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Our Ref: Reg 54 derogation-report (general)

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National Parks and Wildlife Services

SUPPORTING INFORMATION RE REG 54 DEROGATION APPLICATION – GENERAL

The following outlines supporting information to address the Section 11 Report Checklist of the associated Reg 54 Derogation application form regarding Dr Katherine Kelleher for 2025.

Section 11.1

Information Required

Explanation as to why the derogation 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.

Response

This is intended for a general bat roost disturbance derogation licence to allow Dr Katherine Kelleher to adequately survey and assess legally protected bat roosts that may be encountered as part of her Ecological consultancy and assessment work.

No suitable alternative exists, as the alternative would mean that Dr Katherine Kelleher would remain without a general bat roost disturbance derogation licence and would therefore be unable to adequately survey and assess legally protected bat roosts that may be encountered in line with current guidelines on same (e.g. Marnell *et al.* 2022, Roche and Aughney 2022, Collins *et al.* 2023). Such a situation could inadvertently result in a potentially detrimental outcome regarding the maintenance of legally protected bat populations.

Section 11.2

Information Required

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.

Response

Actions permitted by a general bat roost disturbance derogation licence would allow Dr Katherine Kelleher to adequately survey and assess legally protected bat roosts that may be encountered in line with current guidelines on same (e.g. Marnell *et al.* 2022, Roche and Aughney 2022, Collins *et al.* 2023). This in turn would allow the determination of appropriate mitigation where relevant and thereby potentially avoid detrimental outcome regarding the maintenance of legally protected bat populations.

Section 11.3

Information Required

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.

Response

As this relates to a general bat roost disturbance derogation licence to allow Dr Katherine Kelleher to adequately survey and assess legally protected bat roosts that may be encountered, there are no project/roost specific mitigation measures in question here.

However, all potential bat roost survey and assessment will be carried out in line with current guidelines (*e.g.* Marnell *et al.* 2022, Roche and Aughney 2022, Collins *et al.* 2023) along with the following bat roost survey protocol outlined in general bat roost disturbance derogation licences previously obtained from NPWS:

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:
 - Avoid using roost illumination apart from torches.
 - Talking in low tone is preferred to whispering.
 - Bats seen in situ should be counted where possible and then left alone.
 - 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).
 - 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.
- 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.

Section 11.4

Information Required

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

Response

Dr Katherine Kelleher has over 15 years of experience in ecological consultancy, acting as Project Manager on a range of ecological assessments including bat surveys and assessments working under many derogation licences as required over the years (examples provided in Section 8 of the associated Reg 54 Derogation application form).

Dr Kelleher takes cognisance of current guidelines when planning and carrying out bat roost surveys and assessments (*e.g.* Marnell *et al.* 2022, Roche and Aughney 2022, Collins *et al.* 2023). She is also a full member of the professional ecological body, CIEEM, where engaging with ongoing CPD is a mandatory requirement that also includes keeping up to date on bat conservation, survey and assessment techniques.

Further details on projects involving bat surveys and assessments undertaken by Dr Kelleher in recent years are provided in the attached CV.

Yours sincerely,



Dr Katherine Kelleher, Director & Principal Ecologist

REFERENCES

- Collins J. (Ed.). 2023. Bat Surveys for Professional Ecologists: Good Practice Guidelines (4th edition). The Bat Conservation Trust, London.
- 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.
- Roche N. and Aughney T. 2022. Bats and Heritage Structures. Bat Conservation Ireland, Dublin Ireland.




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Qualifications

BSc Zoology, National University of Ireland, Cork (UCC), 2000.

PhD Zoology: 'The Ecology of the Song Thrush, *Turdus philomelos* Br. in Ireland'. National University of Ireland, Cork (UCC), 2005.

Other Information

Professional Memberships

Chartered Institute of Ecology and Environmental Management (MCIEEM), 2006.

Environmental Science Association of Ireland (MESAI), 2006.

Institute of Biology of Ireland (M.I.Biol.), 2006.

Publications & Presentations

Several including:

2010 Irish Birds, Volume 9, Pages 35-40.

2009 All Ireland Mammal Symposium oral presentation & abstract.

2007 Bird Study, Volume 54, Pages 221-229.

2006 Bird Study, Volume 53, Pages 142-155.

2006 Irish Birds, Volume 8, Pages 85-90.

Employment History

2011—present: Director, Kelleher Ecology Services.

2005 – 2011: Fehily Timoney & Company, Cork.

2000 – 2005: Dept. of Zoology, Ecology & Plant Science, UCC .

Biography

Katherine has over 15 years experience in ecological consultancy, acting as Project Manager on a range of ecological assessments & projects including solar/wind farm, road, gas pipeline, landfill, grid connection, industrial development, retail and housing. Katherine has significant experience of research, evaluative and analytical work in relation to planning applications, planning compliance, commitments, licensing, baseline studies etc. Ecology services that Katherine has particular experience with include:

- General & species specific field surveys, monitoring & assessment, e.g. bats, hen harrier, whooper swan, brent goose, red grouse, Greenland white-fronted goose, peregrine falcon, white-tailed eagle, badger, otter, Kerry slug, butterflies, dragonflies, damselflies
- Ecological impact assessment for general reports, environmental impact assessments (EIAR / EIS), appropriate assessment (AA) screening & Natura impact statements (NIS), constraints studies, route selection studies
- Mitigation measures, advice, recommendations, consultation & expert witness
- Supervision (under NPWS licence as relevant), e.g. bat mitigation measures, badger sett removal, installation of bird & bat boxes

Selected Projects

Permitted Redevelopment Works at Sprayfield, Sandycove, Co. Cork: Bat Assessment & Monitoring Study

Completion Date: 2023-Ongoing

Acted as Principal Ecologist for field assessment studies & reporting in relation to re-development works at Sprayfield. Duties included visual assessment, active & passive detector surveys as well as supervision of roof removal works, safe handling & removal of roosting bats from harm; development/supervision of bat mitigation measures; liaison with design team, application to NPWS for bat roost derogation licences; reporting.

Proposed Re-roofing/Repair Works at Midleton Library, Midleton, Co. Cork: Bat Assessment Study

Completion Date: 2024

Acted as Principal Ecologist for field assessment studies & reporting in relation to proposed re-roofing/repair works at Midleton Library. Duties included visual assessment as well as active & passive detector surveys to assess for the presence of roosting bats / potential suitability of the building for roosting bats; development of bat mitigation measures; liaison with Ecology field team & Client; reporting.

Permitted Re-roofing/Repair Works at Saint George's (former church), Mitchelstown, Co. Cork: Bat Assessment Study

Completion Date: 2020-2022

Acted as joint Principal Ecologist for field assessment studies & reporting in relation to planning re-roofing/repair works at Saint George's (former church). Duties included visual assessment as well as active & passive detector surveys at the former church proposed for re-roofing/repair works to assess the presence of roosting bats; development/supervision of bat mitigation measures; liaison with design team, application to NPWS for bat roost derogation licences; reporting to NPWS.

Proposed SHD Residential Development at Ardarostig, Bishopstown, Cork: Bat Assessment Study

Completion Date: 2021

Acted as Principal Ecologist for bat field assessment & reporting in relation to planning application for residential development at greenfield site. Duties included visual assessment on the potential of linear vegetated features and trees proposed for removal to support roosting, foraging and commuting bats; development of bat mitigation measures, liaison with design team; reporting to inform the planning application.

Proposed Building Refurbishment Works at Midleton Distillery, Co. Cork: Bat Monitoring Study

Completion Date: 2020

Acted as Principal Ecologist for bat field assessment studies & reporting in relation to planning application re refurbishment of Buildings 2 & 3 of Midleton Distillery. Duties included visual assessment as well as active & passive detector surveys at the buildings proposed for refurbishment works to assess the presence of roosting bats; development of bat mitigation measures, liaison with design team; reporting to inform the planning application.

Permitted Repair Works at Ardfinnan Bridge, Ardfinnan, Co. Tipperary: Bat Monitoring Study

Completion Date: 2019

Acted as Principal Ecologist for bat field monitoring studies of & reporting in relation to construction stages of repair works at Ardfinnan Bridge. Duties included visual assessment as well as active detector surveys at the bridge to assess the presence of roosting bats; implementation/supervision of bat mitigation measures; application to NPWS for a bat roost derogation & bat-handling licences; liaison/reporting to the Construction Team Project Manager & NPWS.