



- **Brown Long-Eared Bat** **Plecotus Auritus**
- **Daubenton's Bat** **Myotis Daubentonii**



NPWS

An tSeirbhís Páirceanna
Náisiúnta agus Fiadhúlra
National Parks and Wildlife
Service

Terms and Conditions

1. This derogation is granted solely to allow the activities specified in connection with the works located at **Castlelost Medieval Church Site, Castlelost, Rochfortbridg, County Westmeath** for **Melaine McQuade**
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**. Anything done other than in accordance with the terms of this derogation may constitute an offence
3. This derogation may be modified or revoked, for stated reasons, at any time.
4. The mitigation measures outlined in the application report (**Derogation Application for repairs to Castlelost Church, Co Westmeath**), together with any changes or clarification agreed in correspondence between NPWS and the agent or applicant, are to be carried out. Strict adherence must be paid to all the proposed measures in the application.
5. The actions which this derogation authorise shall be completed between **3rd October – 31st December 2025, inclusive**.
6. The works will be supervised by bat ecologist(s): **Brian Keeley, Donna Mullen & Ferdia Keeley**
7. If this derogation addresses works that are subject of a planning application, no such works permitted under this derogation can occur until planning permission is granted.
8. If this derogation expires prior to works permitted under this derogation commencing, a new application must be sought in advance, including the provision of any updated data or reports.
9. This derogation shall be produced for inspection on a request being made on that behalf by a member of An Garda Síochána or an authorised NPWS officer appointed under Regulation 4 of the Habitats Regulations.
10. The local **NPWS Conservation Ranger – Damian Murtagh**, damian.murtagh@npws.gov.ie, must be contacted prior to the commencement of any activity, and if bats are detected on site during the course of the work, under the terms of this derogation.
11. On completion of the actions which this derogation authorises, all recordings of bat species affected will be made using the standardised Returns form and must be submitted to the NPWS **within four weeks of the expiry date of this derogation**. Included with the 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.**



NPWS

An tScribhís Páircanna
Náisiúnta agus Fiadhúra
National Parks and Wildlife
Service

For the Minister for Housing, Local Government & Heritage

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

03 October 2025

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



Derogation Assessment

Name of Applicant: Melaine McQuade

Location/Name of Project: Castlelost Medieval Church Site, Castlelost, County Westmeath

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 has been reviewed in full. The application relies on regulation 54(2)(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*' as the reason chosen for a derogation that they believe applies to the proposed activity.

In the detail provided, it is clear that the applicants are relying on the health and safety aspect of Reason C for the proposed works. As outlined on page 4 of the accompanying report, Castlelost Church, Co. Westmeath is a historical building under the ownership of Westmeath Co. Council, the proposed works are urgent in nature, and the Derogation is sought to prevent further collapse to sections of the structure.

The proposed works will also remove loose and fallen masonry to rebuild and retain sections of this historical building, which currently pose a health and safety risk to the general public and contractors. The application therefore falls under the public health and public safety aspect of Reason C.

The applicants have provided evidence as to the nature and scale of the public health and public safety 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 2

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):

All documents provided (Bat Derogation Licence Application and Supporting Information) regarding the application for a Regulation 54 derogation to complete works at Castlelost Church, Tyrrellspass, County Westmeath have been reviewed in full.

The applicant states within this documentation that a do nothing approach (alternative solutions considered) to the works proposed at Castlelost Church will have a detrimental effect on the future general condition of the building (with negative effect on natural and cultural heritage and safety of the structure to the public).

In the documentation associated with the application, it is noted that Castlelost Church is a roost to two bat species – Daubenton's Bat *Myotis daubentoni* and Brown Long Eared Bat *Plecotus auritus*. The associated documentation also mentions that the site is a feeding and commuting site of six other bat species.

Regional agree the repairs suggested to the ruin will preserve bat roosts noted in associated documentation. In addition to the preservation of roosts, proposed on site repair works will generate other possible roost opportunities by the retention of crevices in areas under repair.

It is also noted in documentation that works will not be carried out during the period of peak bat activity. Work proposed in the associated documentation will be carried out between September and December 2025. Specific vegetation management has also been suggested in associated documentation to make the site more suitable for bat species to feed and rest.

The site is also important for bird species. One species was noted in the documentation associated with this application as nesting in Castlelost Church ruin in 2025 - a Swallow *Hirundo rustica*, an amber listed bird of conservation concern in Ireland. It is noted and mentioned in associated documentation that timing of works will give due consideration to the breeding activities of this species at Castlelost Church.

The bat and bird species encountered on site and mentioned in the documentation associated with this application are comprehensively considered in the proposed works. Any repair will enhance the site for the abovementioned species, will benefit the condition of the site, will be carried out in a period of low species activity at the site and will be supervised by an ecologist to prevent any adverse effect on species present. In the process of repair to the building, species using the site are considered and the cultural heritage and safety status of the site preserved.

The information presented by the applicant suggests that they have met the conditions of test 2

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):

The church ruin provides a roost to individuals of two bat species – Daubenton’s Bat *Myotis daubentonii* and Brown Long Eared Bat *Plecotus auritus*. Both species are in favourable conservation status and mitigation measures are proposed to retain the value of the ruin for bats going forward. I am satisfied that there should be no significant impact on the conservation status of the bats on site.

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: October 3, 2025

Position: Ecologist