropriate:

There is no satisfactory alternative ☒

and the derogation is not 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. ☒

Therefore, a derogation may be granted to the applicant, since it is—

(a) in the interests of protecting wild fauna and flora 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 repopulating and re-introducing these species and for the breeding operations necessary for these purposes, including the artificial propagation of plants, or ☒

(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. ☐

OR This application has been refused as one or more of the conditions set out above have not been met ☐

The following conditions should be attached to the derogation:

1. ☐
2. ☐
3. ☐
4. ☐

[add additional conditions where required]



Signed: .

Date: 28/08/2025

Position: Ecologist