



An Roinn Tithíochta,
Rialtais Áitiúil agus Oidhreachta
Department of Housing,
Local Government and Heritage

Application for Derogation Licence

Under the European Communities (Birds and Natural Habitats) Regulations 2011 – 2021

Prepared by the Department of Housing, Local Government and Heritage

npws.ie

- This form is to be used by any person applying for a derogation licence under Regulation 54 or by the Minister under Regulation 54(A)
- Please ensure that you answer questions fully in order to avoid delays
- If you experience any problems filling in this form, please contact the Wildlife Licensing Unit
- Please note – applications/reports received and licences issued under this derogation may be published on the NPWS website and/or the Department's Open Data website

Wildlife Licensing Unit,

Department of Housing, Local Government and Heritage

National Parks and Wildlife Service

Wildlife Licensing Unit, R. 2.03

90 North King Street

Smithfield

Dublin 7 D07 N7CV

Email: wildlifelicence@npws.gov.ie

Part A. The Applicant: Personal Details

These questions relate to the person responsible for any proposed works and who will be the **named licensee**. As the licensee you will be responsible for ensuring compliance with the licence and its conditions, even though you may employ another person to act on your behalf.

If this application is being submitted on behalf of a third party please also complete Part B below.

1. (a) Name of Applicant

Title (Mr/Mrs/Miss/Ms/Dr)	Forename(s)	Surname
Mr	Aidan	Murphy
(b) Address Line 1	60 Woodvale ave	
Address Line 2	Clonsilla	
Town	Dublin 15	
County		
Eircode	D15YY0R	
(c) Contact number	0868161030	
(d) Email address	aidanmurphy111@gmail.com	
(e) Address where works are to be carried out if different from (b) above.		
Address Line 1	Throughout Republic of Ireland	
Address Line 2		
Town		
County		
Eircode		

Part B. Details of Person Submitting Application on Behalf of Applicant/Licensee

Information relating to the person (e.g. ecologist) responsible for submitting the application on behalf of the applicant/licensee should be entered below:

1. (a) Name of Person/Ecologist

Title (Mr/Mrs/Miss/Ms/Dr)	Forename(s)	Surname
(b) Company Name		
Address Line 1		
Address Line 2		
Town		
County		
Eircode		
(c) Contact number		
(d) Email address		
(e) Relationship to Applicant		

Part C. The Application

1. **Species of Animal:** Please indicate which species is affected by the proposed works:

- Bat
- Otter
- Kerry Slug
- Natterjack Toad
- Dolphin
- Whale
- Turtle
- Porpoise

2. Please detail the exact species (scientific name): | All resident Irish bat species |

3. Please provide the maximum number of individuals affected* | N/A |

4. Please provide the maximum number of breeding or resting sites affected* | N/A |

5. Please provide the maximum number of eggs to be taken* | N/A |

6. Please provide the maximum number of eggs to be destroyed* | N/A |

*If no figures can be provided for the maximum number of individuals, breeding sites, resting places and eggs to be covered by the derogation please provide reasons why.

Application for roost survey licence

7. **Species of Plant:** Please indicate which species is affected by the proposed works:

- Killarney Fern
- Slender Naiad
- Marsh Saxifrage

8. If you previously received a derogation for any species of animal or plant please state licence number and confirm that you have made a return to NPWS on the numbers actually affected by that licence

DER/BAT 2024-69, expiry date: 31st December 2024- copy attached below and in email.
Licence returns have been made |

9. **Proposed Dates for Works:** Please indicate the timeframe that you propose to carry out works. Dates set by NPWS may differ from dates proposed here.

Start Date: | March 2025 |
End Date: | 31 12.2025 |

10. Please tick which reason below explains How this Application Qualifies under Regulation 54(2)(A-E) of the European Communities (Birds and Natural Habitats) Regulations:

a.	In the interests of protecting wild flora and fauna and conserving natural habitats	<input type="checkbox"/>
b.	To prevent serious damage, in particular to crops, livestock, forests, fisheries and water and other types of property	<input type="checkbox"/>
c.	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	<input checked="" type="checkbox"/>
d.	For the purpose of research and education, of re-populating and re-introducing these species and for the breeding operations necessary for these purposes, including artificial propagation of plants	<input type="checkbox"/>
e.	To allow, under strictly supervised conditions, on a selective basis and to a limited extent, the taking or keeping of certain specimens of the species to the extent specified therein, which are referred to in the First Schedule	<input type="checkbox"/>

11. Report Checklist: Please append a detailed report to support this application and ensure that it contains the following information:

11.1	Explanation as to why the derogation licence sought is the only available option for works and no suitable alternative exists as per Regulation 54 of the European Communities (Birds and Natural Habitats) Regulations.	<input checked="" type="checkbox"/>
11.2	Evidence that actions permitted by a derogation licence will not be detrimental to the maintenance of the populations of the species to which the Habitats Directive relates 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.	<input checked="" type="checkbox"/>
11.3	Details of any mitigation measures planned for the species affected by the derogation at the location, along with evidence that such mitigation has been successful elsewhere.	<input checked="" type="checkbox"/>
11.4	As much information as possible to allow a decision to be made on this application.	<input checked="" type="checkbox"/>

Part D. Declaration

I declare that all of the foregoing particulars are, to the best of my knowledge and belief, true and correct. I understand that the deliberate killing, injuring, capturing or disturbing of protected species, or damage or destruction of their breeding sites or resting places or the deliberate taking or destroying of eggs is an offence without a licence and that it is a legal requirement to comply with the conditions of any licence I may be granted following this application. I understand that NPWS may visit to check compliance with a licence.

Please note that under Regulation 5 of the European Communities (Birds and Natural Habitats) Regulations 2011-2021 an authorised officer may enter and inspect any land or premises for the purposes of performing any of his or her functions under these Regulations or for obtaining any information which he or she may require for such purposes.

Signature of the Applicant

Aidan Murphy

Date

10.March
2025

Name in BLOCK LETTERS

AIDAN MURPHY

PRIVACY STATEMENT

Please note that under Data Protection legislation Wildlife Licencing Unit staff may only discuss licence applications with the applicant, and not with any third party. See Privacy Statement at

#npws.ie

Department of Housing, Local Government and Heritage



An Roinn Títhíochta,
Rialtais Áitiúil agus Oidhreachta
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Questions: Section 11 - Checklist

11.1 *Explanation as to why the derogation licence sought is the only available option for works and no suitable alternative exists as per Regulation 54 of the European Communities (Birds and Natural Habitats) Regulations*

Entry to a structure with a known roost—such as an attic or shed—may be necessary to verify occupancy, identify additional signs of roosting, and deploy a static detector. However, this access can only be carried out with an appropriate derogation licence. Old stone bridges, mature trees, and derelict buildings often require the use of endoscopes—a technique permitted only under licence. These survey methods are employed to determine the location, occupancy, population size, and likely species of bats. The resulting data guide the development of protective measures for bat conservation. However, any actions that might disturb bats will be undertaken only when absolutely necessary to inform mitigation strategies, and any resulting disturbance must be minimized to the lowest possible level.

There is no suitable alternative to obtaining a licence, as relying solely on external survey methods—such as emergence surveys with night vision aids (NVAs) and external structure examinations—would constitute inadequate survey effort. This approach could result in poorly designed protective measures and, ultimately, harm to bats

11.2 *Evidence that actions permitted by a derogation licence will not be detrimental to the maintenance of the populations of the species to which the Habitats Directive relates 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.*

Internal building inspections are considered the most reliable survey methods for identifying bat roosts (Collins, 2023). These surveys will be conducted at appropriate times of the year using sensitive, non-invasive methods wherever possible to detect evidence of bat roosting. My bat-related work follows BCI guidance and adheres to the recommendations outlined in the following publications:

- Collins, J. (ed.) (2023) Bat Surveys for Professional Ecologists: Good Practice Guidelines (4th edition). The Bat Conservation Trust, London
- The Bat Worker's Manual, 3rd Edition (Mitchell-Jones and McLeish, 2004)
- Marnell, F., Kelleher, C. & Mullen, E. (2022) Bat mitigation guidelines for Ireland v2. Irish Wildlife Manuals, No. 134. National Parks and Wildlife Service, Department of Housing, Local Government and Heritage, Ireland
- National Roads Authority (2006a) Best Practice Guidelines for the Conservation of Bats in the Planning of National Road Schemes. Now named Transport Infrastructure Ireland
- NRA (2006b). Guidelines for the Treatment of Bats during the Construction of National Road Schemes. National Roads Authority (now named Transport Infrastructure Ireland), Ireland

I will adhere to these guidelines to minimize disturbance, conducting inspections quietly and using a torch to search for evidence such as bat droppings. If bats are encountered, during internal surveys I will quickly document their presence by taking a count before retreating to avoid unnecessary disturbance. Endoscopic inspections will not be carried out on confirmed maternity roosts. The survey findings will inform mitigation measures designed to prevent any negative impact on the conservation status of bat species.

11.3 *Details of any mitigation measures planned for the species affected by the derogation at the location, along with evidence that such mitigation has been successful elsewhere.*

There are no specific measures or specific roost locations for which I am making this application. All roost surveys will follow the guidelines set out in Marnell *et al.* (2022) and Collins (2023).

11.4 *As much information as possible to allow a decision to be made on this application*

BACKGROUND I am an independent freelance ecologist with 9 years' experience in general ecological consultancy and became involved with bat surveying from 2020 onwards and I expect to continue with bat

surveys with the new survey season starting in May 2025. I began working on bat surveys assisting bat ecologist Seán Meehan from August 2020 to September 2021. From 2022 to 2024 I have undertaken numerous bat surveys on behalf of several ecological consultancies, architects and private commissions.

COURSES RELEVANT TO BAT SURVEYING:

Bats: Identification and Survey

Module as part of MSc in Ecological Assessment (UCC) 2015 with bat ecologist Colin Kelleher.
MSc thesis on 'Ecology of Leixlip Spa, County Kildare' which included survey of bat diversity; survey with assistance from Seán Meehan.

Bat Impacts and Mitigation - 13th June 2023 (CIEEM)

Venue: Crom Estate, Co. Fermanagh with Dr. Emma Boston.

Bat Identification & Handling Training Course (BCI)

Three-day course: Fri 11 Aug 2023 - Sun 13 Aug 2023

Venue: Agricultural Show Grounds, Virginia, Co. Cavan, with Dr. Niamh Roche and Dr. Tina Aughney.

I wish to apply for renewal of last year's survey licence to continue with bat surveys in 2025. A copy of DER/BAT 2024-69 is attached below.

If you require any further information for this application, please let me know.

Kind regards,

Aidan Murphy BSc (Hons), MSc.



Signed

10/March/2025

Date



NPWS

An tSiolábh Páircanna
Náisiúna agus Faoibhíola
National Parks and Wildlife
Service

Licence No.: DER/BAT 2024-69

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

DEROGATION LICENCE

Granted under Regulation 54 of the European Communities (Birds and Natural Habitats) Regulations 2011, hereinafter referred to as "the Habitats Regulations".

Licence

The Minister for Housing, Local Government and Heritage, in exercise of the powers conferred on him by Regulation 54 of the Habitats Regulations hereby grants to **Aidan Murphy of 60 Woodvale Avenue, Clonsilla, Co. Dublin D15 YYOR** a licence in respect of **Bat Species**. It is stated this licence 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 licence will not be detrimental to the maintenance of the population of **bats** referred to below at a favourable conservation status in their natural range.

This licence authorises the following:

(a) Roost disturbance;

(b) Actions authorised within the licence

This licence is subject to the terms and conditions set out overleaf.

Terms and Conditions

1. This licence is granted solely to allow the examination of potential bat roosts, including **all bat species and all roost types**, as necessary in order to undertake environmental impact assessments for property owners or developers or scientific study within the Republic of Ireland.
2. All activities authorised by this licence, 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 **BAT**.
3. This licence may be modified or revoked, for stated reasons, at any time.
4. The actions which this licence authorise shall be completed between the **25th March 2024** and **31st December 2024**.
5. The **Bat Roost Survey Protocol** as set out in the accompanying licence application must be adhered to ensure minimisation of disturbance to bats:

Bat Roost Survey Protocol to ensure minimisation of disturbance to bats

For unknown roosts

- a. Check with owner/client re presence of bats.
- b. Check with Bat Conservation Ireland to determine roost records.
- c. Survey for external signs of bats and roost entry points. If positive signs then treat as known /suspected roost.
- d. 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.

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 where possible and then left alone.
 - iv. Handling of bats to confirm identification is only used as a last resort and is subject to separate licencing under the Wildlife Acts (S.23).
 - v. Samples of droppings, dead bats etc may be removed to facilitate species identification.
 - vi. Care to be taken to avoid cooling or warming effects as described below.
- b. During potential hibernation season (November-March), only one person should enter roost area. If any hibernating bats are seen to be showing signs of waking then the roost survey will be abandoned immediately.
- c. During the breeding season, known breeding roosts should be avoided unless emergency work is required. This will usually be the subject of a separate derogation licence.

6. This licence 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.
7. The local NPWS District Conservation Officer or Conservation Ranger must be contacted prior to the commencement of any activity under the terms of this licence.
8. Upon expiry of licence, a report must be submitted to wildlife.reports@npws.gov.ie detailing all surveys carried out under remit of licence with details including, bat species, number encountered, location, etc. Bat survey licence will not be renewed unless this report is received.

Claire Crowley

Claire Crowley

(a person authorised by the Minister to sign on his behalf)

25/03/2024

Department of Housing, Local Government and Heritage
National Parks and Wildlife Service
Wildlife Licensing Unit
R. 2.03
90 North King Street, Smithfield
Dublin 7
D07 N7CV



NOTES (1 to 2).

- This licence is granted for the period specified and subject to compliance with the conditions specified. Anything done other than in accordance with the terms of this licence may constitute an offence.
- This licence applies to **bats** and to no other species.