



**NPWS**

An tSeirbhís Páircanna  
Náisiúnta agus Fiadhúlra  
National Parks and Wildlife  
Service

**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 **otters** 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**



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### Terms and Conditions

1. 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.
5. The actions which this derogation authorise shall be completed between the **30<sup>th</sup> April – 1<sup>st</sup> 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.'**
8. 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](mailto:wildlife.reports@npws.gov.ie) detailing results of works and success of mitigation. **Both documents must be submitted to constitute a derogation return.**



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**For the Minister for Housing, Local Government & Heritage**

*Claire Bowley*

(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 [reg54derogations@npws.gov.ie](mailto:reg54derogations@npws.gov.ie)





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## 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***

***1<sup>st</sup> January to 31<sup>st</sup> 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**

Species (English & Scientific)	No. of Individuals Affected	No. of Breeding Places	No. of Resting Places

**Nil Return** ☐

**Derogation Holder Signature: \_\_\_\_\_ Date: \_\_\_\_\_**

**Returns must be emailed to the following email address:**

[wildlife.reports@npws.gov.ie](mailto:wildlife.reports@npws.gov.ie)