

Derogation Number DER-OTTER-2025-11

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

DEROGATION

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 54A of the Habitats Regulations hereby grants to **Wesley Atkinson**, **John Griffin, Myles Conway, Stephen Dunbar, Zeljko Blazevic, Paul Cullen & Angus Lee** of **NPWS Wicklow/Nth.Wexford Regional Office, Kilafin, Annamoe, Co. Wicklow A98A0X5** a derogation. It is stated that this derogation is issued:

- A. In the interests of protecting wild flora and fauna and conserving natural habitats
- 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 <u>otters</u> referred to below at a favourable conservation status in their natural range.

This derogation authorises the following:

- 1. disturbance
- 2. Actions authorised within the derogation in respect of otters



Terms and Conditions

- This derogation is granted solely to allow the activities specified in connection with the works located at NPWS lands Cooldross Lower & State Foreshore, Co. Wicklow, for Wesley Atkinson, John Griffin, Myles Conway, Stephen Dunbar, Zeljko Blazevic, Paul Cullen & Angus Lee.
- 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 **Otter**. 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 (OTTER Reg 54 Application NPWS_WW_WX-Region Cooldross), 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.
- The actions which this derogation authorise shall be completed between the 30th April 1st August 2025, inclusive.
- 6. 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.
- 7. Works are to comply with NRA's 'Guidelines for the treatment of Otters prior to the construction of National Road Scheme.'
- 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.
- 9. On completion of the activities which this derogation authorises, all recordings of otter 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 must 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.



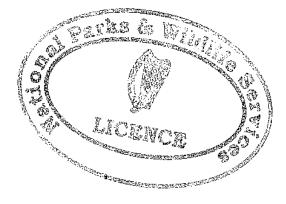
For the Minister for Housing, Local Government & Heritage

Claire Couley

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

30 April 2025

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





Article 16 (Habitats Directive) - Returns Form

This returns form is for use in respect of:

Regulation 54 – Derogation to protect wild fauna and conserving natural habitats

1st January to 31st December 2025, inclusive

Derogation Number: DER-OTTER-2025-11 Derogation Holder: Wesley Atkinson, John Griffin, Myles Conway, Stephen Dunbar, Zeljko Blazevic, Paul Cullen & Angus Lee

No. of Individuals Affected	No. of Breeding Places	No. of Resting Places
	Individuals	Individuals Breeding

Nil Return

Derogation Holder Signature: _____ Date: _____

Returns must be emailed to the following email address:

wildlife.reports@npws.gov.ie