



**NPWS**

An tSeirbhís Páircenna  
Náisiúnta agus Fíadhúlra  
National Parks and Wildlife  
Service

**Derogation Number  
DER-KERRY SLUG-2025-01**

**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 54 of the Habitats Regulations hereby grants to **Gavin Fennessy of Ecology Ireland Ltd., Ballyhigh, Kilmallock, County Limerick, V35 VW58** a derogation. It is stated that this derogation is issued:

- A. 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
- 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 **Kerry Slug** referred to below at a favourable conservation status in their natural range.

(a) Disturbance

(b) Authorised actions



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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 **Kilgarvan Windfarm, County Kerry** for **Gavin Fennesy**.
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 **Kerry Slug**.
3. The works will be supervised by an ecologist: **Gavin Fennesy**
4. This derogation may be modified or revoked, for stated reasons, at any time.
5. The mitigation measures outlined in the application report (**DL\_Report\_Kerry Slug\_Kilgarvan WF Dec 2024**), 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.
6. The actions which this derogation authorise shall be completed between the **26<sup>th</sup> February – 31<sup>st</sup> December 2025, inclusive**.
7. 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.
8. 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.
9. 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.
10. The local NPWS **District Conservation Officer**, [daniel.buckley@npws.gov.ie](mailto:daniel.buckley@npws.gov.ie), should be contacted prior to the commencement of any activity.
11. Prior to any construction work which involves removal of areas of rock and natural vegetation that constitutes suitable **Kerry Slug** habitat, the area should be competently searched for the presence of Kerry Slug and any found should be removed for translocation. This removal work should commence one month before the start of any scheduled work.
12. **Kerry Slugs** removed from the site should be translocated to a suitable area of habitat, this area to be approved in advance by NPWS.
13. Where possible rocks that are used by **Kerry Slugs** should be removed intact and placed within suitable translocation areas.
14. All trapping and translocation work must be carried out by a suitably qualified person.
15. There should be no net loss of habitat due to the work and replacement habitat should be provided in terms of woodland planting of native species that suitable for **Kerry Slugs** or by movement and replacement of rock outcrops or by creation of new bare rock faces.
16. On completion of the actions which this derogation authorises, all recordings of Kerry Slugs 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 **Dr. Chris Peppiatt**, [chris.peppiatt@npws.gov.ie](mailto:chris.peppiatt@npws.gov.ie). This report should include locations of all translocation sites, the number of **Kerry Slugs** translocated, areas of replacement habitat created and results of the monitoring programme. A copy of same report must be submitted to [wildlife.reports@npws.gov.ie](mailto:wildlife.reports@npws.gov.ie).



**NPWS**

An tScribhís Páircanna  
Náisiúnta agus Fiadhúla  
National Parks and Wildlife  
Service

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

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

**26 February 2025**

Any query in relation to this derogation should be sent to [wildlifelicence@npws.gov.ie](mailto:wildlifelicence@npws.gov.ie)





## 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-KERRY SLUG-2025-01**

**Derogation Holder: Gavin Fennessy**

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

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

Returns must be emailed to the following email address:

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