

Supporting Information to Inform Derogation Application

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.

The derogation licence being sought for myself specifically for conducting bat-related surveys crucial for ecological assessments linked to plans, projects, and biodiversity studies. Some surveys involve entry into known or suspected bat roosts at various times of the year to assess the presence or absence of bats, the status of roost sites, and the usage of bat boxes as part of mitigation strategies. These actions are essential for gathering accurate and detailed information on the role of roosts and roosting features.

While non-intrusive methods—such as visual inspections from the ground, manual or automated detectors during emergence/re-entry surveys, or the use of infrared cameras—are preferred, they are not sufficient in this context. These techniques can yield inaccurate or incomplete results, particularly regarding species identification, roost locations, and population counts. Inaccurate data could lead to inappropriate mitigation measures, potentially harming bat species and their roosts.

Alternative solutions were considered, but none are viable in this case. To achieve reliable results, it is necessary to conduct more detailed inspections of roosts and potential roosting features. This involves careful and sensitive use of tools like torchlights and endoscopes, as recommended by Collins (2023), who highlights that preliminary roost assessments can potentially disturb bats and thus require licensed survey activities. Without this licence, it would not be possible to conduct the thorough inspections needed, resulting in inaccurate or incomplete data. This, in turn, would undermine the development of appropriate conservation strategies and any necessary derogation licences for associated works.

By demonstrating that no alternative approaches can ensure the required accuracy and robustness in data collection, this application for a derogation licence aligns with the stipulations of Regulation 54 of the European Communities (Birds and Natural Habitats) Regulations.

Some of my previous derogation licence contributions and survey experience in relation to bats:

- Previous named under full licence from previous employer Scott Cawley Ltd. **DER-BAT-2021-01, DER-BAT-2022-02, DER-BAT-2023-02, and DER-BAT-2024-53.**
- **DER-BAT-2023-17** – Handling training under the guidance of Neil Middleton, internal training as member of Scott Cawley Ltd.
- **DER-BAT 2020-20** – Proposed Strategic Housing Development, Harbour Road, Dalkey, Co. Dublin (2019). Supervision of roof tile removal of known bat roost, Shane Brien handled bat during roof removal and transferred it to bat box (bat dropping left in box confirmed identification). Shane also monitored and returned Year 1 (2021) and Year 3 (2023) bat box checks, as member of Scott Cawley Ltd.
- **Proposed Light Changes, Kiltarnan, Co. Dublin (2019).** Internal and external building inspections near proposed light changes, surveys conducted by Shane Brien. (no bat roost potential or bat evidence – checks of crevices by torchlight and endoscope), as member of Scott Cawley Ltd.

Evidence that actions permitted by a derogation 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.

This derogation licence will be used for survey only, I would be considered a suitability trained and proficient ecologist and will maintain the welfare of the bat(s) and insure minimum level of disturbance as possible. The granting of the derogation will not be detrimental to the maintenance of the population of any bat species. I will follow a strict protocol outlined below to ensure the minimum disturbance:

Protocols for the Protection of Bats During Works

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

For unknown roosts

- Check with owner/client re presence of bats.
- Survey for external signs of bats and roost entry points. If positive signs then treat as known /suspected roost.
- 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.
- Use of endoscope is to treat crevice/tree cavity as suspected roost, with insertion being conducted in a slow manner

For known/suspected roosts

Generic measures to include:

- Avoid using roost illumination apart from torches.
 - Talking in low tone is preferred to whispering.
 - Bats seen *in situ* should be counted, photographed only if necessary and then left alone.
 - Handling of bats to confirm identification is only used as a last resort. This may be necessary for suspected Whiskered/Brandt's bat roosts.
 - Samples of droppings, dead bats etc may be removed to facilitate species identification.
 - Care to be taken to avoid cooling or warming effects as described below.
- During potential hibernation season (November-March), only one person will be permitted to enter roost area. If any hibernating bats are seen to be showing signs of waking, then the roost survey will be abandoned immediately.
- During the breeding season, known breeding roosts will be avoided unless emergency work is required. This will only be conducted under a separate granted derogation licence associated with the works.

Photography in roosts

The following protocols will be complied with to minimise the risk of injury or death to bats being photographed or filmed:

- Photography will not take place in nursery areas of roosts.
- Photography will be minimised in roosts and will comprise taking high-resolution photographs using a standard digital camera with flash at a minimum distance of 3 metres from the bats. This will allow images to be zoomed digitally rather than putting the flash close to bats.
- No bats will be handled during photography.
- Video footage may be taken of bats emerging from roosts or swarming around roosts and stills taken from this footage.
- Use of endoscope is to treat crevice/tree cavity as suspected roost, with insertion being in a slow manner. Photograph will be taken if bat is present and best identifiable.

These measures will serve to minimise disturbance of bats in their roosts by taking photographs.

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

This license is not specific to any location and will support my work as an ecologist.