Bat Survey Derogation Application Supporting Document

Oran Ecology

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1 Introduction and Background

This document has been prepared to renew my bat roost inspection licence please see supporting information below as requested in the application form.

James Owens (B.Sc., M.Sc.) (trading as Oran Ecology Ltd.) has relevant academic qualifications and is a competent expert in undertaking bat surveys. James has over eight years' experience working as an ecologist and has carried out bat surveys and roost inspections as part of numerous projects including residential developments, commercial developments, community projects and renewable energy developments.

James is a member of Bat Conservation Ireland (BCI) and has completed BCI Bat handling training course (2017) and BCI Bat detector training course (2018). James has previously held the following roost survey licences; DER/BAT 2021-64.DER/BAT 2020-42 , DER/BAT 2019-29 and DER BAT 2017-169, DER/BAT 2023-20, BAT 2024-119.

2 Background

This licence, if awarded, will cover surveys across the Republic of Ireland. In order to complete ecological baseline assessments of unknown bat roosting locations, it is important that the relevant and potentially suitable bat roosting habitats are thoroughly searched and assessed.

3 Proposed Activity

In competing baseline assessments for ecological assessment, it is important that the relevant and potentially suitable bat roosting habitats are identified and assessed. Where no known roosts occur, the assessment of structures or features will be searched thoroughly to check for the presence of roosting bats.

If a roost is identified, no further disturbance will be carried out under this derogation licence. Any further disturbance to a known roost will be the subject of a separate derogation licence application.

4 Ecological survey and site assessment

The application for derogation form (Revision 2.0, July 2025, pp. 11) states that the completion of this section is "Not required for applications to carry out surveys"; however, information on the objective of the survey and proposed survey methodology has been included for context.

4.1 Objective of Survey

The objective for acquiring this derogation licence is for the assessment of unknown bat roosting locations for the purpose of establishing an ecological baseline for assessment. Where no known roosts occur, the assessment of structures or features will be searched thoroughly to check for the presence of roosting bats.

If a roost is identified, no further disturbance will be carried out under this derogation licence. Any further disturbance to a known roost will be the subject of a separate derogation licence application.

4.2 Survey Methods

Survey efforts will follow the protocol in Bat Mitigation Guidelines (BCT, 2023), and in particular in Chapter 5 – Bat roost Inspection surveys – buildings, built structures, and underground sites. Best practice will always be followed (e.g. keeping noise to a minimum, limiting lighting etc.).

5 Derogation Tests

5.1 Test 1 Reason For Derogation

This application qualifies under Regulation 54(2) (A-E) of the European Communities (Birds and Natural Habitats) Regulations. The Applications for Regulation 54 Derogations for Annex IV species: guidance for applicants document (Version 1, dated 1 July 2025) states that:

"It may be appropriate to choose Reason C for scenarios such as carrying out surveys to inform impact assessments of development proposals, where such surveys have the potential to commit one of the offences under Regulation 51 and 52 of the Regulations."

In this case, there is potential to commit an offence under Regulation 5 (Deliberately disturb these species particularly during the period of breeding, rearing, hibernation and migration).

With regard to this application, the nature of the public interest is:

- complying with national planning policies. Specifically the National Planning Framework Project Ireland 2040 highlights:

"The importance of our biodiversity is not restricted to legally protected areas and there are a range of measures in place to protect species and habitats more broadly. In this regard, the Habitats Directive contains obligations to protect certain species wherever they occur, while the Birds Directive contains protections for all birds, and they may only be disturbed or controlled subject to licence or derogation, as appropriate."

- supporting economic or social development (nationally important infrastructure development projects, employment, regeneration, mineral extraction, housing etc.)"

With regard to the conservation interest of the species under strict protection:

- By undertaking these assessments using an endoscopic, in a minimally invasive manner, we consider that such assessments will not be detrimental to the maintenance of bat populations 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.

5.2 Test 2: Absence of Alternative solutions

A do-nothing scenario

Would result in a failure to carry out appropriate searches and assessments of potential bat roosting habitats and therefore undertaking sub optimal surveys.

Use of non-invasive survey techniques

Wherever possible surveys are kept to non-invasive techniques, including use of bat detectors and infra-red technology. However, some roosts are less obvious and roosts of crevice dwelling species

may require careful searching. Roosts used by a small number of bats can be particularly difficult to detect and may require extensive searching (Bat Mitigation Guidelines for Ireland. 2022).

Result of no action: Lack of accurate data for research, education and to inform correct mitigation advice to developers and those in human-wildlife conflict scenarios. Lack of scientific information is at odds with the aim of "the maintenance of the populations of the species concerned at a favourable conservation status in their natural range".

5.3 Test 3: Impact of a Derogation on Conservation Status

As stated, and in-keeping with relevant guidance, I consider visual inspections and searching of structures an essential component of bat surveys when determining presence and absence. When performing an internal inspection, I will ensure I minimise light and sound to ensure bats are minimally disturbed, while still being thorough and determining the presence/likely absence of bats.

By carrying out visual inspections, in a minimally invasive manner, I consider that such assessments will not be detrimental to the maintenance of bat populations 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.

I will remain cognisant of the guidance provided by Marnell et al. (2022) and Collins (2023) when undertaking any assessments. There are no site-specific roost location for which this application applies. All surveys carried out will be non-destructive and minimally invasive. Furthermore, once a roost is confirmed as occupied, no further disturbance will be carried out under this derogation licence. Any further disturbance to a known roost will be the subject of a separate derogation licence application.

Surveys will be done in accordance with the following mitigation and best practice techniques:

- Wherever possible surveys are carried out using non-invasive techniques, i.e. buildings are examined externally for signs of bats, emergence and activity surveys using bat detectors and infra-red cameras.
- Where surveys require entry to a bat roost, or may cause temporary disturbance of bats including the use of a torch or endoscope the ecologist will use the correct survey timings to maximise the data collected for the visit.
- Prior to the internal survey the surveyor will collect data on the surrounding habitats, existing data records, possible bat species present, and relevant site data to inform the aims and objectives of the survey.
- Visits should be kept to a minimum, in both number and time taken.
- The surveyor will work efficiently, carefully, quietly and minimise the used of white light to complete the survey with as minimal disturbance as possible.
- Infra-red and red light is to be used instead of white light wherever possible.
- Best practice guidelines including BCT Bat Survey Guidelines - 4th Edition (2023) will be followed at all times. i.e.

6 Monitoring

A Regulation 54 Returns Form will be completed and submitted to the NWPS on the completion of the licence operation timeframe. No monitoring is proposed.

This application has been made with cognisance of the guidance published by the European Commission “Guidance document on the strict protection of animal species of Community interest under the Habitats Directive”, with specific reference to Section 3.4 (monitoring and reporting of derogations).