

Wildlife Licensing Unit,
National Parks and Wildlife Service,
Department of Culture, Heritage and the Gaeltacht,

4th March 2025

Dear Sir/Madam,

Application for derogation licence to disturb and capture bats at part of scientific and research procedures under Regulation 54 of the European Communities (Birds and Natural Habitats) Regulations 1997.

This application is to permit the following individuals to carry out surveys of trees that may require pruning or felling and have the potential to support bat roosts:

1. William Murphy

The derogation will allow the individuals listed above to carry out the following activities which may have the potential to disturb bats and their roosts.

- To use endoscope to explore inaccessible locations in trees;
- To explore potential roost features in trees with hand torch.

The named individual has successfully undergone a 1-day training course in bat ecology, identification of potential roost features from Colm Clarke and Andrew Speer of Scott Cawley Ltd the 18th October 2023 under the auspices of Dun Laoghaire-Rathdown County Council. This course included practical assessment of surveying skills including use of endoscopes in real PRFs as well as a comprehensive workshop on the law applying to tree removal and roost disturbance.

The applicant will undergo auditing of their tree survey activities with agreement from Dun Laoghaire-Rathdown County Council to ensure that they maintain a high standard of survey.

The geographic location of the derogation is to cover all-Ireland.

The licence will not permit loss of roosts by felling or tree pruning and the applicant will ensure that a licenced bat worked is consulted and involved where there is a risk of a confirmed bat roost being disturbed or lost.

As a company we recognise the importance of environmental consideration and protection and are passionate about protecting Irish wildlife and their habitat. It is our policy to operate in accordance with the Wildlife Act 1976, Wildlife Amendment Act 2000, The EC (Birds and Natural Habitats) Regulations 2011-2021 and all other relevant legislation.

We are a long established family business operating since 1988. We are a reliable and above all professional organisation working in the field of arboriculture. We are industry leading, fully insured, with fully trained and experienced consultants, climbers and ground staff. For over 35 years we have been proudly servicing residential and commercial customers as well as state owned bodies nationwide such as the IDA, HSE, DAFM, Waterways Ireland, OPW, Irish Rail, Dun Laoghaire Rathdown County Council, Fingal County Council, South Dublin County Council, Wicklow County Council in the care and maintenance of trees.

As well as working with client's project ecologist we have also used the services of independent ecologist, over the past number of years, to carry out bat roost surveys and bird nesting surveys on trees when required. Please see the below list should you wish to contact for references:

- Kieran Finch of Finch Geospatial and Environmental Consulting, 087-6909186, info@fgeconsulting.ie
- Peter O'Connell, 087-7552139, peter.oconnell1@outlook.com
- Hugh Delaney, 087-9225384, hughiedelaney@gmail.com
- Faith Wilson of Faith Wilson Ecology, 087-6377328, faithwilsonecology@gmail.com

We have also carried out scoping surveys at the request of independent ecologist. Please see the below list should you wish to contact for references:

- Faith Wilson of Faith Wilson Ecology, 087-6377328, faithwilsonecology@gmail.com
- Wayne Daly of Scott Cawley Ltd, 01-6769815, wdaly@scottcawley.com

A scoping survey would need to be carried out if a tree is earmarked to be felled in the interests of public health and safety, or for the imperative reasons of overriding public interest, including a social or economic nature and beneficial consequences of primary importance for the environment.

If we do not have a derogation licence to survey. We could not do anything and would have to withdraw our services from a potential client. That client could then potentially hire another company to carry out tree felling who would not be as committed to minimizing the environmental impact of their activities, as we are. They would not carry out a scoping survey, which would lead to the detriment to the maintenance of the population of the bat species.

Therefore, granting us a derogation licence to survey will not be detrimental to the maintenance of the population of the bat species. It would add to their conservation.

The act of carrying out a scoping survey is the main migration measure we have as this avoids potential bat roost disturbance / destruction in the first place.

As mentioned, we recognise the importance of protecting Irish wildlife and their habitat. As tree surgeons we are committed to minimizing the environmental impact of our activities. It is a delicate process and we understand the important role we have.

Yours sincerely,

Patrick King

Profiles of Applicant and agreed Bat Survey Protocol

Profile of applicant:

William Murphy is a senior tree surgeon working for King Tree Services Ltd, Glaskenny, Enniskerry, Co Wicklow

Bat Roost Survey Protocol to ensure minimisation of disturbance to bats (this does not cover health and safety risk assessments which are carried out)

1. For unknown roosts

- a. Check with owner/client re presence of bats.
- b. Survey for external signs of bats and roost entry points. If positive signs then treat as known /suspected roost.
- c. Entry to possible roost should be made cautiously especially if survey is carried out in the winter period when signs of bats may be difficult to find. Should signs of bats be noted then treat as a known/suspected roost.

2. For known/suspected roosts

- a. Generic measures to include:
 - i. Avoid using roost illumination apart from torches.
 - ii. Talking in low tone is preferred to whispering.
 - iii. Bats seen *in situ* should be counted, photographed only if necessary and then left alone.
 - iv. Samples of droppings, dead bats etc may be removed to facilitate species identification.
- b. During the breeding season, known breeding roosts will be avoided unless emergency work is required. This will usually be the subject of a separate derogation licence.

Use of endoscopes will follow the attached guidance.
http://www.bats.org.uk/data/files/Woodland/Endoscope_guidance_for_arborists_-_method_statement_2015_final.pdf